SoHo/NoHo Neighborhood Plan
Final Scope of Work
for an Environmental Impact Statement
CEQR No. 21DCP059M
ULURP Nos. Pending
May 14, 2021

This document is the Final Scope of Work (the "FSOW" or "Final Scope") for the SoHo/NoHo Neighborhood Plan Draft Environmental Impact Statement (DEIS). This FSOW has been prepared to describe the discretionary approvals, including zoning map and text amendments (collectively, the "Proposed Actions"), present the proposed framework for the DEIS analysis, and discuss the procedures to be followed in the preparation of the DEIS.

This FSOW incorporates updates that were made subsequent to publication of the Draft Scope of Work (DSOW). The substantive changes to the Proposed Actions and Reasonable Worst-Case Development Scenario (RWCDS) since the DSOW was issued are summarized below and detailed further in this document (see **Appendix 1**):

- Increase in the number of existing dwelling units (DU) on projected development sites from 16 to 32 DUs and increase of local retail floor area from 112,190 gsf/99,841 zsf to 115,052 gsf/102,324 zsf.
- Increase in local retail, destination retail, supermarket, office, and community facility floor area in the future with the Proposed Actions (With Action condition).
- Increase projected development site DUs from 1,699 DUs to 1,861 DUs in the With Action condition (and associated increase in affordable units from 382 affordable DUs to 573 affordable DUs).
- Merging of Projected Development Site 21 (30 Thompson Street) with adjacent Projected Development Site 20 (and elimination of Projected Development Site 21 from the RWCDS).
- Addition of Potential Development Site HHH (55 Bleecker Street).
- Increase potential development site DUs from 1,548 DUs to 1,758 DUs in the With Action condition.
- Removal of a small portion of the NoHo Core subarea and its inclusion in the Broadway-Houston subarea.
- Merger of the NoHo North subarea into the Broadway-Houston subarea.
- Insertion of a new stair-stepped boundary that minimizes split lot conditions along the western portion of the Canal Street subarea. The new line removes split lot conditions on potential development sites AAA, DDD, II, and ZZ, which are now completely within the R9X district.

- The proposed zoning districts were mislabeled in the RWCDS tables in the DSOW. The zoning districts have been corrected for the FSOW for 26 projected development sites and 58 potential development sites (see **Appendix 1**)

A. INTRODUCTION

This Final Scope outlines the technical areas to be analyzed in the preparation of the Environmental Impact Statement (EIS) for the SoHo/NoHo Neighborhood Plan. The applicant, the New York City Department of City Planning (DCP), is proposing zoning map amendments and zoning text amendments (the Proposed Actions) intended to create opportunities for new housing, including affordable housing, better reflect existing built conditions, strengthen the mixed-use character of the neighborhoods, including office and retail uses, and celebrate the unique architectural and creative legacies of SoHo and NoHo. This proposal has been prepared in response to neighborhood-wide planning challenges brought by changing economic and demographic trends and informed by local and Citywide stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019 by the Manhattan Borough President, the Council Member for City Council District 1, and DCP.

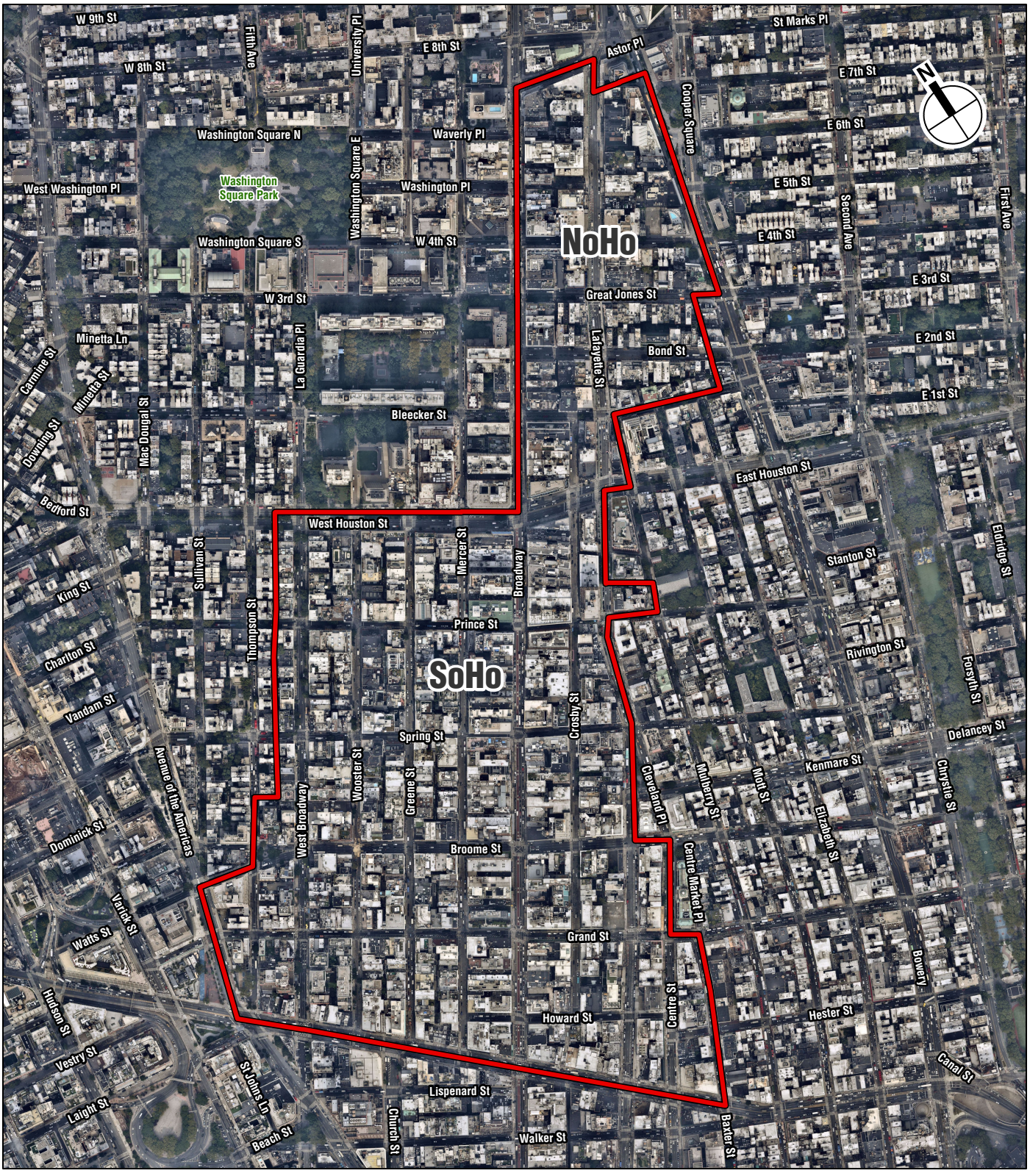
The Proposed Actions would affect an approximately 56-block, 146-acre area (the Project Area) of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south; and Sixth Avenue, West Broadway, and Broadway to the west (see **Figures 1 and 2**). The RWCDS for the Proposed Actions identifies 26 projected development sites. On the projected development sites, the Proposed Actions are expected to result in a net increase of approximately 1,829 projected dwelling units (DUs) (including 382 to 573 affordable units); 61,789 gross square feet (gsf) (51,752 zoning square feet [zsf]) of projected retail space (local and destination retail and supermarket space); and 20,778 gsf (18,076 zsf) of projected community facility space. The RWCDS also identifies 58 potential development sites, which are considered less likely to be developed by the analysis year. On the potential development sites, the Proposed Actions may result in a net increase of approximately 1,719 DUs, including 365 to 545 permanently affordable units; 52,360 gsf (46,073 zsf) of potential destination retail space; and 16,272 gsf (14,156 zsf) of potential community facility space. Development on some of these sites, due to their location within historic districts, would be subject to future review and approval by the New York City Landmarks Preservation Commission (LPC).

The Proposed Actions seek to accomplish the following land use and zoning objectives:

- Promote economic recovery, resiliency, and growth by allowing a wider range of commercial, community facility, and light industrial uses.
- Expand housing opportunities by allowing residential use and requiring permanently affordable housing to ensure that the neighborhoods support income diversity and further the City's equity and Fair Housing goals.
- Establish appropriate densities and contextual building envelopes that ensure new development harmonizes with neighborhood context and scale.
- Promote the preservation of historic resources and adaptive reuse of existing buildings by allowing for the conversion of existing buildings.
- Celebrate SoHo/NoHo's evolving role in the City's creative economy by continuing to accommodate and expand live-work uses and supporting creative, arts, and cultural uses.

Note: This figure has been updated for the Final Scope of Work.

3.23.21



Data source: NYC Department of City Planning; Imagery via Nearmap

Project Area / Rezoning Area

0 500 FEET

Aerial

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 1

Note: This figure has been updated for the Final Scope of Work.

4.20.21



Data source: NYC Department of City Planning

Project Area / Rezoning Area

0 2,000 FEET

Project Location

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 2

This Final Scope provides a description of the Proposed Actions, the projected and potential development that is reasonably expected to result from those actions, and the technical areas and approaches to be used for analysis in preparing the EIS. The New York City Planning Commission (CPC) has determined that an EIS for the Proposed Actions will be prepared in conformance with City Environmental Quality Review (CEQR) guidelines, with DCP acting on behalf of CPC as the lead agency. The environmental analyses in the EIS will assume a development period of 10 years for the RWCDS for the Proposed Actions (i.e., an analysis year of 2031). DCP will conduct a coordinated review of the Proposed Actions with involved and interested agencies, including LPC, Board of Standards and Appeals (BSA), Department of Housing Preservation and Development (HPD), Department of Sanitation (DSNY), Department of Parks and Recreation (NYC Parks), Department of Transportation (DOT), Department of Environmental Protection (DEP), Department of Cultural Affairs (DCLA), and the New York City School Construction Authority (SCA).

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

The Proposed Actions include discretionary approvals that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process. The discretionary actions include:

- ***Zoning map amendments.*** The Proposed Actions would replace all or portions of existing M1-5A and M1-5B districts with medium- to high-density mixed-use districts and establish a new Special SoHo NoHo Mixed-Use District (SNX) in the Project Area.
- ***Zoning text amendments.*** The Proposed Actions include amendments to the text of New York City's Zoning Resolution (ZR) to establish regulations for the proposed Special SoHo NoHo Mixed-Use District and to amend Appendix F of the ZR to apply the Mandatory Inclusionary Housing (MIH) program to the Special District.

CITY ENVIRONMENTAL QUALITY REVIEW AND SCOPING

The Proposed Actions are classified as Type I, as defined under 6 NYCRR 617.4 and 43 RCNY 6-15, subject to environmental review in accordance with CEQR guidelines. An Environmental Assessment Statement (EAS) that examined the Proposed Actions was completed on October 28, 2020 and a Positive Declaration, issued on October 28, 2020, established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the Proposed Actions. The process allows elected and appointed officials, governmental officials, other agencies, and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the period for public scoping, as explained below, those interested in reviewing the Draft Scope may do so and provide comments to the lead agency. In accordance with City and State environmental review regulations, the Draft Scope to prepare the EIS was issued on October 28, 2020. The public, interested agencies, Manhattan Community Board 2, and elected officials were invited to comment on the Draft Scope, either in writing or verbally, at a public scoping meeting.

In accordance with SEQRA and CEQR, the Draft Scope was distributed for public review. A public scoping meeting was held on December 3, 2020, and the period for submitting written comments remained open until December 18, 2020. In support of the City's efforts to contain the spread of COVID-19, DCP held the public scoping meeting remotely. Instructions on how to view

and participate, as well as materials relating to the meeting, were made available at the DCP Scoping Documents webpage[1] and NYC Engage website.[2]

Comments received during the Draft Scope's public meeting and written comments received up to 15 days after the meeting (until December 18, 2020) were considered and incorporated, as appropriate, into the Final Scope. The lead agency oversaw preparation of the Final Scope, which incorporates all relevant comments made on the Draft Scope and revised the extent or methodologies of the studies, as appropriate, in response to comments made during the public comment period. The Draft EIS (DEIS) has been prepared in accordance with the Final Scope. Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will respond to all substantive comments made on the DEIS, along with any revisions to the technical analyses necessary to respond to those comments. The FEIS will then be used by the decision-makers to evaluate CEQR findings, which address any significant adverse impacts resulting from the Proposed Actions, and identify feasible mitigation measures, in deciding whether to approve the requested discretionary actions, with or without modifications.

DETERMINATION OF CONSISTENCY WITH THE WATERFRONT REVITALIZATION PROGRAM (WRP)

Portions of the Project Area are within the Coastal Zone and will require review by the CPC, in its capacity as the City Coastal Commission (CCC), to determine if the Proposed Actions are consistent with the relevant WRP policies at these locations.

C. BACKGROUND TO THE PROPOSED ACTIONS

PROJECT AREA HISTORY

THE EARLY HISTORY OF SOHO AND NOHO

The SoHo and NoHo neighborhoods were used as farm and pastureland up to and through the 17th century, including the significant establishment of Manhattan's first free black settlement in SoHo on land granted by the Dutch West India Company. Portions of the Project Area were developed with manufacturing use as early as the late 18th century and the subsequent draining of ponds in the area and transformation of Broadway into a paved thoroughfare initiated the transformation of the area into a residential district. In the mid-19th century, SoHo and NoHo emerged as an important manufacturing and commercial district, with Broadway again leading the way as new marquee retail stores, entertainment venues, and hotels were constructed. The neighborhoods' resulting iconic cast-iron loft buildings contain large, contiguous floor plates, high ceilings and sturdy floors that can accommodate a wide range of business activities. This flexibility made them particularly conducive to adaptive reuse in later years.

[1] https://www1.nyc.gov/site/planning/applicants/scopingdocuments.page

[2] https://www1.nyc.gov/site/nycengage/index.page) in advance of the meeting

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

Starting in the 1860s, fueled by the construction boom of non-residential buildings in Lower Manhattan and an industrializing economy, SoHo shifted from a commercial and entertainment destination to a critical manufacturing and wholesale center for textiles and garments. Other types of industrial businesses—such as wood and metal production, hardware, and paper wholesale—were also present. Post-World War II, influenced by changes within the manufacturing industry, such as transportation and spatial needs, the number of manufacturing and related businesses in SoHo and NoHo contracted significantly in the 1950s through the 1970s. The dramatic decline of manufacturing, wholesale, and related uses in SoHo and NoHo left many former industrial lofts empty, presenting an opportunity for versatile, artist live-work spaces.

In 1971, the City amended SoHo/NoHo's basic M1-5 industrial zoning that had been in place since 1961. The 1971 rezoning sought to address the decline in manufacturing uses and recognize the growing presence of an artist community that was drawn to the area's vacant manufacturing loft buildings. In addition to the commercial and light industrial uses already permitted by the M1 zoning, Joint Living-Work Quarters for Artists (JLWQA) was created as a new manufacturing use within zoning Use Group 17 to allow certain artists and their households to live and practice their craft in such spaces. At first, the use was permitted only in SoHo, within two newly created zoning districts, M1-5A and M1-5B. In 1976, the M1-5B zoning was expanded to NoHo. The M1-5A and M1-5B zoning required that spaces used as JLWQA must be occupied by an artist certified by DCLA. DCLA established criteria for artist certification based on the limited definition of "artist" in the New York State Multiple Dwelling Law (MDL).

In the following decades, as SoHo and NoHo gained increasing popularity as a loft district, residential occupancies not associated with artists and arts production became more prevalent. This trend mirrored changes in manufacturing districts elsewhere in Manhattan, as industrial sectors relocated to buildings and areas that could accommodate modern production and distribution and loft buildings were increasingly occupied with residential uses. In the early 1980s, the City and State introduced zoning and legislative changes to regulate the conversion of non-residential loft buildings after recognizing a growing trend of illegal residential loft conversions. The MDL was amended by the enactment of Article 7C (also known as the "Loft Law"), which enabled the creation of Interim Multiple Dwellings (IMDs), i.e., a temporary legal status conferred upon commercial or manufacturing buildings occupied by three or more families with the ultimate expectation that such buildings be upgraded as permanent housing, and established the New York City Loft Board to regulate such conversions to residential use. At its inception, Article 7C provided that residential conversions were only permitted in areas where zoning allowed residential use as-of-right, which effectively excluded IMDs in SoHo/NoHo. In 1987, Article 7C was amended to allow IMDs in zoning districts where residential use was not permitted as-of-right, opening the doors for non-artist residents in the manufacturing districts of SoHo and NoHo to seek Loft Law coverage.

Recognizing that artists' occupations and circumstances could change and many residents did not qualify for artist certification, the City later granted blanket amnesties for residents other than certified artists in SoHo/NoHo, allowing units previously restricted to certified artists to be legally occupied by a full range of residents. A 1983 occupancy survey showed that only approximately one third of households in SoHo and NoHo were occupied by a DCLA-certified artist, despite the restrictive zoning in place. Familial successions of JLWQA by non-artists, sales and leasing of units to non-artists, as well as Use Group 2 residential conversions and new construction via zoning variances and special permits contributed to SoHo/NoHo's shift from a limited artist community to

a broader residential demographic with people engaged in a variety of professions. While DCLA routinely certified hundreds of artists per year throughout the 1970s and 1980s, that number dwindled to fewer than 10 per year in the latter half of the 2010s.With a population approaching 8,000 according to the 2010 US Census, SoHo/NoHo has a much more significant residential presence than typical manufacturing districts across the City.

Although the area's land use regulations have changed very little since the existing manufacturing zoning was enacted in the 1970s, SoHo/NoHo has transformed dramatically from a manufacturing center and post-industrial artist haven to one of the most exclusive, sought-after residential enclaves in the City and a magnet for retail and services – becoming, in the process, increasingly inaccessible to most New Yorkers, including many who have called SoHo and NoHo home for decades. At the same time, SoHo and NoHo have seen the dramatic growth in office uses, including a burgeoning creative sector with sound recording studios, creative services firms, and other professional offices that have helped bring over 52,000 jobs to the two neighborhoods. Alongside these changes, office workers, local visitors, and tourists have brought increasing dynamism and foot traffic to the neighborhoods' bustling streets. While the COVID-19 pandemic has impacted office occupancy and retail and hospitality activity, with particular severity in SoHo and NoHo, the neighborhoods' central location, easy transit accessibility, world-class historic architecture, and unique mixed-use character will continue to be valuable assets contributing to the desirability and ongoing recovery of the area. In light of these changes and pressing challenges, a more modern land use regulatory framework is needed to preserve what makes SoHo/NoHo successful while also creating a more integrated, equitable, and resilient community.

HOUSING STOCK

Neighborhood residents own or rent units that fall into three general categories: (1) JLWQA—which is considered a manufacturing use in zoning and requires the presence of an artist certified by DCLA; (2) Loft Buildings, such as IMDs and former IMDs that have been fully legalized under the State Loft Law (also known as Article 7C of the New York State MDL); and (3) converted or newly constructed residential units approved by CPC special permits or BSA variances. Some residents in the Project Area live in older residential buildings, such as tenements, that pre-dated the manufacturing zoning. While the exact number is difficult to estimate, the share of certified artist residents in the Project Area today is likely small. The number of artist certifications issued by DCLA has declined significantly in recent decades: since 2015, fewer than 10 certifications were issued annually. According to HPD, while SoHo/NoHo has some rent-regulated and stabilized units mostly by way of the Loft Law, the neighborhoods have no government assisted housing or other types of income-restricted units.

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

ENVISION SOHO/NOHO

The impetus for the SoHo/NoHo planning process began in 2015 with a joint letter to DCP from the Manhattan Borough President and the local City Council Member noting, among other matters, the high volume of site-specific land use actions (e.g., special permits and zoning variances) being processed for the neighborhoods, outdated zoning, and the lack of a holistic planning strategy. The letter called for the creation of a new planning framework informed by "a robust public neighborhood process" to strengthen the varied retail character of the area, promote a diversity of uses and employment base, recognize the arts and creative foundation of the neighborhoods, and encourage the development and preservation of affordable housing. The letter also identified three key issues to be examined: 1) the utility and functionality of the JLWQA use category vis-à-vis

trends in today's creative sector; 2) retail regulations including size restrictions and the clarity, predictability, and enforceability of rules, and; 3) a potential zoning structure that contributes to the creation or preservation of affordable housing.

DCP, working in concert with the Manhattan Borough President and local City Council Member, began a series of technical studies that set a baseline for the community planning process to follow. The studies' findings provided specific data confirming the mismatch between existing zoning, longstanding perceptions of the nature of the SoHo and NoHo neighborhoods, and actual land use realities. In January 2019, DCP, alongside local elected officials, initiated the six-month Envision SoHo/NoHo public engagement process to examine key land use and zoning issues in the two neighborhoods, share with the public the results of the technical analysis, and seek community input to develop strategies to both honor SoHo/NoHo's history and ensure the continued vitality of the neighborhoods moving forward.

Guided by an 18-member stakeholder advisory group consisting of residents, business owners, elected officials, City agencies, and other advocacy organizations, the Envision SoHo/NoHo engagement process gathered local input on a range of topics, including housing, jobs, arts and culture, historic preservation, retail, quality of life, and creative industries. The process included over 40 meetings, including six public meetings/workshops, 17 advisory group meetings, and eight focus group meetings with various resident and stakeholder groups, as well as numerous other individual meetings with key stakeholders.

In November 2019, DCP, the Manhattan Borough President, and Council Member, in consultation with the stakeholder advisory group, issued a final report, *Envision SoHo/NoHo: A Summary of Findings and Recommendations* (the "Report"), which synthesized the comments and discussions from the public and stakeholder engagement process and provided a series of zoning, land use, and other recommendations and priorities. The report concluded that the current zoning and other land use controls fall short of producing the vision for a vibrant, mixed-use neighborhood. The report articulated the following broad goals to facilitate a successful, diverse, and inclusive community:

- Promote mixed-use development in ways that respect and support neighborhood diversity and character;
- Foster the small business community of SoHo/NoHo by reducing regulatory barriers and providing supportive resources;
- Create housing and live-work opportunities on underused land in ways that respect and support neighborhood diversity and character;
- Maintain, enforce and strengthen existing protections for residents including renters and those in rent-regulated units;
- Support and promote the artist and maker communities while allowing people to live in SoHo/NoHo without artist certification;
- Preserve, promote, and create more spaces and uses for arts, maker uses, and cultural uses; and
- Improve quality of life of residents and workers in the SoHo and NoHo mixed-use environment.

Building on Envision SoHo/NoHo's public engagement, DCP continued to work with the community to further refine the neighborhood plan and keep stakeholders informed throughout the process. On October 26, 2020, over 500 New Yorkers attended a virtual public information

session on how to participate in the upcoming public review process for the SoHo/NoHo Neighborhood Plan. The two-hour event included a presentation by DCP staff and a question-and-answer session. Over the next several months DCP, in coordination with HPD, DCLA, DOT, and the DSNY, hosted three additional information sessions focused on Housing, Mixed-Use and the Public Realm, and Arts and Culture.

Grounded in research and engagement with local and citywide stakeholders, DCP established a set of neighborhood planning goals that identify a long-term vision for a balanced, coordinated approach to neighborhood planning. These goals prioritize the preservation of neighborhood character, residential growth, and expansion of locations for job-generating commercial uses (discussed in greater detail in Section E, "Purpose and Need of the Proposed Actions," and Section F, "Description of the Proposed Actions"). The vision for the future of SoHo and NoHo recognizes the area's varied context and aims to meet multiple planning objectives. As the City proactively plans for the future of SoHo/NoHo, the Neighborhood Plan also seeks to meet citywide goals of increasing housing production, including affordable housing, and directing growth to appropriate locations.

PROJECT AREA

The Proposed Actions would affect an approximately 56-block, 146-acre area of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south; and Sixth Avenue, West Broadway, and Broadway to the west. Canal Street is the gateway to the SoHo neighborhood and Houston Street is the major artery separating NoHo to the north from SoHo to the south. Broadway is the primary north-south corridor that extends the entire length of the Project Area. Other secondary corridors within the Project Area include West Broadway, Lafayette Street, and Broome Street. The Project Area consists of distinct subareas of historic corridors and residential blocks, with differing building typologies and character. Most of the Project Area is located within the SoHo–Cast Iron Historic District and its extension, the NoHo Historic District and its extension, and the NoHo East Historic District.

HISTORIC DISTRICTS

Over 80 percent of the Project Area is within City-designated historic districts. Proposed development projects in City-designated historic districts, including those in the Project Area in SoHo and NoHo, are subject to LPC review and approval in accordance with the New York City Landmarks Law, inclusive of any alteration, reconstruction, demolition or new construction affecting buildings. Areas outside of City-designated historic districts (for example, in the southeast and southwest corners of SoHo, and certain areas along Bowery) are generally transitional areas, and possess a different built character compared to the historic cores of SoHo and NoHo historic districts where cast-iron loft buildings are concentrated.

The SoHo–Cast Iron Historic District was designated by the LPC in 1973, and listed on the National Register of Historic Places and declared a National Historic Landmark in 1978. The district is bounded by Canal Street, Broadway, Howard Street, Crosby Street, East Houston Street, West Houston Street, and West Broadway, and consists of 26 blocks and contains approximately 500 individual buildings. The SoHo–Cast Iron Historic District Extension, designated in 2010, consists of approximately 135 properties located on the blocks immediately adjacent to the east and west sides of the SoHo–Cast Iron Historic District. The SoHo–Cast Iron Historic District and Extension are significant not only for their historic role in the commercial development of New

York City, but also for the survival of the largest concentration of full and partial cast-iron façades anywhere in the world.[3]

The NoHo Historic District, designated by the LPC in 1999, consists mainly of the blocks east and west of Broadway between Houston Street and 9th Street, and comprises approximately 125 buildings. The NoHo Historic District represents the period of New York City's commercial history from the early 1850s to the 1910s, when the area prospered as one of the city's major retail and wholesale dry goods centers. Today, the historic district is distinguished by unifying streetscapes of marble, cast iron, limestone, brick, and terra-cotta façades.[4] The NoHo Historic District was further extended to the east in 2008 as the NoHo Historic District Extension.

In 2003, the LPC created the NoHo East Historic District, which is centered on Bleecker Street between the Bowery and Lafayette Street, and consists of 42 buildings constructed between the early 19th and the early 20th centuries. The district's low-scale, early-19th century houses on Bleecker Street and Elizabeth Street are reminders of the area's early residential history, while the larger store and loft buildings testify to the New York's growing importance as a hub of commercial activity. Today, this diversity of small dwellings, apartment buildings, factories, lofts, and stables represent an intact and unusual historic mixed-use neighborhood in lower Manhattan.[5]

A small portion of the Project Area is within the Sullivan-Thompson Historic District. Designated by LPC in 2016, the historic district is characterized by a diversity of row houses, tenements, commercial structures, and institutional buildings that developed in the early 19th century.[6]

NEIGHBORHOOD CONTEXT

The SoHo and NoHo neighborhoods are unique in that they are almost uniformly mixed-use. Unlike most other neighborhoods in Manhattan and elsewhere that have commercial uses concentrated on avenues and wide streets and predominantly residential use in the midblock and along side streets, SoHo and NoHo have various uses side-by-side—and, in many cases, above and below within individual buildings—on nearly every street. This pervasive mixed-use character contributes to the charm and vibrancy of SoHo and NoHo and presents unique conditions related to zoning, land use, and quality of life. While largely within historic districts and featuring cast-iron lofts, the Project Area's historic corridors have distinct land use and built characters. Within SoHo and NoHo, built conditions, area context, and existing use patterns also combine to form several distinct subareas, as detailed below.

SoHo East and SoHo West

The areas along the periphery of the Project Area, including the area generally south of Grand Street and east of Crosby Street and the area generally south of Watt Street and west of West Broadway, are mostly outside of the historic districts. West Broadway and Watts Street anchor the SoHo West subarea. Subway access is provided at the Canal Street station for the A/C/E trains at

[3] SoHo–Cast Iron Historic District Designation Report. NYC Landmarks Preservation Commission, August 14, 1973.

[4] NoHo Historic District Designation Report. NYC Landmarks Preservation Commission, June 29, 1999.

[5] NoHo East Historic District Designation Report. NYC Landmarks Preservation Commission, June 24, 2003.

[6] Sullivan-Thompson Historic District Designation Report. NYC Landmarks Preservation Commission, December 13, 2016.

Canal Street and Sixth Avenue. Lafayette Street, a 80-foot-wide street, and Centre Street anchor the SoHo East subarea. Subway access is provided by the J/Z and 6 lines at Canal Street.

These areas tend to contain a high concentration of low-intensity uses relative to other parts of the Project Area, including tenement-style buildings, low-rise industrial buildings, parking lots and garages, and one-story eating and drinking establishments. FARs in the area generally range from 3.0 to 6.5, though some of the older commercial office buildings can far exceed this range and can reach up to 12 stories.

Recently, a number of large hotels ranging between 16 and 26 stories have located in the area. While framed by major wide streets, these areas are generally less residential and less built up than the other areas described above. SoHo West serves as a transitional area between the SoHo Historic Core and Hudson Square to the west. Hudson Square is known as a high-density mixed-use district characterized by high lot coverage, large office buildings and new residential development. SoHo East, framed by multiple wide streets, is a transitional area where SoHo, Little Italy, Chinatown, and the Lower Manhattan Central Business District converge.

Bowery Corridor

The Bowery, a major commercial corridor and a 120-foot-wide street, is located at the northeast corner of the Project Area in NoHo between Great Jones Street and Astor Place. Bowery separates the Project Area from the East Village to the east. The stretch north of 4th Street is characterized primarily by mixed residential and commercial buildings and a large institutional presence, with heights ranging from four to 16 stories and FARs generally between 5.0 and 9.0. In the area outside of the historic district, along and south of East 4th Street, there are a number of underbuilt sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings that have been converted to eating and drinking establishments. Ground-floor retail is more common south of East 4th Street than the area to the north.

Canal Street Corridor

The Project Area includes Canal Street, a 100-foot-wide thoroughfare that is renowned as a discount shopping corridor. Canal Street is characterized by a mix of tenements, federal-style rowhouses, historic cast-iron lofts, newly constructed residential buildings, low-rise retail stores, and some low-intensity semi-industrial businesses and parking garages. As potential development sites become increasingly scarce in the SoHo core, interest in the Canal Street Corridor has grown. New residential development projects are transforming the corridor by replacing low-intensity uses, such as single-story discount retail buildings and parking lots. 341 Canal and 419 Broadway, at six and eight stories respectively, are establishing Canal Street as a gateway to the neighborhood and serve as a transition between SoHo and the taller commercial buildings south of Canal.

Broadway and Houston Street Corridors

Broadway is a major commercial corridor and at 80 feet, a wide thoroughfare that runs through SoHo and NoHo, and also separates the Project Area from Greenwich Village and the New York University (NYU) campus to the west. Houston Street, at approximately 125 feet wide, is the primary east—west artery that separates SoHo to the south from NoHo to the north. The N/Q/R/W subway lines run below Broadway and include stations at Canal, Prince, and 8th Streets. The B/D/F/M subway lines run under Houston Street with a major transit node at Broadway-Lafayette that connects to the 6 line at the Bleecker Street station.

Buildings along Broadway, between Crosby and Mercer Street in SoHo, and along the adjacent Lafayette Street in NoHo, are generally taller and bulkier than those in the neighborhood cores:

between six and 12 stories tall with FARs often exceeding 10.0— and consist of a mix of older loft buildings and more recent construction. The Broadway corridor contains the Project Area's largest floorplates, with a high concentration of commercial uses, particularly offices and destination retail. The corridor is a major employment hub. The Broadway corridor north of 4th Street in NoHo has a relatively high concentration of institutional uses, interspersed with a number of low-rise industrial uses, and low-intensity uses such as vacant land and garages.

SoHo and NoHo Historic Cores

The historic centers and cores of SoHo and NoHo are generally located between West Broadway, Grand Street, Mercer Street, and Houston Street in SoHo, and East 4th Street, Bowery, Broadway, and Bleecker Street in NoHo. These core areas consist primarily of high lot coverage, well preserved cast-iron. and/or masonry loft buildings constructed during the mid- to late-19th century and are typically five to seven stories tall with floor area ratios (FARs) generally ranging between 3.0 to 6.5, but with FARs on certain blocks reaching 10.0 or more. The areas' unique character is distinguished by this building stock which existed prior to the M1-5A/B zoning districts, resulting in building bulk and envelopes that are not wholly consistent with the existing zoning but are preserved through the area's LPC-designated historic districts. Much of the core areas' streets retain their original Belgian block pavers. These areas are overwhelmingly mixed-use residential and commercial. Smaller retail uses predominate on the ground floors while most of the upper floors of the loft buildings have been converted from their original light industrial uses to JLWQA, residential, and office uses. Bars and restaurants are interspersed across the Project Area, but are more prevalent along Lafayette Street, Great Jones Street, Bond Street, and West Broadway.

D. EXISTING ZONING

The Project Area consists of approximately 0.23 square miles, or approximately 146acres, in the south-central part of Manhattan Community District 2. The Project Area's 56 blocks are split between the neighborhoods of NoHo (11 blocks) and SoHo (45 blocks). Existing zoning is shown in **Figure 3**.

PROJECT AREA

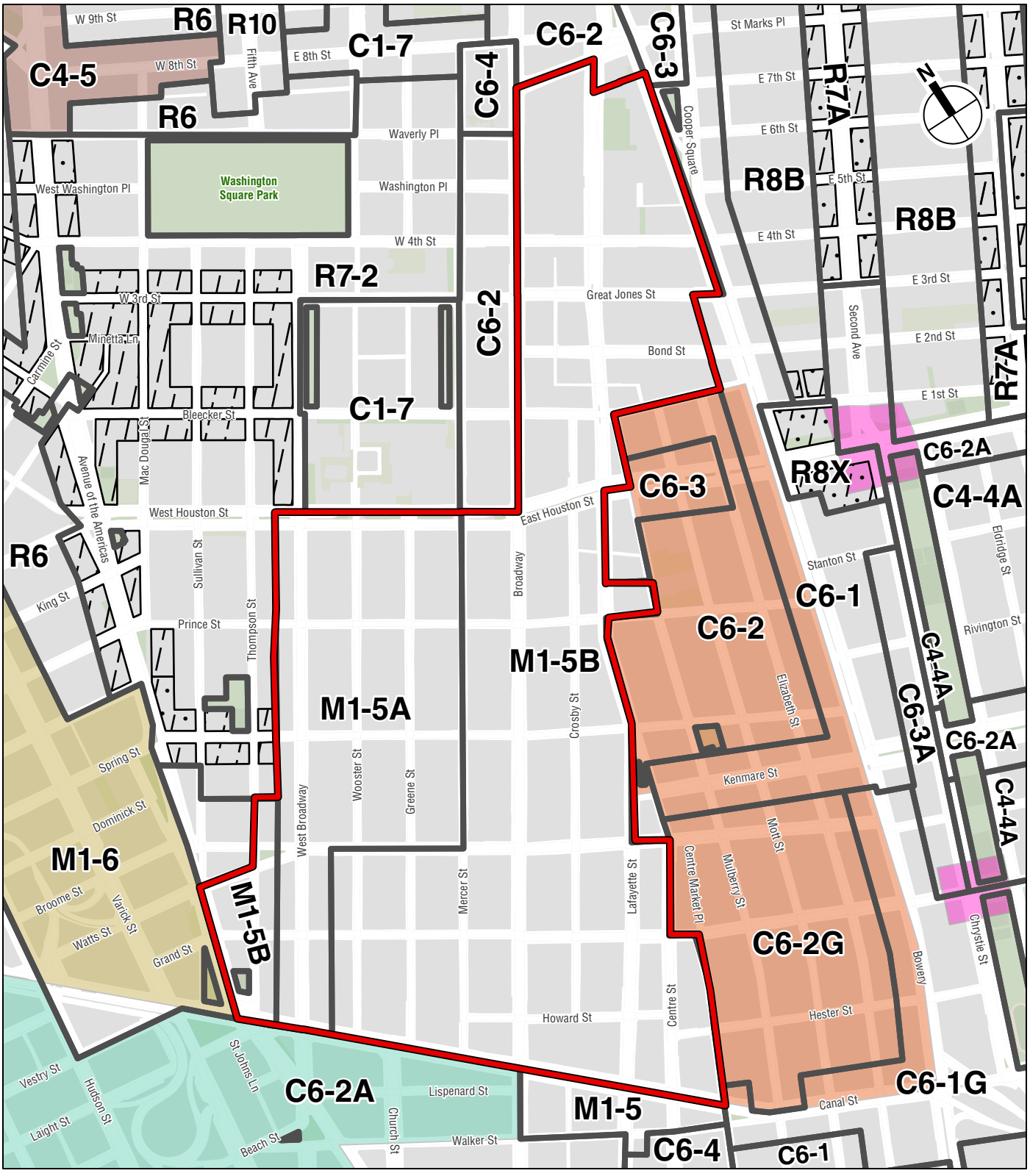
M1-5A AND M1-5B

In general, M1-5A and M1-5B districts follow many of the same use and bulk regulations as the standard M1-5 manufacturing district, except for certain use restrictions that apply only to SoHo/NoHo. The M1-5A zoning district is mapped exclusively in SoHo, across approximately 13 blocks along and east of West Broadway between East Houston Street and Canal Street. The M1-5B zoning district covers most of the Project Area and is mapped across 11 blocks in NoHo and approximately 32 blocks in SoHo.

Both districts permit a maximum FAR of 5.0 for commercial and manufacturing uses and 6.5 FAR for community facility uses. The maximum height of a building at the street wall is six stories or 85 feet, whichever is less, above which, an initial setback of 20 feet (narrow street) or 15 feet (wide street) is required. Maximum building height and setbacks are controlled by a sky exposure plane (2.7:1 on a narrow street or 5.6:1 on a wide street) which may be penetrated by a tower under certain conditions. Although new industrial buildings are usually low-rise structures that fit within the sky exposure plane, commercial and community facility buildings can be constructed as towers. A 20-foot rear yard is required is most cases.

Note: This figure has been updated for the Final Scope of Work.

4.9.21



Data source: NYC Department of City Planning; GIS Zoning Features, December 2020

- *Project Area / Rezoning Area*
- *Zoning District Boundary*
- *C1-5 Commercial Overlay District*
- *C2-5 Commercial Overlay District*
- *Open Space*
- *Special Hudson Square District*
- *Special Limited Commercial District*
- *Special Little Italy District*
- *Special Transit Land Use District*
- *Special Tribeca Mixed-Use District*

0 500 FEET

Existing Zoning

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 3

M1-5A and M1-5B districts allow a broad range of light manufacturing and commercial uses as-of-right. Residential use, which is not permitted as-of-right, consists of residential lofts legalized under the Loft Law, residential units that are pre-existing non-conforming uses, or units permitted by a special permit granted by CPC or by a variance granted by the BSA. JLWQA, a Use Group 17 manufacturing use that provides for combined live and work space for artists with certification from DCLA, is permitted through conversion of existing floor area, however, buildings containing JLWQA units may not be enlarged as-of-right.

In addition to the prohibition on residential use, the M1-5A and M1-5B zonings impose controls on certain commercial and large entertainment uses. Eating and drinking establishments are only permitted subject to size restrictions and other limitations. Non-commercial clubs, theaters of 100 seats or more, and entertainment uses (such as banquet halls) are not permitted as-of-right. Retail establishments of 10,000 sf or more, as in all M1 districts, are only permitted by special permit. Additionally, museums and non-commercial art galleries are subject to specific bulk and floor area restrictions and are limited to certain locations within buildings. Many of these provisions were intended to protect the industrial sector of the City's economy and preserve space for light manufacturing and commercial operations.

The primary distinction between M1-5A and M1-5B districts relates to the location of certain uses within a building. In the M1-5B district, only uses listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C, or 17E, which exclude retail, eating and drinking, office, amusement and entertainment uses, are allowed below the floor level of the second story as-of-right. In the M1-5A district, the restrictions on the location of Use Groups 7, 9, 11, 16, 17A, 17B, 17C, or 17E do not apply to buildings occupying less than 3,600 sf of lot area. Similarly, in the M1-5B district in buildings occupying less than 3,600 sf of lot area, JLWQA may not be located below the floor level of the second story unless modified by CPC. In the M1-5A district, but not M1-5B, CPC may authorize a museum or non-commercial art gallery where it is not permitted as-of-right.

SURROUNDING AREA

M1-5

An M1-5 manufacturing district is mapped across a small, four-block area south of Canal Street between Walker Street, Broadway, and Baxter Street south of the Project Area. Similar to M1-5A and M1-5B districts, M1-5 districts permit a maximum FAR of 5.0 for commercial and manufacturing uses and 6.5 FAR for community facility uses. The maximum street wall height is six stories or 85 feet, whichever is less; maximum building height and setbacks are controlled by a sky exposure plane. Although new industrial buildings are usually low-rise structures that fit within the sky exposure plane, commercial and community facility buildings can be constructed as towers.

M1-5 districts permit a wide range of commercial and light industrial uses as of right, such as offices, repair shops, and wholesale service and storage facilities. Unlike the more restrictive M1-5A/M1-5B districts, most eating and drinking places and retail uses are allowed as of right. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit. Likewise, retail establishments of 10,000 square feet or more are only permitted by special permit. JLWQA are not an allowed use in M1-5 districts; other residential uses are not permitted unless paired with residence districts in a Special Mixed Use District.

M1-6 (SPECIAL HUDSON SQUARE DISTRICT)

An M1-6 manufacturing district is located to the west of the Project Area in the Hudson Square neighborhood. In general, many of the same use and building envelope rules of the M1-5 district apply, except that in M1-6 districts, the maximum permitted FAR is 10.0, or 12.0 with a public plaza bonus. The Special Hudson Square District, which is co-extensive with the M1-6 area, modifies some of the use and bulk controls of the underlying M1-6 district, encouraging new residential and retail development while also preserving larger commercial and light manufacturing buildings.

C6

Much of the Project Area is surrounded by C6 commercial districts to the south, east, and north, including C6-1, C6-1G, C6-2, C6-2G, C6-2A, C6-3, and C6-4. C6 districts permit a wide range of high-bulk commercial uses requiring a central -location, including large office buildings, large hotels, department stores, and entertainment facilities in high-rise mixed buildings. Most residential and community facility uses are also allowed as of right. Maximum commercial FAR in the surrounding areas ranges from 6.0 (C6-1, C6-2, C6-3) to 10.0 (C6-4). The C6-2A district is a contextual district with a contextual base and maximum building heights; all other C6 districts allow towers to penetrate a sky exposure plane and do not require a contextual base. C6-1G and C6-2G districts are mapped in Chinatown and Little Italy and have special rules for the conversion of non-residential space to residential use. Commercial districts have a corresponding residential district equivalent (e.g., R10 in C6-4), which regulates the bulk of residential or mixed-use buildings. The regulations of the Special Tribeca Mixed-Use District, mapped to the southwest of the Project Area within a C6-2A district, encourages mixed-use development, including residential and light industrial uses. The Special Little Italy District, mapped to the east of the Project Area within the underlying C6-1, C6-2, and C6-3 districts, has additional bulk controls designed to maintain the mixed-use character and mid-rise scale of the historic Little Italy neighborhood.

C1-7

A C1-7 commercial district is mapped in a portion of Greenwich Village north of Houston Street and west of Mercer Street. C1 districts are predominantly residential in character and are typically mapped along major thoroughfares in medium- and higher-density areas of the city. Typical retail and local service uses include grocery stores, dry cleaners, drug stores, restaurants, and local clothing stores that cater to the daily needs of the immediate neighborhood. The maximum commercial FAR is 2.0. The residential district equivalent for C1-7 is R8, which has a maximum FAR of 6.02 under height factor regulations. Quality Housing regulations with MIH allow for a maximum residential FAR of 7.2 and a maximum building height of 215 feet with a contextual base.

R7-2

An R7-2 district, which is mapped to the northeast of the project area, is a medium-density, non-contextual residential district generally characterized by mid-rise apartment buildings with a maximum FAR of 3.44 under height factor regulations. Quality Housing buildings with MIH allow for a maximum residential FAR of 4.6 and a maximum building height of 135 feet with a contextual base. C1-5 commercial overlays, mapped within the R7-2 district along streets that serve local retail needs, allow for a maximum commercial FAR of 2.0.

In addition to the above surrounding zoning districts, an approximately 2.5-block area southwest of the Project Area west of Thompson Street and north of Watt Street is zoned M1-5B. This area

is largely within the Sullivan-Thompson Historic District and has a much more residential character compared to the SoHo-Cast Iron Historic District to the east and the rest of the M1-5A and M1-5B districts. These blocks contain a high concentration of one- and two-family buildings and a limited commercial presence. FARs within the boundaries of the historic district generally range from 2.0 to 4.5. Outside of the historic district, parcels have recently been developed as residential buildings, including a 16-story apartment building and townhouses.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

Building on the Report's findings, DCP established a set of planning goals that identify a long-term vision for a balanced, coordinated approach to neighborhood planning. These goals prioritize the preservation of neighborhood character, residential growth, and expansion of locations for job-generating commercial uses. The vision for the future of SoHo and NoHo recognizes the area's varied context and aims to meet multiple planning objectives. As the City proactively plans for SoHo and NoHo's future, the plan also seeks to meet Citywide goals of increasing housing production, including affordable housing, and direct growth to appropriate locations.

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED-USE REGULATIONS

In 1971, when the current zoning was adopted, the existing M1-5A and M1-5B zoning was intended to address a narrow issue: to provide a path for existing working artists to legalize their live-work occupancies while preserving space for shrinking manufacturing uses, including textile manufacturing and the wholesale sector.

The Project Area's land use pattern and economic landscape have changed significantly since then. Traditional manufacturing and industrial uses have diminished in SoHo/NoHo as they have in most other areas of the City due to broader macroeconomic changes and shift towards a more service-oriented economy.

DCP fieldwork conducted between 2015 and 2016 found that there were only about 20 industrial/semi-industrial businesses in operation in the SoHo/NoHo at that time, half of which were semi-industrial or new types of "maker" uses that function in relation to a retail space or office setting (e.g., lighting design, sound recording studio, or 3D printing). According to the U.S. Bureau of Labor Statistics' 2018 Q2 Longitudinal Employer-Household Dynamics (LEHD) Origin-Destination Employment Statistics, about two percent of the total jobs in SoHo/NoHo were in industrial sector businesses such as manufacturing, construction, transportation and warehousing, and utilities. In contrast, the neighborhood's non-industrial employment base was sizable and exhibited consistent trends of growth, totaling over 53,000 private-sector jobs in the same period. Office-based sectors, including professional and technical services, information, real estate, finance and insurance, management of companies, and administration and support services, accounted for 48 percent of total jobs in the Project Area. Sales trade, including primarily retail and some wholesale, constituted 23 percent of the 53,000 jobs in SoHo/NoHo. According to a 2018 HR&A SoHo and NoHo Retail Conditions Study, SoHo/NoHo's retail businesses contributed an estimated $170 million in sales tax to New York City and State each year, reflective of SoHo/NoHo's position as the second highest-grossing retail market in New York City and one of the top three retail markets in the entire United States.

Despite the shift towards retail, office, creative production, and other commercial uses, SoHo/NoHo's manufacturing zoning and outmoded provisions continue to prioritize traditional light industrial and related uses that have largely relocated to other parts of the City, region, and

beyond. These regulations create significant barriers and onerous burdens for property owners and businesses as they attempt to respond to changing market and industry dynamics.. One such example of this mismatch between current land use regulations and existing conditions is the restrictive zoning that generally only permits ground floors to be occupied by light manufacturing uses. Any other uses on ground floors, such as retail, food and beverage, and many other commercial uses, require a special permit that typically requires storefronts to be kept vacant—sometimes for over a year—while an attempt is made to identify an industrial tenant to occupy the space.

Notwithstanding the existing zoning that restricts retail, food and beverage establishments, and many other commercial uses on the ground floors in most of the districts (excluding limited commercial spaces that pre-existed the current zoning), there has been a proliferation of such uses given SoHo/NoHo's central location, rich transit access, and adaptability of loft buildings. Retail and other commercial uses (e.g., eating and drinking establishments, commercial art galleries, banks, showrooms) occupy ground floor space in most of the Project Area's buildings, with some multi-level stores concentrated along the Broadway corridor. Beyond the ground floor, retail and related uses make up 18 percent of total built floor area in existing buildings. Office uses, which are distributed in commercial and mixed-use buildings throughout SoHo/NoHo, make up a full third of total built floor area..

Absent a zoning framework that responds to these evolved market conditions and trends, and broader macroeconomic shifts, property owners in SoHo and NoHo have relied on individual land use applications and other ad hoc approvals accomplish their development goals. For example, between 2000 and 2019, the City granted over 90 CPC special permits within the bounds of SoHo and NoHo, a portion of Community District 2, significantly more than the volume granted in the entire Community District 1 (21) or Community District 3 (51). BSA has also granted numerous variances over the past decades in SoHo/NoHo. Many of these special permits and variances were to allow retail and other commercial uses on the ground floors that are permitted as-of-right in the surrounding neighborhoods. The over-reliance on special permits and variances indicates that the regulatory burdens fall disproportionally on smaller businesses and property owners, who typically have fewer financial resources and less technical sophistication to navigate complex land use, environmental, and public review processes.

The obsolete and onerous zoning, including ground floor use restrictions and limitations on food and beverage uses, in the context of a rapidly evolving retail industry and the economic challenges and uncertainties brought by the COVID-19 pandemic, represents a significant barrier for businesses that wish to remain or locate in SoHo/NoHo, and contributes to high retail vacancies and the lack of storefront diversity. According to DCP's July 2020 study on retail activities across the five boroughs, while all major commercial corridors were found to have a higher share of inactive storefronts in light of the pandemic, SoHo and the Canal Street corridor were the only two areas with over 50 percent of the stores closed or vacant. The presence of outdated regulatory barriers will only serve to exacerbate challenges to recovery for two of New York City's most significant commercial areas.

The Proposed Actions would replace the outdated manufacturing zoning and rigid use restrictions with rational, appropriately flexible regulations that promote the mix of uses and support COVID-19 economic recovery, business adaptation, and long-term resiliency. The broad range of uses would support existing businesses in SoHo/NoHo as they continue to operate, expand, grow and evolve, while allowing a greater range of commercial, cultural, and civic activities within the existing highly adaptable loft buildings and new mixed-use developments. The Proposed Actions

would also provide protection for the existing concentration of commercial and remaining light manufacturing uses in large loft buildings to balance non-residential and residential uses and ensure that SoHo/NoHo—especially the Broadway corridor where major employers cluster—continues to thrive as an employment hub and critical Class B and Class C office reservoir.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

While residential conversions have occurred through various means, including legalizations under the Loft Law, as well as use changes, and new construction allowed by CPC or BSA approvals, SoHo/NoHo's manufacturing zoning does not allow residential use (Use Group 2) as-of-right. For units that are approved by discretionary actions, a minimum unit size of 1,200 sf is required by the M1-5A and M1-5B zoning. These are significant hindrances to the equitable production of market rate and affordable housing in two high-opportunity neighborhoods close to transit and employment centers. The neighborhood's existing stock of affordable housing is limited and consists primarily of units subject to rent regulation by way of the New York State Loft Law. The limited number of residential conversions and ground-up developments in the past few decades have only provided market-rate units and made marginal contributions to the City's overall housing supply. According to the 2010 census, approximately 7,800 residents live in SoHo/NoHo, of which 77.5 percent identified as white non-Hispanic, compared to 48 percent in Manhattan. SoHo/NoHo also has higher household incomes and more owner-occupied housing units compared to Manhattan and New York City.[7] According to HPD, while SoHo/NoHo has some rent-regulated and stabilized units mostly by way of the Loft Law, the neighborhoods have no government assisted housing or other types of income-restricted units.

The Proposed Actions would allow residential use in conversions and new construction and implement the City's MIH program within SoHo/ NoHo. Residential use would be allowed across the Project Area where the potential for residential conversion and infill development exists; while areas on the periphery of SoHo/NoHo that are largely outside of historic districts present additional opportunities for new residential development and affordable housing production. In addition, the Proposed Actions would shift away from a narrow allowance for only JLWQA manufacturing use to residential use without any occupation-based restrictions, as is typical in the rest of the city. A wider set of live-work arrangements would also be accommodated through expanded home occupation provisions. This is consistent with citywide housing policies and would address broader concerns about housing equity in the context of Fair Housing laws.

SUPPORT ARTS AND CULTURE

The unique JLWQA regulations in the M1-5A and M1-5B districts, established in 1971, played a role in facilitating the transformation of SoHo/NoHo from a declining manufacturing district to a vibrant mixed-use area and arts and culture hub. Today, while certified-artist-occupied JLWQA largely remains the sole as-of-right quasi-residential use (Use Group 17D, not Use Group 2), only about 30 percent of all SoHo/NoHo homes are still listed as JLWQA use that requires certified artist occupancy on buildings' certificates of occupancy. Moreover, these units have a wide array of occupancy and legal statuses as a result of five decades of property transaction history and a confluence of factors, including changes to the original artist residents' occupation, marital status and life arrangements, subsequent amnesties of non-artist residents, as well as enforcement

[7] Source: NYC Department of City Planning – Population Division, American Community Survey, 2015 – 2019 Manhattan Block Groups 45001, 47002, 490001, and 55021 were aggregated to approximate the SoHo/NoHo Study Area.

challenges and administrative impracticalities of the JLWQA provisions. The complex interactions between JLWQA zoning regulations and the existing residential landscape have been cited by some local residents—including certified artists and others that lack or do not qualify for certification—as a source of significant uncertainty and potential risk in planning for their families' futures. More broadly, with the emergence of other dynamic and attractive artist communities across New York's five boroughs, artists do not make up a significant segment of the current 8,000 person residential population or market demand in SoHo/NoHo. Evidence of this trend is the steady decline of the number of artist certifications by the DCLA from hundreds annually in the 1970s and 1980s to fewer than 10 annually in recent years.

The Proposed Actions would continue to permit JLWQA use and live-work arrangements that already exist in the Project Area, and establish a voluntary option to transition JLWQA to regular residential use with conditions that more broadly benefit the arts and creative industries. This would facilitate the legalization of existing non-artist occupancy, broaden live-work to be more inclusive and reflective of modern needs, regularize residential market transactions to align with the rest of the City, and support arts and cultural organizations so that SoHo/NoHo's cultural legacy remains relevant into the future.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORMS

The existing bulk regulations in M1-5A and M1-5B districts do not always facilitate building forms that relate harmoniously to the loft building context within and beyond the historic districts. In such instances, special permits and zoning variances are often needed to allow building forms appropriate for the historic district context and acceptable by the LPC. The Proposed Actions would establish bulk regulations that more appropriately respond to neighborhood context, provide flexibility to minimize the effects of new developments and enlargements on neighboring buildings and allow the LPC to shape the building form in a manner appropriate to the neighborhood and the immediate context without the need for separate land use actions.

F. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions are intended to address the significant mismatch between the five-decade old M1-5A and M1-5B zoning and the existing conditions in SoHo/NoHo, remove barriers for housing and businesses, strengthen mixed-use, support arts and culture, and promote equity and affordability.. The Proposed Actions would:

- Allow a wider range of non-residential uses and remove outdated ground floor commercial use restrictions, and support a healthy retail ecosystem;
- Allow residential use and apply MIH in a manner that recognizes unique conditions in historic districts and addresses practical challenges presented by SoHo and NoHo's loft building typologies;
- Respect the Project Area's status as an important hub for office, businesses and jobs and strengthen the mixed-use character of the neighborhoods by introducing non-residential floor area preservation provisions for large commercial and mixed-use buildings;
- Establish contextual building envelopes to better reflect the existing character and enhance the historic built environment while also providing design flexibility for new developments; and
- Support the arts and creative industries that serve the community and the public with use allowances and the establishment of a SoHo/NoHo Arts Fund.

To accomplish these goals, DCP is proposing zoning map and zoning text amendments that would apply to approximately 56 blocks in SoHo/NoHo. The CPC has determined that an EIS for the Proposed Actions will be prepared in conformance with CEQR guidelines, with DCP acting on behalf of CPC as the lead agency. The environmental analyses in the EIS will assume a development period of 10 years for the RWCDS for the Proposed Actions (i.e., an analysis year of 2031). DCP will conduct a coordinated review of the Proposed Actions with involved and interested agencies. Each of these actions is discretionary and subject to review under ULURP, Section 200 of the City Charter, and the CEQR process. The Proposed Actions are described in further detail below.

ZONING MAP AMENDMENT

The zoning map amendment would replace all or portions of existing M1-5A and M1-5B districts within the Project Area with a range of paired districts. The zoning map amendment would also establish the Special SoHo NoHo Mixed-Use District (SNX) in the Project Area.

PROPOSED ZONING DISTRICTS

As detailed in **Table 1** and **Figure 4** below, M1-5/R7X, M1-5/R9X, and M1-6/R10 districts would be mapped in different areas to respond to the varied mix of uses and bulk context within the Project Area. One of the primary goals of pairing a manufacturing district with a residential district is to strengthen the mixed-use character of the neighborhoods and allow for a broad range of diverse uses, many of which—including residential use—are non-conforming under existing zoning. As-of- right uses would include residential uses in Use Groups 1 and 2; community facility uses in Use Groups 3 and 4, such as schools, libraries, museums, medical offices, and non-profit art galleries; commercial uses, such as offices, theaters, restaurants, bakeries, delis, book stores, clothing stores, salons, and drug stores; and manufacturing uses—such as wholesalers, theater scenery workshops, ceramic studios, and garment manufacturing—among many other common uses that contribute to thriving, mixed-use districts.

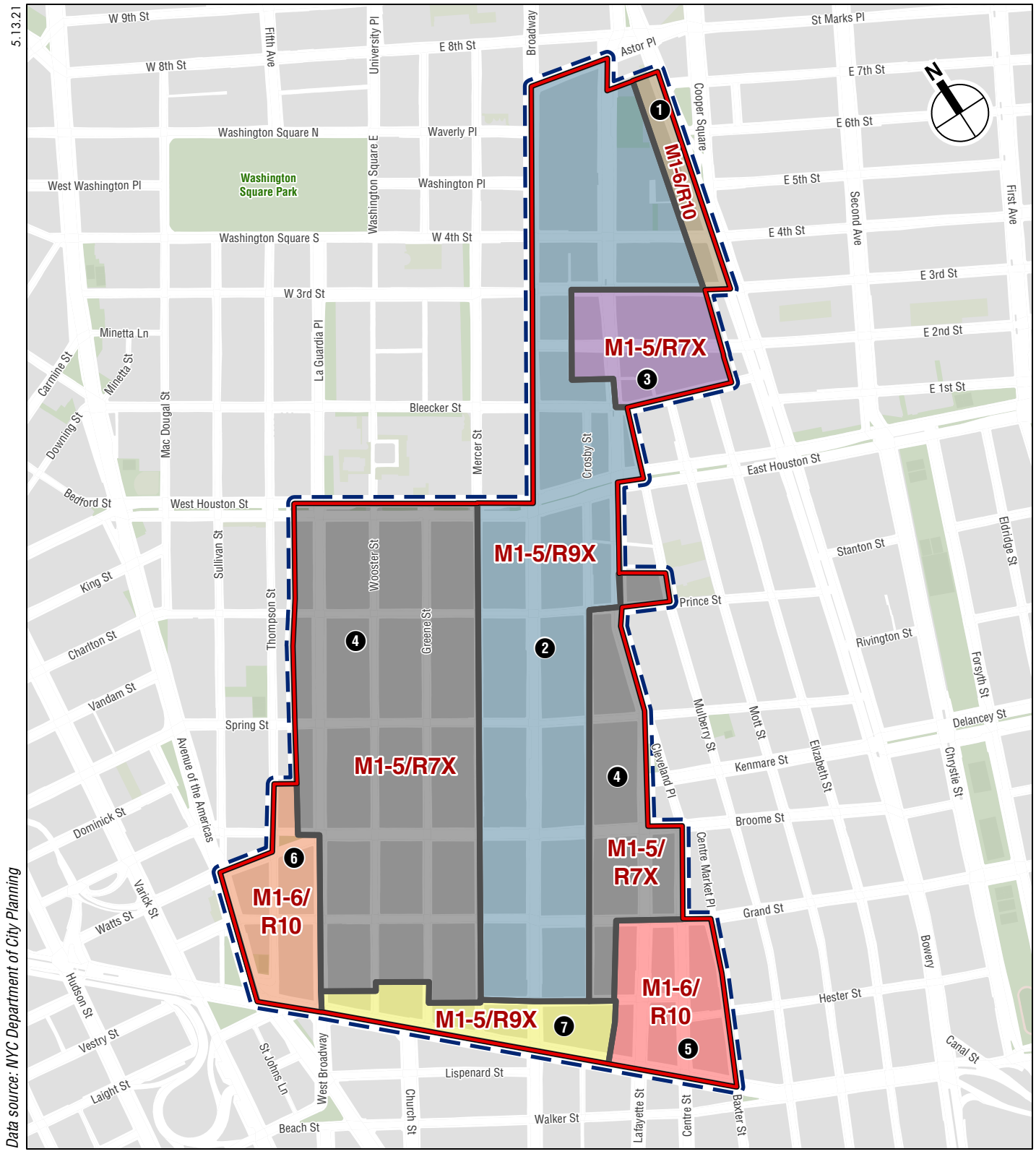
The proposed zoning map amendment would also establish the SNX boundaries coextensive with the Project Area. The SNX would modify certain aspects of the underlying use and bulk regulations, as well as establishing special provisions for conversions, urban design, arts and culture and affordable housing. The zoning districts, as modified by the SNX, are proposed to reflect differing conditions between corridors and interiors of the neighborhood, expand housing opportunities and require affordable housing, achieve the right balance among uses, establish densities commensurate with the area's central location and transit access, and facilitate appropriate building forms, good design, and pedestrian-friendly streetscape.

Proposed M1-5/R7X (Existing M1-5A & M1-5B)

An M1-5/R7X district is proposed to be mapped in what are typically considered to be the historic cores of SoHo and NoHo and are intended to be contextual with the prevailing built character of the bulkier loft-style buildings, but which are generally five to seven stories tall at the street wall, or approximately 60 to 100 feet. The paired mixed-use district essentially maintains the maximum FAR of the existing zoning districts while introducing residential uses and a broader range of community facility uses, which is meant to allow for renovations, conversions, and expansions of existing historic structures within a contextual bulk envelope while also encouraging new development at a scale appropriate for the mid-rise historic districts.

An M1-5/R7X zoning district is proposed for approximately 29 full or partial blocks in four general areas:

Note: This figure has been updated for the Final Scope of Work.



Special SoHo/NoHo Mixed-Use District

Underlying Zoning District Boundary

Mandatory Inclusionary Housing Area

Primary Study Area Subareas

1. *NoHo - Bowery*
2. *Broadway and Houston Street*
3. *NoHo Historic Core*
4. *SoHo Historic Core*
5. *SoHo East*
6. *SoHo West*
7. *Canal Street*

0 500 FEET

Proposed Zoning

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 4

- Between Great Jones Street, Shinbone Alley, Jones Alley, Lafayette Street, and Bleecker Street.
- Between East Houston Street, Mercer Street, along and east of West Broadway, and along Grand Street.
- Between Prince Street, Lafayette Street, Broome Street, Centre Street, Grand Street, and Crosby Street.
- The southern half of the block bounded by Prince Street, Mulberry Street, Lafayette Street, and Jersey Street.

The proposed M1-5/R7X districts, as modified by the SNX, would allow a maximum FAR of 6.0 for residential uses with MIH, 5.0 for commercial and manufacturing uses, and 6.5 for community facility uses. Residential buildings with qualifying ground floors developed pursuant to MIH would have a base height ranging between 60 and 105 feet, a setback above the street wall and a maximum building height of 145 feet.

Proposed M1-5/R9X (Existing M1-5A & M1-5B)

An M1-5/R9X district is proposed to be mapped along wider corridors that are generally within historic districts, but where taller and bulkier building forms more appropriately match the existing built character; buildings in these areas typically range between 70 feet and 150 feet in height. Many of the older buildings along the heavily trafficked corridors, in particular Broadway and Lafayette Street in NoHo, are overbuilt under the existing M1-5A and M1-5B zoning regulations—more generous floor area regulations are intended to allow for new contextual development, conversions, and enlargements of existing buildings while also bringing older structures into compliance with zoning. Compared to the historic cores, which are mapped with M1-5/R7X districts, these corridors are generally better-served by transit and therefore better suited to higher density allowances than buildings along the side streets within the historic cores.

An M1-5/R9X zoning district is proposed for approximately 26 full or partial blocks in two general areas:

- Along and east of Broadway for the entire length of the Project Area and along Lafayette Street north of Great Jones Street.
- The north side of Canal Street between West Broadway and Lafayette Street.

The proposed M1-5/R9X districts, as modified by the SNX, would allow a maximum FAR of 9.7 for residential uses with MIH and 6.5 for community facility uses. The maximum FAR for commercial and manufacturing uses in the M1-5/R9X district north of Howard Street would be set at 6.0; the maximum FAR for commercial and manufacturing uses in the M1-5/R9X district south of Howard Street would be 5.0. Residential buildings with qualifying ground floors developed pursuant to MIH would have a base height ranging between 85 feet and 145 feet, a setback above the street wall and a maximum building height of 205 feet.

The Proposed Actions are designed to respect and enhance Broadway's reputation as an employment hub and important location for office space with its high concentration of buildings with large, flexible floorplates. The intention of the proposed zoning is to facilitate built forms that are consistent with the older, bulkier loft buildings along the major corridors.

Proposed M1-6/R10 (Existing M1-5A & M1-5B)

An M1-6/R10 district is proposed to be mapped along the periphery of the Project Area and generally outside of historic districts. In terms of building heights and bulk, these areas have a

varied character—parking structures and one-story commercial building are interspersed with high rises approaching 330 feet in height. The more generous floor area allowances proposed in these transitional areas are designed to encourage the development of new, high-density residential and mixed-use buildings. These areas represent the greatest opportunity for the creation of permanently affordable homes under MIH.

The M1-6/R10 zoning districts are proposed for approximately 13 full or partial blocks in three general areas:

- Along the west side of Bowery between Astor Place and Great Jones Street.
- Between Canal Street, Baxter Street, Grand Street, and the western side of Lafayette Street.
- Between Canal Street, West Broadway, Watts Street, and Sixth Avenue.

The proposed M1-6/R10 district, as modified by the SNX, would allow a maximum FAR of 12.0 for residential uses with MIH, a maximum FAR of 10.0 for commercial and manufacturing uses, and a maximum FAR of 6.5 for community facility uses. The SNX would modify the underlying base height and building height regulations to create loft-like contextual envelopes to accommodate appropriate density and supporting the housing objectives of the Neighborhood Plan.

PROPOSED SPECIAL SOHO/NOHO MIXED-USE DISTRICT (SNX)

The proposed SNX would be mapped over the entire Project Area, encompassing 56 blocks, to establish special use and bulk regulations to address SoHo/NoHo's unique history, building typology, and the existing and anticipated mix of uses, and to support the above-specified planning goals. Subareas within the SNX would be established to provide special use and bulk regulations. The SNX and proposed zoning districts are shown in **Figure 4**.

ZONING TEXT AMENDMENTS

The Proposed Actions include amendments to the text of the ZR. The SNX would be established and would extend over the Project Area. MIH would be mapped across the SNX, setting mandatory affordable housing requirements pursuant to the MIH program.

SPECIAL SOHO/NOHO MIXED-USE DISTRICT AND SUBAREAS (SNX)

The proposed SNX would modify certain underlying regulations and establish special use, bulk, height, urban design regulations, and additional parameters for future development derived from and responding to block- and neighborhood-wide characteristics in order to reflect and enhance SoHo and NoHo's unique history, building typologies, existing and anticipated mix of uses, and to support the above-specified planning goals.

General Use Regulations

The proposed underlying paired districts - M1-5/R7X, M1-5/R9X, and M1-6/R10 - allow a broad range of residential, community facility, commercial, and light manufacturing uses as of right.

Joint Live-Work Quarters for Artists

The SNX would allow existing JLWQA to remain. Existing artists occupying their homes as JLWQA use may continue to do so. Units that legalized, or are in legalization process, under the Loft Law would not be affected by this new provision. The SNX would additionally provide an option to allow the conversion from Use Group 17D JLWQA to Use Group 2 residential use by requiring a onetime contribution to an Arts Fund that would be administered by DCLA or a non-

profit entity designated by the City. Such contribution would be authorized by a newly created CPC chairperson certification. The Arts Fund would provide resources for the arts and promote the public presence of the arts in SoHo/NoHo and the surrounding Lower Manhattan neighborhoods.

Home Occupations

In newly constructed and converted residential units, the proposed SNX includes an expanded home occupation provision. Regulations allowing home occupations to occupy a dwelling unit as an accessory use, which already apply to certain commercial and mixed-use zoning districts elsewhere in the City, would be adapted for SoHo/NoHo's live-work tradition and modern live-work needs.

Up to 49 percent of the floor area of a dwelling may be used for workspaces—whether for fine arts, music, film, or other media—and may employ up to three non-residents. In addition, the definition of home occupation would be expanded to include most commercial and manufacturing uses permitted by the underlying zoning, including professional offices. As the nature of work has been disrupted by the COVID-19 pandemic, it is crucial that zoning regulations recognize live-work arrangements more inclusively, especially as many industries and sectors begin to adopt flexible work-from-home policies.

Special Uses

The Proposed Actions recognize that SoHo/NoHo is already served by wide range of retail businesses, from small, locally owned boutiques to large, international brands. In the SNX, all Use Group 10A retail and service uses, such as department stores without limitation on floor area, would be permitted as-of-right. The change is intended to reflect existing conditions, promote a diversity of both small and large businesses, implement economic recovery efforts due to COVID-19 disruptions, and support existing businesses seeking to expand and evolve beyond their current footprints. Consistent with existing zoning regulations, the SNX would require a special permit for any new hotel developments in zoning districts that permit transient hotels. Rather than require a BSA special permit, Physical Culture or Health Establishments (PCEs) of any size, as defined in the ZR (such as gyms and licensed therapeutic massage studios), would be allowed as of right—a policy consistent with recent neighborhood-wide rezonings that recognizes the ubiquity of gyms and spas and the central role that health and fitness plays in New Yorkers' daily lives.

Location of Uses Within Buildings

To better support the mixed-use character of SoHo/NoHo and to make it easier for buildings with existing tenants to convert floor area to a different use, the SNX would introduce greater flexibility for the location of uses within the same building. For conversions within existing buildings, commercial and manufacturing uses may be located above residential uses. For new mixed developments or enlargements, dwelling units on the same story as a commercial use would be permitted, provided there is no access between the residential and commercial uses.

Non-Residential Floor Area Retention

SoHo/NoHo contains many older loft buildings with large, flexible floorplates that are well-suited to offices, showrooms, ateliers, and other commercial and manufacturing uses. These large commercial buildings represent less than 10 percent of the overall building stock in SoHo and NoHo but contain most of its commercial floor area and attendant jobs and therefore have outsize importance to the neighborhoods' vibrant and diverse economic base. The SNX would introduce a mechanism to preserve the mixed-use character of the neighborhood and ensure that SoHo/NoHo

retains its status as a regional employment hub. For redevelopments, enlargements, and conversions of existing buildings containing at least 60,000 square feet of floor area and in which at least 20 percent of the floor area within such building was allocated to non-residential uses, new residential floor area would be permitted only upon certification by the CPC Chairperson that the amount of existing non-residential floor area would be retained at a one-to-one ratio with future non-residential uses on the zoning lot. In conjunction with such certification, a restrictive declaration would be required to be executed and recorded requiring the amount of pre-existing non-residential floor area in the existing building to be maintained on the zoning lot. Non-residential uses include commercial (except hotels), community facility (except community facility uses with sleeping accommodations), warehouse, and light manufacturing (except JLWQA). IMDs and units currently undergoing residential legalization under the Loft Law would not be subject to the requirement.

Active Ground-Floor Uses

The SNX would include supplemental ground-floor use regulations in key locations to require active non-residential or commercial uses and minimum levels of transparency as well as limit curb cuts, where appropriate. Non-residential ground-floor uses (i.e., commercial space, light industrial space, arts-related space, or community facilities) would be required along key corridors. The controls are intended to foster a safe, varied, and walkable pedestrian experience along major corridors as well as help activate and sustain the mixed-use character of the neighborhood. The supplemental regulations would apply to the following corridors: Broadway, Canal Street, Lafayette Street, Centre Street, Houston Street, Broome Street, Bowery, West Broadway, and Sixth Avenue.

Floor Area and Bulk Regulations

To ensure a desirable mix of residential, commercial, manufacturing, and community facility uses and facilitate appropriate building forms, the SNX would modify the floor area, height, and bulk regulations of the proposed paired districts in the following ways:

- The maximum FAR for community facility uses throughout the SNX would be set at 6.5, meaning that there would be no change from existing zoning.
- To reflect the status of Broadway and the northern portion of NoHo as major commercial corridors and employment hubs, in the paired M1-5/R9X zoning district north of Howard Street, the maximum FAR for commercial and manufacturing uses would be increased from 5.0 to 6.0 and non-residential uses up to two stories would be a permitted obstruction in rear yards.
- The following streets would be treated as wide streets for the purpose of applying setback and street wall regulations to better reflect their generously-proportioned throughfares: West Broadway, Watts Street, Centre Street, and Great Jones Street.
- The SNX would apply the following special height regulations to be more consistent with the loft-like building forms common in SoHo/NoHo. Along major corridors that are generally within historic districts, the special height regulations of the underlying M1-5/R9X zoning districts are designed to respect the unique historic character of SoHo/NoHo. In transitional areas along the periphery of the Project Area mostly outside of historic districts, the special regulations would modify the height and bulk regulations of the typical M1-6/R10 district to allow sufficient flexibility to achieve the development and housing goals while responding to neighborhood context both within and around the Project Area.

- The SNX would modify certain yard regulations of the underlying zoning districts to reflect the high lot coverage conditions of the loft typology, help bring sufficient light and air to adjacent buildings, as well as provide appropriate relief for the many small, shallow, and oddly shaped lots that are common throughout the Project Area and for which designing efficient floorplates presents unique challenges.
  - For residential buildings on interior and corner lots, required rear yards would be reduced from 30 feet to 20 feet.
  - For shallow interior lots, the depth of a required rear yard may be reduced by six inches for each foot by which the depth of a zoning lot is less than 90 feet, not to be reduced to less than 10 feet.
  - For through lots, there would be no required rear yard equivalent for non-residential uses.
  - For though lots with residential uses, the required rear yard equivalent would be 40 feet.
  - Minimum dimensions of inner courts would be reduced.
  - Small court provisions of the underlying districts would apply.
- To maintain and promote an inviting and active pedestrian experience, 100 percent of a building's street wall would be required to be located at the street line.
- For zoning lots located within LPC-designated historic districts, the SNX would introduce special rules that would give LPC the flexibility to modify the minimum and maximum base height regulations to match that of adjacent historic structures.

The SNX would adjust the floor area and bulk regulations of the proposed paired districts to ensure a desirable mix of these uses and facilitate appropriate building forms. The modified FARs for each subarea are summarized in **Table 1**. Proposed building heights are shown in **Table 2**.

Table 1
Proposed Use and Floor Area Regulations

	Broadway – Houston Street Corridors Subarea	**Canal Street Corridor Subarea**	**SoHo/NoHo Cores Subarea**	**SoHo West, SoHo East, and NoHo – Bowery Subarea**
Use and Floor Area Regulations	M1-5/R9X with modifications 6 FAR for commercial/ manufacturing 9.7 FAR for residential with MIH 6.5 FAR for community facility	M1-5/R9X 5 FAR for commercial/ manufacturing 9.7 FAR for residential with MIH 6.5 FAR for community facility	M1-5/R7X 5 FAR for commercial/ manufacturing 6 FAR for residential with MIH 6.5 FAR for community facility	M1-6/R10 10 FAR for commercial/ manufacturing 12 FAR for residential with MIH 6.5 FAR for community facility

Table 2
Proposed Base Heights and Maximum Building Heights

	M1-5/R7X	M1-5/R9X	M1-6/R10		
			NoHo-Bowery	SoHo East	SoHo West
Base Height[1]	60-105 *(+ Special provision to allow cornice alignment)*	85-145 *(+ Special provision to allow cornice alignment)*	125-155		
Max Height	145	205	275	275	275

[1] For zoning lots located within LPC-designated historic districts, the SNX would introduce special rules that would give LPC the flexibility to modify the minimum and maximum base height regulations to match that of adjacent historic structures.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

The Proposed Actions would amend Appendix F of the ZR to apply MIH Option 1 and Option 2 to the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts to require a share of new housing to be permanently affordable where significant new housing capacity would be created. As described below, the established MIH program would apply, with targeted adjustments for developments and conversions for the unique built and regulatory context in SoHo and NoHo, where idiosyncratic building types, and historic district limitations may result in atypical configurations and inadvertent incentives for underbuilding.

The MIH program would require permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH Areas. The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zsf within the MIH designated areas, or, as an additional option for developments between 10 and 25 units, or between 12,500 and 25,000 zsf, a payment into an Affordable Housing Fund. Within the SoHo/NoHo MIH Area, MIH would apply to any residential floor area developed on a lot that permits 12,500 square feet of residential floor area on top of a non-residential ground floor, regardless of how much residential floor area is actually developed.

In cases of hardship, where these requirements would make development financially infeasible, developers may apply to BSA for a special permit to reduce or modify the requirements. In addition, within the SNX, for conversions from non-residential to residential use in buildings that are not otherwise subject to the MIH program's affordable housing fund provisions, BSA may permit a contribution to the affordable housing fund where strict compliance with the options for affordable housing requirement may not be feasible. In such case, BSA must determine that the configuration of the building imposes constraints such as deep, narrow or otherwise irregular floorplates, limited opportunities to locate legally required windows, or pre-existing locations of vertical circulation or structural column systems that would create practical difficulties in reasonably configuring the required affordable floor area into a range of apartment sizes and bedroom mixes.

The MIH program includes two primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility trade-off inherent between income levels and size of the affordable set-aside. Option 1 would require 25 percent of residential floor area to be for affordable homes for residents with incomes averaging 60 percent of Area Median Income (AMI). Option 1 also includes a

requirement that 10 percent of residential floor area be affordable at 40 percent AMI. Option 2 would require 30 percent of residential floor area to be for affordable for residents with incomes averaging 80 percent AMI. For both options, no homes could be targeted to residents with incomes above 130 percent AMI.

Special Permits and City Planning Commission Chairperson Certifications

The Proposed Actions would create two new special permits that may be pursued by applicants in the future:

- A CPC special permit to allow hotels in the Project Area (as permitted by the underlying zoning district regulations).
- For conversions from non-residential to residential uses in existing buildings BSA special permit to allow a contribution to the Affordable Housing Fund in lieu of providing on-site affordable residential units if the building's configuration creates practical difficulties in physically siting such affordable units.

Additionally, as described above, the following Chair certifications would apply to the SNX:

- A Chairperson certification to allow for conversions of Use Group 17D JLWQA to Use Group 2 residences upon a one-time contribution to the Arts Fund.
- A Chairperson certification to allow for the conversion of non-residential floor area to residential floor area in large buildings containing over 60,000 square feet of floor area.

WRP REVIEW PROCESS AND DETERMINATION

Portions of the Project Area are within the coastal zone and would therefore be reviewed by CPC, in its capacity as the CCC to determine if the Proposed Actions are consistent with the relevant WRP policies.

G. ANALYSIS FRAMEWORK

REASONABLE WORST CASE DEVELOPMENT SCENARIO

In order to assess the possible effects of the Proposed Actions, a RWCDS was developed, in accordance with the methodologies in the *CEQR Technical Manual*. The RWCDS was prepared to assess the future condition absent the Proposed Actions (No Action condition) and the future condition with the Proposed Actions (With Action condition) for a 10-year period (analysis year 2031). The incremental difference between the With Action and No Action conditions will serve as the basis for the impact analyses of the EIS. A 10-year period typically represents the amount of time developers would act on the proposed action for an area-wide rezoning not associated with a specific development. To determine the With Action and No Action conditions, standard site selection criteria have been used following the *CEQR Technical Manual* guidelines, as described below. These methodologies have been used to identify the amount and location of future development in response to the Proposed Actions.

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

In the No Action condition, the identified projected development sites are assumed to remain unchanged from existing conditions. Given the restrictive ground floor use regulations and the outdated manufacturing zoning, vacant parcels and sites occupied by low intensity uses are not likely to be developed as-of-right. The No Action condition on the projected development sites is shown in **Appendix 1**.

The limited number of recent developments in SoHo and NoHo have consisted of mid- to high-rise market-rate residential buildings pursuant to special permits, and to a lesser extent, zoning text amendments, approved by the CPC, variances granted by the BSA, or mid-rise commercial office/retail buildings have been allowed with CPC or BSA approvals to allow commercial uses below the level of the second story or destination retail over 10,000 sf on Broadway and Houston Street. A few sites as small as 1,700 sf have been developed as one-story restaurants and bars.

In the No Action condition, based on recent development trends, it is anticipated that there would be limited development in SoHo and NoHo. Residential development would not be able to occur without a zoning text amendment. Commercial development would require discretionary actions by the CPC or variances by the BSA to allow complementary and necessary commercial uses on the ground floor such as retail and office lobbies, and the inventory of sites sufficiently large to generate more marketable floor plate has diminished. Outside of historic districts, while underutilized sites could be developed pursuant to the existing M1-5A and M1-5B district regulations without LPC's review, outside of BSA variances, there is no provision under existing zoning to allow residential development, and commercial development would likely require special permits to allow economically viable uses on the ground floor. Without the proposed actions, it is anticipated that residential conversions and conversion of former industrial space to commercial uses would continue to occur on occasion, if CPC discretionary actions or BSA variances can be obtained. However, to present a conservative environmental analysis, these discretionary actions are not assumed to be granted in the No Action condition.

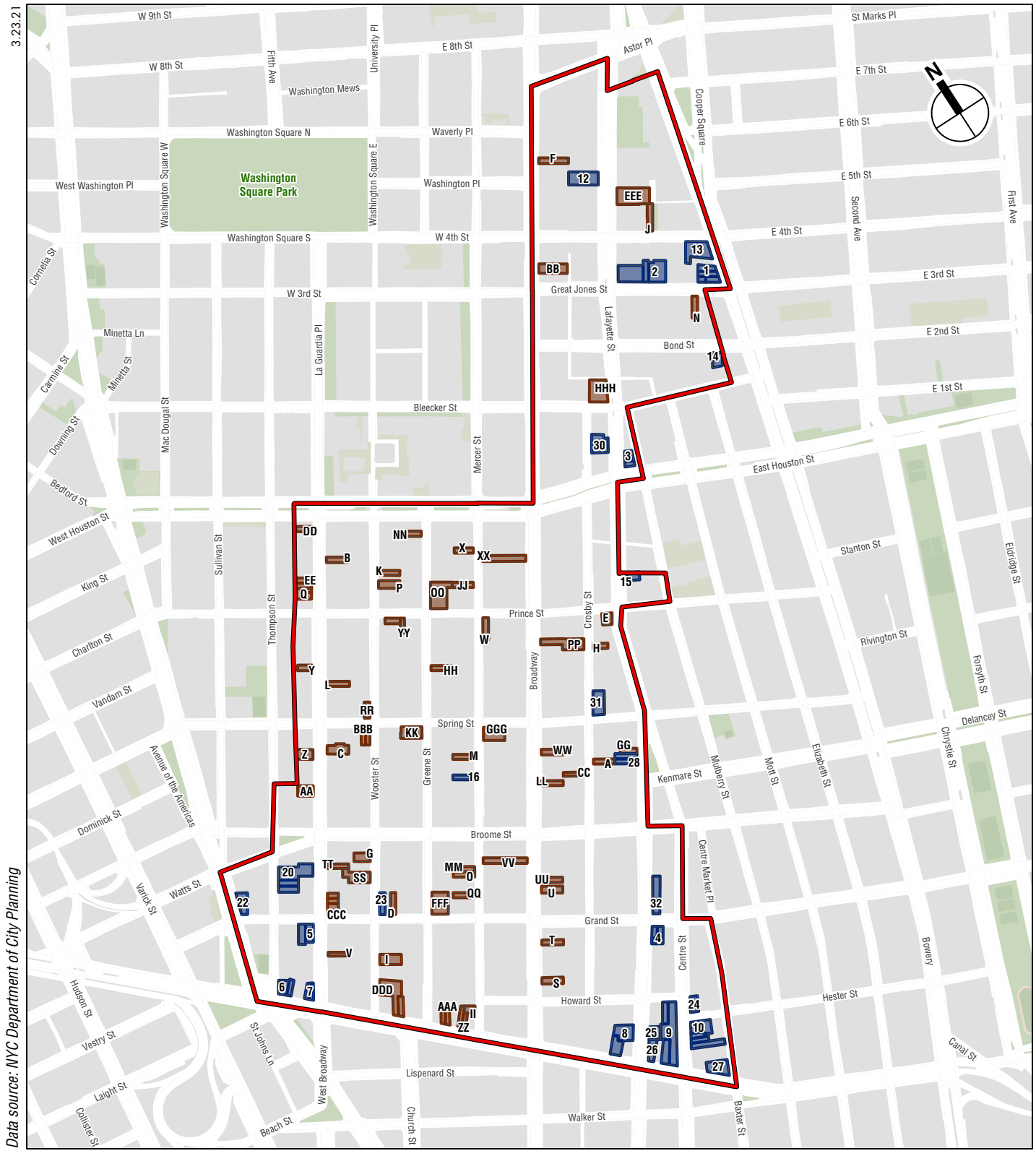
As detailed below, it is anticipated that, in the future without the Proposed Actions, existing conditions will remain. Under the RWCDS, the total No Action development would comprise 32 existing DUs with no affordability requirement, 115,052 gsf (102,324 zsf) of local retail space, 207,576 gsf (184,738 zsf) of office space, a 39,000 gsf (34,710 zsf) parking garage, and 23,084 gsf (20,544 zsf) of manufacturing space (warehouse and industrial). Based on the 2014–2018 American Community Survey, the average household size for residential units in Manhattan Community District 2 is 1.89. The No Action estimated population would remain unchanged.

THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

The Proposed Actions would allow for the development of new uses and higher densities at the projected and potential development sites. The Proposed Actions would allow residential use on an as-of-right basis and facilitate residential infill development, which is projected to result in significant housing production, including affordable housing. This residential development would include ground-floor retail across the rezoning area and second-story commercial use along major corridors. Several sites with wider street frontages that would accommodate larger building footprints are anticipated to be redeveloped with a mix of residential, community facility and/or commercial uses. One entirely non-residential building is projected in the western portion of the Project Area near Hudson Square, another strong office market. A few substantially built existing commercial buildings are assumed to be converted to residential use as representative examples of conversions that are anticipated to occur.

Under the Proposed Actions, the total development expected to occur on the 26 projected development sites would consist of approximately 2,191,275 gsf (1,909,542 zsf) of built floor area, including approximately 1,861 DUs, a substantial proportion of which are expected to be affordable, 176,841 gsf (154,076 zsf) of retail space (local and destination retail, supermarket), and 20,778 gsf (18,076 zsf) of community facility uses (see **Figure 5**).

Note: This figure has been updated for the Final Scope of Work.



Projected and Potential Development Sites

SOHO/NOHO NEIGHBORHOOD PLAN

Figure 5

The net change between the With Action and No Action conditions that would result from the Proposed Actions would be a net increase of approximately 1,829 DUs (including 382 to 573 affordable units); 61,789 gsf (51,752 zsf) of projected retail space (local and destination retail, supermarket); 20,778 gsf (18,076 zsf) of projected community facility space.

Based on the 2014–2018 American Community Survey, the average household size for residential units in Manhattan Community District 2 is 1.89. Based on these ratios and standard ratios for estimating employment for commercial, community facility, and industrial uses, **Table 3** also provides an estimate of the number of residents and workers generated by the Proposed Actions. As indicated in **Table 2**, the Proposed Actions would result in a net increment of 3,457 residents.

Table 3
RWCDS No Action and With Action Land Uses

Land Use	No Action Condition	With Action Condition	Increment
Residential			
Residential	***32 DUs***	***1,861 DUs (382–573 Affordable)***	***1,829 DUs (382–573 Affordable)***
Commercial			
Office	207,576 gsf / 184,738 zsf	160,765 gsf / 142,957 zsf	(46,811 gsf) / (41,781 zsf)
Local Retail	115,052 gsf / 102,324 zsf	121,885 gsf / 106,029 zsf	6,833 gsf / 3,705 zsf
Destination Retail	-	21,348 gsf / 18,572 zsf	21,348 gsf / 18,572 zsf
Supermarket	-	33,608 gsf / 29,475 zsf	33,608 gsf / 29,475 zsf
Other Commercial (Parking[1])	39,000 gsf / 34,710 zsf	-	(39,000 gsf) / (34,710 zsf)
Total Commercial	***361,628 gsf / 321,776 zsf***	***337,606 gsf / 297,033 zsf***	***(24,022 gsf) / (24,743 zsf)***
Other Uses			
Community Facility	***-***	***20,778 gsf / 18,076 zsf***	***20,778 gsf / 18,076 zsf***
Light Industrial/ Manufacturing	***23,084 gsf / 20,544 zsf***	***-***	***(23,084 gsf) / (20,544 zsf)***
Vacant	***-***	***-***	***-***
Population[2]			
Residents	60	3,517	3,457
Workers	1,212	1,212	0

Notes: sf = square feet

[1] The square footage indicated is associated with parking garages. The area associated with parking lots was not included in the No Action condition because parking lots do not generate floor area. Between DEIS and FEIS, the RWCDS will be updated to provide the area of parking lots on the development sites.

[2] Assumes 1.89 persons per DU for residential units in Manhattan Community District 2. Estimate of workers based on standard industry rates, as follows: 1 employee per 250 sf of office; 1 employee per 333 sf of local retail, 1 employee per 875 sf of destination retail, 1 employee per 1,000 sf of other commercial, 1 employee per 400 sf of supermarket, 1 employee per 1,000 sf community facility, 1 employee per 25 DU, 1 employee per 2.67 hotel rooms (400 sf per hotel room), 1 employee per 1,000 sf of industrial/warehouse, and 1 employee per 25 dwelling units

A total of 58 sites, with the potential to provide 1,758 DUs, including between 370 and 552 MIH units, were considered less likely to be developed within the foreseeable future and were thus considered potential development sites (see **Figure 5**). As noted earlier, the potential sites are deemed less likely to be developed because they did not closely meet the criteria described below. However, the analysis recognizes that a number of potential development sites could be developed under the Proposed Actions in lieu of one or more of the projected development sites in accommodating the development anticipated in the RWCDS. The potential development sites are therefore also analyzed in the EIS for site-specific effects.

Development shown on sites within historic districts is assumed to maximize the permitted FAR within the allowable building envelope for conservative analysis purposes. The represented building form does not reflect the LPC's future review and approval, which is required for actual development on all of the projected and potential sites on a site-by-site basis.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

In determining the amount and location of new development, several factors have been considered in identifying likely development sites. These include known development proposals, past and current development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the rezoning area. The first step in establishing the development scenario for the Proposed Actions was to identify those sites where new development could be reasonably expected to occur.

Development sites were initially identified based on the following criteria:

- Lots located in areas where a substantial increase in permitted FAR is proposed.
- Lots with a total size of 1,700 sf or larger (may include potential assemblages with two owners or fewer, if assemblage seems probable). This lot area threshold takes into account local market conditions, lot sizes of recent new developments in the rezoning area, the minimum lot area requirement for residential development in all medium and high density zoning districts, and building constructability.
- Underutilized lots which are defined as vacant, occupied as a parking lot/facility, a building with only a single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the proposed zoning.
- Lots located in areas where changes in use would be permitted by the Proposed Actions, such as commercial to residential conversions, change of use between an expanded suite of commercial and light industrial uses permitted by the proposed zoning districts and special district regulations.
- Sites with non-residential uses in locations where residential uses will be newly allowed, including non-residential buildings with conditions conducive to residential conversion.

Certain lots that meet these criteria have been excluded from the development scenario based on the following conditions, in accordance with the guidance provided in the *CEQR Technical Manual*, and because they are very unlikely to be redeveloped as a result of the Proposed Actions:

- Lots occupied by buildings designated by the LPC as individual landmarks, as well as buildings considered by the LPC as contributing (sometimes noted as "with style"). Individual landmarks and contributing buildings are subject to LPC review at significant level of scrutiny and are therefore highly unlikely to be altered or redeveloped. Two parking garages and one significantly underbuilt one-story building that are considered "with style" by the LPC are included as potential development sites as an exception for the purpose of a conservative analysis.
- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment. However, recently constructed or altered lots that were built to less than or equal to half of the maximum allowable FAR under the proposed zoning have been included for consideration as likely development sites.

- The sites of government facilities including environmental and transportation infrastructure, utilities, large institutions, homeless shelters, and houses of worship. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under the current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these structures. In addition, for government-owned properties, development and/or sale of these lots may require discretionary actions from the pertinent government agency.
- Multi-unit buildings built prior to 1974 with existing tenants, such as existing individual buildings with six or more residential units, and assemblages of buildings with a total of 6 or more residential units, are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units. Certain assemblages containing 6 or more residential units are identified as development sites due to known development interests and/or the lack of known rent-stabilized units.
- Certain substantially built and actively used commercial structures, such as multi-story office buildings, regional centers of national corporations, and hotels. Although these sites may meet the criteria for being built to less than half of the proposed permitted floor area, some of them are unlikely to be redeveloped due to their current or potential profitability, the cost of demolition and redevelopment, and their location.
- Lots whose highly irregular shape, insufficient depth, and/or width would preclude or greatly limit future as of right development. Generally, development on highly irregular lots does not produce marketable floor space.
- Sites with recently granted CPC special permit for significant use and/or bulk changes that also involved discretionary review by the LPC. Costs and time associated with obtaining a special permit, public review and environmental review process would have required substantial investment.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the 10-year analysis period. Potential sites are considered less likely to be developed over the approximately 10-year analysis period. Projected and potential development sites were identified based on the following criteria:

Projected Development Sites

- All identified development sites are considered as projected development sites except as described below.
- Sites partially located within and partially outside of historic districts will be considered in this EIS as projected development sites for conservative analysis purposes. Since these lots straddle historic district boundaries, it is assumed that it is possible to concentrate future development on portions of the lot outside of historic districts where LPC review is not required.

Potential Development Sites

- Lots with slightly irregular shapes or challenging configurations (overly narrow, deep), small (generally between 1,700 sf and 2,000 sf in lot area), or encumbrances which would make development more difficult will be considered potential development sites in the EIS.
- Sites located within historic districts that are occupied by existing buildings will be considered potential development sites in the EIS. The demolition, redevelopment and/or enlargement of these buildings are subject to LPC review and approval, which could contribute to higher development cost and longer timeframe.

Based on the above criteria, a total of 84 development sites (26 projected and 58 potential) have been identified in the rezoning area. These projected and potential development sites are depicted in **Figure 5** and the detailed RWCDS tables provided in **Appendix 1** identify the uses expected to occur on each of these sites under No Action and With Action conditions.

The EIS will assess the potential for both density-related and site-specific significant adverse impacts from development on all projected development sites. Density-related analyses are dependent on the amount and type of development projected on a site, and include analysis categories such as traffic, air quality, community facilities, and open space.

Site-specific analyses relate to individual site conditions and are not dependent on the density of projected development. Site-specific analyses include potential noise impacts from development, the effects on historic resources, and the possible presence of hazardous materials. Development is not anticipated on the potential development sites in the foreseeable future. Therefore, these sites have not been included in the density-related impact assessments. However, review of site-specific impacts for these sites will be conducted in order to present a conservative analysis in accordance with the *CEQR Technical Manual*.

DEVELOPMENT SCENARIO PARAMETERS

For the purposes of presenting a conservative analysis, and where applicable, reasonable factors based on recent development trends were utilized to approximate the gross square footage, zoning floor area, and DU size of each soft site analyzed in this document.

Dwelling Unit Factor

The number of projected dwelling units in apartment buildings is determined by dividing the total amount of residential floor area by 850 sf and rounding to the nearest whole number.

Floor-to-floor Height

The floor-to-floor heights for all non-residential use is assumed to be 15 feet. The floor-to-floor heights for all residential uses is assumed to be 10 feet

Conversion Prototypes

It is anticipated that residential conversion of non-residential floor area would occur in the With Action condition, and that certain substantially built, mid-sized non-residential buildings are more conducive to residential conversions, due to building footprint, floor plate configuration, street frontage and yard conditions. For conservative analysis purposes, two of the conversion prototypes also include floor area reallocation and vertical bulk changes. Conversions are shown on several projected development sites distributed across the Project Area as representative examples for analysis purposes.

Development within Historic Districts on Projected and Potential Sites

Development shown on sites within historic districts is assumed to maximize the permitted FAR within the allowable building envelope for conservative analysis purposes. The represented building form does not reflect LPC's future review and approval, which is required for actual development on all of the projected and potential sites on a site-by-site basis.

H. PROPOSED DRAFT SCOPE OF WORK FOR THE EIS

Because the Proposed Actions would affect various areas of environmental concern and were found to have the potential for significant adverse impacts in a number of impact categories, pursuant to the EAS and Positive Declaration, an EIS will be prepared that will analyze all technical areas of concern. The EIS will be prepared in conformance with all applicable laws and regulations, including the State Environmental Quality Review Act (SEQRA) (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules and Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

The EIS, following the guidance of the 2014 *CEQR Technical Manual*, will include:

- A description of the Proposed Actions and their environmental setting;
- A statement of the environmental impacts of the Proposed Actions, including short- and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented;
- A discussion of reasonable alternatives to the Proposed Actions;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the Proposed Actions, should they be implemented; and
- A description of mitigation proposed to eliminate or minimize any significant adverse environmental impacts.

As noted above, the EIS will analyze the projected development sites for all technical areas of concern and evaluate the effects of the potential development sites for site-specific effects, such as archaeology, shadows, hazardous materials, air quality, and noise. The analyses in the EIS will examine the RWCDS with the greater potential environmental impact for each impact area. The specific technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

TASK 1. PROJECT DESCRIPTION

The first chapter of the EIS introduces the reader to the Proposed Actions and sets the context in which to assess impacts. This chapter contains a description of the Proposed Actions: their location; the background and/or history of the project; a statement of the purpose and need; key planning considerations that have shaped the current proposal; a detailed description of the Proposed Actions; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. This chapter is the key to understanding the Proposed Actions and their impact and gives the public and decision makers a base from which to evaluate the Proposed Actions.

In addition, the project description chapter will present the planning background and rationale for the actions being proposed and summarize the RWCDS for analysis in the EIS. The section on

approval procedure will explain the ULURP, zoning text amendment, and zoning map amendment processes, their timing, and hearings before the Community Board, the Borough President's Office, CPC, and the New York City Council. The role of the EIS as a full disclosure document to aid in decision-making will be identified and its relationship to the discretionary approvals and the public hearings described.

TASK 2. LAND USE, ZONING, AND PUBLIC POLICY

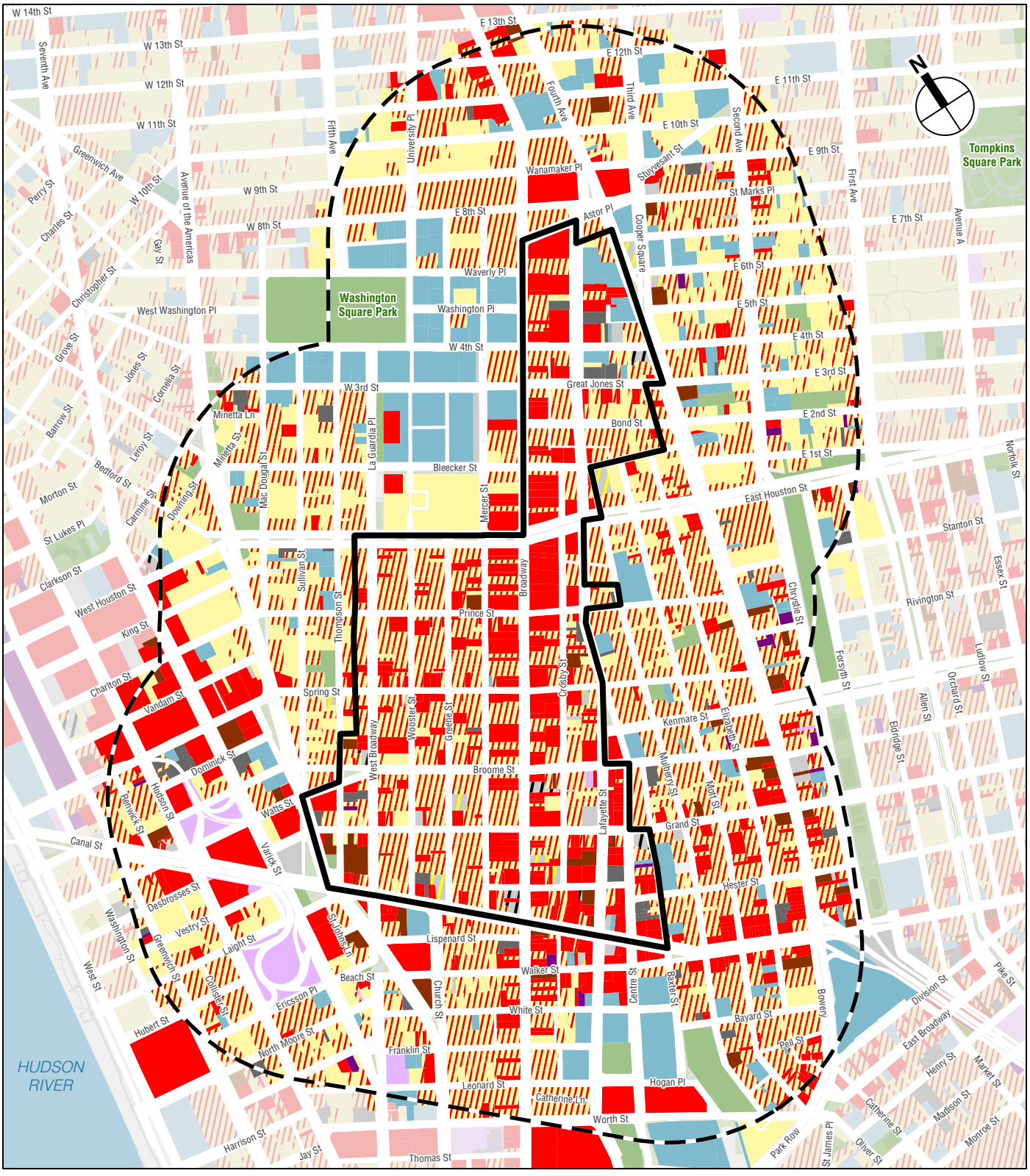
A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action and determines whether a proposed action is either compatible with those conditions or whether it may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. This chapter will analyze the potential impacts of the Proposed Actions on land use, zoning, and public policy, pursuant to the methodologies presented in the *CEQR Technical Manual*.

The primary land use study area will consist of the Project Area, where the potential effects of the Proposed Actions would be directly experienced. The secondary land use study area will include neighboring areas within a ¼-mile boundary from the primary study area (see **Figure 6**). The analysis will include the following tasks:

- Provide a brief development history of the primary (i.e., rezoning area) and secondary study areas.
- Provide a description of land use, zoning, and public policy in the study areas discussed above (a more detailed analysis will be conducted for the Project Area). Recent trends in will be noted. Other public policies that apply to the study areas will also be described including Housing New York, Where We Live NYC, Vision Zero, the Food Retail Expansion to Support Health (FRESH) Program, applicable business improvement districts (BIDs), applicable IBZs, and OneNYC, the City's sustainability plan.
- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study areas. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Describe and map existing zoning and recent zoning actions in the study areas.
- Prepare a list of future development projects in the study areas that are expected to be constructed by the 2031 analysis year and may influence future land use trends. Also, identify known pending zoning actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess future land use and zoning conditions in the future without the Proposed Actions.
- Describe proposed zoning changes and the potential land use changes based on the Proposed Actions' RWCDS for future conditions with the Proposed Actions.
- Discuss the Proposed Actions' potential effects related to issues of compatibility with surrounding land use, the consistency with zoning and other public policies, and the effect of the Proposed Actions on development trends and conditions in the primary and secondary study areas.
- Assess the Proposed Actions' conformity to city goals, including consistency with the WRP. The EIS will also discuss all relevant area planning documents and their implications for existing land use and future development.
- If necessary, mitigation measures to avoid or reduce potential significant adverse land use, zoning, and/or public policy impacts will be identified.

Note: This figure has been updated for the Final Scope of Work.

5.13.21



Data source: NYC Department of City Planning; MapPLUTO 20v4 and AKRF study area survey

0 1,000 FEET

- Project Area / Rezoning Area / Primary Study Area
- Secondary Study Area
- Commercial and Office Buildings
- Hotels
- Industrial and Manufacturing
- Mixed Residential and Commercial
- Open Space and Outdoor Recreation
- Parking Facilities
- Public Facilities and Institutions
- Residential
- Transportation and Utility
- Vacant Land
- Vacant Building
- Under Construction

SOHO/NOHO NEIGHBORHOOD PLAN

Existing Land Use

Figure 6

TASK 3. SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. This chapter will assess the Proposed Actions' potential effects on the socioeconomic character of the study area as required by CEQR.

The socioeconomic study area boundaries are expected to be similar to those of the land use study area, and will be dependent on the size and characteristics of the RWCDS associated with the Proposed Actions, pursuant to Section 310 of Chapter 5 of the *CEQR Technical Manual*. A socioeconomic assessment seeks to assess the potential to change socioeconomic character relative to the study area population. The Proposed Actions are expected to generate a net increase of approximately 1,829 DUs. For projects or actions that result in an increase in population, the scale of the relative change is typically represented as a percent increase in population (i.e., a project that would result in a relatively large increase in population may be expected to affect a larger study area). Therefore, the socioeconomic study area would be expanded to a half-mile radius, if the RWCDS associated with the Proposed Actions would increase the population by five percent compared with the expected No Action population in a ¼-mile study area, consistent with the *CEQR Technical Manual*.

The five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on specific industries. As detailed below, the Proposed Actions warrant an assessment of socioeconomic conditions with respect to all but one of these principal issues of concern—direct residential displacement. Direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. The Proposed Actions would not exceed the *CEQR Technical Manual* analysis threshold of 500 displaced residents, and therefore, are not expected to result in significant adverse impacts due to direct residential displacement. The EIS will disclose the number of residential units and estimated number of residents to be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population. The assessment of the four remaining areas of concern will begin with a preliminary assessment to determine whether a detailed analysis is necessary, in conformance with the *CEQR Technical Manual* guidelines. Detailed analyses will be conducted for those areas in which the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. The detailed assessments will be framed in the context of existing conditions and evaluations of the No Action and With Action conditions in 2031, including any population and employment changes anticipated to take place by the analysis year for the Proposed Actions.

DIRECT BUSINESS DISPLACEMENT

For direct business displacement, the type and extent of businesses and workers to be directly displaced by the RWCDS associated with the Proposed Actions will be disclosed. If a project would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate according to the *CEQR Technical Manual*. The Proposed Actions have the potential to exceed the threshold of 100 displaced employees, and therefore, a preliminary assessment will be provided in the EIS.

The analysis of direct business displacement will estimate the number of employees and the number and types of businesses that would be displaced by the Proposed Actions, and characterize the economic profile of the study area using current employment and business data from the New York State Department of Labor or U.S. Census Bureau. This information will be used in addressing the following CEQR criteria for determining the potential for significant adverse impacts: (1) whether the businesses to be displaced provide products or services essential to the local economy that would no longer be available in its "trade area" to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses; and (2) whether a category of businesses is the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

INDIRECT RESIDENTIAL DISPLACEMENT

Indirect residential displacement is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. Indirect residential displacement could occur if a proposed project either introduces a trend or accelerates a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. To assess this potential impact, the analysis will address a series of threshold questions in terms of whether the project substantially alters the demographic character of an area through population change or introduction of more costly housing. The assessment will be performed for the ¼-mile study area as well as neighborhood-level subareas within the study area.

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area. The presentation of study area characteristics will include population estimates, housing tenure and vacancy status, median value and rent, estimates of the number of housing units not subject to rent protection, and household income estimates. The preliminary assessment will carry out the following the step-by-step evaluation, pursuant to *CEQR Technical Manual* guidelines:

- Step 1: Determine if the Proposed Actions would add substantial new population with different income as compared with the income of the study area and subarea populations. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- Step 2: Determine if the Proposed Actions' population is large enough to affect real estate market conditions in the study area or identified subareas. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
- Step 3: Determine whether the study area or identified subareas have already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends and whether the study area or subareas potentially contain a population at risk of indirect displacement resulting from rent increases due to changes in the real estate market caused by the new population.

A detailed analysis, if warranted, would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations,

and examine the effects of the Proposed Actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.

INDIRECT BUSINESS DISPLACEMENT

The indirect business displacement analysis is to determine whether the Proposed Actions may introduce trends that make it difficult for those businesses that provide products or services essential to the local economy, or those subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, to remain in the area. The purpose of the preliminary assessment is to determine whether a proposed action has potential to introduce such a trend. The Proposed Actions would result in a net decrease of approximately 24,022 gsf (24,743 zsf) of commercial uses and therefore would not introduce enough new economic activity to alter existing economic patterns. However, the Proposed Actions would result in direct business displacement that, in turn, could have indirect effects. The preliminary assessment will entail the following tasks:

- Identify and characterize conditions and trends in employment and businesses within the study area. This analysis will be based on field surveys, employment data from the New York State Department of Labor and/or Census and discussions with real estate brokers.
- Determine whether the Proposed Actions would directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses.
- Determine whether the Proposed Actions would directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment determines that the Proposed Actions could introduce trends that make it difficult for businesses that are essential to the local economy to remain in the area, a detailed analysis will be conducted. Following the *CEQR Technical Manual* guidelines, the detailed analysis would identify businesses that are potentially vulnerable to indirect displacement, determine whether the Proposed Actions could create conditions leading to their displacement, and evaluate whether relocation opportunities exist for those businesses.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

The analyses of direct and indirect business displacement will provide sufficient information to determine whether the Proposed Actions could have any adverse effects on a specific industry, compared with the future without the Proposed Actions. The analysis will determine:

- Whether the Proposed Actions would significantly affect business conditions in any industry or category of businesses within or outside the study areas.
- Whether the Proposed Actions would substantially reduce employment or impair viability in a specific industry or category of businesses.

TASK 4. COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by the development resulting from the Proposed Actions. The RWCDS associated with the Proposed Actions would add approximately 1,829 (net) new DUs to the area with up to 573 affordable DUs, of which approximately 366 DUs are anticipated to be affordable to low- to moderate-income households. This level of development would trigger a detailed analysis of public elementary and intermediate schools, libraries, and publicly funded early childhood programs, according to the *CEQR Technical Manual* guidelines and as presented in the

EAS document. Therefore, detailed analyses will be provided. While the RWCDS would not trigger detailed analyses of potential impacts on police/fire stations and health care services, for informational purposes a description of existing police, fire, and health care facilities serving the rezoning area will be provided in the EIS.

PUBLIC SCHOOLS

- The primary study area for the analysis of elementary and intermediate schools should be the school districts' "subdistrict" in which the project is located. As the Project Area is located within Community School District (CSD) 2, Subdistricts 1 and 2, the elementary and intermediate school analyses will be conducted for schools in those subdistricts.
- Public elementary and intermediate schools serving the subdistrict will be identified and located. Existing capacity, enrollment, and utilization data for all public elementary and intermediate schools within the affected subdistrict will be provided for the current (or most recent) school year, noting any specific shortages of school capacity.
- Conditions that would exist in the No Action condition for the subdistrict will be identified, taking into consideration the projected changes in future enrollments, including those associated with other developments in the affected subdistrict, using SCA's Projected New Housing Starts in conjunction with the SCA multipliers. Plans to alter school capacity, either through administrative actions on the part of the Department of Education (DOE) or as a result of the construction of new school space prior to the analysis year of 2031, will also be identified and incorporated into the analyses. Planned new capacity projects from DOE's Five Year Capital Plan will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. However, they may be included in a qualitative discussion.
- Future conditions with the Proposed Actions will be analyzed, adding students likely to be generated under the RWCDS to the projections for the No Action condition. Adverse impacts will be assessed based on the difference between the future With Action projections and the No Action projections (at the subdistrict level for elementary and intermediate schools) for enrollment, capacity, and utilization in the analysis year.
- A determination of whether the Proposed Actions would result in significant adverse impacts to elementary and/or intermediate schools will be made. The Proposed Actions may result in a significant adverse impact, warranting consideration of mitigation, if: (1) a collective utilization rate of the elementary and/or intermediate schools in the subdistrict study area that is equal to or greater than 100 percent in the With Action condition; and (2) an increase of five percentage points or more in the collective utilization rate between the No Action and With Action conditions. If impacts are identified, mitigation will be developed in consultation with SCA and DOE.

LIBRARIES

- The local public library branches serving the area within approximately ¾-mile of the rezoning area, which is the distance that one might be expected to travel for such services, will be identified and presented on a map.
- Existing libraries within the study area and their respective information services and user populations will be described. Information regarding services provided by branch(es) within the study area will include holdings and other relevant existing conditions. Details on library operations will be based on publicly available information and/or consultation with New York

Public Library officials. If applicable, holdings per resident may be estimated to provide a quantitative gauge of available resources in the applicable branch libraries in order to form a baseline for the analysis.

- For the No Action condition, projections of population change in the area and information on any planned changes in library services or facilities will be described, and the effects of these changes on library services will be assessed. Using the information gathered for existing conditions, holdings per resident in the No Action condition will be estimated.
- The effects of the addition of the population resulting from the Proposed Actions on the library's ability to provide information services to its users will be assessed. Holdings per resident in the With Action condition will be estimated and compared with the No Action holdings estimate.
- If the Proposed Actions would increase a branch library's ¾-mile study area population by five percent or more over No Action levels, and it is determined, in consultation with the New York Public Library, that this increase would impair the delivery of library services in the study area, a significant adverse impact may occur, warranting consideration of mitigation.

EARLY CHILDHOOD PROGRAMS

- Existing publicly funded early childhood programs within approximately two miles of the rezoning area will be identified. Each facility will be described in terms of its location, number of slots (capacity), enrollment, and utilization in consultation with the DOE.
- For No Action conditions, information will be obtained for any changes planned for early childhood programs or facilities in the area, including the closing or expansion of existing facilities and the establishment of new facilities. Any expected increase in the population of children under age six within the eligibility income limitations, using the No Action RWCDS (see "Analysis Framework") and background development projects within the study area, will be discussed as projected additional demand, and the potential effect of any population increases on demand for child care services in the study area will be assessed. The available capacity or resulting deficiency in slots and the utilization rate for the study area will be calculated for the No Action condition.
- The potential effects of the additional eligible children resulting from the Proposed Actions will be assessed by comparing the estimated collective utilization rate as compared to the No Action condition.
- A determination of whether the Proposed Actions would result in significant adverse impacts to early childhood programs will be made. A significant adverse impact may result, warranting consideration of mitigation, if the Proposed Actions would result in both of the following: (1) a collective utilization rate of the group early childhood programs in the study area that is greater than 100 percent in the With Action condition; and (2) an increase of five percentage points or more in the collective utilization rate of early childhood programs in the study area between the No Action and With Action conditions.

TASK 5. OPEN SPACE

If a project may add population to an area, demand for existing open space facilities would typically increase. Indirect effects may occur when the population generated by the proposed project would be sufficiently large to noticeably diminish the ability of an area's open space to serve the future population. For the majority of projects, an assessment is conducted if the proposed project would generate more than 200 residents or 500 employees, or a similar number

of other uses. The Proposed Actions would generate a net increase of approximately 3,457 residents and no change in the number of employees. However, the need for an open space assessment may vary in certain areas of the City that are considered either underserved or well-served by open space. As the Project Area is located in an underserved area, a residential open space assessment is warranted and will be provided in the EIS.

The open space analysis will consider both passive and active open space resources. Passive and active open space ratios will be assessed within a ½-mile study area. The study area will generally comprise those census tracts that have 50 percent or more of their area located within the ½-mile radius of the rezoning area.

The detailed open space analysis in the EIS will include the following tasks:

- Characteristics of the open space user group (residents) will be determined. To determine the number of residents in the study areas, 2014–2018 American Community Survey (ACS) data will be compiled for census tracts comprising the residential open space study area.
- Existing active and passive open spaces within ½-mile open space study area will be inventoried and mapped. The condition and usage of existing facilities will be described based on the inventory, prior environmental studies, and—if appropriate, given COVID-19 pandemic conditions—field visits. Due to COVID-19 pandemic conditions, utilization information will be supplemented with data obtained from recently approved environmental reviews conducted for projects in the study area. Acreages of these facilities will be determined and the total study area acreages will be calculated. The percentage of active and passive open space will also be calculated.
- Based on the inventory of facilities and study area populations, total, active, and passive open space ratios will be calculated for the residential population and compared to City guidelines to assess adequacy. Open space ratios are expressed as the amount of open space acreage (total, passive, and active) per 1,000 user population.
- Expected changes in future levels of open space supply and demand in the analysis year will be assessed, based on other planned development projects within the open space study areas. Any new open space or recreational facilities that are anticipated to be operational by the analysis year will also be accounted for. Open space ratios will be calculated for the No Action condition and compared with exiting ratios to determine changes in future levels of adequacy.
- Effects on open space supply and demand resulting from increased residential populations added under the RWCDS associated with the Proposed Actions will be assessed. The assessment of the Proposed Actions' impacts will be based on a comparison of open space ratios for the No Action versus With Action conditions. In addition to the quantitative analysis, a qualitative analysis will be performed to determine if the changes resulting from the Proposed Actions constitute a substantial change (positive or negative) or an adverse effect to open space conditions. The qualitative analysis will assess whether or not the study areas are sufficiently served by open space, given the type (active vs. passive), capacity, condition, and distribution of open space, and the profile of the study area populations.

TASK 6. SHADOWS

A shadows analysis assesses whether new structures resulting from a proposed action would cast shadows on sunlight-sensitive publicly accessible resources or other resources of concern, such as natural resources, and considers the significance of their impact. This chapter will examine the Proposed Actions' potential for significant and adverse shadow impacts. Generally, an analysis is

conducted if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource.

The Proposed Actions would permit development of buildings greater than 50 feet in height and therefore has the potential to result in shadow impacts. The EIS will assess the RWCDS on a site-specific basis for potential shadowing effects of new developments at both the projected and potential development sites on sunlight-sensitive uses and disclose the range of shadow impacts, if any, which are likely to result from the Proposed Actions. The shadows analysis in the EIS will follow CEQR methodology and include the following tasks:

- A preliminary shadows screening assessment will be prepared to ascertain whether the projected and potential developments' shadows may potentially reach any sunlight-sensitive resources at any time of year.
  - A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area for the projected and potential developments, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice). A base map that illustrates the locations of the projected and potential developments in relation to the sunlight-sensitive resources will be developed.
  - A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the triangular area that cannot be shaded by the projected and potential developments, which in New York City is the area that lies between -108 and +108 degrees from true north.
  - If any portion of a sunlight-sensitive resource is within the area that could be potentially shaded by the projected or potential developments, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows resulting from the projected and potential developments can reach a sunlight-sensitive resource through the use of three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns. The model will include a three-dimensional representation of the sunlight-sensitive resource(s), a three-dimensional representation of the projected and potential development sites identified in the RWCDS, and a three-dimensional representation of the topographical information within the area to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Actions.
- If the screening analysis does not rule out the possibility that action-generated shadows would reach any sunlight-sensitive resources, a detailed analysis of potential shadow impacts on publicly accessible open spaces or sunlight-sensitive historic resources resulting from development in the RWCDS (both projected and potential development sites) will be provided in the EIS. The detailed shadow analysis will establish a baseline condition (No Action), which will be compared to the With Action condition to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the projected and potential developments. The detailed analysis will include the following tasks:

- The analysis will be documented with graphics comparing shadows resulting from the No Action condition with shadows resulting from the Proposed Actions, with incremental shadow highlighted in a contrasting color.
- A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource will be provided.
- The significance of any shadow impacts on sunlight-sensitive resources will be assessed.

TASK 7. HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources include both architectural and archaeological resources. Such resources are identified as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological research value. As the Proposed Actions would induce development that could result in new in-ground disturbance, demolition of existing buildings, and new construction, the Proposed Actions have the potential to result in impacts to archaeological and architectural resources.

Impacts on archaeological resources are considered only for projected and potential development sites where new in-ground disturbance would occur compared to No Action condition. Impacts on architectural resources are considered on the affected site and in the area surrounding identified development sites. The architectural resources study area is therefore defined as the directly affected area (i.e., the rezoning area or the "Project Area"), plus a 400-foot radius, as per the guidance provided in the *CEQR Technical Manual*. Architectural resources may be directly affected through demolition and construction activities and indirectly affected through visual and contextual changes. Therefore, consistent with the *CEQR Technical Manual*, the historic and cultural resources analysis will include the following tasks.

- Provide an overview of the Project Area and study area's history and land development.
- Consultation was initiated with LPC to request a preliminary determination of archaeological sensitivity for the areas expected to experience subsurface disturbance as a result of the Proposed Actions (e.g., the projected and potential development sites).
- In a comment letter issued October 28, 2020, LPC determined that 55 potential or projected development sites are not potentially archaeologically significant, and no further archaeological analysis will be required for those parcels.
- In the previously referenced comment letter, LPC determined that 29 of the projected or potential development sites are potentially archaeologically significant. LPC further requested that a Phase 1A Archaeological Documentary Study (Phase 1A Study) of the sites be prepared. The 29 lots identified by LPC comprise the study area for the Phase 1A Study. The Phase 1A investigation will document the precontact and historic contexts, environmental setting, development history, and past disturbance of the sites within the archaeological study area to identify potential archaeological resources types that may be present. The Phase 1A Study will also identify those locations where additional archaeological investigations (e.g., Phase 1B testing) are needed at any of the project locations.
- The Phase 1A Study will be submitted to LPC for review. The EIS will summarize the results of the Phase 1A Study.
- If any developments sites are identified as having archaeological potential in the Phase 1A Study and LPC concurs, the Proposed Actions effect on those resources will be evaluated to determine if a significant adverse impact would result due to the Proposed Actions. If it is

found that a significant adverse impact to archaeological resources would occur, LPC will be consulted on what, if any, mitigation measures may be available to address those impacts.

- In consultation with LPC and consistent with the guidance of the *CEQR Technical Manual*, designated architectural resources will be identified in the Project Area and study area and include: New York City Landmarks (NYCLs), Interior Landmarks, Scenic Landmarks, New York City Historic Districts (NYCHDs); resources calendared for consideration as one of the above by LPC; resources listed on or formally determined eligible for inclusion on the State or National Registers of Historic Places (S/NR-listed or S/NR-eligible), or contained within a district listed on or formally determined eligible for listing on the S/NR; resources recommended by the New York State Board for listing on the S/NR; and National Historic Landmarks (NHLs).
- Conduct a field survey of the Project Area and study area to identify any properties that may meet S/NR and/or NYCL eligibility criteria but have not been designated (i.e., potential architectural resources). The field survey will be supplemented with research at relevant repositories and online sources as warranted, and information will be provided to LPC for review and determinations of significance.
- Assess the potential impacts of the Proposed Actions on any identified architectural resources, including visual and contextual changes as well as any direct physical impacts. Potential impacts will be evaluated through a comparison of the future No Action condition and future With Action condition, and a determination made as to whether any change would alter or eliminate the significant characteristics of the resource that make it important.
- If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC.

TASK 8. URBAN DESIGN AND VISUAL RESOURCES

As defined in the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. When an action would potentially obstruct view corridors, compete with icons in the skyline, or would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings, a more detailed analysis of urban design and visual resources would be appropriate. The *CEQR Technical Manual* also recommends an analysis of pedestrian wind conditions for projects that result in the construction of large buildings at locations that experience high wind conditions (such as on the waterfront), which may result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety. Based on the Proposed Actions and the location of the Special SoHo/NoHo Mixed-Use District, it is assumed that an analysis of pedestrian wind conditions is not warranted.

As the Proposed Actions would rezone some areas to allow higher density development and map new zoning districts within the rezoning area, a preliminary assessment of urban design and visual resources will be provided in the EIS. The urban design study area will be the same as that used for the land use analysis (delineated by a ¼-mile radius from the rezoning area boundary), in accordance with the *CEQR Technical Manual*. For visual resources, the view corridors within the study area from which such resources are publicly viewable will be identified. The preliminary assessment will consist of the following:

- Based on field visits, the urban design and visual resources of the directly affected area and adjacent study area will be described using text, photographs, and other graphic material, as necessary, to identify critical features, use, bulk, form, and scale.
- In coordination with Task 2, "Land Use, Zoning, and Public Policy," the changes expected in the urban design and visual character of the study area due to known development projects in the future No Action condition will be described.
- Potential changes that could occur in the urban design character of the study area as a result of the Proposed Actions will be described. For the projected and potential development sites, the analysis will focus on general building types for the sites that are assumed for development, as well as elements such as street wall height, setback, and building envelope. Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources, including view of/to resources of visual or historic significance.

A detailed analysis in accordance with *CEQR Technical Manual* guidelines will be prepared if warranted based on the preliminary assessment. Examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline. The detailed analysis would describe the projected and potential development sites and the urban design and visual resources of the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the With Action condition, in comparison with the No Action condition, focusing on the changes that could negatively affect a pedestrian's experience of the area. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 9. NATURAL RESOURCES

Under CEQR, a natural resource is defined as the City's biodiversity (plants, wildlife, and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. Such resources include groundwater, soils, and geologic features; numerous types of natural and human-created aquatic and terrestrial habitats (including wetlands, dunes, beaches, grasslands, woodlands, landscaped areas, gardens, parks, and built structures); as well as any areas used by wildlife. The EIS will include an analysis of natural resources following CEQR guidance, as described below. Much of the Project Area and surrounding area has been developed with buildings and paved surfaces. As such, vegetation is limited and there is minimal habitat to support native wildlife. Therefore, the study area for the natural resources assessment will consist of the Project Area.

The natural resources assessment will characterize existing resources in the study area, including terrestrial natural resources (e.g., plants and wildlife), threatened, endangered, and special concern species, floodplains, and groundwater resources based on existing information and results of site reconnaissance, such as the following:

- Existing information identified in peer reviewed literature;
- U.S. Geological Survey (USGS) maps, including groundwater maps;
- Soil Survey Geographic Database (SSURGO) Soils maps;
- DEC Tidal and Freshwater Wetlands and streams maps;
- U.S. Fish & Wildlife Service (USFWS) National Wetland Inventory maps;

- Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (FIRM);
- New York State Breeding Bird Atlas, 2000–2005;
- New York State Amphibian & Reptile Atlas Project (Herp Atlas), 1990–1999;
- New York Natural Heritage Program (NYNHP) database for state threatened, endangered, and special concern species;
- USFWS Information, Planning and Consultation (IPaC) Database for federally threatened and endangered species; and
- Results of a site reconnaissance conducted within the study area to document existing ecological conditions in the study area. The site reconnaissance will identify and characterize existing resources in the study area.

The future conditions for the natural resources within the Project Area in the No Action condition will be described in the EIS as the baseline condition. The potential effects of the Proposed Actions on natural resources, in comparison with the No Action condition, will be assessed including impacts on groundwater, floodplains, wetlands, terrestrial resources, and protected species. The assessment will consider the potential short-term and long-term impacts of development anticipated under the reasonable worst-case development scenario associated with the Proposed Actions, including beneficial impacts to wildlife from any landscaping and establishment of street trees that would be implemented as part of the Proposed Actions and will include recommended measures to minimize adverse impacts to existing natural resources and to enhance resources with the Proposed Actions.

TASK 10. HAZARDOUS MATERIALS

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials assessment will determine which, if any, of the Proposed Actions' projected and potential development sites may have been adversely affected by present or historical uses at or adjacent to the sites. For some proposed projects (e.g., area-wide rezonings), portions of the typical scope for a Phase I Environmental Site Assessment (ESA), such as site inspections, may not be possible. The Proposed Actions include an area-wide rezoning, and nearly all of the identified projected and potential development sites are not in City ownership. As such, a preliminary screening assessment will be conducted for the projected and potential development sites to determine which sites warrant an institutional control, such as an (E) Designation[8] in

[8] A hazardous materials (E) Designation is an institutional control that can be placed as a result of the CEQR review of a zoning map or zoning text amendment or action pursuant to the Zoning Resolution. It provides a mechanism to ensure that testing for and mitigation and/or remediation of hazardous materials, if necessary, are completed prior to, or as part of, future development of the affected site, thereby eliminating the potential for a hazardous materials impact.

accordance with Section 11-15 (Environmental Requirements) of the ZR of the City of New York and Chapter 24 of Title 15 of the Rules of the City of New York governing the placement of (E) Designations. According to the Mayor's Office of Environmental Remediation (OER) NYC Searchable Property Environmental E-Database (SPEED 2.0), E-Designations have been mapped within the Project Area, and include: 53 Greene Street (E-293); 146 Wooster Street (E-369); 432 Broome Street (E-331); 155 Mercer Street (E-338); 140 Crosby Street (E-339); 298 Lafayette Street (E-323); 25 Bleecker Street (E-517); and 68 Spring Street (E-445).

The hazardous materials assessment will include the following tasks:

- Review existing information sources such as Sanborn Fire Insurance Maps and City directories for the projected and potential development sites and the surrounding area, to develop a profile of the historical uses of properties;
- Review and evaluate relevant existing data to assess the potential for environmental concerns on the projected and potential development sites and new open space; and
- Prepare a summary of findings and conclusions for inclusion in the EIS to determine where (E) Designations or comparable restrictions may be appropriate.

TASK 11. WATER AND SEWER INFRASTRUCTURE

The water and sewer infrastructure assessment determines whether a proposed action may adversely affect the City's water distribution or sewer system and, if so, assesses the effects of a proposed action to determine whether its impact is significant. The *CEQR Technical Manual* outlines thresholds for analysis of an action's water demand and its generation of wastewater and stormwater. For the Proposed Actions, an analysis of water supply is not warranted as the RWCDS associated with the Proposed Actions is not expected to result in a water demand of more than one million gallons per day (mgpd) compared with the No Action condition. A preliminary assessment of the Proposed Actions' effects on wastewater and stormwater infrastructure is warranted because the Proposed Actions are expected to result in more than 1,000 DUs, the applicable threshold for combined sewer areas in Manhattan. Therefore, the DEIS will analyze the Proposed Actions' potential effects on wastewater and stormwater infrastructure and will consider the potential for significant adverse impacts. DEP will be consulted in the preparation of this assessment.

WASTEWATER AND STORMWATER INFRASTRUCTURE

- The appropriate study area for the assessment will be established in consultation with DEP.
- The existing stormwater drainage system and surfaces (pervious or impervious) on the projected development sites will be described, and the amount of stormwater generated on those sites will be estimated using DEP's volume calculation worksheet.
- The existing sewer system serving the rezoning area will be described based on records obtained from DEP. The existing flows to the wastewater treatment plant (WWTP) which serves the Project Area will be obtained for the latest 12-month period for which data is available, and the average dry weather monthly flow will be presented.
- Based on coordination with DEP, changes to the stormwater drainage plan, sewer system, and surface area expected in the No Action condition will be described, as warranted.
- Future stormwater generation from the projected development sites will be assessed in accordance with the *CEQR Technical Manual*. Changes to the projected development sites' surface area will be described, runoff coefficients and runoff for each surface type/area will

be presented, and volume and peak discharge rates from the sites will be determined based on the DEP volume calculation worksheet.

- Sanitary sewage generation for the projected development sites identified in the RWCDS will also be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on the sewage conveyance system and/or the operations of the WWTP serving the Project Area.

TASK 12. SOLID WASTE AND SANITATION SERVICES

A solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with State policy related to the City's integrated solid waste management system. The Proposed Actions would induce new development that would require sanitation services. If a project's generation of solid waste in the With Action condition would not exceed 50 tons per week, it may be assumed that there would be sufficient public or private carting and transfer station capacity in the metropolitan area to absorb the increment, and further analysis generally would not be required. As the Proposed Actions are expected to result in a net increase of more than 50 tons per week, compared with the No Action condition, an assessment of solid waste and sanitation services is warranted. This chapter will provide an estimate of the additional solid waste expected to be generated by the projected development sites under the RWCDS and assesses its effects on the City's solid waste and sanitation services. This assessment will do the following:

- Describe existing and future New York City solid waste disposal practices.
- Estimate solid waste generation by the RWCDS projected development sites for existing, No Action, and With Action conditions.
- Assess the impacts of the Proposed Actions' solid waste generation (projected developments) on the City's collection needs and disposal capacity. The Proposed Actions' consistency with the City's Solid Waste Management Plan will also be assessed.

TASK 13. ENERGY

An EIS is to include a discussion of the effects of a proposed action on the use and conservation of energy, if applicable and significant, in accordance with CEQR. In most cases, an action does not need a detailed energy assessment, but its operational energy is projected. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action is disclosed, as recommended in the *CEQR Technical Manual*.

An analysis of the anticipated additional demand from the Proposed Actions' RWCDS will be provided in the EIS. National Grid will be consulted in preparation of the energy impact analysis. The EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Actions. The projected amount of energy consumption during long-term operation will be estimated based on the average and annual whole-building energy use rates for New York City. If warranted, the Mayor's Office of Sustainability (MOS) and/or the power utility serving the area will be consulted.

TASK 14. TRANSPORTATION

The objective of a transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, the safety of all roadway users (pedestrians, bicyclists, and motorists), on-and off-street parking, or goods movement. The Proposed Actions are expected to induce new residential, commercial, and community facility development, which would generate additional vehicular travel and demand for parking, as well as additional subway and bus riders and pedestrian traffic. These new trips have the potential to affect the area's transportation systems. Therefore, the transportation studies will be a key focus of the EIS.

TRAVEL DEMAND AND SCREENING ASSESSMENT

A detailed travel demand forecast has been prepared for the RWCDS using standard sources, including the *CEQR Technical Manual*, U.S. Census data, previously approved studies, and other references. The travel demand forecast (a Level 1 screening assessment) is summarized by peak hour and, mode of travel, as well as by person and vehicle trips. The travel demand forecast also identifies the number of peak hour person trips made by transit and the number of peak hour pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks. The results of this forecast have been summarized in a Transportation Planning Factors and Travel Demand Forecast (TPF/TDF) Technical Memorandum (refer to **Appendix 2**). In addition to the travel demand forecast, the TPF/TDF Technical Memorandum includes detailed vehicle trip assignments (a Level 2 screening assessment) and identifies pedestrian/transit elements for quantified analysis.

TRAFFIC

As detailed in the TPF/TDF Technical Memorandum included in **Appendix 2**, the RWCDS is expected to exceed the minimum development density screening thresholds for a transportation analysis specified in Table 16-1 of the *CEQR Technical Manual*. Therefore, a travel demand forecast was prepared to determine if the Proposed Actions would generate 50 or more vehicle trips in any peak hour. As this forecast indicated that the Proposed Actions would likely generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours and the Saturday peak hour, detailed vehicle trip assignments were prepared for each of these periods to identify which, if any, intersections would potentially require detailed analysis (a Level 2 screening assessment). Under *CEQR Technical Manual* guidance, a quantified traffic analysis is typically warranted if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. Based on the assignments of vehicle trips provided in the TPF/TDF Technical Memorandum, no intersection in proximity to the Project Area is expected to experience a net incremental increase of 50 or more trips in any peak hour. Therefore, based on *CEQR Technical Manual* guidance, a detailed analysis of traffic conditions under the Proposed Actions is not warranted and is not included in the EIS.

TRANSIT

The *CEQR Technical Manual* indicates that if a proposed action would result in 50 or more bus trips being assigned to a single bus route (in one direction), or if it would result in an increase of 200 or more trips at a single subway station or on a single subway line, a detailed bus or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours when overall demand on the subway and bus systems (and the potential for significant adverse impacts) is usually highest.

Based on the travel demand forecast summarized in the TPF/TDF Technical Memorandum in **Appendix 2**, the Proposed Actions' RWCDS is expected to generate a net increase of more than 200 additional subway trips and more than 50 additional bus trips in one or more peak hours. Therefore, more detailed trip assignments (a Level 2 screening assessment) were prepared to determine which, if any, subway stations and bus routes would require detailed analyses based on *CEQR Technical Manual* criteria.

Subway

There are a total of nine subway stations or station complexes located in proximity to the Project Area, which would potentially be utilized by action-generated trips. As discussed in the TPF/TDF Technical Memorandum in **Appendix 2**, incremental demand from the Proposed Actions would exceed the 200-trip *CEQR Technical Manual* analysis threshold in the weekday AM and /or PM peak hours at the Canal Street (J/N/Q/R/W/Z/6) subway station complex and the Canal Street (A/C/E) subway station. The analysis of subway conditions in the EIS will therefore focus on these stations and will include the following subtasks:

- Identify for analysis those subway stations expected to be utilized by 200 or more incremental trips in one or more peak hours. At each of these stations, analyze those stairways and entrance fare control elements expected to be used by significant concentrations of action-generated demand in the weekday AM and PM peak hours.
- Conduct counts of existing weekday AM and PM peak hour demand at analyzed subway station elements and determine existing v/c ratios and levels of service based on *CEQR Technical Manual* criteria. Given the current changes in travel behavior due to the COVID-19 pandemic, there will be coordination with the Metropolitan Transportation Authority-New York City Transit (MTA-NYCT) to identify pre-pandemic count data and/or determine adjustment factors to estimate normal peak hour conditions at these stations.
- Determine volumes and conditions at analyzed subway station elements in the future without the Proposed Actions using approved background growth rates and accounting for any trips expected to be generated by No Action development on projected development sites or other major projects in the vicinity of the study area.
- Add action-generated demand to the No Action volumes at analyzed subway station elements and determine AM and PM peak hour volumes and conditions in the future with the Proposed Actions.
- Identify potential significant adverse impacts at subway station stairways and fare control elements based on *CEQR Technical Manual* impact criteria.
- Determine if the Proposed Actions are expected to generate 200 or more new subway trips in one direction on one or more of the fifteen subway routes serving the area, and if so, assess subway line haul conditions.
- Mitigation needs and potential subway station improvements will be identified, as appropriate, in conjunction with the lead agency and NYCT. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Bus

The SoHo/NoHo area is served by approximately seven local bus routes operated by NYCT (the M1, M15, M15 SBS, M20, M21, M55, and M103). A detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction) based on the general thresholds used by

NYCT and cited in the *CEQR Technical Manual*. As discussed in the TPF/TDF Technical Memorandum in **Appendix 2**, the Proposed Actions are expected to generate approximately 47 incremental trips by bus in the weekday AM peak hour and 75 trips in the PM peak hour. Given that these trips would be distributed among seven bus routes, the number of incremental trips in one direction on any one of these routes is not expected to reach the 50-trip *CEQR Technical Manual* analysis threshold for a detailed bus analysis. Therefore, a detailed analysis of bus conditions under the Proposed Actions is not warranted and not included in the EIS.

PEDESTRIANS

Projected pedestrian volumes of less than 200 persons per hour at any pedestrian element (sidewalks, corner areas, and crosswalks) would not typically be considered significant since the level of increase would not generally be noticeable and therefore would not require further analysis under *CEQR Technical Manual* guidance. As discussed in the TPF/TDF Technical Memorandum in **Appendix 2**, incremental pedestrian demand generated by the Proposed Actions' RWCDS would exceed 200 trips in the weekday AM, midday, and PM peak hours and Saturday peak hour. Therefore, detailed pedestrian assignments were prepared to determine which, if any, pedestrian elements would require quantified analysis.

Overall, the greatest incremental increases in pedestrian demand under the Proposed Actions are expected to occur at pedestrian elements in proximity to the Canal Street subway station complex and the cluster of projected development sites at Canal, Lafayette, and Centre Streets, and along Lafayette and Great Jones streets in proximity to projected development sites 1 and 2. As shown in Figure 7 of the TPF/TDF Technical Memorandum in **Appendix 2**, based on the detailed assignments, a total of 16 pedestrian elements (five sidewalks, nine corner areas, and two crosswalks) at these locations where net incremental trips would potentially reach the 200 trips/hour *CEQR Technical Manual* analysis threshold in one or more peak periods were selected for analysis. (To be conservative, any element with 190 trips/hour or more was included.) Pedestrian elements selected for analysis include the following:

Sidewalks

- North sidewalk on Canal Street between Lafayette and Centre Streets;
- North sidewalk on Canal Street between Lafayette Street and Broadway;
- East sidewalk on Centre Street between Canal and Hester Streets;
- North sidewalk on Great Jones Street between Lafayette Street and Bowery; and
- East sidewalk on Thompson Street between Canal and Grand Streets.

Corner Areas

- Northeast and northwest corners at Lafayette Street/Canal Street;
- Southeast corner at Lafayette Street/Howard Street;
- Northeast and northwest corners at Centre Street/Canal Street;
- Southeast corner at Hester Street/Centre Street;
- Northeast and southeast corners at Lafayette Street/Great Jones Street; and
- Northwest corner at Bowery/Great Jones Street.

Crosswalks

- North crosswalk on Lafayette Street and Canal Street; and

- East crosswalk on Great Jones Street at Lafayette Street.

To determine existing levels of service, pedestrian counts will be conducted at each analysis location in accordance with the most recent DOT data collection guidance, and in consultation with the lead agency and DOT. No Action and With Action pedestrian volumes and levels of service will be determined based on approved background growth rates, trips expected to be generated by No Action development on projected development sites and other major projects in the vicinity of the study area, and action-generated demand. In addition, a citywide plan to improve the pedestrian network is currently being developed by DOT. This plan, and any other relevant City initiatives, will also be considered when developing the No Action and With Action pedestrian networks, in consultation with the lead agency and DOT. The analysis, which will be conducted in accordance with DOT-approved methodologies, will evaluate the potential for incremental demand from the Proposed Actions to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and DOT.

Vehicular and Pedestrian Safety

The assessment of vehicular and pedestrian safety will identify any study area intersections that are located within Senior Pedestrian Focus Areas, or that are classified as priority intersections or located within priority corridors or areas as defined under the city's *Vision Zero* initiative. Data on traffic crashes involving pedestrians and/or cyclists at study area intersections will be obtained from DOT for the most recent three-year period available. These data will be analyzed to determine if any of the studied locations may be classified (based on *CEQR Technical Manual* criteria) as high crash locations and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Actions would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues.

Parking

The Proposed Actions would generate new incremental parking demand. As no on-site parking would be provided on projected development sites under the RWCDS, this demand would be accommodated at nearby off-street public parking facilities or on-street. Some existing off-street public parking capacity would also be displaced by new development on projected development sites under the RWCDS.

Under *CEQR Technical Manual* guidance, detailed on- and off-street parking analyses are typically not needed if a quantified traffic analysis is not warranted. However, the EIS will include a forecast of the incremental hourly parking demand generated by the Proposed Actions, and the amount of existing off-street public parking capacity expected to be displaced from projected development sites. The potential for the Proposed Actions to result in a significant adverse parking shortfall will be assessed based on *CEQR Technical Manual* guidance for projects located in Manhattan.

TASK 15. AIR QUALITY

An air quality assessment is required for actions that could have potential to result in significant air quality impacts. There are mobile source impacts that could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. Mobile source impacts could also result from parking facilities,

parking lots, or garages. Stationary source impacts could occur with actions that create new stationary sources or pollutants such as emission stacks from industrial plants, hospitals, or other large institutional uses, or a building's boilers, that can affect surrounding uses; or when they add uses near existing or planned future emission stacks, and the new uses might be affected by the emissions from the stacks, or when they add structures near such stacks and those structures can change the dispersion of emissions from stacks so that they begin to affect surrounding uses.

MOBILE SOURCE ANALYSIS

The increased traffic associated with the RWCDS projected development sites is not likely to exceed the *CEQR Technical Manual*'s carbon monoxide (CO) screening threshold of 170 vehicles in a peak hour at any intersection or the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, it is anticipated that the mobile source air quality analysis will include a screening analysis; if screening thresholds are exceeded, an analysis of CO and PM mobile source emissions at affected intersections may be warranted.

The specific work program for the mobile source air quality study will include the following tasks:

- Existing ambient air quality data for the study area (published by DEC) will be compiled for the analysis of existing and future conditions.
- A screening analysis for CO and PM for the worst-case scenario locations will be prepared based on the traffic analysis and the above-mentioned CEQR criteria. If screening levels are exceeded, a dispersion analysis would be required.

STATIONARY SOURCE ANALYSIS

The stationary source air quality analysis will determine the effects of emissions from projected and potential development sites fossil fuel fired heating and hot water systems to affect existing land uses significantly (i.e., project-on-existing) or to significantly affect any of the other projected or potential development sites (i.e., project-on-project impacts). In addition, since portions of the rezoning area are located within or near manufacturing zoned districts, an analysis of emissions from industrial sources will be performed within 400 feet of the study area. In addition, an analysis will be conducted to examine large and major sources of emissions within 1,000 feet of the study area.

Heat and Hot Water Systems Analysis

- A screening level analysis will be performed to determine the potential for impacts air quality impacts from heating and hot water systems of the projected and potential development sites.
- If the screening analysis for any site demonstrates a potential for air quality impacts, a refined modeling analysis will be performed for that development site using the AERMOD model. For this analysis, five recent years of DEC provided meteorological data from LaGuardia Airport and concurrent upper air data from Brookhaven, New York will be utilized for the simulation program. Concentrations of nitrogen dioxide (NO_2), sulfur dioxide (SO_2) if No. 2 fuel oil is fired, and particulate matter (PM_{10} and $PM_{2.5}$) will be determined at off-site receptors sites, as well as on projected and potential development site receptors. Predicted values will be compared with NAAQS and the City's CO and $PM_{2.5}$ *de minimis* guidance criteria. If warranted by the analysis, requirements related to fuel type, exhaust stack locations, and/or other appropriate parameters will be memorialized by (E) Designations placed on the blocks and lots pursuant to Section 11-15 of the New York City ZR and the (E) Rules, as referenced above in the Hazardous Materials section.

- A cumulative impact analysis will be performed for development sites with similar height located in close proximity to one another (i.e., site clusters). Impacts will be determined using the EPA AERSCREEN model, and if potential air quality impacts are identified, using the refined AERMOD model. In the event that violations of standards are predicted, measures to reduce pollutant levels to within standards will be examined.

Industrial Source Analysis

- A field survey will be performed to identify processing or manufacturing facilities within 400 feet of the projected and potential development sites. A copy of the air permits for each of these facilities will be requested from DEP's Bureau of Environmental Compliance.
- Light manufacturing facilities with sources of emissions located within 400 feet of the projected or potential development sites will be considered for analysis.
- For potential development sites with identified industrial sources of air emissions, the industrial sources analysis will be performed assuming that development does take place, as well as assuming that it does not take place.
- A cumulative impact analysis will be performed for multiple sources that emit the same air contaminant. Predicted concentrations of these compounds will be compared to DEC DAR-1 guideline values for short-term (SGC) and annual (AGC) averaging periods. In the event that violations of standards are predicted, measures to reduce pollutant levels to within standards will be examined.
- Potential cumulative impacts of multiple air pollutants will be determined based on DEC's DAR-1 guidance document for non-carcinogenic compounds (Hazard Index Approach) and for carcinogenic compounds (Unit Risk Factors).

Large and Major Source Analysis

- An analysis of existing large and major sources of emissions (such as sources having Federal and State permits) identified within 1,000 feet of the development sites will be performed to assess their potential effects on the projected and potential development sites. Predicted criteria pollutant concentrations will be predicted using the AERMOD model compared with NAAQS for NO_2, SO_2, and $PM_{10,}$ as well as applicable criteria for $PM_{2.5}$.

Further details on the noise analysis methodology is provided in **Appendix 3** (Air Quality Methodology Memorandum) to this document.

Existing (E) Designated sites were identified within the Project Area, and include: 53 Greene Street (E-293); 476 Broome Street (E-295); 298 Lafayette Street (E-323); 688 Broadway (E-325); 321 Canal Street (E-364); 323 Canal Street (E-365); 10 Greene Street (E-402); and 40 Wooster Street (E-416).

TASK 16. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Increased greenhouse gas (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. As the RWCDS associated with the Proposed Actions exceeds the 350,000 sf development threshold, GHG emissions generated by the Proposed Actions will be quantified and an assessment of consistency with the City's established GHG reduction goal will be performed as part of the EIS. The

assessment will examine GHG emissions from the Proposed Action's operations, mobile sources, and construction, as outlined below.

- Sources of GHG from the development projected as part of the Proposed Actions will be identified. The pollutants for analysis will be discussed, as well as various city, state, and federal goals, policies, regulations, standards, and benchmarks for GHG emissions.
- Fuel consumption will be estimated for the projected developments based on the calculations of energy use estimated as part of Task 13, "Energy."
- GHG emissions associated with the action-related traffic will be estimated for the Proposed Actions using data from Task 14, "Transportation." A calculation of vehicle miles traveled (VMT) will be prepared.
- The types of construction materials and equipment proposed will be discussed along with opportunities for alternative approaches that may serve to reduce GHG emissions associated with construction.
- A qualitative discussion of stationary and mobile sources of GHG emissions will be provided in conjunction with a discussion of goals for reducing GHG emissions to determine if the Proposed Actions are consistent with GHG reduction goals, including building efficient buildings, using clean power, transit-oriented development and sustainable transportation, reducing construction operations emissions, and using building materials with low carbon intensity.

Portions of the Project Area are located within the federally mapped 100- and 500-year floodplains and may be susceptible to storm surge and coastal flooding. This chapter of the EIS will include a qualitative discussion of potential effects of climate change and potential design measures that could be incorporated into new development projected to occur in the Project Area.

TASK 17. NOISE

The Proposed Actions would result in new residential, commercial, community facility, and industrial development. It would also alter traffic conditions in the area. Noise, which is a general term used to describe unwanted sound, will likely be affected by these development changes. A detailed noise analysis will be included in the EIS, which will examine both the Proposed Actions' potential effects on existing sensitive noise receptors (including residences, health care facilities, schools, open space, etc.) and the potential noise exposure at noise-sensitive uses newly introduced by the actions. If significant adverse impacts are identified, impacts would be mitigated or avoided to the greatest extent practicable.

It is assumed that outdoor mechanical equipment would be designed to meet applicable regulations and consequently no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed. Consequently, the noise analysis will examine the level of building attenuation necessary to meet CEQR interior noise level requirements. The following tasks will be performed:

- As described above in Task 14, "Transportation," a detailed analysis of traffic conditions under the Proposed Actions is not warranted and is not included in the EIS. Consequently, there would not be potential for the RWCDS associated with the Proposed Actions to result in significant noise impacts (i.e., doubling Noise Passenger Car Equivalents [PCEs]) due to action-generated traffic, and an analysis of potential mobile source noise impacts is not included in the EIS.

- Noise analysis locations will be selected to represent sites of future sensitive uses in the RWCDS With Action condition. These noise analysis locations will be placed in areas to be analyzed for building attenuation and would focus on areas of potentially high ambient noise where noise-sensitive uses are proposed.
- At the identified locations, noise measurements will be conducted for the three weekday and one weekend peak hours corresponding to typical peak periods of vehicular traffic. Noise levels will be measured in units of "A"-weighted decibel scale (dBA) as well as one-third octave bands. The measured noise level descriptors will include equivalent noise level (L_{eq}) maximum level (L_{max}), minimum level (L_{min}), and statistical percentile levels such as L_1, L_{10}, L_{50}, and L_{90}. A summary table of existing measured noise levels will be provided as part of the EIS.
- Following procedures outlined in the *CEQR Technical Manual* for assessing mobile source noise impacts, future With Action noise levels will be estimated at the noise receptor locations based on acoustical fundamentals. All projections will be made using the L_{eq} noise descriptor.
- As necessary, noise exposure at projected and potential development sites resulting from playgrounds within the study area will be estimated based on SCA playground noise assessment guidance, and the resultant total noise levels will be used to identify building attenuation requirements.
- The level of building attenuation necessary to satisfy CEQR noise exposure guidelines (a function of the exterior noise levels) will be determined based on the highest L_{10} noise level estimated at each noise analysis location. The building attenuation requirements will be memorialized by (E) Designations placed on the blocks and lots requiring specific levels of attenuation pursuant to Section 11-15 of the New York City ZR and the (E) Rules, as referenced above in the Hazardous Materials section. The EIS would include (E) Designation language describing the requirements for each of the blocks and lots to which they would apply.

Further details on the noise analysis methodology is provided in **Appendix 4** (Noise Monitoring Approach Memorandum) to this document.

TASK 18. PUBLIC HEALTH

Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and, if so, to identify measures to mitigate such effects.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

TASK 19. NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The

Proposed Actions have the potential to alter certain elements contributing to the affected area's neighborhood character. Therefore, a neighborhood character analysis will be provided in the EIS.

A preliminary assessment of neighborhood character will be provided in the EIS to determine whether changes expected in other technical analysis areas—land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; transportation; and noise—may affect a defining feature of neighborhood character. The preliminary assessment will:

- Identify the defining features of the existing neighborhood character.
- Summarize changes in the character of the neighborhood that can be expected in the With Action condition and compare to the No Action condition.
- Evaluate whether the Proposed Actions have the potential to affect these defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas.

If the preliminary assessment determines that the Proposed Actions could affect the defining features of neighborhood character, a detailed analysis will be conducted.

TASK 20. CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise patterns, air quality conditions, and mitigation of hazardous materials. Multi-sited projects with overall construction periods lasting longer than two years and that are near to sensitive receptors should undergo a preliminary impact assessment. This chapter of the EIS will provide a preliminary impact assessment following the guidelines in the *CEQR Technical Manual* based on a conceptual construction schedule with anticipated RWCDS construction timelines for each of the projected development sites. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. If the preliminary assessment indicates the potential for a significant impact during construction, a detailed construction impact analysis will be undertaken and reported in the EIS in accordance with guidelines outlined in the *CEQR Technical Manual*. Technical areas to be assessed include the following:

- *Transportation Systems:* The assessment will qualitatively consider losses in lanes, sidewalks, and other transportation services on the adjacent streets during the various phases of construction and identify the increase in vehicle trips from construction workers and equipment. A travel demand forecast for the peak construction period will be prepared.
- *Air Quality:* The construction air quality impact section will include a quantitative dispersion modeling of construction equipment operational impacts on sensitive land uses within the Project Area during the worst-case time period(s). Air pollutant sources will include combustion exhaust associated with non-road engines, on-road engines, and on-site activities that generate fugitive dust. A discussion of measures to reduce impacts, if any, will be included.
- *Noise:* The construction noise impact section will contain discussion of noise impacts at sensitive land uses and buildings within the Project Area to be analyzed with a quantitative noise modeling for the worst-case noise condition from on-site construction equipment/vehicles activity. During the most representative worst-case time period(s), noise

levels due to construction activities at sensitive receptors and the potential to exceed *CEQR Technical Manual* construction noise impact criteria will be predicted. The predicted duration of sustained noise levels exceeding the significance threshold will be estimated to determine the potential for impact at nearby receptors.

- *Other Technical Areas:* As appropriate, other areas of environmental assessment—such as historic resources, hazardous materials, public health, socioeconomic conditions, and neighborhood character—will be analyzed for potential construction-related impacts.

TASK 21. MITIGATION

Where significant adverse impacts have been identified in Tasks 2 through 20, measures to mitigate those impacts will be described. The chapter will also consider when mitigation measures will need to be implemented. These measures will be developed and coordinated with the responsible government agencies, as appropriate. Where impacts cannot be fully mitigated, they will be described as unavoidable adverse impacts.

TASK 22. ALTERNATIVES

The purpose of an alternatives chapter in an EIS is to examine development options that would tend to reduce action-related impacts. The alternatives will be better defined once the full extent of the Proposed Actions' impacts have been identified. Typically for area-wide actions such as the Proposed Actions, the alternatives will include a No Action Alternative and a no impact or no unmitigated significant adverse impact alternative. A lesser density alternative would be pursued only if it is found to have the potential to reduce the impacts of the Proposed Actions while, to some extent, still meeting the action's stated purpose and need. The alternatives analysis will be qualitative, except in those technical areas where significant adverse impacts for the Proposed Actions have been identified. The level of analysis provided will depend on an assessment of project impacts determined by the analysis connected with the appropriate tasks.

TASK 23. SUMMARY EIS CHAPTERS

The EIS will include the following three summary chapters, where appropriate to the Proposed Action:

- *Unavoidable Adverse Impacts*: which summarizes any significant adverse impacts that are unavoidable if the Proposed Actions are implemented regardless of the mitigation employed (or if mitigation is not feasible).
- *Growth-Inducing Aspects of the Proposed Action*: which generally refer to "secondary" impacts of the Proposed Actions that trigger further development.
- *Irreversible and Irretrievable Commitments of Resources*: which summarizes the Proposed Actions and their impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and over the long term.

TASK 24. EXECUTIVE SUMMARY

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Actions, their environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency. ✷

FSOW APPENDICES

Appendix 1 – RWCDS Tables

Appendix 2 – Transportation

Appendix 3 – Air Quality

Appendix 4 – Noise

Appendix 5 – Construction

Appendix 6 – Response to Comments

APPENDIX 1

RWCDS TABLES

Basic Information							Residential						Commercial								Manufacturing						Totals					
Site Number			Zoning Lot Area	Zoning			Residential		Residential Units	Affordable			Local Retail		Office		Other Commercial		Total Commercial		Warehouse		Industrial		Total Manufacturing							
DSOW ID	Site ID	Lot Count		Existing Zoning	Proposed Zoning	Group	ZFA	GFA		20 percent	25 percent	30 percent	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	Parking Provided GFA	Total Bicycle Parking Required	Bicycle Parking Required GFA	Residential FAR	Commercial FAR	Manufacturing FAR	Total FAR
1	Q	4	7,872.35	M1-5B	M1-6/R10	Projected	8,897	10,345	8	0	0	0	4,593	5,220	0	0	0	0	4,593	5,220	0	0	0	0	0	0	733	0	60	1.16	0.50	0.00	2.03
2	G	3	20,527.32	M1-5B	M1-5*/R9X	Projected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
3	F	2	3,086.61	M1-5B	M1-5*/R9X	Projected	0	0	0	0	0	0	2,536	2,850	1,646	1,850	0	0	4,183	4,700	0	0	0	0	0	0	0	0	0	0.00	1.36	0.00	1.36
4	H	2	4,548.19	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	2,905	3,265	4,730	5,315	0	0	7,636	8,580	0	0	0	0	0	0	0	0	0	0.00	1.68	0.00	1.68
5	L	2	6,613.55	M1-5A	M1-6/R10	Projected	0	0	0	0	0	0	6,666	7,491	0	0	0	0	6,666	7,491	0	0	0	0	0	0	0	0	0	0.00	1.01	0.00	1.01
6	J	2	4,835.45	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	7,305	8,208	0	0	0	0	7,305	8,208	0	0	0	0	0	0	0	0	0	0.00	1.51	0.00	1.51
7	M	2	2,943.96	M1-5A	M1-6/R10	Projected	6,982	8,026	8	0	0	0	2,380	2,676	0	0	0	0	2,380	2,676	0	0	0	0	0	0	0	0	60	2.37	0.81	0.00	3.18
8	K	2	10,619.40	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	9,109	10,235	14,264	16,028	0	0	23,373	26,263	0	0	0	0	0	0	0	0	0	0.00	2.20	0.00	2.20
9	B	3	21,348.44	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	18,397	20,672	26,828	30,144	0	0	45,225	50,816	0	0	16,094	18,084	16,094	18,084	0	0	60	0.00	2.12	0.75	2.87
10	O	5	13,830.47	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
12	17	1	8,905.91	M1-5B	M1-5*/R9X	Projected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
13	21	1	9,573.69	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	4,514	5,072	0	0	0	0	4,514	5,072	0	0	0	0	0	0	0	0	0	0.00	0.47	0.00	0.47
14	68	1	3,189.88	M1-5B	M1-5/R7X	Projected	0	0	0	0	0	0	2,564	2,882	2,564	2,882	0	0	5,129	5,764	0	0	0	0	0	0	0	0	0	0.00	1.61	0.00	1.61
15	71	1	2,375.18	M1-5B	M1-5/R7X	Projected	0	0	0	0	0	0	4,450	5,000	0	0	0	0	4,450	5,000	0	0	0	0	0	0	0	0	0	0.00	1.87	0.00	1.87
16	12	1	2,413.04	M1-5A	M1-5/R7X	Projected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
20	130	3	15,723.10	M1-5B	M1-5A	Projected	6,701	7,792	16	0	0	0	1,056	1,200	0	0	34,710	39,000	35,766	40,200	0	0	0	0	0	0	39,000	0	0	0.43	2.27	0.00	2.70
22	10	1	4,483.57	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
23	9	1	2,841.48	M1-5B	M1-5/R7X	Projected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
24	120	1	2,885.29	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	2,839	3,191	4,788	5,380	0	0	7,628	8,571	0	0	0	0	0	0	0	0	0	0.00	2.64	0.00	2.64
25	142	1	3,443.39	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	2,670	3,000	12,691	14,260	0	0	15,361	17,260	0	0	0	0	0	0	0	0	0	0.00	4.46	0.00	4.46
26	6	1	3,424.40	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
27	149	1	6,265.00	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	11,303	12,700	18,067	20,300	0	0	29,370	33,000	0	0	0	0	0	0	0	0	0	0.00	4.69	0.00	4.69
28	48+67	2	5,261.00	M1-5B	M1-5/R7X	Projected	0	0	0	0	0	0	4,450	5,000	3,560	4,000	0	0	8,010	9,000	0	0	0	0	0	0	0	0	0	0.00	1.52	0.00	1.52
30(CV)	C5	1	6,636.18	M1-5B	M1-5*/R9X	Projected	0	0	0	0	0	0	4,797	5,390	29,663	33,330	0	0	34,460	38,720	0	0	0	0	0	0	0	0	0	0.00	5.19	0.00	5.19
31(CV)	C4	1	6,222.20	M1-5B	M1-5/R7X	Projected	0	0	0	0	0	0	4,984	5,600	39,338	44,200	0	0	44,322	49,800	4,450	5,000	0	0	4,450	5,000	0	0	60	0.00	7.12	0.72	7.84
32(CV)	C1	1	6,298.73	M1-5B	M1-5/R7X	Projected	0	0	0	0	0	0	4,806	5,400	26,599	29,887	0	0	31,405	35,287	0	0	0	0	0	0	0	0	0	0.00	4.99	0.00	4.99
TOTAL							22,580	26,163	32	0	0	0	102,324	115,052	184,738	207,576	34,710	39,000	321,776	361,628	4,450	5,000	16,094	18,084	20,544	23,084	39,733	0	240	4	48	1	54
A	11	1	2,496.88	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00	0.00
AA	109	1	3,749.29	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	8,900	10,000	0	0	0	0	8,900	10,000	0	0	0	0	0	0	0	0	0	0.00	2.37	0.00	2.37
AAA	T	2	3,752.58	M1-5B	M1-5/R9X	Potential	5,235	6,018	6	1	1	1	2,585	2,906	0	0	0	0	2,585	2,906	0	0	0	0	0	0	0	0	0	0.00	1.40	0.69	0.00	2.08
B	23	1	2,714.41	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	2,002	2,250	0	0	0	0	2,002	2,250	0	0	0	0	0	0	0	0	0	0.00	0.74	0.00	0.74
BB	111	1	6,157.19	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	9,487	10,660	0	0	0	0	9,487	10,660	4,450	5,000	0	0	4,450	5,000	0	0	0	0.00	1.54	0.72	2.26
BBB	D	2	3,439.37	M1-5A	M1-5/R7X	Potential	2,066	2,375	2	0	0	0	756	850	0	0	0	0	756	850	0	0	0	0	0	0	0	0	0	0.60	0.22	0.00	0.82
C	24	1	4,613.39	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	3,515	3,950	0	0	0	0	3,515	3,950	0	0	0	0	0	0	0	0	0	0.00	0.76	0.00	0.76
CC	116	1	1,932.42	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	5,340	6,000	0	0	0	0	5,340	6,000	0	0	0	0	0	0	0	0	0	0.00	2.76	0.00	2.76
CCC	R	3	5,496.24	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	12,956	14,558	0	0	0	0	12,956	14,558	0	0	0	0	0	0	0	0	0	0.00	2.36	0.00	2.36
D	25	1	2,622.51	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	2,113	2,375	0	0	0	0	2,113	2,375	0	0	0	0	0	0	0	0	0	0.00	0.81	0.00	0.81
DD	123	1	1,918.88	M1-5A	M1-5/R7X	Potential	3,457	3,974	4	0	1	1	1,630	1,832	0	0	0	0	1,630	1,832	0	0	0	0	0	0	0	0	0	0.00	1.80	0.85	0.00	2.65
DDD	P	2	12,416.30	M1-5B	M1-5/R9X	Potential	0	0	0	0	0	0	3,800	4,270	0	0	32,073	36,038	35,874	40,308	2,021	2,271	0	0	2,021	2,271	0	0	0	0.00	2.89	0.16	3.05
E	26	1	2,677.00	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	2,095	2,354	0	0	0	0	2,095	2,354	0	0	0	0	0	0	0	0	0	0.00	0.78	0.00	0.78
EE	I	2	3,757.97	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	6,408	7,200	0	0	0	0	6,408	7,200	0	0	0	0	0	0	0	0	0	0.00	1.71	0.00	1.71
EEE	153	1	12,424.19	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	0	0	0	0	30,256	33,996	30,256	33,996	0	0	0	0	0	0	33,996	0	0	0.00	2.44	0.00	2.44
F	28	1	3,913.01	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	3,148	3,538	0	0	0	0	3,148	3,538	0	0	0	0	0	0	0	0	0	0.00	0.80	0.00	0.80
FFF	C2	1	8,299.81	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	6,675	7,500	26,700	30,000	0	0	33,375	37,500	0	0	0	0	0	0	0	0	0	0.00	4.02	0.00	4.02
G	31	1	3,225.21	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	2,803	3,150	0	0	0	0	2,803	3,150	0	0	0	0	0	0	0	0	0	0.00	0.87	0.00	0.87
GG	92	1	2,019.33	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	1,335	1,500	2,420	2,720	0	0	3,755	4,220	649	730	0	0	649	730	0	0	0	0.00	1.86	0.32	2.18
GGG	C3	1	6,515.86	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	5,440	6,113	38,083	42,791	0	0	43,524	48,904	0	0	0	0	0	0	4	60	0	0.00	6.68	0.00	6.68
H	34	1	1,807.40	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	1,605	1,804	0	0	0	0	1,605	1,804	0	0	0	0	0	0	0	0	0	0.00	0.89	0.00	0.89
HH	103	1	2,514.93	M1-5A	M1-5/R7X	Potential	4,350	5,000	5	1	1	1	1,780	2,000	0	0	0	0	1,780	2,000	0	0	0	0	0	0	0	0	0	0.00	1.73	0.71	0.00	2.44
HHH		1	8,987.12	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	6,989	8,035	0	0	0	0	6,989	8,035	0	0	0	0	0	0	0	0	0	0.00	1.00	0.00	0.00	1.00
I	35	1	5,146.23	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	4,628	5,200	0	0	0	0	4,628	5,200	0	0	0	0	0	0	0	0	0	0.00	0.90	0.00	0.00	0.90
II	75	1	1,826.15	M1-5B	M1-5/R9X	Potential	0	0	0	0	0	0	1,602	1,800	1,795	2,017	0	0	3,397	3,817	0	0	0	0	0	0	0	0	0	0.00	1.86	0.00	1.86
J	36	1	3,397.37	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	0	0	0	0	3,204	3,600	3,204	3,600	0	0	0	0	0	0	3,600	0	0	0.00	0.94	0.00	0.94
JJ	86	1	2,555.75	M1-5A	M1-5/R7X	Potential	3,625	4,167	4	0	1	1	1,853	2,083	0	0	0	0	1,853	2,083	0	0	0	0	0	0	0	0	0	0.00	1.42	0.73	0.00	2.14
K	37	1	2,461.16	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	2,225	2,500	0	0	0	0	2,225	2,500	0	0	0	0	0	0	0	0	0	0.00	0.90	0.00	0.90
KK	90	1	5,630.77	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	11,344	12,747	0	0	0	0	11,344	12,747	0	0	0	0	0	0	0	0	0	0.00	2.01	0.00	2.01
L	38	1	2,665.40	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	2,670	3,000	0	0	0	0	2,670	3,000	0	0	0	0	0	0	0	0	0	0.00	1.00	0.00	0.00	1.00
LL	94	1	2,491.04	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	5,610	6,304	0	0	0	0	5,610	6,304	0	0	0	0	0	0	0	0	0	0.00	2.25	0.00	2.25
M	40	1	2,493.99	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	2,670	3,000	0	0	0	0	2,670	3,000	0	0	0	0	0	0	0	0	0	0.00	1.07	0.00	1.07
MM	96	1	2,603.04	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	2,142	2,407	0	0	0	0	2,142	2,407	3,955	4,444	0	0	3,955	4,444	0	0	0	0.00	0.82	1.52	2.34
N	44	1	2,830.37	M1-5B	M1-5/R7X	Potential	0	0	0	0	0	0	3,293	3,700	0	0	0	0	3,293	3,700	0	0	0	0	0	0	0	0	0	0.00	1.16	0.00	1.16
NN	101	1	2,646.71	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	0	0	6,104	6,859	0	0	6,104	6,859	0	0	0	0	0	0	0	0	0	0.00	2.31	0.00	2.31
O	46	1	2,618.66	M1-5B	M1-5/R7X	Potential	978	1,125	1	0	0	0	2,287	2,570	0	0	0	0	2,287	2,570	0	0	0	0	0	0	0	0	0	0.37	0.87	0.00	0.00	1.25
OO	105	1	10,728.98	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	25,306	28,434	0	0	0	0	25,306	28,434	0	0	0	0	0	0	0	0	0	0.00	2.36	0.00	0.00	2.36
P	50	1	3,781.06	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	5,372	6,037	0	0	0	0	5,372	6,037	0	0	0	0	0	0	0	0	0	0.00	1.42	0.00	0.00	1.42
PP	106	1	8,422.68	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	13,542	15,216	0	0	0	0	13,542	15,216	0	0	0	0	0	0	0	0	0	0.00	1.61	0.00	0.00	1.61
Q	55	2	3,913.01	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	6,364	7,152	0	0	0	0	6,364	7,152	378	425	0	0	378	425	0	0	0	0.00	1.63	0.10	0.00	1.72
QQ	107	1	2,552.18	M1-5B	M1-5/R7X	Potential	4,580	5,265	5	1	1	1	1,780	2,000	0	0	0	0	1,780	2,000	0	0	0	0	0	0	0	0	0	1.79	0.70	0.00	0.00	2.49
RR	108	1	2,090.10	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	4,828	5,425	0	0	0	0	4,828	5,425	0	0	0	0	0	0	0	0	0	0.00	2.31	0.00	0.00	2.31
S	61	1	3,240.46	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	5,136	5,771	0	0	0	0	5,136	5,771	0	0	0	0	0	0	0	0	0	0.00	1.58	0.00	0.00	1.58
SS	113	1	6,525.95	M1-5B	M1-5A	Potential	0	0	0	0	0	0	4,450	5,000	9,790	11,000	0	0	14,240	16,000	2,225	2,500	0	0	2,225	2,500	0	0	0	0.00	2.18	0.34	0.00	2.52
T	64	1	2,541.46	M1-5B	M1-5*/R9X	Potential	0	1	0	0	0	0	4,450	5,000	0	0	0	0	4,450	5,000	0	0	0	0	0	0	0	0	0	0.00	1.75	0.00	0.00	1.75
TT	118	1	2,237.83	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	1,780	2,000	4,174	4,690	0	0	5,954	6,690	0	0	0	0	0	0	0	0	0	0.00	2.66	0.00	0.00	2.66
U	65	1	3,423.80	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	5,930	6,664	0	0	0	0	5,930	6,664	0	0	0	0	0	0	0	0	0	0.00	1.73	0.00	0.00	1.73
UU	122	1	2,558.75	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	2,225	2,500	4,885	5,489	0	0	7,110	7,989	0	0	0	0	0	0	0	0	0	0.00	2.78	0.00	0.00	2.78
V	81	1	1,920.47	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	4,005	4,500	0	0	0	0	4,005	4,500	0	0	0	0	0	0	0	0	0	0.00	2.09	0.00	0.00	2.09
VV	125	1	5,712.32	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	4,686	5,266	0	0	0	0	4,686	5,266	10,171	11,429	0	0	10,171	11,429	0	0	0	0.00	0.82	1.78	0.00	2.60
W	82	1	2,923.00	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	3,170	3,562	0	0	0	0	3,170	3,562	0	0	0	0	0	0	0	0	0	0.00	1.08	0.00	0.00	1.08
WW	154	1	2,840.96	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	3,537	3,975	0	0	0	0	3,537	3,975	0	0	0	0	0	0	0	0	0	0.00	1.25	0.00	0.00	1.25
X	88	1	2,349.27	M1-5A	M1-5/R7X	Potential	1,479	1,700	1	0	0	0	1,780	2,000	0	0	0	0	1,780	2,000	1,780	2,000	0	0	1,780	2,000	0	0	0	0.63	0.76	0.76	0.00	2.14
XX	155	1	5,922.93	M1-5B	M1-5*/R9X	Potential	0	0	0	0	0	0	4,450	5,000	16,319	18,336	0	0	20,769	23,336	0	0	0	0	0	0	0	0	0	0.00	3.51	0.00	0.00	3.51
Y	102	1	1,875.49	M1-5A	M1-5/R7X	Potential	0	1	0	0	0	0	1,557	1,750	1,557	1,750	0	0	3,115	3,500	0	0	0	0	0	0	0	0	0	0.00	1.66	0.00	0.00	1.66
YY	E	2	3,416.78	M1-5A	M1-5/R7X	Potential	0	0	0	0	0	0	3,746	4,210	0	0	0	0	3,746	4,210	0	0	0	0	0	0	0	0	0	0.00	1.10	0.00	0.00	1.10
Z	104	1	3,733.70	M1-5A	M1-5/R7X	Potential	5,098	5,860	5	1	1	1	3,782	4,250	0	0	0	0	3,782	4,250	0	0	0	0	0	0	0	0	0	1.37	1.01	0.00	0.00	2.38
ZZ	S	2	3,299.00	M1-5B	M1-5/R9X	Potential	5,445	6,260	5	1	1	1	2,598	2,920	1,090	1,225	0	0	3,688	4,145	0	0	0	0	0	0	0	0	0	1.65	1.12	0.00	0.00	2.77
TOTAL							36,313	41,745	39	5	7	7	246,160	276,788	112,917	126,877	65,533	73,634	424,613	477,299	25,629	28,799	0	0	25,629	28,799	37,596	4	60	13	92	6	110

Basic Information						Residential						Community Facility							Commercial												TOTALS						
Site Number	Lot Count	Zoning Lot Area	Zoning		Group	Residential		Residential Units	Affordable			Medical Office		Other CF		Total			Local Retail		Destination Retail		Supermarket		Office		Total Commercial										
DSOW ID	Site ID		Existing Zoning	Proposed Zoning		ZFA	GFA		20 percent	25 percent	30 percent	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	ZFA	GFA	Total Bicycle Parking Required	Bicycle Parking Required GFA	Total ZFA	Total GFA	Residential FAR	Community Facility FAR	Commercial FAR	Total FAR	Total Height
1	O	4	7,672.35	M1-5B	M1-6/R10	Projected	84,683	97,342	99	20	25	30	0	0	0	0	0	0	6,674	7,672	0	0	0	0	0	0	6,674	7,672	49	735	91,357	105,014	11.04	0.00	0.87	11.91	185
2	O	3	20,587.32	M1-5B	M1-5/R9X	Projected	180,589	207,583	212	43	53	64	0	0	0	0	0	0	17,856	20,527	0	0	0	0	0	0	17,856	20,527	104	1560	198447	228110	8.60	0.00	0.87	9.47	165
3	P	2	3,088.61	M1-5B	M1-5/R9X	Projected	26,846	30,860	31	8	8	10	0	0	0	0	0	0	2684	3086	0	0	0	0	0	0	2,684	3,086	15	225	29,524	33,946	8.70	0.00	0.87	9.57	115
4	H	2	4,615.10	M1-5A	M1-6/R10	Projected	49,313	55,699	54	12	14	16	0	0	0	0	0	0	5,456	6,446	0	0	0	0	0	0	5,456	6,446	27	405	54,769	62,145	11.87	0.00	1.17	13.04	225
5	J	2	4,615.10	M1-5A	M1-6/R10	Projected	49,313	55,699	54	12	14	16	0	0	0	0	0	0	5456	6446	0	0	2800	3150	0	0	8,256	9,596	39	585	57,569	65,295	11.87	0.00	1.17	13.04	225
6	L	2	4,922.37	M1-5B	M1-6/R10	Projected	52,592	59,386	58	13	16	19	0	0	0	0	0	0	5456	6446	0	0	0	0	0	0	5,456	6,446	31	465	57,778	65,724	10.95	0.00	1.17	12.12	225
7	M	2	2,943.95	M1-5A	M1-6/R10	Projected	32,710	37,606	38	8	10	12	0	0	0	0	0	0	2560	2943	0	0	0	0	0	0	2,560	2,943	19	285	35,272	40,549	11.11	0.00	0.87	11.98	145
8	K	2	10,619.40	M1-5B	M1-6/R10	Projected	103,620	119,116	121	25	31	37	0	0	0	0	0	0	9252	10635	0	0	0	0	13760	15464	23,012	26,099	62	930	126,632	145,215	9.76	0.00	2.17	11.92	255
9	S	3	21,346.44	M1-5B	M1-6/R10	Projected	237,468	272,891	279	56	70	84	0	0	0	0	0	0	0	0	18572	21346	0	0	0	0	18,572	21,346	140	2100	255,980	294,236	11.12	0.00	0.87	11.99	215
10	O	5	13,830.47	M1-5B	M1-6/R10	Projected	134,158	154,219	157	32	40	48	10562	11868	0	0	10325	11868	0	0	0	0	20887	23736	0	0	20,887	23,736	81	1215	165,370	189,823	9.70	0.75	1.51	11.96	235
12	17	1	8,905.91	M1-5B	M1-5/R9X	Projected	37,882	43,550	44	9	11	14	0	0	7751	8910	7751	8910	0	0	0	0	0	0	40872	45930	40,872	45,930	26	390	86,505	98,390	4.25	0.87	4.59	9.71	205
13	21	1	9,573.69	M1-5B	M1-6/R10	Projected	106,244	122,130	124	25	31	38	0	0	0	0	0	0	8328	9573	0	0	0	0	0	0	8,328	9,573	62	930	114,572	131,703	11.10	0.00	0.87	11.97	235
14	68	1	3,169.85	M1-5B	M1-6/R10	Projected	15,435	17,748	18	4	5	6	0	0	0	0	0	0	2533	2912	0	0	0	0	0	0	2,533	2,912	9	135	17,968	20,660	4.84	0.00	0.79	5.63	105
15	71	1	2,375.18	M1-5B	M1-5/R7X	Projected	13,257	15,246	15	3	4	5	0	0	0	0	0	0	2066	2375	0	0	0	0	0	0	2,066	2,375	7	105	15,323	17,621	5.58	0.00	0.87	6.45	105
16	12	1	2,413.04	M1-5A	M1-5/R7X	Projected	12,952	14,896	15	3	4	5	0	0	0	0	0	0	2280	2621	0	0	0	0	0	0	2,280	2,621	7	105	15,232	17,517	5.37	0.00	0.94	6.31	95
20	130	3	15,723.10	M1-5B M1-5A	M1-6/R10	Projected	161,389	185,517	189	38	48	57	0	0	0	0	0	0	0	0	8588	9872	17737	20044	26,325	29,916	96	1440	187,714	215,433	10.26	0.00	1.67	11.94	270
22	10	1	4,483.57	M1-5B	M1-6/R10	Projected	--	466	0	0	0	0	0	0	0	0	0	0	3900	4483	0	0	42508	47772	46,408	52,255	4	60	46,408	52,255	0.00	0.00	10.35	10.35	195
23	9	1	2,841.48	M1-5B	M1-5/R7X	Projected	13,407	15,414	15	3	4	5	0	0	0	0	0	0	2352	2704	0	0	0	0	0	0	2,352	2,704	7	105	15,759	18,118	4.72	0.00	0.83	5.55	75
24	120	1	2,885.29	M1-5B	M1-6/R10	Projected	32,095	36,905	37	8	10	12	0	0	0	0	0	0	2509	2885	0	0	0	0	0	0	2,509	2,885	18	270	34,604	39,790	11.12	0.00	0.87	11.99	145
25	142	1	3,443.39	M1-5B	M1-6/R10	Projected	26,614	30,604	31	7	8	10	0	0	0	0	0	0	2996	3444	0	0	0	0	0	0	2,996	3,444	15	225	29,610	34,048	7.73	0.00	0.87	8.60	155
26	6	1	3,424.40	M1-5B	M1-6/R10	Projected	38,232	43,957	44	9	11	14	0	0	0	0	0	0	2978	3424	0	0	0	0	0	0	2,978	3,424	22	330	41,210	47,381	11.16	0.00	0.87	12.03	145
27	149	1	6,265.00	M1-5B	M1-5/R7X	Projected	69,286	79,646	81	17	21	25	0	0	0	0	0	0	5450	6265	0	0	0	0	0	0	5,450	6,265	40	600	74,736	85,911	11.06	0.00	0.87	11.93	155
28	48	2	5,261.00	M1-5B	M1-5/R7X	Projected	24,552	28,224	28	6	7	9	0	0	0	0	0	0	4335	4983	0	0	0	0	0	0	4,335	4,983	14	210	28,887	33,207	4.67	0.00	0.82	5.49	95
30(CV)	C5	1	6,636.18	M1-5B	M1-5/R9X	Projected	32,952	37,880	38	8	10	12	0	0	0	0	0	0	4119	4735	0	0	0	0	0	0	4,119	4,735	19	285	37,071	42,615	4.97	0.00	0.62	5.59	104
31(CV)	C4	1	6,222.20	M1-5B	M1-5/R7X	Projected	36,312	41,744	42	9	11	13	0	0	0	0	0	0	4539	5218	0	0	0	0	0	0	4,539	5,218	21	315	40,851	46,962	5.84	0.00	0.73	6.57	115
32(CV)	C1	1	6,298.73	M1-5B	M1-5/R7X	Projected	24,820	28,530	29	6	8	9	0	0	0	0	0	0	4964	5706	0	0	0	0	0	0	4,964	5,706	14	210	29,784	34,236	3.94	0.00	0.79	4.73	72
TOTAL							1,594,433	1,832,891	1,861	382	475	573	10,562	11,868	7,751	8,910	18,076	20,778	106,029	121,885	18,572	21,346	28,475	33,608	142,957	160,765	297,033	337,606	941	14,115	1,909,542	2,191,275	298	2	42	250	4,166
A	11	1	2,496.88	M1-5B	M1-5/R7X	Potential	12,312	14,160	14	3	4	5	0	0	0	0	0	0	2172	2497	0	0	0	0	0	0	2172	2497	7	105	14,484	16,657	4.93	0.00	0.87	5.80	95
AA	109	1	3,749.29	M1-5A	M1-5/R7X	Potential	17,664	20,312	20	4	5	6	0	0	0	0	0	0	3080	3541	0	0	0	0	0	0	3080	3541	10	150	20,744	23,853	4.71	0.00	0.82	5.53	95
AAA	T	2	3,752.58	M1-5B	M1-5/R9X	Potential	32,955	37,889	38	8	10	12	0	0	0	0	0	0	3264	3752	0	0	0	0	0	0	3264	3752	19	285	36,219	41,641	8.78	0.00	0.87	9.65	175
B	23	1	2,714.41	M1-5A	M1-5/R7X	Potential	12,856	14,784	15	3	4	5	0	0	0	0	0	0	2288	2631	0	0	0	0	0	0	2288	2631	7	105	15,144	17,415	4.74	0.00	0.84	5.58	95
BB	111	1	6,157.19	M1-5B	M1-5/R9X	Potential	44,381	51,020	52	11	13	16	0	0	0	0	0	0	0	0	10835	12314	0	0	0	0	10835	12314	27	405	55,216	63,334	7.21	0.00	1.76	8.97	200
BBB	D	2	3,439.37	M1-5A	M1-5/R7X	Potential	16,771	19,283	19	4	5	6	0	0	0	0	0	0	2991	3439	0	0	0	0	0	0	2991	3439	9	135	19,762	22,722	4.88	0.00	0.87	5.75	75
C	24	1	4,613.39	M1-5A	M1-5/R7X	Potential	21,888	25,160	25	5	7	8	0	0	0	0	0	0	3889	4471	0	0	0	0	0	0	3889	4471	12	180	25,777	29,631	4.74	0.00	0.84	5.58	95
CC	116	1	1,932.42	M1-5B	M1-5/R9X	Potential	17,744	20,406	20	4	5	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	150	17,744	20,406	9.18	0.00	0.00	9.18	160
CCC	R	3	5,496.24	M1-5A	M1-5/R7X	Potential	30,156	34,664	35	7	9	11	0	0	4781	5496	4781	5496	0	0	0	0	0	0	0	0	0	0	17	255	34,937	40,160	5.49	0.87	0.00	6.36	85
D	25	1	2,622.51	M1-5B	M1-5/R7X	Potential	12,184	14,008	14	3	4	5	0	0	0	0	0	0	2171	2496	0	0	0	0	0	0	2171	2496	7	105	14,355	16,504	4.65	0.00	0.83	5.47	95
DD	123	1	1,918.88	M1-5A	M1-5/R7X	Potential	11,420	13,130	13	3	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	90	11,420	13,130	5.95	0.00	0.00	5.95	100
DDD	P	2	12,416.30	M1-5B	M1-5/R9X	Potential	107,956	124,101	127	26	32	39	0	0	0	0	0	0	10801	12416	0	0	0	0	0	0	10801	12416	64	960	118,757	136,517	8.69	0.00	0.87	9.56	165
E	26	1	2,877.00	M1-5B	M1-5/R7X	Potential	13,219	15,197	15	3	4	5	0	0	0	0	0	0	2455	2822	0	0	0	0	0	0	2455	2822	7	105	15,674	18,019	4.59	0.00	0.82	5.41	85
EE	I	2	3,757.97	M1-5A	M1-5/R7X	Potential	18,336	21,080	21	5	6	7	0	0	0	0	0	0	3268	3757	0	0	0	0	0	0	3268	3757	64	960	21,604	24,837	4.88	0.00	0.87	5.75	95
EEE	153	1	12,424.19	M1-5B	M1-5/R9X	Potential	107,420	123,480	126	26	32	38	0	0	0	0	0	0	10805	12420	0	0	0	0	0	0	10805	12420	10	150	118,229	135,900	8.65	0.00	0.87	9.52	195
F	28	1	3,913.01	M1-5B	M1-5/R9X	Potential	30,601	35,186	36	8	9	11	0	0	0	0	0	0	6900	7842	0	0	0	0	0	0	6900	7842	18	270	37,501	43,028	7.82	0.00	1.76	9.58	150
FFF	C2	1	8,269.81	M1-5B	M1-5/R7X	Potential	42,701	49,091	50	10	13	15	0	0	0	0	0	0	6549	7528	0	0	0	0	0	0	6549	7528	25	375	49,250	56,619	5.14	0.00	0.79	5.93	135
G	31	1	3,225.21	M1-5B	M1-5/R7X	Potential	15,463	17,775	18	4	5	6	0	0	0	0	0	0	2708	3113	0	0	0	0	0	0	2708	3113	9	135	18,171	20,888	4.79	0.00	0.84	5.63	95
GG	52	1	2,019.33	M1-5B	M1-5/R7X	Potential	11,464	13,182	13	3	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	90	11,464	13,182	5.68	0.00	0.00	5.68	100
GGG	C3	1	6,515.86	M1-5B	M1-5/R9X	Potential	57,716	66,349	67	14	17	21	0	0	0	0	0	0	5130	5897	0	0	0	0	0	0	5130	5897	33	495	62,846	72,246	8.86	0.00	0.79	9.65	194
H	34	1	1,807.40	M1-5B	M1-5/R7X	Potential	10,251	11,790	12	3	3	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	90	10,251	11,790	5.67	0.00	0.00	5.67	100
HH	103	1	2,514.93	M1-5A	M1-5/R7X	Potential	11,975	13,768	14	3	4	5	0	0	0	0	0	0	2133	2452	0	0	0	0	0	0	2133	2452	7	105	14,109	16,220	4.76	0.00	0.85	5.61	95
HHH	I	2	8,987.12	M1-5B	M1-5/R9X	Potential	79,288	91,150	93	19	24	28	0	0	0	0	0	0	7818	8987	0	0	0	0	0	0	7818	8987	46	690	87,106	100,137	8.82	0.00	0.87	9.69	155
I	35	1	5,146.23	M1-5B	M1-5/R7X	Potential	28,284	32,514	33	7	9	10	4477	5146	0	0	4477	5146	0	0	0	0	0	0	0	0	0	0	16	240	32,761	37,660	5.50	0.87	0.00	6.37	105
J	75	1	1,826.15	M1-5B	M1-5/R9X	Potential	16,960	19,500	19	4	5	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	135	16,960	19,500	9.29	0.00	0.00	9.29	145
JJ	86	1	2,597.37	M1-5A	M1-5/R7X	Potential	28,944	33,278	34	7	9	11	0	0	0	0	0	0	2520	3367	0	0	0	0	0	0	2520	3367	17	255	31,464	36,642	8.52	0.00	0.87	9.39	145
JJJ	87	1	1,991.51	M1-5A	M1-5/R7X	Potential	11,532	13,260	13	3	4	4	0	0	0	0	0	0	2222	2555	0	0	0	0	0	0	2222	2555	7	105	13,754	15,815	5.79	0.00	0.87	6.66	105
K	37	1	2,461.16	M1-5A	M1-5/R7X	Potential	11,532	13,260	13	3	4	4	0	0	0	0	0	0	2058	2378	0	0	0	0	0	0	2058	2378	6	90	13,590	15,638	4.69	0.00	0.84	5.53	95
KK	90	1	5,630.77	M1-5A	M1-5/R7X	Potential	31,613	36,340	37	8	10	12	0	0	4898	5630	4898	5630	0	0	0	0	0	0	0	0	0	0	18	270	36,511	41,970	5.61	0.87	0.00	6.48	95
L	38	1	2,665.40	M1-5A	M1-5/R7X	Potential	13,481	15,516	15	3	4	5	0	0	0	0	0	0	2318	2665	0	0	0	0	0	0	2318	2665	7	105	15,799	18,181	5.06	0.00	0.87	5.93	105
LL	94	1	2,491.04	M1-5B	M1-5/R9X	Potential	19,677	22,620	23	5	6	7	0	0	0	0	0	0	4383	4982	0	0	0	0	0	0	4383	4982	11	165	24,060	27,602	7.90	0.00	1.76	9.66	160
M	40	1	2,493.98	M1-5A	M1-5/R7X	Potential	12,952	14,896	15	3	4	5	0	0	0	0	0	0	2280	2621	0	0	0	0	0	0	2280	2621	7	105	15,232	17,517	5.19	0.00	0.91	6.11	95
MM	96	1	2,603.04	M1-5B	M1-5/R7X	Potential	12,936	14,872	15	3	4	5	0	0	0	0	0	0	2277	2618	0	0	0	0	0	0	2277	2618	7	105	15,213	17,490	4.97	0.00	0.87	5.84	95
N	44	1	2,830.37	M1-5B	M1-5/R7X	Potential	13,168	15,136	15	3	4	5	0	0	0	0	0	0	2343	2694	0	0	0	0	0	0	2343	2694	7	105	15,511	17,830	4.65	0.00	0.83	5.48	95
NN	101	1	2,646.71	M1-5A	M1-5/R7X	Potential	12,448	14,312	14	3	4	5	0	0	0	0	0	0	2223	2556	0	0	0	0	0	0	2223	2556	7	105	14,671	16,868	4.70	0.00	0.84	5.54	95
O	46	1	2,616.66	M1-5B	M1-5/R7X	Potential	12,952	14,896	15	3	4	5	0	0	0	0	0	0	2280	2621	0	0	0	0	0	0	2280	2621	7	105	15,232	17,517	4.95	0.00	0.87	5.82	95
OO	105	1	10,726.98	M1-5A	M1-5/R7X	Potential	54,761	62,946	64	13	16	20	0	0	0	0	0	0	9333	10728	0	0	0	0	0	0	9333	10728	32	480	64,094	73,674	5.10	0.00	0.87	5.97	95
P	50	1	3,781.06	M1-5A	M1-5/R7X	Potential	17,792	20,456	20	4	5	6	0	0	0	0	0	0	3187	3664	0	0	0	0	0	0	3187	3664	10	150	20,979	24,120	4.71	0.00	0.84	5.55	95
PP	106	1	8,422.68	M1-5B	M1-5/R9X	Potential	66,969	76,992	78	16	20	24	0	0	0	0	0	0	0	0	14764	16778	0	0	0	0	14,764	16,778	40	600	81,733	93,770	7.95	0.00	1.75	9.70	200
Q	55	2	3,913.01	M1-5A	M1-5/R7X	Potential	18,688	21,936	22	5	6	7	0	0	0	0	0	0	3404	3913	0	0	0	0	0	0	3404	3913	11	165	22,484	25,849	4.88	0.00	0.87	5.75	95
QQ	107	1	2,552.18	M1-5B	M1-5/R7X	Potential	12,936	14,872	15	3	4	5	0	0	0	0	0	0	2277	2618	0	0	0	0	0	0	2277	2618	7	105	15,213	17,490	5.07	0.00	0.89	5.96	95
RR	108	1	2,690.10	M1-5A	M1-5/R7X	Potential	10,629	12,220	12	3	3	4	0	0	0	0	0	0	1818	2090	0	0	0	0	0	0	1818	2090	6	90	12,447	14,310	3.99	0.00	0.87	4.86	75
S	61	1	3,240.46	M1-5B	M1-5/R9X	Potential	25,306	29,100	29	6	8	9	0	0	0	0	0	0	5701	6480	0	0	0	0	0	0	5701	6480	11	165	31,007	35,580	7.81	0.00	1.76	9.57	160
SS	113	1	5,525.95	M1-5B M1-5A	M1-5/R7X	Potential	31,758	36,507	37	8	10	12	0	0	0	0	0	0	5541	6369	0	0	0	0	0	0	5541	6369	18	270	37,299	42,876	4.67	0.00	0.85	5.72	105
T	64	1	2,541.46	M1-5A	M1-5/R7X	Potential	19,942	22,922	23	5	6	7	0	0	0	0	0	0	4471	5082	0	0	0	0	0	0	4471	5082	11	165	24,413	28,004	7.85	0.00	1.76	9.61	160
TT	118	1	2,237.83	M1-5A	M1-5/R7X	Potential	11,065	12,648	12	3	3	4	0	0	0	0	0	0	1945	2236	0	0	0	0	0	0	1945	2236	6	90	12,945	14,884	4.92	0.00	0.87	5.79	95
U	65	1	3,423.80	M1-5B	M1-5/R9X	Potential	26,769	30,778	31	7	8	10	0	0	0	0	0	0	5024	6846	0	0	0	0	0	0	5024	6846	15	225	32,793	37,624	7.82	0.00	1.76	9.58	160
UU	122	1	2,558.75	M1-5A	M1-5/R7X	Potential	19,404	22,315	22	5	6	7	0	0	0	0	0	0	4413	5016	0	0	0	0	0	0	4413	5016	11	165	23,817	27,331	7.58	0.00	1.72	9.31	160
V	67	1	1,920.47	M1-5A	M1-5/R7X	Potential	11,374	13,079	13	3	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	90	11,374	13,079	5.92	0.00	0.00	5.92	100
VV	125	1	5,710.32	M1-5B	M1-5/R9X	Potential	46,354	52,183	53	11	14	16	0	0	0	0	0	0	10052	11424	0	0	0	0	0	0	10052	11424	44	660	56,406	63,607	8.12	0.00	1.76	9.88	200
W	127	1	2,502.96	M1-5B	M1-5/R9X	Potential	20,412	23,233	24	6	8	9	0	0	0	0	0	0	2543	2923	0	0	0	0	0	0	2543	2923	11	165	22,955	26,156	8.16	0.00	1.17	9.33	165
WW	154	1	2,640.96	M1-5A	M1-5/R7X	Potential	25,410	29,270	29	6	8	9	0	0	0	0	0	0	4087	4660	0	0	0	0	0	0	4087	4660	15	225	29,497	33,930	11.17	0.00	1.76	12.93	185
X	84	1	2,349.27	M1-5A	M1-5/R7X	Potential	11,203	12,886	13	3	4	4	0	0	0	0	0	0	1982	2279	0	0	0	0	0	0	1982	2279	6	90	13,185	15,165	4.77	0.00	0.94	5.71	105
XX	155	1	5,922.93	M1-5B	M1-5/R9X	Potential	46,316	53,253	54	11	14	17	0	0	0	0	0	0	0	0	10422	11844	0	0	0	0	10422	11844	28	420	56,738	65,097	7.82	0.00	1.76	9.58	200
Y	102	1	1,875.49	M1-5A	M1-5/R7X	Potential	10,922	12,558	12	3	3	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	90	10,922	12,558	5.82	0.00	0.00	5.82	100
YY	E	2	3,416.78	M1-5A	M1-5/R7X	Potential	16,902	19,434	19	4	5	6	0	0	0	0	0	0	2971	3416	0	0	0	0	0	0	2971	3416	9	135	19,873	22,850	4.95	0.00	0.87	5.82	85
Z	104	1	3,733.70	M1-5A	M1-5/R7X	Potential	17,761	20,417	20	4	5	6	0	0	0	0	0	0	3101	3565	0	0	0	0	0	0	3101	3565	10	150	20,862	23,982	4.76	0.00	0.83	5.59	95
ZZ	S	2	3,299.00	M1-5B	M1-5/R9X	Pot

Site Number		Lot Count	Zoning Lot Area	Zoning		Group	Residential		Residential Units	Affordable			Local Retail		Office		Total Commercial						
DSOW ID	Site ID			Existing Zoning	Proposed Zoning		ZFA	GFA		20 percent	25 percent	30 percent	ZFA	GFA	ZFA	GFA	ZFA	GFA	Total Bicycle Parking Required	Bicycle Parking Required GFA	Residential FAR	Commercial FAR	Total FAR
1	Q	4	7,672.35	M1-5B	M1-6/R10	Projected	75,786	86,997	91	20	25	30	2,081	2,452	0	0	2,081	2,452	49	675	9.88	0.37	9.88
2	G	3	20,527.32	M1-5B	M1-5*/R9X	Projected	180,589	207,583	212	43	53	64	17,858	20,527	0	0	17,858	20,527	104	1,560	8.80	0.87	9.67
3	F	2	3,086.61	M1-5B	M1-5*/R9X	Projected	26,840	30,860	31	7	8	10	148	236	-1,646	-1,850	-1,499	-1,614	15	225	8.70	-0.49	8.21
4	H	2	4,548.19	M1-5B	M1-6/R10	Projected	49,315	56,699	58	12	15	18	1,051	1,283	-4,730	-5,315	-3,680	-4,032	29	435	10.84	-0.81	10.03
5	L	2	6,613.55	M1-5A	M1-6/R10	Projected	46,707	53,688	54	11	14	17	-1,176	-1,180	28,080	31,555	26,904	30,375	30	450	7.06	4.07	11.13
6	J	2	4,835.45	M1-5B	M1-6/R10	Projected	52,972	60,896	62	13	16	19	-3,099	-3,373	0	0	-3,099	-3,373	31	465	10.95	-0.64	10.31
7	M	2	2,943.95	M1-5A	M1-6/R10	Projected	25,730	29,580	30	8	10	12	180	267	0	0	180	267	19	225	8.74	0.06	8.80
8	K	2	10,619.40	M1-5B	M1-6/R10	Projected	103,620	119,116	121	25	31	37	143	400	-504	-564	-361	-164	62	930	9.76	-0.03	9.72
9	B	3	21,348.44	M1-5B	M1-6/R10	Projected	237,408	272,891	279	56	70	84	-18,397	-20,672	-26,828	-30,144	-26,653	-29,468	140	2,040	11.12	-1.25	9.12
10	O	5	13,830.47	M1-5B	M1-6/R10	Projected	134,158	154,219	157	32	40	48	0	0	0	0	20,887	23,736	81	1,215	9.70	1.51	11.96
12	17	1	8,905.91	M1-5B	M1-5*/R9X	Projected	37,882	43,550	44	9	11	14	0	0	40,872	45,930	40,872	45,930	26	390	4.25	4.59	9.71
13	21	1	9,573.69	M1-5B	M1-6/R10	Projected	106,244	122,130	124	25	31	38	3,814	4,501	0	0	3,814	4,501	62	930	11.10	0.40	11.50
14	68	1	3,189.85	M1-5B	M1-5/R7X	Projected	15,435	17,748	18	4	5	6	-31	30	-2,564	-2,882	-2,596	-2,852	9	135	4.84	-0.81	4.02
15	71	1	2,375.18	M1-5B	M1-5/R7X	Projected	13,257	15,246	15	3	4	5	-2,384	-2,625	0	0	-2,384	-2,625	7	105	5.58	-1.00	4.58
16	12	1	2,413.04	M1-5A	M1-5/R7X	Projected	12,952	14,896	15	3	4	5	2,280	2,621	0	0	2,280	2,621	7	105	5.37	0.94	6.31
20	130	3	15,723.10	M1-5B M1-5A	M1-6/R10	Projected	154,688	177,725	173	38	48	57	-1,056	-1,200	17,737	20,044	-9,441	-10,284	96	1,440	9.83	-0.60	9.24
22	10	1	4,483.57	M1-5B	M1-6/R10	Projected	0	0	0	0	0	0	3,900	4,483	42,508	47,772	46,408	52,255	4	60	0.00	10.35	10.35
23	9	1	2,841.48	M1-5B	M1-5/R7X	Projected	13,407	15,414	15	3	4	5	2,352	2,704	0	0	2,352	2,704	7	105	4.72	0.83	5.55
24	120	1	2,885.29	M1-5B	M1-6/R10	Projected	32,095	36,905	37	8	10	12	-330	-306	-4,788	-5,380	-5,119	-5,686	18	270	11.12	-1.77	9.35
25	142	1	3,443.39	M1-5B	M1-6/R10	Projected	26,614	30,604	31	7	8	10	326	444	-12,691	-14,260	-12,365	-13,816	15	225	7.73	-3.59	4.14
26	6	1	3,424.40	M1-5B	M1-6/R10	Projected	38,232	43,957	44	9	11	14	2,978	3,424	0	0	2,978	3,424	22	330	11.16	0.87	12.03
27	149	1	6,265.00	M1-5B	M1-6/R10	Projected	69,286	79,646	81	17	21	25	-5,853	-6,435	-18,067	-20,300	-23,920	-26,735	40	600	11.06	-3.82	7.24
28	48+67	2	5,261.00	M1-5B	M1-5/R7X	Projected	24,552	28,224	28	6	7	9	-115	-17	-3,560	-4,000	-3,675	-4,017	14	210	4.67	-0.70	3.97
30(CV)	C5	1	6,636.18	M1-5B	M1-5*/R9X	Projected	32,952	37,880	38	8	10	12	-678	-655	-29,663	-33,330	-30,341	-33,985	19	285	4.97	-4.57	0.39
31(CV)	C4	1	6,222.20	M1-5B	M1-5/R7X	Projected	36,312	41,744	42	9	11	13	-445	-382	-39,338	-44,200	-39,783	-44,582	21	255	5.84	-6.39	-1.27
32(CV)	C1	1	6,298.73	M1-5B	M1-5/R7X	Projected	24,820	28,530	29	6	8	9	158	306	-26,599	-29,887	-26,441	-29,581	14	210	3.94	-4.20	-0.26
TOTAL							1,571,853	1,806,728	1,829	382	475	573	3,705	6,833	-41,781	-46,811	-24,743	-24,022	941	13,875	202	-6	196
A	11	1	2,496.88	M1-5B	M1-5/R7X	Potential	12,312	14,160	14	3	4	5	2,172	2,497	0	0	2,172	2,497	7	105	4.93	0.87	5.80
AA	109	1	3,749.29	M1-5A	M1-5/R7X	Potential	17,664	20,312	20	4	5	6	-5,820	-6,459	0	0	-5,820	-6,459	10	150	4.71	-1.55	3.16
AAA	T	2	3,752.58	M1-5B	M1-5/R9X	Potential	27,720	31,871	32	7	9	11	679	846	0	0	679	846	19	285	7.39	0.18	7.57
B	23	1	2,714.41	M1-5A	M1-5/R7X	Potential	12,856	14,784	15	3	4	5	286	381	0	0	286	381	7	105	4.74	0.11	4.84
BB	111	1	6,157.19	M1-5B	M1-5*/R9X	Potential	44,381	51,020	52	11	13	16	-9,487	-10,660	0	0	1,348	1,654	27	405	7.21	0.22	6.70
BBB	D	2	3,439.37	M1-5A	M1-5/R7X	Potential	14,705	16,908	17	4	5	6	2,235	2,589	0	0	2,235	2,589	9	135	4.28	0.65	4.93
C	24	1	4,613.39	M1-5A	M1-5/R7X	Potential	21,888	25,160	25	5	7	8	374	521	0	0	374	521	12	180	4.74	0.08	4.83
CC	116	1	1,932.42	M1-5B	M1-5*/R9X	Potential	17,744	20,406	20	4	5	6	-5,340	-6,000	0	0	-5,340	-6,000	10	150	9.18	-2.76	6.42
CCC	R	3	5,496.24	M1-5A	M1-5/R7X	Potential	30,156	34,664	35	7	9	11	-12,956	-14,558	0	0	-12,956	-14,558	17	255	5.49	-2.36	4.00
D	25	1	2,622.51	M1-5B	M1-5/R7X	Potential	12,184	14,008	14	3	4	5	58	121	0	0	58	121	7	105	4.65	0.02	4.67
DD	123	1	1,918.88	M1-5A	M1-5/R7X	Potential	7,963	9,156	9	3	3	3	-1,630	-1,832	0	0	-1,630	-1,832	6	90	4.15	-0.85	3.30
DDD	P	2	12,416.30	M1-5B	M1-5/R9X	Potential	107,956	124,101	127	26	32	39	7,001	8,146	0	0	-25,073	-27,892	64	960	8.69	-2.02	6.51
E	26	1	2,677.00	M1-5B	M1-5/R7X	Potential	13,219	15,197	15	3	4	5	360	468	0	0	360	468	7	105	4.94	0.13	5.07
EE	I	2	3,757.97	M1-5A	M1-5/R7X	Potential	18,336	21,080	21	5	6	7	-3,140	-3,443	0	0	-3,140	-3,443	64	960	4.88	-0.84	4.04
EEE	153	1	12,424.19	M1-5B	M1-5*/R9X	Potential	107,424	123,480	126	26	32	38	10,805	12,420	0	0	-19,451	-21,576	10	150	8.65	-1.57	7.08
F	28	1	3,913.01	M1-5B	M1-5*/R9X	Potential	30,601	35,186	36	8	9	11	3,752	4,304	0	0	3,752	4,304	18	270	7.82	0.96	8.78
FFF	C2	1	8,299.81	M1-5B	M1-5/R7X	Potential	42,701	49,091	50	10	13	15	-126	28	-26,700	-30,000	-26,826	-29,972	25	375	5.14	-3.23	1.91
G	31	1	3,225.21	M1-5B	M1-5/R7X	Potential	15,463	17,775	18	4	5	6	-95	-37	0	0	-95	-37	9	135	4.79	-0.03	4.76
GG	92	1	2,019.33	M1-5B	M1-5/R7X	Potential	11,464	13,182	13	3	4	4	-1,335	-1,500	-2,420	-2,720	-3,755	-4,220	6	90	5.68	-1.86	3.50
GGG	C3	1	6,515.86	M1-5B	M1-5*/R9X	Potential	57,716	66,349	67	14	17	21	-310	-216	-38,083	-42,791	-38,394	-43,007	29	435	8.86	-5.89	2.97
H	34	1	1,807.40	M1-5B	M1-5/R7X	Potential	10,251	11,790	12	3	3	4	-1,605	-1,804	0	0	-1,605	-1,804	6	90	5.67	-0.89	4.78
HH	103	1	2,514.93	M1-5A	M1-5/R7X	Potential	7,626	8,768	9	2	3	4	353	452	0	0	353	452	7	105	3.03	0.14	3.17
HHH		1	8,987.12	M1-5B	M1-5*/R9X	Potential	79,288	91,150	93	19	24	28	829	952	0	0	829	952	46	690	8.82	-0.13	8.69
I	35	1	5,146.23	M1-5B	M1-5/R7X	Potential	28,284	32,514	33	7	9	10	-4,628	-5,200	0	0	-4,628	-5,200	16	240	5.50	-0.90	5.47
II	75	1	1,826.15	M1-5B	M1-5/R9X	Potential	16,965	19,500	19	4	5	6	-1,602	-1,800	-1,795	-2,017	-3,397	-3,817	9	135	9.29	-1.86	7.43
J	36	1	3,397.37	M1-5B	M1-5*/R9X	Potential	28,944	33,275	34	7	9	11	2,929	3,367	0	0	-275	-233	17	255	8.52	-0.08	8.44
JJ	86	1	2,555.76	M1-5A	M1-5/R7X	Potential	8,943	10,281	10	3	3	4	369	472	0	0	369	472	7	105	3.50	0.14	3.64
K	37	1	2,461.16	M1-5A	M1-5/R7X	Potential	11,532	13,260	13	3	4	4	-157	-122	0	0	-157	-122	6	90	4.69	-0.06	4.62
KK	90	1	5,630.77	M1-5A	M1-5/R7X	Potential	31,613	36,340	37	8	10	12	-11,344	-12,747	0	0	-11,344	-12,747	18	270	5.61	-2.01	4.47
L	38	1	2,665.40	M1-5A	M1-5/R7X	Potential	13,491	15,516	15	3	4	5	-352	-335	0	0	-352	-335	7	105	5.06	-0.13	4.93
LL	94	1	2,491.04	M1-5B	M1-5*/R9X	Potential	19,677	22,620	23	5	6	7	-1,227	-1,322	0	0	-1,227	-1,322	11	165	7.90	-0.49	7.41
M	40	1	2,493.99	M1-5A	M1-5/R7X	Potential	12,952	14,896	15	3	4	5	-390	-379	0	0	-390	-379	7	105	5.19	-0.16	5.04
MM	96	1	2,603.04	M1-5B	M1-5/R7X	Potential	12,936	14,872	15	3	4	5	135	211	0	0	135	211	7	105	4.97	0.05	3.50
N	44	1	2,830.37	M1-5B	M1-5/R7X	Potential	13,168	15,136	15	3	4	5	-950	-1,006	0	0	-950	-1,006	7	105	4.65	-0.34	4.32
NN	101	1	2,646.71	M1-5A	M1-5/R7X	Potential	12,448	14,312	14	3	4	5	2,223	2,556	-6,104	-6,859	-3,881	-4,303	7	105	4.70	-1.47	3.24
O	46	1	2,618.66	M1-5B	M1-5/R7X	Potential	11,974	13,771	14	3	4	5	-7	51	0	0	-7	51	7	105	4.57	0.00	4.57
OO	105	1	10,728.98	M1-5A	M1-5/R7X	Potential	54,761	62,946	64	13	16	20	-15,973	-17,706	0	0	-15,973	-17,706	32	480	5.10	-1.49	3.62
P	50	1	3,781.06	M1-5A	M1-5/R7X	Potential	17,792	20,456	20	4	5	6	-2,185	-2,373	0	0	-2,185	-2,373	10	150	4.71	-0.58	4.13
PP	106	1	8,422.68	M1-5B	M1-5*/R9X	Potential	66,969	76,992	78	16	20	24	-13,542	-15,216	0	0	1,222	1,562	40	600	7.95	0.15	8.10
Q	55	2	3,913.01	M1-5A	M1-5/R7X	Potential	19,080	21,936	22	5	6	7	-2,960	-3,239	0	0	-2,960	-3,239	11	165	4.88	-0.76	4.02
QQ	107	1	2,552.18	M1-5B	M1-5/R7X	Potential	8,356	9,607	10	2	3	4	497	618	0	0	497	618	7	105	3.27	0.19	3.47
RR	108	1	2,090.10	M1-5A	M1-5/R7X	Potential	10,629	12,220	12	3	3	4	-3,010	-3,335	0	0	-3,010	-3,335	6	90	5.09	-1.44	3.65
S	61	1	3,240.46	M1-5B	M1-5*/R9X	Potential	25,306	29,100	29	6	8	9	565	709	0	0	565	709	11	165	7.81	0.17	7.98
SS	113	1	6,525.95	M1-5B M1-5A	M1-5/R7X	Potential	31,798	36,557	37	8	10	12	1,091	1,369	-9,790	-11,000	-8,699	-9,631	18	270	4.87	-1.33	3.20
T	64	1	2,541.46	M1-5B	M1-5*/R9X	Potential	19,942	22,922	23	5	6	7	21	82	0	0	21	82	11	165	7.85	0.01	7.85
TT	118	1	2,237.83	M1-5A	M1-5/R7X	Potential	11,000	12,648	12	3	3	4	165	236	-4,174	-4,690	-4,009	-4,454	6	90	4.92	-1.79	3.12
U	65	1	3,423.80	M1-5B	M1-5*/R9X	Potential	26,769	30,778	31	7	8	10	94	182	0	0	94	182	15	225	7.82	0.03	7.85
UU	122	1	2,558.75	M1-5B	M1-5*/R9X	Potential	19,404	22,315	22	5	6	7	2,188	2,516	-4,885	-5,489	-2,697	-2,973	11	165	7.58	-1.05	6.53
V	81	1	1,920.47	M1-5A	M1-5/R7X	Potential	11,374	13,079	13	3	4	4	-4,005	-4,500	0	0	-4,005	-4,500	6	90	5.92	-2.09	3.84
VV	125	1	5,712.32	M1-5B	M1-5*/R9X	Potential	45,394	52,185	53	11	14	16	-4,686	-5,266	0	0	5,366	6,158	27	405	7.95	0.94	7.11
W	82	1	2,923.00	M1-5B	M1-5*/R9X	Potential	25,430	29,230	29	6	8	9	-627	-639	0	0	-627	-639	14	210	8.70	-0.21	8.49
WW	154	1	2,840.96	M1-5B	M1-5*/R9X	Potential	22,412	25,763	26	6	7	8	1,460	1,705	0	0	1,460	1,705	13	195	7.89	0.51	8.40
X	88	1	2,349.27	M1-5A	M1-5/R7X	Potential	9,724	11,186	12	3	4	4	202	279	0	0	202	279	6	90	4.14	0.09	3.47
XX	155	1	5,922.93	M1-5B	M1-5*/R9X	Potential	46,316	53,253	54	11	14	17	-4,450	-5,000	-16,319	-18,336	-10,347	-11,492	28	420	7.82	-1.75	6.07
Y	102	1	1,875.49	M1-5A	M1-5/R7X	Potential	10,922	12,557	12	3	3	4	-1,557	-1,750	-1,557	-1,750	-3,115	-3,500	6	90	5.82	-1.66	4.16
YY	E	2	3,416.78	M1-5A	M1-5/R7X	Potential	16,902	19,434	19	4	5	6	-775	-794	0	0	-775	-794	9	135	4.95	-0.23	4.72
Z	104	1	3,733.70	M1-5A	M1-5/R7X	Potential	12,663	14,557	15	3	4	5	-681	-685	0	0	-681	-685	10	150	3.39	-0.18	3.21
ZZ	S	2	3,299.00	M1-5B	M1-5/R9X	Potential	24,432	28,085	29	6	8	10	266	373	-1,090	-1,225	-824	-852	17	255	7.41	-0.25	7.16
TOTAL							1,481,920	1,703,697	1,719	365	455	545	-75,843	-81,472	-112,917	-126,877	-208,223	-229,623	862	12,930	348	-41	305

APPENDIX 2

TRANSPORTATION

Philip Habib & Associates
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TECHNICAL MEMORANDUM

TO: **NYCDCP**

FROM: **Philip Habib & Associates**

DATE: **May 5, 2021**

PROJECT: **SoHo/NoHo Neighborhood Plan EIS (PHA No. 1223K)**

RE: **Transportation Planning Factors and Travel Demand Forecast**

This memorandum summarizes the transportation planning factors to be used for the analyses of traffic, transit, pedestrian and parking conditions for the *SoHo/NoHo Neighborhood Plan EIS*. Preliminary estimates of the peak travel demand for the Proposed Actions' reasonable worst-case development scenario (RWCDS) are provided, along with a discussion of trip assignment methodologies and study area definitions.

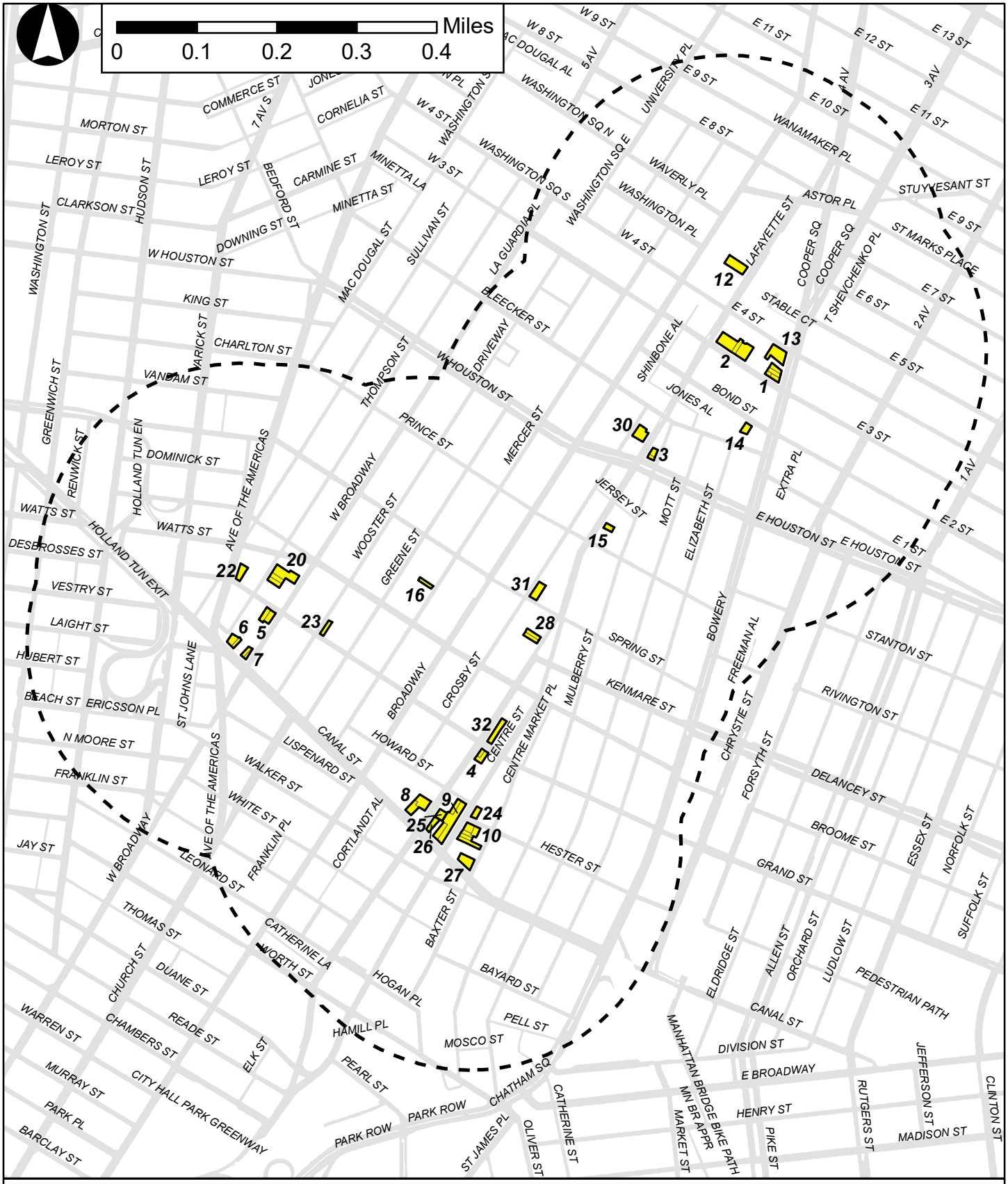
THE PROPOSED ACTIONS

The New York City Department of City Planning (DCP) is proposing a series of land use actions, including zoning map amendments and zoning text amendments, (the "Proposed Actions") to implement land use and zoning changes to better reflect existing neighborhood conditions, strengthen mixed-use, create opportunities for housing including affordable housing, and celebrate the architectural character and creative legacy of Manhattan's SoHo and NoHo neighborhoods. This proposal has been prepared in response to neighborhood-wide planning challenges brought by changing economic and demographic trends, and informed by local stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019 by the Manhattan Borough President, the Council Member for City Council District 1, and DCP.

The Proposed Actions would affect an approximately 56-block, 146-acre area (the "Project Area") of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Project Area is roughly bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south, and Sixth Avenue, West Broadway, and Broadway to the west (see **Figure 1**).

Figure 1

Projected Development Sites



THE REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the potential effects of the Proposed Actions, a RWCDS for both "future without the proposed actions" (No Action) and "future with the proposed actions" (With Action) conditions is analyzed for an analysis year of 2031. To develop a reasonable estimate of future growth, likely development sites were identified and divided into two categories: projected development sites and potential development sites. The projected development sites are those considered more likely to be developed within the 10-year analysis period for the Proposed Actions (i.e., by the 2031 analysis year), while potential sites are considered less likely to be developed over the same period. Projected development sites are considered for the purposes of the transportation analyses. A total of 26 projected development sites were identified and are considered for the purposes of the transportation analyses (see **Figure 1**).

Table 1 shows the total anticipated No Action and With Action land uses on projected development sites that were considered for the purposes of the transportation analyses. The table shows the amount of gross square feet (gsf), which is used for travel demand forecasting. The amount of zoning square feet (zsf) is also shown for reference. As shown in **Table 1**, under the Proposed Actions, it is estimated that there would be a net increase of 1,829 DUs, 7,566 gross square feet (gsf) of local retail space, 21,348 (gsf) of destination retail space, 36,608 (gsf) of supermarket space, and 20,778 gsf of community facility space, including 11,868 gsf of medical office uses and 8,910 gsf of arts and cultural uses. In addition, it is estimated that there would be a net decrease of 46,811 gsf of office space, 18,084 gsf of light industrial space and 5,000 gsf of warehouse space compared to the No Action condition. There would also be a net decrease of 39,000 gsf of parking garage space. However, as this parking garage space likely generates little if any travel demand independent of other land uses in the area, and as displaced parking demand would likely relocate to other parking facilities in the vicinity, it is not included for the purposes of travel demand forecasting.

TRANSPORTATION PLANNING FACTORS

The transportation planning factors used to forecast the travel demand that would be generated by the No Action and With Action land uses on projected development sites are summarized in **Table 2** and discussed below. The trip generation rates, temporal distributions, modal splits, vehicle occupancies, and truck trip factors for each of the land uses were primarily based on those cited in the 2020 *City Environmental Quality Review (CEQR) Technical Manual*, factors developed for recent environmental reviews, Census data for tracts encompassing the Project Area (tracts 41, 43, 45, 47, 49, 55.01, 55.02 and 57), data from standard professional references, and data provided by the New York City Department of Transportation (DOT). Factors are shown for the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand).

Table 1

2031 No Action and With Action Land Uses for the Transportation Analyses

Land Use	No Action Condition[1]	With Action Condition	Net Increment
Residential			
Residential	32 DUs	1,861 DUs	1,829 DUs
Commercial			
Office	207,576 gsf (184,738 zsf)	160,765 gsf (142,957 zsf)	-46,811 gsf (-41,781 zsf)
Local Retail	114,319 gsf (101,679 zsf)	121,885 gsf (106,029 zsf)	7,566 gsf (4,350 zsf)
Destination Retail	0 gsf (0 zsf)	21,348 gsf (18,572 zsf)	21,348 gsf (18,572 zsf)
Supermarket	0 gsf (0 zsf)	33,608 gsf (29,475 zsf)	33,608 gsf (29,475 zsf)
Total Commercial	***321,895 gsf (286,417 zsf)***	***337,606 gsf (297,033 zsf)***	***15,711 gsf (10,616 zsf)***
Industrial			
Light Industrial	18,084 gsf (16,094 zsf)	0 gsf (0 zsf)	-18,084 gsf (-16,094 zsf)
Warehouse	5,000 gsf (4,450 zsf)	0 gsf (0 zsf)	-5,000 gsf (-4,450 zsf)
Total Industrial	**23,084 gsf (20,544 zsf)**	***0 gsf (0 zsf)***	***-23,084 gsf (-20,544 zsf)***
Community Facility			
Arts & Cultural	0 gsf (0 zsf)	8,910 gsf (7,751 zsf)	8,910 gsf (7,751 zsf)
Medical Office	0 gsf (0 zsf)	11,868 gsf (10,562 zsf)	11,868 gsf (10,562 zsf)
Total Community Facility	***0 sf (0 zsf)***	***20,778 gsf (18,313 zsf)***	***20,778 gsf (18,313 zsf)***

Notes:

[1] The No Action RWCDS includes a 39,000 gsf parking garage. As this facility likely generates little if any travel demand independent of other land uses in the area, this space is not reflected in the table.

Table 2

Transportation Planning Factors

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Arts & Cultural	
Trip Generation:	(1)		(1)		(1)		(1)		(1)		(2)		(8)		(9)		(10)	
Weekday	175.0		18.0		8.075		78.2		205.0		14.7		2.36		76.0		40.24	
Saturday	231.0		3.9		9.6		92.5		240.0		2.2		0.2		39.0		40.24	
	per 1,000 sf		per 1,000 sf		per DU		per 1,000 sf		per 1,000 sf		per 1,000 sf		per 1,000 sf		per 1,000 sf		per 1,000 sf	
Temporal Distribution:	(1)		(1)		(1)		(1)		(1)		(2)		(8)		(9)		(10)	
AM	5.0%		12.0%		10.0%		3.0%		3.0%		13.2%		10.0%		11.0%		0.6%	
MD	6.0%		15.0%		5.0%		9.0%		19.0%		11.0%		9.0%		13.0%		11.5%	
PM	10.0%		14.0%		11.0%		9.0%		10.0%		14.2%		11.0%		9.0%		10.3%	
SAT	9.0%		17.0%		8.0%		11.0%		10.0%		10.7%		33.0%		17.0%		11.5%	
Modal Splits:	(11)		(7)	(2)	(3)		(6)		(11)		(7)	(2)	(7)		(11)		(10)	
	AM/MD/PM	SAT	AM/PM/SAT	MD	All Periods		AM/MD/PM	SAT	AM/MD/PM	SAT	AM/PM/SAT	MD	All Periods		All Periods		All Periods	
Auto	1.0%	2.0%	9.8%	2.0%	5.0%		15.0%	17.0%	6.0%	6.0%	9.8%	2.0%	9.8%		1.0%		15.0%	
Taxi	2.0%	4.0%	0.9%	3.0%	3.0%		9.0%	10.0%	1.0%	1.0%	0.9%	3.0%	0.9%		5.0%		0.0%	
Subway/PATH	18.0%	13.0%	66.9%	6.0%	54.0%		27.0%	16.0%	1.0%	1.0%	66.9%	6.0%	66.9%		60.0%		30.0%	
Bus	6.0%	4.0%	7.0%	6.0%	2.0%		12.0%	20.0%	1.0%	1.0%	7.0%	6.0%	7.0%		5.0%		15.0%	
Walk/Other	73.0%	77.0%	15.4%	83.0%	36.0%		37.0%	37.0%	91.0%	91.0%	15.4%	83.0%	15.4%		29.0%		40.0%	
Total	100.0%	100.0%	100.0%	100.0%	100.0%		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%		100.0%		100.0%	
In/Out Splits:	(11)		(6)		(4)		(6)		(6)		(2)		(8)		(9)		(10)	
	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
AM	53%	47%	95%	5%	24%	76%	61%	39%	50%	50%	88%	12%	77%	23%	62%	38%	100%	0%
MD	50%	50%	48%	52%	50%	50%	55%	45%	50%	50%	50%	50%	53%	47%	47%	53%	71%	29%
PM	50%	50%	15%	85%	61%	39%	47%	53%	50%	50%	12%	88%	27%	73%	35%	65%	24%	76%
SAT	49%	51%	60%	40%	45%	55%	55%	45%	50%	50%	47%	53%	64%	36%	49%	51%	71%	29%
Vehicle Occupancy:	(11)		(7)		(2)(3)(5)		(6)		(11)		(7)		(8)		(2)(11)		(10)	
					AM/PM	MD/SAT	AM/MD/PM	SAT	AM/MD/PM	SAT					AM/MD/PM	SAT		
Auto	1.60		1.14		1.23	1.72	2.00	2.70	1.20	1.20	1.14		1.30		1.53	2.60	2.70	
Taxi	1.60		1.14		1.30	1.30	2.00	2.80	1.20	1.20	1.14		1.30		1.53	2.60	3.70	
Truck Trip Generation:	(1)		(1)		(1)		(6)		(1)		(2)		(8)(12)		(2)		(10)	
Weekday	0.35		0.32		0.06		0.35		0.35		0.67		0.91		0.29		0.29	
Saturday	0.04		0.01		0.02		0.02		0.04		0.67		0.08		0.29		0.29	
	per 1,000 sf		per 1,000 sf		per DU		per 1,000 sf		per 1,000 sf		per 1,000 sf		per 1,000 sf		per 1,000 sf		per 1,000 sf	
Truck Temporal Distribution:	(1)		(1)		(1)		(6)		(1)		(2)		(8)(11)		(2)		(10)	
AM	8.0%		10.0%		12.0%		7.7%		8.0%		14.0%		9.9%		3.0%		10.0%	
MD	11.0%		11.0%		9.0%		11.0%		11.0%		9.0%		8.0%		11.0%		11.0%	
PM	2.0%		2.0%		2.0%		1.0%		2.0%		1.0%		7.0%		1.0%		2.0%	
SAT	11.0%		11.0%		9.0%		11.0%		11.0%		0.0%		28.0%		0.0%		0.0%	
Truck In/Out Splits:	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
All Periods	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	---	---	50%	50%	50.0%	50.0%
AM	---	---	---	---	---	---	---	---	---	---	---	---	67.0%	33%	---	---	---	---
MD	---	---	---	---	---	---	---	---	---	---	---	---	57.0%	43%	---	---	---	---
PM	---	---	---	---	---	---	---	---	---	---	---	---	60.0%	40%	---	---	---	---
SAT	---	---	---	---	---	---	---	---	---	---	---	---	42.0%	58.0%	---	---	---	---

Notes:

(1) Based on data from the 2020 *City Environmental Quality Review* (CEQR) *Technical Manual*.

(2) Based on data from the 2015 *East New York Rezoning Proposal FEIS*.

(3) Based on American Community Survey journey-to-work 5-Year (2014-2018) data for Manhattan Census Tracts 41, 43, 45, 47, 49, 55.01, 55.02 and 57

(4) Based on NYCDOT citywide residential survey data.

(5) Midday and Saturday auto occupancy determined by applying a multiplier (1.4) to the AM/PM rate.

(6) Based on data from the 2017 *East Harlem Rezoning FEIS*.

(7) Based on AASHTO CTPP reverse journey-to-work 5-Year (2012-2016) data for Manhattan Census Tracts 41, 43, 45, 47, 49, 55.01, 55.02, and 57.

(8) Based on data from *ITE Trip Generation Manual, 10th Edition,* Land Use Code 150 (Warehousing); includes 1.51 adjustment factor based on NYCDOT survey data.

(9) Based on NYCDOT medical office trip generation factors.

(10) Based on data from the 2015 *BAM North Site II EAS*. Weekday midday person and truck trip rates and temporal distributions assumed for Saturday.

(11) Based on NYCDOT survey data.

(12) Saturday truck trips adjusted as per the weekday/Saturday ratio from *ITE Trip Generation Handbook, 10th Edition,* Land Use Code 150, (Warehousing).

Community Facility

The factors used to forecast travel demand from arts and cultural uses were developed from data cited in the 2015 *BAM North Site II EAS.* Demand from medical office uses was based on DOT data and vehicle occupancy and truck trip factors from the 2015 *East New York Rezoning FEIS*.

Light Industrial/Warehouse

The trip generation rates, temporal distributions, directional in/out splits, vehicle occupancies and truck factors for light industrial uses were based on data from the *East New York Rezoning FEIS.* The modal splits were based on American Association of State Highway and Transportation Officials (AASHTO) Census Transportation Planning Products (CTPP) reverse journey-to-work data for workers in the census tracts encompassing the Project Area. Factors for warehouse uses were based on data from *ITE Trip Generation Manual, 10th Edition,* Land Use 150 (Warehouse) and AASHTO CTPP reverse journey-to-work data.

Office

As shown in **Table 2**, the factors used to forecast travel demand from office uses were based on data from the *CEQR Technical Manual*, the 2017 East *Harlem Rezoning FEIS,* the *East New York Rezoning Proposal FEIS*, and AASHTO CTPP reverse journey-to-work 5-year (2012-2016) data for census tracts encompassing the Project Area.

Residential

Residential person trip rates and temporal distribution reflect data from the *CEQR Technical Manual*, while modal and directional splits and vehicle occupancies were based on DOT survey data, 2014-2018 5-year American Community Survey (ACS) journey-to-work data for census tracts encompassing the Project Area, and data from the *East New York Rezoning Proposal FEIS*. Truck trip generation rates and temporal distributions reflect those cited in the *CEQR Technical Manual*.

It should be noted that ACS vehicle occupancy data reflect the average vehicle occupancy for personal auto trips to and from work, and do not present the complete picture of average vehicle occupancy for other purposes (e.g., shopping, errands, social and recreational activities, school trips, etc.). In general, vehicle occupancy rates for non-work-related trips have been found to be higher than vehicle occupancy rates for work-related trips. Both national data from USDOT-FHA's *Summary of Travel Trends: 2009 National Household Travel Survey* and regional data from the *Regional Travel-Household Interview Survey* prepared for the New York Metropolitan Transportation Council (NYMTC) and the North Jersey Transportation Planning Authority (NJTPA) indicate that average vehicle occupancy rates for all auto trips are over 1.4 times the average vehicle occupancy rates for auto trips to and from work. (Refer to Table 16 of the USDOT-FHA's 2009 *National Household Travel Survey* and pages 20 and 21 of NYMTC/NJTPA 2000 *Regional Travel – Household Interview Survey* provided in **Appendix A**). As such, the

weekday AM/PM peak hour auto occupancy rates derived from the ACS data were adjusted by a factor of 1.4 for the weekday midday and Saturday midday peak hours to reflect the predominance of non-work-related trips during these periods. While not all AM and PM peak hour trips are work-related, the lower vehicle occupancy rates for trips to and from work were conservatively applied to all auto trips in these latter peak hours.

Although residential-based trips in the weekday midday and Saturday peak hours would likely be more local in nature than in the commuter peak hours (and therefore have a higher walk share, for example), the modal splits based on the ACS journey-to-work data were conservatively assumed for all periods.

Retail

The trip generation rates and temporal distributions for local and destination retail uses were based on data from the *CEQR Technical Manual*. The modal and directional in/out splits and vehicle occupancy rates were based on data from the *East Harlem Rezoning FEIS*. Truck trip generation rates and temporal distributions were based on data from the *CEQR Technical Manual* (local retail), the *East Harlem Rezoning FEIS* (destination retail) and DOT survey data (local retail). To reflect the large scale of the affected area, it was assumed for the purposes of the travel demand forecast that 70 percent of all local retail trips would be linked trips, consistent with the *East New York Rezoning Proposal FEIS*. Factors for the supermarket use were based on data cited in the *CEQR Technical Manual* and DOT survey data.

TRIP GENERATION

The net incremental change in person and vehicle trips expected to result from the Proposed Actions by the 2031 analysis year was derived based on the net change in land uses shown in **Table 1** and the transportation planning factors shown in **Table 2**. **Table 3** shows an estimate of the net incremental change in peak hour person trips and vehicle trips, (versus the No Action condition) that would occur in 2031 with implementation of the Proposed Actions. As shown in **Table 3**, under the RWCDS, the Proposed Actions would generate a net increase of approximately 1,806 person trips in the weekday AM peak hour, 1,346 in the weekday midday, 2,384 in the weekday PM peak hour and 2,474 in the Saturday peak hour. Peak hour vehicle trips (including auto, truck, and taxi trips balanced to reflect that some taxis arrive or depart empty) would increase by a net total of approximately 160, 103 186 and 186 (in and out combined) in the weekday AM, midday and PM, and Saturday peak hours, respectively. Peak hour subway trips would increase by a net total of approximately 837, 583, 979 and 926 during these periods, respectively, while bus trips would increase by approximately 47, 59, 75 and 102, respectively. Lastly, walk-only trips would increase by 791, 589, 1,141 and 1,220 trips during the weekday AM, midday and PM, and Saturday peak hours, respectively.

Table 3
RWCDS Travel Demand Forecast

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Arts & Cultural		Total	
Size/Units:	33,608 gsf		-46,811 gsf		1,829 DU		21,348 gsf		7,566 gsf		-18,084 gsf		-5,000 gsf		11,868 gsf		8,910 gsf			
Peak Hour Trips:																				
AM	294		-106		1,490		50		14		-36		-2		100		2		1,806	
Midday	354		-134		754		150		94		-30		-2		118		42		1,346	
PM	590		-122		1,638		150		48		-38		-2		82		38		2,384	
Saturday	700		-34		1,416		218		56		-4		0		80		42		2,474	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	-10	1	16	57	5	3	0	0	-3	0	0	0	1	0	0	0	10	62
Taxi	3	3	-1	0	8	36	3	2	0	0	0	0	0	0	3	2	0	0	16	43
Subway	29	26	-71	-2	193	615	8	5	0	0	-22	-3	-2	0	37	23	1	0	173	664
Bus	10	8	-5	0	4	21	4	2	0	0	-2	0	0	0	3	2	0	0	14	33
Walk/Other	113	100	-18	0	129	411	11	7	7	7	-5	-1	0	0	18	11	1	0	256	535
Total	156	138	-105	-1	350	1,140	31	19	7	7	-32	-4	-2	0	62	38	2	0	469	1,337
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	2	2	-1	-1	16	16	12	10	4	4	0	0	0	0	1	1	4	2	38	34
Taxi	4	4	-1	-1	9	9	7	6	0	0	0	0	0	0	3	3	0	0	22	21
Subway	31	31	-3	-5	204	204	22	18	0	0	-1	-1	0	0	33	37	9	4	295	288
Bus	11	11	-1	-2	6	6	10	8	0	0	-1	-1	0	0	3	3	4	2	32	27
Walk/Other	129	129	-57	-62	142	142	32	25	43	43	-13	-13	-1	-1	16	18	12	5	303	286
Total	177	177	-63	-71	377	377	83	67	47	47	-15	-15	-1	-1	56	62	29	13	690	656
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	3	3	-1	-8	49	35	11	12	3	3	0	-3	0	0	0	1	1	4	66	47
Taxi	6	6	0	-1	32	16	6	7	0	0	0	0	0	0	1	3	0	0	45	31
Subway	53	53	-13	-71	541	341	19	21	0	0	-3	-23	0	-1	17	33	3	9	617	362
Bus	17	17	-1	-8	16	9	8	10	0	0	0	-2	0	0	1	3	1	4	42	33
Walk/Other	216	216	-2	-17	366	233	26	30	21	21	-1	-6	0	-1	8	15	4	12	638	503
Total	295	295	-17	-105	1,004	634	70	80	24	24	-4	-34	0	-2	27	55	9	29	1,408	976
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	7	7	-1	-1	33	41	20	17	2	2	0	0	0	0	0	0	4	2	65	68
Taxi	14	14	0	0	16	23	12	10	0	0	0	0	0	0	2	2	0	0	44	49
Subway	44	47	-17	-11	348	421	19	16	0	0	-1	-1	0	0	24	24	9	4	426	500
Bus	14	14	-1	0	9	12	24	20	0	0	0	0	0	0	2	2	4	2	52	50
Walk/Other	264	275	-2	-1	233	280	44	36	26	26	-1	-1	0	0	11	13	12	5	587	633
Total	343	357	-21	-13	639	777	119	99	28	28	-2	-2	0	0	39	41	29	13	1,174	1,300
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	-9	1	15	48	3	2	0	0	-3	0	0	0	1	0	0	0	8	52
Taxi (Balanced)	4	4	-1	-1	39	39	2	2	0	0	0	0	0	0	2	2	0	0	46	46
Truck	0	0	1	1	4	4	0	0	0	0	-1	-1	0	0	0	0	0	0	4	4
Total	5	5	-9	1	58	91	5	4	0	0	-4	-1	0	0	3	2	0	0	58	102
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	2	2	-1	-1	12	12	6	5	4	4	0	0	0	0	1	1	1	1	25	24
Taxi (Balanced)	5	5	-3	-3	17	17	5	5	0	0	0	0	0	0	3	3	0	0	27	27
Truck	0	0	-1	-1	2	2	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0
Total	7	7	-5	-5	31	31	11	10	4	4	-1	-1	0	0	4	4	1	1	52	51
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	2	2	-1	-7	42	31	6	6	3	3	0	-3	0	0	0	1	0	1	52	34
Taxi (Balanced)	7	7	-1	-1	35	35	6	6	0	0	0	0	0	0	3	3	0	0	50	50
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	9	9	-2	-8	77	66	12	12	3	3	0	-3	0	0	3	4	0	1	102	84
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	4	4	-1	-1	24	29	7	6	2	2	0	0	0	0	0	0	1	1	37	41
Taxi (Balanced)	14	14	0	0	32	32	6	6	0	0	0	0	0	0	2	2	0	0	54	54
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	18	18	-1	-1	56	61	13	12	2	2	0	0	0	0	2	2	1	1	91	95

Notes:
70% internal and external linkage and pass-by credit applied to local retail use.

Table 4 shows the net incremental change in peak hour vehicle trips (auto, taxi and truck) that would be generated by each individual development site during the weekday AM, midday and PM, and Saturday peak hours.[1] As shown in **Table 4**, Site 10 would generate the greatest number of new vehicle trips in all peak hours, accounting for approximately 16, 21, 16 and 20 percent of the total incremental vehicle trips generated by the Proposed Actions in each of these periods, respectively. Under the RWCDS, there would be net decreases in vehicle trips during one or more peak hours at approximately seven sites, primarily due to the reduction in office, light industrial and warehouse uses on these sites compared to the No Action condition. It should also be noted that the under the Proposed Actions, an existing public parking garage on Site 20 would be displaced. Although this site is located in a Transit Zone (and therefore alternative modes of transportation are readily available), it is conservatively assumed that all of the existing vehicle trips generated by this facility would remain on the street network, and no credit is taken for displaced demand.

Table 4
Net Incremental Vehicle Trips
by Projected Development Site

	Weekday Peak Hour			Saturday
	AM	MD	PM	Peak Hour
Site 1	9	8	10	8
Site 2	20	24	24	21
Site 3	3	0	4	2
Site 4	4	2	6	6
Site 5	14	10	15	8
Site 6	5	0	5	4
Site 7	3	0	4	2
Site 8	10	6	8	9
Site 9	16	7	22	25
Site 10	25	22	30	38
Site 12	15	12	18	9
Site 13	10	10	10	11
Site 14	0	0	-1	0
Site 15	0	-2	0	-2
Site 16	0	2	0	2
Site 20	22	18	23	24
Site 21	0	0	0	0
Site 22	14	14	15	5
Site 23	0	2	2	2
Site 24	2	0	3	2
Site 25	0	-4	0	1
Site 26	3	2	6	6
Site 27	3	-4	0	2
Site 28	2	0	1	1
Site 30	-7	-8	-5	0
Site 31	-9	-10	-8	1
Site 32	-4	-8	-6	-1
Total	**160**	**103**	**186**	**186**

[1] Detailed demand forecasts for each projected development site are provided in **Appendix B**.

LEVEL 1 SCREENING ASSESSMENT

The *CEQR Technical Manual* describes a two-level screening procedure for the preparation of a "preliminary analysis" to determine if quantified operational analyses of transportation conditions are warranted. As discussed in the following sections, the preliminary analysis begins with a trip generation (Level 1) analysis to estimate the numbers of person and vehicle trips attributable to the proposed action. According to the *CEQR Technical Manual*, if a proposed action is expected to result in fewer than 50 peak hour vehicle trips and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (a Level 2 assessment) are to be performed to estimate the incremental trips that could occur at specific transportation elements and to identify potential locations for further analysis. If the trip assignments show that the proposed action would generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, or 200 or more peak hour pedestrian trips traversing a sidewalk, corner area or crosswalk, then further quantified operational analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, pedestrians, vehicular and pedestrian safety, and parking.

Traffic

Based on *CEQR Technical Manual* guidelines, a quantified traffic analysis is typically required if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. As shown in **Table 4**, under the RWCDS, the net number of incremental vehicle trips—160, 103, 186 and 186 in the weekday AM, midday and PM, and Saturday peak hours, respectively—would exceed the 50-trip threshold in all four peak hours, and a Level 2 screening analysis is therefore warranted for each of these periods to determine which, if any, intersections would require quantified analysis.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority and specified in the *CEQR Technical Manual*, detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit riders. If a proposed action would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these weekday periods that overall demand on the subway and bus systems is usually highest. Similarly, transit analyses typically do not include a Saturday peak hour as overall demand on the subway and bus systems on Saturdays is also generally lower than during the weekday peak hours. (As an example, New York City Transit (NYCT) estimates that typical Saturday peak hour station entries at the Canal Street subway station complex only total about 60 percent of weekday peak hour entries.)

As shown in **Table 3**, the Proposed Actions are expected to generate approximately 837 and 979 incremental subway trips in the weekday AM and PM peak hours. As these numbers of trips would

exceed the 200-trip *CEQR Technical Manual* analysis threshold, a Level 2 screening analysis is warranted to determine which subway stations and routes would require quantified analysis. As also shown in **Table 3** the Proposed Actions are expected to generate 47 incremental trips by bus in the weekday AM peak hour and 75 trips in the PM peak hour. Approximately seven NYC Transit bus routes operate within ¼-mile of projected development sites (the M1, M15, M15 SBS, M20, M21, M55 and M103), and the number of incremental trips in one direction on any one of these routes is not expected to reach the 50-trip *CEQR Technical Manual* analysis threshold for a detailed bus analysis. Therefore, a detailed analysis of bus conditions under the Proposed Actions is not warranted.

Pedestrians

According to *CEQR Technical Manual* guidelines, a quantified analysis of pedestrian conditions is typically required if a proposed action would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk). As shown in **Table 3**, the Proposed Actions' RWCDS would generate an incremental demand of approximately 1,747, 1,303, 2,308 and 2,381 total pedestrian trips in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. These trips include walk-only trips and pedestrians en route to and from nearby transit facilities (subway stations and bus stops) and off-site parking. To be conservative, person trips by auto were also included as walk trips to reflect persons walking to and from off-site parking. As the numbers of trips in each of these periods would exceed the 200-trip threshold, a Level 2 screening analysis is warranted to determine which, if any, pedestrian elements would require quantified analysis.

LEVEL 2 SCREENING ASSESSMENT

Traffic

Project Area Street Network

As shown in **Figure 1**, the street network serving the Project Area is comprised of an irregular street grid, typical for this area of Manhattan. The primary north-south corridors serving the Project Area include Bowery, Centre Street, Lafayette Street, Broadway, Sixth Avenue and Seventh Avenue/Varick Street. Major cross-streets include Canal Street and Houston Street.

Bowery is a two-way street that runs from Chinatown northward to Cooper Square. It typically operates with two moving lanes and curbside parking in each direction. Left-turn bays are provided at some intersections, and a raised median separates northbound and southbound traffic north of Kenmare Street. A shared bicycle lane is located on southbound Bowery from East 2nd Street to Prince Street, and a conventional bicycle lane is located on northbound Bowery from Spring Street to Stanton Street. Bowery is a DOT-designated Local Truck Route and is traversed by NYCT M103 buses. **Centre Street** is a one-way northbound street that extends from the Brooklyn Bridge to Broome Street. It typically operates with two to three moving lanes plus curbside parking. **Lafayette Street** extends from Astor Place to Foley Square and operates one-way southbound south of Spring Street and one-way northbound north of Spring Street. South of Prince Street it typically operates with two moving lanes, a

conventional bicycle lane, and curbside parking along one or both curbs. North of Prince Street, Lafayette Street features a protected bicycle lane along the west curb separated from the traffic lanes by striping, raised medians and parking spaces.

Broadway extends the length of Manhattan from Bowling Green to Inwood where it bridges the Harlem River and continues into The Bronx. Within the Project Area it typically operates one-way southbound with two to three moving lanes plus curbside parking along one or both curbs. South of West Houston Street, Broadway operates with one moving lane for general traffic, an exclusive bus lane, and curbside parking. At bus stop locations, the west sidewalk has been extended into the parking lane to allow buses to board/discharge passengers from the bus lane. NYCT M1 and M55 local buses traverse Broadway within the Project Area as do a number of express bus services. Broadway is also a designated Local Truck Route. To the west of Broadway is northbound **Sixth Avenue** which branches off from Church Street in Tribeca and continues north to West 59th Street in Midtown. Within the Project Area it typically operates with three to four moving lanes plus parking along one or both curbs. NYCT M55 local buses traverse Sixth Avenue through the Project Area, and M21 local buses travel the segment from Spring Street to West Houston Street. The corridor is also used by a number of express bus services. Sixth Avenue is designated as a Through Truck Route to the south of West Houston Street and a Local Truck Route to the north.

Paralleling Sixth Avenue on the west is **Seventh Avenue/Varick Street.** Seventh Avenue begins at West 59th Street in Midtown and operates one-way southbound to Carmine Street where it continues as Varick Street until merging with West Broadway in Tribeca. In the Project Area, Seventh Avenue typically operates with three moving lanes, a parking lane along the west curb and a protected bicycle lane along the east curb separated from the travel lanes by parking. Varick Street typically operates with four moving lanes and parking along one or both curbs. NYCT M20 local buses traverse both Seventh Avenue and Varick Street. Seventh Avenue is designated as a Local Truck Route, and Varick Street is designated as a Through Truck Route from West Houston Street to Broome Street, and a Local Truck Route from Broome Street to Worth Street.

Canal Street, which forms the southern boundary of the Project Area, functions as a key east-west corridor connecting the Manhattan Bridge to Brooklyn on the east and the Holland Tunnel to New Jersey on the west. It typically operates with three moving lanes in each direction, and it is designated as a Through Truck Route. Another key crosstown corridor serving the Project Area is **Houston Street** (referred to as East Houston Street to the east of Broadway and West Houston Street to the west). It operates two-way between the FDR Drive along the East River waterfront on the east to Sixth Avenue. West of Sixth Avenue, it operates one-way westbound to West Street on the Hudson River waterfront. NYCT M21 local buses traverse the length of Houston Street, and NYCT M9, M14 SBS, M15 and M15 SBS local buses traverse portions of the street east of Second Avenue. West Houston Street is also traversed by a number of express bus services. Houston Street is designated as a Through Truck Route between First and Seventh avenues, and as a Local Truck Route from Seventh Avenue to West Street.

Two additional roadways of note that are located outside of the Project Area are West Street and the Franklin Delano Roosevelt (FDR) Drive. **West Street (Route 9A**) runs along Manhattan's Hudson River waterfront from The Battery to West 57th Street, north of which it continues as the Henry Hudson Parkway. In the vicinity of the Project Area it operates with three to four moving lanes in each direction. Route 9A provides access to a number of river crossings including (south to north) the Hugh L. Carey (Brooklyn-Battery) Tunnel to Brooklyn, the Holland and Lincoln tunnels and George Washington Bridge to New Jersey, and the Henry Hudson Bridge to The Bronx. Northbound NYCT M12 buses use West Street from West 14th Street to West 57th Street, and M50 buses traverse the corridor in both directions between West 42nd Street and West 50th Street. West Street is designated as a Through Truck Route from The Battery to West 34th Street, and as a Local Truck route from West 34th Street to West 57th Street. Trucks are prohibited from using the Henry Hudson Parkway.

To the east of the Project Area is the **FDR Drive**, a limited-access parkway restricted to non-commercial vehicles that runs along Manhattan's East River waterfront from South Ferry in Lower Manhattan to the RFK (Triborough) Bridge. En route it provides direct access to/from the Brooklyn Bridge. North of the RFK Bridge, the parkway becomes the Harlem River Drive which continues along the west bank of the Harlem River to Tenth Avenue and Dyckman Street in Inwood, and provides access to and from the George Washington Bridge (I-95) to New Jersey.

Most other roadways comprising the Project Area street network typically provide local access and operate one-way with one to two moving lanes and parking along one or both curbs.

Traffic Assignment and Level 2 Screening

As shown in **Table 2** and discussed above, the Proposed Actions' RWCDS is expected to result in a net incremental increase of approximately 160, 103, 186 and 186 vehicle trips in the weekday AM, midday and PM, and Saturday peak hours, respectively. As these traffic volumes would exceed 50 trips in each peak hour (the *CEQR Technical Manual* Level 1 screening threshold for a detailed analysis), an assignment of net increment traffic volumes was prepared for each period to help identify individual intersections for analysis (a Level 2 screening assessment).

The assignments of auto and taxi trips to the street network in proximity to the Project Area were based on the locations of each projected development site and the anticipated origins and destinations of vehicle trips associated with the different land uses projected for each site under the RWCDS (e.g., commercial, residential, community facility, etc.). **Table 5** shows the directional distributions of auto and taxi trips by land use based on origin/destination data. The origins/destinations of residential trips are based on 2012-2016 ACS journey-to-work data, while the origins/destinations of office, warehouse and industrial uses are based on 2012-2016 ACS reverse journey-to-work data. Origins/destinations for uses that generate mostly local trips, including local retail, supermarket, and community facility (arts and cultural) were based on population density in proximity to the Project Area and surrounding neighborhoods within a 0.5-mile radius. Origins/destinations for the destination retail and medical office uses are based on population density in proximity to the Project Area and surrounding neighborhoods

within a two-mile radius. Although much of the project-generated auto demand is expected to park at off-street public parking facilities in the area or on-street, auto trips were assigned directly to their respective projected development sites. This can be considered a conservative approach with respect to the traffic impact analysis as it concentrates project traffic at analyzed intersections in proximity to the Project Area rather than dispersing it to outlying public parking facilities.

Table 5

Directional Distributions of Auto/Taxi Trips by Land Use

Land Use	Manhattan				Brooklyn	Bronx	Queens	Long Island	Staten Island/N.J.	Upstate NY/ CT/PA
	N	S	E	W						
Residential	1%	4%	0%	16%	2%	14%	21%	9%	23%	10%
Office/Light Industrial/Warehouse	8%	2%	1%	3%	11%	5%	19%	15%	23%	13%
Local Retail/Community Uses[2]	27%	25%	27%	21%	---	---	---	---	---	---
Destination Retail/Medical Office	49%	26%	15%	10%	---	---	---	---	---	---

Notes:
[1] Includes local retail, supermarket, and arts and cultural uses.

Using the distributions shown in **Table 5**, auto and taxi trips were first assigned to various portals on the periphery of the Project Area and from there via the most direct route to each projected development site. Truck trips were first assigned to designated Through Truck Route river crossings into Manhattan such as the Manhattan and Williamsburg bridges and the Lincoln and Holland tunnels. They were then assigned to designated truck routes providing access to the Project Area, including West Street, Sixth Avenue, Seventh Avenue/Varick Street, Canal and Houston streets, Broadway and Bowery.

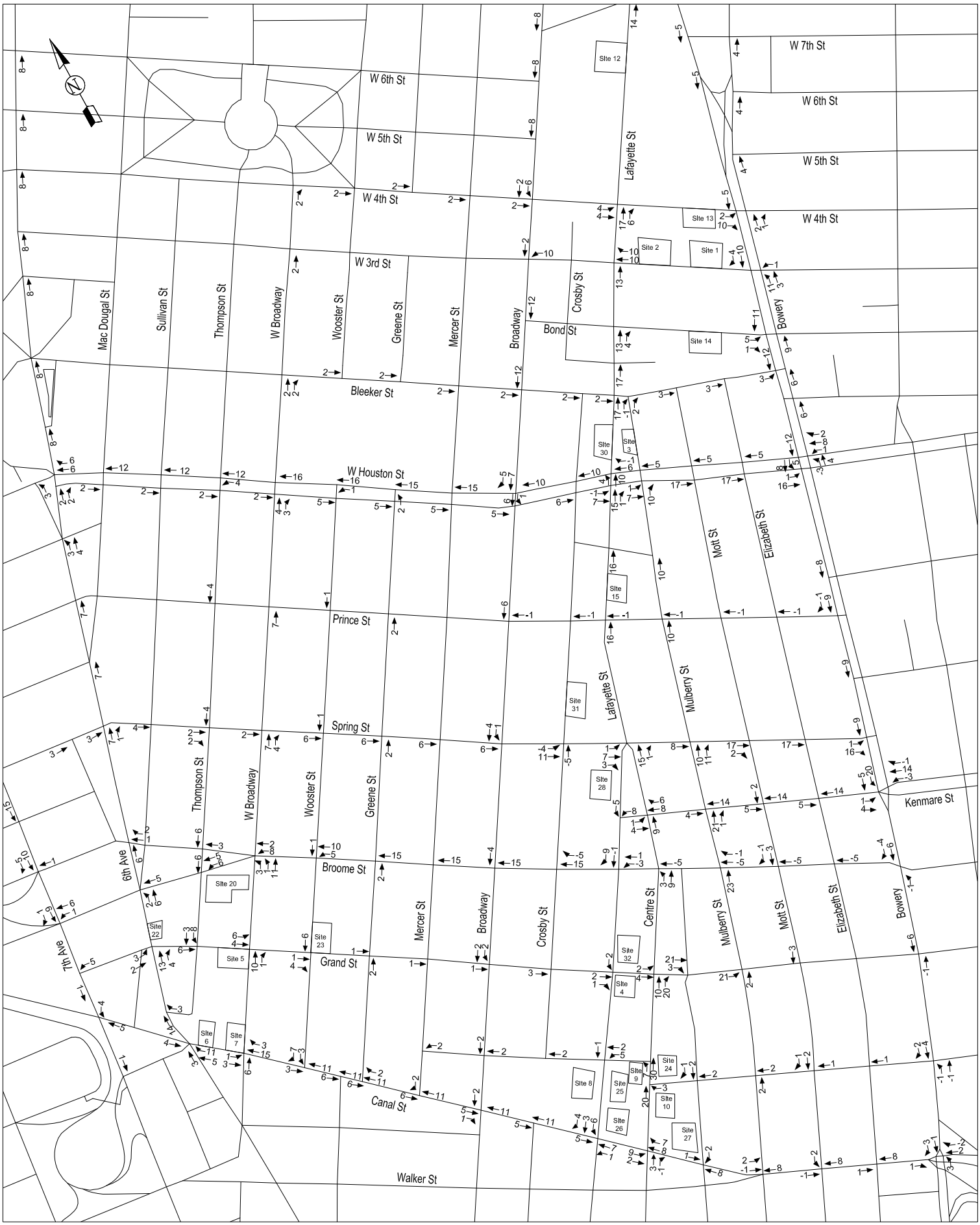
Figures 2 through 5 show the assignment of net incremental peak hour vehicle trips from the Proposed Actions' RWCDS at intersections in proximity to the Project Area in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. As discussed above, based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically warranted if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. Based on the assignment of vehicle trips described above and shown in **Figures 2 through 5**, no intersection in proximity to the Project Area is expected experience a net incremental increase of 50 or more trips in any peak hour. Therefore, a detailed analysis of traffic conditions under the Proposed Actions is not warranted.

Transit

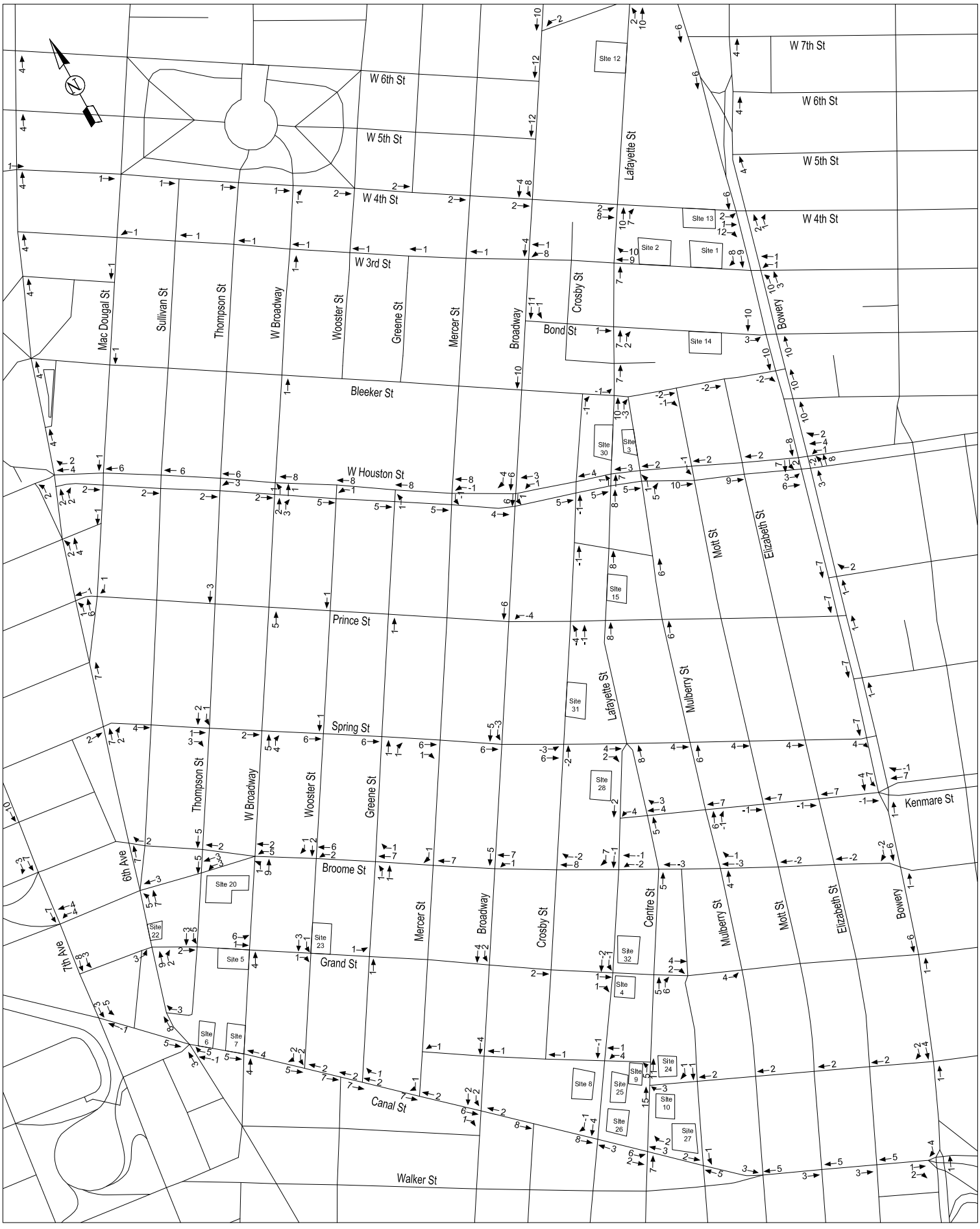
Subway Stations

As discussed previously, according to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*, if a proposed action would result in an increase of 200 or more peak hour passengers at a single subway station or on a single subway line, a detailed subway analysis would be warranted. As shown in **Table 3**, the Proposed Actions are expected

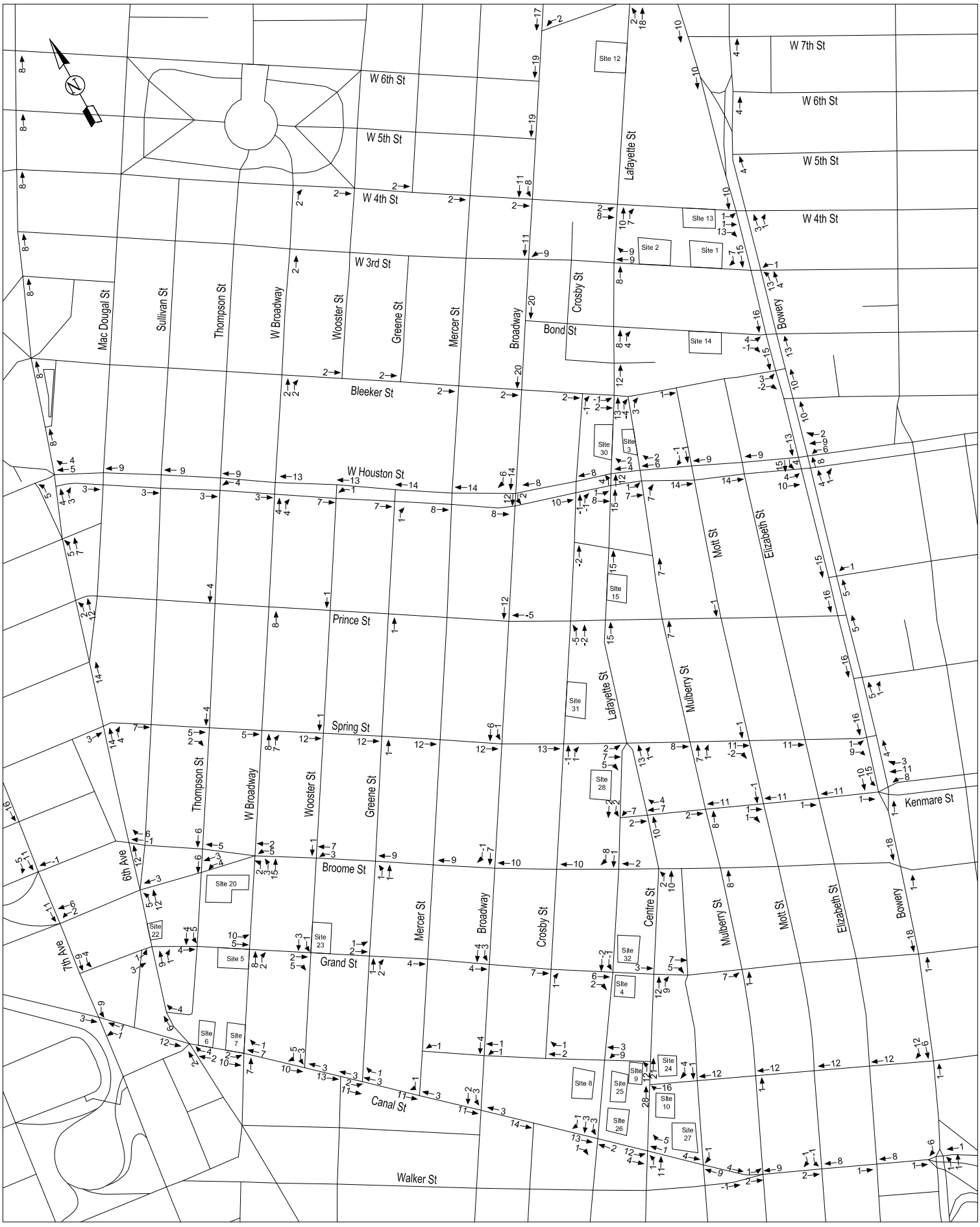
AM Peak Hour Project Increment Traffic Volumes



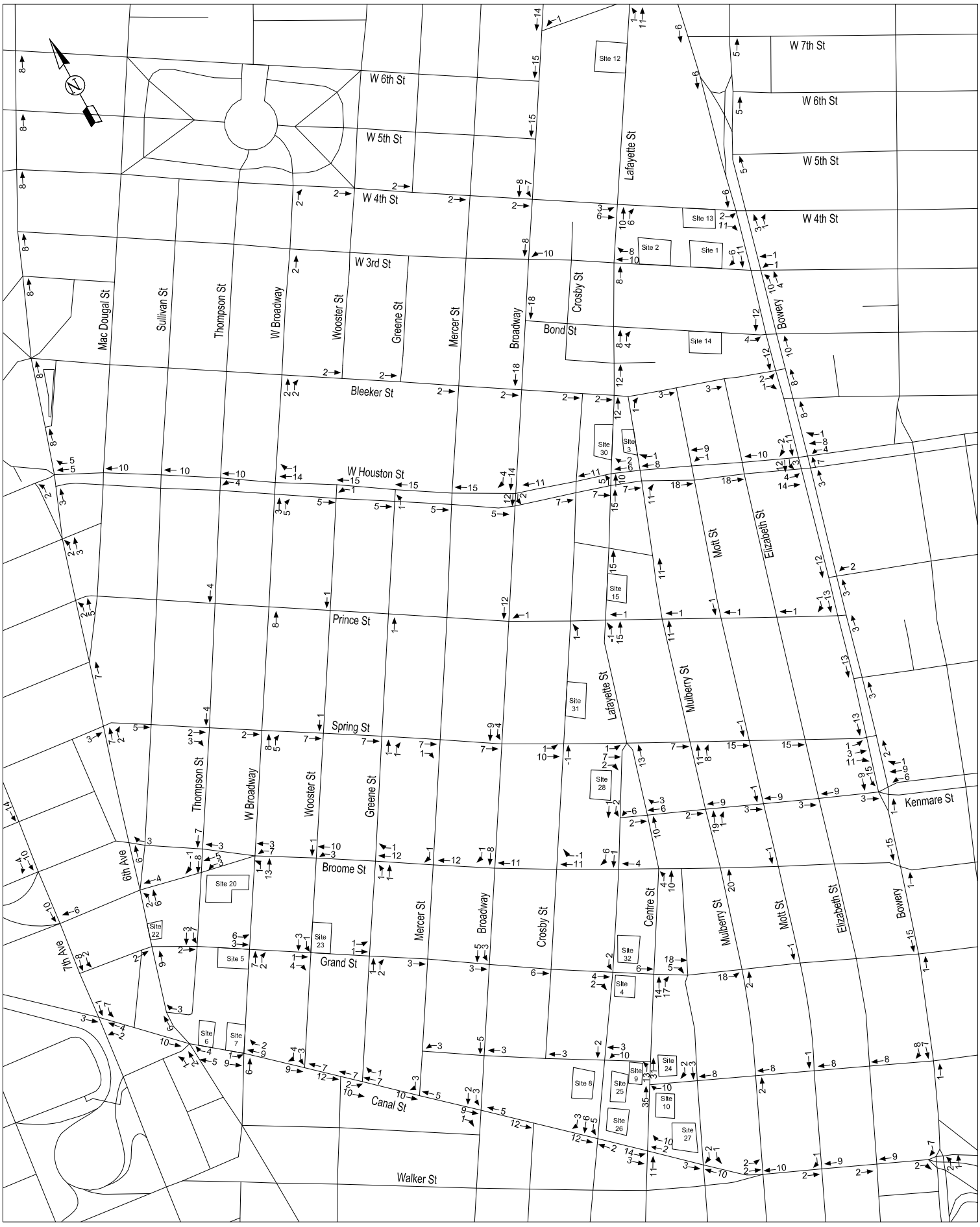
MD Peak Hour Project Increment Traffic Volumes



PM Peak Hour Project Increment Traffic Volumes



Saturday Peak Hour Project Increment Traffic Volumes



to generate a net total of approximately 837 and 979 incremental subway trips in the weekday AM and PM peak hours, respectively.

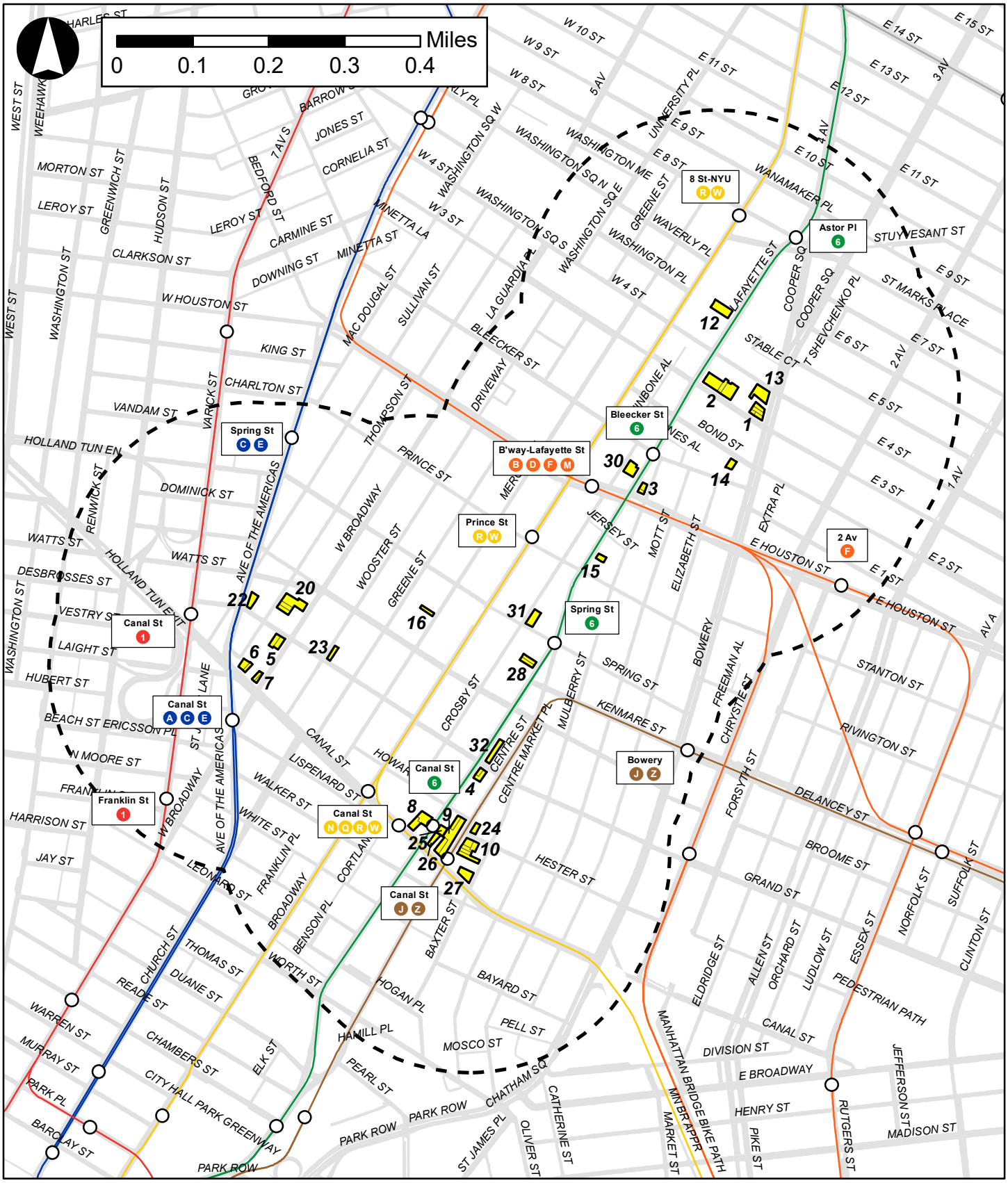
There are a total of nine NYCT subway stations or station complexes in proximity to projected development sites that are expected to experience new demand as a result of the Proposed Actions. These stations, which are all below-grade, are shown in **Figure 6** and **Table 6**, along with the subway routes serving each facility. As shown in **Figure 6**, No. 6 trains operating in local service on the Lexington Avenue Line serve four stations along the east side of the Project Area. These include the Canal Street, Spring Street, Bleeker Street and Astor Place stations, all of which are located beneath Lafayette Street. Four trains—B and D (express) and F and M (local)—operating along the Sixth Avenue Line serve the Project Area via the Broadway-Lafayette Street station located beneath East Houston Street. This station is connected to the Bleeker Street (6) station, and together they comprise the Broadway-Lafayette Street/Bleeker Street station complex. R and W local trains operating on the Broadway Line serve three stations within the Project Area—Canal Street, Prince Street and 8th Street-NYU—all of which are located beneath Broadway. N and Q trains provide express service along the Broadway Line as far south as Canal Street where they branch off from the Broadway Line en route to the Manhattan Bridge. N and Q trains serve a separate level of the Canal Street station located beneath Canal Street. J and Z trains operating on the Nassau Street Line serve two stations in proximity to the Project Area—the Canal Street station located beneath Centre Street, and the Bowery station which is located beneath Delancey Street. Both J and Z trains provide local service in Manhattan, however Z trains only operate during the weekday AM and PM peak periods. The Canal Street stations on the Broadway (N/Q/R/W), Lexington Avenue (6) and Nassau Street (J/Z) are all linked, and together comprise an interconnected station complex.

Two additional subway stations located along the Canal Street corridor at the southwest corner of the Project Area are also expected to experience increased demand as a result of the Proposed Actions. The Canal Street station on the Eighth Avenue Line is located beneath Sixth Avenue and is served by A (express) and C and E (local) trains. Lastly, the Canal Street station on the Broadway-Seventh Avenue Line is located beneath Varick Street and is served by No. 1 local trains.

Subway Assignment and Analyzed Stations

As shown in **Table 3**, under the RWCDS, the Proposed Actions would generate a net increment of approximately 837 and 978 subway trips during the weekday AM and PM commuter peak hours, respectively. Trips from each projected development site were assigned to the individual stations serving the Project Area based on their proximity. **Table 6** shows the estimated net incremental subway trips generated by the Proposed Actions during the weekday AM and PM peak hours at each of the subway stations/station complexes serving the Project Area. As shown in **Table 6**, the highest number of incremental subway trips is expected to occur at the Canal Street (J/N/Q/R/W/Z/6) station complex which would experience approximately 301 incremental trips in the AM peak hour and 360 in the PM peak hour. The next highest number would occur at the Canal Street (A/C/E) subway station on the Eighth Avenue Line which would experience approximately 182 incremental trips in the AM peak hour

Subway Stations



Legend

1 ProjectedDevSitesREV — Quarter-Mile Radius — Subway Stations

and 216 in the PM peak hour. All other subway stations serving the Project Area are expected to experience fewer than 200 incremental trips in the AM and PM peak hours.

As incremental peak hour demand from the Proposed Actions is expected to exceed the 200-trip *CEQR Technical Manual* analysis threshold at the Canal Street (J/N/Q/R/W/Z/6) station complex and the Canal Street (A/C/E) station, these facilities will be analyzed in the EIS. Key circulation elements (i.e., stairs and fare arrays) at these stations that are expected to be used by concentrations of new demand from the Proposed Actions will be analyzed.

Subway Line Haul

As discussed above, the Project Area is served by a total of fifteen NYCT subway routes, including the A, B, C, D, E, F, J, M, N, Q, R, W, Z, No. 1 and No. 6. As the Proposed Actions may potentially generate 200 or more new subway trips in one direction on one or more of these routes, an analysis of subway line haul conditions will be included in the EIS. The analysis will use existing maximum load point subway service and ridership data provided by NYCT to assess existing, future No-Action, and future With-Action conditions at the peak load points of the respective subway lines during the weekday AM and PM peak hours.

Table 6
Net Incremental Peak Hour Subway Trips by Station

Subway Station	AM Peak Hour Trips			PM Peak Hour Trips		
	Into Project	Out of Project	Total	Into Project	Out of Project	Total
Project Summary						
Peak Hour Project-Generated Trips:	469	1,337	1,806	1,408	976	2,384
Peak Hour Project-Generated Subway Trips:	173	664	837	617	362	979
Subway Station Summary						
Astor Place (6)	46	25	71	30	58	88
Bowery (J/Z)	-6	2	-4	1	-6	-5
Broadway-Lafayette/Bleeker Street (B/D/F/M/6)	-1	160	159	130	34	164
Canal Street (1)	72	49	121	55	88	143
Canal Street (A/C/E)	108	74	182	83	133	216
Canal Street (J/N/Q/R/W/Z/6)	-11	312	301	284	76	360
8th Street-NYU (R/W)	28	7	35	11	33	44
Prince Street (R/W)	-17	14	-3	10	-13	-3
Spring Street (6)	-46	21	-25	13	-41	-28
Total	**173**	**664**	**837**	**617**	**362**	**979**

Pedestrians

Based on *CEQR Technical Manual* guidance, detailed pedestrian analyses are generally warranted if a proposed action is projected to result in 200 or more new peak hour pedestrians at any sidewalk, corner area, or crosswalk. As shown in **Table 3**, the Proposed Actions are expected to generate approximately 791 walk-only trips (in and out combined) in the weekday AM peak hour, 589 in the midday peak hour, 1,141 in the PM peak hour, and 1,220 in the Saturday peak hour. Persons en route to and from subway station entrances, bus stops, and off-site parking would add approximately 956, 714, 1,167 and 1,161 additional pedestrian trips to Project Area sidewalks and crosswalks during these same periods, respectively. In the weekday AM and PM peak hours, new pedestrian trips would be most concentrated on sidewalks and crosswalks adjacent to projected development sites as well as along corridors connecting these sites to area subway station entrances. In the midday and Saturday peak hours, pedestrian trips would tend to be more dispersed, as people travel throughout the area for lunch, shopping and/or errands.

An assignment of net incremental pedestrian trips was prepared to identify those pedestrian elements potentially warranting analysis. Subway trips were assigned to the most direct paths between projected development sites and the nearest stations and station entrances, whereas bus, auto and walk-only trips were more widely distributed throughout the local street network. Overall, the greatest incremental increases in pedestrian demand under the Proposed Actions are expected to occur at pedestrian elements in proximity to the Canal Street (J/N/Q/R/W/Z/6) subway station complex and the cluster of projected development sites at Canal, Lafayette and Centre streets, and along Lafayette and Great Jones streets in proximity to projected development sites 1 and 2. As shown in **Figure 7**, based on the assignment, a total of 16 pedestrian elements (five sidewalks, nine corner areas and two crosswalks) at these locations where net incremental trips would potentially reach the 200 trips/hour *CEQR Technical Manual* analysis threshold in one or more peak periods were selected for analysis. (To be conservative, any element with 190 trips/hour or more was included.) Pedestrian elements selected for analysis include the following:

<u>Sidewalks</u>

- North sidewalk on Canal Street between Lafayette and Centre streets;
- North sidewalk on Canal Street between Lafayette Street and Broadway;
- East sidewalk on Centre Street between Canal and Hester streets;
- North sidewalk on Great Jones Street between Lafayette Street and Bowery;
- East sidewalk on Thompson Street between Canal and Grand streets;

<u>Corner Areas</u>

- Northeast and northwest corners at Lafayette Street/Canal Street;
- Southeast corner at Lafayette Street/Howard Street;
- Northeast and northwest corners at Centre Street/Canal Street;
- Southeast corner at Hester Street/Centre Street;

Figure 7
Analyzed Pedestrian Elements



Legend

Analyzed Pedestrian Elements: ↔ Sidewalks ● Corners — Crosswalks

1 Projected Development Sites x Subway Entrance

- Northeast and southeast corners at Lafayette Street/Great Jones Street;
- Northwest corner at Bowery/Great Jones Street;

Crosswalks

- North crosswalk on Lafayette Street at Canal Street; and
- East crosswalk on Great Jones Street at Lafayette Street.

The pedestrian analysis will include the weekday AM, midday and PM peak hours, and the Saturday peak hour. The specific peak hours for analysis will be determined based on data from counts of existing pedestrian volumes on analyzed sidewalks and crosswalks.

Vehicular and Pedestrian Safety

Under *CEQR Technical Manual* guidance, an evaluation of vehicular and pedestrian safety is needed for locations within traffic and pedestrian study areas that have been identified as high crash locations. These are defined as locations with 48 or more total reportable and non-reportable crashes or where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available. For these locations, crash trends will be identified to determine whether projected vehicular and pedestrian traffic would further impact safety, or whether existing unsafe conditions could adversely impact the flow of the projected new trips.

Parking

As the Proposed Actions' RWCDS does not include any on-site parking on projected development sites, nor any new off-street public parking, a parking demand forecast will be provided to document the amount of new parking demand that would be introduced to the Project Area under the Proposed Actions' RWCDS. The amount of demand that would be displaced from existing public parking facilities on projected development sites will also be estimated. The potential for the Proposed Actions to result in a significant adverse parking shortfall will then be assessed.

APPENDIX A

REFERENCE MATERIAL

(1) 2009 National Household Travel Study (Table 16)

(2) 2000 Regional Travel Household Interview Survey (pages 20-21)



SUMMARY OF TRAVEL TRENDS

2009 National Household Travel Survey

U.S. Department of Transportation
Federal Highway Administration

The trend of declining vehicle occupancy may have started to reverse, as overall occupancy shows an increase in 2001 and 2009. In 2009, the rise in occupancy was the result of a significant rise in vehicle occupancy for social and recreational travel – changes in occupancy for other purposes were not noteworthy. The calculated occupancy in this table is miles-weighted, using the reported number of people on the trip and the length of the trip together.

Table 16. Average Vehicle Occupancy for Selected Trip Purpose 1977, 1983, 1990, and 1995 NPTS, and 2001 and 2009 NHTS (Person Miles per Vehicle Mile).

Trip Purpose	1977	1983	1990	1995	2001	2009	95% CI
To or From Work	1.3	1.29	1.14	1.14	1.14	1.13	0.01
Shopping	2.1	1.79	1.71	1.74	1.79	1.78	0.05
Other Family/Personal Errands	2	1.81	1.84	1.78	1.83	1.84	0.04
Social and Recreational	2.4	2.12	2.08	2.04	2.03	2.20	0.06
All Purposes	**1.9**	**1.75**	**1.64**	**1.59**	**1.63**	**1.67**	**0.03**

Note:

- All purposes includes other trip purposes not shown, such as trips to school, church, and work-related business.
- "Other Family/Personal Errands" includes personal business and medical/dental. Please see Appendix A - Glossary for definition.
- NPTS is Nationwide Personal Transportation Survey. CI is Confidence Interval.



RT-HIS
Regional Travel - Household Interview Survey

EXECUTIVE SUMMARY
GENERAL FINAL REPORT

Prepared for the New York Metropolitan Transportation Council (NYMTC) and the North Jersey Transportation Planning Authority (NJTPA)

prepared by:
Parsons Brinckerhoff Quade & Douglas, Inc.
in association with
Cambridge Systematics, Inc.
NuStats International

February 2000

EXECUTIVE SUMMARY:
GENERAL FINAL REPORT
for the
RT-HIS: REGIONAL TRAVEL - HOUSEHOLD INTERVIEW SURVEY

Prepared for the
New York Metropolitan Transportation Council
and the
North Jersey Transportation Planning Authority, Inc.

February 2000

NYMTC Transportation Models and Data Initiative: Task 12.6
NJTPA Regional Household Interview Survey: NJTPA Component

PRIME CONSULTANT: PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC.
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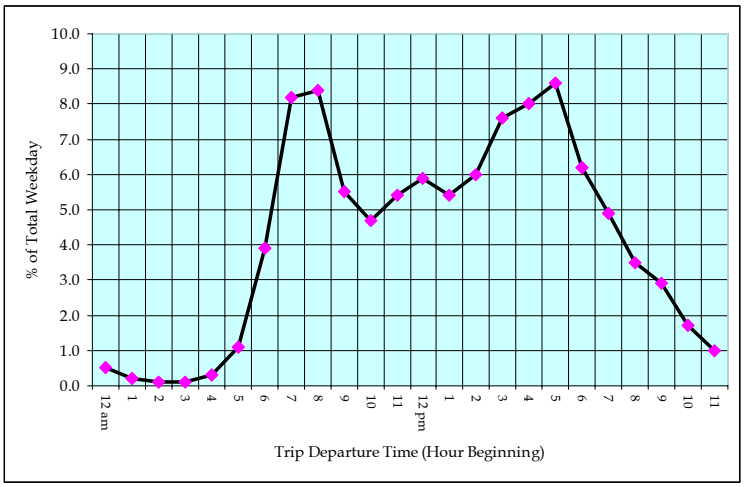
Austin, TX 78746

This study is funded by a matching grant from the Federal Highway Administration, under NYSDOT PIN PT 1923.895, FHWA Grant PL100T (03) and NJDOT Agreement 93-TC-NJI-CO48, FHWA Agreement PL 0850011025, and Federal Transit Administration Grant PL NJ80X01000.

Focus on Auto Trips

- The two peak travel times for auto trips made by area residents peak in the morning between 8 and 9 am, and in the afternoon between 5 and 6 pm.

Diurnal Distribution - Hour of Departing - Auto Weekday Trips

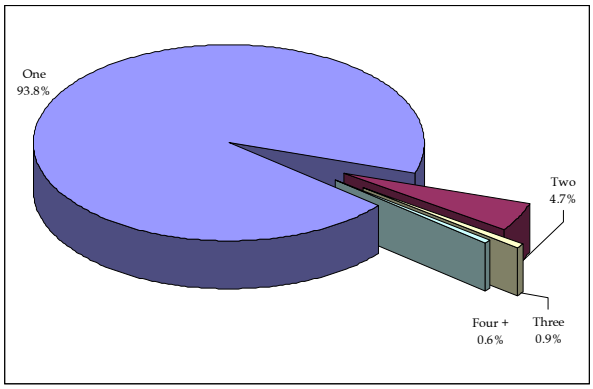


- The average auto vehicle trip is 8.7 miles long, and takes 21.0 minutes to complete at an average travel speed of 23.3 miles per hour.
- Auto trips in New York City are shorter (7.7 miles), but slower (16.4 mph) and take longer in time (27.5 minutes).
- About one-quarter (29.3%) of auto trips in the region are in the 1-3 mile range, about one-fifth (19.0%), in the 5-10 mile range, and one-tenth (9.6%) between 3 and 5 miles in length.
- New York City accounts for about 15% (4.0% Manhattan; 11.1% other NYC) of regional Vehicle Miles of Travel (VMT) by accounted for by area residents' automobiles.
- Trips from Long Island account for about 18% of VMT.
- The three counties of Middlesex, Morris, and Somerset in New Jersey represent about 13% of the total of auto VMT in the region.
- About 21% is associated with relatively long trips – 30 to 60 miles in length.
- Vehicle occupancy rates are reasonably uniform across the region, with most counties fairly close to the regional average of 1.40 persons per car for weekday travel.
- Vehicle occupancy rates are lower than average for trips in the longer trips in the 10 to 60 mile range (1.29 to 1.23). They are highest (1.52) for the very shortest trips under a mile and for the longest trips over 60 miles in length.
- For work travel, vehicle occupancy across the region is close to the average of 1.10.

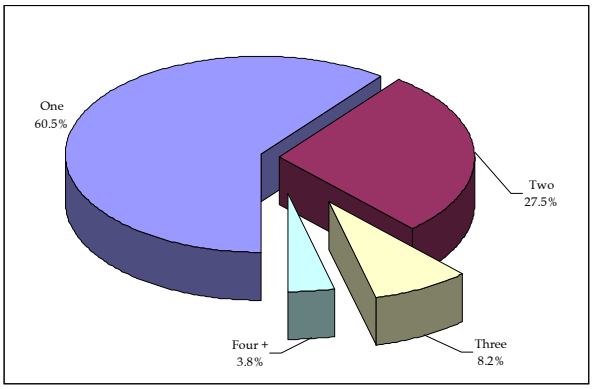
- Similarly, there is not a great deal of variation for non-work travel from the regional average of 1.57 persons per vehicle.
- About three-quarters (72.5%) of weekday auto trips are made as single occupant, or driver only trips; about one in five (19.2%) with a single passenger, and only 8.3% representing "HOV" auto trips with 3 or more occupants.
- Single Occupant Vehicle (SOV) auto trip shares generally increase with trip distance, and are the highest for work travel in the region at 93.7%.

Distribution of Auto Trips – by Number of Occupants

Work Trips



Other (non-Work) Trips



APPENDIX B

DETAILED TRIP GENERATION TABLES

FOR PROJECTED DEVELOPMENT SITES

Site 1

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		91 DU		0 gsf		3,185 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		74		0		6		0		0		0		0		80	
Midday	0		0		38		0		38		0		0		0		0		76	
PM	0		0		82		0		20		0		0		0		0		102	
Saturday	0		0		70		0		24		0		0		0		0		94	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	1	3
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Subway	0	0	0	0	10	30	0	0	0	0	0	0	0	0	0	0	0	0	10	30
Bus	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Walk/Other	0	0	0	0	6	20	0	0	3	3	0	0	0	0	0	0	0	0	9	23
Total	0	0	0	0	18	56	0	0	3	3	0	0	0	0	0	0	0	0	21	59
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	0	0	10	10	0	0	0	0	0	0	0	0	0	0	0	0	10	10
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	7	7	0	0	18	18	0	0	0	0	0	0	0	0	25	25
Total	0	0	0	0	19	19	0	0	19	19	0	0	0	0	0	0	0	0	38	38
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	3	2	0	0	1	1	0	0	0	0	0	0	0	0	4	3
Taxi	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	1
Subway	0	0	0	0	26	16	0	0	0	0	0	0	0	0	0	0	0	0	26	16
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	0	0	18	12	0	0	9	9	0	0	0	0	0	0	0	0	27	21
Total	0	0	0	0	50	32	0	0	10	10	0	0	0	0	0	0	0	0	60	42
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	3	3
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	0	0	17	20	0	0	0	0	0	0	0	0	0	0	0	0	17	20
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	0	0	11	14	0	0	11	11	0	0	0	0	0	0	0	0	22	25
Total	0	0	0	0	32	38	0	0	12	12	0	0	0	0	0	0	0	0	44	50
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi (Balanced)	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
School Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	5	0	0	0	0	0	0	0	0	0	0	0	0	4	5
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
School Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	3	3	0	0	1	1	0	0	0	0	0	0	0	0	4	4
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	3	3
Taxi	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
School Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	4	0	0	1	1	0	0	0	0	0	0	0	0	5	5
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
School Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	3	3	0	0	1	1	0	0	0	0	0	0	0	0	4	4

Notes:
70% linked trip credit applied to local retail use.

Site 2

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		212 DU		0 gsf		20,527 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		172		0		38		0		0		0		0		210	
Midday	0		0		86		0		240		0		0		0		0		326	
PM	0		0		188		0		126		0		0		0		0		314	
Saturday	0		0		164		0		148		0		0		0		0		312	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	7	0	0	1	1	0	0	0	0	0	0	0	0	3	8
Taxi	0	0	0	0	1	4	0	0	0	0	0	0	0	0	0	0	0	0	1	4
Subway	0	0	0	0	22	70	0	0	0	0	0	0	0	0	0	0	0	0	22	70
Bus	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	1	3
Walk/Other	0	0	0	0	15	47	0	0	18	18	0	0	0	0	0	0	0	0	33	65
Total	0	0	0	0	41	131	0	0	19	19	0	0	0	0	0	0	0	0	60	150
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	2	0	0	7	7	0	0	0	0	0	0	0	0	9	9
Taxi	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Subway	0	0	0	0	23	23	0	0	1	1	0	0	0	0	0	0	0	0	24	24
Bus	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Walk/Other	0	0	0	0	16	16	0	0	110	110	0	0	0	0	0	0	0	0	126	126
Total	0	0	0	0	43	43	0	0	120	120	0	0	0	0	0	0	0	0	163	163
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	6	4	0	0	4	4	0	0	0	0	0	0	0	0	10	8
Taxi	0	0	0	0	3	2	0	0	1	1	0	0	0	0	0	0	0	0	4	3
Subway	0	0	0	0	63	40	0	0	1	1	0	0	0	0	0	0	0	0	64	41
Bus	0	0	0	0	2	1	0	0	1	1	0	0	0	0	0	0	0	0	3	2
Walk/Other	0	0	0	0	41	26	0	0	56	56	0	0	0	0	0	0	0	0	97	82
Total	0	0	0	0	115	73	0	0	63	63	0	0	0	0	0	0	0	0	178	136
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	4	5	0	0	4	4	0	0	0	0	0	0	0	0	8	9
Taxi	0	0	0	0	2	3	0	0	1	1	0	0	0	0	0	0	0	0	3	4
Subway	0	0	0	0	40	48	0	0	1	1	0	0	0	0	0	0	0	0	41	49
Bus	0	0	0	0	1	2	0	0	1	1	0	0	0	0	0	0	0	0	2	3
Walk/Other	0	0	0	0	27	32	0	0	67	67	0	0	0	0	0	0	0	0	94	99
Total	0	0	0	0	74	90	0	0	74	74	0	0	0	0	0	0	0	0	148	164
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	6	0	0	1	1	0	0	0	0	0	0	0	0	3	7
Taxi	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	1	3
Taxi (Balanced)	0	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Truck	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	0	0	7	11	0	0	1	1	0	0	0	0	0	0	0	0	8	12
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	6	6	0	0	0	0	0	0	0	0	7	7
Taxi	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi (Balanced)	0	0	0	0	2	2	0	0	2	2	0	0	0	0	0	0	0	0	4	4
Truck	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	0	0	4	4	0	0	8	8	0	0	0	0	0	0	0	0	12	12
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	5	3	0	0	3	3	0	0	0	0	0	0	0	0	8	6
Taxi	0	0	0	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	3	3
Taxi (Balanced)	0	0	0	0	3	3	0	0	2	2	0	0	0	0	0	0	0	0	5	5
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	8	6	0	0	5	5	0	0	0	0	0	0	0	0	13	11
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	3	0	0	3	3	0	0	0	0	0	0	0	0	5	6
Taxi	0	0	0	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	3	3
Taxi (Balanced)	0	0	0	0	3	3	0	0	2	2	0	0	0	0	0	0	0	0	5	5
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	5	6	0	0	5	5	0	0	0	0	0	0	0	0	10	11

Notes:
70% linked trip credit applied to local retail use.

Site 3

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-1,850 gsf		31 DU		0 gsf		236 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-4		26		0		0		0		0		0		0		22	
Midday	0		-6		14		0		4		0		0		0		0		12	
PM	0		-6		28		0		2		0		0		0		0		24	
Saturday	0		-2		24		0		2		0		0		0		0		24	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	-3	0	3	11	0	0	0	0	0	0	0	0	0	0	0	0	0	11
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-1	0	2	8	0	0	0	0	0	0	0	0	0	0	0	0	1	8
Total	0	0	-4	0	5	21	0	0	0	0	0	0	0	0	0	0	0	0	1	21
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-3	-3	3	3	0	0	2	2	0	0	0	0	0	0	0	0	2	2
Total	0	0	-3	-3	7	7	0	0	2	2	0	0	0	0	0	0	0	0	6	6
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Subway	0	0	-2	-3	9	6	0	0	0	0	0	0	0	0	0	0	0	0	7	3
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	-1	6	4	0	0	1	1	0	0	0	0	0	0	0	0	7	4
Total	0	0	-2	-4	17	11	0	0	1	1	0	0	0	0	0	0	0	0	16	8
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-1	-1	6	7	0	0	0	0	0	0	0	0	0	0	0	0	5	6
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	4	5	0	0	1	1	0	0	0	0	0	0	0	0	5	6
Total	0	0	-1	-1	11	13	0	0	1	1	0	0	0	0	0	0	0	0	11	13
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1

Notes:
70% linked trip credit applied to local retail use.

Site 4

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-5,315 gsf		58 DU		0 gsf		1,283 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-12		48		0		2		0		0		0		0		38	
Midday	0		-14		24		0		16		0		0		0		0		26	
PM	0		-14		52		0		8		0		0		0		0		46	
Saturday	0		-4		46		0		10		0		0		0		0		52	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	-8	0	6	20	0	0	0	0	0	0	0	0	0	0	0	0	-2	20
Bus	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Walk/Other	0	0	-2	0	4	13	0	0	1	1	0	0	0	0	0	0	0	0	3	14
Total	0	0	-12	0	11	37	0	0	1	1	0	0	0	0	0	0	0	0	0	38
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-1	-1	6	6	0	0	0	0	0	0	0	0	0	0	0	0	5	5
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-6	-6	5	5	0	0	8	8	0	0	0	0	0	0	0	0	7	7
Total	0	0	-7	-7	12	12	0	0	8	8	0	0	0	0	0	0	0	0	13	13
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	-1	-9	17	11	0	0	0	0	0	0	0	0	0	0	0	0	16	2
Bus	0	0	0	-1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	-1
Walk/Other	0	0	0	-2	11	7	0	0	4	4	0	0	0	0	0	0	0	0	15	9
Total	0	0	-1	-13	32	20	0	0	4	4	0	0	0	0	0	0	0	0	35	11
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	-2	-2	11	14	0	0	0	0	0	0	0	0	0	0	0	0	9	12
Bus	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Walk/Other	0	0	0	0	7	9	0	0	5	5	0	0	0	0	0	0	0	0	12	14
Total	0	0	-2	-2	20	26	0	0	5	5	0	0	0	0	0	0	0	0	23	29
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	1	3
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	-1	4	3	0	0	0	0	0	0	0	0	0	0	0	0	4	2
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3

Notes:
70% linked trip credit applied to local retail use.

Site 5

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		31,555 gsf		54 DU		0 gsf		-1,180 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		68		44		0		-2		0		0		0		0		110	
Midday	0		86		22		0		-14		0		0		0		0		94	
PM	0		80		48		0		-8		0		0		0		0		120	
Saturday	0		22		42		0		-8		0		0		0		0		56	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	6	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	7	2
Taxi	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	43	2	6	17	0	0	0	0	0	0	0	0	0	0	0	0	49	19
Bus	0	0	5	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	5	1
Walk/Other	0	0	10	1	4	12	0	0	-1	-1	0	0	0	0	0	0	0	0	13	12
Total	0	0	65	3	11	33	0	0	-1	-1	0	0	0	0	0	0	0	0	75	35
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	2	3	6	6	0	0	0	0	0	0	0	0	0	0	0	0	8	9
Bus	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	3
Walk/Other	0	0	34	38	4	4	0	0	-7	-7	0	0	0	0	0	0	0	0	31	35
Total	0	0	40	46	11	11	0	0	-7	-7	0	0	0	0	0	0	0	0	44	50
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	7	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	8
Taxi	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Subway	0	0	8	45	15	10	0	0	0	0	0	0	0	0	0	0	0	0	23	55
Bus	0	0	1	5	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	5
Walk/Other	0	0	2	10	11	7	0	0	-4	-4	0	0	0	0	0	0	0	0	9	13
Total	0	0	12	68	29	19	0	0	-4	-4	0	0	0	0	0	0	0	0	37	83
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	9	6	10	12	0	0	0	0	0	0	0	0	0	0	0	0	19	18
Bus	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	2	1	7	9	0	0	-4	-4	0	0	0	0	0	0	0	0	5	6
Total	0	0	13	9	19	23	0	0	-4	-4	0	0	0	0	0	0	0	0	28	28
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	5	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	6	2
Taxi	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	7	2	2	3	0	0	0	0	0	0	0	0	0	0	0	0	9	5
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	4	4	1	1	0	0	0	0	0	0	0	0	0	0	0	0	5	5
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	6	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	7
Taxi	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi (Balanced)	0	0	1	1	2	2	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	2	7	3	3	0	0	0	0	0	0	0	0	0	0	0	0	5	10
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	1	1	3	3	0	0	0	0	0	0	0	0	0	0	0	0	4	4

Notes:
70% linked trip credit applied to local retail use.

Site 6

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		62 DU		0 gsf		-3,373 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		50		0		-6		0		0		0		0		44	
Midday	0		0		26		0		-40		0		0		0		0		-14	
PM	0		0		56		0		-22		0		0		0		0		34	
Saturday	0		0		48		0		-24		0		0		0		0		24	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	0	0	6	20	0	0	0	0	0	0	0	0	0	0	0	0	6	20
Bus	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Walk/Other	0	0	0	0	4	15	0	0	-3	-3	0	0	0	0	0	0	0	0	1	12
Total	0	0	0	0	11	39	0	0	-3	-3	0	0	0	0	0	0	0	0	8	36
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	7	7	0	0	0	0	0	0	0	0	0	0	0	0	7	7
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	5	5	0	0	-19	-19	0	0	0	0	0	0	0	0	-14	-14
Total	0	0	0	0	13	13	0	0	-20	-20	0	0	0	0	0	0	0	0	-7	-7
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	1	0	0	-1	-1	0	0	0	0	0	0	0	0	1	0
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	0	0	18	12	0	0	0	0	0	0	0	0	0	0	0	0	18	12
Bus	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Walk/Other	0	0	0	0	12	8	0	0	-10	-10	0	0	0	0	0	0	0	0	2	-2
Total	0	0	0	0	34	22	0	0	-11	-11	0	0	0	0	0	0	0	0	23	11
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	0	0	12	13	0	0	0	0	0	0	0	0	0	0	0	0	12	13
Bus	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Walk/Other	0	0	0	0	8	10	0	0	-11	-11	0	0	0	0	0	0	0	0	-3	-1
Total	0	0	0	0	22	26	0	0	-12	-12	0	0	0	0	0	0	0	0	10	14
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	2	3
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	1	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	1	0	0	-1	-1	0	0	0	0	0	0	0	0	1	0
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	3	0	0	-1	-1	0	0	0	0	0	0	0	0	3	2
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	3	3	0	0	-1	-1	0	0	0	0	0	0	0	0	2	2

Notes:
70% linked trip credit applied to local retail use.

Site 7

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		30 DU		0 gsf		267 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		24		0		0		0		0		0		0		24	
Midday	0		0		12		0		4		0		0		0		0		16	
PM	0		0		28		0		2		0		0		0		0		30	
Saturday	0		0		24		0		2		0		0		0		0		26	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	0	0	3	10	0	0	0	0	0	0	0	0	0	0	0	0	3	10
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	2	7	0	0	0	0	0	0	0	0	0	0	0	0	2	7
Total	0	0	0	0	5	19	0	0	0	0	0	0	0	0	0	0	0	0	5	19
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	3	3	0	0	2	2	0	0	0	0	0	0	0	0	5	5
Total	0	0	0	0	6	6	0	0	2	2	0	0	0	0	0	0	0	0	8	8
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Subway	0	0	0	0	9	5	0	0	0	0	0	0	0	0	0	0	0	0	9	5
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	7	4	0	0	1	1	0	0	0	0	0	0	0	0	8	5
Total	0	0	0	0	18	10	0	0	1	1	0	0	0	0	0	0	0	0	19	11
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	6	7	0	0	0	0	0	0	0	0	0	0	0	0	6	7
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	4	5	0	0	1	1	0	0	0	0	0	0	0	0	5	6
Total	0	0	0	0	11	13	0	0	1	1	0	0	0	0	0	0	0	0	12	14
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1

Notes:
70% linked trip credit applied to local retail use.

Site 8

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-564 gsf		121 DU		0 gsf		400 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-2		98		0		2		0		0		0		0		98	
Midday	0		-2		50		0		6		0		0		0		0		54	
PM	0		-2		108		0		2		0		0		0		0		108	
Saturday	0		0		94		0		4		0		0		0		0		98	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	4	0	0	0	0	0	0	0	0	0	0	0	0	1	4
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Subway	0	0	-1	0	13	40	0	0	0	0	0	0	0	0	0	0	0	0	12	40
Bus	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Walk/Other	0	0	-1	0	9	27	0	0	1	1	0	0	0	0	0	0	0	0	9	28
Total	0	0	-2	0	24	74	0	0	1	1	0	0	0	0	0	0	0	0	23	75
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	0	0	13	13	0	0	0	0	0	0	0	0	0	0	0	0	13	13
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	-1	-1	9	9	0	0	3	3	0	0	0	0	0	0	0	0	11	11
Total	0	0	-1	-1	25	25	0	0	3	3	0	0	0	0	0	0	0	0	27	27
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	3	2	0	0	0	0	0	0	0	0	0	0	0	0	3	2
Taxi	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	1
Subway	0	0	0	-2	36	23	0	0	0	0	0	0	0	0	0	0	0	0	36	21
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	0	0	24	15	0	0	1	1	0	0	0	0	0	0	0	0	25	16
Total	0	0	0	-2	66	42	0	0	1	1	0	0	0	0	0	0	0	0	67	41
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	2	3
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Subway	0	0	0	0	23	27	0	0	0	0	0	0	0	0	0	0	0	0	23	27
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	0	0	15	19	0	0	2	2	0	0	0	0	0	0	0	0	17	21
Total	0	0	0	0	42	52	0	0	2	2	0	0	0	0	0	0	0	0	44	54
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	1	3
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi (Balanced)	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	6	0	0	0	0	0	0	0	0	0	0	0	0	4	6
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	4
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi (Balanced)	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	5	0	0	0	0	0	0	0	0	0	0	0	0	4	5

Notes:
70% linked trip credit applied to local retail use.

Site 9

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-30,144 gsf		279 DU		21,348 gsf		-20,672 gsf		-18,084 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-66		226		50		-38		-36		0		0		0		136	
Midday	0		-82		114		150		-242		-30		0		0		0		-90	
PM	0		-76		248		150		-128		-38		0		0		0		156	
Saturday	0		-20		214		218		-150		-4		0		0		0		258	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-6	0	3	9	5	3	-1	-1	-3	0	0	0	0	0	0	0	-2	11
Taxi	0	0	-1	0	2	5	3	2	0	0	0	0	0	0	0	0	0	0	4	7
Subway	1	1	-42	-2	29	92	8	5	0	0	-22	-3	0	0	0	0	0	0	-26	93
Bus	0	0	-4	0	1	3	4	2	0	0	-2	0	0	0	0	0	0	0	-1	5
Walk/Other	-1	-1	-10	-1	20	62	11	7	-18	-18	-5	-1	0	0	0	0	0	0	-3	48
Total	0	0	-63	-3	55	171	31	19	-19	-19	-32	-4	0	0	0	0	0	0	-28	164
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	3	3	12	10	-7	-7	0	0	0	0	0	0	0	0	7	5
Taxi	0	0	-1	-1	2	2	7	6	-1	-1	0	0	0	0	0	0	0	0	7	6
Subway	0	0	-2	-3	30	30	22	18	-1	-1	-1	-1	0	0	0	0	0	0	48	43
Bus	0	0	-2	-3	1	1	10	8	-1	-1	-1	-1	0	0	0	0	0	0	7	4
Walk/Other	0	0	-33	-35	21	21	32	25	-111	-111	-13	-13	0	0	0	0	0	0	-104	-113
Total	0	0	-39	-43	57	57	83	67	-121	-121	-15	-15	0	0	0	0	0	0	-35	-55
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-6	8	5	11	12	-4	-4	0	-3	0	0	0	0	0	0	14	4
Taxi	0	0	0	-1	5	3	6	7	-1	-1	0	0	0	0	0	0	0	0	10	8
Subway	0	0	-8	-42	81	52	19	21	-1	-1	-3	-23	0	0	0	0	0	0	88	7
Bus	0	0	-1	-5	3	2	8	10	-1	-1	0	-2	0	0	0	0	0	0	9	4
Walk/Other	0	0	-2	-10	54	35	26	30	-57	-57	-1	-6	0	0	0	0	0	0	20	-8
Total	0	0	-12	-64	151	97	70	80	-64	-64	-4	-34	0	0	0	0	0	0	141	15
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	5	6	20	17	-5	-5	0	0	0	0	0	0	0	0	19	17
Taxi	0	0	0	0	3	4	12	10	-1	-1	0	0	0	0	0	0	0	0	14	13
Subway	0	0	-8	-5	52	63	19	16	-1	-1	-1	-1	0	0	0	0	0	0	61	72
Bus	0	0	-1	-1	2	2	24	20	-1	-1	0	0	0	0	0	0	0	0	24	20
Walk/Other	0	0	-2	-1	35	42	44	36	-67	-67	-1	-1	0	0	0	0	0	0	9	9
Total	0	0	-12	-8	97	117	119	99	-75	-75	-2	-2	0	0	0	0	0	0	127	131
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-5	0	2	7	3	2	-1	-1	-3	0	0	0	0	0	0	0	-4	8
Taxi	0	0	-1	0	2	4	2	1	0	0	0	0	0	0	0	0	0	0	3	5
Taxi (Balanced)	0	0	-1	-1	5	5	2	2	0	0	0	0	0	0	0	0	0	0	6	6
Truck	0	0	0	0	1	1	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0
Total	0	0	-6	-1	8	13	5	4	-1	-1	-4	-1	0	0	0	0	0	0	2	14
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	2	2	6	5	-6	-6	0	0	0	0	0	0	0	0	1	0
Taxi	0	0	-1	-1	2	2	4	3	-1	-1	0	0	0	0	0	0	0	0	4	3
Taxi (Balanced)	0	0	-2	-2	3	3	5	5	-2	-2	0	0	0	0	0	0	0	0	4	4
Truck	0	0	-1	-1	1	1	0	0	0	0	-1	-1	0	0	0	0	0	0	-1	-1
Total	0	0	-4	-4	6	6	11	10	-8	-8	-1	-1	0	0	0	0	0	0	4	3
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-5	7	4	6	6	-3	-3	0	-3	0	0	0	0	0	0	9	-1
Taxi	0	0	0	-1	4	2	3	4	-1	-1	0	0	0	0	0	0	0	0	6	4
Taxi (Balanced)	0	0	-1	-1	4	4	6	6	-2	-2	0	0	0	0	0	0	0	0	7	7
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-2	-6	11	8	12	12	-5	-5	0	-3	0	0	0	0	0	0	16	6
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	3	3	7	6	-4	-4	0	0	0	0	0	0	0	0	5	4
Taxi	0	0	0	0	2	3	4	4	-1	-1	0	0	0	0	0	0	0	0	5	6
Taxi (Balanced)	0	0	0	0	4	4	6	6	-2	-2	0	0	0	0	0	0	0	0	8	8
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	-1	7	7	13	12	-6	-6	0	0	0	0	0	0	0	0	13	12

Notes:

70% linked trip credit applied to local retail use.

Site 10

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	23,736 gsf		0 gsf		157 DU		0 gsf		0 gsf		0 gsf		0 gsf		11,868 gsf		0 gsf			
Peak Hour Trips:																				
AM	208		0		128		0		0		0		0		100		0		436	
Midday	250		0		64		0		0		0		0		118		0		432	
PM	416		0		140		0		0		0		0		82		0		638	
Saturday	494		0		122		0		0		0		0		80		0		696	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	0	0	2	5	0	0	0	0	0	0	0	0	1	0	0	0	4	6
Taxi	2	2	0	0	1	3	0	0	0	0	0	0	0	0	3	2	0	0	6	7
Subway	20	18	0	0	16	52	0	0	0	0	0	0	0	0	37	23	0	0	73	93
Bus	7	6	0	0	1	2	0	0	0	0	0	0	0	0	3	2	0	0	11	10
Walk/Other	80	71	0	0	11	35	0	0	0	0	0	0	0	0	18	11	0	0	109	117
Total	110	98	0	0	31	97	0	0	0	0	0	0	0	0	62	38	0	0	203	233
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	0	0	2	2	0	0	0	0	0	0	0	0	1	1	0	0	4	4
Taxi	3	3	0	0	1	1	0	0	0	0	0	0	0	0	3	3	0	0	7	7
Subway	22	22	0	0	16	16	0	0	0	0	0	0	0	0	33	37	0	0	71	75
Bus	8	8	0	0	1	1	0	0	0	0	0	0	0	0	3	3	0	0	12	12
Walk/Other	91	91	0	0	12	12	0	0	0	0	0	0	0	0	16	18	0	0	119	121
Total	125	125	0	0	32	32	0	0	0	0	0	0	0	0	56	62	0	0	213	219
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	2	2	0	0	4	3	0	0	0	0	0	0	0	0	0	1	0	0	6	6
Taxi	4	4	0	0	3	2	0	0	0	0	0	0	0	0	1	3	0	0	8	9
Subway	37	37	0	0	45	29	0	0	0	0	0	0	0	0	17	33	0	0	99	99
Bus	12	12	0	0	2	1	0	0	0	0	0	0	0	0	1	3	0	0	15	16
Walk/Other	153	153	0	0	31	20	0	0	0	0	0	0	0	0	8	15	0	0	192	188
Total	208	208	0	0	85	55	0	0	0	0	0	0	0	0	27	55	0	0	320	318
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	5	5	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	8	8
Taxi	10	10	0	0	2	2	0	0	0	0	0	0	0	0	2	2	0	0	14	14
Subway	31	33	0	0	30	36	0	0	0	0	0	0	0	0	24	24	0	0	85	93
Bus	10	10	0	0	1	1	0	0	0	0	0	0	0	0	2	2	0	0	13	13
Walk/Other	186	194	0	0	20	24	0	0	0	0	0	0	0	0	11	13	0	0	217	231
Total	242	252	0	0	56	66	0	0	0	0	0	0	0	0	39	41	0	0	337	359
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	0	0	2	4	0	0	0	0	0	0	0	0	1	0	0	0	4	5
Taxi	1	1	0	0	1	2	0	0	0	0	0	0	0	0	2	1	0	0	4	4
Taxi (Balanced)	2	2	0	0	3	3	0	0	0	0	0	0	0	0	2	2	0	0	7	7
Truck	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	3	3	0	0	6	8	0	0	0	0	0	0	0	0	3	2	0	0	12	13
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	0	0	1	1	0	0	0	0	0	0	0	0	1	1	0	0	3	3
Taxi	2	2	0	0	1	1	0	0	0	0	0	0	0	0	2	2	0	0	5	5
Taxi (Balanced)	3	3	0	0	2	2	0	0	0	0	0	0	0	0	3	3	0	0	8	8
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	4	4	0	0	3	3	0	0	0	0	0	0	0	0	4	4	0	0	11	11
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	0	0	3	2	0	0	0	0	0	0	0	0	0	1	0	0	4	4
Taxi	3	3	0	0	2	2	0	0	0	0	0	0	0	0	1	2	0	0	6	7
Taxi (Balanced)	5	5	0	0	3	3	0	0	0	0	0	0	0	0	3	3	0	0	11	11
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	6	6	0	0	6	5	0	0	0	0	0	0	0	0	3	4	0	0	15	15
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	3	3	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	5	5
Taxi	6	6	0	0	2	2	0	0	0	0	0	0	0	0	1	1	0	0	9	9
Taxi (Balanced)	9	9	0	0	3	3	0	0	0	0	0	0	0	0	2	2	0	0	14	14
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	12	12	0	0	5	5	0	0	0	0	0	0	0	0	2	2	0	0	19	19

Notes:
70% linked trip credit applied to local retail use.

Site 12

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		45,930 gsf		44 DU		0 gsf		0 gsf		0 gsf		0 gsf		0 gsf		8,910 gsf			
Peak Hour Trips:																				
AM	0		100		36		0		0		0		0		0		2		138	
Midday	0		124		18		0		0		0		0		0		42		184	
PM	0		116		40		0		0		0		0		0		38		194	
Saturday	0		30		34		0		0		0		0		0		42		106	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	9	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	9	1
Taxi	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	64	3	5	15	0	0	0	0	0	0	0	0	0	0	1	0	70	18
Bus	0	0	7	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	7	1
Walk/Other	0	0	15	1	3	10	0	0	0	0	0	0	0	0	0	0	1	0	19	11
Total	0	0	96	4	8	28	0	0	0	0	0	0	0	0	0	0	2	0	106	32
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	4	2	5	3
Taxi	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Subway	0	0	4	4	6	6	0	0	0	0	0	0	0	0	0	0	9	4	19	14
Bus	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	2	8	6
Walk/Other	0	0	49	53	3	3	0	0	0	0	0	0	0	0	0	0	12	5	64	61
Total	0	0	60	64	9	9	0	0	0	0	0	0	0	0	0	0	29	13	98	86
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	10	1	1	0	0	0	0	0	0	0	0	0	0	1	4	4	15
Taxi	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	12	66	13	8	0	0	0	0	0	0	0	0	0	0	3	9	28	83
Bus	0	0	1	7	0	0	0	0	0	0	0	0	0	0	0	0	1	4	2	11
Walk/Other	0	0	3	14	10	6	0	0	0	0	0	0	0	0	0	0	4	12	17	32
Total	0	0	18	98	25	15	0	0	0	0	0	0	0	0	0	0	9	29	52	142
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	1	1	1	0	0	0	0	0	0	0	0	0	0	4	2	7	4
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	12	8	8	10	0	0	0	0	0	0	0	0	0	0	9	4	29	22
Bus	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	4	2	5	3
Walk/Other	0	0	3	2	6	7	0	0	0	0	0	0	0	0	0	0	12	5	21	14
Total	0	0	18	12	15	19	0	0	0	0	0	0	0	0	0	0	29	13	62	44
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	8	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	8	1
Taxi	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	10	2	1	2	0	0	0	0	0	0	0	0	0	0	0	0	11	4
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1	2	2
Taxi	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Taxi (Balanced)	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	5	5	0	0	0	0	0	0	0	0	0	0	0	0	1	1	6	6
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	9	1	1	0	0	0	0	0	0	0	0	0	0	0	1	3	11
Taxi	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	3	10	2	2	0	0	0	0	0	0	0	0	0	0	0	1	5	13
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	1	1	1	0	0	0	0	0	0	0	0	0	0	1	1	4	3
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	2	1	2	2	0	0	0	0	0	0	0	0	0	0	1	1	5	4

Notes:

70% linked trip credit applied to local retail use.

Site 13

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		124 DU		0 gsf		4,501 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		100		0		8		0		0		0		0		108	
Midday	0		0		50		0		54		0		0		0		0		104	
PM	0		0		110		0		28		0		0		0		0		138	
Saturday	0		0		96		0		32		0		0		0		0		128	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	4	0	0	0	0	0	0	0	0	0	0	0	0	1	4
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Subway	0	0	0	0	13	41	0	0	0	0	0	0	0	0	0	0	0	0	13	41
Bus	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Walk/Other	0	0	0	0	9	27	0	0	4	4	0	0	0	0	0	0	0	0	13	31
Total	0	0	0	0	24	76	0	0	4	4	0	0	0	0	0	0	0	0	28	80
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	2	2	0	0	0	0	0	0	0	0	3	3
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	0	0	13	13	0	0	0	0	0	0	0	0	0	0	0	0	13	13
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	0	0	9	9	0	0	25	25	0	0	0	0	0	0	0	0	34	34
Total	0	0	0	0	25	25	0	0	27	27	0	0	0	0	0	0	0	0	52	52
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	3	2	0	0	1	1	0	0	0	0	0	0	0	0	4	3
Taxi	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	1
Subway	0	0	0	0	36	23	0	0	0	0	0	0	0	0	0	0	0	0	36	23
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	0	0	25	16	0	0	13	13	0	0	0	0	0	0	0	0	38	29
Total	0	0	0	0	67	43	0	0	14	14	0	0	0	0	0	0	0	0	81	57
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	3	0	0	1	1	0	0	0	0	0	0	0	0	3	4
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Subway	0	0	0	0	23	28	0	0	0	0	0	0	0	0	0	0	0	0	23	28
Bus	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	0	0	16	19	0	0	15	15	0	0	0	0	0	0	0	0	31	34
Total	0	0	0	0	43	53	0	0	16	16	0	0	0	0	0	0	0	0	59	69
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	1	3
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi (Balanced)	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	6	0	0	0	0	0	0	0	0	0	0	0	0	4	6
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	2	2	0	0	0	0	0	0	0	0	3	3
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	3	3	0	0	2	2	0	0	0	0	0	0	0	0	5	5
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	3	3
Taxi	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	2	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	4	0	0	1	1	0	0	0	0	0	0	0	0	5	5
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	2	0	0	1	1	0	0	0	0	0	0	0	0	2	3
Taxi	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Taxi (Balanced)	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	5	0	0	1	1	0	0	0	0	0	0	0	0	5	6

Notes:
70% linked trip credit applied to local retail use.

Site 14

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-2,882 gsf		18 DU		0 gsf		30 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-6		16		0		0		0		0		0		0		10	
Midday	0		-8		8		0		0		0		0		0		0		0	
PM	0		-8		16		0		0		0		0		0		0		8	
Saturday	0		-2		14		0		0		0		0		0		0		12	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-4	0	2	8	0	0	0	0	0	0	0	0	0	0	0	0	-2	8
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-1	0	1	4	0	0	0	0	0	0	0	0	0	0	0	0	0	4
Total	0	0	-6	0	3	13	0	0	0	0	0	0	0	0	0	0	0	0	-3	13
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-4	-4	2	2	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
Total	0	0	-4	-4	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-1	-5	6	3	0	0	0	0	0	0	0	0	0	0	0	0	5	-2
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	-1	5	2	0	0	0	0	0	0	0	0	0	0	0	0	5	1
Total	0	0	-1	-7	11	5	0	0	0	0	0	0	0	0	0	0	0	0	10	-2
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-1	-1	4	5	0	0	0	0	0	0	0	0	0	0	0	0	3	4
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	2	3
Total	0	0	-1	-1	6	8	0	0	0	0	0	0	0	0	0	0	0	0	5	7
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Notes:
70% linked trip credit applied to local retail use.

Site 15

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		15 DU		0 gsf		-2,625 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		12		0		-6		0		0		0		0		6	
Midday	0		0		6		0		-32		0		0		0		0		-26	
PM	0		0		14		0		-16		0		0		0		0		-2	
Saturday	0		0		12		0		-20		0		0		0		0		-8	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	2	6	0	0	0	0	0	0	0	0	0	0	0	0	2	6
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	1	3	0	0	-3	-3	0	0	0	0	0	0	0	0	-2	0
Total	0	0	0	0	3	9	0	0	-3	-3	0	0	0	0	0	0	0	0	0	6
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	1	1	0	0	-15	-15	0	0	0	0	0	0	0	0	-14	-14
Total	0	0	0	0	3	3	0	0	-16	-16	0	0	0	0	0	0	0	0	-13	-13
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	5	3	0	0	0	0	0	0	0	0	0	0	0	0	5	3
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	4	2	0	0	-8	-8	0	0	0	0	0	0	0	0	-4	-6
Total	0	0	0	0	9	5	0	0	-8	-8	0	0	0	0	0	0	0	0	1	-3
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	2	2	0	0	-9	-9	0	0	0	0	0	0	0	0	-7	-7
Total	0	0	0	0	6	6	0	0	-10	-10	0	0	0	0	0	0	0	0	-4	-4
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	-1
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	-1

Notes:
70% linked trip credit applied to local retail use.

Site 16

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		15 DU		0 gsf		2,621 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		12		0		6		0		0		0		0		18	
Midday	0		0		6		0		32		0		0		0		0		38	
PM	0		0		14		0		16		0		0		0		0		30	
Saturday	0		0		12		0		20		0		0		0		0		32	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	2	5	0	0	0	0	0	0	0	0	0	0	0	0	2	5
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	1	4	0	0	3	3	0	0	0	0	0	0	0	0	4	7
Total	0	0	0	0	3	9	0	0	3	3	0	0	0	0	0	0	0	0	6	12
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	1	1	0	0	15	15	0	0	0	0	0	0	0	0	16	16
Total	0	0	0	0	3	3	0	0	16	16	0	0	0	0	0	0	0	0	19	19
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	6	3	0	0	0	0	0	0	0	0	0	0	0	0	6	3
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	3	2	0	0	8	8	0	0	0	0	0	0	0	0	11	10
Total	0	0	0	0	9	5	0	0	8	8	0	0	0	0	0	0	0	0	17	13
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	3	5	0	0	0	0	0	0	0	0	0	0	0	0	3	5
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	2	2	0	0	9	9	0	0	0	0	0	0	0	0	11	11
Total	0	0	0	0	5	7	0	0	10	10	0	0	0	0	0	0	0	0	15	17
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1

Notes:
70% linked trip credit applied to local retail use.

Site 20

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	9,872 gsf		20,044 gsf		173 DU		0 gsf		-1,200 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	86		44		140		0		-2		0		0		0		0		268	
Midday	104		54		70		0		-14		0		0		0		0		214	
PM	174		52		154		0		-8		0		0		0		0		372	
Saturday	206		14		134		0		-10		0		0		0		0		344	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	4	0	2	5	0	0	0	0	0	0	0	0	0	0	0	0	6	5
Taxi	1	1	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	2	4
Subway	8	7	28	1	18	57	0	0	0	0	0	0	0	0	0	0	0	0	54	65
Bus	3	2	3	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	7	4
Walk/Other	34	30	7	1	12	39	0	0	-1	-1	0	0	0	0	0	0	0	0	52	69
Total	46	40	42	2	34	106	0	0	-1	-1	0	0	0	0	0	0	0	0	121	147
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	1	1	2	2	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Taxi	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Subway	9	9	2	2	18	18	0	0	0	0	0	0	0	0	0	0	0	0	29	29
Bus	3	3	2	2	1	1	0	0	0	0	0	0	0	0	0	0	0	0	6	6
Walk/Other	38	38	21	21	13	13	0	0	-7	-7	0	0	0	0	0	0	0	0	65	65
Total	52	52	27	27	35	35	0	0	-7	-7	0	0	0	0	0	0	0	0	107	107
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	1	4	5	3	0	0	0	0	0	0	0	0	0	0	0	0	7	8
Taxi	2	2	0	0	3	2	0	0	0	0	0	0	0	0	0	0	0	0	5	4
Subway	16	16	5	30	50	32	0	0	0	0	0	0	0	0	0	0	0	0	71	78
Bus	5	5	1	3	2	1	0	0	0	0	0	0	0	0	0	0	0	0	8	9
Walk/Other	63	63	1	7	34	22	0	0	-4	-4	0	0	0	0	0	0	0	0	94	88
Total	87	87	8	44	94	60	0	0	-4	-4	0	0	0	0	0	0	0	0	185	187
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	2	2	1	1	3	4	0	0	0	0	0	0	0	0	0	0	0	0	6	7
Taxi	4	4	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	6	6
Subway	13	14	5	4	33	40	0	0	0	0	0	0	0	0	0	0	0	0	51	58
Bus	4	4	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	6	5
Walk/Other	78	81	1	1	22	26	0	0	-5	-5	0	0	0	0	0	0	0	0	96	103
Total	101	105	8	6	61	73	0	0	-5	-5	0	0	0	0	0	0	0	0	165	179
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	4	0	2	4	0	0	0	0	0	0	0	0	0	0	0	0	6	4
Taxi	1	1	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	2	3
Taxi (Balanced)	2	2	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	5	5
Truck	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	2	2	4	0	6	8	0	0	0	0	0	0	0	0	0	0	0	0	12	10
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Taxi	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Taxi (Balanced)	2	2	2	2	2	2	0	0	0	0	0	0	0	0	0	0	0	0	6	6
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	3	3	3	3	3	3	0	0	0	0	0	0	0	0	0	0	0	0	9	9
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	1	4	4	2	0	0	0	0	0	0	0	0	0	0	0	0	6	7
Taxi	1	1	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Taxi (Balanced)	2	2	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	5	5
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	3	3	1	4	7	5	0	0	0	0	0	0	0	0	0	0	0	0	11	12
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	1	1	1	1	2	2	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Taxi	3	3	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	5	5
Taxi (Balanced)	5	5	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	8	8
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	6	6	1	1	5	5	0	0	0	0	0	0	0	0	0	0	0	0	12	12

Notes:
70% linked trip credit applied to local retail use.

Site 22

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		47,772 gsf		0 DU		0 gsf		4,483 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		104		0		0		8		0		0		0		0		112	
Midday	0		130		0		0		52		0		0		0		0		182	
PM	0		120		0		0		28		0		0		0		0		148	
Saturday	0		32		0		0		32		0		0		0		0		64	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	10	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	1
Taxi	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Subway	0	0	66	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	66	3
Bus	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	0
Walk/Other	0	0	15	1	0	0	0	0	4	4	0	0	0	0	0	0	0	0	19	5
Total	0	0	99	5	0	0	0	0	4	4	0	0	0	0	0	0	0	0	103	9
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	0	0	0	0	2	2	0	0	0	0	0	0	0	0	3	3
Taxi	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Subway	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Bus	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Walk/Other	0	0	52	56	0	0	0	0	24	24	0	0	0	0	0	0	0	0	76	80
Total	0	0	63	67	0	0	0	0	26	26	0	0	0	0	0	0	0	0	89	93
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	10	0	0	0	0	1	1	0	0	0	0	0	0	0	0	3	11
Taxi	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	12	68	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12	68
Bus	0	0	1	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	7
Walk/Other	0	0	3	16	0	0	0	0	13	13	0	0	0	0	0	0	0	0	16	29
Total	0	0	18	102	0	0	0	0	14	14	0	0	0	0	0	0	0	0	32	116
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	1	0	0	0	0	1	1	0	0	0	0	0	0	0	0	3	2
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	13	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	9
Bus	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Walk/Other	0	0	3	2	0	0	0	0	15	15	0	0	0	0	0	0	0	0	18	17
Total	0	0	19	13	0	0	0	0	16	16	0	0	0	0	0	0	0	0	35	29
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	9	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	1
Taxi	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi (Balanced)	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	11	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11	3
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	1	1	0	0	0	0	2	2	0	0	0	0	0	0	0	0	3	3
Taxi	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Taxi (Balanced)	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Truck	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	5	5	0	0	0	0	2	2	0	0	0	0	0	0	0	0	7	7
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	9	0	0	0	0	1	1	0	0	0	0	0	0	0	0	3	10
Taxi	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	3	10	0	0	0	0	1	1	0	0	0	0	0	0	0	0	4	11
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	2	1	0	0	0	0	1	1	0	0	0	0	0	0	0	0	3	2
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	2	1	0	0	0	0	1	1	0	0	0	0	0	0	0	0	3	2

Notes:

70% linked trip credit applied to local retail use.

Site 23

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		15 DU		0 gsf		2,704 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		12		0		6		0		0		0		0		18	
Midday	0		0		6		0		32		0		0		0		0		38	
PM	0		0		14		0		18		0		0		0		0		32	
Saturday	0		0		12		0		20		0		0		0		0		32	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	2	6	0	0	0	0	0	0	0	0	0	0	0	0	2	6
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	1	3	0	0	3	3	0	0	0	0	0	0	0	0	4	6
Total	0	0	0	0	3	9	0	0	3	3	0	0	0	0	0	0	0	0	6	12
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	1	1	0	0	15	15	0	0	0	0	0	0	0	0	16	16
Total	0	0	0	0	3	3	0	0	16	16	0	0	0	0	0	0	0	0	19	19
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	6	3	0	0	0	0	0	0	0	0	0	0	0	0	6	3
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	3	2	0	0	8	8	0	0	0	0	0	0	0	0	11	10
Total	0	0	0	0	9	5	0	0	9	9	0	0	0	0	0	0	0	0	18	14
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	2	2	0	0	9	9	0	0	0	0	0	0	0	0	11	11
Total	0	0	0	0	6	6	0	0	10	10	0	0	0	0	0	0	0	0	16	16
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1

Notes:

70% linked trip credit applied to local retail use.

Site 24

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-5,380 gsf		37 DU		0 gsf		-306 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-12		30		0		-2		0		0		0		0		16	
Midday	0		-16		16		0		-4		0		0		0		0		-4	
PM	0		-14		34		0		-2		0		0		0		0		18	
Saturday	0		-4		28		0		-2		0		0		0		0		22	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	-8	0	4	13	0	0	0	0	0	0	0	0	0	0	0	0	-4	13
Bus	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	0
Walk/Other	0	0	-2	0	3	8	0	0	-1	-1	0	0	0	0	0	0	0	0	0	7
Total	0	0	-12	0	7	23	0	0	-1	-1	0	0	0	0	0	0	0	0	-6	22
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-1	-1	4	4	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-6	-8	4	4	0	0	-2	-2	0	0	0	0	0	0	0	0	-4	-6
Total	0	0	-7	-9	8	8	0	0	-2	-2	0	0	0	0	0	0	0	0	-1	-3
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Subway	0	0	-1	-9	11	7	0	0	0	0	0	0	0	0	0	0	0	0	10	-2
Bus	0	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1
Walk/Other	0	0	0	-2	8	5	0	0	-1	-1	0	0	0	0	0	0	0	0	7	2
Total	0	0	-1	-13	21	13	0	0	-1	-1	0	0	0	0	0	0	0	0	19	-1
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-3	-1	6	9	0	0	0	0	0	0	0	0	0	0	0	0	3	8
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	5	6	0	0	-1	-1	0	0	0	0	0	0	0	0	4	5
Total	0	0	-3	-1	12	16	0	0	-1	-1	0	0	0	0	0	0	0	0	8	14
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	-1	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	1
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1

Notes:
70% linked trip credit applied to local retail use.

Site 25

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-14,260 gsf		31 DU		0 gsf		444 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-32		26		0		2		0		0		0		0		-4	
Midday	0		-40		14		0		6		0		0		0		0		-20	
PM	0		-36		28		0		4		0		0		0		0		-4	
Saturday	0		-10		24		0		4		0		0		0		0		18	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-3	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-3	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	-21	-1	3	12	0	0	0	0	0	0	0	0	0	0	0	0	-18	11
Bus	0	0	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	0
Walk/Other	0	0	-5	0	2	7	0	0	1	1	0	0	0	0	0	0	0	0	-2	8
Total	0	0	-31	-1	5	21	0	0	1	1	0	0	0	0	0	0	0	0	-25	21
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Subway	0	0	-1	-1	4	4	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Bus	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Walk/Other	0	0	-16	-18	3	3	0	0	3	3	0	0	0	0	0	0	0	0	-10	-12
Total	0	0	-19	-21	7	7	0	0	3	3	0	0	0	0	0	0	0	0	-9	-11
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-3	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	-2
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Subway	0	0	-4	-20	9	6	0	0	0	0	0	0	0	0	0	0	0	0	5	-14
Bus	0	0	0	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2
Walk/Other	0	0	-1	-5	6	4	0	0	2	2	0	0	0	0	0	0	0	0	7	1
Total	0	0	-6	-30	17	11	0	0	2	2	0	0	0	0	0	0	0	0	13	-17
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-4	-3	6	7	0	0	0	0	0	0	0	0	0	0	0	0	2	4
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-1	-1	4	5	0	0	2	2	0	0	0	0	0	0	0	0	5	6
Total	0	0	-6	-4	11	13	0	0	2	2	0	0	0	0	0	0	0	0	7	11
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-3	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-3	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-3	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	-2	2
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi (Balanced)	0	0	-2	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-2	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-3	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	-2
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	-3	2	2	0	0	0	0	0	0	0	0	0	0	0	0	1	-1
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1

Notes:
70% linked trip credit applied to local retail use.

Site 26

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		0 gsf		44 DU		0 gsf		3,424 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		0		36		0		6		0		0		0		0		42	
Midday	0		0		18		0		40		0		0		0		0		58	
PM	0		0		40		0		22		0		0		0		0		62	
Saturday	0		0		34		0		26		0		0		0		0		60	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	0	0	5	15	0	0	0	0	0	0	0	0	0	0	0	0	5	15
Bus	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Walk/Other	0	0	0	0	3	10	0	0	3	3	0	0	0	0	0	0	0	0	6	13
Total	0	0	0	0	8	28	0	0	3	3	0	0	0	0	0	0	0	0	11	31
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	6	6	0	0	0	0	0	0	0	0	0	0	0	0	6	6
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	3	3	0	0	19	19	0	0	0	0	0	0	0	0	22	22
Total	0	0	0	0	9	9	0	0	20	20	0	0	0	0	0	0	0	0	29	29
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Subway	0	0	0	0	13	8	0	0	0	0	0	0	0	0	0	0	0	0	13	8
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	10	6	0	0	10	10	0	0	0	0	0	0	0	0	20	16
Total	0	0	0	0	25	15	0	0	11	11	0	0	0	0	0	0	0	0	36	26
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	0	0	8	10	0	0	0	0	0	0	0	0	0	0	0	0	8	10
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	6	7	0	0	12	12	0	0	0	0	0	0	0	0	18	19
Total	0	0	0	0	15	19	0	0	13	13	0	0	0	0	0	0	0	0	28	32
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	1	2
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	3	3
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	1	1	0	0	1	1	0	0	0	0	0	0	0	0	2	2
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	3	3

Notes:
70% linked trip credit applied to local retail use.

Site 27

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-20,300 gsf		81 DU		0 gsf		-6,435 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-44		66		0		-12		0		0		0		0		10	
Midday	0		-56		34		0		-76		0		0		0		0		-98	
PM	0		-52		72		0		-40		0		0		0		0		-20	
Saturday	0		-14		62		0		-46		0		0		0		0		2	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-4	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	-3	3
Taxi	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Subway	0	0	-29	-1	9	26	0	0	0	0	0	0	0	0	0	0	0	0	-20	25
Bus	0	0	-3	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-3	1
Walk/Other	0	0	-7	0	6	18	0	0	-6	-6	0	0	0	0	0	0	0	0	-7	12
Total	0	0	-43	-1	16	50	0	0	-6	-6	0	0	0	0	0	0	0	0	-33	43
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	1	1	0	0	-2	-2	0	0	0	0	0	0	0	0	-2	-2
Taxi	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-2	-2	9	9	0	0	0	0	0	0	0	0	0	0	0	0	7	7
Bus	0	0	-2	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
Walk/Other	0	0	-21	-23	6	6	0	0	-36	-36	0	0	0	0	0	0	0	0	-51	-53
Total	0	0	-27	-29	17	17	0	0	-38	-38	0	0	0	0	0	0	0	0	-48	-50
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-4	2	1	0	0	-1	-1	0	0	0	0	0	0	0	0	0	-4
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	-5	-30	24	15	0	0	0	0	0	0	0	0	0	0	0	0	19	-15
Bus	0	0	-1	-3	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	-2
Walk/Other	0	0	-1	-7	16	10	0	0	-19	-19	0	0	0	0	0	0	0	0	-4	-16
Total	0	0	-8	-44	44	28	0	0	-20	-20	0	0	0	0	0	0	0	0	16	-36
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	1	2	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	0
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Subway	0	0	-5	-5	15	18	0	0	0	0	0	0	0	0	0	0	0	0	10	13
Bus	0	0	-1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Walk/Other	0	0	-1	-1	10	12	0	0	-22	-22	0	0	0	0	0	0	0	0	-13	-11
Total	0	0	-8	-6	28	34	0	0	-23	-23	0	0	0	0	0	0	0	0	-3	5
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-4	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	-3	2
Taxi	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-4	0	3	4	0	0	0	0	0	0	0	0	0	0	0	0	-1	4
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	1	1	0	0	-2	-2	0	0	0	0	0	0	0	0	-2	-2
Taxi	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	-2	-2	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-3	-3	3	3	0	0	-2	-2	0	0	0	0	0	0	0	0	-2	-2
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-4	2	1	0	0	-1	-1	0	0	0	0	0	0	0	0	0	-4
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	-4	4	3	0	0	-1	-1	0	0	0	0	0	0	0	0	2	-2
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	1	1	0	0	-1	-1	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Taxi (Balanced)	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	-1	3	3	0	0	-1	-1	0	0	0	0	0	0	0	0	1	1

Notes:

70% linked trip credit applied to local retail use.

Site 28

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-4,000 gsf		28 DU		0 gsf		-17 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-10		24		0		0		0		0		0		0		14	
Midday	0		-12		12		0		0		0		0		0		0		0	
PM	0		-10		26		0		0		0		0		0		0		16	
Saturday	0		-4		22		0		0		0		0		0		0		18	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	-7	0	3	10	0	0	0	0	0	0	0	0	0	0	0	0	-4	10
Bus	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	0
Walk/Other	0	0	-1	0	2	7	0	0	0	0	0	0	0	0	0	0	0	0	1	7
Total	0	0	-10	0	5	19	0	0	0	0	0	0	0	0	0	0	0	0	-5	19
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	-6	-6	2	2	0	0	0	0	0	0	0	0	0	0	0	0	-4	-4
Total	0	0	-6	-6	6	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-1	-6	9	5	0	0	0	0	0	0	0	0	0	0	0	0	8	-1
Bus	0	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1
Walk/Other	0	0	0	-1	6	4	0	0	0	0	0	0	0	0	0	0	0	0	6	3
Total	0	0	-1	-9	16	10	0	0	0	0	0	0	0	0	0	0	0	0	15	1
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-3	-1	5	8	0	0	0	0	0	0	0	0	0	0	0	0	2	7
Bus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Walk/Other	0	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	4	4
Total	0	0	-3	-1	9	13	0	0	0	0	0	0	0	0	0	0	0	0	6	12
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1

Notes:
70% linked trip credit applied to local retail use.

Site 30

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-33,330 gsf		38 DU		0 gsf		-655 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-72		32		0		-2		0		0		0		0		-42	
Midday	0		-90		16		0		-8		0		0		0		0		-82	
PM	0		-84		34		0		-4		0		0		0		0		-54	
Saturday	0		-22		30		0		-6		0		0		0		0		2	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-7	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-7	1
Taxi	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Subway	0	0	-45	-2	4	14	0	0	0	0	0	0	0	0	0	0	0	0	-41	12
Bus	0	0	-5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-5	0
Walk/Other	0	0	-11	-1	3	9	0	0	-1	-1	0	0	0	0	0	0	0	0	-9	7
Total	0	0	-69	-3	7	25	0	0	-1	-1	0	0	0	0	0	0	0	0	-63	21
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Subway	0	0	-3	-3	5	5	0	0	0	0	0	0	0	0	0	0	0	0	2	2
Bus	0	0	-3	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-3	-2
Walk/Other	0	0	-36	-39	3	3	0	0	-4	-4	0	0	0	0	0	0	0	0	-37	-40
Total	0	0	-44	-46	8	8	0	0	-4	-4	0	0	0	0	0	0	0	0	-40	-42
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-7	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	-6
Taxi	0	0	0	-1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	-1
Subway	0	0	-8	-48	11	8	0	0	0	0	0	0	0	0	0	0	0	0	3	-40
Bus	0	0	-1	-5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-5
Walk/Other	0	0	-2	-11	7	5	0	0	-2	-2	0	0	0	0	0	0	0	0	3	-8
Total	0	0	-12	-72	20	14	0	0	-2	-2	0	0	0	0	0	0	0	0	6	-60
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-9	-6	8	9	0	0	0	0	0	0	0	0	0	0	0	0	-1	3
Bus	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Walk/Other	0	0	-2	-1	5	6	0	0	-3	-3	0	0	0	0	0	0	0	0	0	2
Total	0	0	-13	-9	14	16	0	0	-3	-3	0	0	0	0	0	0	0	0	-2	4
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-6	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-6	1
Taxi	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi (Balanced)	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Total	0	0	-8	-2	1	2	0	0	0	0	0	0	0	0	0	0	0	0	-7	0
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi (Balanced)	0	0	-2	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
Truck	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Total	0	0	-4	-4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-4	-4
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-6	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	-5
Taxi	0	0	0	-1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	-1
Taxi (Balanced)	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-2	-7	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	-5
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Notes:
70% linked trip credit applied to local retail use.

Site 31

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-44,200 gsf		42 DU		0 gsf		-382 gsf		0 gsf		-5,000 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-96		34		0		-2		0		-2		0		0		-66	
Midday	0		-120		18		0		-4		0		-2		0		0		-108	
PM	0		-112		38		0		-2		0		-2		0		0		-78	
Saturday	0		-30		32		0		-4		0		0		0		0		-2	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-9	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-9	1
Taxi	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Subway	0	0	-62	-3	4	15	0	0	0	0	0	0	-2	0	0	0	0	0	-60	12
Bus	0	0	-6	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-6	1
Walk/Other	0	0	-14	-1	3	9	0	0	-1	-1	0	0	0	0	0	0	0	0	-12	7
Total	0	0	-92	-4	7	27	0	0	-1	-1	0	0	-2	0	0	0	0	0	-88	22
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	-2	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
Subway	0	0	-3	-4	6	6	0	0	0	0	0	0	0	0	0	0	0	0	3	2
Bus	0	0	-3	-4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-3	-4
Walk/Other	0	0	-48	-52	3	3	0	0	-2	-2	0	0	-1	-1	0	0	0	0	-48	-52
Total	0	0	-57	-63	9	9	0	0	-2	-2	0	0	-1	-1	0	0	0	0	-51	-57
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-2	-9	1	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	-8
Taxi	0	0	0	-1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	-1
Subway	0	0	-11	-63	14	8	0	0	0	0	0	0	0	-1	0	0	0	0	3	-56
Bus	0	0	-1	-7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-7
Walk/Other	0	0	-3	-15	8	5	0	0	-1	-1	0	0	0	-1	0	0	0	0	4	-12
Total	0	0	-17	-95	24	14	0	0	-1	-1	0	0	0	-2	0	0	0	0	6	-84
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-2	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	0
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Subway	0	0	-12	-8	9	9	0	0	0	0	0	0	0	0	0	0	0	0	-3	1
Bus	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Walk/Other	0	0	-3	-2	5	6	0	0	-2	-2	0	0	0	0	0	0	0	0	0	2
Total	0	0	-18	-12	15	17	0	0	-2	-2	0	0	0	0	0	0	0	0	-5	3
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-8	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-8	1
Taxi	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi (Balanced)	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Total	0	0	-10	-2	1	2	0	0	0	0	0	0	0	0	0	0	0	0	-9	0
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	-2	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
Taxi (Balanced)	0	0	-3	-3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-3	-3
Truck	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Total	0	0	-5	-5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-5	-5
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-2	-8	1	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	-7
Taxi	0	0	0	-1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	-1
Taxi (Balanced)	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-3	-9	2	2	0	0	0	0	0	0	0	0	0	0	0	0	-1	-7
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-2	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	0
Taxi	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Taxi (Balanced)	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-2	-1	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	1

Notes:
70% linked trip credit applied to local retail use.

Site 32

Land Use:	Supermarket		Office		Residential		Destination Retail		Local Retail		Light Industrial		Warehouse		Medical Office		Community Center (Arts & Cultural)		Total	
Size/Units:	0 gsf		-29,887 gsf		29 DU		0 gsf		306 gsf		0 gsf		0 gsf		0 gsf		0 gsf			
Peak Hour Trips:																				
AM	0		-66		24		0		2		0		0		0		0		-40	
Midday	0		-82		12		0		4		0		0		0		0		-66	
PM	0		-76		26		0		2		0		0		0		0		-48	
Saturday	0		-20		22		0		2		0		0		0		0		4	
Person Trips:																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-6	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-6	1
Taxi	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Subway	0	0	-42	-2	3	10	0	0	0	0	0	0	0	0	0	0	0	0	-39	8
Bus	0	0	-4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-4	0
Walk/Other	0	0	-10	-1	2	7	0	0	1	1	0	0	0	0	0	0	0	0	-7	7
Total	0	0	-63	-3	5	19	0	0	1	1	0	0	0	0	0	0	0	0	-57	17
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Subway	0	0	-2	-3	3	3	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Bus	0	0	-2	-3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-3
Walk/Other	0	0	-33	-35	3	3	0	0	2	2	0	0	0	0	0	0	0	0	-28	-30
Total	0	0	-39	-43	6	6	0	0	2	2	0	0	0	0	0	0	0	0	-31	-35
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-6	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	-5
Taxi	0	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1
Subway	0	0	-8	-43	9	5	0	0	0	0	0	0	0	0	0	0	0	0	1	-38
Bus	0	0	-1	-5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-5
Walk/Other	0	0	-2	-9	6	4	0	0	1	1	0	0	0	0	0	0	0	0	5	-4
Total	0	0	-12	-64	16	10	0	0	1	1	0	0	0	0	0	0	0	0	5	-53
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subway	0	0	-8	-5	5	8	0	0	0	0	0	0	0	0	0	0	0	0	-3	3
Bus	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Walk/Other	0	0	-2	-1	4	4	0	0	1	1	0	0	0	0	0	0	0	0	3	4
Total	0	0	-12	-8	9	13	0	0	1	1	0	0	0	0	0	0	0	0	-2	6
Vehicle Trips :																				
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-5	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-5	1
Taxi	0	0	-1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	1
Taxi (Balanced)	0	0	-1	-1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-6	-1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	-5	1
MD	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Taxi (Balanced)	0	0	-2	-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-2	-2
Truck	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Total	0	0	-4	-4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-4	-4
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-5	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	-4
Taxi	0	0	0	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1
Taxi (Balanced)	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-1	-1
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-2	-6	1	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	-5
SAT	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	0	0	-1	-1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	0
Taxi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	-1	-1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	-1	0

Notes:
70% linked trip credit applied to local retail use.

APPENDIX 3

AIR QUALITY

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Memorandum

To:	New York City Department of City Planning
From:	Henry Kearney, AKRF, Inc.
Date:	March 4, 2021
Re:	SoHo/NoHo Rezoning
cc:	Robert White, Patrick Blanchfield, Samuel Nourieli (AKRF, Inc.)

The purpose of this memorandum is to describe the air quality analysis approach for the SoHo/NoHo Neighborhood Rezoning Environmental Impact Statement (EIS). The New York City Department of City Planning (DCP) is proposing a series of land use actions, including zoning map amendments and zoning text amendments, (the "Proposed Actions") to implement land use and zoning changes to better reflect existing neighborhood conditions, enhance mixed-use, create opportunities for housing including affordable housing, and celebrate the architectural character and creative legacy of the SoHo and NoHo neighborhoods. The Proposed Actions would affect an approximately 56-block, 146-acre area (Project Area) of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Project Area is roughly bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south, and Sixth Avenue, West Broadway, and Broadway to the west.

A total of 84 development sites (27 projected and 57 potential) have been identified in the Project Area. Under the reasonable worst-case development scenario (RWCDS) for the Proposed Actions. Under the RWCDS for the Proposed Actions, the total development expected to occur on the 27 projected development sites under the With Action condition would consist of approximately 2,001,545 gross square feet (gsf) of total floor area, including 1,674,689 gsf of residential floor area (1,683 dwelling units), 307,258 gsf of commercial uses, and 19,598 gsf of community facility uses.

The analysis year is 2031. In addition, there are 19 industrial source permits in the area that are assumed to be active and may need to be analyzed for their potential impacts to future residents of the Project Area.

This memorandum presents a summary of the methodology and assumptions to be used for the both the mobile and stationary source air quality analyses of the Proposed Actions.

MOBILE SOURCE ANALYSIS

The potential impacts from carbon monoxide (CO), and fine particulate matter less than 10 microns in diameter (PM_{10}) and less than 2.5 microns in diameter ($PM_{2.5}$) were evaluated due to vehicular traffic anticipated to be generated by the Proposed Actions. Based on the Transportation Planning Factors and Travel Demand Forecast Memorandum, it was determined that none of the intersections in the study area were found to result in a net incremental increase in traffic exceeding the *CEQR Technical Manual* threshold of 50 vehicles per hour for requiring a detailed traffic analysis. Consequently, projected vehicle trips generated by the Proposed Actions would not exceed the CO threshold of 170 vehicles in a peak hour at intersections in the study area. For PM_{10} and $PM_{2.5}$, the screening procedure outlined in the 2014 *City Environmental Quality Review (CEQR) Technical Manual* is used to determine whether the projected number of vehicles trips at an intersection exceeds thresholds based on heavy-duty diesel vehicle (HDDV) equivalents. The thresholds are as follows:

- 12 or more HDDV for paved roads with average daily traffic fewer than 5,000 vehicles;
- 19 or more HDDV for collector roads;
- 23 or more HDDV for principal and minor arterials; or
- 23 or more HDDV for expressways and limited access roads.

The worksheet referenced in Section 201 of the *CEQR Technical Manual* is utilized to calculate the equivalent number of HDDV equivalents at intersections in the traffic study area. The worksheet uses vehicle classification information based on the traffic data collected for the project, and assigns these classifications to vehicle categories using a table referenced in the *CEQR Technical Manual*[1]. Roadway classifications are determined by corridor at each intersection, based on NYCDOT functional class criteria and With Action traffic volumes.

Based on the results of the traffic study, which resulted in net incremental increases below 50 vehicles at intersection in the study area, no mobile source intersection analysis is required.

STATIONARY SOURCES

HEAT AND HOT WATER SYSTEMS

Projected and Potential Development Site Screening

The analysis of fossil fuel-fired heat and hot water systems of the proposed development sites will consider impacts following the screening procedures outlined in the *CEQR Technical Manual* to determine the potential for impacts on existing developments as well as "project-on-project impacts" for both projected and potential development sites. The nearest existing building and/or projected development of a similar or greater height will be analyzed as the potential receptor. Since information on the heat and hot water systems' design is not available, it will be assumed that exhaust stacks would be located three feet above roof height (as per the *CEQR Technical Manual*), and that No. 2 fuel oil or natural gas would be utilized. If the results pass the screening analysis, the proposed development site is determined to result in no potential significant adverse air quality impacts using No. 2 fuel oil or natural gas.

Refined Heat and Hot Water System Analysis

If the results fail the initial screening with No. 2 fuel oil and/or natural gas, a refined analysis would be performed for that development site using the AERMOD model. The AERMOD model calculates pollutant concentrations from one or more points (e.g., exhaust stacks) based on hourly meteorological data, and has the capability to calculate pollutant concentrations at locations where the plume from the exhaust stack is affected by the aerodynamic wakes and eddies (downwash) produced by nearby structures. The analyses of

[1] MOBILE6 Input Data Format Reference Tables, August 14, 2003.

potential impacts from exhaust stacks will made assuming stack tip downwash, urban dispersion and surface roughness length, and elimination of calms. AERMOD can be run with and without building downwash (the downwash option accounts for the effects on plume dispersion created by the structure the stack is located on, and other nearby structures). In general, modeling "without" building downwash produces higher estimates of pollutant concentrations when assessing the impact of elevated sources on elevated receptor locations. Therefore, since the AERMOD analysis will be performed to evaluate potential project-on-project and project-on-existing air quality impacts, the analysis will be performed using the AERMOD model with the no downwash option only.

Concentrations of nitrogen dioxide (NO_2), sulfur dioxide (SO_2, for sites where fuel oil was modeled), and particulate matter ($PM_{2.5}$) will be determined at affected sites.

Emission Estimates and Stack Parameters

Fuel consumption will be estimated based on procedures outlined in the *CEQR Technical Manual*. Using worst-case assumptions, fuel will be assumed to be No. 2 fuel oil for SO_2 and PM, and natural gas for NO_2.

Emission factors from the fuel oil and natural gas combustion sections of EPA's AP-42 will be used to calculate emission rates for the projected and potential development site's heat and hot water systems. Annual NO_2 concentrations from heating and hot water sources will be estimated using a NO_2 to NO_x ratio of 0.75, as described in EPA Guidance.[2]

One-hour average NO_2 concentration increments associated with the projected and potential development sites' hot water systems will be estimated using AERMOD model's Plume Volume Molar Ratio Method (PVMRM) module to analyze chemical transformation within the model. The PVMRM module incorporates hourly background ozone concentrations to estimate NO_x transformation within the source plume. Ozone concentrations will be obtained from NYSDEC for the IS52 monitoring station that is the nearest ozone monitoring station and has complete five years of hourly data available. An initial NO_2 to NO_x ratio of ten percent at the source exhaust stack will be assumed, which is considered representative for boilers.

The methodology used to determine the compliance of total one-hour NO_2 concentrations from the proposed sources with the one-hour NO_2 NAAQS will be based on adding the monitored background to modeled concentrations, as follows: hourly modeled concentrations from proposed sources will be first added to the seasonal hourly background monitored concentrations; then the highest combined daily one-hour NO_2 concentration will be determined at each receptor location and the 98th percentile daily one-hour maximum concentration for each modeled year calculated within the AERMOD model; finally the 98th percentile concentrations will be averaged over the latest five years.

Background Concentrations

To estimate the maximum expected pollutant concentration at a given location (receptor), the predicted impacts must be added to a background value that accounts for existing pollutant concentrations from other sources that are not directly accounted for in the model (see **Table 2**). To develop background levels, concentrations measured at the most representative NYSDEC ambient monitoring station over the latest available three-year period (2017–2019) will be used.

[2] https://www3.epa.gov/scram001/guidance/clarification/NO2_Clarification_Memo-20140930.pdf

Table 2
Background Pollutant Concentrations for Stationary Souce Analysis

Pollutant	Average Period	Location	Concentration (µg/m³)	NAAQS (µg/m³)
NO_2	Annual[1]	IS 52	32.3	100
	1-hour[2]		105.8	188
SO_2	1-hour[3]	IS 52	14.8	196
$PM_{2.5}$	24-hour	Division Street	19.67	35
PM_{10}	24-Hour[4]	Division Street	39.3	150

Notes:
[1] Annual average NO_2 background concentration is based on the highest value over three years of data.
[2] The One-Hour NO_2 background concentration is based on the maximum 98th percentile One-Hour NO_2 concentration averaged over three years of data.
[3] The One-Hour SO_2 background concentration is based on the maximum 99th percentile concentration averaged over three years of data.
[4] PM_{10} is based on the three-year highest value.
Source: New York State Air Quality Report Ambient Air Monitoring System, NYSDEC, 2017–2019.

$PM_{2.5}$ annual average impacts are assessed on an incremental basis and compared with the $PM_{2.5}$ *de minimis* criteria, without considering the annual background. Therefore the annual $PM_{2.5}$ background is not presented in the table. The $PM_{2.5}$ 24-hour average background concentration of 17.2 µg/m³ (based on the 2017 to 2019 average of 98th percentile concentrations measured at the Division Street monitoring station) will be used to establish the *de minimis* value for the 24-hour increment, consistent with the guidance provided in the *CEQR Technical Manual.*

Meteorological Data

The meteorological data set will consist of five consecutive years of meteorological data, with surface data collected at LaGuardia Airport (2015–2019), and concurrent upper air data collected at Brookhaven, New York. The meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevation over the five-year period. DEC-supplied meteorological data processed with the AERMET Version 19191 processor will be used for the refined modeling analysis.

Receptors

Receptors will be placed at elevated locations on all facades and at multiple elevations on buildings that are predicted to be potentially impacted based on the screening analysis, to identify maximum pollutant concentrations. Generally, receptors will be spaced at a three-meter interval vertically to represent individual floors of a building, while horizontally, receptor spacing will be a minimum of three meters and a maximum of 10 meters.

Determining the Significance of Air Quality Impacts

For the refined stationary source analysis, the exhaust stacks for the heat and hot water systems will be assumed to be located at the edge of the development massing closest to the receptor, unless the source and receptor were immediately adjacent to each other. In these cases, the stack will be assumed to be located at an initial distance of 10 feet from the nearest receptor. If a source could not meet the NAAQS or $PM_{2.5}$ *de minimis* criteria, the stack would then be set back in 10 foot (or similar) increments, until the source met the respective criteria. If necessary, further restrictive measures will be considered, including use of low NO_x burners, increasing stack heights, or a combination of these measures.

Predicted values will be compared with NAAQS for NO_2, SO_2 and PM_{10}, and the City's CEQR *de minimis* criteria for $PM_{2.5}$. In the event that violations of standards are predicted, an air quality E-designation (or other equivalent restriction, as appropriate) would be proposed for the site, describing the fuel and/or heat and hot water system exhaust stack restrictions that would be required to avoid a significant adverse air quality impact.

HEAT AND HOT WATER SYSTEM —CLUSTER ANALYSIS

A cumulative impact analysis will be performed for development sites with a similar height, located in close proximity to one another (i.e., site clusters). The proposed action area RWCDS development sites will be studied to determine cluster selection. Development sites will be evaluated for grouping based on the following criteria:

- Density and scale of development—determined by calculating development size of applicable development sites within a given area;
- Similarity of height—the analysis will consider building heights within 20 feet of each other as an applicable cluster; and
- Proximity to other buildings of a similar or greater height—the analysis will consider both existing buildings as well as No Build and proposed development sites.

Based on the criteria above, the following potential site cluster was identified for the air quality analysis under the RWCDS:

- Projected Development Site 28 and Potential Development Sites A, and GG;
- Projected Development Sites 24, 25, 26 and 27.

Figure 1 shows the location of the cluster to be analyzed.

The heat and hot water system cluster analysis will be performed using the EPA AERMOD Model The AERMOD analysis will be performed to identify impacts of SO_2, NO_2, and $PM_{2.5}$. Using information in the Air Quality Appendix of the *CEQR Technical Manual*, an estimate of the emissions from the cluster development's heat and hot water systems will be made. The appendix includes tables which can be used to estimate emissions based on the development size, type of fuel used and type of construction. Fuel consumption factors of 59.1 ft^3/ft^2-year and 0.43 gal/ft^2-year will be used for natural gas and fuel oil, respectively, for residential developments. For commercial developments, fuel consumption emission factors of 45.2 ft^3/ft^2-year for natural gas and 0.21 gal/ft^2-year for fuel oil will be used. Mixed-use developments will use the residential fuel consumption factors since they are more conservative. Short-term factors will be determined by using peak hourly fuel consumption estimates for heating and cooling systems.

Emission factors for each fuel will be obtained from the EPA *Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources*. The SO_2 emissions rates will be calculated based on a maximum fuel oil sulfur content of 0.0015 percent (based on use of ultra-low sulfur No. 2 oil) the fuel using the appropriate AP-42 formula.

Buildings within the cluster will be modeled individually since the AERMOD model is capable of analyzing impacts from multiple pollutant sources. The distance from the source clusters to the nearest buildings will be used in the modeling analysis. The analysis will focus on existing buildings or other projected or potential development sites which are of a similar or greater height compared to the source cluster.

The AERMOD analysis will initially be performed assuming No. 2 oil as the fuel type for the clusters. The results of the analysis will be added to background concentrations to determine whether impacts are below ambient air quality standards. If maximum predicted concentrations from a cluster are predicted to exceed a standard, the analysis will be performed using natural gas as the fuel type. In the event that violations of standards are predicted, an air quality E-designation would be proposed for the site, describing the fuel and/or exhaust stack restrictions that would be required to avoid a significant adverse air quality impact.

INDUSTRIAL SOURCE ANALYSIS

A summary of air permit information was developed in 2016, which was provided to AKRF by DCP, of potential process and manufacturing sources located within and around the rezoning area. AKRF will review the DEP permit data received from City Planning to determine which industrial sources are within 400 feet of a projected or potential development site. The permitted facilities will be geo-referenced to

identify those permits within a radius of 400 feet of the development sites. Any industrial sources beyond 400 feet of a projected or potential development site will be excluded from analysis.

Next, a review of the DEP Clean Air Tracking System Information permit database will be performed to identify any additional permits not already identified in the 2016 permit information.[3] These included more recently permitted emission sources.

The air quality analysis excludes industrial sources located at projected development sites since the Proposed Actions assume~~s~~ that all such sites would be redeveloped. However, for potential development sites, the industrial source analysis will be performed two ways, as follows:

- Assuming the site is developed, in which case the industrial source is not assumed to be operating in the Build Condition. In this case, potential air quality impacts from other industrial sources in the study area will be analyzed to evaluate their potential effects on the development site.
- Assuming the site is not developed, in which case the industrial source is assumed to be operating in the Build Condition, and its potential effects on other proposed development sites will be determined.

As shown in **Table 3**, a total of 19 permits were determined to be within 400 feet of at least one projected or potential development site, and not located on a projected development site. Therefore, these permits will be included in the industrial source analysis. Development sites will not be considered as receptors for the industrial source analysis if there are no industrial sources analyzed that are located within 400 feet of the site.

[3] DEP. *Clean Air Tracking System database*. https://a826-web01.nyc.gov/DEP.BoilerInformationExt. Accessed October 1, 2020.

Table 3
Industrial Source Permits

No.	Permit ID	Block	Lot	Address
1	PB023003	211	7501	9 Lispenard Street
2	PB052901	473	51	140 Grand Street
3	PB053001	473	51	140 Grand Street
4	PA054272	474	1	46 Greene Street
5	PA021097	474	1	50 Greene Street
6	PA029799	474	1	48 Greene Street
7	PA083589	475	7509	43 Wooster Street
8	PA043896	486	25	69 Greene Street
9	PA057490	486	25	69 Greene Street
10	PA009886	494	9	240 Mulberry Street
11	PA019185	498	7	561 Broadway
12	PA918985	498	7	561 Broadway
13	PA040692	498	15	547 Broadway
14	PA063466	510	7501	285 Lafayette Street
15	PA016388	530	24	35 Great Jones Street
16	PA016488	530	24	35 Great Jones Street
17	PA016588	530	24	35 Great Jones Street
18	PA048872	530	27	41 Great Jones Street
19	PA072484	546	21	8 Washington Place

Note:
(1) Air permit identified from DEP *Clean Air Tracking System database* for which more information is required from DEP. https://a826-web01.nyc.gov/DEP.BoilerInformationExt. Accessed October 1 and October 23, 2020.

Once the additional industrial permits are received, they will be reviewed to determine if any should be excluded from the analysis based on the type of operation. For example, emergency generators are not considered industrial sources of emissions; therefore, these sources would not be analyzed. In addition, some of the permits are for sources not considered a concern in terms of air toxics (e.g., dry cleaners with 4th generation controls). A subsequent field survey will be performed to confirm the operational status of the sites identified in the permit search, and to identify any additional sites that have sources of emissions that would warrant an analysis. If any such sources are identified; further consultation will be made with DCP to determine procedures for estimating emissions from these sources.

Table 4 summarizes the projected development sites proposed for the SoHo/NoHo Rezoning EIS, presenting whether industrial sources were identified within 400 feet of the site. **Table 5** summarizes the potential development sites proposed for the SoHo/NoHo Rezoning EIS. As seen in the tables, 16 of the projected development sites and 38 of the potential development sites are located within 400 feet from an industrial source. Therefore, these sites will be considered as receptors for the industrial source air quality analysis.

Table 4
Projected Development Sites

Site No.	Block	Lot(s)	Within 400 ft of an Industrial Source?
1	531	41, 42	Yes
2	531	17, 52, 56	Yes
3	522	41, 43	Yes
4	234	9, 11	Yes
5	227	20, 22	Yes
6	227	6, 7	Yes
7	227	1, 2	Yes
8	209	21, 26	No
9	208	13, 19, 20	No
10	207	5, 6, 7, 8, 10	No
12	545	48	No
13	531	37	Yes
14	529	35	Yes
15	510	33	Yes
16	485	28	Yes
20	476	73	Yes
21	476	56	Yes
22	476	1	No
23	475	61	Yes
24	235	29	No
25	208	4	No
26	208	1	No
27	207	20	No
28	482	27, 28	No
30	522	28	No
31	496	40	Yes
32	472	28	Yes

Table 5
Potential Development Sites

Site No.	Block	Lot(s)	Within 400 ft of an Industrial Source?
A	482	9	No
B	515	7	No
C	487	18	Yes
D	475	59	Yes
E	496	18	Yes
F	545	14	Yes
G	475	19	Yes
H	496	9	Yes
I	229	15	Yes
J	544	72	Yes
K	514	4	No
L	501	3	No
M	485	24	Yes
N	530	31	Yes
O	474	7501	Yes
P	514	1	No
Q	516	36, 37	No
S	232	3	Yes
T	232	10	Yes
U	473	5	Yes
V	228	111	Yes
W	498	1	Yes

Table 5
Potential Development Sites (cont'd)

Site No.	Block	Lot(s)	Within 400 ft of an Industrial Source?
X	513	25	Yes
Y	502	31	No
Z	488	23	No
AA	488	30	Yes
BB	531	3	Yes
CC	483	29	No
DD	516	25	No
EE	516	34, 35	No
GG	482	26	No
HH	499	6	Yes
II	230	44	No
JJ	513	33	Yes
KK	486	17	Yes
LL	483	8	No
MM	474	14	Yes
NN	514	24	No
OO	513	39	Yes
PP	497	15	Yes
QQ	474	19	Yes
RR	501	32	Yes
SS	475	22	Yes
TT	475	9	Yes
UU	473	7	Yes
VV	474	32	Yes
WW	483	14	Yes
XX	512	17	Yes
YY	500	16, 17	No
ZZ	230	3, 4	No
AAA	230	7, 8	No
BBB	487	28, 29	Yes
CCC	475	1, 3, 4	Yes
DDD	229	4, 5	Yes
EEE	544	5	No
FFF	474	26	Yes
GGG	484	3	Yes

A cumulative impact analysis will be performed for multiple sources that emit the same air contaminant. Predicted concentrations of these compounds will be compared to DEC DAR-1 guideline values for short-term (SGC) and annual (AGC) averaging periods. In the event that violations of standards are predicted, measures to reduce pollutant levels to within standards will be examined.

Potential cumulative impacts of multiple air pollutants will be determined based on the NYSDEC DAR-1 guidance document for non-carcinogenic compounds (Hazard Index Approach) and excess cancer risk per unit of population for carcinogenic compounds (Unit Risk Factors).

Hazard quotients/excess cancer risks are calculated by dividing the maximum modeled concentration of each pollutant by its respective AGC. The quotients are then summed together to calculate a multi-contaminant hazard index/cancer risk for each sensitive receptor, which are then compared to NYSDEC established criteria, i.e., less than a Hazard Index of 2.0 for non-carcinogenic compounds and 10 in a million excess cancer risk for carcinogenic compounds. The maximum hazard index and excess cancer risk indicate the worst-case scenario for potential impacts from non-carcinogenic and carcinogenic pollutants, respectively.

LARGE OR MAJOR SOURCES

A review of NYSDEC Title V permits and the EPA Envirofacts database was performed to identify any federal or state-permitted facilities. Existing large and major sources of emissions (i.e., sources having a Title V or State Facility Air Permit) within 1,000 feet of the development sites were identified. Two facilities were identified: the New York University Central Plant which has a Title V permit, and the Manhattan Criminal Court, which has a State Facility Air Permit.

An analysis of these sources will be performed to assess their potential effects on projected and potential development sites. Predicted criteria pollutant concentrations will be predicted using the AERSCREEN model compared with NAAQS for NO_2, SO_2, and PM_{10}, as well as the ***de minimis*** criteria for $PM_{2.5}$. In the event that an exceedance of a standard is predicted, a refined modeling analysis using the EPA AERMOD model will be performed.

APPENDIX 4

NOISE

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Memorandum

To:	New York City Department of City Planning
From:	Daniel Abatemarco / AKRF
Date:	April 19, 2021
Re:	SoHo NoHo Rezoning — Noise Monitoring Approach
cc:	Patrick Blanchfield, Robert White, Henry Kearney / AKRF

The purpose of this memorandum is to describe the noise analysis approach for the proposed development sites for the SoHo/NoHo Rezoning Environmental Impact Statement (EIS). A total of 84 development sites (27 projected and 57 potential) have been identified in the proposed rezoning area (the "Project Area"). Under the reasonable worst case development scenario (RWCDS) for the Proposed Actions, the total development expected to occur on the development sites under the With Action condition would consist of residential, commercial, light industrial, and community facility uses. The analysis year is 2031.

Following the lifting of New York City Department of Transportation's ban on traffic data collection, the Noise Monitoring Approach presented below has been revised to include collection of new noise measurements in the Project Area.

In terms of mobile sources, the number of vehicle trips generated by the Proposed Actions would be lower than the threshold that would require any detailed traffic analysis. Consequently, it is not expected that the Proposed Actions would generate sufficient traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of noise passenger car equivalents [Noise PCEs], which would be necessary to cause a 3 dBA increase in noise levels). Estimated project-generated trips will be compared to traffic volumes during noise level measurements. If the project-generated trips would not result in a doubling of Noise PCEs, significant adverse mobile source noise impacts are unlikely, and further assessment of noise from mobile sources is not warranted.

GENERAL NOISE ANALYSIS METHODOLOGY

This memorandum presents a summary of the proposed approach to the noise analysis for the Proposed Actions. Specifically, the proposed methodology includes the following:

- Selection of noise receptor locations;
- Establishment of existing ambient noise levels;
- Comparison of project-generated traffic volumes to traffic volumes counted during the noise level measurements (in Noise PCEs);

- Determination of noise levels in the future with the Proposed Actions based on expected background growth in vehicular traffic volumes;
- Calculation of total noise levels including adjacent stationary sources such as any playground adjacent to the development sites; and
- Determination of minimum necessary levels of building attenuation to provide acceptable interior noise levels at the development sites under guidelines contained in the 2020 *New York City Environmental Quality Review* (*CEQR) Technical Manual*.

SELECTION OF NOISE RECEPTOR LOCATIONS

As the first step in this process, a field visit was performed to identify potential noise receptor locations. According to AKRF's field observations, vehicular traffic, including buses, is the dominant noise source throughout the study area, although stationary sources (e.g., subway grates, playgrounds, building HVAC equipment) contribute to noise levels at some locations. It is expected that measurements from one monitoring location could apply to multiple sites along the same road corridor as well as to sites along similar road corridors.

A total of 16 receptor sites were selected for the noise analysis in the Project Area. The proposed noise receptor locations were selected based on the following three criteria: 1) locations of the projected and potential development sites under the RWCDS; 2) providing comprehensive geographic coverage across the study area in order to get a characterization of the ambient noise environment; and 3) existing neighborhood characteristics (e.g., along major commercial road corridors, bus routes, cobbled roadways, etc.).

NOISE MONITORING

AKRF plans to conduct a noise survey to measure existing noise levels at 16 locations in the rezoning area. Traffic counts will be included during all the measurements for the roadway immediately adjacent to each receptor site (for measurements at intersections, the traffic along the busier roadway will be counted). **Figure 1** shows the locations of the 16 noise receptor sites, and **Table 1** lists the noise receptor sites, the duration of measurements, and receptor locations.

Table 1
Proposed Noise Measurement Locations

Site	Location
1	Broadway between West 3rd Street and West 4th Street
2	Great Jones Street and Lafayette Street Intersection
3	Bowery between West 3rd Street and West 4th Street
4	East Houston Street and Lafayette Street Intersection
5	Lafayette Street between East Houston Street and Prince Street
6	Prince Street and Mercer Street Intersection
7	Spring Street and Crosby Street Intersection
8	Lafayette Street between Spring Street and Broome Street
9	Thompson Street between Watts Street and Grand Street
10	Grand Street and 6th Avenue Intersection
11	Grand Street and West Broadway Intersection
12	Canal Street and West Broadway Intersection
13	Broadway between Broome Street and Grand Street
14	Grand Street and Lafayette Street Intersection
15	Hester Street and Centre Street Intersection
16	Canal Street and Centre Street Intersection

Notes:
[1] Noise measurements will be conducted for 20 minutes during typical weekday AM, midday, and PM peak periods.

At all receptor sites, 20-minute spot noise measurements will be conducted during the typical weekday AM (7:00 AM—9:00 AM), midday (12:00 PM—2:00 PM), and PM (4:00 PM—6:00 PM) peak periods as well as a Saturday midday period (12:00 PM – 2:00 PM). All noise measurement locations will be approximately 5 feet above grade. Measurements will be performed according to noise measurement guidance contained in the *CEQR Technical Manual*. Weekday noise level measurements will only be collected between Tuesday and Thursday, and measurements will occur only on days when the noise measurement location is not within a Red or Orange Zone, indicating operation restrictions on schools, businesses and houses of worship according to New York State Cluster Action Initiative to address COVID Hot Spots.

Measurements will be performed using Class 1 Sound Level Meter (SLM) instruments according to ANSI Standard S1.4-2014. The SLMs will have laboratory calibration dates within one year of the date of the measurements. All measurement procedures will be based on the guidelines outlined in ANSI Standard S1.13-2005.

Additionally, it is also proposed that noise from air traffic would not be omitted during the noise measurements. This would ensure that the building attenuation requirements resulting from the analysis include contribution from all noise sources within the study area and ensure acceptable interior noise levels.

NOISE MEASUREMENT APPLICATION TO DEVELOPMENT SITES

Table 2 lists the SoHo/NoHo Rezoning development sites and the noise receptor sites upon which existing noise levels at each development site would be based.

Table 2

Noise Measurement Locations associated with Projected/Potential Development Sites

Development Site	Block	Lot(s)	Associated Noise Measurement Site(s)
Projected Development Sites			
1	531	41, 42	2
2	531	17, 52, 56	2
3	522	41, 43	4
4	234	9, 11	14
5	227	20, 22	11
6	227	6, 7	12
7	227	1, 2	12
8	209	21, 26	14, 16
9	208	13, 19, 20	15, 16
10	207	5, 6, 7, 8, 10	15
12	545	48	2
13	531	37	3
14	529	35	2
15	510	33	5
16	485	28	6
20	476	73	9,11
21	476	56	9
22	476	1	10
23	475	61	11
24	235	29	15
25	208	4	14
26	208	1	16
27	207	20	16
28	482	27, 28	8
30	522	28	2
31	496	40	7
32	472	28	14
Potential Development Sites			
A	482	9	7
B	515	7	11
C	487	18	11

D	475	59	11
E	496	18	6
F	545	14	1
G	475	19	6
H	496	9	7
I	229	15	6
J	544	72	2
K	514	4	6
L	501	3	11
M	485	24	6
N	530	31	2
O	474	7501	6
P	514	1	6
Q	516	36, 37	11
S	232	3	13
T	232	10	13
U	473	5	13
V	228	111	11
W	498	1	6
X	513	25	6
Y	502	31	11
Z	488	23	11
AA	488	30	11
BB	531	3	1
CC	483	29	7
DD	516	25	11
EE	516	34, 35	11
GG	482	26	8
HH	499	6	6
II	230	44	6
JJ	513	33	6
KK	486	17	7
LL	483	8	13
MM	474	14	6
NN	514	24	6
OO	513	39	6
PP	497	15	7, 13
QQ	474	19	6
RR	501	32	7
SS	475	22	6
TT	475	9	11
UU	473	7	13
VV	474	32	6, 13
WW	483	14	13
XX	512	17	6, 13
YY	500	16, 17	6
ZZ	230	3, 4	12
AAA	230	7, 8	12
BBB	487	28, 29	7
CCC	475	1, 3, 4	11
DDD	229	4, 5	6, 12
EEE	544	5	2
FFF	474	26	11
GGG	484	3	7

PLAYGROUND NOISE

Vesuvio Playground on Thompson Street at Spring Street and the Grand Canal Court on Thompson Street at Canal Street are located within the Project Area and would have the potential to contribute noise exposure

at adjacent proposed development sites. At each proposed development site with line of sight to these playgrounds, the maximum predicted level of vehicular traffic noise will be combined with playground noise levels projected to the development to determine a total level of noise exposure. **Table 3** shows measured maximum hourly playground boundary noise levels. These values are based upon measurements made at a series of New York City school playgrounds for the New York City School Construction Authority (SCA).[1]

Table 3
Playground Boundary Noise Leq(1) Noise Levels (dBA)

Early Childhood	Elementary Schools	Intermediate Schools	High Schools
71.5	71.4	71.0	68.2
Source: SCA Playground Noise Study, AKRF, Inc., October 23, 1992.			

Geometric spreading and the consequent dissipation of sound energy with increasing distance from the playground decreases noise levels at varying distances from the playground boundary. Based upon measurements and acoustical principles, hourly noise levels are assumed to decrease by the following values at the specified distances from the playground boundary: 4.8 dBA at 20 feet, 6.8 dBA at 30 feet, and 9.1 dBA at 40 feet. For all distances between 40 and 300 feet, a 4.5-dBA drop-off per doubling of distances from the playground boundary is assumed.

At each of the development sites that has a direct line of sight to Vesuvio Playground or Grand Canal Court, noise associated with the playground will be estimated using the Early Childhood playground boundary noise level (to conservatively represent children of any age using the playground) and the noise level reductions with distances as described above. Façade noise attenuation requirements at each development site with line of sight to the playground will be established based on the maximum projected vehicular traffic noise level combined with the playground noise level at the site. The $L_{10(1)}$ noise levels at locations where playground noise is the dominant source will be estimated as 3 dBA greater than $L_{eq(1)}$ noise levels.

FAÇADE NOISE ATTENUATION REQUIREMENTS

As shown in **Table 4**, the New York City *CEQR Technical Manual* has set noise attenuation quantities for buildings based on exterior $L_{10(1)}$ noise levels to maintain acceptable interior noise levels. The acceptable interior noise level thresholds for the EIS noise analysis will be 45 dBA or lower for residential or community facility uses and 50 dBA for commercial office uses, and are determined based on exterior $L_{10(1)}$ noise levels.

Table 4
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with the Proposed Project	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[A]	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	$36 + (L_{10} - 80)$[B] dBA

Notes:
[A] The above composite window-wall attenuation values are for community facility uses. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[B] Required attenuation values increase by 1 dBA increments for L_{10} values greater than 80 dBA.
Source: New York City Department of Environmental Protection.

Minimum façade noise attenuation ratings are established based on projected $L_{10(1)}$ noise levels in the future with the Proposed Actions. The projected future $L_{10(1)}$ noise levels comprise of a combination of vehicular traffic noise (as determined by projected measured levels to the analysis year using the vehicular traffic

[1] 2020 *CEQR Technical Manual,* Noise Appendix.

volume growth rates in Table 16-4 of the *CEQR Technical Manual* and the proportionality equation described in Section 332.1 of the *CEQR Technical Manual*) and stationary source noise from the surrounding uses.

APPENDIX 5

CONSTRUCTION

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Memorandum

To:	New York City Department of City Planning
From:	Kenny Mui, (AKRF, Inc.)
Date:	March 10, 2021
Re:	SoHo/NoHo Rezoning – Construction Air Quality Analysis Methodology
cc:	Henry Kearney, Robert White, Patrick Blanchfield (AKRF, Inc.)

The purpose of this memorandum is to summarize the methodology and assumptions to be used for the construction air quality analysis for the SoHo/NoHo Rezoning Environmental Impact Statement (EIS). The New York City Department of City Planning (DCP) is proposing a series of land use actions, including zoning map amendments and zoning text amendments, (the "Proposed Actions") to implement land use and zoning changes to better reflect existing neighborhood conditions, enhance mixed-use, create opportunities for housing including affordable housing, and celebrate the architectural character and creative legacy of the SoHo and NoHo neighborhoods. The Proposed Actions would affect an approximately 56-block, 146-acre area (Project Area) of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Project Area is generally bounded by Astor Place and Houston Street to the north; Bowery, Lafayette Street, and Baxter Street to the east; Canal Street to the south; and Sixth Avenue, West Broadway, and Broadway to the west.

A total of 84 development sites (26 projected and 58 potential) have been identified in the proposed rezoning area. The environmental analyses in the EIS will assume a construction period of nine years for the Proposed Actions, with all components complete and operational by 2031.

CONSTRUCTION AIR QUALITY ANALYSIS METHODOLOGY

Emissions from on-site construction equipment and on-road construction vehicles, as well as dust-generating construction activities, all have the potential to affect air quality. The analysis of potential construction air quality impacts will include an analysis of both on-site and on-road sources of air emissions, and the combined impact of both sources, where applicable.

In general, much of the heavy equipment used in construction is powered by diesel engines that have the potential to produce relatively high levels of nitrogen oxides (NO_x) and particulate matter (PM) emissions. Fugitive dust generated by construction activities is also a source of PM. Gasoline engines produce relatively high levels of carbon monoxide (CO). Since the United States Environmental Protection Agency (EPA) mandates the use of ultra-low sulfur diesel (ULSD) fuel for all highway and non-road diesel engines, sulfur oxides (SO_x) emitted from the Proposed Actions' construction activities would be negligible. Therefore, the pollutants to be analyzed for the construction period are nitrogen dioxide (NO_2)—which is

a component of NO_x that is a regulated pollutant, particles with an aerodynamic diameter of less than or equal to 10 micrometers (PM_{10}), particles with an aerodynamic diameter of less than or equal to 2.5 micrometers ($PM_{2.5}$), and carbon monoxide (CO). **Table 1** shows the pollutants to be analyzed in the construction air quality analysis and the corresponding averaging periods.

Table 1
Pollutants for Analysis and Averaging Periods

Pollutant	Averaging Period
$PM_{2.5}$	24-hour
	Annual Local and Neighborhood
PM_{10}	24-hour
NO_2	Annual
CO	1-hour
	8-hour

Concentrations will be predicted using dispersion models to determine the potential for air quality impacts during on-site construction activities and due to construction-generated traffic on local roadways. Concentrations for each pollutant of concern due to construction activities at each sensitive receptor will be predicted during the most representative worst-case time period.

The potential for significant adverse impacts will be determined by comparing modeled PM_{10}, NO_2, and CO concentrations to National Ambient Air Quality Standards (NAAQS), and modeled $PM_{2.5}$ and CO increments to applicable *de minimis* thresholds. If the analysis concludes that there is a potential for significant adverse impacts, specific control measures required to reduce the effects of construction and to eliminate any significant adverse air quality impacts will be identified.

The detailed approach for assessing the effect of construction activities resulting from the Proposed Actions on air quality is discussed further below.

DATA SOURCES

The New York City Department of City Planning (DCP) will develop a preliminary construction phasing schedule for all projected development sites for the With Action and No Action conditions. Subsequently, projections of the construction workforce, truck, and equipment projections will be developed based on similarly sized sites from a recent rezoning project (i.e., East Harlem Rezoning Final Environmental Impact Statement).

ON-SITE CONSTRUCTION ACTIVITY ASSESSMENT

Based on the preliminary construction schedule, the overall construction duration for each of the projected development sites is anticipated to be short-term (i.e., less than two years) in accordance with the *2020 City Environmental Quality Review (CEQR) Technical Manual,* with the exception of Projected Development Sites 2 (25 months duration) and 9 (27 months duration). Since Projected Development Site 9 is the largest projected development site under the rezoning and that it is anticipated to have the longest construction duration, Projected Development Site 9 is selected for dispersion modeling of one annual and short-term (i.e., 24-hour, 8-hour, and 1-hour) averaging periods. Projected Development Sites 24 and 25, which are located within one block of Projected Development Site 9 and is anticipated to have overlapping construction elements with Site 9 based on the preliminary construction schedule, will also be included in the dispersion modeling analysis. To determine which construction activities at Projected Development Site 9 constitute the worst-case periods for the pollutants of concern (PM, CO, NO_2), construction-related emissions will be calculated throughout the duration of construction on a rolling annual and peak day basis for $PM_{2.5}$. $PM_{2.5}$ is selected for determining the worst-case periods for all pollutants analyzed, because the ratio of predicted $PM_{2.5}$ incremental concentrations to impact criteria is anticipated to be higher than for other pollutants. Therefore, initial estimates of $PM_{2.5}$ emissions throughout the construction years will be used for determining the worst-case periods for analysis of all pollutants. Generally, emission patterns of PM_{10} and NO_2 would follow $PM_{2.5}$ emissions, since they are related to diesel engines by horsepower. CO

emissions may have a somewhat different pattern but would also be anticipated to be highest during periods when the most activity would occur.

Dispersion of the relevant air pollutants from the construction at Projected Development Site 9 during the identified peak periods, along with any construction elements at Projected Development Sites 24 and 25 during those peak periods, will then be analyzed. Broader conclusions regarding potential concentrations during other periods, which will not be modeled, will be presented as well, based on the multi-year emissions profiles and the reasonable worst-case period results.

Engine Emissions

The sizes, types, and number of units of construction equipment will be estimated based on the construction activity schedule as discussed in "Data Sources," above. Emission rates for NO_X, CO, PM_{10}, and $PM_{2.5}$ from truck engines will be developed using the EPA Motor Vehicle Emission Simulator (MOVES2014b) emission model. Emission factors for NO_x, CO, PM_{10}, and $PM_{2.5}$ from on-site construction engines will be developed using the NONROAD emission module included in the MOVES2014b emission model. The emission factor calculations will take into account any emissions reduction measures (i.e., the application of diesel particulate filters, etc.) that is required for the Proposed Actions.

On-Site Fugitive Dust

In addition to engine emissions, fugitive dust emissions from operations (e.g., excavation and transferring of excavated materials into dump trucks) will be calculated based on USEPA procedures delineated in AP-42 Table 13.2.3-1. Since construction is required to follow the New York City Air Pollution Control Code regarding construction-related dust emissions, a 50 percent reduction in particulate emissions from fugitive dust will be conservatively assumed in the calculation (dust control methods such as wet suppression would often provide at least a 50 percent reduction in particulate emissions).

Analysis Periods

The construction periods with activities closest to sensitive receptors (see "Receptor Locations" section below for a discussion of the receptor locations to be included in the analysis) as well as the most intense activities and highest emissions will be selected as the worst-case periods for analysis. The dispersion analysis will include modeling of the worst-case annual and worst-case short-term (i.e., 24-hour, 8-hour, and 1-hour) averaging periods, as identified in **Table 1**. The worst-case short-term and annual periods will be selected once the estimated construction activities have been developed and may include overlapping construction activities at different development sites. These periods will be selected based on the maximum construction intensity predicted and their proximity to nearby sensitive receptors (i.e., residential buildings).

Dispersion Modeling

Potential impacts from the Proposed Actions' construction sources will be evaluated using a refined dispersion model, the EPA/AMS AERMOD dispersion model. AERMOD is a state-of-the-art dispersion model, applicable to rural and urban areas, flat and complex terrain, surface and elevated releases, and multiple sources (including point, area, and volume sources). AERMOD is a steady-state plume model that incorporates current concepts about flow and dispersion in complex terrain and includes updated treatments of the boundary layer theory, understanding of turbulence and dispersion, and handling of terrain interactions.

Source Simulation

For short-term model scenarios (predicting concentration averages for periods of 24 hours or less), all stationary sources, such as compressors, cranes, or concrete trucks, which idle in a single location while unloading, will be simulated as point sources. Other engines, which would move around the site on any given day, will be simulated as area sources. For periods of eight hours or less (less than the length of a shift), it will be assumed that all engines would be active simultaneously. All sources with the exception of tower cranes would move around the site throughout the year and will therefore be simulated as area sources in the annual analyses.

Meteorological Data

The meteorological data set will consist of five consecutive years of latest available meteorological data to be provided by the New York State Department of Environmental Conservation (DEC): surface data collected at the nearest representative National Weather Service Station (La Guardia Airport) from 2015 to 2019 and concurrent upper air data collected at Brookhaven, New York. The meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevation over the five-year period. These data will be processed using the USEPA AERMET program to develop data in a format which can be readily processed by the AERMOD model.

Background Concentrations

To estimate the maximum expected total pollutant concentrations, the calculated impacts from the emission sources must be added to a background value that accounts for existing pollutant concentrations from other sources. The background levels are based on concentrations monitored at the nearest New York State Department of Environmental Conservation (NYSDEC) ambient air monitoring stations, as shown in **Table 2**.

Table 2
Maximum Background Pollutant Concentrations

Pollutant	Average Period	Location	Concentration	NAAQS
$PM_{2.5}$	24-hour	Division Street	19.7 µg/m^3	35 µg/m^3
	Annual	Division Street	9.6 µg/m^3	12 µg/m^3
PM_{10}	24-hour	Division Street	39.3 µg/m^3	150 µg/m^3
NO_2	Annual	IS 52	32.3 µg/m^3	100 µg/m^3
CO	1-hour	CCNY	2.5 ppm	35 ppm
	8-hour	CCNY	1.5 ppm	9 ppm
Source: New York State Air Quality Report Ambient Air Monitoring System, NYSDEC, 2017–2019.				

Receptor Locations

Receptors will be placed at locations that would be publicly accessible, at residential and other sensitive uses at both ground-level and elevated locations (e.g., residential windows), at adjacent sidewalk locations, at publically accessible open spaces, at the schools on the adjacent blocks, and at and at completed and occupied buildings at projected development sites where applicable. In addition, a ground-level receptor grid will be placed to enable extrapolation of concentrations throughout the study area at locations more distant from construction activities.

On-Road Sources

Since emissions from on-site construction equipment and on-road construction-related vehicles may contribute to concentration increments concurrently, on-road emissions adjacent to the construction sites will be included with the on-site dispersion analysis (in addition to on-site truck and non-road engine activity) to address all local project-related emissions cumulatively.

On-Road Vehicle Emissions

Vehicular engine emission factors will be computed using the EPA mobile source emissions model, MOVES2014b.[1] This emissions model is capable of calculating engine emission factors for various vehicle types, based on the fuel type (gasoline, diesel, or natural gas), meteorological conditions, vehicle speeds, vehicle age, roadway type and grade, number of starts per day, engine soak time, and various other factors that influence emissions, such as inspection maintenance programs. The inputs and use of MOVES incorporate the most current guidance available from NYSDEC.

[1] EPA, Motor Vehicle Emission Simulator (MOVES), User Guide for MOVES2014a, November 2015.

On-Road Dust Emissions

$PM_{2.5}$ emission rates will be determined with fugitive road dust to account for their impacts. However, fugitive road dust will not be included in the annual average $PM_{2.5}$ microscale analyses, as per the 2014 *City Environmental Quality Review* (*CEQR) Technical Manual* guidance used for mobile source analysis. Road dust emission factors will be calculated according to the latest procedure delineated by EPA.[2] An average weight of 17.5 tons and 2.5 tons will be assumed for construction trucks and worker vehicles in the analyses, respectively.

Traffic Data

Traffic data for the air quality analysis will be derived from existing traffic counts, projected future growth in traffic, and other information developed as part of the construction traffic analysis for the Proposed Actions.

Impact Criteria

The *CEQR Technical Manual* states that the significance of a predicted consequence of a project (i.e., whether it is material, substantial, large or important) should be assessed in connection with its setting (e.g., urban or rural), its probability of occurrence, its duration, its irreversibility, its geographic scope, its magnitude, and the number of people affected.[3] In terms of the magnitude of air quality impacts, any action predicted to increase the concentration of a criteria air pollutant to a level that would exceed the concentrations defined by the NAAQS would be deemed to have a potential significant adverse impact. In addition, to maintain concentrations lower than the NAAQS in attainment areas, or to ensure that concentrations will not be significantly increased in non-attainment areas, threshold levels have been defined for certain pollutants; any action predicted to increase the concentrations of these pollutants above these thresholds would be deemed to have a potential significant adverse impact, even in cases where violations of the NAAQS are not predicted. Predicted concentrations from the modeling analysis will be compared with NAAQS for NO_2, SO_2, and PM_{10}, and the City's CEQR *de minimis* criteria for $PM_{2.5}$.

Potential Mitigation Measures

The analysis will assume all emissions reduction measures as required by law which include dust control measures and idling restrictions. In addition, any development sites that include City-owned parcels and/or receive financing from the City are subject to New York City Local Law 77 (LL77)[4] to further minimize the effects of construction on air quality. LL77 requires the use of ULSD fuel and Best Available Technology (BAT) for equipment at the time of construction. If the analysis concludes that there is a potential for significant adverse impacts, specific control measures required to reduce the effects of construction and to eliminate any significant adverse air quality impacts will be identified, such as locating large emissions sources and activities away from sensitive receptor locations to the extent practicable.

[2] EPA, Compilations of Air Pollutant Emission Factors AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources, Ch. 13.2.1, NC, http://www.epa.gov/ttn/chief/ap42, January 2011.

[3] New York City. *CEQR Technical Manual*. Chapter 1, Section 222. March 2014; and New York State Environmental Quality Review Regulations, 6 NYCRR § 617.7

[4] Local Law 77, adopted December 22, 2003, applies to all city-owned non-road diesel vehicles and engines and any privately owned diesel vehicles and engines used on construction projects funded by the City.

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Memorandum

To:	New York City Department of City Planning
From:	Daniel Abatemarco / AKRF
Date:	March 1, 2021
Re:	SoHo/NoHo Rezoning – Construction Noise Analysis Methodology
cc:	Henry Kearney, Robert White, Patrick Blanchfield / AKRF

The purpose of this memorandum is to describe the noise analysis approach for the SoHo/NoHo Rezoning Environmental Impact Statement (EIS). A total of 84 development sites (26 projected and 58 potential) have been identified in the proposed rezoning area (the "Project Area"). The environmental analyses in the EIS will assume a construction period of nine years for the Reasonable Worst Case Development Scenario (RWCDS) for the Proposed Actions, with all components complete and operational by 2031.

This memorandum presents a summary of the methodology and assumptions to be used for the construction noise analysis of the Proposed Actions.

CONSTRUCTION NOISE ANALYSIS METHODOLOGY

A detailed modeling analysis will be conducted to quantify potential construction noise effects at existing noise receptors (i.e., residences) near projected development sites as well as at completed and occupied projected development sites. A noise-sensitive receptor is defined in Chapter 19, Section 124, of the 2020 *City Environmental Quality Review* (*CEQR) Technical Manual,* and includes indoor receptors such as residences, hotels, health care facilities, nursing homes, schools, houses of worship, court houses, public meeting facilities, museums, libraries, theaters, and commercial offices. Outdoor sensitive receptors include parks, outdoor theaters, golf courses, zoos, campgrounds, and beaches. Using the construction schedule, two development sites will be analyzed for each stage of construction. The two sites will include the largest projected development site (i.e., Projected Development Site 9) and a typical projected development site (i.e., Projected Development Site 5). Projected Development Site 9 will be used to represent construction noise from projected development sites greater than 92,000 gsf (i.e., Projected Development Sites 1, 2, 8, 9, 10, 12, 13, and 20), and Projected Development Site 5 will be used to represent all other development sites.

CONSTRUCTION MOBILE SOURCE ANALYSIS

A Noise PCE screening will be conducted for construction mobile source noise. At each of the roadway segments analyzed for construction traffic, the construction worker vehicle and construction truck trips during the analysis hour will be converted to Noise PCEs and compared to the existing level of Noise PCEs

to determine whether there would be a potential doubling, which would result in an exceedance of CEQR construction noise screening thresholds (i.e., a 3 dBA increase in noise levels). The 6:00 AM to 7:00 AM hour will be selected as the analysis hour because this would be the hour when the highest number of worker vehicle and construction truck trips to and from the construction site would occur. At any receptor locations where a doubling of Noise PCEs would occur as a result of construction trips, noise levels during the 6:00 AM to 7:00 AM hour will be measured to establish a baseline, and the predicted noise level increment will be added to determine the total future noise level during the construction period.

Construction truck trips that would occur during the construction work day (i.e., after 7:00 AM) will be included in the modeling of construction noise as discussed below.

CONSTRUCTION NOISE MODELING

Noise effects from construction activities will be evaluated using the CadnaA model, a computerized model developed by DataKustik for noise prediction and assessment. The model can be used for the analysis of a wide variety of noise sources, including stationary sources (e.g., construction equipment, industrial equipment, power generation equipment), transportation sources (e.g., roads, highways, railroad lines, busways, airports), and other specialized sources (e.g., sporting facilities). The model takes into account the reference sound pressure levels of the noise sources at 50 feet, attenuation with distance, ground contours, reflections from barriers and structures, attenuation due to shielding, etc. The CadnaA model is based on the acoustic propagation standards promulgated in International Standard ISO 9613-2. This standard is currently under review for adoption by the American National Standards Institute (ANSI) as an American Standard. The CadnaA model is a state-of-the-art tool for noise analysis and is approved for construction noise level prediction by the *CEQR Technical Manual.*

Geographic input data used with the CadnaA model will include CAD drawings that define site work areas, adjacent building footprints and heights, locations of streets, and locations of sensitive receptors. For each analysis period, the geographic location and operational characteristics—including equipment usage rates (percentage of time operating at full power) for each piece of construction equipment operating at the projected development sites, as well as noise control measures—will be input to the model. The analysis will assume only the code-minimum noise control measures.

Construction equipment source strength will be determined by the L_{max} levels presented in Table 22-1 of the *CEQR Technical Manual.* For construction equipment not included in this table, manufacturer specifications or field measured noise levels will be used.

In addition, reflections and shielding by barriers erected on the construction site and shielding from adjacent buildings will be accounted for in the model. In addition, construction-related vehicles will be assigned to the adjacent roadways. The model will produce A-weighted $L_{eq(1)}$ noise levels at each receptor location for each analysis period, as well as the contribution from each noise source. The $L_{10(1)}$ noise levels will be conservatively estimated by adding 3 dBA to the $L_{eq(1)}$ noise levels, as is standard practice.[1]

ANALYSIS TIME PERIOD SELECTION

At each of the analyzed projected development sites, construction noise levels at the site will be analyzed for each major construction stage (i.e., excavation/foundation work, superstructure work, interior fit-out work, etc.). The noise emission levels and extent of potential impacts during each construction stage will be used to represent noise effects from the other projected development sites included under the Proposed Actions.

Based on the construction activities expected to occur during each month of the construction period over the build-out period according to the conceptual construction schedule, the month with the maximum potential to result in construction noise impact thresholds at nearby receptors will be identified (i.e., the

[1] Federal Highway Administration Roadway Construction Noise Model User's Guide, Page 15. http://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/rcnm.pdf

month during each year of the construction period when the maximum number of projected development sites are under construction).

This analysis will conservatively assume that the worst-case month of each year would represent the entire year, and the year will be modeled according to its peak month. To be conservative, the noise analysis will assume that both peak on-site construction activities and peak construction-related traffic conditions would occur simultaneously.

Table 1

Construction Noise Analysis Time Periods

Year	Month	Site(s)	Construction Phase
2023	January	13, 22	Demolition/Excavation/Foundation
2024	January	13, 22	Interior Fit-Out
2025	January	3, 10, 26	Demolition/Excavation/Foundation
2026	June	10	Interior Fit-Out
		14, 15	Demolition/Excavation/Foundation
2027	January	2, 6, 12, 20, 24, 25, 27	Demolition/Excavation/Foundation
		14, 15, 30, 31, 32	Interior Fit-Out
2028	January	1, 4, 5, 9, 28	Demolition/Excavation/Foundation
		2, 20	Building Superstructure/Exterior
		6, 12, 16, 24, 25, 27	Interior Fit-Out
2029	January	8	Demolition/Excavation/Foundation
		9	Building Superstructure/Exterior
		1, 2, 4, 5, 28	Interior Fit-Out
2030	January	7	Demolition/Excavation/Foundation
		8	Interior Fit-Out
2031	January	7	Interior Fit-Out

DETERMINATION OF NON-CONSTRUCTION NOISE LEVELS

Noise generated by construction activities (calculated using the CadnaA model as described above) will be added to noise generated by non-construction traffic on adjacent roadways to determine the total noise levels at each receptor location (including locations that represent projected development sites that would be completed and occupied during the construction period). Noise levels generated by existing-condition traffic will be used as non-construction noise levels to which construction noise levels will be added. Existing condition noise levels as established by the operational noise analysis for the Proposed Actions will be used to validate an existing condition CadnaA model. For areas where the CadnaA-calculated existing condition noise levels differ from existing condition noise levels as established by the operational noise analysis by more than 3 dBA, an adjustment factor will be determined and applied to all calculation points represented by point where the difference greater than 3 dBA is calculated.

CONSTRUCTION NOISE IMPACT CRITERIA

Chapter 22 of the *CEQR Technical Manual* breaks construction duration into “short-term” and “long-term” and states that construction noise is not likely to require analysis unless it “affects a sensitive receptor over a long period of time.” Consequently, the construction noise analysis considers the potential for construction of a project to create high noise levels (the “intensity”), whether construction noise would

occur for an extended period of time (the "duration"), and the locations where construction has the potential to produce noise ("receptors") in evaluating potential construction noise effects.

The noise impact criteria described in Chapter 19, Section 410, of the *CEQR Technical Manual* serve as a screening-level threshold for potential construction noise impacts. If construction of the proposed project would not result in any exceedances of these criteria at a given receptor, then that receptor would not have the potential to experience a construction noise impact. The screening level noise impact criteria for mobile and on-site construction activities are as follows:

- If the No Action noise level is less than 60 dBA $L_{eq(1)}$, a 5 dBA $L_{eq(1)}$ or greater increase would require further consideration.
- If the No Action noise level is between 60 dBA $L_{eq(1)}$ and 62 dBA $L_{eq(1)}$, a resultant $L_{eq(1)}$ of 65 dBA or greater would require further consideration.
- If the No Action noise level is equal to or greater than 62 dBA $L_{eq(1)}$, or if the analysis period is a nighttime period (defined in the CEQR criteria as being between 10 PM and 7 AM), the threshold requiring further consideration would be a 3 dBA $L_{eq(1)}$ or greater increase.

If construction of the proposed project would result in exceedances of these noise impact criteria at a receptor, then further consideration of the intensity and duration of construction noise is warranted at that receptor. Generally, exceedances of these criteria for 24 consecutive months or longer are considered to be significant impacts. Noise level increases that would be considered objectionable (i.e., greater than or equal to 15 dBA) lasting 12 consecutive months or longer and noise level increases considered very objectionable (i.e., greater than or equal to 20 dBA)[2] lasting 3 months or longer would also be considered significant impacts.

EVALUATION OF CONSTRUCTION NOISE LEVELS

The predicted exterior noise level increments during construction of the projected development sites selected for detailed analysis at the analyzed receptor sites (including projected development sites that would be completed and occupied during the construction period) will be compared to the construction noise impact thresholds described above. The maximum distance from each analyzed projected development site at which exceedances are expected to occur will be determined. Using these distances and the conceptual construction schedule, the noise-sensitive receptors that experience exceedances of these thresholds during the worst-case months as determined above will be graphically determined and reported. The significance of the exceedances will be determined based on the predicted magnitude and duration of the construction noise at these locations according to the criteria described above. Based on the incremental noise level increase, overall exterior noise levels will be determined for each analysis period and estimated interior noise levels will also be determined.

[2] Definition of "objectionable" and "very objectionable" noise level increases based on Table B from New York State Department of Environmental Conservation Assessing and Mitigating Noise Impacts policy manual, revised February 2001.

APPENDIX 6

RESPONSE

TO COMMENTS

A. INTRODUCTION

This appendix to the Final DSOW (FSOW) summarizes and responds to substantive comments received during the public comment period for the DSOW (DSOW), issued on October 28, 2020, for the Draft Environmental Impact Statement (DEIS) for the proposed SoHo/NoHo Neighborhood Plan.

City Environmental Quality Review (CEQR) requires a public scoping meeting as part of the environmental review process. Due to the COVID-19 pandemic, the public scoping meeting was held virtually. The virtual public scoping meeting was held on December 3, 2020. The comment period remained open until the close of business on December 18, 2020.

Section B lists the organizations and individuals that provided comments relevant to the DSOW. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DSOW. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. All written comments are included at the end of this appendix.

Where relevant, in response to comments on the DSOW, changes have been made and are shown with double underlines in the FSOW.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DSOW[1]

ELECTED OFFICIALS

1. Arthur Schwartz, Democratic District Leader, 66th Assembly District, oral testimony delivered December 3, 2020 (Schwartz_001)
2. Deborah Glick, Assemblymember, New York Assembly, oral testimony delivered December 3, 2020 (Glick_003), and letter dated December 3, 2020 (Glick_090)
3. Christopher Marte, State Committee Member, City Council's 65th Assembly District, oral testimony delivered December 3, 2020 (Marte_004)
4. Carlina Rivera, Councilwoman, New York City Council Member, letter dated December 18, 2020 (Rivera_NYCC_064)
5. Brad Hoylman, New York State Senator, letter dated December 18, 2020 (Hoylman_065)
6. Margaret S. Chin, Member, New York City Council, letter dated December 18, 2020 (Chin_161)

[1] Citations in parentheses refer to internal comment tracking annotations.

7. Gale A. Brewer, Manhattan Borough President, letter dated December 18, 2020 (Brewer_162)

COMMUNITY BOARDS

8. Carter Booth, Chair, Community Board 2, oral testimony delivered December 3, 2020 (Booth_CB2_002), and letter dated December 18, 2020 (Booth_CB2_072)
9. Frederica Sigel, Chair, Land Use and Housing Committee, Community Board 2, letter dated December 18, 2020 (Sigel_CB2_073)

ORGANIZATIONS AND BUSINESSES

10. Micki McGee, Founding Member, South Village Neighbors, oral testimony delivered December 3, 2020 (McGee_007), and letter dated December 18, 2020 (McGee_068)
11. Todd Fine, President, Washington Street Advocacy Group, oral testimony delivered December 3, 2020 (Fine_008), and letter dated November 30, 2020 (Fine_077)
12. Jeanne Wilcke, NoHo Neighborhood Association, oral testimony delivered December 3, 2020 (Wilcke_009), and two letters dated December 18, 2020 (Wilcke_066 and Wilcke_176)
13. Peg Breen, President, New York Landmarks Conservancy, oral testimony delivered December 3, 2020 (Breen_010), and letter dated December 18, 2020 (Breen_069)
14. Pete Davies, Residential Representative, Broadway Residents Coalition, oral testimony delivered December 3, 2020 (Davies_BRC_011), and letter dated December 18, 2020 (Davies_BRC_151)
15. Sean Sweeney, Director, SoHo Alliance, oral testimony delivered December 3, 2020 (Sweeney_013)
16. Steven Herrick, Executive Director, Cooper Square Committee, oral testimony delivered December 3, 2020 (Herrick_CSC_016), and letter dated December 16, 2020 (Herrick_CSC_142)
17. Lynn Ellsworth, Chair, Tribeca Trust; Co-Founder, Human Scale NYC, oral testimony delivered December 3, 2020 (Ellsworth_020), and letter dated December 3, 2020 (Ellsworth_092)
18. Mark Dicus, Executive Director, South Broadway Initiative, oral testimony delivered December 3, 2020 (Dicus_SBI_021), and letter dated December 18, 2020 (Dicus_SBI_152)
19. William Thomas, Open New York, oral testimony delivered December 3, 2020 (Thomas_022)
20. Andrew Berman, Executive Director, Village Preservation, oral testimony delivered December 3, 2020 (Berman_025), and letter dated December 18, 2020 (Berman_155)
21. Zella Jones, President, NoHo-Bowery Stakeholders, oral testimony delivered December 3, 2020 (Jones_034), and letter dated December 16, 2020 (Jones_067)
22. Sheena Kang, Senior Policy Analyst, Citizens Housing and Planning Council, oral testimony delivered December 3, 2020 (Kang_049), and letter dated December 8, 2020 (Kang_129)
23. Cordelia Persen, Executive Director, NoHo Business Improvement District, oral testimony delivered December 3, 2020 (Persen_BID_050), and letter dated December 18, 2020 (Persen_BID_164)
24. David Mulkins, President, Bowery Alliance of Neighbors, oral testimony delivered December 3, 2020 (Mulkins_053), and letters dated December 4, 2020 and December 18, 2020 (Mulkins_113, Mulkins_178)
25. Amelia Josephson, Board Member, Open New York, oral testimony delivered December 3, 2020 (Josephson_058), and letter dated December 3, 2020 (Josephson_111)
26. Michael Sutherland, Housing Rights Initiative, letter dated December 16, 2020 (Sutherland_070)

27. Laura D. Muscuch, Executive Director, The Supportive Housing Network of New York, letter dated December 18, 2020 (Muscuch_071)
28. Ed Somekh, Director, SoHo Broadway Alliance, letter dated December 2, 2020 (Somekh_086)
29. Loring McAlpin, Board President, 39 Great Jones Street Co-op, letter dated December 8, 2020 (McAlpin_124)
30. Board of Directors, American Institute of Architects New York, letter dated December 8, 2020 (AIANY_128)
31. Paimaan Lodhi, Senior Vice President, Policy and Planning, Real Estate Board of New York, letter dated December 9, 2020 (Lodhi_132)
32. Lynne Brown, Senior Vice President, University Relations and Public Affairs, New York University, letter dated December 16, 2020 (Brown_NYU_144)
33. Iliberth Popovits, Manager, MTA, letter dated December 17, 2020 (Popovits_MTA_148)
34. Richard J. Corman, President, Downtown Independent Democrats, letter dated December 17, 2020 (Corman_DID_149)
35. Anthony Borelli, Senior Vice President, Edison Properties, letter dated December 18, 2020 (Borelli_153)
36. Thomas E. Devaney, Senior Director, Land Use and Planning, Municipal Art Society of New York, letter dated December 18, 2020 (Devaney_MASNYC_163)
37. Open New York, letter dated December 18, 2020 (ONY_166)
38. Moses Gates, Vice President, Regional Plan Association, letter dated December 18, 2020 (Gates_RPA_169)
39. Mitchell Grubler, Chair, Landmarks Committee, Bowery Alliance of Neighbors, letter dated December 18, 2020 (Grubler_BAN_171)
40. Sujohn Sarkar, Managing Director, Asset Management, Trinity Church, letter dated December 18, 2020 (Sarkar_173)
41. Albert Laboz, United American Land, letter dated December 18, 2020 (Laboz_UAL_174)
42. Simeon Bankoff, Executive Director, Historic Districts Council, letter dated December 18, 2020 (Bankoff_177)

GENERAL PUBLIC

43. Jeannine Kiely, oral testimony delivered December 3, 2020 (Kiely_005)
44. Eliza Monte, oral testimony delivered December 3, 2020 (Monte_006)
45. Lora Tenenbaum, oral testimony delivered December 3, 2020 (Tenenbaum_012), and letters dated December 3, 2020 and December 18, 2020 (Tenenbaum_102, Tenenbaum_156)
46. Geraldine Scalia, oral testimony delivered December 3, 2020 (Scalia_014), and letter dated December 3, 2020 (Scalia_099)
47. Judith Ren-Lay, oral testimony delivered December 3, 2020 (Ren-Lay_015), and letter dated December 3, 2020 (Ren-Lay_107)
48. Amanda Yaggy, oral testimony delivered December 3, 2020 (Yaggy_017)
49. Emily Hellstrom, Co-op Board President, oral testimony delivered December 3, 2020 (Hellstrom_018), and letter dated December 18, 2020 (Hellstrom_172)
50. Stephen Smith, oral testimony delivered December 3, 2020 (Smith_019)
51. Casey Berkowitz, oral testimony delivered December 3, 2020 (Berkowitz_023)
52. Ankur Dalal, oral testimony delivered December 3, 2020 (Dalal_024)
53. Bo Riccobono, oral testimony delivered December 3, 2020 (Riccobono_026)
54. Timothy Burke, oral testimony delivered December 3, 2020 (Burke_027)

55. Ronnie Wolf, oral testimony delivered December 3, 2020 (Wolf_028), and letter dated December 3, 2020 (Wolf_097)
56. Stephen Slade, oral testimony delivered December 3, 2020 (Slade_029)
57. Benjamin Darche, oral testimony delivered December 3, 2020 (Darche_030), and letter dated December 7, 2020 (Darche_127)
58. Mandy, oral testimony delivered December 3, 2020 (Mandy_031)
59. Alexandr Neratoff, oral testimony delivered December 3, 2020 (Neratoff_032), and letter dated December 18, 2020 (Neratoff_168)
60. Michele Varian, oral testimony delivered December 3, 2020 (Varian_033)
61. Zella Jones, oral testimony delivered December 3, 2020 (Jones_034)
62. Nicole Weiler, oral testimony delivered December 3, 2020 (Weiler_035)
63. Pauline Augustine, oral testimony delivered December 3, 2020 (Augustine_036)
64. Jenny Low, District Leader, Lower Manhattan Chinatown, oral testimony delivered December 3, 2020 (Low_037)
65. Ingrid Wiegand, oral testimony delivered December 3, 2020 (Wiegand_038)
66. Darlene Lutz, oral testimony delivered December 3, 2020 (Lutz_039)
67. Sarah Walker, oral testimony delivered December 3, 2020 (Walker_040)
68. David Lawrence, oral testimony delivered December 3, 2020 (Lawrence_041)
69. Renee Monrose, oral testimony delivered December 3, 2020 (Monrose_042), and letters dated December 3, 2020 and December 12, 2020 (Monrose_096, Monrose 140)
70. M Feliciano, oral testimony delivered December 3, 2020(Feliciano_043)
71. Fredericka Foster-Shapiro, oral testimony delivered December 3, 2020 (Foster-Shapiro_044), and letter dated December 18, 2020 (Foster-Shapiro_157)
72. Daniel Cohen, oral testimony delivered December 3, 2020 (Cohen_045), and letter dated December 3, 2020 (Cohen_106)
73. Barry Holden, oral testimony delivered December 3, 2020 (Holden_046)
74. Denny Salas, oral testimony delivered December 3, 2020 (Salas_047), and letter dated December 3, 2020 (Salas_105)
75. Ken A, oral testimony delivered December 3, 2020 (Ken_A_048)
76. Ben Rotter, oral testimony delivered December 3, 2020 (Rotter_051)
77. Michelle Campo, oral testimony delivered December 3, 2020 (Campo_052)
78. Michael Lewyn, oral testimony delivered December 3, 2020 (Lewyn_054), and letter dated December 3, 2020 (Lewyn_103)
79. Spencer Heckwolf, oral testimony delivered December 3, 2020 (Heckwolf_055)
80. Dan Miller, oral testimony delivered December 3, 2020 (Miller_056)
81. Marna Lawrence, oral testimony delivered December 3, 2020 (Lawrence_057), and two letters dated December 17, 2020 (Lawrence_145, Lawrence_147)
82. Victoria Hillstrom, oral testimony delivered December 3, 2020 (Hillstrom_059)
83. Jonathan Lindenbaum, oral testimony delivered December 3, 2020 (Lindenbaum_060)
84. Anita, oral testimony delivered December 3, 2020 (Anita_061)
85. Anonymous, oral testimony delivered December 3, 2020 (Anonymous_062)
86. Bobbi Barnett, oral testimony delivered December 3, 2020 (Barnett_063)
87. Cameron Khajavi, letter dated November 23, 2020 (Khajavi_075)
88. Jana Adler, letters dated November 24, 2020 and December 3, 2020 (Adler_076, Adler_089)
89. Yvonne Fernandez, letter dated November 30, 2020 (Fernandez_076)
90. Jill Vexler, letter dated November 30, 2020 (Vexler_078)
91. Drew Johnston, letter dated December 1, 2020 (Johnston_079)
92. Samantha Chadwick, letter dated December 1, 2020 (Chadwick_080)

93. Dr. J. Mohorcich, letter dated December 1, 2020 (Mohorcich_081)
94. Shaked Koplewitz, letter dated December 2, 2020 (Koplewitz_082)
95. Margo Margolis, letter dated December 2, 2020 (Margolis_083)
96. Noyes Flood, letter dated December 2, 2020 (Flood_084, Knowles_091)
97. Anne Christensen, letter dated December 2, 2020 (Christensen_085)
98. Clarence Hahn, letter dated December 2, 2020 (Hahn_087)
99. Christopher Goode, letter dated December 3, 2020 (Goode_088)
100. Alison Knowles, letter dated December 3, 2020 (Knowles_091)
101. Madelynn Gingold, letter dated December 3, 2020 (Gingold_093)
102. Diane Kolyer, letter dated December 3, 2020 (Kolyer_094)
103. Leigh Behnke, letter dated December 3, 2020 (Behnke_095)
104. Jill Woodward, letter dated December 3, 2020 (Woodward_098)
105. Briar Winters, letter dated December 3, 2020 (Winters_100)
106. Benjamin Rubenstein, letter dated December 3, 2020 (Rubenstein_101)
107. Cushla Kelly, letter dated December 3, 2020 (Kelly_104)
108. Matthew Guttentag, letter dated December 4, 2020 (Guttentag_108)
109. Geoffrey Metz, letter dated December 4, 2020 (Metz_109)
110. Mike Cherepko, letter dated December 4, 2020 (Cherepko_110)
111. Meghan Heintz, letter dated December 4, 2020 (Heintz_112)
112. Jacob Baskin, letter dated December 4, 2020 (Baskin_114)
113. Bonnie Lynn, letter dated December 4, 2020 (Lynn_115)
114. Susan Fortgang, letters dated December 3, 2020 and December 15, 2020 (Fortgang_116, Fortgang_141)
115. Anne Levy, letter dated December 5, 2020 (Levy_117)
116. Max Livingston, letter dated December 5, 2020 (Livingston_118)
117. Joseph DiMondi, letter dated December 5, 2020 (DiMondi_119)
118. Anne Mitcheltree, letter dated December 6, 2020 (Mitcheltree_120)
119. Samir Lavingia, letter dated December 7, 2020 (Lavingia_121)
120. Alex and Vincent Katz, letter dated December 7, 2020 (Katz_122)
121. Naomi S. Antonakos, letter dated December 7, 2020 (Antonakos_123)
122. Vern Bergelin, letter dated December 7, 2020 (Bergelin_125)
123. Susan Keith, letter dated December 7, 2020 (Keith_126)
124. Jeremy Welsh-Loveman, letter dated December 8, 2020 (Welsh-Loveman_130)
125. Ian Orekondy, letter dated December 8, 2020 (Orekony_131)
126. Dennis Griffith, letter dated December 9, 2020 (Griffith_133)
127. Lee Slater, letter dated December 11, 2020 (Slater_134)
128. Patricia Ali, letter dated December 11, 2020 (Ali_135)
129. Sharon Packer, letter dated December 11, 2020 (Packer_136)
130. Patricia Sarnataro, letter dated December 11, 2020 (Sarnataro_137)
131. William P. Manfredi, letter dated December 11, 2020 (Manfredi_138)
132. Mary Clarke, letter dated December 12, 2020 (Clarke_139)
133. Jane Nelson, letter dated December 16, 2020 (Nelson_143)
134. Lee Smit, letter dated December 17, 2020 (Smit_146)
135. Patsy Ong, letter dated December 17, 2020 (Ong_150)
136. Rosalie Hronsky, letter dated December 18, 2020 (Hronsky_154)
137. Connie Murray, letter dated December 18, 2020 (Murray_158)
138. Eugenia Bone, letter dated December 18, 2020 (Bone_159)
139. Jose Torres, letter dated December 18, 2020 (Torres_160)

140. Ilana Haramati, letter dated December 18, 2020 (Harimati_165)
141. Jean Standish, letter dated December 18, 2020 (Standish_167)
142. Benjamin Carlos Thypin, letter dated December 18, 2020 (Thypin_175)
143. Lawrence Greenfield, letter dated December 18, 2020 (Greenfield_179)
144. Anonymous, letter dated December 19, 2020 (Anonymous_180)
145. Bill Rosser, letter dated December 23, 2020 (Rosser_181)

C. COMMENTS AND RESPONSES

COMMUNITY ENGAGEMENT, PUBLIC REVIEW, AND BACKGROUND

Comment 1: The proposed plan by DCP does not incorporate the recommendations or feedback provided by Envision SoHo/NoHo. Envision SoHo/NoHo held meetings that were attended prior to the pandemic and the plan includes input from multiple community groups and longtime artist-residents, residents, and businesses. Any rezoning plan for SoHo and NoHo must satisfy a number of key principles and objectives that the local community identified during the extensive 2019 SoHo NoHo Envision process, including to:

- Protect and preserve SoHo and NoHo's historic districts;
- Ensure and expand non-student, affordable housing;
- Minimize displacement in SoHo and NoHo and surrounding neighborhoods;
- Promote SoHo and NoHo mixed-use character, unique in the City for significant parts retail/commercial, office and residential; and
- Legalize and maintain existing housing units, preserve JLWQA and expand to categories of non-artists.

(Booth_CB2_072, Sigel_CB2_073, Kiely_005, Corman_DID_149, Keith_126, Davies_BRC_151, Wilcke_176, Brown_NYU_144, Darche_030)

Response: Public input received during the Envision SoHo NoHo process, public environmental scoping hearing, and ongoing community engagement sessions has been considered in DCP's proposed zoning changes for the neighborhood, including comments from the residents, and small business owners, and other stakeholders. The goals of the SoHo/NoHo Neighborhood Plan were developed following the issuance of the 2019 Envision SoHo/NoHo report and recommendations. Building on the foundational recommendations of the report, the neighborhood plan would replace the existing 50-year-old manufacturing districts (M1-5A and M1-5B) with a new special purpose mixed-use zoning district that would:

- Promote housing equity and income diversity in SoHo/NoHo;
- Support economic resiliency and strengthen mixed-use;
- Shape future development to enhance historic character and neighborhood context; and
- Celebrate SoHo/NoHo's evolving role in the arts and the city's creative economy.

The City, through DOT and DSNY, is considering non-zoning mechanisms to address quality of life and public realm issues affecting SoHo/NoHo. The public will have further opportunities to comment and shape the zoning proposal as it undergoes the public review process through ULURP. As part of the Neighborhood Plan and ULURP process, DCP will work with Community Board

2, local elected officials, and other stakeholders to conduct continue outreach and ensure public participation.

Comment 2: The EIS must be delayed until a third "community alternative plan option" is thoroughly vetted by a sincere community process, unlike the envision process that preceded the scoping report. The scoping report disregarded any of our inputs and concerns during the multi-month envision process and the many hours community participants provided in the spirit of cooperation with DCP… The EIS community plan option must have a democratically elected community task force that prepares the community plan side-by-side with DCP staff and elected official representatives. (Darche_127)

Response: The Proposed Actions identified in the Draft Scope were determined based on community feedback and recommendations put forward during the Envision SoHo/NoHo process. Alternatives to the zoning proposal that meet the purpose and need of the Proposed Actions will be considered in the DEIS.

Comment 3: CPC's specifically excludes from the proposed zoning actions the improvement and support of "public realm management" (e.g., infrastructure issues). This is contrary to the prominence of that topic during the professed goals of the 2019 Envision SoHo/NoHo process. The Draft Scope fails to address and correct the serious quality-of-life problems that mixed-use engenders, and which Envision SoHo/NoHo strongly recommended be addressed. (Booth_CB2_072, Sigel_CB2_073)

Response: The CPC has purview over zoning and land use actions. The CPC has no jurisdiction over such issues; therefore, they are not identified as part of the proposed zoning changes. Other city agencies such as DOT and DSNY are charged with responsibilities associated with the public ream issues identified by the community such as solid waste collection and infrastructure and have participated in public engagement sessions to hear comment and provide information. The City, through DOT and DSNY is considering non-zoning mechanisms to address quality of life and public realm issues affecting SoHo/NoHo.

Comment 4: What the City rolled out last month has no bearing on the hours of time that so many of us spent in discussion and planning. Instead, we are saddled with a massive increase in FAR that no stakeholder was interested in. It does not guarantee one unit of affordable housing, instead relying on a failed MIH mechanism with an abysmal track record of creating affordable units because it relies heavily on the whims of commercial developers who are inextricably tied to market forces. (Hellstrom_172)

I was a member of many focus groups over the past two years, as part of this process, and this proposed outcome does not nearly resemble the outcome of

those months and months of very detailed and thoughtful work. We find it truly shocking that the upzoning being proposed makes any sense. This would dramatically impact our quality of life here and we very strongly oppose it. (Somekh_086)

Response: The Proposed Actions are intended to address land use and zoning-related issues raised during the Envision SoHo NoHo process. The creation of affordable units through MIH is directly related to the development of new market rate housing, which subsidize the affordable units created under the MIH program.

Comment 5: I'm utterly and terribly distressed by the lack of public access public review and public input. Putting aside workshops, no one listened [to] City Council. I mean City Planning did not listen to the people, the residents, and the small business owners. (Lawrence_057)

Response: Public input received during the Envision SoHo NoHo process, public environmental scoping hearing, and ongoing community engagement sessions has been considered in DCP's proposed zoning changes for the neighborhood, including comments from the residents, and small business owners, and other stakeholders.

Comment 6: The Washington Street Advocacy Group is extremely concerned about the plans expressed in your "Where We Live NYC" report to promote high-rise construction in historic districts, with world-famous SoHo being the first test case. (Fine_077)

Response: Where We Live NYC (WWL) does not include statements promoting "high rise development" in historic districts or in SoHo. The City's affordability crisis and neighborhood segregation are exacerbated by exclusionary zoning and historic districting. WWL calls for exploring ways to increase housing production—and particularly affordable housing production—in historic districts. The Proposed Actions seek to allow housing in historic districts in SoHo/NoHo and at the same time implement bulk requirements that more appropriately respond to neighborhood context, provide flexibility to minimize the effects of new developments and enlargements, and allow the LPC to shape the building form in a manner appropriate to the neighborhood's historic context. In addition, the Proposed Actions would implement height limits and other bulk and urban design controls where there are currently zoning districts that allow buildings of unlimited height. In addition, areas that would allow the highest density developments to maximize the creation of new affordable housing are largely outside of the historic districts.

Comment 7: The Community Alternative Plan includes significant affordable housing and protects the residents, artists, small business, and unique character of the neighborhoods. It should be vetted and studied as an alternative, as it was

submitted and is supported by 13 local community groups who engaged in a months-long planning process to address the same issues as DCP's plan. (McGee_068, Berman_155, Bankoff_177, Woodward_098)

Is there a way we might have access to the Community Alternative Plan proposed in opposition? Can it be offered on your website? (Ren-Lay_107)

Response: The referenced community alternative plan was not prepared by an agency of the City of New York nor is it an official "197a" community plan. The referenced community alternative plan is readily available online via internet search. The Proposed Actions identified in the Draft Scope were determined based on community feedback and recommendations put forward from during the Envision SoHo/NoHo process. Alternatives to the zoning proposal that meet the purpose and need of the Proposed Actions will be considered in the DEIS.

Comment 8: I believe the comments and other inputs of residents, property owners and workers residing or having a direct interest within the areas of SoHo and NoHo directly affected by the Proposed Action should take priority or be considered the most substantive. (Bergelin_125)

Response: Comment noted.

Comment 9: Virtual public meetings, such as the ZOOM DEIS scoping hearing presented by DCP for the Proposed Actions, are inappropriate. Remote meetings question the integrity of this legally required public engagement process. Required public hearings should be postponed until after the COVID-19 pandemic subsides, the resulting restrictions on public gatherings have been lifted, and in-person public meetings can be held. Public meetings that are held remotely or virtually impair the full participation of the public, including the aging artist community in the neighborhood. The process is rushed. Rezoning during a pandemic, and the inability for in-person public participation, should not occur. We object to ZOOM being used as a substitute for real public hearings, including ULURP, and believe that the public's rights in the ULURP process are being steamrollered by the use of ZOOM. (Booth_CB2_002, Marte_004, McGee_068, Somekh_086, Lynn_115, Booth_CB2_072, Sigel_CB2_073, Foster-Shapiro_157, Fine_008, Tenenbaum_012, Berman_025, Weiler_035, Low_037, Winters_100, Hillstrom_059, Ellsworth_020, Ellsworth_092, Riccobono_026, Gingold_093, Behnke_095, Lawrence_145, Lawrence_147, Chin_161, Brewer_162, Flood_084, Knowles_091, Augustine_036)

I was very disturbed by the way the Zoom meeting was handled yesterday; registration should have been provided days before the meeting. It would have been considerate for those of us on the list waiting to testify, if you had read the names and our number on the list at the beginning of the meeting and updated this during the meeting. (Fortgang_116)

I will say that 2 PM is a very difficult time for people to join and stay on to speak, even via Zoom, especially for those who do not work at home or are not retired. I would also encourage you to allow registration ahead of time with an emailed link, to remove any specter that you are attempting to reduce participation. Opponents to this plan will use anything to call into question its credibility. I recommend that DCP do everything it can to remove the "illegitimacy" line of attack that opponents will use to discredit the proposal. (Kuppersmith_121)

Response: Mayor de Blasio issued Emergency Executive Order No 98 related to the COVID-19 pandemic on March 12, 2020 (extended on March 3, 2021). The Mayor issued Emergency Executive Order 188 on March 13, 2021, allowing ULURP meetings to be held by remotely in light of the continued COVID-10 pandemic. Remote public meetings are legal and appropriate in a pandemic to maintain public safety and health. Further, public meetings that have been held remotely have increased participation and opened the process to those unable to attend in-person.

Comment 10: It is necessary for DCP to scrutinize the collected data to ensure records are representative with pre-COVID conditions or wait until things have stabilized. We are unsure what neighborhood will be like after the pandemic and DCP shouldn't push a business and housing plan when businesses are shutting down, people are leaving the city, and it is unknown when people will come back to work in offices. Retail is in disarray, especially in the Broadway corridor. The City should complete additional studies after the pandemic state of emergency has lifted, so that it can measure a baseline normal state of live-work patterns in SoHo/NoHo, rather than make assumptions based either on the current pandemic state or on interpolations of data previously collected. Any proposed actions were created before the pandemic and should be considered tentative at this time. (Chin_161, Brewer_162, Foster-Shapiro_044, Monrose_042, Lawrence_145, Lawrence_147, Ren-Lay_107, Booth_CB2_072, Sigel_CB2_073, Davies_BRC_151. Chadwick_080, Corman_DID_149, Hronsky_154, Keith_126, Yaggy_017)

Response: Comment noted. DCP agrees that the CEQR and ULURP review requirements will be fully met for the Proposed Actions. As per CEQR, all analyses will be based on conditions that are representative of reasonable worst-case conditions and projected out through the 2031 analysis years. The Proposed Actions seek to facilitate the recovery and ongoing resiliency of SoHo and NoHo by removing and modifying existing zoning barriers that prevent the development of new affordable housing and opportunities for the growth and support of small businesses and job creators, and the zoning changes are expected to support the City's COVID-19 recovery efforts. It is expected that office, retail, accommodation and food services will be integral to New York City's economic recovery. Through zoning, the Proposed Actions would provide the flexibility to aid the City's economic recovery as these sectors adapt and change to meet evolving needs. The level of infrastructure upgrades and safety improvements

needed in New York City office spaces as a result of the COVID-19 pandemic is beyond the scope of the Proposed Actions and the DEIS.

Comment 11: Housing Rights Initiative urges the Department and the administration to not give in to these monied voices, and to create the most affordable housing at the deepest levels possible. We strongly support the SoHo-NoHo Neighborhood Plan and look forward to holding this administration accountable. (Sutherland_070)

Response: Comment noted.

Comment 12: If the plan is to succeed, it needs to strike the proper balance of meeting the City's development goals and protecting the neighborhood's most vulnerable residents and its unique sense of place. Mindful recent community and political challenges to neighborhood rezonings, the City needs to ensure SoHo/NoHo Neighborhood Plan reflects community voices. We recommend the City pay careful attention to the comments raised by the public during the CEQR and ULURP processes and make the necessary improvements that best work for the community and the City. (Devaney_MASNYC_163)

Response: Comment noted.

Comment 13: Downtown Independent Democrats urges the city to pause and revise the DCP plan for SoHo and NoHo, which despite the public rhetoric, creates significant value for current property owners, and incentivizes office development and big-box retail instead of adaptive reuse, new affordable housing, and the preservation of the significant stock of affordable housing. (Corman_DID_149)

Response: The Proposed Actions have been designed by DCP, with input from various stakeholders though the Envision process to enhance mixed-use, preserve commercial floor area in large existing buildings that serve as employment hubs, and create market rate and affordable housing.

PROJECT DESCRIPTION

GENERAL

Comment 14: Tribeca Trust and Human-scale NYC both object to the entire content of the zoning proposal on hand, based as it is in deeply flawed social science about housing prices for which there is absolutely no consensus among economists. (Ellsworth_092)

Response: Comment noted.

Comment 15: The Final DSOW should include a single map that shows the projected and potential development sites, proposed zoning districts, and existing historic districts. (Breen_069)

Response: The items suggested to be included on one map would dilute the visual clarity of each aspect. Maps are provided at the same scale and in the same format to allow easy comparison and review without sacrificing clarity and readability.

Comment 16: The Final DSOW should include a land use map with current land uses confirmed by site survey. (Breen_069)

Response: The final scope will include an updated land map based on the City's land use data and field surveys.

Comment 17: United American Land supports the efforts by the Borough President, Council Member Chin, and DCP to modernize SoHo and NoHo's zoning rules and promote affordable housing development throughout these neighborhoods, while balancing the needs of artists, residents, and businesses. (Laboz_UAL_174)

Response: Comment noted.

Comment 18: DCP's zoning regulations for SoHo/NoHo should include provisions allowing for special permits or variances certified or filed prior to the adoption of new zoning regulations to be started or continued. As the Draft Scope notes, SoHo/NoHo has seen "an extraordinarily high volume of applications for special permits and variances." Special permits approved in recent years may not be vested by the time the proposed SoHo/NoHo rezoning is adopted. (Laboz_UAL_174)

Response: Special permits, authorizations, and—as applicable—other actions are subject to the lapse provisions of ZR 11-42, the vesting provisions of 11-30, inclusive, and any additional zoning text that pertains to particular special permits or authorizations. They can continue as long as they were certified prior to the date of the rezoning. In the event that a referred or certified action is not subject to these provisions, the owner may bring it to the Commission's attention for consideration during public review.

Comment 19: CHPC applauds and thanks the administration for pursuing the SoHo/NoHo Neighborhood Plan and rezoning (CEQR No. 21DCP059M), an important step forwards in implementing the fair housing goals and values laid out in New York City's Where We Live plan. In order for the rezoning to achieve the fair housing goals underlying it, CHPC urges the City to maximize opportunities for new housing. This rezoning marks an important step forward in implementing the goals and values that are laid out in Where We Live, the City's plan to affirmatively further fair housing. It is time for concrete policy reforms that combat, rather than continue to study, racial inequity and the legacy impacts of

segregation. This rezoning is one such measure with the potential for substantive and meaningful impact. With the addition of new affordable units, low-income households and New Yorkers of color will finally get to share in the benefits that SoHo/NoHo has to offer. Low-income residents will no longer be excluded from the opportunity to live in SoHo and enjoy its excellent access to transit, high-performing schools, concentration of jobs, and other rich amenities. (Kang_129)

Response: Comment noted.

Comment 20: CHPC is concerned that a requirement for the one-to-one retention of nonresidential floor area in projects involving large existing buildings could preserve commercial uses at the expense of new housing. We hope that the City will consider relaxing this proposed rule, which might also restrict housing opportunities to respond to market changes in the wake of COVID-19. (Kang_129)

Response: As noted in the Draft Scope, the Proposed Actions would provide measures for the retention of existing concentration of commercial and remaining light manufacturing uses in a limited number of large loft buildings to balance non-residential and residential uses and ensure that SoHo/NoHo—especially the Broadway corridor where major employers cluster—continues to thrive as an employment hub and critical Class B office reservoir. The requirement for one-to-one retention of non-residential floor area would only apply to a limited number of large commercial buildings and is not at odds with the Proposed Actions' goal of creating housing.

Comment 21: DCP's general claim that Broadway has quote the lowest concentration of residential users in the project area is not substantiated. And it just simply incorrect. (Davies_BRC_011)

Response: Comment noted. A land use analysis will be provided in the DEIS.

Comment 22: We request that DCP's plan be rejected because it would overwhelm SoHo with at least 10 years of development, with unfettered destruction of short buildings, increased FARs throughout the neighborhood, and a population and traffic density more akin to Herald Square. Affordable housing is a false promise under the developer-backed DCP plan. We request that DCP's plan be rejected and that the Community plan, which provides for in-scale-buildings at the current FARs, truly affordable housing, and greater diversity, should be adopted. DCP's plan would only benefit the developers who generously contributed to the Mayor's political campaigns and have long lobbied the Mayor for upzoning. (Hronsky_154)

Response: Comment noted. The potential for the Proposed Actions to result in significant adverse impacts, including socioeconomic conditions, construction, traffic, and pedestrian impacts, will be fully analyzed in the DEIS.

Comment 23: I am a huge supporter of this rezoning. It will bring more equity to the very wealthy parts of Manhattan and help desegregate our city. My neighborhood is overwhelmingly white in a city that is incredibly diverse. I encourage you to bring a rezoning to the West Village next (especially on transit lines like Seventh Ave South and Sixth Ave) in order to get more Affordable Housing and further desegregate Lower Manhattan. (Lavingia_121)

Response: Comment noted.

Comment 24: These areas do not have the infrastructure for so many more people. This will cause environmental problems: Too much traffic resulting in air pollution, sound pollution, garbage. More garbage trucks all night. More deliveries all night. Too many pedestrians on the street. The quality of life will be much worse. Some small parks would be better. The environmental impact is too much for an area with small buildings. Please do not do this. (Nelson_143)

Response: Comment noted. As per the DSOW, the DEIS will examine the potential for impacts in all enumerated categories as a result of the Proposed Actions consistent with guidance provided by the CEQR Technical Manual.

Comment 25: I oppose a blanket upzoning, particularly any increase in commercial FAR, and an introduction of unrestricted residential uses into this very special mixed-use neighborhood. (Neratoff_168)

Response: Comment noted.

Comment 26: Why was the M1-5 district south of Canal Street between Broadway and Baxter Street excluded from the rezoning area? I feel an argument could be made to include this area for the same reasons it makes sense to rezone the northern side of Canal. (Rubenstein_101)

Response: The Proposed Actions are designed to update the obsolete M1-5A and M1-5B zoning which is mapped only in SoHo/NoHo. The area south of Canal Street is mapped with different zoning districts and does not lie within the conventional boundaries of the SoHo and NoHo neighborhoods.

Comment 27: We have no parks, no planted areas, no school, no grocery stores, no gathering places for our community. All we have is the sky because of our FAR of 5. This plan does not give us any amenities and takes away our sky. (Tenenbaum_102)

Response: Comment noted. The DEIS will also include an analysis of the potential shadow and open space impacts of the Proposed Actions.

Comment 28: Why are you placing most of the new residential towers in the 100-year flood plain or in Chinatown? (Tenenbaum_156)

Response: Residential or other towers are not proposed and would not be permitted by the Proposed Actions, which would impose height limits on new buildings where the existing zoning now permits unlimited height. As shown in the Draft and Final Scopes of Work, most of the projected and potential development sites are not in the 100-year floodplain or Chinatown. Any developments located within the flood zone would be required to comply with the flood-resistant construction standards of the NYC Building Code, to provide for the safety of building occupants and the resiliency of buildings.

Comment 29: The SoHo Broadway Initiative supports pursuing the SoHo NoHo Plan's important policy goals of creating more affordable housing and legalizing residential as well as retail uses. Updating these outdated rules will support a more equitable recovery from the COVID-19 pandemic by creating more affordable housing and creating more certainty for those who want to legally live in or operate a business in SoHo. (Dicus_SBI_152)

Response: Comment noted.

Comment 30: Zoning text amendments: Definitions and clarifications are needed so that everyone can fully understand what is being put forward.

- Define "modify the typical regulation"
- Clarify any additional "requirements" and "parameters" that will be established (Davies_BRC_151)

Response: The DEIS will include a detailed description of the zoning map and text amendments and the public purpose and need for them.

Comment 31: [The Project Description] task should describe "the background and/or history of the project" and detail "key planning considerations that have shaped the current proposal." The tasks for study in the DEIS should include the recommended study items from "Envision SoHo/NoHo: A Summary of Findings and Recommendations." (Booth_CB2_072, Sigel_CB2_073, Davies_BRC_151)

Response: As per the Draft and FSOW, the DEIS will include a Project Description chapter that will include the project history and key planning considerations. The subject of the DEIS are the zoning map and text amendments proposed by DCP. The areas of environmental analyses in the DEIS are required by SEQRA and CEQR.

Comment 32: Study the feasibility of the purchase of distressed buildings by the City (by eminent domain, etc.). (Davies_BRC_151)

Response: The DEIS will assess the potential for significant adverse impacts of the Proposed Actions in accordance with the guidance contained in the CEQR Technical Manual. Such a feasibility study is outside the scope of the Proposed Actions, and beyond the scope of this EIS.

Comment 33: The DSOW fails to incorporate and appreciate the myriad elements of the neighborhood, beyond office space, that contribute to the area's economic vitality and contribution to city coffers.

DCP fails to appreciate the impact of [its zoning proposal], which has the potential to increase bulk to the overall detriment of the neighborhoods. (Davies_BRC_151)

Response: The DEIS will include a Project Description chapter that will include the key planning considerations related to SoHo/NoHo's mix of uses, existing built character, and commercial viability. The potential bulk increases will be analyzed in the shadows, urban design, and neighborhood character chapters.

Comment 34: Why has DCP proposed to designate Broadway a business corridor and by doing so, what advantage does it deliver to the City. So that's my first question. My second question is, why isn't indoor parking mandated to be included within any development sites. After all, once those sites are developed the neighborhoods will lose thousands of parking spaces. Can we expect that DCP will review and correct this erroneous admission. (Wolf_028)

Response: Broadway is described as a "commercial corridor" in terms of the prevailing commercial character of the street, which contains most of the large enterprises and employers in these neighborhoods, and is proposed to be zoned for a mix of commercial and residential activity. This is consistent with the zoning for Broadway from the Battery to Columbus Circle. The SoHo/NoHo neighborhoods are well served by transit including 14 subway lines (6, J/Z, B/D/F/M, R/W/N/Q, A/C/E). Indoor and off-street parking is not required in the Manhattan Core, but parking and transportation will be evaluated in the DEIS.

Comment 35: Consider a potential expansion of live-work definition that reflects current and future trends, which should be further studied and identified. (Booth_CB2_072, Sigel_CB2_073)

Response: The request is under consideration by DCP. Details will be provided in the DEIS.

Comment 36: Study new affordable housing that is targeted to artists and is conducive to arts production in the context of fair housing laws and broader concerns over housing equity. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will study the provision of affordable housing generated under the Proposed Actions. Artists, and others, who are currently priced out of the neighborhood's rental market because of high rents may be able to find more affordable apartments with approval of the Proposed Actions.

Comment 37: Study how to allow a wider range of compatible ground floor uses that balance mixed-use neighborhood blocks and examine a wider range of compatible uses, traffic patterns, sanitation efforts, and a retail study. Efforts would include the involvement of the business and residential communities. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft Scope, the Proposed Actions would allow a wider range of commercial uses on the ground floors of buildings. Land use, transportation, and solid waste, among many other technical areas described in the Draft Scope, will be assessed in the DEIS. Area residents and businesses have participated in the Envision SoHo/NoHo process and the public will have further opportunities to be involved in the rezoning as it enters the formal ULURP process.

Comment 38: It is recommended that further research study the following:

- The appropriate parameters for allowing hybrid/complementary uses, including consideration of the type, size, operations, and land use compatibility.
- How hybrid uses might be viable in a continually evolving local economy, as they become established and potentially seek opportunities to grow. (Booth_CB2_072, Sigel_CB2_073)

The planning process revealed that there are opportunities to update use regulations in ways that consider the expansion of arts and maker uses. The City should consider this as an area requiring further analyses. (Booth_CB2_072, Sigel_CB2_073)

Response: The mix of uses allowed under the Proposed Actions will be assessed in the DEIS. Further, the Proposed Actions would permit expanded live-work options to support a dynamic, evolving local economy. Among other objectives, the Proposed Actions are intended to foster arts-related and cultural uses. Land use will be assessed in the DEIS.

Comment 39: A thorough understanding via a detailed economic analysis should be conducted on all areas and properties that may be afforded additional development rights through increased FAR to properly calculate the value of the economic development conferred and the impacts of transferable development rights. How

will DCP assure that the unique aspects of SoHo and NoHo are fully protected, and that the neighborhoods are not allowed to be built-out, or filled in, or built atop of, or any other such results that will eliminate the very essence that makes these neighborhoods enticing, attractive? (Booth_CB2_072, Sigel_CB2_073, Davies_BRC_151)

Response: The requested economic analysis is beyond the scope of the CEQR DEIS. As described in the Draft Scope, the Proposed Actions are intended to facilitate housing economic activity and preserve the existing historic character of SoHo and NoHo. The existing ability to transfer development rights pursuant to zoning would not be modified by the Proposed Actions. The LPC has regulatory oversight over development in historic districts, which will not change under the Proposed Actions. Furthermore, the Proposed Actions would map contextual zoning districts, which would include bulk requirements to ensure that new development is in keeping with the prevailing built form of existing buildings. Height restrictions would limit transferable development rights since the height limits essentially limit what can be built on any parcel to the available FAR for that parcel.

Comment 40: Let's rezone, but rezone for real, reflecting real income ratios. Instead of 25 percent affordable housing in a luxury building, rezone for 75 percent affordable housing. And no free pass for superstores that will stamp out the residential feel of our community. (Bone_159)

Response: Comment noted. With respect to affordable housing, the Proposed Actions would map Mandatory Inclusionary Housing (MIH), which would help facilitate mixed-income communities by requiring approximately 20 to 30 percent of residential floor area be set aside as permanently affordable housing on private sites. With MIH, the development of market-rate units subsidizes the creation of affordable units. MIH is the most appropriate mechanism to create affordable housing in SoHo/NoHo. High land acquisition costs and extremely high market rents make affordable housing programs with 75 percent affordable housing requiring significant public subsidy prohibitively costly in SoHo/NoHo. Regarding stores, mixed-use buildings with residential and commercial (and other non-residential) uses are prevalent throughout most of SoHo/NoHo.

Comment 41: It is critical to make a financial assessment of these unique aspects of SoHo and NoHo, examining them as core economic assets of the Study Area. (Davies_BRC_151)

Response: Financial analyses are beyond the scope of the DEIS and will not be provided. The Socioeconomic Conditions chapter of the DEIS will assess changes to population, housing, and economic conditions, and although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and

services, or economic investment in a way that changes the socioeconomic character of the area.

Comment 42: The voluntary transition from UG 17D JLWQA to UG2 residential with expanded home occupation provisions" sounds like an update of live/work, but would result in the loss of many affordable units that would otherwise be transitioned into rent stabilization. (Booth_CB2_072, Sigel_CB2_073)

Response: Use Group (UG) 17 Joint Living-Work Quarters for Artists (JLWQA) are a manufacturing use defined in the Zoning Resolution with no income restrictions or affordability requirements. Certified artist status conferred by DCLA or JLWQA designation on a Certificate of Occupancy does not mean a given unit is affordable, nor does it provide protection from rent increases. As a separate category of unit type, Interim Multiple Dwellings (IMDs) and former IMD units legalized under the Loft Law (Article 7C of the Multiple Dwelling Law), sometimes listed as "JLWQA" on Certificates of Occupancy but not subject to the artist residency requirements of actual UG17 JLWQA, may be subject to rent protection by way of the Loft Law, and would continue to be subject to rent protection irrespective of the Proposed Actions. The Proposed Actions would continue to permit JLWQA use and live-work arrangements that already exist in the Project Area. The Proposed Actions would facilitate the legalization of existing non-artist occupancy, broaden live-work to be more inclusive and reflective of modern needs, regularize residential market transactions to provide opportunities for certified artists to sell on the open market or transfer units to relatives and align such transactions with the rest of the City, and support the preservation and creation of affordable studio space and other broadly accessible creative spaces.

Comment 43: How many residential developments or additions will the proposed rezoning allow that contain no affordable units? The proposed rezoning requires no affordable units for additions to existing buildings, developments under a certain size, and those that demonstrate economic hardship. How many units of market rate housing in total without affordable units attached might the rezoning produce? (Berman_155)

Response: The Proposed Actions would apply Mandatory Inclusionary Housing Program (MIH) to the entirety of the Project Area. The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH Areas. The program, as modified by the Proposed Actions, would require permanently affordable housing set-asides for all developments over 10 units or with 12,500 sf of residential development capacity within the MIH designated areas. For developments between 10 and 25 units, or 12,500 to 25,000 zsf, a payment into an Affordable Housing Fund may be provided in lieu of affordable

units. The fee is calculated to reimburse the City the full cost of creating a new affordable home in the same Community District. As shown in the Reasonable Worst-Case Development Scenario (RWCDS), all projected and most of the potential developments are anticipated to exceed the applicability threshold for MIH, requiring either the provision of permanently affordable housing or payment into an Affordable Housing Fund.

Comment 44: DCP should quantify all the changes in material allowances that would be put in place if the zoning foundation is changed from current M to proposed R framework. DCP should also quantify all the existing protections that will be rolled over into proposed changes that are only hinted at in the DSOW. (Davies_BRC_151)

Response: Comment noted. The land use changes expected with and without the Proposed Actions are quantified in the RWCDS and will be assessed in the DEIS.

Comment 45: This proposal is the first-ever upzoning of an historic district since the creation of LPC in 1965. If a precedent is set now, the Proposed Actions not only will have a negative impact on the immediate study area, the Proposed Actions, but also will have a profound negative impact on historic districts throughout the city. An action that would potentially damage the character and attraction of all our historic districts and the tax-base citywide must not be passed. (Booth_CB2_072, Sigel_CB2_073)

The DSOW must include, address, and confirm whether any other New York City Historic District has been up zoned and the allowable FAR been increased throughout most or all areas of any other Historic Districts. (Wilcke_176)

Response: A rezoning area's status as a historic district is an important factor in determining an appropriate land use framework for an area, to be considered alongside a range of other relevant planning and land use factors. It is not by itself determinative. Like any rezoning, a rezoning within a historic district is based on an assessment of its appropriateness on a land use basis in light of factors that range from the local to the citywide. Large portions of the Project Area—the Historic Cores—would have density remain unchanged at 6.5 FAR and have height limits and other bulk controls imposed that more closely align with the historic character than the existing zoning. Other areas, such as Broadway, where higher densities are proposed, contain existing buildings that exceed the currently permitted max FAR but would also receive new bulk controls with limited height and urban design controls that reflect historic character more than existing zoning.

Comment 46: We note also that much of our neighborhood is included in the Sullivan-Thompson Historic District and we are deeply concerned about the precedents that are being contemplated in this rezoning—changes that threaten to destroy the very characteristics of the neighborhood that make the South Village and SoHo

destinations for people from around the city, the region, and the world. Protect our historic neighborhoods by repurposing commercial and retail spaces for affordable housing. (McGee_068)

Response: The DEIS will discuss and evaluate the impacts of the Proposed Actions on Urban Design, Historic Resources, and Neighborhood Character. The Proposed Actions would generally permit conversion of existing buildings, including those that contain commercial uses, to residential use.

Comment 47: The plan's assessment of the character of this area [Broadway Commercial Corridor] and its residents does not reflect what is there. There are many more residences on Broadway than the scoping plan states. (Levy_117)

Response: The Draft Scope characterizes Broadway as a primarily commercial corridor and acknowledges the presence of residential use. The Draft Scope states that Broadway has a high concentration of commercial uses, particularly offices and destination retail, and further states that the corridor is an employment hub. The characterization of Broadway has been clarified in the Final Scope and will be clarified in the DEIS.

Comment 48: If SoHo and NoHo's integrity is destroyed and its landmark status is bypassed, this will set the stage for the mass destruction of New York City's rich historical past. If New York City wants to remain a cultural and historical destination point, it needs to do much better than the current SoHo/NoHo Plan. (Levy_117)

Response: The existing designation of large portions of the Project Area as city-designated historic districts would remain unchanged. As discussed in the Draft Scope, the Proposed Actions are intended to strengthen SoHo and NoHo as dynamic and historic mixed-use neighborhoods by addressing the area's significant challenges, including its outdated zoning regulations that permit buildings of unlimited height, while respecting its unique historic character and cultural legacy. The DEIS will evaluate the potential for significant adverse impacts of the Proposed Actions on Urban Design, Historic Resources, and Neighborhood Character.

Comment 49: The land use and zoning objectives spelled out in the introduction are generally consistent with those contained in the SoHo/NoHo Planning Report released in 2019 by DCP's planning consultant. (Herrick_CSC_142)

Response: Comment noted.

Comment 50: The number of potential development sites is of primary concern because they are concentrated in the historic districts on sites occupied by existing buildings. (Devaney_MASNYC_163)

Comment 51: Most of the development projected to occur with the Proposed Actions is expected outside of the historic districts. A number of potential developments, primarily small infill developments, could be developed within the historic districts on sites largely occupied with underdeveloped 1- to 3-story existing buildings. Development within NYC-designated historic districts requires LPC approval. As described in the Draft and Final Scopes, potential development sites typically include sites with slightly irregular shapes, challenging configurations, or other encumbrances, as well as sites within historic districts that are occupied by existing buildings. The demolition, redevelopment and/or enlargement of these buildings are subject to LPC review and approval, which could contribute to higher development cost and longer timeframe. MAS is concerned that the development pressures to achieve full FAR build outs will trigger out-of-scale and inappropriate proposals within the historic districts beyond what is proposed for study in the DSOW. The statement that any development within historic districts would be subject to future review by LPC provides little comfort given market conditions. (Devaney_MASNYC_163)

Response: The existing 50-year-old M1-5A and M1-5 B zoning permits buildings of unlimited height and mandates bulk controls that are inconsistent with the existing historic character. Indeed, new developments within SoHo and NoHo frequently necessitate waiver from existing zoning to ensure that the built form is appropriate. The Proposed Actions would impose height limits for the first time throughout SoHo and NoHo as well as other bulk controls such as required base heights that would ensure that new developments complement and reflect the historic character of these neighborhoods. The Proposed Actions have been designed to allow LPC to shape the form of new developments in a manner appropriate to the neighborhood and the immediate context without the need for separate land use approvals.

Comment 52: We recommend that the Scoping Document be modified to include in the DEIS an accurate building-by-building analysis that corrects the many errors of fact in the DSOW with regard to building typologies, heights, and sizes and the shadow impacts of any new development on historic buildings so that an accurate analysis disclosing the Proposed Actions' potential adverse impacts on the existing built conditions within the SNMD can be completed. (Jones_067)

Response: The RWCDS will be reviewed and updated, as necessary and presented in the Final Scope. The Shadows chapter of the DEIS will evaluate the building heights and sizes and the potential for significant adverse shadow impacts to historic resources.

Comment 53: The DSOW proposes to "facilitate superior urban design," but it is necessary to precisely distinguish between the historic effectiveness of the existing urban design (which needs to be protected) and any necessary updating of the variance

and special permit processes (which allow for the engagement of the community). (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Urban Design chapter of the DEIS will discuss the existing conditions and impacts of the Proposed Actions. The need for frequent variances or special permits to ensure appropriate built form is a reflection of the outdated existing zoning that permits buildings of unlimited height and that mandates bulk that is inconsistent with the existing built form. The Proposed Actions would replace these outdated and inappropriate provisions with height limits and bulk controls that reflect the existing character of SoHo and NoHo, ensuring that new developments would be both predictable and appropriate in scale and form.

Comment 54: Projected Development Sites 2, 10, 12, 16, 20, and 22 contain parking. An additional five Proposed Sites contain parking for at least 228 cars, according to their certificates of occupancy. (Booth_CB2_072, Sigel_CB2_073)

Response: The data related to the parking garage on Site 20 has been updated to reflect the gross floor area of that site in the RWCDS. The other sites are parking lots which do not generate any floor area and so were not counted in the RWCDS calculation of gross floor area of parking. However, the parking provided on the sites referenced in the comment will be considered as part of the parking analysis contained in Chapter 14, "Transportation."

Comment 55: Using the DCP's assumption of 300 sf of parking per vehicle, 228 cars accounts for 68,400 gsf of parking. As some of the certificates of occupancy state "at least" x number of vehicles, this is a lower limit. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

PURPOSE AND NEED

Comment 56: [The Proposed Actions] ensure profit-making for a few, offers almost nothing to protect and improve what is so irreplaceable about these districts, and it does little to deliver the vital affordable housing our city needs now. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Proposed Actions would replace the existing 50-year-old zoning that permits buildings of unlimited height and does not permit any form of residential use with new zoning that mandates limited-height buildings and permanent affordable housing.

Comment 57: The Draft Scope seeks to promote economic recovery, resiliency, and growth by allowing a wider range of uses, but many property owners have kept rents high to satisfy mortgage requirements, hold out for "credit tenants," and/or use high rent

potential as a way to finance other locations, causing long-term retail vacancies. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Proposed Actions would remove restrictive zoning barriers that inhibit flexibility and success of businesses, especially small businesses and retailers that may not have the expertise or resources to navigate the existing land use approval process.

Comment 58: Rents have been dropping since 2016 and the pandemic has furthered this correction. How long will that remain? Will rents come down low enough to provide affordable housing without requiring the immense increases in FAR contemplated in the proposal outlined in the Draft Scope? (Booth_CB2_072, Sigel_CB2_073)

Response: There is no foreseeable circumstance in which residential market rents in SoHo/NoHo, one of the most expensive residential markets in the city, would decline to levels that would be considered affordable to households at the levels that would be served by the Mandatory Inclusionary Housing program. Additionally, there are no immense increases in density contemplated under the Proposed Actions. In fact, densities would remain the same in much of the Project Area and in the limited high-density areas contemplated would be less than double the existing density. The limited density increases in parts of the study area are integral part of the proposal to allow development commensurate with the rich transit access, central location, and wide street condition. It also appropriately relates to the surrounding neighborhoods and that the housing potential on underutilized sites outside of historic districts can be unlocked.

Comment 59: The Draft Scope states, "The Broadway corridor contains…a high concentration of commercial uses, particularly offices and destination retail." What the document fails to state is that many, if not most, of these establishments have been operating without proper Certificates of Occupancy for decades, in clear violation of the law. Indeed, it is these countless violations and lack of enforcement that propelled the creation of the Envision SoHo/NoHo process in the first place. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Broadway corridor contains many historic, large-floorplate buildings that were originally developed to house large commercial establishments and are appropriate locations for larger retail stores that exist in the neighborhood today, providing a significant number of jobs for New Yorkers as well as contributing to our City's economy and tax base. The Proposed Actions would allow such large retail establishments to operate legally. Both DOT and DSNY have attended recent community engagement events to listen to quality of life concerns related to the operation of large retail establishments and to provide information on how to address such concerns. Quality of life issues, commonly present in mixed use neighborhoods all over the city, can be more effectively

addressed through coordinated city programs, operational measures and implementing best practices outside of zoning. Residents and the general public will have multiple additional opportunities throughout the public review process to provide additional input.

Comment 60: The buildings at 341 Canal and 419 Broadway are planned in accordance with the current 5 FAR, with no request from the developer for a variance or a special permit, so we question the need now for the added FAR that the Draft Scope is proposing for the corridor. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. While the referenced developments were built to the existing allowable FAR, they required discretionary approvals from the City Planning Commission (CPC) to modify the existing M1-5B district's use and bulk requirements. In addition, under the existing zoning neither building was required to provide permanently affordable housing as would be mandated by the Proposed Actions via Mandatory Inclusionary Housing. The Proposed Actions would allow a wider range of commercial and community facility uses and the FAR allowed under the Proposed Actions is intended to facilitate the development of housing, including affordable housing. The Proposed Actions reflect area-wide neighborhood planning goals and are not primarily driven by individual site considerations or developer interest. The CPC has no legal authority pursuant to a ZR 74-711 special permit to modify FAR requirements. Additionally, in the case of 419 Broadway, the special permit bulk mod was necessary to comply with requests by the Landmarks Preservation Commission (LPC) that it meet the building height, window lines and the style of the façade of the neighboring buildings. The Proposed Actions would make it easier for buildings in historic districts to submit to LPC requests without having to go through a lengthy and costly discretionary review process.

Comment 61: "The public realm" (i.e., "quality of life") is only mentioned once in the entire Draft Scope whereas Envision SoHo NoHo mentions it 37 times. The Scope must address concern for the resident population in more detail and propose zoning solutions to address these concerns—not increase them. (Booth_CB2_072, Sigel_CB2_073)

Response: The Draft Scope identifies the methodologies to be utilized to assess the potential environmental impacts of the proposed zoning map and text changes. The Neighborhood Plan process will bring agencies and the community together to address operational issues outside of zoning that relate to public realm/quality of life issues. Indeed, one of the three recent community engagement sessions was dedicated entirely to quality of life issues and included participation by DCP as well as DOT and DSNY to solicit feedback on quality of life concerns as well as to provide information on agency response and strategies to address to such concerns.

Comment 62: This section discusses the 74-781 Special Permit process but does not offer any plan to improve and update it. The Draft Scope makes little mention of 74-711 Special Permits. DCP assumes that all special permits are onerous and makes no mention of the public benefit of the 74-711, which assures that historic buildings are maintained in perpetuity. (Booth_CB2_072, Sigel_CB2_073)

Response: The existing zoning in SoHo and NoHo generally prioritizes ground floors for industrial and manufacturing uses and requires the grant of a 74-781 special permit for residential and most commercial uses on ground floors. This requirement is a vestige of the time when manufacturing and industrial uses were more widespread within these neighborhoods and required ground floor space. Additionally, the 74-781 special permit in practice requires ground floors to be kept vacant while a conforming manufacturing tenant is sought, exacerbating vacant ground floor conditions that detract from the vitality of these neighborhoods. With the Proposed Actions, most commercial uses would be allowed as-of-right in the Special SoHo/NoHo Mixed-Use District (SNX), so there would be no need to maintain the 74-781 special permit. The 74-711 special permit will continue to be available for site-specific development proposals that meet landmark preservation standards and require use or bulk modifications.

Comment 63: Of the six key findings of the DCP July 2020 Study, none of them concluded that "outdated regulatory barriers will only serve to exacerbate the recovery for two of New York City's most significant commercial areas." Nor is there any evidence that these "outdated regulatory barriers" will restrict recovery post-COVID-19. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The six key findings referenced described observations and summaries of the study results and did not attempt to ascribe causes for each of the observations. Similar analysis has been conducted as part of DCP's ongoing work in SoHo and NoHo and has led to the conclusion that the outdated, overly complex regulatory system in these neighborhoods is likely to have had an inhibitory effect on the resiliency of ground floor uses.

Comment 64: This DCP July 2020 retail study showed 50 percent vacancies in SoHo NoHo, and data reports by SoHo Business Initiative reported a 31 percent vacancy. DCP is now using the uncertainties of COVID-19 recovery to move quickly ahead with an upzoning. Moreover, it significantly reduced the size of five of the 24 corridors studied in the 2019 storefront vacancy report and excluded the following previously surveyed streets:

a. Houston Street between MacDougal and Mulberry Streets;

b. Prince Street between Sixth Avenue and Mulberry Streets;

c. Broome Street between Sixth Avenue and Mulberry Streets;

d. Lafayette Street between Prince Street and Astor Place;

e. Centre Street between Canal and Spring Streets; [and]

f. Mulberry Street between Canal and Bleecker Streets. (Booth_CB2_072, Sigel_CB2_073)

Response: The comment references two different studies that were prepared for different purposes, although both show comparatively high vacancy levels in the SoHo/NoHo both before and during the pandemic.

Comment 65: The word "equity" appears only four times in the Draft Scope and no further details to advance the goal are provided. (Booth_CB2_072, Sigel_CB2_073)

Response: As stated in the Draft Scope, the DEIS will include a statement of the purpose and need for the Proposed Actions, key planning considerations that have shaped the Proposed Actions, and the rationale for the Proposed Actions. Among these is the provision of housing, and the creation of permanently affordable housing through the application of MIH, a longstanding Administration priority and a fundamental pillar of all recent neighborhood-scale actions that create new residential capacity. The requirement to provide permanently affordable housing in new residential developments in neighborhoods like SoHo/NoHo would support racial and economic diversity and further the City's equity and fair housing goals.

Comment 66: The Draft Scope provides no occupation-based restrictions to accomplish the goal of supporting the artists and makers population. (Booth_CB2_072, Sigel_CB2_073)

Response: With the Proposed Actions, JLWQA would continue to be an allowed use and the proposed SNX would allow expanded live-work provisions for a wide variety of artists and makers. As stated in the Draft Scope, the DEIS will include the rationale for the Proposed Actions, including objectives that support arts and culture and advance fair housing goals.

Comment 67: This Draft Scope states the changes would "allow the LPC to shape the building form without the need for separate land use actions." This process would bypass community input on land use issues, which should remain as an important check and balance. (Booth_CB2_072, Sigel_CB2_073)

Response: Land use actions are often necessary because the existing 50-year-old zoning contains bulk provisions that are inconsistent with the historic character of SoHo and NoHo. For example, there are no height limits under existing zoning and the required built form results in buildings that setback from the street line and in such a way that does not reflect the existing high-street wall and loftlike building forms. The Proposed Actions would institute height limits throughout the neighborhoods and bulk controls that would reflect the existing character of SoHo and NoHo and ensure predictability in built form for the community that is lacking under existing zoning. LPC would retain its existing role in evaluating appropriateness of new developments within the historic districts. As indicated in

the Draft Scope, eliminating burdensome discretionary review processes would help small business owners and promote economic recovery.

Comment 68: Retail is in the middle of massive restructuring and national crisis. It seems prudent to proceed cautiously and not blindly apply once-familiar approaches in a context where they might have major adverse impacts. This may be the time and special place for truly visionary innovation to be the key to survival. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Proposed Actions would result in retail use provisions that are generally consistent with other zoning districts throughout the city, removing incongruous barriers found only in these neighborhoods that inhibit responsiveness and flexibility in this time of great fluctuation in the retail market.

Comment 69: The last proposed action, "Support arts and culture and creative industries that serve the community and the public with use allowances and other appropriate provisions," is yet another example of a bone that is thrown to the community without a single supporting detail. (Booth_CB2_072, Sigel_CB2_073)

Response: This is a summary statement of project objectives. As stated in the Draft and Final Scopes, the DEIS will include a full description of the project objectives as it relates to supporting arts and culture.

Comment 70: Instead of simplifying regulations and procedures, DCP proposes five new zones, eight new subdistricts and, in several cases, boundaries for the subdistricts that bisect streets. In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Proposed Actions will replace the M1-5A and M1-5B zoning regulations with three zoning districts that more appropriately reflect the nuanced existing conditions of the historic cores of SoHo and NoHo, the busier corridors of Broadway and Canal and Houston streets, and the areas outside historic districts. The zoning districts shown in Appendix A have been corrected and will be provided in the Final Scope and described in the DEIS.

Comment 71: As-of-right Use Group 10 is also inconsistent with the second goal of the report, to "foster the small business community." Existing and new small businesses will need additional protections. (Booth_CB2_072, Sigel_CB2_073, Davies_BRC_151)

Lifting the 5,000-sf limit on restaurants would not achieve the desired goal to "contribute to the charm and vibrancy of SoHo and NoHo or "foster the small business community of SoHo/NoHo…". (Booth_CB2_072, Sigel_CB2_073)

CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows—with no public review process—retail uses over 10,000 sf (including cellar space) and eating and drinking establishments over 5,000 sf. (Booth_CB2_072, Sigel_CB2_073)

Allowing "UG 10 retail uses such as department stores over 10,000 zsf" as-of-right flies in the face of Envision SoHo NoHo, which specifically recommended maintaining the 10,000-zsf cap (Envision SoHo NoHo, 3.1). (Booth_CB2_072, Sigel_CB2_073, Davies_BRC_151)

Response: Comment noted. The Broadway corridor contains many historic, large-floorplate buildings that were originally developed to house large commercial establishments and are appropriate locations for larger retail stores that exist in the neighborhood today. The Proposed Actions would allow such large retail establishments to operate legally. Both DOT and DSNY have attended recent community engagement events to listen to quality of life concerns related to the operation of large retail establishments and to provide information on how to address such concerns. Quality of life issues, commonly present in mixed use neighborhoods all over the city, can be more effectively addressed through coordinated city programs, operational measures and implementing best practices outside of zoning. Residents and the general public will have multiple additional opportunities throughout the public review process to provide additional input.

A goal of the Proposed Actions is to promote a diversity of businesses, large and small. Despite being as-of-right, most buildings in the rezoning area are not conducive to large retail due to small floorplates. The DEIS will include a full description of the zoning actions.

Comment 72: Retention modification may also disincentivize residential development and conversions, which contradicts the DSOW's objectives to "expand housing opportunities" and "promote adaptive reuse of existing buildings by allowing for the conversion of existing buildings." (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions have multiple objectives. The provisions to preserve large buildings for jobs would only affect the largest existing commercial buildings. The requirement is intended to preserve non-residential floor area in limited locations where large commercial buildings contain significant concentrations of businesses and serve as employment hubs.

Comment 73: The special permit process for developers with "hardship" cases will undermine the creation of affordable units. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 74: New as-of-right residential development would be particularly feasible if the text amendment were to "provide for some adjustments to make the existing MIH

program work for conversions in SoHo and NoHo." It also does not describe these adjustments nor explain how they would apply to office buildings undergoing a conversion or redevelopment, given the proposed requirement to maintain non-residential floor area. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will include a full description of the Proposed Actions' objectives as they relate to conversions of existing buildings.

Comment 75: More than half of the GFA of the 27 projected development sites (or 1,942,995 sf) will benefit five property owners: Edison Properties; Alexander Chu/Center Plaza LLC and Steller Management and City Urban Realty; Diehl Realty; Yee Tai and the Kaufman Organization; and Park-It. (Booth_CB2_072, Sigel_CB2_073)

Response: As stated in the Draft Scope, projected and potential development sites were developed based on standard DCP RWCDS soft site criteria that take into account a number of site conditions (e.g., size, utilization). The ownership entity is not a consideration.

Comment 76: DSOW overemphasizes the need for increased amount of office space in an apparent attempt to transform SoHo/NoHo into a Central Business District. (Davies_BRC_151)

Response: Comment noted. The Proposed Actions contemplate maximum density of 10 FAR for commercial use in limited areas whereas the existing maximum commercial density would remain unchanged at 5.0 FAR throughout the majority of the study area, in contrast to densities of up to 30 FAR permitted in central business districts.

Comment 77: SoHo and NoHo have not undergone significant zoning changes in half a century, despite transforming from industrial to primarily residential and retail in use. Rezoning the area would enable compliance with more recent housing policies, such as MIH, which requires around 25 percent of new units to be affordable. Furthermore, it would also remove burdensome restrictions on small businesses which do not exist in neighborhoods with more updated zoning. AIA New York is expressing its strong support for the rezoning of SoHo and NoHo to allow for more residential construction. We encourage the city to allow for even greater amounts of affordable housing as the proposal is refined through discussions with the community. The current debate over this rezoning will set the precedent going forward of whether affordable housing can be designed and built in wealthier white neighborhoods.

It is time that zoning be used to make our city, particularly those centrally located neighborhoods like SoHo and NoHo, livable for all New Yorkers. (AIANY_128)

Response: Comment noted.

Comment 78: Another point is the randomness of buildings selected for upzoning. How does that possibly work? It needs a very close look and for sure makes no sense on a block to have a random two buildings selected to get this. That seems unfair, dishonest and like some special interest is involved. (Somekh_086)

Response: The zoning districts contemplated by the Proposed Actions would apply to all buildings and properties within the Project Area. The development sites assessed for analysis purposes are those sites where new development could reasonably be expected to occur as a result of the rezoning based on DCP's criteria for determining development sites, as presented in the Draft and Final Scopes.

Comment 79: Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on underdeveloped lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development which would in fact bring only a pittance of actual affordable units—two affordable units for every eight luxury units. (Mulkins_113)

Response: Comment noted. Existing manufacturing zoning permits buildings of unlimited height, in contrast to the bulk controls in the Proposed Actions that would ensure that new buildings are not significantly larger than buildings found throughout the neighborhoods today. Mandating permanent affordable housing in all new developments can only be accomplished through zoning changes that allow residential use within SoHo and NoHo, where it is today prohibited, thereby mandating the designation of MIH areas. Pursuant to MIH, between 20 and 30 percent of all residential floor area constructed in these neighborhoods would be required to be permanently affordable where no affordable housing is required today.

Comment 80: In particular, we support the Department's goal of removing some of the obstacles presented by the existing zoning controls in this area, such as permitting ground-floor retail uses as-of-right, reflecting the reality of the market and the actual ground-floor uses throughout SoHo/NoHo. (Laboz_UAL_174)

Response: Comment noted.

Comment 81: What we see needed in the future is flexibility. Flexibility to continue use as offices or make changes and allow residential if the market demands it. Flexibility for retail to exist in all sizes and include a hybrid level of uses including small manufacturing. (Persen_BID_164)

Response: Comment noted.

Comment 82: It is imperative then that the DSOW clearly defines preservation requirements and the anticipated impacts of such. The resulting zoning text must not repeat the mistakes of the former Garment Center manufacturing preservation text with the inclusion of an out of touch ratio to the current and projected manufacturing sector trends. (Lodhi_REBNY_132)

Response: Comment noted. The DEIS will include a full description of the zoning changes, including the provisions to preserve large buildings for jobs and a draft of the zoning text will be included as an appendix to the DEIS.

Comment 83: It would be deeply unfortunate to set housing unit production goals that cannot be practically met by a mismatch in buildable floor area versus permitted floor area. Such consideration must also take into account, where applicable, how Landmarks Preservation Commission review may impact potential development sites achieving the density necessary to the creation of affordable housing units and the integration of SoHo and NoHo. (Lodhi_REBNY_132)

DCP's zoning regulations for SoHo/NoHo should consider as-of-right flexibility in bulk envelopes to account for the fact that over 80 percent of the project area is within City-designated historic districts and would require LPC approval for construction. Based on our experience, we anticipate that LPC may in some cases require new structures to set back at lower base heights than those identified in DCP's presentation during the public scoping meeting, and that LPC may prefer shallower setbacks than the standard setback depths. To ensure that LPC may shape building forms without the need for separate land use actions, DCP's zoning regulations for SoHo/NoHo should include provisions allowing for as-of-right variations in building envelopes on properties subject to LPC review. (Laboz_UAL_174)

The proposed street wall and building height regulations, as well as other bulk regulations, should permit the full use of the proposed permitted FAR. Full use of residential FAR would ensure that the maximum amount of affordable housing would be created. In addition, the Department should ensure that bulk regulations truly allow "modern workable envelopes" in recognition of the needs of new development, as opposed to simply matching bulky, non-complying buildings that could not be built under current regulations. Such flexibility would allow for efficient buildings with good layouts and floor-to-ceiling heights, as well as providing the required access to light and air. Further, the Department should not prescribe overly constrictive building envelopes for areas in which development will require review by the Landmarks Preservation Commission. (Borelli_153)

Response: Comment noted. Land use actions are often necessary because the existing bulk provisions that are inconsistent with the historic character of SoHo and NoHo. For example, there are no height limits under existing zoning and the required built form results in buildings that setback from the street line and in such a way that does not reflect the existing high-street wall and loftlike building forms. The Proposed Actions would institute height limits throughout the neighborhoods and

bulk controls that would reflect the existing character of SoHo and NoHo. LPC would retain its existing role in evaluating appropriateness of new developments within the historic districts. Bulk envelopes of the proposed zoning districts will provide flexibility in designing buildings that can accommodate allowable FAR. The Proposed Actions would establish bulk regulations that more appropriately respond to neighborhood context and provide flexibility to minimize the effects of new developments and enlargements on neighboring buildings. The Proposed Actions would allow LPC to modify minimum and maximum base heights required by the standard bulk regulations in a manner appropriate to the neighborhood and the immediate context without the need for separate land use actions.

Comment 84: DCP states as a primary reason for this plan to promote economic recovery resiliency and growth yet DCP offers no economic analysis of this. (Davies_BRC_011)

Response: Comment noted. As described in the DSOW, the neighborhood plan includes multiple planning goals to enhance mixed-use, including allowing residential use and a wider range of commercial and community facility uses that are supported by existing conditions in SoHo/NoHo and recommendations in Envision SoHo/NoHo. Previous studies, including Envision SoHo/No, have documented at length how restrictive regulations have erected barriers to small businesses, perpetuated storefront vacancies, and contributed to other undesirable economic outcomes.

Comment 85: I am totally in support of a mandatory affordable housing requirement. I support real affordable housing that will truly increase the percentages of people of color and diverse incomes into my neighborhood. Unfortunately, the draft scope carves out allowing developers to pay into a fund rather than build affordable housing or to plead financial distress are unacceptable. It puts into question the stated purpose of the rezoning. The current plan would overwhelm the community with even more rich people. (Tenenbaum_012)

Response: Through MIH, the cost for providing permanently affordable units in new residential developments is subsidized by market-rate units. In smaller buildings with 11–25 units, the MIH program allows payment into an Affordable Housing Fund in lieu of creating affordable units. This is in recognition that the creation, administration, and oversight of small numbers of units poses a challenge for developers, administering agents and the City. A payment in lieu option is available on a limited basis to small developments to ensure that smaller projects can proceed while supporting the objectives of the MIH program. The fee is designed to reimburse the City the full cost of providing affordable housing in the Community District. The fund is used to support the creation and/or preservation of affordable housing in the Community District where the project originated.

Comment 86: If the goal is to build housing, it's not going to happen if you allow similar residential and commercial densities. (Smith_019)

Response: Comment noted.

Comment 87: It just seems to be that the benefit for affordable housing relative to the change in zoning doesn't seem like a very good trade for the city. Stating that this isn't going to dramatically impact the neighborhood is this frankly being disingenuous. (Mandy_031)

Response: Comment noted. The DEIS is a disclosure document. It will assess the potential for significant adverse impacts so that decision-makers can weigh the benefits and the impacts of the Proposed Actions.

Comment 88: If the city is so serious about Racial Diversity and Equity, then why is it fostering the infusion of big box stores, which are mostly owed by white people instead of promoting small unique businesses owned by people of color? (Monrose_042)

Response: The Proposed Actions seek to promote a diversity of businesses, large and small, by allowing a broad range of uses to support existing businesses in SoHo/NoHo as they continue to operate, expand, grow, and evolve, while allowing a greater range of commercial, cultural, and civic activities within the existing highly adaptable loft buildings and new mixed-use developments. The Proposed Actions would eliminate certain outdated regulations such as restrictions on ground floor retail use, which would make it easier for small businesses to operate. Obtaining special permits or other ad hoc approvals can represent a substantial obstacle to small businesses that may lack the capital or technical sophistication to navigate the discretionary approvals process. Further, the Proposed Actions would promote diversity and equity by replacing the restrictive zoning that does not permit residential use as-of-right. For units that are approved by discretionary actions, a minimum unit size of 1,200 sf is required under the existing zoning. These are significant hindrances to the equitable production of market rate and affordable housing in two high-opportunity neighborhoods close to transit and employment centers. Elimination of the outdated zoning would promote diversity and equity overall in SoHo/NoHo.

Comment 89: The City's proposed plan prioritizes office and big-box retail instead of affordable housing. Loosening square foot limits for retail spaces will open the floodgates to big box stores. DCP should include zoning that does not incentivize office, big-box retail, and dormitory over small business and residential use. DCP should ensure commercial FAR is not prioritized over affordable and supportive housing. The proposed residential FARs strike an appropriate balance between built character and new housing opportunities, but the increase in commercial FAR would disrupt that. Commercial FAR should be reduced and limited to 5 and housing opportunity zones made larger. The commercial FAR incentivizes office

use and other non-residential uses at the expense of residential use and housing. The Proposed Actions should maintain the existing commercial FARs or lower the existing commercial FARs. (Corman_DID_149, Booth_CB2_072, Sigel_CB2_073, Josephson_111, Mascuch_071, Davies_BRC_151, Kang_129, Thypin_175, Johnston_079, ONY_166, Sutherland_070, Berkowitz_023, Ken_A_048, Miller_056, Guttentag_104, Thomas_022, Dalal_024, Kuppersmith_121, Metz_109)

Response: The Proposed Actions would preserve large buildings for jobs in a limited number of existing large buildings with large floorplates located primarily along Broadway. This requirement is intended to preserve office, light-industrial, and creative industries that are significant employers. The study area has long seen a pattern of limited commercial development and more significant residential conversion and development via discretionary actions. It is anticipated that underutilized sites would largely continue this pattern and be redeveloped with mixed-use residential buildings with commercial space on lower floors. The DEIS will include a land use analysis that will identify planned developments and land use trends in the Project Area and surrounding neighborhoods. In addition to promoting housing production, the Proposed Actions are intended to provide protection for the existing commercial and remaining light manufacturing businesses found in large loft buildings and ensure that SoHo/NoHo continues to thrive as an employment hub and reservoir for Class B office space.

Comment 90: We urge the city to protect and support small businesses and the arts community. Such protections could be partially accomplished by [the following]:

- Allowing Use Group 6 Retail up to 10,000 sf;
- Allowing eating or drinking establishments up to 5,000 sf, inclusive of below ground eating or drinking uses;
- Providing protections for arts-related and creative-industry ground floor spaces; [and]
- Formulating new and creative actions which help and encourage existing and new small independent businesses, while discouraging the proliferation of chain stores. (Davies_BRC_151)

Response: Comment noted. A goal of the Proposed Actions is to promote a diversity of businesses, large and small. The DEIS will include a full description of the zoning actions necessary to implement the Proposed Project.

Comment 91: It is a disservice to the residents of SoHo and NoHo for DCP to bring forward a proposal that fails to address in any substantive way the key concerns regarding legalization of residential units. Instead, the community is presented with a rashly constructed draft of a "Plan" that brings to our doorsteps millions of square feet of new bulk to be inserted in and around our landmarked neighborhoods, an unrestricted allowance for retail of all sorts, and the false promise of affordable

housing, which is really a developer's dream in disguise. DCP should [provide the cost to convert loft buildings from manufacturing to residential use]. For a loft buildings of a certain size, the cost to convert would be in the million dollars. DCP should also quantify all the existing protections that will be rolled over into proposed changes that are only hinted at in the DSOW.(Davies_BRC_151)

Response: Comment noted. Additional details about the Proposed Actions, including the mechanism to convert JLWQA to residential use and commercial floor area retention will be included in the DEIS.

Comment 92: The City is granting millions of dollars of new value to select property owners. (Davies_BRC_151)

Response: Comment noted.

Comment 93: DCP fails to adequately consider the history of adaptive reuse of buildings within the districts and thereby misses the benefit gained by conversion of space… DCP contradicts its own goal of office retention by the inclusion of a number of allowances for conversion to residential without any office retention.

DCP fails to respect what it characterizes as the "unique historic character and cultural legacy" of SoHo by its proposal to lift reasonable zoning limitations on oversized retail operations and eating and drinking establishments. The removal of these existing controls, put in place to manage conflicting uses, runs the risk of transforming the Broadway corridor north of Canal Street into another late-night district, akin to the Meatpacking District. (Davies_BRC_151)

Response: The Proposed Actions seek to strike a balance between allowing for the conversion of office use to residential use, where appropriate and feasible, based on the unique conditions of the building while also preserving an important economic sector and employment base in buildings that are best suited for office and creative use. The Proposed Actions have been designed to allow for growth in a manner that is consistent with the Project Area's historic character.

Comment 94: The Manufacturing zoning found throughout SoHo and NoHo is the underlying framework that allowed for the artistic blossoming of these neighborhoods. And the M District creative allowances within the buildings—for materials, space, sound and more—are among the reasons that the arts flourished here. The goal, now and looking forward, should be to evolve the zoning, to nurture creativity into the future. (Davies_BRC_151)

Response: Comment noted. The Proposed Actions would maintain manufacturing zoning throughout the study area and continue to permit the utilization of manufacturing space by certified artists as JLWQA use. The Proposed Zoning would reflect changed conditions by also permitting and expanded suite of uses, including more

expansive live-work arrangements for a variety of artists, makers, and other professionals.

Comment 95: The scoping document cites restrictions to ground floor use regulations and outdated manufacturing zoning. In actuality, SoHo is a mixed-use neighborhood that has a robust retail and commercial environment, occupying much of the ground floor spaces of buildings throughout the 56-block Study Area. (Davies_BRC_151)

Response: Comment noted.

Comment 96: There is already current glut of luxury condos. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Proposed Actions would, for the first time, mandate permanently affordable housing within SoHo and NoHo as part of the Mandatory Inclusionary Housing program.

Comment 97: Additional objectives should be 1) to ensure that expanded housing opportunities do not result in out of scale development and inappropriate building enlargements in the study area, and 2) that the adaptive reuse of soft sites does not result in a loss of regulatory protections for loft law tenants. (Herrick_CSC_142)

Response: The proposed bulk regulations have been designed to be generally consistent with the built character found within the Project Area, and the Loft Law will continue to protect tenants' rights.

Comment 98: BRC believes it is entirely poor "planning" to use data on closed/vacant retail stores gathered in July 2020; this area was heavily damaged by looters and subsequent outlying robberies as an indicator of "vacancies." (Davies_BRC_151)

Response: Comment noted. Data gathered during the COVID-19 pandemic is supplemented with pre-pandemic information and other sources of information. DCP's July 2020 report studied the effects of the COVID-19 pandemic on retail citywide. The July 2020 report will not serve as the baseline on which to assess impacts of the Proposed Actions. The report focused on retail activities across the five boroughs, while all major commercial corridors were found to have a higher share of inactive storefronts in light of the pandemic, SoHo and the Canal Street corridor were the only two areas with over 50 percent of the stores closed or vacant. The Proposed Actions would replace the outdated manufacturing zoning and rigid use restrictions with rational, appropriately flexible regulations that promote the mix of uses and support COVID-19 economic recovery, business adaptation, and long-term resiliency.

Comment 99: CSC considers the amount of projected low income created based on the large upzonings to be relatively low considering the enormous amount of development rights that will be generated by the proposed action. In brief, we believe that DCP is not extracting enough community benefits for the amount of concessions being made to the real estate developer community. (Herrick_CSC_142)

Response: The number of projected affordable units are consistent with MIH program which is informed by a robust 2015 Market and Financial Study to determine the optimal affordability levels such that the provision of affordable housing is not dis-incentivized.

Comment 100: Currently there is a tax to convert manufacturing space to residential space. In a worst-case scenario this would be an about equal to the current value of my loft, wiping out my life savings. I have owned this space since 1984 and occupy it legally. How does the City justify changing a zoning regulation that imposes such an extreme hardship on the current middle and lower income residents who currently reside here? (Behnke_095)

Response: The purpose and need for the Proposed Actions will be described in the DEIS. No taxes are proposed as part of the Proposed Actions; and units that are lawfully occupied for residential purposes today, including under the JLWQA provisions, may continue to remain so occupied.

Comment 101: I call on DCP to do an economic analysis of the entire proposal, including for the FAR increase and the grant of value being given to property owners from the mayor and DCP. Also, an analysis is needed for any and all costs linked to the proposed conversion of the district—DCP has failed to include any such examination for such. We need an FAR analysis for all properties, including new buildable sf of structure, including the value of that FAR not just for the 27 projected properties or the 57 potential properties but for all the 800 plus properties in SoHo. We need a retail space analysis for the expansion of as of right, special permit and study analysis, and an LPC application analysis. (Davies_BRC_011)

Response: The analysis framework identifies projected and potential development sites prepared as part of RWCDS. The RWCDS reflects the proposed FAR under the Proposed Actions and identifies the incremental development expected between future conditions with and without the Proposed Actions, which form the basis for analysis in the DEIS. Economic analysis of the value of development rights on individual properties and retail spaces as well as cost analyses associated with special permits and LPC applications are beyond the scope of analysis required under CEQR.

DENSITY AND BULK REGULATIONS

Comment 102: It is ill-advised to draw a line down the center of any street so that one side is populated with huge developments facing another side's "intact historic zone." As the Draft Scope is currently configured, that happens in 5+ instances. (Booth_CB2_072, Sigel_CB2_073)

Response: The proposed SNX includes underlying paired mixed-use districts that would modify the typical regulations of the underlying districts, establish additional requirements, and establish parameters for future development derived from and respond to block- and neighborhood-wide characteristics, including the historic district context. Additionally, the DEIS will include an analysis of the potential for urban design impacts as a result of the Proposed Actions.

Comment 103: Two subdistricts—the Broadway-Houston Corridor and NoHo North—would permit full lot coverage up to two stories, instead of the 70 percent and 80 percent permitted for interior/through and corner lots respectively under R9X zoning. This will negatively impact light and air for buildings that share a rear lot line. (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions would have appropriate bulk controls consistent with the built character of the surrounding area. The DEIS will include an analysis of shadow impacts as a result of the Proposed Actions.

Comment 104: New, as-of-right residential development, with mandatory inclusion of affordable housing could be accomplished with less disruption and no upzoning at the same FAR as is currently allowed for commercial/manufacturing development in SoHo. (Booth_CB2_072, Sigel_CB2_073)

Response: One of the goals of the Proposed Actions is to promote housing production, including the creation of permanently affordable housing through MIH. The residential densities selected for the proposed zoning districts are consistent with FARs in the surrounding area and would maximize the provision of affordable housing. The DEIS will include an assessment of zoning in Chapter 2, "Land Use, Zoning, and Public Policy."

Comment 105: Explore opportunities to create design guidelines, with assistance and input from LPC based on the study area's character, to ensure future development will be physically and architecturally contextual with existing built environment. (Booth_CB2_072, Sigel_CB2_073)

About 80 to 85 percent of the Project Area is located within the SoHo Cast Iron Historic District and its extension, the NoHo Historic District and its extension, and the NoHo East Historic District, allowing the LPC substantial regulatory oversight throughout the area. While LPC review will certainly help to ensure that

the character of future development is harmonious with the existing buildings, a public facing document that outlines specific guidelines for the architectural character of future development should be created with assistance and input from the LPC and the broader community. This will help alleviate the administrative burden on the LPC and give community members an additional voice in the process. (Chin_161, Brewer_162)

What design elements will be included to assure that the building forms are in keeping with the historic built environment? (Davies_BRC_151)

Response: Comment noted. The Proposed Actions would replace 50-year-old zoning that allows buildings of unlimited height and provides bulk controls that are inconsistent with the existing character of SoHo and NoHo. The new zoning would impose height limits for the first time throughout the neighborhoods as well as bulk controls that reflect the existing character of high street wall, loft like buildings. Further, the DEIS will include a detailed description of the proposed zoning, including bulk regulations that respond to neighborhood context, provide flexibility to minimize the effects of new developments and enlargements on neighboring buildings and allow the LPC to shape the building form in a manner appropriate to the neighborhood, thereby minimizing the need for additional discretionary approvals.

Comment 106: CHPC also recommends exploring options to expand the rezoning area, to make the housing opportunity zones larger and create additional opportunities for new residential development. (Kang_129)

Response: In addition to promoting housing production, the Proposed Actions are intended to provide protection for the existing commercial and remaining light manufacturing businesses found in large loft buildings and ensure that SoHo/NoHo continues to thrive as an employment hub and reservoir for Class B office space. Expanding the higher density housing opportunity zones into the historic cores of SoHo/NoHo would be at odds with the built character of the historic districts.

Comment 107: Currently, the spread between commercial and residential density is too low. Especially in the R7X areas we would like to see the residential FAR increased. (Gates_RPA_169)

Response: The commercial and residential densities were designed to ensure a desirable mix of uses and facilitate appropriate building forms that are reflective of the uses and building typologies in the different subareas. With respect to the proposed M1-5/R7X, which would be mapped within the historic cores of SoHo and NoHo, the residential density coupled with the bulk regulations, are intended to reflect and respect the unique existing historic character of the areas.

Comment 108: Development Scenario Questions:

- It has been said that the current Plan would add an additional 11,000,000 sf of new "Unused Development Rights" to the Study Area. Is this accurate?
- If accurate, what would be the real worst-case scenario?
- You have not discussed transfer of Air Rights. (Tenenbaum_156)

Response: According to the RWCDS prepared by DCP, the Proposed Actions would result in approximately 2.2 million gross square feet of projected development. The utilization of unused development rights from one lot to another lot within the same zoning lot is allowed as-of-right and would not be modified by the Proposed Actions. The purpose of the DEIS is to assess the potential for significant adverse impacts based on the RWCDS. The amount of unused development rights generated by the proposed zoning is not an element of the analyses required under CEQR and is outside the scope of the DEIS.

Comment 109: The proposed density increase on the non-designated areas is massively over-scaled for the existing urban environment. The area is largely a medium-density zone, and even as such, is still strained when it comes to necessary city services such as light, air, open space, sanitation, traffic flow, transit capacity, and necessary community services such as libraries and schools. Encouraging the amount of high-density development which the current plan does would push the physical plant of the neighborhood beyond the breaking point. (Bankoff_177)

Response: Comment noted. The Proposed Actions would map a combined M1-6/R10 contextual zoning district in the limited areas outside historic districts. The resulting building form would be within the scale and in some cases lower than existing buildings within and adjacent to these areas. The DEIS will include a full analysis of potential impacts on a variety of impact areas, including but not limited to urban design, shadows, infrastructure capacity, traffic, transit, and schools.

Comment 110: We agree that the existing built context should be considered when implementing zoning changes and "appropriate" new building forms; we also have significant concerns about the potential changes the special district may impose on bulk regulations. The DSOW does not provide much detail on the specific modifications the SNMD will impose on underlying bulk regulations. (Borelli_153)

Response: Comment noted. The Proposed Actions would replace the existing 50-year-old zoning that permits buildings of unlimited height with zoning that includes height limits as well as bulk controls that will ensure built form that mirrors the existing loftlike character of the neighborhoods. Additional details on these modifications will be provided in Chapter 1, "Project Description," in accordance with the Draft and Final Scopes.

Comment 111: Due to the historical development of streets and blocks within the SoHo East Subdistrict, many lots are skewed, shallow, or otherwise irregular, thereby creating challenging conditions for development. Such challenges likely exist elsewhere in the Plan Area where blocks share a similar development history. Especially important in opportunity areas where the proposed zoning would facilitate development to meet the Plan's goals, specifically affordable housing production, the SNMD's modification of the underlying districts' bulk regulations should provide flexibility or relief for difficult conditions, such as rear yards/rear yard equivalents, courts, and narrow sites. (Borelli_153)

Response: Comment noted. Areas anticipated to accommodate most of the projected growth such as the SoHo East, SoHo West, and the NoHo Bowery subareas, are framed by wide streets and generally located outside of historic districts. In these areas, special regulations would modify the bulk regulations of the typical M1-6/R10 district to allow sufficient flexibility to achieve the development and housing goals of the Neighborhood Plan while responding to the unique conditions in these subareas, such as irregularly shaped lots. Special district text would modify certain underlying bulk regulations, including rear yard/rear yard equivalent, setback, and inner court regs, to respond to odd/irregular lot shapes/configurations as well as to better reflect the bulky, high lot coverage loft typology. Existing avenues for relief from zoning provisions in conditions of demonstrated hardship would continue to apply.

Comment 112: The DSOW shows that several of the RWCDS projected development sites do not utilize their full proposed development potential. The proposed street wall and building height regulations, as well as other bulk regulations, should permit the full use of the proposed permitted FAR within zoning envelopes. The EIS should include any necessary study to ensure that all bulk envelope options permitted by the proposed underlying zoning districts is within the Plan's scope. (Borelli_153)

Response: Comment noted. The RWCDS is a reasonable worst-case projection of development under the Proposed Actions but is not intended to be predictive of every possible development permutation on any given site. The height and setback requirements are intended to ensure that new developments would be in keeping with the prevailing built context while allowing necessary design flexibility to address individual site conditions. While the new zoning would maximize the use of floor area, specific site conditions may vary. The RWCDS will be updated for the Final Scope and the DEIS and will be provided as an appendix.

Comment 113: There is no need to build newer or larger buildings in the corridor. (Levy_117)

Response: The DEIS will include a discussion of the purpose and need for the Proposed Actions and will consider the potential for significant adverse impacts to urban

design, including the size and scale of new buildings generated under the Proposed Actions.

Comment 114: If the current FAR of 5 is increased to 9.7 as proposed, it will allow massive buildings along Lafayette Street, undoing preservation efforts of the last 20 years. The transfer of air rights combined with no height limits would potentially turn this Core Historic District into a canyon, shrouded by shadow with increased traffic, noise, and unanticipated environmental impacts that would be impossible to mitigate. (McAlpin_124)

Response: Existing zoning permits buildings of unlimited height and with built form that is radically different from the predominant character of the historic districts. The Proposed Actions would impose height limits for the first time throughout SoHo and NoHo and would ensure that new developments reflect the built character of these neighborhoods. The DEIS will comprehensively analyze the impacts of the Proposed Actions with respect to shadows, traffic, noise, and other potential impacts.

Comment 115: DCP's zoning regulations should carefully consider how yard and setback regulations may affect the ability to construct functional floorplates. The Final Scope should confirm that the EIS will analyze With Action Condition building envelopes consistent with these provisions. (Laboz_UAL_174)

Response: The proposed bulk requirements will be described in the DEIS. The new zoning is intended to result in developments that have functional floor plates consistent with the prevailing loft building context found in SoHo/NoHo. The bulk requirements would ensure that new developments would be in keeping with the historic neighborhood context. The SNX would modify certain yard regulations of the underlying zoning districts to reflect the high lot coverage conditions of the loft typology, help bring sufficient light and air to adjacent buildings, as well as provide appropriate relief for the many small, shallow, and oddly shaped lots that are common throughout the Project Area and for which designing efficient floorplates presents unique challenges.

- For residential buildings on interior and corner lots, required rear yards would be reduced from 30 feet to 20 feet.
- For shallow interior lots, the depth of a required rear yard may be reduced by six inches for each foot by which the depth of a zoning lot is less than 90 feet, not to be reduced to less than 10 feet.
- For through lots, there would be no required rear yard equivalent for non-residential uses.
- For though lots with residential uses, the required rear yard equivalent would be 40 feet.
- Minimum dimensions of inner courts would be reduced. Small court provisions of the underlying districts would apply.

Comment 116: Where greater residential densities are allowed, the incremental difference in density for a residential project would be made up entirely by affordable units. (ONY_166)

Response: Comment noted. The number of affordable units will be determined through the MIH program.

Comment 117: There are many buildings, either in or across the street from the proposed districts that are very densely built. So those areas should be mapped at 10 FAR instead, which would boost the residential density from FAR 9.7 to 12. Density should be increased, making the difference between a rezoning that ultimately results in a few hundred homes versus a few thousand. (Thomas_022)

Response: Comment noted. As discussed in the Draft Scope, the SoHo East and NoHo West subareas are intended to serve as transitional areas between the lower scale historic cores of SoHo and the higher densities in adjacent neighborhoods.

Comment 118: I think it's a real shame that you're not maxing out the residential density in NoHo. For example, I think that parking lot, for example, in Great Jones should be, you know, a 10 FAR equivalent. (Smith_019)

It's clear that the way to maximize the amount of housing here is to make sure that developers decide to build residential rather than commercial space and the best way to do that is to maximize the residential FAR and, for example, you could build, you could go up to 10 instead of our nine. And you could go out to our eight or even higher instead of our seven in some of the outside, outside lots, but also limit the commercial density.

Response: Comment noted. The residential densities have been selected to maximize housing production while responding to varying conditions throughout the neighborhoods and facilitating building forms that reflect the existing built character of the subareas.

Comment 119: We are concerned that a requirement for the one-to-one retention of non-residential floor area and projects with large existing buildings could preserve commercial uses at the expense of new housing. (Kang_049)

Response: The Proposed Actions would preserve large buildings for jobs in a limited number of existing large buildings with large floorplates located primarily along Broadway. This requirement is intended to preserve office, light-industrial, and creative industries that are significant employers.

Comment 120: DCP's proposed plan, if adopted, will permit greater FARs throughout SoHo and result in the almost doubling of SoHo's residential population and the influx of thousands of new office workers into the neighborhood. (Hronsky_154)

Response: Comment noted.

Comment 121: Upzoning the Broadway Corridor would not only severely impact Broadway, but also Crosby and Mercer Streets. Permitting upzoning on Broadway and Lafayette, without respecting landmarked buildings that are part of the Historic District, would put Crosby Street residents in a dark canyon between two rows of out-of-scale towers, more than twice the height of the 25-story NoMo Hotel (former Mondrian Hotel.) (Levy_119)

Response: The Proposed Actions would impose height limits throughout the study area and would not permit tower building forms nor buildings as tall as the cited NoMo SoHo Hotel. The DEIS will include an analysis of the potential impacts of the proposed rezoning on historic resources, urban design and visual resources, and shadows.

Comment 122: While we can't do anything about the state's FAR cap, we should maximize the available FAR to ensure that the largest amount of affordable units get built. That means that the sections zoned for R9X should instead be R10, and R7X should be at least R8X, although in the borough of skyscrapers we should be able to allow more. Importantly, the 55 Bleecker and 477 to 479 West Broadway sites are also zoned less densely than their surrounding, existing buildings, and these should be adjusted to match the context. (Baskin_114, Metz_109, Thomas_022)

The residential densities proposed in the plan are too low. The M1-5/R9X districts can and should be mapped as R10 districts. This would raise the allowable residential density from FAR 9.7 to 12. (Sutherland_070)

I am writing to support higher density, especially in housing, for SoHo and NoHo. I think the city's plan as proposed in the DSOW is a great start. I'd like more density, especially including mapping certain buildings as R10 instead of R9X where possible. (Mohorcich_081)

Response: See response to Comment 89. The site at 55 Bleecker Street has been added as a potential development site. This will be reflected in the Final Scope and the DEIS.

Comment 123: We need a height limit. (Tenenbaum_102)

What are the height limits, specific to each subdistrict, that will be included in the proposed zoning? How does the DCP define "tall towers" and what height limitations will be included in the proposed zoning? (Davies_BRC_151)

Response: Comment noted. The Proposed Actions include contextual zoning districts with height limits. The height limits allowed under the Proposed Actions will be presented in the DEIS.

Comment 124: Show how the proposed upzoning can possibly "harmonize with the neighborhood's context and scale"? (Tenenbaum_156)

CSC finds that the proposed upzonings to R10 and R9X, with floor area ratios of 12.0 and 9.7 respectively, have the potential to create huge, out of scale buildings within or next to the historic districts. (Herrick_CSC_142)

Response: The Proposed Actions would replace 50-year-old zoning that allows buildings of unlimited height and provides bulk controls that are inconsistent with the existing character of SoHo and NoHo. The new zoning would impose height limits for the first time throughout the neighborhoods as well as bulk controls that reflect the existing character of high street wall, loft like buildings. As stated in the Draft and this FSOW, the DEIS will include an analysis of urban design and neighborhood character.

Comment 125: The increase of the floor area ratio in the draft scope of work is concerning to many in these neighborhoods. We encourage the City to achieve these important policy goals in ways that do not change the historic character of these important historic neighborhoods. (Dicus_SBI_152)

Response: Comment noted. The Proposed Actions would replace 50-year-old zoning that allows buildings of unlimited height and provides bulk controls that are inconsistent with the existing character of SoHo and NoHo. The new zoning would impose height limits for the first time throughout the neighborhoods as well as bulk controls that reflect the existing character of high street wall, loft like buildings.

Comment 126: For all the City's talk of "contextual zoning," much of the 56-block area would see a near doubling of the allowable size of new development. (Davies_BRC_151)

Response: The Proposed Actions would replace 50-year-old zoning that allows buildings of unlimited height and provides bulk controls that are inconsistent with the existing character of SoHo and NoHo. The new zoning would impose height limits for the first time throughout the neighborhoods as well as bulk controls that reflect the existing character of high street wall, loft like buildings.

Comment 127: The section of the Draft Scope under the heading "Floor Area and Bulk Regulations" is overly general and vague; what is proposed requires a thorough and intelligible explanation. (Davies_BRC_151)

Response: The DEIS Project Description chapter will include a thorough description of the Proposed Action and a copy of the proposed zoning text will be appended to the DEIS.

Comment 128: What does it mean that "the Proposed Actions would establish bulk regulations that more appropriately respond to the neighborhood context, provide flexibility to minimize the effects of new developments and enlargements on neighboring buildings and allow the LPC to shape the building form in a manner appropriate to the neighborhood"?

- What does "more appropriately" actually mean?
- What specific sites would require approval for review by LPC?
- What process of approval will developers/architects be required to go through to clear historical context concerns? (Davies_BRC_151)

Response: The Proposed Actions would replace 50-year-old zoning that allows buildings of unlimited height and provides bulk controls that are inconsistent with the existing character of SoHo and NoHo. The new zoning would impose height limits for the first time throughout the neighborhoods as well as bulk controls that reflect the existing character of high street wall, loft like buildings. The DEIS Project Description chapter will include a thorough description of the Proposed Action and a copy of the proposed zoning text will be appended to the DEIS.

Comment 129: I'd like to object to the upzoning by Prince and Mulberry. It's too small. The buildings there don't seem especially historic or interesting, so I think it would be an opportunity to allow a lot more density. (Griffith_133)

Response: Comment noted.

Comment 130: The proposed M1-5/R9X districts (the Broadway—Houston Corridor, NoHo North, and Canal Corridor) should instead be mapped with R10 and the M1-5/R7X districts should instead be mapped with at least R8X. (Guttentag_104)

Response: The densities have been selected to generally reflect the FARs of the existing buildings in these areas within historic districts and facilitate building forms that are responsive to the existing built character.

Comment 131: We trust that DCP can and will embrace this opportunity for genuine innovation, through adaptive reuse and truly affordable subsidized housing development. While some individuals and entities are casting the goals of in-scale building and affordable housing as mutually exclusive, we believe that these objectives are not only compatible, but that it is a social justice imperative to provide affordable housing in medium and low-rise settings conducive to congenial social interaction. (McGee_068)

Response: Comment noted.

Comment 132: Inclusionary housing programs do not produce the levels of affordable housing in communities they aim to create… These programs [do not] address the

fundamental issue of real estate speculation driving up the real estate prices, property taxes, and neighborhood value [and] long-term residents are [then] pushed out of their communities and it [becomes] economically inefficient to construct affordable housing.

Zoning changes with MIH and ZQA have only further exacerbated the problem by causing real estate speculation when developers anticipate a zoning change and buy up properties thus driving prices higher despite the goal of housing development. (Glick_090)

Response: The Proposed Actions would expand housing opportunities by allowing residential use and requiring permanently affordable housing to ensure that the neighborhoods support racial and economic diversity and further the City's equity and fair housing goals. Beyond the Proposed Actions, the City, through the Department of Housing Preservation and Development and Mayor's Office to Protect Tenants, has invested in programs such as the Citywide Tenant Hotline and Portal and Tenant Anti-Harassment Unit. Under New York City's right-to-counsel law, the City provides tenants facing eviction in Housing Court or NYCHA administrative proceedings with access to free legal representation and advice provided by nonprofit legal services organizations from across the five boroughs. These measures are intended to help tenants facing harassment.

Comment 133: Study the implications of the Housing Stability and Tenant Protections Act of 2019 and if/how it interacts with rent regulations within Loft Law provisions. (Booth_CB2_072, Sigel_CB2_073)

Response: The requested study is beyond the scope of the analyses required under CEQR and will not be provided.

Comment 134: It is recommended that Process Sponsors study the feasibility of implementing such rental assistance for low-income artists and other renters. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will assess the potential for significant adverse environmental impacts of the Proposed Actions in accordance with CEQR. The feasibility of implementing rental assistance is beyond the scope of CEQR. Several rental assistance programs are available to New Yorkers. The Department of Social Services (DSS) has rental assistance programs to help New Yorkers experiencing homelessness move out of shelter and into stable housing by providing monthly rent supplements. HPD and NYCHA administer Section 8 programs, also known as the Housing Choice Voucher programs, through which federal funding is used to help eligible low-income families rent decent, safe, and affordable housing in a neighborhood of their choice.

Comment 135: Additional research [should be conducted] to create a new entity outside DCLA to review the eligibility [for certified artists] and connect individuals with benefits/resources to detail further how such an entity might be established, how it would function, and how it would improve the ability to administer eligibility standards without being overly exclusionary. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

COMMERCIAL USE

Comment 136: The 10,000-sf restriction on (Use Group 10) large retail establishments and the 5,000-sf restriction on eating and drinking establishments should be maintained. The Proposed Actions should not lift this restriction. The lifting of the restriction would result in the proliferation big box stores, and it would turn the Project Area into a mall. Retail above the first floor is problematic and will impact the quality of life for the residents living above commercial uses. Big Box stores would ruin the character of SoHo/NoHo and put small businesses owners out of business. (Mulkins_113, Sarkar_173, Booth_CB2_072, Sigel_CB2_073, Berman_025, Levy_117, Chin_161, Brewer_162, Schwartz_001, Standish_167, Glick_003, Glick_090, Monrose_096, Monrose_140, Rosser_181, Davies_BRC_151, Tenenbaum_102)

Response: The Broadway corridor contains many historic, large-floorplate buildings that were originally developed to house large commercial establishments and are appropriate locations for larger retail stores that exist in the neighborhood today. The allowance of large retail under the Proposed Actions reflects what is already present in SoHo/NoHo and recognizes the contribution of retail to the City. SoHo and NoHo, especially SoHo, are successful retail destinations that provide jobs, and contribute a great deal to the City's economy and tax base. The Proposed Actions would allow such large retail establishments to operate legally. Both DOT and DSNY have attended recent community engagement events to listen to quality of life concerns related to the operation of large retail establishments and to provide information on how to address such concerns. Quality of life issues, commonly present in mixed use neighborhoods all over the City, can be more effectively addressed through coordinated city programs, operational measures, and implementing best practices outside of zoning. Residents and the general public will have multiple additional opportunities throughout the public review process to provide additional input.

Comment 137: Everyone agrees that the special permit process needs streamlining. Ground floor spaces should be available to lively, appropriate retail businesses, without requiring special permits. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 138: Let's not create an environment that favors big box retail over small businesses. The current restrictions are working and deserve protection: no retail over 10,000 sf, and a 5,000-sf cap on eating and drinking. Those uses should be restricted to below the second floor, as is common throughout the city. (Booth_CB2_072, Sigel_CB2_073)

Retail rules can be changed to accommodate reasonably sized businesses, as in the community plan, but the proposed allowance in the city plan for over 10,000 sf for retail is outrageous. A limit of 10,000 sf for retail and 5,000 sf for eating and drinking establishment is more than sufficient. (Berman_025)

No big box stores or large restaurants should be permitted. They are not in keeping with the character of the neighborhood and they squeeze out local, one-of-a-kind, smaller shops. Stores must be limited to 10,000 sf and restaurants should be limited to 5,000 sf. (Levy_117)

Response: Comment noted. The Proposed Actions would support retail trends that exist in SoHo/NoHo such as the presence of small and large retail stores, bars, and restaurants located, which are located in the same area. The DEIS will assess the potential for the Proposed Actions, including the new uses allowed under the zoning changes, to result in significant adverse impacts to land use and neighborhood character.

Comment 139: This adaptive reuse model inspired a development style now used in readapting industrial areas around the world. Further evolution of this successful transformation should be encouraged through adaptive reuse without new, out-of-scale construction. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. As discussed in the Draft Scope, the Proposed Actions would encourage adaptive reuse by allowing the conversion of non-residential floor area in existing buildings to residential space. In addition, to ensure that the housing thus created enables residents at a range of incomes, and not exclusively affluent residents, to enjoy the neighborhood's character, the proposal incorporates zoning that requires a share of new units created, whether through conversion or new construction, to be made affordable to lower-income households. With respect to new construction, the Proposed Actions would facilitate contextual development that is keeping with the prevailing built character of SoHo/NoHo and importantly, respective of the historic context associated with the several historic districts within the rezoning area.

Comment 140: Special permits and variances: The Draft Scope states that "the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize retail uses." CB2's opportunity to weigh in is vital for community representation in the application process. With removal of these

reviews, only speculation and profit govern retail uses, rather than their desirability in a mixed-use neighborhood. (Booth_CB2_072, Sigel_CB2_073)

Response: Many of the special permits and variances approved in SoHo/NoHo are to allow retail and other commercial uses, including restaurants and bars, on the ground floors. These uses are allowed as-of-right throughout many parts of New York City, in mixed-use neighborhoods in all five boroughs, with no special permits, variances, or community board approvals necessary. The Proposed Actions would eliminate the onerous and archaic zoning requirements that disproportionally affect property owners and businesses, including many small business owners, in SoHo/NoHo. The Proposed Actions would address a burden that befalls businesses and property owners in SoHo/NoHo that is not experienced by businesses and property owners elsewhere in the City.

Comment 141: Will in-person retail ever exceed the levels it had before the pandemic despite vacancies prior? How much retail will return, now that consumers have shifted largely to shopping from home? How much tourism will return and when? (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. While the effects of COVID-19 will undoubtedly have short-term effects on the viability of retail and other commercial uses, it is too early to measure with any degree of certainty the long-term effects the pandemic has on the commercial real estate market. The rezoning is meant to allow broad allowances for locating commercial uses in order to provide necessary and appropriate flexibility so that businesses have the room to change and grow.

Comment 142: It is not by chance that "bars and restaurants are interspersed across the project area, but are more prevalent along Lafayette Street, Great Jones Street, Bond Street, and West Broadway." For decades, the SoHo/NoHo community fought successfully to restrict use on the narrower and much more residential streets. The ill effects of oversize bars and restaurants is detrimental to the character, the local environment, and the residential life of these neighborhoods. For the Draft Scope to casually suggest that these uses be legalized—apparently without restriction as to size—ignores the wishes of thousands of families, Community Board 2, the NY State Liquor Authority, and local elected officials who feel otherwise. It will drastically alter the neighborhood character. (Booth_CB2_072, Sigel_CB2_073)

There should be no food, dining, or entertainment allowed on these blocks (Fortgang_141)

Response: SoHo and NoHo are overwhelmingly mixed-use neighborhoods where eating and drinking establishments have existed side-by-side with residences for decades. The Proposed Actions would simply acknowledge that reality while expanding opportunities for small business owners as well as adding to the amenities for residents, workers, and visitors alike. Further, the New York State Liquor

Authority (SLA) regulates alcoholic production and distribution. The Proposed Actions would not change SLA regulations, which will continue to be useful tools for the community to address operational aspects of bars and restaurants.

Comment 143: To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan. (Booth_CB2_072, Sigel_CB2_073)

Response: Given the status of SoHo/NoHo as a major employment center and important office submarket, it would not be appropriate or in keeping with the existing character to limit commercial FAR to 1.0 or 2.0 as is found with overlays. SoHo/NoHo is a mixed-use area and an important location for office-based firms. The Proposed Actions reflect and build upon the concentration of office use found in SoHo/NoHo. Further, the Proposed Actions would allow most local retail uses as-of-right across the entire Project Area.

Comment 144: SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The Proposed Actions would allow for a broader range of community facility uses on an as-of-right basis, including art galleries and museums. Further, an Arts Fund administered by DCLA would provide additional resources for neighborhood arts and cultural organizations.

Comment 145: What provisions will the SNMD include to govern "JLWQA, arts and cultural uses, and conversions of existing buildings." (Booth_CB2_072, Sigel_CB2_073)

Response: These provisions will be described in the DEIS' Project Description chapter.

Comment 146: Why will the proposal require a developer to replace any commercial space lost to residential conversion with an equal amount of new commercial space? And will this cause displacement of the existing commercial tenants? (Booth_CB2_072, Sigel_CB2_073, Thomas_022)

Response: The provisions to preserve large buildings for jobs is intended to preserve commercial, light-industrial, and creative production space in large, existing buildings. These provisions will be described in Chapter 1, "Project Description" of the DEIS. Business displacement will be assessed in Chapter 3, "Socioeconomic Conditions," of the DEIS.

Comment 147: DCP (RWCDS Table 3) shows 75 Spring Street (DSOW 31 [CV]), 154 Grand Street (DSOW 32 [CV]) and 324 Lafayette (DSOW 28 [CV]) as projected development sites with conversion from office to residential, and no office retention. For those in the historic core, DCP grants a FAR allowance that does not line up with the historic core subdistrict allowances. (Booth_CB2_072, Sigel_CB2_073)

Rather than retaining office space, in the three instances [referenced above] DCP shows full conversion from commercial use to residential use. The contradictions found in the DSOW must be rectified. What is the explanation for the inconsistent application of the non-residential retention provision that the DSOW? (Davies_BRC_151)

Response: The preservation of large buildings for jobs would not apply to the three referenced sites. As described in the DEIS, the requirement would apply only to the largest existing buildings (i.e., buildings with 60,000 sf of built floor area) with the intent to preserve significant concentration of office/production space and enhance mixed-use character of SoHo/NoHo.

Comment 148: The Retention Modification requires the Chair of the CPC to certify that the amount of non-residential floor area in a building will be replaced at a one-to-one ratio with future non-residential uses on the zoning lot, but this certification is not subject to public review and adds a new city approval for each project even though the Draft Scope seeks to reduce the number of applications and approvals. (Booth_CB2_072, Sigel_CB2_073)

Response: The CPC certification is a ministerial approval that involves a simple, non-discretionary process.

Comment 149: Despite the glut of office space, the non-residential floor area retention modification incentivizes office use, not adaptive reuse, which it discourages. The requirement would severely limit residential conversions and should be scrapped entirely. If not scrapped, consider restricting potentially to areas where cultural and artistic importance for non-residential uses and to allow for easier conversions from commercial to residential uses. DCP should be more open to investigating its utilization, as REBNY is proposing for Midtown. (Baskin_114, Barnett_063, Berman_025, Booth_CB2_072, Sigel_CB2_073, Guttentag_104, ONY_166, Metz_109)

Response: Comment noted. By allowing a broader range of uses, including residential, the Proposed Actions encourage the adaptive reuse of commercial/manufacturing buildings that may no longer be suitable for their historic use. The provision to preserve certain large buildings for jobs is meant to preserve the most important office uses that provide a significant concentration of office/production space in buildings with the largest floorplates. The requirement would only apply to the largest existing buildings (i.e., buildings with 60,000 sf of built floor area) While

the requirement would apply throughout the SNX, the applicable buildings represent a fraction of the buildings in the study area.

Comment 150: These parameters are also a complete repudiation of any attempt to "accommodate and expand live-work," or "create housing and live-work opportunities," or "support and promote and create more spaces and uses for arts, maker uses and cultural uses." (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. Not only would the Proposed Actions allow existing JLWQAs to remain (or transition to residential use), but the zoning changes would allow a wider set of live-work arrangements that would be accommodated through expanded home occupation provisions. These measures will be described in more detail in the DEIS.

Comment 151: Explore opportunities to connect property owners with efforts seeking to create temporary programming/studios in empty commercial spaces. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The request is beyond the scope of the CEQR DEIS. The Proposed Actions seek to allow a wider range of uses as of right, including community facility uses such as art galleries and museums. Further, JLWQA-to-residential conversion mechanism would be paired with provisions that provide additional support for arts and culture organizations.

Comment 152: Work with SBS, Chambers of Commerce, BIDs, and merchants' associations to better understand small business' challenges in SoHo/NoHo, and connect them to resources. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 153: We support the effort to make retail as of right and would like to reiterate that due to the large size of our floorplates, we would like to see Use Group 10 allowed and the arbitrary 10,000 ft limit lifted. We also want the scoping to consider retail on the second Floor and basement level as well. Since currently retail is allowed on upper floors, we want to make sure any final zoning allows certain uses like health and wellness, which are located there now. (Persen_BID_164)

Response: Comment noted. The Project Description chapter of the DEIS will include a more detailed description of the allowable uses under the Proposed Actions and the draft zoning text will be included as an attachment to the DEIS. Rather than require a BSA special permit, Physical Culture or Health Establishments (PCEs) of any size, as defined in the Zoning Resolution, such as gyms and licensed therapeutic massage studios, would be allowed as of right – a policy consistent with recent neighborhood-wide rezonings that recognizes the ubiquity of gyms

and spas and the central role that health and fitness plays in New Yorkers' daily lives.

Comment 154: Instead of opening the floodgates to big box stores that could be in any mall in America and are usually owned by white people, why isn't the city looking to help small, unique businesses owned and run by people of color? (Monrose_096, Monrose_140)

Response: Comment noted. The Proposed Actions are intended to promote a diversity of businesses, large and small.

Comment 155: Any new residential floor area for developments, enlargements and conversions containing significantly large existing buildings would require certification by the CPC Chairperson. This certification would also require that non-residential floor area be retained at a one-to-one ratio in larger buildings. We ask that "significantly large existing buildings" be defined. Furthermore, this provision should be studied to encourage artist and artist supporting spaces in these buildings. The one-to-one ratio requirement could be reduced to 0.5-to-1 FAR if artist or artist supporting spaces are provided on the ground floor and basement levels. (Chin_161, Brewer_162)

Response: Comment noted. See responses to Comments 147 and 149. The provisions to preserve large buildings for jobs will be described in more detail in the DEIS.

Comment 156: [There are] issues with retail spaces that exceed 10,000 sf and expand beyond the first floor. Some spaces are in direct violation of the zoning code and should be corrected. Others have tenuous designations, and it is unclear from city zoning how SoHo and NoHo, as a mixed-use community, will serve the needs of residents when it is clearly a heavily promoted shopping destination. Allowing for Use Group 10 retail spaces in the proposed SoHo/NoHo Special Mixed-Use District and Subdistrict to be as-of-right for spaces exceeding 10,000 sf is problematic due to the breadth of the allowance.

The DSOW justifies this change by drawing attention to retail vacancies seen in an audit completed by DCP in July 2020. The timing of this audit is dubious as there were many retail vacancies throughout the city following the start of the pandemic and lower Manhattan in particular was the site of a number of protests which may have caused some retail establishments to either temporarily close or leave entirely. It should also be noted that high-rent vacancies and retail blight has [also] plagued SoHo and NoHo.

Changing to zoning to allow for smaller, non-destination shopping types of retail has been a welcomed conversation. The community's ability to review large permitted requests through the BSA, a tool that the community can use to ensure that any large destination shopping elements remain contextual, should not be

removed. Given the state of the pandemic, and recent department store bankruptcies, it is unclear if this allowance will even be necessary which should only further inspire DCP to address retail concerns that are more probable in the district going forward. (Glick_090)

Response: Comment noted. See response to Comment 136. The Proposed Actions are intended to promote a diversity of businesses, large and small. The DEIS will describe the use provisions in more detail in Chapter 1, "Project Description."

Comment 157: Designer showrooms and small unique retail should be preserved here. (Fortgang_141)

Response: Comment noted. The Proposed Actions would allow creative production space, such as designer showrooms, and a broader range of uses as-of-right, including local retail on ground floors and cellars where it is currently difficult to locate most commercial and community facility uses.

Comment 158: Reasonable closing hours should be observed in this area to protect many residents living on upper floors. (Fortgang_141)

Response: Comment noted. Business hours are not a zoning issue and will not be addressed in the DEIS.

Comment 159: I strongly oppose any zoning, which allows big box stores or oversized retail or oversized eating establishments to be established in this zone so SoHo cannot become another cookie cutter wealthy community, which is what this plan will lead to. (Schwartz_001)

I strongly oppose any move to lift the existing 10,000 sf limit for retail uses. SoHo and NoHo do not need to be further transformed into a mega-mall. While retail uses are important and well-run appropriate ones are welcome, they should not overwhelm the neighborhood, which very large big-box and multi-level stores tend to. If anything, steps should be taken to support and encourage small mom-and-pop businesses. We don't need to make the rules looser to accommodate more large-scale stores. (Standish_167)

It's unclear how the city will serve the needs of residents in this heavily promoted shopping designation area. I am concerned that allowing for use group 10 retail spaces to be as of right and exceeding 10,000 sf is too broad and problematic. (Glick_003)

Response: Comment noted. See response to Comment 136.

Comment 160: We must keep the restriction on big box stores. Nothing larger than 10,000 sf. No eating or drinking larger than 5,000 sf and a very strict requirement for indoor

loading docks must be enforced. City Planning has recently waived the requirement in several SoHo applications. (Tenenbaum_012, Tenenbaum_156)

If Use Group 10 retail uses are to be permitted as-of-right, where are the provisions for the protection of residents, such as enforcement of the loading berths requirement and restriction of delivery hours? (Booth_CB2_072, Sigel_CB2_073)

Where will space be created for loading zones that are off street and thus will not affect the quality of life including off-hour noise and air pollution for the residents who live above the shops? (Behnke_095)

Response: See response to Comment 136 regarding large retail. Delivery hours and commercial loading are beyond the scope of the DEIS; however, for informational purposes, the DEIS will include a discussion of the City's efforts to address commercial loading and deliveries. Off-street loading is governed by Zoning Resolution, Article 1, Chapter 3, "Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core." Furthermore, altering historic buildings within historic districts to provide loading berths is likely contrary to preservation objectives and detrimental to streetscapes. The Neighborhood Plan process will bring agencies and the community together to address operational and other quality of life issues that fall outside the purview of zoning.

Comment 161: Different allowable height and bulk allowances on different blocks will effectively destroy what made SoHo/NoHo a special, unique, neighborhood that drew people here, artisans and special stores, and brought back an area that was losing its manufacturing businesses. (Keith_126)

Response: Comment noted. The proposed zoning differentiates subareas within SoHo/NoHo to recognize and respond to variations of neighborhood character that exist throughout these neighborhoods today (e.g., Broadway versus off Broadway). The potential for the Proposed Actions to result in significant adverse impacts on neighborhood character will be assessed in the DEIS.

Comment 162: If the ground floors are to become only commercial how are we going to be protected? I assume we will be grandfathered in as long as we live in our space but if we want to sell or rent out our space will it revert to being commercial space only? (Manfredi_138)

Response: Existing zoning prioritizes ground floors for industrial and heavy commercial uses and does not permit residential use. Under the Proposed Actions, pre-existing uses will continue to be legally non-conforming subject to discontinuance provisions. Furthermore, the Proposed Actions will permit residential uses on ground floors and will not include a requirement for existing non-commercial use to be converted to commercial use on the ground floor.

Comment 163: Citizens, by and large, do not want: an enlarged business center, large big-box retail stores, new large commercial office buildings, and large restaurants. (Rosser_181)

Response: Comment noted. See response to Comment 136.

Comment 164: Designating Broadway as a Commercial corridor would be destructive to the local community. DCP should recognize that we are the ones who shop and support the retailers and restaurants in our neighborhood especially now that tourists are gone. Those who purchase luxury apartments are the same ones who will flee the City in times of disasters. The area doesn't need additional luxury housing. (Wolf_097)

Response: See response to Comment 34. The Proposed Actions would expand housing opportunities for New Yorkers and would provide market-rate and permanently affordable housing through MIH.

Comment 165: [Other] avenues for the conversion of existing office or commercial spaces to as-of-right residential uses, as long as certain affordable housing totals are included [and should be considered]. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: Comment noted. The Proposed Actions would include provisions permitting the conversion of existing buildings to residential use.

Comment 166: In addition to big box stores, large retail uses include a new industry: large retail interactive entertainment venues that seek liquor licenses and late night closings. What will be the impact of such businesses on the quality of life of their residential neighbors? (Tenenbaum_156)

Response: The Neighborhood Plan will bring agencies and community together to address operational issues outside of zoning that may affect quality of life. Further, the SLA regulates alcoholic production and distribution. The Proposed Actions would not change SLA regulations, which will continue to be useful tools for the community to address operational aspects of bars and restaurants.

Comment 167: CSC supports this stated goal with regard to allowing ground floor retail, use groups 6 and 10. We support zoning that allows ground floor retail in SoHo/NoHo. We support zoning that allows use groups 6 in SoHo/NoHo. (Herrick_CSC_142)

On the ground floor throughout SoHo and NoHo. On wide streets in close proximity of mass transit where the predominant use has been commercial (i.e., commercial corridors such as Broadway, Lafayette and Canal), use group 10 (clothing stores, furniture stores, department stores) should be allowed on the second floor and below. We believe that service and appointment-based retail

(spas, yoga studios, gyms, etc.) should be allowed above the second floor. (Herrick_CSC_142)

Outside of designated commercial corridors, retail spaces in excess of 10,000 sf should be subject to a special permit or BSA application that requires community review that would provide for the possibility of modifications/stipulations on the proposal. (Herrick_CSC_142)

Response: Comment noted. The Proposed Actions would allow Use Groups 6 and 10 (local and destination retail, respectively) on an as-of-right basis throughout the SNX. See response to Comment 136.

Comment 168: With regard to retail in excess of 10,000 sf in the commercial corridors, DCP should allow it in the 27 percent of buildings to that have floor plates in excess of 10,000 sf, but perhaps study the impact of requiring them to make modifications that mitigate quality of life issues related to garbage collection (such as building a trash storage room and not allowing businesses to hold garbage on sidewalk for collection). With regard to deliveries (the City should consider enforcing no off-hour deliveries unless operator can certify compliance with strict sound regulations). (Herrick_CSC_142)

Response: Comment noted. Commercial waste collection and on-street loading areas for deliveries are not under the purview of DCP nor are they directly related to zoning, Through the Neighborhood Plan, the Department of Sanitation (DSNY) and the Department of Transportation will engage with businesses and residents to address quality of life matters such as deliveries and commercial waste collection. These efforts will be summarized in the DEIS.

Comment 169: The proposed allowances for large retail space seem engineered to disadvantage small businesses. Small businesses are better than big-box retail for the city in a multitude of ways, from creating more jobs per square foot to generating more tax revenue, which is retained locally. They must be encouraged and nurtured, especially during these dire times. (Bankoff_177)

Response: Comment noted. The Proposed Actions are intended to promote a diversity of businesses, large and small. Some of the buildings in SoHo/NoHo, particularly the larger loft buildings, can provide flexibility for a multitude of commercial uses because of their large floor plates.

Comment 170: The proposal currently fosters inappropriately large retail uses, and we recommend that it be limited to 6 FAR as per community input. (Devaney_MASNYC_163)

Response: Comment noted. Existing large retail in the Project Area generally only occupies the ground or lower floors of buildings. While the Proposed Actions would allow

a commercial FAR along Broadway to up to 6 FAR, it is expected that the retail FAR would be well under 6 in most cases.

Comment 171: The DSOW is too limited in its consideration of new allowances for retail space, and therefore a thorough review of that aspect of any proposal, with full study and analysis, must also be broadened. DCP's "expected" increase in retail space across the Study Area is limited to new development, and therefore fails to take into account the new allowances for conversions in existing buildings, from current conforming uses to UG 6 and UG 10 retail… DCP's new allowance for unrestricted retail would not only grant permitted retail use of the ground floors and cellars throughout the districts, but also expanded use at the second floor.

The DSOW fails to differentiate between types of retail, with no specifics to clarify the "extraordinarily high volume of special permits" for those seeking to operate as UG 6 (Local Service Retail) and those seeking UG 10 (Large Destination Retail). DCP fails to note the illegal status of large retail establishments, with no information about the large destination retail operations that are operating either without the necessary Special Permit per ZR 74-922 or in violation of an existing UG 6 Retail Special Permit. And DCP fails to address, as it has for years, its own responsibility through lack of enforcement of its own special permits. (Davies_BRC_151)

Response: The Project Description chapter of the DEIS will include an expanded discussion of the allowable uses under the Proposed Actions and the Land Use chapter will include an assessment of the expected increase in retail space. Given the land use, market and economic changes over the years and approvals by the CPC and BSA, the proposed retail allowance under the Proposed Actions reflects an existing pattern of ground floor occupancies with retail spaces rather that an introduction of retail to an area that previously had none or very little retail. Additionally, the DCP does not enforce zoning although it has and will continue to work with the Department of Buildings to ensure zoning is clear and readily enforceable.

Comment 172: The DSOW states that occupation above the ground floors of the Study Area's buildings are "18 percent retail and other" and "30 percent office." That comprises slightly less than 50 percent of upper floor occupation. If the remainder is JLWQA and Residential, wouldn't that be the single-most largest use in the Study Area? Is JLWQA counted as an industrial use? How does DCP deal with the overlap of categories? (Davies_BRC_151)

Response: For assessment purposes, the DEIS will treat JLWQA as a residential use. SoHo/NoHo are dynamic districts where mixed use commercial and residential uses coexist. Floor area calculation by uses are generally based on PLUTO. Unlike most other neighborhoods in Manhattan and elsewhere that have commercial uses concentrated on avenues and wide streets and predominantly residential use in the midblock and alongside streets, SoHo and NoHo have

various uses side-by-side, above and below within individual buildings, and in some cases even on the same floor. The proposal, reflective of this mixed-use condition, establishes mixed use regulations and recognize the presence of residences in SoHo and NoHo. Mixed commercial and residential buildings are prevalent in SoHo/NoHo. The DEIS will assess the mix of land uses in Chapter 2, "Land Use, Zoning, and Public Policy."

Response: Of particular concern is in the delivery systems that will be required to support retail that is larger than 10,000 sf. The few stores that already have this square footage are unable to have goods delivered without impacting the adjacent mixed-use community. Broadway is already a nightmare with constant confrontations between these entities. (Davies_BRC_151)

What loading and delivery requirements are proposed for serving the hugely expanded retail that is proposed, and how will those regulations be enforced? What consideration is being given for the lack of required off-street loading berths, a requirement of the zoning that has been waived too often by DCP and DOB? (Davies_BRC_151)

Response: Comment noted. See responses to Comments 160 and 168.

Comment 173: Destination retail in excess of 10,000 sf of selling space will only result in the dramatic proliferation of large chain stores, interactive entertainment venues, and eating or drinking establishments that have already been shown to create conflicts in these mixed-use neighborhoods, and [it] will likely have an even larger negative impact upon quality of life if those uses are expanded as-of-right. (Davies_BRC_151)

CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows—with no public review process—retail uses over 10,000 sf (including cellar space) and eating and drinking establishments over 5,000 sf. (Davies_BRC_151)

Response: Comment noted. The potential for the Proposed Actions to result in significant adverse impacts to neighborhood character will be assessed in the DEIS. See response to Comment 136.

Comment 174: The lack of changes to retail concerns in SoHo and NoHo that reflect a community-based provision, which has been the subject of years of meetings and organizing on the part of concerned citizens and elected offices. (Glick_090)

Response: Comment noted. Please refer to Comment 89.

Comment 175: Day-to-day operations like garbage collection and deliveries can be challenging to fit into a mixed-use community like SoHo, as these operations frequently use the public sidewalk space and can negatively impact those seeking to enjoy the public space while also being disruptive to neighbors. DCP should study ways to

change the zoning and other public policies to improve the public realm and mitigate the impacts that these operations have on the general public, including neighboring residents, businesses and visitors. (Dicus_SBI_152)

Response: See responses to Comments 160 and 168.

Comment 176: There should be no designated commercial corridors where people have already been allowed to reside. No 10,000+ square foot "big box" stores. (Tenenbaum_102)

Response: Comment noted.

HOUSING AND RESIDENTIAL USE

Comment 177: We need a better approach than Mandatory Inclusionary Housing (MIH), which has shown to be ineffective as a zoning tool for affordable housing. MIH guarantees lucrative developer payoffs and offers only modest promises of affordable units to reach the equitable housing goals specifically identified as a core reason to rush forward with this plan. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. MIH is intended to expand the supply of affordable housing by harnessing the private market to provide affordable units in rezoned areas. In SoHo/NoHo, where high land costs and market rents make affordable housing financing tools such as loans and tax incentives largely infeasible and where there is a lack of city-owned land to build 100 percent affordable housing, rezoning to allow housing and implementing MIH is the most important tool to support housing affordability.

Comment 178: The Draft Scope's RWCDS expects a net increase of approximately 1,683 dwelling units, only 20–29 percent of which would be "affordable" units. CB2 is looking for a greater percentage of affordable units in any new development. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. Projected affordable units are consistent with MIH requirements. These requirements are informed by a 2015 Market and Financial Study which determined optimal affordability levels so that affordable housing is promoted. In addition, since publication of the DSOW, additional units of affordable housing have been projected. The updated RWCDS is appended to the Final Scope and will be included in the DEIS.

Comment 179: The goal of expanding housing opportunities by "requiring permanently affordable housing" is mentioned, but there are no details or mechanism described in the Draft Scope for either the preservation of current affordable housing or the legalization of existing residents in SoHo and NoHo. Nor did the Draft Scope study the number of affordable units and how many of these units are occupied

by residents over 60, who are aging in place and comprise a NORC. This was a topic of extreme concern and importance during the Envision process. (Booth_CB2_072, Sigel_CB2_073)

Response: According to HPD, within SoHo/NoHo, there are some rent stabilized/rent controlled apartments in privately owned, multifamily buildings. While these are not income-restricted units, tenants in these units are protected from sharp increases in rent and have the right to renew their lease. The rents are regulated by NYS Rent Stabilization Law or other NYS laws like the Loft Law. Existing allowance and protection for existing residents legally residing in live-work arrangements pursuant to JLWQA provisions as well as residents legally residing in units covered by Loft Law or in IMD status would not be affected by the Proposed Actions. A study to determine the number of affordable units occupied by persons over age 60 is beyond the scope of the DEIS. Further, the potential for significant adverse impacts related to residential displacement will be evaluated in the Socioeconomic Conditions chapter."

Comment 180: To achieve the goal of preserving historic resources, adaptive reuse of existing buildings could yield a significant number of affordable units more quickly than an upzoning, without greatly increasing the stock of luxury market-rate units. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. Residential conversion would be allowed under the Proposed Actions, and is a part of the housing strategy for SoHo/NoHo. However, conversion or adaptive reuse alone cannot achieve the same number of affordable units that can be developed through new construction due to the complexities of adapting existing commercial buildings for residential use.

Comment 181: [Post pandemic, would] office, hotel, and other properties currently under distress become available for City acquisition, perhaps in partnership with a not-for-profit to create 100 percent affordable housing in existing structures? (Booth_CB2_072, Sigel_CB2_073)

Response: No City property acquisition for the purposes of providing affordable housing is contemplated under the Proposed Actions. The extremely high acquisition cost of property in SoHo/NoHo makes a 100 percent affordable housing development infeasible.

Comment 182: The conversion from existing M zoning to new R or C zoning will remove protections directly related to work created and practiced within the unique JLWQA units that were established specifically for the M1-5A and M1-5B districts. (Booth_CB2_072, Sigel_CB2_073)

Response: JLWQA will continue to be an allowed use along with new provision for live-work per ZR 123-00.

Comment 183: The Draft Scope describes no detailed plan to maintain the existing JLWQA and rent-stabilized and rent-controlled apartments, and there is no official count, nor even an estimate, of the number of such units.

The Draft Scope mentions voluntary transition from JLWQA to residential use but it does not detail how it would work or how arts and creative uses would benefit.

JLWQA is inadequately addressed in the Draft Scope. There are no guidelines or timeline for transitioning UG 17D JLWQA with permanent affordability to Use Group 2 nor are there any provisions for protecting JLWQA units in IMD buildings in limbo. The "voluntary option to transition JLWQA to regular residential use with conditions that more broadly benefit the arts and creative industries" is not only vague and unspecified, but it opens the door to losing a lot of units that might best be transferred to rent stabilization. Verbiage like this—with no mention of permanent affordability—leaves the role of the Loft Board in limbo. (Booth_CB2_072, Sigel_CB2_073)

Response: See response to Comment 42. JLWQAs are not rent-protected, do not enjoy "permanent affordability", nor do they fall under rent regulations. Many are owner-occupied. Those that are rent regulated by way of the Loft Law will not be affected by the Proposed Actions. JLWQA is a manufacturing use defined in the Zoning Resolution with no income restrictions or affordability requirements. "Certified artist" status conferred by DCLA or JLWQA designation on a Certificate of Occupancy does not mean a given unit is affordable, is limited in occupancy to individuals of specific incomes, nor does it provide protection from rent increases. The Draft Scope states that a mechanism would be established to facilitate the voluntary transition from Use Group 17D JLWQA to Use Group 2 residential use with expanded home occupation provisions. The mechanism will be described in more detail in the DEIS. For purposes of the DEIS analyses, JLWQA will be treated as a residential use. Tenants in rent stabilized/rent controlled apartments are currently protected from sharp increases in rent and have the right to renew their lease and these provisions would remain unchanged. The rents associated with these units are regulated by NYS Rent Stabilization Law or other NYS laws like the Loft Law. The zoning changes contemplated under the Proposed Actions would not affect the rent stabilized/controlled status of existing rent-regulated units.

Comment 184: Instead of converting M districts to UG2, the Scope should study maintaining the M district with protections and broader allowances for residentially occupied units. UG2 puts at risk things that the Draft Scope claims to want to protect. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The proposed paired Manufacturing and Residential districts serve to maintain allowances currently permitted under the M1-5A and M1-5B

zoning, while expanding to allow residential and s wider range of commercial and community facility uses.

Comment 185: An upzoning of residential FAR need not be a requirement of Mandatory Inclusionary Housing. The Scope should include the study of the potential of adaptive reuse as an alternative to increasing FAR. (Booth_CB2_072, Sigel_CB2_073)

Response: See response to Comment 40. In addition to an increase in residential density, allowing residential use where it is currently not allowed will trigger MIH in designated areas. The DEIS assumes the conversion of non-residential use to residential use on representative development sites.

Comment 186: It is not clear if the City would propose amnesty to non-certified artists living in JLWQA units as it did in 1987 ("Non artist Tenants Grandfathered in SoHo and NoHo," New York Times, Aug. 30, 1987), or if the current permitted uses under M-zoning will continue to be permitted. (Booth_CB2_072, Sigel_CB2_073)

Response: Existing JLQWA would be allowed to remain under the Proposed Actions. An amnesty is not currently contemplated. JLQWA would be allowed to convert to UG2 residential uses. This mechanism will be described in more detail in the DEIS.

Comment 187: Conversions to residential within existing buildings, many of which are grossly overbuilt, will complicate as-of-right conversion to residential without special rules. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. Conversion of existing floor area will be governed by the underlying regulations and the special district rules, as detailed in the DEIS.

Comment 188: Nothing in the MIH program guarantees that any housing will be built. It would be helpful to see a report on successful MIH programs. (Booth_CB2_072, Sigel_CB2_073)

Response: Zoning does not mandate development to occur. As proposed, by allowing residential use and implementing the MIH program, housing could be built on an as-of-right basis and would be subject to MIH requirements. The longstanding desirability of SoHo and NoHo, created in part by their central location, transit access, architectural significance, and presence of a vibrant creative ecosystem, means that the area can be assumed to continue to be attractive to new development that would be required to provide affordable housing pursuant to MIH.

Comment 189: Chief among the [MIH adjustments that could be made would require] lower income levels and a higher percentage of residences reserved for the required affordable housing. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The affordability requirements of MIH that would apply to SoHo/NoHo will be determined as part of the ULURP process.

Comment 190: Subsidies should be provided to ensure the development of affordable housing, with greater subsidies for those developments with a higher percentage of affordable housing. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. Subsidies are not contemplated under the Proposed Actions, however, the use of public subsidy from city or state housing agencies to develop affordable housing in SoHo/NoHo would not be precluded by the Proposed Actions.

Comment 191: A set-aside for some percentage of the required affordable units in new residential developments should be considered for those in the maker and creative arts and industries. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. Affordable housing requirements must be consistent with the City's Human Rights Law, which regulates discrimination in housing on the basis of occupation, as well as New York State and federal fair housing laws.

Comment 192: DCP's proposed zoning text amendment would allow for off-site, low-income housing when less than 25,000 sf of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing. (Booth_CB2_072, Sigel_CB2_073)

A loophole allows payments into an Affordable Housing Fund in lieu of building the housing in the proposed area, defeating the stated goal. This loophole must be closed. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. A payment in lieu option is available on a limited basis to small developments to ensure that smaller projects can proceed while supporting the objectives of the MIH program. This option recognizes that the administration, and oversight of small numbers of units poses a challenge for developers, administering agents and the City. The fee for contributions to the Affordable Housing Fund reflects the full cost of providing the affordable housing units in the same Community District, so developers in other Mandatory Inclusionary Housing Areas have generally opted for providing the units in the new development. Payments into the Affordable Housing Fund are reserved for 10 years for use in the same community district. After 10 years, the fund can only be used in the same borough. Furthermore, the payment in lieu option incurs five percent increase in the amount of affordable floor area provided.

Comment 193: The proposed Affordable Housing Fund allows developers to apply to BSA for a "special permit" to reduce their payment into the Fund where requirement would make development "financially infeasible." Isn't one of the goals to reduce the number of special permits? Would this be a public process? What are the criteria for which the BSA would grant this exception? (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The BSA special permit is part of the MIH program. The program allows the BSA to reduce the amount of affordable floor area required or modify or waive affordability requirements for developments made infeasible by the requirements of MIH. The program is designed with the intent that reductions and waivers would only be necessary in exceptional circumstances and would only be available where the requirements of MIH, rather than other factors, are the source of the hardship. The recourse enabled by this provision is important to the legal viability of the MIH program, and also ensures that the program would not adversely affect housing creation in the event of unforeseen economic shifts. The BSA special permit process requires public review pursuant to § 1-05 of the BSA Rules of Practice and Procedures. Criteria for issuance of a BSA special permit are enumerated in ZR § 73-624.

Comment 194: The Scope needs to include a description of how the Affordable Housing Fund will work. Since 2016, how much money has been paid into this fund and where and how has the money been spent? (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The DEIS will include a full description of the zoning changes, including MIH. The amount of the Affordable Housing Fund contribution is based upon the cost of providing the affordable units in the community district in which the eligible MIH Development is located. This amount varies by community district to approximate the cost differentials in providing affordable housing throughout the City. The fee amount for each community district is determined on an annual basis by the Department of Housing Preservation and Development based on the best available data. The fee is promulgated in the Rules of the City of New York, Title 29-Housing Preservation and Development, Chapter 41-Inclusionary Housing (§ 41-24 [Affordable Housing Fund Contribution).

Comment 195: It is unclear who determines the amount a developer pays to the Affordable Housing Fund? The developer? DCP? The City Council? Is this amount based on the project's "financial feasibility"? (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. See response to Comment 195.

Comment 196: Exempting "developments, enlargements, or conversions that do not exceed either 10 units or 12,500 zsf or residential floor area from the requirements of the program" may be shortsighted, given the scale of many of the smaller buildings in SoHo/NoHo. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The provision of affordable housing in SoHo/NoHo will follow the requirements of MIH, as modified by the special districts. The MIH program, as modified, would apply MIH in a manner that addresses the unique built context and regulatory context of SoHo/NoHo. The DEIS will include a full description of the zoning actions necessary to implement the Proposed Project and the development that is expected with the RWCDS.

Comment 197: MIH is unlikely to produce neither the number of AH units required to make a difference nor provide housing at the AMIs most needed by our city's vulnerable populations. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The number of affordable units created under MIH is dependent on the overall amount of residential developed under the Proposed Actions. The MIH program only serves households with extremely low- to low-incomes. Options 1 and 3 both require apartments set aside for households who earn $40,000 a year and would include two-bedroom apartments for less than a thousand dollars a month. Option 2 allows for slightly higher incomes and rents (incomes averaging $82,000 and apartments for $1,500-$2,000), but requires a higher portion of affordable homes (30 percent).

Comment 198: What is the basis of the conclusion that "a substantial portion" of the 1,683 DUs are "expected to be affordable"? (Booth_CB2_072, Sigel_CB2_073)

Response: The expected number of affordable units is based on MIH and the overall amount of residential space expected to be created on the projected development sites.

Comment 199: In light of the near-term prospects for substantially built office buildings and hotels, has CPC explored the purchase of distressed assets to be redeveloped as 100 percent affordable and/or supportive housing? (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions do not include City acquisition of property for the purposes of providing affordable and/or supportive housing.

Comment 200: Work with State elected officials to explore measures to implement and enforce anti-harassment procedures based on the newly passed rent law. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 201: In order for the rezoning to achieve positive impacts, it must facilitate a substantive amount of residential development. Opportunities for new housing are already limited, with 85 percent of the rezoning area located in a historic district. To ensure that the rezoning advances the fair housing goals that it is rooted in, CHPC urges the City to maximize opportunities for housing

development, especially along the edges of the rezoning area, outside of the SoHo and NoHo Cores. (Kang_129)

Response: Comment noted.

Comment 202: Close the loophole in section 23-96(b) 2 of the Zoning Resolution. This specifically allows IH projects where "all affordable housing units are rental affordable housing and all other dwelling units are homeownership housing" to economically segregate the buildings, putting all the affordable rental housing on lower "poor floors" and all of the high-end condos on upper floors, leading not to a mixed-income community but to a two-tiered structure both literally and figuratively. This is not in the spirit of mixed-income housing and neighborhoods, and we urge DCP to eliminate this language in the SoHo/NoHo MIH area, if not the MIH text overall. (Gates_RPA_169)

Response: Comment noted.

Comment 203: I am writing to endorse Open New York's proposals for additional residential upzoning, and to elaborate on my testimony. Given the city's recurrent housing problems and the possible long-term decline of the office market, I think that housing should take priority over offices, especially within walking distance of what's left of the Wall Street office market. (Lewyn_103)

Response: Comment noted.

Comment 204: I support the reduction of the commercial FAR and increase of the residential FAR to ensure that developers build homes rather than offices. Additionally, I would encourage the city to be ambitious and try to get the most new housing that you can, by increasing the height/FAR of 55 Bleecker and 477-479 W Broadway, and including 2 Howard and 142 Grand in the rezoning. Additionally, the proposed M1-5/R9X districts should be mapped to R10, and the M1-5/R7X should be mapped to at least R8X. (Livingston_118)

Response: Comment noted.

Comment 205: True integration requires a diversity of housing typologies, not only market-rate units, but affordable and supportive units as well. The city has many tools to encourage diverse typologies, including the New York City 15/15 Rental Assistance Program, Supportive Housing Loan Program, MIH, and ZQA. All of these should be utilized for rezoning SoHo, NoHo, and other neighborhoods. (AIANY_128)

Response: Comment noted. Future development would be subject to MIH and ZQA requirements. Rental assistance and supportive housing subsidy programs are not included under the Proposed Actions; however, the Proposed Actions would not

preclude the use of any housing subsidy program in SoHo/NoHo. Affordable housing is a primary goal of the Proposed Actions, and will be implemented through the provision of MIH requirements.

Comment 206: The proposed rezoning of SoHo and NoHo offers a first step towards making our City's housing policies more equitable. The current proposal shows that new construction can occur within established neighborhoods and historic districts, respecting older forms of architecture and current residents. Most crucially, plans for 800 units of legally mandated affordable housing would make one of our country's most expensive areas affordable for thousands of New Yorkers. (AIANY_128)

Response: Comment noted.

Comment 207: I support rezoning which increases the FAR and locations for more housing to be built. I support reducing the allowable FAR for offices in order to further promote more housing. Unfortunately, the current proposal of 10 FAR for office and 12 FAR for housing is not a big enough incentive for developers to switch from office to housing construction. Further, I believe zoning should be amended to allow for the incorporation of housing into existing office/commercial buildings allowing for a mixed use. Also allowing for setback (not visible from street) rooftop additions of apartments on all existing buildings would be a good way to add further housing. (Goode_088)

Response: The Proposed Actions seek to strike a balance between the development of new commercial and primarily residential buildings in the Housing Opportunity areas. In these areas, the paired M1-6/R10 district is projected to result in primarily residential buildings with commercial space on the lower floors, as shown in the RWCDS. A very limited number of new ground-up commercial buildings are projected to be developed under the Proposed Actions. Further, the Proposed Actions would encourage adaptive reuse by allowing the conversion of non-residential floor area in existing buildings to residential space. The Proposed Actions would facilitate contextual development that is keeping with the prevailing built character of SoHo/NoHo and importantly, respective of the historic context associated with the several historic districts within the rezoning area.

Comment 208: I favor the deepest level of MIH affordability. (Josephson_111)

Response: Comment noted.

Comment 209: The Supportive Housing Network of New York is supportive of New York City's plan to rezone two of its wealthiest neighborhoods—SoHo and NoHo. (Mascuch_071)

Response: Comment noted.

Comment 210: We all support the laudable goal of increasing affordable housing, but question how effectively this rezoning would achieve those goals. If these zoning changes are allowed as proposed, it could create over a thousand luxury units in SoHo and NoHo, with a fraction of affordable units, barely a quarter. Given the current real estate market, it is doubtful that MIH will be functionally "inclusionary" given the neighborhood, especially since MIH rules allow for developers to contribute to a fund for affordable housing to be built elsewhere, not even in NoHo or SoHo. (McAlpin_124)

Response: Comment noted. See response to Comment 193.

Comment 211: If we are truly striving for a more equitable and just city, our housing policy must look to integrate wealthier and whiter neighborhoods. (Chin_161, Brewer_162)

Response: Comment noted. With the application of MIH to SoHo/NoHo, the Proposed Actions would advance policies to address long-standing barriers to housing equity in New York City.

Comment 212: As stated, "the [MIH] program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zsf within the MIH designated areas or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 zsf, a payment into an Affordable Housing Fund."

The 10-unit and 12,500-zsf threshold should be reduced in SoHo/NoHo to zero. In the RWCDS, 21 projected or potential development sites are anticipated to be under or very close to the 12,500-zsf threshold, therefore approximately 70 affordable units may not be built. (Chin_161, Brewer_162)

Response: As described in the DEIS, the proposal makes targeted adjustments to the MIH applicability provision to address unique physical and regulatory conditions in SoHo and NoHo. These adjustments include provisions to address how MIH applies on smaller sites. Separately, a payment in lieu option is available on a limited basis to small developments to ensure that smaller projects can proceed while supporting the objectives of the MIH program. This option recognizes that the administration, and oversight of small numbers of units poses a challenge for developers, administering agents and the City. The fee for contributions to the Affordable Housing Fund reflects the full cost of providing the affordable housing units on-site, so developers have generally opted for providing the units in the new development. Payments into the Affordable Housing Fund are reserved for 10 years for use in the same community district. After 10 years, the fund can only be used in the same borough. Specific thresholds for off-site housing have not yet been determined.

Comment 213: It is unclear whether the optional Affordable Housing Fund is guaranteed to only be used within the SoHo/NoHo district. This effect significantly compromises the intent of integrating these neighborhoods and therefore is only appropriate for the smallest buildings of 0–12,500 zsf of space, where this flexibility would be necessary. (Chin_161, Brewer_162)

Response: See response to Comment 193. Under MIH, the Affordable Housing Fund can be used in Community District 2 for a period of 10 years, after which it can be used anywhere within Manhattan. No MIH requirement applies to buildings smaller than 12,500 square feet under the MIH program. Details will be provided in the DEIS.

Comment 214: The New York City Loft Board needs to be more aggressive about monitoring affordable and rent stabilized housing. The Board should work with HPD to develop a list of buildings and apartments that are rent stabilized and if necessary, a strategy for preserving them. (Chin_161, Brewer_162)

Response: Comment noted.

Comment 215: It is clear that the JLWQA program is no longer working as it was designed to, as evidenced by an extreme drop in DCLA artist certifications and lack of enforcement of certifications over the past couple of decades. The Proposed Actions intend to keep the JLWQA as an optional use, which would allow certified artists to more easily sell or rent their spaces and building owners to offer their units to a broader range of people. While we support these changes, additional actions should be taken to promote artist and maker uses in this historically artist community. (Chin_161, Brewer_162)

Response: Comment noted. The Proposed Actions would continue to permit existing JLWQA use throughout the Project Area. Additional provisions related to the optional conversion of JLWQA use to UG2 residential would include mechanisms to support arts and culture in new ways, reflective of the ever-evolving nature of the creative sector in SoHo and NoHo.

Comment 216: The proposed zoning for the Special SoHo/NoHo Mixed-Use District would allow for existing JLWQA units to remain and references a mechanism that would, "facilitate the voluntary transition from Use Group 17D JLWQA to Use Group 2 residential use with expanded home occupation provisions." The mechanism would also, "be paired with conditions that support arts and culture uses and establishments that broadly benefit the community and the public in and beyond the Project Area." This mechanism remains undefined and must be clarified for how it intends to accomplish its stated goals. (Chin_161, Brewer_162)

Response: See response to Comment 216. The mechanism to transition from JLWQA to residential use will be described in more detail in the DEIS.

Comment 217: The proposal is vague about expanding home occupations for work-live situations. Project Actions should include provisions for grandfathering existing uses to protect artist tenants currently residing in JLWQA units. All JLWQA units need to continue in perpetuity as affordable units. (Chin_161, Brewer_162)

Response: See response to Comment 184. JLWQA is a manufacturing use defined under zoning. JLWQA units are not income-restricted units.

Comment 218: The DSOW should furthermore consider an avenue for the conversion of existing office or commercial spaces to affordable units. While a post-COVID future remains uncertain at this time, there may be significant real estate impacts of companies choosing to discontinue their office leases in favor of working from home. (Chin_161, Brewer_162)

Response: The DEIS will include a full description of the zoning actions necessary to implement the Proposed Project and the development that is expected with the RWCDS. Conversions would be subject to MIH above a certain threshold.

Comment 219: Due to the oversaturation of university dormitories in the neighborhood, we request that community facilities further stipulate a provision that there will be no dormitory or live-in use. (Chin_161, Brewer_162)

Response: The DEIS will include a full description of the zoning changes identified under the Proposed Actions.

Comment 220: The provisions for the JLWQA [are] lacking in protections that were discussed at length during the Envision SoHo/NoHo process… The MIH program that is invoked in this DSOW and pending ULURP do not effectively increase affordable units in the neighborhoods at the rate desired by progressives in the City Council, City Hall, DCP, or even myself. (Glick_090)

Response: Comment noted. The implementation of MIH would require permanently affordable housing for the first time in SoHo and NoHo, where no affordable housing is required today.

Comment 221: I am concerned that the mechanism for JLWQA building certifications in the DSOW is an entirely voluntary transition from Use Group 17D to Use Group 2 as part of the New York City Zoning Text.

The DSOW estimates that around 30 percent of all SoHo and NoHo homes still have JLWQA listed on their certificates of occupancy. However, the document implies this is a *de minimis* anecdote when in reality this represents a third of all

housing stock in the community where legal mechanisms already exist to further bolster affordability. DCP should rethink this provision of an impending ULURP and return to the discussion and commitments with the community as outlined in the Envision SoHo/NoHo process to further legitimize these existing homes. Rezoning efforts in other parts of the city like East New York or Inwood have shown that there are negative effects seen after or during zoning changes that displace residents. I am concerned that given the current tenuous legal nature of those that occupy artist residences, it would be inappropriate to move forward without addressing that concern. (Glick_090)

The city will create a mechanism to voluntarily allow JLWQA to transition to make their living situation legal under the new zoning. However, there is no mention of that in the zoning. This mechanism is the guideline or timeline for its creation. (Marte_004)

Response: The DEIS will include a full description of the zoning changes identified under the Proposed Actions as well as an analysis of potential impacts related to direct and indirect displacement. The DEIS will include a description of the zoning mechanism to transition from JLWQA to residential use. Those currently residing in SoHo and NoHo as JLWQA use would be permitted to remain and the Proposed Actions would not affect their ability to do so. An optional, voluntary pathway would be created via the Proposed Actions to allow for the transition of such JLWQA use to UG2 residential. Rent-regulated Loft Law units improperly classified as JLWQA on Certificates of Occupancy will remain rent-regulated on the same terms.

Comment 222: The community preference for MIH units should be extended to anyone who works in the neighborhood, not just people already rich enough to live there. (Cherepko_110)

Response: Comment noted.

Comment 223: The upzoning will accelerate the gentrification process. It will reduce housing for current residents, and will not achieve "affordable housing" goals stated in the scoping report… As currently structured, the MIH is basically an excuse to provide developers with an incentive to wring concessions and tax breaks from the city in exchange for so called "affordable housing." Developers will only consider "affordable housing units" if they receive sufficient tax incentives; height or FAR variances, and other taxpayer subsidies to achieve their "threshold" profitability. Housing for "lower middle income" owners is not feasible in the increasingly high-end luxury condominium SoHo-NoHo neighborhood without direct, massive government subsidies. "Affordable housing" is a major conundrum that requires innovative solutions; not developer giveaways… At a minimum, DCP should evaluate the MIH track record in Manhattan before proceeding with any SoHo-NoHo upzoning. (Darche_127)

Response: The area proposed for rezoning in SoHo/NoHo is already one of the wealthiest areas of the City—and arguably the nation. The EIS will analyze direct and indirect displacement as part of the Socioeconomic Conditions section in Chapter 3. One of the primary goals of the Neighborhood Plan is to maximize the potential for new housing, particularly affordable housing through MIH which would comprise 20 to 30 percent of the total residential units constructed (or funded by way of the MIH Affordable Housing fund) at a diversity of income levels. Increasing allowable FAR is intended to maximize housing production in appropriate areas.

Comment 224: Who determines the amount a developer pays into the Affordable Housing Fund? The developer? DCP? The city council? Is this amount based on the project's "financial feasibility"? (Darche_127)

Response: See response to Comment 195.

Comment 225: The affordable housing to be developed is essentially nothing. 400–800 units? One building could support that. (DiMondi_119)

Response: Comment noted.

Comment 226: We would also like to see the R10 designation extended to the north side of Grand Street, and specifically encompass the municipally owned site at 142 Grand Street. Any development on this site is likely to be 100 percent affordable housing and as such should be zoned for as much residential use as possible, especially since the south side of Grand Street is also proposed to be rezoned to R10. We would also like to see all of the Canal Street corridor have an R10 designation as well, instead of the currently proposed R9X. (Gates_RPA_169)

Response: Comment noted.

Comment 227: I'm worried that the increased commercial densities would compete with the similar (slightly larger!) residential densities. I'd like to see the plan figure out a way to get both a substantial commercial and residential component. (Griffith_133)

Response: See responses to Comments 89 and 208. The DEIS will include a full description of the zoning actions necessary to implement the Proposed Project and the development that is anticipated in the RWCDS.

Comment 228: Your proposal does not address the unique and varied situations with the Loft Law or NYS. It concerns me that you say that owners can transition from JLWQA to apartments. This could be problematic for artist tenants covered by the Loft Law or Rent Stabilization. It increases the options for landlords to harass tenants

into leaving or even telling artists that they can no longer work in their spaces. (Fortgang_141)

I find the provisions for the joint living work quarters for artists to be lacking in protections that were discussed at length during the envision process in 2019. I've written to the mayor calling his attention to the interim multiple dwelling buildings that have gone unregistered and are non-compliant with both city and state law. I am concerned that the mechanism for JLWQA building certifications as an entirely voluntary transition from Use Group 17D to Use Group Two is inadequate. (Glick_003)

Response: Existing JLWQA units, which generally require artist occupancy, are considered a manufacturing use (Use Group 17) and would be permitted to remain under the Proposed Actions. Units created under the Loft Law are already legalized as residences (Use Group 2); therefore, these units cannot undergo conversion or be subject to the separate JLWQA-to-residential conversion process. Existing Loft Law regulations are not subject to change under the Proposed Actions.

Comment 229: I hope that the City will make sure that the levels of affordability offered are deep and structure the rezoning such that housing is prioritized over new office space. (Heintz_112)

Response: Comment noted.

Comment 230: Although the city is in a financial crunch it will not be in that crunch forever right now and in the new in the near future. The City needs to take advantage of the incredibly inexpensive capital lending market and drive a housing program of its own not relying on private developers. To the extent that mandatory inclusion every housing is used in any manner, it must include far more than the 20 to 30 percent and this should be a citywide median income requirement applied not an area median income requirement. (Schwartz_001)

Response: Comment noted. See response to Comment 40.

Comment 231: During a pandemic, the luxury developers can claim financial hardship. This is a gross oversight that allows nothing but luxury housing to be built. In addition, this plan does not allow for conversion of commercial space to residential which can allow for deep affordable housing. (Marte_004)

Response: Comment noted. A temporary economic downturn with limited impact on housing markets could not likely serve as the basis for a hardship claim for the purposes of BSA actions, including special permits and variances. Conversions are subject to MIH requirements. Accordingly, the Proposed Actions would allow for the conversion of commercial space to residential space with affordable housing obligations, with some limitations for large buildings. Furthermore, BSA

variances are conditioned on uniqueness, and therefore market conditions would not be a justification for a BSA variance.

Comment 232: It seems that there is no vision beyond a neo liberal private housing notion of mandatory exclusionary housing, which is not mandatory. It is it utterly at the discretion of developers. Further, there is no place in this plan for designated residential development. (McGee_007)

Response: The Proposed Actions would allow residential use throughout SoHo/NoHo, as is currently prohibited by zoning, and would require permanently affordable housing for the first time in SoHo and NoHo.

Comment 233: Of the professional artists and aging, many need new accessible, affordable housing for low income for working artists. I stand with broadening the plan for reasonable living workspaces for local artists working in tandem with the neighborhood. (Scalia_014)

Response: The Proposed Actions would expand housing opportunities for all New Yorkers, including artists.

Comment 234: There is no serious recognition of how to preserve and enhance existing JLWQA that are our neighborhoods actual existing affordable housing, or any provision at all to create new joint live work orders for artists. I'm an architect and certified artists living and working in SoHo. (Neratoff_032)

Response: Existing JLWQA uses are not income restricted nor regulated in rent, however they would be permitted to remain, and the Proposed Actions would allow an even broader set of permitted home occupations. It should be noted that new certified artist applications have declined to nearly zero in recent years. By allowing residential use and implementing the MIH program, there would be greater housing opportunities for artists. The required affordable housing would benefit all New Yorkers, including artists.

Comment 235: We need to have more affordable housing. It is an insult when they propose that little bit of units for affordable housing. We also need real affordable housing for this area. (Low_037)

Response: Comment noted. It is an objective of the Proposed Project to increase income-restricted affordable housing in the Project Area.

Comment 236: I would ask you to consider reducing the commercial FAR as much as possible in order to ensure the highest number of housing, especially affordable housing will actually get built. (Rotter_051)

Response: Comment noted. Please refer to Comment 89.

Comment 237: Sufficiently large buildings that could include affordable housing can be built on underdeveloped lots in the neighborhood right now. Now is no need to up zone, the neighborhood to allow for new development, which in fact bring only a pittance of actual affordable units for every eight luxury units. (Mulkins_053)

Response: Comment noted. Please see the response to Comment 79.

Comment 238: I'd like to use this time to push for the deepest level of affordability on the affordable units, I think, as has been shared this is a real opportunity to integrate (Josephson_058)

Response: Comment noted.

Comment 239: Apartments will be created here with a very small portion of affordable and the bracket that that the cutoff is that is actually kind of high hundred and $60,000 income, a year or something like that. So again, I just want to emphasize our communities, welcome families, residents, etc., and require affordable housing. So, no upzoning, yes to affordable housing. (Anita_061)

Response: Comment noted. MIH provides the flexibility to address a wide variety of income bands, but does not serve households earning $160,000 a year. In Lower Manhattan, the program serves households earning less than 80 percent of the Area Median Income, or approximately $86,000 for a family of three in 2020. MIH includes two options: Option 1 which provides a 25 percent affordable set-aside at an average of 60 percent of AMI; or Option 2, which provides a 30 percent affordable set-aside at an average of 80 percent of AMI.

Comment 240: We know many other artists who bought lofts when they were affordable or reside in lofts protected by the Loft Law who have stayed in place in SoHo because comparable spaces are no longer affordable to buy or rent. In contrast to the Community Alternative, DCP's plan, if adopted, would undercut SoHo/NoHo's history and legacy by neither requiring nor protecting any affordable housing for artists. (Hronsky_154)

Response: Comment noted. Provisions for JLWQA use in existing zoning do not require affordability or restrict occupancy based on income. The Proposed Actions, by implementing MIH, would for the first time in SoHo and NoHo require permanently affordable housing in most new developments.

Comment 241: Cannot the required affordable housing in new residential development be met without the proposed upzoning? Surely it can be applied to new residential development at the same size and scale currently allowed for other kinds of development in SoHo and NoHo? (Kolyer_094)

Response: The Proposed Actions seek to maximize housing production, which is expected to largely occur outside the historic districts within the Housing Opportunity Areas. The proposed residential densities are designed to increase housing production, ensure a desirable mix of residential and non-residential uses, and facilitate appropriate building forms that are reflective of the uses and building typologies in SoHo/NoHo. Increasing allowable FAR is intended to maximize housing production in appropriate areas.

Comment 242: I'm concerned that the SoHo-NoHo neighborhood plan doesn't do enough to increase the supply of market-rate housing. The focus on affordable housing is great for the tiny fraction of people who won the affordable housing lottery, but does nothing for the majority of us who live in market rate housing—and in that area, the plan seems to upzone the minimum amount of housing to support affordable housing, instead of focusing on creating an abundance of market rate housing. (Koplewitz_082)

Response: Comment noted. Densities proposed throughout the Project Area are calibrated based on a variety of factors to ensure appropriate density and building scale while also maximizing housing opportunities.

Comment 243: The plan as it stands has one major flaw in that it does not promote affordable housing at the maximum level possible, which is necessary to start addressing New York City's housing crisis. (Kuppersmith_121)

Response: Comment noted. The specific MIH affordable housing requirements will be determined as part of the ULURP process and in coordination with the City Council.

Comment 244: If the focus is on creating affordable housing, why not do just that, through repurposing existing buildings and building new housing on vacant lots with FARs in keeping with current building heights? Funding should be done through government programs and not made contingent on real estate developers' profits. Otherwise, there is no guarantee that these units will ever get built. (Levy_117)

Response: Throughout much of the study area, including the historic districts, densities proposed are in keeping with existing buildings. One of the primary goals of the neighborhood plan is to maximize the potential for new housing, particularly affordable housing through MIH, which will be available to 20 to 30 percent of the total units at a diversity of income levels serving low-income New Yorkers. Through MIH, affordable housing is not contingent on real estate developers' profits but is rather an underlying requirement in order to create new housing. Increasing allowable FAR in limited areas outside historic districts is intended to maximize housing production in appropriate areas. In addition, conversions will be subject to MIH requirements.

Comment 245: How can the city conclude that injecting thousands of luxury apartments, along with a comparatively small amount of not-so-affordable units, will increase diversity in our neighborhood? My neighbors and I support real affordable housing. With 13,000–15,000 vacant apartments in the city and a huge number of empty office spaces, this could be accomplished without building towers of luxury condos that, given the loopholes in MIH, may or may not provide even one unit of affordable housing. (Monrose_096, Monrose_140)

Response: One of the primary goals of the neighborhood plan is to maximize the potential for new housing, particularly affordable housing through MIH, which will be available to 20 to 30 percent of the total units at a diversity of income levels. Increasing allowable FAR is intended to maximize housing production in appropriate areas.

Comment 246: It is understood that any new residential use would contribute to MIH or its local equivalent as defined within the Special District, regardless whether it is an M or an R/M district. Recognizing the very limited potential scope of MIH-yielding actions that would produce any new affordable housing in this neighborhood, I would propose two actions unique to the Special District that could address this issue: to impose the MIH program on any 1st floor retail use above 10,000 sf per establishment (that disproportionately burdens the neighborhood with both pedestrian, vehicular, garbage collection and delivery traffic), and on any increase in FAR for office use. These additional uses would pay into an MIH fund in a comparable ratio to new residential use, thus equalizing the choice between residential and commercial development. (Neratoff_168)

Response: Comment noted.

Comment 247: Please support 400 low-income families to live there. Diversity makes the city thrive. (Orekondy_131)

Response: Comment noted.

Comment 248: What citizens do want, or can accept, as an alternative: a plan that truly addresses the need for affordable housing, which most agree is a desperate need here in SoHo/NoHo. Allow development of affordable housing that is not part of Mandatory Inclusionary Housing and allow commercial buildings and others to be converted to affordable housing. Build residential housing facilities that are 100 percent for affordable housing. Consider apartment unit sizes that could include 450–950 sf. Create opportunities for developers who want to participate in just-affordable housing by making it economically attractive to them. Innovate with direct subsidies or tax-benefit financing that would create the needed incentive for developers. (Rosser_181)

Response: The City offers a wide range of subsidies, loans, and tax incentives to facilitate the construction of deeply affordable housing on privately owned land around the City. The very high cost of land in SoHo/NoHo, however, makes 100 percent affordable housing infeasible on private sites. MIH is the most likely strategy to achieve the goal of creating affordable housing in SoHo/NoHo. Furthermore, the Proposed Actions would eliminate the 1,200-sf minimum unit size for JLWQA.

Comment 249: As a result of COVID-19, there are many office buildings that are virtually empty and may never again be filled. Instead of destroying two of the most unique areas of the city, why not allow easy conversion of that office space to housing. You can think more creatively than converting two unique areas of our city to tall buildings, can't you? (Slater_134)

Response: Comment noted. The Proposed Actions would allow the conversion of non-residential floor area to housing subject to MIH requirements.

Comment 250: Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on under-developed lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development, which would be substantially larger in order to provide affordable housing. (Standish_167)

Response: See response to Comment 242.

Comment 251: Affordable housing in SoHo and NoHo should be applied only to people of Extremely Low Income through Low Income. Many artist residents and other residents here already fill the bill for the upper scale of affordability. Any new residential development should require inclusion of affordable units without awarding an upzoning. In short, I would support deeper and broader mandatory affordability requirements, without upzoning. (Tenenbaum_102)

Response: See response to Comment 198.

Comment 252: I would like to comment in favor of changing the residential zoning from the proposal to allow for more residential floor area. Specifically, the proposed M1-5/R9X districts (the Broadway–Houston Corridor, NoHo North, and Canal Corridor) should instead be zoned as R10 and the M1-5/R7X districts should instead be mapped with at least R9X, and possibly higher. I think DCP should also not include any non-residential floor space retention policy. (Welsh-Loveman_130)

Response: See response to Comment 130.

Comment 253: [The Proposed Actions should ensure that] all JLWQA units remain affordable in perpetuity, and include more specific actions that will be taken to address the expansion of arts and culture (or the more expansive terms, "creative" or "maker") spaces in the Project Area [should be described]. Existing uses in current JLWQA are grandfathered into the new program and contemporary creative use definitions are included. Co-op and condo owners seeking to legalize their buildings [should be permitted to] convert them to residential Use Group 2. The Envision SoHo/NoHo Advisory Group Plan, [which proposes to permit an] additional 0.5 FAR bonus for the provision of permanent artist and art-supporting space on the ground floor and basement levels of a building should be studied. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: Comment noted. See responses to Comments 42 and 184.

Comment 254: Affordable housing must be included in any increased development in the Project Area—including conversions and enlargements. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: Comment noted. Permanently affordable housing will be required for the first time in SoHo and NoHo through the mapping of the areas as Mandatory Inclusionary Housing areas. MIH contains provisions related to scenarios where existing buildings are enlarged or converted to residential use. The DEIS will include a full description of the zoning changes identified as part of the Proposed Actions.

Comment 255: The legality and feasibility of additional zoning text amendments that would allow for both deeper affordability requirements on top of an MIH designation, as well as whether it is possible to place MIH requirements on all new development in the proposed area without an increase in maximum allowable FAR, since residential uses (UG2) are not currently permitted as-of-right [should be clarified]. The minimum percentage increase of additional residential density that is required in order to expand the MIH program to a particular area [should be clarified]. There has been to date no guidelines for what constitutes an "appropriate upzoning" for the program to be used. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: Comment noted. MIH is a citywide program designed to balance the creation of as much permanently affordable housing as possible without disincentivizing the creation of housing overall. The residential densities selected for the proposed zoning districts are consistent with FARs in the surrounding neighborhoods and would maximize the provision of affordable housing. Future development would also be commensurate with SoHo/NoHo's transit access and central location.

Comment 256: DSOW fails to provide for any actual affordable housing. Instead, it proposes a scheme based on market forces whereby developers may choose to include a very

small portion of "affordable" units within market-rate housing developments. The DCP Plan includes no guarantee that any affordable units will actually be built. It provides a number of loopholes whereby developers can receive a waiver and not build affordable units at all. In the end, the Plan fails to achieve its stated goal. (Tenenbaum_156, Davies_BRC_151)

Response: See response to Comments 193 and 198. The purpose of the DSOW is to identify the Proposed Actions and present the methodologies to conduct the environmental analyses in the DEIS. The Proposed Actions seeks to maximize the potential for new housing, particularly affordable housing through MIH, which would require that 20 to 30 percent of all units are affordable (or that developers contribute an amount equal to the cost of creating the new units into an Affordable Housing Fund). Increasing allowable FAR is intended to maximize housing production in appropriate areas. In addition, conversions will be subject to MIH requirements.

Comment 257: Continue to accommodate and expand live-work uses and support creative, arts, and cultural uses.

- This requires thorough identification of what is to be continued. How many live-work uses are there now? This study must include live-work that is currently un-certified by the DCA, just as non-legal residential uses must be quantified.
- Given the need to pay into an affordability fund, how could a small artist cooperative, with a single non-certified artist unit, be able to legalize that single floor and at the same time maintain JLWQA for the remaining units? Please study that and similar scenarios.
- Artists are left out of the discussion of jobs. Are they also left out of their discussion of industries? Or are they considered a conforming manufacturing industry (UG17D)? What is their economic contribution? (Tenenbaum_156)

Response: The aforementioned studies are beyond the scope of the CEQR DEIS. The DEIS will utilize data from the City of New York with respect the number of buildings with JLWQA use. The Proposed Actions would allow a wider set of live-work arrangements that would be accommodated through expanded home occupation provisions.

Comment 258: How will allowing and encouraging transitioning away from JLWQA to residential uses result in the preservation and creation of affordable studio space and other broadly accessible creative spaces, as is claimed? (Tenenbaum_156)

Response: Existing JLWQA use can remain. An optional path would be created to facilitate the transition from JLWQA to residential units, paired with provisions to support arts and culture. These provisions will be described further in the DEIS.

Comment 259: Residential Questions:

- What is "the mechanism" by which the City will facilitate the "voluntary transition" from Use Group 17D (JLWQA) to Use Group 2 (residential)? Would it be applied only to complete buildings, or unit by unit? If the latter, what would be the impact on JLWQA neighbors in the building? Would you allow residential uses under JLWQA uses in the same building?
- What are the tax implications/burdens for such conversions?
- What are the cost implications/burdens on the occupants or owners to effect such conversions?
- Will these conversions be unit by unit or building by building? If not unit by unit, how will you deal with those who want to remain JLWQA in a building where others want to convert to residential? (Tenenbaum_156)

Response: The DEIS will include a full description of the zoning changes identified as part of the Proposed Actions and the mechanisms by which to transition from JLWQA use to residential use. The remaining three bullets are beyond the scope of the CEQR EIS and will not be provided.

Comment 260: Where is the financial analysis that explains how the proposed changes would impact the neighborhood?

Where is the plan to protect residents who are renting and in rent regulated units, which is a major goal in the Envision Report?

How can we avoid the tall towers we see in Millionaires Row, which has the same FAR? (Tenenbaum_156)

Response: A financial analysis is beyond the scope of the DEIS and will not be provided. Building heights and massing will be assessed in the DEIS and the potential for significant adverse impacts will be assessed in the Urban Design and Visual Resources analysis. The potential for residential displacement will be assessed in the Socioeconomic Conditions chapter. With regard to tall towers, the Proposed Actions include contextual bulk envelopes with height limits that would be consistent with the built character of the surrounding neighborhood. Furthermore, the Proposed Actions will not affect existing rent-regulated units, which will remain regulated pursuant to recent reforms, such as the elimination of luxury decontrol.

Comment 261: DCP needs to do a more detailed analysis of the potential for enlargements of IMDs, JLWQs, and office buildings, including elevator buildings and walk-ups. (Herrick_CSC_142)

Response: Comment noted. Building heights and massing will be assessed in the DEIS and the potential for significant adverse impacts will be assessed in the Urban Design and Visual Resources analysis.

Comment 262: Given that a major purpose of the EIS is to analyze the impact on SoHo/NoHo of a significant upzoning, the section concerning the intention to introduce residential use and promote equity in housing should provide greater detail about the residential presence in the study area. (Herrick_CSC_142)

Response: Comment noted. The DEIS will include an assessment of the residential presence and population in the Land Use and Socioeconomic Conditions chapters.

Comment 263: DCP needs to reflect on the underwhelming results of MIH and tweak it to make it more attractive relative to other development opportunities. This can be done by downzoning the commercial FAR in the housing opportunity zones while significantly upzoning the residential FAR so that the relative difference is substantial. The City of New York should also make subsidies available, not just 421A tax abatements, in the housing opportunity zones for developers who are willing to create 50 percent to 100 percent affordable housing on site. (Herrick_CSC_142)

Response: Comment noted. See responses to Comments 118 and 208. The City offers a wide range of subsidies, loans, and tax incentives to facilitate the construction of deeply affordable housing on privately owned land around the City. The very high cost of land in SoHo/NoHo, however, makes 100 percent affordable housing infeasible on private sites.

Comment 264: DCP needs to require, at a minimum, payment into an affordable housing fund for new construction or enlargements of 10 or fewer units, or under 12,500 zsf. The current proposal not requiring MIH for developments that fall below this threshold will create the risk of enlargements of many buildings in the historic districts. (Herrick_CSC_142)

What is "the mechanism" by which the City will facilitate the "voluntary transition" from Use Group 17D (JLWQA) to Use Group 2 (residential)? Would it be applied only to complete buildings, or unit by unit? If the latter, what would be the impact on JLWQA neighbors in the building? Would you allow residential uses under JLWQA uses in the same building? What are the tax implications/ burdens for such conversions? What are the cost implications/burdens on the occupants or owners related to such conversions? (Davies_BRC_151)

Response: Comment noted. The DEIS will include a full description of the zoning actions necessary to implement the Proposed Project. The DEIS will not include any assessment of tax implications of costs on individual properties.

Comment 265: Guarantee greater opportunities for affordable housing, including higher-percentage affordable housing alternatives such as the redevelopment of 2 Howard Street and the purchase and redevelopment of distressed properties. (Corman_DID_149)

Response: Comment noted. The property at 2 Howard Street is a federally owned property. The acquisition of property by the City for the purposes of redevelopment as affordable housing is not contemplated under the Proposed Actions, however, the Proposed Actions would not preclude the potential future acquisition of the site for purposes of affordable housing development.

Comment 266: Establish and clarify the City's proposals for the "mechanisms" needed to legalize existing residential occupancies, including the "options" that will be available, and present said proposals for review and input. (Corman_DID_149)

Response: The mechanism to transition from JWQWA use to residential use will be presented in the DEIS.

Comment 267: We therefore recommend that the Scoping Document be modified to include in the DEIS an accurate and more thorough analysis of the Proposed Actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the Study Area. (Jones_067)

We therefore recommend that the Scoping Document be modified to include in the DEIS an accurate building-by-building analysis correctly quantifying the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses, correctly identifying the opportunities for MIH in each building within NoHo so that the CEQR analysis will disclose the Proposed Actions' potential adverse impacts on its the existing character of SoHo and NoHo. (Jones_067)

Response: As stated in the Draft Scope, the DEIS will include an assessment of potential for the Proposed Actions to result in significant adverse impacts to direct and indirect residential displacement as part of the Socioeconomic Conditions analyses. The land use analysis will include an identification of land uses based on available data and supplemented with field observations as indicated in the Draft Scope. An assessment of Neighborhood Character that considers the conclusions and other information drawn from the land use and socioeconomic conditions analyses will be provided in the DEIS.

Comment 268: Consideration should be given to changes in the definition of an artist in Section 276 of the Multiple Dwelling Law that require annual registration renewal to qualify for JLWQA–State Action could aid in identifying artist/maker tenants as well as building spaces. (Jones_067)

Response: Comment noted. This is beyond the scope of the Proposed Actions.

Comment 269: The DSOW is silent in regard to residential and Living-Work occupancies along Broadway, Lafayette Street, and in the Northern portion of NoHo. (Davies_BRC_151)

Response: See response to Comment 184.

Comment 270: MIH has a proven to be failure for the actual production of affordable housing units in New York City. According to a 2020 study by the Manhattan Institute only 2,065 affordable housing units have been built in New York City since the MIH program was enacted four years ago. (Davies_BRC_151)

Response: Comment noted. The MIH program is expected to function well in high-value, highly desirable neighborhoods such as SoHo and NoHo and would bring permanently affordable housing to the neighborhoods for the first time.

Comment 271: DCP fails to provide sufficient protection for the 1500 rent stabilized tenants in the study area. By proposing a simple shift from JLWQA to as-of-right Office Use on upper floors, these tenants would be potentially threatened with the loss of their live/work spaces. This includes more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law.

As the CB2 Land Use Committee rightly points out in its response to the DSOW, the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood" is highly questionable.

DCP should study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2.

Improved protections for residents of rent regulated units are needed to ensure that these residents can remain living in SoHo/NoHo, and to protect the existing stock of rent regulated units in the neighborhood. In fact, preserving existing affordable units was expressed by many as a priority before seeking new ways of providing additional affordable housing in the neighborhoods.

Another example of the DSOW's failure to create real affordable housing: IMD units are only eligible for limited rent increases during the legalization process. They may then become market-rate (through buy-out or abandonment proceedings) or be converted back to commercial uses (e.g., office) upon vacancy under certain circumstances, which further erodes the available stock of affordable housing units.

Artist live-work quarters, residential lofts, traditional offices, tech and media startups, maker-retailers, interior design and furniture showrooms and stores,

boutiques and mass market retailers alike, coexist in the iconic and versatile loft buildings of SoHo and NoHo.

To ensure a proper balance of uses that promote Economic Vitality, the workforce nature and profile of the Broadway Corridor should continue to be considered as critical to the economic development of SoHo/NoHo.

For example, IMD units are only eligible for limited rent increases during the legalization process but may become market-rate (through buy-out or abandonment proceedings) or be converted back to commercial uses (e.g., office) upon vacancy under certain circumstances, which erodes the available stock of affordable housing. Tenant harassment has been reported. (Davies_BRC_151)

Response: The DEIS will include an assessment of the potential for residential displacement in Chapter 3, "Socioeconomic Conditions,", including displacement of households residing in JLWQAs. It will also consider the potential for displacement of commercial uses in the study area.

Comment 272: Will the EIS assess whether an Appendix 1 project is "financially feasible" and comply with the two MIH options? (Darche_127)

What is the annual forecasted assumption of the median AMI for each of the subproject areas over the 10-year forecast horizon for each development site indicated in Appendix 1? What is the absorption rate assumption (number of MIH and other units sold over time at a specific price for a specific project? Does the model automatically adjust the unit price to achieve "financial feasibility" goals stated in Options 1 and 2? The amount of Affordable Housing Fund subsidy required to make the project feasible for the developer? (Darche_127)

Response: Financial analyses are beyond the scope of the DEIS and will not be provided.

Comment 273: Requiring affordable housing in new residential development. One of the purported purposes of the City's proposed rezoning can be done without the proposed upzoning. It can be applied to new residential development at the same size and scale currently allowed for other kinds of development in SoHo and NoHo. (Berman_025)

Response: Comment noted. Please see the response to Comment 79.

Comment 274: We need this rezoning for a more affordable and just New York City. I urge DCP to increase residential density and their scope for more housing. (Burke_027)

Response: Comment noted.

Comment 275: CSC recommends that the City of New York include SoHo/NoHo as one of the areas in the Certificate of No Harassment Program. Property owners with at least 1 rent stabilized unit should be required to submit a signed affidavit to the

Mayor's Office to Protect Tenants every year for the 10 years after this rezoning is enacted stating the number of rent regulated units in their buildings. If they intend to redevelop their property, HPD should verify that there have not been any harassment complaints. The City of New York should also set aside sufficient funding for an organization such as CAAAV or AAFE to assign one of their tenant organizers to do outreach to tenants, especially Asian American tenants who make up more than 10 percent of the study area, and probably a higher percentage in Sub-Areas 3 and 8 which are right next to Chinatown's Canal Street, to ensure that they know their rights and how to enforce them if they are harassed. (Herrick_CSC_142)

Response: Comment noted. A Certification of No Harassment program is beyond the scope of the Proposed Actions. Under the currently applicable Certification of No Harassment Pilot Program enacted by the City Council in 2018, a City-sponsored rezoning would subject qualifying buildings in the relevant Community District to the program. This Pilot ends in September unless additional action is taken by the City Council. The Neighborhood Plan will explore opportunities to protect tenants, including the potential for coordination with the City's Tenant Harassment Prevention Task Force to investigate and take action against landlords who harass tenants and to provide free legal representation to tenants facing harassment.

Comment 276: Support Arts and Culture: CSC supports this goal, and we support DCP's intention to "continue to permit JLWQA use and live-work arrangements that already exist in the Project Area" but the rezoning actions don't provide detail about how this will be done, and how buildings whose residents enjoy loft law protections will be guaranteed that they will have the same or similar protections once their building is converted by the owner to residential Use Group 2. (Herrick_CSC_142)

Response: See response to Comment 184. The DEIS Project Description will include an explanation of the artists and culture preservation objectives of the Proposed Actions and the connection with JLWQA.

Comment 277: For IMDs seeking to be legalized as residential buildings, DCP should spell out how many such buildings there are in SoHo/NoHo. Given that they are considered commercial buildings, and residents don't have rent stabilization protection currently, DCP should obtain a legal opinion as to whether they will come under rent stabilization upon being legalized as rent stabilized buildings if they have at least 6 units, and if one or more of the current tenants have leases and are paying less than $2,700 per month in rent. (Herrick_CSC_142)

Response: Comment noted. DCP and HPD are working to clarify the residential landscape in SoHo/NoHo, including IMDs. Many current and former IMDs are subject to rent regulation based on the terms of the Loft Law, which is a state law.

ARTS-RELATED AND CULTURAL USES

Comment 278: Artist Certification: The Draft Scope states that "many residents did not qualify for artist certification." The absence of certification is a problem with the certification process and the agency overseeing it. It does not indicate a lack of artists. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 279: Not-for-profit museums (UG3) should be made as of right. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. This use would be as-of-right under the Proposed Actions.

Comment 280: Developments should consider dedicated arts-production space in new developments, especially in those where the unit size is 850 sf. (Booth_CB2_072, Sigel_CB2_073)

Explore mechanisms to incentivize shared work and/or exhibition space for artists and make as provisions in new developments or residential conversions. (Booth_CB2_072, Sigel_CB2_073)

Additional consultation with relevant agencies and organizations is recommended, in light of their expertise of artists' workspace needs, to study new live-work typologies and configurations that are responsive to today's generation of artists and makers. (Booth_CB2_072, Sigel_CB2_073)

CSC supports using a zoning bonus to promote new cultural space in existing and new buildings. DCP should provide a 1.0 FAR bonus if 0.5 FAR of cultural space is created. The other 0.5 can be applied to residential or commercial use. (Herrick_CSC_142)

The Envision SoHo/NoHo Advisory Group supported the idea of a density development bonus in exchange for the provision of artist and art supporting spaces. The possibility of an additional 0.5 FAR bonus for the provision of artist and art supporting space on the ground floor and basement levels should be studied. It is important that these spaces be visible to the public at the ground floor. Should a developer choose to apply for this community facility bonus for art making purposes, the SNMD must further stipulate that the community facility use will be made a permanent use. (Chin_161, Brewer_162)

Response: Comment noted. The Neighborhood Plan includes strategies to support arts and culture. The relevant zoning provisions included as part of the Proposed Actions will be described in the DEIS.

Comment 281: Explore ways to establish productive relationships between local non-profits and the business community to encourage and formalize support the local arts and cultural programming. (Booth_CB2_072, Sigel_CB2_073)

Explore opportunities to create a "Made in SoHo/NoHo" branding campaign and encourage retailers to commission designs from SoHo/NoHo artists and makers, with possibly a portion of sales of such goods used to support local arts and culture in the neighborhood. (Booth_CB2_072, Sigel_CB2_073)

It is recommended that community groups and the City further research advantages that a cultural arts district designation might provide for SoHo/NoHo. Such a designation may more broadly enhance community identity and affirm local heritage. (Booth_CB2_072, Sigel_CB2_073)

All of these efforts to preserve and renovate led ultimately to NoHo's designation by the Landmark Preservation Commission as a Historic District in 1999. While its industrial tenants have largely left as professionals started to move in, joining those artists still in residence, the neighborhood has retained its notable historic character nonetheless, in large part because of zoning restrictions. Bond Street is an excellent example of how new development on empty or underutilized sites could allow for growth while maintaining the historic feel of the surrounding buildings and neighborhood. (McAlpin_124)

Analyses of available zoning and governmental support programs and precedents (e.g., Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) historically and currently used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural, artistic and "maker" communities as potential mitigation for displacement of these communities created by the Proposed Actions. (Jones_067)

Response: Comment noted. The Proposed Actions will include strategies to support arts and culture. DCP is working with DCLA to gain a better understanding of the City's resources and to develop a mechanism through JLWQA conversions that would help support the arts and cultural community.

Comment 282: Private landlords should be encouraged to "activate" vacant properties during interim occupancy periods for artistic, micro-manufacturing and cultural uses. Currently, artistic and cultural uses are not permitted as-of-right and an allowance for such uses would remove zoning violations and fines that are in place. It is recommended that the City further explore the feasibility of such an initiative by further contemplating two provisions: the involvement of well-suited local partners and non-profits to help with monitoring, and the potential role of philanthropy and incentives to help fund such an endeavor. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 283: The DSOW must address the City's own reasons and deficiencies in not supporting Artist Certifications, not updating the process, not expanding Artists Certification to new and evolving technologies and "makers," and most importantly—making the Artist Certification application and process not easily available, if at all. (Wilcke_176)

Response: SoHo/NoHo has experienced a shift from a limited artist community to a broader residential demographic with people engaged in a variety of professions. As noted in the Draft Scope of Work, while the exact number is difficult to estimate, the share of certified artist residents in SoHo/NoHo is likely small. The number of artist certifications issued by DCLA has declined significantly in recent decades: since 2018, fewer than five certifications were issued annually. The Proposed Actions would allow for housing and an expanded range of home occupations. Required affordable housing will benefit all populations, including low and moderate-income artists. The Proposed Actions are intended to honor and support the artistic and creative legacy of SoHo/NoHo by focusing arts and cultural strategies more broadly on arts and cultural programming and organizations that are tied to the neighborhood, so that resources could be more equitably distributed to a wider range of arts and culture organizations, as well as artists in the community.

Comment 284: The character of SoHo/NoHo is in part driven by the cultural landscape. The recent loss of local retail and cultural offerings, such as art production and exhibition space, has already altered these neighborhoods. The DSOW should include more explicit direction for assessing requirements for smaller storefronts to encourage the longevity of independent businesses and cultural offerings, whether private, such as art galleries, or non-profit institutions, especially on the side streets. (Devaney_MASNYC_163)

Response: Comment noted. A wider range of as-of-right ground floor uses would be permitted under the Proposed Actions, including community facilities, and will be described further in the DEIS. In addition, the DCLA would provide funding to individual artists and cultural nonprofits in the area to preserve the artistic legacy of SoHo/NoHo.

Comment 285: DCP will allow and encourage transitioning away from JLWQA to more "standard" residential uses. How will that result in the preservation and creation of affordable studio space and other broadly accessible creative spaces, as is claimed? (Davies_BRC_151)

Response: Generally speaking, the transition from JLWQA use to residential use would increase the supply of housing. The JLWQA use was established in zoning in 1971 in conjunction with and to support the M1-5A and M1-5B manufacturing zoning that was put into place at that time. The Proposed Actions would facilitate the creation of housing, including affordable studio spaces, coupled with an

updated set of live-work arrangements that would be accommodated through expanded home occupation provisions. The current zoning does not allow residential units as-of-right, however, residential units with a minimum unit size of 1,200 sf are allowed through discretionary approvals from the CPC or BSA. The Proposed Actions would allow housing as-of-right, effectively eliminating the 1,200-sf unit size requirement (for those units allowed through CPC or BSA approvals). The new live-work provisions would allow artists, as well as professionals in creative fields, to live and work in new units generated under the zoning changes, consistent with Fair Housing laws. In addition, the Proposed Actions would create a mechanism by which JLWQA may be converted to residential uses as-of-right upon contribution to an arts fund to be administered by DCLA, which would distribute funding to art-related organizations in and around the Project Area to cover programmatic and capital expenses. The Proposed Actions would support arts and culture by removing barriers that limit certain community facilities such as non-profit museums and galleries, libraries, and cultural and community centers. The Proposed Actions seeks to preserve large, existing buildings that house firms engaged in creative industries such as fashion production, marketing, and advertising firms. The cost of housing in SoHo/NoHo is cost-prohibitive to most artists. The affordable housing created under MIH would make it easier for artists to live in SoHo/NoHo—and potentially easier for them to live in proximity to their jobs.

Comment 286: SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context. (Davies_BRC_151)

Response: Comment noted. Existing M1-5A/B zoning regulations restrict ground floor uses to certain commercial and light industrial uses. Under the existing zoning, arts-related community facility uses are treated similarly to retail uses and are not allowed as-of-right in most cases. The Proposed Actions would lift these restrictions so that small businesses and institutions would have more opportunities to locate within the Project Area and would be relieved of the burdensome and costly process of applying for ad-hoc discretionary approvals. Large, existing buildings that house firms engaged in creative industries such as fashion production, arts dealers and galleries, and publishing and marketing firms, would be preserved. Beyond the Proposed Actions, the DCLA has committed to increase funding to cultural organizations and institutions as well as creative businesses in SoHo/NoHo and cultural institutions and arts-related businesses in Chinatown.

ANALYTICAL FRAMEWORK

Comment 287: The Draft Scope of work requires an economic analysis across the entire study area. The current focus on only 27 projected sites (out of approximately 850 lots) fails to address the array of other development possibilities. (Booth_CB2_072, Sigel_CB2_073)

Response: The requested economic analysis is beyond the scope of the CEQR DEIS and will not be provided. As per the Draft and this FSOW, the DEIS will include a description of the methodology used to develop that RWCDS and the associated build-out.

Comment 288: No Scope or Environmental Impact Study compiled now, during an ongoing global upheaval, could possibly be an accurate assessment of any neighborhood or provide the basis for changes we will live with for decades. That process should begin with an examination of the shortcomings of the current draft scope of work and the presentation (for public review before any ULURP begins) of a new draft scope that reflects those shortcomings, plus the impact of the pandemic on the residential, commercial, and retail sectors of our economy. (Booth_CB2_072, Sigel_CB2_073)

Response: The Draft and this FSOW is fully comprehensive and in accordance with the requirement of CEQR.

Comment 289: This Draft Scope is only 61 pages long and explores the impact of 27 projected development sites and 57 potential development sites. In comparison, the Bushwick Draft Scope is 201 pages long and analyzes 167 projected sites. The Draft Scope for the Gowanus Rezoning, led by not only DCP, but also by New York City HPD and NYC Parks, is 237 pages long and analyzes 60 projected sites. Clearly, the Gowanus and Bushwick proposals have benefitted from having been started prior to the pandemic. (Booth_CB2_072, Sigel_CB2_073)

Response: Document length is not an indicator of whether CEQR requirements are met for a given project. The Gowanus and Bushwick Final EIS scopes were for rezonings that covered a greater area, included more land use actions, and generated substantially more development. Those scopes included additional technical analyses that are not anticipated for the SoHo/NoHo Neighborhood Plan DEIS.

Comment 290: There is no analysis regarding the number of LPC applications that will be generated by DCP's proposed new maximum FAR. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. Developments that occur within historic districts will be subject to future review and approval by the LPC. The Proposed Actions do not directly lead to the submission of individual applications to the LPC.

Comment 291: Calculation of FAR in retail establishments should include basement/cellar space. (Booth_CB2_072, Sigel_CB2_073)

Response: The specific exclusion of cellar space from floor area has been in the Zoning Resolution since 1961. This intended to allow retail uses to occupy cellar spaces, but also limit the possible negative effects of a larger establishment generating parking and loading impacts. As such, retail uses in cellar space continue to be predictably utilized throughout the city in a manner consistent with the regulations. Retail space in cellars is assumed as part of buildings' gross floor area, which is used for density-based areas of analyses in the DEIS.

Comment 292: The Scope needs to study alternatives to JLWQA and do research into expanding the definition of "artist." (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions would allow live-work without attaching an artist definition or requirement, consistent with the planning goals to support housing equity and fair housing.

Comment 293: How will the DEIS define and calculate "financially feasible"? (Booth_CB2_072, Sigel_CB2_073)

Response: The Draft Scope mentions "financially feasible" in the context MIH affordability requirements. This will not be defined in the DEIS. The City Council and CPC may consult with the Department of Housing Preservation and Development and the NYC Housing Development Corporation to determine whether moderate and middle income housing development is financially feasible without subsidy. For further information on defining financial feasibility, please refer to the Feasibility Report for MIH.

Comment 294: The Scope needs to explain how COVID-19 and a recovery whose details are impossible to predict would affect the number/percentage of projected development sites legitimately be able to apply for this exception? (Booth_CB2_072, Sigel_CB2_073)

Recalculate the resident and worker assumptions Table 2 was based on, in light of COVID-19. (Booth_CB2_072, Sigel_CB2_073)

Response: For analysis purposes, the EIS assumes a ten-year development horizon (build year of 2031) for the projected development sites identified in the RWCDS. The COVID-19 pandemic is an anomalous condition that will not last forever. Resident and worker populations are not based on pandemic conditions.

Comment 295: The Draft Scope assumes that in a No Action condition, residential conversions and conversion of former industrial space to commercial uses would not occur and CPC discretionary actions and BSA variances would not be obtained. Even

with a conservative environmental analysis, given the heavy calendar of the CB2 Land Use committee, it is hard to imagine that these actions would cease to be applied for and (and usually granted). (Booth_CB2_072, Sigel_CB2_073)

Response: Discretionary approvals cannot be assumed unless there is some level of certainty as to their approval. Further, this assumption is conservative and would yield the maximum development increment for analysis in the DEIS.

Comment 296: The lots for development include lots now dedicated to commercial uses with very few residents. The DEIS/Scope must study the projected increase in residential population of almost 50 percent, which will create the need for new infrastructure for a significantly expanded population. The area does not have the infrastructure to support this change in residential population, and if history is any guide, the City will not provide that infrastructure in a timely, systematic, or thorough manner. We have clear instances of such failure in our own community board. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will analyze the full increment of build out under the RWCDS, the net increment in population, and the effects on all CEQR technical areas of analysis.

Comment 297: Why does the Draft Scope assume that development sites will exclude "government facilities, utilities, large institutions, homeless shelters, and houses of worship" even though the study says that since these facilities are often under-built? In light of all the efforts to redevelop these types of sites around the City, it seems naïve to exclude them. (Booth_CB2_072, Sigel_CB2_073)

Response: These sites are excluded from the RWCDS as projected or potential development sites as they would require the relocation of services and discretionary approvals such as the disposition of City land.

Comment 298: Include in the DEIS/Scope an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the Proposed Actions' potential significant adverse impacts under CEQR can be determined and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings. (Booth_CB2_072, Sigel_CB2_073)

Response: The FSOW and DEIS will include the RWCDS developed to assess the effects of the Proposed Actions. Changes to the RWCDS made between the Draft and Final Scopes will be summarized in the Final Scope. The building heights associated with the RWCDS will be analyzed in the DEIS. Building heights changed due to corrections to building massings that maximized FAR on some sites. With respect to these sites, the changes were generally limited height adjustments ranging between 15 and 20 feet. One significant height change occurred on Site ID 20, which was combined with Site ID 21, with the resulting building increased from

235 to 270 feet. These changes will be documented in the Appendix tables to the FSOW.

Comment 299: Study local non-profits in efforts to help artists and others find affordable housing, live-work space, or general workspace. (Booth_CB2_072, Sigel_CB2_073)

Response: DCP outreach during the planning process has included artists and others in need of affordable housing. This outreach will continue as part of the DEIS review and planning process. DCP will work with the Department of Cultural Affairs and HPD through the Housing Ambassadors program. Local arts organizations could apply to become Housing Ambassadors and would receive training and resources about how to help artists apply for affordable housing.

Comment 300: MAS proposes a series of improvements across eight categories of CEQR reform, including consideration of potential zoning lot mergers, increasing the range and scope of alternatives, making use of General Environmental Impact Statements to assess a wider range of potential outcomes, and requiring the implementation of mitigation measures before receiving Certificates of Occupancy. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will be based on the 2020 *CEQR Technical Manual* methodologies. As with other City rezoning proposals, the DEIS will analyze the development anticipated under the RWCDS prepared by DCP. As required under CEQR, where feasible, mitigation measures will be required for any significant adverse impacts disclosed as part of the DEIS impact analyses.

Comment 301: Study the following items across the entire Study Area:

- Value of FAR by square foot, for each individual property.
- Costs of LPC applications, due to enlargements etc., rising from the increased FAR.
- Transferable Development Rights, all possible scenarios.
- Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism").
- Costs of newly allowed SLA applications, per removal of existing zoning boundaries.
- Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments. (Booth_CB2_072, Sigel_CB2_073)

Response: The requested items are beyond the scope of the DEIS and will not be provided. It is beyond the scope of CEQR and the DEIS to examine the financing costs of applications and city agency approvals. In addition, no changes are proposed with respect to application fees under the Proposed Actions.

Comment 302: Study the short- and long-term impact on the Landmarks Law if it is modified to suit political demands and not cultural, educational or history needs. (Booth_CB2_072, Sigel_CB2_073)

Response: No modifications to the City's Landmarks Preservation Law are included under the Proposed Actions.

Comment 303: The DEIS should investigate the feasibility and development costs of residential development and MIH units being developed in older, historic buildings. (Booth_CB2_072, Sigel_CB2_073)

Response: The request is beyond the scope of the CEQR DEIS. Further, without the Proposed Actions, residential development would not be permitted as of right and no MIH units would be provided. As described in the DSOW, by allowing residential use, barriers to residential development would be reduced and MIH requirement would be implemented.

Comment 304: The Population figures Table 2, according to the standard industry rates of 1 employee per 1,000 sf of other commercial, also undercounts the number of Workers by 73 employees. Accordingly, the net change, or Incremental condition, in Table 2 should state a loss of -111,884 gsf of Other Commercial (Parking) and -124,392 gsf of Total Commercial space. Additionally, the net change of Workers should be -182 workers. (Booth_CB2_072, Sigel_CB2_073)

Response: The worker estimates shown in the Draft Scope will reviewed and revised for the Final Scope based on changes made to the RWCDS by DCP.

Comment 305: The No Action Condition for the EIS should assume that properties that have obtained such special permits and variances are developed in accordance with the terms of those approvals. (Laboz_UAL_174)

Response: The No Action condition on the projected and potential development sites conservatively assumes a continuation of existing conditions. Assuming projects that require discretionary actions in the No Action condition would minimize the increment between No Action and With Action conditions and result in a RWCDS that was not reasonably conservative.

Comment 306: The scoping plan fails to consider in detail, or at all, many of the important environmental and quality of life issues brought about by almost doubling the population and bringing in additional workers with increased office space, not to mention the addition of numerous skyscrapers.

- Much of SoHo is built on land that is not stable, some over old swamplands. What geological studies have been done or need to be done to be sure that giant towers can even be built—and without structural damage to fragile 19th century structures?

- What structural surveys of existing buildings need to be done to find out whether 19th century buildings can withstand constant vibrations from jackhammers and piledrivers used on multiple construction sites? There have already been several cases of buildings whose structural integrity was compromised by excavation on adjacent construction sites and the residents of these buildings were displaced. (Levy_117)

Response: Construction of new buildings, including site suitability and other geotechnical considerations, is regulated by the City's Department of Buildings, which is charged with oversight of building construction in New York City. The construction effects of the Proposed Actions will be analyzed in Chapter 20, "Construction." Structural surveys of existing buildings are beyond the scope of the DEIS; however, the DEIS will consider the potential effects of inadvertent construction-related damage to historic buildings from construction on development sites identified in the RWCDS.

Comment 307: How can the city propose almost doubling the neighborhood population from 8,000 to 14,400 (and that's if only two people live in each proposed new unit)? We have no green space, no schools and an antiquated sewage system. What will happen when the thousands and thousands of new residents and office workers flush their toilets in the morning? (Monrose_096, Monrose_140)

Response: Comment noted. The above-described potential impacts on open space, schools, and infrastructure will be analyzed in the DEIS.

Comment 308: The EIS methodology and scope is not credible. It does not account for cumulative effects of all developments taking place within a mile radius of the three housing sites and their cumulative impacts on wastewater, sewage, traffic, congestion, subway use, sidewalk space, and on libraries, parks and public schools. The flaws are so great that any person looking into it would include that the flaws are there so as to assure the proposals is shoved through the system. (Ellsworth_092)

Response: The DEIS impact assessment methodology is comprehensive and takes into account cumulative effects by including the No Build projects through the 2031 analysis year and also the future projected No Action demands on wastewater, transportation, schools, libraries and parks, by including these projected demands through 2031 in the analysis. This projection of future No Action demands is coordinated with other City agencies (e.g., DOT, DEP) and is used as the basis for adding the projected demands that result from the Proposed Actions.

Comment 309: We also find that the DSOW and the DCP's proposal include significant inaccuracies that must be corrected and technical mechanisms that must be elaborated upon. (Chin_161, Brewer_162)

Response: The RWCDS will be reviewed and updated, as appropriate, for the Final Scope. Any changes in the RWCDS will be identified in the Final Scope and used for the DEIS analyses.

Comment 310: "…due to the ongoing COVID-19 pandemic, field measurements of noise levels may not represent expected noise exposure at the Proposed Project… if the current traffic pattern is not deemed representative, "existing condition" noise levels would be established using a combination of noise levels measured within and adjacent to the rezoning area for previous environmental reviews, mathematical models, add projections of typical vehicular traffic volumes. The specific methodology and technical approach for the establishment of existing condition noise levels will be described in a memorandum submitted to the lead agency for comment and approval."

This procedure must be appropriately conveyed to all the partners listed in the DSOW for these sections that will be consulted for impact analyses; National Grid, MOS, DOT, MTA-NYCT, and DEP. (Chin_161, Brewer_162)

Response: The noise assessment methodology presented in the Draft Scope was reviewed by relevant City agencies, including DCP and DEP. Further, the Draft Scope was distributed to and reviewed by the above agencies.

Comment 311: I'm particularly concerned about the smaller buildings on Bleecker and Bond Streets: On Bond between Bowery and Lafayette alone, there are five small buildings, three of them Federal and/or Greek Revival structures. Are these buildings now subject to "demolition, redevelopment and/or enlargement"? (Clarke_139)

Response: As per the Draft and FSOW, the DEIS will include an assessment of the potential impacts of the Proposed Actions on the historic resources as part of the Historic and Cultural Resources analysis. Modifications to buildings located within New York City-designated historic districts will continue to be subject to LPC review and approval.

Comment 312: This DSOW, which purports to plan for the next ten years, cannot analyze what might be needed without first studying and analyzing the consequences of the pandemic on all facets of work and life in the City. (Tenenbaum_156)

Response: The requested study is beyond the scope the DEIS. In the near term, the consequences of the pandemic on all facets of work and life in New York City, the City, the nation, and the worlds are unknown. The Proposed Actions would allow for new housing and expand the types of commercial and community facilities allowed in SoHo/NoHo, which would support the City's recovery from the COVID-19 pandemic. The DEIS analyses is based on a 10-year development

horizon, or build year of 2031, by which point it is expected that the City, and the rest of the world, will have returned to a state of relative normalcy.

Comment 313: The rezoning should be paused (delayed) until after the pandemic is over, the economy has stabilized (wait at least two years), and life has returned to normal. Data gathered for the EIS during the pandemic is unreliable. It is not possible to make accurate assessments or collect reliable data at this time, including data for all aspects of the transportation analyses. At the very earliest, transportation data can be collected in the third quarter of 2021. It is extremely imprudent at this time. (Darche_030, Ong_150, Margolis_083, Mitcheltree_120, Wilcke_176, Davies_BRC_151, Marte_170, Tenenbaum_102, Tenenbaum_156)

Response: The COVID-19 pandemic adds more urgency to move forward with the Proposed Actions at the present time. The Proposed Actions would allow for new housing, expand the types of commercial and community facilities allowed in SoHo/NoHo, and provide flexibility for property owners, businesses, and workers as the City recovers. With respect to data, the DEIS analyses will not be based on pandemic conditions, as these conditions are anomalous. Data gathered during the pandemic will be updated as necessary to reflect pre-pandemic conditions as the baseline. Future conditions in the 2031 Build Year will not be based on existing pandemic conditions.

Comment 314: As much of the rezoning area is landmarked we should approach the rezoning with an eye to maximize opportunity on the relatively few non-contributing sites that exist with relevant context. (Thomas_022)

Response: Comment noted.

Comment 315: DCP should do an analysis of the impact of not allowing as of right residential conversions or enlargements of buildings that exceed 80 percent lot coverage. It is recommended that DCP apply the requirement be permitted in buildings where the existing commercial building has a vacancy rate exceeding 20 percent despite marketing. Doing so would reduce the number of potential residential conversions, and prevent inappropriate enlargements of existing buildings, many of which are currently overbuilt, and would not be permitted as of right today because they don't meet the setback requirements for their zoning districts. (Herrick_CSC_142)

Response: Comment noted. Maintaining commercial floor area and retail uses is integral to the proposed plan. The provision to preserve large buildings for jobs is intended to enhance mixed-use character of SoHo/NoHo and ensure critical reservoir of office/production space, and will only be applied to significantly large loft buildings within certain areas. The DEIS will include additional details of the provision.

Comment 316: The analysis done by the city so far is deeply flawed. It leaves out many sites which are likely to be developed under the proposed rezoning. (Berman_025)

Response: The analysis has followed standard practices employed in previous neighborhood studies. The FSOW is comprehensive and in accordance with the requirements of CEQR.

Comment 317: On City and federal government owned lots that are currently non-contributing uses that appear to have been excluded from the study area. The site at 2 Howard Street is a parking garage owned by the federal government. We should not be preserving parking for any reason, let alone in one of the most transit connected neighborhoods in the country. The site at 142 Grand Street is owned by the City. There is potential for government developed affordable housing. In addition to including those non-contributing lots in the study area, DCP and other city and federal and state agencies should put out RFPs to develop them for mixed income or even entirely affordable housing. (Baskin_114, Berkowitz_023, Metz_109, Thomas_022)

Response: Comment noted. The two City-owned sites in the Project Area, including 142 Grand Street, are proposed for DEP's water tunnel infrastructure, which precludes their use for new mixed-use development. New development cannot be accommodated because of the below-grade infrastructure associated with the DEP water tunnel shafts. As noted, the garage at 2 Howard Street is owned by federal government, which has not expressed interest in redevelopment of the site. The City-owned sites and 2 Howard Street would be rezoned under the Proposed Actions. While the Proposed Actions do not assume acquisition or disposition of these public properties for the purpose of redevelopment, they would not preclude any future negotiations with the federal government with respect to 2 Howard Street.

Comment 318: I have serious questions about assumptions made concerning the number of artists residing in SoHo. Artist Certifications? How far back did you look? Many artists here applied for certification in the 70s and 80s. (Margolis_083)

Response: City data on artist certifications, maintained since 1971 by the Department of Cultural Affairs, will be considered in the DEIS analyses.

Comment 319: I am very concerned about the impact of this rezoning on surrounding neighborhoods, especially the working class communities of color in Chinatown and the Lower East Side. If the SoHo/NoHo Rezoning is really about racial justice and truly affordable housing, then why haven't you listened to the working class communities of color in Chinatown and the Lower East Side in our demands for the Chinatown Working Group Plan, a community-led rezoning plan designed to protect our neighborhoods (just adjacent to the newly proposed up zoning in SoHo/NoHo, which will impact our communities, too) from speculative

overdevelopment and displacement. Why is it "too ambitious" (your words!) to follow the lead of impacted communities and working people when it comes to city planning? (Winters_100)

Response: Displacement will be analyzed in the EIS. Because SoHo-NoHo has a very strong housing market today, we expect that the additional supply of both market rate and affordable housing enabled by the Proposed Actions will likely reduce, not increase, the pressure on housing supply in the surrounding neighborhoods.

Comment 320: In light of the COVID-19 pandemic, a number of areas of study that would normally be routine must be expanded to ensure that pre- and post-pandemic metrics are being analyzed, and that involved agencies are aware of these needs. Areas of study that must be analyzed in this manner include school enrollment, subway use, pedestrian and vehicular traffic, noise, air quality, sanitation, sewer and water infrastructure use, and greenhouse gas emissions. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: Analyses of schools, transit and traffic, noise, air quality, greenhouse gasses, solid waste and sewer and water infrastructure would all be performed in accordance with the *CEQR Technical Manual* and taking into account any adjustments in method or utilization based on the anomaly of COVID-19 in each chapter.

Comment 321: We understand that certain policies and proposals outlined by the Envision SoHo/NoHo Advisory Group go beyond zoning actions, we strongly encourage DCP and relevant agencies to work in parallel on these items related to the public realm. These include potential opportunities for expanded open space, additional school construction, the development commercial delivery management, facilitating a thriving arts community, developing a vending action plan, ensuring a clear sanitation plan with participants in the Commercial Waste Zones program, improving on-street sanitation enforcement and pick-ups (including piloting permanent on-street building trash receptacles in the Project Area). In particular, we believe this must include piloting new programs, particularly Open Streets and Loading Zones such as those previously experimented with but abandoned in Downtown Brooklyn and elsewhere. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: Recognizing the limitations of zoning in addressing issues related to the management of the public realm and the operational aspects of businesses DCP has continued to engage with the public through SoHo/NoHo Neighborhood Plan meetings including the required DEIS scoping meeting and several informational meetings presented by DCP that included question and answer sessions with other city agencies charged with oversight of the public realm, such as DOT and DSNY. The City, through DOT and DSNY is considering non-zoning mechanisms to address quality of life and public realm issues affecting SoHo/NoHo. The public will have further opportunities to comment and shape the zoning proposal as it undergoes the public review process through ULURP.

Comment 322: We join with the NoHo-Bowery Stakeholders in asking DCP "to conduct an accurate building-by-building analysis correctly quantifying the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses so that the CEQR analysis will disclose the Proposed Actions' potential adverse impacts on the existing character of SoHo and NoHo." (Herrick_CSC_142)

Response: The DEIS land use analysis will include a comprehensive inventory of land use conditions in the Project Area and the surrounding study area.

Comment 323: Allowing residential development at an FAR in excess of 5.0 poses a substantial risk to the historic districts in the core of SoHo/NoHo. Another major issue is that DCP's proposed text amendment would allow for off-site low-income housing when less than 25,000 sf of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing. In fact, the offsite affordable housing is likely to be situated in the outer boroughs. DCP's soft site analysis doesn't take into account this possibility at numerous sites in the study area, and yet it could do irreversible damage to the character of the historic districts. (Herrick_CSC_142)

We believe that the small public benefit of some 30 low-income units in this 21-block area is not worth the risk of inappropriate enlargements of existing historic buildings (again, with no low income housing on site) that could damage the aesthetic quality of this area and its appeal to millions of tourists every year. (Herrick_CSC_142)

Response: M1-5/R7X allows density that is allowed under existing zoning within bulk envelopes that respond to built context and character and the allowance for residential use reduces barriers for housing and will contribute positively to housing supply including market rate and affordable units.

With regard to off-site units, when developed as part of MIH requirements, off-site units must be within ½-mile of the MIH development or within the same Community District, meaning that any off-site affordable units generated in connection with the Proposed Actions would be located in Lower Manhattan and not another borough. There is an additional five-percent affordable housing requirement for this off-site option.

Comment 324: The Future with Proposed Actions analysis should be more comprehensive in examining the number of sites that would become soft sites as a result of the large upzoning to R9X and R10 in DCP's proposal. While about half of the properties in SoHo/NoHo are built up to about 5.0 FAR, many of the roughly 400 SoHo/NoHo properties with FARs below 5.0 are located in Sub-Areas, 1, 2, 3, 4, 5, and 8 which will undergo a 100 percent increase (R9X0) to 140 percent increase

(R10) in allowable FAR under DCP's proposed rezoning. These amount to far more than 27 projected soft sites and 57 potential soft sites. (Herrick_CSC_142)

Response: Comment noted. The RWCDS, including the sites identified as either projected or potential development sites, was developed by DCP's using the soft site presented in the Draft and Final Scopes.

Comment 325: DCP should analyze the amount of additional square footage of development rights that will be granted to the property owners in these areas, and analyze its potential impacts especially with regard to Task 5 (Open Space), Task 6 (Shadows), Task 7 (Historic and Cultural Resources), Task 8 (Urban Design and Visual Resources), Task 11 (Water and Sewer Infrastructure), Task 12 (Solid Waste and Sanitation Services), Task 13 (Energy), Task 14 (Transportation), Task 15 (Air Quality), Task 17 (Noise), and Task 19 (Neighborhood Character). Each of these impacts will be lower with the alternative zoning scenario we are proposing. (Herrick_CSC_142)

Response: The referenced density-based analyses will be assessed using the projected development identified as part of the RWCDS in the Final Scope. As appropriate, potential developments (and projected developments) will be assessed for site-specific effects in the DEIS.

Comment 326: There is no "as of right" development within historic districts; all development must be permitted according to the LPC's standards. Therefore, increasing property developer's expectations of buildable space by increasing the "allowable" Floor Area Ratio when the ultimate policing power for development is not determined by the Zoning Resolution is bad public policy on a number of levels.

- It countermands established municipal policy (the landmark designations) of adaptive reuse and physical preservation by encouraging new development under the new guidelines.
- It creates an inherent conflict between two municipal regulatory agencies.
- It misleads property developers by implying an outcome for proposed development which cannot be reasonably expected.

Instead of streamlining development proposals, this proposal will lead to more conflict as developers will seek to gain approval for projects which are inherently out-of-scale and ill-proportioned to the protected historic properties. This will force the Landmarks Preservation Commission to either reject these undoubtedly ambitious new projects or reject its own standards and decades-long history of regulatory activity. Either of these scenarios could easily lead to legal action, which could have deleterious effects on established city policy and will increase the regulatory and municipal burden immeasurably. Simply put, this aspect of the plan—to increase the "allowable" bulk within the designated historic districts—

is ill conceived and will serve only to undermine the goals of municipal planning. (Bankoff_177)

Response: Comment noted. The proposed zoning districts were selected based on the prevailing built character of the subareas. M1-5/R7X, which is proposed to be mapped across the majority of the historic districts, does not include an upzoning. The densities of the M1-5/R9X district, which is proposed along the historic corridors such as Broadway and Canal, are consistent with the scale and character of these areas and the adjoining neighborhoods. Additionally, the SNX applies appropriate bulk envelopes that are designed to mirror loft building typologies. The Proposed Actions will not change existing LPC review policies. The RWCDS is developed for conservative review purposes and future projects will undergo LPC review as required by City regulations.

Comment 327: To provide a reliable evaluation of the full development impact under the proposal, the FSOW must reflect that all potential development sites will be evaluated for density-related impacts, not just site-specific impacts. The DEIS must include a readable, easily understood spreadsheet with all of the projected and potential development sites including Borough Block and Lot number, size of lot, current and proposed FAR, and full development potential. (Devaney_MASNYC_163)

Response: As per the Draft and Final Scopes of Work, the DEIS will include a a figure showing the projected and potential development sites and a table that describes the projected and potential development sites under the RWCDS that will be the basis for the DEIS analyses.

Comment 328: DID urges the City to complete promised studies and additional analysis after the pandemic state of emergency has lifted and to develop a plan that:

- Maintains the integrity of the impacted Historic Districts,
- Guarantees greater opportunities for affordable housing,
- Addresses displacement,
- Includes zoning that allows office to residential conversion and does not incentivize office and dormitory over residential use or big-box retail over small business, and
- Defines clear "mechanisms" to legalize existing residential occupancies incorporating public review and input. (Corman_DID_149)

Response: The Proposed Actions and the Neighborhood Plan advance several planning goals such as providing new opportunities for affordable housing and strengthening mixed-use. The DEIS will include more details about the mechanism for conversions and will analyze displacement.

Comment 329: Present a complete economic analysis related to the proposed increase of FAR, including the allotted price per sf for any FAR increases, applicable to each property lot within the zoning districts and how the Plan will impact transferable development rights. (Corman_DID_149)

The Plan does not indicate height caps and how the proposed special district would impact the transfer of development or air rights. (Davies_BRC_151)

Based on NYC PLUTO data and the new increases in FAR that is outlined in the DSOW, development within SoHo and NoHo would add an additional 11,000,000 sf of new development rights.

Given the huge FAR increases proposed for SoHo and NoHo by DCP, transparency is needed regarding any conversations or discussions that any property-owning entities (or their representatives) have had with the City about the value of air rights for individual properties and across the neighborhoods. (Davies_BRC_151)

Response: The quantification of unused air rights / development rights that would be generated under the Proposed Actions and the associated economic analysis are beyond the scope of the DEIS. Proposed bulk requirements, including height and setback requirements per the Proposed Actions will be presented in the DEIS

Comment 330: We recommend that the Scoping Document be modified to include in the DEIS an analysis to adequately disclose the Proposed Actions' potential adverse impacts on the current built environment within the Study Area, with particular attention to the area between Bleecker and Spring Streets, from Mercer to Crosby Streets and in particular how the Proposed Actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use. (Jones_067)

The Scoping Document [should] be modified so that the DEIS will identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings. In conjunction with these additional analyses, we recommend that the DEIS study the potential for potentially adverse displacement of existing commercial tenants within the SNMD due to residential conversion in light of current pandemic and post-pandemic markets. (Jones_067)

Response: The DEIS will assess the potential for the Proposed Actions to result in significant adverse impacts to land use, urban design and visual resources, and neighborhood character, which will consider the built context in the relevant study areas. As indicated in the Draft and Final Scopes, these analyses will be included in the DEIS.

Comment 331: The transfer of air rights must be addressed to appropriately gauge negative effects of wind conditions, velocity, pollution concentration fields, and pollution flows. There is no reference in the DSOW regarding the transfer of air rights. (Wilcke_176)

Response: A pedestrian wind conditions analysis is provided when multiple tall buildings are proposed for waterfront sites. The Proposed Actions would not result in such conditions. The Proposed Actions effects on wind conditions and velocity as a result of the transfer of development rights will not be assessed in the DEIS. The existing ability to transfer development rights pursuant to zoning would not be modified by the Proposed Actions. Analyses in the DEIS are based off of what would be permitted only with the Proposed Actions. The air quality analysis will consider the potential for significant adverse impacts from mobile and stationary sources, including for HVAC systems.

Comment 332: DCP must examine the financial implications; any Plan for SoHo/NoHo requires an economic analysis across the entire Study Area. The economic analysis should cover the [following]:

- Value of FAR
- Costs of LPC applications
- Transferable Development Rights
- Costs applicable to residentially occupied units due to conversion
- Costs of newly allowed SLA applications
- Costs related to the Affordable Housing Fund (Davies_BRC_151)

Response: The requested items are beyond the scope of CEQR and will not be provided. The existing ability to transfer development rights pursuant to zoning would not be modified by the Proposed Actions. Analyses are based off of what would be permitted only with the Proposed Actions.

Comment 333: The DSOW narrows its review for SoHo/NoHo to just 27 projected development sites that are "expected" to result in new affordable dwelling units, but there is no guarantee that even a single affordable unit—where people can live—will actually be built. Those 27 sites were selectively chosen from nearly 850 individual sites across the neighborhoods: That scope laid out in the DSOW is too limited, and fails to accurately capture the reality of the districts, and also fails to responsibly address the impacts of the DCP Plan on all current residents of the neighborhoods. (Davies_BRC_151)

Response: The RWCDS was prepared in accordance with the guidelines in the *CEQR Technical Manual* and is considered to be a reasonable and conservative projection of the amount of development that could result from the Proposed Actions. As discussed in the Final Scope, the projections are based on a number of site-specific and contextual factors expected to affect the likelihood and

amount of development in the future with and without the Proposed Actions. See Section G, "Analysis Framework," of the Final Scope of Work for a discussion of the RWCDS assumptions. See Task 3, "Socioeconomic Conditions," of Section H, "Proposed Scope of Work for the EIS" of the Final Scope for a discussion of the indirect residential displacement analysis to be contained in the DEIS.

Comment 334: The DSOW outlines a proposal for additional growth in SoHo/NoHo. What is the DCP criteria to define "growth"? Using that criteria, please provide a chart showing the rate of growth since M1-5A and M1-5B zoning districts were created until the present, and then predict the growth that is expected in 10-year increments for the next 50 years. (Davies_BRC_151)

Response: The request for charts demonstrating the growth of development since the establishment of the M1-5A and M1-5B zoning districts is beyond the scope of the DEIS and will not be provided. The analyses in the DEIS will be based on projected development expected to occur in the Project Area, which is currently zoned M1-5A and M1-5B, in the future with and without the Proposed Actions. The historic development of SoHo/NoHo will be provided in the Chapter 1, "Project Description," of the DEIS. In addition, future development projections as a result of the Proposed Actions have been developed based on the guidance contained in the *CEQR Technical Manual* and will be described in Section G, "Analysis Framework," of Chapter 1.

Comment 335: The SoHo and NoHo neighborhoods were used as farm and pastureland up to and through the 17th century, including the significant establishment of Manhattan's first free black settlement in SoHo on land granted by the Dutch West India Company.

DCP fails to adequately address the historical takings of property and displacement of peoples that have occurred within the neighborhoods of SoHo and NoHo, and therefore the effort to achieve the City's stated goal of "racial justice" must be expanded. Remedies to achieve true justice—for housing, occupancy and ownership—should be outlined, and actions to achieve those remedies must be put forth. (Davies_BRC_151)

Response: The DEIS will includes a description of the historical development of the Project Area and the goals of the project with respect to providing affordable housing and diversity.

Comment 336: Please take the no action scenario, the alternative plan scenario (which would legalize ground floor retail but keep the current size limits) and the proposed action scenario and determine how many special permits would be anticipated under each within the next 10 years. (Davies_BRC_151)

Response: The request is beyond the scope of CEQR. The Proposed Actions would allow a wider range of uses without special permits, in a manner that is consistent with existing conditions in SoHo/NoHo and provides the necessary zoning flexibility. While special permits (such as the Landmarks Preservation Commission special permits pursuant to ZR 74-711) may be useful to address certain unique use and/or bulk conditions, it is anticipated that by providing appropriate zoning, the number of discretionary approvals would be reduced.

Comment 337: To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan. Calculation of FAR in retail establishments should include basement/cellar space. (Davies_BRC_151)

Response: Details on the proposed zoning and its purpose and need will be provided in Chapter 1 of the DEIS, "Project Description." Cellar space is not considered in FAR calculations. The Proposed Actions recognizes the importance of office space in SoHo/NoHo, as portions of the Project Area are major employment hubs, including the Broadway corridor. Proposed paired manufacturing/residential districts reflect and strengthen mixed-use character, where many commercial uses are located above the lower floors of the building. Commercial overlays are not appropriate zoning districts here as they are more suited for predominantly residential areas with primarily local retail uses.

Comment 338: The plan fails to consider The New York City Landmarks Law. (Davies_BRC_151)

Response: The Proposed Actions have been developed with consideration of the New York City Landmarks Law.

Comment 339: The DSOW fails to adequately assess the full impact of either Projected or Potential Development Sites on the existing neighborhoods. (Davies_BRC_151)

Response: As per the Draft and FSOW, the DEIS will include a full description with graphics and tables that will present the RWCDS that will be the basis for the DEIS impact analyses for each technical area of analysis.

Comment 340: [The Draft Scope] states that there will be a study of noise impacts from development, effects on "historic resources" (which the DSOW fails to define) and hazardous materials for each potential site, the DSOW fails to discuss the impacts of the uses of those sites once they are built out and operating. (Davies_BRC_151)

Response: As per the Draft and Final Scopes of Work, the DEIS impact analyses for noise, historic resources, and hazardous materials will include both the construction and operational phases.

Comment 341: The DSOW is overly focused on only one potential scenario: The development of affordable housing. The DSOW fails to adequately address the breadth of construction that will be made possible through the addition of new FAR levels and new allowances for retail of all sorts (including internal build outs for retail establishments), not to mention the various conversion scenarios that are contemplated. The limited review by DCP ignores the numerous locations within the Study Area, beyond the 27 Projected Sites that the DSOW identifies, which will be incentivized for development and construction by the granting of new FAR increases. (Davies_BRC_151)

Response: The DEIS will comprehensively analyze the impacts of the projected and potential developments as described in this FSOW.

Comment 342: The current draft assumes no building containing rent stabilized units will be a development site. This is a faulty assumption. Buildings containing rent stabilized and rent regulated units in this area are regularly demolished for new development. With the proposed upzoning, the likelihood and pace of such demolitions will greatly increase. The environmental review should include a complete cataloguing of buildings with rent regulated units in the proposed rezoning area and include an assumption that any building which would be underbuilt under the new zoning is a potential development site. The study should address how many affordable/rent regulated units would be lost as a result. (Berman_155)

Response: As per the Draft and FSOW, the DEIS will include an assessment of the potential for impacts on rent stabilized units with respect to both direct and indirect impacts.

Analytical Framework—RWCDS

Comment 343: With respect to projected development sites, the two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1). (Booth_CB2_072, Sigel_CB2_073)

In addition to the three zoning districts described, in the data in Appendix A, there are two lots with M1-6/R10A zoning: 358 Bowery (DSOW #13 and already in development as an office building) and 350-352 Bowery (DSOW #1). The R10A offers bonuses for contextual development and senior facilities. Would this be in conflict with the MIH provisions of the proposal, or would it be additional floor

area bonuses to create even larger buildings? This should be clarified. (Booth_CB2_072, Sigel_CB2_073)

Two of the six Proposed Development Sites that are within the SoHo Core (Subdistrict 7) incorrectly identify M1-5/R9X as the proposed zoning: DSOW 31 (CV)—75 Spring Street; and DSOW 32 (CV)—154 Grand Street. They should be M1-5/R7X. (Booth_CB2_072, Sigel_CB2_073)

The following projected sites have distinctions not reflected in the Draft Scope that should be studied:

- Site 1 (350, 352 Bowery) is listed on the National Registry of Historic Places in the Bowery Historic District. It has transferred air rights for 2.0 FAR to 358 Bowery.
- Site 2 (30 Great Jones Street—Block 531, Lots 17, 52, 56) is located wholly within the NoHo Historic District.

One of the tax lots in Site 3 is in fact only 1,000 sf, so it does not meet the criteria for a development site, but Site 3 consists of two lots joined together so as a whole Site 3 is above the 1,700 sf limit. The two are also directly above the Lafayette/Broadway subway station.

- Site 12 (410 Lafayette Street) is located wholly within the NoHo Historic District.
- Site 13 (358 Bowery) is currently undergoing active construction and does not meet the criteria for a Projected Development site. It is listed on the National Registry of History Places within the Bowery Historic District.
- Site 15 (281 Lafayette Street) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
- Site 16 (81 Mercer Street) is located wholly within the SoHo-Cast Iron Historic District and is occupied by an existing building, so does not meet the criteria for a Projected Development site.
- Site 23 (72 Grand Street) is located wholly within the SoHo-Cast Iron Historic District. It has additionally undergone multiple discretionary reviews by the LPC and most recently came before CB2 in September 2020, seeking an application to construct a four-story commercial building.
- Site 24 (217 Hester Street) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
- Site 27 (114 Baxter Street) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
- Site 30 (324 Lafayette Street) is located wholly within the NoHo Historic District.
- Site 31 (75 Spring Street), a purported conversion site, is located wholly within the SoHo-Cast Iron Historic District Extension. It is already overbuilt to a FAR of 9.85, exceeding the maximum allowable FAR in an R7X zone.
- Site 32 (154 Grand Street) is located wholly within the SoHo-Cast Iron Historic District Extension. (Booth_CB2_072, Sigel_CB2_073)

Several of these sites already have plans for development. Owners of two underutilized sites, 61 Spring Street and 134 Wooster Street, listed by DCP as "Potential," have already applied to the City to construct commercial structures on their lots. Nearby, on just one block of Prince Street between Greene and Mercer Streets, 105 Prince Street, a two-story building housing the Apple store with a 6,000-sf footprint; 110 Prince Street, a recently constructed one-story retailer; and 92 Prince Street, another recent one-story mercantile structure yearning to increase in height and bulk, will surely attract developers seeking to enlarge them along this busy thoroughfare. (Booth_CB2_072, Sigel_CB2_073)

Response: Unless a development has approved building plans, it is typically not considered a "known development," and is therefore conservatively assumed to be developed under the proposed zoning for RWCDS purposes. For further information on projected development site criteria, please reference the development site assumptions section of the Final Scope of Work. References to R10A zoning have been corrected to R10 and sites misidentified as M1-5/R9X have been corrected to M1-5/R7X. With regard to all sites within historic districts, including the sites specifically referenced above, these sites will be considered and analyzed as appropriate under the DEIS in the Historic and Cultural Resources chapter.

Comment 344: The following discrepancies, with respect to the projected development sites, in Appendix 1 should be studied:

- Site 1 (350, 352 Bowery): FAR of 2; PLUTO data reports FAR of 3.00.
- Site 3 (315 Lafayette Street, 301 Mulberry Street): FAR of 1; PLUTO data reports FAR of 1.56.
- Site 4 (155, 159 Grand Street): FAR of 2; PLUTO data reports FAR of 5.53.
- Site 7 (381, 383 Canal Street): FAR of 3; PLUTO data reports FAR of 3.82.
- Site 8 (126 Lafayette Street, 257 Canal Street): FAR of 2; PLUTO data reports FAR of 2.55.
- Site 9 (239, 243 Canal Street, 3 Howard Street): FAR of 3; PLUTO data reports FAR of 3.48.
- Site 13 (358 Bowery): FAR of 0; PLUTO data reports FAR of 0.58.
- Site 20 (356 West Broadway): FAR of 3; PLUTO data reports FAR of 3.97.
- Site 25 (123 Lafayette Street): FAR of 4; PLUTO data reports FAR of 5.35.
- Site 27 (114 Baxter Street): FAR of 5; PLUTO data reports FAR of 5.98.
- Site 30 (324 Lafayette Street): FAR of 5; PLUTO data reports FAR of 6.17.
- Site 31 (75 Spring Street): FAR of 8; PLUTO data reports FAR of 9.85. It is in the historic core, so its actual FAR is 5.
- Site 32 (154 Grand Street): FAR of 5; PLUTO data reports FAR of 5.94. (Booth_CB2_072, Sigel_CB2_073)

The following discrepancies, with respect to the projected development sites, in Appendix 1 should be studied.

- Site AA (382 West Broadway): FAR of 2; PLUTO data reports FAR of 2.90.
- Site BB (686 Broadway): FAR of 2; PLUTO data reports FAR of 2.94.
- Site EEE (403 Lafayette): FAR of 2; PLUTO data reports FAR of 2.84.
- Site FFF (90 Grand Street): FAR of 4 PLUTO data reports FAR of 6.04.
- Site GGG (96 Spring Street): FAR of 7; PLUTO data reports FAR of 8.02.
- Site MM (53 Mercer Street): FAR of 2; PLUTO data reports FAR of 3.44.
- Site W (92 Prince Street): FAR of 1; PLUTO data reports FAR of 2.36.
- Site WW (518 Broadway): FAR of 1; PLUTO data reports FAR of 4.48.
- Site Y (424 West Broadway): FAR of 2; PLUTO data reports FAR of 2.78.
- Site YY (118, 120 Prince Street): FAR of 1; PLUTO data reports FAR of 1.89.
- Site Z (396 West Broadway): FAR of 2; PLUTO data reports FAR of 2.85. (Booth_CB2_072, Sigel_CB2_073)

Comment 345: Comment noted. PLUTO data includes building area that is not assigned to a use-specific field. The RWCDS FAR calculations are based on known lot size and available use-specific data within PLUTO. This discrepancy in perceived built structure versus analyzable floor area could arise in an instance where portions of building area do not contribute to "zoning" floor area. What and whose assumptions about the future "financial feasibility" will the DEIS model use to forecast the "No Action condition" and the "With Action condition" analysis in the 10-year timeframe (2021–2031)? (Booth_CB2_072, Sigel_CB2_073)

The proposed R10 zoning drives the RWCDS, but may not produce the projected housing. The City's assumption that the vast majority of development will be for residential use, 84 percent of projected GFA, may be unrealistic given that R10 zoning allows 10 FAR for commercial uses without any MIH subsidy. (Booth_CB2_072, Sigel_CB2_073)

How will the DEIS define and calculate "financially feasible"? With a very high AMI in the NoHo Core, what household income levels are necessary to qualify for the MIH program? What are the demographic characteristics of families/persons that may qualify for "affordable housing" units?

What are the proposed "subdistrict regulations" to "allow sufficient flexibility" (what does sufficient flexibility mean?) to achieve housing goals (the 1,699 With Action additional DUs?) (Darche_127)

Response: The terms "financial feasibility" are used in the Draft Scope only with regards to the MIH program and the feasibility of providing income-restricted units at varying income levels and the size of the affordable set-aside. The Final Scope will include a description of the methodology used to develop the RWCDS and the associated build-out, and identify any changes made since the issuance of the Draft Scope.

Comment 346: What happens if COVID-19 continues and/or worsens the current economic downturn? Will the RWCDS model's financial and economic assumptions be changed "mid-stream" to reflect the reality of a significant delay in the financially feasibility to absorb the "build-out" commercial and residential square footage assumed in the model? (Booth_CB2_072, Sigel_CB2_073)

What assumptions are reasonable for a 10-year period in light of COVID-19 and the yet-undetermined economic recovery, given the office space glut; the historical reliance on tourism spending and the fact that 2019 tourism levels might not return for many years; the pre-COVID-19 luxury condo glut, only worsened by COVID-19; and overleveraged retail landlords hurt by pre-COVID-19 retail rent drops and post-COVID-19 empty offices and lack of tourists, particularly foreign tourists who tend to spend more? (Booth_CB2_072, Sigel_CB2_073)

Response: The RWCDS developed for the DEIS will be used as the basis for all impact analyses. This RWCDS takes into account a number of factors and is a long-term (10-year) projection that is used for CEQR analysis purposes. That projection takes into account development trends in the area, variations in the City's real estate market over time, the demand and need for new and affordable housing and a mix of uses, and the opportunities to meet that demand in the SoHo/NoHo Project Area.

Comment 347: There are no projected development sites located within the Canal Corridor (Subdistrict 4), making evaluation of the effects of the proposed action on the Canal Corridor impossible, according to the methodology set forth by the Draft Scope. Similarly, there are no potential development sites located within the NoHo–Bowery Corridor (Subdistrict 1), SoHo East (Subdistrict 3), or SoHo West (Subdistrict 8). Only a single projected development site is located within the NoHo Core (Subdistrict 6): DSOW 14: 53 Bond Street. This is not a sufficient number of sites for the analysis framework. (Booth_CB2_072, Sigel_CB2_073)

Response: The rationale for the determination of projected and potential development sites is included in the Draft Scope. Any changes to the RWCDS made by DCP between the Draft and Final Scopes will be described in the Final Scope.

Comment 348: Potential Development Site W—92 Prince Street, which is within the boundary of the Broadway–Houston Corridor (Subdistrict 5), is incorrectly identified as M1-5/R7X. It should be M1-5/R9X with modifications. (Booth_CB2_072, Sigel_CB2_073)

Response: The proposed zoning districts have been corrected for the Final Scope.

Comment 349: The following Potential Development Sites have distinctions not reflected in the Draft Scope that should be studied:

- Site BB (686 Broadway) has transferred air rights for 10 FAR to 684 Broadway and should not be considered a development site.
- Site BBB (146 Spring Street) is among the oldest buildings in SoHo, built in 1819; was reviewed by CB2M in April 2004 (LPC Item 9); and should not be considered a development site.
- Site EEE (403 Lafayette Street) is adjacent to an individual LPC Landmark, the Merchant's House.
- Site HH (102 Greene Street) was involved in a discretionary review by the LPC and granted a CPC Special Permit in Feb 2010 (ULURP 080260ZSM), and thus should have been excluded from the development scenario.
- Site J (27 East 4th Street) is adjacent to an individual LPC Landmark, the Merchant's House. It underwent discretionary review by the LPC in 2018, and most recently came before the CB2 Landmarks Committee on Dec. 10, 2020, seeking an application to demolish an existing one-story garage and construct a new building. Accordingly, it should not be considered a development site. (Booth_CB2_072, Sigel_CB2_073)

Response: Comments noted. The DEIS and Final Scope will include a description of the methodology used to develop the RWCDS and the associated build-out. Any changes to the RWCDS made by DCP between the Draft and Final Scopes will be described in the Final Scope.

Comment 350: "One entirely non-residential building is projected in the western portion of the project area near Hudson Square, another strong office market": That site is at the northeast corner of Grand Street at Sixth Avenue and is owned by Trinity Church Real Estate and is shown as #22 on the Projected Map/List. The Scope should explain why new FAR will be allowed on that site, but housing is not required. (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions would allow residential and commercial use on the referenced site. The RWCDS projects commercial development would occur under the Proposed Actions.

Comment 351: The Scope needs to explain why the lot area threshold was set at 1,700 sf or larger to guide where development can reasonably be expected to occur. (Booth_CB2_072, Sigel_CB2_073)

Response: The minimum lot size that is used for determining a projected or potential development site is based on the probability of site redevelopment. For very small sites that are 1,700 square feet or less, the likelihood of development is less as compared to larger sites that can provide greater FAR with flexibility in design and build out that complies with zoning. Therefore, these larger sites are identified as projected or potential development sites for analysis purposes.

Comment 352: Per the Draft Scope, lots of highly irregularly shaped lots would be excluded because of the difficulty of future as-of-right development; because such lots are more costly and more difficult to build on; and because they do not produce marketable floor space. The CB2 Land Use committee sees applications for development on such types of lots on a regular basis and for this reason, DCP must study irregular lots in the DEIS/Scope. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted. The request was considered by DCP. For the reasons identified in the comment (and in the Draft and Final Scopes of Work, highly irregularly shaped lots have not be identified as soft sites. Please reference the development site criteria as described in the Scope of Work.

Comment 353: There is only a very brief mention of rent-stabilized tenants in buildings of six or more residential units. The proposal claims that these sites should be excluded from the development scenario because of the expense of relocating the residents. This category requires deeper analysis, due to the number of buildings in SoHo/NoHo of this size. Has CPC determined the impact of any residential displacement from the development of projected and potential sites? (Booth_CB2_072, Sigel_CB2_073)

Response: As stated in the Draft and Final Scopes, the potential for direct and indirect residential displacement will be assessed in Chapter 3, "Socioeconomic Conditions."

Comment 354: In light of a more favorable federal administration, has CPC reevaluated the redevelopment potential of 2 Howard Street, a federally owned parking garage with a lot area of 12,716 sf, which at 12 FAR could be redeveloped for more than 144,000 sf and 100 percent affordable housing, while maintaining parking for government vehicles? (Booth_CB2_072, Sigel_CB2_073)

Response: The RWCDS does not include this federally owned property since there is no proposal at this time by the federal government to dispose of the property.

Comment 355: Why is a garage at 349 Canal Street (DSOW ID DDD) and an abutting building excluded from projected development when many similar sites are included for study? (Booth_CB2_072, Sigel_CB2_073)

Response: Site DDD has been identified as a potential development site, Refer to Section G of the Final Scope of Work which identifies the criterial tor determining development sites. The Final Scope and the DEIS will include a description of the methodology used to develop the RWCDS and the associated build-out.

Comment 356: In these sections, the parameters for development (small units, low floor- to-ceiling heights, small floor plates) all but eliminate the possibility of any future affordable housing for any artist or live-work situations, further eroding the

identity of SoHo and NoHo. Does establishing a size of 850 sf per unit support the stated goal of the Neighborhood Plan to "accommodate and expand live-work uses and supporting creative, arts and cultural uses"? (Booth_CB2_072, Sigel_CB2_073, Davies_BRC_151)

Response: Comment noted. The Proposed Actions and the Neighborhood Plan will support greater housing access and affordability and provide more housing and live-work options for all New Yorkers. The 850 square-foot unit size is an average unit size assumed for analysis purposes only. It is used in determining the total number of units to be assumed for impact analysis purposes under the rezoning. It is not a requirement for development and should not be construed as (nor is intended to) support any stated goals of the Proposed Actions. Dwelling units may be larger or smaller than 850 sf.

Comment 357: According to the DCP map, Conversion Prototype 75 Spring Street is in the Historic Core with the lowest FAR change (M1-5/R7X), but in Appendix 1, it is part of the calculation for the Broadway Commercial Corridor (M1-5/R9X), which has highly increased FAR. At its existing 9.85 FAR, 75 Spring Street is either overbuilt by 4 FAR (M1-5/R7X) or by 1.85 FAR (M1-5/R9X). Any claim of affordable housing at that location will have to be subtracted from DCP's affordable housing total. (Booth_CB2_072, Sigel_CB2_073, Davies_BRC_151)

Response: Affordable housing generated under the Proposed Actions at the referenced site would add to the City's supply of needed affordable housing and supports the Proposed Actions stated goal of increasing housing, including affordable housing. Existing buildings projected to undergo conversions or change of use from commercial space to residential space are assumed to maintain existing floor area and building bulk. No additional floor area or height change would occur at any conversion prototype sites.

Comment 358: Because all three proposed "representative examples" of prototype conversion are all within a stone's throw of each other (154 Grand Street, 75 Spring Street, and 324 Lafayette Street), they are hardly "distributed across the project area." All three are landmarked. (Booth_CB2_072, Sigel_CB2_073)

Response: As shown in the Final Scope, the sites expected to undergo conversion from commercial use to residential use span several blocks between Bleecker and Grand Streets. The distribution of the three sites spans most of the north-south distance of the Project Area. As discussed in Section G, "Analysis Framework," of the Final Scope of Work, one of the criteria for the determination of development sites is the consideration of sites with non-residential uses in locations where residential use will be newly allowed, including non-residential buildings with conditions conducive to residential conversion.

Comment 359: These three tables are unreadable and need to be reformatted (offered in some downloadable format) in larger type to be accessible to the general public for whom they are intended. There is data/information in the Appendix that is not referenced in the text of the Draft Scope, which increases the lack of transparency of the spreadsheets—and clouds the intent of the Draft Scope itself. (Booth_CB2_072, Sigel_CB2_073)

Response: The Final Scope will be prepared in accordance with the requirements of SEQRA and the CEQR Rules found at 62 RCNY Chapter 5, including the requirements in Section 5-07, "Scoping." DCP will make documents available to the public as downloadable pdfs. Tables will include a breakdown of square footage, per site, that informs the analytical framework for the Proposed Actions.

Comment 360: Of the 27 proposed development sites seven are See re or garages (DSOW 2, 10, 12, 16, 20, 22: marked as land use 10; DSOW 21: marked as building class "Fireproof" but in fact a parking garage). However, the No Action condition shows only 39,000 gsf of parking area, which upon inspection is solely attributable to the site at 356 West Broadway. (Booth_CB2_072, Sigel_CB2_073)

DSOW 22 represents 4,484 gsf of parking area, according to the tax lot's land use classification as a parking facility. (Booth_CB2_072, Sigel_CB2_073)

Taking into account the additional gsf of parking lot area, Table 2, the No Action Condition, undercounts the Other Commercial (Parking) category by at least 72,884 gsf, as well as the Total Commercial subtotal by that same amount. (Booth_CB2_072, Sigel_CB2_073)

Response: See response to Comment 54. Parking lots do not generate floor area and so are not counted in the RWCDS. The FSOW will reflect any updated information about parking garage floor area.

Comment 361: The projected and potential development sites should be broken out into expected conversions, enlargements, and developments. (Lodhi_REBNY_132)

Response: The RWCDS assumes the conversion of three sites from commercial use to residential use. These sites are indicated with a "CV" in the RWCDS tables. The remaining development assumed under the Proposed Actions is expected to be new construction.

Comment 362: The With Action RWCDS in the Appendix shows 32 projected development sites but only 27 are in the main DSOW. Several projected development sites in that table show a zoning district that is not proposed (M1-5/R10A). There is a zoning district proposed (M1-6/R10) but has no proposed development sites. Explain why 4, 6, and 8 story buildings are considered projected development sites and

why some of the projected development sites do not maximize the amount of floor area hey have available. (Breen_069)

Response: The RWCDS has been revised to address the referenced discrepancies. The updated RWCDS will be presented in the Final Scope and will serve as the basis for the DEIS analyses.

Comment 363: A building-by-building analysis is imperative as some of the lots identified by the DCP may already be in demolition, development, or a private sale transaction, thereby precluding the lot as a Projected or Potential Development site for affordable housing analysis by the DSOW. One such example is the lot "DSOW ID 13" (358 Bowery) which was sold in 2019 along with nearby development rights. On December 2, 2020, the owner of that site filed a Department of Buildings application to demolish the structure that is on that site, highlighting the need for this application to be informed by the most up-to-date information as it moves through the public review process. (Chin_161, Brewer_162)

Response: The RWCDS conservatively assumes a continuation of existing conditions in the future absent the rezoning and the redevelopment of the referenced site with a new mixed-use building under the Proposed Actions, thereby maximizing the increment for analysis in the DEIS. In connection with the preparation of the RWCDS, DCP staff reviewed all lots that comprise the projected and potential development sites. To provide the most conservative analysis DCP included sites that may include proposed developments but have not yet received a DOB Building Permit. Until such a time that a building has received a Building Permit, it is current practice to include it in the RWCDS for analysis in the DEIS.

Comment 364: What is the basis of the conclusion that "a substantial portion of the 1,683 DUs are expected to be affordable"? Has the DCP already run the models to arrive at this conclusion? If not, how did DCP arrive at the percentage AMI figures for Options 1 and 2, above? Will the EIS consultant simply confirm this conclusion? (Darche_127)

Response: The RWCDS calculates the percentage affordable units based on the established thresholds within the MIH options to establish a range of dwelling units that will likely be affordable.

Comment 365: Will the EIS use the same assumptions as presented in the last three paragraphs of page 21 to determine the "net increment of 3,181 residents" (1,683 DUs; the net increase over No Action)? (Darche_127)

Response: The DEIS will utilize these assumptions, updated as appropriate to reflect any changes in the RWCDS, in the Final Scope to prepare the DEIS.

Comment 366: In the initial zoning plan, 410 Lafayette Street a designated parking lot has been placed in the zoning plan as a possible place to build. Is there a direct possibility of this since to occur since this property has a lease in place for several more years? Has this property been decided by the owner to sell in order to allow for future building? (Fernandez_076)

Response: The referenced site was identified as likely to be developed under the rezoning. Build out under the proposed zoning identifies the sites with greater potential for redevelopment through 2031. This site meets those criteria.

Comment 367: Please note that 16 Crosby Street and 452 Broadway are incorrectly labeled as "residential" on the Existing Land Use Figure 6. They should be correctly labeled "residential with commercial below." (Levy_117)

Response: Land use figures will be updated in the DEIS to show "residential with commercial below" at this location.

Comment 368: NoHo is zoned M1-5B, a unique zoning created to allow for working artists to legally occupy and work in nonresidential buildings. Permitting as-of-right residential and limited commercial uses in this area, while preserving protections for artists under JLWQA, will allow for predictable zoning rules that can support small businesses and housing.

However, we request that DCP reviews the DSOW and re-analyzes their study of Project and Potential Development Sites to ensure that information is accurate regarding the character and status of each building, as well as provide further detail regarding potential for development, including for 27 East 4th Street, the properties along Cooper Square leased by Grace Church School, and at 716 Broadway. The status of these lots [should be clarified in the] RWCDS. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: The RWCDS has been reviewed and updated for the FSOW. The RWCDS presented in the FSOW has been used as the basis for the impact analyses in the DEIS.

Comment 369: We are concerned [about the] designation of Cooper Square as a "Potential Housing Area," which is not part of the EIS process and has not [been] explained. A list of the existing numbers of retail, commercial, manufacturing (including JLWQA) and residential uses in the Project Area [should be provided in the analysis]. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: The area generally located along Cooper Square would be mapped with an M1-6/R10 contextual zoning district in order to maximize housing production, including required affordable housing pursuant to the provisions of Mandatory Inclusionary Housing. Land use will be assessed in Chapter 2, "Land Use, Zoning, and Public Policy," of the DEIS.

Comment 370: A full range of equivalent contextual zoning districts (with variable height limits) [should] be studied. Options that would limit further commercial office development beyond small storefront locations, so as to promote residential development and maximize the use of MIH where applicable should be considered. [Limiting] commercial FAR [to] 2.0, [and] limitations on certain types of community facilities, such as dormitories, must also be included to ensure the goals of this project are met. Rules that would maximize lot coverage in areas where light and air can be maintained, particularly for through-lot blocks, [should also be studied]. (Rivera_NYCC_054, Hoylman_NYSS_055)

[DID urges the City to develop a plan that] presents an economic analysis of the upzoning and how the Plan will impact transferable development rights. (Corman_DID_149)

Response: Comment noted. See response to Comment 89. Economic and financial analyses are beyond the scope of the DEIS. Contextual zoning is proposed for the entirety of the Project Area. The Proposed Actions intend to reflect and strengthen existing mixed-use character and provide zoning flexibility to support economic development and jobs.

Comment 371: [The Proposed Actions should not] allow large scale retail over 10,000 zsf as-of-right. The special permit process for physical culture establishments and Use Group 10 commercial and retail units over 10,000 zsf [should be maintained]. An analysis of special retail rules that would amount to a special retail district that would allow limitations on overall square footage and potentially frontage-width [should be included]. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: See response to Comment 136. Physical Culture or Health Establishments, such as gyms and licensed therapeutic massage studios, would be allowed as of right—a policy consistent with recent neighborhood-wide rezonings that recognizes the ubiquity of gyms and spas and the central role that health and fitness plays in New Yorkers' daily lives. The Proposed Actions would allow a wide range of commercial uses in a manner consistent with existing land use patterns and provide the necessary zoning flexibility to support recovery and long-term economic resiliency. The DEIS will analyze the incremental change expected with the proposed destination retail uses.

Comment 372: The DSOW is too narrow, focusing on only 27 Projected Sites (out of approximately 850 lots). The review is limited to the implications from possible affordable housing scenarios, even though it is clear that it is not likely to produce much of that. (Tenenbaum_156)

Response: The DEIS impact analyses will be based on conditions the RWCDS presented in the FSOW that are representative of reasonable build out through the 2031 analysis year under the proposed rezoning.

Comment 373: In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope. The two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1). (Davies_BRC_151)

Response: The discrepancy has been corrected. The Final Scope and DEIS will provide updated and corrected zoning data.

Comment 374: The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal, or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified. (Davies_BRC_151)

Response: An R10A district is not proposed. No zoning bonus for contextual development or community facility uses is being proposed as part of the Proposed Actions.

Comment 375: The plan underestimates the impact of upzoning to districts R7X and R9X because it excludes from the projected Development site any site other than vacant lots even though the plan changes zoning for over 800 lots within the 56-block area, 85 percent which is in Historic Districts. (Davies_BRC_151)

Response: As described in the Draft and this FSOW, the RWCDS is based on a number of assumptions that are accepted practices used under CEQR to project growth and the allocation of that growth to projected and potential site developments for the purposes of environmental impact analysis.

Comment 376: Most of the data provided by DCP for the Projected and Potential Development Sites is said to be found in Appendix 1, Tables 1, 2, and 3—all of which is illegible, and therefore functionally nonexistent. Because the DSOW references the data presented in Appendix 1, the usefulness of Figure 5 "Projected and Potential Development Sites" is severely limited. (Davies_BRC_151)

Response: The projected and potential site data has been updated for the Final Scope and has been used as the basis for the impact assessment in the DEIS.

Comment 377: The "Introduction," [Chapter 1 of the DEIS,] provides an incomplete count of the number of projected and potential soft sites in the study area. It claims a total of 27 projected development sites, totaling 1,683 projected dwelling units, that could result in 328 to 494 permanently affordable housing units over the next 10 years using MIH and 57 potential development sites comprising 1,548 potential units, including 293 to 428 potential affordable dwelling units using MIH. Given that there are well over 800 parcels in the study area, of which roughly half are below

a 5.0 FAR currently, and DCP is proposing a massive upzoning in more than half of the study area, it is likely that there are a couple hundred sites that will gain significant development rights above their built FAR. (Herrick_CSC_142)

Response: Comment noted. The rationale for the determination of projected and potential development sites is included in the Draft Scope. Any updates to the methodology or the RWCDS will be identified in the Final Scope.

Comment 378: RWCDS model: Whose "crystal ball" (assumptions about the future "financial feasibility") will the EIS model use to forecast the "No Action condition" and the "With Action condition" analysis in the 10-year timeframe (2021–2031)? What happens if COVID continues and/or worsens the current economic downturn? Will the RWCDS model's financial and economic assumptions be changed "mid-stream" to reflect the reality of a significant delay in the financially feasibility to absorb the "build-out" commercial and residential square footage assumed in the model? Any change in the number of MIH units? (Darche_127)

Response: The RWCDS is a projection of the development that can reasonably be expected with the Proposed Actions over a 10-year development horizon. The RWCDS will be used to assess the potential effects of the Proposed Actions in the DEIS.

MISCELLANEOUS

Comment 379: Explore how legislative efforts could be made to implement property tax breaks and other mechanisms to support existing artists and to encourage arts and making in new "live-work" units that accommodate a broader range of cultural workers. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 380: Study the feasibility of implementing such tax incentives for these causes and further investigate other financial support mechanisms that could be utilized. Investigate the feasibility of encouraging affordable rent options specific to such uses. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 381: The survey of land uses that DCP conducted is not included. (Booth_CB2_072, Sigel_CB2_073)

Include the survey of land uses that DCP conducted. (Davies_BRC_151)

Response: The land use survey prepared as part of the Envision SoHo/NoHo process will be considered as part of the land use assessment prepared for the DEIS. The DEIS will include a comprehensive inventory of the land uses in the Project Area.

Comment 382: The Draft Scope should take into account the mixed-use character of [the Broadway corridor] and its sizeable population. According to the Broadway Residents Coalition, the population along Broadway in both NoHo and SoHo is comprised of over 750 residential units. Broadway between Canal and Houston Streets has approximately 57 second-floor JLWQA residential units with many more above. (Booth_CB2_072, Sigel_CB2_073)

Response: The mixed-use character of the Broadway corridor will be considered in the DEIS. A survey of land uses will be prepared for the Project Area, which includes the Broadway corridor.

Comment 383: The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified. (Booth_CB2_072, Sigel_CB2_073)

Response: An R10A district is not proposed. No zoning bonus for contextual development or community facility uses is being proposed as part of the Proposed Actions. With a width of approximately 120 feet, Bowery is considered a wide street.

Comment 384: The Draft Scope does not explain what would become of the Loft Law process nor does it offer a single detail regarding how "the mechanism would be paired with conditions that support arts and culture and establishments that broadly benefit the community and the public." (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions would not affect Loft Law, which is a state law that specifically addresses loft conversions in former manufacturing buildings in SoHo/NoHo and elsewhere in the City. The DEIS will include an overview of the Loft Law process. However, the Proposed Actions would create a separate JLWQA-to-Residential conversion (with contribution to an Arts Fund) mechanism which will be dercibed in detail in the Project Description chapter.

Comment 385: According to New York City's Zoning and Land Use Map, the entire southern boundary of the SNMD going as far east as Greene Street and as far north as Dominick Street is in the floodplain. (Booth_CB2_072, Sigel_CB2_073)

What mitigation for new construction has the city planned to deal with these flooding problems? (Flood_084, Knowles_091)

Flood zone data needs to be included. (Tenenbaum_102)

Response: The analysis as it relates to floodplains will be addressed in Chapter 9, "Natural Resources," and as part of the Coastal Zone Consistency assessment which will be included in the DEIS.

Comment 386: There is a trend for property owners to build office space in lieu of housing in nearby Hudson Square and 550 Washington, including new headquarters for Disney and Google. (Booth_CB2_072, Sigel_CB2_073)

Response: Land use trends will be documented as part of the DEIS land use analysis.

Comment 387: Study the potential impacts of the Proposed Actions on land use, zoning, and public policy, but beware the methodologies presented in the CEQR Technical Manual. The Municipal Art Society of New York's recently released the report, A Tale of Two Rezonings: Taking a Harder Look at CEQR, exposes the shortcomings of the existing environmental review process through the lens of two recent rezonings in Long Island City (2001) and Downtown Brooklyn (2004). The report demonstrates CEQR's failure to predict the type and scale of new development that its zoning changes will stimulate and studies the resulting impacts on open space, transit congestion, school seats, and other measures of livability. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 388: Identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will include analyses of the Proposed Actions effects on land use, urban design, visual resources, and neighborhood character, which consider the built environment, among other considerations.

Comment 389: Study how the Proposed Actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will analyze the potential effects of the Proposed Actions, including allowing residential use as-of-right, as part of new construction, conversions. and/or enlargements.

Comment 390: Because of the nature of regulations and uses in this area, ground floor land uses should be surveyed and mapped separately from upper floor land uses. (Breen_069)

Response: Mixed-use buildings that include non-residential uses on the ground floor will be identified in the DEIS.

Comment 391: The proposed as-of-right uses, as well as the proposed densities for those uses in each zoning district, should be maintained and the EIS should include such studies. This would encourage new residential development while maintaining the neighborhood's existing mixed-use character. (Borelli_153)

Response: Comment noted.

Comment 392: This proposal would encourage the proliferation of large chain big box stores when it's small independent businesses that are suffering and need the city's help. And the only affordable housing it would create is completely market-dependent. (Adler_075)

Response: Comment noted. As per the Draft and this FSOW, the potential for significant adverse impacts from commercial and residential development allowed under the Proposed Actions will be examined as part of the land use and zoning analyses provided in this chapter of the DEIS.

Comment 393: We recommend that the Agency review the lists of projected and potential development sites in NoHo for accuracy generally and to re-assess the assumptions regarding the likelihood for these sites to be developed as affordable housing under the Proposed Actions. (Jones_067)

Response: Comment noted. The RWCDS will be reviewed and revised, as warranted. The development sites were determined based on development site criteria described in the DSOW.

Comment 394: The generalities presented by DCP misstate the actual built conditions along Broadway in SoHo. Per NYC PLUTO data, 56 percent of Broadway buildings are five floors or less. DCP fails to quantify the number of buildings along the Broadway corridor with FAR exceeding 10, but NYC PLUTO data indicates that buildings of that bulk (10.0 FAR or greater) comprise less than 12 percent of buildings on both sides of Broadway in SoHo. (Davies_BRC_151)

DCP mischaracterizes the facts about residential occupancy along Broadway. Broadway is more heavily populated when compared to various parts of the Project Area. DCP minimizes the existence of residents on and around Broadway, thereby making faulty assumptions about the extent of impacts from conflicting uses (retail, etc.). DCP must study the Broadway corridor with more specificity. (Davies_BRC_151)

Response: The DEIS will include a comprehensive land use and zoning analysis including the Broadway corridor.

Comment 395: In addition to big box stores, large retail uses include a new business model: oversized and impactful interactive entertainment venues that seek liquor licenses and late-night closings. What is being considered to minimize conflicts between these massively impactful businesses and residential neighbors living next door and above, whose quality of life is always the last consideration? (Davies_BRC_151)

Response: See response to Comment 142. The DEIS will include a comprehensive analysis of the land use changes expected under the Proposed Actions, including the Broadway corridor.

Comment 396: The DSOW fails to include any information regarding the specific mix of uses along and around "wide" streets, such as Broadway, Lafayette, etc. and thereby the known conflicts between uses, particularly in regard to impacts on residents, has not been studied, examined or analyzed. (Davies_BRC_151)

Response: The DSOW presents the methodologies to be used in the DEIS analyses. As noted in the DSOW, the DEIS will include a comprehensive analysis of the land use changes expected along these corridors.

Comment 397: The DSOW should consider under public policy how to further fair housing goals under the City's Where We Live NYC plan, including whether to not implement community preference in the housing lottery for the affordable units. (Lodhi_REBNY_132)

Response: The Proposed Actions will be reviewed for consistency with Where We Live NYC in the DEIS as part of the public policy assessment in Chapter 2, "Land Use, Zoning, and Public Policy."

ZONING

Comment 398: Study if bulk, form and scale will comply with residential standards. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will include a comprehensive analysis of the Proposed Actions, including the bulk and scale of development facilitated by the zoning changes.

Comment 399: Due to the historical development of streets and blocks, many lots in the Plan Area are shallow, skewed, or otherwise irregular, thereby creating challenging conditions for development. The SNMD's modification of the underlying districts' bulk regulations should provide flexibility or relief for difficult conditions, such as rear yards/rear yard equivalents, courts, and narrow sites. The EIS should include any necessary study to allow such specific flexibility or relief to be included in the Plan's scope. (Borelli_153)

Response: Comment noted.

Comment 400: We would like to see the area east side of Sixth Avenue between Canal and Houston Streets considered, especially the areas which are not part of the existing Sullivan-Thompson Historic District. (Gates_RPA_169)

Response: The Project Area includes the area east of Sixth Avenue, generally between Canal and Spring Streets.

Comment 401: Your proposal fails to define specifically what use groups will be allowed on the ground floor. (Fortgang_141)

Response: The DEIS will include an assessment of ground floor uses allowed under the Proposed Actions.

Comment 402: I urge DCP to adopt the zoning regulations that will most encourage housing—not office space, given that the rezoning will rely mainly on private developers to add housing. Ideally, the city would work with non-profit partners to turn any city/federally owned lots into 100 percent affordable housing for a range of lower/middle incomes. (Kuppersmith_121)

Response: As discussed in the DSOW, the Proposed Actions would allow a wider range of commercial, community facility, and light industrial uses while expanding housing opportunities by allowing residential use and requiring permanently affordable housing. There are no publicly owned sites proposed for disposition as part of the Proposed Actions.

Comment 403: Most zoning does not allow residential uses to be below commercial/manufacturing uses in the same building. Since JLWQA is a manufacturing use, this has not been an issue within our buildings. But, once a JLWQA unit is converted to residential, and there is a JLWQA unit on the floor above, or on the same floor, how will this be dealt with? Noise and noxious odor standards in the neighborhood allow artists to use their materials and construct their art in the place they live. How will this work if there are pure residential apartments below them or on the same floor? (Tenenbaum_156)

Response: The SNX would allow residential uses above and on the same story as commercial and manufacturing uses as long as there are no connection between the two uses. Neither the existing nor proposed zoning regulate nuisances.

Comment 404: Please define what "modify the typical regulation" means and identify the additional "requirements" and "parameters" that will be established. (Tenenbaum_156)

Response: As described in the DSOW, the Proposed Actions would establish a new Special SoHo NoHo Mixed-Use District, which would be comprised of underlying M1-5/R7X, M1-5/R9X, and M1-6/R10 districts. The underlying districts would be

mapped in different areas to respond to the varied mix of uses and bulk context within the Project Area. However, the Special SoHo NoHo Mixed-Use District would modify the regulations of the underlying zoning districts to achieve specific planning and urban design objectives that are unique to SoHo/NoHo. The special district would stipulate zoning requirements and/or zoning incentives tailored to distinctive qualities of SoHo/NoHo that would not lend themselves to generalized zoning and standard development. A detailed discussion of the proposed zoning, including requirements specific to the special district, will be contained in Chapter 1, "Project Description."

WATERFRONT REVITALIZATION PROGRAM

Comment 405: WRP Review Process and Determination Questions:

- What mitigation for new construction has the city planned to deal with these flooding problems?
- Will this impact the number of stories allowed in buildings in the 100-year flood plain area or elsewhere?
- Are the added costs taken into account in your analyses? (Tenenbaum_156)

Response: The Proposed Actions' impacts on the floodplain and consistency with local Coastal Zone Management policies on flooding and erosion will be assessed in the DEIS. A financial analysis is beyond the scope of the DEIS and will not be provided.

As a part of the City's multi-layered approach to managing long-term flood risks in coastal communities, the City of New York is in the process of adopting a set of zoning provisions, (known as Zoning for Coastal Flood Resilience) to allow new development and existing buildings to retrofit to meet resilient building code standards. These provisions will not affect the overall amount, type, or location of construction within the floodplain, but will provide a range of optional provisions to ensure new buildings are constructed resiliently. As part of those separate provisions, new buildings would be able to measure building height from a modified base plane when built fully to Appendix G flood resistant construction standards, permitting from several feet to possibly a full story of additional height.

Comment 406: Study how building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas will affect construction costs. (Booth_CB2_072, Sigel_CB2_073)

Response: A study of construction costs is beyond the scope of the DEIS and will not be provided.

SOCIOECONOMIC CONDITIONS

GENERAL – ANALYTIC APPROACH

Comment 407: Study the effect of upzoning on the southeastern and southwestern corners of SoHo with respect to displacement and the economy. (Booth_CB2_072, Sigel_CB2_073)

The DSOW must fully consider the southeast and southwest portions of the SoHo/NoHo area for further study. The southwest area (bordered by Canal Street and Sixth Avenue, listed in the DSOW Figure 4 as "SoHo West") is generally a transitional area and the southeast area (bordered by Canal Street and Baxter Street, listed in the DSOW Figure 4 as "SoHo East") adjoins Manhattan Chinatown. Both areas have a different neighborhood character compared to the core of SoHo/NoHo and deserve their own analysis of socioeconomic conditions to fully understand their neighborhood needs. (Chin_161, Brewer_162)

What are the racial and socio-economic demographics of residents of the proposed "Housing Opportunity Zones" where the largest upzonings are proposed, and where the potential for displacement is greatest? Particularly the southeast zone appears to have a very substantial non-White, lower-income population. (Berman_155)

Response: As detailed in the DSOW and FSOW, the socioeconomic analysis will study the potential for indirect residential and business displacement impacts from the Proposed Actions. The analyses will consider potential socioeconomic effects within subareas including the neighborhoods within and surrounding the southeastern and southwestern corners of SoHo. The analysis of indirect residential displacement will present the demographic characteristics of the study area population; however, race and ethnicity are not considered under CEQR.

Comment 408: The City must conduct a displacement study that includes Chinatown, the Lower East Side, SoHo, and NoHo. (Marte_170)

Response: As detailed in the DSOW and FSOW, the socioeconomic analysis will study the potential for indirect residential and business displacement impacts from the Proposed Actions. The analyses will consider potential socioeconomic effects within subareas including portions of Chinatown and the Lower East Side.

Comment 409: Additional objectives [of the DEIS] should be 1) to ensure that the redevelopment of existing buildings does not result in the displacement of long-term tenants due to demolition of unregulated buildings in the study area, and 2) to minimize the risk of secondary displacement in adjacent area (especially Chinatown) outside the study area. (Herrick_CSC_142)

Response: As detailed in the DSOW and FSOW, the DEIS will include assessment of potential impacts due to residential and business displacement. The analyses will consider potential socioeconomic effects within subareas that extend beyond the proposed rezoning area boundary, including into portions of Chinatown.

Comment 410: The DCP must broaden the scope of study of the SoHo/NoHo population to include data of the share of the community who identify as artists and an analysis of how many art making, art displaying, and art supporting units currently reside in the neighborhoods, and the number of existing JLWQA units that are currently occupied and vacant. This study should also include an analysis of the number of art spaces and art supporting spaces that have been lost in the last few decades. The definition of artist and art making spaces needs to be broadened and modernized. (Chin_161, Brewer_162)

You must quantify the artists. Do a real study to determine how many active artists and creative makers live in SoHo and NoHo.

- Preserve JLWQA.
- Protect JLWQA rentals
- Bring IMD units into rent stabilization

What would happen when a JLWQA, a manufacturing use group, changes to a residential use group? What new criteria would have to be met? What would the cost be? Would a JLWQA coop be required to provide MIH units? (Tenenbaum_102)

When and how will DCP provide accurate data on the number of working artists, certified or otherwise, live and work in SoHo?

How many people live in rent-stabilized units? Without a proper analysis of the population, the various creative occupations of the residents and of the potential for displacement of tenants in rent stabilized units and other residents, the plan is fundamentally flawed. (Davies_BRC_151, Tenenbaum_156)

While the exact number is difficult to estimate, the share of certified artist residents in the Project Area today is likely small… DCP makes an assumption about artist residents with no data to back it up, citing the absence of data as the basis for DCP's non-quantified description… The study of the local residents should include the number of senior citizen residents, their needs, and the impact of the proposed zoning changes. (Davies_BRC_151)

Our own City, which is responsible for Artist Certifications, does not have the data and finds it "difficult to estimate" the number of Certified Artists in the study area. This is unacceptable. The City must do the hard work and the research to gather the data to determine—not "estimate"—the number of Certified Artists. (Wilcke_176)

According to the Loft Board, there are currently 475 units in 331 buildings under their control. The DEIS must study stabilized IMD tenants covered under Loft Laws and rent-stabilized affordable housing programs including as JLWQA. (Booth_CB2_072, Sigel_CB2_073)

DCP fails to provide accurate data on the number of working artists, certified or not, in SoHo. Basing this on the number of applications for artist certification in 2019 and 2020 is unacceptable:

- Many of the artists who still live and work here were certified decades ago.
- Over the years, the Artist in Residence restriction was inconsistently applied. As a result, some artists have foregone the onerous application process as unnecessary. (Davies_BRC_151)
- Include additional metrics regarding the artist community, its population and available cultural spaces, and the number of existing JLWQA units in the Project Area, as well as the change in these metrics over the past few decades. (Rivera_NYCC_054, Hoylman_NYSS_055)

Include additional data on the breakdowns, locations, and rental/ownership of floor area within the study area occupied by the artistic/creative/"maker" communities so that the CEQR analysis discloses any potential adverse impacts on these SoHo/NoHo communities and appropriate and equitable provisions can be developed to provide for their retention in the SNMD. (Booth_CB2_072, Sigel_CB2_073)

How many certified or working artists live there? (Berman_155)

How many residential units are JLQWA, AIR, and/or covered by the loft law? (Berman_155)

Analyze the Proposed Actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the study area. (Booth_CB2_072, Sigel_CB2_073)

DCP should identify existing creative spaces, including JLWQA studios, and analyze how many will remain after 10 years into the rezoning. (Davies_BRC_151)

Analysis within Task 2 of the [DSOW for the] EIS must include a greater understanding of JLWQA units in unregistered IMD buildings so as to ensure that the indirect residential displacement portions of Task 3 are fully studied… CEQR statutes and designations [should] be changed to greater reflect community and neighborhood concerns surrounding development… I am concerned that Task 2 and Task 3 of the EIS will not fully capture the potential impact of a zoning change in SoHo and NoHo and, despite any impending ULURP, the city will be bemoaning a lack of affordable housing twenty years after certification. (Glick_090)

Study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2. (Booth_CB2_072, Sigel_CB2_073)

DCP fails to clarify the status of the roughly 60 percent of housing units that are not owner-occupied. DCP needs to study the entirety of the districts to quantify occupancies.

DCP also should study how many owners, particularly artists in JLWQA cooperatives, are like small farmers... land rich but money poor. Many thus have wealth on paper, but can only realize it if they sell and leave the community. Isn't this displacement? (Davies_BRC_151)

How will the city protect artists' rights to work where they live? (Monrose_096, Monrose_140)

The existing Loft Law and Rent-Stabilized JLWQA are not recognized in this proposal as this neighborhood's true affordable housing (housing protected tenants regardless of their occupation), and there is no considered attempt to preserve or enhance them. Shockingly for a neighborhood that remains the US's only artist-specific zoning, there is not even an attempt to allow the creation of new JLWQA. (Neratoff_168)

The Scoping Document [should] be modified to include in the DEIS additional data on the breakdowns, locations, and rental/ownership of floor area within the Study Area occupied by the artistic, creative and "maker" communities so that the CEQR analysis will disclose any potential adverse impacts on each of these valued and defining SoHo and NoHo communities and appropriate and equitable SNMD text can be developed to provide for their retention in the SNMD. (Jones_067)

The ability of existing and future Certified Artists, artists, and creative makers to have the ability to continue their occupations in place must be addressed and included under any rezoning changes and the DSOW. (Wilcke_176)

How will DCP assure that creative showrooms, a current conforming use, are not driven out by opening the floodgates to as-of-right retail throughout the Study Area? (Davies_BRC_151)

How will DCP assure that the market forces that will be unleashed under the proposed Plan do not drive the design and creative businesses out of the neighborhood? (Davies_BRC_151)

Response: Many of the data points requested by the commenters are outside the scope of CEQR and are not necessary to establish the potential for significant adverse environmental impacts. As detailed in the DSOW and FSOW, the DEIS will include an assessment of potential indirect residential displacement that will consider whether the Proposed Actions could displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. Chapter 3, "Socioeconomic Conditions" will describe the history of JLWQA

regulations in the Project Area, recent trends and their influence on the socioeconomic character of the study area. It will also include an estimate of the number of JLWQA occupants that may be directly displaced by the Proposed Actions. Chapter 3 will also include consideration of the Proposed Actions effects on specific industries, including the creative arts industries in the Project Area.

Comment 411: The analysis projected for the levels of displacement of owner and renter occupied residential units and existing manufacturing and retail establishments does not include current housing costs for units that would be displaced and salaries for jobs that would be lost. Alternatives should be developed for replacement of displaced units and jobs, which are essential to protect the existing socio-economic character of SoHo/NoHo. (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions would not directly displace any owner-occupied residential units. Direct displacement is defined under CEQR as the involuntary displacement of residents; if an owner decides to sell their property for redevelopment, such a decision is voluntary and therefore is not considered displacement.

The levels of displacement of renter occupied residential units does not require estimates of renters' incomes in order to establish whether the Proposed Actions could result in significant adverse environmental impacts. As described in the DSOW and FSOW, direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. The Proposed Actions would not exceed the *CEQR Technical Manual* analysis threshold of 500 displaced residents, and therefore, are not expected to result in significant adverse impacts due to direct residential displacement.

The salaries of directly displaced workers will not be estimated; rather, the types of directly displaced jobs will be described in the EIS, which is enough information to determine whether the displacement would result in significant adverse impacts. If the DEIS analyses identify the potential for significant adverse impacts due to residential or business displacement, measures to avoid or minimize the impacts will be described.

Comment 412: The economic analysis should cover the various and assorted components that make up the Plan. This would include study and analysis of the following across the entire Study Area:

- Value of increased FAR by square foot for each individual property, and totaled.
- Costs of LPC applications that will rise from the opportunities provided by increased FAR in the Historic Districts.
- All possible scenarios of Transferable Development Rights

- Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism")
- Likely number of applications for, and costs of newly allowed liquor license applications.
- Costs related to the Affordable Housing Fund and how that would apply for existing residentially occupied buildings, as well as for new developments.
- How quickly did SoHo and NoHo grow in the past 50 years, since the creation of the M1–M5 A and B zoning compared to other neighborhoods in the City? Provide a chart showing that growth and the expected growth under the DSOW.
- Isn't it to be expected that there would be a slowdown in growth after 50 years?
- Isn't it enough that S-N was the "second highest grossing retail market in New York City" in 2015–2016? (Tenenbaum_156)

The following must be studied in order to make accurate predictions about future needs:

- How many special permits or variances were sought for UG10 retail?
- How many businesses should be labeled as UG10 retail that are not? (Bloomingdale's SoHo and Museum of Ice Cream come to mind).
- How many large retail establishments are operating illegally in the Study Area, with neither a special permit nor a variance?
- Since the Envision process showed a clear preference within the community for as-of-right retail on the ground floor, but continued size restrictions for retail and eating or drinking, the DSOW should determine how such "least change" zoning would impact the number of applications for special permits or variances.
- A full study, analysis, and report for retail uses within the neighborhoods must be part of any plan put forward for the Neighborhood Plan.
- Should the size limitation be lifted, identify and study the impacts of the existing buildings that could be occupied by UG10 retail or large eating or drinking establishments such as clubs. (Tenenbaum_156)

Response: The requested analyses are beyond the scope of the DEIS or CEQR and are not necessary to determine to the potential for significant adverse environmental impacts. In addition, no changes are proposed with respect to these application fees under the Proposed Actions.

Comment 413: A recent report published by Pratt Center for Community Development titled, Flawed Finding I and Flawed Finding II examines how the methodologies in the *CEQR Technical Manual* fail to calculate the scale and extent of residential and business displacement risk. The RWCDS was based on such methodologies. The socio-economic impacts are limited under the CEQR process and do not fully

account for the displacement of businesses and existing residents that form the core part of a community's identity. The study reveals that the elements of the methodology is based on a series of unjustified assumptions that lead to minimizing vulnerability and therefore, a finding of "no significant adverse impact" to the existing community. (Davies_BRC_151)

CSC supports the goal of introducing rental use into SoHo/NoHo, and especially in these sub-areas, but we want the ultimate outcome to be a net gain in affordable rent regulated units. The loss of regulated units through demolition or displacement would undermine this goal, and the rezoning action needs to ensure that such risks are eliminated or at least minimized. (Herrick_CSC_142)

Response: The Proposed Actions are not expected to result in the direct displacement of any regulated units. With respect to potential indirect displacement of rent-regulated tenants, please see the response to Comment 427.

Comment 414: With huge oversized buildings, it fails to account for the many current rent stabilized and loft lots as well as small businesses which are likely to be pushed out by the proposed changes. (Berman_025)

Response: As detailed in the DSOW and FSOW, the DEIS will include assessment of potential residential and business displacement. With respect to potential effects on rent-stabilized tenants, please see the response to Comment 427.

Comment 415: A full study, analysis, and report for retail uses within the neighborhoods must be part of any plan put forward for SoHo and NoHo. (Davies_BRC_151)

Response: The socioeconomic analysis in the DEIS will follow the FSOW and *CEQR Technical Manual* guidelines in determining the potential for significant adverse environmental impacts.

Comment 416: To speak on behalf of small businesses, I want to call out the fact that there's nothing talking about how this upzoning will severely jeopardize existing businesses and SoHo. (Varian_033)

Response: As detailed in the DSOW and FSOW, the socioeconomic conditions analysis will study the potential direct and indirect effects of the Proposed Actions on business, including small businesses.

Comment 417: There has been no study to date that examines how the rezoning would impact the socioeconomic aspects of the neighborhood and the potential for displacement. (Davies_BRC_151)

Response: As detailed in the DSOW and FSOW, the DEIS will include a study of the potential effects on the Proposed Actions on socioeconomic conditions, including assessments of the potential for displacement.

Comment 418: What are the income levels for residents—not just the mean of median of all? American Community Survey data indicates a significant fraction of households make below $80,000 annually, which falls within the range of low incomes which the Mandatory Inclusionary Housing program serves. (Berman_155)

Response: Based on public comment, in addition to mean and median incomes, the DEIS analysis of potential indirect residential displacement will include data on the income distribution of the study area population.

Comment 419: The plan fails to promote and preserve the uniquely mixed-use character of SoHo and instead prioritizes commercial office development and dormitories over non-student housing, big box retail over small businesses and redevelopment over protections for current residents, including artists, many of whom are seniors aging in place and who are at risk of displacement. Particularly egregious is the non-residential floor area retention that incentivizes office use not adaptive reuse and it's inconsistent with the plans objectives to expand housing opportunities and promote adaptive reuse. It also has a very complex CPC certification process, even though the plan is being put in place to get rid of land use applications and ad hoc approvals. And importantly, designed to reduce special permits variances and regulatory burdens that fall disproportionately on smaller businesses. (Kiely_005)

Response: See responses to Comments 72 and 89. The potential for direct and indirect residential displacement will be considered in the DEIS in Chapter 3, "Socioeconomic Conditions."

RESIDENTIAL DISPLACEMENT

Comment 420: What's been proposed accelerates gentrification in the areas that are not yet fully gentrified. And so, when I think about South SoHo, and the shoulders. That's really where the housing opportunity areas are cited. And that's exactly where folks who are a lot of them older fixed income currently live And so I think the notion that you're looking at incremental affordable housing units. When you take into account that displacement is naive. I think when I look at the map. Within a block of where I live. There are two locations that are projected to be developed on Crosby. One is a rent stabilized building that like hundred percent affordable units right now, and the other is a very historically significant architectural building. If those two buildings are massively renovated or destroyed, I have a hard time seeing how we're actually raising equity or preserving historical character in the neighborhood. (Mandy_031)

Response: As detailed in the DSOW and FSOW, the DEIS will include assessment of potential changes in socioeconomic conditions due to indirect residential and business displacement. The projected development sites do not contain rent-stabilized units as suggested by the commenter As is standard practice, the

RWCDS excluded sites with six or more residential units, which are likely locations of rent-regulated units. With respect to the potential indirect effects of projected development in the southern portions of SoHo, please see the response to Comment 408.

Comment 421: Many of the buildings that you see as opportunities for inappropriate expansion are the very ones that have artists living in rent-controlled spaces. Your plan for massive development will result in them being kicked out, further devaluing one of the special aspects that SoHo developed over the past half-century, and one characteristic responsible for New York City being identified as a world center of creativity. (Foster-Shapiro_157)

Response: The DEIS will assess the potential for significant adverse impacts related to residential displacement and will provide a description of the protections for current rent controlled, rent stabilized, and artist live-work spaces.

Comment 422: What assumptions will the Environmental Impact Statement use to determine the price of the MIH units, the socioeconomic and financial status of the MIH unit owners to achieve the "affordable units" goal, especially during a pandemic? What assumptions and methodology will the consultants use to show how rezoning achieves the MIH goals in a 10-year timeframe from construction to occupation? (McAlpin_124)

The FSOW must reflect that the DEIS will disclose and evaluate the affordability levels being considered under the MIH program. (Devaney_MASNYC_163)

What is the forecasted median income of the households that will live in the project area's "affordable units"? (Darche_127)

Response: Consistent with *CEQR Technical Manual* methodology, the Socioeconomic Conditions analysis will consider whether the Proposed Actions would introduce a population with higher average household income as compared to existing study area incomes. The Proposed Actions include the application of the City's Mandatory Inclusionary Housing (MIH) Area zoning to the Rezoning Area. Under MIH, when new housing capacity is approved through land use actions, the City Planning Commission (CPC) and the New York City Council can choose to impose one of several different options regarding affordable housing set-asides. The DEIS will describe the various options and corresponding income and rent threshold in Chapter 3, "Socioeconomic Conditions." Because the level of affordability that would be applied under MIH is not known at this time, each technical area of analysis will assume the more conservative MIH option specific to that analysis (i.e., the option that generates the greatest potential for significant adverse environmental impacts). For example, the Socioeconomic Conditions chapter will select an MIH Option based on whichever generates a higher overall project income. With regard to MIH, two options are contemplated: Option 1

which provides a 25 percent affordable set-aside at an average of 60 percent of AMI; or Option 2, which provides a 30 percent affordable set-aside at an average of 80 percent of AMI.

Comment 423: We urge DCP to develop a comprehensive survey of all rent-regulated units within and adjacent to the areas slated for rezoning and to prepare a plan to mitigate displacement and other adverse impacts on residents as part of the Environmental Impact Study. (McGee_068)

DCP must work with HPD to compile a list of rent-stabilized units in the area and ensure that additional resources and strategies are enacted to ensure their permanent protection. (Rivera_NYCC_054, Hoylman_NYSS_055)

Coordinate with City and State agencies to do a comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area. (Booth_CB2_072, Sigel_CB2_073)

Response: As detailed in the DSOW and FSOW, consistent with *CEQR Technical Manual* guidelines, the DEIS will include a preliminary assessment of potential indirect residential displacement due to increased rents. The presentation of study area characteristics will include population estimates, housing tenure and vacancy status, median value and rent, estimates of the number of housing units not subject to rent protection, and median household income. Please also see the response to Comment 427.

The DEIS will propose mitigation for any significant adverse impacts identified as a result of the Proposed Actions.

As per the Draft and FSOW, the DEIS will include an assessment of the rent stabilized units in the study and any impacts on these units as a result of the Proposed Actions.

Comment 424: The DSOW does not address the Artist Certification process. (Wilcke_176)

Response: This process will be summarized in the Socioeconomic Conditions chapter of the DEIS.

Comment 425: It would be helpful if the EIS provides the most accurate data possible regarding the various residential occupancy statuses so that it can assess the potential displacement impact of the rezoning on residents. (Herrick_CSC_142)

Response: As described in the DSOW and FSOW, the indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area. The presentation of study area characteristics will include population estimates, housing tenure and vacancy

status, median value and rent, estimates of the number of housing units not subject to rent protection, and median household income.

Comment 426: Can the city offer concrete reasons and data about why they refuse to study direct displacement? Some of the largest sites planned for this development are on the border of Chinatown. Rent stabilized tenants will be put at risk when luxury development is built. And landlords will pass these increases on to their tenants or else begin to harass these rent stabilized tenants out of their home so they could flip it and build more luxury housing displacement must be studied before moving forward with this rezoning. (Marte_004)

With increasing property taxes and building maintenance we're not going to be able to afford to live there. Pretty soon, we're going to have to move out as seniors, which is something the City really needs to take into account when it does any kind of Environmental impact. This is a social impact that's real significant as we've heard from other speakers. (Darche_030)

I just am really concerned as a rent stabilized tenant about the displacement of existing tenants. No one is letting those of us know who are at risk, what the future has planned for us, or how we can endure this kind of attack. (Ren-Lay_015)

Real estate speculation, brought on by upzonings, is known to increase the instances of harassment aimed at rent-regulated tenants. (Booth_CB2_072, Sigel_CB2_073)

Data gathered by the Broadway Residents Coalition indicates approximately 750 rent-stabilized units in and around the three Housing Opportunity Areas will be affected, and greater than 1,500 units within the study area. Quantify and analyze the direct effect of that across the Neighborhood Plan. (Booth_CB2_072, Sigel_CB2_073)

Response: As noted in the DSOW and FSOW, the DEIS will disclose the number of residential units and estimated number of residents to be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population. With respect to potential indirect effects on rent stabilized tenants, as noted in the *CEQR Technical Manual*, generally, an indirect residential displacement analysis is conducted only in cases in which the potential impact may be experienced by renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicate that they may not support substantial rent increases. Residents who are homeowners, or who are renters living in rent-restricted units would not be vulnerable to rent pressures. With respect to effects on Chinatown residents, please see the response to Comment 409.

Comment 427: Rezonings have often created direct displacement pressures on tenants living in "soft site" buildings, and the proposed rezoning action should attempt to estimate

how many residents in the area may face displacement pressures if property owners decide to demolish their buildings in the areas outside the historic district. DCP should propose a mechanism for monitoring this potential outcome, and funding should be provided to a tenant rights organization to inform residents of soft sites about the potential for harassment and how to respond to it, as was done for the East Village Rezoning in 2008. (Herrick_CSC_142)

Response: As detailed in the Draft and FSOW, the DEIS will include assessment of the potential for socioeconomic impacts as a result of indirect residential displacement. If potential significant adverse impacts are identified, mitigation measures will be advanced in the DEIS.

Comment 428: The FSOW and DEIS must disclose how much new affordable housing is expected to be constructed within and outside of the four historic districts. An overall estimate of units does not indicate how and where the purpose and need of this proposed rezoning is being met. (Devaney_MASNYC_163)

Response: The affordable units developed through MIH will be created in connection with new future residential developments, including those located within and outside of designated historic districts. The number of affordable units projected to be generated by the Proposed Actions will be disclosed in the DEIS. The request to make a distinction between the number of affordable units in historic districts is beyond the scope of the DEIS and will not be provided.

Comment 429: I have questions for relying on market rate luxury residential development as a vehicle for building affordable housing actually achieves the goal of mandatory Inclusion. Inclusionary housing programs do not produce the levels of affordable housing in communities that they purport to create. Nor do these programs address the fundamental issue of real estate speculation driving up neighborhood values to a point where long-term residents are pushed out. (Glick_003)

Response: As per the Draft and FSOW, the DEIS will include an analysis of the potential for secondary displacement with the Proposed Project.

Comment 430: What about smaller individual buildings with existing tenants with fewer than six residential units? Examples: 26, 28, 33, 51, and 52 Bond Street—mostly rent-stabilized JLWQA/or IMD, artist-occupied housing. Many of the tenants are 65 and older. Are these buildings also "unlikely to be redeveloped" or does their small size render them too insignificant for protection? (Clarke_139)

Response: As per the Draft and FSOW, the DEIS will include an assessment of the potential impacts of the proposed rezoning on residential housing and tenants as part of the socioeconomic analysis in accordance with CEQR.

Comment 431: Any new residential development should adequately address the displacement of long-term residents and low-income residents. (Booth_CB2_072, Sigel_CB2_073)

Introducing new housing that is only 20–30 percent affordable will gentrify these "low-intensity semi-industrial" areas, increase the cost-of-living for many of these low-income residents trying to eke out a living, and accelerate their displacement. (Booth_CB2_072, Sigel_CB2_073)

Response: As detailed in the DSOW and FSOW, the DEIS will include assessment of potential indirect residential displacement. However, the length of tenure of residency is not relevant to the determination of potential impacts under CEQR.

Comment 432: 2020 Census data for this EIS, if they truly want to conduct an accurate study, [must be used for the indirect residential displacement]. A detailed analysis [of] indirect residential displacement [that does] not rely on pre-pandemic data [must be conducted to accurately assess the impacts on identified populations at risk. (Marte_170)

Response: 2020 Census data is not yet available. As described in the DSOW and FSOW, the indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area. With regard to COVID, it is a unique condition - data collected during the pandemic has not been utilized since it would not result in conservative analysis conditions.

Comment 433: During the City's October 26, 2020 Zoom presentation, it admitted that it has not performed the necessary studies to investigate potential for displacement within the study area. Direct Residential Displacement is a chief concern. The Plan will increase vulnerabilities of approximately 1,500 rent-stabilized units, including more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law. This brings into question the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood." (Booth_CB2_072, Sigel_CB2_073)

The Plan threatens to displace existing residents. There are currently approximately 1,500 rent stabilized units including more than 500 in the R10 housing opportunity subdistricts and more than 400 IMD Loft Law units that have yet to be converted to rent stabilized under current law. The number of land rich but lower income artists owning and occupying JLWQA cooperative units have not been established. (Davies_BRC_151)

This rezoning meets the CEQR threshold of the potential to displace 500 residents and the City must further study the adverse impacts this would have on the neighborhood and surrounding neighborhoods. Chinatown, SoHo and NoHo have an aging population that live on fixed incomes. In addition, COVID has created financial insecurity for an additional number of residents. New luxury development will make property taxes and land values become higher, which usually happens in an upzoning. This will lead to the displacement of residents, which is also a common effect of upzonings. (Marte_170)

How can DCP claim that there will be no direct residential displacement, when the atmosphere that is being created by the introduction of increased FAR and grants of value is known to be destabilizing? There are over 500 residential units in and around the Housing Opportunity Areas, and hundreds more within other subdistricts which have been granted increased FAR to encourage development. The potential impacts from the proposed Plan on residents is woefully negligent. Many of the current residential population in both SoHo and NoHo are elders, now aging in place. There are no provisions described or outlined in the DSOW that considers the future for these residents. (Davies_BRC_151)

Response: The DEIS analysis of direct residential displacement will consider the potential for changes in socioeconomic conditions resulting from the displacement of residents on projected development sites; the number of residents living on projected development sites is well below 500. As detailed in the DSOW and FSOW, the DEIS will include an assessment of potential indirect residential displacement, which is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. With respect to potential effects on rent-stabilized tenants, please see the response to Comment 427.

Comment 434: Address the displacement of current residents. (Corman_DID_149)

Response: As detailed in the DSOW and FSOW, the DEIS will include assessment of the potential effects of residential displacement.

BUSINESS DISPLACEMENT

Comment 435: What will happen to small businesses in the upzoning and the competition with big box stores for space and customers? In fact, what is the definition of "small business"? You must study the impact of big box stores on small businesses, and include an analysis of subdividing large plate ground floors into multiple retail stores. (Tenenbaum_156)

The review should study the impact of allowing destination retail of unlimited size as of right in the area would have on existing smaller independent businesses, and the likelihood of this resulting in their being pushed out of the neighborhood. (Berman_155)

[The Proposed Actions' modification of] office space and to prohibit conversion to residential use. Modification of current restrictions to retail space and eating or drinking establishments to Use Group 10 for department stores and Use Group 6 for eating or drinking establishments prioritizes big box retail at the detriment of small businesses. Those small businesses include unincorporated (Schedule C) artists, whose livelihood could well be impacted. (Davies_BRC_151)

How will DCP assure that the allowance of unrestricted retail, in both size and placement, does not drive out the small businesses that the DSOW states need to be nurtured and protected? (Davies_BRC_151)

Response: As detailed in the DSOW and FSOW, the DEIS will include an assessment of the potential for indirect business displacement. The Proposed Actions are projected to introduce approximately 19,000 gsf of destination retail at Site 9, and an approximately 20,000-gsf supermarket at Site 10; all other projected retail is smaller-format local retail uses. Please also see the response to Comment 186.

Comment 436: Long before the pandemic, many retail spaces remained empty. Adding 57,473 gsf of projected destination retail space without any mention of how small local retail would be protected is of grave concern. (Booth_CB2_072, Sigel_CB2_073)

Response: As per the FSOW, the Proposed Actions would result in a net decrease of approximately 24,022 gsf (24,743 zsf) of commercial uses and therefore would not introduce enough new economic activity to alter existing economic patterns. However, the Proposed Actions would result in the incremental development of 1,829 DUs that, in turn, could have indirect effects, and therefore the DEIS will include an analysis of potential indirect business displacement due to increased rents.

Comment 437: [The analysis should consider] the potential impact the Proposed Actions may have on long-term commercial tenants and explore potential pathways to their preservation. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: As detailed in the DSOW and FSOW, the DEIS will include an assessment of the potential impacts on commercial tenants as part of the socioeconomic analysis. Mitigation measures would be advanced as part of the DEIS if potential significant adverse impacts are identified.

Comment 438: The DSOW should be aimed at protecting and supporting small businesses and the arts community. Without protections, small and arts-related businesses will face increased financial pressures caused by a broad opening of zoning regulations to retail use.

Such protections could be partially accomplished by:

- Allowing Use Group 6 Retail up to 10,000 sf, and no larger, as-of-right. It would be preferable if basement or cellar retail uses were included in the calculation (excepting storage).
- Allowing eating or drinking establishments up to 5,000 sf, and no larger, as-of-right, inclusive of below ground eating or drinking uses.
- Providing protections for arts-related and creative-industry ground floor spaces.
- Formulating new and creative actions which help and encourage existing and new small independent businesses, while discouraging the proliferation of chain stores, as other cities have done.
- Allowing non-profit museums (UG3) as of right.
- Take the no action scenario, the alternative plan scenario (which would legalize ground floor retail but keep the current size limits) and the proposed action scenario and determine how many special permits or variances would be anticipated under each scenario within the next 10 years. (Tenenbaum_156)

Response: As described in the DSOW and FSOW, the DEIS will include assessment of direct and indirect business displacement. These analyses will include consideration of small businesses and arts-related businesses. If the DEIS analyses identify the potential for significant adverse environmental impacts due to business displacement, mitigation measures will be advanced as part of the DEIS.

Comment 439: Investigate the character and size of the various "employment hubs" in the project area before positing any assumptions about displacement. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

Comment 440: Study the impact of the Proposed Actions on tourism and real estate values as the connection to the past is weakened by the Proposed Actions. (Booth_CB2_072, Sigel_CB2_073)

Investigate/document the impact of maker economy give-backs within the scope of this zoning proposal as in similar subsidized artist housing and performance spaces (Governor's Island, Westbeth). (Booth_CB2_072, Sigel_CB2_073)

Response: As per the Draft and FSOW, the DEIS will include an assessment of the potential for adverse effects on specific industries. A real property valuation assessment or investigation of maker economy give-backs are not necessary to determine the potential for significant adverse environmental effects under CEQR.

As per the Draft and FSOW, the DEIS will include an assessment of the potential impacts of the Proposed Project on the local SoHo/NoHo economy.

COMMUNITY FACILITIES

Comment 441: Quality of life matters for people of all income levels, and we ask DCP to ensure that any zoning changes will ensure adequate provisioning for open spaces, schools, hospitals, and all of the amenities and affordances provided by forward-thinking, comprehensive city planning. We call on DCP to rise to this challenge. (McGee_068)

Response: Comment noted. The DEIS will include a detailed analysis of public schools, including elementary and intermediate schools serving the study area. As stated in the DSOW, should the Proposed Actions result in a significant adverse impact, mitigation will be considered and developed in consultation with the New York City School Construction Authority (SCA) and the New York City Department of Education (DOE). In accordance with the *CEQR Technical Manual*, a detailed analysis of health care facilities is only warranted if the Proposed Actions would displace or physically change a hospital or health care facility, or would result in the introduction of a sizeable new neighborhood where there wasn't one before. Accordingly, the Proposed Actions would not trigger detailed analysis of potential impacts on health care services and a detailed analysis will not be provided. However, for informational purposes, a description of existing and health care facilities serving the Project Area will be provided in the DEIS.

As stated in the DSOW, the DEIS will also include a detailed analysis of open space, conducted in accordance with *CEQR Technical Manual* guidelines, which will evaluate the effects of increased demand on public open spaces generated by the population increase associated with the Proposed Actions.

Comment 442: The DSOW must include data for current school enrollment numbers in SoHo/NoHo and projected enrollment and school seat data for elementary, intermediate, and high school levels according to the RWCDS, which estimates that approximately 1,683 new Dwelling Units will be added to the area. Additionally, the DSOW analysis must analyze libraries, childcare centers, police stations, fire stations, and health care facility needs. (Chin_161, Brewer_162)

The addition of close to 80 percent more residents than those currently residing here would burden the present police force and there would be a need for additional police for public safety. (Keith_126)

As population grows, there must be comparable increases in NYPD, FDNY and DSNY. What amenities are planned? There are no schools in SoHo/NoHo. Where will all the new kids be educated? There are no parks, no green/and or open space, no access to health care facilities for current residents. What will need to be provided for the increase of population projected? (Flood_084, Foster-Shapiro_157, Knowles_091, Margolis_083, Sweeney_013)

If the population increases by 41 percent, study the impact of the increase on libraries and childcare centers. (Booth_CB2_072, Sigel_CB2_073)

Response: As detailed in the DSOW, the DEIS will include a detailed analysis of public elementary and intermediate schools; however, according to the *CEQR Technical Manual* guidelines, the residential development projected in the RWCDS would generate approximately 34 high school students which is below the threshold analysis (150 new high school students) for detailed analysis of public high schools. The Project Area is located in Subdistricts 1 and 2 of Community School District (CSD) 2. As described in the DSOW, the DEIS will assess the utilization and capacity of schools within these subdistricts and evaluate future conditions with the student demand generated by the Proposed Actions.

As described in the DSOW, the DEIS will include a detailed analysis of libraries and publicly funded childcare centers. In accordance with the *CEQR Technical Manual*, a detailed analysis of police/fire services and health care facilities is only warranted if the Proposed Actions would displace or physically change a facility or would result in the introduction of a sizeable new neighborhood where there wasn't one before. Accordingly, the Proposed Actions would not trigger detailed analysis of potential impacts on fire and police service or health care facilities, and a detailed analysis will not be provided. However, for informational purposes, a description of existing fire and police services and health care facilities serving the Project Area will be provided in the DEIS.

Comment 443: I'm also concerned that the scoping document will fail to adequately study the potential increase in family apartments, which will add to public education needs in the neighborhood. (Glick_003)

Public use considerations like school construction and the metrics that measure the number of potential families with children [should be considered]. I am concerned that this DSOW will fail to adequately study the potential increase in 2-, 3-, or 4-bedroom DUs across income categories, which will add to public education needs in the neighborhood. (Glick_090)

Response: As described in the DSOW a detailed analysis of public elementary and intermediate schools will be conducted in the DEIS. Per *CEQR Technical Manual* guidance, the analysis will be based on Community School District (CSD)-specific average student generation rates that have been developed by DOE in collaboration with other City agencies. These rates are based on a combination of census housing data, housing completion data from the New York City Department of Buildings (DOB) and administrative enrollment data from DOE, for the CSD.

Comment 444: I'd urge you to look at housing opportunities zones in this scope with school admission zones from the Department of Education, but also just more generally,

I'd encourage the Department of city planning to coordinate with the Department of Education. (Berkowitz_023)

Response: Comment noted. The analysis of schools will be prepared in accordance with the *CEQR Technical Manual*, and in consultation with DOE.

Comment 445: The DSOW projects a 78 percent increase in residential population and an uncalculated increase in the number of elementary school children. Where in the zoning area does DCP propose these children go to school?

- You must analyze the need for schools based on changes to the Project Area as a whole, not looking at each single development site and asking if it alone would require a school.
- How will the DCP develop an accurate formula for determining the need for schools, based on future, unknowable post-COVID demographics?
- What site would be appropriate for a school?
- In order to fund new public schools, the City should require developers of all new residential buildings to contribute to a capital fund that would pay for the building of new schools or include them in their building projects. (Tenenbaum_156, Davies_BRC_151)

Response: As described in the DSOW, the DEIS analysis of public elementary and intermediate schools will follow *CEQR Technical Manual* guidance, the future without the Proposed Actions (No Action condition) will be projected using future enrollment estimates developed by SCA. Changes to capacity, either through administrative actions on the part of DOE or as a result of the construction of new school space prior to the analysis year of 2031, will also be identified and incorporated into the analyses. Planned new capacity projects from DOE's Five-Year Capital Plan will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. The future with the Proposed Actions (With Action condition) will be assessed by adding the total number of students likely to be generated by the RWCDS to the No Action enrollment and comparing the resulting With Action enrollment, capacity, and utilization in the analysis year to that of the No Action condition. If significant adverse school impacts are identified, mitigation will be developed in consultation with SCA and DOE; however, the siting of potential future school locations is outside the scope of the CEQR process and will not be provided in the DEIS. Because this is a City-initiated application rather than a private application, the CEQR framework does not provide an opportunity to require developments unknown at the time of analysis to pay directly for new schools.

Comment 446: The CEQR process for funding, siting and building of new public schools, is flawed.

Most development projects do not trigger an analysis of their impact on school seats and, even when they do, the *CEQR Technical Manual* and EIS guidelines do not accurately estimate the need for new public seats.

There are currently no New York City public elementary schools located in SoHo. The DSOW projects an increase in residential population and an uncalculated increase in the number of elementary school children.

As a result of COVID-19, public schools were closed after March 13, 2020 through the end of the 2019–2020 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing.

How can DCP accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population? (Davies_BRC_151)

As a result of COVID-19, public schools were closed after March 13, 2020 through the end of the 2019–2020 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing. Consequently, how could you accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population? (Booth_CB2_072, Sigel_CB2_073)

Response: In accordance with the *CEQR Technical Manual*, the school analysis will be based on current (pre-COVID-19) capacity, enrollment and utilization data, and future student projection and school capacity data provided by DOE and SCA. The 2031 analysis assumes post-COVID-19 conditions where full in-person learning resumes.

Comment 447: Population increases by 41 percent, as are contemplated in the DSOW, require that the impact of such an increase on libraries and childcare centers be studied. How accurate are CEQR projections?

A school impact study [should be required], using local data as required under the 2014 law, on all new residential construction and conversion, regardless of size. (Davies_BRC_151)

Response: Comment noted. See responses to Comments 443 and 446.

SCHOOLS

Comment 448: I hope that DCP will work with DOE and other stakeholders to ensure a thoughtful plan for school integration. (Josephson_111)

Response: Comment noted.

Comment 449: The current plan will put a small number of affordable housing in an area barren of amenities, barren of schools (SoHo has zero and won't build one for 400–800 units), barren of parks, basically cut off from community necessities. (DiMondi_119)

Response: As stated in the Draft and this FSOW, the DEIS will include a thorough analysis of the potential for impacts on community facilities with the Proposed Actions.

OPEN SPACE

Comment 450: What provisions are being made for increased green space? (Levy_117)

Response: The Proposed Actions will be assessed for the potential to result in significant adverse impacts to open space. If significant adverse impacts are identified, mitigation measures will be proposed.

Comment 451: This area has no park! We have no open spaces for families to enjoy the outdoors. (Foster-Shapiro_157)

Response: As described in the DSOW, the DEIS include an analysis of impacts on open spaces. Any planned open spaces in the study area will also be described.

Comment 452: The City Council passed Local Laws 92 and 94 of 2019, which require buildings to dedicate a portion of their roofs to renewable energy or green roofs. In SoHo/NoHo, extra incentives should be considered in order to increase the likelihood of green roofs in this area that is so lacking in open space. (Chin_161, Brewer_162)

Response: Comment noted. Buildings within the Project Area will be required to comply with all local laws.

Comment 453: Any plan for residential expansion in SoHo should provide for new parks and green spaces, but DCP's plan does not. (Hronsky_154)

I understand that the zoning committee is presently considering allowing the parking lot on Lafayette for possible development. This is the parking lot adjacent to the presently under renovation NYU building. This building has disrupted the neighborhood for years.

I heartily urge the committee to leave it as an open space, or develop it as an open park area for NYU and other employees and students who wish to sit somewhere in NoHo. (Vexler_078)

Response: Comment noted. The Proposed zoning changes will not result in new parks.

Comment 454: CEQR establishes New York City's optimal open space goal to be 2.5 acres of open space per 1,000 residents, including 0.5 acres of passive open space and 2.0 acres of active open space. How will you meet that?

- What steps will the City take to remedy this extreme lack of open space?
- What will the city require of developers regarding open and green, active and passive space in their projects? (Tenenbaum_156)

Response: The Proposed Actions do not include any new parkland or open space, but would map underlying contextual zoning districts throughout most of the Project Area. Contextual zoning mandates the Quality Housing Program, which requires amenities related to landscaping and recreation in new residential developments. In addition, the DEIS will assess the potential for direct and indirect significant adverse open space impacts. Mitigation for significant adverse open space impacts will be proposed in the DEIS.

Comment 455: CSC encourages DCP to explore ways to utilize the zoning action to increase open space through promotion of rooftop open space. (Herrick_CSC_142)

Response: See response to Comment 455.

Comment 456: [The Proposed Actions] fail to provide for adequate open and green space in SoHo and NoHo. During COVID-19, demand for and use of open green space has increased demonstrating the importance of parks as essential infrastructure. Yet, as the DSOW rightly states, the projected zoning areas is "underserved" by open space.

In fact, CB 2 has one of lowest open space ratios in New York City at 0.60 acres per 1,000 residents. SoHo and its neighbor Little Italy have only 0.07 acres per 1,000 residents or 3 sf per person.

According to CEQR, New York City's optimal open space goal is 2.5 acres of open space per 1,000 residents, including 0.5 acres of passive open space and 2.0 acres of active open space.

An Open Space assessment must be required for SoHo and NoHo. But given the impact that the ongoing pandemic has had on every aspect of SoHo (residential, pedestrian, retail, office, transportation), any assessment or EIS conducted at this time would fail to give even a remotely accurate assessment of the amount of open space needed by these neighborhoods.

Such assessment should also distinguish between passive and active open space, paved vs. green open space, and identify membership-only and traffic island open space. How much open space has activities for children, for seniors.

The city should require developers to include open and green, active and passive space in their projects either directly.

While the suggestion of an option for developers to contribute to an Open Space Fund to be used within CB2 sounds reasonable, the history of such funds shows that the monies sometimes languish in bank accounts, unspent on any projects, for years/indefinitely.

Creating such a fund for the zoning would be a reasonable suggestion if the City were to create a mechanism by which the funds must be spent within a certain period of time. Proper oversight and management would be key.

The rooftop recreational open space that is mandated under the current zoning, and required for buildings with 15 or more JLWQA units, must be maintained. (Davies_BRC_151)

Response: See response to Comment 455. The DEIS will assess the potential for significant adverse impacts associated with passive and active open space resources. Data used in the open space analysis will be gathered from other previously approved environmental reviews and supplemented with field observations. The analysis will not be based on COVID-19 pandemic conditions.

SHADOWS

Comment 457: Study the effect of shadows from new or redesigned buildings on the current open spaces. Study the effect of shadows on historic buildings with ornamentation that will be obscured and compromise the look and feel of the historic districts. (Booth_CB2_072, Sigel_CB2_073)

We ask that the DSOW consider the impact of shadows upon open space, parks, individual landmarks, and the historic district as a whole, as its architectural elements could very well be compromised. (Chin_161, Brewer_162)

Response: The DEIS will include a comprehensive shadow analysis that will follow the guidelines in the *CEQR Technical Manual*. The analysis will model shadows that the Proposed Project would cast on representative days in each season, quantify the extent and duration of new shadows that would fall on any sunlight-sensitive resources as defined by the *CEQR Technical Manual*, and assess the impacts of the new shadows using the *CEQR Technical Manual* guidelines. Sunlight-sensitive resources include the active and passive recreational uses as well as the vegetation in publicly accessible parks, plazas, and other open spaces; Greenstreets planted medians; schoolyards (if open to the public outside school hours); sunlight-dependent features of historic resources (for example, stained-glass windows or highly carved ornamental architectural façade features that are

accentuated by sunlight); and natural resources that depend on sunlight. Anything outside these categories does not fall under the purview of the *CEQR Technical Manual* methodologies used for an DEIS shadow study, including City streets and sidewalks; private yards and other spaces that are not publicly accessible; and building façades and roofs that have not been identified as sunlight-sensitive features of City, state, or federal historic resources.

Comment 458: Study the effect of shadows on typical loft buildings with large windows and artists' studios. Study the potential for all new or redesigned buildings (not just buildings over 50 ft) to cast shadows. (Booth_CB2_072, Sigel_CB2_073)

Studies of shadows cast by out-of-scale skyscrapers only take into consideration how they will impact public spaces, not artists' studios and/or residences? (Levy_117)

DCP [should] consider artist live-work spaces within buildings that could be adversely impacted by shadows, for example, indoor photography studios with spaces that depend on natural light. One artist pointed out that her large, industrial windows are required for her to do her work, and any blocking of sunlight would destroy her ability to make a living. (Chin_161, Brewer_162)

Response: The analysis of shadow impacts will follow standard *CEQR Technical Manual* methodology. Sunlight-sensitive resources studied in the analysis will include publicly accessibly open spaces or sunlight-sensitive features of historic resources. The analysis will closely and conservatively follow the criteria established under CEQR for determining the sunlight-sensitivity of architectural features of historic buildings, in coordination with Task 7, "Historic and Cultural Resources." Architectural features are sunlight-sensitive when they depend on direct sunlight for their appreciation by the public. Examples of sunlight-sensitive historic architectural features can include design elements of a recognized architectural style that depends on the contrast between light and dark elements; elaborate, highly carved ornamentation; or features in buildings where the effect of direct sunlight is described as playing a significant role in the building's historic significance. With regard to the potential height of new buildings, as described in the *CEQR Technical Manual,* an assessment of shadows is required if a proposed project would result in structures 50 feet or larger in height, or of any height if the project site is located adjacent to, or across the street from, a sunlight-sensitive resource.

Comment 459: One of the amenities of SoHo, and the village is the light. And that's because buildings are low, the sunlight can penetrate, and it enriches our lives and it makes us happier people and more productive. Buildings that across the street or four and six stories tall could conceivably come become 12-story-tall residential buildings, which would obliterate all my sunlight and essentially as an artist, put me out of business. (Lawrence_041)

Response: As described above, the shadow study in the EIS will assess the effects of new project-generated shadows on publicly accessible open spaces and sunlight-sensitive features of historic buildings and structures. Potential significant shadow impacts to the recreational use of open spaces or to the health of the trees or other vegetation within the open spaces, or significant impacts to sunlight-sensitive features of historic buildings that depend on sunlight for their enjoyment by the public, would be disclosed. Any buildings that are not historic and identified as having sunlight-sensitive features would not be included in the shadow study's inventory of resources of concern. Similarly, shadows on private spaces such as front or rear yards, as well as City streets and sidewalks, are not considered significant under CEQR.

Comment 460: The effect of additional shadows on trees in the study area, an area that has one of the lowest ratios of open and green space per person, must be studied. (Wilcke_176)

Response: As noted above, the shadow study in the EIS will assess the effects of new project-generated shadows on publicly accessible open spaces, including parks, privately owned but publicly accessible plazas and other open spaces, publicly accessible pedestrian plazas, planted Greenstreets traffic medians, and schoolyards (if publicly accessible outside of school hours). Trees, plantings, landscaping, and other vegetation in these publicly accessible spaces that receive new project-generated shadow will be assessed, and any potential impacts to their health will be disclosed. Trees that are not located in these publicly accessible spaces would not fall under the purview of the EIS shadow study and would not be assessed.

Comment 461: The transfer of air rights must be addressed and studied to appropriately gauge negative effects on shadows. (Wilcke_176)

Response: The existing ability to transfer development rights pursuant to zoning would not be modified by the Proposed Actions. The assessment of the potential for significant adverse shadow impacts will be based on the development expected under the RWCDS. Furthermore, the SNX does not include modifications to any of the underlying regulations regarding transfers of development rights. Contextual zoning envelopes would limit the extent to which developers would be able to consolidate air rights through large zoning lot mergers.

Comment 462: Shadow studies are needed for any tax lot where the FAR amount granted results in the addition of 30,000 sf or more.

558 Broadway (Potential Site PP) is identified as a likely future site for development of affordable housing, by implementation of new MIH FAR = 9.7, which grants that property over 54,000 sf of development rights. DCP labels that new building as rising to 200 feet.

Nearly two dozen other properties on and around Broadway in SoHo and NoHo are to be granted similar new buildable square footage. Therefore, it is likely that those locations all along Broadway could be built out to the same height as 558 Broadway: 200 ft. (Davies_BRC_151)

Response: The DEIS will include a RWCDS that will provide the anticipated buildout under the Proposed Actions at both projected and potential development sites. The shadow study will analyze the RWCDS, rather than existing conditions, and any projected or potential building with a height increase of over 50 feet, or of any height increase if located adjacent to or across the street from a sunlight-sensitive resource, will be modeled and analyzed for potential shadow effects.

Comment 463: It should be noted that the shadows analysis proposed by DCP in its DSOW is basically meaningless because of the dearth of green space and parks in the SoHo. The only parks nearby are the park on Thompson Street and Washington Square Park, which are both already crowded. (Hronsky_154)

Response: The DEIS will contain a shadows analysis which examines the potential for impacts on not only public open spaces but also any sunlight-sensitive resource.

HISTORIC AND CULTURAL RESOURCES

Comment 464: The DSOW does not, but must include The Bowery Historic District, which is listed on both the NY State Register of Historic Places and the National Register of Historic Places. (Grubler_BAN_171)

Response: Portions of the Bowery Historic District (S/NR-Listed) are located within the northeastern section of the Project Area and Study Area.

ARCHITECTURAL RESOURCES

Comment 465: Study the danger of demolition and construction on sites that are immediately adjacent to individual landmarks, as is the case for Site EEE (403 Lafayette Street) and Site J (27 East 4th Street). (Booth_CB2_072, Sigel_CB2_073)

Study the effects of a surge of new construction within historical structures. (Booth_CB2_072, Sigel_CB2_073)

Given that the historic 19th cast iron buildings next to development sites risk having their foundations undermined by excavation and construction as has happened in the past in SoHo, what will be done to preserve the structural integrity of contributing buildings in the Historic Districts? (Tenenbaum_156)

Even though 85 percent of the parcels in the study area are within historic districts, and not at significant risk of demolition, the potential enlargements could jeopardize the structural integrity of some buildings given their age and the condition of their foundations and footings. (Herrick_CSC_142)

[There should be] particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD. (Jones_067)

Response: As described in the Draft and FSOW, the Historic and Cultural Resources analysis of the DEIS will assess the potential impacts of the Proposed Actions on any identified architectural resources, including visual and contextual changes as well as any direct physical impacts. If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC.

Comment 466: DCP avoids the fact that, besides building on underutilized sites, property owners will surely take advantage of increased FAR to add bulk on top of existing landmarked buildings, forever changing the streetscape, view corridors and character of the historic districts, along both Broadway and Lafayette Street as well as the side streets. (Booth_CB2_072, Sigel_CB2_073)

A 20,000-sf parking lot on Lafayette and Jones Streets is located within the proposed M1-5/R9X area. According to DCP's own website, the Proposed Actions could produce a tall, bulky, 20-story high-rise apartment building characteristic of Chelsea and Murray Hill—although it sits in the median-rise NoHo Historic District Extension. Such an edifice will result in a dramatic and harmful impact on the historic district. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft and Final Scopes of Work, the Historic and Cultural Resources analysis of the EIS will assess the potential impacts of the Proposed Actions on any identified historic architectural resources, including visual and contextual changes as well as any direct physical impacts. Potential impacts will be evaluated through a comparison of the future No Action condition and future With Action condition, and a determination will made as to whether any change would alter or eliminate the significant characteristics of the historic architectural resource that make it important.

Comment 467: We request that the DSOW include an adaptive re-use study of any distressed, historical buildings in the neighborhood. (Chin_161, Brewer_162)

Response: As described in the Draft and Final Scope of Work, the Historic and Cultural Resources analysis of the EIS will be undertaken in accordance with the guidelines of the *CEQR Technical Manual*. An assessment of the potential for the adaptive reuse of historic buildings is not an area of analysis established in the *CEQR Technical Manual* for analyses of historic and cultural resources. The DEIS will assess representative conversion sites where commercial floor area is converted to residential floor area. Three projected development sites and two potential development sites are assessed as conversion prototypes. Adaptive re-

use of these existing sites is not limited to these sites but can serve as a model for how sites within the Project Area can be converted.

Comment 468: Eighty-five percent of the proposed upzoning area is in [historic] districts. The proposed increase in as-of-right FAR would significantly redefine neighborhood context and scale rather than harmonizing with the existing historic building forms. (Booth_CB2_072, Sigel_CB2_073)

The proposed Zoning Map Amendment increases in FAR are without regard to the unique historical development patterns in SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. One example is the projected development at 558 Broadway, where DCP identifies for the future the construction of a 200' tall tower due to the granting of over 50,000 sf of new allowable bulk. (Davies_BRC_151)

DCP must consider the implications of the added FAR across all of the protected districts, in regard to Applications to LPC where owners will seek to build on the new allowances of FAR and value granted to them under the DCP Plan. (Davies_BRC_151)

The DCP in the DSOW fails to adequately provide for true protection of the "architectural character" found within and around the landmarked districts of SoHo and NoHo. This failure is most notable in the City's proposal to increase the FAR to 9.7 within the Historic Districts, particularly along Broadway and nearby, which will allow for non-contextual towers rising to 200 feet and more.

The DSOW fails to adequately provide for true protection of the "architectural character" found within and around the Historic Districts within SoHo and NoHo. This failure is particularly notable in the City's proposal to increase the FAR to 9.7 within the Historic Districts, particularly along Broadway and nearby, which will allow for non-contextual towers rising to 200 feet and more. (Tenenbaum_156)

Response: Land use actions are often necessary because the existing 50-year-old zoning contains bulk provisions that are inconsistent with the historic character of SoHo and NoHo. For example, there are no height limits under existing zoning and the required built form results in buildings that setback from the street line and in such a way that does not reflect the existing high-street wall and loftlike building forms. The Proposed Actions would institute height limits throughout the neighborhoods and bulk controls that would reflect the existing character of SoHo and NoHo. LPC would retain its existing role in evaluating appropriateness of new developments within the historic districts. As described in the Draft and Final Scopes of Work, the Historic and Cultural Resources chapter of the EIS will assess the potential impacts of the Proposed Actions on known and potential historic architectural resources, including visual and contextual changes as well as any direct physical impacts. In accordance with CEQR guidelines, potential

impacts will be evaluated through a comparison of the future No Action condition and future With Action condition, and a determination made as to whether any change would alter or eliminate the significant characteristics of the resource that make it important. The Historic and Cultural Resources analysis will describe potential impacts of the Proposed Action on the projected and potential development sites in the Project Area, including new development within the various historic districts.

Comment 469: The assorted FAR increases proposed for within various areas of the historic districts run the risk of fundamentally altering the neighborhoods, and such proposals are in contradiction to New York City Landmark law (§ 25301[b]) which notes that the protection and perpetuation of protected districts are "for the education, pleasure and welfare of the people of the city. (Booth_CB2_072, Sigel_CB2_073)

In the historic districts, where upzoning is proposed to be a minimum of 20 percent (6 FAR), and up to 94 percent (9.7 FAR)—and in a few cases 140 percent (12 FAR)—changes in neighborhood character will be subject mostly to LPC review. But those big FAR increases will create tremendous incentives for owners to seek rooftop additions and demolitions, some of which no doubt the LPC will grant. And new development at that scale will also often be out of scale for the historic districts, where the overall average FAR in both SoHo and NoHo is below 5. (Booth_CB2_072, Sigel_CB2_073)

Maintain the integrity of the impacted Historic Districts, to fulfill the City's duty as guardian for the education, pleasure, and welfare of the people of the City. (Corman_DID_149)

Response: As described in the Draft and Final Scopes of Work, the Historic and Cultural Resources analysis of the EIS will assess the potential impacts of the Proposed Actions on any identified historic architectural resources, including visual and contextual changes as well as any direct physical impacts. Potential impacts will be evaluated through a comparison of the future No Action condition and future With Action condition, and a determination will made as to whether any change would alter or eliminate the significant characteristics of the historic architectural resource that make it important. Further, the New York City Landmarks Law ensures that alterations to NYC Landmarks, including individual landmarks and historic districts, are subject to the review and approval of the New York City Landmarks Preservation Commission (LPC).

Comment 470: In 2013, the Bowery was placed in the Department of the Interior's National Register of Historic Places, defined as "the official list of the Nation's historic places worthy of preservation." The Draft Scope ignores the monumental structures, the historic buildings, and the cultural history of this boulevard—the

second oldest thoroughfare in the city after Broadway. (Booth_CB2_072, Sigel_CB2_073)

The DSOW does not, but must include The Bowery Historic District, which is listed on both the NY State Register of Historic Places and the National Register of Historic Places. This omission in the DSOW should be remedied and the information must be provided. The Bowery Historic District must be added to the DSOW in the section titled "Historic Districts." (Mulkins_178)

The DSOW does not include The Bowery Historic District. The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as "The Bowery Historic District." (Wilcke_176)

This omission in the DSOW should be remedied and dialogue and information must be provided. The Bowery Historic District must be added to the DSOW in the section titled "Historic Districts." (Wilcke_176)

Response: The DSOW describes New York City Historic Districts (NYCHDs) designated by LPC in detail because properties that are NYCLs, in NYCHDs, or pending designation as New York City Landmarks are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition can occur, regardless of whether the project is publicly or privately funded. The New York City Landmarks Law does not apply to State/National Register-listed resources, including buildings in S/NR historic districts. The Bowery Historic District is a known historic resource that is listed on the State and National Registers of Historic Places (S/NR); it is not a designated New York City Historic District (NYCHD). The Bowery Historic District is not included in the identification of NYCHDs in the Draft and Final Scopes of Work. However, as described in the Draft and Final Scopes of Work, the Historic and Cultural Resources chapter of the EIS will identify known and potential historic and cultural resources, which include NYCLs and NYCHDs in addition to S/NR resources and historic districts, including the Bowery Historic District. The Historic and Cultural Resources chapter of the EIS will assess the potential for the Proposed Actions to result in impacts to these resources.

Comment 471: The Bowery Historic District extends from Chatham Square in Chinatown to Cooper Square in NoHo. It contains multiple building styles, including several LPC Individual Landmarks, two of which are in NoHo. One, the Bond Street Savings Bank/Bouwerie Lane Theatre at 330 Bowery, a French Second Empire gem, was among the first Individual Landmarks, designated in 1967. It was added to the National Register of Historic Places in 1980. (Booth_CB2_072, Sigel_CB2_073)

The other Individual Landmark, the Cooper Union, just north of the study area, an Italianate brownstone and mere feet outside the study area, was deemed a

National Landmark in 1961 and an LPC Individual Landmark in 1965, the same year the LPC was formed. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft and Final Scopes of Work, the Historic and Cultural Resources chapter of the EIS will identify known and potential historic and cultural resources and will assess the potential for impacts on these resources. Known historic and cultural resources include the following: New York City Landmarks (NYCLs), Interior Landmarks, Scenic Landmarks, New York City Historic Districts (NYCHDs); resources calendared for consideration as one of the above the by LPC; resources listed on or formally determined eligible for inclusion on the state or national registers of historic places (S/NR), or contained within a district listed on or formally determined eligible for listing on the S/NR; resources recommended by the New York State Board for listing on the S/NR; and National Historic Landmarks. In addition, a field survey of the Project Area and Study Area will be undertaken to identify any properties that may meet S/NR and/or NYCL eligibility criteria but have not been designated (potential architectural resources).

Comment 472: The FSOW and DEIS must include a project area map of the projected and potential development sites with the historic districts boundaries clearly defined. (Devaney_MASNYC_163)

Response: The Final Scope and DEIS will include a map clearly showing the historic districts and the projected and potential development sites.

Comment 473: The weakening of its 1965 Landmarks Law and the SoHo historic district without true public dialogue during the COVID-19 crisis could signal a general attack on the principles behind preservation. (Fine_077)

We demand that any rezoning of SoHo include new designations of individual landmarks as a result of the field survey promised in the Department of City Planning's scoping document for its Environmental Impact Statement (Task 7). (Fine_077)

We ask that your office, the Department of City Planning, and the Landmarks Preservation Commission release details about the proposed landmarks field survey. If your office and the Department of City Planning are serious about the rezoning of SoHo, this field survey should be one of the largest preservation projects in years and needs to have a defined budget, coordination with the Landmarks Preservation Commission, a pipeline for designation, and involvement of leading outside experts in architecture and history. This team of experts should also be empowered to develop the promised contextual standards that will apply to new construction and alterations. (Fine_077)

Response: As described in the Draft and Final Scopes of Work, a field survey of the Project Area and Study Area will be undertaken as part of the Historic and Cultural

Resources analysis for the EIS. In accordance with the guidelines of the *CEQR Technical Manual*, the field survey will be conducted to identify any properties that may meet S/NR and/or NYCL eligibility criteria but have not been designated (potential architectural resources). The field survey will be supplemented with research at relevant repositories and online sources as warranted, and information will be provided to LPC for review and determinations of significance.

Comment 474: The proposal is incompatible with the values of historic designation. The proposal threatens the historic character of the area by allowing a doubling of the size of new buildings, and would place an undue burden on LPC to resist inappropriate development proposals. (Breen_069)

Response: As described in the Draft and Final Scopes of Work, the Historic and Cultural Resources analysis of the EIS will describe and analyze the Proposed Actions and their potential to impact historic and cultural resources in the Project Area and the Study Area.

Comment 475: While Task 7 of the EIS addresses historic and cultural resources, there are impacts to historic districts that are not addressed in the DSOW. Notably, LPC cannot consider height as part of their review of construction in historic districts. As-of-right changes that are borne out of zoning text amendments, even when applied differently in historic districts, can result in out-of-context increases in building height and density… [The EIS should] study how increases in zoning density and height in potential development sites within historic districts will affect the contextual character of the street scape and neighborhood that LPC and the community want to preserve. (Glick_090)

Response: As described in the Draft and this FSOW, the Historic and Cultural Resources chapter of the EIS will analyze the Proposed Actions' potential to impact historic and cultural resources. The chapter will be undertaken in accordance with the *CEQR Technical Manual* and will include an analysis of visual and contextual changes as well as any direct physical impacts to historic and cultural resources. Potential impacts will be evaluated through a comparison of the future No Action condition and future With Action condition, and a determination will made as to whether any change would alter or eliminate the significant characteristics of the resource that make it important. If potential significant adverse impacts identified, measures to avoid, minimize, or mitigate any such impacts will be identified in consultation with LPC.

Comment 476: No upzoning. No destruction of historic buildings. Develop in an area where it would be welcome. Never destroy something already very good. (Antonakos_123)

Response: Comment noted.

Comment 477: This new plan puts the buildings in our Historic Districts in jeopardy, subject to demolition, and/or enlargement. This is not okay. (Clarke_139)

Response: Comment noted.

Comment 478: The above is a major error, which is reflected in the maps on Figures 1, 2, 3, and 4 in the DSOW, where mapped boundaries of the historic district do not include the west side of Bowery from 4th Street to Bond Street. Most of the buildings on the west side of the Bowery south of East 4th Street are indeed within the NoHo Historic District Extension. Each is noted, mapped and described in the NoHo Historic District Extension designation report from May 2008. The west side of Bowery should be considered part of the Historic Core. (Clarke_139)

Response: The historic district boundaries that are shown in figures included in the Draft and FSOW will be checked for accuracy and revised if needed.

Comment 479: Creating the Broadway corridor as envisioned will reduce the size of historic SoHo by 40 percent. Historic SoHo consists of only five streets: Crosby, Mercer, Greene, Wooster, and West Broadway. The Broadway corridor will effectively remove Crosby and Mercer Streets from historic preservation by having one side of each street be deemed commercial. (DiMondi_119)

Response: As described in the Draft and FSOW, the potential for the Proposed Actions to affect historic and cultural resources will be analyzed in the Historic and Cultural Resources chapter of the EIS.

Comment 480: Cutting this historic district in two with the Broadway Commercial Corridor—a canyon of skyscrapers—will disturb the continuity of the neighborhood, not only visually and historically, but also the sense of neighborhood that residents and shopkeepers experience. (Levy_117)

The Broadway Commercial Corridor should be eliminated from the plan and the historic district should be kept as a unified whole. (Levy_117)

Response: As described in the Draft and FSOW, the Historic and Cultural Resources chapter of the EIS will analyze the potential for impacts from the Proposed Actions on historic and cultural resources, including on Broadway.

Comment 481: The NoHo Historic District and its extension provides substantial protections to existing structures and the overall harmonious character of the area, via LPC oversight and approval. To ensure further clarity regarding LPC's potential involvement in future approvals in this area, we request that LPC issue clear guidelines regarding the metrics they will use to determine harmoniousness and consider feedback from the community on this report. As part of the overall study, LPC should conduct a survey to expand what it considers to be contributing sites,

and possibly additional individual designations, both within and without the historic districts of the target areas. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: As described in the Draft and Final Scopes of Work, the Historic and Cultural Resources analysis of the EIS will be prepared in consultation with LPC.

Comment 482: The DSOW does not include or address how an up zoning and increase in FAR throughout Historic Districts in the Study Area will impact both the Historic Districts in the Study Area, and other Historic Districts throughout New York City. (Wilcke_176)

Response: The Historic and Cultural Resources analysis of the EIS will analyze the potential for the Proposed Actions to impact known and potential historic and cultural resources in the Project Area and the Study Area as described in the Draft and FSOW. CEQR methodology does not require the analysis of historic districts in New York City that are located beyond the Study Area of analysis as defined in a specific project's Scope of Work.

Comment 483: The DEIS needs to analyze sites that might be developed after 10 years, including 57 Potential Development Sites that are assumed to be "less likely to be developed" within 10 years, and all other sites in the study area impacted by the proposed zoning changes. (Under *CEQR Technical Manual* guidelines, potential sites are only analyzed in the DEIS for "site-specific effects such as potential noise impacts, effects on historic resources and the possible presence of hazardous materials." As a result, the Draft Scope vastly underestimates the impact of the proposed upzoning on historic districts because it excludes all site located within historic districts, other than vacant lots, solely because these sites are "subject to LPC review and approval." (Booth_CB2_072, Sigel_CB2_073)

Response: As per the Draft and this FSOW, the build-out of each of the proposed and projected development sites will be analyzed in the Historic and Cultural Resources chapter of the EIS for the future 2031 analysis year. The analysis year was established as part of the framework for analysis in the RWCDS.

Comment 484: Standards should be established for new construction that maintain the integrity of the street walls that constitute the urban form of the historic districts. The projected analysis includes an examination of historic and cultural resources within the study area, but it does not address all the impact of new construction in the historic districts. The Landmarks Preservation Commission does not usually rule on the height and bulk and setbacks and open space of new buildings. This could result in development that is out of scale with existing historic buildings. (Booth_CB2_072, Sigel_CB2_073)

Response: The Historic and Cultural Resources chapter of the EIS will analyze the Proposed Actions' potential to indirectly effect historic and cultural resourced through

visual and contextual changes, including changes related to new construction in historic districts, which is subject to the review and approval of the NYC Landmarks Preservation Commission.

Comment 485: Study the difference in terms of landmarking between With Action and No Action, which will see the historic districts' skyline utterly altered from the historic built-context that has long been in place—a context that draws countless visitors to marvel at the special character of the area. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft and Final Scopes of Work, the Historic and Cultural Resources chapter of the EIS will include an assessment of the potential impacts of the Proposed Actions on the historic and cultural resources for the future No Action and With Action conditions.

Comment 486: After a significant proposed upzoning, there would be significant pressures for demolition and alteration on all historic buildings in the district, and preservation would depend solely on the politics of the Landmarks Preservation Commission at any given moment. In addition, there are substantial parts of SoHo and Chinatown in the rezoning area that are outside of any historic district and will have no protection at all. (Fine_077)

Response: As described in the Draft and Final Scopes of Work, the DEIS will include an analysis of the Proposed Actions' potential to impact historic and cultural resources on the projected and potential development sites, including sites in historic districts. The Historic and Cultural Resources chapter of the DEIS will also analyze the potential for impacts on historic architectural resources in the Study Area, which includes known resources and potential historic resources. Any development within the NYC Landmarked Historic Districts is subject to the review and approval of the LPC in accordance with the New York City Landmarks Law. LPC's review would ensure that any new development on sites within NYC Landmarked historic districts would be appropriate to the historic district.

Comment 487: We are concerned, though, about the level of the proposed upzoning in our historic core… the BID wants to preserve the look and the feel of NoHo. While we are very supportive of the goal of adding affordable housing, we [are] worried that this plan as it exists will sacrifice the preservation of our architecture for what may only amount to a handful of units. Thank you. (Persen_BID_050)

Response: The Historic and Cultural Resources chapter of the EIS will analyze the Proposed Actions' potential to impact known and potential historic architectural resources in the Project Area and in the Study Area. As described in the Draft and Final Scopes of Work, the Proposed Actions have been developed in consideration of

preserving the historic core while supporting the development of affordable housing.

Comment 488: Preserve the historic district. (Anonymous_062)

Response: As per the Draft and Final Scopes of Work, the Historic and Cultural Resources chapter of the DEIS will examine the potential for the Proposed Actions to affect historic and cultural resources, including the various historic districts in the Project Area and the surrounding Study Area.

Comment 489: Upzoning will destroy the character of this historic area by more than doubling the height of buildings and taking away our sunny, breezy streets and replacing them with shadow and pollution. (DiMondi_119)

Response: As per the Draft and Final Scopes of Work, an assessment of potential direct and indirect contextual impacts on Historic and Cultural Resources will be provided in the DEIS. In addition, as described in the Draft and this FSOW, the DEIS will include a Shadows analysis that will consider the potential for impacts from project-generated shadows on historic and cultural resources.

Comment 490: With regard to historic resources, LPC should review the buildings in Sub-Areas 1, 3, and 8 outside the Historic Districts to determine whether any of them may qualify for landmark designation and include the list of such buildings in the EIS. (Herrick_CSC_142)

Response: As described in the Draft and Final Scopes of Work, as part of the Historic and Cultural Resources analysis, a field survey of the Project Area and Study Area will be conducted to identify potential architectural resources, which are properties that may meet S/NR and/or NYCL eligibility criteria but that have not been previously designated. The field survey will be supplemented with research at relevant repositories and online sources as warranted, and information will be provided to LPC for review and determinations of significance.

Comment 491: I've long been skeptical of the claim that zoning changes will not affect the character of historic districts (Glick_003)

Response: Comment noted.

Comment 492: The fact that the developers think that the development and the increase in the FAR in SoHo/NoHo historic districts will not destroy the area and its aesthetic is again an absurdity of course it will. There will be nothing left of the area's unique quality, it will be destroyed and that's totally unnecessary. (Monte_006)

Response: Comment noted.

Comment 493: This plan guarantees the loss of existing fabric and would increase the pressure on the Landmarks Preservation Commission to approve out of scale development. (Breen_010)

Response: As described in the Draft and Final Scopes of Work, the projected and potential development sites have been identified in consideration of their existing build out, their location, and their potential for development. The development sites located in the historic districts are subject to the review and approval of the Landmarks Preservation Commission to determine appropriateness of any proposed development on those sites, as required under the NYC Landmarks Law.

Comment 494: I'm against the DCP plan to allow tall modern buildings and huge Big Box stores in this historic district where the average height of most of the buildings is five or six stories and the style is classic all under the cover of getting the real estate industry to cough up a few affordable housing units. (Wiegand_038)

Response: Comment noted.

ARCHAEOLOGY

Comment 495: Study the archaeological history of this area and the importance of preserving any remaining artifacts. In the 1640s, a New Netherland community known as the "Land of the Blacks" encompassed what today are SoHo, NoHo, Chinatown, Little Italy, and Greenwich Village. Black land ownership continued into the time of New York City. From 1643–1716, 130 acres were owned by free Black men and women in what is now the neighborhoods of SoHo and NoHo, including Bond Street, Bowery, and Lafayette Street. (Booth_CB2_072, Sigel_CB2_073)

We also request that the DSOW study the possibility of any archaeological remains and artifacts from historical burial grounds that were prevalent in the history of Lower Manhattan. (Chin_161, Brewer_162)

The SoHo SW Housing Opportunity Area has been identified as "potentially sensitive for historic archaeological resources." (See Phase I Cultural Resources Study, Proposed Canal Street Substation, New York, NY [2017].) (Davies_BRC_151)

DCP makes no mention of the Trinity Church Land Grant (circa 1705) and taking of lands from indigenous Lenape people within the Study Area. There is no mention of the British policy against Black ownership of property, resulting in the taking of property deeded to freed Blacks (circa 1664). (Davies_BRC_151)

Response: As described in in the DSOW, an analysis of archaeological resources will be completed in consultation with LPC as part of the DEIS.

Comment 496: An adaptive re-use study, as well as the possibility of any relevant archaeological remains and artifacts that may be uncovered during construction [should be performed]. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: As described in in the DSOW, an analysis of archaeological resources will be completed in consultation with LPC as part of the DEIS.

Comment 497: The SoHo SW Housing Opportunity Area has been identified as "potentially sensitive for historic archaeological resources" as is noted in the 2017 report for a proposed MTA substation at the northeast corner of Canal Street and Sixth Avenue. That report notes:

"…for the larger 400-foot radius Study Areas there are 28 structures that lie within the S/NR SoHo Historic District, and 18 that lie within the NYCL SoHo-Cast Iron Historic District... it is recommended that MTA NYCT employ vibration control measures to minimize, as much as possible, the vibration levels in the historic neighborhoods near the construction site. Measures may include developing and implementing a vibration monitoring program during highly disruptive construction activities, such as pile driving, to ensure that historic structures would not be damaged." (See Phase I Cultural Resources Study, Proposed Canal Street Substation, New York, NY [2017].) (Davies_BRC_151)

Response: As described in in the DSOW, an analysis of archaeological resources will be completed in consultation with LPC as part of the DEIS.

URBAN DESIGN AND VISUAL RESOURCES

Comment 498: The Proposed Actions would establish new bulk and height regulations, and where it is claimed that these regulations would "minimize the effects of new developments and enlargements on neighboring buildings," DCP must rigorously substantiate this claim so that resulting impacts truly correspond to promises made. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft and Final Scopes of Work, the Urban Design and Visual Resources chapter of the EIS will analyze the Proposed Actions in the context of the built environment.

Comment 499: The proposed Zoning Map Amendment increases in FAR without regard to the unique historical development pattern of SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. (Booth_CB2_072, Sigel_CB2_073)

Response: The Proposed Actions have been developed to be contextual to the historic districts and historic buildings in the Project Area, with lower FAR proposed in the historic districts of the Project Area and higher FAR proposed outside the historic districts.

Comment 500: This task states that "for the projected and potential development sites, the analysis will focus on general building types," but in this case, most of the affected and adjacent study area is landmarked. (Booth_CB2_072, Sigel_CB2_073)

Response: The Urban Design and Visual Resources chapter of the EIS will analyze the development that could occur on the projected and proposed development sites with the Proposed Actions. The analysis will consider the built context of new development within the historic districts in the Project Area and Study Area.

Comment 501: If the zoning is changed to these three districts, the pedestrian experience will gradually become as follows (from the New York City Zoning Handbook): RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft and Final Scopes of Work, the Urban Design and Visual Resources chapter will analyze changes to the pedestrian experience in the Project Area subareas.

Comment 502: The Draft Scope discusses deploying "appropriate buildings forms" that "relate harmoniously to the loft building context." It is important to explore the dangers of big box retail and new residential projects with uncharacteristic, out-of-scale FAR. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft and FSOW, the urban design and visual resources analysis will be undertaken in accordance with the *CEQR Technical Manual*. The analysis will describe and illustrate the Proposed Actions and will assess changes to the pedestrian experience of urban design and visual resources.

PEDESTRIAN WIND

Comment 503: The analysis of pedestrian wind conditions should be undertaken. Scientific studies indicate greatly increased maximum wind gusts exist now and projected for the future. These studies give great credence to the need to include how both pedestrians and residents in the study area will be affected by wind conditions.

The DSOW assumes that "an analysis of pedestrian wind conditions is not warranted." This assumption is not correct. Pedestrian wind conditions are warranted. The analysis of pedestrian wind conditions should be undertaken. (Wilcke_066)

There is no reference in the DSOW regarding the overall significant upzoning of the study area nor does it address the transfer of air rights and how these factors could further exacerbate the negative effects of wind conditions, pollution concentration fields, and pollution flows. (Wilcke_066)

The DSOW does not take into account the effects of the proposed increase in allowable FAR and height and density, nor transfer of air rights, on wind velocity as well as pollution concentration fields. (Wilcke_066)

Study how increases in height and density will increase wind. (Booth_CB2_072, Sigel_CB2_073)

Response: According to the *CEQR Technical Manual*, tall buildings at or in close proximity to the waterfront may result in an exacerbation of wind conditions due to "channelization" that may affect pedestrian comfort and safety. The Project Area is not near the waterfront. The Hudson River is several blocks west of the Project Area, with many intervening buildings. Accordingly, as indicated on the Draft and Final Scopes of Work, a pedestrian wind analysis will not be provided in the DEIS.

Comment 504: Study the loss of sky if FAR is increased. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the Draft and Final Scopes of Work, the Urban Design and Visual Resources chapter of the EIS will analyze the Proposed Actions in consideration of the pedestrian experience of new development on the projected and potential development sites in the project area and study area.

NATURAL RESOURCES

Comment 505: Study how the streams in the Canal Street area will affect new construction. (Booth_CB2_072, Sigel_CB2_073)

Response: Because there are no surface waters present within the study area, Chapter 9, "Natural Resources," will characterize existing terrestrial, groundwater and floodplain resources within the study area, and evaluate the potential for the Proposed Actions to affect these resources. Chapter 20, "Construction," will discuss construction dewatering.

Comment 506: The Canal Street intersections at Broadway and Grand Street experienced some of Lower Manhattan's worst flooding in the aftermath of 2012 Hurricane Sandy. (Chin_161, Brewer_162)

Response: Comment noted. As indicated in the Draft Scope, portions of the Project Area are located in the floodplain. The Proposed Actions will be assessed for consistency with the policies of New York City's Waterfront Revitalization Program It is

anticipated that developments in the floodplain will follow all applicable provisions of the recently adopted Zoning for Coastal Flood Resiliency.

HAZARDOUS MATERIALS

Comment 507: The southwestern corner of the project area is slated to be the site of significant residential development, but it is also one of the most polluted corners of the city. Study how siting affordable housing at the entrance to the Holland Tunnel contributes to the goal of equity in housing. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will assess the potential for significant adverse impacts associated with hazardous materials exposure as a result of the Proposed Actions in the Hazardous Materials chapter of the DEIS. The DEIS will include a discussion of measures to minimize exposure of hazardous materials as part of the construction and operational phases of development.

Comment 508: Study the environmental effect of the old gas works in the area of the Edison parking lot in southeast SoHo. (Booth_CB2_072, Sigel_CB2_073)

The DSOW must include the environmental implications of historic automobile related services located in the Project Area. This area, nicknamed "Gasoline Alley," was home to a considerable number of gas stations and automobile repair shops. This includes a previous gasworks facility at the southeast corner of Centre Street and Baxter Street that went through a DEC Voluntary Cleanup Program in January of 2018 (Consolidated Edison—Hester Street Gas Works, DEC Site # V00528). (Chin_161, Brewer_162)

The former manufactured gas plant, constructed in 1824, located on and under the Edison parking lot in SE SoHo, should be considered in the EIS. NYSDEC has identified a long list of "contaminants of concern" on the site. (Davies_BRC_151)

Response: The potential for significant adverse hazardous materials impacts associated with historic uses, including former gas works facilities, will be assessed in the DEIS.

WATER AND SEWER INFRASTRUCTURE

Comment 509: Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure. (Booth_CB2_072, Sigel_CB2_073)

SoHo is in a flood plain. What is required for proper drainage and sewage systems and with greater waste being produced by significantly more people? (Levy_117)

I am further somewhat confused and disturbed that there is a part that is listed is less focus that includes water and sewer infrastructure. This is shocking since areas along Grand Street and West Broadway regularly flood. So, there are problems with infrastructure that must be addressed. (Glick_003)

It is also highly questionable whether the old and fragile gas, plumbing, sewage, electrical and other infrastructures in SoHo can handle this increase of population. Canal Street, which was formerly a canal, and Grand Street and West Broadway have a long history of flooding when storms strike the neighborhood. And ConEd is ever-present digging up the streets in search of the source of the gas smells on West Broadway. (Hronsky_154)

Let's talk about infrastructure, it's in a floodplain. There's been regular flooding on West Broadway and grand going back for decades, any new building will have to go down to the bedrock. What effect will this have on historic buildings? We have had raw sewage. We've had sand going up as far as Broadway and Grand [Street]. (Sweeney_013)

Response: As discussed in the Draft Scope of Work, the EIS will include a Water and Sewer Infrastructure analysis which will consider future sanitary sewage and stormwater generation from the projected development sites in accordance with the *CEQR Technical Manual*. The potential effects of climate change, including rising sea levels, increases in temperature, and changes in precipitation levels, will be assessed in the Greenhouse Gas Emissions and Climate Change analysis.

Comment 510: Given the known propensity for flooding throughout the southern and western portion of the Study Area, along with the age of below-ground infrastructure, thorough study and analysis must be undertaken so that the public can fully understand what is being proposed, including the potential costs to be borne by the taxpayers.

- According to New York City's Zoning and Land Use Map, the entire southern boundary of the SNMD going as far east as Greene Street and as far north as Dominick Street is in the floodplain.
- Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure.
- Identify and analyze the Proposed Actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD. (Davies_BRC_151)

Response: As discussed in the Draft Scope of Work, the Water and Sewer Infrastructure analysis will assess potential impacts on the City's wastewater conveyance and treatment infrastructure system resulting from future sanitary sewage and stormwater generation from the projected development sites. The potential effects of climate change, including rising sea levels, increases in temperature, and changes in precipitation levels, will be assessed in the Greenhouse Gas Emissions and Climate Change analysis. As the area is served by a combined sewer system which conveys both sanitary sewage and stormwater, the Proposed Actions are not expected to result in increased stormwater infiltration which would potentially

effect ground stability, and ground stability is outside of the scope of the Water and Sewer Infrastructure analysis. Potential impacts to historic resources, including potential impacts on archaeological resources due to excavation and potential construction-related impacts on historic architectural resources, will be assessed in the Historic and Cultural Resources analysis.

Comment 511: Identify and analyze the Proposed Actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo. (Booth_CB2_072, Sigel_CB2_073, Jones_067)

Response: The DEIS will include an assessment of the Proposed Actions' potential effects on sanitary sewage and stormwater management. As noted above, the Proposed Actions are not expected to result in increased stormwater infiltration which would potentially effect ground stability, and ground stability is outside of the scope of the analysis.

Comment 512: The environmental problems on our antiquated sewage system of thousands of new residents flushing their toilets and showering in the morning getting ready for work. (Flood_084, Knowles_091)

The potential impact of the mayor's proposed plan on the SoHo/NoHo neighborhood environment is of serious concern. The addition of a few thousand more residents and the possibility of a surge of office workers and big chain stores with an influx of shoppers will stress our aging infrastructure including sewage system, sanitation, as well as the public transportation system. (Keith_126)

Response: As discussed in the Draft Scope of Work, the Water and Sewer analysis in the DEIS will assess potential impacts to the City's wastewater conveyance and treatment infrastructure resulting from increased sanitary sewage generation in accordance with the *CEQR Technical Manual*.

Comment 513: What mitigation strategies are being analyzed to accommodate development of a proposed 78 percent increase in residential population to accommodate increased energy demands, levels of sanitation and waste management as well as water provision? (Margolis_083)

Response: As discussed in the Draft Scope of Work, the Water and Sewer analysis will consider the potential increased water demand resulting from the Proposed Actions. If the analysis determines that the Proposed Actions would result in a significant adverse impact to water supply infrastructure, mitigation measures will be determined and described in the DEIS. See also "Energy" and "Solid Waste and Sanitation Services" in the Draft Scope of Work.

SOLID WASTE

Comment 514: The outsize scale of eating and drinking establishments of more than 5,000 sf would require a level of commercial delivery, garbage handling and other services that would overwhelm and destroy the residential life that exists throughout the district. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will examine the impacts on solid waste management in accordance with the *CEQR Technical Manual*.

Comment 515: Study how deliveries and pickups will be affected by the lack of loading berths and storage if, as predicted by the report, increased residential creates 50 additional tons of waste per week. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will examine the impacts on solid waste management in accordance with the *CEQR Technical Manual*. Loading berth locations are not typically part of this analysis and are subject to DOB review and approval.

Comment 516: The prevalence of SoHo/NoHo's through-block buildings and narrow streets are of concern for deliveries and waste removal. The DSOW should consider the impact of increasing commercial spaces for the area upon pedestrian and vehicular movements, in particular the areas of Bleecker Street, Spring Street, Mercer Street, and Crosby Street. (Chin_161, Brewer_162)

Response: The DEIS will examine the impacts on solid waste management in accordance with the *CEQR Technical Manual*. Impacts on pedestrian and vehicular movements are not typically included in that analysis.

Comment 517: We strongly encourage consideration of the following strategies for deliveries and trash pick-ups made by the Envision SoHo/NoHo Advisory Group:

- Develop a vending action plan with improved strategies that ensure pedestrian safety while allowing continued vending;
- Conduct a comprehensive parking and loading and unloading study to improve conditions and enforcement;
- Create a coordinated district-wide loading plan for deliveries;
- Prioritize or require delivery technologies that are quieter;
- Coordinate with the New York City Department of Sanitation's Commercial Waste Zones program;
- Work with landlords to implement best practices in lease terms, e.g., require that trash be stored inside buildings until pick-up; and
- Define community standards, e.g., "optimal hours of operation" with the aim to guide private carters' bidding that serves commercial businesses. (Chin_161, Brewer_162)

Response: The DEIS will examine the impacts on solid waste management in accordance with the *CEQR Technical Manual*. The above comments are relevant to DSNY's City Solid Waste Management Plan for Manhattan and are not implemented through zoning. DCP has continued to engage with the public through SoHo/NoHo Neighborhood Plan meetings including several informational meetings presented by DCP that included question and answer sessions with other city agencies charged with oversight of the public realm, such as DOT and DSNY. The City, through DOT and DSNY is considering non-zoning mechanisms to address quality of life and public realm issues affecting SoHo/NoHo. The public will have further opportunities to comment and shape the zoning proposal as it undergoes the public review process through ULURP.

Comment 518: Ongoing issues regarding trash and refuse collection are well known in the neighborhood. As noted in the Envision Recommendations, studies and analysis are needed to understand how carting of all sorts will be affected by the lack of both off-street loading berths and interior storage, and how that will impact the very limited amount of public space. And study is needed to anticipate conflicts caused by the addition of new structures and bulk, along with the addition of people living, working in, and shopping at those buildings. (Davies_BRC_151)

Response: See response to Comment 518. The DEIS will examine the impacts on solid waste management in accordance with the *CEQR Technical Manual*. Loading berth and interior storage locations are not considered in the analysis and are subject to DOB requirements.

Comment 519: The list of environmental issues is huge. The area already suffers from over-crowding—pre-pandemic—and people literally are forced to walk in the streets very often. As it is today, they City has no control over the trash situation here and if it were not for more broadly funded private cleaning the areas like Crosby, Broadway and Mercer would be filled with trash all the time. This is further compounded during rainstorms where huge amounts of trash end up clogging the area sewers. Noise levels from all the trash companies, good deliveries, [and] construction vehicles is very high so adding people and activity will only hurt this. (Somekh_086)

Response: The DEIS will examine the impacts on solid waste management in accordance with the *CEQR Technical Manual*. The above comments are relevant to DSNY's City Solid Waste Management Plan for Manhattan and are not implemented through zoning.

Comment 520: What provisions are being made for increased garbage and pollution? (Levy_117)

Response: The Proposed Actions do not include zoning mechanisms to address garbage collection. The DEIS will identify non-zoning mechanisms under consideration

by the Department of Sanitation and the Department of Transportation to address the issues raised on the comment.

Comment 521: With regard to solid waste and sanitation, DCP should examine the impact of implementing a requirement of trash compactor rooms on site. The draft scope notes that the study area generates 50 tons of waste per week. (Herrick_CSC_142)

Response: Comment noted. Solid waste and sanitation issues will be addressed by non-zoning mechanisms not included as part of the Proposed Actions. These measures will be identified in the DEIS.

TRANSPORTATION

Comment 522: Study more transportation modes than just automotive, transit and pedestrian. Need to include bicycles, e-bikes, and other micro-mobility modes. (Booth_CB2_072, Sigel_CB2_073)

Response: The EIS will assess the potential for the Proposed Actions to result in significant adverse impacts to traffic, transit, pedestrians, pedestrian and vehicular safety, and parking conditions, consistent with *CEQR Technical Manual* guidance. Potential impacts to micro-mobility modes are beyond the scope of CEQR transportation analyses.

Comment 523: What provisions are being made for increased traffic, pedestrians, and greater use of public transportation? (Levy_117)

Response: The EIS will assess the potential for the Proposed Actions to result in significant adverse transportation impacts. Measures to mitigate any potential significant adverse impacts will also be assessed in the EIS.

Comment 524: We also highly encourage DCP to coordinate with DOT and other agencies to truly reimagine Canal and Houston Streets especially as modern thoroughfares, safe for pedestrians and cyclists (Gates_RPA_169)

Response: Comment noted.

Comment 525: Travel demand and traffic studies for CEQR guidelines will be grossly under counting pedestrian trips, vehicle travel times and the support data for air quality and noise analysis. (Wilcke_009)

Response: The transportation data collection program and impact analyses will be developed in close consultation with the lead agency and DOT to ensure that they accurately reflect both typical pre-COVID-19 baseline conditions and the potential for the Proposed Actions to result in significant adverse impacts based on *CEQR Technical Manual* guidance.

Comment 526: What's it going to be like when you have thousands and thousands of more residents and shoppers. You have to do an impact study on the on congestion increasing and 6400 new tenants. Many of them who are wealthy are going to need their cars and their limousines—where are they going to park? (Sweeney_013)

Response: Based on a travel demand forecast and vehicle trip assignments for the Proposed Actions' RWCDS, the Proposed Actions are not expected to result in significant adverse traffic impacts or significant parking shortfalls under *CEQR Technical Manual* criteria. The EIS will, however, assess the potential for the Proposed Actions to result in significant adverse impacts to transit and pedestrian conditions, and pedestrian and vehicular safety. Measures to mitigate any potential significant adverse impacts will also be assessed in the EIS.

Comment 527: Increasing the number of people as envisioned by this proposal would nearly double. So how is gridlock on a Friday afternoon or Sunday evening? I don't see how you can put another vehicle here intentionally because if anything we need to reduce that traffic. (Lawrence_041)

Response: For projects that are predominantly residential and commercial in nature, like the Proposed Actions' RWCDS, *CEQR Technical Manual* guidance typically specifies that transportation analyses focus on the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand). Based on a travel demand forecast and vehicle trip assignments, the Proposed Actions are not expected to result in significant adverse traffic impacts under *CEQR Technical Manual* criteria.

Comment 528: The large increases in FAR and allowable height and density over the entire Study Area impacts travel data projections needed to assess the rezoning and thus the complete Study Area must be included in Travel Demand assessments. (Tenenbaum_156)

Response: The transportation analyses in the EIS will assess the potential for significant adverse impacts from the RWCDS, which reflects the development likely to occur with implementation of the Proposed Actions.

Comment 529: The collection of data and analysis as presented in the DSOW will be deficient and inaccurate for the purpose of this major rezoning plan and for long-term planning.

We are in the midst of a once-in-100-year pandemic. Data collection and analysis will give a faulty and deficient basis for this rezoning due to the abnormal conditions being experienced. (Wilcke_176)

Travel demand and traffic studies per CEQR guidelines will be grossly undercounting data for analysis due to the current pandemic and abnormal current economic and pandemic circumstances being experienced. (Wilcke_176)

Response: The transportation data collection program and impact analyses will be developed in close consultation with the lead agency and DOT to ensure that they accurately reflect, to the greatest extent practicable, typical pre-COVID-19 baseline conditions, likely future conditions with and without the Proposed Actions, and the potential for the Proposed Actions to result in significant adverse impacts.

Comment 530: The DOT data collection is used "as support data for air quality and noise analyses." As this data will be used for other parts of the rezoning data collection:

The deficiencies in the DOT data collection and analyses will further undermine and be deficient for other important parts of the EIS and the ULURP process in assessing air quality and noise levels. (Wilcke_176)

Response: The transportation data collection program and related inputs for the air quality and noise analyses will be developed in close consultation with the lead agency and DOT to ensure that they accurately reflect, to the greatest extent practicable, typical pre-COVID-19 baseline conditions and likely future conditions with and without the Proposed Actions.

Comment 531: The DSOW states, "Where applicable, available information from recent studies in the vicinity of the study area will be compiled..." Due to the pandemic a major economic shift is evolving. It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education, and industries operate. (Wilcke_176)

Response: The transportation analyses will be prepared in close consultation with the lead agency and DOT to ensure that they reflect likely future conditions as accurately as possible based on currently available information. Delaying the environmental review process an undetermined amount of time until the long-term effects of the COVID-19 pandemic can be assessed is not practicable.

Comment 532: Regarding travel demand from "projected development sites" as well as "demand from other major developments planned in the vicinity of the study area":

1. NYU's large development site on Mercer Street and Bleecker Street must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area.

2. The DSOW emphasizes the addition of dwelling units which would include affordable housing and cites Opportunity Zones. Yet there is no guarantee under this rezoning proposal that such housing or dwelling units will be built in the study

area, particularly affordable housing. The DSOW must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.

3. The DSOW does not address—but must address—impacts on the Study Area being up zoned. The large increases in FAR and allowable height and density over the entire Study Area impacts travel data projections needed to assess the rezoning. (Davies_BRC_151)

NYU's large development site on Mercer Street and Bleecker Street must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area. (Wilcke_176)

The DSOW must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.

There is no guarantee any housing, particularly affordable housing, will be built in the study area. Therefore, Travel Demand under different use scenarios must be studied. (Wilcke_176)

The large increases in FAR and allowable height and density over the entire study area impacts travel data projections needed to assess the rezoning. The DSOW does not address—but must address—impacts on the study area being up zoned. (Wilcke_176)

Response: The anticipated travel demand that would be generated by the planned NYU Core development will be considered when determining future No Action and With Action conditions for the transportation analyses in the EIS. The transportation analyses will assess the potential for significant adverse impacts from the RWCDS, which reflects the development likely to occur with implementation of the Proposed Actions. EIS transportation analyses typically focus only on projected development sites. Potential development sites are not included for analysis as they are considered less likely to be developed by the analysis year.

Comment 533: To accurately measure the impacts on the environment, DCP needs to collect real-time data on pedestrian counts, vehicular traffic counts, public transportation usage, etc. However, due to COVID, we know that SoHo/NoHo retail activity is a shadow of its former self, and a shadow of what it will be when things return to normal. So, any data collected now will not reflect the reality of what will be in the near future and thus will be grossly inaccurate. (Flood_084, Knowles_091)

Response: The transportation data collection program and impact analyses will be developed in close consultation with the lead agency and DOT to ensure that they accurately reflect, to the greatest extent practicable, typical pre-COVID-19 baseline conditions, likely future conditions with and without the Proposed Actions, and the potential for the Proposed Actions to result in significant adverse impacts.

Comment 534: Further research the specificity of SoHo/NoHo's mixed-use nature and schedule needs for curb access with the objective to make deliveries more efficient. (Booth_CB2_072, Sigel_CB2_073)

Response: Researching the specificity of SoHo/NoHo's mixed-use nature and schedule needs for curb access with the objective to make deliveries more efficient is beyond the scope of the transportation impact analyses in this EIS.

Comment 535: What provisions are being made for increased traffic, pedestrians, and schools? (Levy_117)

Response: Mitigation measures will be disclosed for any significant adverse impacts identified in the DEIS.

Comment 536: The Broadway corridor appears to be regarded as a development opportunity without reference to the current overcrowded sidewalks and congestion in the street, not to mention hazardous crossings and dangerous turns at intersections. (Booth_CB2_072, Sigel_CB2_073)

Response: The EIS will assess the potential for the Proposed Actions to result in significant adverse transportation impacts, including with respect to pedestrian conditions, and pedestrian and vehicular safety.

TRAFFIC

Comment 537: Study traffic at more times of day than just peak hours. A great variety of different activities occur in the neighborhood at many times of day. (Booth_CB2_072, Sigel_CB2_073)

Response: As the Proposed Actions' RWCDS is predominantly residential and retail in nature, the EIS transportation analyses will focus on the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand).

Comment 538: Selection of study locations needs to be based on not only "the assignment of project generated traffic and the *CEQR Technical Manual*, but also in consultation with the community (CB2, block associations, BIDs, businesses, etc.) based on frequent observations." (Booth_CB2_072, Sigel_CB2_073)

Response: Under *CEQR Technical Manual* guidance, EIS traffic analyses typically focus on locations where project-generated demand would be most concentrated, and are selected in consultation with the lead agency and DOT. Known bottleneck locations and prevailing travel patterns are also typically taken into consideration. However, based on a travel demand forecast and vehicle trip assignments for the Proposed Actions' RWCDS, the Proposed Actions are not expected to result in

significant adverse traffic impacts under *CEQR Technical Manual* criteria, and a detailed traffic analysis was not found to be warranted.

Comment 539: The generation of 50 or more additional vehicle trips in any peak hour needs to be considered in the context of how traffic can be reduced from its current state. In addition, there are side streets in the area that are frequently inundated by automotive traffic and need to be studied along with the key corridors. (Booth_CB2_072, Sigel_CB2_073)

Response: Based on a travel demand forecast and vehicle trip assignments for the Proposed Actions' RWCDS, the Proposed Actions are not expected to result in 50 or more incremental vehicle trips at any intersection in any peak hour. Therefore, under *CEQR Technical Manual* guidance, significant adverse traffic impacts are not anticipated and a detailed traffic analysis is not warranted.

Comment 540: The traffic analysis should information from typical users and inhabitants of the area who regularly observe and experience conditions. This can be achieved by incorporating questionnaires/surveys and interviews. (Booth_CB2_072, Sigel_CB2_073)

Response: While surveys of residents and/or workers are often employed in developing accurate transportation planning factors for travel demand forecasting purposes, they are not typically employed for the purposes of traffic impact analysis which is based on detailed traffic counts and field observations, data from previous studies, and input from the lead agency and DOT.

Comment 541: Travel demand and traffic studies per CEQR guidelines will be grossly undercounting data for analysis due to the current pandemic and abnormal current economic and pandemic circumstances being experienced. Data and analyses that will be deficient include the following:

However, as this data will be used for other parts of the rezoning data collection, the deficiencies in this data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality and noise levels.

It is very problematic that recent studies "in the vicinity of the study area" would be used to substantiate a major rezoning. This could mean studies from the East Village, the Lower East Side, the Financial District or other areas which are distinctly different from the SoHo and NoHo areas and have different traffic and pedestrian flows and patterns.

Due to the pandemic, a major economic shift is evolving. It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate. Pedestrian counts

will be inaccurate due to the current pandemic and economic conditions. (Davies_BRC_151)

Data collection and analyses compiled during the pandemic will result in inaccurate and deficient data due to the decrease in traffic and trucks, offices, retail establishments and bars and restaurants closed or at reduced capacities, remote learning by schools and universities, and tourist visits greatly reduced. (Wilcke_176)

Pedestrian counts will be inaccurate due to the current pandemic and economic conditions. (Wilcke_176)

Response: The transportation data collection program and impact analyses will be developed in close consultation with the lead agency and DOT to ensure that they accurately reflect, to the greatest extent practicable, typical pre-COVID-19 baseline conditions, likely future conditions with and without the Proposed Actions, and the potential for the Proposed Actions to result in significant adverse impacts. Any data obtained from secondary sources such as previous studies would need to reflect conditions within the Project Area, and would not typically include data from outlying neighborhoods.

TRANSIT

Comment 542: Study Transit using pre-COVID-19 figures, which present a more realistic picture of what can be viewed as base conditions. (Booth_CB2_072, Sigel_CB2_073)

Response: Pre-COVID-19 transit data provided by NYCT and other sources will be used to augment/validate transit count data collected subsequent to the onset of the pandemic.

Comment 543: Study problems posed by nearby subway lines for 20+ projected and potential sites. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the DSOW, the subway impact analysis in the EIS will include those subway stations where the Proposed Actions' RWCDS is expected to generate a net increase of more than 200 additional subway trips in the weekday AM or PM commuter peak hours, consistent with CEQR Technical Manual guidance.

Comment 544: Although there is attention to conditions at subway stations, there is no consideration of the impact on subway cars (e.g., crowding estimates) i.e., the Proposed Actions will have an impact on the system, not just station. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the DSOW, the EIS will include an analysis of crowding on the subway lines serving the Project Area (i.e., a subway line haul analysis).

Comment 545: There have been gaps created in bus service in the SoHo area with the restructuring of bus routes such as the M1, which eliminates a central route for SoHo, a dearth that calls for remediation. Spacing of bus stops, trip frequency and seating opportunities also need improvement. These types of already existing problems need to be part of the analysis. (Booth_CB2_072, Sigel_CB2_073)

Response: Based on a travel demand forecast for the RWCDS, the Proposed Actions are not expected to result in 50 or more incremental transit bus trips in one direction on any single bus route in either the weekday AM or PM peak hour. Therefore, under *CEQR Technical Manual* guidance, significant adverse impacts to local bus service are not anticipated and a detailed analysis of bus conditions is not warranted.

Comment 546: Problems exist concerning access for the bus going down Broadway, which is often blocked by stationery tourist buses and slowed down by traffic congestion. This needs to be considered. (Booth_CB2_072, Sigel_CB2_073)

Response: See response to Comment 546, above. Addressing congestion caused by tourist buses and its effect on transit bus service is under the purview of DOT, the NYPD and NYCT, and beyond the scope of this EIS.

Comment 547: The analysis on current ridership conditions and peak hour service will be inaccurate due to the current pandemic and economic conditions. (Wilcke_176)

Response: Pre-COVID-19 transit data provided by NYCT and other sources will be used to augment/validate transit count data collected subsequent to the onset of the pandemic.

Comment 548: Figure 5 shows a cluster of Projected Development Sites in the vicinity of West 4th Street and Lafayette Street, projected to see incremental development of around 410 DUs and 48,000 gsf of office space. It seems reasonable to assume that subway customers making six train trips between this part of the Project Area and locations to the north would access the 6 train at Astor Place station. Why is this station not included for analysis? (Popovits_MTA_148)

Response: Based on a travel demand forecast and subway trip assignments for the Proposed Actions' RWCDS, the number of incremental trips at the Astor Place (6) subway station in the AM and PM commuter peak hours are not expected to meet the 200-trip *CEQR Technical Manual* analysis threshold. Therefore, significant adverse impacts at this station are not anticipated, and it is not included for detailed analysis in the EIS.

Comment 549: Figure 5 also shows a cluster of Projected Development Sites at the southwest corner of the Project Area, between Sixth Avenue and West Broadway. These sites are projected to see incremental development of around 300 DUs and 80,000

gsf of office space. Subway customers making trips between the west side and these sites are likely to use the Canal Street (1) and Canal Street (ACE) stations. Why are these stations not included for analysis? (Popovits_MTA_148)

Response: Based on a preliminary travel demand forecast and subway trip assignments for the Proposed Actions' RWCDS, the number of incremental trips at the Canal Street (1) and Canal Street (A/C/E) subway stations in the AM and PM commuter peak hours were initially not expected to meet the 200-trip *CEQR Technical Manual* analysis threshold. Therefore, they were not identified for detailed analysis in the DSOW. Based on subsequent refinements to the RWCDS, the numbers of trips at the Canal Street (A/C/E) subway station are now expected to meet the 200-trip threshold, and this station will therefore be included for detailed analysis in the EIS.

Comment 550: On what is based your expectation that "most, if not all new trips at the Canal Street station complex will be using the entrances in the vicinity of Lafayette Street? Projected Development Sites 8, 9, 10, 24, 25, 26, and 27 are projected to see incremental development of almost 700 DUs, 11,000 gsf of medical offices, and 19,000 gsf of destination retail. We believe it is reasonable to assume that some of the resultant trips will use the Broadway subway entrances as well. We recommend including those entrances and appropriate control areas and circulation elements in your analysis. (Popovits_MTA_148)

Response: In response to the comment, the assignment of subway trips at the Canal Street (J/N/Q/R/W/Z/6) station complex will reflect that some incremental demand generated by the Proposed Actions would likely use entrances and control areas at Broadway.

Comment 551: Are trips assigned for potential development sites? If so, consider conducting a transit analysis at Prince Street (RW) and Spring Street (6) stations. (Popovits_MTA_148)

Response: EIS transportation analyses under CEQR typically focus only on projected development sites. Potential development sites are not included for analysis as they are considered less likely to be developed by the analysis year.

PEDESTRIANS

Comment 552: Little attention is paid to examination of the latest alternative transportation approaches to creating more space for pedestrians and making the pedestrian environment safer, more comfortable and accessible. The formulaic approach of the *CEQR Technical Manual* is no longer enough to ascertain impacts which should be assessed based on actual pedestrian needs in action and an already existing lack of needed pedestrian facilities. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the DSOW, the EIS will assess the potential for the Proposed Actions to result in significant adverse impacts to pedestrian conditions and pedestrian and vehicular safety, consistent with *CEQR Technical Manual* guidance. If warranted, measures to mitigate any potential significant adverse impacts will also be assessed in the EIS. These may include providing additional pedestrian circulation space and measures to enhance pedestrian safety. However, an examination of the latest alternative transportation approaches to creating more space for pedestrians and making the pedestrian environment safer, more comfortable and accessible is beyond the scope of the transportation impacts analyses in the EIS.

Comment 553: The "potential for incremental demand" will be inaccurate due to the expectation of a large increase in dwelling units and residents. (Wilcke_176)

Response: The transportation analyses in the EIS will assess the potential for significant adverse impacts from the RWCDS, which reflects the development likely to occur with implementation of the Proposed Actions. In consultation with the lead agency and DOT, a detailed travel demand forecast has been prepared for the RWCDS using standard sources, including the *CEQR Technical Manual*, U.S. Census data, previously approved studies, and other references. This forecast reflects the anticipated increase in dwelling units and residents.

Comment 554: The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.)—and not only housing. (Wilcke_176)

Response: The pedestrian analysis in the EIS will assess the potential for significant adverse impacts from the RWCDS, which reflects the development likely to occur with implementation of the Proposed Actions. EIS transportation analyses typically focus only on projected development sites. Potential development sites are not included for analysis as they are considered less likely to be developed by the analysis year.

PARKING

Comment 555: This area has no park and no parking! If your plan were to go through, where will you put all the resultant cars in the area? (Foster-Shapiro_157)

Thousands of new residents will need their automobiles. Where will they park? How much pollution will they generate? (Cohen_106)

Thousands of wealthy new residents will need their automobiles. Where will they park? (Flood_084, Knowles_091)

Your proposal fails to address the need for parking. Two of the potential development sites in the proposal, on Canal Street and West Broadway are currently parking garages [that are] heavily relied upon. (Fortgang_141)

Response: Based on *CEQR Technical Manual* guidance, and a travel demand forecast and vehicle trip assignments for the Proposed Actions' RWCDS, a detailed analysis of parking conditions has been screened out (see Appendix 2 of Final Scope of Work). Although the Proposed Actions may result in a parking shortfall within the Project Area and its vicinity, under CEQR Technical Manual criteria any such shortfall would not be considered significant due to the availability of alternative modes of transportation in this area of Manhattan.

AIR QUALITY

Comment 556: Study how proximity of the Holland Tunnel affects air quality. (Booth_CB2_072, Sigel_CB2_073)

[The EIS should include an analysis of] how proximity of the Holland Tunnel affects air quality and the impact of that for projected housing developments in the Study Area, [and] study how the poor air quality will affect the equity position of this location. (Davies_BRC_151)

Response: There are four tunnel ventilation buildings, two on each side of the Hudson River. The closest ventilation building is located on the west side of Washington Street between Canal Street and Spring Street, approximately 1,750 feet away from the nearest development site (Projected Development Site 22). The exit portal of the tunnel is located on the south side of Canal Street, east of Hudson Street, approximately 850 feet away from the nearest development site (Projected Development Site 22). The entrance portal is not a source of emissions in the area since vehicles entering the tunnel would pull air into the tunnel rather than release tunnel air to the surroundings, and because the tunnel portals are maintained under a negative pressure provided by the tunnel's mechanical ventilation systems. Based on the distances from emission sources associated with tunnel operations to the Project Area, potential air quality impacts from the Holland Tunnel are not considered to be significant.

Comment 557: "Our results show that the location of a tall building relative to an emission source has a massive effect both at higher levels and at downstream areas." There are numerous other similar studies that should be used in evaluating the DSOW for the Tasks, including Air Quality. (Wilcke_066)

Response: As discussed in the DSOW, the DEIS will determine the effects of emissions from projected and potential development sites fossil fuel fired heating and hot water systems on both existing and proposed uses. Potential impacts will be evaluated on the nearest building of a similar or greater height from the development site, as recommended in the *CEQR Technical Manual*.

Comment 558: New York City's own report shows that this community district is highest on the New York City scale of elemental carbon particular matter nitric oxide, etc. Putting monitors out at a time of a pandemic with low traction from buildings is not appropriate. (Wilcke_009)

Response: The air quality analyses in the DEIS will utilize data collected at NYSDEC monitoring stations to characterize background air quality, over a three-year period. Therefore, the monitored data used will not be based on a limited set of data measured during the pandemic.

Comment 559: Have you been doing an air quality study, like the EPA had done 10 years ago and in Canal Street? (Sweeney_013)

Response: The air quality analyses in the DEIS will utilize data collected at NYSDEC monitoring stations to characterize background air quality, over a three-year period.

Comment 560: Since Task 14, "Transportation," data collection and analyses will also be used for Task 15, "Air Quality," the deficiencies in the Transportation data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality. (Wilcke_176)

Response: The transportation analyses and related inputs for the air quality analysis will be prepared in close consultation with the lead agency and DOT to ensure that they reflect likely future conditions as accurately as possible based on currently available information.

Comment 561: The increase of particulates, pollution concentration fields, and velocity due to the behavior of wind flows negatively affects the pedestrian and residential population and must be addressed as part of the DSOW. Increased allowable FAR, leading to additional height and density, increases the velocity and pollution concentration fields at ground level. The DSOW should outline if the increase in building densities would affect street-level wind conditions and an increase of ground-level particulates. (Chin_161, Brewer_162)

Response: As discussed in the Draft Scope, the DEIS will determine the effects of emissions from projected and potential development sites fossil fuel fired heating and hot water systems on both existing and proposed uses.

Comment 562: The EIS should include an analysis of the Proposed Actions' effects on wind conditions, pollution concentration fields, and pollution flows. However, any studies of pollution levels made during the COVID period or period of adjustment following the COVID pandemic would be flawed. New studies must be made, once the situation normalizes. (Davies_BRC_151)

Response: As discussed in the Draft Scope, the DEIS will determine the effects of emissions from projected and potential development sites fossil fuel fired heating and hot water systems on both existing and proposed uses. The air quality analyses in the DEIS will utilize data collected at NYSDEC monitoring stations to characterize background air quality, over a three-year period. Therefore, the monitored data used will not be based on a limited set of data measured during the pandemic.

GREENHOUSE GAS AND CLIMATE CHANGE

Comment 563: This is such a carbon intensive and environmentally destructive plan, in a city that's already full of vacant space that's already being heated and cooled. Plus, you lose the carbon capture that exists in the already built structures. (Yaggy_017)

Response: The DEIS will assess the potential consequences of the Proposed Actions on greenhouse gas emissions in the Greenhouse Gas Emissions and Climate Change of the DEIS. The DEIS will quantify the greenhouse gas emissions from the Proposed Project's operations, mobile sources, and construction activities in the Greenhouse Gas Emissions and Climate Change chapter of the DEIS. This will include consideration of the recently passed Climate Mobilization Act and any applicable requirements. The DEIS will also include a discussion of GHG emissions reduction measures to determine if they are consistent with the City's GHG reduction goals, including building efficient buildings, using clean power, transit-oriented development, sustainable transportation, reduction of emissions from construction operations, and the use of building materials with low carbon intensity.

NOISE

Comment 564: What provisions are being made for increased noise pollution? (Levy_117)

Due to the cast-iron architecture and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, noise impacts must be analyzed. (Tenenbaum_156)

Given the proposed increase in allowable size of bars, restaurants, retail and other uses, noise impact on the whole region must be studied. (Tenenbaum_156)

Due to the cast-iron architecture, rear yard configurations, and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, these noise impacts and applicable regulations must be analyzed and changed if appropriate after such analysis. (Wilcke_176)

Response: As described on page 47 of the DSOW, a detailed noise analysis will be included in the EIS, which will examine both the Proposed Actions' potential effects on existing sensitive noise receptors (including residences, health care facilities, schools, open space, etc.) and the potential noise exposure at noise-sensitive uses

newly introduced by the actions. The analysis will include all existing sources of noise in the rezoning area as well as the potential for the Proposed Actions to affect or increase noise generated by such sources. Additionally, the analysis will consider noise exposure newly introduced noise receptors. If significant adverse impacts are identified, impacts would be mitigated or avoided to the extent practicable.

Comment 565: Study how the noise from retail deliveries to Big Box stores will affect life for residents if the population of SoHo/NoHo increases by almost 50 percent. (Booth_CB2_072, Sigel_CB2_073)

[The effects of] noise from trucks, delivery equipment, etc. are an ongoing issue [for residents in the Study Area]. (Davies_BRC_151)

Response: As described in the DSOW, based on the traffic studies of the Proposed Actions, a screening analysis will be performed to determine whether there are any locations where there is the potential for the Proposed Actions to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project-generated traffic. As prescribed by *CEQR Technical Manual* guidance, his proportional modeling technique for traffic noise analysis will account for changes in vehicle mix, such as the potential for additional truck traffic.

Comment 566: Your proposal fails to take into account the special nature of the Cast Iron itself, which is a huge transmitter of sound. (Fortgang_141)

Response: The Proposed Actions will not result in changes to intra-building noise transmission, as may occur with the architecture of the existing buildings in the rezoning area. Additionally, the acoustical performance of dwelling unit demising constructions (walls and floor-ceiling assemblies) for dwelling units included in construction resulting from the Proposed Actions are is required to meet the airborne and/or impact sound transmission requirements of the 2014 NYC Building Code § BC 1207.

Comment 567: Regarding noise, the DSOW states that if the current traffic pattern is not deemed representative, which probably won't be, existing condition noise levels will be established using previous environmental reviews within and adjacent to the rezoning area. But the methodology will be submitted later—this methodology must be part of the draft scope of work now. The lack of details on how noise levels will be established in an area where there have been serious issues with noise complaints is not acceptable. (Wilcke_009)

While the DSOW details methods to analyze Air Quality, Transportation, Pedestrian Flows, and more—there is no acceptable reason to not include the methods to analyze noise. (Wilcke_176)

Response: DOT has recently lifted the moratorium on traffic data collection that had been put in place as a result of atypical conditions resulting from the COVID-19 pandemic. Consequently, noise measurements may proceed in accordance with guidance described in the *CEQR Technical Manual*. An updated description of the methodology for the Noise Analysis will be included with the Final Scope of Work, which will specify noise measurement locations and how measured noise levels would apply to the noise analysis.

Comment 568: Which applicable regulations will be used must be stated in the DSOW. M or R zone regulations or something else? Noise impacts must be analyzed taking into account the need for larger capacity mechanical equipment due to the enlargement of square footage proposed for bars, restaurants, retail, and other uses and increased FAR. (Wilcke_176)

M zones must be reviewed for permitted sound levels versus R zones. If M zones allow higher significantly higher decibels than R zones, the noise impact of larger establishments, implying larger HVAC and other mechanical capacity is required, must be studied. (Wilcke_176)

Analysis must address noise impacts of current and projected changes and additions in air filtration mechanical equipment and similar equipment due to the pandemic and their impact standalone and combined. (Wilcke_176)

The DSOW says it is "assumed that outdoor mechanical equipment would be designed to meet applicable regulations and consequently no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed." [However,] due to the characteristics of building lots, rear yards, and the mix of uses including residential and/or artist and creative makers who reside/work in or are in abutting buildings, the proposed enlargement of uses that may require additional outdoor mechanical equipment and noise impacts must be [analyzed]. (Davies_BRC_151)

Response: As described on page 47 of the Draft Scope of Work, all mechanical equipment included in development pursuant to the Proposed Actions including heating, ventilation, air conditioning (HVAC) equipment, and equipment related to air filtration (i.e., in response to the pandemic), would be designed to meet applicable regulations. These include NYC Noise Control Code §24-218, §24-227, §24-228, §24-232, and the NYC Mechanical Code §MC 928, which are all more stringent than *CEQR Technical Manual* impact criteria. These codes are based on receiving property use (e.g., residential, commercial, etc.), not zoning or use of the source location, and will therefore protect receptors based on their sensitivity to noise.

PUBLIC HEALTH

Comment 569: The DSOW offers nothing to assure the public that adverse impacts to the health of residents and others will be properly identified or responsibly addressed. The

narrow review of just 27 sites within the 52-acre Study Area, where millions of sf of new construction is contemplated, is wholly inadequate to assess the health impacts that are likely to result from the implementation of the DCP Plan, or any variation thereof.

DCP must broaden the DSOW to include all reasonably anticipated public health impacts, and provide a reasoned elaboration for any conclusions with respect thereto. Areas to be addressed must include the public health impacts arising from the dispersal of hazardous materials due to demolition, excavation and/or construction. Analysis must include effects sought to be avoided, along with effects that may nonetheless eventuate even with any suggested preventative measures that may be put in place.

The DSOW must also take into consideration the impact of construction throughout the proposed SNMD and the impact of that construction, excavation and/or demolition (including the delivery of construction materials and/or the removal of demolished or excavated materials) on the nearby neighborhoods abutting the Study Area. That should include (but not be limited to) those nearby neighborhoods outside the Study Area that are in proximity to what DCP has identified as the Housing Opportunity Areas and the Broadway/Lafayette Commercial Corridors (Chinatown, Little Italy, East Village, Greenwich Village, South Village, West SoHo, Hudson Square, Tribeca, etc.). (Davies_BRC_151)

Response: The DEIS will include an assessment of public health prepared in accordance with the *CEQR Technical Manual*. The assessment will consider the potential for the effects of hazardous materials and construction to result in a significant adverse public health impact.

NEIGHBORHOOD CHARACTER

Comment 570: The presence of galleries, resident artists and cultural spaces has been key to our success for the past 50 years and has transformed our neighborhoods into world-renowned centers of art and creativity.

This requires constant efforts to nurture, sustain and attract cultural institutions, art galleries, artists and the evolving creative and "maker" communities. (Booth_CB2_072, Sigel_CB2_073)

Response: Land uses in the Project Area, including galleries and cultural facilities, will be considered in the Neighborhood Character chapter of the DEIS.

Comment 571: We reject towering blocks of luxury housing that impact negatively on the character of our neighborhoods. The outlined best-case scenario of 328 to 494 affordable units ignores the socioeconomic impact of up to 1355 ultra-luxury, market-rate apartments. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will consider the potential for the Proposed Actions to result in a significant adverse impact to neighborhood character by drawing from other analyses presented in the DEIS, including urban design and socioeconomic conditions analyses.

Comment 572: The variety of eating and drinking establishments already in existence in the district is part of the unique character of SoHo/NoHo and is a differentiator to other parts of the city. The regulations restricting their size to 5,000 sf were the product of years of consultation and consensus-building by the community and public officials; that restriction has been critical to protecting the vibrancy, tourism economy and commercial and residential desirability of the SoHo/NoHo area.

Prior to COVID-19, the SoHo/NoHo area was already vibrant, bustling and congested and among the most popular areas of New York City with tourists, already providing plenty of food and drink options to the community of residents, workers and visitors all over the area. (Booth_CB2_072, Sigel_CB2_073)

Response: Commercial uses found in the Project Area, among other elements that may potentially contribute to neighborhood character, will be considered as part of the assessment contained in the Neighborhood Character chapter of the DEIS.

Comment 573: The Draft Scope points out that "existing bulk regulations in M1-5A and M1-5B districts" haven't always served the "loft building context." The fact remains that ill-considered modifications to those regulations might easily produce far more drastic, if unintentional threats to this national treasure, especially if explicit limits and cautions are not clearly identified before deciding future changes. (Booth_CB2_072, Sigel_CB2_073)

Response: The potential for the Proposed Actions to result in significant adverse impacts to historic resources, urban design, visual resources and neighborhood character will be assessed in the DEIS.

Comment 574: Study the effect on neighborhood character of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings, or 90 NoMo SoHo Hotels (Crosby Street size), if the maximum additional MIH FAR is built across SoHo and NoHo. (Booth_CB2_072, Sigel_CB2_073)

Response: The height and bulk of new development facilitated by the Proposed Actions will be assessed for its potential to result in a significant adverse impact to neighborhood character.

Comment 575: Study the effect on neighborhood character of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight. (Booth_CB2_072, Sigel_CB2_073)

Response: The effects of increased density allowed under the Proposed Actions will be assessed for the potential to result in significant adverse impacts to historic resources and neighborhood character.

Comment 576: Study the impact of Proposed Actions on the defining features and human scale of the project area. (Booth_CB2_072, Sigel_CB2_073)

Response: The DEIS will include a comprehensive analysis of the Proposed Actions potential effects on urban design from the pedestrian perspective. The urban design analysis will inform the neighborhood character assessment contained in the Neighborhood Character chapter of the DEIS.

Comment 577: Study the adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970s. (Booth_CB2_072, Sigel_CB2_073)

Response: As discussed in the Draft Scope, the Proposed Actions would allow new uses and greater densities throughout the Project Area, and some of the new development is anticipated to include conversions of existing buildings to a new and different uses. The historic development trends in the area will be described in Chapter 1, "Project Description," and the potential effects of the Proposed Actions on neighborhood character will be assessed in the Neighborhood Character of the DEIS.

Comment 578: A detailed analysis must be conducted to show how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. The DSOW notes that projects that make substantial alterations to the scale of the streetscape may require a detailed analysis. (Booth_CB2_072, Sigel_CB2_073)

Response: As described in the DSOW, the DEIS will include an assessment that considers the potential for the Proposed Actions to result in a significant adverse impact on neighborhood character as a result of changes to urban design conditions, among other considerations.

Comment 579: DCP and the Mayor are attempting to rush through a proposed plan that would destroy the character, skyline and light in these historic neighborhoods, increase traffic and pedestrian congestion on our streets, and adversely affect the quality of life of residents. DCP's plan would overwhelm SoHo with at least 10 years of development, with unfettered destruction of short buildings, increased FARs throughout the neighborhood, and a population and traffic density more akin to Herald Square. (Hronsky_154)

Response: Comment noted. The potential effects of the Proposed Actions on neighborhood character, urban design and visual resources, traffic and pedestrian conditions will be disclosed in the DEIS.

Comment 580: This will completely cancel any charm this neighborhood has and which attracts people to live and visit the neighborhood. Unique mom and pop stores and small designers drew people to shop here the architecture is one of a kind, and unique. (Scalia_014)

Response: The DEIS assessment of neighborhood character will consider the mix of uses, built form, and historic features of the area in the Neighborhood Character of the DEIS.

Comment 581: The city plan proposes adding thousands more to the mix with allowances for huge big box store chain stores, which would create vastly out of scale structures. The city's plan is merely a bonanza for real estate developers who have donated generously to the mayor's campaign and lobbied for these changes, changes which will destroy the historic character. (Berman_025)

Response: Comment noted. The building bulk and new uses allowed under the Proposed Actions will be assessed relative to the areas historic resources, including buildings and districts, and its neighborhood character.

Comment 582: There is an over reliance on the LPC to protect the character of the neighborhood. (Riccobono_026)

Response: Comment noted. The New York City Landmarks Preservation Commission is responsible for protecting New York City's architecturally, historically, and culturally significant buildings and sites by granting them landmark or historic district status, and regulating them after designation. The potential for the Proposed Actions to effect historic resources, and in turn, their effect on neighborhood character, will be assessed in the DEIS.

Comment 583: I think you are really taking historic streets and carving them into multiple districts in a way that's going to destroy the historic character of the street. So, if you take my street alone. It's going to be three different zones on one street. When people walk down a street they look holistically and think about that character, where they are. They don't look at an affiliate at a time. And so I think when you think about no matter what direction you go in looking at this as an integrated neighborhood and not individual slivers of building. I think it's really important. (Mandy_031)

Response: The Proposed Actions would not result in any changes to city streets. The potential for the Proposed Actions to adversely impact the contributing elements of neighborhood character, which include historic resources and urban design,

among other elements, will be considered in the Neighborhood Character of the DEIS.

Comment 584: The City's SoHo/NoHo Neighborhood plan would ruin the traditional character of the neighborhood as it currently exists. It would open it to development and the introduction of gigantic chain stores and restaurants, irreparably damaging the neighborhood. (Katz_122)

Response: The potential for the Proposed Actions to result in a significant adverse impact to neighborhood character will be assessed in the DEIS.

Comment 585: The light and air made available by SoHo/NoHo's low-rise buildings give a charm to the SoHo/NoHo district that tourists, shoppers, office workers and residents are drawn to and enjoy.

The addition of excessive new bulk within any of the Historic District areas risks destroying the unique character of the neighborhoods, which is a primary attraction for tourists, shoppers, office workers and residents alike, not to mention the film industry, which would lose its SoHo/NoHo backdrop. To put it into bankable terms: The changes proposed will ruin the brand known around the world. (Davies_BRC_151)

Response: The potential for the Proposed Actions to result in significant adverse shadow impacts to historic buildings will be considered in the Shadows chapter of the DEIS. The contribution of project-generated shadows to historic buildings will be considered as part of the neighborhood character assessment in the Neighborhood Character of the DEIS.

Comment 586: The Neighborhood Character analysis should include the following:

- The effect of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NoMo SoHo Hotels (Crosby Street size), if the maximum additional MIH FAR is built across SoHo and NoHo;
- The effect of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight;
- The impact of Proposed Actions on the defining features and human scale of the project area;
- The adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970s;
- A comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area;
- The limits of the three proposed zoning districts will change neighborhood character; and

- [An analysis of] how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. (Davies_BRC_151)

Response: As discussed in the Draft Scope of Work, neighborhood character is an amalgam of various elements that give a neighborhood its distinct "personality." The elements considered in the neighborhood character assessment include land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and noise. The assessment identifies the defining features of the neighborhood and then evaluates whether the Proposed Actions have the potential to affect the defining features, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical analysis areas.

Comment 587: How will DCP protect and enhance the quality of life for residents, including those in the proposed Broadway Corridor? (Tenenbaum_156)

Response: The anticipated benefits of the Proposed Actions and measures to address quality of life issues will be described in the DEIS. SoHo/NoHo contains a significant concentration of jobs and it is important to accommodate the operational needs of office firms and retailers. The Neighborhood Plan would serve as a platform to bring stakeholders, including residents and businesses, together and working with SoHo Broadway Initiative and others in the community.

Comment 588: DCP should conduct a comparative study, looking at the impacts on residential quality of life under separate scenarios, keeping in mind that the DSOW Plan would allow large clubs and interactive entertainment venues, which operate into the wee hours of the morning, plus an increase in retail loading and unloading at night. (Davies_BRC_151)

Response: The DEIS will include an assessment of the potential impacts of the Proposed Actions on neighborhood character.

Comment 589: The upzoning permitted in the DCP's plan will cause oversized skyscrapers to dominate this historic neighborhood, nearly double the population, and inundate the neighborhood with still more people who come to work in new office space or shop in big box stores. All of this will impact our daily lives in countless negative ways, including construction going on all around us for many years. It is questionable whether any storefront spaces, new office space, or luxury residences are even needed now, since there seems to be a glut of all of these spaces vacant here and elsewhere in the City. (Levy_117)

Response: As per the Draft and FSOW, the DEIS will include an assessment of the impacts of the Proposed Actions on neighborhood character.

CONSTRUCTION

Comment 590: Study how new construction in the Canal Street area will affect the stability of adjacent old buildings, given the network of underground waterways. (Booth_CB2_072, Sigel_CB2_073)

Your proposal does not adequately address the soil conditions along Canal Street and in many sections of the M-15B. A new residential building, just finishing construction on the corner of Greene and Canal Streets, took over three years to complete as it had to be built out of steel as opposed to poured concrete due to soil conditions. (Fortgang_141)

Response: The DEIS will include an assessment of potential vibration effects during construction under the Proposed Actions.

Comment 591: Study the issue of the subsoil, particularly in the M1-5B district, which is wet. A new building on the corner of Greene Street and Canal Street was forced to build out of steel, as opposed to poured concrete, and took more than three years to complete at the current FAR. (Booth_CB2_072, Sigel_CB2_073)

Response: Geotechnical investigation is beyond the scope of the DEIS; however, construction of new buildings, including geo-technical considerations, is regulated by the DOB, which is charged with oversight of building construction in New York City. The construction effects of the Proposed Actions will be analyzed in Chapter 20, "Construction."

Comment 592: What about the environmental impact of wholesale construction for several years in terms of dust, debris, asbestos, and noise on residents and workers, some of who are in the neighborhood 24/7? (Levy_117)

Response: As described in the DSOW and consistent with *CEQR Technical Manual* methodology, a construction impact assessment will be performed to evaluate the duration and severity of the disruption from the Proposed Actions' construction activities on the surrounding community The DEIS will assess the Proposed Actions' construction-related activities and their potential for impacts on air quality quantitatively, with a comparison of the concentrations predicted at nearby sensitive receptor locations (i.e., residential buildings, schools, open spaces, etc.) against air quality standards which were established to be protective of human health. A quantitative construction noise analysis will also be prepared to examine potential noise impacts due the Proposed Actions' construction-related activities at nearby sensitive receptor locations. If significant adverse construction impacts are predicted, the construction assessment will identify strategies and best management practices to reduce or eliminate these impacts.

Comment 593: There are ground stability issues at Canal Street that could be a detriment to any new construction around or near historical buildings in the area. (Chin_161, Brewer_162)

Response: As described in the Draft Scope, the DEIS will include an assessment of potential construction period impacts on historic resources. If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC.

Comment 594: Now more than ever, it is imperative that construction impacts be reviewed in tandem with public health impacts. These include any and all unmitigated significant adverse impacts from conditions related to air quality, hazardous materials, noise, as well as transportation systems and construction staging impacts on vehicular and pedestrian traffic. Both the Project Development Sites and Potential Development Sites must be analyzed for construction impacts to the area and additionally their impacts to public health, within the 10-year analysis period as stated by the DSOW. The geographic area for analysis must include lots that straddle the Project Area, for conservative analysis purposes. (Chin_161, Brewer_162)

Response: The *CEQR Technical Manual* specifies that a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise. As described in the DSOW, if unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

Comment 595: The analysis of construction impacts must also include analysis and mitigations for historical building damage, as many adjacent properties to listed projected development sites are landmarked properties. The construction study must also include impacts to subgrade water, storm, and sewage channels, unstable ground, and existing building foundations. (Chin_161, Brewer_162)

Response: As described in the DSOW, Chapter 20, "Construction," of the DEIS will include an assessment of potential construction period impacts on historic resources. If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC. The DEIS will also include an assessment of potential vibration effects during construction under the Proposed Actions. In addition, the DEIS will also describe the construction effects of the Proposed Actions on existing water and sewer infrastructure.

Comment 596: The potential construction that would monopolize the sidewalks, as well as often take ups lanes of the street and hamper delivery, as well as pedestrians, being able to get to businesses would be a severe restriction on existing businesses who are

already severely hurting because of last year's pandemic and have that followed by years of construction would probably drive out most of the existing businesses if they do survive the pandemic. (Varian_033)

Response: Comment noted. Maintenance and Protection of Traffic plans will be developed for any required temporary sidewalk and lane narrowing and/or closures adjacent to the construction site to ensure the safety of the construction workers and the public passing through the area. Approval of these plans and implementation of the closures would be coordinated with DOT's Office of Construction Mitigation and Coordination (OCMC).

Comment 597: Potential adverse impacts related to additional construction both at and below grade, including the release of hazardous materials and risks to historic sites [should be performed]. (Rivera_NYCC_054, Hoylman_NYSS_055)

Response: As described in the Draft Scope, the DEIS will include a hazardous materials assessment to determine if any of the Proposed Actions' projected and potential development sites may have been adversely affected by present or historical uses at or adjacent to the sites. The DEIS will also include an assessment of potential construction period impacts on historic resources.

Comment 598: How will you protect our ancient cast iron buildings during new development construction? (Tenenbaum_156)

Given that the historic 19th-century cast iron buildings next to development sites risk having their foundations undermined by excavation and construction (as has happened in the past in SoHo), what will be done to assure the preservation of the structural integrity of landmarked buildings throughout the historic districts? (Davies_BRC_151)

Response: As described in the Draft Scope, the DEIS will include an assessment of potential construction period impacts on historic resources. If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC.

Comment 599: DCP should identify and analyze the Proposed Actions' potential adverse impacts in consideration of the currently well-known unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo. Particular focus must be given to the potential adverse impacts on existing historic properties due to excavations and foundation work, both for new construction and restoration of existing structures within the Study Area. (Davies_BRC_151)

Response: As described in the Draft Scope, Chapter 20, "Construction," of the DEIS will include an assessment of potential construction period impacts on historic resources. If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC. The DEIS

will also include an assessment of potential vibration effects during construction under the Proposed Actions. In addition, the DEIS will also describe the construction effects of the Proposed Actions on existing water and sewer infrastructure.

Comment 600: DCP fails to provide any analysis of the costs related to new construction within the Study Area, where it is well known that soil conditions leave the invaluable 19th century historic buildings extremely vulnerable to damage when foundation work on new construction is performed. (Davies_BRC_151)

Response: The DEIS will include an assessment of potential construction period impacts on historic resources. If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC.

MITIGATION

Comment 601: Analyze the available zoning and governmental support programs used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural, artistic and "maker" communities (e.g., Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) as potential mitigation for displacement of these communities created by the Proposed Actions. (Booth_CB2_072, Sigel_CB2_073)

Response: Comment noted.

Comment 602: [As a result of increased density, mitigation for a potential open space impact could either take] the form of additional physical open space or contributions to an Open Space Fund that would be used within CB2. Such a fund would be formed to provide the active and passive forms of recreation to the level of the City's planning goals. It would be formed and administered by the City and used to add either one or more recreation centers (like the Tony Dapolito Recreation Center) designed and sized to serve the increased population of SoHo and NoHo as a result of the Proposed Actions. (Booth_CB2_072, Sigel_CB2_073)

As there are very few publicly owned sites in the surrounding area, we urge the Administration to explore, in tandem with New York City Department of Parks and Recreation, any green space opportunities in the neighborhood, and if needed, include disposition actions in the bundle of land use actions to facilitate infill for community facilities or affordable housing units. A few examples include 70 Mulberry Street in Community Board 3 and DEP sites at Bowery Street and East 4th Street (planned as new open space construction) and at Grand Street and Lafayette Street (142 Grand Street), which was previously presented in an LPC public hearing on June 25, 2019 as a new passive open space for the public. (Chin_161, Brewer_162)

Response: As stated in the Draft and Final Scopes of Work, mitigation will be determined based on the outcome of the open space impact analyses.

Comment 603: A truck trip generation forecast alone doesn't address the already highly negative truck impacts. Create a management plan. (Booth_CB2_072, Sigel_CB2_073)

Response: As stated in the Draft and Final Scopes of Work, mitigation will be determined based on the outcome of the transportation impact analyses.

Comment 604: Regarding mitigation, Vision Zero has introduced a new outlook on how traffic functions with alternative modes, new street geometries and varied curb uses that need to be considered, rather than just the traditional approaches. (Booth_CB2_072, Sigel_CB2_073)

Response: As stated in the Draft and Final Scopes of Work, mitigation will be determined based on the outcome of the transportation impact analyses.

Comment 605: There have been conversations over many years about the potential for a school on the NYU campus, and NYU is committed to working with SCA to site a school there if one is needed. Many community members have discussed the possibility of moving forward with a special needs school at this site and we urge the SCA and the DOE to work closely with our offices to advance this proposal. We cannot responsibly add thousands of units of new housing units into the neighborhood without advancing schools at these sites. (Chin_161, Brewer_162)

Response: As stated in the Draft and Final Scopes of Work, mitigation will be determined based on the outcome of the community facilities analyses.

Comment 606: What mitigation for new construction has the city planned in order to deal with local flooding problems? (Davies_BRC_151)

Response: As stated in the Draft and Final Scopes of Work, mitigation will be determined based on the outcome of the infrastructure impact analyses.

ALTERNATIVES

Comment 607: Alternatives should be considered that will provide a range of building height caps more appropriate to their immediate surroundings. (Booth_CB2_072, Sigel_CB2_073)

Alternatives can be considered that will provide a range of building height caps appropriate to their immediate surroundings, including a 160' height cap in the northern portion of NoHo. (Jones_067)

Response: Comment noted. The Proposed Actions contemplate contextual zoning districts throughout most of the Project Area with height and setback requirements.

Alternatives that would map other contextual zoning districts will not be provided.

Comment 608: CB2 recommends that DCP study and offer affordable housing alternatives to Mandatory Inclusionary Housing (such as new, more targeted, zoning tools and an expanded review of adaptive reuse) and study and offer the minimal modifications to the existing M1-5A/B zoning that would be required to achieve the primary goal of affordable housing and small business survival without increased FAR. (Booth_CB2_072, Sigel_CB2_073)

Response: MIH is the most likely mechanism by which affordable housing could be provided in SoHo/NoHo absent the provision of public subsidy and significant amounts of funding for land acquisition. Adaptive reuse could be achieved through the conversion of commercial or manufacturing floor area to residential use and has been identified at three projected and two potential development sites in the RWCDS. The provision of MIH units achieved through conversions will be detailed in the DEIS. No other approaches to provide affordable housing will be considered in the Alternatives analyses.

Comment 609: I strongly urge a nuanced approach that maintains a 5 FAR within the residential core of SoHo, which comprises roughly 40 percent of the study area. Instead, we recommend really focusing on and taking advantage of the significant affordable housing opportunities outside historic district subareas three and eight. The soft side analysis shows that these areas can generate over 80 percent of the new affordable housing on SoHo and NoHo. Typically, we recommend lower density than DCP is proposing. We think a 9 FAR zoning is worth analyzing as an alternative. It provides a 175-foot height limit. We definitely want it to be contextual, given the soft sites in the area within a one-block radius. (Herrick_CSC_016)

If commercial FAR is raised to 10 and residential FAR is only 12 for MIH, the meager difference will disincentivize residential development. The Scope should examine the effect of no upzonings for commercial use. (Booth_CB2_072, Sigel_CB2_073)

Analyze alternates to the Proposed Actions that will not increase the existing FAR within the historic districts and alternates that satisfy MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD. (Booth_CB2_072, Sigel_CB2_073)

We recommend that the Scoping Document be modified to include in the DEIS analyses of alternates to the Proposed Actions that will not increase the existing FAR within the Historic Districts and alternates that do not include satisfaction of MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD. (Jones_067)

Response: Any lower density alternative would be at odds with the Neighborhood Plan put forth by DCP and the local community. It would not enhance the existing commercial sector, nor would it add a sufficient amount of affordable housing to the SoHo/NoHo neighborhoods. The DEIS will examine a No Action alternative that will maintain the existing FAR in the historic districts. The provision of affordable units would be provided through the MIH program.

Comment 610: We urge the Department of City Planning to explore alternative approaches including ones that rely on lower FAR ratios within the historic districts, converting office space to residential or other approaches to achieve the important goals of bringing more affordable housing into these neighborhoods, while also maintaining the one-of-a-kind, historic look and feel of these neighborhoods. (Dicus_SBI_021)

Response: Any lower density alternative would be at odds with the Neighborhood Plan put forth by DCP and the local community. It would not enhance the existing commercial sector, nor would it add a sufficient amount of affordable housing to the SoHo/NoHo neighborhoods.

Comment 611: The DSOW should include the study of the potential of adaptive reuse as an alternative to increasing FAR. (Davies_BRC_151)

Response: The Proposed Actions would allow adaptive reuse which will be assessed at three representative development sites. The increase in residential density is intended to maximize housing production in appropriate areas.

Comment 612: Text changes without upzoning or general rezoning can allow for:

- Group 6 Retail up to 10,000 sf;
- Eating or drinking establishments of up to 5,000 sf;
- As-of-right residential development with affordability mandates, at the same 5.0 FAR that is currently allowable for commercial/manufacturing development in SoHo and NoHo;
- Legalization and protection of current residential occupancies. Legalize and maintain existing housing units, preserve JLWQA and expand those to include categories of non-artists;
- Minimizing conversion restrictions to allow new residential development including affordable housing though adaptive reuse of existing buildings; [and]
- Expansion of inclusion and diversity through broader affordability requirements. (Davies_BRC_151)

Response: Comment noted.

Comment 613: The Scoping Document [should] be modified to include in the DEIS the analyses of alternates to the Proposed Actions that will better reflect the existing land use patterns in NoHo and that will support the development of affordable housing within the NoHo portion of the SNMD. The alternates are:

- Re-zone north of Houston to R8A with a C2-5 overlay.
- Re-zone north of Houston Street to C6-2A.
- Modify the SNMD map north of Houston to recognize that the likely sites for new affordable housing are north of Great Jones Street, by creating subdistricts using Great Jones Street as the north/south boundary, with the south subdistrict M1-6 or M1-5 paired with R8A and the north subdistrict M1-5/R9X (Jones_067)

Response: The DEIS will assess alternatives that meet the goals and objectives of the Proposed Actions. In addition, as indicated in Final Scope of Work, the DEIS will include a No Action alternative and a No Unmitigated Significant Adverse Impacts alternative, which considers a development scenario that would not result in any unmitigated significant adverse impacts.

Comment 614: I support the Community Alternative Rezoning Plan for SoHo and NoHo as a far more effective and palatable blueprint to meet the need of truly affordable housing, and one that doesn't destroy the history, culture, and character of a storied, world-renowned neighborhood, unique also in an otherwise young country. (Ong_150)

Response: Comment noted.

Comment 615: Here is what I urge you to do to make this a true community plan:

- No increase in FAR of 5.
- Height limit to avoid such inappropriate heights as the NoMo Hotel.
- Guarantee greater opportunities for affordable housing, such as allowing conversion of existing office and commercial space, making it mandatory with some subsidy, and making it available to those on the lower range of income. Drop the failed MIH plan.
- Retail under 10,000 sf as of right below the level of the first floor, but if the basement or cellar are used for selling purposes, their footage should apply.
- Eating or Drinking Establishments under 5,000 sf as of right.
- Legalize residential uses, but put real thought and planning into protecting JLWQA and encouraging the use and reputation of SoHo/NoHo as a creative community. (Tenenbaum_156)

Response: Comment noted.

Comment 616: We encourage DCP to scope out a wider variety of zoning scenarios to give us more options as we hammer out the final plan. These scenarios should include allowing converting office space to housing, if that is what the market shows in our changing economy, instead of preserving every square foot of commercial space and adding the new housing above the current bulk of existing buildings. (Persen_BID_164)

Response: The Proposed Actions would allow the conversion of office space to housing therefore, requested alternative will not be provided in the DEIS. r.

Comment 617: The BID wants to preserve the look and the feel of NoHo and asks that you scope out new zoning FAR scenarios that protect vs threaten our existing landmarking. NoHo is blessed with a rich architectural history and that is part of what makes it special and whatever the final zoning looks like, it must protect that. (Persen_BID_164)

Response: Comment noted.

Comment 618: We believe the proposed zoning districts, don't achieve the objective of "establish appropriate bulk regulations to better reflect the existing character and enhance the built environment" as stated on page 16. Provided with these comments is a zoning table we ask that DCP study as alternative rezoning scenarios in place of DCP's proposal. (Note: We propose an additional 1.0 FAR if 0.5 FAR cultural use is added). (Herrick_CSC_142)

We urge the Department of City Planning to explore alternative approaches, including ones that rely on lower floor area ratios within the historic districts, converting office space to residential or other approaches to achieve the important goals of bringing more affordable housing into these neighborhoods while also maintaining the one-of-a-kind historic look and feel of these neighborhoods. (Dicus_SBI_152)

In December 2020, a coalition of neighborhood groups, including Village Preservation, drafted an alternative plan that offered an alternative set of principles for guiding any rezoning of the neighborhood. This plan should be analyzed before the proposed action moves forward. (Chin_161, Brewer_162)

And like Arthur Schwartz, I support that the City should evaluate alternatives, specifically the community alternative rezoning plan for SoHo NoHo. (Kiely_005)

I strongly encourage this group, your agency and anyone involved to stand behind and support the community alternative zoning plan, which has in it suggestions and ideas to protect the joint work. (McGee_007)

We need to take a look at the community plan that the community has come together and endorse many, many, many different activist groups have endorsed

this plan. This upzoning has nothing to do with what we talked about. We do not need increased FAR. You know, residents who are legal [artists that can occupy JLWQAs]. We need to keep the affordable housing that's already here, we should be turning office space into residential. (Hellstrom_018)

If we stick to what the residents with the alternative plan if I think, you know, we can go for this, but you know what the City is proposing right now is really quite distressing. (Lutz_039)

We support the community alternative plan and oppose DCP's plan. (Walker_040)

If any steps should be taken to support and encourage small mom and pop businesses, we support the community alternative plan, which includes significant affordable housing and at the same time protects the residents, the artist, the small businesses, and the unique character of two iconic New York City historic districts. (Mulkins_053)

As is laid out in the Community Alternative Zoning Plan for SoHo and NoHo: the City should expand diversity through deeper and broader commitments than currently cited in the DSOW:

- A higher percentage of residential developments reserved for affordable housing than the 20 percent–30 percent square footage currently proposed.
- Lower income levels for the required affordable housing than the up to 130 percent AMI currently proposed.
- Subsidies should be provided to ensure the development of affordable housing, instead of office space. (Davies_BRC_151)
- Consideration should be given to various alternatives put forward by members of the local neighborhoods, many of whom took part in the Envision SoHo/NoHo planning process.

Alternatives to the Proposed Actions that will not increase the existing FAR within the historic districts, and alternatives that do not attempt to meet MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD [should be analyzed].

The DEIS [should include] an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the Proposed Actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternatives can be considered that will provide a range of building height caps more appropriate to their immediate surroundings. (Davies_BRC_151)

Response: Comment noted. Any lower density alternative would be at odds with the Neighborhood Plan put forth by DCP and the local community. It would not enhance the existing commercial sector, nor would it add a sufficient amount of affordable housing to the SoHo/NoHo neighborhoods.

Comment 619: The mayor's plan should be put aside and when we are in recovery and more healed, we would support the Community Alternative Rezoning Plan for SoHo and NoHo which addresses the issues of current residents as well as provides for affordable housing and allows for as-of right location of broader retail use within the current limits of 10,000 sf SoHo/NoHo does not have to be carved up to look nothing like itself and have all its unique charm removed to accomplish these goals. (Keith_126)

Response: Comment noted.

Comment 620: The Final DSOW should include an alternative that studies residential and affordable units in commercial conversions without requiring the retention of commercial space. (Breen_069)

Response: Comment noted.

Comment 621: I ask that the Department and other proponents of this proposal turn attention to developing opportunities for affordable and general residential housing in the area's older commercial buildings. (Wiegand_038)

Response: Comment noted.

Comment 622: I and my neighbors support the community alternative plan and real affordable housing, we welcome diversity to this neighborhood I asked the city and our elected officials to pause this project and reject this plan. (Monrose_042)

Response: Comment noted.

Comment 623: The City's plan fails to achieve many of the stated goals; it fails to dramatically expand non-student affordable housing or even evaluate 100 percent affordable housing alternative. (Kiely_005)

Response: In SoHo/NoHo, where high land costs and market rents make affordable housing financing tools such as loans and tax incentives largely infeasible and where there is a lack of city-owned land to build 100 percent affordable housing, rezoning to allow housing and implementing MIH is the most important tool to support housing affordability.

Comment 624: [The Proposed Actions do not] speak about any other vision for creating affordable housing, such as incentivizing office conversions, looking at working with the hotel industry to convert some of the hotels into housing, nor does it take a hard look at the city owned land at 2 Howard Street, which is currently serving as a severely underused police parking lot. It also does not look at how to preserve the thousands of residents who live here in rent-controlled units, nor does it show any way of legalizing other residents who are non-artists and need to live legally,

and says nothing of height limits, landmarking, or any protections for artists. (Hellstrom_172)

Response: The Proposed Actions include zoning approvals to increase the supply of housing, including the creation of permanent affordable housing through MIH. Alternatives that meet the goals and objectives of the Proposed Actions may be considered as an alternative. The property at 2 Howard Street is a federally owned property. The acquisition of the site by the City for the purposes of redevelopment as affordable housing is not contemplated under the Proposed Actions. The DEIS will examine the potential impacts of the Proposed Actions on residential displacement in the Socioeconomic Conditions analyses. The potential for impacts to historic resources and urban design will also be considered in the will be considered in the DEIS.

Comment 625: What our neighborhoods oppose is the destruction of smaller buildings and their replacement by out- of-scale luxury high-rises. We oppose upzoning and support the Community Plan, which would preserve the FARs in our neighborhood and provide more actually affordable housing. (Hronsky_154)

Response: Comment noted.

Comment 626: Therefore, we join the Cooper Square Committee in asking that the Final DSOW include additional alternatives to the Proposed Actions. One alternative studied should not increase FAR in areas 6 and 7, the historic cores; maintain the M1-5A and M1-5B zoning to continue to allow artist live/work use, impose a 120-foot height limit; and in the other subdistricts, lower height and FAR limits to specifically respond to comments by the Cooper Square Committee and the No/Ho-Bowery Stakeholders. (Breen_069)

The current draft assumes residential development on sites where commercial development seems at least if not more likely given the proposed allowable commercial FAR. An alternative analysis should be done assuming commercial, not residential development, on these sites. (Berman_155)

The review should consider the outcomes if no commercial upzoning is included, as well as if a downzoning of commercial FAR to 2, 3, or 4 were implemented, in terms of the relative impacts upon the production of affordable housing. (Berman_155)

We think that the proposed R10 zoning, with a 12.0 FAR for MIH will lead to very large, out of scale buildings over 200 feet tall that tower over nearby tenement buildings. We recommend that DCP study the impact of an R9A zoning district, with an 8.5 FAR, and contextual height limits of 175 feet on wide avenues. A commercial overlay allowing a 2.0 commercial FAR would allow for ground floor and second floor retail and would take away the incentive for developing hotels or office buildings in these two sub-areas. (Herrick_CSC_142)

Sub-Areas 1 and 2 in NoHo—Analyze a couple of different upzoning options: CSC recommends that DCP analyze the impact of simplifying the rezoning of the dozen blocks in NoHo, which are currently divided into 4 sub-areas by DCP (with sub-areas 1 and 2 covering the four blocks between Astor Place and Great Jones Street and sub-areas 5 and 6 covering the eight blocks between Great Jones and Houston Street). (Herrick_CSC_142)

CSC believes that an upzoning to R9X, with a 9.7 FAR, will create the risk of enlargements of many buildings in the historic district, especially given that page 18 of the scoping document. DCP should analyze the impact of rezoning both sub-areas at R8A, which sets a 7.2 residential FAR with a commercial overlay allowing retail up to the second floor and a 145-foot height limit. In the Broadway Corridor, DCP should consider keeping the commercial FAR at 5.0 given that there's a significant amount of square footage of office space in this sub-area. (Herrick_CSC_142)

Response: Any lower density alternative would be at odds with the Neighborhood Plan put forth by DCP and the local community. It would not enhance the existing commercial sector, nor would it add a sufficient amount of affordable housing to the SoHo/NoHo neighborhoods.

Comment 627: The Scoping Document [should] be modified as necessary to consider the adoption of the following alternatives in the SNMD:

- "Home occupation" use as used in Special Tribeca Mixed Use District; and
- Limiting UG 10 to the Broadway and Lafayette corridors, as-of-right if under 10,000 sf and by special permit if over. Eliminating new transient hotels and dormitories that suppress the development of affordable housing on the few available sites in NoHo. (Jones_067)

Response: In an area with higher retail vacancy rates, adding limitations to commercial square feet and the addition of a special permit process would run contradictory to the goals of the Neighborhood Plan, and therefore this alternative is not considered.

CEQR PROCESS COMMENTS

GENERAL SUPPORT

Comment 628: I support the SoHo/NoHo rezoning. (Lewyn_054) (Heckwolf_055) (Behnke_095) (Salas_105) (Cherepko_110) (Josephson_111) (Heintz_112) (Baskin_114) (Brown_NYU_144) (Smit_146) (Torres_160) (Haramati_165) (Greenfield_179)

Response: Comment noted.

GENERAL OPPOSITION

Comment 629: I oppose the SoHo/NoHo rezoning. (Slade_029) (Khajavi_074) (Adler_075) (Flood_084) (Christensen_085) (Adler_089) (Knowles_091) (Behnke_095) (Scalia_099) (Winters_100) (Kelly_104) (Cohen_106) (Lynn_115) (Levy_117) (Antonakos_123) (Ali_135) (Packer_136) (Sarnataro_137) (Fortgang_141) (Hronsky_154) (Murray_158) (Bone_159) (Thypin_175) (Anonymous_180)

Response: Comment noted.

COMMENTS RECEIVED ON
THE DRAFT SCOPE OF WORK

COMMUNITY BOARD

Subject: Manhattan CB2 Resolution - Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact

Date: Friday, December 18, 2020 at 3:32:30 PM Central Standard Time

From: Thompson, Josh

To: 21DCP059M_DL

CC: robert atterbury, shelby.garner@mail.house.gov, Jacob Priley, Eliana Cohen, Eliana Cohen, Charlie Anderson, shivani@yuhlineniou.org, Kunkes, Andrew, Luke Wolf, Chang, Andrew (ManhattanBP), PComerford-council, mguardiola-council, Cehonski, Irak, Sylvia Li (DCP), Andrew Cantu (DCP), Frederica Sigel, Carter Booth, Gormley, Bob (CB)

Attachments: 12 Response to SoHo NoHo Neighborhood Plan_Draft Scope of Work for an Environmental Impact.pdf

Good Afternoon,

For your consideration, please see the attached resolution from Manhattan Community Board 2: "Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact".

Sincerely,

Josh Thompson
Assistant District Manager
Manhattan Community Board 2
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New York, NY 10012

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December 18, 2020

Marisa Lago, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on December 17, 2020, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

We are at an inflection point. Urban retail has been thrown into disarray. Long-standing local businesses are fighting for their survival. We are only just beginning to understand Covid-19's impact on office, retail and residential space, let alone deal with its human toll on our city. The ongoing pandemic is an unprecedented attack on our city, and it is fair to ask: What will our neighborhoods look like after this long winter? Will we come back fairer and stronger?

The "SoHo/NoHo Neighborhood Plan Draft Scope of Work" ignores the majority of the Envision SoHo/NoHo Report and its 27 recommendations, ensures profit-making for a few, offers almost nothing to protect and improve what is so irreplaceable about these districts, and it does little to deliver the vital affordable housing our city needs now.

SoHo and NoHo were landmarked for a reason. The choices we make now, most irreversible, will define and reshape our neighborhoods for the next decades. Do we really want to turn our community into cookie-cutter copies of what can be found all over the city?

CB2 sounds a clear warning on seven key issues:

1. Preserve our uniqueness: Let's do no harm. The beloved, gritty, artistic, human-scale creativity of these streets and their varied storefronts is a national treasure, but it can easily be destroyed.

SoHo and NoHo have already proven to have a highly successful, distinctive, functioning eco-system that perennially attracts retailers, shoppers, artists and tourists from all over the world, generating significant revenue for the City and State.

The success of these neighborhoods is in part the result of a stable regulatory framework that is a combination of the creative amendment of the M1-5A and M1-5B zoning texts, including the Special Permit requirements, the Loft Law, and the creation of the historic districts.

2. Keep it artistic: The presence of galleries, resident artists and cultural spaces has been key to our success for the past 50 years and has transformed our neighborhoods into world-renowned centers of art and creativity.

This requires constant efforts to nurture, sustain and attract cultural institutions, art galleries, artists and the evolving creative and "maker" communities.

Let's retain and perpetuate the creative arts character of these neighborhoods, whether in new construction or adaptive reuse.

3. Get serious about affordable housing: As our city rebuilds in the aftermath of Covid-19, how do we achieve housing and social justice after an economic free-fall?

Our community supports affordable housing.

We need a better approach than Mandatory Inclusionary Housing (MIH), which has shown to be ineffective as a zoning tool for affordable housing, as demonstrated most recently in the Flushing rezoning that, per citylimits.org (Nov. 11, 2020), that will produce only 75-90 affordable units out of 1725 in only one out of four residential sites.

MIH guarantees lucrative developer payoffs and offers only modest promises of affordable units to reach the equitable housing goals specifically identified as a core reason to rush forward with this plan. It includes loopholes that allow developers to opt-out through "hardship" or simply build all-commercial buildings instead.

Any new residential development should adequately address the displacement of long-term residents and low-income residents.

We reject towering blocks of luxury housing that impact negatively on the character of our neighborhoods. The outlined best-case scenario of 328 to 494 affordable units ignores the socioeconomic impact of up to 1355 ultra-luxury, market-rate apartments.

We reject incentivization of office use over residential uses.

We reject any plans for a blanket up-zoning. Let's *actually grasp* what the new balance will be between retail, commercial and residential as those markets stabilize and recalibrate.

Community Board 2 calls for the expanded conversation on affordable housing that

the City should have undertaken during Envision SoHo NoHo. One-size-fits-all programs are not the solution.

4. Update, but don't oversize: Everyone agrees that the special permit process needs streamlining. Ground floor spaces should be available to lively, appropriate retail businesses, without requiring special permits.

SoHo and NoHo are mixed-use neighborhoods with sizeable residential populations. Let's not unleash a land grab of oversized retail and eating and drinking establishments that would crowd out smaller retailers and local neighborhood restaurants, reduce the variety and total number of businesses, and wreak havoc on residential life.

Let's not create an environment that favors big box retail over small businesses. The current restrictions are working and deserve protection: no retail over 10,000sf; a 5,000sf cap on eating and drinking. Those uses should be restricted to below the second floor, as is common throughout the city.

5. Encourage adaptive reuse: The magic of our streets started with the spontaneous transformation by artists of existing industrial space into lofts, imaginative retail and creative office use. SoHo and NoHo exemplify the great transformation and success of New York City in the postindustrial era. This adaptive reuse model inspired a development style now used in readapting industrial areas around the world. Further evolution of this successful transformation should be encouraged through adaptive reuse without new, out-of-scale construction.

6. Protect current occupants: Our neighborhoods need a fair resolution of residential controversies that produces permanent, equitable affordability. That means:

- Record and protect current affordable rental units.
- Identify a mechanism to legalize residential occupancy in manufacturing units without disrupting legal conforming occupants through a public process.
- Protect resident artists and protect the joint live-work manufacturing framework for their lofts, including those still in the transition process from Interim Multiple Dwelling status.
- Identify solutions to help adapt spaces for those aging in place and maintain the unique protections under The Loft Law for our pioneering artist residents.

7. Examine the financial implications: The Draft Scope of work requires an economic analysis across the entire study area. The current focus on only 27 projected sites (out of approximately 850 lots) fails to address the array of other development possibilities. Transparency was promised; we expect it.

Now is not the time for business as usual. The pressure of your timeline is self-imposed and the consequences of moving forward with the wrong plan are stark. Making the wrong choices will without doubt kill what is unique, world-renowned and profitable about SoHo and NoHo without achieving our shared goal.

No Scope or Environmental Impact Study compiled now, during an ongoing global upheaval, could possibly be an accurate assessment of any neighborhood or provide the basis for changes we will live with for decades. While everything is in monumental flux, we call for caution and innovative thinking—the creation of a comprehensive, long-range vision implemented in carefully-designed, incremental stages.

That process should begin with an examination of the shortcomings of the current draft scope of work and the presentation (for public review before any ULURP begins) of a new draft scope that reflects those shortcomings, plus the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Herewith the resolution that documents the basis for our concerns. It is based on input from two Land Use Committee meetings and a public hearing with 175+ attendees and 40+ speakers. The resolution follows the outline of the draft scope of work for the proposed plan:

WHEREAS:

A. INTRODUCTION

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965.

2. This Draft Scope is only 61 pages long and explores the impact of 27 projected development sites and 57 potential development sites. In comparison, the Bushwick Draft Scope is 201 pages long and analyzes 167 projected sites. The Draft Scope for the Gowanus Rezoning, led by not only Department of City Planning (DCP) but also by NYC HPD and NYC Parks, is 237 pages long and analyzes 60 projected sites. Clearly, the Gowanus and Bushwick proposals have benefitted from having been started prior to the pandemic.

3. On p. 1, the Draft Scope states that this proposal was "informed by local and citywide stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019" by Manhattan Borough President Gale Brewer, City Council Member for City Council District 1 Margaret Chin, and DCP.

4. The report, "Envision SoHo/NoHo: Summary and Recommendations," created by the plan sponsors at the end of the Envision process concluded with 25+ "Suggested Areas for Further Analysis/Study," p. 85). There is no evidence in the Draft Scope that any additional work on those areas has been done (see Task 1).

5. On p. 1, the Draft Scope's Reasonable Worst-Case Development Scenario expects a net increase of approximately 1,683 dwelling units, only 20%-29% of which would be "affordable" units. CB2 is looking for a greater percentage of affordable units in any new development.

6. Long before the pandemic, many retail spaces remained empty. Adding 57,473gsf of projected destination retail space (p.1) without any mention of how small local retail would be protected is of grave concern.

The goal of expanding housing opportunities by "requiring permanently affordable housing" is mentioned on p. 2, but there are no details or mechanism described in the Draft Scope for either the preservation of current affordable housing or the legalization of existing residents in SoHo and NoHo. Nor did the Draft Scope study the number of affordable units and how many of these units are occupied by residents over 60, who are aging in place and comprise a Naturally Occurring Retirement Community (NORC). This was a topic of extreme concern and importance during the Envision process.

7. To achieve the goal on p. 2 of preserving historic resources, adaptive reuse of existing buildings could yield a significant number of affordable units more quickly than an upzoning, without greatly increasing the stock of luxury market-rate units.

8. The Draft Scope seeks to promote economic recovery, resiliency, and growth by allowing a wider range of uses (p.2), but many property owners have kept rents high to satisfy mortgage requirements, hold out for "credit tenants," and/or use high rent potential as a way to finance other locations, causing long-term retail vacancies.

9. Many of the introduction's stated objectives are contradicted by the Proposed Action. For example: Requiring permanently affordable housing to "support income diversity" is an objective, one with which CB2 agrees. However, CB2 questions how adding 70-80% market-rate housing based on incentives that may never be realized will ever ensure affordable housing.

10. Another objective is to "establish appropriate densities and building forms that ensure new development harmonizes with neighborhood context and scale (p.2)." Historic districts do this by their very nature, and 85% of the proposed upzoning area is in such districts. The proposed increase in as-of-right FAR would significantly redefine neighborhood context and scale rather than harmonizing with the existing historic building forms.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

C. BACKGROUND TO THE PROPOSED ACTIONS

PROJECT AREA HISTORY

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

1. Artist Certification: p. 5 of the Draft Scope, states that "many residents did not qualify for artist certification." The absence of certification is a problem with the certification process and the agency overseeing it. It does not indicate a lack of artists.

Discussions with many working artists in SoHo and NoHo during the Envision SoHo/NoHo meetings clarified that the Department of Cultural Affairs (DCLA) certification was haphazard, complicated and, since it had not been enforced for so long, unnecessary for artists residing in Joint Live-Work Quarters for Artists (JLWQA) housing in SoHo and NoHo.

2. Special permits and variances: p. 5 of the Draft Scope states that "the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize

retail uses." CB2's opportunity to weigh in is vital for community representation in the application process. With removal of these reviews, only speculation and profit govern retail uses, rather than their desirability in a mixed-use neighborhood.

3. P. 5 of the Draft Scope acknowledges that the Covid-19 pandemic has impacted SoHo and NoHo, and then makes an unsubstantiated assumption that office, retail, accommodation and food services will remain core economic assets in the long term. Pandemic-related questions include:

a. Who will come back to work in offices and will the offices have the appropriate infrastructure to ensure safety?
b. Would office, hotel and other properties currently under distress become available for city acquisition, perhaps in partnership with a not-for-profit to create 100% affordable housing in existing structures?
c. Will in-person retail ever exceed the levels it had before the pandemic despite vacancies prior?
d. How much retail will return, now that consumers have shifted largely to shopping from home?
e. How much tourism will return and when?
f. Rents have been dropping since 2016 and the pandemic has furthered this correction. How long will that remain? Will rents come down low enough to provide affordable housing without requiring the immense increases in FAR contemplated in the proposal outlined in the Draft Scope?
g. Would adaptive reuse rebalance the neighborhoods without resorting to what amounts to developer giveaways and increased building envelopes?

4. Without data based on post-pandemic experience, the answers can only be guesses.

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

ENVISION SOHO/NOHO

1. This section of the Draft Scope describes the Envision process and its goals in detail but completely disregards the expectation that "these Neighborhood Priority recommendations and corresponding potential Implementation Strategies…have been developed with an understanding that many areas warrant further research and community input. (Envision SoHo/NoHo, p.11)"

2. It is a disservice to the entire Envision process to describe its findings as conclusive, when the Report itself states, "It is emphasized that the provided Potential Implementation Strategies are not definitive."

3. It is hard to understand how CPC is willing to turn its back on the Report's findings (p.46) that continued conversation and aspirational thinking "…is encouraged to further evolve ideas to achieve effective implementation."

4. The Plan fails to "maintain, enforce and strengthen existing protections for residents including renters and those in rent-regulated units (p.7)," one of seven goals in the November

2019 Envision SoHo/NoHo report. Instead, the conversion from existing M zoning to new R or C zoning will remove protections directly related to work created and practiced within the unique JLWQA units that were established specifically for the M1-5A and M1-5B districts. Further, real estate speculation, brought on by upzonings, is known to increase the instances of harassment aimed at rent-regulated tenants. This is of particular concern for the numerous senior residents who were part of the pioneering movement that transformed these neighborhoods and are now aging in place.

5. The Scope should include outreach to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast Study Area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

6. The survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope, is not included.

PROJECT AREA

HISTORIC DISTRICTS

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965. If a precedent is set now, the Proposed Actions not only will have a negative impact on the immediate study area, the proposed actions, but also will have a profound negative impact on historic districts throughout the city.

2. An action that would potentially damage the character and attraction of all our historic districts and the tax-base city-wide must not be passed.

3. The assorted FAR increases proposed for within various areas of the historic districts run the risk of fundamentally altering the neighborhoods, and such proposals are in contradiction to NYC Landmark law (§ 25301[b]) which notes that the protection and perpetuation of protected districts are "for the education, pleasure and welfare of the people of the city."

4. In the historic districts, where upzoning is proposed to be a minimum of 20% (6 FAR), and up to 94% (9.7 FAR)—and in a few cases 140% (12 FAR)—changes in neighborhood character will be subject mostly to LPC review. But those big FAR increases will create tremendous incentives for owners to seek rooftop additions and demolitions, some of which no doubt the LPC will grant. And new development at that scale will also often be out of scale for the historic districts, where the overall average FAR in both SoHo and NoHo is below 5.

NEIGHBORHOOD CONTEXT

1. Lifting the 5,000sf limit on restaurants would not achieve the desired goal to "contribute to the charm and vibrancy of SoHo and NoHo (p.9) or "foster the small business community of SoHo/NoHo…" (p.2).

2. The variety of eating and drinking establishments already in existence in the district is part of the unique character of SoHo/NoHo and is a differentiator to other parts of the city. The

regulations restricting their size to 5,00sf were the product of years of consultation and consensus-building by the community and public officials; that restriction has been critical to protecting the vibrancy, tourism economy and commercial and residential desirability of the SoHo/NoHo area.

3. Prior to Covid-19, the SoHo/NoHo area was already vibrant, bustling and congested and among the most popular areas of NYC with tourists, already providing plenty of food and drink options to the community of residents, workers and visitors all over the area.

4. The outsize scale of eating & drinking establishments of more than 5,000sf would require a level of commercial delivery, garbage handling and other services that would overwhelm and destroy the residential life that exists throughout the district.

5. Even the wider street corridors are already very congested and establishments of this size will create significant adverse effects on noise and congestion levels as well as public safety. (As recently as July 29, 2020 the NY State Liquor Authority voted against an on-premise liquor license application for a food hall on Broadway for these reasons).

SoHo and NoHo Historic Cores

1. Notwithstanding the Draft Scope's acknowledgement of NoHo's and SoHo's "pervasive mixed-use character" which "contributes to the charm and vibrancy of SoHo and NoHo and presents unique conditions related to zoning, land use, and quality of life" (p. 9), the Draft Scope fails to address and correct the serious quality-of-life problems that mixed-use engenders, and which Envision SoHo/NoHo strongly recommended be addressed.

2. It is not by chance that "bars and restaurants are interspersed across the project area, but are more prevalent along Lafayette St., Great Jones St., Bond St., and W Broadway." For decades, the SoHo/NoHo community fought successfully to restrict use on the narrower and much more residential streets. The ill-effects of oversize bars and restaurants is detrimental to the character, the local environment, and the residential life of these neighborhoods. For the Draft Scope to casually suggest that these uses be legalized—apparently without restriction as to size—ignores the wishes of thousands of families, Community Board 2, the NY State Liquor Authority, and local elected officials who feel otherwise. It will drastically alter the neighborhood character.

3. It is ill-advised to draw a line down the center of any street so that one side is populated with huge developments facing another side's "intact historic zone." As the Draft Scope is currently configured, that happens in 5+ instances.

Commercial Corridors

Broadway Corridor

1. The Draft Scope states, "The Broadway corridor contains…a high concentration of commercial uses, particularly offices and destination retail (p.9)." What the document fails to state is that many, if not most, of these establishments have been operating without proper Certificates of Occupancy for decades, in clear violation of the law. Indeed, it is these countless

violations and lack of enforcement that propelled the creation of the Envision SoHo/NoHo process in the first place.

2. The Broadway corridor appears to be regarded as a development opportunity without reference to the current overcrowded sidewalks and congestion in the street, not to mention hazardous crossings and dangerous turns at intersections.

3. The Draft Scope should take into account the mixed-use character of this corridor and its sizeable population. According to the Broadway Residents Coalition, the population along Broadway in both NoHo and SoHo is comprised of over 750 residential units. Broadway between Canal and Houston Sts. has approximately 57 second-floor JLWQA residential units with many more above.

4. Any proposed actions to address recovery from the Covid-19 pandemic in the Broadway corridor or anywhere else are premature and must be only tentative at this time.

Bowery Corridor

1. While the Draft Scope describes the SoHo and NoHo historic districts in some detail, it blithely ignores the historic, architectural, cultural, and commercial significance of the Bowery.

2. Despite the plethora of historic structures that the Bowery is famed for, the Draft Scope's chief comment on this subject is, "There are a number of under-built sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings." In fact, in 2013 the Bowery was placed in the Department of the Interior's National Register of Historic Places, defined as "the official list of the Nation's historic places worthy of preservation."

3. The Draft Scope ignores the monumental structures, the historic buildings, and the cultural history of this boulevard—the second oldest thoroughfare in the city after Broadway.

4. It seeks to perpetuate the legend of the Bowery as a home to derelicts, both human and buildings, while ignoring its rich contribution to the city's streetscape and past.

5. The Bowery historic district extends from Chatham Square in Chinatown to Cooper Square in NoHo. It contains multiple building styles, including several NYC Landmarks Preservation Commission (LPC) Individual Landmarks, two of which are in NoHo. One, the Bond Street Savings Bank/Bouwerie Lane Theatre at 330 Bowery, a French Second Empire gem, was among the first Individual Landmarks, designated in 1967. It was added to the National Register of Historic Places in 1980.

6. The other Individual Landmark, the Cooper Union, just north of the study area, an Italianate brownstone and a mere feet outside the study area, was deemed a National Landmark in 1961 and an LPC Individual Landmark in 1965, the same year the LPC was formed.

Canal St. Corridor

1. The Draft Scope states "341 Canal and 419 Broadway, at six and eight stories respectively, are establishing Canal Street as a gateway to the neighborhood and serve as a transition between SoHo and the taller commercial buildings south of Canal."

2. Both these new buildings are planned in accordance with the current 5 FAR, with no request from the developer for a variance or a special permit, so we question the need now for the added FAR that the Draft Scope is proposing for the corridor.

SoHo East and SoHo West

1. The Draft Scope states that SoHo East and SoHo West "are generally less residential and less built up than the other areas described above." This ignores the scores of East SoHo residents residing at 129 Lafayette St. by Howard St., as well as the countless residents in the crowded tenements abutting Chinatown, Little Italy and Nolita and the residents in the West SoHo and South Village tenement buildings.

2. Introducing new housing that is only 20-30% affordable will gentrify these "low-intensity semi-industrial" areas, increase the cost-of-living for many of these low-income residents trying to eke out a living, and accelerate their displacement.

E. PURPOSE AND NEED FOR THE PROPOSED ACTION

1. This section references the importance of addressing the needs of the City's artists and creative workforce with no supporting plan details.

2. This section takes suggestions for further study from 12 areas for the Envision SoHo NoHo Summary (see Task 1) and re-purposes them as "community-driven recommendations."

3. CPC's specifically excludes from the proposed zoning actions the improvement and support of "public realm management" (e.g., infrastructure issues). This is contrary to the prominence of that topic during the professed goals of the 2019 Envision SoHo/NoHo process.

4. "The public realm" (i.e., "quality of life") is only mentioned once in the entire Draft Scope whereas Envision SoHo NoHo mentions it 37 times. The Scope must address concern for the resident population in more detail and propose zoning solutions to address these concerns—not increase them.

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

1. The Draft Scope states that the obsolete and onerous current zoning will be replaced with appropriate and flexible regulations to address the need for expanded as-of-right commercial development balanced with the need to maintain appropriate residential use, but it does not explain how residential uses would be protected from commercial expansion or what that balance should be.

2. This section discusses the 74-781 Special Permit process but does not offer any plan to improve and update it.

3. The Draft Scope makes little mention of 74-711 Special Permits. DCP assumes that all special permits are onerous and makes no mention of the public benefit of the 74-711, which assures that historic buildings are maintained in perpetuity.

4. Overreliance on special permits is largely related to UG6 ground floor retail, but the Draft Scope lumps all UG6 together. Nor does it address the existing 5,000sf maximum, failing to give UG6 eating and drinking the particular consideration it requires.

5. Of the six key findings of the DCP July 2020 Study, none of them concluded that "outdated regulatory barriers will only serve to exacerbate the recovery for two of New York City's most significant commercial areas." Nor is there any evidence that these "outdated regulatory barriers" will restrict recovery post-Covid-19.

6. This DCP study showed 50% vacancies in SoHo NoHo, and data reports by SoHo Business Initiative on July 30, 2020 reported a 31% vacancy. DCP is now using the uncertainties of Covid-19 recovery to move quickly ahead with an upzoning. Moreover, it significantly reduced the size of five of the 24 corridors studied in the 2019 storefront vacancy report and excluded the following previously-surveyed streets:

a. Houston Street between MacDougal and Mulberry Streets
b. Prince Street between Sixth Avenue and Mulberry Streets
c. Broome Street between Sixth Avenue and Mulberry Streets
d. Lafayette Street between Prince Street and Astor Place
e. Centre Street between Canal and Spring Streets
f. Mulberry Street between Canal and Bleecker Streets

7. Canal St. (which, according to the study had a higher vacancy rate on the south side than on the north) had very high vacancies well before Covid-19 and has been a wasteland ever since Thor, Vornado and others cleared out all the longtime local businesses that offered all sorts of useful materials and products as part of a failed effort to turn the Canal corridor into a new retail strip mall.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

1. The word "equity" appears only four times in the Draft Scope and no further details to advance the goal are provided.

2. As our city rebuilds in the aftermath of the Covid-19 pandemic over the coming years, there is the exciting possibility that New York City will come back stronger, and fairer. How can we ensure true and lasting equality for everyone? How do we achieve economic justice for all after an economic freefall?

3. The southwestern corner of the project area is slated to be the site of significant residential development, but it is also one of the most polluted corners of the city. Study how siting

affordable housing at the entrance to the Holland Tunnel contributes to the goal of equity in housing.

SUPPORT ARTS AND CULTURE

1. The Draft Scope describes no detailed plan to maintain the existing JLWQA and rent-stabilized and rent-controlled apartments, and there is no official count, nor even an estimate, of the number of such units.

2. The Draft Scope provides no occupation-based restrictions to accomplish the goal of supporting the artists and makers population.

3. The Draft Scope mentions voluntary transition from JLWQA to residential use but it does not detail how it would work or how arts and creative uses would benefit.

4. The Draft Scope refers to certified-artist-occupied JLWQA as "the sole as-of-right quasi-residential use" when in fact, Use Group 17D is very much a real residential option.

5. The Draft Scope states that "only 30% of all SoHo/NoHo homes are still listed as JLWQA use on Certificates of Occupancy," but that low percentage is unreliable data, since DOB has increasingly been dropping the JLWQA annotation. Even the Loft Board is aware of this and intends to address it.

6. The "voluntary option to transition JLWQA to regular residential use with conditions that more broadly benefit the arts and creative industries" is not only vague and unspecified, but it opens the door to losing a lot of units that might best be transferred to rent stabilization. Verbiage like this—with no mention of permanent affordability—leaves the role of the Loft Board in limbo.

7. Instead of converting M districts to UG2, the Scope should study maintaining the M district with protections and broader allowances for residentially-occupied units. UG2 puts at risk things that the Draft Scope claims to want to protect.

8. Not-for-profit museums (UG3) should be made as of right.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

1. The Draft Scope proposes to "facilitate superior urban design," but it is necessary to precisely distinguish between the historic effectiveness of the existing urban design (which needs to be protected) and any necessary updating of the variance and special permit processes (which allow for the engagement of the community).

2. The Draft Scope discusses deploying "appropriate buildings forms" that "relate harmoniously to the loft building context." It is important to explore the dangers of big box retail and new residential projects with uncharacteristic, out-of-scale FAR.

3. The Draft Scope points out that "existing bulk regulations in M1-5A and M1-5B districts" haven't always served the "loft building context." The fact remains that ill-considered

modifications to those regulations might easily produce far more drastic, if unintentional threats to this national treasure, especially if explicit limits and cautions are not clearly identified before deciding future changes.

4. The Proposed Actions would establish new bulk and height regulations, and where it is claimed that these regulations would "minimize the effects of new developments and enlargements on neighboring buildings," the DCP must rigorously substantiate this claim so that resulting impacts truly correspond to promises made.

5. This Draft Scope states the changes would "allow the LPC to shape the building form without the need for separate land use actions." This process would bypass community input on land use issues, which should remain as an important check and balance.

6. There is no analysis regarding the number of LPC applications that will be generated by DCP's proposed new maximum FAR.

F. DESCRIPTION OF THE PROPOSED ACTIONS

1. The Action's goal is purportedly to "strengthen SoHo/NoHo as a vibrant mixed-use district and more inclusive community," but the challenge remains to ensure that the specific, concrete changes implemented actually serve that objective.

2. The Proposed Actions correctly support nurturing a "healthy retail ecosystem," but these districts already have a successful and unique ecosystem (characterized by small scale diversity and artistic vibe) whose continuation is valuable in its own right.

3. Retail is in the middle of massive restructuring and national crisis. It seems prudent to proceed cautiously and not blindly apply once-familiar approaches in a context where they might have major adverse impacts. This may be the time and special place for truly visionary innovation to be the key to survival.

4. The last proposed action, "Support arts and culture and creative industries that serve the community and the public with use allowances and other appropriate provisions," is yet another example of a bone that is thrown to the community without a single supporting detail.

ZONING MAP AMENDMENT

1. The proposed Zoning Map Amendment that establishes the Special SoHo NoHo Mixed Use District proposes eight new zoning sub-districts with proposed as-of-right use and bulk regulations that allow for major increases in floor area ratios far in excess of current building bulk and form.

The proposed Zoning Map Amendment increases in FAR are without regard to the unique historical development pattern of SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. One example is the projected development at 558 Broadway, where DCP identifies for the future the construction of a 200' tall tower due to the granting of over 50,000 SF of new allowable bulk. Data indicates over a dozen other locations along Broadway with similar additions of new bulk, which could result in a succession of towers

all along Broadway from Canal Street north, despite the DCP's November 9, 2020 FAQ that erroneously states the "new rules will not allow tall towers and skyscrapers."

PROPOSED ZONING DISTRICTS

1. Instead of simplifying regulations and procedures, DCP proposes five new zones, eight new subdistricts and, in several cases, boundaries for the subdistricts that bisect streets.

2. In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope.

3. To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan.

PROPOSED SPECIAL SOHO/NOHO MIXED USE DISTRICT (SNMD)

ZONING TEXT AMENDMENTS

1. CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows--with no public review process-- retail uses over 10,000sf (including cellar space) and eating & drinking establishments over 5,000sf.

2. Calculation of FAR in retail establishments should include basement/cellar space.

3. An upzoning of residential FAR need not be a requirement of Mandatory Inclusionary Housing (p. 17). The Scope should include the study of the potential of adaptive reuse as an alternative to increasing FAR.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

General Use Regulations

1. The Draft Scope states (p. 17): "Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts' use regulations would apply, with modifications." The subsequent table, as well as the proposed zoning map, show these three proposed zonings as well.

2. The two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1).

3. The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified.

4. Allowing "UG 10 retail uses such as department stores over 10,000zsf" as-of-right flies in the face of Envision SoHo NoHo, which specifically recommended maintaining the 10,000zsf cap (Envision SoHo NoHo, 3.1).

As-of-right Use Group 10 is also inconsistent with the second goal of the report, to "foster the small business community" as noted on p. 6 of the Draft Scope. Existing and new small businesses will need additional protections.

5. If Use Group 10 retail uses are to be permitted as-of-right, where are the provisions for the protection of residents, such as enforcement of the loading berths requirement and restriction of delivery hours?

6. SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context.

Joint Live-Work Quarters for Artists

1. JLWQA is inadequately addressed in the Draft Scope. Despite accounting for 30+% of residential units in SoHo and NoHo (per p.31, Envision SoHo/NoHo Report), there are no details regarding either the preservation or the legalization of these residents. This was a topic of extreme importance during the Envision SoHo/NoHo process.

2. The Draft Scope allows for voluntary transition from Use Group 17D JLWQA to Use Group 2, but does not define the details of the "mechanism" and related costs for doing so. Such conversions must result in no loss of tenant rights protections.

3. There are no guidelines or timeline for transitioning UG 17D JLWQA with permanent affordability to Use Group 2 nor are there any provisions for protecting JLWQA units in IMD buildings in limbo.

4. The Scope needs to study alternatives to JLWQA and do research into expanding the definition of "artist."

5. The Draft Scope's modifications of FAR prioritize big box retail over small businesses and office use over housing.

6. What provisions will the SNMD include to govern "JLWQA, arts and cultural uses, and conversions of existing buildings (p.17)."

7. The Draft Scope does not explain what would become of the Loft Law process nor does it offer a single detail regarding how "the mechanism would be paired with conditions that support arts and culture and establishments that broadly benefit the community and the public."

8. "The voluntary transition from UG 17D JLWQA to UG2 residential with expanded home occupation provisions" sounds like an update of live/work but would result in the loss of many affordable units that would otherwise be transitioned into rent stabilization.

9. It is not clear if the City would propose amnesty to non-certified artists living in JLWQA units as it did in 1987 ("Non artist Tenants Grandfathered in SoHo and NoHo, *NY Times,* Aug. 30, 1987) and noted on p. 5 (2nd para) of the Draft Scope or if the current permitted uses under M-zoning will continue to be permitted.

Non-Residential Floor Area Retention

1. Why will the proposal will require a developer to replace any commercial space lost to residential conversion with an equal amount of new commercial space? And will this cause displacement of the existing commercial tenants?

2. Despite the current glut of office space, the Non-Residential Floor Area Retention modification incentivizes office use, not adaptive reuse, and is inconsistent with the Draft Scope's objectives.

3. Retention Modification may also disincentivize residential development and conversions, which contradicts the Draft Scope's objectives to "expand housing opportunities" and "promote adaptive reuse of existing buildings by allowing for the conversion of existing buildings (p. 2)."

4. DCP (RWCDS Table 3) shows 75 Spring St. (DSOW 31(CV), 154 Grand St. (DSOW 32(CV)) and 324 Lafayette (DSOW 28 (CV) as projected development sites with conversion from office to residential, and no office retention. For those in the historic core, DCP grants a FAR allowance that does not line up with the historic core subdistrict allowances.

5. The Retention Modification also requires the Chair of the CPC to certify that the amount of non-residential floor area in a building will be replaced at a one-to-one ratio with future non-residential uses on the zoning lot, but this certification is not subject to public review and adds a new city approval for each project even though the Draft Scope seeks to reduce the number of applications and approvals.

6. Existing office buildings offer an opportunity for adaptive re-use. This proposal discourages this possibility, but should be more open to investigating its utilization, as REBNY is proposing for Midtown.

7. Conversions to residential within existing buildings, many of which are grossly overbuilt, will complicate as-of-right conversion to residential without special rules.

Floor Area and Bulk Regulations

1. Two subdistricts—the Broadway-Houston Corridor and NoHo North—would permit full lot coverage up to two stories, instead of the 70% and 80% permitted for interior/through and corner lots respectively under R9X zoning. This will negatively impact light and air for buildings that share a rear lot line.

2. Many buildings in the area have 2nd floor residential occupancy, and there is no indication that DCP has taken this into consideration.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

1. If the maximum additional MIH FAR is built across SoHo and NoHo, it will add nearly 11 million new square feet of new housing: the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels.

2. Nothing in the MIH program guarantees that any housing will be built. It would be helpful to see a report on successful MIH programs.

3. There are strong incentives for office and dormitory use.

4. The pre-Covid-19 luxury condo glut will temper any business decisions to build new housing—both luxury and affordable.

5. The special permit process for developers with "hardship" cases will undermine the creation of affordable units.

6. New, as-of-right residential development, with mandatory inclusion of affordable housing could be accomplished with less disruption and no upzoning at the same FAR as is currently allowed for commercial/manufacturing development in SoHo.

7. This would be particularly feasible if, as is suggested on p. 19, the text amendment were to "provide for some adjustments to make the existing MIH program work for conversions in SoHo and NoHo." It also does not describe these adjustments nor explain how they would apply to office buildings undergoing a conversion or redevelopment, given the proposed requirement to maintain non-residential floor area.

8. Chief among these adjustments would be requiring lower income levels and a higher percentage of residences reserved for the required affordable housing.

9. Subsidies should be provided to ensure the development of affordable housing, with greater subsidies for those developments with a higher percentage of affordable housing.

10. A set-aside for some percentage of the required affordable units in new residential developments should be considered for those in the maker and creative arts and industries.

11. Developments should consider dedicated arts-production space in new developments, especially in those where the unit size is 850sf.

12. If commercial FAR is raised to 10 and residential FAR is only 12 for MIH, the meager difference will disincentivize residential development. The Scope should examine the effect of no upzonings for commercial use.

13. DCP's proposed zoning text amendment would allow for off-site, low-income housing when less than 25,000sf of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing.

14. The proposed Affordable Housing Fund allows developers to apply to BSA for a "special permit" to reduce their payment into the Fund where requirement would make development "financially infeasible." Isn't one of the goals to reduce the number of special permits? Would this be a public process?

15. What are the criteria for which the BSA would grant this exception?

16. How will the DEIS define and calculate "financially feasible"?

17. The Scope needs to include a description of how the Affordable Housing Fund will work. Since 2016, how much money has been paid into this fund and where and how has the money been spent?

18. A loophole allows payments into an Affordable Housing Fund in lieu of building the housing in the proposed area, defeating the stated goal. This loophole must be closed.

19. It is unclear who determines the amount a developer pays to the Affordable Housing Fund? The developer? The DCP? The City Council? Is this amount based on the project's "financial feasibility"?

20. Exempting "developments, enlargements, or conversions that do not exceed either 10 units or 12,500zsf or residential floor area from the requirements of the program" may be shortsighted, given the scale of many of the smaller buildings in SoHo/NoHo.

21. As a market-driven program, MIH program is unlikely to produce neither the number of AH units required to make a difference nor provide hoising at the AMIs most needed by our city's vulnerable populations.

22. In addition to the three zoning districts described, in the data in Appendix A, there are two lots with M1-6/R10A zoning: 358 Bowery (DSOW #13 and already in development as an office building) and 350-352 Bowery (DSOW #1). The R10A offers bonuses for contextual development and senior facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonuses to create even larger buildings? This should be clarified.

23. The Scope needs to explain how Covid-19 and a recovery whose details are impossible to predict would affect the number/percentage of projected development sites legitimately be able to apply for this exception?

WRP REVIEW PROCESS AND DETERMINATION

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas is going to be an added cost to developers.

G. ANALYSIS FRAMEWORK

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

1. What and whose assumptions about the future "financial feasibility" will the DEIS model use to forecast the "No Action condition" and the "With Action condition" analysis in the 10-year time-frame (2021-2031)?

2. What happens if Covid-19 continues and/or worsens the current economic downturn? Will the RWCDS model's financial and economic assumptions be changed "mid-stream" to reflect the reality of a significant delay in the financially feasibility to absorb the "build-out" commercial and residential square footage assumed in the model?

3. What assumptions are reasonable for a 10-year period in light of Covid-19 and the yet-undetermined economic recovery, given the office space glut; the historical reliance on tourism spending and the fact that 2019 tourism levels might not return for many years; the pre-Covid-19 luxury condo glut, only worsened by Covid-19; and overleveraged retail landlords hurt by pre-Covid-19 retail rent drops and post-Covid-19 empty offices and lack of tourists, particularly foreign tourists who tend to spend more?

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

1. The Draft Scope assumes that in a No Action condition, residential conversions and conversion of former industrial space to commercial uses would not occur and CPC discretionary actions and BSA variances would not be obtained. Even with a conservative environmental analysis, given the heavy calendar of the CB2 Land Use committee, it is hard to imagine that these actions would cease to be applied for and (and usually granted).

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

1. There are no projected development sites located within the Canal Corridor (Subdistrict 4), making evaluation of the effects of the proposed action on the Canal Corridor impossible, according to the methodology set forth by the Draft Scope. Similarly, there are no potential development sites located within the NoHo–Bowery Corridor (Subdistrict 1), SoHo East (Subdistrict 3), or SoHo West (Subdistrict 8). Only a single projected development site is located within the NoHo Core (Subdistrict 6): DSOW 14: 53 Bond St. This is not a sufficient number of sites for the analysis framework.

2. Two of the six Proposed Development Sites that are within the SoHo Core (Subdistrict 7) incorrectly identify M1-5/R9X as the proposed zoning: DSOW 31(CV) – 75 Spring St.; and DSOW 32(CV) – 154 Grand St. They should be M1-5/R7X.

3. Potential Development Site W – 92 Prince St., which is within the boundary of the Broadway–Houston Corridor (Subdistrict 5), is incorrectly identified as M1-5/R7X. It should be: M1-5/R9X with modifications.

4. The following projected sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site 1 (350, 352 Bowery) is listed on the National Registry of Historic Places in the Bowery Historic District. It has transferred air rights for 2.0 FAR to 358 Bowery.
b. Site 2 (30 Great Jones St – block 531, lots 17, 52, 56) is located wholly within the NoHo Historic District.
c. One of the tax lots in Site 3 is in fact only 1000sf, so it does not meet the criteria for a development site, but Site 3 consists of two lots joined together so as a whole site 3 is above the 1700sf limit. The two are also directly above the Lafayette/Broadway subway station.
d. Site 12 (410 Lafayette St) is located wholly within the NoHo Historic District.
e. Site 13 (358 Bowery) is currently undergoing active construction and does not meet the criteria for a Projected Development site. It is listed on the National Registry of History Places within the Bowery Historic District.
f. Site 15 (281 Lafayette St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
g. Site 16 (81 Mercer St) is located wholly within the SoHo-Cast Iron Historic District and is occupied by an existing building, so does not meet the criteria for a Projected Development site.
h. Site 23 (72 Grand St) is located wholly within the Soho-Cast Iron Historic District. It has additionally undergone multiple discretionary reviews by the LPC and most recently came before CB2 in Sept., 2020, seeking an application to construct a four-story commercial building.
i. Site 24 (217 Hester St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
j. Site 27 (114 Baxter St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
k. Site 30 (324 Lafayette St) is located wholly within the NoHo Historic District.
l. Site 31 (75 Spring St), a purported conversion site, is located wholly within the SoHo-Cast Iron Historic District Extension. It is already overbuilt to a FAR of 9.85, exceeding the maximum allowable FAR in an R7X zone.
m. Site 32 (154 Grand St) is located wholly within the SoHo-Cast Iron Historic District Extension.

5. The following Potential Development Sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site BB (686 Broadway) has transferred air rights for 10 FAR to 684 Broadway and should not be considered a development site.
b. Site BBB (146 Spring St) is among the oldest buildings in SoHo, built in 1819; was reviewed by CB2M in April 2004 (LPC Item 9); and should not be considered a development site.
c. Site EEE (403 Lafayette St) is adjacent to an individual LPC Landmark, the Merchant's House.

d. Site HH (102 Greene St) was involved in a discretionary review by the LPC and granted a CPC Special Permit in Feb 2010 (ULURP 080260ZSM), and thus should have been excluded from the development scenario.
e. Site J (27 East 4 St) is adjacent to an individual LPC Landmark, the Merchant's House. It underwent discretionary review by the LPC in 2018, and most recently came before the CB2 Landmarks Committee on Dec. 10, 2020, seeking an application to demolish an existing one-story garage and construct a new building. Accordingly, it should not be considered a development site.

6. The proposed R10 zoning drives the RWCDS, but may not produce the projected housing. The city's assumption that the vast majority of development will be for residential use, 84% of projected GFA, may be unrealistic given that R10 zoning allows 10 FAR for commercial uses without any MIH subsidy.

7. There is already current glut of luxury condos.

8. There is a trend for property owners to build office space in lieu of housing in nearby Hudson Square and 550 Washington, including new headquarters for Disney and Google.

9. "One entirely non-residential building is projected in the western portion of the project area near Hudson Square, another strong office market": That site is at the northeast corner of Grand St. at Sixth Avenue and is owned by Trinity Church Real Estate and is shown as #22 on the Projected Map/List. The Scope should explain why new FAR will be allowed on that site but housing is not required.

10. What is the basis of the conclusion that "a substantial portion" of the 1,683 DUs are "expected to be affordable"?

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

1. The Scope needs to explain why the lot area threshold was set at 1700sf or larger to guide where development can reasonably be expected to occur.

2. Much of the area has been landmarked going back to 1973., but the Landmark Districts were only cursorily mentioned.

3. There is only a very brief mention of rent-stabilized tenants in buildings of six or more residential units. The proposal claims that these sites should be excluded from the development scenario because of the expense of relocating the residents. This category requires deeper analysis, due to the number of buildings in SoHo/NoHo of this size. Has CPC determined the impact of any residential displacement from the development of projected and potential sites?

According to the Loft Board, there are currently 475 units in 331 buildings under their control. The DEIS must study stabilized IMD tenants covered under Loft Laws and rent- stabilized affordable housing programs including as JLWQA.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

1. More than half of the GFA of the 27 projected development sites (or 1,942,995sf) will benefit five property owners:

a. Edison Properties' two parking lots account for 397,836 sf, or 20% of the GFA, and the Appendix shows that these sites would contain medical office space and a grocery store;
b. Alexander Chu/Centre Plaza LLC and Stellar Management and City Urban Realty buildings account for 279,798sf or 14% of the GFA;
c. Diehl Realty's SoHo parking garage accounts for 138,794 sf or 7% of the GFA, which per the Appendix shows would contain a grocery store under the city's plan;
d. Lots owned by Yee Tai & The Kaufman Organization are expected to account for 133,184sf or 7% of the GFA; and,
e. Park-It's garage accounts for 93,383 sf or 5% of the GFA and community facility space, plus Park-It owns two parking garages on the potential development site list, accounting for another 172,542 sf.

2. In light of a more favorable federal administration, has CPC reevaluated the redevelopment potential of 2 Howard Street, a federally-owned parking garage with a lot area of 12,716sf, which at 12 FAR could be redeveloped for more than 144,000sf and 100% affordable housing, while maintaining parking for government vehicles?

3. In light of the near-term prospects for substantially built office buildings and hotels, has CPC explored the purchase of distressed assets to be redeveloped as 100% affordable and/or supportive housing?

Projected Development Sites

1. The DEIS needs to analyze sites that might be developed after 10 years, including 57 Potential Development Sites that are assumed to be "less likely to be developed" within 10 years, and all other sites in the study area impacted by the proposed zoning changes. (Under CEQR Technical Manual guidelines, potential sites are only analyzed in the DEIS for "site-specific effects such as potential noise impacts, effects on historic resources and the possible presence of hazardous materials," (Draft Scope, p. 24). As a result, the Draft Scope vastly underestimates the impact of the proposed upzoning on historic districts because it excludes all site located within historic districts, other than vacant lots, solely because these sites are "subject to LPC review and approval."

2. Per the Draft Scope, lots of highly irregular shape would be excluded because of the difficulty of future as-of-right development; because such lots are more costly and more difficult to build on; and because they do not produce marketable floor space. The CB2 Land Use committee sees applications for development on such types of lots on a regular basis and for this reason, DCP must study irregular lots in the DEIS/Scope.

3. In fact, several of these sites already have plans for development. Owners of two underutilized sites, 61 Spring St. and 134 Wooster St., listed by DCP as "Potential," have already applied to the City to construct commercial structures on their lots. Nearby, on just one block of Prince St. between Greene and Mercer Sts., 105 Prince Street, a two-story building housing the Apple store with a 6,000sf footprint; 110 Prince St., a recently constructed one-story retailer; and

92 Prince St., another recent one-story mercantile structure yearning to increase in height and bulk, will surely attract developers seeking to enlarge them along this busy thoroughfare.

4. Why is a garage at 349 Canal St. (DSOW ID DDD) and an abutting building excluded from projected development when many similar sites are included for study?

5. Although DSOW ID 23 is indicated as being Vacant Land (land use 11), 72 Grand St. was, in fact, until recently a standing one-story cast-iron building in the Soho-Cast Iron Historic District that had had the upper four floors destroyed by fire.

DEVELOPMENT SCENARIO PARAMETERS

1. In these sections, the parameters for development (small units, low floor- to-ceiling heights, small floor plates) all but eliminate the possibility of any future affordable housing for any artist or live-work situations, further eroding the identity of SoHo and NoHo.

2. These parameters are also a complete repudiation of any attempt to "accommodate and expand live-work" (last bullet, p.2), or "create housing and live-work opportunities" (third bullet, p.7) or "support and promote and create more spaces and uses for arts, maker uses and cultural uses." (last bullet, p7)

3. The lots for development include lots now dedicated to commercial uses with very few residents. The DEIS/Scope must study the projected increase in residential population of almost 50%, which will create the need for new infrastructure for a significantly expanded population. The area does not have the infrastructure to support this change in residential population, and if history is any guide, the City will not provide that infrastructure in a timely, systematic, or thorough manner. We have clear instances of such failure in our own community board.

4. Why does the Draft Scope assume that development sites will exclude "government facilities, utilities, large institutions, homeless shelters, and houses of worship" even though the study says that since these facilities are often under-built? In light of all the efforts to redevelop these types of sites around the City, it seems naïve to exclude them.

Dwelling Unit Factor

1. Does establishing a size of 850sf per unit support the stated goal of the Neighborhood Plan to "accommodate and expand live-work uses and supporting creative, arts and cultural uses"? (p.2)

Floor-to-Floor Height

Conversion Prototypes

1. According to the DCP map, Conversion Prototype 75 Spring St. is in the Historic Core with the lowest FAR change (M1-5/R7X), but in Appendix 1, it is part of the calculation for the Broadway Commercial Corridor (M1-5/R9X), which has highly increased FAR. At its existing 9.85 FAR, 75 Spring is either overbuilt by 4 FAR (M1-5/R7X) or by 1.85 FAR (M1-5/R9X). Any claim of affordable housing at that location will have to be subtracted from DCP's affordable housing total.

Development within Historic Districts on Projected and Potential Sites

1. Because all three proposed "representative examples" of prototype conversion are all within a stone's throw of each other (154 Grand, 75 Spring, 324 Lafayette), they are hardly "distributed across the project area."

2. All three are landmarked.

APPENDIX 1

1. These three tables are unreadable, and need to be reformatted (offered in some downloadable format) in larger type to be accessible to the general public for whom they are intended.

2. There is data/information in the Appendix that is not referenced in the text of the Draft Scope, which increases the lack of transparency of the spreadsheets—and clouds the intent of the Draft Scope itself.

3. Projected Development Sites: The following discrepancies in Appendix 1 should be studied:

   a. Site 1 (350, 352 Bowery): FAR of 2; PLUTO data reports FAR of 3.00.
   b. Site 3 (315 Lafayette, 301 Mulberry): FAR of 1; PLUTO data reports FAR of 1.56.
   c. Site 4 (155, 159 Grand St): FAR of 2; PLUTO data reports FAR of 5.53.
   d. Site 7 (381, 383 Canal St): FAR of 3; PLUTO data reports FAR of 3.82.
   e. Site 8 (126 Lafayette, 257 Canal St): FAR of 2; PLUTO data reports FAR of 2.55.
   f. Site 9 (239, 243 Canal St, 3 Howard St): FAR of 3; PLUTO data reports FAR of 3.48.
   g. Site 13 (358 Bowery): FAR of 0; PLUTO data reports FAR of 0.58.
   h. Site 20 (356 West Broadway): FAR of 3; PLUTO data reports FAR of 3.97.
   i. Site 25 (123 Lafayette): FAR of 4; PLUTO data reports FAR of 5.35.
   j. Site 27 (114 Baxter): FAR of 5; PLUTO data reports FAR of 5.98.
   k. Site 30 (324 Lafayette): FAR of 5; PLUTO data reports FAR of 6.17.
   l. Site 31 (75 Spring St): FAR of 8; PLUTO data reports FAR of 9.85. It is in the historic core, so its actual FAR is 5.
   m. Site 32 (154 Grand St): FAR of 5; PLUTO data reports FAR of 5.94

4. Potential Development Sites: The following discrepancies in Appendix 1 should be studied.

   a. Site AA (382 West Broadway): FAR of 2; PLUTO data reports FAR of 2.90.
   b. Site BB (686 Broadway): FAR of 2; PLUTO data reports FAR of 2.94.
   c. Site EEE (403 Lafayette): FAR of 2; PLUTO data reports FAR of 2.84.
   d. Site FFF (90 Grand St): FAR of 4 PLUTO data reports FAR of 6.04.
   e. Site GGG (96 Spring St): FAR of 7; PLUTO data reports FAR of 8.02.
   f. Site MM (53 Mercer St): FAR of 2; PLUTO data reports FAR of 3.44.
   g. Site W (92 Prince St): FAR of 1; PLUTO data reports FAR of 2.36.
   h. Site WW (518 Broadway): FAR of 1; PLUTO data reports FAR of 4.48.
   i. Site Y (424 West Broadway): FAR of 2; PLUTO data reports FAR of 2.78.
   j. Site YY (118, 120 Prince St): FAR of 1; PLUTO data reports FAR of 1.89.
   k. Site Z (396 W Broadway): FAR of 2; PLUTO data reports FAR of 2.85.

5. Include in the DEIS/Scope an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

6. Include in the DEIS/Scope an accurate building-by-building analysis that correctly quantifies the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses so that the CEQR analysis will truly reflect the proposed actions' potential adverse impacts on the existing character of SoHo and NoHo.

PROPOSED DRAFT SCOPE OF WORK FOR THE EIS

Task 1: Project Description:

This task should describe "the background and/or history of the project" and detail "key planning considerations that have shaped the current proposal." The tasks for study in the DEIS should include the recommended study items from "Envision SoHo/NoHo: A Summary of Findings & Recommendations." They are taken from the Report below verbatim:

IMPROVE QUALITY OF LIFE

1.1A: **Further research** the specificity of SoHo/NoHo's mixed-use nature and schedule needs for curb access with the objective to make deliveries more efficient

ENCOURAGE NEIGHBORHOOD DIVERSITY

2.1B:

- **Study** the implications of the Housing Stability and Tenant Protections Act of 2019 and if/how it interacts with rent regulations within Loft Law provisions.
- Work with State elected officials to **explore** measures to implement and enforce anti-harassment procedures based on the newly passed rent law.

2.1C: It is recommended that Process Sponsors **study** the feasibility of implementing such rental assistance for low-income artists and other renters.

2.2A: Consider a potential expansion of live-work definition that reflects current and future trends, which should be **further studied** and identified.

2.2B: Exact mechanisms and use classifications of the framework presented remains unclear and would require further **study**.

2.2C: **Study** new affordable housing that is targeted to artists and is conducive to arts production in the context of fair housing laws and broader concerns over housing equity.

2.2D: **Additional research** to create a new entity outside DCLA to review the eligibility and connect individuals with benefits/resources to detail further how such an entity might be established, how it would function, and how it would improve the ability to administer eligibility standards without being overly exclusionary.

2.2E:

- **Explore** how legislative efforts could be made to implement property tax breaks and other mechanisms to support existing artists and to encourage arts and making in new "live-work" units that accommodate a broader range of cultural workers.
- **Explore** mechanisms to incentivize shared work and/or exhibition space for artists and makers as provisions in new developments or residential conversions.
- **Explore** ways to establish productive relationships between local non-profits and the business community to encourage and formalize support the local arts and cultural programming.
- **Explore** opportunities to connect property owners with efforts seeking to create temporary programming/ studios in empty commercial spaces.
- **Explore** opportunities to create a "Made in SoHo/NoHo" branding campaign and encourage retailers to commission designs from SoHo/NoHo artists and makers, with possibly a portion of sales of such goods used to support local arts and culture in the neighborhood.

2.3B: **Study** local non-profits in efforts to help artists and others find affordable housing, live-work space, or general work space.

2.3C: **Explore** opportunities to create design guidelines, with assistance and input from LPC based on the study area's character, to ensure future development will be physically and architecturally contextual with existing built environment.

PROMOTING ECONOMIC VITALITY

3.1A: **Study** how to allow a wider range of compatible ground floor uses that balance mixed-use neighborhood blocks and examine a wider range of compatible uses, traffic patterns, sanitation efforts, and a retail study. Efforts would include the involvement of the business and residential communities.

3.1B: It is recommended that further research **study** the following:

- The appropriate parameters for allowing hybrid/complementary uses, including consideration of the type, size, operations, and land use compatibility.
- How hybrid uses might be viable in a continually evolving local economy, as they become established and potentially seek opportunities to grow.

3.1C: **Further research** and a coordinated effort with the community is recommended to create general guidelines and potential subareas for the expansion of such uses.

3.2A: It is recommended that community groups and the City **further research** advantages that a cultural arts district designation might provide for SoHo/NoHo. Such a designation may more broadly enhance community identity and affirm local heritage.

3.2B: The planning process also revealed that there are opportunities to update use regulations in ways that consider the expansion of arts and maker uses. The City should consider this as an area requiring **further analyses**.

3.2C: Private landlords should be encouraged to "activate" vacant properties during interim occupancy periods for artistic, micro-manufacturing and cultural uses. Currently, artistic and cultural uses are not permitted as-of-right and an allowance for such uses would remove zoning violations and fines that are in place. It is recommended that the City further **explore** the feasibility of such an initiative by further contemplating two provisions: the involvement of well-suited local partners and non-profits to help with monitoring, and the potential role of philanthropy and incentives to help fund such an endeavor.

3.2D: Additional consultation with relevant agencies and organizations is recommended, in light of their expertise of artists' workspace needs, to **study** new live-work typologies and configurations that are responsive to today's generation of artists and makers.

3.2E: **Study** the feasibility of implementing such tax incentives for these causes and further investigate other financial support mechanisms that could be utilized.

3.3B: I**nvestigate** the feasibility of encouraging affordable rent options specific to such uses.

3.3C: Work with Small Business Services (SBS), Chambers of Commerce, BIDs and merchants' associations to better **understand** small business' challenges in SoHo/NoHo, and connect them to resources.

Task 2: Land Use, Zoning and Public Policy

1. A thorough understanding via a detailed economic analysis should be conducted on all areas and properties that may be afforded additional development rights through increased FAR to properly calculate the value of the economic development conferred and the impacts of transferable development rights.

2. Study the potential impacts of the Proposed Actions on land use, zoning, and public policy, but beware the methodologies presented in the CEQR Technical Manual. The Municipal Art Society of New York's recently released the report, A Tale of Two Rezonings: Taking a Harder Look at CEQR, exposes the shortcomings of the existing environmental review process through the lens of two recent rezonings in Long Island City (2001) and Downtown Brooklyn (2004).

3. The report demonstrates CEQR's failure to predict the type and scale of new development that its zoning changes will stimulate and studies the resulting impacts on open space, transit congestion, school seats, and other measures of livability.

4. Chief among the findings of the MAS Report is CEQR's to take into account the cumulative effect of many small, individual acts. "From school capacity, to open space, to traffic congestion, to affordable housing, the CEQR process has produced mitigation plans that have no bearing on the ultimate needs of these neighborhoods. Residents have been left to shoulder the burden of these miscalculations," said Elizabeth Goldstein, President of MAS. MAS points out that decisionmakers need, and New Yorkers deserve, an environmental review process that does more than disclose limited and illusory outcomes from the City's zoning changes.

5. MAS proposes a series of improvements across eight categories of reform, including consideration of potential zoning lot mergers, increasing the range and scope of alternatives, making use of General Environmental Impact Statements to assess a wider range of potential outcomes, and requiring the implementation of mitigation measures before receiving Certificates of Occupancy.

6. "These neighborhoods [in Queens and Brooklyn] were transformed by an explosion of high-end, high-rise residential development, fueled—unintentionally—by the City's zoning changes. Demographically, they are now whiter, wealthier, and more crowded than ever." (MAS, A Tale of Two Rezonings: Taking a Harder Look at CEQR)

7. Study the feasibility of the purchase of distressed buildings by the City (by eminent domain, etc.)

8. Include the survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope but is not included.

Task 3: Socioeconomic Condition

1. During the City's October 26, 2020 Zoom presentation, it admitted that it has not performed the necessary studies to investigate potential for displacement within the study area. Direct Residential Displacement is a chief concern. The Plan will increase vulnerabilities of approximately 1,500 rent stabilized units, including more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law. This brings into question the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood (p.27)."

2. Study the following items across the entire Study Area:
   a. Value of FAR by square foot, for each individual property.
   b. Costs of LPC applications, due to enlargements etc., rising from the increased FAR.
   c. Transferable Development Rights, all possible scenarios.
   d. Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism").
   e. Costs of newly-allowed SLA applications, per removal of existing zoning boundaries.
   f. Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

3. The analysis projected for the levels of displacement of owner and renter occupied residential units and existing manufacturing and retail establishments does not include current housing costs for units that would be displaced and salaries for jobs that would be lost. Alternatives should be developed for replacement of displaced units and jobs, which are essential to protect the existing socio-economic character of SoHo NoHo.

4. Investigate the character and size of the various "employment hubs" in the project area before positing any assumptions about displacement.

5. Recalculate the resident and worker assumptions Table 2 was based on, in light of Covid-19.

6. Reach out to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast study area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

7. Study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2.

8. Data gathered by the Broadway Residents Coalition indicates approximately 750 rent-stabilized units in and around the three Housing Opportunity Areas will be affected, and greater than 1500 units within the study area. Quantify and analyze the direct effect of that across the Neighborhood Plan.

9. Study the effect of upzoning on the southeastern and southwestern corners of SoHo with respect to displacement and the economy.

10. Indirect Business Displacement: The DEIS study should investigate/document effects of potential commercial displacement to be caused by elimination of existing commercial spaces caused by conversion in the light of pandemic and post pandemic office market.

11. Include additional data on the breakdowns, locations and rental/ownership of floor area within the study area occupied by the artistic/creative/"maker" communities so that the CEQR analysis discloses any potential adverse impacts on these SoHo/NoHo communities and appropriate and equitable provisions can be developed to provide for their retention in the SNMD.

12. So that equitable provision can be made to provide for their retention in the SNMD, analyze the available zoning and governmental support programs used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural, artistic and "maker" communities (e.g., Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) as potential mitigation for displacement of these communities created by the proposed actions.

13. Identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings.

Task 4: Community Facilities and Services

1. Public Schools:

    a. As a result of Covid-19, public schools were closed after March 13, 2020 through the end of the 2019-20 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing.
    b. Consequently, how could you accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population?

2. Libraries and Childcare Centers

    a. If the population increases by 41% (Table 2, p. 22), study the impact of the increase on libraries and childcare centers.

Task 5: Open Space

1. The upzoning is expected to increase the SoHo and NoHo population from 7800 to 11,011 (an increase of 3,211 residents per Table 2). Demand and use of open green space have increased during Covid-19 and "proven that parks are essential infrastructure." Under the *CEQR Technical Manual*, the broader "NoHo Neighborhood" is the only downtown neighborhood that the NYC Department of Parks and Recreation defines as underserved by open space.

2. Meanwhile, SoHo and NoHo remain significantly underserved by open space, with an open space ratio of only 0.08 acres per 1,000 residents, as compared with the City's planning goal of 2.5 acres per 1,000 residents.

3. The addition of open space at the E. Fourth St. and Grand St. water tunnel sites would only increase the open space ratio in SoHo and NoHo to 0.09 acres per 1,000 residents, still well below the City planning goal.

4. Study accompanying any increase in FAR with an increase in open space, either in the form of additional physical open space or contributions to an Open Space Fund that would be used within CB2. Such a fund would be formed to provide the active and passive forms of recreation to the level of the City's planning goals. It would be formed and administered by the City and used to add either one or more recreation centers (like the Tony Dapolito Recreation Center) designed and sized to serve the increased population of SoHo and NoHo as a result of the proposed actions.

Task 6: Shadows

1. Study the effect of shadows on typical loft buildings with large windows and artists' studios.

2. Study the potential for all new or redesigned buildings (not just buildings over 50 ft.) to cast shadows.

3. Study the loss of sky if FAR is increased.

4. Study the effect of shadows from new or redesigned buildings on the current open spaces.

5. Study the effect of shadows on historic buildings with ornamentation that will be obscured and compromise the look and feel of the historic districts.

Task 7: Historic and Cultural Resources

1. Standards should be established for new construction that maintain the integrity of the street walls that constitute the urban form of the historic districts. The projected analysis includes an examination of historic and cultural resources within the study area, but it does not address all the impact of new construction in the historic districts. The Landmarks Preservation Commission does not usually rule on the height and bulk and setbacks and open space of new buildings. This could result in development that is out of scale with existing historic buildings.

2. The DEIS Scoping document should investigate/analyze the impacts and additional impacts of the zoning recommendations on the SoHo-NoHo plan, and in particular the area between Bleecker and Spring and Mercer to Crosby St. Fifty-two and a half percent of all buildings were built prior to 1939. As a result, the majority of existing buildings were built to full lot dimensions, and a significant number with through-lot configurations. This building-to-building density has, and will continue to be, an impediment in configuring and regulating the crucial infrastructure adaptations necessary for increased density within the built environment.

3. Study the archaeological history of this area and the importance of preserving any remaining artifacts. In the 1640s, a New Netherland community known as the "Land of the Blacks" encompassed what today are SoHo, NoHo, Chinatown, Little Italy, and Greenwich Village. Black land ownership continued into the time of New York City. From 1643-1716,130 acres+ were owned by free Black men and women in what is now the neighborhoods of Soho and NoHo, including Bond Street, Bowery and Lafayette.

4. Study the danger of demolition of old buildings and the approaches for protecting them.

5. Study the danger of demolition and construction on sites that are immediately adjacent to individual landmarks, as is the case for Site EEE (403 Lafayette St.) and Site J (27 E 4 S.t).

6. Study the impact of the proposed actions on tourism and real estate values as the connection to the past is weakened by the proposed actions.

7. Study the short- and long-term impact on the Landmarks Law if it is modified to suit political demands and not cultural, educational or history needs.

8. Study the effects of a surge of new construction within historical structures.

9. Investigate/document the impact of maker economy give-backs within the scope of this zoning proposal as in similar subsidized artist housing and performance spaces (Governor's Island, Westbeth).

10. The DEIS study should investigate/document effects and costs of development of older, historic buildings in their feasibility analysis. SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939 [source 2014-2018 American Community Survey]. For this reason, the feasibility of adding MIH units or even new development under this zoning will be severally affected by the age and historic underpinnings. Added to this is a building stock that has virtually no separation – even rear yards in most places, especially the commercial corridors. These factors will impact costs of new buildings and the ability to include MIH in the mix. In fact, it could encourage non-residential development or produce another wave of BSA applications based on hardship not dis-similar to those experienced over the last 15 years.

Task 8: Urban Design and Visual Resources

1. The description of this task states that "an assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning."

2. DCP should study the well-established precedents demonstrating that additional FAR has harmful impacts on an altered streetscape and that the City has rightfully acted in the past to prevent such damage.

3. DCP avoids the fact that, besides building on underutilized sites, property owners will surely take advantage of increased FAR to add bulk on top of existing landmarked buildings, forever changing the streetscape, view corridors and character of the historic districts, along both Broadway and Lafayette Sts. as well as the side streets. This rooftop scenario actually occurred in 1998 when property owners uncovered a zoning loophole that saw at least seven rooftop additions constructed contrary to the zoning intent. When New Yorkers complained about the harmful impact, the City Council quickly amended the Zoning Resolution to remove this loophole.

4. This task states that "for the projected and potential development sites, the analysis will focus on general building types," but in this case, most of the affected and adjacent study area is landmarked. The LPC does not normally approve "general" building types. Instead, it demands buildings of a higher quality, often with expensive details and materials not found in cookie-cutter "general" structures. The pressure will be formidable on LPC to approve generalized building plans submitted by developers to counter their financial deficits that building below-market housing generates. This would result in undistinguished edifices detracting from neighborhood masterpieces.

5. Study the difference in terms of landmarking between With Action and No Action, which will see the historic districts' skyline utterly altered from the historic built-context that has long been in place—a context that draws countless visitors to marvel at the special character of the area.

6. If the zoning is changed to these three districts, the pedestrian experience will gradually become as follows (from the NYC Zoning Handbook): RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. Study how increases in height and density will increase wind.

8. Study if bulk, form and scale will comply with residential standards.

9. Study how the proposed actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use.

10. Analyze the proposed actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the study area.

Task 9: Natural Resources

1. Study how the streams in the Canal St. area will affect new construction.

2. Study how new construction in the Canal St. area will affect the stability of adjacent old buildings, given the network of underground waterways.

3. Study the issue of the subsoil, particularly in the M1-5B district, which is wet. A new building on the corner of Greene and Canal was forced to build out of steel, as opposed to poured concrete, and took more than 3 years to complete at the current FAR.

Task 10: Hazardous Materials

1. Study the environmental effect of the old gas works in the area of the Edison parking lot in southeast SoHo.

Task 11: Water and Sewer

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure.

3. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 12: Solid Waste and Sanitation

1. Study how deliveries and pickups will be affected by the lack of loading berths and storage if, as predicted by the report, increased residential creates 50 additional tons of waste per week.

Task 13: Energy

Task 14: Transportation

TRAVEL DEMAND AND SCREENING ASSESSMENT

1. Study traffic at more times of day than just peak hours. A great variety of different activities occur in the neighborhood at many times of day.

2. Study more transportation modes than just automotive, transit and pedestrian. Need to include bicycles, e-bikes and other micro-mobility modes.

TRAFFIC

1. Selection of study locations needs to be based on not only "the assignment of project generated traffic and the CEQR Technical Manual, but also in consultation with the community (CB2, block associations, BIDs, businesses, etc.) based on frequent observations.

2. The generation of 50 or more additional vehicle trips in any peak hour needs to be considered in the context of how traffic can be reduced from its current state. In addition, there are side streets in the area that are frequently inundated by automotive traffic and need to be studied along with the key corridors.

3. Nine days of continuous ATR counts will help supplement data collection at peak hours, but will not adequately reflect conditions that occur frequently at non-peak hours, which should be included, because of the varied activities occurring in these neighborhoods at different times of day. What is needed are accounts of routine users and inhabitants who regularly observe and experience conditions, which can be achieved by incorporating questionnaires/surveys and interviews.

4. A truck trip generation forecast alone doesn't address the already highly negative truck impacts. Create a management plan.

5. The influence of the Covid-19 pandemic must be taken into account, i.e., the atypical conditions that exist because of the pandemic don't reflect what traffic conditions will be once there is a return to normal, i.e., to a stabilized situation. The study should be based on pre-Covid-19 figures (applied as existing conditions, rather than what currently exists) which reflect "No Action" more accurately.

6. Regarding mitigation, Vision Zero has introduced a new outlook on how traffic functions with alternative modes, new street geometries and varied curb uses that need to be considered, rather than just the traditional approaches.

TRANSIT

1. Study Transit using pre-Covid-19 figures, which present a more realistic picture of what can be viewed as base conditions.

2. Study problems posed by nearby subway lines for 20+ projected and potential sites.

3. Although there is attention to conditions at subway stations, there is no consideration of the impact on subway cars (e.g., crowding estimates) i.e., the proposed actions will have an impact on the system, not just stations.

4. There have been gaps created in bus service in the SoHo area with the restructuring of bus routes such as the M1 which eliminates a central route for SoHo, a dearth that calls for remediation. Spacing of bus stops, trip frequency and seating opportunities also need improvement. These types of already existing problems need to be part of the analysis.

5. Problems exist concerning access for the bus going down Broadway, which is often blocked by stationery tourist buses and slowed down by traffic congestion. This needs to be considered.

PEDESTRIANS

1. Little attention is paid to examination of the latest alternative transportation approaches to creating more space for pedestrians and making the pedestrian environment safer, more comfortable and accessible. The formulaic approach of the CEQR Technical Manual is no longer enough to ascertain impacts which should be assessed based on actual pedestrian needs in action and an already existing lack of needed pedestrian facilities.

PARKING

1. Study how using parking lots/facilities for development of residential buildings could lead to increased demand for on-street parking, which isn't even currently available. This needs to be assessed, as does the impact on the environment and traffic movement of increased cruising for parking spaces.

2. Of the 27 proposed development sites seven are parking lots or garages [DSOW 2, 10, 12, 16, 20, 22: marked as land use 10; DSOW 21: marked as bldg. class “Fireproof” but in fact a parking garage]. However, the No Action condition shows only 39,000 gsf of parking area, which upon inspection is solely attributable to the site at 356 West Broadway.

3. An additional five Proposed sites contain parking for at least 228 cars, according to their certificates of occupancy.

4. Using the DCP’s assumption of 300 sq ft of parking per vehicle, 228 cars accounts for 68,400 gsf of parking. As some of the certificates of occupancy state “at least” x number of vehicles, this is a lower limit.

5. Additionally, DSOW 22 represents 4,484 gsf of parking area, according to the tax lot’s land use classification as a parking facility.

6. Taking into account the additional gsf of parking lot area, Table 2, the No Action Condition, undercounts the Other Commercial (Parking) category by at least 72,884 gsf, as well as the Total Commercial subtotal by that same amount.

7. The Population figures Table 2, according to the standard industry rates of 1 employee per 1,000 sf of other commercial, also undercounts the number of Workers by 73 employees.

8. Accordingly, the net change, or Incremental condition, in Table 2 should state a loss of -111,884 gsf of Other Commercial (Parking) and -124,392 gsf of Total Commercial space. Additionally, the net change of Workers should be -182 workers.

Task 15: Air Quality

1. Study how proximity of the Holland Tunnel affects air quality.

2. Study how the poor air quality will affect the equity position of this location.

Task 16: Greenhouse Gas Emissions and Climate Change
1. Study the New York City Zoning & Land Use Map to see how the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study how building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas will affect construction costs.

Task 17: Noise

1. Study how the noise from retail deliveries to Big Box stores will affect life for residents if the population of SoHo/NoHo increases by almost 50%.

Task 18: Public Health

Task 19: Neighborhood Character

1. Study the effect on neighborhood character of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels (Crosby St. size), if the maximum additional MIH FAR is built across SoHo and NoHo.

2. Study the effect on neighborhood character of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight.

3. Study the impact of proposed actions on the defining features and human scale of the project area.

4. Study the adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970's.

5. Coordinate with City and State agencies to do a comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area.

6. Study how the limits of the three proposed zoning districts will change neighborhood character. NYC Zoning Handbook: RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. A detailed analysis must be conducted to show how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. The Draft Scope notes that projects that make substantial alterations to the scale of the streetscape may require a detailed analysis.

8. For example, in NoHo, a 20,000 square-feet parking lot on Lafayette and Jones Streets is located within the proposed M1-5/R9X area. According to DCP's own website, the Proposed Actions could produce a tall, bulky, twenty-story high-rise apartment building characteristic of Chelsea and Murray Hill—although it sits in the median-rise NoHo Historic District Extension. Such an edifice will result in a dramatic and harmful impact on the historic district.

Task 20: Construction

1. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 21: Mitigation

Task 22: Alternatives

1. Analyze alternates to the Proposed Actions that will not increase the existing FAR within the historic districts and alternates that satisfy MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

2. Include in the DEIS an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

Task 23: Summary Chapters

Task 24: Executive Summary

Therefore, be it resolved that no Scope or DEIS compiled during the global upheaval of a pandemic could possibly be an accurate assessment of any neighborhood.

Be it further resolved that CB2 urgently recommends that DCP examine the shortcomings of the draft scope of work as outlined above and present to CB2 for further review a new draft scope of work that rectifies those shortcomings plus reflects the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Be it further resolved that this new draft scope be presented to CB2 for public review before any ULURP is begun.

Be it finally resolved that CB2 recommends that DCP study and offer affordable housing alternatives to Mandatory Inclusionary Housing (such as new, more targeted, zoning tools and an expanded review of adaptive reuse) and study and offer the minimal modifications to the existing M1-5A/B zoning that would be required to achieve the primary goal of affordable housing and small business survival without increased FAR.

Vote: Passed with 45 Board members in favor and one abstention (B. Kubovy-Weiss).

Please advise us of any decision or action taken in response to this resolution.

Sincerely,

Carter Booth, Chair
Community Board #2, Manhattan

Frederica Sigel, Chair
Land Use & Housing Committee
Community Board #2, Manhattan

CB/jt

c: Hon. Jerrold Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Brad Hoylman, State Senator
Hon. Brian Kavanagh, State Senator
Hon. Deborah Glick, Assembly Member
Hon. Youh-Line Niou, Assembly Member
Hon. Bill de Blasio, Mayor
Hon. Scott Stringer, City Comptroller

Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council Speaker
Hon. Margaret Chin, City Council Member
Hon. Carlina Rivera, City Council Member
Sylvia Li, Dept. of City Planning
Andrew Cantu, Dept. of City Planning

Subject: Manhattan CB2 Resolution - Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact

Date: Friday, December 18, 2020 at 3:32:30 PM Central Standard Time

From: Thompson, Josh

To: 21DCP059M_DL

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Attachments: 12 Response to SoHo NoHo Neighborhood Plan_Draft Scope of Work for an Environmental Impact.pdf

Good Afternoon,

For your consideration, please see the attached resolution from Manhattan Community Board 2: "Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact".

Sincerely,

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December 18, 2020

Marisa Lago, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on December 17, 2020, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

We are at an inflection point. Urban retail has been thrown into disarray. Long-standing local businesses are fighting for their survival. We are only just beginning to understand Covid-19's impact on office, retail and residential space, let alone deal with its human toll on our city. The ongoing pandemic is an unprecedented attack on our city, and it is fair to ask: What will our neighborhoods look like after this long winter? Will we come back fairer and stronger?

The "SoHo/NoHo Neighborhood Plan Draft Scope of Work" ignores the majority of the Envision SoHo/NoHo Report and its 27 recommendations, ensures profit-making for a few, offers almost nothing to protect and improve what is so irreplaceable about these districts, and it does little to deliver the vital affordable housing our city needs now.

SoHo and NoHo were landmarked for a reason. The choices we make now, most irreversible, will define and reshape our neighborhoods for the next decades. Do we really want to turn our community into cookie-cutter copies of what can be found all over the city?

CB2 sounds a clear warning on seven key issues:

1. Preserve our uniqueness: Let's do no harm. The beloved, gritty, artistic, human-scale creativity of these streets and their varied storefronts is a national treasure, but it can easily be destroyed.

SoHo and NoHo have already proven to have a highly successful, distinctive, functioning eco-system that perennially attracts retailers, shoppers, artists and tourists from all over the world, generating significant revenue for the City and State.

The success of these neighborhoods is in part the result of a stable regulatory framework that is a combination of the creative amendment of the M1-5A and M1-5B zoning texts, including the Special Permit requirements, the Loft Law, and the creation of the historic districts.

2. Keep it artistic: The presence of galleries, resident artists and cultural spaces has been key to our success for the past 50 years and has transformed our neighborhoods into world-renowned centers of art and creativity.

This requires constant efforts to nurture, sustain and attract cultural institutions, art galleries, artists and the evolving creative and "maker" communities.

Let's retain and perpetuate the creative arts character of these neighborhoods, whether in new construction or adaptive reuse.

3. Get serious about affordable housing: As our city rebuilds in the aftermath of Covid-19, how do we achieve housing and social justice after an economic free-fall?

Our community supports affordable housing.

We need a better approach than Mandatory Inclusionary Housing (MIH), which has shown to be ineffective as a zoning tool for affordable housing, as demonstrated most recently in the Flushing rezoning that, per citylimits.org (Nov. 11, 2020), that will produce only 75-90 affordable units out of 1725 in only one out of four residential sites.

MIH guarantees lucrative developer payoffs and offers only modest promises of affordable units to reach the equitable housing goals specifically identified as a core reason to rush forward with this plan. It includes loopholes that allow developers to opt-out through "hardship" or simply build all-commercial buildings instead.

Any new residential development should adequately address the displacement of long-term residents and low-income residents.

We reject towering blocks of luxury housing that impact negatively on the character of our neighborhoods. The outlined best-case scenario of 328 to 494 affordable units ignores the socioeconomic impact of up to 1355 ultra-luxury, market-rate apartments.

We reject incentivization of office use over residential uses.

We reject any plans for a blanket up-zoning. Let's *actually grasp* what the new balance will be between retail, commercial and residential as those markets stabilize and recalibrate.

Community Board 2 calls for the expanded conversation on affordable housing that

the City should have undertaken during Envision SoHo NoHo. One-size-fits-all programs are not the solution.

4. Update, but don't oversize: Everyone agrees that the special permit process needs streamlining. Ground floor spaces should be available to lively, appropriate retail businesses, without requiring special permits.

SoHo and NoHo are mixed-use neighborhoods with sizeable residential populations. Let's not unleash a land grab of oversized retail and eating and drinking establishments that would crowd out smaller retailers and local neighborhood restaurants, reduce the variety and total number of businesses, and wreak havoc on residential life.

Let's not create an environment that favors big box retail over small businesses. The current restrictions are working and deserve protection: no retail over 10,000sf; a 5,000sf cap on eating and drinking. Those uses should be restricted to below the second floor, as is common throughout the city.

5. Encourage adaptive reuse: The magic of our streets started with the spontaneous transformation by artists of existing industrial space into lofts, imaginative retail and creative office use. SoHo and NoHo exemplify the great transformation and success of New York City in the postindustrial era. This adaptive reuse model inspired a development style now used in readapting industrial areas around the world. Further evolution of this successful transformation should be encouraged through adaptive reuse without new, out-of-scale construction.

6. Protect current occupants: Our neighborhoods need a fair resolution of residential controversies that produces permanent, equitable affordability. That means:

- Record and protect current affordable rental units.
- Identify a mechanism to legalize residential occupancy in manufacturing units without disrupting legal conforming occupants through a public process.
- Protect resident artists and protect the joint live-work manufacturing framework for their lofts, including those still in the transition process from Interim Multiple Dwelling status.
- Identify solutions to help adapt spaces for those aging in place and maintain the unique protections under The Loft Law for our pioneering artist residents.

7. Examine the financial implications: The Draft Scope of work requires an economic analysis across the entire study area. The current focus on only 27 projected sites (out of approximately 850 lots) fails to address the array of other development possibilities. Transparency was promised; we expect it.

Now is not the time for business as usual. The pressure of your timeline is self-imposed and the consequences of moving forward with the wrong plan are stark. Making the wrong choices will without doubt kill what is unique, world-renowned and profitable about SoHo and NoHo without achieving our shared goal.

No Scope or Environmental Impact Study compiled now, during an ongoing global upheaval, could possibly be an accurate assessment of any neighborhood or provide the basis for changes we will live with for decades. While everything is in monumental flux, we call for caution and innovative thinking—the creation of a comprehensive, long-range vision implemented in carefully-designed, incremental stages.

That process should begin with an examination of the shortcomings of the current draft scope of work and the presentation (for public review before any ULURP begins) of a new draft scope that reflects those shortcomings, plus the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Herewith the resolution that documents the basis for our concerns. It is based on input from two Land Use Committee meetings and a public hearing with 175+ attendees and 40+ speakers. The resolution follows the outline of the draft scope of work for the proposed plan:

WHEREAS:

A. INTRODUCTION

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965.

2. This Draft Scope is only 61 pages long and explores the impact of 27 projected development sites and 57 potential development sites. In comparison, the Bushwick Draft Scope is 201 pages long and analyzes 167 projected sites. The Draft Scope for the Gowanus Rezoning, led by not only Department of City Planning (DCP) but also by NYC HPD and NYC Parks, is 237 pages long and analyzes 60 projected sites. Clearly, the Gowanus and Bushwick proposals have benefitted from having been started prior to the pandemic.

3. On p. 1, the Draft Scope states that this proposal was "informed by local and citywide stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019" by Manhattan Borough President Gale Brewer, City Council Member for City Council District 1 Margaret Chin, and DCP.

4. The report, "Envision SoHo/NoHo: Summary and Recommendations," created by the plan sponsors at the end of the Envision process concluded with 25+ "Suggested Areas for Further Analysis/Study," p. 85). There is no evidence in the Draft Scope that any additional work on those areas has been done (see Task 1).

5. On p. 1, the Draft Scope's Reasonable Worst-Case Development Scenario expects a net increase of approximately 1,683 dwelling units, only 20%-29% of which would be "affordable" units. CB2 is looking for a greater percentage of affordable units in any new development.

6. Long before the pandemic, many retail spaces remained empty. Adding 57,473gsf of projected destination retail space (p.1) without any mention of how small local retail would be protected is of grave concern.

The goal of expanding housing opportunities by "requiring permanently affordable housing" is mentioned on p. 2, but there are no details or mechanism described in the Draft Scope for either the preservation of current affordable housing or the legalization of existing residents in SoHo and NoHo. Nor did the Draft Scope study the number of affordable units and how many of these units are occupied by residents over 60, who are aging in place and comprise a Naturally Occurring Retirement Community (NORC). This was a topic of extreme concern and importance during the Envision process.

7. To achieve the goal on p. 2 of preserving historic resources, adaptive reuse of existing buildings could yield a significant number of affordable units more quickly than an upzoning, without greatly increasing the stock of luxury market-rate units.

8. The Draft Scope seeks to promote economic recovery, resiliency, and growth by allowing a wider range of uses (p.2), but many property owners have kept rents high to satisfy mortgage requirements, hold out for "credit tenants," and/or use high rent potential as a way to finance other locations, causing long-term retail vacancies.

9. Many of the introduction's stated objectives are contradicted by the Proposed Action. For example: Requiring permanently affordable housing to "support income diversity" is an objective, one with which CB2 agrees. However, CB2 questions how adding 70-80% market-rate housing based on incentives that may never be realized will ever ensure affordable housing.

10. Another objective is to "establish appropriate densities and building forms that ensure new development harmonizes with neighborhood context and scale (p.2)." Historic districts do this by their very nature, and 85% of the proposed upzoning area is in such districts. The proposed increase in as-of-right FAR would significantly redefine neighborhood context and scale rather than harmonizing with the existing historic building forms.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

C. BACKGROUND TO THE PROPOSED ACTIONS

PROJECT AREA HISTORY

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

1. Artist Certification: p. 5 of the Draft Scope, states that "many residents did not qualify for artist certification." The absence of certification is a problem with the certification process and the agency overseeing it. It does not indicate a lack of artists.

Discussions with many working artists in SoHo and NoHo during the Envision SoHo/NoHo meetings clarified that the Department of Cultural Affairs (DCLA) certification was haphazard, complicated and, since it had not been enforced for so long, unnecessary for artists residing in Joint Live-Work Quarters for Artists (JLWQA) housing in SoHo and NoHo.

2. Special permits and variances: p. 5 of the Draft Scope states that "the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize

retail uses." CB2's opportunity to weigh in is vital for community representation in the application process. With removal of these reviews, only speculation and profit govern retail uses, rather than their desirability in a mixed-use neighborhood.

3. P. 5 of the Draft Scope acknowledges that the Covid-19 pandemic has impacted SoHo and NoHo, and then makes an unsubstantiated assumption that office, retail, accommodation and food services will remain core economic assets in the long term. Pandemic-related questions include:

a. Who will come back to work in offices and will the offices have the appropriate infrastructure to ensure safety?
b. Would office, hotel and other properties currently under distress become available for city acquisition, perhaps in partnership with a not-for-profit to create 100% affordable housing in existing structures?
c. Will in-person retail ever exceed the levels it had before the pandemic despite vacancies prior?
d. How much retail will return, now that consumers have shifted largely to shopping from home?
e. How much tourism will return and when?
f. Rents have been dropping since 2016 and the pandemic has furthered this correction. How long will that remain? Will rents come down low enough to provide affordable housing without requiring the immense increases in FAR contemplated in the proposal outlined in the Draft Scope?
g. Would adaptive reuse rebalance the neighborhoods without resorting to what amounts to developer giveaways and increased building envelopes?

4. Without data based on post-pandemic experience, the answers can only be guesses.

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

ENVISION SOHO/NOHO

1. This section of the Draft Scope describes the Envision process and its goals in detail but completely disregards the expectation that "these Neighborhood Priority recommendations and corresponding potential Implementation Strategies…have been developed with an understanding that many areas warrant further research and community input. (Envision SoHo/NoHo, p.11)"

2. It is a disservice to the entire Envision process to describe its findings as conclusive, when the Report itself states, "It is emphasized that the provided Potential Implementation Strategies are not definitive."

3. It is hard to understand how CPC is willing to turn its back on the Report's findings (p.46) that continued conversation and aspirational thinking "…is encouraged to further evolve ideas to achieve effective implementation."

4. The Plan fails to "maintain, enforce and strengthen existing protections for residents including renters and those in rent-regulated units (p.7)," one of seven goals in the November

2019 Envision SoHo/NoHo report. Instead, the conversion from existing M zoning to new R or C zoning will remove protections directly related to work created and practiced within the unique JLWQA units that were established specifically for the M1-5A and M1-5B districts. Further, real estate speculation, brought on by upzonings, is known to increase the instances of harassment aimed at rent-regulated tenants. This is of particular concern for the numerous senior residents who were part of the pioneering movement that transformed these neighborhoods and are now aging in place.

5. The Scope should include outreach to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast Study Area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

6. The survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope, is not included.

PROJECT AREA

HISTORIC DISTRICTS

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965. If a precedent is set now, the Proposed Actions not only will have a negative impact on the immediate study area, the proposed actions, but also will have a profound negative impact on historic districts throughout the city.

2. An action that would potentially damage the character and attraction of all our historic districts and the tax-base city-wide must not be passed.

3. The assorted FAR increases proposed for within various areas of the historic districts run the risk of fundamentally altering the neighborhoods, and such proposals are in contradiction to NYC Landmark law (§ 25301[b]) which notes that the protection and perpetuation of protected districts are "for the education, pleasure and welfare of the people of the city."

4. In the historic districts, where upzoning is proposed to be a minimum of 20% (6 FAR), and up to 94% (9.7 FAR)—and in a few cases 140% (12 FAR)—changes in neighborhood character will be subject mostly to LPC review. But those big FAR increases will create tremendous incentives for owners to seek rooftop additions and demolitions, some of which no doubt the LPC will grant. And new development at that scale will also often be out of scale for the historic districts, where the overall average FAR in both SoHo and NoHo is below 5.

NEIGHBORHOOD CONTEXT

1. Lifting the 5,000sf limit on restaurants would not achieve the desired goal to "contribute to the charm and vibrancy of SoHo and NoHo (p.9) or "foster the small business community of SoHo/NoHo…" (p.2).

2. The variety of eating and drinking establishments already in existence in the district is part of the unique character of SoHo/NoHo and is a differentiator to other parts of the city. The

regulations restricting their size to 5,00sf were the product of years of consultation and consensus-building by the community and public officials; that restriction has been critical to protecting the vibrancy, tourism economy and commercial and residential desirability of the SoHo/NoHo area.

3. Prior to Covid-19, the SoHo/NoHo area was already vibrant, bustling and congested and among the most popular areas of NYC with tourists, already providing plenty of food and drink options to the community of residents, workers and visitors all over the area.

4. The outsize scale of eating & drinking establishments of more than 5,000sf would require a level of commercial delivery, garbage handling and other services that would overwhelm and destroy the residential life that exists throughout the district.

5. Even the wider street corridors are already very congested and establishments of this size will create significant adverse effects on noise and congestion levels as well as public safety. (As recently as July 29, 2020 the NY State Liquor Authority voted against an on-premise liquor license application for a food hall on Broadway for these reasons).

SoHo and NoHo Historic Cores

1. Notwithstanding the Draft Scope's acknowledgement of NoHo's and SoHo's "pervasive mixed-use character" which "contributes to the charm and vibrancy of SoHo and NoHo and presents unique conditions related to zoning, land use, and quality of life" (p. 9), the Draft Scope fails to address and correct the serious quality-of-life problems that mixed-use engenders, and which Envision SoHo/NoHo strongly recommended be addressed.

2. It is not by chance that "bars and restaurants are interspersed across the project area, but are more prevalent along Lafayette St., Great Jones St., Bond St., and W Broadway." For decades, the SoHo/NoHo community fought successfully to restrict use on the narrower and much more residential streets. The ill-effects of oversize bars and restaurants is detrimental to the character, the local environment, and the residential life of these neighborhoods. For the Draft Scope to casually suggest that these uses be legalized—apparently without restriction as to size—ignores the wishes of thousands of families, Community Board 2, the NY State Liquor Authority, and local elected officials who feel otherwise. It will drastically alter the neighborhood character.

3. It is ill-advised to draw a line down the center of any street so that one side is populated with huge developments facing another side's "intact historic zone." As the Draft Scope is currently configured, that happens in 5+ instances.

Commercial Corridors

Broadway Corridor

1. The Draft Scope states, "The Broadway corridor contains…a high concentration of commercial uses, particularly offices and destination retail (p.9)." What the document fails to state is that many, if not most, of these establishments have been operating without proper Certificates of Occupancy for decades, in clear violation of the law. Indeed, it is these countless

violations and lack of enforcement that propelled the creation of the Envision SoHo/NoHo process in the first place.

2. The Broadway corridor appears to be regarded as a development opportunity without reference to the current overcrowded sidewalks and congestion in the street, not to mention hazardous crossings and dangerous turns at intersections.

3. The Draft Scope should take into account the mixed-use character of this corridor and its sizeable population. According to the Broadway Residents Coalition, the population along Broadway in both NoHo and SoHo is comprised of over 750 residential units. Broadway between Canal and Houston Sts. has approximately 57 second-floor JLWQA residential units with many more above.

4. Any proposed actions to address recovery from the Covid-19 pandemic in the Broadway corridor or anywhere else are premature and must be only tentative at this time.

Bowery Corridor

1. While the Draft Scope describes the SoHo and NoHo historic districts in some detail, it blithely ignores the historic, architectural, cultural, and commercial significance of the Bowery.

2. Despite the plethora of historic structures that the Bowery is famed for, the Draft Scope's chief comment on this subject is, "There are a number of under-built sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings." In fact, in 2013 the Bowery was placed in the Department of the Interior's National Register of Historic Places, defined as "the official list of the Nation's historic places worthy of preservation."

3. The Draft Scope ignores the monumental structures, the historic buildings, and the cultural history of this boulevard—the second oldest thoroughfare in the city after Broadway.

4. It seeks to perpetuate the legend of the Bowery as a home to derelicts, both human and buildings, while ignoring its rich contribution to the city's streetscape and past.

5. The Bowery historic district extends from Chatham Square in Chinatown to Cooper Square in NoHo. It contains multiple building styles, including several NYC Landmarks Preservation Commission (LPC) Individual Landmarks, two of which are in NoHo. One, the Bond Street Savings Bank/Bouwerie Lane Theatre at 330 Bowery, a French Second Empire gem, was among the first Individual Landmarks, designated in 1967. It was added to the National Register of Historic Places in 1980.

6. The other Individual Landmark, the Cooper Union, just north of the study area, an Italianate brownstone and a mere feet outside the study area, was deemed a National Landmark in 1961 and an LPC Individual Landmark in 1965, the same year the LPC was formed.

Canal St. Corridor

1. The Draft Scope states "341 Canal and 419 Broadway, at six and eight stories respectively, are establishing Canal Street as a gateway to the neighborhood and serve as a transition between SoHo and the taller commercial buildings south of Canal."

2. Both these new buildings are planned in accordance with the current 5 FAR, with no request from the developer for a variance or a special permit, so we question the need now for the added FAR that the Draft Scope is proposing for the corridor.

SoHo East and SoHo West

1. The Draft Scope states that SoHo East and SoHo West "are generally less residential and less built up than the other areas described above." This ignores the scores of East SoHo residents residing at 129 Lafayette St. by Howard St., as well as the countless residents in the crowded tenements abutting Chinatown, Little Italy and Nolita and the residents in the West SoHo and South Village tenement buildings.

2. Introducing new housing that is only 20-30% affordable will gentrify these "low-intensity semi-industrial" areas, increase the cost-of-living for many of these low-income residents trying to eke out a living, and accelerate their displacement.

E. PURPOSE AND NEED FOR THE PROPOSED ACTION

1. This section references the importance of addressing the needs of the City's artists and creative workforce with no supporting plan details.

2. This section takes suggestions for further study from 12 areas for the Envision SoHo NoHo Summary (see Task 1) and re-purposes them as "community-driven recommendations."

3. CPC's specifically excludes from the proposed zoning actions the improvement and support of "public realm management" (e.g., infrastructure issues). This is contrary to the prominence of that topic during the professed goals of the 2019 Envision SoHo/NoHo process.

4. "The public realm" (i.e., "quality of life") is only mentioned once in the entire Draft Scope whereas Envision SoHo NoHo mentions it 37 times. The Scope must address concern for the resident population in more detail and propose zoning solutions to address these concerns—not increase them.

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

1. The Draft Scope states that the obsolete and onerous current zoning will be replaced with appropriate and flexible regulations to address the need for expanded as-of-right commercial development balanced with the need to maintain appropriate residential use, but it does not explain how residential uses would be protected from commercial expansion or what that balance should be.

2. This section discusses the 74-781 Special Permit process but does not offer any plan to improve and update it.

3. The Draft Scope makes little mention of 74-711 Special Permits. DCP assumes that all special permits are onerous and makes no mention of the public benefit of the 74-711, which assures that historic buildings are maintained in perpetuity.

4. Overreliance on special permits is largely related to UG6 ground floor retail, but the Draft Scope lumps all UG6 together. Nor does it address the existing 5,000sf maximum, failing to give UG6 eating and drinking the particular consideration it requires.

5. Of the six key findings of the DCP July 2020 Study, none of them concluded that "outdated regulatory barriers will only serve to exacerbate the recovery for two of New York City's most significant commercial areas." Nor is there any evidence that these "outdated regulatory barriers" will restrict recovery post-Covid-19.

6. This DCP study showed 50% vacancies in SoHo NoHo, and data reports by SoHo Business Initiative on July 30, 2020 reported a 31% vacancy. DCP is now using the uncertainties of Covid-19 recovery to move quickly ahead with an upzoning. Moreover, it significantly reduced the size of five of the 24 corridors studied in the 2019 storefront vacancy report and excluded the following previously-surveyed streets:

a. Houston Street between MacDougal and Mulberry Streets
b. Prince Street between Sixth Avenue and Mulberry Streets
c. Broome Street between Sixth Avenue and Mulberry Streets
d. Lafayette Street between Prince Street and Astor Place
e. Centre Street between Canal and Spring Streets
f. Mulberry Street between Canal and Bleecker Streets

7. Canal St. (which, according to the study had a higher vacancy rate on the south side than on the north) had very high vacancies well before Covid-19 and has been a wasteland ever since Thor, Vornado and others cleared out all the longtime local businesses that offered all sorts of useful materials and products as part of a failed effort to turn the Canal corridor into a new retail strip mall.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

1. The word "equity" appears only four times in the Draft Scope and no further details to advance the goal are provided.

2. As our city rebuilds in the aftermath of the Covid-19 pandemic over the coming years, there is the exciting possibility that New York City will come back stronger, and fairer. How can we ensure true and lasting equality for everyone? How do we achieve economic justice for all after an economic freefall?

3. The southwestern corner of the project area is slated to be the site of significant residential development, but it is also one of the most polluted corners of the city. Study how siting

affordable housing at the entrance to the Holland Tunnel contributes to the goal of equity in housing.

SUPPORT ARTS AND CULTURE

1. The Draft Scope describes no detailed plan to maintain the existing JLWQA and rent-stabilized and rent-controlled apartments, and there is no official count, nor even an estimate, of the number of such units.

2. The Draft Scope provides no occupation-based restrictions to accomplish the goal of supporting the artists and makers population.

3. The Draft Scope mentions voluntary transition from JLWQA to residential use but it does not detail how it would work or how arts and creative uses would benefit.

4. The Draft Scope refers to certified-artist-occupied JLWQA as "the sole as-of-right quasi-residential use" when in fact, Use Group 17D is very much a real residential option.

5. The Draft Scope states that "only 30% of all SoHo/NoHo homes are still listed as JLWQA use on Certificates of Occupancy," but that low percentage is unreliable data, since DOB has increasingly been dropping the JLWQA annotation. Even the Loft Board is aware of this and intends to address it.

6. The "voluntary option to transition JLWQA to regular residential use with conditions that more broadly benefit the arts and creative industries" is not only vague and unspecified, but it opens the door to losing a lot of units that might best be transferred to rent stabilization. Verbiage like this—with no mention of permanent affordability—leaves the role of the Loft Board in limbo.

7. Instead of converting M districts to UG2, the Scope should study maintaining the M district with protections and broader allowances for residentially-occupied units. UG2 puts at risk things that the Draft Scope claims to want to protect.

8. Not-for-profit museums (UG3) should be made as of right.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

1. The Draft Scope proposes to "facilitate superior urban design," but it is necessary to precisely distinguish between the historic effectiveness of the existing urban design (which needs to be protected) and any necessary updating of the variance and special permit processes (which allow for the engagement of the community).

2. The Draft Scope discusses deploying "appropriate buildings forms" that "relate harmoniously to the loft building context." It is important to explore the dangers of big box retail and new residential projects with uncharacteristic, out-of-scale FAR.

3. The Draft Scope points out that "existing bulk regulations in M1-5A and M1-5B districts" haven't always served the "loft building context." The fact remains that ill-considered

modifications to those regulations might easily produce far more drastic, if unintentional threats to this national treasure, especially if explicit limits and cautions are not clearly identified before deciding future changes.

4. The Proposed Actions would establish new bulk and height regulations, and where it is claimed that these regulations would "minimize the effects of new developments and enlargements on neighboring buildings," the DCP must rigorously substantiate this claim so that resulting impacts truly correspond to promises made.

5. This Draft Scope states the changes would "allow the LPC to shape the building form without the need for separate land use actions." This process would bypass community input on land use issues, which should remain as an important check and balance.

6. There is no analysis regarding the number of LPC applications that will be generated by DCP's proposed new maximum FAR.

F. DESCRIPTION OF THE PROPOSED ACTIONS

1. The Action's goal is purportedly to "strengthen SoHo/NoHo as a vibrant mixed-use district and more inclusive community," but the challenge remains to ensure that the specific, concrete changes implemented actually serve that objective.

2. The Proposed Actions correctly support nurturing a "healthy retail ecosystem," but these districts already have a successful and unique ecosystem (characterized by small scale diversity and artistic vibe) whose continuation is valuable in its own right.

3. Retail is in the middle of massive restructuring and national crisis. It seems prudent to proceed cautiously and not blindly apply once-familiar approaches in a context where they might have major adverse impacts. This may be the time and special place for truly visionary innovation to be the key to survival.

4. The last proposed action, "Support arts and culture and creative industries that serve the community and the public with use allowances and other appropriate provisions," is yet another example of a bone that is thrown to the community without a single supporting detail.

ZONING MAP AMENDMENT

1. The proposed Zoning Map Amendment that establishes the Special SoHo NoHo Mixed Use District proposes eight new zoning sub-districts with proposed as-of-right use and bulk regulations that allow for major increases in floor area ratios far in excess of current building bulk and form.

The proposed Zoning Map Amendment increases in FAR are without regard to the unique historical development pattern of SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. One example is the projected development at 558 Broadway, where DCP identifies for the future the construction of a 200' tall tower due to the granting of over 50,000 SF of new allowable bulk. Data indicates over a dozen other locations along Broadway with similar additions of new bulk, which could result in a succession of towers

all along Broadway from Canal Street north, despite the DCP's November 9, 2020 FAQ that erroneously states the "new rules will not allow tall towers and skyscrapers."

PROPOSED ZONING DISTRICTS

1. Instead of simplifying regulations and procedures, DCP proposes five new zones, eight new subdistricts and, in several cases, boundaries for the subdistricts that bisect streets.

2. In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope.

3. To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan.

PROPOSED SPECIAL SOHO/NOHO MIXED USE DISTRICT (SNMD)

ZONING TEXT AMENDMENTS

1. CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows--with no public review process-- retail uses over 10,000sf (including cellar space) and eating & drinking establishments over 5,000sf.

2. Calculation of FAR in retail establishments should include basement/cellar space.

3. An upzoning of residential FAR need not be a requirement of Mandatory Inclusionary Housing (p. 17). The Scope should include the study of the potential of adaptive reuse as an alternative to increasing FAR.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

General Use Regulations

1. The Draft Scope states (p. 17): "Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts' use regulations would apply, with modifications." The subsequent table, as well as the proposed zoning map, show these three proposed zonings as well.

2. The two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1).

3. The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified.

4. Allowing "UG 10 retail uses such as department stores over 10,000zsf" as-of-right flies in the face of Envision SoHo NoHo, which specifically recommended maintaining the 10,000zsf cap (Envision SoHo NoHo, 3.1).

As-of-right Use Group 10 is also inconsistent with the second goal of the report, to "foster the small business community" as noted on p. 6 of the Draft Scope. Existing and new small businesses will need additional protections.

5. If Use Group 10 retail uses are to be permitted as-of-right, where are the provisions for the protection of residents, such as enforcement of the loading berths requirement and restriction of delivery hours?

6. SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context.

Joint Live-Work Quarters for Artists

1. JLWQA is inadequately addressed in the Draft Scope. Despite accounting for 30+% of residential units in SoHo and NoHo (per p.31, Envision SoHo/NoHo Report), there are no details regarding either the preservation or the legalization of these residents. This was a topic of extreme importance during the Envision SoHo/NoHo process.

2. The Draft Scope allows for voluntary transition from Use Group 17D JLWQA to Use Group 2, but does not define the details of the "mechanism" and related costs for doing so. Such conversions must result in no loss of tenant rights protections.

3. There are no guidelines or timeline for transitioning UG 17D JLWQA with permanent affordability to Use Group 2 nor are there any provisions for protecting JLWQA units in IMD buildings in limbo.

4. The Scope needs to study alternatives to JLWQA and do research into expanding the definition of "artist."

5. The Draft Scope's modifications of FAR prioritize big box retail over small businesses and office use over housing.

6. What provisions will the SNMD include to govern "JLWQA, arts and cultural uses, and conversions of existing buildings (p.17)."

7. The Draft Scope does not explain what would become of the Loft Law process nor does it offer a single detail regarding how "the mechanism would be paired with conditions that support arts and culture and establishments that broadly benefit the community and the public."

8. "The voluntary transition from UG 17D JLWQA to UG2 residential with expanded home occupation provisions" sounds like an update of live/work but would result in the loss of many affordable units that would otherwise be transitioned into rent stabilization.

9. It is not clear if the City would propose amnesty to non-certified artists living in JLWQA units as it did in 1987 ("Non artist Tenants Grandfathered in SoHo and NoHo, *NY Times,* Aug. 30, 1987) and noted on p. 5 (2nd para) of the Draft Scope or if the current permitted uses under M-zoning will continue to be permitted.

Non-Residential Floor Area Retention

1. Why will the proposal will require a developer to replace any commercial space lost to residential conversion with an equal amount of new commercial space? And will this cause displacement of the existing commercial tenants?

2. Despite the current glut of office space, the Non-Residential Floor Area Retention modification incentivizes office use, not adaptive reuse, and is inconsistent with the Draft Scope's objectives.

3. Retention Modification may also disincentivize residential development and conversions, which contradicts the Draft Scope's objectives to "expand housing opportunities" and "promote adaptive reuse of existing buildings by allowing for the conversion of existing buildings (p. 2)."

4. DCP (RWCDS Table 3) shows 75 Spring St. (DSOW 31(CV), 154 Grand St. (DSOW 32(CV)) and 324 Lafayette (DSOW 28 (CV) as projected development sites with conversion from office to residential, and no office retention. For those in the historic core, DCP grants a FAR allowance that does not line up with the historic core subdistrict allowances.

5. The Retention Modification also requires the Chair of the CPC to certify that the amount of non-residential floor area in a building will be replaced at a one-to-one ratio with future non-residential uses on the zoning lot, but this certification is not subject to public review and adds a new city approval for each project even though the Draft Scope seeks to reduce the number of applications and approvals.

6. Existing office buildings offer an opportunity for adaptive re-use. This proposal discourages this possibility, but should be more open to investigating its utilization, as REBNY is proposing for Midtown.

7. Conversions to residential within existing buildings, many of which are grossly overbuilt, will complicate as-of-right conversion to residential without special rules.

Floor Area and Bulk Regulations

1. Two subdistricts—the Broadway-Houston Corridor and NoHo North—would permit full lot coverage up to two stories, instead of the 70% and 80% permitted for interior/through and corner lots respectively under R9X zoning. This will negatively impact light and air for buildings that share a rear lot line.

2. Many buildings in the area have 2nd floor residential occupancy, and there is no indication that DCP has taken this into consideration.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

1. If the maximum additional MIH FAR is built across SoHo and NoHo, it will add nearly 11 million new square feet of new housing: the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels.

2. Nothing in the MIH program guarantees that any housing will be built. It would be helpful to see a report on successful MIH programs.

3. There are strong incentives for office and dormitory use.

4. The pre-Covid-19 luxury condo glut will temper any business decisions to build new housing—both luxury and affordable.

5. The special permit process for developers with "hardship" cases will undermine the creation of affordable units.

6. New, as-of-right residential development, with mandatory inclusion of affordable housing could be accomplished with less disruption and no upzoning at the same FAR as is currently allowed for commercial/manufacturing development in SoHo.

7. This would be particularly feasible if, as is suggested on p. 19, the text amendment were to "provide for some adjustments to make the existing MIH program work for conversions in SoHo and NoHo." It also does not describe these adjustments nor explain how they would apply to office buildings undergoing a conversion or redevelopment, given the proposed requirement to maintain non-residential floor area.

8. Chief among these adjustments would be requiring lower income levels and a higher percentage of residences reserved for the required affordable housing.

9. Subsidies should be provided to ensure the development of affordable housing, with greater subsidies for those developments with a higher percentage of affordable housing.

10. A set-aside for some percentage of the required affordable units in new residential developments should be considered for those in the maker and creative arts and industries.

11. Developments should consider dedicated arts-production space in new developments, especially in those where the unit size is 850sf.

12. If commercial FAR is raised to 10 and residential FAR is only 12 for MIH, the meager difference will disincentivize residential development. The Scope should examine the effect of no upzonings for commercial use.

13. DCP's proposed zoning text amendment would allow for off-site, low-income housing when less than 25,000sf of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing.

14. The proposed Affordable Housing Fund allows developers to apply to BSA for a "special permit" to reduce their payment into the Fund where requirement would make development "financially infeasible." Isn't one of the goals to reduce the number of special permits? Would this be a public process?

15. What are the criteria for which the BSA would grant this exception?

16. How will the DEIS define and calculate "financially feasible"?

17. The Scope needs to include a description of how the Affordable Housing Fund will work. Since 2016, how much money has been paid into this fund and where and how has the money been spent?

18. A loophole allows payments into an Affordable Housing Fund in lieu of building the housing in the proposed area, defeating the stated goal. This loophole must be closed.

19. It is unclear who determines the amount a developer pays to the Affordable Housing Fund? The developer? The DCP? The City Council? Is this amount based on the project's "financial feasibility"?

20. Exempting "developments, enlargements, or conversions that do not exceed either 10 units or 12,500zsf or residential floor area from the requirements of the program" may be shortsighted, given the scale of many of the smaller buildings in SoHo/NoHo.

21. As a market-driven program, MIH program is unlikely to produce neither the number of AH units required to make a difference nor provide hoising at the AMIs most needed by our city's vulnerable populations.

22. In addition to the three zoning districts described, in the data in Appendix A, there are two lots with M1-6/R10A zoning: 358 Bowery (DSOW #13 and already in development as an office building) and 350-352 Bowery (DSOW #1). The R10A offers bonuses for contextual development and senior facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonuses to create even larger buildings? This should be clarified.

23. The Scope needs to explain how Covid-19 and a recovery whose details are impossible to predict would affect the number/percentage of projected development sites legitimately be able to apply for this exception?

WRP REVIEW PROCESS AND DETERMINATION

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas is going to be an added cost to developers.

G. ANALYSIS FRAMEWORK

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

1. What and whose assumptions about the future "financial feasibility" will the DEIS model use to forecast the "No Action condition" and the "With Action condition" analysis in the 10-year time-frame (2021-2031)?

2. What happens if Covid-19 continues and/or worsens the current economic downturn? Will the RWCDS model's financial and economic assumptions be changed "mid-stream" to reflect the reality of a significant delay in the financially feasibility to absorb the "build-out" commercial and residential square footage assumed in the model?

3. What assumptions are reasonable for a 10-year period in light of Covid-19 and the yet-undetermined economic recovery, given the office space glut; the historical reliance on tourism spending and the fact that 2019 tourism levels might not return for many years; the pre-Covid-19 luxury condo glut, only worsened by Covid-19; and overleveraged retail landlords hurt by pre-Covid-19 retail rent drops and post-Covid-19 empty offices and lack of tourists, particularly foreign tourists who tend to spend more?

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

1. The Draft Scope assumes that in a No Action condition, residential conversions and conversion of former industrial space to commercial uses would not occur and CPC discretionary actions and BSA variances would not be obtained. Even with a conservative environmental analysis, given the heavy calendar of the CB2 Land Use committee, it is hard to imagine that these actions would cease to be applied for and (and usually granted).

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

1. There are no projected development sites located within the Canal Corridor (Subdistrict 4), making evaluation of the effects of the proposed action on the Canal Corridor impossible, according to the methodology set forth by the Draft Scope. Similarly, there are no potential development sites located within the NoHo–Bowery Corridor (Subdistrict 1), SoHo East (Subdistrict 3), or SoHo West (Subdistrict 8). Only a single projected development site is located within the NoHo Core (Subdistrict 6): DSOW 14: 53 Bond St. This is not a sufficient number of sites for the analysis framework.

2. Two of the six Proposed Development Sites that are within the SoHo Core (Subdistrict 7) incorrectly identify M1-5/R9X as the proposed zoning: DSOW 31(CV) – 75 Spring St.; and DSOW 32(CV) – 154 Grand St. They should be M1-5/R7X.

3. Potential Development Site W – 92 Prince St., which is within the boundary of the Broadway–Houston Corridor (Subdistrict 5), is incorrectly identified as M1-5/R7X. It should be: M1-5/R9X with modifications.

4. The following projected sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site 1 (350, 352 Bowery) is listed on the National Registry of Historic Places in the Bowery Historic District. It has transferred air rights for 2.0 FAR to 358 Bowery.
b. Site 2 (30 Great Jones St – block 531, lots 17, 52, 56) is located wholly within the NoHo Historic District.
c. One of the tax lots in Site 3 is in fact only 1000sf, so it does not meet the criteria for a development site, but Site 3 consists of two lots joined together so as a whole site 3 is above the 1700sf limit. The two are also directly above the Lafayette/Broadway subway station.
d. Site 12 (410 Lafayette St) is located wholly within the NoHo Historic District.
e. Site 13 (358 Bowery) is currently undergoing active construction and does not meet the criteria for a Projected Development site. It is listed on the National Registry of History Places within the Bowery Historic District.
f. Site 15 (281 Lafayette St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
g. Site 16 (81 Mercer St) is located wholly within the SoHo-Cast Iron Historic District and is occupied by an existing building, so does not meet the criteria for a Projected Development site.
h. Site 23 (72 Grand St) is located wholly within the Soho-Cast Iron Historic District. It has additionally undergone multiple discretionary reviews by the LPC and most recently came before CB2 in Sept., 2020, seeking an application to construct a four-story commercial building.
i. Site 24 (217 Hester St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
j. Site 27 (114 Baxter St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
k. Site 30 (324 Lafayette St) is located wholly within the NoHo Historic District.
l. Site 31 (75 Spring St), a purported conversion site, is located wholly within the SoHo-Cast Iron Historic District Extension. It is already overbuilt to a FAR of 9.85, exceeding the maximum allowable FAR in an R7X zone.
m. Site 32 (154 Grand St) is located wholly within the SoHo-Cast Iron Historic District Extension.

5. The following Potential Development Sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site BB (686 Broadway) has transferred air rights for 10 FAR to 684 Broadway and should not be considered a development site.
b. Site BBB (146 Spring St) is among the oldest buildings in SoHo, built in 1819; was reviewed by CB2M in April 2004 (LPC Item 9); and should not be considered a development site.
c. Site EEE (403 Lafayette St) is adjacent to an individual LPC Landmark, the Merchant's House.

d. Site HH (102 Greene St) was involved in a discretionary review by the LPC and granted a CPC Special Permit in Feb 2010 (ULURP 080260ZSM), and thus should have been excluded from the development scenario.
e. Site J (27 East 4 St) is adjacent to an individual LPC Landmark, the Merchant's House. It underwent discretionary review by the LPC in 2018, and most recently came before the CB2 Landmarks Committee on Dec. 10, 2020, seeking an application to demolish an existing one-story garage and construct a new building. Accordingly, it should not be considered a development site.

6. The proposed R10 zoning drives the RWCDS, but may not produce the projected housing. The city's assumption that the vast majority of development will be for residential use, 84% of projected GFA, may be unrealistic given that R10 zoning allows 10 FAR for commercial uses without any MIH subsidy.

7. There is already current glut of luxury condos.

8. There is a trend for property owners to build office space in lieu of housing in nearby Hudson Square and 550 Washington, including new headquarters for Disney and Google.

9. "One entirely non-residential building is projected in the western portion of the project area near Hudson Square, another strong office market": That site is at the northeast corner of Grand St. at Sixth Avenue and is owned by Trinity Church Real Estate and is shown as #22 on the Projected Map/List. The Scope should explain why new FAR will be allowed on that site but housing is not required.

10. What is the basis of the conclusion that "a substantial portion" of the 1,683 DUs are "expected to be affordable"?

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

1. The Scope needs to explain why the lot area threshold was set at 1700sf or larger to guide where development can reasonably be expected to occur.

2. Much of the area has been landmarked going back to 1973., but the Landmark Districts were only cursorily mentioned.

3. There is only a very brief mention of rent-stabilized tenants in buildings of six or more residential units. The proposal claims that these sites should be excluded from the development scenario because of the expense of relocating the residents. This category requires deeper analysis, due to the number of buildings in SoHo/NoHo of this size. Has CPC determined the impact of any residential displacement from the development of projected and potential sites?

According to the Loft Board, there are currently 475 units in 331 buildings under their control. The DEIS must study stabilized IMD tenants covered under Loft Laws and rent- stabilized affordable housing programs including as JLWQA.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

1. More than half of the GFA of the 27 projected development sites (or 1,942,995sf) will benefit five property owners:

a. Edison Properties' two parking lots account for 397,836 sf, or 20% of the GFA, and the Appendix shows that these sites would contain medical office space and a grocery store;
b. Alexander Chu/Centre Plaza LLC and Stellar Management and City Urban Realty buildings account for 279,798sf or 14% of the GFA;
c. Diehl Realty's SoHo parking garage accounts for 138,794 sf or 7% of the GFA, which per the Appendix shows would contain a grocery store under the city's plan;
d. Lots owned by Yee Tai & The Kaufman Organization are expected to account for 133,184sf or 7% of the GFA; and,
e. Park-It's garage accounts for 93,383 sf or 5% of the GFA and community facility space, plus Park-It owns two parking garages on the potential development site list, accounting for another 172,542 sf.

2. In light of a more favorable federal administration, has CPC reevaluated the redevelopment potential of 2 Howard Street, a federally-owned parking garage with a lot area of 12,716sf, which at 12 FAR could be redeveloped for more than 144,000sf and 100% affordable housing, while maintaining parking for government vehicles?

3. In light of the near-term prospects for substantially built office buildings and hotels, has CPC explored the purchase of distressed assets to be redeveloped as 100% affordable and/or supportive housing?

Projected Development Sites

1. The DEIS needs to analyze sites that might be developed after 10 years, including 57 Potential Development Sites that are assumed to be "less likely to be developed" within 10 years, and all other sites in the study area impacted by the proposed zoning changes. (Under CEQR Technical Manual guidelines, potential sites are only analyzed in the DEIS for "site-specific effects such as potential noise impacts, effects on historic resources and the possible presence of hazardous materials," (Draft Scope, p. 24). As a result, the Draft Scope vastly underestimates the impact of the proposed upzoning on historic districts because it excludes all site located within historic districts, other than vacant lots, solely because these sites are "subject to LPC review and approval."

2. Per the Draft Scope, lots of highly irregular shape would be excluded because of the difficulty of future as-of-right development; because such lots are more costly and more difficult to build on; and because they do not produce marketable floor space. The CB2 Land Use committee sees applications for development on such types of lots on a regular basis and for this reason, DCP must study irregular lots in the DEIS/Scope.

3. In fact, several of these sites already have plans for development. Owners of two underutilized sites, 61 Spring St. and 134 Wooster St., listed by DCP as "Potential," have already applied to the City to construct commercial structures on their lots. Nearby, on just one block of Prince St. between Greene and Mercer Sts., 105 Prince Street, a two-story building housing the Apple store with a 6,000sf footprint; 110 Prince St., a recently constructed one-story retailer; and

92 Prince St., another recent one-story mercantile structure yearning to increase in height and bulk, will surely attract developers seeking to enlarge them along this busy thoroughfare.

4. Why is a garage at 349 Canal St. (DSOW ID DDD) and an abutting building excluded from projected development when many similar sites are included for study?

5. Although DSOW ID 23 is indicated as being Vacant Land (land use 11), 72 Grand St. was, in fact, until recently a standing one-story cast-iron building in the Soho-Cast Iron Historic District that had had the upper four floors destroyed by fire.

DEVELOPMENT SCENARIO PARAMETERS

1. In these sections, the parameters for development (small units, low floor- to-ceiling heights, small floor plates) all but eliminate the possibility of any future affordable housing for any artist or live-work situations, further eroding the identity of SoHo and NoHo.

2. These parameters are also a complete repudiation of any attempt to "accommodate and expand live-work" (last bullet, p.2), or "create housing and live-work opportunities" (third bullet, p.7) or "support and promote and create more spaces and uses for arts, maker uses and cultural uses." (last bullet, p7)

3. The lots for development include lots now dedicated to commercial uses with very few residents. The DEIS/Scope must study the projected increase in residential population of almost 50%, which will create the need for new infrastructure for a significantly expanded population. The area does not have the infrastructure to support this change in residential population, and if history is any guide, the City will not provide that infrastructure in a timely, systematic, or thorough manner. We have clear instances of such failure in our own community board.

4. Why does the Draft Scope assume that development sites will exclude "government facilities, utilities, large institutions, homeless shelters, and houses of worship" even though the study says that since these facilities are often under-built? In light of all the efforts to redevelop these types of sites around the City, it seems naïve to exclude them.

Dwelling Unit Factor

1. Does establishing a size of 850sf per unit support the stated goal of the Neighborhood Plan to "accommodate and expand live-work uses and supporting creative, arts and cultural uses"? (p.2)

Floor-to-Floor Height

Conversion Prototypes

1. According to the DCP map, Conversion Prototype 75 Spring St. is in the Historic Core with the lowest FAR change (M1-5/R7X), but in Appendix 1, it is part of the calculation for the Broadway Commercial Corridor (M1-5/R9X), which has highly increased FAR. At its existing 9.85 FAR, 75 Spring is either overbuilt by 4 FAR (M1-5/R7X) or by 1.85 FAR (M1-5/R9X). Any claim of affordable housing at that location will have to be subtracted from DCP's affordable housing total.

Development within Historic Districts on Projected and Potential Sites

1. Because all three proposed "representative examples" of prototype conversion are all within a stone's throw of each other (154 Grand, 75 Spring, 324 Lafayette), they are hardly "distributed across the project area."

2. All three are landmarked.

APPENDIX 1

1. These three tables are unreadable, and need to be reformatted (offered in some downloadable format) in larger type to be accessible to the general public for whom they are intended.

2. There is data/information in the Appendix that is not referenced in the text of the Draft Scope, which increases the lack of transparency of the spreadsheets—and clouds the intent of the Draft Scope itself.

3. Projected Development Sites: The following discrepancies in Appendix 1 should be studied:

   a. Site 1 (350, 352 Bowery): FAR of 2; PLUTO data reports FAR of 3.00.
   b. Site 3 (315 Lafayette, 301 Mulberry): FAR of 1; PLUTO data reports FAR of 1.56.
   c. Site 4 (155, 159 Grand St): FAR of 2; PLUTO data reports FAR of 5.53.
   d. Site 7 (381, 383 Canal St): FAR of 3; PLUTO data reports FAR of 3.82.
   e. Site 8 (126 Lafayette, 257 Canal St): FAR of 2; PLUTO data reports FAR of 2.55.
   f. Site 9 (239, 243 Canal St, 3 Howard St): FAR of 3; PLUTO data reports FAR of 3.48.
   g. Site 13 (358 Bowery): FAR of 0; PLUTO data reports FAR of 0.58.
   h. Site 20 (356 West Broadway): FAR of 3; PLUTO data reports FAR of 3.97.
   i. Site 25 (123 Lafayette): FAR of 4; PLUTO data reports FAR of 5.35.
   j. Site 27 (114 Baxter): FAR of 5; PLUTO data reports FAR of 5.98.
   k. Site 30 (324 Lafayette): FAR of 5; PLUTO data reports FAR of 6.17.
   l. Site 31 (75 Spring St): FAR of 8; PLUTO data reports FAR of 9.85. It is in the historic core, so its actual FAR is 5.
   m. Site 32 (154 Grand St): FAR of 5; PLUTO data reports FAR of 5.94

4. Potential Development Sites: The following discrepancies in Appendix 1 should be studied.

   a. Site AA (382 West Broadway): FAR of 2; PLUTO data reports FAR of 2.90.
   b. Site BB (686 Broadway): FAR of 2; PLUTO data reports FAR of 2.94.
   c. Site EEE (403 Lafayette): FAR of 2; PLUTO data reports FAR of 2.84.
   d. Site FFF (90 Grand St): FAR of 4 PLUTO data reports FAR of 6.04.
   e. Site GGG (96 Spring St): FAR of 7; PLUTO data reports FAR of 8.02.
   f. Site MM (53 Mercer St): FAR of 2; PLUTO data reports FAR of 3.44.
   g. Site W (92 Prince St): FAR of 1; PLUTO data reports FAR of 2.36.
   h. Site WW (518 Broadway): FAR of 1; PLUTO data reports FAR of 4.48.
   i. Site Y (424 West Broadway): FAR of 2; PLUTO data reports FAR of 2.78.
   j. Site YY (118, 120 Prince St): FAR of 1; PLUTO data reports FAR of 1.89.
   k. Site Z (396 W Broadway): FAR of 2; PLUTO data reports FAR of 2.85.

5. Include in the DEIS/Scope an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

6. Include in the DEIS/Scope an accurate building-by-building analysis that correctly quantifies the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses so that the CEQR analysis will truly reflect the proposed actions' potential adverse impacts on the existing character of SoHo and NoHo.

PROPOSED DRAFT SCOPE OF WORK FOR THE EIS

Task 1: Project Description:

This task should describe "the background and/or history of the project" and detail "key planning considerations that have shaped the current proposal." The tasks for study in the DEIS should include the recommended study items from "Envision SoHo/NoHo: A Summary of Findings & Recommendations." They are taken from the Report below verbatim:

IMPROVE QUALITY OF LIFE

1.1A: **Further research** the specificity of SoHo/NoHo's mixed-use nature and schedule needs for curb access with the objective to make deliveries more efficient

ENCOURAGE NEIGHBORHOOD DIVERSITY

2.1B:

- **Study** the implications of the Housing Stability and Tenant Protections Act of 2019 and if/how it interacts with rent regulations within Loft Law provisions.
- Work with State elected officials to **explore** measures to implement and enforce anti-harassment procedures based on the newly passed rent law.

2.1C: It is recommended that Process Sponsors **study** the feasibility of implementing such rental assistance for low-income artists and other renters.

2.2A: Consider a potential expansion of live-work definition that reflects current and future trends, which should be **further studied** and identified.

2.2B: Exact mechanisms and use classifications of the framework presented remains unclear and would require further **study**.

2.2C: **Study** new affordable housing that is targeted to artists and is conducive to arts production in the context of fair housing laws and broader concerns over housing equity.

2.2D: **Additional research** to create a new entity outside DCLA to review the eligibility and connect individuals with benefits/resources to detail further how such an entity might be established, how it would function, and how it would improve the ability to administer eligibility standards without being overly exclusionary.

2.2E:

- **Explore** how legislative efforts could be made to implement property tax breaks and other mechanisms to support existing artists and to encourage arts and making in new "live-work" units that accommodate a broader range of cultural workers.
- **Explore** mechanisms to incentivize shared work and/or exhibition space for artists and makers as provisions in new developments or residential conversions.
- **Explore** ways to establish productive relationships between local non-profits and the business community to encourage and formalize support the local arts and cultural programming.
- **Explore** opportunities to connect property owners with efforts seeking to create temporary programming/ studios in empty commercial spaces.
- **Explore** opportunities to create a "Made in SoHo/NoHo" branding campaign and encourage retailers to commission designs from SoHo/NoHo artists and makers, with possibly a portion of sales of such goods used to support local arts and culture in the neighborhood.

2.3B: **Study** local non-profits in efforts to help artists and others find affordable housing, live-work space, or general work space.

2.3C: **Explore** opportunities to create design guidelines, with assistance and input from LPC based on the study area's character, to ensure future development will be physically and architecturally contextual with existing built environment.

PROMOTING ECONOMIC VITALITY

3.1A: **Study** how to allow a wider range of compatible ground floor uses that balance mixed-use neighborhood blocks and examine a wider range of compatible uses, traffic patterns, sanitation efforts, and a retail study. Efforts would include the involvement of the business and residential communities.

3.1B: It is recommended that further research **study** the following:

- The appropriate parameters for allowing hybrid/complementary uses, including consideration of the type, size, operations, and land use compatibility.
- How hybrid uses might be viable in a continually evolving local economy, as they become established and potentially seek opportunities to grow.

3.1C: **Further research** and a coordinated effort with the community is recommended to create general guidelines and potential subareas for the expansion of such uses.

3.2A: It is recommended that community groups and the City **further research** advantages that a cultural arts district designation might provide for SoHo/NoHo. Such a designation may more broadly enhance community identity and affirm local heritage.

3.2B: The planning process also revealed that there are opportunities to update use regulations in ways that consider the expansion of arts and maker uses. The City should consider this as an area requiring **further analyses**.

3.2C: Private landlords should be encouraged to "activate" vacant properties during interim occupancy periods for artistic, micro-manufacturing and cultural uses. Currently, artistic and cultural uses are not permitted as-of-right and an allowance for such uses would remove zoning violations and fines that are in place. It is recommended that the City further **explore** the feasibility of such an initiative by further contemplating two provisions: the involvement of well-suited local partners and non-profits to help with monitoring, and the potential role of philanthropy and incentives to help fund such an endeavor.

3.2D: Additional consultation with relevant agencies and organizations is recommended, in light of their expertise of artists' workspace needs, to **study** new live-work typologies and configurations that are responsive to today's generation of artists and makers.

3.2E: **Study** the feasibility of implementing such tax incentives for these causes and further investigate other financial support mechanisms that could be utilized.

3.3B: I**nvestigate** the feasibility of encouraging affordable rent options specific to such uses.

3.3C: Work with Small Business Services (SBS), Chambers of Commerce, BIDs and merchants' associations to better **understand** small business' challenges in SoHo/NoHo, and connect them to resources.

Task 2: Land Use, Zoning and Public Policy

1. A thorough understanding via a detailed economic analysis should be conducted on all areas and properties that may be afforded additional development rights through increased FAR to properly calculate the value of the economic development conferred and the impacts of transferable development rights.

2. Study the potential impacts of the Proposed Actions on land use, zoning, and public policy, but beware the methodologies presented in the CEQR Technical Manual. The Municipal Art Society of New York's recently released the report, A Tale of Two Rezonings: Taking a Harder Look at CEQR, exposes the shortcomings of the existing environmental review process through the lens of two recent rezonings in Long Island City (2001) and Downtown Brooklyn (2004).

3. The report demonstrates CEQR's failure to predict the type and scale of new development that its zoning changes will stimulate and studies the resulting impacts on open space, transit congestion, school seats, and other measures of livability.

4. Chief among the findings of the MAS Report is CEQR's to take into account the cumulative effect of many small, individual acts. "From school capacity, to open space, to traffic congestion, to affordable housing, the CEQR process has produced mitigation plans that have no bearing on the ultimate needs of these neighborhoods. Residents have been left to shoulder the burden of these miscalculations," said Elizabeth Goldstein, President of MAS. MAS points out that decisionmakers need, and New Yorkers deserve, an environmental review process that does more than disclose limited and illusory outcomes from the City's zoning changes.

5. MAS proposes a series of improvements across eight categories of reform, including consideration of potential zoning lot mergers, increasing the range and scope of alternatives, making use of General Environmental Impact Statements to assess a wider range of potential outcomes, and requiring the implementation of mitigation measures before receiving Certificates of Occupancy.

6. "These neighborhoods [in Queens and Brooklyn] were transformed by an explosion of high-end, high-rise residential development, fueled—unintentionally—by the City's zoning changes. Demographically, they are now whiter, wealthier, and more crowded than ever." (MAS, A Tale of Two Rezonings: Taking a Harder Look at CEQR)

7. Study the feasibility of the purchase of distressed buildings by the City (by eminent domain, etc.)

8. Include the survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope but is not included.

Task 3: Socioeconomic Condition

1. During the City's October 26, 2020 Zoom presentation, it admitted that it has not performed the necessary studies to investigate potential for displacement within the study area. Direct Residential Displacement is a chief concern. The Plan will increase vulnerabilities of approximately 1,500 rent stabilized units, including more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law. This brings into question the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood (p.27)."

2. Study the following items across the entire Study Area:
   a. Value of FAR by square foot, for each individual property.
   b. Costs of LPC applications, due to enlargements etc., rising from the increased FAR.
   c. Transferable Development Rights, all possible scenarios.
   d. Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism").
   e. Costs of newly-allowed SLA applications, per removal of existing zoning boundaries.
   f. Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

3. The analysis projected for the levels of displacement of owner and renter occupied residential units and existing manufacturing and retail establishments does not include current housing costs for units that would be displaced and salaries for jobs that would be lost. Alternatives should be developed for replacement of displaced units and jobs, which are essential to protect the existing socio-economic character of SoHo NoHo.

4. Investigate the character and size of the various "employment hubs" in the project area before positing any assumptions about displacement.

5. Recalculate the resident and worker assumptions Table 2 was based on, in light of Covid-19.

6. Reach out to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast study area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

7. Study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2.

8. Data gathered by the Broadway Residents Coalition indicates approximately 750 rent-stabilized units in and around the three Housing Opportunity Areas will be affected, and greater than 1500 units within the study area. Quantify and analyze the direct effect of that across the Neighborhood Plan.

9. Study the effect of upzoning on the southeastern and southwestern corners of SoHo with respect to displacement and the economy.

10. Indirect Business Displacement: The DEIS study should investigate/document effects of potential commercial displacement to be caused by elimination of existing commercial spaces caused by conversion in the light of pandemic and post pandemic office market.

11. Include additional data on the breakdowns, locations and rental/ownership of floor area within the study area occupied by the artistic/creative/"maker" communities so that the CEQR analysis discloses any potential adverse impacts on these SoHo/NoHo communities and appropriate and equitable provisions can be developed to provide for their retention in the SNMD.

12. So that equitable provision can be made to provide for their retention in the SNMD, analyze the available zoning and governmental support programs used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural, artistic and "maker" communities (e.g., Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) as potential mitigation for displacement of these communities created by the proposed actions.

13. Identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings.

Task 4: Community Facilities and Services

1. Public Schools:

    a. As a result of Covid-19, public schools were closed after March 13, 2020 through the end of the 2019-20 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing.
    b. Consequently, how could you accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population?

2. Libraries and Childcare Centers

    a. If the population increases by 41% (Table 2, p. 22), study the impact of the increase on libraries and childcare centers.

Task 5: Open Space

1. The upzoning is expected to increase the SoHo and NoHo population from 7800 to 11,011 (an increase of 3,211 residents per Table 2). Demand and use of open green space have increased during Covid-19 and "proven that parks are essential infrastructure." Under the *CEQR Technical Manual*, the broader "NoHo Neighborhood" is the only downtown neighborhood that the NYC Department of Parks and Recreation defines as underserved by open space.

2. Meanwhile, SoHo and NoHo remain significantly underserved by open space, with an open space ratio of only 0.08 acres per 1,000 residents, as compared with the City's planning goal of 2.5 acres per 1,000 residents.

3. The addition of open space at the E. Fourth St. and Grand St. water tunnel sites would only increase the open space ratio in SoHo and NoHo to 0.09 acres per 1,000 residents, still well below the City planning goal.

4. Study accompanying any increase in FAR with an increase in open space, either in the form of additional physical open space or contributions to an Open Space Fund that would be used within CB2. Such a fund would be formed to provide the active and passive forms of recreation to the level of the City's planning goals. It would be formed and administered by the City and used to add either one or more recreation centers (like the Tony Dapolito Recreation Center) designed and sized to serve the increased population of SoHo and NoHo as a result of the proposed actions.

Task 6: Shadows

1. Study the effect of shadows on typical loft buildings with large windows and artists' studios.

2. Study the potential for all new or redesigned buildings (not just buildings over 50 ft.) to cast shadows.

3. Study the loss of sky if FAR is increased.

4. Study the effect of shadows from new or redesigned buildings on the current open spaces.

5. Study the effect of shadows on historic buildings with ornamentation that will be obscured and compromise the look and feel of the historic districts.

Task 7: Historic and Cultural Resources

1. Standards should be established for new construction that maintain the integrity of the street walls that constitute the urban form of the historic districts. The projected analysis includes an examination of historic and cultural resources within the study area, but it does not address all the impact of new construction in the historic districts. The Landmarks Preservation Commission does not usually rule on the height and bulk and setbacks and open space of new buildings. This could result in development that is out of scale with existing historic buildings.

2. The DEIS Scoping document should investigate/analyze the impacts and additional impacts of the zoning recommendations on the SoHo-NoHo plan, and in particular the area between Bleecker and Spring and Mercer to Crosby St. Fifty-two and a half percent of all buildings were built prior to 1939. As a result, the majority of existing buildings were built to full lot dimensions, and a significant number with through-lot configurations. This building-to-building density has, and will continue to be, an impediment in configuring and regulating the crucial infrastructure adaptations necessary for increased density within the built environment.

3. Study the archaeological history of this area and the importance of preserving any remaining artifacts. In the 1640s, a New Netherland community known as the "Land of the Blacks" encompassed what today are SoHo, NoHo, Chinatown, Little Italy, and Greenwich Village. Black land ownership continued into the time of New York City. From 1643-1716,130 acres+ were owned by free Black men and women in what is now the neighborhoods of Soho and NoHo, including Bond Street, Bowery and Lafayette.

4. Study the danger of demolition of old buildings and the approaches for protecting them.

5. Study the danger of demolition and construction on sites that are immediately adjacent to individual landmarks, as is the case for Site EEE (403 Lafayette St.) and Site J (27 E 4 S.t).

6. Study the impact of the proposed actions on tourism and real estate values as the connection to the past is weakened by the proposed actions.

7. Study the short- and long-term impact on the Landmarks Law if it is modified to suit political demands and not cultural, educational or history needs.

8. Study the effects of a surge of new construction within historical structures.

9. Investigate/document the impact of maker economy give-backs within the scope of this zoning proposal as in similar subsidized artist housing and performance spaces (Governor's Island, Westbeth).

10. The DEIS study should investigate/document effects and costs of development of older, historic buildings in their feasibility analysis. SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939 [source 2014-2018 American Community Survey]. For this reason, the feasibility of adding MIH units or even new development under this zoning will be severally affected by the age and historic underpinnings. Added to this is a building stock that has virtually no separation – even rear yards in most places, especially the commercial corridors. These factors will impact costs of new buildings and the ability to include MIH in the mix. In fact, it could encourage non-residential development or produce another wave of BSA applications based on hardship not dis-similar to those experienced over the last 15 years.

Task 8: Urban Design and Visual Resources

1. The description of this task states that "an assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning."

2. DCP should study the well-established precedents demonstrating that additional FAR has harmful impacts on an altered streetscape and that the City has rightfully acted in the past to prevent such damage.

3. DCP avoids the fact that, besides building on underutilized sites, property owners will surely take advantage of increased FAR to add bulk on top of existing landmarked buildings, forever changing the streetscape, view corridors and character of the historic districts, along both Broadway and Lafayette Sts. as well as the side streets. This rooftop scenario actually occurred in 1998 when property owners uncovered a zoning loophole that saw at least seven rooftop additions constructed contrary to the zoning intent. When New Yorkers complained about the harmful impact, the City Council quickly amended the Zoning Resolution to remove this loophole.

4. This task states that "for the projected and potential development sites, the analysis will focus on general building types," but in this case, most of the affected and adjacent study area is landmarked. The LPC does not normally approve "general" building types. Instead, it demands buildings of a higher quality, often with expensive details and materials not found in cookie-cutter "general" structures. The pressure will be formidable on LPC to approve generalized building plans submitted by developers to counter their financial deficits that building below-market housing generates. This would result in undistinguished edifices detracting from neighborhood masterpieces.

5. Study the difference in terms of landmarking between With Action and No Action, which will see the historic districts' skyline utterly altered from the historic built-context that has long been in place—a context that draws countless visitors to marvel at the special character of the area.

6. If the zoning is changed to these three districts, the pedestrian experience will gradually become as follows (from the NYC Zoning Handbook): RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. Study how increases in height and density will increase wind.

8. Study if bulk, form and scale will comply with residential standards.

9. Study how the proposed actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use.

10. Analyze the proposed actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the study area.

Task 9: Natural Resources

1. Study how the streams in the Canal St. area will affect new construction.

2. Study how new construction in the Canal St. area will affect the stability of adjacent old buildings, given the network of underground waterways.

3. Study the issue of the subsoil, particularly in the M1-5B district, which is wet. A new building on the corner of Greene and Canal was forced to build out of steel, as opposed to poured concrete, and took more than 3 years to complete at the current FAR.

Task 10: Hazardous Materials

1. Study the environmental effect of the old gas works in the area of the Edison parking lot in southeast SoHo.

Task 11: Water and Sewer

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure.

3. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 12: Solid Waste and Sanitation

1. Study how deliveries and pickups will be affected by the lack of loading berths and storage if, as predicted by the report, increased residential creates 50 additional tons of waste per week.

Task 13: Energy

Task 14: Transportation

TRAVEL DEMAND AND SCREENING ASSESSMENT

1. Study traffic at more times of day than just peak hours. A great variety of different activities occur in the neighborhood at many times of day.

2. Study more transportation modes than just automotive, transit and pedestrian. Need to include bicycles, e-bikes and other micro-mobility modes.

TRAFFIC

1. Selection of study locations needs to be based on not only "the assignment of project generated traffic and the CEQR Technical Manual, but also in consultation with the community (CB2, block associations, BIDs, businesses, etc.) based on frequent observations.

2. The generation of 50 or more additional vehicle trips in any peak hour needs to be considered in the context of how traffic can be reduced from its current state. In addition, there are side streets in the area that are frequently inundated by automotive traffic and need to be studied along with the key corridors.

3. Nine days of continuous ATR counts will help supplement data collection at peak hours, but will not adequately reflect conditions that occur frequently at non-peak hours, which should be included, because of the varied activities occurring in these neighborhoods at different times of day. What is needed are accounts of routine users and inhabitants who regularly observe and experience conditions, which can be achieved by incorporating questionnaires/surveys and interviews.

4. A truck trip generation forecast alone doesn't address the already highly negative truck impacts. Create a management plan.

5. The influence of the Covid-19 pandemic must be taken into account, i.e., the atypical conditions that exist because of the pandemic don't reflect what traffic conditions will be once there is a return to normal, i.e., to a stabilized situation. The study should be based on pre-Covid-19 figures (applied as existing conditions, rather than what currently exists) which reflect "No Action" more accurately.

6. Regarding mitigation, Vision Zero has introduced a new outlook on how traffic functions with alternative modes, new street geometries and varied curb uses that need to be considered, rather than just the traditional approaches.

TRANSIT

1. Study Transit using pre-Covid-19 figures, which present a more realistic picture of what can be viewed as base conditions.

2. Study problems posed by nearby subway lines for 20+ projected and potential sites.

3. Although there is attention to conditions at subway stations, there is no consideration of the impact on subway cars (e.g., crowding estimates) i.e., the proposed actions will have an impact on the system, not just stations.

4. There have been gaps created in bus service in the SoHo area with the restructuring of bus routes such as the M1 which eliminates a central route for SoHo, a dearth that calls for remediation. Spacing of bus stops, trip frequency and seating opportunities also need improvement. These types of already existing problems need to be part of the analysis.

5. Problems exist concerning access for the bus going down Broadway, which is often blocked by stationery tourist buses and slowed down by traffic congestion. This needs to be considered.

PEDESTRIANS

1. Little attention is paid to examination of the latest alternative transportation approaches to creating more space for pedestrians and making the pedestrian environment safer, more comfortable and accessible. The formulaic approach of the CEQR Technical Manual is no longer enough to ascertain impacts which should be assessed based on actual pedestrian needs in action and an already existing lack of needed pedestrian facilities.

PARKING

1. Study how using parking lots/facilities for development of residential buildings could lead to increased demand for on-street parking, which isn't even currently available. This needs to be assessed, as does the impact on the environment and traffic movement of increased cruising for parking spaces.

2. Of the 27 proposed development sites seven are parking lots or garages [DSOW 2, 10, 12, 16, 20, 22: marked as land use 10; DSOW 21: marked as bldg. class “Fireproof” but in fact a parking garage]. However, the No Action condition shows only 39,000 gsf of parking area, which upon inspection is solely attributable to the site at 356 West Broadway.

3. An additional five Proposed sites contain parking for at least 228 cars, according to their certificates of occupancy.

4. Using the DCP’s assumption of 300 sq ft of parking per vehicle, 228 cars accounts for 68,400 gsf of parking. As some of the certificates of occupancy state “at least” x number of vehicles, this is a lower limit.

5. Additionally, DSOW 22 represents 4,484 gsf of parking area, according to the tax lot’s land use classification as a parking facility.

6. Taking into account the additional gsf of parking lot area, Table 2, the No Action Condition, undercounts the Other Commercial (Parking) category by at least 72,884 gsf, as well as the Total Commercial subtotal by that same amount.

7. The Population figures Table 2, according to the standard industry rates of 1 employee per 1,000 sf of other commercial, also undercounts the number of Workers by 73 employees.

8. Accordingly, the net change, or Incremental condition, in Table 2 should state a loss of -111,884 gsf of Other Commercial (Parking) and -124,392 gsf of Total Commercial space. Additionally, the net change of Workers should be -182 workers.

Task 15: Air Quality

1. Study how proximity of the Holland Tunnel affects air quality.

2. Study how the poor air quality will affect the equity position of this location.

Task 16: Greenhouse Gas Emissions and Climate Change
1. Study the New York City Zoning & Land Use Map to see how the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study how building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas will affect construction costs.

Task 17: Noise

1. Study how the noise from retail deliveries to Big Box stores will affect life for residents if the population of SoHo/NoHo increases by almost 50%.

Task 18: Public Health

Task 19: Neighborhood Character

1. Study the effect on neighborhood character of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels (Crosby St. size), if the maximum additional MIH FAR is built across SoHo and NoHo.

2. Study the effect on neighborhood character of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight.

3. Study the impact of proposed actions on the defining features and human scale of the project area.

4. Study the adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970's.

5. Coordinate with City and State agencies to do a comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area.

6. Study how the limits of the three proposed zoning districts will change neighborhood character. NYC Zoning Handbook: RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. A detailed analysis must be conducted to show how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. The Draft Scope notes that projects that make substantial alterations to the scale of the streetscape may require a detailed analysis.

8. For example, in NoHo, a 20,000 square-feet parking lot on Lafayette and Jones Streets is located within the proposed M1-5/R9X area. According to DCP's own website, the Proposed Actions could produce a tall, bulky, twenty-story high-rise apartment building characteristic of Chelsea and Murray Hill—although it sits in the median-rise NoHo Historic District Extension. Such an edifice will result in a dramatic and harmful impact on the historic district.

Task 20: Construction

1. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 21: Mitigation

Task 22: Alternatives

1. Analyze alternates to the Proposed Actions that will not increase the existing FAR within the historic districts and alternates that satisfy MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

2. Include in the DEIS an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

Task 23: Summary Chapters

Task 24: Executive Summary

Therefore, be it resolved that no Scope or DEIS compiled during the global upheaval of a pandemic could possibly be an accurate assessment of any neighborhood.

Be it further resolved that CB2 urgently recommends that DCP examine the shortcomings of the draft scope of work as outlined above and present to CB2 for further review a new draft scope of work that rectifies those shortcomings plus reflects the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Be it further resolved that this new draft scope be presented to CB2 for public review before any ULURP is begun.

Be it finally resolved that CB2 recommends that DCP study and offer affordable housing alternatives to Mandatory Inclusionary Housing (such as new, more targeted, zoning tools and an expanded review of adaptive reuse) and study and offer the minimal modifications to the existing M1-5A/B zoning that would be required to achieve the primary goal of affordable housing and small business survival without increased FAR.

Vote: Passed with 45 Board members in favor and one abstention (B. Kubovy-Weiss).

Please advise us of any decision or action taken in response to this resolution.

Sincerely,

Carter Booth, Chair
Community Board #2, Manhattan

Frederica Sigel, Chair
Land Use & Housing Committee
Community Board #2, Manhattan

CB/jt

c: Hon. Jerrold Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Brad Hoylman, State Senator
Hon. Brian Kavanagh, State Senator
Hon. Deborah Glick, Assembly Member
Hon. Youh-Line Niou, Assembly Member
Hon. Bill de Blasio, Mayor
Hon. Scott Stringer, City Comptroller

Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council Speaker
Hon. Margaret Chin, City Council Member
Hon. Carlina Rivera, City Council Member
Sylvia Li, Dept. of City Planning
Andrew Cantu, Dept. of City Planning

GENERAL PUBLIC

From: Jana Adler
To: 21DCP059M_DL
Subject: Upzoning SoHo/NoHo
Date: Tuesday, November 24, 2020 1:51:35 PM

Upzoning SoHo/NoHo

Hello:

The city's just-released proposal to upzone all of these neighborhoods, including designated historic districts, and to make the allowable size of new development as much as nearly two and a half times the size of what's currently allowable -- including in some parts of historic districts -- is completely outrageous. The entire plan is wrong and I strongly oppose it. It would encourage the proliferation of large chain big box stores when it's small independent businesses that are suffering and need the city's help. And the only affordable housing it would create is completely market-dependent, will only occur if and when private for-profit real estate developers feel it is worth their while, and is dependent upon adding a flood of luxury condos to the neighborhood in out-of-scale buildings as the price for it. These neighborhoods would welcome affordable housing. They oppose and do not need huge new buildings more than twice the size of what's currently allowed that would be 75-80% luxury condos, along with huge international chain stores. This is nothing but a huge giveaway to developers who have long lobbied for these changes and donated generously to the Mayor's campaign and now-shuttered, ethically tarred non-profit as a means to achieve it.

Please make sure this does not happen, this would change our city for the worse.

Best,
Jana Adler

Subject: AGAINST City Planning Scoping Meeting for the SoHo-NoHo Neighborhood Plan
Date: Thursday, December 3, 2020 at 1:39:22 PM Central Standard Time
From: Jana Adler
To: 21DCP059M_DL

Hello - I had hoped to join today's meeting but since I am unable to. I wanted to voice my opinion and alarm about this rezoning plan.

This is terrible for NYC , as a homeowner in Greenwich Village this is hurting my quality of life and the spirit of NYC - NO to this proposed rezoning. Shame on the Mayor and developers for pushing this fake community improvement when it's really just selling out the city for its parts.

NO.

Thank you

Subject: I DO NOT Support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 10:38:07 AM Central Standard Time
From: Patricia Ali
To: 21DCP059M_DL

This is a poorly worded and stupidly timed effort in support of real estate developers.
DO NOT VOTE FOR THIS PROPOSAL.
Patricia Ali, resident of SOHO

Sent from my iPhone

Subject: I Do not Support Rezoning NoHo/SoHo
Date: Saturday, December 19, 2020 at 12:06:02 AM Central Standard Time
From: Funeral Home E-Mail
To: 21DCP059M_DL

I do NOT support rezoning NoHo/SoHo.

Sent from my iPhone

Subject: Opposing the mayor's upzoning plan
Date: Monday, December 7, 2020 at 2:09:36 PM Central Standard Time
From: Naomi S. Antonakos
To: 21DCP059M_DL
Attachments: EmailSignature_text NEW.jpg

and supporting the cummuity's alternative plan.

Do not erase the unique communities of Soho and Noho, treasures that have evolved naturally over decades and are unique in definition, safe, terrific for SMALL shopping and restaurant activities.

No upzoning.

No destruction of historic buildings.

Develop in an area where it would be welcome.

Never destroy something already very good.

Naomi S. Antonakos



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212 925 5956 I 917 650 2207
info@stephenantonakos.com I www.stephenantonakos.com

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Subject: Testimony on Soho/Noho rezoning
Date: Friday, December 4, 2020 at 4:11:14 PM Central Standard Time
From: Jacob Baskin
To: 21DCP059M_DL

Hello,

As a New York City resident and homeowner, I wanted to write in support of a housing-focused, inclusive Soho/Noho rezoning. This area is one of the richest and most transit accessible in the whole city and it is vital for us to take this opportunity to maximize access to opportunity for low- and middle-income New Yorkers by building new housing, both market-rate and affordable, in this neighborhood.

The current DSOW is a good start, but I believe that there are steps that can be taken to increase the amount of housing that will be constructed as a result of the rezoning. In particular, increasing the maximum buildable floor area by changing proposed R9X zoning to R10 and proposed R7X zoning to R8X would maximize the housing potential of these areas within state legal requirements. Furthermore, the Non-Residential Floor Area Retention Policy will make it harder for developers to produce new housing, both by new developments and residential conversions, and should be eliminated except perhaps in exceptional circumstances.

Furthermore, some sites can be included in the rezoning or have their density increased. 55 Bleecker Street and 477-479 West Broadway abut buildings that are built more densely than their proposed density post-rezoning; these lots should be rezoned to match the density of their neighboring buildings. And 2 Howard Street and 142 Grand Street, owned by the federal government and city, respectively, should be included in the rezoning, allowing for the development of mixed-income housing on these parcels.

Thank you for your attention to these issues. Especially during COVID, as the city recovers from a major disaster, it is essential to make sure the city can grow and remain vital rather than stagnating, and to make sure that it provides a good quality of life and access to opportunity for residents of all income levels.

Best,

Jacob Baskin

Subject: NoHo Soho Scoping meeting
Date: Thursday, December 3, 2020 at 10:57:31 AM Central Standard Time
From: Leigh Behnke
To: Jeffrey Glovsky (DCP), 21DCP059M_DL

OPPOSITION TO THE PLAN
OPPOSITION TO UPZONING

Please PAUSE THIS PROCESS AND REJECT THIS PLAN BECAUSE:

1.DIFFICULT PROCESS TO ACCESS

I am very upset at how difficult this process is during the pandemic. It appears to be designed to thwart public input and participation. My entire life savings are at stake based on how the upzoning on Broadway will affect my ability to live, work, and ultimately to sell my apartment, which represents most of my net wealth.

2.INFRASTRUCTURE
I am extremely concerned about how the limited and historic infrastructure will support this huge increase in population, and in retail space.

Of particular concern is in the delivery systems that will be required to support retail that is larger than 10,000 sq feet. The few stores that already have this square footage are unable to have goods delivered without impacting the adjacent mixed use community. Broadway is already a nightmare with constant confrontations between these entities. What requirements are proposed to bring more goods into the neighborhood and how will these practices be enforced?
Where will space be created for loading zones that are off street and thus will not affect the quality of life including off hour noise and air pollution for the residents who live above the shops.

3>COSTS TO CURRENT RESIDENTS

Currently there is a tax to convert manufacturing space to residential space. In a worst case scenario this would be an about equal to the current value of my loft, wiping out my life savings. I have owned this space since 1984 and occupy it legally. How does the city justify changing a zoning regulation that imposes such an extreme hardship on the current middle and lower income residents who currently reside here? Is grandfathering of such fees being considered?

4 Effect on Residents of Broadway Corridor

None of us are hostile to affordable housing, we welcome it. We are hostile to the upzoning that is required to enable it. Additionally, those of us on the Broadway corridor are extremely hostile to the plan to allow large retail to obese their square footage. We have lived with a precarious balance. This plan sells out the residents who have lived here since the 1970's.

Thank you for your consideration of these points.
Leigh Behnke
543 Broadway
NYC,NY 10012

Subject: SoHo/NoHo Scoping Session Comment
Date: Monday, December 7, 2020 at 3:54:09 PM Central Standard Time
From: Vern Bergelin
To: 21DCP059M_DL

Dear DCP Planners,

The following is my comment on the proposed EIS and ULURP action for the rezoning of SoHo/NoHo:

Don't be mislead by the talking points promoting the so-called "Community Plan" or by other outside interests presented at your Scoping meeting on December 3rd.

While all residents of Manhattan, and indeed the City, State and country have the right to comment under the scoping process, I believe the comments and other inputs of residents, property owners and workers residing or having a direct interest WITHIN the areas of SoHo and NoHo directly affected by the proposed action should take priority or be considered the most substantive for the purposes of your scoping and planning process.

Thank you,

Vern Bergelin
Property Owner, NoHo

Sent from Mail for Windows 10

Subject: I DO NOT Support Rezoning NoHo/SoHo
Date: Friday, December 18, 2020 at 1:29:24 PM Central Standard Time
From: Eugenia Bone
To: 21DCP059M_DL

I do NOT support rezoning in its current incarnation.

I have lived in SoHo for over 30 years and I don't know anyone who has a problem with affordable housing in our neighborhood. What residents like me have a problem with is when affordable housing is used as a beard for luxury rentals and retail rezoning that would allow for big box type businesses to move in.

Soho, once a center for manufacturing in the city, was revitalized by artistic people, and there are still many of us left. I want affordable housing here, because that means students and artists can live in Soho again, and I want small business interests to be protected. We need a fishmonger in the neighborhood, not a Target.

Let's rezone, but rezone for real, reflecting real income ratios. Instead of 25% affordable housing in a luxury building, rezone for 75% affordable housing. And no free pass for superstores that will stamp out the residential feel of our community. It's bad enough we suffer from the blight of franchises that have made the neighborhood feel like an airport mall. On the one hand the rezoning plan is selling affordable housing, but on the other hand, it awards most of that housing to the luxury market. On the one hand the plan removes "cumbersome regulations for retail business" but those cumbersome regulations prohibit megastores. C'mon. Let's have an honest policy that truly supports diverse residents and small businessowners in Soho and beyond.

I won't vote for any City Council member who supports this plan. And it is time to stop characterizing the neighborhood as exclusively the playground of the rich. There are plenty of rent controlled artistic people who still live here, making our work and contributing to the cultural riches of NYC. And I feel confident saying we all pay more than $750 in taxes a year.

Eugenia Bone

http://www.eugeniabone.com

Subject: Soho/noho rezoning meeting Dec 3rd 2-5pm
Date: Tuesday, December 1, 2020 at 7:02:47 PM Eastern Standard Time
From: sam chiddlewack
To: 21DCP059M_DL

Hi

I will be in attendance for the meeting on Dec 3rd and would like to know when you will update the assumptions/analysis that is affecting the decision making?

In the previous meeting re up zoning of soho/noho it was stated that the analysis for this had been conducted in 2019, which was pre-covid.
The city landscape, demographics and income has altered dramatically since March 2013 so a re-evaluation must be necessary to
Come up with a fair and balanced proposal.

Regards.
Samantha Chadwick
NYC resident.

Subject: SoHo/NoHo Plan
Date: Friday, December 4, 2020 at 3:33:15 PM Central Standard Time
From: Mike Cherepko
To: 21DCP059M_DL

Dear Planners,

I'd like to register my support for the SoHo/NoHo plan. I think it could be bigger and do more to get more housing. I also think community preference for MIH units should be extended to anyone who works in the neighborhood, not just people already rich enough to live there. But overall, I am so happy to see this happening.

Thanks,
Mike Cherepko
Brooklyn

Subject: NoHo & SoHo upzoning
Date: Wednesday, December 2, 2020 at 1:18:48 PM Eastern Standard Time
From: Anne Christensen
To: 21DCP059M_DL

Planning Commission,

I oppose the mayors plan to allow for bigger, larger developments in the SoHo & NoHo areas. We do not need box stores and cookie-cutter developments moving in.
My husband has a very small business, a bookstore, in this area and has for over 15 years. The charm and artistry of the area is the heart of NYC!
There must be other solutions besides ruining the soul of the city. What will be left? Does everyone have to move to Brooklyn?

Anne Christensen

Subject: Comments pasted and attached re SoHo NoHo Rezoning Draft Scope
Date: Saturday, December 12, 2020 at 5:11:24 PM Central Standard Time
From: Mary Clarke
To: 21DCP059M_DL
Attachments: Rezoning comments to CityPlanning Dec 12 2020.docx

Overview

After attending every single Envision SoHo NoHo meeting and TWO artist/rental tenant focus groups, I can assure you the scoping document is beyond disappointing. It is shocking.

In every meeting, we were repeatedly told this "envisioning plan" was simply that, and that it was NOT a rezoning effort, nor was a rezoning even in the works. Not one of the principals used the R word unless they slipped up (yes, it happened once or twice).

City Planning staff patiently listened to stakeholders detail their likes, dislikes, complaints and ideas, both big picture and small. Not a single idea is reflected in the scoping document.

After working for years to get Historic District designation in NoHo (which took three separate designations to accomplish in full (1999, 2003, 2008), this new plan puts the buildings in our Historic Districts in jeopardy, subject to demolition and/or enlargement. This is not OK.

As many others have already stated, now is not the time to undertake these measures. We must put the process on pause.

Comments on specific Draft Scope items

Page 11 on Draft Scope pdf

(pp. 9-10 on doc)

NEIGHBORHOOD CONTEXT

Bowery Corridor

“The Bowery, a major commercial corridor and wide street, is located at the northeast corner of the Project Area in NoHo between Great Jones Street and Astor Place. The stretch north of 4th Street is characterized primarily by mixed residential and commercial buildings and a large institutional presence, with heights ranging from four to 16 stories and FARs generally between 5.0 and 9.0. **In the area outside of the historic district along and south of East 4th Street,** there are a number of under-built sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings that have been converted to eating and drinking establishments. Ground-floor retail is more common south of East 4th Street than the area to the north.”

COMMENT

The above is a major error, which is reflected in the maps on Figures 1, 2, 3 and 4 in the Draft Scope, where mapped boundaries of the historic district do not include the west side of Bowery from 4th St to Bond. Most of the buildings on the west side of the Bowery south of East 4th Street are indeed **WITHIN** the NoHo Historic District Extension. Each is noted, mapped and described in the Noho Historic District Extension designation report from May 2008. The west side of Bowery should be considered part of the **Historic Core.**

354 and 356 Bowery between Great Jones and East 4th Street are cited.

330 through 344 Bowery between Bond and Great Jones St. are cited.

p. 27 on pdf

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

P. 28 on PDF

p. 23 on doc (continued under the above heading)

"Certain lots that meet these criteria have been **excluded** from the development scenario based on the following conditions, in accordance with the guidance provided in the CEQR Technical Manual, and because they are very unlikely to be redeveloped as a result of the Proposed Actions:

• Multi-unit buildings with existing tenants, such as existing individual buildings with **six** or more residential units, and assemblages of buildings with a total of 6 or more residential units, are **unlikely** to be redeveloped because of the required relocation of tenants in rent-stabilized units)."

COMMENT: What about smaller individual buildings with existing tenants with **FEWER than 6** residential units?

Examples: 26, 28, 33, 51 and 52 Bond Street—mostly rent-stabilized JLWQA /or IMD, artist-occupied housing. Many of the tenants are 65 and older. Are these buildings also "unlikely to be redeveloped" or does their small size render them too insignificant for protection? **Article 7C** addresses and covers buildings occupied by as few as **three** families. As the Draft Scope states (below):

p. 5 on pdf

C. BACKGROUND TO THE PROPOSED ACTIONS

• PROJECT AREA HISTORY

p. 6 on PDF

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

"In the early 1980s, the City and State introduced zoning and legislative changes to regulate the conversion of non-residential loft buildings after recognizing a growing trend of illegal residential loft conversions. The MDL was amended by the enactment of Article 7C (also known as the "Loft Law"), which enabled the creation of Interim Multiple Dwellings (IMDs), i.e., a temporary legal status conferred upon commercial or manufacturing buildings occupied by **three** or more families with the ultimate expectation that such buildings be upgraded as permanent housing, and established the New York City Loft Board to regulate such conversions to residential use."

p. 28 on pdf

p. 23 on doc

PROJECTED AND POTENTIAL DEVELOPMENT SITES

"To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: ***projected development sites*** and ***potential development sites.*** The projected development sites are considered more likely to be developed within the 10-year analysis period. Potential sites are considered less likely to be developed over the approximately 10-year analysis period. Projected and potential development sites were identified based on the following criteria:

Potential Development Sites

· Lots with slightly irregular shapes or challenging configurations (overly narrow, deep), small (generally between 1,700 sf and 2,000 sf in lot area), or encumbrances which would make development more difficult will be considered potential development sites in the EIS.

· Sites located within historic districts that are occupied by existing buildings will be considered potential development sites in the EIS. The demolition, redevelopment and/or enlargement of these buildings are subject to LPC review and approval, which could contribute to higher development cost and longer timeframe.

COMMENT

I'm particularly concerned about the smaller buildings on Bleecker and Bond Sts, : On Bond between Bowery and Lafayette alone there are five small buildings, three of them Federal and/or Greek Revival structures. Are these buildings now subject to "demolition, redevelopment and/or enlargement"?

Subject: upzoning SoHo/NoHo
Date: Thursday, December 3, 2020 at 10:49:35 AM Central Standard Time
From: Robert Cohen
To: 21DCP059M_DL

To whom it may concern.

I am opposed to the DCP's plan and opposed to upzoning in SoHo/NoHo.

- The plan pushes heavily for increased office space, attempting to convert SoHo/NoHo into a Central Business District. This means the influx of thousands into our already congested neighborhood.

- Thousands of new residents will need their automobiles. Where will they park? How much pollution will they generate? (The Federal Environmental Protection Agency has listed Canal Street as having some of the worst pollution levels in the country.)

- I am also concerned about the environmental impact on sewage, infrastructure, sanitation and waste removal, public transportation, police and fire services, schools, open green space, vehicular and pedestrian congestion, air pollution, and quality of life, to list just a few.

For these and other reasons I demand at the very least that any decision will be postponed until Covid-19 has abated and a true public meeting can take place.

Sincerely
Robert Cohen

Robert Cohen, Ph.D.
123 Prince Street
New York, NY 10012
phone / fax 212-475-5682

Subject: SOHO-NOHO REZONING SCOPING REPORT
Date: Monday, December 7, 2020 at 1:31:59 PM Central Standard Time
From: Benjamin Darche
To: 21DCP059M_DL

TESTIMONY
1. I am a 16-year NOHO resident living with my wife, who moved into the neighborhood over 45 years ago. She is one of the pioneer artists in residence, among many others that are testifying today. We are being pushed out by the current neighborhood gentrification due to increasing property taxes and building maintenance costs, among others. The up-zoning will accelerate the gentrification process. It will reduce housing for current residents, and will not achieve "affordable housing" goals stated in the scoping report. Is this the "economic development" goal DCP has in mind? I don't think so.
2. I am against the massive SOHO-NOHO up-zoning and it's so-called "MIH" plan to support "affordable housing". The question is "affordable" for whom? As currently structured, the MIH is basically an excuse to provide developers with an incentive to wring concessions and tax breaks from the city in exchange for so called "affordable housing". Developers will only consider "affordable housing units" if they receive sufficient tax incentives; height or FAR variances, and other taxpayer subsidies to achieve their "threshold" profitability. Housing for "lower middle income" owners is not feasible in the increasingly high-end luxury condominium SOHO-NOHO neighborhood without direct, massive government subsidies. "Affordable housing" is a major conundrum that requires innovative solutions; not developer giveaways.
3. The EIS must be delayed until a third "community alternative plan option" is thoroughly vetted by a sincere community process, unlike the envision process that preceded the scoping report. The scoping report disregarded any of our inputs and concerns during the multi-month envision process and the many hours community participants provided in the spirit of cooperation with DCP. The scoping report is clear evidence of the city's duplicity in telling us one thing and doing another. I will not participate in a sham.
4. If DCP is sincere in requesting community input, we need a third option that includes a new citywide approach to "affordable housing; not the same developer "give away" at taxpayer expense. At a minimum, DCP should evaluate the MIH track record in Manhattan before proceeding with any SOHO-NOHO up-zoning that is supposedly driven by the goal to increase the stock of "affordable housing", economic development, and the other "goals", or more accurately, meaningless platitudes, listed in the scoping report.
5. The EIS community plan option must have a democratically elected community task force that prepares the community plan side-by-side with DCP staff and elected official representatives. This option should be vetted with the NOHO-SOHO community group members of the task force with the power to veto the EIS altogether unless the EIS considers the Community Plan. The rationale for this approach is that DCP will proceed with the build-out or "With Action" alternative in any case (as evidenced by the disregard of the envision process). The goal of the veto is to reach a reasonable compromise with DCP while providing "affordable housing", not simply to hand over SOHO and NOHO for "economic development", that will drive the final nail in the SOHO-NOHO historic landmarks coffin.

QUESTIONS AND COMMENTS

SOHO-NOHO REZONING SCOPING REPORT QUESTIONS AND COMMENTS

Introduction

Did the LPC in 1999 create the NOHO Historic District for the City to eradicate it 20 years later? This isn't "Historic Preservation" but simply the propagation of uncompromising, unyielding "economic development" and so called "affordable housing" that isn't affordable. What will be the socio-demographic characteristics of the households that live in the "affordable units" proposed for these GIANT developments surrounding the NOHO Historic District? What is the median AMI for the current NOHO neighborhood? – is it possible to have "affordable housing" with the recent glut of multi-million dollar condominiums in the project area?

Comments and Questions on the Scoping Report

1. Page 13: “Purpose and Need for the Proposed Actions: “The Proposed Actions are necessary to address neighborhood and citywide planning needs, including supporting economic development (does this include equitable economic development?) and recovery and resiliency and strengthening mixed-use, increasing access to housing—including affordable housing, and establishing harmonious built form”. What do these words actual mean? We need clear definitions, assumptions and methods to measure the outcomes implied by these words.

2. Page 17: ”Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts’ use regulations would apply, with modifications”. What are the modifications?

3. Page 18, Affordable Housing Fund: The proposed Affordable Housing Fund allows developers to apply to BSA for a “special permit” to reduce their payment into the Fund where requirement would make development “financially infeasible”. How will the DEIS define and calculate “financially feasible” (see the next question on the RWCDS model, below)? With a very high AMI in the NOHO Core, what household income levels are necessary to qualify for the MIH program? What are the demographic characteristics of families/persons that may qualify for “affordable housing” units?

4. Page 18: What are the proposed “subdistrict regulations” to “allow sufficient flexibility” (what does sufficient flexibility mean?) to achieve housing goals (the 1,699 With Action additional DUs?) What are the “affordable” prices of the “affordable units”?

5. Page 18: What is the forecasted median income of the households that will live in the project area’s “affordable units”? We need the statistics of the current AMI for the project area to compare them with the required minimum income for the proposed affordable units in each of the project’s sub areas, especially the SNMD. These statistics, among many others, were not given to the community participants by DCP in the so-called “envision” neighborhood workshops during the rezoning exploratory phase conduced a couple of years ago.

6. Page 18: Who determines the amount a developer pays into the Affordable Housing Fund? The developer? The DCP? The city council? Is this amount based on the project’s “financial feasibility”?

7. Page 19: RWCDS model: whose “crystal ball” (assumptions about the future “financial feasibility”) will the EIS model use to forecast the “No Action condition” and the “With Action condition” analysis in the 10-year time-frame (2021-2031)? What happens if COVID continues and/or worsens the current economic downturn? Will the RWCDS model’s financial and economic assumptions be changed “mid-stream” to reflect the reality of a significant delay in the financially feasibility to absorb the “build-out” commercial and residential square footage assumed in the model? Any change in the number of MIH units?

8. Page 18 MIH Program
• Will the EIS assess whether an Appendix 1 project is “financially feasible” AND comply with the two MIH options? (Option 1 requires 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the AMI (what is the baseline AMI year? What assumptions will the model use to forecast the AMI and other input variables from 2021-2031?). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent AMI (same as previous questions). Option 2 would require 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent AMI. (same as the previous questions).
• What is the annual forecasted assumption of the median AMI for each of the subproject areas over the 10-year forecast horizon for each development site indicated in Appendix 1? What is the absorption rate assumption (number of MIH and other units sold over time at a specific price for a specific project? Does the model automatically adjust the unit Price to achieve “financial feasibility” goals stated in Options 1 and 2? the amount of Affordable Housing Fund subsidy required to make the project feasible for the developer?
9. Page 20 Future with the Proposed Actions – what is the basis of the conclusion that “a substantial portion of the 1,683 DUs are expected to be affordable”? Has the DCP already run the models to arrive at this conclusion? If not, how did DCP arrive at the percentage AMI figures for Options 1 and 2, above? Will the EIS consultant simply confirm

this conclusion?
10. Page 28 – Will the EIS use the same assumptions as presented in the last 3 paragraphs of page 21 to determine the “net increment of 3,181 residents” (1,683 DUs; the net increase over No Action)?

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Benjamin Darche
Infrastructure and Public Finance Consultant
phone: +1-415-595-2554
skype: bdarche

Subject: Soho Noho Plan
Date: Saturday, December 5, 2020 at 6:01:53 PM Central Standard Time
From: Joe DiMondi
To: 21DCP059M_DL

I am writing to express my strong opposition to the current Soho Noho plan:
- Upzoning will destroy the character of this historic area by more than doubling the height of buildings and taking away our sunny, breezy streets and replacing them with shadow and pollution. No other world city allows such development in historic areas to this degree. Why Soho?
- Creating the Broadway corridor as envisioned will reduce the size of historic Soho by 40%. Historic Soho consists of only 5 streets: Crosby; Mercer; Greene; Wooster; and West Broadway. The Broadway corridor will effectively remove Crosby and Mercer streets from historic preservation by having one side of each street be deemed commercial. There is no such thing as a historic half street. So our best shot at preservation is having a 3 street historic area?
- Crosby Street in particular will be decimated. A street often called one of the most beautiful streets in all of NYC (https://www.thrillist.com/amphtml/lifestyle/new-york/most-beautiful-nyc-new-york-city-streets) will be cut into pieces, with half of the street deemed commercial (Broadway corridor) and the south end deemed either another business corridor (Canal) or a housing opportunity area, allowing 140% upzoning. How hard is it really in a city the size of NYC to preserve one of the most beautiful and historic streets in NYC? Is this really such a burden? Or is it because I am literally surrounded by REITS who have bought up the spaces on Crosby and Broadway and are just waiting for upzoning
- Big box retail stores are completely out of scale with the neighborhood. Soho is one of the premier retail destination in the world, bar none. What possible reason is there to allow big box retail in a small scale historic neighborhood, when other areas already offer such amenities or are better equipped to offer such amenities?
- “Balanced” against all of this, the affordable housing to be developed is a essentially nothing. 400-800 units? One building could support that. And the government owns lots to build on. They could develop these lots and create thousands of 100% permanently affordable units. Units that would then attract affordable amenities. No value oriented grocer, for example, is coming to Soho for 400-800 units in a sea of new luxury development. The current plan will put a small number of affordable housing in an area barren of amenities, barren of schools (Soho has zero and wont build one for 400-800 units), barren of parks, basically cut off from community necessities.

The city has benefitted mightily from Soho becoming one of its most lucrative retail and tourist destinations in the world. At the expense of its residents over time. It is time for the city to listen to those residents to create a sensible plan to align zoning with reality and streamline regulations to bring certainty to residents, commercial and retail owners and tenants alike.

Joseph DiMondi

Subject: 410 Lafayette Street/NoHo
Date: Monday, November 30, 2020 at 6:52:06 AM Eastern Standard Time
From: Yvonne Fernandez
To: 21DCP059M_DL

Thank you in advance.

I had written before this question during the last meeting held. I have not yet received an answer.

My question is this:
In the initial zoning plan, 410 Lafayette Street a designated parking lot has been placed in the zoning plan as a possible place to build. Is there a direct possibility of this since to occur since this property has a lease in place for several more years. Has this property been decided by the owner to sell in order to allow for future building?

Thank you.
Yvonne Fernandez
917.608.9199
Email: evooevo107@gmail.com

Subject: How will you address:

Date: Wednesday, December 2, 2020 at 9:45:25 PM Central Standard Time

From: Noyes Flood

To: 21DCP059M_DL

#1: the environmental impact of tens of thousands more people

#2: the environmental problems on our antiquated sewage system of thousands of new residents flushing their toilets and showering in the morning getting ready for work. We recall raw sewage backing up on West Broadway during past storm run-offs. The same problems apply to thousands of new office workers straining our waste system all day.

#3: much of SoHo is in a flood plain. Hurricane Sandy brought flood waters up to Wooster Street and halfway up to Broome Street. What mitigation for new construction has the city planned to deal with these flooding problems?

#4: thousands of wealthy new residents will need their automobiles. Where will they park? How much pollution will they generate? Remember, the Federal Environmental Protection Agency has listed **Canal Street having some of the worst pollution levels in the country**

#5: there are **no schools** in SoHo/NoHo. Where will all the new kids be educated?

#6: more people will require more police and fire services. Yet the upzoning proposal ignores this reality.

#7: Zoom meetings are not true public meetings. Rezonings are not mandated by law. Surely during a pandemic, this upzoning can be postponed until we can have true public meetings in person, and not in the Cloud. Demand a postponement.

#8: to accurately measure the impacts on the environment, DCP needs to collect real-time data on pedestrian counts, vehicular traffic counts, public transportation usage, etc. However, due to covid, we know that SoHo/NoHo retail activity is a shadow of its former self, and a shadow of what it will be when things return to normal. So, any data collected now will not reflect the reality of what will be in the near future and thus will be **grossly inaccurate.**

This is WRONG. POSTPONE. Aside of getting money in your pocket, what's the rush, de Blasio? WTF? A Democrat? Really?

Subject: Zoom Meeting Dec 3
Date: Friday, December 4, 2020 at 11:18:13 AM Central Standard Time
From: Susan Fortgang
To: 21DCP059M_DL
CC: Sean Sweeney, Pete Davies

Dear Ms Abinator and the Members of the DCP,

Re: Community Testimony on the Scoping Plan for the EIS for Upzoning SoHo NoHo

I was very disturbed by the way the Zoom meeting was handled yesterday. On an issue as important as this, more effort should have been made to address the members of the community who wished to testify. I **waited for 4 hours**, from 1:00 when we were first able to register and sign up to testify, to 5:00 PM when my name was finally called to give my testimony. Sadly, I was not able to testify in front of the community as I, along with several other community members, was told that I had an older version of the Zoom software and was not compatible. After waiting for this very long time, I was then told to phone in and wait again. Due to to other obligations, I was not able to give any more time. Here are my comments:

• Registration should have been provided days before the meeting. This is what was done in your previous meeting. At that time, I was given a personal passcode for inclusion in the meeting. My Zoom software worked during that meeting.

• Information should have been given, even at 1:00 when the registration opened, as to the need to have the most updated version of Zoom. Did I miss this? I would have had time to install it before the meeting began at 2 PM. Others, including Deborah Glick, and Sean Sweeney, had problems. While I accept responsibility, many of us are not always technically up to date.

•What bothered me the most, was that I had no idea of where I was on the list of persons waiting to testify. Consideration was given to individuals needing translation and callers who phoned in. <u>It would have been considerate for those of us on the list waiting to testify, if you had read the names and our number on the list at the beginning of the meeting and updated this during the meeting.</u> It was difficult to take a break because we did not know when and if we would be called. Announcing who the next speaker was provided little information to those of us who were waiting in line. Obviously, you had a list of all who had registered to testify. I believe I was about# 29 when my name was called around 5:00. It would hav also been appropriate to let us know how many speakers were still waiting at that time so we could anticipate when the meeting would end. Time is valuable to all of us and waiting for 4 hours without success is disturbing to me. Just saying that everyone will have an opportunity to testify is not enough when one is required to wait for so many hours not knowing when the end is in sight.

This process is definitely flawed. I participated in many of the community meetings, spending countless hours participating in this process only to feel short changed. You are now rushing us into an EIS that should definitely be postponed considering the conditions in SoHo during the pandemic. The entire future of this community hangs in the balance. I will be submitting written testimony as well as contacting my representatives.

Susan Fortgang
23 Greene Street, SoHo

Subject: Testimony Re: Draft Scoping Proposal for SoHo-NoHo
Date: Tuesday, December 15, 2020 at 10:09:34 AM Central Standard Time
From: Susan Fortgang
To: 21DCP059M_DL
CC: Sean Sweeney
Attachments: Testimony for DCP from Susan Fortgang 1220.docx

Dear Ms. Abinader and Committee Members,

Please consider my testimony in the attached Word document. Thank You.

Susan Fortgang
23 Greene Street

To: Department of City Planning
Att: Olga Abinader and Committee Members
From: Susan Fortgang
SoHo Artist Resident – 23 Greene Street SoHo – M15B
Re: Proposed Draft Scoping Plan for the EIS for Up Zoning SoHo NoHo
Date: December 15, 2020

I am opposed to the current Department of City Planning Plan to Up Zone SoHo and NoHo.

I object to the pursuit of an Environmental Impact Study during the pandemic during which conditions in SoHo are definitely skewed. There are few tourists, many empty retail spaces, few office workers, less traffic and many businesses and restaurants that are struggling. It is not possible to measure the impact of the changes you are proposing at this time and it is unclear as to how these communities will recover. The EIS needs to be postponed.

While I have concerns about many aspects of the proposed Draft in the broader sense, particularly the changes to allowable building heights and the large numbers of luxury tenants you are planning to inject into the community, I am confining my comments to the M-15B in SoHo and to the situation involving current JLWQA along with many environmental concerns. I participated in many of the meetings involving the Neighborhood Plan. I am a certified artist, along with my husband, Robert Schecter, and we have lived in SoHo for over 45 years.

Issues Involving the M1-5B – now M15-R7X.

• **Your proposal fails to define specifically what use groups will be allowed on the ground floor.** Changes to the ground floor use can dramatically alter the quality of life in this important part of the historic district as well as damage the historic nature of these blocks below Broome Street. Most of the significant and oldest of Cast Iron buildings are located in this part of SoHo giving unique and defining character to the district. Designer showrooms and small unique retail should be preserved here. There should be no food, dining or entertainment allowed on these blocks and reasonable closing hours should be observed in this area to protect many residents living on upper floors many of whom have large historic windows about 150 years old. Events, with music, drinking, crowds, should be restricted and there should be enforcement.

Unlike other areas in the district, there are very few, if any, of these beautiful ground floor showrooms for rent in the M-15B – even under the pandemic. On Greene Street where I live, several ground floor showrooms are owned by one landlord who does not live here. His main concern is with maximizing his rent, not necessarily for the historic district or the quality-of -life issues that many of us are trying to protect. Under your plan of expanding the use groups in the M-15B, this landlord will have a lot of power in determining the nature of our very historic block depending on how he rents these ground floors and to what extent restrictions, if any, are enforced. There are many residential buildings in SoHo where the ground floor is not owned by the Co-Op or the Condominium. Many quality-of-life issues being expressed by residents throughout SoHo involve a delicate balance between residents and the needs of owners of ground floors.

• **Your proposal fails to take into account the special nature of the Cast Iron itself which is a huge transmitter of sound.** The narrow streets, cast iron, and cobblestones create an echo chamber which amplifies sound. Many buildings in the M-15B have windows that are over 150 years old. Cars with loud stereos and motorcycles drive through our streets just to hear the intense sound that their vehicles produce which resound in our homes and workspaces. People shouting on the street, particularly when drinking, have a similar effect. This is difficult to measure as much of this activity is sporadic and unpredictable. However, appropriate ground floor uses are critical for maintaining the quality-of-life as well as the character of the historic district. The M-15B is the real SoHo.

• **Your proposal fails to address the many new uses of our streets where moving vehicles have been reduced to one lane.** <u>The impact of changes made by the Bloomberg administration have had the opposite effect on our environment by adding to the air and noise pollution.</u> This is a result of the alternate use of our streets for bike lanes, Citi Bike parking, regular parking, and now, outside restaurant use of the street. Restaurants are already looking to make these outdoor café's permanent. **Traffic cannot move.** Prior to the pandemic, there was more air pollution, noise pollution and horn honking than ever before. On Grand Street, the bike lane is vastly under used. Now that people are dependent on delivery services, this situation will worsen.



Grand and Greene St



Cars trying to turn on Grand from Greene

Again, there is a sporadic nature to this problem and if you measure it at the wrong time, you will not see the problem. Greene Street where I live, between Canal and Grand, is a major north bound street and traffic moves north from Tribeca, Canal St and Lower Manhattan. Many vehicles want to turn right on Grand Street, a major artery to little Italy, Chinatown, and the East River bridges, but they cannot turn because Grand Street has one lane and is dominated by an underutilized bike lane as well as other uses as I mentioned. No one from the city takes a second look or follows up. On a few occasions, emergency vehicles could not turn.



•**Your proposal fails to address the need for parking.** In fact, two of the potential development sites in the proposal, on Canal Street and West Broadway are currently parking garages heavily relied upon by the community, hotels, businesses, and visitors. They will be among the first buildings to be sold to developers for luxury development. Neither the Sheraton Hotel, on the south side of Canal Street or the SoHo Grand Hotel on West Broadway have garages.

• **Your proposal does not adequately address the soil conditions along Canal Street and in many sections of the M-15B.** A new residential building, just finishing construction on the corner of Greene and Canal Streets, took over 3 years to complete as it had to be built out of steel as opposed to poured concrete due to soil conditions. There is no garage. Yet, the developer, under the current FAR, will still make a profit. The building conforms to the character of the block. I shudder to think what this would have looked like 2.5 times the height under your proposal for Canal Street.



• **Your proposal does not adequately address the infrastructure and age of the cast iron buildings in the M-15B**. The conditions here are unique not only with the soil but also because we live on a flood plain. Parts of the M- 15B have flooded several times during the years. St Alphonsus Church was torn down because it was sinking. A few years ago, a building on Grand and Wooster Street collapsed. Many cast iron buildings in this section, including the one I live in, are listing. What will protect the community when incentives for luxury development in this section is "as of right" and there are few controls?

Issues About JLWQA

My husband and I are original loft tenants, certified artists, and currently live and work in SoHo under Rent Stabilization. We have gone through the processes of the Loft Law and, in cooperation with our original landlord, worked together to bring the building to code. The tenants paid for code for their lofts and the common areas of the building. In 1991, we were granted a C/O for JLWQA and were placed under Rent Stabilization. It is a unique relationship that has allowed the majority of us to stay in the community. Four Rent Stabilized tenants and five artists still live in my building since the early 1970's. There is another building like this, with several Rent Stabilize tenant-artists across the street.

• **Your proposal does not adequately count the number of artists or rent stabilized tenants or look into ways to model what is already successful.** More than half the people I know in SoHo are rent stabilized tenants. Most of the people I know in general, who live here, are artists or affiliated and interested in the arts. There seems to be an effort to allow big corporations to take over under the assumptions being made about RS tenants, and the numbers of artists who live in SoHo-NoHo. Artists need access to galleries and museums. The artists, owners and renters, give our community stability by voting here and looking out for the neighborhood. We do not need more luxury apartments in buildings that are 2.5 times the size. Many owners of this type of housing do not live here but buy for investment. JLWQ's should be encouraged, not only for artists, but for individuals who want a stake in a creative community. Surely, you can explore some original approaches. This is the affordable housing we need. Sadly, developers benefiting in this draft, will buy their way out of affordable housing which will not get built. I support opportunity for affordable housing that is not linked to luxury development and that actually gets created in SoHo.

• **Your proposal does not address the unique and varied situations with the Loft Law or NYS.** It concerns me that you say that owners can transition from JLWQA to apartments. This could be problematic for artist tenants covered by the Loft Law or Rent Stabilization. It increases the options for landlords to harass tenants into leaving or even telling artists that they can no longer work I their spaces. The DHCR (Dept of Housing and Community Renewal, NYS) considers lofts to be apartments for rent purposes only. Under the Loft Law, tenants have a right to sell their fixtures and their leases, but landlords have the right to buy them back particularly when it involves Vacancy Decontrol. Vacancy Decontrol in general has been the cause for the loss in affordable housing in New York City and elsewhere. These issues need more attention as zoning changes have deep effects.

In conclusion, I urge you not to throw the baby out with the bath water and to refine your thinking about preserving many aspects of SoHo and NoHo. While I accept the fact that some changes are necessary it is also smart to preserve the qualities of the historic district – something that cannot be replaced for future generations. Many tourists come here to see the architecture and the special nature of the neighborhood. Shopping and eating are secondary in the M-15B. Restrict the retail and entertainment uses in the M 15-7RX. Encourage unique small businesses and avoid allowing chain stores. Protect the Design District. Changes in the zoning have large impacts and many are unknown. Thank you for your consideration.

Susan Fortgang
23 Greene Street
artsmart44@aol.com

Subject: Feedback on SoHo/NoHo plan
Date: Friday, December 18, 2020 at 1:10:03 PM Central Standard Time
From: Fredericka Foster
To: 21DCP059M_DL, hello@cb2manhattan.org

On Dec 18, 2020, at 10:38 AM, Bennett Shapiro <benshapiro.mac@me.com> wrote:

Excellent note, with modifications below——-

To Whom it May Concern:

We agree with many others in SoHo that we need more affordable housing in our neighborhood - many artists who had been renting here for years have been pushed out. This is one of the few areas in the city that has the kind of space artists need to work and these lofts are essential for dancers, sculptors, as well as painters such as myself.

I have difficulty understanding why you are trying to push this major project through in a hurried fashion without face to face discussions, when so many SoHo residents are out of town because of the COVID risk. For such a huge reorganization you must arrange meetings that include comprehensive input by all affected persons. Also, the anticipated context for your environmental impact studies is completely unrealistic because of COVID-related perturbations in regional shopping, work environments, dining, entertainment, residential life, academic life, and everything else that was going on in the SoHo area prior to February 2020. Thus, this seems to be a sham analysis, to fill in a checklist without any attempt to learn anything appropriate about the real impact of this poorly developed plan. You need to wait until we see what New York looks like in the aftermath of this terrible disaster. It feels like you are trying to take advantage of the citizens of downtown New York, especially those in SoHo, NoHo and surrounding areas, to rush into a poorly characterized plan just to enrich a few developers.

Also, and as you well know, an enormous amount of vacant and underutilized space is available in Manhattan right now because of the COVID disaster. How are you approaching those opportunities for optimal use? Why are you focusing on SoHo and NoHo, when to add all your imagined buildings will completely change our neighborhood. As you well know, but so cynically forgot to mention in your biased proposal, we are one of the few living areas in NY with no park and no parking! If your plan were to go through, where will you put all the resultant cars in the area? We have no schools - where will the children go? And no open spaces for families to enjoy the outdoors. Moreover, the air pollution downtown surrounding the Canal street area is substantial, and up-zoning in this area is moving in the wrong direction.

You offer arguments that the city needs to lower rents, and thus the requirement for higher density development in SoHo/NoHo. This is obviously some fantasy of your planning group, since current rents are are being lowered all over the city because of the COVID pandemic. You must have noticed that buildings are empty in many parts of NYC, so please explain why you argue for building more commercial space in this historic, protected area.

It is obvious to one of us as the last artist owning a loft in our building at 121 Greene Street that our current SoHo/NoHo neighbors need to be able to be legally occupy their spaces, by insuring that they all can obtain appropriate protections This is the kind of up zoning we need. Many of the buildings that you see as opportunities for inappropriate expansion are the very ones that have artists living in rent controlled spaces. Your plan for massive development will result in them being kicked out, further devaluing one of the special aspects that SoHo developed over the past half century, and one characteristic responsible for NYC being identified as a world center of creativity (with many obvious roles played in the economic success of Manhattan during that period, as has been well recognized).

Thus, this plan has the potential for social, artistic and economic damage to NYC that is not considered in any balanced fashion in your presentation, and needs much further careful analysis and discussion before it's implementation. The downside of this proposal for the culture and special attributes of NYC is much greater than the potential upside, and that requires much more consideration and discussion before implementation.

Thank you for your consideration,

Fredericka Foster, Certified Artist under the NYC program
Ben Shapiro
121 Greene Street
Mailing: 215 Thompson. NY NY 10012

Subject: RPA testimony on the coping of SoHo/NoHo
Date: Friday, December 18, 2020 at 2:45:33 PM Central Standard Time
From: Moses Gates
To: 21DCP059M_DL
CC: Danielle J. DeCerbo (DCP)
Attachments: RPA SoHo_NoHo testimony.docx

Thank you for the opportunity to submit testimony, please see attached.

Moses Gates
Vice President, Housing & Neighborhood Planning
Regional Plan Association
One Whitehall, 16th Floor, New York, NY 10004
mgates@rpa.org | 718.440.1411

TESTIMONY OF THE REGIONAL PLAN ASSOCIATION ON THE SCOPING OF NEW YORK CITY DCP'S PROPOSED SOHO/NOHO REZONING

Thank you for the opportunity to submit testimony. My name is Moses Gates, and I am the Vice President for Housing and Neighborhood Planning at Regional Plan Association. RPA is a non-profit civic organization that conducts research, planning and advocacy to improve economic opportunity, mobility, environmental sustainability and the quality of life for those who live and work in the New York metropolitan region.

RPA is excited about DCP's focus on the SoHo/NoHo area as a neighborhood which could supply much needed affordable housing growth as well as the overall direction of the proposal. More mixed-income housing is greatly needed in New York, particularly in areas with access to jobs and mass transit, and in areas which do not currently have affordable housing opportunities for new residents. This is also the type of place where New York's Mandatory Inclusionary Housing policy is designed to work: High market neighborhoods in which larger buildings can be built with proper zoning.

In scoping the proposed rezoning we would like to see DCP take a somewhat more expansive look at the geography. Specifically, there are several areas not included in the rezoning where significant potential for affordable housing could exist.

First, we would like to see the area east side of 6th Avenue between Canal and Houston street considered, especially the areas which are not part of the existing Sullivan-Thompson Historic District. For instance, between Sullivan Street and Sixth Avenue, south of Spring street, there are four newly built large, expensive single-family homes - the type of development that results in high-market areas which are not zoned to allow for enough mixed-income multifamily housing. Encouraging more single-family homes is completely inappropriate in an area like SoHo which has good access to jobs and transit, and which needs more neighborhood retail uses and more affordable housing. This is especially egregious considering Sixth Avenue is a wide street in core Manhattan, the type of street which is best suited for large multifamily buildings. This site of these four townhouses could easily accommodate well over 100 apartments with ground floor neighborhood retail and still not be taller than the building next door. Despite its recent construction, this site could still be a feasible development site with the proper zoning, and we urge its inclusion in the study. In addition, the Houston Street corridor east of Mulberry street, the South Side of Canal Street, and the East side of Lafayette Street could be added to the study area as well.

We would also like to see the R10 designation extended to the north side of Grand Street, and specifically encompass the municipally owned site at 142 Grand Street. Any development on this site is likely to be 100% affordable housing and as such should be zoned for as much residential use as possible, especially since the south side of Grand Street is also proposed to be rezoned to R10. We would also like to see all of the Canal street corridor have an R10 designation as well, instead of the currently proposed R9X.

We would also like to see the proposal tailored to encourage more housing overall. Currently, the spread between commercial and residential density is too low. Especially in the R7X areas we would like to see the residential FAR increased.

In conjunction with other changes to be made in the MIH text with this proposal we would like to specifically see one loophole closed, which is in section 23-96 (b) 2 of the Zoning Resolution. This specifically allows IH projects where “all affordable housing units are rental affordable housing and all other dwelling units are homeownership housing” to economically segregate the buildings, putting all the affordable rental housing on lower “poor floors” and all of the high-end condos on upper floors, leading not to a mixed-income community but to a two-tiered structure both literally and figuratively. This is not in the spirit of mixed-income housing and neighborhoods, and we urge DCP to eliminate this language in the SoHo/NoHo MIH area, if not the MIH text overall.

Finally, we also highly encourage DCP to coordinate with DOT and other agencies to truly reimagine Canal and Houston streets especially as modern thoroughfares, safe for pedestrians and cyclists, and look for places where the zoning code could encourage this type of transformation.

Thank you for the opportunity to submit testimony, and we look forward to continuing to support the effort to bring more affordable housing to one of our neighborhoods most in need of it.

Moses Gates
Vice-President, Regional Plan Association

Subject: DELAY DELAY !!!

Date: Thursday, December 3, 2020 at 11:42:13 AM Central Standard Time

From: Madelynn Gingold

To: 21DCP059M_DL

At a time of pandemic, when local co life is deeply disturbed, it is outrageous bad timing to try to push forward with the SOHO/NOHO rezoning plan.
Who gives you public relations advice?…the real estate industry?…clearly not the community. DELAY!
Madelynn Gingold (RESIDENT since 1971)
148 Greene Street
NYC10012
917 853 8846

Subject: SoHo/NoHo Scope of Work
Date: Thursday, December 3, 2020 at 10:12:45 AM Central Standard Time
From: Chris Goode
To: 21DCP059M_DL

I am a 40 year resident of this neighborhood. We desperately need more housing of all kinds. I support rezoning which increases the FAR and locations for more housing to be built. I support reducing the allowable FAR for offices in order to further promote more housing. Unfortunately the current proposal of 10 FAR for office and 12 FAR for housing is not a big enough incentive for developers to switch from office to housing construction.

Further I believe zoning should be amended to allow for the incorporation of housing into existing office/commercial buildings allowing for a mixed use. Also allowing for set back (not visible from street) rooftop additions of apartments on all existing buildings would be a good way to add further housing.

Thank you,

Christopher Goode
646-337-8824

Subject: support for rezoning NoHo/SoHo
Date: Friday, December 18, 2020 at 1:48:19 PM Central Standard Time
From: Lawrence Greenfield
To: 21DCP059M_DL

Hello,

My name is Lawrence Greenfield, and I live at 366 Broadway, just south of SoHo. I strongly support the proposed rezoning and allowing more housing to be built in SoHo and NoHo. It will make SoHo as well as my neighborhood a better, more vibrant place, as well as more welcoming to all New Yorkers.

thank you,
Lawrence Greenfield
366 Broadway, Apt 12B, New York NY 10013
718-809-5941

Subject: SoHo/NoHo Rezoning comment
Date: Wednesday, December 9, 2020 at 6:34:46 PM Central Standard Time
From: Dennis Griffith
To: 21DCP059M_DL

I work in SoHo and live just across the study boundary in NoLIta. I'd like to express broad support with upzoing, but I have a concern about the focus of the current proposal. Specifically, I'm worried that the increased commercial densities would compete with the similar (slightly larger!) residential densities. I'd like to see the plan figure out a way to get both a substantial commercial and residential component (I'd like to see something like the FiDi's cool towers out of my corner office), but failing that, I'd like to see a stronger preference towards residential.

Additionally, I'd like to object to the upzoning by Prince and Mulberry. It's too small. The buildings there don't seem especially historic or interesting, so I think it would be an opportunity to allow a lot more density. I'm not comfortable with the zoning code to say what's the specific zone I'd want, but my office across the street (14FAR per ZoLa) seems like a reasonable comparison.

Subject: Input into Soho/Noho Zoning Plan
Date: Friday, December 4, 2020 at 6:35:23 PM Central Standard Time
From: Matthew Guttentag
To: 21DCP059M_DL

Dear Planning Team,

I was unable to attend the planning meeting on the Soho/Noho rezoning, but am a NYC resident and would like to offer my perspective. As someone who is not able to afford to live in that area, but would certainly love to, I am delighted that the rezoning is offering more housing and in particular more affordable housing. However, I am concerned that the plan is not going far enough on that front to truly make a difference, and recommend the following adjustments:

-The proposed M1-5/R9X districts (the Broadway - Houston Corridor, NoHo North, and Canal Corridor) should instead be mapped with R10 and the M1-5/R7X districts should instead be mapped with at least R8X.

-The city should not provide commercial upzonings in the rezoning, especially in the housing opportunity areas, where it most risks crowding out new housing.

-The city should get rid of the Non-Residential Floor Area Retention, or at least restrict it.

These would all add more much-needed housing. I would love to some day be able to move to the neighborhood, and will be closely following (and casting my local votes) based on whether that is moving towards becoming a reality!

Warm regards,

Matthew Guttentag

Subject: WTF!
Date: Wednesday, December 2, 2020 at 4:41:42 PM Eastern Standard Time
From: Clarence Hahn
To: 21DCP059M_DL

To All,

I live in Soho and find the current proposal a collection of terrible, corrupt, and deeply cynical policies that would eviscerate the neighborhood AND completely miss the intended mark of mobilising progressives around affordable housing. The analysts and politicians putting forward this proposal are merely 'ticking' the progressive box while simultaneously raising campaign funds - NY politicians at their best!

Sincerely,
Clarence Hahn

Subject: NoHO/SOHO Rezoning
Date: Friday, December 18, 2020 at 4:14:41 PM Central Standard Time
From: Ilana Haramati
To: 21DCP059M_DL

Hi,

As a resident of lower Manhattan, I write in support of the plan for rezoning NoHo/SoHo. Doing so will increase housing, and help move our city one step closer to being a welcoming place for *all* New Yorkers. Increasing equity and access to affordable housing should be a top priority for the city--it is the only way we can continue to be the vibrant place that so many want to call home.

Best,

Ilana Haramati, resident of 10002

Subject: SoHo/NoHo rezoning
Date: Friday, December 4, 2020 at 6:50:06 PM Central Standard Time
From: Meghan Heintz
To: 21DCP059M_DL

Hi,

I'm writing today to say I support rezoning SoHo and NoHo for more housing and especially more affordable housing. This neighborhood hasn't done it's fair share with respect to housing and rezoning it for more affordable housing would make the city more inclusive. I hope that the city will make sure that the levels of affordability offered are deep and structure the rezoning such that housing is prioritized over new office space.

I wish I could say I am a SoHo resident so you'd take my testimony seriously but the neighborhood is laughably unaffordable to me and out of my reach, so I cannot. I hope the city will take into account the opinions of residents of other NYC neighborhoods considering how deeply exclusive and expensive SoHo/NoHo currently is.

Thank you,
Meghan Heintz
1275 Prospect Ave.
Brooklyn, NY

Subject: SoHo/NoHo Draft Scoping Comments
Date: Friday, December 18, 2020 at 3:41:34 PM Central Standard Time
From: Emily Hellstrom
To: 21DCP059M_DL
Attachments: SoHoNoHo Scoping Comments.pdf

Dear City Planning Commission,

I have lived in SoHo since 1996, and, among other things, I am the president of the largest residential co-op on Broadway and Crosby Street. I am writing today on behalf of my building residents, to oppose the massive up-zoning which is being foisted upon us with no regard for the community based plans that I have seen. Many of us believed the city at the start of the Envision SoHo NoHo process when you claimed this would be a “ground up” rezoning and a “true community process”.

Within the SoHo Broadway Initiative, where I act as the Vice President, we came to believe that after 50 years, and so many of the uses within the district out of compliance, that it was important to begin planning for the next 50 years. So we spent time creating a framework that stakeholders who live, work and visit the district could get behind. Several resident groups also worked on plans. In addition, we all spent hours of volunteer time to attend the many meetings for Envision SoHo/NoHo.

What the City rolled out last month has no bearing on the hours of time that so many of us spent in discussion and planning. Instead we are saddled with a massive increase in FAR that no stakeholder was interested in. It does not guarantee one unit of affordable housing, instead relying on a failed MIH mechanism with an abysmal track record of creating affordable units because it relies heavily on the whims of commercial developers who are inextricably tied to market forces. It prioritizes office space which, if there is ANYTHING this pandemic has taught us, is about to get a massive face change. It does not speak about any other vision for creating affordable housing, such as incentivizing office conversions, looking at working with the hotel industry to convert some of the hotels into housing, nor does it take a hard look at the city owned land at 2 Howard Street, which is currently serving as a severely underused police parking lot. It also does not look at how to preserve the thousands of residents who live here in rent controlled units, nor does it show any way of legalizing other residents who are non-artists and need to live legally, and says nothing of height limits, landmarking or any protections for artists. It also is reckless when it comes to retail with nothing written in regarding methods for encouraging small business and making sure that we do not have floor to ceiling commercialization throughout the district.

This plan looks like it was outdated 5 years ago, let alone a plan to bring us into the future. There are several community groups that have created solid, productive compromises which aim to correct many of the issues this neighborhood faces, including affordable housing, mixed use living, and retail. I urge the City Planning Commission to slow down this process, focus listening to the community, so that we can do the hard work of coming up with a plan that actually works for all stakeholders.

All the best,
Emily Hellstrom

Co-op Board President
514 Broadway/66 Crosby Street

—
Emily Hellstrom
917 386-7479
emilyhellstrom@mac.com

Emily Hellstrom
66 Crobsy Street, #6E
New York, NY 10012

December 18, 2020

Dear City Planning Commission,

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This plan looks like it was outdated 5 years ago, let alone a plan to bring us into the future. There are several community groups that have created solid, productive compromises which aim to correct many of the issues this neighborhood faces, including affordable housing, mixed use living, and retail. I urge the City Planning Commission to slow down this process, focus listening to the community, so that we can do the hard work of coming up with a plan that actually works for all stakeholders.

All the best,
Emily Hellstrom



Co-op Board President
514 Broadway/66 Crosby Street

Subject: Comments re: DCP Scope of Work for SoHo and NoHo
Date: Friday, December 18, 2020 at 5:03:26 PM Central Standard Time
From: Rosalie Hronsky
To: 21DCP059M_DL
Attachments: 12 18 2020 Comments on DCP Scope of Work SoHo NoHo.pdf

Please see attached letter.

Rosalie J. Hronsky
435 West Broadway
New York, NY 10012
December 18, 2020

VIA Email Transmission
NYC Department of City Planning
21DCP059M_DL@planning.nyc.gov.

Re: Comments on DCP Plan for the Rezoning of SoHo and NoHo
and DCP Scope of Work

Dear Sirs and Madams:

I write this letter in opposition to the SoHo/NoHo upzoning plan proposed by the NYC Department of City Planning (DCP) and the Draft Scope of Work (Scope of Work) DCP has issued. It is also submitted in favor of the Community Alternative Rezoning Plan for SoHo and NoHo (Community Alternative).

DCP represents that it sought "community input to develop strategies to both honor SoHo/NoHo's history and ensure the continued vitality of the neighborhoods going forward." Instead, DCP has issued a proposed plan and Scope of Work that are remarkable in their total disregard of the hours of the input from the SoHo and NoHo residents, who made these neighborhoods what they are today. The DCP and Mayor are attempting to rush through a proposed plan that would destroy the character, skyline and light in these historic neighborhoods, increase traffic and pedestrian congestion on our streets, and adversely affect the quality of life of residents. It would only benefit the developers who generously contributed to the Mayor's political campaigns and have long lobbied the Mayor for upzoning.

I am married to an artist, and we reside in one of the first artist coops in SoHo, which was formed by a group of artists in the early '70s. We were able to purchase our loft in the late '80s because the artist requirement suppressed real estate values in SoHo and made our loft affordable. Our coop has had minimal turnover in the more than 30 years we have lived here and has always been strict about the artist requirement. We know many other artists who bought lofts when they were affordable or reside in lofts protected by the Loft Law who have stayed in place in SoHo because comparable spaces are no longer affordable to buy or rent. In contrast to the Community Alternative, DCP's plan, if adopted, would undercut SoHo/NoHo's history and legacy by neither requiring nor protecting any affordable housing for artists.

DCP's proposed plan and Scope of Work pay mere lip service to and minimize the artistic community residing in SoHo. Without conducting a survey of all residential buildings in SoHo, as was done when the zoning was changed to permit artists to reside in SoHo, DCP has concluded based on such specious evidence as the "decline

of the number of artist certifications by the DCLA" since the 70s and '80s, that "artists do not make up a significant segment of the current 8,000 person residential population or market demand in SoHo/NoHo. DCP's conclusions are self-serving and fallacious. DCP also does not explain with any particularity how its plan would continue SoHo/NoHo's artistic legacy.

At no point during our community meetings with DCP and political leaders about expanding the zoning of SoSo/NoHo was the building of luxury high-rises mentioned. If it were, it would have been met with vociferous opposition. The requirement that developers include MIH affordable housing in these luxury high-rises is replete with exceptions and does not guarantee that truly affordable housing will be provided. The developers purposely mischaracterize our neighborhoods' opposition to DCP's plan, and insult our intelligence, by calling us racists who do not want affordable housing in our backyard. This is a ruse by developers who falsely cloak their self-interest in the promise of affordable housing but cannot be trusted to build what they promise. What our neighborhoods oppose is the destruction of smaller buildings and their replacement by out- of-scale luxury high-rises. We oppose upzoning and support the Community Plan, which would preserve the FARs in our neighborhood and provide more actually affordable housing. We have consistently stated that we are in favor of affordable housing in SoHo, including affordable housing for artists, and in favor of greater diversity.

Currently, SoHo is characterized by relatively low-rise buildings, many of which are landmarked. It is a former industrial area with open skies, sunlight and views of the New York skyline, including of the Empire State Building to the north and the World Trade Center to the south. The projected development as of right in SoHo West will obscure the view of the World Trade Center and essentially change SoHo's skyline. It should be noted that the shadows analysis proposed by DCP in its Scope of Work is basically meaningless because of the dirth of green space and parks in the SoHo. The only parks nearby are the park on Thompson Street and Washington Square Park, which are both already crowded. I raised two sons in SoHo, and we had to travel to other neighborhoods for them to play in green parks. Any plan for residential expansion in SoHo should provide for new parks and green spaces but DCP's plan does not. Also, there has also long been a shortage of public schools serving SoHo.

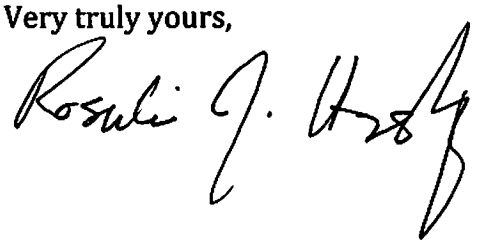
DCP's proposed plan, if adopted, will permit greater FARs throughout SoHo and result in the almost doubling of SoHo's residential population and the influx of thousands of new office workers into the neighborhood. It will also insert a long commercial strip of over-sized box stores centered on and spanning the length of Broadway from NoHo to SoHo. (See Scope of Work, Figure 4) This commercial strip, in which department stores will be permitted as of right, will be situated between the two historical, landmarked parts of SoHo and will bring even more shoppers and vehicular traffic into our neighborhood, which is already strained by its proximity to the Holland tunnel. This will result in more noise and pollution.

It is also highly questionable whether the old and fragile gas, plumbing, sewage, electrical and other infra-structures in SoHo can handle this increase of population. Canal Street, which was formerly a canal, and Grand Street and West Broadway have a long history of flooding when storms strike the neighborhood. And ConEd is ever-present digging up the streets in search of the source of the gas smells on West Broadway. In fact, as recently as a year ago, a manhole exploded on West Broadway that caused a geyser of fire, which kept going as pressure built up underground. It took hours for the Fire Department and ConEd to get it under control and weeks to repair.

Lastly, the current timeframe of the EIS in the middle of the Covid-19 pandemic, and the temporary economic downturn and lack of tourism it has caused, will result in the study being predicated on facts, e.g. pedestrian and vehicular traffic, that are not characteristic of the neighborhoods because many people are staying indoors or out of the City, working from home and ordering food and goods on the internet. The EIS should be postponed until after the pandemic is over in order to assess the real underlying conditions in these neighborhoods.

We request that DCP's plan be rejected because it would overwhelm SoHo with at least ten years of development, with unfettered destruction of short buildings, increased FARs throughout the neighborhood, and a population and traffic density more akin to Herald Square. Affordable housing is a false promise under the developer-backed DCP plan. Indeed, the SoHo we played a large part in creating and love would become unrecognizable. Therefore, we request that DCP's plan be rejected and that the Community plan - which provides for in-scale-buildings at the current FARs, truly affordable housing, and greater diversity - should be adopted.

Very truly yours,



Subject: Comments on SoHo/NoHo Rezoning
Date: Tuesday, December 1, 2020 at 12:47:16 PM Eastern Standard Time
From: Drew Johnston
To: 21DCP059M_DL

Dear Department of City Planning,
I'm writing in advance of the meeting Thursday, with a few thoughts of mine about the initial rezoning plan put forward in the SoHo/NoHo area. I think the plan is a great start, and a nice contrast to some prior rezonings which have been focused on lower-income areas. I think the department is right in its interest in adding housing capacity near so many jobs--the existing housing stock in the area is extremely expensive, and largely out of reach of many (like me) who work in the area. I would caution that, if extremely high commercial densities are allowed, the residential rezoning may yield fewer units than hoped for, if developers instead rent space out as offices. This is something the department ought to keep in mind when revising this proposal.
Thanks,
Drew Johnston

Subject: from Alex Katz
Date: Monday, December 7, 2020 at 12:54:18 PM Central Standard Time
From: Vincent Katz
To: 21DCP059M_DL

From Alex Katz, painter and SoHo resident since 1968:

The City's SoHo/NoHo Neighborhood plan would ruin the traditional character of the neighborhood as it currently exists. It would open it to development and the introduction of gigantic chain stores and restaurants, irreparably damaging the neighborhood. The quality of SoHo, which is a major tourist attraction, and thus, a benefit to the image and income of the city, is based on the scale and architectural quality of its buildings and spaces, and also its history as a home to those involved in the arts. Allowing developers to build luxury housing and large-scale commercial spaces will utterly destroy SoHo as we know it. We demand that the current plan be scrapped and the alternative proposal being crafted by neighborhood residents be considered. Thank you.

Subject: Soho/Noho upzoning
Date: Monday, December 7, 2020 at 3:41:06 PM Central Standard Time
From: Susan Keith
To: 21DCP059M_DL

We are against the present city administration's proposed upzoning of Soho/Noho . The fact that this is being brought up front again in the midst of the Covid pandemic which is in an extremely dangerous surge and people can not physically attend forums/meetings is appalling and thoughtless. The Soho/Noho neighborhood has changed in the past year, with many residents having left the city, either temporarily or permanently, and many businesses have closed. Any surveys for environmental impact or other assessments that have been done during this period are not valid as they reflect a ghost of the neighborhood and not what it has been prior to the Covid pandemic. These are not normal times, and when we come to a time when we have safely emerged from this health emergency, we will have a new normal which can not be known at this time. There are many residential condos/coops that have not sold, and empty stores up and down our streets. Newer buildings that have been put up in the past two years have large empty retail spaces with no tenants. The mayor's plan seems designed for further upscale development, and large commercial retailers, increasing the scale of allowable retail stores beyond the present 10,000 sq.ft. Trying to sell this plan as a boon for affordable housing is a sham, as whatever is created if any will not be of significance. If the city seriously wants to address the need for affordable housing which is monumental, then that should be the focus. There should be research into unoccupied buildings and spaces, existing landlords in need, and what could be done on a broader and more immediate time frame.

The proposed plan also does not incorporate the feedback from the series of Envision Soho meetings that were held and heavily attended by residents prior to the pandemic. There should be a pause put on any rezoning process until we are safely past this dire period, and we are in favor of the Community Alternative Rezoning plan which has the input of multiple community groups and incorporates the concerns of long time artist residents and the preservation of the joint living/work quarters for artists who were instrumental in creating the unique Soho neighborhood.

The potential impact of the mayor's proposed plan on the Soho/ Noho neighborhood environment is of serious concern. The addition of a few thousand more residents and the possibility of a surge of office workers and big chain stores with an influx of shoppers will stress our aging infrastructure including sewage system, sanitation, as well as the public transportation system. In the years preceding Covid"s arrival, the sewers have at times backed up during heavy rains storms. Sidewalks and subway platforms were often packed and cars crowded streets, adding to air pollution and street waste. The addition of close to 80% more residents than those currently residing here would burden the present police force and there would be a need for additional police for public safety.

The area has no schools, no real parks or green or open space and there is a lack of nearby health care since the closing of St. Vincent's Hospital, which should be a consideration for an increased population. The present pandemic should serve as a warning for the need to plan ahead for public health as researchers have highlighted for us that there will most likely be new virus threats and that climate change plays a part in this. And we should remember what happened with super storm Sandy, as flood waters reached close by, and power was lost for days. The city has not even completed all the proposed mitigation plans to protect us from another such event.

The plan cuts up our neighborhood by zones allowing for building size increase of a minimum of 20% in some blocks and increases up to 240% in height and bulk outside the Historic district. There would be a doubling of present height and bulk along Broadway and Lafayette in the Historic district. This approach and carving out

of different allowable height and bulk allowances on different blocks will effectively destroy what made Soho/Noho a special, unique, neighborhood that drew people here, artisans and special stores, and brought back an area that was losing its manufacturing businesses. There are sites designated for development in the mayor's plan next to historic, cast iron buildings, and there is a risk of undermining the foundations of these older buildings or having fatal damage done to adjacent walls by excavations and heavy construction work. This happened to a building on the NE corner of Grand and Wooster. Allowing retail spaces greater than the present 10,000 sq. ft. would attract big box chains that would diminish and drive out small independent stores that added to the character and charm of our neighborhood.

We agree that there is a need for affordable housing but adding more expensive high rise apartments to our neighborhood and upzoning for larger retail spaces are not the answers to this need. We have new buildings with empty spaces now, and our post pandemic future remains to be seen with the possibility of many people not returning to live here or even coming into offices for work. We feel that the mayor's plan should be put aside and when we are in recovery and more healed, we would support the CommunityAlternative Rezoning Plan for Soho and Noho which addresses the issues of current residents as well as provides for affordable housing and allows for as-of right location of broader retail use within the current limits of 10,000 sq. ft. Soho/ Noho does not have to be carved up to look nothing like itself and have all its unique charm removed to accomplish these goals.

Susan and John Keith
16 Crosby Street- 5RN
New York, N.Y. 10013

Subject: Re: Soho-Noho Neighborhood plan
Date: Thursday, December 3, 2020 at 1:04:18 PM Central Standard Time
From: CUSHLA KELLY
To: 21DCP059M_DL

I also would like to add I am the president of the Co-op board at 119 Spring Street and speak for them.

> On Dec 3, 2020, at 1:36 PM, CUSHLA KELLY <cushlakelly@msn.com> wrote:
>
> To Whom it May Concern,
>
> I live at 119 Spring Street #3, I am also a joint owner of 119 Greene Street #3. I have lived in the neighborhood for 27 years. My 2 children attended local schools and we consider Soho our home.
>
> I vehemently oppose the Soho-Noho Neighborhood proposal. Everything we love about our neighborhood is in jeopardy. As long term residents we pay our taxes, maintain our buildings, participate in community efforts to preserve the historic architecture and culture which we value greatly.
>
> Already we have been under attack with recent lootings. With the development proposals and up zoning in question here, the heart of what makes Soho so special will be destroyed. People like me, my family and neighbors will no longer wish to live there. The population increase cannot be supported.
>
> Maybe you don’t care about us.
>
> Soho has a tradition of artists, of beautiful historic cast iron buildings, of quiet cobble stone streets. You can rip the heart out of Soho in the interest of higher tax receipts, but in doing so you will loose it. Maybe money rules here and I am crying into the dark. I have to try.
>
> Yours sincerely,
> Cushla Kelly
>
>

From: Cameron Khajavi
To: 21DCP059M_DL
Subject: soho
Date: Monday, November 23, 2020 12:06:04 PM

Longtime soho resident and think the plan proposed would murder the culture of the neighbhorood which is a big driver of tourism and the overall energy of NYC

It would be an abomination to have big box retailers lining the streets of soho – mega buildings would eliminate the beauty of the area as well

I'm very saddened by what you are proposing – please don't do it

Subject: Calling For Postponement of Proposed Zoning Changes
Date: Thursday, December 3, 2020 at 4:26:04 PM Central Standard Time
From: Alison Knowles
To: 21DCP059M_DL

Dear DCP,

I am a long term resident of SOHO.

Due to the pandemic, state of emergency and lack of data on the following open issues, I'm requesting that re-zoning of the SOHO & NOHO districts be postponed.

Open Issues:

– the environmental impact of tens of thousands more people

– the environmental problems on our antiquated sewage system of thousands of new residents flushing their toilets and showering in the morning getting ready for work. We recall raw sewage backing up on West Broadway during past storm run-offs. The same problems apply to thousands of new office workers straining our waste system all day.

– much of SoHo is in a flood plain. Hurricane Sandy brought flood waters up to Wooster Street and halfway up to Broome Street. What mitigation for new construction has the city planned to deal with these flooding problems?

– thousands of wealthy new residents will need their automobiles. Where will they park? How much pollution will they generate? Remember, the Federal Environmental Protection Agency has listed Canal Street having some of the worst pollution levels in the country

– there are no schools in SoHo/NoHo. Where will all the new kids be educated?

– more people will require more police and fire services. Yet the upzoning proposal ignores this reality.

– Zoom meetings are not true public meetings. Rezonings are not mandated by law. Surely during a pandemic, this upzoning can be postponed until we can have true public meetings in person, and not in the Cloud. Demand a postponement.

– to accurately measure the impacts on the environment, DCP needs to collect real-time data on pedestrian counts, vehicular traffic counts, public transportation usage, etc.
However, due to covid, we know that SoHo/NoHo retail activity is a shadow of its former self, and a shadow of what it will be when things return to normal. So, any data collected now will not reflect the reality of what will be in the near future and thus will be grossly inaccurate.

Alison Knowles

Alison Knowles
122 Spring Street
New York, New York 10012

Subject: EARD Public Scoping Meeting: SoHo/NoHo - formal written Comment
Date: Thursday, December 3, 2020 at 1:59:23 PM Central Standard Time
From: Diane Kolyer
To: 21DCP059M_DL

Cannot the required affordable housing in new residential development be met without the proposed upzoning? Surely it can be applied to new residential development at the same size and scale currently allowed for other kinds of development in SoHo and NoHo?

DIANE KOLYER
646.734.4995 mobile
dkolyer@gmail.com

Subject: (none)
Date: Wednesday, December 2, 2020 at 1:37:47 PM Eastern Standard Time
From: Shaked Koplewitz
To: 21DCP059M_DL

Hi,

I'm concerned that the Soho-noho neighborhood plan doesn't do enough to increase the supply of market-rate housing. The focus on affordable housing is great for the tiny fraction of people who won the affordable housing lottery, but does nothing for the majority of us who live in market rate housing - and in that area, the plan seems to upzone the minimum amount of housing to support affordable housing, instead of focusing on creating an abundance of market rate housing.

Best,
Shaked

Subject: Soho/Noho Rezoning testimony
Date: Sunday, December 6, 2020 at 11:09:41 AM Central Standard Time
From: Michelle Kuppersmith
To: 21DCP059M_DL

Hello,

I want to thank DCP for continuing to host engagement meetings using Zoom during this difficult time. As a local community board member, I understand how difficult it can be for residents to attend long, in-person sessions at night and I encourage DCP to include Zoom in a hybrid engagement process going forward, even when we are allowed to have in-person meetings, to allow for the full breadth of participants to join.

However, I will say that 2 PM is a very difficult time for people to join and stay on to speak, even via Zoom, especially for those who do not work at home or are not retired. I would also encourage you to allow registration ahead of time with an emailed link, to remove any specter that you are attempting to reduce participation. Opponents to this plan will use anything to call into question its credibility - I recommend that DCP do everything it can to remove the "illegitimacy" line of attack that opponents will use to discredit the proposal.

Overall I support the idea of changing zoning in Soho/Noho, as it has not been modified in nearly 50 years, a time when the neighborhood and the city itself have drastically changed. But I think the plan as it stands has one major flaw in that it does not promote affordable housing at the maximum level possible, which is necessary to start addressing New York City's housing crisis. I want to remind everyone that as we evaluate this proposal that we are part of a broader community, one where 57,341 homeless people, including 18,653 homeless children slept in municipal shelters on average in October.

That is why I believe that the city should NOT provide commercial upzonings in this rezoning, especially in the housing opportunity areas, where it most risks crowding out new housing because often commercial space is more profitable than housing. Ideally, the city would drop commercial housing across the board to FAR 2 to always make housing a better financial choice for developers.

Again, Soho/Noho's rezoning (frankly, the city's zoning writ large) needs to be revisited and I urge DCP to adopt the zoning regulations that will most encourage housing - not office space, given that the rezoning will rely mainly on private developers to add housing. Ideally, the city would work with non-profit partners to turn any city/federally owned lots into 100% affordable housing for a range of lower/middle incomes.

Thank you,
Michelle Kuppersmith
125 Delancey Street

Subject: [West Village Resident] SoHo Rezoning
Date: Monday, December 7, 2020 at 7:31:32 PM Central Standard Time
From: Samir Lavingia
To: 21DCP059M_DL

TL;DR:

Hi!

My name is Samir Lavingia, and I live in the West Village. I am a huge supporter of this rezoning. It will bring more equity to the very wealthy parts of Manhattan and help desegregate our city.

My neighborhood is overwhelmingly white in a city that is incredibly diverse. I encourage you to bring a rezoning to the West Village next (especially on transit lines like 7th Ave South and 6th Ave) in order to get more Affordable Housing and further desegregate Lower Manhattan.

Cheers,
Samir

Subject: RE: DCP DECEMBER 3rd SCOPING MEETING RE: THE SOHO/NOHO ZONING PROPOSAL
Date: Thursday, December 17, 2020 at 1:44:02 PM Central Standard Time
From: Marna Lawrence
To: 21DCP059M_DL
Attachments: DCP SCOPING ltr SoHo.NoHo.pdf

To Department of City Planning Members:

Please find attached a revised letter regarding the December 3, 2020 Scoping meeting pertaining to the SoHo/NoHo rezoning proposal, in which I strongly recommend that the City place a PAUSE on the proposal, before moving forward.

Sincerely,

Marna Lawrence

Date: December 16, 2020

FROM: Marna Lawrence
19 Cleveland Place, #1D
New York, NY 10012

To: NYC Department of City Planning

Re: SoHo / NoHo Rezoning Plan
Scoping Meeting: 12/3/2020

To the Department of City Planning:

I attended the December 3, 2020 meeting regarding the SoHo / NoHo Rezoning Plan, and attended almost every Envision SoHo / NoHo Envision workshop, Community Board 2 meeting and DCP hearing since the beginning of the process. **The Draft Scope of Work is insufficient to cover the wide range of issues facing SoHo & NoHo, and the Scope needs to be broadened.**

It is quite clear that this project needs to be put on hold until the Department of City Planning (DCP), the Mayor, and all pertinent NYC and NYS governmental agencies have a clearer idea as to what the future brings for our City during this unprecedented time. It is absurd for the Mayor and the DCP to push through such an enormously complicated plan that looks to change the use and zoning of two such significant neighborhoods in Lower Manhattan, while at the same time businesses are shutting down and Wall Street companies are moving out of the City. And it is equally absurd to consider building more luxury apartment buildings during a time when NYC residents — especially those living in high end luxury apartments — are leaving the City in significantly large numbers.

Since 2019, the community engaged in good faith with the City to to encourage neighborhood diversity, promote economic vitality and improve the quality of life of those who live and work in these neighborhoods. It is quite unfortunate that, so far, this process appears to have been either a sham — or, at the very least, a shame.

- With the Envision SoHo/NoHo program, the City asked the Community to get involved in the process of rezoning these two wonderful neighborhoods. The City assured the Community that we were partners — important and vital stakeholders who would have a say in the outcome.

- The Community worked diligently and methodically to provide the City with an exhaustive, fair and detailed analysis of the project, outlining desired outcomes.

- The City then went behind a closed door, stifling public access, and walked back out of the door with a plan that quite frankly included little to nothing of what the Community recommended or wanted.

- The Community wanted to generate fair and inclusive affordable housing, by "reactivating underused spaces, such as storefronts": the City wants to destroy and demolish buildings where existing spaces exist, in order to build way! oversized luxury commercial and residential buildings, including very few — not so affordable — residential units.

- The Community plan overwhelmingly stated opposition to large scale upzoning: the City's plan focuses mainly on where best to build out-of-scale enormous construction projects.

- The Community plan called for improved quality of life for residents and small business, focusing on better enforcement,

stronger zoning rules and building codes: the City plan offers depressingly little in the way of data driven environmental studies or traffic studies — or even how much actual residential or small business displacement would occur, should these oversized developments actualize.

Frankly, the vast majority of those individuals who attended the December 3rd meeting came away with a sense of outrage that the City has turned its back on the Community, while only serving the interests of the few. And it is discouraging and infuriating to see how the City has decided to PUSH thru changes that would so significantly impact the lives of so many residents and small business owners — especially at such a time as this — when our City is under such distress due to the pandemic.

It is not too late for the City to do the right thing and place a PAUSE on this plan. We look to the future, as we 'see a light at the end of the tunnel'. The City should wait until after the Pandemic is over, when we can actually **see** what is needed for our City and our neighborhoods.

Sincerely,

Marna Lawrence

Subject: RE: PAUSE: SOHO / NOHO ZONING PROPOSAL
Date: Thursday, December 17, 2020 at 12:50:50 PM Central Standard Time
From: Marna Lawrence
To: 21DCP059M_DL
Attachments: DCP SCOPING ltr SoHo.NoHo.pdf

To Department of City Planning Members:

Please find attached my letter regarding the December 3, 2020 Scoping meeting pertaining to the SoHo/NoHo rezoning proposal, in which I strongly recommend that the City place a PAUSE on the proposal, before moving forward.

Sincerely,

Marna Lawrence

Date: December 16, 2020

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19 Cleveland Place, #1D
New York, NY 10012

To: NYC Department of City Planning

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Scoping Meeting: 12/3/2020

To the Department of City Planning:

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It is quite clear that this project needs to be put on hold until the Department of City Planning (DCP), the Mayor, and all pertinent NYC and NYS governmental agencies have a clearer idea as to what the future brings for our City during this unprecedented time. It is absurd for the Mayor and the DCP to push through such an enormously complicated plan that looks to change the use and zoning of two such significant neighborhoods in Lower Manhattan, while at the same time businesses are shutting down and Wall Street companies are moving out of the City. And it is equally absurd to consider building more luxury apartment buildings during a time when NYC residents — especially those living in high end luxury apartments — are leaving the City in significantly large numbers.

Since 2019, the community engaged in good faith with the City to to encourage neighborhood diversity, promote economic vitality and improve the quality of life of those who live and work in these

neighborhoods. It is quite unfortunate that, so far, this process appears to have been either a sham — or, at the very least, a shame.

- With the Envision SoHo/NoHo program, the City asked the Community to get involved in the process of rezoning these two wonderful neighborhoods. The City assured the Community that we were partners — important and vital stakeholders who would have a say in the outcome.

- The Community worked diligently and methodically to provide the City with an exhaustive, fair and detailed analysis of the project, outlining desired outcomes.

- The City then went behind a closed door, stifling public access, and walked back out of the door with a plan that quite frankly included little to nothing of what the Community recommended or wanted.

- The Community wanted to generate fair and inclusive affordable housing, by "reactivating underused spaces, such as storefronts": the City wants to destroy and demolish buildings where existing spaces exist, in order to build way! oversized luxury commercial and residential buildings, including very few — not so affordable — residential units.

- The Community plan overwhelmingly stated opposition to large scale upzoning: the City's plan focuses mainly on where best to build out-of-scale enormous construction projects.

- The Community plan called for improved quality of life for residents and small business, focusing on better enforcement, stronger zoning rules and building codes: the City plan offers depressingly little in the way of data driven environmental studies or traffic studies — or even how much actual residential

or small business displacement would occur, should these oversized developments actualize.

Frankly, the vast majority of those individuals who attended the December 3rd meeting came away with a sense of outrage that the City has turned its back on the Community, while only serving the interests of the few. And it is discouraging and infuriating to see how the City has decided to PUSH thru changes that would so significantly impact the lives of so many residents and small business owners — especially at such a time as this — when our City is under such distress due to the pandemic.

It is not too late for the City to do the right thing and place a PAUSE on this plan. We look to the future, as we 'see a light at the end of the tunnel'. The City should wait until after the Pandemic is over, when we can actually **see** what is needed for our City and our neighborhoods.

Sincerely,

Marna Lawrence

Subject: Resident Response to Soho/Noho Neighborhood Plan and DCP 12/3/20 Zoom meeting
Date: Saturday, December 5, 2020 at 11:32:38 PM Central Standard Time
From: Ann D. Levy
To: 21DCP059M_DL

To the Department of City Planning:

I am a longtime resident of Soho (38 years) and am responding to the Soho/Noho Neighborhood Plan.

I am extremely troubled by the efforts of the City and the DCP to rush through during a pandemic — a time when many residents are not even here — this plan that would dramatically impact our neighborhood.

How can scientific evaluations be made when so much of life in this neighborhood is distorted now by closures containing the spread of Covid-19 and significantly fewer people are here?

This process needs to be paused until we are well past the pandemic and the neighborhood returns to whatever the new normal is.

I do not support this Soho/Noho Neighborhood Plan that has clearly been rushed and put together in a slapdash manner with many mistakes and oversights. It is insulting to residents that it in *no way* reflects the hard work and recommendations of the Envision Soho/Noho Plan that so many of us provided information and feedback for in months of meetings. For these reasons, **I support the Community Alternative Rezoning Plan for soho and Noho** which *does* reflect the Envision Soho/Noho Plan.

The UpZoning permitted in the DCP's plan will cause oversized skyscrapers to dominate this historic neighborhood, nearly double the population, and inundate the neighborhood with still more people who come to work in new office space or shop in big box stores. All of this will impact our daily lives in countless negative ways, including construction going on all around us for many years. It is questionable whether any storefront spaces, new office space, or luxury residences are even needed now, since there seems to be a glut of all of these spaces vacant here and elsewhere in the City. Why does all of this disruption need to occur for the supposed 840 affordable units that *may* be built, but are not guaranteed because of sunset clauses that allow landlords loopholes? There are better ways to build affordable units.

Environmental concerns: The scoping plan fails to consider in detail, or at all, many of the important environmental and quality of life issues brought about by almost doubling the population and bringing in additional workers with increased office space, not to mention the addition of numerous skyscrapers.

--What provisions are being made for increased traffic, pedestrians, garbage, noise, and pollution?

--What provisions are being made for greater use of public transportation and the need for more schools and green space?

--Soho is in a flood plain. What is required for proper drainage and sewage systems and with greater waste being produced by significantly more people?

--Much of Soho is built on land that is not stable, some over old swamplands. **What geological studies have been done or need to be done to be sure that giant towers can even be built—and without structural damage to fragile 19th century structures?**

--**What structural surveys of existing buildings need to be done to find out whether 19th century buildings can withstand constant vibrations from jackhammers and piledrivers used on multiple construction sites?** *There have already been several cases of buildings whose structural integrity was compromised by excavation*

on adjacent construction sites and the residents of these buildings were displaced.

--Studies of shadows cast by out-of-scale skyscrapers only take into consideration how they will impact public spaces, not artists' studios and/or residences?

--What about the environmental impact of wholesale construction for several years in terms of dust, debris, asbestos, and noise on residents and workers, some of who are in the neighborhood 24/7?

The City has demonstrated continually over the years that it is incapable of providing adequate garbage collection, snow clearance, noise control, and policing, even as it has found more and more ways to bring ever larger numbers of people into the neighborhood. *How are we to expect that the City will be able to respond with adequate services to the near doubling of the population, especially with budget cuts due to Covid-19?*

Soho was landmarked as a neighborhood, not as individual buildings dotted here and there in the midst of a 20th century district. In treating these buildings collectively, the Landmarks Preservation Commission was intending to preserve the feel of the entire 19th and early 20th century commercial neighborhood that was built here. Cutting this historic district in two with the Broadway Commercial Corridor — a canyon of skyscrapers — will disturb the continuity of the neighborhood, not only visually and historically, but also the sense of neighborhood that residents and shopkeepers experience.

The Broadway Commercial Corridor should be eliminated from the plan and the historic district should be kept as a unified whole. The plan's assesment of the character of this area and its residents does not reflect what is there. There are many more residences on Broadway than the scoping plan states and, while the area between Howard Street and Houston does contain some 10-12 story buildings, most of these blocks consist largely of 5 story buildings. Landmarking was meant to preserve the context in which these older and lower buildings existed.

There is no need to build newer or larger buildings in the corridor. There was already, pre-pandemic, an abundance of vacant store fronts on Broadway that has increased during recent months as many shops have gone out of business. It is questionable whether any new office space will be needed now that companies are finding they can run efficiently and cut the overhead costs of running large office spaces by having staff work from home. Sandwiching, probably useless, skyscrapers along this corridor would destroy the continuity and integrity of one of New York City's oldest historic neighborhoods. **UpZoning should not be permitted.**

No big box stores or large restaurants should be permitted. They are not in keeping with the character of the neighborhood and they squeeze out local, one-of-a-kind, smaller shops. Oversize stores create problems that this neighborhood is ill-equipped to handle: noise from constant late-night deliveries that keeps residents awake and a huge volume of trash that overtakes sidewalks while awaiting pickup. **Stores must be limited to 10,000 square feet and restaurants should be limited to 5,000 square feet.**

UpZoning the Broadway Corridor would not only severely impact Broadway, but also Crosby and Mercer Streets. Crosby, an extremely narrow street and one lined almost completely with 5 story loft buildings in its lower blocks, is nestled in between Broadway and Lafayette. **Permitting UpZoning on Broadway and Lafayette, without respecting landmarked buildings that are part of the Historic District, would put Crosby Street residents in a dark canyon between two rows of out-of-scale towers, more than twice the height of the 25 story NoMo Hotel (former Mondrian Hotel.)** Loss of light would impact negatively on these residents' daily existence and deflate the real estate value of their lofts. Crosby Street's connection to the rest of the Soho Historic District would be cut. Mercer Street would be impacted to a slightly lesser degree, because Greene Street to its west is not part of the corridor.

Other world class cities (like Berlin which was devastated by WWII) **have managed to preserve their historic neighborhoods by keeping new building heights consistent with older structures, constructing imaginative new buildings that fit in architecturally with historic ones, and by permitting taller buildings only *outside* of historic districts.** Lower Manhattan below 14th Street includes multiple historic and architecturally diverse neighborhoods which give a picture of what NYC life in lower Manhattan looked like 100-150 years ago and in some areas, even earlier. These unique neighborhoods and their proximity to each other are a draw for tourists and visitors. **If Soho**

and Noho's integrity is destroyed and its landmark status is bypassed, this will set the stage for the mass destruction of New York City's rich historical past. If NYC wants to remain a cultural and historical destination point, it needs to do much better than the current Soho/Noho Plan.

Correction needed: Please note that 16 Crosby Street and 452 Broadway are incorrectly labeled as "residential" on the Existing Land Use Fig. 6 (page 26.) They should be correctly labeled "residential with commercial below."

"Elite" Soho and Affordable Housing: The study frankly acknowledges that it did not have an accurate way to determine how many artists live in the neighborhood. There are more artist residents than is noted in the scoping document. Most are longtime artist residents, many of whom never acquired certification, and other longtime rent stabilized residents. These senior citizens need to be able to age and stay in place. They are not rich. They moved here when lofts were the affordable housing for artists — lofts provided work and living space all in one location. Many artists are still renters. Those that were fortunate to be able to convert their buildings to coops, are only wealthy if they sell their lofts and move. With the huge capital gains taxes they would owe, it would not be possible for them to acquire equivalent live-work space.

Most residents support the creation of affordable housing, but not through this sideways process. The MIH plan only specifies a small proportion of affordable units, relative to the huge number of luxury apartments, and because of "sunset clauses," does not guarantee that *any* affordable housing will ever be built! There is currently a glut of vacant luxury apartments so there is no need for this kind of building.

If the focus is on creating affordable housing, why not do just that, through repurposing existing buildings and building new housing on vacant lots with FARs in keeping with current building heights? Funding should be done through government programs and not made contingent on real estate developers' profits. Otherwise, there is no guarantee that these units will ever get built.

The **Community Alternative Rezoning Plan for Soho and Noho** offers plans for affordable housing without UpZoning. Please consider this plan as an alternative. The DCP's plan is unacceptable and should be abandoned.

Sincerely,

Ann Levy
16 Crosby Street

Subject: Soho rezoning proposals
Date: Thursday, December 3, 2020 at 4:53:11 PM Central Standard Time
From: michael lewyn
To: 21DCP059M_DL

I am writing to endorse Open New York's proposals for additional residential upzoning, and to elaborate on my testimony. Given the city's recurrent housing problems and the possible long-term decline of the office market, I think that housing should take priority over offices- especially within walking distance of what's left of the Wall Street office market.

But I am writing to respond to some of the counterarguments raised.

If I understand her testimony correctly, Lynn Ellsworth of the Tribeca Trust seems to believe that the law of supply and demand is somehow "unproven." But now more than ever we know that this is wrong: demand has collapsed because of COVID, and rents have gone down.

If I understand his testimony correctly, Andrew Berman claims that Soho is too dense and traffic-clogged to support new housing. But according to city-data.com, Soho has about 58,000 people per square mile, below Manhattan's 70k-per-square-mile average. Similarly, Mark Dicus testified that Soho is a mixed-use area- but that's true of most of Manhattan. And frankly, I think that more people should live in mixed-use areas, so that more people can have the opportunity to walk to stores and other amenities.

Similarly, a variety of commentators complained about traffic and pollution. But if housing shortages force people into the suburbs and outer boroughs, more people will drive more, creating more traffic and pollution.

Pauline Augustine claims that new housing will block off sunlight. In midtown Manhattan the buildings are much taller than those proposed for Soho, yet there is ample sunlight.

Somebody wrote that new construction would drive out existing businesses. But new construction happens all the time, both in New York and other cities- yet older businesses somehow continue to exist. So that claim makes no sense.

Prof. Michael Lewyn
Touro Law Center
225 Eastview Drive
Central Islip NY 11722

Sent from Outlook

Subject: Soho/Noho needs more housing
Date: Saturday, December 5, 2020 at 12:38:34 PM Central Standard Time
From: Max Livingston
To: 21DCP059M_DL

I am writing to express my support for the DCP's upzoning of SoHo/NoHo. New York is in a housing crisis, and the wealthy neighborhoods of lower Manhattan are precisely where we should be building more housing and taller buildings. I attended the public comment meeting on Thursday but unfortunately had to leave before my name was called to speak. As some others in the meeting noted, there are some possible issues with the current proposal that risk offices being built instead of housing. I support the reduction of the commercial FAR and increase of the residential FAR to ensure that developers build homes rather than offices. Additionally, I would encourage the city to be ambitious and try to get the most new housing that you can, by increasing the height/FAR of 55 Bleecker and 477-479 W Broadway, and including 2 Howard and 142 Grand in the rezoning. Additionally, the proposed M1-5/R9X districts should be mapped to R10, and the M1-5/R7X should be mapped to at least R8X.

Thank you for your hard work and for enduring the tedious hours of public comment on Thursday.

Max

Subject: UpZoning for SoHo/NoHo
Date: Friday, December 4, 2020 at 7:19:20 AM Central Standard Time
From: Bonnie Lynn
To: 21DCP059M_DL

Hello,

I am a resident in SoHo since 1980. I am not rich. I live in a small rent-stabilized loft (under the loft law). I am a retired teacher and now
a self employed photographer.

I listened to the Zoom Meeting yesterday . I'll be brief.

1. These hearings should be postponed for a few months so we can participate IN PERSON as in any democracy. I
suspect these hearings are illegal.

2. I am STRONGLY opposed to the plan as put forth by DCP and supported by the real estate developers and groups
totally unconnected to the neighborhood .

3. I STRONGLY support the Alternative Plan submitted by 10 different true area groups.

Thank you.

Bonnie Lynn
110 Greene Street.

Subject: Rezoning of North side of Great Jones Street to a Commercial Corridor
Date: Friday, December 11, 2020 at 1:08:01 PM Central Standard Time
From: William P Manfredi
To: 21DCP059M_DL

We live and work in an AIR co-op on the the North side of Great Jones Street that is proposed to become a Commercial Corridor. Our loft is on the ground floor and has a Certificate of Occupancy for joint living and work quarters. We have spent thousand of dollars to make it livable and conform to the requirements for a C of O. If the ground floors are to become only commercial how are we going to be protected? I assume we will be grandfathered in as long as we live in our space but if we want to sell or rent out our space will it revert to being commercial space only? Also for your information there are other people in NOHO who live on the ground floor.
Thank You
Nancy English and William Manfredi

Subject: Comments/ Questions Scoping Document/ Soho/ Noho
Date: Wednesday, December 2, 2020 at 7:06:35 PM Central Standard Time
From: Margo Margolis
To: 21DCP059M_DL

I would strongly recommend that this process be put on **pause.** We are in the middle of a Pandemic and it is not possible to do a reliable study or collect accurate data during this time when the norms for life, work and commerce have been upended. Reading the scoping document, I have serious questions about assumptions made concerning the number of artists residing in Soho. Artist Certifications? How far back did you look? Many artists here applied for certification in the 70's and 80's. That is but one example of what I think are erroneous statements in the document. There was also data collected in July about retail when the neighborhood was the center for social activism, marches and upheaval in addition Covid. How can that possibly yield accurate information?

What mitigation strategies are being analyzed to accommodate development of a proposed 78% increase in residential population to accommodate increased energy demands, levels of sanitation and waste management as well as water provision? The additional strain on infrastructure and community resources is an issue. According to *Governing Magazine* there are 41.7 police officers per 1000 residents in NYC. As population grows, there must be comparable increases in NYPD,FDNY and DSNY. What amenities are planned? Currently there are no schools, no parks, no green/and or open space, no access to health care facilities for current residents. What will need to be provided for the increase of population projected?

Google "real estate in New York" and entry after entry states information like this from CNBC*:Manhattan Apartment glut reaches 13,000.* The article and others like it states "The number of vacant apartment buildings in Manhattan continues to grow as the effects of a recent construction boom and the COVID-19 crisis converge within the city's real estate market and continues to posit, "While talk of excess supply in the city's real estate market has been on the rise in recent years, with most critics **citing the region's overdevelopment of luxury high-rise apartments and condominiums..."**

Soho does not need to add to the glut of luxury towers. Why not100% affordable housing?

No one can predict how life will be permanently impacted post pandemic. Remote work may be the norm and office space may languish. Many hotels have closed for good. Why not consider adaptive re-use to convert vacant properties to affordable housing?
The scoping document fails to reflect what the community has communicated through

the Envision Soho/ Noho Process all of which is contained on the document **Community Alternative Rezoning Plan for Soho and Noho** which I support as opposed
the proposal by the DCP.

AS a result of the current crisis the long- term attractiveness of New York as a place to live, to work and to visit is very much in question. It is critical for the vitality and the financial viability of the city to maintain the things about New York that make it unique and authentic. Soho is grassroots, organically grown, continually evolving. It has a history of the multi uses that have generated life and commerce in the area.
New York has to be careful to not let developers turn neighborhoods into a suburban mall, "a placeless place", where any sense of character has been obliterated.
New York faces a critical moment!

Thank you,

Margo Margolis, Painter and resident since 1972
16 Crosby Street
New York, 10013

Subject: SoHo/NoHo draft rezoning
Date: Friday, December 4, 2020 at 5:09:25 PM Central Standard Time
From: Geoffery Metz
To: 21DCP059M_DL

Dear City Planning Team,

I am writing in support of the draft rezoning, with some reservations. The rezoning represents a chance to right some of the historical wrongs that have led to the segregation of our city, and the prospects for truly affordable housing are maybe the best of all the current administration's rezoning plans. It could be the proof of concept for the controversial MIH program, and give many of our lower-income New Yorkers a chance to thrive in the amenity-rich neighborhood.

However, to ensure that we are getting the most subsidized affordable housing possible, I support many of Open New York For All's suggestions:

1) We should reduce the commercial densities to ensure this does not become another office district. In general, both sectors are in high demand, and without a noticeable step up in FAR for residential density compared to commercial, the addition of MIH may nudge many developers to pursue the more profitable office options, which, while also in high demand, will not do anything to diversify the neighborhood and will continue our decades of *de facto* segregation. If we want to ensure a retail component is maintained, then we should leave it as an overlay or not have the commercial FAR go above 2.0.

2) While we can't do anything about the state's FAR cap, we should maximize the available FAR to ensure that the largest amount of affordable units get built. That means that the sections zoned for R9X should instead be R10, and R7X should be at least R8X, although in the borough of skyscrapers we should be able to allow more. Importantly, the 55 Bleecker and 477 to 479 West Broadway sites are also zoned less densely than their surrounding, existing buildings, and these should be adjusted to match the context.

3) The parking at 2 Howard Street and 142 Grand Street should be included. While the Howard lot is federally owned, the incoming administration should be much more inclined to working with the city, and in as we stare down the barrel of the climate crisis, we should not be preserving parking for any reason, let alone in one of the most transit connected neighborhoods in the country.

4) Lastly, the non-residential floor area retention should probably be gone. This has been shown to hinder residential development in other neighborhoods, and I'd argue that preserving commercial space at the expense of allowing more neighbors is not a desirable outcome given the depths of our housing crisis.

Lastly, I'd like to just say that the public comment from the current residents disturbed me. The tone was that of an older, gated community. While I understand that change in general is disruptive and can be jarring, we also need to come to grips with the fact that we've allowed this area to become one of the richest, most exclusive neighborhoods in the country as a result of our indifference. As a Kew Gardens resident who is married to an artist, I can't help what might have been if I had just had the luck to be born and come to the city a few decades earlier. But I, like many who live elsewhere or want to live in the city, do not have the opportunity because of our failure to recognize our city's magnetism, and to allow more people to live where the infrastructure (subway, proximity, schools) is strongest. It's a massive policy failure. The rezoning has the opportunity to correct this, and I hope we take this chance to make it match our inclusive values.

Thank you for your time.

Geoffery Metz

Subject: SoHo/NoHo Neighborhood Plan
Date: Sunday, December 6, 2020 at 11:30:48 AM Central Standard Time
From: Mitcheltree, Anne
To: 21DCP059M_DL
CC: andrew@gvshp.org

Dear City Planning Leadership Team:

I listened for two hours to the Thursday December 3rd broadcast of the Hearing for the SoHo/NoHo Neighborhood Plan.
Two very consistent repeated themes emerged.

Because we are right now in the midst of a contagious infection viral pneumonia pandemic…
The stores are empty.. the streets are empty…. The schools are empty… the parks are empty.

People and businesses are going into bankruptcy at an alarming rate.
The government cannot know how many schools, jobs and businesses have died along with the
Constituent population. It is extremely imprudent to measure, count, assess, forecast or plan
any type of congestion, density, population, demographic, at this time.
The entire "plan" for social economic development in Soho/Noho needs to stop.

A second theme is the consistent betrayal of the World Renowned Historic Architectural District which
so many constituents have devoted so much time to advocating and lobbying the government to preserve.
It's obvious that new architects want to move in to areas that were already landmarked.
Modernism is coming late to the Manhattan Real Estate Boom and should be placed appropriately.

It was just sad to hear how many New Yorkers had to be heard to speak up in fear of what a thoughtless and crude government might do.
Please stop the Soho/Noho Neighborhood plan. Support the New Plan developed by local citizen groups.

Thank you for your consideration.
Sincerely,
Anne Mitcheltree

Visit www.nychealthandhospitals.org

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Subject: Writing in support of SoHo/NoHo rezoning
Date: Tuesday, December 1, 2020 at 1:10:44 PM Eastern Standard Time
From: J. Mohorčich
To: 21DCP059M_DL

Hello,

I am writing to support higher density, especially in housing, for Soho and Noho. I think the city's plan as proposed in the DSOW is a great start. I'd like more density, especially including mapping certain buildings as R10 instead of R9X where possible, which as you know would help the neighborhood's affordability and sustainability.

We're in a climate crisis and a rent crisis and more housing helps alleviate both. As a resident of lower Manhattan (in LES/Two Bridges), I want more housing, not less, for a better and less exclusionary NYC.

Thanks for reading,

Dr. J. Mohorcich

Subject: OPPOSITION TO SOHO /NOHO UPZONING PLAN
Date: Thursday, December 3, 2020 at 10:18:09 AM Central Standard Time
From: Renee Monrose
To: 21DCP059M_DL

I am an artist and have lived and worked at 542 Broadway for 35 years. I am also a member of the Broadway Residents Coalition.

My primary question is ***WHY THE RUSH?!*** We are living through completely unprecedented and unpredictable times. Any data gleaned from the way things are now will be distorted. Vaccines are on the horizon which makes the rush even more illogical. The city's situation will change dramatically as it settles into a post-Covid reality. It is then that we should take stock and plan for the future. Not now.

Instead Mayor DeBlasio has used Covid as an excuse for railroading the up-zoning plan. It is a complete betrayal after the promises in the Envision SoHo / NoHo Report to wait for more community input before releasing any such plan.

That the Scoping Document is utterly vague and full of mischaracterizations about SoHo (When will the city do a REAL demographic study of the number of artists who live and work here? When will the city do a REAL analysis of the affordable housing already in existence here?) is not surprising given the disingenuous motives for rushing this plan and the haste with which is was prepared.

Some of the major concerns that the city must address are:

- We need an accurate environmental impact study — vehicular and pedestrian traffic; air quality; sanitation; transportation. But it's impossible to collect accurate data now when SoHo's population of residents, shoppers and office workers are at low ebb thanks to Covid. Any conclusions based on today's data will be a gross distortion and a blind guess as to what SoHo will be and need in the near future.

- How can the city propose almost doubling the neighborhood population from 8,000 to 14,400 (and that's if only 2 people live in each proposed new unit)? We have no green space, no schools and an antiquated sewage system. What will happen when the thousands and thousands of new residents and office workers flush their toilets in the morning? Raw sewage running down Broadway the way it did on W. Broadway after a recent rain storm? That should be great for business.

- And how can the city conclude that injecting thousands of luxury apartments, along with a comparatively small amount of not-so-affordable units, will increase diversity in our neighborhood? My neighbors and I support REAL affordable housing. With 13,000-15,000 vacant apartments in the city and a huge number of empty office spaces, this could be accomplished without building towers of luxury condos that, given the loopholes in MIH, may or may not provide *even one* unit of affordable housing.

Studies by MIT, the Federal Reserve have shown that MIH is a failure and the concept of trickle down housing is as illusory as trickle down economics.

https://doi.org/10.1177/1078087418824672

https://www.forbes.com/sites/eriksherman/2018/08/03/additional-building-wont-make-city-housing-more-affordable-says-fed-study/?sh=5edd3ec3218b

- Instead of opening the floodgates to big box stores that could be in any mall in America and are usually owned by white people, why isn't the city looking to help small, unique businesses owned and run by people of color?

- How will the city protect artists' rights to work where they live?

The city is being completely disingenuous by saying this is about racial justice and diversity . To anyone paying attention, it's clearly only about one thing — lining the pockets of the developers who funded Mayor DeBlasio's campaign. The Mayor and City Planning should be ashamed.

We in SoHo want diversity and we demand affordable housing — **REAL** affordable housing.

Mayor DeBlasio, PAUSE THIS PROCESS!

Sincerely,

Renée Monrose
542 Broadway #3F
New York, NY

Subject: OPPOSITION to PROPOSED UPZONING OF SOHO AND NOHO
Date: Sunday, December 13, 2020 at 5:26:26 AM Central Standard Time
From: Renee Monrose
To: 21DCP059M_DL
CC: Brad Hoylman, Brewer, Gale (ManhattanBP), mchin-council, Deborah Glick, kavanagh@nysenate.gov, Andrew Berman, Anthony Drummond, Erik Botsford (DCP)

I am an artist and have lived and worked at 542 Broadway for 35 years. I am also a member of the Broadway Residents Coalition.

I vehemently oppose the Upzoning Plan described in the SoHo/NoHo Neighborhood Plan Draft Scope of Work release on Oct. 28, 2020. The plan fails to address the real need for affordable housing in these neighborhoods and presents a faulty concept of trickle down housing that has proven a failure in cities like Chicago and Los Angeles. It presents inaccurate data on the demographics of SoHo and NoHo's artistic communities and presents completely false information on the number of empty stores along Canal St. (The documents includes data on the south side of Canal, where 70% of the stores are empty even though that side of canal is not part of the zoning area. On the SoHo side of Canal, only 30% are empty.)

The plan needs to be REJECTED.

Mayor DeBlasio shocked these two neighborhoods when he dropped this plan in October. The big question is ***WHY THE RUSH?!*** We are living through completely unprecedented and unpredictable times. Any data gleaned from the way things are now will be distorted. Vaccines are on the horizon which makes the rush even more illogical and suspect. The city's situation will change dramatically as it settles into a post-Covid reality. It is then that we should take stock and plan for the future. Not now.

Instead Mayor DeBlasio has used Covid as an excuse for railroading his upzoning plan. It is a complete betrayal after the promises in the Envision SoHo / NoHo Report to wait for more community input before releasing any such plan.

That the Scoping Document is utterly vague and full of mischaracterizations about SoHo (When will the city do a REAL demographic study of the number of artists who live and work here? When will the city do a REAL analysis of the affordable housing already in existence here?) is not surprising given the disingenuous motives for rushing this plan and the haste with which is was prepared.

Some of the major concerns that the city must address are:

- We need an accurate environmental impact study — vehicular and pedestrian traffic; air quality; sanitation; transportation. But it's impossible to collect accurate data now when SoHo's population of residents, shoppers and office workers are at low ebb thanks to the pandemic. Any conclusions based on today's data will be a gross distortion and a blind guess as to what SoHo will be and need in the near future.

- How can the city propose almost doubling the neighborhood population from 8,000 to 14,400 (and that's if only 2 people live in each proposed new unit)? We have no green space, no schools and an antiquated sewage system. What will happen when the thousands and thousands of new residents and office workers flush their toilets in the morning? Raw sewage running down Broadway the way it did on W. Broadway after a recent rain storm? That should be great for business, not to mention the residents the plan so blithely ignores.

- And how can the city conclude that injecting thousands of luxury apartments, along with a comparatively

small amount of not-so-affordable units, will increase diversity in our neighborhood? My neighbors and I support REAL affordable housing. With 13,000-15,000 vacant apartments in the city and a huge number of empty office spaces, this could be accomplished without building towers of luxury condos that, given the loopholes in MIH, may or may not provide *even one* unit of affordable housing. The city should be focussed on resume for Class B and C buildings and hotels.

Studies by MIT, the Federal Reserve have shown that MIH is a failure and the concept of MIH trickle down housing is as illusory as trickle down economics.

https://doi.org/10.1177/1078087418824672

https://www.forbes.com/sites/eriksherman/2018/08/03/additional-building-wont-make-city-housing-more-affordable-says-fed-study/?sh=5edd3ec3218b

- Instead of opening the floodgates to big box stores that could be in any mall in America and are usually owned by white people, why isn't the city looking to help small, unique businesses owned and run by people of color?

- How will the city protect artists' rights to work where they live?

The city is being completely disingenuous by saying this is about racial justice and diversity . To anyone paying attention, it's clearly only about one thing — lining the pockets of the developers who funded Mayor DeBlasio's campaign. The Mayor and City Planning should be ashamed.

We in SoHo want diversity and we demand affordable housing — **REAL** affordable housing.

Mayor DeBlasio, PAUSE THIS PROCESS! DROP THIS PLAN!!

Sincerely,

Renée Monrose
542 Broadway #3F
New York, NY

Subject: Subject: Response & Correction to SoHo/NoHo Draft Scope of Work
Date: Friday, December 18, 2020 at 9:53:18 AM Central Standard Time
From: David mulkins
To: 21DCP059M_DL
CC: Mitchell ban--st--Grubler

Date: December 18, 2020
From: David Mulkins, President Bowery Alliance of Neighbors
To: NYC Department of City Planning
Subject: Response & Correction to SoHo/NoHo Draft Scope of Work:
The Bowery Historic District (National Register of Historic Places) must be included.

Response & Correction to the SoHo/NoHo Draft Scope of Work
Pages 8 to 10 and Figure 3

HISTORIC DISTRICTS
Page 8
The Draft Scope of Work does not, but must include **The Bowery Historic District**, which is listed on both
the **NY State Register of Historic Places** and the **National Register of Historic Places**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as "The Bowery Historict District". It is also listed on the NY State Register of Historic Places.

This omission in the Draft Scope of Work should be remedied and the information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Historic Districts".

NEIGHBORHOOD CONTEXT
Bowery Corridor
Pages 9 & 10

The Draft Scope of Work does not include **The Bowery Historic District**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as **"The Bowery Historic District".**

This omission in the Draft Scope of Work should be remedied and information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Bowery Corridor".

See: https://www.nps.gov/nr/feature/places/pdfs/13000027.pdf
The link includes the National Park Services information on **The Bowery Historic District** and

contributing resources
in **The Bowery Historic District**. It's website also contains additional information on this page: https://www.nps.gov/nr/feature/places/13000027.htm

See: https://www.boweryalliance.org The link provides information on the Bowery Alliance of Neighbors and includes resources and information on the Bowery, **The Bowery Historic District**, the street's status as NYC's oldest street, and its seminal links to tap dance, vaudeville, Yiddish theater, Abe Lincoln, Houdini, modern tattooing, Abstract Expressionism, Beat literature, improvisational jazz, and punk rock. The site also includes info on the acclaimed *Windows on the Bowery* Historic signage project, which has just been released in a book edition.

Sincerely,
David Mulkins, President
Bowery Alliance of Neighbors
184 Bowery, #4
New York, NY 10012
631-901-5435 mulbd@yahoo.com

Subject: Feedback on the SoHo NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 10:43:27 PM Central Standard Time
From: Connie Murray
To: 21DCP059M_DL

Dear Olga,

I hope I am sending this before the deadline and I appreciate the opportunity to express my deep concern over the proposed upzoning of the two historical and architecturally important NYC neighborhoods of Soho and Noho.

30 years ago, I lived in a cheap walk-up in Soho where I regularly walked across Houston Street to my job in Noho: it was a magical time in my lifelong existence as a native New Yorker, I lived in a literal 7-minute city, and I strive to protect the irreplaceable beauty, charm and character of a place I was lucky enough to inhabit for a few years in my wild youth.

But even if I hadn't experienced the extraordinary gift of having lived in Soho and worked in Noho, I would still be working to preserve both globally cherished locations today. These neighborhoods, industrial, aspirational and so indigenously New York, are important to save because they represent our economic history as well as the architectural story which will always need to be told in this, my hometown, the oldest city in the country.

As I relay in my blog post regarding the proposed Soho Noho upzoning https://fuelgrannie.com/2020/10/24/open-your-eyes-to-opennewyork/, I was born the year after the old Penn Station was demolished which resulted in the formation of a long overdue landmarks and preservation initiative which formed the year I turned one. I grew up feeling naturally protective of what needed to be saved and preserved in my hometown; I was surrounded by adults who had never recovered from the destruction of the former Penn Station https://mashable.com/2015/07/20/original-penn-station/. I understood how important architectural beauty was and that once something is gone, it is gone forever.

So I cannot believe now in this year 2020, as a middle-aged woman, I must step up to fight something I had assumed this city had already won back when I was in diapers with the creation of the Landmark Preservation Commission. I cannot believe any of us as New Yorkers are being bamboozled by our outgoing Mayor, his donor squad and their lobbying fanclub to actual fathom ruining Soho and Noho. I cannot believe such an idea is even on the table, especially now during a pandemic.

But I know enough of what goes on in NYC real estate and have been observing the puffed-chest Yimby rabblerousers long enough to know why, indeed, such an absurd idea is, in fact, on the table. And I deeply resent how this city even takes any of this lobbying seriously. But these mega developers and Yimby cheerleaders are taken seriously for only one reason: they are Bill de Blasio's donor circle and Blaz has gotta grease some egos before he whiffs out of office next year.

Are we literally selling out our irreplaceable beauty, architecture, sunlight, history, tourist delight of Soho/Noho because of a handful of Yimbys? These folks ain't even New Yorkers, our Mayor certainly isn't: are we really throwing away the future of Soho and Noho for the whim of a guy who eats pizza with a knife and fork?

Buildings cannot speak for themselves: they need their admirers to advocate for them. We cannot be stupid with this. We don't need to upzone Soho Noho or demolish the Elizabeth Street Garden in order to create affordable housing and opportunities for lower income populations. And how well does downtown Manhattan support the food and household budget of a low or fixed income household? What field studies have been done? What does livability honestly look like? This isn't an experiment: some patches of Tribeca already look like the worst parts of Williamsburg with awkward modern asymmetrical glass structures which barely make sense in the surroundings out of which they aggressively jut. We cannot allow this to happen, in an even worse fashion, in Soho and Noho.

Upzoning is not the panacea these Yimby blowhards insist it is. A pre-pandemic MIT study flat out "suggests the Yimby narrative on housing is wrong" New MIT study suggests the Yimby narrative on housing is wrong | 48 hills This narrative is wrong: and it won't work in Soho Noho.

Again: this is Soho Noho! Are we really thinking of doing this? What insanity. We have such limited historical and aspirational architecture left here in New York City. Future generations will be furious at us for doing something as stupid as the destruction of the old Penn Station, again.

As a native New Yorker, as a former resident of Soho Noho and a proud current resident of another loft building oasis, Long Island City, Queens, I implore the city planners to not be foolish, to be thoughtful of our future history and the legacy we will leave: destroying Soho and Noho would be devastating to this city.

We can do better than appeasing Bill de Blasio's donors. It's been 8 years of late morning arrivals, gym dates and bad ideas: let's allow this upzoning to also finally die with his last term. Upzoning Soho/Noho is a terrible idea and my hometown deserves better.

Thank you for your time and consideration, this is a matter which means a great deal to me,

Connie Murray
Long Island City, NY

Subject: Soho & Noho
Date: Wednesday, December 16, 2020 at 5:43:31 AM Central Standard Time
From: Jane Nelson
To: 21DCP059M_DL

To whom it may concern,
I have been living in soho for more than 40 years. I moved here as an artist for space & because it was a small community.
The idea to upzone the area of Soho & Noho is a terrible idea.
I went to all of the meetings about it,no one would say why or who wanted this.
The problems are many:
These areas do NOT have the infrastructure for so many more people.
This will cause environmental problems:
Too much traffic resulting in air pollution,sound pollution,garbage
More garbage trucks all night
More deliveries all night
Too many pedestrians on the street.
The quality of life will be much worse.
Some small parks would be better.
The environmental impact is too much for an area with small buildings.
Please DO NOT do this
Jane Nelson

Subject: Public Scoping Meeting on the SoHo NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 4:48:40 PM Central Standard Time
From: Alexandr Neratoff
To: 21DCP059M_DL
Attachments: image001.jpg, SoHo-NoHo Scoping Testimony (personal) 12-17-20.pdf

Ms. Olga Abinader, Director
Tthe Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor, New York, New York 10271

By e-mail

Please see attached written testimony.

Alexandr Neratoff Architect
57 Prince Street, 2 Floor
New York, NY 10012
212 431 0011
Neratoff.com

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ALEXANDR NERATOFF architect

57 prince street, suite 2F new york, ny 10012 tel. 212.431.0011 alexandr@neratoff.com

December 17, 2020

Statement to DCP Public Scoping Meeting re: SoHo-NoHo Re-Zoning –

I testified at the December 3rd DCP Public Scoping Virtual Meeting in opposition to the proposed text of the "SoHo-NoHo Neighborhood Plan" on behalf of NY Loft Tenants. I add the following testimony to expand some points I made and to add a few other details and new considerations.

I oppose a blanket up-zoning, particularly any increase in commercial FAR, and an introduction of unrestricted residential uses into this very special mixed-use neighborhood. As presented, this proposal would in addition be highly unlikely to result in the production of any significant quantity of new affordable housing that would benefit this neighborhood, where it is so sorely needed, or any other neighborhood in CB2 or anywhere else.

Real estate owners' financial considerations will likely limit new construction to commercial offices and retail – the MIH surcharge that does not burden commercial development loads the dice in the choice between commercial and residential new construction. So what is the purpose to give this area an increase in commercial FAR? That will not produce a single new affordable housing unit. And why is office use being treated like the factories were in the late 1970's – do offices really need protection? In the context of organizations like Deutsche Bank deciding to move 75% of their offices out of New York, office space will be in serious over-supply. This is not a transient Covid-related transformation. This is a major shift in market development that cannot be studied while we are in the middle of this pandemic: the available data has been made obsolete by this shift and it is not possible to study this issue until the market stabilizes in late 2021 and early 2022.

The existing Loft Law and Rent-Stabilized Joint-Live-Work Quarters for Artists are not recognized in this proposal as this neighborhood's true affordable housing (housing protected tenants regardless of their occupation), and there is no considered attempt to preserve or enhance them. Shockingly for a neighborhood that remains the US's only artist-specific zoning, there is not even an attempt to allow the creation of <u>new</u> Joint-Live-Work Quarters for Artists (present zoning only allows them to be the end-product of a conversion of existing industrial space), a feature that could have easily been added. Ignoring the affordable nature of this housing stock is a missed opportunity under a program that purports to be motivated by the creation of new affordable housing. The only consideration that these IMD or former IMD units get is to find a mechanism to streamline buy-outs that, yes, would help those who want out, but will also produce a substantial number of market-rate units that will produce marketable product for the owners.

I am an architect and certified artist living and working in SoHo for the past 40 years. SoHo-NoHo's unique and defining characteristic besides being an area designated for artists living and working, is a key urban planning concept of "mixed-use", applied not only on a macro-level to allow industrial,

commercial and residential uses to co-exist building-by-building and floor-by-floor, but to allow the merger of "live" and "work" within each unit. One can live in 90% of a loft and work in 10%, or the other way around. The residential district equivalent is called "Home Occupation" and it is generally restricted to 25% of a space and 500 SF, defined as "incidental" to the main use, and further limited to specific non-objectionable uses. Introducing residential use without qualifications would lose what makes SoHo-NoHo "special" not only now but in the future.

Updating is clearly necessary. It's been 50 years. I support giving SoHo-NoHo "Special District" status that allows one to write local regulations and definitions without worrying how a change here would affect the rest of the city. One can alter the definition of "Home Occupation" within a "Special" residential use to mimic the mixed-use qualities of M1-5A/5B. One can tailor the bulk regulations of residential buildings to make them mimic the higher density, low-rise characteristic of this historic area, so additional development does not result in disproportional height increases. And one can greatly expand and change the characteristics of the MIH Affordable Housing Program to make it support truly low-income, truly de-segregated and particularly artist housing and affiliated community shared studio and exhibition facilities and local performance organizations, siting those in or close to SoHo-NoHo.

There are two methods to accomplish this re-zoning: one, a minimal method, would keep the district an M zone so as not to let it become just another residential area, and by simple text and definition changes, allow almost any type of residential use to be introduced but only as part of mixed-use units that could be called "joint-living-work quarters." Instead of restricting this use for artists, the goal would be to allow any use from art, music or theatre studio, commercial, architectural or design office, or even light manufacturing to co-exist with as-of-right with residential use. The other advantage of keeping this area an "M" zone is that the MIH component could be customized to be anything we would want it to be, to benefit this neighborhood in ways that would not apply elsewhere.

If one bases the re-zoning on the now common R/M zoning model used throughout Brooklyn, the goal would be to mimic the mixed-use characteristics discussed above, so as not to make any non-residential use be "accessory" and devoid of real and protected rights to exist and therefore to disturb the "bedroom community" status that inherently protects all residential areas. I love living in SoHo as I can work at any hour of day and night in as much space of my loft as in necessary for my work.

It is understood that any new residential use would contribute to MIH or its local equivalent as defined within the Special District, regardless whether it is an M or an R/M district. Recognizing the very limited potential scope of MIH-yielding actions that would produce any new affordable housing in this neighborhood, I would propose two actions unique to the Special District that could address this issue: to impose the MIH program on any 1st floor retail use above 10,000 SF per establishment (that disproportionately burdens the neighborhood with both pedestrian, vehicular, garbage collection and delivery traffic), and on any increase in FAR for office use. These additional uses would pay into an MIH fund in a comparable ratio to new residential use, thus equalizing the choice between residential and commercial development.

Thank you for the opportunity to submit my thoughts.

Alexandr Neratoff

Subject: Soho Noho upzoning
Date: Thursday, December 17, 2020 at 11:06:02 AM Central Standard Time
From: p.ong
To: 21DCP059M_DL

Hello,

I am writing to suggest a reconsideration of the plan to upzone SoHo and NoHo. By reconsideration I mean, foremost, to PAUSE this idea until NYC returns to more normal times when the corona virus pandemic is brought under control. To continue to rush headlong into implementing this plan is to do so in the dark without necessary thoughtful, contextual weighing of all the changed circumstances New York City will find itself in after this devastation of its economy and fabric of life. More immediately, the environmental impact study that is about to be done will not yield a reliable measure of this massive upzoning change that the DCP is spearheading.

On the other hand, I support the Community Alternative Rezoning Plan for SoHo and Noho as a far more effective and palatable blueprint to meet the need of truly affordable housing, and one that doesn't destroy the history, culture and character of a storied, world-renowned neighborhood, unique also in an otherwise young country.

This week I have been heartened to read in the New York Times that the Real Estate Board of New York (REBNY) is giving serious consideration to another rezoning idea, which is to convert empty office buildings, including ones in Midtown Manhattan, into residential units. Another coalition group is urging 2021 mayoral candidates to prioritize converting under-used hotels into supportive and affordable housing. At the same time, the City Council is being urged to budget $4 billion to expand housing opportunities.

Thus, I urge the DCP to PAUSE until the smoke clears, to wait and see how these other plans pan out, and only then integrate its Soho and Noho vision, which currently is out-of-step with the times in its green lighting developers to build luxury high-rises, a category of housing the city least needs in the foreseeable future.

Thank you for your time and onsideration.

Sincerely yours,
Patsy Ong

Subject: If low income families want to live in Soho/Noho
Date: Tuesday, December 8, 2020 at 1:20:47 AM Central Standard Time
From: Ian Orekondy
To: 21DCP059M_DL

Please support 400 low income families to live there. Diversity makes the city thrive. It's what NYC is, and we need to work for it!

Ian

Subject: I DO NOT support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 11:10:28 AM Central Standard Time
From: S. Packer, M.D.
To: 21DCP059M_DL

Sharon Packer MD
P 212-777-1875
C 917-855-8475
F 888-726-1791

580 Broadway
Suite 504
Soho
NYC, NY
10012

Www.drsharonpacker.com
Www.psychiatryinpopularculture.com

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Please note that we cannot guarantee security of email. For greater security, pl fax 888-726-1791.

If you received this email in error, please delete immediately and inform us of this error. Thx.

Thanks for emailing.

Subject: written copy of Community Alternative Plan
Date: Thursday, December 3, 2020 at 4:50:19 PM Central Standard Time
From: Judith Ren-Lay
To: 21DCP059M_DL

Tried to call back and ask this question. What is the Community Alternatibe Plan?

Is there a way we might have access to the Community Alternative Plan proposed in opposition? Can it be offered on your website?

Thank you,

J R-L
Judith Ren-Lay
ren-lay@mindspring.com
212-941-7828
judithren-lay.com

Subject: written testimony r.e. SoHo/NoNo rezoning
Date: Thursday, December 3, 2020 at 5:01:13 PM Central Standard Time
From: Judith Ren-Lay
To: 21DCP059M_DL
CC: Drummond, Anthony, Margaret Chin

To whom it may concern,

This development plan, tauted as an 'envision' plan, lacks vision. It seems to be based in the needs of developers and was created before the pandemic. We all have to adjust to the new reality and this plan should be tabled in order to be studied further. It seems to blindly drop a plan onto an area without considering what is already in existence. The reality in the current pandemic neighborhoods of SoHo/NoHo now includes many newly empty, under-used properties. Re-imagining the area post-pandemic is necessary. Trying to push through this plan at this time is counter-productive. The plan should be scrapped and a new approach considered. There are far more creative approaches to bringing diverse low-income residents into the area and also maintaining the landmark, historical feeling of SoHo/NoHo.

'Affordable housing' is a catch phrase for luxury housing to be developed and built on the pretense of affordability. There is very little actual affordability in existing 'mixed use' new bulding projects. The question is always 'affordable to whom?' Also, there are already many rent-stabilized units in the area. Losing them seems to go against the proposed aim of increasing affordable units in reach of lower income tenants. Isn't there a way to extend rent-stabilization? We are far past pretending that the wealthy will choose to pay for those less advantaged.

The written language in the proposal is almost designed to confuse those of us who are not in on the tehnical usage. May I suggest you re-imagine the plan translated into lay-language so current residents, who will be most impacted by the plan, can understand just what you are actually planning.

I agree with so much of the spoken testimony - all points urging delay and questioning the validity of the plans. Will these comments be widely distributed and known? Also is there a way we might have access to the Community Alternative Plan mentioned in the testimony and proposed in opposition?

And last and most disturbingly, I also believe this plan is a pet project of the DeBlasio administration and the mayor is trying to push it through before leaving office.

I have hung onto the 2pm call and now it is almost 6pm and I worry you will not even read these written comments, much less respond to them.

Thank you,

J R-L

Judith Ren-Lay
ren-lay@mindspring.com
212-941-7828
judithren-lay.com

Myles Ehrlich <mehrlich@akrf.com>

Fwd: FW: SoHo-NoHo Input for EIS

1 message

Samuel Nourieli <snourieli@akrf.com> Wed, Dec 23, 2020 at 9:41 PM
To: Myles Ehrlich <mehrlich@akrf.com>

One more comment came in below...

---------- Forwarded message ---------
From: **Glen Price (DCP)** <GPRICE@planning.nyc.gov>
Date: Wed, Dec 23, 2020 at 9:25 PM
Subject: FW: SoHo-NoHo Input for EIS
To: Patrick Blanchfield <pblanchfield@akrf.com>, Samuel Nourieli <snourieli@akrf.com>, Amy Diehl Crader <acrader@akrf.com>, Gewirtzman, Stuart <sg@phaeng.com>, hkearney@akrf.com <hkearney@akrf.com>
CC: White, Robert <rwhite@akrf.com>

FYI, please see below.

From: Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>
Sent: Wednesday, December 23, 2020 5:24 PM
To: Glen Price (DCP) <GPRICE@planning.nyc.gov>
Cc: Thomas Smith (DCP) <TSMITH@planning.nyc.gov>; Sylvia Li (DCP) <SLI2@planning.nyc.gov>; Andrew Cantu (DCP) <ACANTU@planning.nyc.gov>
Subject: FW: SoHo-NoHo Input for EIS

Hi Glen,

Please see the below correspondence and ask AKRF to include in the Response to Comments document.

Thank you,

Annabelle

From: Bill Rosser <bill.rosser77@gmail.com>
Sent: Wednesday, December 23, 2020 5:09 PM
To: 21DCP059M_DL <21DCP059M_DL@planning.nyc.gov>
Subject: SoHo-NoHo Input for EIS

I am sorry for the delay in my submission to you, but nevertheless I am sending it along in hopes it may be part of your considerations.

I appreciate the opportunity for prior citizen input regarding the EIS draft. However the resultant document seems to be driven by other forces, ignoring much of the stated desires of the citizens.

Democracy here seems to be largely ignored. While democratic expression of opposition to the city's needs may need to be overridden in certain cases, but why here?

Citizens, by and large, do NOT want:

- an enlarged business center
    - large big-box retail stores
    - new large commercial office buildings
    - large restaurants
- a contrived means of gaining affordable housing
    - offering developers a profit incentive so large for new luxury apartments that they can afford to include 20% of the units for lower-income residents
    - an encroaching of higher buildings that surpass the typical height of the present neighborhoods

What citizens DO want, or can accept, as an alternative:

- a plan that truly addresses the need for affordable housing - which most agree is a desperate need here in SoHo-NoHo
    - allow development of affordable housing that is *not* part of Mandatory Inclusionary Housing
    - allow commercial buildings and others to be converted to affordable housing
    - build residential housing facilities that are 100% for affordable housing
    - consider apartment unit sizes that could include 450 - 950 square feet
    - create opportunities for developers to want to participate in just-affordable housing by making it economically attractive to them. Innovate with direct subsidies or tax-benefit financing that would create the needed incentive for developers.
- along the way deal with noise, traffic, trash, parks, greenways and AIR issues as best we can.
    - it is the new tall buildings and pushing out of small retail stores that we do not want, and will fight for.
    - new residential facilities are clearly preferred to new commercial buildings.

The above is meant to represent our democratic process - on behalf of the citizens, and not to create substantial new opportunities for developers as a service to them, especially in historic districts. We should do this as a sound and admired city.

Sound opportunities seem to exist here right now. As a personal example, I live in NoHo on Lafayette Street and over the past 5 or so years, four brand-new buildings have been built within 100 yards of my residence (since 1999). All are less than 10 stories and seem to be doing very well. So there is money to be made right here and now. No special gifts to the real estate industry needed. And a nearby parking lot would be ideal for new affordable housing. This would be a good solution and I am totally for it. Why not try this and help solve the real fundamental problem in the city - not enough affordable housing.

Thank you for your consideration. Bill Rosser

--
Samuel Nourieli
Planner
.....

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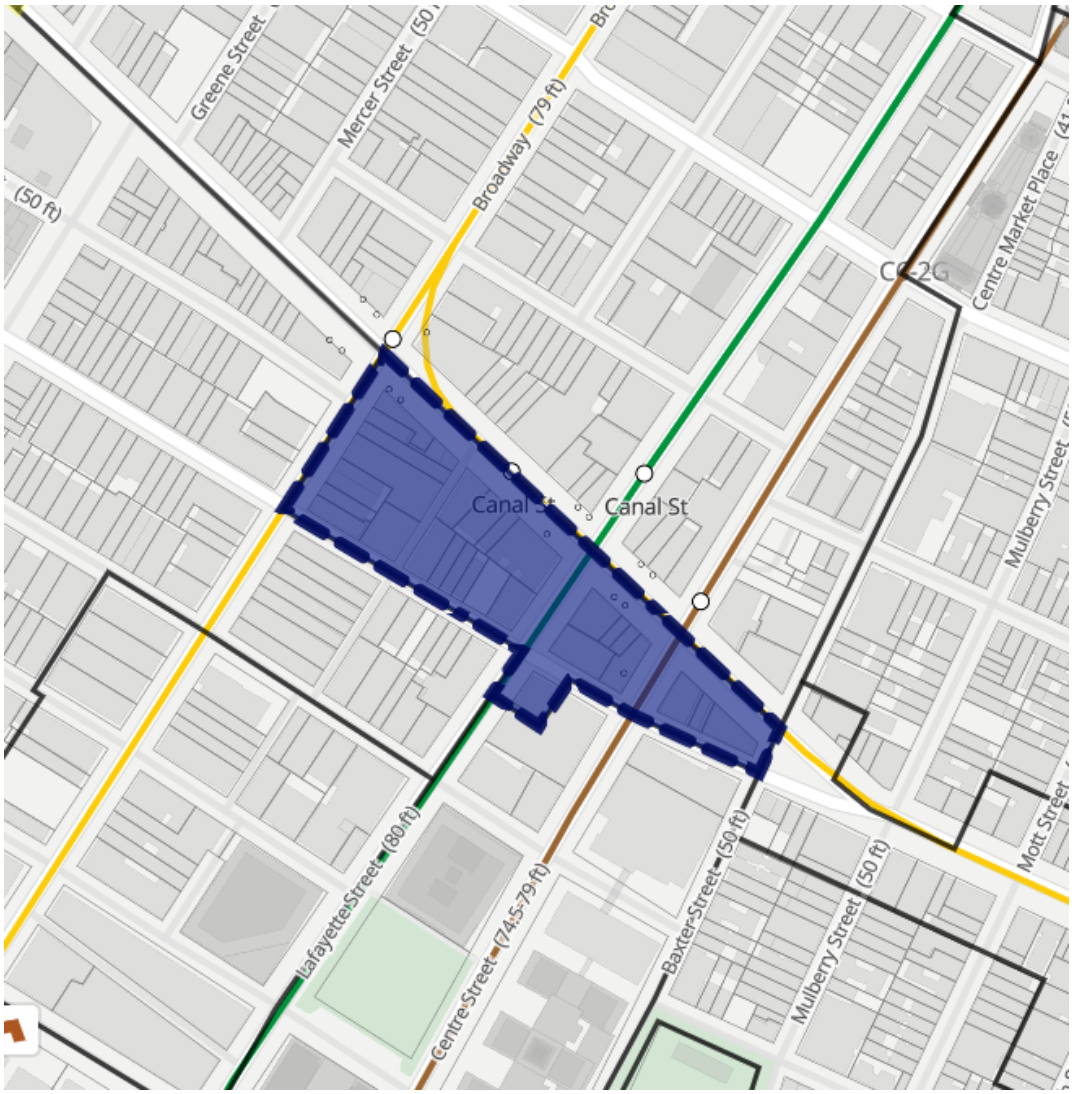
Subject: Soho / Noho neighborhood rezoning
Date: Thursday, December 3, 2020 at 2:25:29 PM Central Standard Time
From: Benjamin Rubenstein
To: 21DCP059M_DL
Attachments: image.png

Hello,

Thank you in advance for considering my question. Why was the M1-5 district south of Canal Street between Broadway and Baxter Street excluded from the rezoning area? I feel an argument could be made to include this area for the same reasons it makes sense to rezone the northern side of Canal.



Thanks again,
Benjamin

--
Benjamin F. Rubenstein
(847) 507-5538
bfrubenstein@gmail.com

Subject: Testimony for NoHo/SoHo Rezoning
Date: Thursday, December 3, 2020 at 12:48:59 PM Central Standard Time
From: Denny Salas
To: 21DCP059M_DL

Please submit the following as written testimony for this hearing.

My immigrant parents of four kids were determined to achieve the American Dream but did not have access to resources or the opportunity to give their children the material needs that are often associated with being in this country.

What we did have was resolve and an unyielding faith that anyone could make it in America, if they worked hard enough.

My parents' foremost concern was their children's need to receive a high-quality education to avoid relegating them to a cycle of generational poverty. They would often tell us, "Education is the number one anti-poverty program America has ever created, and to make it here, you have to learn."

But where we lived offered little hope. The town we resided in had one of the worst-performing school systems and was often known for violence, gangs, and children getting into drug-dealing.

My parents were unwilling to limit their children's future, taking an extraordinary, and illegal, step to provide us with opportunity.

The neighboring town was wealthier and had high-quality public schools. When my siblings and I reached school age, my parents enrolled us in these schools by lying about their address, in violation of the law. As immigrants, my parents risked severe penalties to ensure their children would receive a good education. To them, their actions were justified because of service to their kids.

What was the outcome of their actions? We ended up excelling in school and our personal lives. My older sister became a William Fulbright Scholar and attained a Ph.D. in Psychology. My older brother became a long-haul truck driver, while teaching himself three languages and coding. My younger sister earned a master's degree in economics and has continued pursuing her studies to earn a doctorate in the field.

Our story of hope illustrates the extraordinary decisions some families have made – and will continue to make – to ensure their children are not forsaken. It is also a story that gets at the heart of structural inequities that exist in New York City today.

Our city is segregated by exclusionary zoning policies -- the drawn school and housing lines -- that ensure the wealthiest have access to valuable real estate and high-quality public education while the working class is fastened to cycles of poverty, crime, and inferior schools. These policies can be eliminated by rezoning and building more housing in areas that have historically fought against it.

Near where I live, no neighborhood better provides an opportunity for change than rezoning Soho and Noho.

By changing zoning rules in these areas we can create a minimum of 700 affordable homes in an excellent neighborhood with access to great schools. Since the COVID-19 pandemic began, over 4,200 New York City schoolchildren lost a parent due to the coronavirus. These children are not only missing an idol, but now have to deal with mental stress, loss of income, and dire consequences of what their future might look like without guidance.

With rezoning, we can prioritize housing single parents with school-age children and help rebuild their lives by providing homes in a high-opportunity area with access to high-quality schools so current and future generations of New Yorkers can unlock their full potential and lead exemplary lives.

In a recent study by Citigroup, they calculated that structural racism has cost the United States economy $16 trillion over the last 20 years, and removing these barriers that have held back generations of Americans, could increase our nation's GDP by $5 trillion over the next five years.

But what are the true motivations behind keeping these policies in place?

Let's be blunt: These policies exist due to greed and prejudice. Individuals who benefit from taxpayer investments, whose tax burden disproportionately falls on the lowest socioeconomic citizens of our city, have weaponized their privilege for their own prosperity.

The cornerstone of their motivation, never publicly admitted, is to ensure that property values increase to maintain their wealth. They believe that increased development would dilute the value of their property and apply the same reasoning if more people of color were to occupy "their" space.

That is the purpose of supporting exclusionary policies. It is borne out of greed and racism.

The murder of George Floyd has awoken an entire movement toward ending racist practices in policing and beyond. It is our moral prerogative to fight those – especially ones that call

themselves Democrats and progressives – who are opposed to ending the racist policies that have led to generational inequities.

Our resolve and unyielding faith must be firmer than those forces that stand in opposition to creating a fairer and more just New York City. Let us rise to this call for change and offer families like mine hope.

--
Denny Salas
NYC City Council Candidate, District 1 - Manhattan
www.dennysalas.com
Twitter: @realdennysalas
Instagram: @realdennysalas

Subject: I Support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 3:27:38 PM Central Standard Time
From: patricia sarnataro
To: 21DCP059M_DL

Against this!! I think it is outrageous that you want to bring more development to this area. It is already overcrowded ,noisy, I am fed up.

Sent from my iPad

Subject: Personal Soho UpZoning comments (same letter attached as a doc)
Date: Thursday, December 3, 2020 at 3:24:56 PM Central Standard Time
From: GS
To: 21DCP059M_DL
Attachments: No to mega up-zoning

For the record, I am opposed to the DCP's plan and opposed to up-zoning as proposed. The environmental impact of this plan is so negative, both for the neighborhood and for the skyline of Manhattan. Environmentally, the air quality will diminish, particularly with the added vehicular traffic. The congestion on the sidewalks and streets is NOT a positive thing. This will completely cancel any charm this neighbor has and which attracts people to live and visit the neighborhood. As I walk down Broadway in SOHO there is a MEGA Nike store with a long line around the block. Don't we have enough sneaker stores on Broadway? And I believe there are a few Nike stores in lower Manhattan already. This is NOT fitting, interesting or good for smaller business people and designers. It is stifling. The unique, mom and pop stores and small designer shops are what draw people to shop here. The architecture is one-of a kind and unique to this former factory area. Why turn this into a mall? If I want to shop at bigger stores, I will go to 34th Street or uptown, 14th street and above.
I live on Houston Street; it's already a thoroughfare to NJ and Brooklyn.

Do you care about air quality where you live and/or work?
I say, go to the suburbs or bigger land spaces to build your plastic megaliths. I, and most of the residents of the area want developers to STOP ruining our skylines, our streets, our sidewalks and our air.
I have lived in SoHo and vicinity for over 40 years. I am a professional artist, and aging at that. I, as many, need new accessible affordable housing for low-income working artists. I stand with broadening the plan for reasonable, living-work spaces for local artists by working with local artists and people who represent us.
Think clearly about this upzoning so it fits most advantageous the needs of the people living in the area!

Geraldine Scalia
December 3, 2020

Subject: I DO NOT Support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 2:32:48 PM Central Standard Time
From: Lee Slater
To: 21DCP059M_DL, data@dennysalas.com

As a result of covid 19 there are many office buildings that are virtually empty and may never again be filled. Instead of destroying two of the most unique areas of the city, why not allow easy conversion of that office space to housing.

Hey Denny-- you can think more creatively than converting two unique areas of our city to tall buildings can't you?

Lee Slater

Subject: I support Soho/Noho Rezoning
Date: Thursday, December 17, 2020 at 4:24:26 PM Central Standard Time
From: Leah Smit
To: 21DCP059M_DL

Elected officials and city planners of New York,

Rezoning of Soho/Noho is a progressive step in providing affordable housing access in previously unattainable areas of the city. It will uplift BIPOC communities and make NYC a more equitable place for everyone.

I support the rezoning of Soho/Noho.

Thank you,

Leah Smit
Resident of Bushwick

Subject: Opposition to the Rezoning of the SoHo/NoHo Historic Districs
Date: Friday, December 18, 2020 at 1:14:19 AM Central Standard Time
From: Jean Standish
To: 21DCP059M_DL

I support the maintenance of the existing zoning in SoHo and NoHo and opposes the proposed upzoning of the area. The SoHo/NoHo report issued in early January was vague, though it implied that an upzoning of sites would be warranted if affordable housing is included. This is now being seized upon by vested interests, including groups led and funded by developers who own undeveloped property in the area that would directly benefit financially from the proposed upzoning. But the zoning for SoHo and NoHo already allows more than ample-sized development, as evidenced by numerous buildings of ten to thirty stories in height which have gone up in the neighborhood in recent years.

Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on under-developed lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development which would be substantially larger in order to provide affordable housing. That is just an excuse to give developers bigger windfalls with the fig leaf of affordable housing thrown in to try to make it acceptable. The detrimental effects of such an upzoning would far out way the pittance of “affordable” housing units actually resulting from such an upzoning. An upzoning is a deal-breaker for any plan for SoHo or NoHo.

I also strongly oppose any move to lift the existing 10K Sq. ft. limit for retail uses. SoHo and NoHo do not need to be further transformed into a mega-mall. While retail uses are important and well-run appropriate ones are welcome, they should not overwhelm the neighborhood, which very large big-box and multi-level stores tend to. If anything, steps should be taken to support and encourage small mom-and-pop businesses. We don't need to make the rules looser to accommodate more large-scale stores.

Jean Standish

Subject: SOHO NOHO REZONING : Comments Prior to Scoping Meeting
Date: Thursday, December 3, 2020 at 12:17:16 PM Central Standard Time
From: lora.tenenbaum@gmail.com
To: Jeffrey Glovsky (DCP), 21DCP059M_DL

SOHO NOHO REZONING : Comments Prior to Scoping Meeting

- My Background
  - I am both a resident and a property-owner in an M1-5B zoning district, within the SoHo-Cast Iron Historic District.
  - I have lived in JLWQA cooperative in SoHo since 1973 with my artist husband. His studio constitutes 35% of our home.
  - I was grandfathered in; my husband has been certified as an artist by the Department of Cultural Affairs
  - Our cooperative has only approved certified artists and their families.
  - Our last sale was in 2001; we are very stable.
  - There is one exception: a man and his family who inherited a loft from two of the residents who died. They are a family of color.
  - Most of us are senior citizens who have aged in place.
  - We are struggling with the costs of maintaining a 150 year old building, increasing property taxes.
  - I was a member of CB2's land use/zoning committee for 12 years…chaired it for about half that time.
  - I participated fully in the Envision SoHo/NoHo project, despite its many flaws.
  - My block's demographics include 72 rent stabilized units, and a majority population of non-whites.

- I reject any upzoning.
- This scoping document ignores the results of the Envision process.
- I am totally In support of a mandatory affordable housing requirement…real affordable housing that will truly increase the percentages of people of color and diverse incomes into my neighborhood.
  - The draft Scope's carveout, allowing developers to pay into a fund rather than build affordable housing in my community is unacceptable. It puts the lie to the stated purpose of the rezoning.
  - **The current plan would overwhelm the community with even more rich (probably white) people, increasing their percentages and worsen any imbalance rather than bringing equity into our community**
  - There is no guarantee that the upzoning will bring in any affordable housing at all.
  - Affordable housing in SoHo and NoHo should be applied only to people of Extremely Low Income through Low Income. Many artist residents and other residents here already fill the bill for the upper scale of affordability.
  - Any new residential development should require inclusion of affordable units without awarding an upzoning.
  - In short, I would support deeper and broader mandatory affordability requirements, without upzoning.
  - I support the **alternative proposal** made by Village Preservation, the SoHo Alliance, Broadway Residents Coalition, SoHo Design District and others.
- There should be no designated commercial corridors where people have already been allowed to reside.
  - Broadway between Canal St and Houston St has approx. 57 second floor JLWQA and residential units. Many more above.
  - One building alone has 43 residential units.
  - Many of the retail spaces emptied out before the pandemic. Retail is in flux right now.
- OK to allow retail under 10,000 square feet below the second floor.
  - Include basement/cellar retail use in calculating FAR.
  - Maintain retail size restrictions.
  - 5000 square foot limit on eating or drinking establishments should be maintained.

    - No 10,000+ square foot “big box” stores
        - In fact, this should be strengthened to prevent the disaster we have in NIKE.
        - Note that Bloomingdales SoHo was doing so badly before the pandemic, it was seeking permission from the SLA to serve liquor throughout the store.
        - A very strict requirement for indoor loading docks must be enforced. City Planning has recently waived the requirement in several SoHo applications., and the result does not work for the residents.
- Allow Use Group 3 museums as of right.
- It is vital to preserve our Historic Districts. Adding additional FAR will destroy SoHo and NoHo Historic Districts.
- **We have no parks, no planted areas, no school, no grocery stores, no gathering places for our community. All we have is the sky because of our FAR of 5. This plan does not give us any amenities and takes away our sky.**
- Impose a pied a terre tax.
- The most likely result of the proposed rezoning will be NO affordable houses, more rich people who overwhelm the current population, the loss of Chinese-owned small businesses on Lafayette and Centre Streets, and large interactive entertainment retail venues that do not work well with a residential population, as well as clubs & bars.
    - An active nightlife in a cast iron district really is very very noisy and disrupts sleep.
- We need a height limit.
- Flood zone data needs to be included.
    - In some areas, the water table is above the ground level, resulting in the ground floor not being counted in calculating FAR.
- Artists
    - You must quantify the artists. Do a real study to determine how many active artists and creative makers live in SoHo and NoHo.
    - Preserve JLWQA.
    - Protect JLWQA rentals
    - Bring IMD units into rent stabilization
    - What would happen when a JLWQA, a manufacturing use group, changes to a residential use group? What new criteria would have to be met? What would the cost be? Would a JLWQA coop be required to provide MIH units?
    - The arts industry is a vital part of New York’s economy.

LASTLY:

- Put this process on PAUSE.
    - There is no need for, and every argument against, starting this extensive, life-altering ULURP during the pandemic.
    - No data collected during this period could possibly be scientifically applied to real planning.
    - No one knows what NY will be like after the pandemic. We need at least 2 years to stabilize.
- **ADAPTIVE RE-USE** is what our goal should be.

These are my comments for now. I will be submitting further comments after the scoping session.

Respectfully submitted,

Lora Tenenbaum
423 Broome Street
New York, NY 10013
lora.tenenbaum@gmail.com

Cheers,

Lora Tenenbaum
Mobile: 917.647.1542
Landline: 212.925.4715


CONSIDER OUR ENVIRONMENT BEFORE PRINTING THIS E-MAIL

Subject: Draft Scope of Work for SoHo/NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 2:33:29 PM Central Standard Time
From: lora.tenenbaum@gmail.com
To: 21DCP059M_DL
Attachments: 20201218.Response to DSCW SoHo NoHo.Tenenbaum.pdf

Cheers,

Lora Tenenbaum
Mobile: 917.647.1542

From Lora Tenenbaum, 423 Broome Street, SoHo.

SoHo / NoHo Neighborhood Plan (CEQR #21DCP059M)

COMMENTS: DRAFT SCOPE OF WORK (DSOW)

To submit written comments, please email: 21DCP059M_DL@planning.nyc.gov

I am truly shocked at how the DSOW is filled with general, unsubstantiated statements, incorrect data and false presumptions. The end result is a mess of questionable assumptions and conclusions. It needs to go back to the drawing board, preferably at a time more conducive to true planning..and not during a Pandemic. Take a rest and come back in a year with a realistic DSOW.

- The DSOW is based on data collected during a time of socioeconomic upheaval and a pandemic, where no definitive answer to what NYC will need in the future can be determined.
- The DSOW was released for public comment in the midst of a pandemic, when many residents and businesses have been temporarily displaced and have life-altering impacts to deal with. This is a major zoning change being rushed through when most people aren't looking.

Any rezoning plan for SoHo and NoHo, unlike the DSOW, must satisfy the key principles and objectives that were identified during the extensive 2019 Envision process, including

- Protect and preserve SoHo and NoHo's Historic Districts.
- Ensure and expand non-student, affordable housing.
- Minimize displacement in SoHo and NoHo and in surrounding areas.
- Promote SoHo and NoHo's unique mixed use character.
- Legalize and maintain existing housing units, preserve Joint Live-Work Quarters for Artists (JLWQA) and expand to categories of non-artists, preferably creative "makers".

If it doesn't, it gives the message to the people that DCP will waste their time with make-work, that city planning is politically driven, and that our mayor rules from the top down to satisfy his real estate cronies. That the accelerated time frame is all to ram it through while everyone is distracted. *After all, there is no guarantee that a single MIH unit will be built under the proposal, but a definite guarantee that the landowners will be given a multimillion dollar bonanza.*

Further work and study must be done to make this right and achieve the objectives stated above.

It might make the DCP a laughing stock, but this is no laughing matter. The Mayor's DCP is taking advantage of the PANDEMIC. Not only are you making this presentation when the populace is distracted with other things, with their lives and livelihood in jeopardy, and many having been temporarily (or perhaps permanently) displaced, you are unable to hold proper physical public hearings and have collected DATA during a period that is not indicative of what was or will be. In this period of UNCERTAINTY, we cannot know what NYC will look like, or assess its FUTURE NEEDS. We already saw RETAIL uses declining nationwide before the

Pandemic, yet you seek to enlarge the amount of retail here. Most experts are saying we will never go back to that, and that OFFICE work will be done more remotely and that the emptiness of MIDTOWN offices will continue. There are indications that the Financial Industry will leave NYC for good. If that happens, not only would the demand for offices lessen dramatically, but so would the need for high end residential uses, on which your MIH plan depends.

Above all, I urge you to PAUSE and look at the MINIMUM possible changes so that our community will not be destroyed, but improved; so that affordable housing for people of an even lower income than you plan for can become part of our community, and some of the regulatory burdens be removed from residential and commercial members of the community. So that our Historic Districts are not harmed, and that JLWQA uses be protected and perhaps enlarged. We do not want our community to disappear into a world of high rise commercial and residential buildings, dominated by big box stores and an even greater percentage of wealthy inhabitants. Here is what I urge you to do to make this a true COMMUNITY plan:

- No increase in FAR of 5.
- Height limit to avoid such inappropriate heights as the NoMo Hotel.
- Guarantee greater opportunities for affordable housing, such as allowing conversion of existing office and commercial space, making it mandatory with some subsidy, and making it available to those on the lower range of income. Drop the failed MIH plan.
- Retail under 10,0000 square feet as of right below the level of the first floor, but if the basement or cellar are used for selling purposes, their footage should apply.
- Eating or Drinking Establishments under 5,000 square feet as of right.
- Legalize residential uses, but put real thought and planning into protecting JLWQA and encouraging the use and reputation of SoHo/NoHo as a creative community.

Page by page comments:

Pages 1-2:

<u>Housing</u>

DSOW fails to provide for any actual affordable housing. Instead it proposes a scheme based on market forces whereby developers may choose to include a very small portion of "affordable" units within market-rate housing developments. The DCP Plan includes no guarantee that any affordable units will actually be built. It provides a number of loopholes whereby developers can receive a waiver and not build affordable units at all. **In the end, the Plan fails to achieve its stated goal**. In fact, it seems that the real goal is to increase the lack of diversity by increasing dramatically the percentage of the very type of "luxury" housing that the Mayor and DCP claim has made SoHo and NoHo exclusionary.

The end result of this plan would be to increase the value of the real estate owned by big developers and destroy a community that would embrace increased residential diversity and encourage small businesses.

The Proposed Actions seek to accomplish the following land use and zoning objectives:

Promote economic recovery and growth

The financial implications of the proposed zoning changes for all of the Study Area must be studied. The DSOW is too narrow, focusing on only 27 Projected sites (out of approximately 850 lots). The review is limited to the implications from possible affordable housing scenarios, even though it is clear that it is not likely to produce much of that.

By limiting the scope the Plan fails to address the array of other development possibilities that will be made possible under the new provisions. Therefore those who might be impacted by aspects of the Plan, particularly current residents of SoHo and NoHo, have not been given the information needed to fully understand how the Plan will impact them in any way, including financially.

The economic analysis should cover the various and assorted components that make up the Plan. This would include study and analysis of the following across the entire Study Area:

- Value of increased FAR by square foot for each individual property, and totalled.
- Costs of LPC applications that will rise from the opportunities provided by increased FAR in the Historic Districts.
- All possible scenarios of Transferable Development Rights
- Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism")
- Likely number of applications for, and costs of newly-allowed liquor license applications.
- Costs related to the Affordable Housing Fund and how that would apply for existing residentially occupied buildings, as well as for new developments.

Please consider these questions as well:

- How quickly did SoHo and NoHo grow in the past 50 years, since the creation of the M1-M5 A& B zoning compared to other neighborhoods in the City? Provide a chart showing that growth and the expected growth under the DSOW.
- Isn't it to be expected that there would be a slowdown in growth after 50 years?
- Isn't it enough that S-N was the "second highest grossing retail market in NYC" in 2015-2016? (page 5)

Ensure new development harmonizes with neighborhood context and scale

- Show how the proposed upzoning can possibly "harmonize with the neighborhood's context and scale"?

Promote the preservation of historic resources and adaptive reuse

The DSOW fails to adequately provide for true protection of the "architectural character" found within and around the Historic Districts within SoHo and NoHo. This failure is particularly notable in the City's proposal to increase the FAR to 9.7 within the Historic Districts, particularly along Broadway and nearby, which will allow for non-contextual towers rising to 200 feet and more. Yet, in Envision, the community called for protection and preservation of the Historic Districts and the NYC Landmarks Law mandates stewardship and protection of the entirety of the Historic Districts for future generations.

- The DSOW must consider the implications of the added FAR across all of the protected districts, in regard to applications to the Landmarks Preservation Commission where owners will seek to build on the new allowances of FAR and Value granted to them under the DSOW.
- Define "historic resources"and explain how the historic districts will remain preserved in the suggested upzoning.
- Study the opportunities for adaptive reuse by allowing conversion of office space to residential space with a required minimum of affordable housing and compare that to the current Plan, which does not allow conversion of commercial/office uses into residential.

Continue to accommodate and expand live-work uses and support creative, arts, and cultural uses.

- Please provide specifics. Just even one? Pretty please?
- This requires thorough identification of what is to be continued. How many live-work uses are there now? This study must include live-work that is currently un-certified by the DCA, just as non-legal residential uses must be quantified.
- Given the need to pay into an affordability fund, how could a small artist cooperative, with a single non-certified artist unit, be able to legalize that single floor and at the same time maintain JLWQA for the remaining units? Please study that and similar scenarios.

Page 5: Demographics

- The DSOW merely speculates that the number of certified artists is small with no backing data, and fails entirely to quantify the actual number of artists and other makers and their families living in JLWQA units. Given that the DOB has never stopped non-artists from owning and living in JLWQA units, there is no wonder that people stopped bothering to file for certification.
- Artists are left out of the discussion of jobs. Are they also left out of their discussion of industries? Or are they considered a conforming manufacturing industry (UG17D)? What is their economic contribution?
- The Plan seems to make us original pioneers disappear rather than do what it must: quantify the numbers of artists, their families, and other "makers" living and working in JLWQA units.

- The DSOW states that occupation above the ground floors of the Area's buildings are 18% "retail and other", 30% office. What is the other 50%? If residential, including JLWQA, then **Residential is the largest single use within the two districts.**
- The 2010 census showed that the Study Area had a larger than usual senior citizen population even then. The Area is filled with the original "pioneers" aging in place in their JLWQAs. This should be quantified and plans made to accommodate their special needs. Many are living in rent stabilized lofts, many are in IMD limbo, and many are owners who bought cheap, worked and raised families there, and now are facing the same plight as small farmers: the value of their land has gone up and taxes accordingly, but they are struggling to keep up with costs as their actual income is low. What will be the impact of the Plan on them? How many would be forced out and displaced?
- Show the need for more office space and the impact of new office space in the Study Area on other, older office buildings in Manhattan, particularly Midtown. Isn't there a trend in the financial and tech sectors to work from home? Goldman Sachs is contemplating Florida (although that's probably a ploy to get some tax reduction from NYC).
- What will happen to small businesses in the upzoning and the competition with big box stores for space and customers? In fact, what is the definition of "small business"? You must study the impact of big box stores on small businesses, and include an analysis of subdividing large plate ground floors into multiple retail stores.
- Most zoning does not allow residential uses to be below commercial/manufacturing uses in the same building. Since JLWQA is a manufacturing use, this has not been an issue within our buildings. But, once a JLWQA unit is converted to residential, and there is a JLWQA unit on the floor above, or on the same floor, how will this be dealt with? Noise and noxious odor standards in the Neighborhood allows artists to use their materials and construct their art in the place they live. How will this work if there are pure residential apartments below them or on the same floor?

Page 5: The DSOW states that the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize retail uses, but fails to differentiate between types of retail, particularly UG6 and UG10, being sought. The following must be studied in order to make accurate predictions about future needs:

- How many special permits or variances were sought for UG10 retail?
- How many businesses should be labeled as UG10 retail that are not. (Bloomingdale's SoHo and Museum of Ice Cream come to mind).
- How many large retail establishments are operating illegally in the Study Area, with neither a special permit nor a variance.
- Since the Envision process showed a clear preference within the community for as-of -right retail on the ground floor, but continued size restrictions for retail and eating or drinking, the DSOW should determine how such "least change" zoning would impact the number of applications for special permits or variances.
- A full study, analysis and report for retail uses within the neighborhoods must be part of any plan put forward for the Neighborhood.

- Should the size limitation be lifted, identify and study the impacts of the existing buildings that could be occupied by UG10 retail or large eating or drinking establishments such as clubs.

Page 6: Home Ownership.

Per the DSOW, roughly 40 percent of the area's housing units are owner-occupied, nearly twice as high as the Manhattan average.

- Clarify the status of the roughly 60% of housing units that are not owner-occupied. DCP needs to study the entirety of the districts to quantify occupancies.
- DCP also should study how many owners, particularly artists in JLWQA cooperatives, are like small farmers...land rich but money poor. Many thus have wealth on paper, but can only realize it if they sell and leave the community. Isn't this displacement?

HISTORIC DISTRICTS (Page 8)

Just to agree with those experts who say that this is a betrayal. It is clearly a plan to start the destruction of Historic Districts.

Neighborhood Context (p9)

Broadway Corridor: DSOW states that Broadway "has the lowest concentration of residential uses in the Project Area," yet Broadway is more heavily populated when compared to various parts of the Project Area. It is the second most populated of the proposed sub-districts. Nevertheless, DCP continuously minimizes the existence of residents on and around Broadway, thereby making faulty assumptions about the extent of impacts from conflicting commercial and retail uses, particularly UG10 and Eating or Drinking Uses.

- DCP must study the Broadway corridor with more specificity, including identifying the number of residential and JLWQA units, and the number of residents along the Corridor.
- DCP must study the delivery systems that will be required to support retail that is larger than 10,000 sq feet. The few stores that already have this square footage are unable to have goods delivered without impacting the adjacent mixed use community. Broadway is already a nightmare with constant confrontations between these entities. What requirements are proposed for bringing even more goods into the neighborhood and how will they be enforced?
- Where will space be created for loading zones that are on the street and thus will not affect the quality of life of the residents who live above the shops?
- In addition to big box stores, large retail uses include a new industry: large retail interactive entertainment venues that seek liquor licenses and late night closings. What will be the impact of such businesses on the quality of life of their residential neighbors?

EXISTING ZONING (Pages 10 – 13)

The M1-5A and M1-5B zoning found throughout SoHo and NoHo is the underlying framework that allowed for the artistic blossoming of these neighborhoods. The M-district creative allowances within the buildings-- allowances for sometimes noxious materials, space, sound and more -- are among the reasons that the arts were able to flourish here. The goal, now and looking forward, should be to evolve the zoning, to nurture creativity into the future. Perhaps look at other municipalities that copied SoHo and NoHo,but then made it work better as an Artist District.

PURPOSE AND NEED FOR THE PROPOSED ACTION (Pages 13 – 16)

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

- DCP fails to provide any accurate data on the residential population of SoHo and NoHo.
- DCP fails to provide an accurate analysis of the affected population and their myriad occupations.
- DCP fails to provide accurate data on the number of working artists, certified or not. Basing this on the number of applications for artist certification in 2019 and 2020 is unacceptable. After all, many of the artists who still live and work here were certified decades ago and over the years, the visual arts restriction was inconsistently applied. As a result, some artists have deemed the onerous application process as unnecessary.

Questions:

- When and how will DCP provide accurate data on the number of working artists, certified or otherwise, live and work in SoHo?
- How many people live in rent stabilized units? Without a proper analysis of the population, the various creative occupations of the residents and of the potential for displacement of tenants in rent stabilized units and other residents, the plan is fundamentally flawed.

The DSOW fails to respect what it characterizes as the “unique historic character and cultural legacy” of the Neighborhood by lifting reasonable zoning limitations on oversized retail operations and eating or drinking establishments. Removing these controls runs the risk of dramatically increasing noise, crowding, traffic and sanitation problems.

The DSOW wrongfully treats the Broadway Corridor as a purely commercial strip, completely ignoring the thousands of residents who live in units above the ground floor. Thanks in particular to the oversized retail that rooted itself on Broadway (most of them illegally or with questionable help from the DOB), Broadway Corridor residents and their neighbors have long suffered from excessive noise, air and light pollution, impassable sidewalks and overcrowded subways. The proposed zoning changes will only make these problems exponentially worse.

- How will DCP protect and enhance the quality of life for residents, including those in the proposed Broadway Corridor?
- Accepting that regulatory burdens fall disproportionately on smaller businesses and property owners in getting permits for ground floor retail, wouldn’t the problem be

largely solved by allowing retail on the ground floors , basements and cellars so long as it was under 10,000 square feet, and also maintaining the 5,000 square foot limit on eating or drinking establishments?

- Study the impacts on quality of life of the residents of both scenarios, keeping in mind that the plan would allow large clubs and interactive entertainment venues, which operate into the wee hours of the morning, plus an increase in retail loading and unloading at night.
- It is entirely poor "planning" to use data on closed/vacant retail stores gathered in July 2020, after this area was heavily damaged by looters and subsequent outlying robberies as an indicator of "vacancies". Many retailers were told by their insurers to board up. We are in the midst of a pandemic.

Page 15: INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

The DSOW fails to meet the stated goal of diversifying the neighborhoods. What is needed is real affordable housing that will house those in need, rather than the mere possibility of some small quotient of a development scheme. What is *not* needed is a huge injection of 70% to 80% luxury condos, the construction of which will do little to diversify the neighborhoods. In fact, the **net result would be a statistically less diverse neighborhood than the one we have now.**

- How will you protect our ancient cast iron buildings during new development construction?
- Why are you placing most of the new residential towers in the 100-year food plane or in Chinatown? One leads to construction issues (bathtub? piles?) and additional stories due to the water table being above the first floor level, the other to displacement of minority-owned businesses and minority residents.
- The above must be fully studied.
- There is no guarantee that the upzoning will bring in any affordable housing at all...or even residential units of any kind.
- The Plan has been launched in the midst of a devastating Pandemic when all data about housing, retail and office space, transportation, air quality etc. is inherently skewed.

As is laid out in the Community Alternative Zoning Plan for SoHo and NoHo, the City should expand diversity through deeper and broader commitments than currently cited in the DSOW:

- A higher percentage of residential developments reserved for affordable housing than the 20%-30% square footage currently proposed.
- Lower income levels for the required affordable housing than the up to 130% AMI currently proposed.
- Subsidies should be provided to ensure the development of affordable housing, instead of office space.
- Any new residential development should require inclusion of affordable units without awarding an upzoning.

Support Arts and Culture (p 15)

- How will allowing and encouraging transitioning away from JLWQA to residential uses result in the preservation and creation of affordable studio space and other broadly accessible creative spaces, as is claimed? Again, you should identify existing creative spaces, including JLWQA studios and UG9 Artist Studios, and analyze how many will remain after 10 years into the rezoning.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

- The LPC has often failed in the past to protect the historic nature of districts, in SoHo, NoHo and elsewhere under its purview. Why would this change now?
- Since the city has done a pretty poor job in always demanding that new buildings fit historical contexts, what does "more appropriately" actually mean?
- Since more than 80% of the Study Area is within an Historic District, specify those sites that would require approval for review by LPC.
- How in the world do your increased bulk regulations "more appropriately respond to neighborhood context?
- Given that the historic 19th cast iron buildings next to development sites risk having their foundations undermined by excavation and construction as has happened in the past in SoHo, what will be done to preserve the structural integrity of contributing buildings in the Historic Districts?

DESCRIPTION OF THE PROPOSED ACTIONS (Pages 16 – 19)

As suggested in the Alternative Plan, I support appropriately scaled as-of-right retail without opening the floodgates to Big Box chains, large interactive entertainment venues and oversized eating or drinking establishments such as clubs.

Neighborhood residents do not object to a reasonable loosening of ground floor retail regulations to allow retail uses which are compatible in size and character for the neighborhood. However, an allowance for destination retail in excess of 10,000 sf of selling space will only result in the dramatic proliferation of large chain stores, interactive entertainment venues, and eating or drinking establishments that have already been shown to create conflicts in these mixed-use neighborhoods, and will likely have an even larger negative impact upon quality of life if those uses are expanded as-of-right.

- Identify sites that could be converted to big box stores, to large eating or drinking venues, particularly clubs and then study their impacts.

The DSOW should be aimed at protecting and supporting small businesses and the arts community. Without protections, small and arts-related businesses will face increased financial pressures caused by a broad opening of zoning regulations to retail use.

Such protections could be partially accomplished by:

- Allowing Use Group 6 Retail up to 10,000 sq ft, and no larger, as-of-right. It would be preferable if basement or cellar retail uses were included in the calculation (excepting storage).
- Allowing eating or drinking establishments up to 5,000 sq ft, and no larger, as-of-right, inclusive of below ground eating or drinking uses.
- Providing protections for arts-related and creative-industry ground floor spaces.
- Formulating new and creative actions which help and encourage existing and new small independent businesses, while discouraging the proliferation of chain stores, as other cities have done.
- Allowing non-profit museums (UG3) as of right.
- Take the no action scenario, the alternative plan scenario (which would legalize ground floor retail but keep the current size limits) and the proposed action scenario and determine how many special permits or variances would be anticipated under each scenario within the next 10 years.

ZONING TEXT AMENDMENTS (Page 17)

Much of this has already been addressed. However, can you please define what "modify the typical regulation" means and identify the additional "requirements" and "parameters" that will be established. This section is suffering seriously from a case of vagueness.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

<u>General Use Regulations</u>

Joint Live-Work Quarters for Artist (page 18)

QUESTIONS:

- What is “the mechanism” by which the City will facilitate the “voluntary transition” from Use Group 17D (JLWQA) to Use Group 2 (residential)? Would it be applied only to complete buildings, or unit by unit? If the latter, what would be the impact on JLWQA neighbors in the building? Would you allow residential uses under JLWQA uses in the same building?
- What are the tax implications/burdens for such conversions?
- What are the cost implications/burdens on the occupants or owners to effect such conversions?
- Will these conversions be unit by unit or building by building? If not unit by unit, how will you deal with those who want to remain JLWQA in a building where others want to convert to residential?

Floor Area and Bulk Regulations, Page 18:

Definitions and clarifications are needed for the following (mostly subjective) terms used:

- Desirable
- Appropriate
- Supplement

- Respect
- Unique
- Sufficient flexibility
- Harmonious

The following require additional research and information**:**

- Substantiate or provide details for the stated presumption regarding size and location of "larger loft buildings."
- Provide residential and Live-Work occupancy information along Broadway, Lafayette Street and in the Northern portion of NoHo.
- Identify, study and analyze the impact on residents of the area of the specific mix of uses along and around "wide" streets, such as Broadway and Lafayette.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM (Page 18)

MIH is a proven failure. The Manhattan Institute study published this year found that only 2065 affordable housing units have been built in NYC since the MIH program was created four years ago.

You know what they say about people who keep failing but make no changes to their behaviour?

WRP REVIEW PROCESS AND DETERMINATION

Much of the southern portion of SoHo, particularly the area from Canal Street to Broome Street, is in a flood plain. The western section is in the 100 year flood plain. Soil conditions throughout these blocks have resulted in numerous construction complications, including the collapse of 72 Grand Street. When the SoHo Grand Hotel was built, they needed to insert multiple pilings, the noise driving the neighbors crazy and making it difficult to work at home.

- What mitigation for new construction has the city planned to deal with these flooding problems?
- Will this impact the number of stories allowed in buildings in the 100-year flood plain area or elsewhere?'
- Are the added costs taken into account in your analyses?
- Study noise implications based on the type of foundation construction needed in the flood plains.

G. ANALYSIS FRAMEWORK (Pages 19 – 25)

REASONABLE WORST CASE DEVELOPMENT SCENARIO

- The socio-economic impacts will be underestimated should the DSOW not go beyond the flawed CEQR requirements.
- The plan underestimates the impact of upzoning because it limits itself too narrowly and fails to look at the approximately 850 lots within a 56 block area, most within an Historic District.

- The DSOW fails to consider how the integrity of the Historic Districts would be undermined by the creation of various zones of development within the 56 block Study Area.
- The DSOW fails to note that the proposals do not guarantee a single unit of affordable housing.
    - There are greater incentives for office and dormitory use rather than residential use of any kind, much less affordable residential uses.
    - The pre-Covid glut of both luxury condos and rentals, especially in lower Manhattan, will dissuade construction of new housing.
    - Developers can apply for waivers to reduce or modify MIH requirements, including the allowable provision whereby "affordable" units will be allowed to be built elsewhere, outside the Study Area, all related to payments into an unspecified "Affordable Housing Fund." Any allowance of that sort is in direct contradiction of the stated purpose set forward by DCP, which is greater inclusivity and diversity within the Study Area by the development of affordable housing units within SoHo and NoHo.
    - The end result will be a statistically LESS DIVERSE, BUT DENSER AND LESS LIVEABLE Neighborhood.
- The DSOW is being drafted, and research done, during a Pandemic when all the norms for life, work, and commerce have been upended. It is not possible to make accurate assessments or collect reliable data at this time.
- This DSOW, which purports to plan for the next ten years, cannot analyze what might be needed without first studying and analyzing the consequences of the pandemic on all facets of work and life in the City.
- New, other, and perhaps more appropriate opportunities for affordable housing and development through adaptive reuse may be identifiable after the City normalized post-Pandemic. Right now the need for offices, hotels, and other commercial spaces has diminished, yet the plan is to increase them here.

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

The existing zoning framework could be maintained while allowing for an organic change within the Zoning Resolution. This could be achieved through targeted zoning text changes, which would enable appropriate flexibility that will be responsive to local needs and our dynamically changing City.

The scoping document cites restrictions to ground floor use regulations and outdated manufacturing zoning.

- In actuality, SoHo and NoHo constitute a mixed-use neighborhood that has a robust retail and commercial environment, occupying much of the ground floor spaces of buildings throughout the 56 block area. It is, as the DSOW points out, among the top two highest grossing retail markets of the City.
- The restrictions in place that limit the ground floor commercial use to 10,000 sq. ft for retail and 5,000 sq. ft. for eating or drinking establishments are a benefit to the

residential community, and are essential to maintenance of residential quality of life in this unique mixed use neighborhood of historic cast-iron buildings.

Text changes without up-zoning can allow for:

- Group 6 Retail up to 10,000 sf (preferably with basement and cellar retail uses included in the calculation).
- Eating or drinking establishments of up to 5,000 sf.
- As-of-right residential development with affordability mandates, at the same 5.0 FAR that is currently allowable for commercial and manufacturing development in SoHo and NoHo
- Legalization and protection of current residential occupancies. Legalize and maintain existing housing units, preserve JLWQA and expand those to categories of non-artists, preferably other creative makers.
- Minimize conversion restrictions to allow new residential development including affordable housing though adaptive reuse of existing buildings.
- Expand inclusion and diversity through broader affordability requirements, aiming at the lower end of the scale.

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

- The Plan fails to guarantee and expand affordable housing.
- The Plan threatens to displace existing residents.
    - There are currently approximately 1500 rent stabilized units including more than 500 in the R10 housing opportunity subdistricts and more than 400 IMD Loft Law units that have yet to be converted to rent stabilized under current law.
    - The number of land rich but lower income artists owning and occupying JLWQA cooperative units have not been established either.
    - There has been no study to date that examines how the rezoning would impact the socioeconomic aspects of the neighborhood and the potential for displacement. The concern is that CEQR does not contemplate nor call for studies of all the types of displacement that we would see here, particularly displacement of the elderly artist and maker community.
    - What will happen to residents in the areas not under Historic District protection. In particular, look at the impacts on the Asian population in the southeastern portion of the Study Area...the residents and the small businesses.
- Where is the financial analysis that explains how the proposed changes would impact the neighborhood?
- Where is the plan to protect residents who are renting and in rent regulated units, which is a major goal in the Envision Report?
- The maximum allowable floor area ratio of 12 which would be introduced here and and would see a near doubling of allowable size of new developments.
- How can we avoid the tall towers we see in Millionaires Row, which has the same FAR?
- The DSOW fails to indicate height caps and how the proposed special district would impact the transfer of development or air rights.

- Explain how R10 zoning would create 72% of residential housing when the zoning incentivises commercial and dormitory uses without mandatory MIH.
- The Plan's modification is to retain non-commercial space in spite of the current glut of office space and to prohibit conversion to residential use
- The DSOW removal of current restrictions to retail space and eating or drinking establishments prioritizes big box retail and interactive entertainment venues at the detriment of small businesses, which have been the mainstay of commerce in the area and a central part of the identity and financial vitality of the district. Those small businesses include unincorporated (Schedule C) artists, whose livelihood could well be impacted.
    - You must study the impact on small businesses.
    - You must study the impact on artists and others who work where they live and are unincorporated sole proprietors.
- The DSOW prioritizes Parking over housing by requiring parking for 40% of dwelling units which makes little sense in an area close to transit systems and one that has major traffic congestion. After all, less than 24% of the population of SoHo and NoHo (and all of Downtown Manhattan) own cars, according to the EDC. The only neighborhood in Manhattan that has that percentage of car owners is the Upper East Side...an extremely wealthy neighborhood.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES (Page 22)

PROJECTED AND POTENTIAL DEVELOPMENT SITES

Projected Development Sites

Potential Development Sites

Most of the data you provide for this section is said to be found in *Appendix 1,* Tables 1, 2 and 3, which is illegible and therefore functionally nonexistent. Because it references the data presented in Appendix 1, the usefulness of Figure 5 "Protected and Potential Development Sites" is limited.

- It is vital that before the scoping is finalized, a proper, legible presentation of the data said to be in Appendix 1 be made easily available to the public. This is a major, disastrous, failure of the DSOW.

The DSOW fails to adequately assess the full impact of either Projected or Potential Development Sites on the existing neighborhoods by limiting the scope to just 27 locations.

- The Scope of Work, along with the extent of study, research and analysis, must be broadened.

While you state you will study noise impacts from development, effects on "historic resources" (which you fail to define) and hazardous materials for each potential site, you fail to discuss the impacts of the uses of those sites once operating. For example, you seek to expand the number of big box stores on Broadway, but the full impact of such operations in a mixed use neighborhood, surrounded by thousands of residents, must also be studied. There was a reason the DOT installed pedestrian bulb-outs for Broadway in 2019, and that related to the number of pedestrians after several more large scale stores moved in. The fact that cast iron structures are pervious to noise, and the way noise travels in SoHo/NoHo must be studied and factored in as well.

DEVELOPMENT SCENARIO PARAMETERS

Dwelling Unit Factor

Floor-to-Floor Height

Conversion Prototypes

Development within Historic Districts on Projected and Potential Sites

- It has been said that the current Plan would add an additional 11,000,000 sf of new "Unused Development Rights" to the Study Area. Is this accurate?
- If accurate, what would be the real worst case scenario?
- You have not discussed transfer of Air Rights.

TASKS

PROPOSED DRAFT SCOPE OF WORK FOR THE EIS (Pages 25 – 51)

TASK 3: Socioeconomic Conditions

If the socioeconomic character of an area includes its population, housing, and economic activity, you must study:

- The impacts on the economy should the Neighborhood no longer be able to act as a backdrop for the film industry.
- The impacts on small businesses should large big box stores be allowed.
- The impact on our elderly, particularly the artist "pioneers" who started the path to what SoHo and NoHo is now, and are aging in place.
- The impact on the arts businesses, including those manufacturing their art where they live.
- The impact on tourism once the neighborhood loses its character.
- The light and air made available by SoHo/NoHo's low rise buildings give a charm to the SoHo/NoHo district that tourists, shoppers, office workers and residents are drawn to and enjoy.
- It is critical to include the unique aspects of SoHo as core economic assets of the proposed zoning area.

- Provide accurate and reliable data that supports the DSOW's call for a vast increase in office space.
- We are in the middle of a 100-year pandemic and all normal patterns of work, shopping and office work have been broken. Any data gleaned at this time for 10-year or more projections can only be faulty and lead to unimaginable consequences

TASK 4: Community Facilities and Services – Public Schools, Libraries, etc.

SCHOOLS:

Neither SoHo nor NoHo currently have public schools within their borders. Our children go to various different schools in other neighborhoods. The DSOW projects a 78% increase in residential population and an uncalculated increase in the number of elementary school children. Where in the zoning area does DCP propose these children go to school?

- You must analyze the need for schools based on changes to the Project Area as a whole, not looking at each single development site and asking if it alone would require a school.
- How will the DCP develop an accurate formula for determining the need for schools, based on future, unknowable post-Covid demographics?
- What site would be appropriate for a school?
- In order to fund new public schools, the City should require developers of all new residential buildings to contribute to a capital fund that would pay for the building of new schools or include them in their building projects.

TASK 5: Open Space (page 32)

Community Board 2, Manhattan has one of lowest open space ratios in NYC at 0.60 acres per 1,000 residents. SoHo and its neighbor Little Italy have only 0.07 acres per 1,000 residents or 3 square feet per person -- about the size of a small chair. The projected 78% increase in population would render the number of acres per 1,000 to the size of a thumbnail! And that calculation includes traffic islands as open space.

CEQR establishes New York City's optimal open space goal to be 2.5 acres of open space per 1,000 residents, including 0.5 acres of passive open space and 2.0 acres of active open space. How will you meet that?

- An assessment of existing open space and an assessment of open space needs under the upzoning must be required for the Study Area.
- Any assessment or study conducted during or for likely a year after the Pandemic would fail to give even a remotely accurate assessment of the amount of open space needed by these areas.
- Such assessment should also distinguish between passive and active open space, paved vs. green open space, and identify membership-only and traffic island open space. How much open space has activities for children, for seniors?
- What steps will the City take to remedy this extreme lack of open space?
- What will the city require of developers regarding open and green, active and passive space in their projects?

TASK 14: TRANSPORTATION

Given the Pandemic, any collection of data and analysis as presented in the DSOW will be deficient and inaccurate for the purpose of this major rezoning plan and for long-term planning.

- Currently, offices are closed or skeleton-crewed, restaurant and bar activity is minimized, retail stores are also closed or also severely reduced their operations. People are staying home to work and to study.
- All traffic and transportation studies must be conducted after the Pandemic and once the post-Pandemic period normalizes. At the very earliest, that would be the third quarter of 2021.

TRAVEL DEMAND and TRAFFIC:

- This month, the 2-way toll on the Verrazano-Narrows Bridge was reinstated after more than 30 years. The through traffic generated by the bridge impacts the level of particulate matter, traffic congestion, and noise levels on Lafayette Street, Broome Street and Grand Street. If you don't believe the impact (because DOT refused to study it), see Friday Rush Hour (Little Italy/SoHo) .
- The proposed studies and assessments cannot be validly made and then applied during the time frame of the DSOW, given the Pandemic and a following period of adjustment.
- Using recent studies "in the vicinity of the study area" to substantiate a major rezoning is quite problematic. This could mean studies from areas which are distinctly different from SoHo and NoHo and have different traffic and pedestrian flows and patterns could be used inappropriately. As noted above, the DOT consistently refused requests to study the through traffic coming from the Williamsburg Bridge to the Holland Tunnel. And, now that the Verrazano-Narrows Bridge has changed its tolling methods, a new pattern of traffic will emerge not only in the Study Area, but in the vicinity.
- The City is undergoing a major economic shift that began with the loss of retail due to internet sales, and continued due to the Pandemic. We are still in the midst of the Pandemic and it will be close to a year until things come to a new normal. It is wrong and unscientific to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

Travel Demand from Development Sites:

- The DSOW must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.
- The large increases in FAR and allowable height and density over the entire Study Area impacts travel data projections needed to assess the rezoning and thus the complete Study Area must be included in Travel Demand assessments.

TRANSIT: Again: Pandemic data is flawed data and we won't know what the new normal will be until at least the last quarter of 2021.

PEDESTRIANS

- Again: Pandemic data is flawed data and we won't know what the new normal will be until at least the last quarter of 2021.
- The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.
- The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density throughout the study area are not taken into account.

TASK 17: Noise

Again: Pandemic data is flawed data and we won't know what the new normal will be until at least the last quarter of 2021.

The SoHo and NoHo Historic Districts have cast-iron loft architecture buildings that differ from many other areas, and often with close proximity to rear yards - different from the usual residential zoning requirements. Records of public hearings in Community Board #2 show 30 years of residents complaining about night time noise and pointing to the fact that cast iron buildings do not keep noise out and make it bounce around oddly. Their main complaints have been noisy restaurants, restaurant patrons, bars and their patrons, HVAC units and loading and unloading activities from oversized retail.

- Due to the cast-iron architecture and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, noise impacts must be analyzed.
- Given the proposed increase in allowable size of bars, restaurants, retail and other uses, noise impact on the whole region must be studied.

Given the constraints of time, I must stop writing now... (lucky you) and send this in.

Cheers,

Lora Tenenbaum

423 Broome Street

New York, NY 10013

lora.tenenbaum@gmail.com

Subject: SoHo/NoHo Rezoning Comments
Date: Friday, December 18, 2020 at 10:14:18 PM Central Standard Time
From: Ben Carlos Thypin
To: 21DCP059M_DL

To whom it may concern,

I am writing to express my support for the proposed rezoning of SoHo and NoHo. If enacted, this rezoning has the potential to create several thousand homes in two of the highest opportunity neighborhoods on the planet. Practically speaking, the market rate homes would serve to relieve the upward pressure on housing costs in surrounding neighborhoods that's been caused in part by displaced demand from SoHo and NoHo for several decades, while the deeply affordable homes would provide hundreds of low-income households with access to all the opportunities that SoHo and NoHo have to offer. While the material improvements to people's lives in SoHo/NoHo, surrounding neighborhoods, and for those New Yorkers lucky enough to win the lottery for the affordable units would be substantial, the enactment of this rezoning would also be significant symbolically given our city's unfortunate history of leaning on marginalized communities to shoulder the bulk of the city's growth in exchange for community investments that they should have received anyway and far sooner than they did as part of the rezoning. Our shameful history of disinvestment in marginalized communities is part of why rezoning SoHo and NoHo is a moral imperative - after all, if we had been investing in those communities they wouldn't need to move to some place like SoHo or Noho to access opportunities. While we work to bring long overdue investments and opportunities to marginalized communities, it's imperative that we provide access to the opportunities that already exist in our city to those that need it most. Similarly, this rezoning would also be a significant step toward reversing our shameful history of redlining and segregation.

All that said, I have one major concern with the Draft Scope of Work that, if unaddressed, could undermine the positive practical and symbolic consequences of the rezoning. The proposed commercial FARs are too high throughout the proposed rezoning area and if they are not lowered, there is a significant risk that commercial development becomes a more profitable option for landowners and developers than residential development, particularly outside the historic districts where the bulk of the housing could be constructed. I've gone back and forth about the best way to demonstrate how real this risk is given two statistical challenges. The first challenge is that because SoHo and NoHo are both substantially built out and mostly covered in historic districts, there aren't that many recent and relevant sales one could use for determining the price commercial ZFA trades at. The second challenge is that because there have been so few MIH rezonings in rich neighborhoods like SoHo and NoHo, there are very few comparable sales of the type of residential ZFA that would exist post-rezoning. As a result, I decided the best approach was to use two examples that happened around the same time:

In May 2016, the City of New York sold 19 East Houston Street to a developer who proceeded to construct an office building of approximately 30,000 square feet. The developer paid the city $38.825 million, or $1249 per commercial ZFA. Now I appreciate that this was a complex transaction and a highly valuable retail location at the peak of the market, but it suffices to say that commercial rents in SoHo and NoHo are very high and as a result, commercial ZFA is extremely expensive. In contrast, MIH Residential ZFA in rich neighborhoods is nowhere near as expensive. The best example is from the 339-345 East 33rd Street Rezoning, which occurred in 2018 and for which the developer paid $244/MIH Residential ZFA for the property, a figure that doesn't include entitlement costs or tenant buyouts. Furthermore, unlike the gleaming new commercial building at 19 East Houston Street, the proposed development of 339-345 East 33rd Street hasn't even broken ground yet. While I support the MIH program in rich neighborhoods like these, it's important to keep in mind the costs that it imposes on development and the discount to ZFA values that result. I am not going to pretend this is the most thorough analysis that could be done on this matter, but I think it's clear given the delta between $1,249 per commercial ZFA and $244/MIH Residential ZFA in neighborhoods with similar income profiles that the risk of commercial development crowding out residential development is extremely real, particularly given that many of the proposed development sites are also on highly visible corners like 19 East Houston is.

Lastly, I suspect there is some concern within DCP and elsewhere that reducing the proposed commercial FAR in order to further incentivize residential development would undermine the dynamic mixed use character of SoHo and NoHo. Based on the latest version of the city's PLUTO database, the existing commercial area in SoHo and NoHo amounts to nearly 13 million square feet, while the residential area is 8.8 million square feet, making the neighborhoods 60% commercial . According to the draft scope of work for the rezoning, if all the probable and potential development sites were developed as predominantly residential, the residential area would increase by 3.2 million square feet while the commercial area would increase by 315,000 square feet. If everything were built out to the projections in the DSOW, commercial area would drop to 54% of total area, hardly a sea change compared to 60%.

In conclusion, I urge you to not even take the risk that developers choose to develop predominantly commercial instead of predominantly residential. The future of thousands of families and charting a new path for our city's land use policy is far more important than maintaining the present balance of commercial to residential area within SoHo and NoHo.

Thank you for your consideration.

-Benjamin Carlos Thypin

Subject: I Support Rezoning NoHo/SoHo
Date: Friday, December 18, 2020 at 7:36:21 PM Central Standard Time
From: Jose Torres
To: 21DCP059M_DL

God bless... All,Best Wishes!!!

Subject: zoning and open spaces
Date: Monday, November 30, 2020 at 4:45:42 PM Eastern Standard Time
From: jill vexler
To: 21DCP059M_DL

To Whom It May Concern:
I understand that the zoning committee is presently considering allowing the parking lot on Lafayette for possible development. This is the parking lot adjacent to the presently under renovation NYU building. This building has disrupted the neighborhood for years. Enough. Please. Enough.

I heartily urge the committee TO LEABE IT as an OPEN SPACWE. One of the few breathing spaces in the area. Or develop it as an open park area for NYU and other employees and students who wish to sit somewhere in NoHO. NO MORE HIGH BUILDINGS, please. Enough. Enough Enough.

Please cease the wonton vapid construction of more buildings in our already too visually densely populated area of lower Manhattan.

Thank you.
Dr. j Vexler

Subject: Comments on SoHo/NoHo Rezoning
Date: Tuesday, December 8, 2020 at 7:02:59 PM Central Standard Time
From: Jeremy Welsh-Loveman
To: 21DCP059M_DL

Dead NYC Department of City Planning,

Thank you for your hard work in moving this planning process along. I would like to comment in favor of changing the residential zoning from the proposal to allow for more residential floor area. Specifically, the proposed M1-5/R9X districts (the Broadway - Houston Corridor, NoHo North, and Canal Corridor) should instead be zoned as R10 and the M1-5/R7X districts should instead be mapped with at least R9X, and possibly higher. As you know this area is in lower Manhattan, well connected with mass transit and close to many tall, dense residential buildings. New York City has a significant housing shortage, and little housing has been built in Manhattan in the past few decades. This lack of housing growth has spurred higher housing costs further and further out in outer boroughs. This is likely the last time the zoning in this area will be changed for decades. It's important that the DCP takes this once in a generation opportunity to allow for a significant amount of housing in an already expensive area.

I think the DCP should also not include any non-residential floor space retention policy. This would make it much more difficult to convert different spaces to different uses, which is vital for a dynamic and changing city such as NYC. I don't really understand the reason for this other than status quo bias and it would seem to restrict redevelopment and reuse for no good reason.

Thank you for the consideration.

Thanks,
Jeremy Welsh-Loveman

Subject: public comment re: SoHo/NoHo upzoning
Date: Thursday, December 3, 2020 at 1:12:06 PM Central Standard Time
From: B. Winters
To: 21DCP059M_DL

Greetings,

I am writing today to oppose the Mayor's upzoning plan for SoHo/NoHo. I support the community alternative plan.

I do not think any public review and approval process should take place until in-person meetings can begin again, and a full analysis of the plan's impacts can take place.

The analysis done by the city so far is faulty — it leaves out many sites which are likely to be developed under the proposed rezoning with huge, oversized buildings, and it fails to account for the many current rent stabilized and loft law tenants, as well as small businesses, which are likely to be pushed out by the proposed changes.

Retail rules can be changed to accommodate reasonably-sized businesses, but the proposed allowance for over 10,000 sq ft for retail is outrageous. A limit of 10K sq ft for retail and 5K sq ft for eating and drinking establishments is more than enough.

Requiring affordable housing in new residential development can be done without the proposed upzoning — it can be applied to new residential development at the same size and scale currently allowed for other kinds of development in SoHo and NoHo

I am very concerned about the impact of this rezoning on surrounding neighborhoods, especially the working class communities of color in Chinatown and the Lower East Side. If the Soho/Noho Rezoning is really about racial justice and truly affordable housing, then why haven't you listened to the working class communities of color in Chinatown and the Lower East Side in our demands for the Chinatown Working Group Plan, a community-led rezoning plan designed to protect our neighborhoods (just adjacent to the newly proposed up zoning in Soho/Noho, which will impact our communities, too) from speculative overdevelopment and displacement. Why is it "too ambitious" (your words!) to follow the lead of impacted communities and working people when it comes to city planning?

Sincerely,

Briar Winters
157 Rivington Street #11
New York, NY 10002

Subject: OPPOSITION TO THE PLAN OPPOSITION TO UPZONING....2 Questions for DCP
Date: Thursday, December 3, 2020 at 11:54:45 AM Central Standard Time
From: Ronnie Wolf
To: Jeffrey Glovsky (DCP), 21DCP059M_DL

QUESTION 1
Why designate Broadway a Business Corridor?

In doing so, property taxes will rise, restrictions on the size of retailers and restaurants and that on sign illumination will be eliminated. Each of these unconscionable changes will negatively impact the quality of life of the residents who reside in the 43 buildings between Houston and Canal Streets.

DCP, long time artists, who organically created, invested heavily into this renown neighborhood; being responsible for maintaining most of its sidewalks and the facades, will be forced out of their "affordable" forever homes.
We, the heavily burdened taxpayers and "small business owners", demand a comprehensive STUDY addressing the fallout of making the change and placing the entire Proposal on PAUSE until after the Pandemic.

Broadway in SoHo and NoHo must become an endless building site nor another City LOSER Business Corridor to indulge Real Estate Developers.

It's obvious that this Proposal has nothing to do with increasing Affordable Housing though it's the hypocritical rally cry for proponents of the PLAN.

Broadway is VERY different from Canal Street. Canal is used as a thruway between Bridges and Tunnels with very few residential units. Broadway, on the other hand, runs through a Mixed Use community. *There are more than double the amount of Residential units on Broadway than ground floor Commercial units.

Designating Broadway as a Commercial corridor would be destructive to the local community.
DCP should recognize that we are the ones who shop and support the retailers and restaurants in our neighborhood especially now that tourists are gone. Those who purchase luxury apts are the same ones who will flee the City in times of disasters. The area doesn't need additional luxury housing.

Question 2
Why hasn't "indoor parking" been provided for and mandated for new construction?

The neighborhoods will need tourists and shoppers to come from elsewhere in order to thrive and become vibrant again. Most will do so in cars. The residents, who use cars to get to their jobs, will continue to need parking.
Parking mustn't be eliminated. DCP's proposal suggests building massive buildings on large parking lots. Whatever the outcome, SoHo/NoHo residents demand for there to be indoor parking in all new development sites.

Thank you
41 year SoHo artist resident Ronnie Wolf

Sent from my iPad

let me know your concerns. Residents need to stand up.

Subject: opposition to the Soho / Noho upzoning plan
Date: Thursday, December 3, 2020 at 9:53:02 AM Central Standard Time
From: Jill Woodward
To: 21DCP059M_DL

Dear Members:

I oppose the Mayor's vision for upzoning in Soho/Noho, and instead look toward this community plan for solutions to affordable housing. I cannot see any benefit to the Mayor's proposal that's not addressed in a smarter way in the community plan.

I do support reasonable retail in the area, but not the supersize chain stores the plan would encourage. These drain money out of the local economy—and as we're seeing now, many will drive local small businesses out and then go bankrupt later leaving huge eyesores behind.

The vision this plan puts forth would destroy any unique value that New York City has to offer compared to other cities in the world. To keep NYC strong and great, I urge you to keep its most valuable assets in mind - character, and people.

Sincerely,
Jill A. Woodward

Jill Woodward
jillwoodward.com

OFFICIALS

Subject: Joint Testimony on the SoHo NoHo Neighborhood Plan Draft Scope of work
Date: Friday, December 18, 2020 at 5:35:55 PM Central Standard Time
From: Kelley, Chelsea
To: 21DCP059M_DL, Sylvia Li (DCP)
CC: Drummond, Anthony, mchin-council, Chaparro, Lizette (ManhattanBP), Mann, Raju, Martinez-Rubio, Angelina, Chan, Stephanie (ManhattanBP)
Attachments: SoHo NoHo - MBP Brewer and CM Chin Joint Testimony - 2020-12-18.docx

Hello,

Please find attached joint testimony on behalf of the Office of Council Member Margaret S. Chin and the Office of the Manhattan Borough President Gale A. Brewer, for the SoHo NoHo Neighborhood Plan Draft Scope of Work (CEQR No. 21DCP059M, ULURP Nos. Pending).

Please let us know if you have any issues accessing the document.

Best,

Chelsea Kelley
New York City Council | Land Use Division
Cell 646-370-0171
ckelley@council.nyc.gov

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Gale A. Brewer, Borough President

December 18, 2020

Joint Testimony from the Office of Council Member Margaret S. Chin and the Office of the Manhattan Borough President Gale A. Brewer

Comments on the SoHo NoHo Neighborhood Plan Draft Scope of Work

CEQR No. 21DCP059M
ULURP Nos. Pending

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that broadly benefit the community and the public in and beyond the Project Area" (DSOW, 18). This mechanism remains undefined and must be clarified for how it intends to accomplish its stated goals.

Furthermore, the proposal is vague about expanding home occupations for work-live situations. Project Actions should include provisions for grandfathering existing uses to protect artist tenants currently residing in JLWQA units. All JLWQA units need to continue in perpetuity as affordable units.

Mapping Discrepancies

We ask that the DCP revisit their study of Projected and Potential Development Sites (DSOW, 21) as some of the listed lots are erroneous in building typology, height and size. We also ask that the list further include existing numbers of retail, commercial, manufacturing (including JLWQA) and residential uses.

A building-by-building analysis is imperative as some of the lots identified by the DCP may already be in demolition, development, or a private sale transaction, thereby precluding the lot as a Projected or Potential Development site for affordable housing analysis by the DSOW. One such example is the lot "DSOW ID 13" (358 Bowery) which was sold in 2019 along with nearby development rights. On December 2, 2020, the owner of that site filed a Department of Buildings application to demolish the structure that is on that site, highlighting the need for this application to be informed by the most up-to-date information as it moves through the public review process.

Retail and Office Space

Even though most people would characterize SoHo/NoHo as a major retail neighborhood, the majority of the M1-5A and M1-5B zoning district provisions do not allow as-of-right retail uses on the ground floor and basement levels. According to the DSOW, more than 90 CPC special permits were granted in this area between 2000 and 2019, and the New York City Board of Standards and Appeals (BSA) also granted variances over this period. It is clear that the existing zoning in SoHo/NoHo was created under economic circumstances that have not existed for some time, with the result being a constant stream of applications and approvals for CPC special permits and BSA variances. There is significant room for improvement in this outdated framework.

The Proposed Actions would change the current restrictions on retail and allow large-scale retail (defined as over 10,000 ZSF) as-of-right on the ground floor and basement levels throughout the area. The Envision SoHo/NoHo Advisory Group carefully contemplated what the right retail restrictions should be in the new framework. The general consensus was to allow a wider range of as-of-right retail and commercial uses on the ground floor and basement levels, while maintaining the special permit process for retail and use over 10,000 ZSF. We stand by these recommendations. Given the consistent mixed-use character of these neighborhoods, it is crucial to consider the quality of life impacts to the residents living above commercial uses. Large-scale retail tends to bring more frequent deliveries and trash hauls at all hours. Maintaining the special permit process for retail over 10,000 ZSF will give local residents a voice in the process when new large-scale retail is proposed.

The DSOW should furthermore consider an avenue for the conversion of existing office or commercial spaces to affordable units. While a post-COVID future remains uncertain at this time, there may be significant real estate impacts of companies choosing to discontinue their office leases in favor of working from home.

Community Alternative Zoning Plan for SoHo/NoHo

In December 2020, a coalition of neighborhood groups, including Village Preservation, drafted an alternative plan that offered an alternative set of principles for guiding any rezoning of the neighborhood. This plan should be analyzed before the proposed action moves forward.

Task 3: Socioeconomic Conditions

The DCP must broaden the scope of study of the SoHo/NoHo population to include data of the share of the community who identify as artists and an analysis of how many art making, art displaying, and art supporting units currently reside in the neighborhoods, and the number of existing JLWQA units that are currently occupied and vacant. This study should also include an analysis of the number of art spaces and art supporting spaces that have been lost in the last few decades. The definition of artist and art making spaces needs to be broadened and modernized.

The DSOW must fully consider the southeast and southwest portions of the SoHo/NoHo area for further study. The southwest area (bordered by Canal Street and 6th Avenue, listed in the DSOW Figure 4 as "SoHo West") is generally a transitional area and the southeast area (bordered by Canal Street and Baxter Street, listed in the DSOW Figure 4 as "SoHo East") adjoins Manhattan Chinatown. Both areas have a different neighborhood character compared to the core of SoHo/NoHo and deserve their own analysis of socioeconomic conditions to fully understand their neighborhood needs.

Task 4: Community Facilities and Services

School and University Facilities

There have been conversations over many years about the potential for a school on the New York University (NYU) campus, and NYU is committed to working with New York City School Construction Authority (SCA) to site a school there if one is needed. Many community members have discussed the possibility of moving forward with a special needs school at this site and we urge the SCA and the New York Department of Education (DOE) to work closely with our offices to advance this proposal. We cannot responsibly add thousands of units of new housing units into the neighborhood without advancing schools at these sites.

The DSOW must include data for current school enrollment numbers in SoHo/NoHo and projected enrollment and school seat data for elementary, intermediate, and high school levels according to the Reasonable Worst Case Development Scenario (RWCDS) , which estimates that approximately 1,683 new Dwelling Units will be added to the area. Additionally, the DSOW analysis must analyze libraries, childcare centers, police stations, fire stations, and health care facility needs. Due to the oversaturation of university dormitories in the neighborhood, we request that community facilities further stipulate a provision that there will be no dormitory or live-in use.

The Envision SoHo/NoHo Advisory Group supported the idea of a density development bonus in exchange for the provision of artist and art supporting spaces. The possibility of an additional 0.5 Floor Area Ratio (FAR) bonus for the provision of artist and art supporting space on the ground floor and basement levels should be studied. It is important that these spaces be visible to the public at the ground floor. Should a developer choose to apply for this community facility bonus for art making purposes, the SNMD must further stipulate that the community facility use will be made a permanent use.

Any new residential floor area for developments, enlargements and conversions containing significantly large existing buildings would require certification by the City Planning Commission (CPC) Chairperson (See *Non-Residential Floor Area Retention* on DSOW, 18). This certification would also require that non-residential floor area be retained at a one-to-one ratio in larger buildings. We ask that "significantly large existing buildings" be defined. Furthermore, this provision should be studied to encourage artist and artist supporting spaces in these buildings. The one-to-one ratio requirement could be reduced to 0.5-to-1 FAR

if artist or artist supporting spaces are provided on the ground floor and basement levels.

Task 5: Open Space

It is no surprise that SoHo/NoHo lacks open space. In fact, the large floor plates of buildings are a big part of what gives these neighborhoods such unique character. As there are very few publicly owned sites in the surrounding area, we urge the Administration to explore, in tandem with NYC Department of Parks & Recreation, any green space opportunities in the neighborhood, and if needed, include disposition actions in the bundle of land use actions to facilitate infill for community facilities or affordable housing units. A few examples include 70 Mulberry Street in Community Board 3 and the Department of Environmental Protection (DEP) sites at Bowery Street and East 4th Street (planned as new open space construction) and at Grand Street and Lafayette Street (142 Grand Street), which was previously presented in an LPC public hearing on June 25, 2019 as a new passive open space for the public.

As the Proposed Actions seek to promote this character in new development, opportunities to create new open spaces at the ground level will likely not be realized. Green spaces and trees provide an incredibly important ecological value to New Yorkers and help to keep the city cool during increasingly hot summers. The City Council passed Local Laws 92 and 94 of 2019, which require buildings to dedicate a portion of their roofs to renewable energy or green roofs. In SoHo/NoHo, extra incentives should be considered in order to increase the likelihood of green roofs in this area that is so lacking in open space.

Task 6: Shadows

We ask that the DSOW consider the impact of shadows upon open space, parks, individual landmarks, and the historic district as a whole, as its architectural elements could very well be compromised. We also ask that the DCP consider artist live-work spaces within buildings that could be adversely impacted by shadows, for example, indoor photography studios with spaces that depend on natural light. One artist pointed out that her large, industrial windows are required for her to do her work, and any blocking of sunlight would destroy her ability to make a living.

Tasks 7, 8, and 19:
Historic and Cultural Resources, Urban Design/Visual Resources, Neighborhood Character

About 80 to 85 percent of the Project Area is located within the SoHo Cast Iron Historic District and its extension, the NoHo Historic District and its extension, and the NoHo East Historic District, allowing the LPC substantial regulatory oversight throughout the area. While LPC review will certainly help to ensure that the character of future development is harmonious with the existing buildings, a public facing document that outlines specific guidelines for the architectural character of future development should be created with assistance and input from the LPC and the broader community. This will help alleviate the administrative burden on the LPC and give community members an additional voice in the process.

We request that the DSOW include an adaptive re-use study of any distressed, historical buildings in the neighborhood. We also request that the DSOW study the possibility of any archaeological remains and artifacts from historical burial grounds that were prevalent in the history of Lower Manhattan.

Tasks 9 – 11: Natural Resources, Hazardous Materials, and Water and Sewer Infrastructure

There are significant and unaddressed environmental concerns prevalent in the southern and southeast zones of the Project Area (listed in the DSOW Figure 4 as the "Canal Corridor" and "SoHo East") which were historically swampland. There are ground stability issues at Canal Street that could be a detriment to any new construction around or near historical buildings in the area. Additionally, the Canal Street intersections at Broadway and Grand Street experienced some of Lower Manhattan's worst flooding in the aftermath of 2012 Hurricane Sandy.

The DSOW must include the environmental implications of historic automobile related services located in the Project Area. This area, nicknamed "Gasoline Alley," was home to a considerable number of gas stations and automobile repair shops. This includes a previous gasworks facility at the southeast corner of Centre Street and Baxter Street that went through a New York State Department of Environmental Conservation (DEC) Voluntary Cleanup Program in January of 2018 (Consolidated Edison (CE) – Hester St. Gas Works, DEC Site # V00528).

The DSOW should further outline if the increase in neighborhood building densities would affect street-level wind conditions and an increase of ground-level particulates.

Task 12: Solid Waste and Sanitation Services

Quality of Life

The mixed-use character of SoHo/NoHo continues to raise a number of quality of life concerns that are distinct to the neighborhood. The Envision SoHo/NoHo Advisory Group made recommendations around loading zones and waste pick-ups that must be addressed as part of this proposal. It is possible that these issues are outside of the bounds of zoning. However, the commitments in the DSOW must be meaningfully upheld. The scope of work acknowledges that "although not part of the proposed zoning actions… strategies outside of zoning would be developed to work in unison to support broader planning goals such as improving public realm management (e.g., retail delivery and loading management) and supporting the arts and creative industries in SoHo/NoHo)" (DSOW, 13).

The prevalence of SoHo/NoHo's through-block buildings and narrow streets are of concern for deliveries and waste removal. The DSOW should consider the impact of increasing commercial spaces for the area upon pedestrian and vehicular movements, in particular the areas of Bleecker Street, Spring Street, Mercer Street, and Crosby Street.

We strongly encourage consideration of the following strategies for deliveries and trash pick-ups made by the Envision SoHo/NoHo Advisory Group:

- Develop a vending action plan with improved strategies that ensure pedestrian safety while allowing continued vending;
- Conduct a comprehensive parking and loading and unloading study to improve conditions and enforcement;
- Create a coordinated district-wide loading plan for deliveries;
- Prioritize or require delivery technologies that are quieter;
- Coordinate with the New York City Department of Sanitation's Commercial Waste Zones program;
- Work with landlords to implement best practices in lease terms, e.g. require that trash be stored inside buildings until pick-up; and
- Define community standards, e.g. "optimal hours of operation" with the aim to guide private carters' bidding that serves commercial businesses.

Tasks 13 - 17: Energy, Transportation, Air Quality, Greenhouse Gas Emissions, and Noise

The COVID-19 pandemic has brought upon us an unprecedented time in the city's history and we are still experiencing the impacts that it has left on the urban landscape. With businesses being conducted from home, we have seen the closure of a number of SoHo/NoHo retail spaces and restaurants that previously depended on pedestrian foot traffic.

We ask that the DSOW carefully scrutinize any environmental data collected after March 2020 and take into consideration that the presented data is not representative of the pre-COVID-19 conditions of the SoHo/NoHo neighborhood. Collected data on vehicular traffic, pedestrian foot traffic, subway use, energy, noise, and air quality must be re-evaluated to account for pre-COVID-19 levels. The DSOW notes that, "… due to the ongoing COVID-19 pandemic, field measurements of noise levels may not represent expected noise exposure at the proposed project… if the current traffic pattern is not deemed representative, "existing condition" noise levels would be established using a combination of noise levels measured within and adjacent to the rezoning area for previous environmental reviews, mathematical models, add projections of typical vehicular traffic volumes. The specific methodology and technical approach for the establishment of existing condition noise levels will be described in a memorandum submitted to the lead agency for comment and approval" (DSOW, 48).

This procedure must be appropriately conveyed to all the partners listed in the DSOW for these sections that will be consulted for impact analyses; National Grid, the Mayor's Office of Sustainability (MOS), the New York City Department of Transportation (DOT), the Metropolitan transportation Authority-New York City Transit (MTA-NYCT), and the New York City Department of Environmental Protection (DEP).

Task 18 and 20: Public Health and Construction

Now more than ever, it is imperative that construction impacts be reviewed in tandem with public health impacts. These include any and all unmitigated significant adverse impacts from conditions related to air quality, hazardous materials, noise, as well as transportation systems and construction staging impacts on vehicular and pedestrian traffic. Both the Project Development Sites and Potential Development Sites must be analyzed for construction impacts to the area and additionally their impacts to public health, within the 10-year analysis period as stated by the DSOW. The geographic area for analysis must include lots that straddle the Project Area, for conservative analysis purposes.

The analysis of construction impacts must also include analysis and mitigations for historical building damage, as many adjacent properties to listed projected development sites are landmarked properties. The construction study must also include impacts to subgrade water, storm, and sewage channels, unstable ground, and existing building foundations.

Conclusion

While we largely support the inclusion of MIH and affordable housing in the SoHo/NoHo neighborhoods and the opportunity to remedy the many pre-existing quality-of-life concerns, we are troubled that the City has decided to pursue a rezoning at this time of a nation-wide emergency and recovery period. We ask that the DCP carefully scrutinize all collected data to ensure that records are representative with pre-COVID conditions and that any public hearing processes for the scoping for environmental documents and Uniform Land Use Review Procedure (ULURP) are upheld to the highest standard for proper community dialogue and discussion. We ask that the DCP work closely with the LPC to identify,

conserve, and protect the longstanding landmarked buildings in the SoHo/NoHo historic district and that tenant protections for live-work spaces are upheld in any transition.

This is an important opportunity to modernize outdated zoning to better reflect current conditions of the SoHo/NoHo neighborhoods. However, the mixed-use legacy and unique neighborhood character that originated from historical zoning measures must be protected and celebrated.

We look forward to continue working with the DCP on this important project.

Subject: Joint Testimony on the SoHo NoHo Neighborhood Plan Draft Scope of work
Date: Friday, December 18, 2020 at 5:35:55 PM Central Standard Time
From: Kelley, Chelsea
To: 21DCP059M_DL, Sylvia Li (DCP)
CC: Drummond, Anthony, mchin-council, Chaparro, Lizette (ManhattanBP), Mann, Raju, Martinez-Rubio, Angelina, Chan, Stephanie (ManhattanBP)
Attachments: SoHo NoHo - MBP Brewer and CM Chin Joint Testimony - 2020-12-18.docx

Hello,

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Please let us know if you have any issues accessing the document.

Best,

Chelsea Kelley
New York City Council | Land Use Division
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Gale A. Brewer, Borough President

December 18, 2020

Joint Testimony from the Office of Council Member Margaret S. Chin and the Office of the Manhattan Borough President Gale A. Brewer

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The proposed zoning for the Special SoHo/NoHo Mixed-Use District (SNMD) would allow for existing JLWQA units to remain and references a mechanism that would, "facilitate the voluntary transition from Use Group 17D JLWQA to Use Group 2 residential use with expanded home occupation provisions." The mechanism would also, "be paired with conditions that support arts and culture uses and establishments

that broadly benefit the community and the public in and beyond the Project Area" (DSOW, 18). This mechanism remains undefined and must be clarified for how it intends to accomplish its stated goals.

Furthermore, the proposal is vague about expanding home occupations for work-live situations. Project Actions should include provisions for grandfathering existing uses to protect artist tenants currently residing in JLWQA units. All JLWQA units need to continue in perpetuity as affordable units.

Mapping Discrepancies

We ask that the DCP revisit their study of Projected and Potential Development Sites (DSOW, 21) as some of the listed lots are erroneous in building typology, height and size. We also ask that the list further include existing numbers of retail, commercial, manufacturing (including JLWQA) and residential uses.

A building-by-building analysis is imperative as some of the lots identified by the DCP may already be in demolition, development, or a private sale transaction, thereby precluding the lot as a Projected or Potential Development site for affordable housing analysis by the DSOW. One such example is the lot "DSOW ID 13" (358 Bowery) which was sold in 2019 along with nearby development rights. On December 2, 2020, the owner of that site filed a Department of Buildings application to demolish the structure that is on that site, highlighting the need for this application to be informed by the most up-to-date information as it moves through the public review process.

Retail and Office Space

Even though most people would characterize SoHo/NoHo as a major retail neighborhood, the majority of the M1-5A and M1-5B zoning district provisions do not allow as-of-right retail uses on the ground floor and basement levels. According to the DSOW, more than 90 CPC special permits were granted in this area between 2000 and 2019, and the New York City Board of Standards and Appeals (BSA) also granted variances over this period. It is clear that the existing zoning in SoHo/NoHo was created under economic circumstances that have not existed for some time, with the result being a constant stream of applications and approvals for CPC special permits and BSA variances. There is significant room for improvement in this outdated framework.

The Proposed Actions would change the current restrictions on retail and allow large-scale retail (defined as over 10,000 ZSF) as-of-right on the ground floor and basement levels throughout the area. The Envision SoHo/NoHo Advisory Group carefully contemplated what the right retail restrictions should be in the new framework. The general consensus was to allow a wider range of as-of-right retail and commercial uses on the ground floor and basement levels, while maintaining the special permit process for retail and use over 10,000 ZSF. We stand by these recommendations. Given the consistent mixed-use character of these neighborhoods, it is crucial to consider the quality of life impacts to the residents living above commercial uses. Large-scale retail tends to bring more frequent deliveries and trash hauls at all hours. Maintaining the special permit process for retail over 10,000 ZSF will give local residents a voice in the process when new large-scale retail is proposed.

The DSOW should furthermore consider an avenue for the conversion of existing office or commercial spaces to affordable units. While a post-COVID future remains uncertain at this time, there may be significant real estate impacts of companies choosing to discontinue their office leases in favor of working from home.

Community Alternative Zoning Plan for SoHo/NoHo

In December 2020, a coalition of neighborhood groups, including Village Preservation, drafted an alternative plan that offered an alternative set of principles for guiding any rezoning of the neighborhood. This plan should be analyzed before the proposed action moves forward.

Task 3: Socioeconomic Conditions

The DCP must broaden the scope of study of the SoHo/NoHo population to include data of the share of the community who identify as artists and an analysis of how many art making, art displaying, and art supporting units currently reside in the neighborhoods, and the number of existing JLWQA units that are currently occupied and vacant. This study should also include an analysis of the number of art spaces and art supporting spaces that have been lost in the last few decades. The definition of artist and art making spaces needs to be broadened and modernized.

The DSOW must fully consider the southeast and southwest portions of the SoHo/NoHo area for further study. The southwest area (bordered by Canal Street and 6th Avenue, listed in the DSOW Figure 4 as "SoHo West") is generally a transitional area and the southeast area (bordered by Canal Street and Baxter Street, listed in the DSOW Figure 4 as "SoHo East") adjoins Manhattan Chinatown. Both areas have a different neighborhood character compared to the core of SoHo/NoHo and deserve their own analysis of socioeconomic conditions to fully understand their neighborhood needs.

Task 4: Community Facilities and Services

School and University Facilities

There have been conversations over many years about the potential for a school on the New York University (NYU) campus, and NYU is committed to working with New York City School Construction Authority (SCA) to site a school there if one is needed. Many community members have discussed the possibility of moving forward with a special needs school at this site and we urge the SCA and the New York Department of Education (DOE) to work closely with our offices to advance this proposal. We cannot responsibly add thousands of units of new housing units into the neighborhood without advancing schools at these sites.

The DSOW must include data for current school enrollment numbers in SoHo/NoHo and projected enrollment and school seat data for elementary, intermediate, and high school levels according to the Reasonable Worst Case Development Scenario (RWCDS) , which estimates that approximately 1,683 new Dwelling Units will be added to the area. Additionally, the DSOW analysis must analyze libraries, childcare centers, police stations, fire stations, and health care facility needs. Due to the oversaturation of university dormitories in the neighborhood, we request that community facilities further stipulate a provision that there will be no dormitory or live-in use.

The Envision SoHo/NoHo Advisory Group supported the idea of a density development bonus in exchange for the provision of artist and art supporting spaces. The possibility of an additional 0.5 Floor Area Ratio (FAR) bonus for the provision of artist and art supporting space on the ground floor and basement levels should be studied. It is important that these spaces be visible to the public at the ground floor. Should a developer choose to apply for this community facility bonus for art making purposes, the SNMD must further stipulate that the community facility use will be made a permanent use.

Any new residential floor area for developments, enlargements and conversions containing significantly large existing buildings would require certification by the City Planning Commission (CPC) Chairperson (See *Non-Residential Floor Area Retention* on DSOW, 18). This certification would also require that non-residential floor area be retained at a one-to-one ratio in larger buildings. We ask that "significantly large existing buildings" be defined. Furthermore, this provision should be studied to encourage artist and artist supporting spaces in these buildings. The one-to-one ratio requirement could be reduced to 0.5-to-1 FAR

if artist or artist supporting spaces are provided on the ground floor and basement levels.

Task 5: Open Space

It is no surprise that SoHo/NoHo lacks open space. In fact, the large floor plates of buildings are a big part of what gives these neighborhoods such unique character. As there are very few publicly owned sites in the surrounding area, we urge the Administration to explore, in tandem with NYC Department of Parks & Recreation, any green space opportunities in the neighborhood, and if needed, include disposition actions in the bundle of land use actions to facilitate infill for community facilities or affordable housing units. A few examples include 70 Mulberry Street in Community Board 3 and the Department of Environmental Protection (DEP) sites at Bowery Street and East 4th Street (planned as new open space construction) and at Grand Street and Lafayette Street (142 Grand Street), which was previously presented in an LPC public hearing on June 25, 2019 as a new passive open space for the public.

As the Proposed Actions seek to promote this character in new development, opportunities to create new open spaces at the ground level will likely not be realized. Green spaces and trees provide an incredibly important ecological value to New Yorkers and help to keep the city cool during increasingly hot summers. The City Council passed Local Laws 92 and 94 of 2019, which require buildings to dedicate a portion of their roofs to renewable energy or green roofs. In SoHo/NoHo, extra incentives should be considered in order to increase the likelihood of green roofs in this area that is so lacking in open space.

Task 6: Shadows

We ask that the DSOW consider the impact of shadows upon open space, parks, individual landmarks, and the historic district as a whole, as its architectural elements could very well be compromised. We also ask that the DCP consider artist live-work spaces within buildings that could be adversely impacted by shadows, for example, indoor photography studios with spaces that depend on natural light. One artist pointed out that her large, industrial windows are required for her to do her work, and any blocking of sunlight would destroy her ability to make a living.

Tasks 7, 8, and 19:
Historic and Cultural Resources, Urban Design/Visual Resources, Neighborhood Character

About 80 to 85 percent of the Project Area is located within the SoHo Cast Iron Historic District and its extension, the NoHo Historic District and its extension, and the NoHo East Historic District, allowing the LPC substantial regulatory oversight throughout the area. While LPC review will certainly help to ensure that the character of future development is harmonious with the existing buildings, a public facing document that outlines specific guidelines for the architectural character of future development should be created with assistance and input from the LPC and the broader community. This will help alleviate the administrative burden on the LPC and give community members an additional voice in the process.

We request that the DSOW include an adaptive re-use study of any distressed, historical buildings in the neighborhood. We also request that the DSOW study the possibility of any archaeological remains and artifacts from historical burial grounds that were prevalent in the history of Lower Manhattan.

Tasks 9 – 11: Natural Resources, Hazardous Materials, and Water and Sewer Infrastructure

There are significant and unaddressed environmental concerns prevalent in the southern and southeast zones of the Project Area (listed in the DSOW Figure 4 as the "Canal Corridor" and "SoHo East") which were historically swampland. There are ground stability issues at Canal Street that could be a detriment to any new construction around or near historical buildings in the area. Additionally, the Canal Street intersections at Broadway and Grand Street experienced some of Lower Manhattan's worst flooding in the aftermath of 2012 Hurricane Sandy.

The DSOW must include the environmental implications of historic automobile related services located in the Project Area. This area, nicknamed "Gasoline Alley," was home to a considerable number of gas stations and automobile repair shops. This includes a previous gasworks facility at the southeast corner of Centre Street and Baxter Street that went through a New York State Department of Environmental Conservation (DEC) Voluntary Cleanup Program in January of 2018 (Consolidated Edison (CE) – Hester St. Gas Works, DEC Site # V00528).

The DSOW should further outline if the increase in neighborhood building densities would affect street-level wind conditions and an increase of ground-level particulates.

Task 12: Solid Waste and Sanitation Services

Quality of Life

The mixed-use character of SoHo/NoHo continues to raise a number of quality of life concerns that are distinct to the neighborhood. The Envision SoHo/NoHo Advisory Group made recommendations around loading zones and waste pick-ups that must be addressed as part of this proposal. It is possible that these issues are outside of the bounds of zoning. However, the commitments in the DSOW must be meaningfully upheld. The scope of work acknowledges that "although not part of the proposed zoning actions… strategies outside of zoning would be developed to work in unison to support broader planning goals such as improving public realm management (e.g., retail delivery and loading management) and supporting the arts and creative industries in SoHo/NoHo)" (DSOW, 13).

The prevalence of SoHo/NoHo's through-block buildings and narrow streets are of concern for deliveries and waste removal. The DSOW should consider the impact of increasing commercial spaces for the area upon pedestrian and vehicular movements, in particular the areas of Bleecker Street, Spring Street, Mercer Street, and Crosby Street.

We strongly encourage consideration of the following strategies for deliveries and trash pick-ups made by the Envision SoHo/NoHo Advisory Group:

- Develop a vending action plan with improved strategies that ensure pedestrian safety while allowing continued vending;
- Conduct a comprehensive parking and loading and unloading study to improve conditions and enforcement;
- Create a coordinated district-wide loading plan for deliveries;
- Prioritize or require delivery technologies that are quieter;
- Coordinate with the New York City Department of Sanitation's Commercial Waste Zones program;
- Work with landlords to implement best practices in lease terms, e.g. require that trash be stored inside buildings until pick-up; and
- Define community standards, e.g. "optimal hours of operation" with the aim to guide private carters' bidding that serves commercial businesses.

Tasks 13 - 17: Energy, Transportation, Air Quality, Greenhouse Gas Emissions, and Noise

The COVID-19 pandemic has brought upon us an unprecedented time in the city's history and we are still experiencing the impacts that it has left on the urban landscape. With businesses being conducted from home, we have seen the closure of a number of SoHo/NoHo retail spaces and restaurants that previously depended on pedestrian foot traffic.

We ask that the DSOW carefully scrutinize any environmental data collected after March 2020 and take into consideration that the presented data is not representative of the pre-COVID-19 conditions of the SoHo/NoHo neighborhood. Collected data on vehicular traffic, pedestrian foot traffic, subway use, energy, noise, and air quality must be re-evaluated to account for pre-COVID-19 levels. The DSOW notes that, "… due to the ongoing COVID-19 pandemic, field measurements of noise levels may not represent expected noise exposure at the proposed project… if the current traffic pattern is not deemed representative, "existing condition" noise levels would be established using a combination of noise levels measured within and adjacent to the rezoning area for previous environmental reviews, mathematical models, add projections of typical vehicular traffic volumes. The specific methodology and technical approach for the establishment of existing condition noise levels will be described in a memorandum submitted to the lead agency for comment and approval" (DSOW, 48).

This procedure must be appropriately conveyed to all the partners listed in the DSOW for these sections that will be consulted for impact analyses; National Grid, the Mayor's Office of Sustainability (MOS), the New York City Department of Transportation (DOT), the Metropolitan transportation Authority-New York City Transit (MTA-NYCT), and the New York City Department of Environmental Protection (DEP).

Task 18 and 20: Public Health and Construction

Now more than ever, it is imperative that construction impacts be reviewed in tandem with public health impacts. These include any and all unmitigated significant adverse impacts from conditions related to air quality, hazardous materials, noise, as well as transportation systems and construction staging impacts on vehicular and pedestrian traffic. Both the Project Development Sites and Potential Development Sites must be analyzed for construction impacts to the area and additionally their impacts to public health, within the 10-year analysis period as stated by the DSOW. The geographic area for analysis must include lots that straddle the Project Area, for conservative analysis purposes.

The analysis of construction impacts must also include analysis and mitigations for historical building damage, as many adjacent properties to listed projected development sites are landmarked properties. The construction study must also include impacts to subgrade water, storm, and sewage channels, unstable ground, and existing building foundations.

Conclusion

While we largely support the inclusion of MIH and affordable housing in the SoHo/NoHo neighborhoods and the opportunity to remedy the many pre-existing quality-of-life concerns, we are troubled that the City has decided to pursue a rezoning at this time of a nation-wide emergency and recovery period. We ask that the DCP carefully scrutinize all collected data to ensure that records are representative with pre-COVID conditions and that any public hearing processes for the scoping for environmental documents and Uniform Land Use Review Procedure (ULURP) are upheld to the highest standard for proper community dialogue and discussion. We ask that the DCP work closely with the LPC to identify,

conserve, and protect the longstanding landmarked buildings in the SoHo/NoHo historic district and that tenant protections for live-work spaces are upheld in any transition.

This is an important opportunity to modernize outdated zoning to better reflect current conditions of the SoHo/NoHo neighborhoods. However, the mixed-use legacy and unique neighborhood character that originated from historical zoning measures must be protected and celebrated.

We look forward to continue working with the DCP on this important project.

Subject: Assemblymember Glick SoHo NoHo Scoping Testimony
Date: Thursday, December 3, 2020 at 9:54:15 AM Central Standard Time
From: Charles Anderson
To: 21DCP059M_DL
Attachments: AM Glick_DCP_SoHo NoHo Scoping Testimony_12.3.20.pdf

Hello,

Please find attached testimony from Assemblymember Deborah J. Glick regarding the SoHo NoHo scoping hearing on December 3, 2020.

Many constituents have contacted our office this morning because there is no live link to register for this hearing and it would be helpful if DCP would update us as to the process. Many individuals, including the Assemblymember herself, would like to register to speak.

Thank you,

Charlie Anderson

--
Charlie Anderson

Director of Community Affairs
Office of Assemblymember Deborah J. Glick
212-674-5153 (office)
929-314-2931 (remote)

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

DEBORAH J. GLICK
Assemblymember 66TH District
New York County

CHAIR
Higher Education Committee
Intern Committee

COMMITTEES
Environmental Conservation
Rules
Ways & Means

Testimony of Assemblymember Deborah J. Glick
Before the New York City Department of City Planning
Regarding the SoHo/NoHo Neighborhood Plan Draft Scope of Work
CEQR No. 21DCP059M

December 3, 2020

Thank you for the opportunity to testify before you today regarding the Draft Scope of Work for an environmental impact statement regarding a pending Uniform Land Use Review Procedure (ULURP) in the SoHo and NoHo neighborhoods in Manhattan. I am Assemblymember Deborah J. Glick and I represent these two neighborhoods in the State Legislature as part of the 66th Assembly District. Frequently, my office will comment on issues that are within the district but strictly under the city's jurisdiction but affects a number of my constituents and the community I serve. ULURPs typically fall into this category and today's actions by the Department of City Planning (DCP) are no exception. This Draft Scope of Work anticipates a robust and far-reaching ULURP that will change the character and makeup of SoHo and NoHo. My office also participated in the Envision SoHo/NoHo community planning process in 2019. While we made comment and were present at many meetings, as a state office, we were not part of the advisory group and only commented on the summary of recommendations. After that process, many in the community, including myself, were left wondering what the next step would be from city government. While a subsequent ULURP and change in zoning to the neighborhood was anticipated, I have many concerns about discrepancies between issues raised in the Envision SoHo/NoHo process and what is in this document today.

I have many concerns about this Draft Scope of Work and am alarmed by the some of the changes but also by what has been excluded from the study. Notably, I find the provisions for the Joint Live Work Quarters for Artists (JLWQA) to be lacking in protections that were discussed at length during the Envision SoHo/NoHo process. Also, I am alarmed by the lack of changes to retail concerns in SoHo and NoHo that reflect a community-based provision which has been the subject of years of meetings and organizing on the part of concerned citizens and elected offices. Similarly, the Mandatory Inclusionary Housing (MIH) program that is invoked in this Draft Scope of Work and pending ULURP do not effectively increase affordable units in the neighborhoods at the rate desired by progressives in the City Council, City Hall, DCP, or even myself. Finally, I am concerned that this Draft Scope of Work and efforts from DCP and the city

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do not effectively preserve the historic nature of New York City neighborhoods—especially those which add to the American historical record and have provided the lion's share of tourist income and its burden on residents.

JLWQA & Legalization Mechanisms

As the Draft Scope of Work outlines, there is a long history in SoHo and NoHo surrounding JLWQA and other provisions for artist residences, their formal certifications with the city, and how New York State has passed legislation to help legalize these units and give protections to these residents. I have long carried the Loft Law bill in the State Legislature and any subsequent updates that would bring additional units into rent regulations under the New York State Department of Homes and Community Renewal (HCR). In 2016, I joined my colleagues in government Senator Brad Hoylman, then Senator Daniel Squadron, and Councilmembers Margaret Chin and Corey Johnson in writing to Mayor de Blasio asking if following the implementation of MIH and its partner program, Zoning for Quality and Affordability (ZQA), the city would pursue the legalization of Interim Multiple Dwelling (IMD) buildings. Despite the success of the Loft Law and the JLWQA program, there are still many non-certified buildings in SoHo and NoHo where artists live in unregulated IMD units. While an artist in that space may have a right to the apartment under rent regulation, they lack the full thrust of protections because the entire building has gone unregistered with the Loft Board. This is a voluntary delinquency on the part of the building owner/landlord and the city, who is tasked with enforcing this provision, but has failed to do so.

I am concerned that the mechanism for JLWQA building certifications in the Draft Scope of Work is an entirely voluntary transition from Use Group 17D to Use Group 2 as part of the New York City Zoning Text. DCP is correct in its estimation that the complex interaction of JLWQA zoning regulations, Loft Law, and artist certifications create a level of uncertainty today among residents who moved to the neighborhood in the 1960s to 80s and were working artists. However, elected officials have been raising this alarm with the city for years, and further real estate speculation that has driven up property values in SoHo and NoHo to incredible levels only has added to this uncertainty.

The Draft Scope of Work estimates that around 30% of all SoHo and NoHo homes still have JLWQA listed on their certificates of occupancy. However, the document implies this is a de minimis anecdote when in reality this represents a third of all housing stock in the community where legal mechanisms already exist to further bolster affordability. DCP should rethink this provision of an impending ULURP and return to the discussion and commitments with the community as outlined in the Envision SoHo/NoHo process to further legitimize these existing homes. Furthermore, rezoning efforts in other parts of the city like East New York or Inwood have shown that there are negative effects seen after or during zoning changes that displace residents. I am concerned that given the current tenuous legal nature of those that occupy artist residences, it would be inappropriate to move forward without addressing that concern.

Retail Concerns

Over the past several years, my office has written to DCP, Mayor de Blasio, and the Office of Administrative Trials and Hearings regarding illegal retail uses in SoHo and NoHo. In particular, I have raised issues with retail spaces that exceed 10,000 square feet and expand beyond the first floor. Some spaces are in direct violation of the zoning code and should be corrected. Others have tenuous designations, and it is unclear from city zoning how SoHo and NoHo, as a mixed-use community, will serve the needs of residents when it is clearly a heavily promoted shopping destination. The city has long had the power to compel these stores to comply with existing zoning code and correct the offending issue but has not wielded the full force of its power. I am concerned that the retail provisions in the Draft Scope of Work does not fully address these issues. In particular, allowing for Use Group 10 retail spaces in the proposed SoHo/NoHo Special Mixed-Use District and Subdistrict to be as-of-right for spaces exceeding 10,000 square feet is problematic due to the breadth of the allowance.

Allowing large retail like this is precisely the issue that residents and elected officials have been raising for a number of years. Furthermore, the Draft Scope of Work justifies this change by drawing attention to retail vacancies seen in an audit completed by DCP in July 2020. The timing of this audit is dubious as there were many retail vacancies throughout the city following the start of the pandemic and lower Manhattan in particular was the site of a number of protests which may have caused some retail establishments to either temporarily close or leave entirely. It should also be noted that high-rent vacancies and retail blight has plagued SoHo and NoHo—and many parts of Greenwich Village and lower Manhattan—since before the Envision SoHo/NoHo process and the pandemic. Residents and elected officials have long discussed changes to M1-5A and M1-5B zoning districts, with their appropriate use groups, for many years.

Changing to zoning to allow for smaller, non-destination shopping types of retail has been a welcomed conversation. The community's ability to review large permitted requests through the Board and Standards and Appeals (BSA), a tool that the community can use to ensure that any large destination shopping elements remain contextual, should not be removed. Given the state of the pandemic, and recent department store bankruptcies, it is unclear if this allowance will even be necessary which should only further inspire DCP to address retail concerns that are more probable in the district going forward.

Inclusionary Housing Programs, Residential Development, & Up-Zoning

In 2015, I submitted testimony before DCP and the City Council regarding the MIH and ZQA proposal where I drew attention to the misaligned goal of relying on market-rate—and in reality, luxury—residential development as a vehicle for building affordable housing. It is still apparent that inclusionary housing programs do not produce the levels of affordable housing in communities they aim to create. Nor do these programs address the fundamental issue of real estate speculation driving up the real estate prices, property taxes, and neighborhood value to a point where long-term residents are pushed out of their communities and it is economically inefficient to construct affordable housing.

Research surrounding inclusionary housing programs in New York City and in comparable cities in the US and elsewhere have shown that there are better policy mechanisms cities can use to achieve this goal. In 2017, Samuel Stein wrote in the Journal of Urban Affairs that zoning changes with MIH and ZQA have only further exacerbated the problem by causing real estate speculation when developers anticipate a zoning change and buy up properties thus driving prices higher despite the goal of housing development.[1] Stein's research shows that the speculative nature of a zoning change displaces more residents in the interim time of approval of a ULURP than the number of Dwelling Units (DUs) MIH proposes to create in the first place. Proponents of progressive housing policies have long held that inclusionary housing is a laudable goal and that all housing built moving forward should include affordable regulatory provisions and further ensure that neighborhoods truly are mixed income.

That is why it is imperative that the Draft Scope of Work document reflect these considerations. Analysis within Task 2 of the Environmental Impact Statement (EIS) must include a greater understanding of JLWQA units in unregistered IMD buildings so as to ensure that the indirect residential displacement portions of Task 3 are fully studied. In the past, I have written to DCP and Mayor de Blasio asking that the City Environmental Quality Review (CEQR) statutes and designations be changed to greater reflect community and neighborhood concerns surrounding development. In particular, I have advocated for changes to public use considerations like school construction and the metrics that measure the number of potential families with children. I am concerned that this Draft Scope of Work will fail to adequately study the potential increase in 2-, 3-, or 4-bedroom DUs across income categories which will add to public education needs in the neighborhood. I am concerned that Task 2 and Task 3 of the EIS will not fully capture the potential impact of a zoning change in SoHo and NoHo and despite any impending ULURP the city will be bemoaning a lack of affordable housing twenty years after certification.

Provisions for Historic Neighborhoods

Finally, I have long been skeptical of the claim that zoning changes will not affect the character of historic districts because of the Landmarks Preservation Commission (LPC) and their ability to review projects in historic neighborhoods. Experience in other historic neighborhoods with varying zoning designation like the Greenwich Village Historic District have shown that tall buildings and non-contextual structures can be built. While Task 7 of the EIS addresses historic and cultural resources, there are impacts to historic districts that are not addressed in the Draft Scope of Work. Notably, LPC cannot consider height as part of their review of construction in historic districts. As-of-right changes that are borne out of zoning text amendments, even when applied differently in historic districts, can result in out-of-context increases in building height and density.

The desire to see historic districts preserved is not automatically opposition to residential development or affordable housing. Too often, neighborhoods are forced to choose between

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[1] Stein, S. (2017). Progress for whom, toward what? Progressive politics and New York City's Mandatory Inclusionary Housing. *Journal of Urban Affairs*, *40*(6), 770–781. https://doi.org/10.1080/07352166.2017.1403854

equally desirable and necessary functions. It is a false choice to decide between housing or park space or density and historic character. The city can construct new housing, preserve existing affordable spaces, and leave historic neighborhoods intact. I hope that DCP will use this Draft Scope of Work to further study how increases in zoning density and height in potential development sites within historic districts will affect the contextual character of the street scape and neighborhood that LPC and the community want to preserve.

Conclusion

There are many issues within the Draft Scope of Work for a potential ULURP in SoHo and NoHo which may result in negative consequences for the communities and neighborhoods I represent. I recognize that review of the scoping document is a pivotal opportunity to ensure that the correct metrics are studied to ensure that appropriate and efficient development is seen. I also fully recognize the societal implications of this change and desperate need to increase an equitable division of resources within New York City. The neighborhoods I represent are far too expensive and have seen a large concentration of luxury development which has only exacerbated the housing crisis in New York City. Despite that fact, I remain unconvinced that inclusionary housing measure like MIH and ZQA are the most robust policy tools the city can use to address these concerns. I hope the Draft Scope of Work can be expanded to include considerations for the issues I have previously stated which may negatively affect our community.

Thank you.

Subject: Soho/Noho Neighborhood Plan Testimony Councilwoman Carlina Rivera and State Senator Brad Hoylman
Date: Friday, December 18, 2020 at 4:18:46 PM Central Standard Time
From: Loeb, Katie
To: 21DCP059M_DL
CC: Unger, Jeremy, jacob.bradhoylman@gmail.com, Kelley, Chelsea
Attachments: SoHo_NoHo Draft Scope Comments 12.18.2020.docx

Hello,

On behalf of Councilwoman Carlina Rivera and State Senator Brad Hoylman, please find attached joint testimony on the Soho/Noho Nieghborhood Plan.

Sincerely,

Katie Loeb | **Budget Director**

Office of Councilwoman Carlina Rivera
New York City Council District 2
kloeb@council.nyc.gov • 646-740-1175
District Office: 254 E 4th St
Hours: Monday & Wednesday 10am – 5pm
By appointment only

Keep up with Carlina, sign up for our newsletter!

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Draft Scoping Comments From New York City Council Member Carlina Rivera and New York State Senator Brad Hoylman on CEQR No. 21DCP059M, ULURP Nos. Pending

As elected representatives of the NoHo area, we are submitting the below comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work (DSOW) for an Environmental Impact Statement, CEQR No. 21DCP059M. The NoHo neighborhood is a vibrant mixed-use neighborhoods in New York City, one that has evolved from a primarily manufacturing-focused area to a community that today includes offices, big and small storefront businesses, residences, artists, and light manufacturing.

In addition, several historic districts have been established in NoHo and SoHo over the past few decades to preserve the historic context and establish contextual protections for much of the area in the DSOW. However, several concerns have been raised over the past years by DCP and the SoHo/NoHo advisory group regarding the unique M1-5A and M1-5B and Joint Live-Work Quarters for Artists (JLWQA) zoning rules that exist in the area, which must be addressed in the DSOW. We will focus our comments particularly on the NoHo neighborhoods that we represent, as well as on the larger proposed actions that would affect the entire area proposed in the DSOW.

NoHo

NoHo is zoned M1-5B, a unique zoning created to allow for working artists to legally occupy and work in nonresidential buildings. While many of those artists continue to reside in the area, NoHo today is characterized by residential buildings with street-level commercial spaces below, larger office buildings, and a number of public institutions, including the Public Theater and buildings leased and/or owned by New York University and Grace Church School. Many of these buildings have been forced to seek special permit actions to allow for these uses. Permitting as-of-right residential and limited commercial uses in this area, while preserving protections for artists under JLWQA, will allow for predictable zoning rules that can support small businesses and housing.

However, we request that the New York City Department of City Planning (DCP), review the DSOW and re-analyze their study of Project and Potential Development Sites to ensure that information is accurate regarding the character and status of each building, as well as provide further detail regarding potential for development. In particular, we are concerned about inaccuracies regarding 27 East 4th Street (where an application has been filed with LPC for an office development), the properties along Cooper Square leased by Grace Church School, and at 716 Broadway (which was raised by NoHo Bowery Stakeholders in their testimony). We have an intimate understanding of these locations, and we believe that DCP should clarify the status of these lots in their Reasonable Worst Case Development Scenario (RWCDS).

We are also particularly concerned regarding DCP's designation of Cooper Square as a "Potential Housing Area," which is not part of the EIS process and which DCP has not explained their determination for. We ask that the DSOW includes, as was raised in testimony by the Cooper Square Committee, a list of the existing numbers of retail, commercial, manufacturing (including JLWQA) and residential uses in the Project Area.

We also urge DCP to include a full range of equivalent contextual zoning districts (with variable height limits) to be studied as part of the DSOW as discussions with the community and affordable housing experts continue. In particular, we urge DCP to explore options that would limit further commercial office development beyond small storefront locations, so as to promote residential development and maximize the use of MIH where applicable. Therefore, the scope should include possibility for a commercial FAR of as little as 2.0. Limitations on certain types of community facilities, such as dormitories, must also be included to ensure the goals of this project are met. Due to proximity of the area to New York University, Cooper Union, and the New School, there is a high likelihood that developers would consider these more convenient over inclusionary residential options. We would also encourage DCP to study rules that would maximize lot coverage in areas where light and air can be maintained, particularly for through-lot blocks.

Regarding commercial storefront retail, we disagree with the Proposed Actions that would allow large-scale retail over 10,000 zoning square feet (ZSF) as-of-right. We continue to support the Envision SoHo-NoHo recommendations - which acknowledges residents' quality of life concerns regarding deliveries and increased sanitation pickups - by permitting as-of-right commercial uses on the ground floor and basement, but maintaining the special permit process for physical culture establishments and Use Group 10 commercial and retail units over 10,000 ZSF. We suggest including in the Final Scope of Work (FSOW) an analysis of special retail rules that would amount to a special retail district that would allow limitations on overall square footage and potentially frontage-width, similar to examples in Tribeca and the Upper West Side and explored previously in the Lower East Side.

We appreciate that the DSOW includes the continuation of the JLWQA program as an optional use. However, the FSOW must reiterate that all JLWQA units remain affordable in perpetuity, and include more specific actions that will be taken to address the expansion of arts and culture (or the more expansive terms, "creative" or "maker") spaces in the Project Area. Further language must also be added to ensure existing uses in current JLWQA are grandfathered into the new program and that contemporary creative use definitions are included. We must also ensure that co-op and condo owners seeking to legalize their buildings can convert them to residential Use Group 2. In particular, we would encourage the FSOW to study the plan put forward by the Envision SoHo/NoHo Advisory Group of permitting an additional 0.5 Floor Area Ratio (FAR) bonus for the provision of permanent artist and art-supporting space on the ground floor and basement levels of a building. It is important that these spaces be visible to the public at the ground floor. This study should also examine other areas where similar measures have been implemented or are being explored, such as in Gowanus and in Harlem on 125th Street, with a particular focus given to the needs in NoHo and SoHo regarding affordability. And in Task 3 of the DSOW titled, "Socioeconomic Conditions", DCP must expand its area of study to include additional metrics regarding the artist community, its population and available cultural spaces, and the number of

existing JLWQA units in the Project Area, as well as the change in these metrics over the past few decades.

Lastly, most of the lots within the project area that we represent are part of the NoHo Historic District and its extension, which provides substantial protections to existing structures and the overall harmonious character of the area, via LPC oversight and approval. However, to ensure further clarity regarding LPC's potential involvement in future approvals in this area, we request that LPC issue clear guidelines regarding the metrics they will use to determine harmoniousness and consider feedback from the community on this report. We also ask that as part of the overall study, LPC conduct a survey to expand what it considers to be contributing sites, and possibly additional individual designations, both within and without the historic districts of the target areas.

Affordable Housing and Mandatory Inclusionary Housing (MIH)

As the New York City economy continues to be ravaged by the COVID-19 pandemic, resulting in thousands of working-class New Yorkers losing their jobs and income, it is clear that the need for more affordable housing options and production are needed at this critical juncture. We recognize that the neighborhoods of SoHo and NoHo are some of the wealthiest and least diverse in the city, and that implementation of MIH in this area could play a significant role in addressing these serious issues through the creation of 621 to 940 affordable units throughout the proposed area, according to the DSOW.

However, we believe that the current proposed application for MIH outlined in the DSOW must include a number of modifications. The current MIH options do not require permanent affordable housing to be developed for developments under 10 units or 12,500 Zoning Square Foot (ZSF) within the designated area. Additionally, for developments between 10 and 25 units, or 12,500 to 25,000 ZSF, paying into an Affordable Housing Fund is permitted. The FSOW must be clear that both of these options cannot be allowed. Affordable housing must be included in any increased development in the Project Area - including conversions and enlargements - and given the lack of public lands available and significant costs for offsite affordable development in the immediate area, a Housing Fund would severely inhibit the additional affordable housing production needed locally. The Fund option also does not explicitly guarantee its use for housing in the target neighborhoods, which runs counter to the spirit and goals of MIH, especially in this area.

We also urge DCP to ensure the FSOW includes further avenues for the conversion of existing office or commercial spaces to as-of-right residential uses, as long as certain affordable housing totals are included. This is particularly important given the potential impact that COVID-19 may have on the office market in New York City and NoHo and SoHo in particular. However, we also recommend that the FSOW study the potential impact the Proposed Actions may have on long-term commercial tenants and explore potential pathways to their preservation.

In addition to the City's consideration of all affordability options currently presented through MIH, we would ask that as part of the FSOW, DCP and the New York City Law Department further clarify both the legality and feasibility of additional zoning text amendments that would allow for both deeper affordability requirements on top of an MIH designation, as well as whether it is possible to place MIH

requirements on all new development in the proposed area without an increase in maximum allowable FAR, since residential uses (UG2) are not currently permitted as-of-right. In addition, DCP should further clarify the minimum percentage increase of additional residential density that is required in order to expand the MIH program to a particular area. There has been to date no guidelines for what constitutes an "appropriate upzoning" for the program to be used.

As one of the most expensive neighborhoods in New York City, we believe this application is the exact opportunity for the City to further pioneer this important policy area, which would also allow for the exploration of various proposals to be further explored during the ULURP process, including those put forward by affordable housing advocates in the community such as Cooper Square Committee.

Finally, DCP must work with HPD to compile a list of rent-stabilized units in the area and ensure that additional resources and strategies are enacted to ensure their permanent protection.

Additional Areas of Needed Study and Action

Beyond the potential actions outlined within the DSOW, numerous areas of study will be required as part of the City Environmental Quality Review (CEQR). In light of the COVID-19 pandemic, a number of areas of study that would normally be routine must be expanded to ensure that pre- and post-pandemic metrics are being analyzed, and that involved agencies are aware of these needs. Areas of study that must be analyzed in this manner include school enrollment, subway use, pedestrian and vehicular traffic, noise, air quality, sanitation, sewer and water infrastructure use, and greenhouse gas emissions.

In addition, certain areas of study must be examined including potential adverse impacts related to additional construction both at and below grade, including the release of hazardous materials and risks to historic sites. We also request that the DSOW include an adaptive re-use study of any distressed, historical buildings in the neighborhood, as well as the possibility of any relevant archaeological remains and artifacts that may be uncovered during construction.

While we understand that certain policies and proposals outlined by the Envision SoHo/NoHo Advisory Group go beyond zoning actions, we strongly encourage DCP and relevant agencies to work in parallel on these items related to the public realm. These include potential opportunities for expanded open space, additional school construction, the development commercial delivery management, facilitating a thriving arts community, developing a vending action plan, ensuring a clear Sanitation plan with participants in the Commercial Waste Zones program, improving on-street sanitation enforcement and pick-ups (including piloting permanent on-street building trash receptacles in the Project Area).

In particular, we believe this must include piloting new programs, particularly Open Streets and Loading Zones such as those previously experimented with but abandoned in Downtown Brooklyn and elsewhere.

Conclusion

The SoHo/NoHo Neighborhood Plan presents an opportunity to modernize zoning to reflect the modern context of the area, while addressing affordable housing concerns and ensuring the preservation of these one-of-a-kind mixed-use communities.

We look forward to continuing work with DCP on this important project and urge DCP to address the range of questions and concerns we have raised in our comments. The FSOW must reflect the continuing need for study, discussion, and debate regarding the range of options that have not been fully analyzed or carefully scrutinized in light of the COVID-19 pandemic and DCP's severely limited community engagement process for this application.

We thank you for your consideration of these comments.

Subject: SoHo NoHo Draft Scope of Work for an Environmental Impact Statement CEQR No. 21DCP059M ULURP

Date: Friday, December 18, 2020 at 7:32:58 PM Central Standard Time

From: Christopher Marte

To: 21DCP059M_DL

Attachments: Draft Scope of Work for an Environmental Impact Statement_ Response to Task 3 .pdf

Hi,

Please see my comments to the SoHo/NoHo Draft Scope of Work for an EIS CEQR No.21DCP059M.

Thanks,
Christopher Marte
State Committee member of the 65th Assembly District
347-530-4248

Response to Task 3. SOCIOECONOMIC CONDITIONS
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending
Date: December 18, 2020
From: Christopher Marte, State Committeemember of the 65th Assembly District
FOCUS: Task 3. SOCIOECONOMIC CONDITIONS Pages 26 - 29

TASK 3. SOCIOECONOMIC CONDITIONS

DIRECT RESIDENTIAL DISPLACEMENT

This process and rezoning cannot continue until the City obtains and analyzes data and community input in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

The Draft of Scope states, “Direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. The Proposed Actions would not exceed the *CEQR Technical Manual* analysis threshold of 500 displaced residents, and therefore, are not expected to result in significant adverse impacts due to direct residential displacement. The EIS will disclose the number of residential units and estimated number of residents to be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population.”

This rezoning meets the CEQR threshold of the potential to displace 500 residents and the City must further study the adverse impacts this would have on the neighborhood and surrounding neighborhoods. Chinatown, SoHo and NoHo have an aging population that live on fixed incomes. In addition, COVID has created financial insecurity for an additional number of residents. New luxury development will make property taxes and land values become higher, which usually happens in an upzoning. This will lead to the displacement of residents, which is also a common effect of upzonings. The City did not share the data or methodology used on how it came to a conclusion to not conduct a direct displacement study and should disclose their metrics to the thousands of working people that live in the affected neighborhoods.

The City must conduct a displacement study that includes Chinatown, the Lower East Side, SoHo and NoHo.

INDIRECT RESIDENTIAL DISPLACEMENT

The draft of scope states, “The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance’s Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area.”

The Department of City Planning must use 2020 Census data for this EIS, if they truly want to conduct an accurate study.

The draft of scope states, “a detailed analysis, if warranted, would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the Proposed Actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.”

The existing conditions of residents and housing, and those at risk of displacement, is increasing every day of the pandemic. The City must conduct a detailed analysis on indirect residential displacement and not rely on pre-pandemic data if they want to accurately assess the impacts on identified populations at risk.

Subject: Soho/Noho Neighborhood Plan Testimony Councilwoman Carlina Rivera and State Senator Brad Hoylman
Date: Friday, December 18, 2020 at 4:18:46 PM Central Standard Time
From: Loeb, Katie
To: 21DCP059M_DL
CC: Unger, Jeremy, jacob.bradhoylman@gmail.com, Kelley, Chelsea
Attachments: SoHo_NoHo Draft Scope Comments 12.18.2020.docx

Hello,

On behalf of Councilwoman Carlina Rivera and State Senator Brad Hoylman, please find attached joint testimony on the Soho/Noho Nieghborhood Plan.

Sincerely,

Katie Loeb | **Budget Director**

Office of Councilwoman Carlina Rivera
New York City Council District 2
kloeb@council.nyc.gov • 646-740-1175
District Office: 254 E 4th St
Hours: Monday & Wednesday 10am – 5pm
By appointment only

Keep up with Carlina, sign up for our newsletter!

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Draft Scoping Comments From New York City Council Member Carlina Rivera and New York State Senator Brad Hoylman on CEQR No. 21DCP059M, ULURP Nos. Pending

As elected representatives of the NoHo area, we are submitting the below comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work (DSOW) for an Environmental Impact Statement, CEQR No. 21DCP059M. The NoHo neighborhood is a vibrant mixed-use neighborhoods in New York City, one that has evolved from a primarily manufacturing-focused area to a community that today includes offices, big and small storefront businesses, residences, artists, and light manufacturing.

In addition, several historic districts have been established in NoHo and SoHo over the past few decades to preserve the historic context and establish contextual protections for much of the area in the DSOW. However, several concerns have been raised over the past years by DCP and the SoHo/NoHo advisory group regarding the unique M1-5A and M1-5B and Joint Live-Work Quarters for Artists (JLWQA) zoning rules that exist in the area, which must be addressed in the DSOW. We will focus our comments particularly on the NoHo neighborhoods that we represent, as well as on the larger proposed actions that would affect the entire area proposed in the DSOW.

NoHo

NoHo is zoned M1-5B, a unique zoning created to allow for working artists to legally occupy and work in nonresidential buildings. While many of those artists continue to reside in the area, NoHo today is characterized by residential buildings with street-level commercial spaces below, larger office buildings, and a number of public institutions, including the Public Theater and buildings leased and/or owned by New York University and Grace Church School. Many of these buildings have been forced to seek special permit actions to allow for these uses. Permitting as-of-right residential and limited commercial uses in this area, while preserving protections for artists under JLWQA, will allow for predictable zoning rules that can support small businesses and housing.

However, we request that the New York City Department of City Planning (DCP), review the DSOW and re-analyze their study of Project and Potential Development Sites to ensure that information is accurate regarding the character and status of each building, as well as provide further detail regarding potential for development. In particular, we are concerned about inaccuracies regarding 27 East 4th Street (where an application has been filed with LPC for an office development), the properties along Cooper Square leased by Grace Church School, and at 716 Broadway (which was raised by NoHo Bowery Stakeholders in their testimony). We have an intimate understanding of these locations, and we believe that DCP should clarify the status of these lots in their Reasonable Worst Case Development Scenario (RWCDS).

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We also urge DCP to include a full range of equivalent contextual zoning districts (with variable height limits) to be studied as part of the DSOW as discussions with the community and affordable housing experts continue. In particular, we urge DCP to explore options that would limit further commercial office development beyond small storefront locations, so as to promote residential development and maximize the use of MIH where applicable. Therefore, the scope should include possibility for a commercial FAR of as little as 2.0. Limitations on certain types of community facilities, such as dormitories, must also be included to ensure the goals of this project are met. Due to proximity of the area to New York University, Cooper Union, and the New School, there is a high likelihood that developers would consider these more convenient over inclusionary residential options. We would also encourage DCP to study rules that would maximize lot coverage in areas where light and air can be maintained, particularly for through-lot blocks.

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In particular, we believe this must include piloting new programs, particularly Open Streets and Loading Zones such as those previously experimented with but abandoned in Downtown Brooklyn and elsewhere.

Conclusion

The SoHo/NoHo Neighborhood Plan presents an opportunity to modernize zoning to reflect the modern context of the area, while addressing affordable housing concerns and ensuring the preservation of these one-of-a-kind mixed-use communities.

We look forward to continuing work with DCP on this important project and urge DCP to address the range of questions and concerns we have raised in our comments. The FSOW must reflect the continuing need for study, discussion, and debate regarding the range of options that have not been fully analyzed or carefully scrutinized in light of the COVID-19 pandemic and DCP's severely limited community engagement process for this application.

We thank you for your consideration of these comments.

ORGANIZATIONS

Subject: AIANY SoHo Rezoning Statement
Date: Tuesday, December 8, 2020 at 8:27:56 AM Central Standard Time
From: Adam Roberts
To: 21DCP059M_DL
Attachments: AIANY SoHo Rezoning Statement.pdf

Attached is AIA New York's SoHo Rezoning Statement which we are offering as testimony for the scoping hearings. If there is anything else you need, please let me know. Thank you.

****

Adam Elliot Roberts
Director of Policy
AIA New York
536 LaGuardia Place New York, NY 10012
Office: 212-358-6116 | Cell: 516-510-2773
www.aiany.org

AIA New York

December 8, 2020

AIA New York Statement of Support for SoHo/NoHo Rezoning

Equitable design is a key component of solving New York City's ongoing affordability crisis. Without new housing, rents and home prices will continue to rise, making the city unaffordable for most New Yorkers. While there has been a significant amount of new residential construction in the city over the last few years, it has primarily been in more economically distressed and non-white communities in the outer boroughs. It is time that wealthier white neighborhoods start to accept new residences and new residents.

Architects strive to design integrated neighborhoods, ones with residents from diverse backgrounds and economic circumstances. True integration requires a diversity of housing typologies, not only market-rate units, but affordable and supportive units as well. The city has many tools to encourage diverse typologies, including the NYC 15/15 Rental Assistance Program, Supportive Housing Loan Program, Mandatory Inclusionary Housing (MIH), and Zoning for Qualify and Affordability (ZQA). All of these should be utilized for rezoning SoHo, NoHo, and other neighborhoods.

The proposed rezoning of SoHo and NoHo offers a first step towards making our city's housing policies more equitable. The current proposal shows that new construction can occur within established neighborhoods and historic districts, respecting older forms of architecture and current residents. Most crucially, plans for 800 units of legally mandated affordable housing would make one of our country's most expensive areas affordable for thousands of New Yorkers.

SoHo and NoHo have not undergone significant zoning changes in half a century, despite transforming from industrial to primarily residential and retail in use. Rezoning the area would enable compliance with more recent housing policies, such as MIH, which requires around 25% of new units to be affordable. Furthermore, it would also remove burdensome restrictions on small businesses which do not exist in neighborhoods with more updated zoning.

It is the duty of architects to ensure that neighborhoods are open and accessible to all, not only those of means. Therefore, AIA New York is expressing its strong support for the rezoning of SoHo and NoHo to allow for more residential construction. We encourage the city to allow for even greater amounts of affordable housing as the proposal is refined through discussions with the community. The current debate over this rezoning will set the precedent going forward of whether affordable housing can be designed and built in wealthier white neighborhoods.

It is time that zoning be used to make our city, particularly those centrally located neighborhoods like SoHo and NoHo, livable for all New Yorkers. In 2022, we will have a new Mayor and City Council, and we hope a rezoning of SoHo and NoHo will spur them to allow more affordable housing in similar parts of the city.

Board of Directors, AIA New York

The American Institute of Architects

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Subject: Statement on the Proposed SoHo NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 3:16:45 PM Central Standard Time
From: Simeon Bankoff
To: 21DCP059M_DL
Attachments: HDC to DCP Scoping Letter 12-18-20.pdf

Please find attached a statement from the Historic Districts Council regarding the SoHo NoHo Neighborhood Plan.

Simeon Bankoff
Executive Director
Historic Districts Council
p: 212-614-9107
c: 646-942-7354
f: 212-614-9127
www.hdc.org

HISTORIC DISTRICTS COUNCIL

THE ADVOCATE FOR NEW YORK CITY'S HISTORIC NEIGHBORHOODS

232 East 11th Street New York NY 10003
tel **(212) 614-9107** fax (212) 614-9127 email hdc@hdc.org

December 18, 2020
Hon. Marisa Lugo, Chair
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Chair Lugo,

The Historic Districts Council is the citywide advocate for New York's historic neighborhoods. HDC is aghast at the current proposal to rezone portions of the SoHo and NoHo neighborhoods for a number of reasons. The plan, as currently proposed, must be re-examined and radically reconfigured before being allowed to progress.

First and foremost, this proposal seeks to increase buildable density within five designated New York City historic districts and extensions. Within these designated historic districts, the Landmarks Preservation Commission holds ultimate authority over physical development, regulating the built form of the environment to a discretionally-determined standard of appropriateness. There is no "as of right" development within historic districts; all development must be permitted according to the LPC's standards. Therefore, increasing property developer's expectations of buildable space by increasing the "allowable" Floor Area Ratio when the ultimate policing power for development is not determined by the Zoning Resolution is bad public policy on a number of levels.

- It countermands established municipal policy (the landmark designations) of adaptive reuse and physical preservation by encouraging new development under the new guidelines.
- It creates an inherent conflict between two municipal regulatory agencies.
- It misleads property developers by implying an outcome for proposed development which cannot be reasonably expected.

Instead of streamlining development proposals, this proposal will lead to more conflict as developers will seek to gain approval for projects which are inherently out-of-scale and ill-proportioned to the protected historic properties. This will force the Landmarks Preservation Commission to either reject these undoubtedly ambitious new projects or reject its own standards and decades-long history of regulatory activity. Either of these scenarios could easily lead to legal action, which could have deleterious effects on established city policy and will increase the regulatory and municipal burden immeasurably. Simply put, this aspect of the plan – to increase the "allowable" bulk within the designated historic districts – is ill-conceived and will serve only to undermine the goals of municipal planning.

A less damaging proposal would be to not alter the existing "allowable" FAR but to carefully change its allowable use. This is a planning aspect over which the LPC does not preside, so the inherent intra-agency regulatory conflicts would be that much less.

Secondly, the proposed density increase on the non-designated areas is massively over-scaled for the existing urban environment. The area is largely a medium-density zone, and even as such, is still strained when it comes to necessary city services such as light, air, open space, sanitation, traffic flow, transit capacity, and necessary community services such as libraries and schools. Encouraging the amount of high-density development which the current plan does would push the physical plant of the neighborhood beyond the breaking point. In addition to the damage which that would do to current residents, it would also create a suboptimal environment for the new residents which this plan hopes to attract.

Thirdly, the proposed allowances for large retail space seem engineered to disadvantage small businesses. Small businesses are better than big-box retail for the city in a multitude of ways, from creating more jobs per square foot to generating more tax revenue which is retained locally. They must be encouraged and nurtured, especially during these dire times.

As you are aware, the community engaged in months-long planning process which sought to address many of the same issues as this plan. Their findings, while not perfect, were far less damaging than the current proposal. Recently another group of stakeholders has also drafted a plan which address these concerns. That plan, too, is far more beneficial to the neighborhood and the city than this one.

SoHo is rightfully regarded as an international model for urban revitalization, where an obsolete district of a city has organically regenerated into a vibrant part of the urban whole. Much of what allowed and encouraged that rebirth were preservation principles which were considered radical when initially put into place. Decades of observation and measurement have shown that the experiment of SoHo has succeeded. New social concerns and priorities have arisen which may require adjustments in the municipal plan for the area but not a complete retrenchment. We urge the City Planning Commission to re-examine this proposal and radically reform it in order to nurture and protect the SoHo and NoHo area.

Sincerely,



Simeon Bankoff
Executive Director

Subject: Comments re SoHo/NoHo Draft Scope of work
Date: Friday, December 18, 2020 at 9:45:13 AM Central Standard Time
From: Andrew Berman
To: 21DCP059M_DL

December 15, 2020

Olga Abinader
Environmental Assessment and Review Division, New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Dear Ms. Abinader:

I submit the following additional comments regarding the draft proposed scope of work for the above referenced environmental review:

The current draft assumes no building containing rent stabilized units will be a development site. This is a faulty assumption. Buildings containing rent stabilized and rent regulated units in this area are regularly demolished for new development. With the proposed upzoning, the likelihood and pace of such demolitions will greatly increase. The environmental review should include a complete cataloguing of buildings with rent regulated units in the proposed rezoning area, and include an assumption that any building which would be underbuilt under the new zoning is a potential development site. The study should address how many affordable/rent regulated units would be lost as a result.

The current draft assumes residential development on sites where commercial development seems at least if not more likely given the proposed allowable commercial FAR. An alternative analysis should be done assuming commercial, not residential development, on these sites.

How many residential developments or additions will the proposed rezoning allow that contain no affordable units? The proposed rezoning requires no affordable units for additions to existing buildings, developments under a certain size, and those that demonstrate economic hardship. How many units of market rate housing in total without affordable units attached might the rezoning produce?

The environmental review should provide complete data on the following within the rezoning area:

How many certified or working artists live there?

How many residential units are JLQWA, AIR, and/or covered by the loft law?

What are the income levels for residents — not just the mean of median of all? American Community Survey data indicates a significant fraction of households make below $80,000 annually, which falls within the range of low incomes which the Mandatory Inclusionary Housing program serves.

What are the racial and socio-economic demographics of residents of the proposed “Housing Opportunity Zones” where the largest upzonings are proposed, and where the potential for displacement is greatest? Particularly the southeast zone appears to have a very substantial non-White, lower-income population.

The review should study the impact of allowing destination retail of unlimited size as of right in the area would have on existing smaller independent businesses, and the likelihood of this resulting in their being pushed out of the neighborhood.

The review should study the Community Alternative Rezoning Plan submitted by 13 local community groups and its impacts.

The review should consider the outcomes if no commercial upzoning is included, as well as if a downzoning of commercial FAR to 2, 3, or 4 were implemented, in terms of the relative impacts upon the production of affordable housing.

Sincerely,

Andrew Berman
Executive Director
Village Preservation, *the Greenwich Village Society for Historic Preservation*
villagepreservation.org

Subject: Comments on DSOW - SoHo/NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 12:29:35 PM Central Standard Time
From: Jennifer Hong
To: 21DCP059M_DL
CC: Olga Abinader (DCP), Anthony Borelli, Jennifer Hong
Attachments: Edison Scoping Comments for Soho_Noho Neighborhood Plan DSOW 12.18.2020 Final.pdf

Dear Ms. Abinader,

Please find attached comments on the Draft Scope of Work for the SoHo/NoHo Neighborhood Plan (CEQR No. 21DCP059M) from Edison Properties.

Best regards,
Jennifer Hong

Jennifer J. Hong
Senior Director, Planning & Development
Edison Properties

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EDISON PROPERTIES

December 18, 2020

Olga Abinader, Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

oabinad@planning.nyc.gov
21DCP059M_DL@planning.nyc.gov

Re: Comments on Draft Scope of Work for the SoHo/NoHo Neighborhood Plan
CEQR #21DCP059M

Dear Ms. Abinader,

I write on behalf of Edison Properties, owner of two sites within the proposed SoHo/NoHo Neighborhood Plan area ("Plan Area"). Edison Properties is the parent company of Edison ParkFast, which has operated public parking lots on the sites for many years. We have reviewed the Draft Scope of Work ("DSOW") released by the New York City Department of City Planning. This letter contains Edison's comments on the proposed DSOW and City's rezoning proposal in general.

General Comments

The Department proposes a series of zoning map and zoning text amendments that aim to permit a greater mix of uses in NoHo and SoHo and better reflect the existing mixed-use character of these neighborhoods. By updating the zoning, this proposal would widen the variety of community facility and commercial uses that are permitted as of right. In addition, the allowance of as-of-right residential uses would promote the creation of new housing units in the area, including affordable units through the Mandatory Inclusionary Housing Program ("MIH"). This greater flexibility in programming buildings, including ground-floor uses, would support the mixed-use character of the neighborhoods. In addition, the Department proposes to thoughtfully increase densities across NoHo and SoHo, which would facilitate the development of much-needed housing of all kinds and new commercial and community facilities. The proposed as-of-right uses, as well as the proposed densities for those uses in each zoning district, should be maintained. This would encourage new residential development while maintaining the neighborhood's existing mixed-use character.

Edison's Sites

Edison Properties owns 375 Lafayette Street (Projected Development Site 2) and 174 Centre Street (Projected Development Site 10), which are both currently located in M1-5B districts.

The site at 375 Lafayette Street is slightly irregular with frontages on Lafayette Street, a Wide Street, and Great Jones Street, a Narrow Street. It's within the NoHo Historic District Extension. The approximately 19,775-SF site is located within the NoHo North Subdistrict of the proposed Special SoHo NoHo Mixed-Use District ("SNMD"). The City proposes to rezone the NoHo North Subdistrict as a modified M1-5/R9X district with MIH. As modified, the paired mixed-use district would allow a 6.0 FAR for commercial/manufacturing uses, 6.5 FAR for community facility uses and 9.7 FAR for residential uses with MIH. According to the DSOW, the underlying districts' bulk regulations would be modified "to support loft-like building forms that reflect and respect the unique existing and historic character…" (DSOW, p. 18)

The site at 174 Centre Street is also irregularly-shaped and has frontages on one Wide Street and two Narrow Streets – Centre, Hester, and Baxter streets, respectively. The approximately 13,244-SF site is located within the proposed SoHo East Subdistrict. The City proposes to rezone the SoHo East Subdistrict as an M1-6/R10 district with MIH. The paired mixed-use district would allow a 10.0 FAR for commercial/manufacturing and community facility uses and 12.0 FAR for residential uses with MIH. According to the DSOW, the underlying districts' bulk regulations would be modified "to allow sufficient flexibility to achieve the development and housing goals while responding to neighborhood context…" (DSOW, p. 18)

Specific Comments

We agree that the existing built context should be considered when implementing zoning changes and "appropriate" new building forms; we also have significant concerns about the potential changes the special district may impose on bulk regulations. The DSOW does not provide much detail on the specific modifications the SNMD will impose on underlying bulk regulations. However, the DSOW does show that many of the RWCDS projected development sites do not utilize their full proposed development potential.

In 2015, the Department put forth the Zoning for Quality and Affordability text amendment, which recognized the challenges of standard contextual envelopes for constructing affordable housing through the IH/MIH programs and, in general, high-quality residential buildings. Specifically, the Department identified that it was difficult to fully utilize IH/MIH residential FAR in well-designed buildings forms. In addition, overly restrictive building envelopes were also identified as preventing high-quality ground-floor spaces that enhance the streetscape and public realm.

The proposed street wall and building height regulations, as well as other bulk regulations, should permit the full use of the proposed permitted FAR. Full use of residential FAR would ensure that the maximum amount of affordable housing would be created. In addition, the Department should ensure that bulk regulations truly allow "modern workable envelopes" in recognition of the needs of new development, as opposed to simply matching bulky, non-complying buildings that could not be built under current regulations. Such flexibility would allow for efficient buildings with good layouts and floor-to-ceiling heights, as well as providing the required access to light and air. Further, the Department should not prescribe overly constrictive building envelopes for areas in which development will require review by the Landmarks Preservation Commission.

The proposed zoning for the subdistricts in which Edison's sites are located is appropriate given site-specific characteristics as well as the surrounding context.

375 Lafayette Street is located at the northeast corner of the intersection of Lafayette and Great Jones streets within the proposed NoHo North Subdistrict. This corner site has frontages on both streets and is within a historic district. Lafayette Street is one of the widest streets in the Plan Area and has an even greater width, at 100 feet, north of Great Jones Street. Great Jones Street is also very wide for a side street and, at over 74 feet, it nearly meets the required width to be considered a Wide Street. Many existing buildings on Lafayette Street are dense with large floorplates and deep side street frontages. Given the specific site conditions and general conditions on Lafayette Street, a building constructed under the proposed M1-5*/R9X district at 375 Lafayette Street would be appropriate to the surrounding built character and would further the objectives of the Plan.

174 Centre Street is located at the southeast corner of the intersection of Centre and Hester streets within the proposed SoHo East Subdistrict. The site is skewed, shallow, and irregular with frontages on Centre, Hester and Baxter streets and is on a block that is part of the Canal Street corridor. This site is in a transitional area where core SoHo, Chinatown, Lower Manhattan and Little Italy meet, and it is not within a historic district. The SoHo East Subdistrict has a varied built form and many underutilized parcels which presents an opportunity for new development and design flexibility – including all massing options permitted under R10 MIH. The proposed M1-6/R10 zoning district would expand housing opportunities, including maximizing affordable housing units, and meet important City and Plan goals.

Due to the historical development of streets and blocks within the SoHo East Subdistrict, many lots are skewed, shallow, or otherwise irregular, thereby creating challenging conditions for development. Such challenges likely exist elsewhere in the Plan Area where blocks share a similar development history. Especially important in opportunity areas where the proposed zoning would facilitate development to meet the Plan's goals, specifically affordable housing production, the SNMD's modification of the

underlying districts' bulk regulations should provide flexibility or relief for difficult conditions, such as rear yards/rear yard equivalents, courts, and narrow sites.

Summary

- The proposed as-of-right uses, as well as the proposed densities for those uses in each zoning district, should be maintained and the EIS should include such studies. This would encourage new residential development while maintaining the neighborhood's existing mixed-use character.

- The DSOW shows that several of the RWCDS projected development sites do not utilize their full proposed development potential. The proposed street wall and building height regulations, as well as other bulk regulations, should permit the full use of the proposed permitted FAR within zoning envelopes. The EIS should include any necessary study to ensure that all bulk envelope options permitted by the proposed underlying zoning districts is within the Plan's scope.

- Due to the historical development of streets and blocks, many lots in the Plan Area are shallow, skewed, or otherwise irregular, thereby creating challenging conditions for development. The SNMD's modification of the underlying districts' bulk regulations should provide flexibility or relief for difficult conditions, such as rear yards/rear yard equivalents, courts, and narrow sites. The EIS should include any necessary study to allow such specific flexibility or relief to be included in the Plan's scope.

Thank you for your consideration of our comments.

Sincerely,

Anthony Borelli
Senior Vice President, Planning & Development

Subject: Landmarks Conservancy Comments:Draft Scope of Work for Environmental Impact Statement, CEQR NO. 21DCP059M

Date: Friday, December 18, 2020 at 9:42:07 AM Central Standard Time

From: Peg Breen

To: 21DCP059M_DL

Attachments: SoHo NoHo scoping response.docx

Peg Breen
President
The New York Landmarks Conservancy
One Whitehall Street, 21st Floor
New York, New York 10004
www.nylandmarks.org

cell: 917-734-5656

December 18, 2020

The New York Landmarks Conservancy Comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M.

The New York Landmarks Conservancy generally supports the purpose and need for the proposed rezoning action: to recognize modern commercial and retail needs, allow residential use, protect artists, and encourage affordable housing. We support legalizing residential uses, including converting IMD/JLWQA buildings to Use Group 2. We support legalizing commercial uses: use group 6 in SoHo/NoHo and use Group 10 on Broadway, Lafayette and Canal Streets, but the massive upzoning described in the Project Description is not necessary to achieve the purpose and need.

The Draft Scope states that the goal is to "promote the preservation of historic resources and adaptive reuse of existing buildings"; and to "ensure that new development harmonizes with neighborhood context and scale." Eighty-five percent of the buildings are within historic districts. The SoHo-Cast Iron Historic District is a National Historic Landmark. Yet the proposal is incompatible with the values of historic designation. The proposal threatens the historic character of the area by allowing a doubling of the size of new buildings, and would place an undue burden on the City's Landmarks Preservation Commission to resist inappropriate development proposals.

The historic character of SoHo/NoHo enabled these areas to become attractive to residents, retail and tourists alike. The Landmarks Preservation Commission designation called the Cast Iron Buildings, and other examples of 19th century commercial architecture "an irreplaceable part of our cultural heritage."

The SoHo/No/Ho Study Group, including individual Study Group members like the Cooper Square Committee, SoHo Broadway Initiative, NoHo Bid, NoHo-Bowery Stakeholders, and the majority of people testifying at the December 3 Scoping Hearing, all agree that preserving the historic character is imperative.

We agree with the Cooper Square Committee, that more than 80 per cent of the "likely" affordable units that might be built over the next 10 years will take place in the areas outside of the historic districts.

Therefore we join the Cooper Square Committee in asking that the Final Scope of Work include additional alternatives to the Proposed Actions. One alternative studied should not increase FAR in areas 6 and 7, the historic cores; maintain the M1-5A and M1-5B zoning to continue to allow artist live/work use, impose a 120 foot height limit; and in the other sub-districts lower height and FAR limits to specifically respond to comments by the Cooper Square Committee and the No/Ho-Bowery Stakeholders.

The Final Scope of Work should include an alternative that studies residential and affordable units in commercial conversions without requiring the retention of commercial space.

The Final Scope should correct the many errors of fact in the DSOW with regard to building typologies, heights and size, so that the DEIS can accurately disclose the Proposed Actions potential adverse impacts.

Specifically the with action RWCDS in the Appendix shows 32 projected development sites but only 27 are in the main DSOW. Several projected development sites in that table show a zoning district that is not proposed (M1-5/R10A). There is a zoning district proposed (M1-6/R10) but has no proposed development sites. Explain why 4, 6 and 8 story buildings are considered projected development sites and why some of the projected development sites do not maximize the amount of floor area hey have available.

The Final Scope of Work should include a single map that shows the projected and potential development sites, proposed zoning districts, and existing historic districts.

The Final Scope of Work should include a land use map with current land uses confirmed by site survey. Existing land uses have never been well represented in the City’s PLUTO files, but they have also changed dramatically during this year and the current land uses should reflect reality.

Finally, because of the nature of regulations and uses in this area, ground floor land uses should be surveyed and mapped separately from upper floor land uses. .

Subject: Written Testimony Submission
Date: Wednesday, December 16, 2020 at 3:02:25 PM Central Standard Time
From: Arlene Peralta
To: 21DCP059M_DL
CC: Lynne P Brown
Attachments: 2020-12-16 NYU Written Testimony .pdf

Dear Ms. Abinader,

On behalf of Lynne Brown, Senior Vice President of University Relations and Public Affairs at NYU, please see attached written testimony.

Best,
Arlene

Arlene Peralta-Avila, Senior Director
NYU Community Engagement
665 Broadway, 10th Floor / 212-998-2401
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LYNNE P. BROWN, Ph.D.
Senior Vice President

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lynne.brown@nyu.edu

December 16, 2020

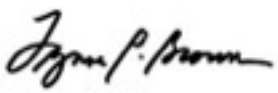
Olga Abinader, Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Dear Ms. Abinader,

New York University has followed the Department of City Planning's efforts to update the zoning of SoHo and NoHo through creation of the SoHo/NoHo Neighborhood Plan (the "Plan"). Our interest stems from our location: NYU's main campus has been anchored since 1831 in Washington Square, within several blocks of SoHo and NoHo. The University also owns a number of properties in the neighborhood. NYU was pleased to be included as one of the stakeholders in the Envision SoHo/NoHo engagement process begun in January 2019 and is also participating in the Working Group now engaged in the process of reviewing the Plan and the Draft Scope of Work for the DEIS.

As mentioned above, NYU currently occupies six properties (4 owned, 2 leased) in the NoHo neighborhood, all of them historic buildings adapted to provide a variety of uses including administrative and academic offices, a student health center, a center for global services, film and tv studios for our journalism program as well as practice/rehearsal studios for some of our performing arts programs. We consider ourselves fortunate to be located in a neighborhood that is rich in historic character, with a flourishing arts and cultural scene. NYU's top-ranked programs across the spectrum of the arts – from theater and film and dance to music and the visual arts -- are part of, and complementary to local arts and cultural activities. We look forward to the Plan moving forward, which we believe will facilitate our continued presence in the NoHo/SoHo neighborhoods in ways that can contribute to this vibrant part of the city, including its longstanding identity as a center for intellectual and cultural expression.

Sincerely,



Lynne P. Brown
Senior Vice President

Subject: SoHo/NoHo Neighborhood Plan Comments
Date: Thursday, December 17, 2020 at 3:27:02 PM Central Standard Time
From: Richard Corman
To: 21DCP059M_DL
Attachments: 2020-12-07 Pause and Revise the City Plan for SoHo_NoHo.pdf

Attached is a resolution passed by Downtown Independent Democrats (DID) on December 7, 2020, to pause and revise the DCP SoHo/NoHo Neighborhood plan.

While DID is in full support of bringing affordable housing to SoHo/NoHo and all neighborhoods, we see this plan as deeply flawed and it fails in the primary purpose of creating a meaningful amount of affordable housing.

Sincerely,

Richard J Corman
President
Downtown Independent Democrats

M: 201.513.8897
richard.corman@gmail.com
www.didnyc.org

DOWNTOWN INDEPENDENT DEMOCRATS

December 7, 2020

Hon. Bill de Blasio Mayor of New York City	Hon. Gale Brewer Manhattan Borough President	Hon. Carlina Rivera NYC Council Member
Hon. Corey Johnson NYC Council Speaker	Hon. Margaret Chin NYC Council Member	

Dear Mayor de Blasio, Borough President Brewer, and Council Members Chin and Rivera,

Enclosed please find a Resolution approved by Downtown Independent Democrats General Membership on December 7, 2020:

Resolution to Pause and Revise the City's Plan for SoHo/NoHo

The City's current plan creates significant value for current property owners, and incentivizes office development and big-box retail instead of adaptive reuse, new affordable housing and the preservation of the significant stock of affordable housing.

DID urges the City to complete promised studies and additional analysis after the pandemic state of emergency has lifted and to develop a plan that:

- Maintains the integrity of the impacted Historic Districts,
- Guarantees greater opportunities for affordable housing,
- Addresses displacement,
- Includes zoning that allows office to residential conversion and does not incentivize office and dormitory over residential use or big-box retail over small business,
- Defines clear "mechanisms" to legalize existing residential occupancies incorporating public review and input, and,
- Presents an economic analysis of the upzoning and how the Plan will impact transferable development rights.

Sincerely,

Richard Corman
President, Downtown Independent Democrats

Enclosure

cc: Hon. Chuck Schumer, U.S. Senator
Hon. Kirsten Gillibrand, U.S. Senator
Hon. Carolyn Maloney, U.S. Representative
Hon. Jerrold L. Nadler, U.S. Representative
Hon. Nydia Velázquez, U.S. Representative
Hon. Andrew Cuomo, NYS Governor
Hon. Andrea Stewart-Cousins, NYS Sen. Leader
Hon. Carl Heastie, NYS Assembly Speaker
Hon. Brad Hoylman, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Harvey Epstein, NY State Assembly
Hon. Deborah J. Glick, NY State Assembly
Hon. Yuh-Line Niou, NY State Assembly
Hon. Scott M. Stringer, NYC Comptroller
Hon. Jumaane Williams, NYC Public Advocate
Carter Booth, Chair, Manhattan Community Board 2

DOWNTOWN INDEPENDENT DEMOCRATS

Resolution to Pause and Revise the City's Plan for SoHo/NoHo

December 7, 2020

Whereas:

1. Any rezoning plan for SoHo and NoHo must satisfy a number of key principles and objectives that the local community identified during the extensive 2019 SoHo NoHo Envision process, including to:[1]

    a. Protect and preserve SoHo and NoHo's historic districts;
    b. Ensure and expand non-student, affordable housing;
    c. Minimize displacement in SoHo and NoHo and surrounding neighborhoods;
    d. Promote SoHo and NoHo mixed-use character, unique in the City for significant parts retail/commercial, office and residential; and,[2]
    e. Legalize and maintain existing housing units, preserve Joint Live Work Quarters for Artists ("JLWQA") and expand to categories of non-artists.

2. The SoHo NoHo Neighborhood Plan, put forward by the NYC Department of City Planning on October 28, 2020 (CEQR No. 21DCP059M)[3] in the midst of the unprecedented and ongoing Covid-19 health crisis, fails to meet the community recommendations cited above, the goals documented within the Plan itself, and the twelve "Next Steps" documented in the Envision SoHo/NoHo report;[4]

    a. The Plan fails to protect and preserve historic districts:

        i. **First Proposed Upzoning of HIstoric Districts:** This is the City's first proposed upzoning of an entire Historic District and, if approved, would have ramifications for every Historic District across the City.[5] However, the proposed upzoning within the landmarked districts is unnecessary

[1] In 2019, the Department of City Planning, Borough President Gale Brewer and Councilmember Margaret Chin initiated a six-month engagement process that included an 18-member Advisory Group, 40+ meetings, six public meetings/workshops, 17 Advisory Group meetings, eight focus group meetings with various stakeholder groups, and numerous other individual meetings with key stakeholders, culminating in the City's 85 page report, Envision SoHo/NoHo: A Summary of Findings and Recommendations ("Envision SoHo/NoHo Report").
[2] Envision SoHo/NoHo Report, page 37.
[3] SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, October 28, 2020 ("The Plan"). The Plan would replace M1-5A and M1-5B zoning with M1-5/R7X, M1-5/R9X and M1-6/R10 zoning, with several several modifications and identifies 27 Projected Development Sites that over the next 10 years are expected to produce 2 million gross square feet (gsf) of development, including 1,699 dwelling units and 330-498 affordable units, 413 units at the 25% affordable housing midpoint. See Appendix A for map and graphic overview.
[4] Envision SoHo/NoHo Report, pages 84-85.
[5] New York Landmarks Conservancy, Peg Breen: "SoHo/NoHo Upzoning Overkill," https://nylandmarks.org/news/soho-noho-upzoning-overkill/.

because the Plan could achieve 71% of the projected total GFA without upzoning any historic districts in SoHo and NoHo.[6]

ii. **Underestimates the Impact of the Proposed Upzoning.** The Plan vastly underestimates the impact of the proposed upzoning of historic districts to R7X and R9X because it excludes from the Projected Development list any site, other than vacant lots, located within historic districts, solely because these sites are "subject to LPC review and approval";[7] even though, the Plan changes zoning for over 800 lots across 146 acres[8], a 56-block area, 85% of which lies within protected Historic Districts.

iii. **Fails to Adequately Consider the intent of the NYC Landmarks Law,** and the implications of the Plan in relation to that law, which mandates that providing such protections is "a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people"[9] and that historic preservation is an essential civic service for "the education, pleasure and welfare of the people of the City."[10] By limiting its scope, the Plan fails to address the full impact of proposed changes on the nearly 8,000 existing residents. Neither does it offer any financial analysis regarding the changes and the resultant impacts, both locally and more broadly.

b. The Plan fails to ensure and expand affordable housing:

i. **No Affordable Housing Guaranteed:** The Plan, based on market forces, does not guarantee any housing will be built, since:

1. "Inclusionary zoning is always voluntary, and no development occurs without the expectation of a threshold rate of return on investment,"[11]
2. There are strong incentives for office and dormitory use, and
3. The pre-Covid luxury condo glut will temper any business decision to build new housing, both luxury and affordable;[12] and,
4. Under Mandatory Inclusionary Housing (MIH), developers can apply for a special permit to reduce or modify MIH requirements

[6] None of the 16 Projected Sites located in the proposed R10 districts are located entirely within a historic district. For sites partially located within and partially outside historic districts, the City assumes "that it is possible to concentrate future development on portions of the lot outside of historic districts where LPC review is not required, Plan, page 24.

[7] The Plan, page 24.

[8] The Plan, page 1.

[9] NYC Admin. Code: Chapter 8-A Section 205.1.0(b) [1976]

[10] NYC Admin. Code: Title 25 Chapter 3: Landmarks Preservation Preservation and Historic Districts; § 25-301 Purpose and declaration of public policy.

[11] Eric Kober, "De Blasio's Mandatory Inclusionary Housing Program, What is Wrong, and How It Can Be Made Right," *Manhattan Institute*, January 16, 2020, page 4, www.manhattan-institute.org/deblasios-mandatory-inclusionary-housing-program.

[12] Manhattan's glut of luxury condos could take 6 years to sell, Curbed New York, January 7, 2020, https://ny.curbed.com/2020/1/7/21052259/manhattan-luxury-condo-glut-years-to-sell

"in cases of hardship" where "requirements would make development financially infeasible"[13] or opt to pay into an Affordable Housing Fund for buildings from 10 to 25 units or 12,500 to 25,000 sq.ft.

ii. **Fails to Evaluate Higher-Percentage Affordable Housing Alternatives.** For example:
   1. Redevelopment of the federally-owned underutilized parking garage at 2 Howard Street for both high-percentage affordable housing and government parking, now that there is a more favorable administration in Washington; and,
   2. Purchase of distressed assets to be redeveloped as high-percentage affordable and/or supportive housing, in light of the near term office market glut and drop in tourism.

c. The Plan threatens to displace residents:

i. **Failure to Evaluate Displacement of Existing Residents**: The Plan will increase vulnerabilities of approximately 1,500 rent stabilized units,[14] including more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law (see Appendix B at the end of this Resolution detailing 602 units at risk of displacement). This brings into question the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood."[15] During the City's October 26, 2020 zoom presentation, it admitted that it has not performed the necessary studies to investigate potential for displacement within the study area.

ii. **Inadequate Protections for Current Renters, Including Many Seniors Aging in Place.**[16] The Plan fails to "maintain, enforce and strengthen existing protections for residents including renters and those in rent-regulated units," one of seven goals in the November 2019 *Envision SoHo/NoHo report*.[17] Instead, the conversion from existing M zoning to new R or C zoning will remove protections directly related to work created and practiced within the unique JLWQA units that were established

[13] The Plan, page 18.
[14] Manhattan Rent Stabilized Building List, Rent Guidelines Board, City of New York, July 2020, retrieved November 24, 2020, https://rentguidelinesboard.Cityofnewyork.us/wp-content/uploads/2020/07/2018-HCR-Manhattan.pdf
[15] The Plan, page 27
[16] Envision SoHo NoHo Report, page 61."SoHo/NoHo's long-time residential community that rents and is aging in place faces particular challenges. The desire for rental assistance to assist low-income artists and non-artists alike who struggle with affordability of this area has been community as a concern throughout the community engagement process."
[17] The Plan, page 15.

specifically for the M1-5A and M1-5B districts. Further, real estate speculation, brought on by rezonings, is known to increase the instances of harassment aimed at rent regulated tenants. This is of particular concern for the numerous senior residents who were part of the pioneering movement that transformed these neighborhoods, have lived in SoHo and NoHo for decades, and are now aging in place. Yet, the City has now suddenly up-ended their security, imperiling their health and well being.

d. The Plan compromises the mixed-use character of SoHo and NoHo:

i. **The Plan's FAR Increases Give Millions of Dollars of New Value to Property Owners with No Discernable Public Benefit.**
   1. Yet, the City fails to offer any accompanying financial analysis that either explains or justifies the proposed changes that will fundamentally alter the neighborhoods; and,
   2. The Plan is silent on height caps and how the proposed special district would impact the transfer of development or air rights.[18]

ii. **R10 Zoning Incentivizes Office and Dormitory Use, not Housing.** The Plan claims that R10 zoning will produce 72% of the residential GFA, but this is unrealistic because:
   1. R10 zoning allows 10 FAR for commercial and dormitory uses without any subsidy for Mandatory Inclusionary Housing (MIH),
   2. Property owners have chosen to build office space instead of housing in nearby Hudson Square and 550 Washington, including new headquarters for Disney and Google: and,
   3. Developers are planning to build a new 100,000 sq. ft. office building at 358 Bowery, one of the DCP sites where the City projects residential development.[19]

iii. **Modifications Incentivize Office Use, not Adaptive Reuse:**
   1. The Plan's modification to retain existing non-residential floor area, despite the current glut of office space, disincentivizes adaptive reuse of existing office buildings for residential use;[20,21]
   2. This modification also requires certification by the Department of City Planning which a) is not subject to public review, and b) adds a new city approval for *each* project, even though the Plan seeks

[18] Michelle Sinclair Colman, "Understanding the Power of Air Rights," City Realty, December 18, 2017 and Michael Smith, "Buying Air Rights in New York City: What You Need to Know About the NYC Development Rights Endorsement," *New York Real Estate Journal*, March 16, 2018.
[19] Brenzel, Kathryn. "These developers could benefit the most from Soho's rezoning." The Real Deal, November 24, 2020, available at therealdeal.com/2020/11/24/these-developers-could-benefit-the-most-from-sohos-rezoning/
[20] Greg David, "New York City's Growing Office Space Glut Heads to Post-9/11 Record," *TheCity.NYC*, October 15, 2020, www.theCity.nyc/2020/10/15/21518594/new-york-City-office-space-glut-lease-9-11-record.
[21] The Plan, page 17.

to replace zoning that relies "on individual land use applications and ad hoc approvals" and is purportedly designed to reduce special permits, variances and regulatory burdens that "fall disproportionately on smaller businesses."[22]

iv. **Modifications Prioritize Big Box Retail:** The Plan prioritizes big box retail over small businesses by permitting department stores over 10,000 sq. ft.[23] despite the November 2019 *Envision SoHo/NoHo* goal to "foster the small business community"[24] and makes erroneous claims[25] about local retail vacancies[26] to justify the expansion of both use group 10, department stores and destination retail and use group 6, that includes eating and drinking establishments, both of which are currently limited in size due to the known conflicts created by such large operations.[27,28]

v. **Prioritizes Parking Over Housing:** The Plan would require parking for up to 40-50% of dwelling units, without considering modifications that take into account how SoHo and NoHo are located in one of the most transit-accessible and traffic-clogged neighborhoods in the City. The justifications for such off-street parking requirements are cited as "weak rationale" by the American Planning Association,[29] and any such requirement for SoHo / NoHo needs to be rethought.

e. The Plan fails to legalize and maintain existing housing units, and provides no documented mechanism for Joint Live-Work Quarters, nor the timeline for its creation;

i. **Fails to Address the Legalization of Existing Housing Units**, a key goal outlined in the Envision SoHo / NoHo report.[30] The City's plan fails to include protections for Loft Law tenants and detail the mechanism for voluntary conversion of JLWQA units. The effort to ensure safe and affordable housing within SoHo and NoHo has been at the core of DID since its inception,[31] led by neighborhood pioneers who joined together

[22] The Plan, pages 14 and 18.
[23] The Plan would permit as-of-right both "Use Group 10 retail uses, such as department stores over 10,000 zsf, and "physical culture establishments," page 17.
[24] The Plan, page 6.
[25] The Plan, page 14.
[26] RETAIL ACTIVITY in NYC: Covid Recovery Across 24 Neighborhoods (September 2020; Page 24: Canal Street Survey Results); https://www1.nyc.gov/assets/planning/download/pdf/planning-level/housing-economy/retail-activity-nyc-covid-recovery.pdf
[27] Matter of the SoHo Community Council v New York State Liquor Authority (January 16, 1997); https://casetext.com/case/soho-community-v-liq-auth
[28] NYC DOB Enforcement Action Bulletin, February 2019; https://www1.nyc.gov/assets/buildings/pdf/0219_enforcement_action_bulletin.pdf
[29] The Pseudoscience of Parking Requirements; Donald Shoup, FAICP (APA; February 2020): https://www.planning.org/publications/document/9194519/
[30] Envision SoHo/NoHo, page 64: Figure 3.2: Potential JLWQA Pathways
[31] DID History; https://www.didnyc.org/club-history

and transformed the area[32] from a fading warehouse district into a unique mixed use neighborhood where the arts thrived, a model of urban adaptive re-use that has been copied around the world. This led to the passage of the NYS Loft Law and the creation of hundreds of housing units, designated under the area's Manufacturing zoning as Joint Living-Work Quarters for Artists.[33]

3. The City is facing an unprecedented fiscal, health and education crisis, where the current patterns of live-work, retail and transportation use reflect neither the state of the City prior to the pandemic, nor what the state of the City may be after the pandemic. Consequently, any scoping and study process at this time will be flawed, and any decisions made based on the pandemic state of affairs will fail to reflect the long-term state. The following tasks in the Plan cannot be adequately assessed during the current health emergency: energy, transportation, air quality, greenhouse gas emissions and climate change, noise, public health and neighborhood character.[34] It is irresponsible to move forward without providing adequate studies to mitigate the adverse impacts of these zoning changes.

Therefore be it resolved that Downtown Independent Democrats Urges the City to:

1. Pause and revise the DCP plan for SoHo and Noho, which despite the public rhetoric, creates significant value for current property owners, and incentivizes office development and big-box retail instead of adaptive reuse, new affordable housing, and the preservation of the significant stock of affordable housing;

2. Complete additional studies after the pandemic state of emergency has lifted, so that the City can measure a baseline normal state of live-work patterns in SoHo and NoHo, rather than making assumptions based either on the current pandemic state or on interpolations of data previously collected prior to the current health emergency; and,

3. Develop a revised plan that must:

    a. Maintain the integrity of the impacted Historic Districts, to fulfill the City's duty as guardian for the education, pleasure and welfare of the people of the City;
    b. Guarantee greater opportunities for affordable housing, including higher-percentage affordable housing alternatives such as the redevelopment of 2 Howard Street and the purchase and redevelopment of distressed properties;
    c. Address the displacement of current residents;
    d. Include zoning that allows office to residential conversion and does not incentivise office and dormitory over residential use or big-box retail over small business;

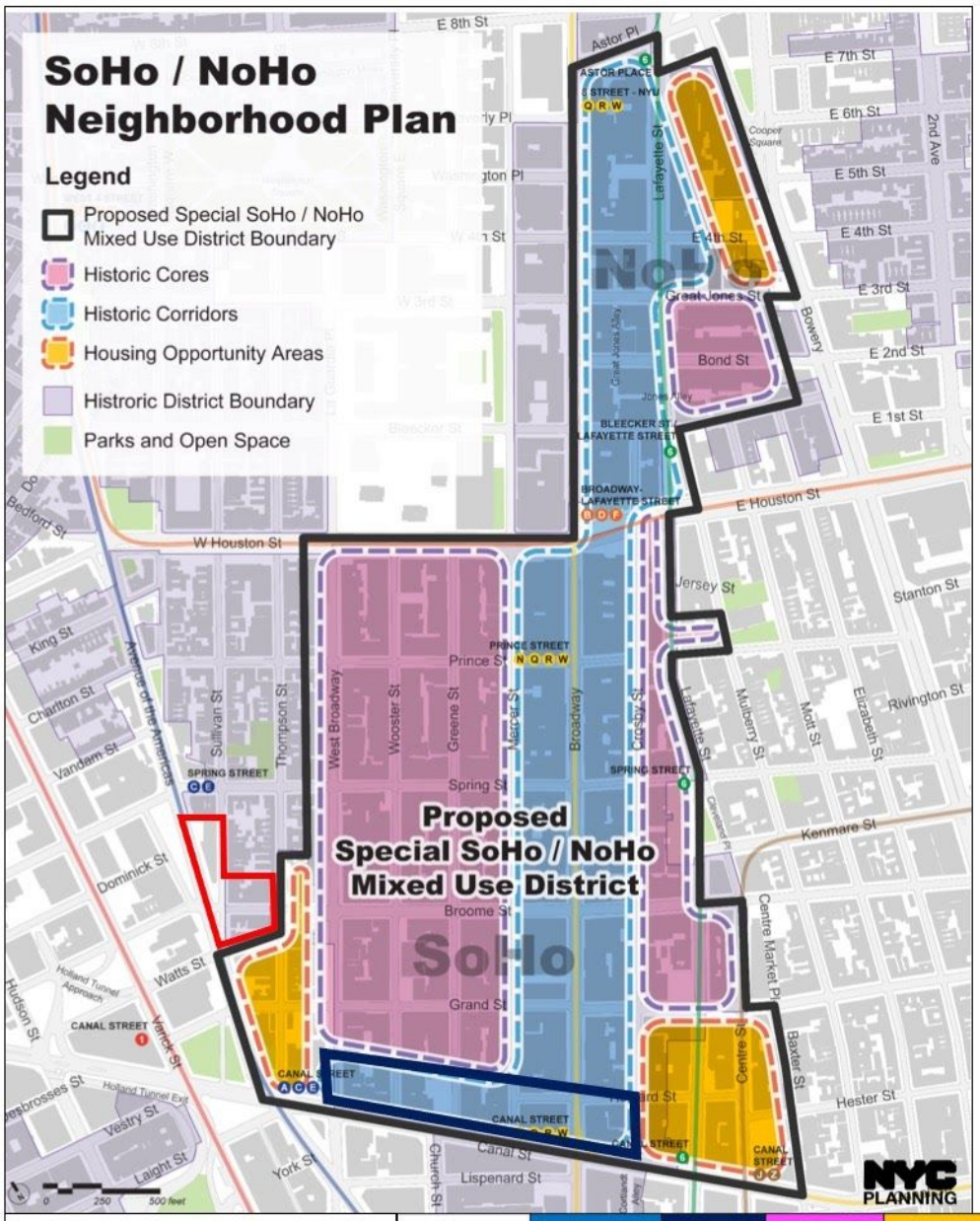
[32] Jim Stratton, "Pioneering in the Urban Wilderness", (1977), jimstrattonscifi.com/pioneering-in-the-urban-wilderness/
[33] Envision SoHo/NoHo Summary of Findings & Recommendations, page 30
[34] The Plan, pages 39-49

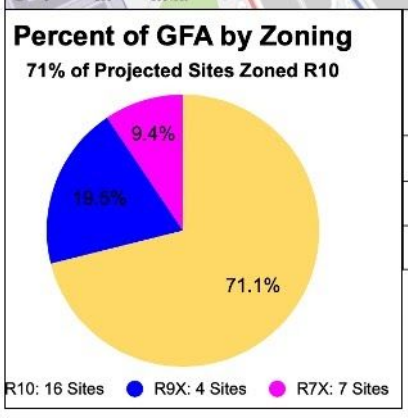
e. Establish and clarify the City's proposals for the "mechanisms" needed to legalize existing residential occupancies, including the "options" that will be available, and present said proposals for review and input; and,
f. Present a complete economic analysis related to the proposed increase of FAR, including the allotted price per sq. ft. for any FAR increases, applicable to each property lot within the zoning districts and how the Plan will impact transferable development rights.

Approved by Downtown Independent Democrats Membership: December 7, 2020

DOWNTOWN INDEPENDENT DEMOCRATS

Appendix A. Overview of Proposed Zoning Changes





Proposed Use & FAR	Broadway M1-5/R9X * modifications	Canal M1-5/9X	Historic Cores M1-5/R7X	NoHo-Bowery, SoHo E & W M1-6/R10
Comm/Mfg	6	5	5	10
Res w/ MIH	9.7	9.7	6	12
Comm Fac	6.5	6.5	6.5	10

Source: "SoHo/NoHo Neighborhood Plan Public Scoping Meeting, Presentation," NYC Department of City Planning, December 3, 2020, page 24. Red area removed from Study Area, originally included in October 7, 2020 map.

DOWNTOWN INDEPENDENT DEMOCRATS

Appendix B. List of Affordable Housing in SoHo/NoHo At Risk of Displacement

Rent-Stabilized Housing at Risk of Displacement in R10 / "Housing Opportunity Areas"
The following is a detailed list of buildings that include more than [600] dwelling units ("du") that are at risk of displacement under the City's Plan:

1)	SE SoHo:	150 du
2)	SW SoHo:	287 du
3)	NE NoHo:	165 du
	Total Units at Risk SoHo / NoHo	**602 du**

Sources

- HCR* (NYS): https://rentguidelinesboard.Cityofnewyork.us/wp-content/uploads/2020/07/2018-HCR-Manhattan.pdf
- HPD (NYC): https://hpdonline.hpdnyc.org/Hpdonline/provide_address.aspx

Dwelling Units by Subdistrict and Building

1) South East SoHo (6 Blocks: Baxter <-> Crosby / Canal <-> Grand)
Total Units: 150 du **[Total Block Lot Area: 237,333 SF]**

- Block 207 (Baxter <-> Centre / Canal <-> Hester): 28 du [Block Lot Area: 38,467 SF]

200 Hester:	8 du		HPD: Yes	8 du	
202 Hester:	8 du	HCR: 2018	HPD: Yes	8 du	Not Validly Registered
126 Baxter:	4 du	HCR: 2011; 2018	HPD: Yes	4 du	
128 Baxter:	8 du	HCR: 2018	HPD: Yes	8 du	

- Block 208 (Centre <-> Lafayette / Canal <-> Howard): 27 du [Block Lot Area: 36,157 SF]

129 Lafayette:	27 du		HPD: Yes	27 du	

- Block 209 (Partial, Lafayette <-> Crosby / Canal <-> Howard): 2 du [Block Lot Area: 40,726 SF]

261 Canal:	2 du		HPD: Yes	2 du	

- Block 233 (Lafayette <-> Crosby / Howard <-> Grand): 12 du [Block Lot Area: 42,135 SF]

133 Grand:	3 du	HCR: 2011; 2018	HPD: Yes	3 du	
143 Grand:	3 du		HPD: Yes	3 du	
145 Grand:	3 du				IMD in process
147 Grand:	6 du		HPD: Yes	7 du	Not Validly Registered

- Block 234 (Centre <-> Lafayette / Howard <-> Grand): 18 du [Block Lot Area: 34,260 SF]

161 Grand:	18 du

- Block 235 (Baxter <-> Centre / Hester <-> Grand): 63 du [Block Lot Area: 45,588 SF]

208 Centre:	6 du	HCR: 2018	HPD: Yes	6 du	
210 Centre:	5 du	HCR: 2011	HPD: Yes	5 du	
216 Centre:	4 du				
218 Centre:	4 du	HCR: 2011; 2018			
220 Centre:	4 du				
165 Grand:	3 du		HPD: Yes		
136 Baxter:	12 du		HPD: Yes	12 du	(Loft Law Completed)
148 Baxter:	5 du		HPD: Yes	4 du	Not Validly Registered
150 Baxter:	20 du	HCR: 2011; 2018			

DOWNTOWN INDEPENDENT DEMOCRATS

2) South West SoHo (7 Blocks: West Broadway <-> Sixth Avenue / Canal <-> Broome)
Total Units: 287 du [Total Block Lot Area: 167,138 SF]

- Block 227 (2 blocks, West Broadway <-> Sixth Avenue / Canal <-> Grand) 29 du
[Block Lot Area: 69,986 SF]

381 Canal:	3 du		HPD: Yes	3 du	IMD in process
383 Canal:	3 du		HPD: Yes	3 du	
385 Canal:	4 du				
35 Grand:	10 du		HPD: Yes	10 du	
41 Grand:	2 du		HPD: Yes	2 du	
17 Thompson:	10 du		HPD: Yes	7 du	Loft Law

- Block 476 (2 blocks, West Broadway <-> Sixth Avenue / Grand <-> Watts) 258 du
[Block Lot Area: 97,152 SF]

110 Sixth:	30 du				
116 Sixth:	36 du		HPD: Yes	36 du	
519 Broome:	10 du		HPD: Yes	10 du	
521 Broome:	5 du		HPD: Yes	6 du	
525 Broome:	5 du		HPD: Yes	5 du	
23 Thompson:	28 du	HCR: 2018	HPD: Yes	28 du	
26 Grand:	20 du	HCR: 2011	HPD: Yes	20 du	
30 Grand:	20 du	HCR: 2011; 2018	HPD: Yes	20 du	32 Grand
36 Grand:	1 du		HPD: Yes	1 du	20 Thompson
38 Grand:	16 du	HCR: 2011; 2018	HPD: Yes	20 du	
42 Grand		HCR: 2011	HPD: Yes	8 du	
44 Grand:	16 du	HCR: 2011; 2018	HPD: Yes	8 du	
46 Grand:	8 du	HCR: 2011; 2018	HPD: Yes	7 du	
48 Grand:	5 du		HPD: Yes	4 du	
50-52 Grand:		HCR: 2011	HPD: Yes	8 du	
24 Thompson:	1 du		HPD: Yes	2 du	
26 Thompson:	27 du	HCR: 2011; 2018	HPD: Yes	25 du	
32 Thompson:	16 du	HCR: 2011	HPD: Yes	14 du	
1 Watts:	4 du		HPD: Yes	2 du	
350 W. B'way:	7 du				
362 W. B'way:	6 du		HPD: Yes	6 du	

3) North East NoHo (Cooper Square <-> Lafayette / E. 4th <-> Astor Place)
Total Units: 165 du [Total Block Lot Area: 37,110 SF]

- Block 544 (1 Block (partial); Cooper Square <-> Lafayette / E. 4th <-> Astor Place) 165 du
[Block Lot Area: 37,110 SF]

2 Cooper Sq:	133 du	HCR: 2011; 2018	HPD: Yes	133 du
32 Cooper Sq:	3 du	HCR: 2011; 2018	HPD: Yes	3 du
34 Cooper Sq:	3 du	HCR: 2011; 2018	HPD: Yes	5 du
56 Cooper Sq:	26 du		HPD: Yes	25 du

SoHo / NoHo TOTAL "Yellow Zone" UNITS AT RISK: 602 dwelling units AT RISK

* Comparison of NYS HCR Manhattan Rent Stabilized Building Lists for 2011 & 2018

Subject: SoHo / NoHo: BRC Response to Draft Scope of Work; CEQR No. 21DCP059M
Date: Friday, December 18, 2020 at 9:10:51 PM Central Standard Time
From: Pete Davies
To: 21DCP059M_DL
CC: 'lora.tenenbaum@gmail.com', 'renee.monrose@me.com', 'margom@temple.edu'
Attachments: 201218_SoHo NoHo_DSOW_21DCP059M_BRC Response_Final.pdf

NYC Department of City Planning -

Attached is the response from Broadway Residents Coalition to the Draft Scope of Work for SoHo / NoHo, CEQR No. 21DCP059M.

Your consideration is appreciated.

Pete Davies
Broadway Residents Coalition
548 Broadway #5A
New York, NY 10012
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Broadway Residents Coalition; submitted December 18, 2020

NYC Department of City Planning
21DCP059M_DL@planning.nyc.gov

SoHo/NoHo Neighborhood Plan
Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M
ULURP Nos. Pending
October 28, 2020

Broadway Residents Coalition (BRC) Response to the Draft Scope of Work (DSOW)

The NYC DCP 10/28/2020 Draft Scope of Work (DSOW), presented as part of the proposed SoHo / NoHo Neighborhood Plan, is insufficient in its coverage of the wide range of issues that have been identified for SoHo & NoHo, and therefore the Scope of Work needs to be both broadened and re-imagined.

The DCP, and this DSOW, fail to fulfill the stated commitment of its Chair, as was promised as part of the Envision SoHo / NoHo community engagement process, "to continuing community involvement and transparency." It is a disservice to the residents of SoHo and NoHo for DCP to bring forward a proposal that fails to address in any substantive way the key concerns regarding legalization of residential units. Instead the community is presented with a rashly constructed draft of a "Plan" that brings to our doorsteps millions of square feet of new bulk to be inserted in and around our landmarked neighborhoods, an unrestricted allowance for retail of all sorts, and the false promise of affordable housing, which is really a developer's dream in disguise. To top this off, the City is granting millions of dollars of new value to select property owners, thereby setting the stage for a casino that will destabilize the neighborhoods, leaving many long-time local residents vulnerable and insecure.

The DSOW is replete with general unsubstantiated statements, incorrect data and false presumptions all leading to questionable assumptions. Therefore, in order to fulfill the necessary requirements, further work and study must be done. Presented here, following the format of the DSOW, is a detailed outline of what is needed to create a responsible plan for the future of SoHo and NoHo. Adequate time must be taken to fully study and analyze the neighborhoods, yet such studies and data collection cannot be performed during the current health emergency, when all aspects of life have been upturned.

Note that on October 28, 2020, when DCP issued the DSOW, the Covid-19 Health Emergency - having ravaged the City and the Nation for the prior eight months, resulting in unforeseen changes and causing a total transformation of the Study Area - was seeing a resurgence of the pandemic throughout the NYC area. On that day, just six weeks ago when the DSOW was presented, the nation counted 226,752 total pandemic deaths.

Today, December 18, 2020, the Nation counts 311,684 total deaths from the pandemic. The City is on the verge of another lockdown, apparently to be implemented after Christmas and continuing into the months of 2021. Once again all patterns of life will be disrupted across the neighborhoods of SoHo and NoHo. Hardly the time for a study on the streets.

Care is needed. And consideration. That was the promise made. It is time to make good on it.

A. INTRODUCTION (Pages 1 – 2)

DSOW, Page 1: The DCP Draft Scope of Work (Draft Scope) outlines the technical areas to be analyzed in the preparation of the Environmental Impact Statement (EIS) for the SoHo/NoHo Neighborhood Plan … to implement land use and zoning changes to better reflect existing neighborhood conditions, strengthen mixed-use, **create opportunities for housing**, including affordable housing …

- ***BRC Response:*** DCP fails to PROVIDE for any actual affordable housing, instead putting forward a scheme whereby developers might choose, based on market forces, to include a very small portion of "affordable" units within market-rate housing developments comprised of 70% to 80% market rate housing, thereby increasing to a much higher degree the very type of "luxury" housing that the Mayor and DCP claim has made the neighborhoods exclusionary. The DCP Plan includes no guarantee that any affordable units will be built, and the DCP Plan provides for loop holes where developers can receive a waiver for inclusion of affordable units. Ultimately the DCP Plan fails to achieve its stated goal.

  The DSOW fails to include any adequate alternatives to achieve its stated goals for the actual provision of affordable housing units.

DSOW, Pages 1-2:

The Proposed Actions seek to accomplish the following land use and zoning objectives:

- **Promote economic recovery** ...

- ***BRC Response:*** DCP must examine the financial implications; any Plan for SoHo / NoHo requires an economic analysis across the entire Study Area.

  The current draft scope is, by design, too narrow. The focus is on only 27 Projected sites (out of approximately 850 lots), and the review is limited to the implications from possible affordable housing scenarios. By limiting the scope DCP fails to address the array of other development scenarios that are made possible under the new provisions. Therefore those who will be impacted by aspects of the Plan, particularly current residents of SoHo and NoHo, have not been given the information needed to fully understand how the Plan will impact them financially. A full economic analysis is necessary.

  The economic analysis should cover the various and assorted components that make up the Plan, including but not limited to the following items across the entire Study Area:

  - Value of FAR by square foot, for each individual property
  - Costs of LPC applications, due to enlargements etc., rising from the increased FAR
  - Transferable Development Rights, all possible scenarios
  - Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism")
  - Costs of newly-allowed SLA applications, per removal of existing zoning boundaries
  - Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

DSOW, Pages 1-2:

The Proposed Actions seek to accomplish the following land use and zoning objectives:

- **Celebrate … the architectural character** … of the SoHo and NoHo neighborhoods.

- ***BRC Response:*** The DCP in the DSOW fails to adequately provide for true protection of the "architectural character" found within and around the Landmarked districts of SoHo & NoHo. This failure is most notable in the City's proposal to increase the FAR to 9.7 within the Historic Districts, particularly along Broadway and nearby, which will allow for non-contextual towers rising to 200 feet and more. The community called for protection and preservation of the Historic Districts, in order to maintain their integrity. And the NYC Landmarks Law mandates stewardship and protection of the entirety of the Historic Districts for future generations.

  DCP must consider the implications of the added FAR across all of the protected districts, in regard to Applications to the Landmarks Preservation Commission where owners will seek to build on the new allowances of FAR and Value granted to them under the DCP Plan.

DSOW, Pages 1:

This proposal has been prepared in response to neighborhood-wide planning challenges brought by changing economic and demographic trends ...

The Proposed Actions would affect an approximately 56-block, 146-acre area (the Project Area) of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. [84 sites, Projected and Potential]

On the projected development sites [27 sites], the Proposed Actions are expected to result in a net increase of approximately 1,683 projected dwelling units (DUs) (including 328 to 494 affordable units); 57,473 gross square feet (gsf) (47,754 zoning square feet [zsf]) of projected retail space (local and destination retail and supermarket space); and 19,598 gsf (17,050 zsf) of projected community facility space. 57 potential development sites, which are considered less likely to be developed by the analysis year … may result in a net increase of approximately 1,548 DUs, including 293 to 446 permanently affordable units; 50,744 gsf (44,142 zsf) of potential destination retail space; and 15,465 gsf (13,453 zsf) of potential community facility space.

- ***BRC Response:*** The Draft Scope is too limited and must be broadened.

  The DSOW narrows its review for SoHo / NoHo to just 27 projected development sites that are "expected" to result in new affordable dwelling units, but there is no guarantee that even a single affordable unit - where people can live - will actually be built. Those 27 sites were selectively chosen from nearly 850 individual sites across the neighborhoods: That scope laid out in the DSOW is too limited, and fails to accurately capture the reality of the districts, and also fails to responsibly address the impacts of the DCP Plan on all current residents of the neighborhoods.

Similarly the DSOW is too limited in its consideration of new allowances for retail space, and therefore a thorough review of that aspect of any proposal, with full study and analysis, must also be broadened. DCP's "expected" increase in retail space across the Study Area is limited to new development, and therefore fails to take into account the new allowances for conversions in existing buildings, from current conforming uses to UG 6 & UG 10 retail.

NYC pluto data shows that current retail across SoHo & NoHo occupies over 4,000,000 SF (for the most part situated on the ground floor, with some of that also occupying the cellar and / or 2nd floor). DCP's new allowance for unrestricted retail would not only grant permitted retail use of the ground floors and cellars throughout the districts, but also *expanded* use at the 2nd Floor (expanded due to the new allowance for every 2nd floor space to be built out to the full expanse of the building lot).

By the implementation of those new retail allowances, over 6,000,000 SF of additional new retail could be added to the neighborhoods. The result for SoHo & NoHo buildings, on the second floors and below, would be an allowance for nearly 150% more retail space beyond what now exists. Yet none of that has been taken into consideration.

The DSOW is also insufficient in regard to office space in the Study Area. One large employer with headquarters on Broadway in SoHo currently has less than 4% of pre-Covid employees on site, and does not know what the situation will be in the future. Everything is in flux.

No one knows what the new normal will be post-pandemic. But at this time - with Covid surging, and the norms for life, work and commerce upended – one thing is clear: it is impossible now to do reliable studies or perform real time data collection.

The community opposes a plan that would line the pockets of developers to deliver luxury towers. Instead, the community wants affordable housing through adaptive reuse and contextual development. As a recent article in the New York Times points out, empty Class B and C office buildings and closed hotels may be a great opportunity to convert those buildings to residential use.

DSOW, Page 2: An Environmental Assessment Statement (EAS) that examined the Proposed Actions was completed on October 28, 2020 and a Positive Declaration, issued on October 28, 2020, established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

- ***BRC Response***: The DSOQ outlines a proposal for additional growth in SoHo/NoHo.

  What is the DCP criteria to define "growth"? Using that criteria, please provide a chart showing the rate of growth since M1-5A and M1-5B zoning districts were created until the present, and then predict the growth that is expected in 10-year increments for the next 50 years.

Note the DSOW (Page 2) states that SoHo/NoHo were the second highest grossing retail market in NYC in 2015-2016. Why would DCP change the formula that led to this status?

B. REQUIRED APPROVALS AND REVIEW PROCEDURES (Pages 2 – 3)

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION:

ENVISION SOHO/NOHO

- ***BRC Response*:** The DSOW states (Page 6) that "The impetus for the SoHo/NoHo planning process began in 2015 with a joint letter to DCP from the Manhattan Borough President and the local City Council Member" but offers only a passing reference to what led up to that letter: a concerted effort by Broadway Residents Coalition and Community Board 2 to compel the City to take enforcement action regarding the non-conforming and impactful oversized retail operations that had overrun Broadway in SoHo, and whose operations were creating very problematic quality of life issues for local residents.

  BRC was represented on the Envision SoHo / NoHo Advisory Group, and we were hopeful that our participation in the many meetings and discussions would lead to some meaningful change and relief from ongoing neighborhood conflicts that kept us awake for far too many nights. However it became apparent during the Envision process that no substantive conversations about actual zoning would take place, despite our many urgings to get to the heart of the matter. Instead the neighborhood was kept busy with side issues, apparently supplying DCP with just enough fodder so they could construct their reworking of SoHo and NoHo. DCP's REVISION is what is now before us, the mass of words, vague statements, and non-solutions that make up the DSOW.

C. BACKGROUND TO THE PROPOSED ACTIONS (Pages 3 – 10)

PROJECT AREA HISTORY (Page 3)

THE EARLY HISTORY OF SOHO AND NOHO

The SoHo and NoHo neighborhoods were used as farm and pastureland up to and through the 17th century, including the significant establishment of Manhattan's first free black settlement in SoHo on land granted by the Dutch West India Company.

- ***BRC Response*:** DCP fails to adequately address the historical takings of property and displacement of peoples that have occurred within the neighborhoods of SoHo & NoHo, and therefore the effort to achieve the City's stated goal of "racial justice" must be expanded. The goal was specifically noted by Deputy Mayor Vicki Been in the 10/07/2020 City Hall Press Release and then echoed by DCP during the 10/26/2020 Public Meeting. More extensive study must be done to fully document the unjust past actions of the various governments that have ruled over New York City since its founding, to better understand who took what, and who was robbed of ownership and/or displaced by those actions. Remedies to achieve true justice - for housing, occupancy and ownership - should be outlined, and actions to achieve those remedies must be put forth.

DCP makes NO mention of the Trinity Church Land Grant (circa 1705) and taking of lands from indigenous Lenape people within the Study Area. And there is no mention of the British policy against Black ownership of property, resulting in the taking of property deeded to freed Blacks (circa 1664). In the name of true historical justice, now is the time for the breadth of our history to be addressed.

See: DCP goal for "Racial Justice" as stated during the DCP SoHo / NoHo meeting on 10/26/2020:

> *"… of additional importance are the events that have taken place over the past several months. You know, regarding **racial justice** regarding COVID and economic challenges …"*

https://www.youtube.com/watch?v=2YnutZUNxF0&t=02h12m10s

DSOW, Page 4: The neighborhoods' resulting iconic cast-iron loft buildings contain large, contiguous floor plates, high ceilings and sturdy floors that can accommodate a wide range of business activities. This flexibility made them particularly conducive to adaptive reuse in later years.

- ***BRC Response*:** DCP fails to adequately consider the history of adaptive reuse of buildings within the districts and thereby misses the benefit gained by conversion of space. Instead DCP puts forth a requirement for retention of office space per the "Non-Residential Floor Area Retention" provision (See DSOW Page 18, under "F. Description of Proposed Actions").

  DCP contradicts its own goal of office retention by the inclusion of a number of allowances for conversion to residential without any office retention (See DSOW Appendix A: "SoHo/NoHo Neighborhood Plan RWCDS Table 3: Incremental Development").

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

DSOW, Page 5: … Driven by storefront demand and zoning that does not permit most ground floor uses beyond industrial or heavy commercial establishments, the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize retail uses.

- ***BRC Response*:** The DSOW fails to differentiate between types of retail, with no specifics to clarify the "extraordinarily high volume of special permits" for those seeking to operate as UG 6 (Local Service Retail) and those seeking UG 10 (Large Destination Retail). DCP fails to note the illegal status of large retail establishments, with no information about the large destination retail operations that are operating either without the necessary Special Permit per ZR 74-922 or in violation of an existing UG 6 Retail Special Permit. And DCP fails to address, as it has for years, its own responsibility through lack of enforcement of its own special permits. Therefore the DCP narrative fails to provide honest information that is needed to make decisions for future uses throughout the Study Area.

- A full study, analysis and report for retail uses within the neighborhoods must be part of any plan put forward for SoHo and NoHo.

The DSOW also states that occupation above the ground floors of the Study Area's buildings are “18% retail and other” and “30% office.” That comprises slightly less than 50% of upper floor occupation. If the remainder is JLWQA and Residential, wouldn't that be the single-most largest use in the Study Area? Is JLWQA counted as an industrial use? How does DCP deal with the overlap of categories? Please clarify.

- Examine the financial implications: The draft scope of work requires an economic analysis across the entire Study Area.

The current draft scope is, by design, too narrow. The focus is on only 27 Projected sites (out of approximately 850 lots), and the review is limited to the implications from possible affordable housing scenarios. By limiting the scope in this way the Plan fails to address the array of other development scenarios that are made possible under the new provisions. Therefore those who might be impacted by any aspects of the Plan, particularly current residents of SoHo and NoHo, have no way to understand how it will impact them financially. Transparency was promised, and is needed.

The economic analysis should cover the various and assorted components that make up the Plan. Study and analysis for the following items are needed across the entire Study Area:

- Value of FAR by square foot, for each individual property
- Costs of LPC applications, due to enlargements etc., rising from the increased FAR
- Transferable Development Rights, all possible scenarios
- Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a “mechanism”)
- Costs of newly-allowed SLA applications, per removal of existing zoning boundaries
- Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

DEMOGRAPHICS

DSOW, Page 6: … While the exact number is difficult to estimate, the share of certified artist residents in the Project Area today is likely small.

- ***BRC Response:*** DCP makes an assumption about artist residents with no data to back it up, citing the absence of data as the basis for DCP’s non-quantified description, thereby minimizing the very people who pioneered living-work spaces in SoHo and NoHo.

  DCP’s erasure of local residents must not be allowed to stand. DCP should do a complete survey and study of residents within the districts.

DCP must fulfill the commitment to complete such studies. That commitment is noted in the Envision Recommendations, Page 84, under Nest Steps:

> *The Process Sponsors are committed to continuing community involvement and transparency, preceding any future implementation of recommendations.*

DCP must fulfill its stated responsibility to the people of NYC, and refrain from moving forward until the needed studies have been done, the data analyzed, and the information presented to the community, including our elected representatives at all levels of government. Only after such fully transparent engagement between DCP and the community, should DCP come forward with any plan for SoHo & NoHo.

Even the 2010 census data showed that residents of SoHo tend to be older. The study of the local residents should include the number of senior citizen residents, their needs, and the impact of the proposed zoning changes.

DSOW, Page 6: … The neighborhood is characterized by high home-ownership rates: roughly 40 percent of the area's housing units are owner-occupied, nearly twice as high as the Manhattan average.

- ***BRC Response***: DCP fails to clarify the status of the roughly 60% of housing units that are not owner-occupied. DCP needs to study the entirety of the districts to quantify occupancies.

  DCP also should study how many owners, particularly artists in JLWQA cooperatives, are like small farmers...land rich but money poor. Many thus have wealth on paper, but can only realize it if they sell and leave the community. Isn't this displacement?

HISTORIC DISTRICTS (Page 8)

- ***BRC Response*:** See above per protections for the Landmarked districts.

  See: **SoHo/NoHo Upzoning Overkill**, from one Envision Advisory Group member representing the New York Landmarks Conservancy:

  > The City says the massive upzoning proposed for the SoHo and NoHo historic districts is based on recommendations by the SoHo/NoHo study group … Even people who wanted some changes think this is overkill. Or, as more than one now puts it, "a betrayal."
  >
  > For all the City's talk of "contextual zoning," much of the 56 block area would see a near doubling of the allowable size of new development.
  >
  > This is not a threat confined to SoHo and Noho. If this passes, massive upzoning proposals for historic districts across the City would follow.

NEIGHBORHOOD CONTEXT (Page 9)

Broadway Corridor

DSOW, Page 9: … Buildings along Broadway, between Crosby and Mercer Street in SoHo, and along the adjacent Lafayette Street in NoHo, are generally taller and bulkier than those in the neighborhood cores: between six and 12 stories tall with FARs often exceeding 10.0.

- ***BRC Response:*** The generalities presented by DCP mis-state the actual built conditions along Broadway in SoHo. Per NYC pluto data, 56% of Broadway buildings are 5-floors or less. DCP fails to quantify the number of buildings along the Broadway corridor with FAR exceeding 10, but NYC pluto data indicates that buildings of that bulk (10.0 FAR or greater) comprise less than 12% of buildings on both sides of Broadway in SoHo.

DSOW, Page 9: DCP claims that Broadway "has the lowest concentration of residential uses in the Project Area … "

- ***BRC Response:*** DCP mischaracterizes the facts about residential occupancy along Broadway. NYC pluto data indicates that Broadway through SoHo & NoHo includes more residential uses by unit per sub-district than all but one of the other individual sub-districts; only the SoHo Historic District Preservation areas (on the blocks to the east and west of Broadway blocks) contain more residential units than the stretch of Broadway blocks. Broadway includes approximately 16% of all residential units in the Project Area, more than are found in the NoHo Historic core area, more than in NoHo North area, more than in the Canal Corridor area and more than in each of the Housing Opportunity Areas at the edges of SoHo & NoHo.

  Broadway is more heavily populated when compared to various parts of the Project Area, yet DCP (once again) minimizes the existence of residents on and around Broadway, thereby making faulty assumptions about the extent of impacts from conflicting uses (retail, etc.).

  DCP must study the Broadway corridor with more specificity.

  Of particular concern is in the delivery systems that will be required to support retail that is larger than 10,000 sq feet. The few stores that already have this square footage are unable to have goods delivered without impacting the adjacent mixed-use community. Broadway is already a nightmare with constant confrontations between these entities.

QUESTION: What loading & delivery requirements are proposed for serving the hugely expanded retail that is proposed, and how will those regulations be enforced?

QUESTION: What consideration is being given for the lack of required off-street loading berths, a requirement of the zoning that has been waived too often by DCP and DOB?

QUESTION: In addition to big box stores, large retail uses include a new business model: oversized and impactful interactive entertainment venues that seek liquor licenses and late-night closings. What is being considered to minimize conflicts between these massively impactful businesses and residential neighbors living next door and above, whose quality of life is always the last consideration?

D. EXISTING ZONING (Pages 10 – 13)

- ***BRC Response:*** The Manufacturing zoning found throughout SoHo and NoHo is the underlying framework that allowed for the artistic blossoming of these neighborhoods. And the M District creative allowances within the buildings - for materials, space, sound and more - are among the reasons that the arts flourished here. The goal, now and looking forward, should be to EVOLVE the zoning, to nurture creativity into the future.

E. PURPOSE AND NEED FOR THE PROPOSED ACTION (Pages 13 – 16)

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

- ***BRC Response:*** DCP fails to provide any accurate data on the residential population of SoHo and NoHo, particularly along the Broadway Corridor. Although the DSOW refers to an "established residential population" (p. 13), residents on the upper floors of Broadway in SoHo are continually minimized throughout the document.

  DCP fails to provide an accurate analysis of the affected population and their myriad occupations.

  DCP fails to provide accurate data on the number of working artists, certified or not, in SoHo. Basing this on the number of applications for artist certification in 2019 and 2020 is unacceptable:

  1. Many of the artists who still live and work here were certified decades ago.
  2. Over the years, the Artist in Residence restriction was inconsistently applied. As a result, some artists have foregone the onerous application process as unnecessary.

QUESTION: When and how will DCP provide accurate data on the number of working artists, certified or otherwise, living and working in SoHo?

QUESTION: How many people live in rent stabilized units within the Study Area? Without a proper analysis of the population, the various creative occupations of the residents and of the potential for displacement of tenants, including those in rent stabilized units, the plan is fundamentally flawed.

- ***BRC Response:*** DCP fails to respect what it characterizes as the "unique historic character and cultural legacy" of SoHo by its proposal to lift reasonable zoning limitations on oversized retail operations and eating & drinking establishments.

  The removal of these existing controls, put in place to manage conflicting uses, runs the risk of transforming the Broadway corridor north of Canal Street into another late-night district, akin to the Meatpacking District (where, unlike SoHo & NoHo, there are few residents). The as-of-right retail zoning as proposed in the DSOW will dramatically increase noise, crowding and sanitation problems. And no solutions are offered.

  The DCP treats this corridor as a purely commercial strip, completely ghosting the hundreds of residents who live in lofts above the ground floor, having established occupancy here well before the retailers arrived. Thanks in particular to the oversized

retail that, quite illegally, rooted itself on Broadway, these residents have long suffered from excessive noise, air and light pollution, impassable sidewalks and overcrowded subways. The proposed changes to the zoning will only make these well-known problems exponentially worse.

QUESTION: How will DCP protect and enhance the quality of life for residents along Broadway?

QUESTION: Accepting that regulatory burdens fall disproportionately on smaller businesses and property owners in getting permits for ground floor retail, wouldn't the problem be largely solved by allowing retail on the ground floors, basements and cellars so long as it was under 10,000 square feet, and also maintaining the 5,000 square foot limit on eating or drinking establishments?

DCP should conduct a comparative study, looking at the impacts on residential quality of life under separate scenarios, keeping in mind that the DSOW Plan would allow large clubs and interactive entertainment venues, which operate into the wee hours of the morning, plus an increase in retail loading and unloading at night.

BRC believes it is entirely poor "planning" to use data on closed/vacant retail stores gathered in July 2020; this area was heavily damaged by looters and subsequent outlying robberies as an indicator of "vacancies". Many retailers were told by their insurers to board up.

The DSOW fails to include any information regarding the looting that took place for days on end throughout the Study Area, and thereby fails to accurately assess the impacts of those events, and ignores the failure of the current City administration to protect the local businesses and population.

QUESTION: DCP will allow and encourage transitioning away from JLWQA to more "standard" residential uses. How will that result in the preservation and creation of affordable studio space and other broadly accessible creative spaces, as is claimed?

- DCP should identify existing creative spaces, including JLWQA studios, and analyze how many will remain after 10 years into the rezoning.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING SUPPORT ARTS AND CULTURE

- ***BRC Response:*** DCP fails to provide a proper analysis of the economic forces and stresses that will accompany the proposed changes in uses for residential development and conversion, retail expansion and assorted other changes contemplated in the DSOW.

DCP fails to provide any analysis of the costs related to new construction within the Study Area, where it is well-known that soil conditions leave the invaluable 19th century historic buildings extremely vulnerable to damage when foundation work on new construction is performed. See:

- 27 East 4th Street
- 433 Broadway
- 72 Grand Street
- NYU construction sites and rehabilitation projects in NoHo

The DSOW is based on a hastily written and ill-conceived notion, that will only provide for *the possibility* of affordable housing. The stated goal is to achieve diversity in the residential population and increase housing availability. It is being launched in the midst of a devastating pandemic when all data about housing, retail and office space, transportation, air quality etc. is inherently skewed.

The Scope fails to meet the stated goal of diversifying the neighborhoods. What is needed is real affordable housing that will house those in need, rather than the mere "possibility" of some small quotient of a development scheme. What is not needed is a huge injection of 70% to 80% luxury condos, the construction of which will do little to diversify the neighborhoods. In fact, the net result would be a statistically less diverse neighborhood. Also not needed: any housing program that includes a loophole allowing developers to pay into a fund instead of building affordable units within the neighborhoods. There is little equity in such a plan.

DCP should analyze, study and present various incentives to make such conversions more attractive to developers. Creative vision is what NYC needs and deserves.

Further, as is laid out in the Community Alternative Zoning Plan for SoHo and NoHo: the city should expand diversity through deeper and broader commitments than currently cited in the DSOW:

- A higher percentage of residential developments reserved for affordable housing than the 20%-30% square footage currently proposed.
- Lower income levels for the required affordable housing than the up to 130% AMI currently proposed.
- Subsidies should be provided to ensure the development of affordable housing, instead of office space.

JLWQA (see also Section E, above and additional under Section F):

Residential occupants in numerous buildings throughout the Study Area do not abide by the artist-in-resident requirement, leaving those occupants and their buildings in legal limbo. The Mayor's current proposal, as hinted at in the DSOW, would allow these buildings to convert to more common residential use, but the costs associated with such conversions are not known, and are not addressed in the DSOW.

Conversions from Manufacturing Use to Residential Use under the Mayor's MIH program require payments into a fund for "affordable" housing initiatives. The payment rate is over $1,000 per square-foot. For a lofts building of a certain size, the cost to convert would be in the million dollars.

- ***BRC Response:*** DCP should quantify all the changes in material allowances that would be put in place if the zoning foundation is changed from current M to proposed R framework.

  DCP should also quantify all the existing protections that will be rolled over into proposed changes that are only hinted at in the DSOW.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

- ***BRC Response:*** The document is very vague on this issue. What does it mean that "the Proposed Actions would establish bulk regulations that more appropriately respond to the neighborhood context, provide flexibility to minimize the effects of new developments and enlargements on neighboring buildings and allow the LPC to shape the building form in a manner appropriate to the neighborhood"?

  The LPC has often failed in the past to protect the historic nature of districts, in SoHo, NoHo and elsewhere under its purview. Is the city claiming LPC will do a better job now?

QUESTION: What does "more appropriately" actually mean?

QUESTION: What specific sites would require approval for review by LPC?

QUESTION: What process of approval will developers / architects be required to go through to clear historical context concerns?

QUESTION: Since the ultimate, if sometimes unstated, goal is the dismantling of Landmarks regulations and the breaching of historical districts, what kind of power will LPC actually have over new construction?

QUESTION: Given market forces, the financial demands on developers, and a poor history of enforcing architecturally contextual structures in SoHo and NoHo, how will the city keep to this lofty (no pun intended) sounding mission statement about historical context and aesthetics?

QUESTION: Given that the historic 19th-Century cast iron buildings next to development sites risk having their foundations undermined by excavation and construction (as has happened in the past in Soho), what will be done to assure the preservation of the structural integrity of landmarked buildings throughout the historic districts?

QUESTION: What are height limits, specific to each subdistrict, that will be included in the proposed zoning?

QUESTION: What are any variances that would be allowed to exceed any such height limitations that will be included in the proposed zoning?

F. DESCRIPTION OF THE PROPOSED ACTIONS (Pages 16 – 19)

- ***BRC Response***: As described in the DID Alternative Plan, we support appropriately scaled as-of-right retail without opening the floodgates to Big Box chains and oversized eating or drinking establishments. Neighborhood residents do not object to a reasonable loosening of ground floor retail regulations to allow retail uses which are compatible in size and character for the neighborhood. But an allowance for destination retail in excess of 10,000 square feet of selling space will only result in the dramatic proliferation of large chain stores, interactive entertainment venues, and eating or drinking establishments that have already been shown to create conflicts in these mixed-use neighborhoods, and will likely have an even larger negative impact upon quality of life if those uses are expanded as-of-right.

  We urge the city to protect and support small businesses and the arts community. Without protections, small and arts-related businesses will face increased financial pressures caused by a broad opening of zoning regulations to retail use.

  Such protections could be partially accomplished by:

  - Allowing Use Group 6 Retail up to 10,000 sq ft, and no larger, as-of-right. It would be preferable if basement or cellar retail uses were included in the calculation (excepting storage),
  - Allowing eating or drinking establishments up to 5,000 sq ft, and no larger, as-of-right, inclusive of below ground eating or drinking uses,
  - Providing protections for arts-related and creative-industry ground floor spaces,
  - Formulating new and creative actions which help and encourage existing and new small independent businesses, while discouraging the proliferation of chain stores, as other cities have done.

QUESTION: Please take the no action scenario, the alternative plan scenario (which would legalize ground floor retail but keep the current size limits) and the proposed action scenario and determine how many special permits would be anticipated under each within the next 10 years.

ZONING MAP AMENDMENT

1. The proposed Zoning Map Amendment that establishes the Special SoHo NoHo Mixed Use District proposes eight new zoning sub-districts with proposed as-of-right use, and bulk regulations that allow for major increases in floor area ratios far in excess of current building bulk and form.

   The proposed Zoning Map Amendment increases in FAR are without regard to the unique historical development patterns in SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. One example is the projected development at 558 Broadway, where DCP identifies for the future the construction of a 200’ tall tower due to the granting of over 50,000 SF of new allowable bulk. Data indicates over a dozen other locations along Broadway with similar additions of new

bulk, which could result in a succession of towers all along Broadway from Canal Street north, despite the DCP's November 9, 2020 FAQ that erroneously states the "new rules will not allow tall towers and skyscrapers."

QUESTION: How does the DCP define "tall towers" and what height limitations will be included in the proposed zoning?

PROPOSED ZONING DISTRICTS

1. Instead of simplifying regulations and procedures, DCP proposes five new zones, eight new subdistricts and, in several cases, boundaries for the subdistricts that bisect streets.
2. In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope.
3. To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan.

PROPOSED SPECIAL SOHO/NOHO MIXED USE DISTRICT (SNMD)

ZONING TEXT AMENDMENTS (Page 17)

- ***BRC Response:*** The DSOW includes assertions that are so broad and vague as to be practically meaningless. Definitions and clarifications are needed so that everyone can fully understand what is being put forward.
  - Define "modify the typical regulation"
  - Clarify any additional "requirements" and "parameters" that will be established

1. CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows-- with no public review process-- retail uses over 10,000sf (including cellar space) and eating & drinking establishments over 5,000sf.
2. Calculation of FAR in retail establishments should include basement/cellar space.
3. An upzoning of residential FAR need not be a requirement of Mandatory Inclusionary Housing (p. 17). The Scope should include the study of the potential of adaptive reuse as an alternative to increasing FAR.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

General Use Regulations

1. The Draft Scope states on p. 17: "Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts' use regulations would apply, with modifications." The subsequent table, as well as the proposed zoning map, show these three proposed zonings as well.

2. The two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1).
3. The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified.
4. Allowing "UG 10 retail uses such as department stores over 10,000zsf" as-of-right flies in the face of Envision SoHo NoHo, which specifically recommended maintaining the 10,000zsf cap (Envision SoHo NoHo, 3.1).
5. As-of-right Use Group 10 is also inconsistent with the second goal of the report, to "foster the small business community" as noted on p. 6 of the Draft Scope. Existing and new small businesses will need additional protections.
6. If Use Group 10 retail uses are to be permitted as-of-right, where are the provisions for the protection of residents, such as enforcement of the loading berths requirement and restriction of delivery hours?
7. SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context.

Joint Live-Work Quarters for Artists (page 18)

QUESTIONS:

1. What is "the mechanism" by which the city will facilitate the "voluntary transition" from Use Group 17D (JLWQA) to Use Group 2 (residential? Would it be applied only to complete buildings, or unit by unit? If the latter, what would be the impact on JLWQA neighbors in the building? Would you allow residential uses under JLWQA uses in the same building?
2. What are the tax implications/burdens for such conversions?
3. What are the cost implications/burdens on the occupants or owners related to such conversions?

Non-Residential Floor Area Retention, Page 18:

- ***BRC Response:*** The DSOW is contradictory in regard to required retention of office space throughout the Study Area, and this must be clarified.

  DCP states that office space must be retained and that "a restrictive declaration would be required to be executed and recorded, requiring the amount of pre-existing non-residential floor area in the existing building to be maintained on the zoning lot." Yet at the same time the DSOW includes on its list of Projected properties three properties

where that requirement is not adhered to (See: Appendix A). Those three Projected sites are noted as 30(CV), 31(CV) and 32(CV).

Rather than retaining office space, in those three instances DCP shows full conversion from commercial use to residential use. The contradictions found in the DSOW must be rectified.

Floor Area and Bulk Regulations, Page 18:

DSOW, Page 18, states the following:

The SNMD would adjust the floor area and bulk regulations of the proposed paired districts to ensure a desirable mix of these uses and facilitate appropriate building forms. The modified floor area for each subdistrict is shown in **Table 1**. To reflect Broadway and the northern portion of NoHo's status as major commercial corridors, and employment hubs, and its concentration of larger loft buildings, commercial and manufacturing FAR would be 6.0 and full lot coverage would be allowed up to two stories. In the Broadway-Houston Corridor, NoHo North, Canal Corridor, SoHo/NoHo Cores subdistricts, characterized by five historic districts with varied built form, special subdistrict provisions would supplement the typical M1-5/R7X and M1-5/R9X bulk regulations to support loft-like building forms that reflect and respect the unique existing and historic character of these areas. In the SoHo West, SoHo East and NoHo Bowery Subdistricts where areas are framed by wide streets and generally located outside of historic districts, special subdistrict regulations would modify the bulk regulations of the typical M1-6/R10 district to allow sufficient flexibility to achieve the development and housing goals while responding to neighborhood context within and around the Project Area.

In addition, the SNMD would provide design flexibility to minimize the effects of new developments and enlargements on neighboring buildings, support harmonious relationship with existing context, and facilitate a desirable pedestrian environment.

- ***BRC Response:*** This entire section, covering *Floor Area and Bulk Regulations,* is overly-general and vague; what is proposed requires a thorough and intelligible explanation.

  Definitions and clarifications are needed for the following general and vague terms used by DCP:
  - Define: "desirable"
  - Define: "appropriate"
  - Define: "supplement"
  - Define: "respect"
  - Define: "unique"
  - Define: "sufficient flexibility"
  - Define: "harmonious"

INSUFFICIENCIES in the DSOW regarding Floor Area and Bulk Regulations are outlined below; ALL require additional research and information**:**

1. The DSOW fails to substantiate or provide details for the stated presumption regarding size and location of "larger loft buildings."
2. The DSOW is silent in regard to residential and Living-Work occupancies along Broadway, Lafayette Street and in the Northern portion of NoHo.
3. The DSOW fails to include any information regarding the specific mix of uses along and around "wide" streets, such as Broadway, Lafayette, etc. and thereby the known conflicts between uses, particularly in regard to impacts on residents, has not been studied, examined or analyzed.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM, Page 18:

- ***BRC Response***: MIH has a proven to be failure for the actual production of affordable housing units in NYC. According to a 2020 study by the Manhattan Institute only 2,065 affordable housing units have been built in NYC since the MIH program was enacted four years ago.

  https://media4.manhattan-institute.org/sites/default/files/deblasios-mandatory-inclusionary-housing-program.pdf

WRP REVIEW PROCESS AND DETERMINATION

- ***BRC Response***: Much of the southern portion of SoHo, particularly the area from Canal Street to Broome Street, is in a flood plain. Hurricane Sandy brought the floodwaters up to Wooster Street and halfway up Broome Street. Soil conditions throughout these blocks have resulted in numerous construction complications, including the forced demolition of 72 Grand Street, an historic 5-story loft building that was compromised by excavation on the neighboring lot. More recently studies for possible developments revealed conditions not conducive to construction. Within the SW SoHo Housing Opportunity Area a 19th Century church, St. Alphonsus, was forced to be demolished due to sinkage, caused by unstable soils below. See the MTA Canal Street Station Study (November 2017), which notes this for soil conditions in the SW SoHo area:

  > … While levels were dry down to two foot two inches below grade, the same strata became wet from that point and continuing down to 10 feet below grade. From 10 to 12 feet below grade a layer of loose moist sand with clayey silt was encountered, and beneath this to 17 feet below grade was a wet loose stratum with sand and clayey silt (Ibid.). A relatively thin layer of moist peat and silt was encountered between 20 and 22 feet below grade, and beneath this was alternating layers of wet sand, some layers with silt and some with traces of shell fragments, to a final depth of 60 feet below grade where decomposing bedrock was encountered ...
  >
  > See: *Phase I Cultural Resources Study, Proposed Canal Street Substation*, New York, NY (2017);
  >
  > http://s-media.nyc.gov/agencies/lpc/arch_reports/1798.pdf

QUESTION: What mitigation for new construction has the city planned in order to deal with local flooding problems?

G. ANALYSIS FRAMEWORK (Pages 19 – 25)

REASONABLE WORST CASE DEVELOPMENT SCENARIO

- ***BRC Response:*** A recent report published by Pratt Center for Community Development titled, Flawed Finding I and Flawed Finding II examines how the methodologies in the CEQR Technical Manual fail to calculate the scale and extent of residential and business displacement risk. The RWCDS was based on such methodologies. The socio-economic impacts are limited under the CEQR process and do not fully account for the displacement of businesses and existing residents that form the core part of a community's identity. The study reveals that the elements of the methodology is based on a series of unjustified assumptions that lead to minimizing vulnerability and therefore, a finding of "no significant adverse impact" to the existing community.

  The plan underestimates the impact of upzoning to districts R7X and R9X because it excludes from the projected Development site any site other than vacant lots even though the plan changes zoning for over 800 lots within the 56-block area, 85% which is in Historic Districts.

  The plan fails to consider The NYC Landmarks Law which mandates protections as "a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people." It further states that historic preservation is an essential civic service "for the education, pleasure and welfare of the people of New York City". The DSOW fails to consider how the integrity of the Historic District would be undermined by the creation of various zones of development within the 56 block Study Area.

  The DSOW fails to note that the proposals do not guarantee a single unit of affordable housing. Under the proposal for Mandatory Inclusionary Housing within the Study Area, any residential development will be market driven, dependent upon the demand for market rate housing. There are greater incentives for office and dormitory use. The pre-Covid glut of both luxury condos and rentals, especially in lower Manhattan, will dissuade construction of new housing.

  Further, as noted in the DSOW, developers can apply for waivers to reduce or modify MIH requirements, including the allowable provision whereby "affordable" units will be allowed to be built elsewhere, outside the Study Area, all related to payments into an unspecified "Affordable Housing Fund." Any allowance of that sort is in direct contradiction of the stated purpose set forward by DCP: Greater inclusivity and diversity within the Study Area by the development of affordable housing units within SoHo and NoHo.

  The RWCDS fails to acknowledge that this proposal is being drafted during a Pandemic when all the norms for life, work, and commerce have been upended. It is not possible to make accurate assessments or collect reliable data at this time.

This DSOW, which purports to plan for the next ten years, cannot analyze what might be needed without first studying and analyzing the consequences of the pandemic on all facets of work and life in the City. In fact, there may be new opportunities for affordable housing and development through adaptive reuse if offices, hotels, and other commercial spaces are languishing.

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

- ***BRC Response:*** The existing zoning framework could be maintained while allowing for an evolution of the Zoning Resolution. This could be achieved through targeted zoning text changes, which would enable appropriate flexibility that will be responsive to local needs and the changing city.

  "One of urban planning's key paradoxes is that it relies on static regulations to influence dynamic processes of urban development. Zoning embodies this characterization by codifying rules for a relatively frozen vision of the city"

  (Journal of Planning, Education and Research)

  The scoping document cites restrictions to ground floor use regulations and outdated manufacturing zoning. In actuality, SoHo is a mixed-use neighborhood that has a robust retail and commercial environment, occupying much of the ground floor spaces of buildings throughout the 56-block Study Area.

  The restrictions in place that limit the ground floor commercial use to 10,000 sq. ft for retail and 5,000 sq. ft. for eating or drinking establishments are a benefit to the residential community, and are essential to maintenance of residential quality of life in this unique mixed-use neighborhood of historic cast-iron buildings.

  The community supports the allowance of appropriately scaled as-of-right Retail to support small businesses, and encourage small independent businesses by maintaining these reasonable size restrictions.

  Text changes without up-zoning or general rezoning can allow for:

  - Group 6 Retail up to 10,000 sq ft
  - Eating or drinking establishments of up to 5000 sq ft
  - As-of-right residential development with affordability mandates, at the same 5.0 FAR that is currently allowable for commercial / manufacturing development in SoHo and NoHo
  - Legalization and protection of current residential occupancies. Legalize and maintain existing housing units, preserve Joint Living-Work Quarters For Artists (JLWQA) and expand those to include categories of non-artists
  - Minimizing conversion restrictions to allow new residential development including affordable housing though adaptive reuse of existing buildings
  - Expansion of inclusion and diversity through broader affordability requirements

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

1. The Plan as contemplated in the DSOW fails to guarantee and expand affordable housing.
2. The Plan threatens to displace existing residents. There are currently approximately 1500 rent stabilized units including more than 500 in the R10 housing opportunity subdistricts and more than 400 IMD Loft Law units that have yet to be converted to rent stabilized under current law. The number of land rich but lower income artists owning and occupying JLWQA cooperative units have not been established.
3. There has been no study to date that examines how the rezoning would impact the socioeconomic aspects of the neighborhood and the potential for displacement.
4. There is no financial analysis that explains how the proposed changes would impact the neighborhood.
5. There is no plan to protect residents who are renting and in rent regulated units. This was specifically stated as a major goal in the Envision Soho/Noho Report. Conversion from existing M zoning would remove protections directly related to work created and practiced within JLWQA units established in the M1-5A and M1-5B areas.
6. The combination of the two neighborhoods including landmarked areas would be upzoned by an increase of 20% with increases to as much as two and a half the size of currently allowable development.
7. The Plan does not indicate height caps and how the proposed special district would impact the transfer of development or air rights
8. New development could be up to 2.4 times the size that is currently allowed.
9. DSOW does not explain how R10 zoning would actually create 72% of residential housing when the proposed zoning incentivizes commercial and dormitory uses without mandatory MIH.
10. The Plan’s modification is to retain non-commercial space in spite of the current glut of office space and to prohibit conversion to residential use
11. Plan’s modification of current restrictions to retail space and eating or drinking establishments to Use Group 10 for department stores and use group 6 for eating or drinking establishments prioritizes big box retail at the detriment of small businesses which have been the mainstay of commerce in the area and a central part of the identity and financial vitality of the district. Those small businesses include unincorporated (Schedule C) artists, whose livelihood could well be impacted.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

PROJECTED AND POTENTIAL DEVELOPMENT SITES

- ***BRC Response:*** Most of the data provided by DCP for the Projected and Potential Development Sites is said to be found in Appendix 1, Tables 1, 2 and 3 - all of which is illegible, and therefore functionally nonexistent. Because the DSOW references the data presented in Appendix 1, the usefulness of Figure 5 "Projected and Potential Development Sites" is severely limited.

  This is a major, disastrous, failure of the DSOW.

  It is vital that before the scoping is finalized, a proper, legible presentation of the data said to be in Appendix 1 be made easily available to the public.

Projected Development Sites

Potential Development Sites

- ***BRC Response:*** The DSOW fails to adequately assess the full impact of either Projected or Potential Development Sites on the existing neighborhoods. By limiting the scope to just 27 locations (approximately 3% of all the lots within the neighborhoods), what is presented is insufficient to address the myriad of issues that were raised during the Envision process, and which have been identified there and elsewhere. The Scope of Work, along with the extent of study, research and analysis, must be broadened.

  For example, the DSOW fails to sufficiently consider the repercussions of the proposed added FAR allowances, such as Potential Site PP (558 Broadway). That location in the heart of SoHo is identified as a likely future site for development with affordable housing. That is made possible through the implementation of new MIH FAR = 9.7, which grants that property over 54,000 SF of development rights, a gift of value worth millions of dollars. DCP labels that new building as rising to 200 feet.

  Nearly two dozen other properties on and around Broadway in SoHo and NoHo are to be granted similar new buildable square footage. Therefore it is likely that those locations all along Broadway could be built out to the same height as 558 Broadway: 200 feet. DCP claims there will be no “tall towers” yet DCP has created the formula that enables out-of-context structures to be built all along Broadway and nearby.

  SHADOW STUDIES are needed for any tax lot where the FAR amount granted results in the addition of 30,000 SF or more. See TASK 6.

  While DCP states that there will be a study of noise impacts from development, effects on "historic resources" (which the DSOW fails to define) and hazardous materials for each potential site, the DSOQ fails to discuss the impacts of the uses of those sites once they are built out and operating.

  For example, DCP seeks to expand the number of big box stores on Broadway, but the full impact of such operations in a mixed-use neighborhood, surrounded by thousands of residents, must also be studied. There was a reason the DOT installed pedestrian bulb-outs for Broadway in 2019, and that related to the number of pedestrians on the

sidewalks after several more large-scale stores moved in. The fact that cast iron structures are pervious to noise, and the way noise travels in SoHo/NoHo, must be studied and factored in as well.

DEVELOPMENT SCENARIO PARAMETERS

Dwelling Unit Factor

QUESTION: Does establishing a size of 850sf per unit support the stated goal of the Neighborhood Plan to "accommodate and expand live-work uses and supporting creative, arts and cultural uses"? (DSOW, Page 2)

Floor-to-Floor Height

- ***BRC Response:*** One notable design feature of the 19th century buildings found throughout SoHo and NoHo are the changing spatial distances from floor-to-floor, aka the varying ceiling heights, which are often seen to diminish in height as the building rises, creating a visual and spatial rhythm. Uniform ceiling heights are contrary to this key aspect of the historic buildings within the landmarked districts that make up the Study Area.

QUESTION: What design elements will be included to assure that the building forms are in keeping with the historic built environment?

Conversion Prototypes

1. According to the DCP map, Conversion Prototype 75 Spring Street is in the Historic Core with the lowest FAR change (M1-5/R7X), but in Appendix 1, that property is shown with the calculation for the Broadway Commercial Corridor (M1-5/R9X), which has highly increased FAR. At its existing 9.85 FAR, 75 Spring is either overbuilt by 4 FAR (M1-5/R7X) or by 1.85 FAR (M1-5/R9X). Any claim of affordable housing at that location will have to be subtracted from DCP's affordable housing total.

QUESTION: How will DCP rectify those inconsistencies?

Development within Historic Districts on Projected and Potential Sites

1. All three proposed "representative examples" of prototype conversion are in somewhat close proximity to each other, and on or near to Lafayette Street (154 Grand, 75 Spring, 324 Lafayette), and therefore are not "distributed across the project area."
2. All three properties identified for conversion without non-residential retention are within designated Landmark Districts.

QUESTION: What is the explanation for the inconsistent application of the non-residential retention provision that the DSOW puts forward as a key aspect of the proposed Plan?

1. Based on NYC pluto data and the new increases in FAR that is outlined in the DSOW, development within SoHo & NoHo would add an additional 11,000,000 SF of new development rights.
2. Given the huge FAR increases proposed for SoHo & NoHo by DCP, transparency is needed regarding any conversations or discussions that any property-owning entities (or their representatives) have had with the City about the value of air rights for individual properties and across the neighborhoods.

QUESTION: Why does the DSOW fail to address the issue of Transferable Development Rights (TDR) aka Air Rights?

See: *Transferable Development Rights (TDR) aka Air Rights Transfers per NYC Zoning Resolution*

https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/transferable-development-rights/research.pdf

Also See: *The NY City Planning Commission discussion of TDR*

CPC Review Session, 11/16/2020 (Cort Theater)

Comments from Commissioner Levin (cued to start at 02:10:35):

"In effect what we're doing is printing money to allow this expansion to occur"

"We need to be clear what we're doing … it's fine we're doing it, but we need to be doing it carefully."

Link: https://www.youtube.com/watch?v=5qvtxTNsuYQ&t=02h10m35s

H. PROPOSED DRAFT SCOPE OF WORK FOR THE EIS (Pages 25 – 51)

TASK 1: PROJECT DESCRIPTION (Page 26)

- **BRC Response**: This task should describe "the background and/or history of the project" and detail "key planning considerations that have shaped the current proposal." The tasks for study in the DEIS should include the recommended study items from "Envision SoHo/NoHo: A Summary of Findings & Recommendations."

TASK 2: LAND USE, ZONING AND PUBLIC POLICY (Pages 26 - 27)

- **BRC Response**:
  1. **A detailed economic analysis** should be conducted on all areas and properties that may be afforded additional development rights through increased FAR to properly calculate the value of the economic development conferred and the impacts of transferable development rights.
  2. Study the potential impacts of the Proposed Actions on land use, zoning, and public policy, but beware the methodologies presented in the CEQR Technical Manual. The Municipal Art Society of New York's recently released the report, *A Tale of Two Rezonings: Taking a Harder Look at CEQR*, exposes the shortcomings of the

existing environmental review process through the lens of two recent rezonings in Long Island City (2001) and Downtown Brooklyn (2004).

3. Study the feasibility of the purchase of distressed buildings by the City (by eminent domain, etc.)
4. Include the survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope but is not included.

TASK 3: SOCIOECONOMIC CONDITIONS (Pages 27 - 30)

DIRECT BUSINESS DISPLACEMENT

QUESTION: How will DCP assure that the market forces that will be unleashed under the proposed Plan do not drive the design and creative businesses out of the neighborhood?

INDIRECT RESIDENTIAL DISPLACEMENT

QUESTION: How can DCP claim that there will be no direct residential displacement, when the atmosphere that is being created by the introduction of increased FAR and grants of value is known to be destabilizing? There are over 500 residential units in and around the Housing Opportunity Areas, and hundreds more within other sub-districts which have been granted increased FAR to encourage development. The potential impacts from the proposed Plan on residents is woefully negligent. Many of the current residential population in both SoHo and NoHo are elders, now aging in place. There are no provisions described or outlined in the DSOW that considers the future for these residents.

INDIRECT BUSINESS DISPLACEMENT

QUESTION: How will DCP assure that the allowance of unrestricted retail, in both size and placement, does not drive out the small businesses that the DSOW states need to be nurtured and protected?

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

QUESTION: How will DCP assure that creative showrooms, a current conforming use, are not driven out by opening the flood gates to as-of-right retail throughout the Study Area?

- ***BRC Response***: **Non-Residential / Office Retention Requirement** (DSOW Page 18)

  DSOW over-emphasizes the need for increased amount of office space in an apparent attempt to transform SoHo/NoHo into a Central Business District.

  DCP fails to give accurate data about the need for such an increase in office space. We are in transformative time, in the middle of a 100-year pandemic; all normal patterns of work, transportation, shopping and office work have been disrupted. Data gleaned during this extraordinary period can only be faulty and nonrepresentative.

Reliance on such data, for the purpose of projecting 10-year+ into the future, is likely to lead to unimaginable and irreversible consequences.

The DSOW fails to incorporate and appreciate the myriad elements of the neighborhood, beyond office space, that contribute to the area's economic vitality and contribution to city coffers.

DCP fails to appreciate the impact of this clause which has the potential to increase bulk to the overall detriment of the neighborhoods.

The light and air made available by SoHo/NoHo's low-rise buildings give a charm to the SoHo/NoHo district that tourists, shoppers, office workers and residents are drawn to and enjoy.

The addition of excessive new bulk within any of the Historic District areas risks destroying the unique character of the neighborhoods, which is a primary attraction for tourists, shoppers, office workers and residents alike, not to mention the film industry, which would lose its SoHo/NoHo backdrop. To put it into bankable terms: The changes proposed will RUIN the BRAND known around the world.

It is critical to make a financial assessment of these unique aspects of SoHo and NoHo, examining them as core economic assets of the Study Area.

QUESTION: How will DCP assure that the unique aspects of SoHo & NoHo are fully protected, and that the neighborhoods are not allowed to be built-out, or filled in, or built atop of, or any other such results that will eliminate the very essence that makes these neighborhoods enticing, attractive, ?

Joint Live-Work Quarters for Artists

- ***BRC Response***: DCP fails to provide sufficient protection for the 1500 rent stabilized tenants in the study area. By proposing a simple shift from JLWQA to as-of-right Office Use on upper floors, these tenants would be potentially threatened with the loss of their live/work spaces. This includes more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law.

  As the CB2 Land Use Committee rightly points out in its response to the DSOW, the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood" (p.27) is highly questionable.

  DCP should study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2.

  Improved protections for residents of rent regulated units are needed to ensure that these residents can remain living in SoHo/NoHo, and to protect the existing stock of rent regulated units in the neighborhood. In fact, preserving existing affordable units was expressed by many as a priority before seeking new ways of providing additional affordable housing in the neighborhoods.

Another example of the DSOW's failure to create real affordable housing: IMD units are only eligible for limited rent increases during the legalization process. They may then become market-rate (through buy-out or abandonment proceedings) or be converted back to commercial uses (e.g. office) upon vacancy under certain circumstances, which further erodes the available stock of affordable housing units.

Artist live-work quarters, residential lofts, traditional offices, tech and media startups, maker-retailers, interior design and furniture showrooms and stores, boutiques and mass market retailers alike, coexist in the iconic and versatile loft buildings of SoHo and NoHo.

To ensure a proper balance of uses that promote Economic Vitality, the workforce nature and profile of the Broadway Corridor should continue to be considered as critical to the economic development of SoHo/NoHo.

For example, IMD units are only eligible for limited rent increases during the legalization process but may become market-rate (through buy-out or abandonment proceedings) or be converted back to commercial uses (e.g. office) upon vacancy under certain circumstances, which erodes the available stock of affordable housing. Tenant harassment has been reported.

TASK 4: COMMUNITY FACILITIES AND SERVICES (Pages 30 - 32)

Public Schools, Libraries, etc.

- ***BRC Response****:* The City Environmental Quality Review (CEQR) process for funding, siting and building of new public schools, is **flawed**.

  Most development projects do not trigger an analysis of their impact on school seats and, even when they do, the CEQR Technical Manual and EIS guidelines do not accurately estimate the need for new public seats.

  There are currently NO New York City public elementary schools located in SoHo. The DSOW projects an increase in residential population and an uncalculated increase in the number of elementary school children.

  As a result of Covid-19, public schools were closed after March 13, 2020 through the end of the 2019-20 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing.

  QUESTION: How can DCP accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population?

Libraries and Childcare Centers

- ***BRC Response:*** Population increases by 41%, as are contemplated in the DSOW (Table 2, p. 22), require that the impact of such an increase on libraries and childcare centers be studied.

QUESTION: Unforeseen circumstances: How accurate are CEQR projections?

"We don't then go back and try and figure out whether precisely what we had projected actually comes to be in 10 years, or 15 years, or five years," said Susan Amron, the general counsel at the Department of City Planning (DCP). "In fact, there are always unforeseen circumstances, unforeseen influences that can affect the projections of the future."

"The environmental review for Downtown Brooklyn's 2004 rezoning projected that 979 new apartments would be built by 2013; but as in Long Island City, the growth has far outpaced projections. Some 3,000 apartments were created by 2013, and by 2018, another 5,000 new housing units had been built, according to the Municipal Arts Society's analysis. Similarly to Long Island City, 446 new students were expected to enter Brooklyn Community School District 13, but nearly 4,400 new students ultimately flocked to the neighborhood."

Link: https://ny.curbed.com/2019/5/8/18535693/nyc-neighborhood-rezonings-ceqr-environmental-review-city-council

- ***BRC Response:***

  - DCP should require **a school impact study**, using local data as required under the 2014 law, on all new residential construction and conversion, regardless of size.
  - In order to fund new public schools, the City should require developers of all new residential buildings to contribute to a capital fund that would pay for the building of new schools and / or include them in their building projects.

    http://www.nyc.gov/html/mancb2/downloads/pdf/District%20Needs%20FY%2020.pdf

TASK 5: OPEN SPACE (Pages 32 - 33)

- ***BRC Response:*** DSOW fails to provide for adequate open and green space in SoHo and NoHo.

  During Covid 19, demand for and use of open green space has increased demonstrating the importance of parks as essential infrastructure. Yet, as the DSOW rightly states, the projected zoning areas is "underserved" by open space (p.32). This issue was raised in the Envision SoHo / NoHo Report (Jan. 8, 2020) P. 51, 1.1D. While that report suggested ways to increase greenery and community space, it also repeatedly emphasized the lack of available open space in the area.

  In fact, CB 2 has one of lowest open space ratios in NYC at 0.60 acres per 1,000 residents. SoHo and its neighbor Little Italy have only 0.07 acres per 1,000 residents or 3 square feet per person -- about the size of a subway seat! The projected increase in population from 7,800 to 11,011 (an increase of 3,211 residents per Table 2) would render the number of acres per 1,000 to the size of a postage stamp!

  According to New York City's City Environmental Quality Review (CEQR), New York City's optimal open space goal is 2.5 acres of open space per 1,000 residents, including 0.5 acres of passive open space and 2.0 acres of active open space.

An Open Space assessment must be required for SoHo and NoHo. But given the impact that the ongoing pandemic has had on every aspect of SoHo (residential, pedestrian, retail, office, transportation), any assessment or EIS conducted at this time would fail to give even a remotely accurate assessment of the amount of open space needed by these neighborhoods.

Such assessment should also distinguish between passive and active open space, paved vs. green open space, and identify membership-only and traffic island open space. How much open space has activities for children, for seniors.

The city should require developers to include open and green, active and passive space in their projects either directly.

While the suggestion of an option for developers to contribute to an Open Space Fund to be used within CB2 sounds reasonable, the history of such funds shows that the monies sometimes languish in bank accounts, unspent on any projects, for years/indefinitely.

Creating such a fund for the zoning would be a reasonable suggestion if the City were to create a mechanism by which the funds must be spent within a certain period of time. Proper oversight and management would be key.

The rooftop recreational open space that is mandated under the current zoning, and required for buildings with 15 or more JLWQA units, must be maintained.

TASK 6: SHADOWS (Pages 33 - 34)

- ***BRC Response:*** **SHADOW STUDIES** are needed for any tax lot where the FAR amount granted results in the addition of 30,000 SF or more.

  558 Broadway (Potential Site PP) is identified as a likely future site for development of affordable housing, by implementation of new MIH FAR = 9.7, which grants that property over 54,000 SF of development rights. DCP labels that new building as rising to 200 feet.

  Nearly two dozen other properties on and around Broadway in SoHo and NoHo are to be granted similar new buildable square footage. Therefore it is likely that those locations all along Broadway could be built out to the same height as 558 Broadway: 200 feet.

TASK 7: HISTORIC AND CULTURAL RESOURCES (Pages 34 - 35)

- ***BRC Response:*** The SoHo SW Housing Opportunity Area has been identified as "potentially sensitive for historic archaeological resources" as is noted in the 2017 report for a proposed MTA substation at the northeast corner of Canal Street and Sixth Avenue. That report notes:

  > … for the larger 400-foot radius Study Areas there are 28 structures that lie within the State/National Register (S/NR) Soho Historic District, and 18 that lie within the New York City Landmark (NYCL) SoHo-Cast Iron Historic District ... it is recommended that MTA NYCT employ vibration control measures to minimize, as much as possible, the vibration levels in the historic neighborhoods near the construction site. Measures may include developing and implementing a vibration-monitoring program during highly disruptive construction activities, such as pile driving, to ensure that historic structures would not be damaged.

- See: *Phase I Cultural Resources Study, Proposed Canal Street Substation*, New York, NY (2017);

  Link: http://s-media.nyc.gov/agencies/lpc/arch_reports/1798.pdf

TASK 8: URBAN DESIGN AND VISUAL RESOURCES (Pages 35 - 36)

- ***BRC Response:*** WIND CONDITIONS must be studied and analyzed.

The increase in FAR as proposed makes an allowance for new structures rising to the height of 200 feet and higher along the main thoroughfares of SoHo and NoHo, yet the Draft Scope of Work assumes that "an analysis of pedestrian wind conditions is not warranted".

This assumption is not correct. Pedestrian wind conditions are warranted.

The analysis of pedestrian wind conditions should be undertaken.

1. Scientific studies indicate greatly increased maximum wind gusts exist now and projected for the future. These studies give great credence to the need to include how both pedestrians and residents in the study area will be affected by wind conditions.

   As an example of current research pertinent to this rezoning, studies indicate a 37.5% increase in maximum wind gusts for the period 2017-2050.

   > *"New York City is projected to experience higher wind gusts under a warming climate for the period 2017–2050 in comparison with the historical data period of 1973–2017.*
   >
   > *The future maximum wind gusts are expected to reach 110 mph, a significant increase from the recent maximum wind of 80 mph."*

   See: Projections of Wind Gusts for New York City Under a Changing Climate; *The American Society of Mechanical Engineers* (ASME) 09/03/2020;

   Link: Journal of Engineering for Sustainable Buildings and Cities

2. The increase of particulates, pollution concentration fields, and velocity due to the behavior of wind flows negatively affects the pedestrian and residential population and must be addressed as part of the Scope of Work.

   Increased allowable FAR, leading to additional height and density, increases the velocity and pollution concentration fields at ground level.

   The Draft Scope of Work does not take into account the effects of the proposed increase in allowable FAR and height and density on wind velocity as well as pollution concentration fields.

   > *"Taller buildings lead to pollution and particulates remaining locally within the surrounding building area, including "dead-zones" and high-concentration "hotspots" which did not previously exist."*
   >
   > *See:* Science Direct 2017: How tall buildings affect turbulent air flows and dispersion of pollution within a neighborhood.

   Highlights:

   - Effect of tall buildings on velocity as well as pollution concentration fields is clearly seen.
   - Presence of tall buildings leads to pollution remaining locally within the building area.
   - Location and extend of newly-formed concentration hotspots depend on the height of the tall buildings surrounding the “source” building:

     > *"Our results show that the location of a tall building relative to an emission source has a massive effect both at higher levels and at downstream areas."*
     >
     > *See:* Turbulent Flows and Pollution Dispersion around Tall Buildings Using Adaptive Large Eddy Simulation (LES) published July 2020
     >
     > Link: https://www.mdpi.com/2075-5309/10/7/127/htm

3. There is no reference in the Draft Scope of Work regarding the overall significant up zoning of the study area nor does it address the transfer of air rights and how these factors could further exacerbate the negative effects of wind conditions, pollution concentration fields, and pollution flows.

4. Additionally, any studies of pollution levels made during the COVID period or period of adjustment following the COVID Pandemic would be flawed. Inasmuch as the return of a 2-way toll on the Verrazano-Narrows Bridge this month, after more than 30 years, thus impacting through traffic in SoHo and resultant pollution, traffic and congestion, and noise levels, new studies must be made, once the situation normalizes.

TASK 9: NATURAL RESOURCES (Pages 36 - 37)

- ***BRC Response:***

The SoHo SW Housing Opportunity Area has been identified as "potentially sensitive for historic archaeological resources"; see:

Phase I Cultural Resources Study, Proposed Canal Street Substation, New York, NY (2017);

http://s-media.nyc.gov/agencies/lpc/arch_reports/1798.pdf

> … for the larger 400-foot radius Study Areas there are 28 structures that lie within the State/National Register (S/NR) Soho Historic District, and 18 that lie within the New York City Landmark (NYCL) SoHo-Cast Iron Historic District ... it is recommended that MTA NYCT employ vibration control measures to minimize, as much as possible, the vibration levels in the historic neighborhoods near the construction site. Measures may include developing and implementing a vibration-monitoring program during highly disruptive construction activities, such as pile driving, to ensure that historic structures would not be damaged.

TASK 10: HAZARDOUS MATERIALS (Pages 37 - 38)

The DSOW states: "The hazardous materials assessment will determine which, if any, of the Proposed Actions' projected and potential development sites may have been adversely affected by present or historical uses at or adjacent to the sites." The DSOW includes a number of sites that have been identified. However the DSOW does not include one of the sites located within the Housing Opportunity Area, SE SoHo, which is identified in DSOW Table 5 (Projected and Potential Development Sites) as Projected Site 10, five contiguous lots owned by Edison Properties, and where there is now a parking lot.

That location is also identified by NYS Department of Environment Conservation:

Site Name: CE – Hester St. Gasworks
Site Code: V00528
Past Use of the site: The former Manufactured Gas Plant (MGP) constructed in 1824.

The NYC DEC chronicles a long list of "Contaminants of Concern" on the site

See: Remedy Proposed for Voluntary Cleanup Site Contamination

Link: https://www.dec.ny.gov/data/der/factsheet/v00528cupropeng.pdf

See: Environmental Site Remediation Database Search Details

Link: https://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=V00528

- ***BRC Response:***

1. Study the environmental effect of the former Gas Works Plant located on and under the Edison parking lot in SE SoHo.

TASK 11: WATER AND SEWER INFRASTRUCTURE (Pages 38 - 40)

- ***BRC Response:*** Given the known propensity for flooding throughout the southern and western portion of the Study Area, along with the age of below-ground infrastructure, thorough study and analysis must be undertaken so that the public can fully understand what is being proposed, including the potential costs to be born by the taxpayers.

  1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.
  2. Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure.
  3. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

TASK 12: SOLID WASTE AND SANITATION SERVICES (Page 39)

- ***BRC Response****:* Ongoing issues regarding trash and refuse collection is well known in the neighborhoods. The proposed transformation of Study Area by the insertion of millions of new buildable square feet, along with far broader allowances for millions of square feet of new high impact retail, warrant study. And it is not just the weight of the waste as indicated in the DSOW, but also the amount of waste produced by fast-fashion and other high-volume establishments - cardboard, plastic, paper, etc. - that must be considered.

  As noted in the Envision Recommendations, studies and analysis are needed to understand how carting of all sorts will be affected by the lack of both off-street loading berths and interior storage, and how that will impact the very limited amount of public space. And study is needed to anticipate conflicts caused by the addition of new structures and bulk, along with the addition of people living, working in and shopping at those buildings.

TASK 13: ENERGY (Page 39)

TASK 14: TRANSPORTATION (Pages 40 - 44)

- ***BRC Response****:* The collection of data and analysis for all aspects of Transportation, as presented in the Draft Scope of Work, will be deficient and inaccurate for the purpose of this major rezoning plan and for long-term planning.

  We are in the midst of a once-in-100-year pandemic. Data collection and analysis will give a faulty and deficient basis for this rezoning due to the abnormal conditions being experienced.

The Director of the U.S. Chamber of Commerce of the Center for Disease Control predicted that normal conditions are not expected until at least the 3rd quarter of 2021. This is similar to the base economic forecast by The Conference Board and others, including financial institutions.

The following sections of the Draft Scope of Work are particularly problematic due to gathering and analysis of data in the midst of a once-in-a-hundred-year pandemic. Determining "whether a proposed action may have a potential significant impact" is not achievable at this time and for the near future.

Offices are closed or minimally occupied with many employees working remotely, restaurants and bars are closed or have greatly reduced operations and customers, retail stores are either closed or have greatly reduced customer operations within their physical stores, schools and universities have reduced in-class learning and/or are doing remote classes, hotels are experiencing distress due to lack of bookings.

In addition there are major economic shifts occurring and anticipated in areas such as telecommuting, retail businesses, and remote education.

This process and rezoning should be delayed and paused in order to obtain and analyze data in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

TRAVEL DEMAND and TRAFFIC:

- ***BRC Response:*** TRAVEL DEMAND and TRAFFIC studies per CEQR guidelines will be grossly undercounting data for analysis due to the current pandemic and abnormal current economic and pandemic circumstances being experienced. Data and analyses that will be deficient include the following:

  1. Data gathering and analyses of peak hour and mode of travel, as well as by person and vehicle trips.
  2. Identifying "the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks".
  3. The Level 2 screening assessment "to validate the intersections and pedestrian/transit elements" for analysis.
  4. Data collection by DOT (the Department of Transportation) which will likely include a mix of Automatic Traffic Recorder machine counts and intersection turning movement counts, along with vehicle classification counts".

Data as Support for Air Quality and Noise Analyses:

- ***BRC Response:*** Data collected at this time and used for air quality and noise quality analyses will be flawed, due to the current extraordinary circumstances.

  The DSOW notes: "Where applicable, available information from recent studies in the vicinity of the study area will be compiled..."

  However, as this data will be used for other parts of the rezoning data collection, the deficiencies in this data collection and analyses will further undermine and be deficient

for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality and noise levels.

1. It is very problematic that recent studies "in the vicinity of the study area" would be used to substantiate a major rezoning. This could mean studies from the East Village, the Lower East Side, the Financial District or other areas which are distinctly different from the SoHo and NoHo areas and have different traffic & pedestrian flows and patterns.
2. Due to the pandemic a major economic shift is evolving. It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

Travel Demand from Development Sites:

- ***BRC Response:*** Regarding travel demand from "projected development sites" as well as "demand from other major developments planned in the vicinity of the study area":

  1. NYU's large development site on Mercer St. and Bleecker St. must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area.
  2. The Draft Scope of Work emphasizes the addition of DWELLING UNITS which would include AFFORDABLE HOUSING and cites Opportunity Zones.

     Yet there is NO GUARANTEE under this rezoning proposal that such housing or dwelling units will be built in the study area, particularly affordable housing.

     The Scope of Work must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.
  3. The DSOW does not address - but must address - impacts on the Study Area being up zoned. The large increases in FAR and allowable height and density over the entire Study Area impacts travel data projections needed to assess the rezoning.

TRANSIT

- ***BRC Response:*** Any analysis on current ridership conditions and peak hour service will be inaccurate due to the current pandemic and economic conditions.

  The Draft Scope anticipates a large percent increase in residents.

  If the "incremental person-trips by bus" would "exceed 50 peak hour trips in one direction on one or more routes" there will be an analysis of local bus conditions.

PEDESTRIANS

- ***BRC Response:*** Pedestrian counts will be inaccurate due to the current pandemic and economic conditions.

1. The "potential for incremental demand" will be inaccurate due to the expectation of a large increase in dwelling units and residents. There is NO GUARANTEE under this rezoning proposal that such dwelling units will be built in the study area.
2. The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.
3. The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density throughout the study area are not taken into account.

TASK 15: AIR QUALITY (Pages 44 - 46)

According to EHPT report, the Study Area (NYC Zip Codes 10013, 10012, 10014) had the worst rates in the city:

- Nitrogen Dioxide (23.6) compared to the city (15.6)
- Fine Particulate matter (9.7) compared to city (6.6)
- Sulfur Dioxide (0.3) compared to the city (0.2)

Link: http://a816-dohbesp.nyc.gov/IndicatorPublic/Report/ServerSideReport.aspx?reportid=77&geotypeid=3&geoentityid=308&boroughid=3

1. Study how proximity of the Holland Tunnel affects air quality and the impact of that for Projected housing developments in the Study Area.
2. Study how the poor air quality will affect the equity position of this location.

TASK 16: GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE (Page 47)

TASK 17: NOISE (Pages 47 - 48)

- ***BRC Response:*** In 2016 - 2017 NYC DOT performed a series of tests to study the noise produced by retail merchandise deliveries in SoHo. For years night time deliveries for retailer UNIQLO at 546 Broadway had been negatively impacting residents in the vicinity along Broadway. During 4th Quarter 2016, DOT Office of Freight Management (OFM) conducted noise tests (audio & video) of delivery equipment outside UNIQLO. Additional tests were conducted 1st Quarter of 2017.

  Similar studies were performed inf 2019 due to disruptions from mega-retail operation Zara at 511 Broadway. Those studies were performed along Mercer Street, opposite 77 Mercer, where late night disturbances were an ongoing issue due to the the massive amount of merchandise that the big fast fashion retailers move through these stores.

  Such studies reveal that noise from trucks, delivery equipment, etc. are an ongoing issue.

It is difficult to imagine now - with more than 300,000 dead and NYC moving again into the 2nd Covid shutdown phase - that any current or upcoming studies regarding noise, trucks, congestion, merchandise or retail will have much use or meaning for the world to come post-COVID. All in flux.

POTENTIAL NOISE IMPACTS DUE TO OUTDOOR MECHANICAL EQUIPMENT MUST BE ANALYZED

The Draft Scope of Work says it is "assumed that outdoor mechanical equipment would be designed to meet applicable regulations and consequently no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed" (DSOW, page 47).

This is a serious omission in the Draft Scope of Work.

The SoHo and NoHo Historic Districts have cast-iron loft architecture buildings different from many other areas, and often with close proximity of rear yards - different than regular residential zoning requirements.

Due to the cast-iron architecture and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, noise impacts must be analyzed.

This analysis is particularly crucial due to the proposed increase in allowable size of bars, restaurants, retail and other uses.

Such proposed increases in size often require increases in size of equipment (HVAC for example).

Due to the characteristics of building lots, rear yards, and the mix of uses including residential &/or artist and creative makers who reside/work in or are in abutting buildings, the proposed enlargement of uses that may require additional outdoor mechanical equipment and noise impacts must be taken into account.

TASK 18: PUBLIC HEALTH (Pages 48 - 49)

The DSOW states: Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and, if so, to identify measures to mitigate such effects.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

- ***BRC Response***: The DSOW offers nothing to assure the public that adverse impacts to the health of residents and others will be properly identified or responsibly addressed. The narrow review of just 27 sites within the 52-acre Study Area, where millions of square feet of new construction is contemplated, is wholly inadequate to assess the health impacts that are likely to result from the implementation of the DCP Plan, or any variation thereof.

  DCP must broaden the Scope of Work to include all reasonably anticipated public health impacts, and provide a reasoned elaboration for any conclusions with respect thereto. Areas to be addressed must include the public health impacts arising from the dispersal of hazardous materials due to demolition, excavation and/or construction. Analysis must include effects sought to be avoided, along with effects that may nonetheless eventuate even with any suggested preventative measures that may be put in place.

  The Scope of Work must also take into consideration the impact of construction throughout the proposed SNMD and the impact of that construction, excavation and/or demolition (including the delivery of construction materials and/or the removal of demolished or excavated materials) on the nearby neighborhoods abutting the Study Area. That should include (but not be limited to) those nearby neighborhoods outside the Study Area that are in proximity to what DCP has identified as the Housing Opportunity Areas and the Broadway / Lafayette Commercial Corridors (Chinatown, Little Italy, East Village, Greenwich Village, South Village, West SoHo, Hudson Square, Tribeca etc.).

TASK 19: NEIGHBORHOOD CHARACTER (Page 49)

1. Study the effect on neighborhood character of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels (Crosby St. size), if the maximum additional MIH FAR is built across SoHo and NoHo.
2. Study the effect on neighborhood character of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight.
3. Study the impact of proposed actions on the defining features and human scale of the project area.
4. Study the adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970's.
5. Study, by coordination with City and State agencies, and complete a comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area.
6. Study how the limits of the three proposed zoning districts will change neighborhood character. NYC Zoning Handbook: RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10

density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. Study and analyze how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. The Draft Scope notes that projects that make substantial alterations to the scale of the streetscape may require a detailed analysis.

   For example, in NoHo, a 20,000 square-feet parking lot on Lafayette and Jones Streets is located within the proposed M1-5/R9X area. According to DCP's own website, the Proposed Actions could produce a tall, bulky, twenty-story high-rise apartment building characteristic of Chelsea and Murray Hill—although it sits in the median-rise NoHo Historic District Extension. Such an edifice will result in a dramatic and harmful impact on the historic district.

TASK 20: CONSTRUCTION (Pages 49 - 50)

1. DCP should identify and analyze the proposed actions' potential adverse impacts in consideration of the currently well-known unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo. Particular focus must be given to the potential adverse impacts on existing historic properties due to excavations and foundation work, both for new construction and restoration of existing structures within the Study Area.
2. The DSOW is overly focused on only one potential scenario: The development of affordable housing. The DSOW fails to adequately address the breadth of construction that will be made possible through the addition of new FAR levels and new allowances for retail of all sorts (including internal build-outs for retail establishments), not to mention the various conversion scenarios that are contemplated. The limited review by DCP ignores the numerous locations within the Study Area, beyond the 27 Projected sites that the DSOW identifies, which will be incentivized for development and construction by the granting of new FAR increases.

TASK 21: MITIGATION (Page 50)

TASK 22: ALTERNATIVES (Page 50)

1. The DCP consistently told community members, throughout the many months of the Envision SoHo / NoHo planning process, that we know these neighborhoods better than the agency's employees could ever hope to imagine. And we were told that our input would be the guiding force for whatever plans, small and large, emerged from that process.
2. Consideration should be given to various alternatives put forward by members of the local neighborhoods, many of whom took part in the Envision SoHo / NoHo planning process.
3. Analyze alternatives to the Proposed Actions that will not increase the existing FAR within the historic districts, and alternatives that do not attempt to meet MIH

requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

4. Include in the DEIS an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

TASK 23: SUMMARY EIS CHAPTERS (Pages 50 - 51)

TASK 24: EXECUTIVE SUMMARY (Page 51)

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Subject: Municipal Art Society Comments on 21DCP059M - SoHo/NoHo DSOW
Date: Friday, December 18, 2020 at 5:55:47 PM Central Standard Time
From: Thomas Devaney
To: 21DCP059M_DL
Attachments: image001.png, MAS Comments on SoHo-NoHo DSOW 12_18_2020.pdf

Dear Olga,

Please find the attached comments from the Municipal Art Society on the SoHo/NoHo Draft Scope of Work.

Best regards,

Tom

Thomas E. Devaney, AICP, LEED-AP
Senior Director of Land Use & Planning
The Municipal Art Society of New York
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MAS Comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work, CEQR No. 21DCP059M, New York, NY

December 18, 2020

The SoHo/NoHo Neighborhood Plan is the first major land use decision to affect SoHo and NoHo in 50 years, and is poised to significantly transform the character of these iconic neighborhoods. The City goals to strengthen retail uses, promote mixed-uses, recognize the importance of the neighborhood's art and creative culture, and encourage the development of affordable housing are laudable. The Draft Scope of Work (DSOW) must assess all factors to ensure that what is set in motion by the plan actually will achieve its objectives of net-new affordable housing rather than spur high-end residential growth that will displace economically vulnerable long-time residents and also incentivize threats to the area's rich neighborhood character.

Background

The M1-5A and M1-5B zoning districts were created in 1971 specifically for SoHo/NoHo. The zoning permitted the occupancy of certain industrial loft space, allowing conversions to Joint Living-Work Quarters for Artists (JLWQA), which remain the only as-of-right residential uses allowed.[1] The zoning prohibits ground-floor retail and tenants are not permitted to occupy spaces larger than 10,000 square feet. Despite these regulations, retail stores have violated the zoning occupancy restrictions and many non-artists occupy space designated for certified artists. The City contends that the high volume of special permit and variance applications for new or converted retail space indicates the area has outgrown its zoning.[2] Many opponents believe that the City's lack of zoning enforcement has created the problem that the rezoning seeks to solve.

The SoHo/NoHo rezoning is unique among the City's recent neighborhood rezonings. It is one of only two under the de Blasio administration that involves a predominantly white (78 percent), higher income area (median household income is $144,508 compared with $79,781 for Manhattan). Almost half of the area rental units are priced above $2,000 per month. In addition, SoHo/NoHo has four historic districts, comprising 80 percent of the rezoning area. These districts include the SoHo-Cast Iron Historic District; NoHo Historic District; NoHo East Historic District and a small portion of the Sullivan-Thompson Historic District. There is also a high level of home ownership in the area. Roughly 40 percent of the area's housing units are owner-occupied, nearly twice the Manhattan average.

In January 2019, the City began *Envision SoHo/NoHo*, what it describes as a "robust public neighborhood process" to engage the community in workshops and information sessions. The City also formed an 18-member stakeholder advisory group consisting of residents, business owners, elected officials, City agencies, and other advocacy organizations to help inform the process. In November 2019, DCP issued the report *Envision SoHo/NoHo*, which the Draft Scope of Work (DSOW) claims synthesized public input

[1] The DSOW states that 30 percent of all SoHo/NoHo homes are listed as JLWQA use on certificates of occupancy.

[2] According to the DSOW, between 2000 and 2019, the City granted over 90 CPC special permits within the bounds of SoHo and NoHo, a portion of Community District 2, compared to those granted in all of Community District 1 (21) or Community District 3 (51).

and stakeholder engagement, articulating the following goals of the plan: replace outdated manufacturing districts with mixed-use regulations; introduce residential use and promote equity in housing; support arts and culture; and facilitate superior urban design and appropriate building form.

Project Description

The plan would create the Special SoHo/NoHo Mixed Use District over a 56-block, 146-acre project area. The Special District will contain eight subdistricts that will vary in allowable uses and FAR. Manufacturing districts will be rezoned to include contextual residential districts R7X and R9X. A new M1-6 manufacturing district will be added, along with a R10 residential district. Each district will also allow commercial and community facility use. Residential FARs would range from 6 to 12, commercial FARs would range from 5 to 10, and community facility FAR would range from 6.5 to 10.

The project will result in almost 1,700 new residential units, comprising 1.7 million square feet (sf) of floor area. The number of affordable dwelling units will range from 330 to 498. The project will also result in almost 60,000 gross sf of retail, including a supermarket, 51,508 sf of commercial space, about 26,000 sf of manufacturing space, and 19,000 sf of community facility space. The rezoning is expected to add approximately 3,200 new residents to the project area by the 2031 build year.

As a way to preserve the area's cultural legacy, the plan would continue to allow JLWQA use and live-work arrangements under current zoning. It would also establish a volunteer option to allow JLWQA to transition to regular residential use with conditions that would support arts and creative industries. Under the plan, existing non-artist occupancy would be legalized, live-work would be more inclusive and reflective of modern needs, and the preservation and creation of affordable studio space would be supported.

Comments on the Draft Scope of Work

We look forward to the following comments being reflected in the Final Scope of Work (FSOW) and included in the Draft Environmental Impact Statement (DEIS).

Reasonable Worst Case Development Scenario

We question the reliability of the Reasonable Worst Case Development Scenario (RWCDS), which identifies 26 projected development sites and an alarming 57 potential development sites. The number of potential development sites is of primary concern because they are concentrated in the historic districts on sites occupied by existing buildings. The overall prospective development of the plan is significant. According to the DSOW, the development on potential development sites could result in over 1,500 additional dwelling units, 50,000 sf of destination retail and 15,000 sf of community facility space *in addition* to development projections in the RWCDS.

Under CEQR, projected development sites, those likely to be developed, are evaluated for impact. However, potential developments, are not. Potential development sites are less likely to be developed due to a variety of site conditions, such as size and shape. This is an important distinction because as we have seen with other neighborhood rezonings, potential development sites and unidentified sites often do get developed due to zoning lot mergers, development right transfers and additional zoning waivers and variances.

Public Disclosure

To provide a reliable evaluation of the full development impact under the proposal, the FSOW must reflect that all potential development sites will be evaluated for density-related impacts, not just site-specific impacts. The DEIS must include a readable, easily understood spreadsheet with all of the projected and potential development sites including Borough Block and Lot number, size of lot, current and proposed FAR, and full development potential.

The FSOW and DEIS must include a project area map of the projected and potential development sites with the historic districts boundaries clearly defined.

Project Description

Retail and Ground Floor Character

The character of SoHo/NoHo is in part driven by the cultural landscape. The recent loss of local retail and cultural offerings, such as art production and exhibition space, has already altered these neighborhoods. The DSOW should include more explicit direction for assessing requirements for smaller storefronts to encourage the longevity of independent businesses and cultural offerings, whether private, such as art galleries, or non-profit institutions, especially on the side streets. The proposal currently fosters inappropriately large retail uses, and we recommend that it be limited to 6 FAR as per community input.

Affordable Housing

For a project that touts affordable housing as a primary benefit, the FSOW must reflect that the DEIS will disclose and evaluate the affordability levels being considered under the Mandatory Inclusionary Housing program. Furthermore, the FSOW and DEIS must also disclose how much new affordable housing is expected to be constructed within and outside of the four historic districts. An overall estimate of units does not indicate how and where the purpose and need of this proposed rezoning is being met.

Historic Resources

No city neighborhood rezoning has more potential to adversely affect historic resources than the SoHo/NoHo proposal. As mentioned previously, 80 percent of the project area is located within the boundaries of a historic district. Unfortunately, because the DSOW did not include a project area map showing the projected and potential development sites along with historic district boundaries, it is not possible to know the location of development sites in relationship to designation status. We find this omission to be counter to the purpose of CEQR as a disclosure process, leaving the public without an important analytical reference. We expect the FSOW and DEIS to include this map.

As of the most recent September 2020 MapPluto data, there are roughly 2.5 million sf of development rights available within rezoning area historic districts. The rezoning proposes more than 9 million sf of additional density, with more than 6 million sf concentrated within the historic districts. MAS is concerned that the development pressures to achieve full FAR build outs will trigger out-of-scale and inappropriate proposals within the historic districts beyond what is proposed for study in the DSOW. The

statement that any development within historic districts would be subject to future review by the Landmarks Preservation Commission (LPC) provides little comfort given market conditions.

The DEIS must study the incremental increase in density that has taken place under the purview of the LPC within the area historic districts, and disclose how this an exponential change could be borne on designated properties.

Public Outreach

Despite the City's community engagement efforts, many speakers during the public scoping hearing claimed the proposal reflects very little of the community input conveyed. If the plan is to succeed, it needs to strike the proper balance of meeting the City's development goals and protecting the neighborhood's most vulnerable residents and its unique sense of place. Mindful recent community and political challenges to neighborhood rezonings, the City needs to ensure SoHo/NoHo Neighborhood Plan reflects community voices. We recommend the City pay careful attention to the comments raised by the public during the CEQR and ULURP processes and make the necessary improvements that best work for the community and the City.

Conclusion

The SoHo/NoHo neighborhoods have transformed into vibrant mixed-use destinations since the original 1971 rezoning. We recognize the need for a planning approach that reflects these changes and appropriately points towards a future of equity and inclusion. The work ahead in the DSOW and the public review processes that follow must use all the tools at the City's disposal to ensure that these changes can be achieved with great sensitivity to the unique historic and urban design character of these neighborhoods. Ultimately, for the SoHo/NoHo Neighborhood Plan to be successful it must protect the very characteristics that make this place special.

Subject: Comments of SoHo Broadway Initiative on Draft Scope for EIS on CEQR No. 21DCP059M
Date: Friday, December 18, 2020 at 1:55:46 PM Central Standard Time
From: Mark Dicus
To: Sylvia Li (DCP)
CC: 21DCP059M_DL, Edith Hsu-Chen (DCP), Erik Botsford (DCP)
Attachments: 2020.12.18 SBI Response to DCP EIS Scoping Document v2.pdf

Dear Sylvia:

Please see attached.

Sincerely,

MARK DICUS
Executive Director, **SoHo Broadway Initiative**

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December 18, 2020

Sylvia Xiaomeng Li
Planning Team Lead
NYC Dept. of City Planning
120 Broadway, 31st Fl.
New York, NY 10271

Dear Sylvia:

Please allow this letter to serve as the SoHo Broadway Initiative's comments and response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M.

The SoHo Broadway Initiative supports pursuing the SoHo NoHo Plan's important policy goals of creating more affordable housing and legalizing residential as well as retail uses. Updating these outdated rules will support a more equitable recovery from the COVID-19 pandemic by creating more affordable housing and creating more certainty for those who want to legally live in or operate a business in SoHo. Please see attached the Initiative's Planning Goals which the Initiative seeks to achieve through the rezoning process.

The increase of the floor area ratio in the draft scope of work is concerning to many in these neighborhoods. We encourage the City to achieve these important policy goals in ways that do not change the historic character of these important historic neighborhoods. We urge the Department of City Planning to explore alternative approaches, including ones that rely on lower floor area ratios within the historic districts, converting office space to residential or other approaches to achieve the important goals of bringing more affordable housing into these neighborhoods while also maintaining the one-of-a-kind historic look and feel of these neighborhoods.

In completing the environmental impact study for the proposed rezoning, it's important to consider that SoHo is a neighborhood where people live next to both retail and office businesses as well as a place where people come to work and visit. Day-to-day operations like garbage collection and deliveries can be

challenging to fit into a mixed-use community like SoHo, as these operations frequently use the public sidewalk space and can negatively impact those seeking to enjoy the public space while also being disruptive to neighbors. The Dept. of City Planning should study ways to change the zoning and other public policies to improve the public realm and mitigate the impacts that these operations have on the general public, including neighboring residents, businesses and visitors. These mitigation approaches should improve the quality of life for the public in line with the priorities and strategies identified in the Envision SoHo Report published in November 2019 (Neighborhood Priorities 1.1 A to 1.1D).

Thank you in advance for your attention to these comments.

Sincerely,



Mark Dicus

Cc: 21DCP059M_DL@planning.nyc.gov

Attachment

SOHO BROADWAY INITIATIVE

Planning Goals

Approved by SoHo Broadway Initiative on October 15, 2019

Planning Goals: A Balanced Approach

- SBI planning goals are enthusiastically supported by residential and commercial interests who made compromises to create a carefully balanced interconnected set of goals. These goals are designed to meet the primary needs of residential and commercial interests to enhance the unique mixed-use environment while not favoring one group over another.
- If one goal is removed or one set of interests favored over the other, the carefully balanced compromise falls apart.
- Pursuing strategies that achieve these planning goals will foster an environment that is attractive to residents, businesses and visitors for decades to come.

SOHO BROADWAY INITIATIVE

Planning Goals:

- Improve the overall quality of life by creating a more welcoming, accommodating, and accessible environment for those who live in, work in, and visit SoHo Broadway.
- Allow people to live here As of Right who are not certified artists while protecting current JLWQA occupants/uses and rent-protected units
- Allow retail use As of Right limiting contiguous retail to the basement, ground, and second floors along the SoHo Broadway corridor and low-impact retail uses (e.g. yoga studios, spas, hair care, galleries, etc.)above the 2nd floor

SOHO BROADWAY INITIATIVE

Planning Goals:

- Maintain the globally recognized creative and commercial communities that are key components of SoHo's mixed-use neighborhood.
- Preserve the historic look and feel of SoHo while maintaining the current scale and density
- Create publicly funded incentives to provide affordable opportunities for artists to work in SoHo and venues to celebrate the arts/creative community
- As a result of this process, don't increase real estate taxes

SOHO BROADWAY INITIATIVE

Subject: Comments for SoHo/NoHo scoping session
Date: Thursday, December 3, 2020 at 12:31:53 PM Central Standard Time
From: Lynn Ellsworth
To: 21DCP059M_DL
Attachments: Testimony on Scoping Hearing for SoHo.pdf

Please see attached pdf.

Testimony on Scoping Hearing for SoHo/NoHo
December 3, 2020

Lynn Ellsworth, for Tribeca Trust and Humanscale NYC

- Tribeca Trust and Human-scale NYC both object to the entire content of the zoning proposal on hand, based as it is in deeply flawed social science about housing prices for which there is absolutely no consensus among economists. The claims for public benefit are laughable and the harms that would done are great indeed and unaccounted for.

- We also object to the process by which this proposal is being railroaded through, with a shamefully false and manipulated public consultative process that undermines the legitimacy of municipal government.

- We object to ZOOM being used as a substitute for real public hearings and believe that the public's rights in the ULURP process are being steamrollered by the use of ZOOM.

- We are dismayed by the deeply offensive and illogical race- and class-baiting that has been used to justify this proposal.

- The EIS methodology and scope is not credible. It does not account for cumulative effects of all developments taking place with in a mile radius of the three housing sites and their cumulative impacts on wastewater, sewage, traffic, congestion, subway use, sidewalk space, and on libraries, parks and public schools. The flaws are so great that any person looking into it would conclude that the flaws are there so as to assure the proposals is shoved through the system.

From:	Todd Fine
To:	21DCP059M_DL; Sarah Carroll (LPC); hpdmedia (HPD); pressoffice@cityhall.nyc.gov; DCP Press (DCP); Marisa Lago (DCP); Sylvia Li (DCP); NYC Landmarks Press Office (LPC)
Subject:	Comment / Letter on SoHo Zoning
Date:	Monday, November 30, 2020 10:18:34 AM

Todd Fine
President, Washington Street Advocacy Group The Graduate Center CUNY 365 Fifth Avenue, Room 5114 New York, N.Y. 10016-4309 857-234-0920

The Honorable Vicki Been
Deputy Mayor for Housing & Economic Development
City Hall
New York NY, 10007

Monday, November 30, 2020

Dear Deputy Mayor Vicki Been,

Along with preservation organizations in New York City and across the nation, the Washington Street Advocacy Group is extremely concerned about the plans expressed in your “Where We Live NYC” report to promote high-rise construction in historic districts, with world-famous SoHo being the first test case (p. 194).

Through a movement begun by figures like Jane Jacobs, Aline Saarinen, Margaret Mead, Eleanor Roosevelt, and Philip Johnson -- that saved SoHo from demolition by Robert Moses and the Lower Manhattan Expressway -- New York City became a model for historic preservation in the United States and internationally. The weakening of its 1965 Landmarks Law and the SoHo historic district without true public dialogue during the COVID-19 crisis could signal a general attack on the principles behind preservation.

We demand that any rezoning of SoHo include new designations of individual landmarks as a result of the field survey promised in the Department of City Planning’s scoping document for its Environmental Impact Statement (Task 7). The SoHo historic district in the rezoning area holds over 600 sites, yet currently only contains two individual landmarks, the E. V. Haughwout Building and the Gay Activists Alliance Firehouse. After a significant proposed upzoning, there would be significant pressures for demolition and alteration on all historic buildings in the district, and preservation would depend solely on the politics of the Landmarks Preservation Commission at any given moment. In addition, there are substantial parts of SoHo and Chinatown in the rezoning area that are outside of any historic district and will have no protection at all.

Before the Department of City Planning scoping meeting on Thursday, December 3, 2020,

we ask that your office, the Department of City Planning, and the Landmarks Preservation Commission release details about the proposed landmarks field survey. If your office and the Department of City Planning are serious about the rezoning of SoHo, this field survey should be one of the largest preservation projects in years and needs to have a defined budget, coordination with the Landmarks Preservation Commission, a pipeline for designation, and involvement of leading outside experts in architecture and history. This team of experts should also be empowered to develop the promised contextual standards that will apply to new construction and alterations.

While we are generally concerned about the general plans to encourage high-rise construction, the scoping of this field survey is an opportunity for your office to signal its commitment to protecting SoHo and NoHo's historic buildings.

Sincerely,
Todd Fine

Cc: City Planning Commission Chair Marisa Lago; Sarah Carroll, Chair Landmarks Preservation Commission

--
Todd Fine
President, Washington Street Advocacy Group
+1 857.234.0920

Subject: SoHo/NoHo Draft Scope of Work
Date: Friday, December 18, 2020 at 2:38:23 PM Central Standard Time
From: Mitchell Grubler
To: 21DCP059M_DL

To: NYC Department of City Planning
Subject: Response & Correction to SoHo/NoHo Draft Scope of Work:
The Bowery Historic District (National Register of Historic Places) must be included.
From: Mitchell Grubler, Chair, Landmarks Committee, Bowery Alliance of Neighbors

Response & Correction to the SoHo/NoHo Draft Scope of Work
Pages 8 to 10 and Figure 3

HISTORIC DISTRICTS
Page 8
The Draft Scope of Work does not, but must include **The Bowery Historic District**, which is listed on both
the **NY State Register of Historic Places** and the **National Register of Historic Places**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as "The Bowery Historic District". It is also listed on the NY State Register of Historic Places.

This omission in the Draft Scope of Work should be remedied and the information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Historic Districts".

NEIGHBORHOOD CONTEXT
Bowery Corridor
Pages 9 & 10

The Draft Scope of Work does not include **The Bowery Historic District**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as **"The Bowery Historic District".**

This omission in the Draft Scope of Work should be remedied and information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Bowery Corridor".

See: https://www.nps.gov/nr/feature/places/pdfs/13000027.pdf

The link includes the National Park Services information on **The Bowery Historic District** and contributing resources in **The Bowery Historic District**. It's website also contains additional information on this page: The Bowery Historic District

The Bowery Historic District

Subject: Cooper Square Committee comments on SoHo/NoHo draft scope of work
Date: Wednesday, December 16, 2020 at 2:47:17 PM Central Standard Time
From: Steve Herrick
To: 21DCP059M_DL
CC: Sylvia Li (DCP), Chan, Stephanie (ManhattanBP), KErvin@council.nyc.gov, Chaparro, Lizette (ManhattanBP), Chang, Andrew (ManhattanBP), Washington, Matthew (ManhattanBP), Gale Brewer, Brewer, Gale (ManhattanBP), Vallese, Gabrielle (ManhattanBP), Mackey, Mary Ann (ManhattanBP), mchin-council, Drummond, Anthony, Rivera, Carlina, pcarrillo-council
Attachments: SoHo Scoping Testimony for EIS - 12-16-2020.pdf, Table 3 - RS units in NoHo - Sub-Area 2.xlsx, Table 6 - Revised Zoning - 30 - 50 pct low inc.xlsx, Tables 1 & 2 - RS Units in sub areas 3 and 8.xlsx

Attached please find Cooper Square Committee's written testimony regarding the proposed rezoning of SoHo/NoHo. Thank you for the opportunity to put forward suggestions for DCP to analyze alternative zoning districts that promote low income housing, preserve the historic districts, remove onerous restrictions on ground floor retail and promote the arts in these historic mixed use neighborhoods.

Yours truly,

Steve Herrick
Executive Director



Cooper Square Committee
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Cooper Square Committee Testimony
Regarding the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an EIS
CEQR No. 21DCP059M
Submitted on Dec. 16, 2020

A. Introduction

The Introduction provides an incomplete count of the number of projected and potential soft sites in the study area. It claims a total of 27 projected development sites, totaling 1,683 projected dwelling units, that could result in 328 to 494 permanently affordable housing units over the next 10 years using MIH and 57 potential development sites comprising 1,548 potential units, including 293 to 428 potential affordable dwelling units using MIH. Given that there are well over 800 parcels in the study area, of which roughly half are below a 5.0 FAR currently, and DCP is proposing a massive upzoning in more than half of the study area, it is likely that there are a couple hundred sites that will gain significant development rights above their built FAR. DCP needs to do a more detailed analysis of the potential for enlargements of IMDs, JLWQs, and office buildings, including elevator buildings and walk ups. Even though 85% of the parcels in the study area are within historic districts, and not at significant risk of demolition, the potential enlargements could jeopardize the structural integrity of some buildings given their age and the condition of their foundations and footings.

The land use and zoning objectives spelled out in the introduction are generally consistent with those contained in the SoHo/NoHo Planning Report released in 2019 by DCP's planning consultant after some 40 meetings with the SoHo/NoHo Advisory Group and area stakeholders, but given that a major rezoning is planned, additional objectives should be 1) to ensure that expanded housing opportunities do not result in out of scale development and inappropriate building enlargements in the study area, 2) that the adaptive resuse of soft sites does not result in a loss of regulatory protections for loft law tenants, 3) to ensure that the redevelopment of existing buildings does not result in the displacement of long term tenants due to demolition of unregulated buildings in the study area, and 4) to minimize the risk of secondary displacement in adjacent area (especially Chinatown) outside the study area.

B. **Required Approvals and Review Procedures:** I have no comments on this section.

C. **Background to the Proposed Actions:** I have no comments on this section.

D. **Existing Zoning:** I have no comments on this section.

E. Purpose and Need for the Proposed Actions:

Replace outdated Manufacturing Districts with Mixed-Use Regulations: CSC supports this stated goal with regard to allowing ground floor retail, use groups 6 and 10. We support zoning that allows ground floor retail in SoHo/NoHo. We support zoning that allows use groups 6 in SoHo/NoHo, (such as bakeries, barber shops, book stores, florists, nail salons, drug stores, dry cleaners, laundrymats, food stores, eating or drinking establishments, stationary stores) on the ground floor throughout SoHo and

NoHo. On wide streets in close proximity of mass transit where the predominant use has been commercial (ie commercial corridors such as Broadway, Lafayette and Canal), use group 10 (clothing stores, furniture stores, department stores) should be allowed on the 2nd floor and below. We believe that service and appointment based retail (spas, yoga studios, gyms, etc) should be allowed above the 2nd floor.

Outside of designated commercial corridors, retail spaces in excess of 10,000 sq. ft. should be subject to a special permit or BSA application that requires community review that would provide for the possibility of modifications/stipulations on the proposal.

With regard to retail in excess of 10,000 sq. ft. in the commercial corridors, DCP should allow it in the 27% of buildings to that have floor plates in excess of 10,000 sq. ft. but perhaps study the impact of requiring them to make modifications that mitigate quality of life issues related to garbage collection (such as building a trash storage room and not allowing businesses to hold garbage on sidewalk for collection). With regard to deliveries (the City should consider enforcing no off hour deliveries unless operator can certify compliance with strict sound regulations).

However, we join with the NoHo-Bowery Stakeholders in asking DCP "to conduct an accurate building-by-building analysis correctly quantifying the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses so that the CEQR analysis will disclose the Proposed Actions' potential adverse impacts on the existing character of SoHo and NoHo".

Introduce Residential Use and Promote Equity in Housing: Given that a major purpose of the EIS is to analyze the impact on SoHo/NoHo of a significant upzoning, the section concerning the intention to introduce residential use and promote equity in housing should provide greater detail about the residential presence in the study area. While the Background section states there are an estimated 7,800 residents, there's no mention of the number of the number of housing units in SoHo/NoHo (it's about 4,125 with 1.89 persons per household). There's no breakdown in terms of owner vs. rental units, although other data sources claim between 40 and 47% home ownership rate. Page 15, under Support Arts and Culture, states that "about 30% of all SoHo/NoHo homes are listed as JLWQA use on certificates of occupancy. This corresponds with data from the website, https://whoownswhat.justfix.nyc/en/ which allows you to search the number of rent regulated units in each building. I looked up a sample of several hundred units in the larger buildings, and found that just 30% of rental units were rent stabilized or regulated under the loft law.

Assuming about 2,400 rental units in the study area, that would mean there are about 720 rent regulated units in the entire study area, or just 18% of the all housing units. It would be helpful if the EIS provides the most accurate data possible regarding the various residential occupancy statuses so that it can assess the potential displacement impact of the rezoning on residents. Attached are **Tables 1, 2 and 3** that CSC put together, using the Who Owns What database at https://whoownswhat.justfix.nyc which shows the unit counts in a fairly large sample of buildings in **DCP's Sub-Areas 3, 8 and 2,** the largest housing opportunity zones. Sub-Area 1 doesn't appear to offer many housing opportunities given that the largest site (the Bowery Bar site) is slated for office development. Given how few residential units there are in

these Sub-Areas, we are actually encouraged to see that the potential for displacement is quite small. There are very few rent regulated units in the SoHo/NoHo study area. CSC supports the goal of introducing rental use into SoHo/NoHo, and especially in these Sub-Areas, but we want the ultimate outcome to be a net gain in affordable rent regulated units. The loss of regulated units through demolition or displacement would undermine this goal, and the rezoning action needs to ensure that such risks are eliminated or at least minimized.

Rezonings have often created direct displacement pressures on tenants living in "soft site" buildings, and the proposed rezoning action should attempt to estimate how many residents in the area may face displacement pressures if property owners decide to demolish their buildings in the areas outside the historic district. DCP should propose a mechanism for monitoring this potential outcome, and funding should be provided to a tenant rights organization to inform residents of soft sites about the potential for harassment and how to respond to it, as was done for the East Village Rezoning in 2008. CSC recommends that the City of New York include SoHo/NoHo as one of the areas in the Certificate of No Harassment Program. Property owners with at least 1 rent stabilized unit should be required to submit a signed affidavit to the Mayor's Office to Protect Tenants every year for the 10 years after this rezoning is enacted stating the number of rent regulated units in their buildings. If they intend to redevelop their property, HPD should verify that there have not been any harassment complaints. The City of New York should also set aside sufficient funding for an organization such as CAAAV or AAFE to assign one of their tenant organizers to do outreach to tenants, especially Asian American tenants who make up more than 10% of the study area, and probably a higher percentage in Sub-Areas 3 and 8 which are right next to Chinatown's Canal Street, to ensure that they know their rights and how to enforce them if they are harassed.

Support Arts and Culture: CSC supports this goal, and we support DCP's intention to "continue to permit JLWQA use and live-work arrangements that already exist in the Project Area" but the rezoning actions don't provide detail about how this will be done, and how buildings whose residents enjoy loft law protections will be guaranteed that they will have the same or similar protections once their building is converted by the owner to residential use group 2.

For IMDs seeking to be legalized as residential buildings, DCP should spell out how many such buildings there are in SoHo/NoHo. Given that they are considered commercial buildings, and residents don't have rent stabilization protection currently, DCP should obtain a legal opinion as to whether they will come under rent stabilization upon being legalized as rent stabilized buildings if they have at least 6 units, and if one or more of the current tenants have leases and are paying less than $2,700 per month in rent. CSC supports using a zoning bonus to promote new cultural space in existing and new buildings. DCP should provide a 1.0 FAR bonus if 0.5 FAR of cultural space is created. The other 0.5 can be applied to residential or commercial use.

Facilitate Superior Urban Design and Appropriate Building Form: CSC supports this goal but finds that the proposed upzonings to R10 and R9X, with floor area ratios of 12.0 and 9.7 respectively, have the potential to create huge, out of scale buildings within or next to the historic districts. We present alternative zoning districts later in this testimony to promote MIH with contextual zoning districts. CSC recognizes that upzonings using MIH will be necessary to create a meaningful amount of low income

housing, but we strongly urge contextual zoning districts with height limits that correspond reasonably closely to some of the larger buildings within a one block radius of the projected development sites. Building massing, base height setbacks and floor heights should also correspond harmoniously with nearby buildings.

F. Description of the Proposed Actions:

We believe the proposed zoning actions, in particular the proposed zoning districts, don't achieve the objective of "establish appropriate bulk regulations to better reflect the existing character and enhance the built environment" as stated on page 16. Below is the zoning table we ask that DCP study as alternative rezoning scenarios in place of DCP's Table. (Note – We propose an additional 1.0 FAR if 0.5 FAR cultural use is added).

Table 4. CSC's Alternative Proposed Use and Floor Area Regulations

Broadway – Houston Corridor (Sub-Area 5)	SoHo West, SoHo East (Sub-Areas 3 and 8)	SoHo Core (Sub-Area 7)	NoHo District (Sub-Areas 1 and 2, and 6)	Canal Street Corridor (Sub-Area 4)
M1-5/R8A 5 FAR for commercial/ manufacturing 7.2 for residential with MIH 6.5 for community facility	M1-6/R9A 8.5 FAR for residential with MIH Allow 2 floors of commercial in residential buildings with 2.0 FAR for commercial 4.0 for community facility	M1-5/Residential Special District 5 FAR for commercial, manufacturing 5.0 for residential with MIH 5.0 FAR for community facility	R8A with C2-5 commercial overlay 7.2 Residential FAR, 2.0 Commercial FAR Option 2: 7.2 Residential FAR, 6.0 Commercial FAR Option 3: M1-5 or M1-6/R8A from Houston to Great Jones St And M1-6/R9X from Great Jones St to Astor Place 9.7 Residential FAR	R8A with C2-5 commercial overlay 7.2 Residential FAR, 2.0 Commercial FAR Or option 2: R7D with C2-5 commercial overlay 5.6 FAR for residential with MIH 2.0 FAR commercial overlay 5.0 for comm facility

Floor Area and Bulk Regulations:

DCP proposes allowing commercial and manufacturing of 6.0 FAR with full lot coverage up to two stories in the Broadway-Houston Corridor, NoHo North, Canal Street, SoHo/NoHo Cores sub-districts (in other words, Sub-Areas, 2, 4, 5, 6 and 7). While allowing full lot coverage is contextual with much of the study area, CSC has concerns about allowing conversions of existing commercial buildings to residential use when the buildings occupy the full lot. There are numerous buildings in SoHo/NoHo that extend through the entire block, and we think that converting to residential would result in buildings that are not code compliant.

DCP also states that "a restrictive declaration would be required to be executed and recorded, requiring the amount of pre-existing non-residential floor area in the existing building to be maintained on the zoning lot." This requirements seems intended to prevent conversions of office buildings to residential

use. It's understandable that DCP wants to prevent a massive loss of office space by opening the floodgates to residential conversion, but it would make more sense to disallow residential conversion or enlargements of any buildings are already overbuilt and exceed the maximum lot coverage required by zoning. Mixing residential units into existing office buildings create a myriad of problems, especially for a neighborhood that already has so many problems with noise, sanitation, congestion and other issues as a result of its mixed use character.

We believe that DCP should do an analysis of the impact of not allowing as of right residential conversions or enlargements of buildings that exceed 80% lot coverage. Doing so would reduce the number of potential residential conversions, and prevent inappropriate enlargements of existing buildings, many of which are currently overbuilt, and would not be permitted as of right today because they don't meet the setback requirements for their zoning districts. We believe that conversions of such buildings to residential with enlargements should require a variance, and that if no low income housing is included on site in the plan, a variance should not be granted.

DCP should develop zoning text governing the conversion process. CSC recommends that it should only be permitted in buildings where the existing commercial building has a vacancy rate exceeding 20% despite marketing efforts. In such cases, conversions of all or part of the building should separate out residential and commercial uses so that they are on different floors given the inherent conflict in occupying the same floor in mixed use buildings.

Mandatory Inclusionary Housing (MIH) Program:

It should be noted that MIH is in fact voluntary since residential development is one among several options. A developer can opt not to build housing, pursuing commercial or community facility opportunities that are more lucrative. Since MIH was enacted in 2016, City Limits magazine pointed out in a January, 2020 article that only some 2,100 units out of the 43,000 housing units started under the Mayor's housing plan have been created through the MIH requirement. MIH was expected to produce 12,000 units by 2024. DCP needs to reflect on the underwhelming results of MIH and tweak it to make it more attractive relative to other development opportunities. This can be done by downzoning the commercial FAR in the housing opportunity zones while significantly upzoning the residential FAR so that the relative difference is substantial. The City of New York should also make subsidies available, not just 421A tax abatements, in the housing opportunity zones for developers who are willing to create 50% to 100% affordable housing on site.

DCP needs to require, at a minimum, payment into an affordable housing fund for new construction or enlargements of 10 or fewer units, or under 12,500 zsf. The current proposal (page 18) to not require MIH for developments that fall below this threshold will create the risk of enlargements of many buildings in the historic districts. Buildings of 12,500 to 25,000 sq. ft. must require 30% low income housing on site. Buildings of 25,000 – 39,999 zsf should be required to include 40% low income housing, and buildings 40,000 zsf or more should be required to set aside 50% of units for low income housing.

Table 5: MIH Sliding Scale Based on Zoning Square Footage of the Residential Building:

Building Size	MIH Requirement
<12,500 ZSF	20% low income or pay into affordable housing fund
12,500 – 24,999 ZSF	30% low income on site
25,000 – 39,000 ZSF	40% low income on site
>40,000 ZSF	50% low income on site

This stepped up MIH requirement is not unreasonable. DCP's own proposal takes zoning square footage into account in deciding which MIH rules to apply. The above table takes advantage of the fact that the development cost per sq ft is lower for larger buildings, as well as the fact that SoHo/NoHo command some of the highest rents in NYC for market rate units, and they are capable of cross subsidizing low income housing to a much greater degree than other communities that the City of New York has rezoned with MIH. There's a significant difference between the rental market in SoHo/NoHo compared to the rest of Manhattan. The median asking rent in Manhattan in October, 2019 was $3,262 per month versus $5,223 per month in SoHo and NoHo, according to the brokerage firm Douglas Elliman. These rents were pre-Covid, and while they have declined 10% or more in Manhattan due to Covid-19's impact on the economy, it's reasonable to expect it will bounce back over the next couple of years, post-Covid, when any housing production resulting from this rezoning starts to come online. It doesn't make sense for the City of New York to give a 100% or more increase in residential FAR and not even try to extract greater social equity in return from such a wealthy neighborhood.

G. Analysis Framework

DCP's Reasonable Worst Case Development Scenario (RWCDS) estimates that the future with the proposed actions would result in a net increase of approximately 1,683 dwelling units over the next 10 years (including 328 (17.5%) to 494 (26.5%) low income housing. DCP anticipates that 2,002,545 gross sq ft of built floor area will be generated. This would include 169,663 sq. ft. of retail space and 19,598 gsf of community facility uses.

CSC considers the amount of projected low income created based on the large upzonings to be relatively low considering the enormous amount of development rights that will be generated by the proposed action. In brief, we believe that DCP is not extracting enough community benefits for the amount of concessions being made to the real estate developer community.

CSC asks that DCP analyze our alternative zoning scenario, which we believe will guide development activity to better outcomes by providing fewer alternative development opportunities. We believe DCP is setting up this rezoning to fail to achieve its goal, similar to the contextual rezoning of the East Village, which projected 348 low income units as a result of the voluntary inclusionary zones, which ultimately achieve less than half that number in the 12 years since it was enacted. Part of the problem was that DCP provided developers with the gift of large upzoning with no inclusionary housing required. By upzoning the commercial FAR in many of the SoHo/NoHo districts as of right, DCP is virtually ensuring that more office buildings and hotels will be developed instead of residential development since mandatory

inclusionary housing is always just one of several options. DCP needs to provide a far greater FAR differential between residential development and other alternatives such as commercial and community facility.

Attached is a **Table 6,** showing what can be achieved in the 27 soft sites based on our proposed rezoning scenario, using the sliding scale of 30% - 50% low income under MIH.

Sub-Area 7, No Upzoning: Allowing residential development at an FAR in excess of 5.0 poses a substantial risk to the historic districts in the core of SoHo/NoHo. Another major issue is that DCP's proposed text amendment would allow for off-site low-income housing when less than 25,000 sq. ft. of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing. In fact, the offsite affordable housing is likely to be situated in the outer boroughs. DCP's soft site analysis doesn't take into account this possibility at numerous sites in the study area, and yet it could do irreversible damage to the character of the historic districts.

CSC's alternative zoning scenario provides for somewhat smaller, but still substantial, upzonings in parts of the study area. A major exception is the SoHo historic residential core where we propose to introduce residential use at 5.0 FAR with MIH under a special district zoning designation. This sub-area makes up about 40% of the total study area, but under DCP's proposed zoning, it would likely create less than 30 low income housing units on the 6 soft sites DCP identified. Given the small lot sizes, 3 of the 6 sites would result in buildings with less than 20,000 sq. ft., and DCP's MIH plan would allow developers to pay into an affordable housing fund, and the low income housing would be developed off site in another community. Under our alternative proposal, it could still generate a similar number of low income housing units, but we recommend imposing height limits of 120 feet.

We believe that the small public benefit of some 30 low income units in this 21 block area is not worth the risk of inappropriate enlargements of existing historic buildings (again, with no low income housing on site) that could damage the aesthetic quality of this area and its appeal to millions of tourists every year. Given the billions of income SoHo generates for NYC in sales tax and property tax revenue, it is not worth the risk of undermining this valuable NYC asset.

Housing Opportunity Zones: Sub-Areas 3 and 8, Analyze the Impact of Upzoning to R9A: Sub-Areas 3 and 8 comprise a small part of the study area, yet account for *the majority of the low income housing* that can be generated through a rezoning. However, we think that the proposed R10 zoning, with a 12.0 FAR for MIH will lead to very large, out of scale buildings over 200 feet tall that tower over nearby tenement buildings. We recommend that DCP study the impact of an R9A zoning district, with an 8.5 FAR, and contextual height limits of 175 feet on wide avenues. A commercial overlay allowing a 2.0 commercial FAR would allow for ground floor and 2nd floor retail, and would take away the incentive for developing hotels or office buildings in these two sub-areas.

We think that the mid-block zoning on narrower side streets in these sub-areas should be set at R8A, with a 7.2 FAR and 145 foot height limit. Given that the soft sites are virtually all on wide streets (Centre Street, Lafayette Street, Canal Street, Grand Street, 6th Avenue), this concession will not significantly impact the production of low income units.

We project that the proposed upzoning could generate nearly 400 low income housing units in these 2 sub-areas alone if DCP applies a 30 – 50% low income requirement under MIH (instead of 20 – 30%) for the 14 soft sites located here, as per DCP's 27 soft site analysis. The 9 soft sites that can allow for over 40,000 zsf of residential development should be required to set aside 50% of the units for low income housing. Sites with 25,000 – 39,999 gsf of residential development should be required to set aside 40% of the units for low income housing, and those with less than 25,000 gsf of development potential should be required to set aside 30% of the units for low income housing. The rationale for this was noted earlier in our comments on the MIH program. If this requirement impacts project feasibility, DCP should allow the developer to reduce the on site affordability requirement by 10% by paying into an affordable housing fund.

Sub-Areas 1 and 2 in NoHo – Analyze a couple of different upzoning options: CSC recommends that DCP analyze the impact of simplifying the rezoning of the dozen blocks in NoHo, which are currently divided into 4 sub-areas by DCP (with sub-areas 1 and 2 covering the 4 blocks between Astor Place and Great Jones St and sub-areas 5 and 6 covering the 8 blocks between Great Jones and Houston Street). We support the NoHo-Bowery Stakeholders proposal that this area be broken down into either 1 or 2 zoning districts. DCP should analyze the impact of the following rezoning scenarios: 1) Re-zone NoHo to R8A (7.2 FAR) with a C2-5 overlay (2.0 commercial FAR), 2) Rezone NoHo to C6-2A, or 3) Create 2 zoning districts in NoHo that recognize that the prime affordable housing opportunity zones is north of Great Jones Street. From Houston Street to Great Jones Street (plus a mid-block section between Lafayette Street and Bowery extending up through the north side of East 4th Street), rezone it to M1-5 or M1-6 paired with R8A. Rezone north of Great Jones Street to M1-5/R9X, which allows for a 9.7 FAR, and set a 160 foot height limit on Lafayette Street, with a 120 foot height limit mid-block.

Sub-Areas 4 and 5, the Broadway Corridor and Canal Street Corridor, Upzone a maximum of R8A: CSC believes that an upzoning to R9X, with a 9.7 FAR, will create the risk of enlargements of many buildings in the historic district, especially given that page 18 of the scoping document. DCP should analyze the impact of rezoning both sub-areas at R8A, which sets a 7.2 residential FAR with a commercial overlay allowing retail up to the 2nd floor, and a 145 foot height limit. In the Broadway Corridor, DCP should consider keeping the commercial FAR at 5.0 given that there's a significant amount of square footage of office space in this sub-area.

A second alternative for the Canal Street Corridor would be to study an R7D zone, which sets a 5.6 residential FAR with MIH and a 115 foot height limit (11 stories). Many of the buildings on the Canal Street corridor are 6 stories or less, and DCP's proposed upzoning to R9X is significantly out of scale. A commercial overlay at 2.0 FAR with either option would ensure that residential development is the most likely scenario.

We also note that the **Chinatown Working Group** had proposed rezoning the south side of Canal Street (Sub-Area A in their plan), directly opposite this sub-area 4 in DCP's plan, to C4-4A/G Modified with a residential FAR of 4.8 to 6.0 and a commercial FAR of 4.0 and Community Facility FAR of 4.0, and a height limit of 85 feet. To our knowledge, DCP has not made any commitments regarding their proposal for this sub-area, but an upzoning of the north side of Canal Street to 9.7 FAR under MIH would contrast sharply with their vision for the Canal Street Corridor.

G. Proposed Draft Scope of Work for the EIS:

The Future with Proposed Actions analysis should be more comprehensive in examining the number of sites that would become soft sites as a result of the large upzoning to R9X and R10 in DCP's proposal. While about half of the properties in SoHo/NoHo are built up to about 5.0 FAR, many of the roughly 400 SoHo/NoHo properties with FARs below 5.0 are located in Sub-Areas, 1, 2, 3, 4, 5 and 8 which will undergo a 100% increase (R9X0 to 140% increase (R10) in allowable FAR under DCP's proposed rezoning. These amount to far more than 27 projected soft sites and 57 potential soft sites. DCP should analyze the amount of additional square footage of development rights that will be granted to the property owners in these areas, and analyze its potential impacts especially with regard to Task 5 (Open Space), Task 6 (Shadows), Task 7 (Historic and Cultural Resources), Task 8 (Urban Design and Visual Resources), Task 11 (Water and Sewer Infrastructure), Task 12 (Solid Waste and Sanitation Services), Task 13 (Energy), Task 14 (Transportation) and Task 15 (Air Quality). Task 17 (Noise) and Task 19 (Neighborhood Character). Each of these impacts will be lower with the alternative zoning scenario we are proposing.

With regard to the above items, CSC encourages DCP to explore ways to utilize the zoning action to increase open space through promotion of rooftop open space. With regard to historic resources, LPC should review the buildings in Sub-Areas 1, 3 and 8 outside the Historic Districts to determine whether any of them may qualify for landmark designation and include the list of such buildings in the EIS. Concerning urban design, bulk regulations should be similar to JLWQA buildings. The natural resources analysis should examine geotechnical engineer reports regarding sub-soil conditions along Canal Street which contains an underground stream. The potential infrastructure costs of building on it should be analyzed. The flooding issues at Canal Street and in southwest SoHo need to be studied and infrastructure improvements should be implemented as part of the rezoning action. With regard to solid waste and sanitation, DCP should examine the impact of implementing a requirement of trash compactor rooms on site. The draft scope notes that the study area generates 50 tons of waste per week.

In brief, we ask that in Section 22, DCP considers the Alternatives we have suggested for the rezoning so that the City of New York can preserve the historic districts of SoHo/NoHo while meeting the challenge of promoting a more economically and racially diverse community by promoting development of hundreds of low income housing units that fit contextually into the densely built mixed use environment of these historic neighborhoods, which produce a disproportionate amount of revenue for the City of New York through sales and real estate taxes.

Table 1: Sub-Area 8

Address	Units	Housing Type	2007 RS Units	2018 RS Units	
28 Grand Street	40	Rental	14	33	
23-25 Thompson St	28	Rental	27	2	
32 Thompson St	16	Rental	14	0	
20 Thompson St	10	Rental	0	0	5 story tenement
17 Thompson St	8	Condo	0	0	No risk of displacement
35 Grand St	10	Rental	0	0	Same address as 20 Thompson
383 Canal St	3	Rental	0	0	Soft site, could be demolished
387 Canal St	0	Retail	0	0	1 story retail, soft site
389 Canal St	0	Retail	0	0	Vacant lot, soft site
391 Canal St	0	Retail	0	0	1 story retail, soft site
393 Canal St	0	Retail	0	0	2 story retail, soft site
395 Canal St	0	Retail	0	0	2 story retail, soft site
	115		55	35	
				30.4%	rent stabilized

Table 2: Sub-Area 3

Address	Bldg Type	Total Residential Units	2007 RS Units	2018 RS Units	
247 Canal St	Miscellaneous	0	0	0	
126-128 Lafayette St	Office bldg	0	0	0	
204 Hester St	Parking lot	0	0	0	
3 Howard St	Multistory retail	0	0	0	
255 Canal St	Office bldg	0	0	0	
257 Canal St	Retail with other uses	0	0	0	
221 - 227 Canal St	Office bldg	0	0	0	
233 - 235 Canal St	Office bldg	0	0	0	
239 - 243 Canal St	Office bldg	0	0	0	
245 Canal St	Religious Facility	0	0	0	
247 Canal St	Other miscellaneous	0	0	0	
116 Baxter St	Office bldg	0	0	0	
118 Baxter St	Office bldg	0	0	0	
126 Baxter St	Residential bldg	4	0	0	
128 Baxter St	Residential bldg	8	8	0	
136 Baxter St	Residential bldg	12	0	0	
138 Baxter St	Office bldg	0	0	0	
140 Baxter St	Residential bldg	6	6	6	
142-144 Baxter St	1 story retail	0	0	0	Likely will be demolished
146 Baxter St	Church	0	0	0	
148 Baxter St	Residential bldg	5	0	0	
156 Baxter St	Office bldg	0	0	0	
206 Centre St	Office bldg	0	0	0	
208 Centre St	Residential bldg	6	6	6	
210 Centre St	Residential bldg	5	4	0	
214 Centre St	Church	0	0	0	
216 Centre St	Retail with other uses	0	0	0	
218 Centre St	Residential bldg	4	2	0	
220 Centre St	Residential bldg	4	0	0	
224 Centre St	Office bldg	0	0	0	
115 Lafayette St	1 story retail	0	0	0	
117-121 Lafayette St	Vacant lot	0	0	0	
123-127 Lafayette St	Office building	0	0	0	
131-135 Lafayette St	Residential	27	0	0	
139-145 Lafayette St	Parking Garage	0	0	0	
149-151 Lafayette St	Office building	0	0	0	
153-155 Lafayette St	Office building	0	0	0	
161 Lafayette St	Office building	0	0	0	
122-124 Lafayette St	Office building above subway station	0	0	0	
126-130 Lafayette St	3 story office building	0	0	0	Soft site, could be demolished
138 Lafayette St/ 11 Howard St	10 story hotel	0	0	0	
148 Lafayette St	12 story bldg/Blick Arts Materials	0	0	0	
150 Lafayette St	26 story, luxury hotel	0	0	0	
151-155 Grand Street	Office building	0	0	0	
159 Grand St/202 Center St	Solita SoHo Hotel	0	0	0	
161-163 Grand St	Residential	18	0	0	
167-171 Grand St	Office building	0	0	0	
173-179 Grand St	Residential	39	0	0	
181 Grand St	Residential	2	0	0	Soft site, could be demolished
183 Grand St	Residential	2	0	0	Soft site, could be demolished
202 Hester St	Residential	8	4	2	
Total		**150**	**30**	**14**	
				9.3%	rent stabilized

Table 3: Sub-Area 2

Address	Rent Stabil Res. Units	Rent Stabil. 2007	2017	
752 BROADWAY	176	20	15	
416 LAFAYETTE STREET	41	23	10	
36 EAST 4 STREET	18	9	7	
34 EAST 4 STREET	16	10	6	
434 LAFAYETTE STREET	14	8	8	
334 BOWERY	14	10	14	
17 BLEECKER STREET	11	0	**3**	
430 LAFAYETTE STREET	8	0	**8**	
428 LAFAYETTE STREET	8	0	**4**	
654 BROADWAY	8	0	**6**	
432 LAFAYETTE STREET	7	5	5	
4 GREAT JONES STREET	6	0	4	
25 GREAT JONES STREET				
27 GREAT JONES STREET	10	0	0	Condo
29 GREAT JONES STREET	10	0	0	Condo
31 GREAT JONES STREET	0	0	0	3 stories - Mostly retail
33 GREAT JONES STREET	3	0	0	
35 GREAT JONES STREET	0	0	0	7 story office bldg
37 GREAT JONES STREET	3	0	0	
39 GREAT JONES STREET	8	0	0	
41 GREAT JONES STREET	3	0	0	
43 GREAT JONES STREET	7	0	0	
45 GREAT JONES STREET	5	0	0	
47 GREAT JONES STREET	0	0	0	
49 GREAT JONES STREET		0	0	
51 GREAT JONES STREET	0	0	0	
53 GREAT JONES STREET	0	0	0	1 story retail
55 GREAT JONES STREET	6	0	0	
Total	382	85	90	
			23.6%	

Table 6: Projected Low Income Housing Units on 27 Soft Sites Using MIH (30% - 50% Low Income)

SoHo/NoHo Study Area

(An alternative Zoning Scenario)

#	Building Address	Area	Block	Lot	# of lots	Lot Area	Proposed Resid FAR	Resid ZFA	Projected Units	30% low income	40% low income	50% low income	Historic District?	Sub-Area	Notes	Low Income
1	358 Bowery	NoHo	531	37	1	9,574	R9X/9.7	68,933	77	-	-	-	No	1	Construction is already planned by a hotel developer at this site; he bought air rights from adjacent buildings	On Site
2	352 Bowery	NoHo	531	41, 42	2	4,844	R8A/7.2	34,877	39	-	16	-	No	1	1 story garage and 1 story retail between Great Jones & E 4th St	On Site
3	375 Lafayette St/Great Jones St	NoHo	531	17, 52, 56	3	20,527	R8A/7.2	147,794	164	-	-	82	Yes	2	Large Edison parking lot across st from 3-8 story buildings; Blink fitness bldg diagnolly across st is 14 stories	On Site
4	410 Lafayette Street	NoHo	545	48	1	8,906	R8A/7.2	64,123	71	-	-	36	Yes	2	Parking lot north of E 4th St; 418 Lafayette is over 120 ft tall	On Site
5	3 Howard Street	SoHo	208	13, 19, 20	3	21,348	R9A/8.5	181,458	202	-	-	101	No	3	4 story parking garage on Centre St, surrounded by 12 story bldgs	On Site
6	180 Centre Street	SoHo	207	, 6, 7, 8, 10	5	13,830	R9A/8.5	69,150	77	-		38	Yes	3	Parking lot between Canal and Hester St next to 7 story buildings	On Site
7	126 Lafayette Street	SoHo	209	21, 26	2	10,619	R9A/8.5	90,262	100	-		50	No	3	3 story bldg between Canal and Howard St near 16 story bldgs	On Site
8	114 Baxter Street	SoHo	207	20	1	6,614	R9A/8.5	44,187	49	-		25	No	3	Between Canal and Hester St	On Site
9	155 Grand Street	SoHo	234	9, 11	2	4,548	R9A/8.5	38,658	43	-	17		No	3	5 story bldg, Froquet restaurant on ground fl, just east of Lafayette St	On Site
10	247 Canal Street	SoHo	208	1	1	3,424	R9A/8.5	29,104	32	-	13		No	3	Vacant lot between Lafayette and Centre St next to 8 story bldg. It looks there's scaffolding there in the google photo	On Site
11	217 Hester Street	SoHo	235	29	1	2,885	R9A/8.5	24,523	27	8	11		No	3	3 story building between Lafayette and Baxter St (Demolition?)	On Site
12	123 Lafayette Street	SoHo	208	4	1	3,443	R9A/8.5	26,614	31		12		No	3	5 story building between Canal and Howard St (Conversion or demolition?)	On Site
13	324 Lafayette Street	NoHo	522	28	1	6,636	R8A/7.2	47,779	53			27	Yes	5	8 story office bldg, office to residential conversion	On Site
14	321 Lafayette Street	NoHo	522	41, 43	2	3,087	R8A/7.2	22,226	25	8			Yes	5	1 story bldg between Houston and Bleecker St, next to 7 story bldg	On Site
15	53 Bond Street	NoHo	529	35	1	3,190	SD/5.0	15,950	18	5			Yes	6	2 story building (NoHa Group) between Bowery and Lafayette St; an enlargement?	Off Site
16	281 Lafayette Street	NoHo	510	33	1	2,375	SD/5.0	11,875	13	4			Yes	7	1 story retail shop between Prince and Houston St	Off Site
17	75 Spring Street	SoHo	496	40	1	6,222	SD/5.0	31,110	35		14		Yes	7	8 story office building btwn Lafayette & Crosby St, office to residential conversion	On Site
18	154 Grand Street	SoHo	472	28	1	6,299	SD/5.0	31,495	35		14		No	7	6 story office building, We Work on ground floor, office to residential conversion	On Site
19	218 Lafayette Street	SoHo	482	27, 28	2	5,261	SD/5.0	26,305	29		12		Yes	7	2 two-story buildings between Broome and Spring St	On Site
20	72 Grand Street	SoHo	475	61	1	2,841	SD/5.0	14,205	16	5			Yes	7	Between Greene and Wooster St. It's under construction already?	Off Site
21	81 Mercer Street	SoHo	485	28	1	2,413	SD/5.0	12,065	13	4			Yes	7	Small parking lot between Broome and Spring St	Off Site
22	356 West Broadway	SoHo	476	73	1	10,183	R9A/8.5	86,556	96			48	No	8	2 story parking garage btwn Grand & Broome St, next to 7-9 story bldgs	On Site
23	43 Grand Street	SoHo	227	20, 22	2	6,265	R9A/8.5	53,253	59			30	No	8	Between W. Broadway & Thompson St	On Site
24	391 Canal Street	SoHo	227	6, 7	2	4,835	R9A/8.5	41,098	46			23	No	8	3 bldgs, 1-2 stories, between W. Broadway & Thompson St	On Site
25	92 Ave of the Americas	SoHo	476	1	1	4,484	R9A/8.5	38,114	42		17		No	8	Between Grand & Watts St, next to a 16 story bldg	On Site
26	30 Thompson Street	SoHo	476	56	1	2,770	R9A/8.5	23,545	26	8			No	8	1 story garage, between Grand & Broome St	On Site
27	381-383 Canal Street	SoHo	227	1, 2	2	2,944	R9A/8.5	16,486	18	5			No	8	2 four-story buildings between W Broadway and Thompson St (Demolition?)	Off Site
	Total								1,437	47	126	459			632	
										3.3%	8.8%	31.9%			43.9% of the units would be low income	

Total of 632 low income units, or 43.9% low income

SoHo NoHo Core (Sub-Areas 6 and 7) They comprise nearly half of the 56 block study area

DCP proposed R7X inclusionary: 6.0 FAR, 60-105 base height, 145 building height, 14 story maximum, 15% parking requirement

Alternative proposal: MIH without upzoning. Create a **special zoning district** in the SoHo core (sub-areas 6 and 7) that creates MIH at ates MIH with 5.0 FAR, set 85 ft ht limit

NoHo North and Broadway Corridor: (Sub-Areas 2 and 5) They comprise about 18 blocks

DCP proposes 9X inclusionary: It allows for 9.7 FAR, 105 - 145 base height, 205 ft height limit, 12% parking requirement

Alternative proposal for **Broadway corridor**: Create **R9A inclusionary**: 8.50 FAR, 60-125 ft base height, 175 ft maximum height, 17 stories

Rationale - there are numerous buildings on Broadway in excess of 8.5 FAR and in excess of 175 height

and there are very few opportunities to build housing on Broadway anyway, so the impact will b and

Alternative Proposal for **NoHo North**: Create **R8A inclusionary**: 7.2 FAR, 60-105 base height, 145 building height, 14 story maximum, 12% parking requirement

The few development sites in NoHo are near loft buildings that are 8 - 14 stories, and over 100 ft tall. With setbacks at 85 or 105 ft, they won't have a big negative impact

Housing Opportunity Zones: (Sub-areas 3 and 8)

DCP proposes R10 inclusionary zones in these areas outside the historic districts.

R10 inclusionary allows for: 12.0 FAR, 125-155 ft base height, 215 ft ht (21 stories) on narrow street, 235 ft on wide street (23 stories), 12% parking requirement

Alternative proposal: **R9A inclusionary** is appropriate for Sub-areas 3 and 8, with 8.5 FAR, 175 ft height limit

Canal Street Corridor: (Sub-area 4) It comprises 5 blocks of the north side frontage of Canal Street

DCP proposes 9X inclusionary: It allows for 9.7 FAR, 105 - 145 base height, 205 ft height limit, 12% parking requirement

Alternative proposal: this zoning is wildly out of scale with the 4-9 story character of Canal Street.

R7D or R8A inclusionary are more appropriate. R7D creates 5.6 FAR and R8A creates 7.2 FAR inclusionary housing with 115 to 145 height limits respectively.

Any site that can generate at least 40,000 sq. ft. of housing should be required to provide 50/50 mixed income housing. Smaller sites should be 70/30 mixed income.

All sites that generate at least 12,500 sq. ft. of housing must require on site affordable housing

DCP needs to create anti-harassment protections as part of this rezoning. Tenants in areas outside

historic districts could face displacement pressure.

Note: I provided the gross floor area for each site, not the zoning floor area since doing so would require a detailed analysis of each site to

determine the amount of mechanical spaces, cellar spaces, elevator shafts,staircases, or parking spaces that will be allocated to each building.

Subject: Response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M

Date: Wednesday, December 16, 2020 at 11:17:53 AM Central Standard Time

From: Zella Jones

To: 21DCP059M_DL

Attachments: NoHo-Bowery Stakeholders Complete EIS Response_2020-12-16.doc.pdf

Zella Jones
President

--
NOHO/BOWERY STAKEHOLDERS, INC
17 Bleecker St., Ste. 5
New York, NY 10012
Voice/Text: 917-686-8385

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NoHo Bowery Stakeholders

December 16, 2020

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Sylvia Xiaomeng Li
Planning Team Lead
NYC Dept. of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Sylvia:

This constitutes NoHo-Bowery Stakeholders, Inc. comments and response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M. Attached also are a map and table referenced in our response.

Our response is arranged in the same order as the Draft Scope of Work. Should you and the SoHo/NoHo Neighborhood Plan team wish further explanation or background we will be pleased to respond.

Thank you, in advance for your kind attention.

Sincerely,

Zella Jones

cc: **21DCP059M_DL@planning.nyc.gov**

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A. INTRODUCTION

Page 1
The following land use and zoning objectives articulated in the SoHo-NoHo Advisory process and report should be added:

- Introduce residential uses into neighborhoods which heretofore have not permitted residential development as a matter of right with a comprehensively planned and considered actions that incorporate consideration of impacts on current levels of **public** conditions such as public open space, sanitation, firehouses and equipment, delivery vehicle management (e.g., parking/standing/loading signage) and of future needs for hospital, schools in light of an accurate survey of existing residents and workers.

- Introduce residential uses into neighborhoods which heretofore have not permitted residential development as a matter of right with a comprehensively planned and considered action that incorporate consideration of impacts on current levels of **private** conditions such as protecting and expanding live-work uses and supporting creative, arts, and cultural uses and the neighborhood services they depend on that are unique to an existing JLWQA neighborhood, including neighborhood services for residential and light industrial (JLWQA) uses, adaptive reuse of existing buildings, and impacts on the existing supply of currently affordable existing commercial, community facility and JLWQ leases based on accurate surveys of existing residents, workers and building types.

We therefore recommend that the Scoping Document be modified to include in the draft EIS the necessary analyses to accomplish the two above objectives and further disclose the Proposed Actions' potential adverse impacts within the Study Area on the above-specified unquantified objectives.

C. BACKGROUND TO THE PROPOSED ACTIONS

Page5
A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

Consistent with the recommended new objectives, we therefore recommend that the Scoping Document be modified to include in the draft EIS an analysis to adequately disclose the Proposed Actions' potential adverse impacts on the current built environment within the Study Area, with particular attention to the area between Bleecker and Spring Streets, from Mercer to Crosby Streets and in particular how the Proposed Actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use.

Page 5
DEMOGRAPHICS

DCP states that 40% of units are owner occupied and of the 60% that are rented nearly 50% pay less than $2,000/mo rent. This translates to 30% of current units are paying less than $2000/mo. rent. Based on DCP figures, 50% AMI would generate a rent of between $1500-1800/mo. Conclusion: 30% of rental units in NoHo/Soho are currently at or below 50% of AMI. This is a unique existing market that requires more extensive analysis to understand impacts.

We therefore recommend that the Scoping Document be modified to include in the draft EIS an accurate and more thorough analysis of the Proposed Actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the Study Area.

Page 6
COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION: ENVISION SOHO/NOHO

We concur with a number of other organizations that participated in the Envision SoHo Advisory that this plan does not adequately address the conclusions of the Envision process. In particular, we concur with a statement submitted by the **Cooper Square Committee**:

Allowing residential development at an FAR in excess of 5.0 poses a substantial risk to the historic districts in the core of SoHo/NoHo. Another major issue is that DCP's proposed zoning text amendment would allow for of site low income housing when less than 25,000 sq. ft. of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing. In fact, the offsite affordable housing is likely to be situated in the outer boroughs. DCP's soft site analysis doesn't take into account this possibility at numerous sites in the study area, and yet it could do irreversible damage to the character of the historic districts.

We therefore recommend that the Scoping Document be modified to include in the draft EIS analyses of alternates to the Proposed Actions that will not increase the existing FAR within the Historic Districts and alternates that do not include satisfaction of MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

Page 9
NEIGHBORHOOD CONTEXT
SoHo and NoHo Historic Cores

NoHo's Historic Cores are spread throughout the neighborhood advancing from Houston to Astor Place, east and west throughout the M1-5B zone – a 10 block Historic District with 16 individually Landmarked Buildings. Unlike SoHo, the individual landmarks and the Historic Districts represent **three centuries** of existing built New York City history, starting with its Federal-style row houses constructed in the first decades of the nineteenth century for middle-class New Yorkers in the early 19th Century, as well as a tangible reminder of the City's economic and social evolution. Excerpts from the LPC Designation Reports:

" A second period of residential development occurred following the Civil War, a period during which the NoHo East area began its transformation from a low-scale neighborhood of row houses to a densely built-up and crowded urban sector. Commercial development continued as the turn of the century approached, and some of the city's most prominent developers constructed new loft buildings…. Today, this diversity of small dwellings, apartment buildings, factories,

lofts, and stables represents an intact and unusual historic mixed-use neighborhood in lower Manhattan.

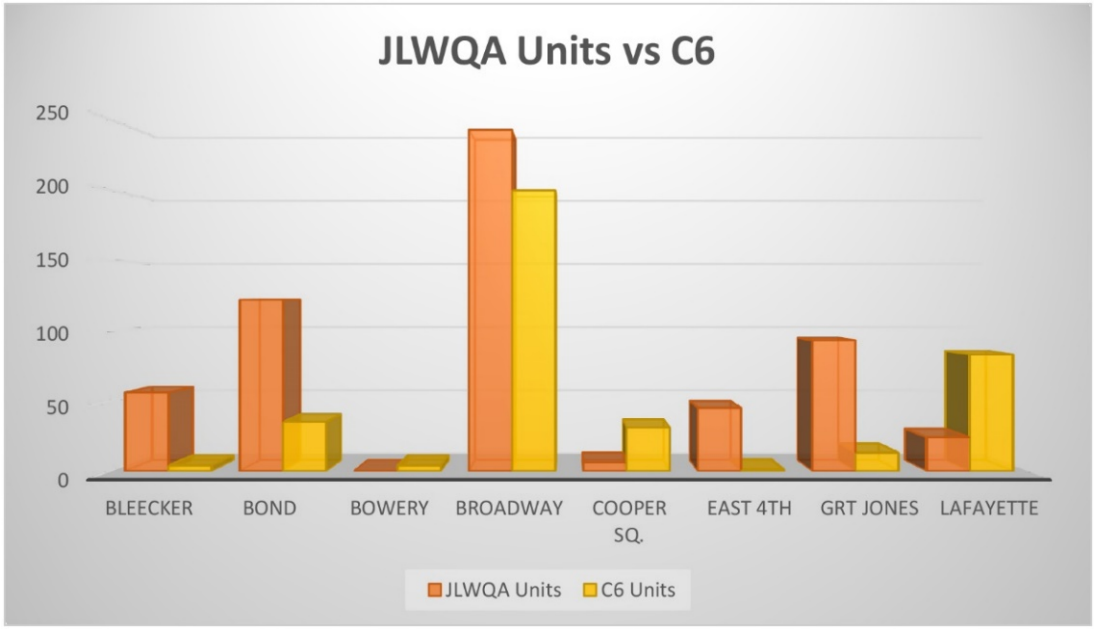
NoHo East Designation Report
June 24, 2003

The NoHo Historic District, which is comprised of approximately 125 buildings, represents the period of New York City's commercial history from the early 1850s to the 1910s, when this section prospered as one of its major retail and wholesale dry goods centers. Acclaimed architects were commissioned to design ornate store and loft buildings in popular architectural styles, providing a rich fabric against which shoppers promenaded, looked at display windows, and bought goods, and merchants sold products. The district also contains early-nineteenth century houses, nineteenth- and twentieth-century institutional buildings, turn-of-the-century office buildings, as well as modest twentieth-century commercial structures, all of which testify to each successive phase in the development of the historic district. Today, the effect is of powerful and unifying streetscapes of marble, cast iron, limestone, brick, and terra-cotta facades.

NoHo Historic District Report
June 29, 1999

We therefore recommend that the Scoping Document be modified to include in the draft EIS an accurate building-by-building analysis that corrects the many errors of fact in the DSOW with regard to building typologies, heights and sizes and the shadow impacts of any new development on historic buildings so that an accurate analysis disclosing the Proposed Actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered with that will provide a range of building height caps appropriate to their immediate surroundings including a 160' height cap in the northern portion of NoHo.

Page 9
BROADWAY CORRIDOR *(CONTINUED NEXT PAGE)*



This graph represents M1-5B NoHo, Only

In NoHo, the M1-5B zoned Broadway Corridor is predominantly JLWQA lofts with groundfloor commercial units of smaller footprint than counterparts south of Houston, with a few office exceptions. This speaks to the scale of commerce on Broadway in NoHo as opposed to SoHo. Accordingly, there will be very little opportunity for applying MIH in NoHo's Broadway Corridor, and little or no residential development but for the addition of ultra-luxury penthouse additions on iconic historic buildings.

We therefore recommend that the Scoping Document be modified to include in the draft EIS an accurate building-by-building analysis correctly quantifying the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses, correctly identifying the opportunities for MIH in each building within NoHo so that the CEQR analysis will disclose the Proposed Actions' potential adverse impacts on its the existing character of SoHo and NoHo.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

Page 13
REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

Support of the arts and creative industries is not defined in the DCP scoping document.

We therefore recommend that the Scoping Document be modified to include in the draft EIS additional data on the breakdowns, locations and rental/ownership of floor area within the Study Area occupied by the artistic, creative and "maker" communities so that the CEQR analysis will disclose any potential adverse impacts on each of these valued and defining SoHo and NoHo communities and appropriate and equitable SNMD text can be developed to provide for their retention in the SNMD.

Page. 15
SUPPORT ARTS AND CULTURE

Consideration should be given to changes in the definition of an artist in Section 276 of the Multiple Dwelling Law that require annual registration renewal to qualify for JLWQA– State Action could aid in identifying artist/maker tenants as well as building spaces. [See Maker Economy https://comptroller.nyc.gov/reports/]

Consideration should be given to creating a Flip tax upon sale of a former JLWQA unit that would be paid into a fund for SoHo-NoHo art creation and display and assigned to a manager, similar to the Lower Manhattan Cultural Council, to assist currently non-complying residents with the transition from JLWQA occupancy to legal residential use.

We therefore recommend that the Scoping Document be modified to include in the draft EIS an analyses of available zoning and governmental support programs and precedents (*e.g.*, Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) historically and currently used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural , artistic and "maker" communities as potential mitigation

for displacement of these communities created by the Proposed Actions.

F. DESCRIPTION OF THE PROPOSED ACTIONS.

ZONING MAP AMENDMENT

Page 16
PROPOSED ZONING DISTRICTS

There have been and will be many alternate actions proposed, including the use of residential districts with commercial overlays to protect LOCAL retail uses. The Scope of Work should be broad enough to permit consideration of the following alternatives utilized in areas surrounding the subject area.

We therefore specifically recommend that the Scoping Document be modified to include in the draft EIS the analyses of alternates to the Proposed Actions that will better reflect the existing land use patterns in NoHo and that will support the development of affordable housing within the NoHo portion of the SNMD. The alternates are:

1. **Re-zone north of Houston to R8A with a C2-5 overlay.**
2. ***Re-zone north of Houston Street to C6-2A.***
3. **Modify the SNMD map north of Houston to recognize that the likely sites for new affordable housing are north of Great Jones Street, by creating sub-districts using Great Jones Street as the north/south boundary, with the south subdistrict M1-6 or M1-5 paired with R8A and the north subdistrict M1-5/R9X [*Map Attached*]**

ZONING TEXT AMENDMENTS

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

Page 17
GENERAL USE REGULATIONS

We recommend that the Scoping Document be modified as necessary to consider the adoption of the following alternatives in the SNMD:

- **"home occupation" use as used in Special Tribeca Mixed Use District**

- **Limiting UG 10 to the Broadway and Lafayette corridors, as-of-right if under 10,000 sf and by special permit if over. Eliminating new transient hotels and dormitories that suppress the development of affordable housing on the few available sites in NoHo.**

Page 18
NON-RESIDENTIAL FLOOR AREA RETENTION

Existing NoHo office buildings, which are largely overbuilt present an opportunity for adaptive re-use especially for through-block buildings. Alternates with special rules will need to be considered.

We therefore recommend, consistent with its earlier recommendation for Section C-page 5 ("Background for the Proposed Actions"), that the Scoping Document be modified so that the draft EIS will identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings. In conjunction with these additional analyses, we recommend that the draft EIS study the potential for potentially adverse displacement of existing commercial tenants within the SNMD due to residential conversion in light of current pandemic and post-pandemic markets.

Page 18
NON-RESIDENTIAL FLOOR AREA RETENTION

SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939 [source 2014-2018 American Community Survey].

The feasibility of adding MIH units or even new development under this zoning will be severally impacted by the age and historic underpinnings.

This is a building stock that has virtually no separation – even rear yards in most places, especially the commercial corridors, these factors will impact costs of new buildings and the ability to include MIH in the mix.

Overcoming this built environment could encourage non-residential development or produce another wave of BSA applications based on hardship not dis-similar to those experienced over the last 15 years.

We therefore recommend that the Scoping Document be modified so that the draft EIS will identify and analyze the Proposed Actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Floor Area and Bulk Regulations
Page 18-19
MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

We agree with the observations and conclusions of the testimony of the Cooper Square Committee regarding increasing the MIH required percentages, preventing enlargement of historic buildings and legalizing residential use in IMD/JLWQA Buildings.

We therefore recommend that the Scoping Document be modified so that the draft EIS will identify and analyze the programmatic recommendations of the Cooper Square Committee.

G. ANALYSIS FRAMEWORK

Page 23
PROJECTED AND POTENTIAL DEVELOPMENT SITES

The SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939. The feasibility of adding MIH units or even new development through the Proposed Actions will be severally impacted by the age and the very old configurations of the lots and buildings. The feasibility of MIH housing will be required to "hold its own" in competition among other development strategies and uses, and other provisions of the Zoning Resolution providing relief from financial hardship.

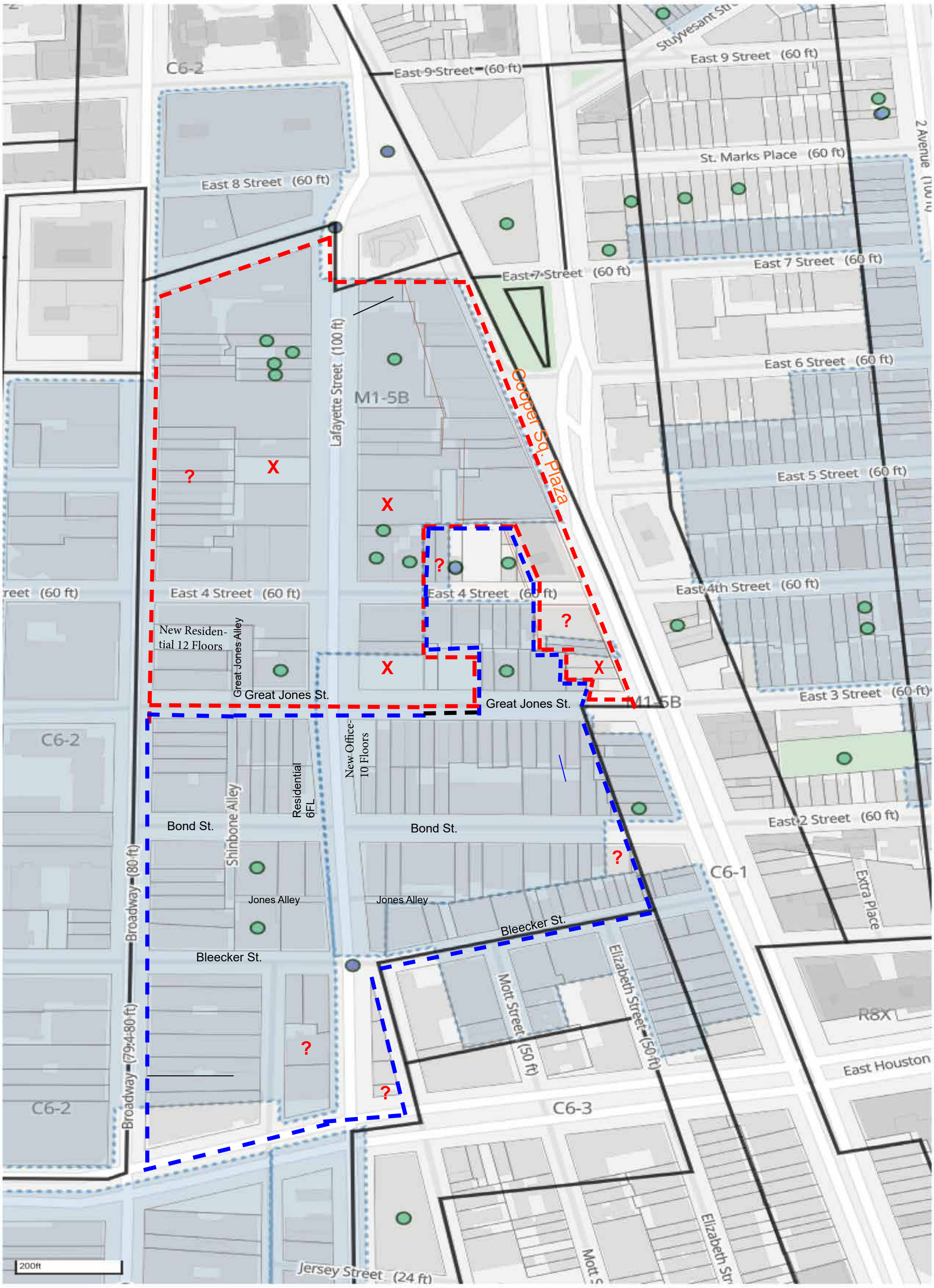
We therefore recommend that the Scoping Document be modified so that the draft EIS will identify and analyze the Proposed Actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Page 24

PROJECTED DEVELOPMENT SITES & POTENTIAL DEVELOPMENT SITES

We recommend that the Agency review the lists of projected and potential development sites in NoHo for accuracy generally and to re-assess the assumptions regarding the likelihood for these sites to be developed as affordable housing under the Proposed Actions. Only three lots have buildings built after 1897; Two lots are already in development; one site is 1000 sq ft footprint.
See Table Attached

NoHo Alternative Mixed Use Special District Zones



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KEY

Individual Landmark

X Potential MIH Development

? Questionable MIH Development- Either already in development or disqualified

NoHo South Zone

NoHo North Zone

Section F

P. 16 PROPOSED ZONING DISTRICTS
The Scope of Work should be broad enough to permit consideration of the following alternatives utilized in areas surrounding the subject area.

The EIS study should investigate/document the impact of Commercial overlays in residential zones to limit the possibility of expanded new office construction and to ensure that LOCAL retail uses are incorporated in the plan:

We therefore recommend that the Scoping Document be modified to include in the draft EIS the analyses of alternates to the Proposed Actions that will better reflect the existing land use patterns in NoHo and that will support the development of affordable housing within the NoHo portion of the SNMD.

The alternates are:
1. Re-zone north of Houston to R8A with a C2-5 overlay.
2. Re-zone north of Houston Street to C6-2A.
3. Modify the SNMD map north of Houston to recognize that the likely sites for new affordable housing are north of Great Jones Street, [RED ZONE] by creating sub-districts using Great Jones Street as the north/south boundary, with the south subdistrict [BLUE] M1-6 or M1-5 paired with R8A and the north subdistrict M1-5/R9X [RED]

BACKGROUND:

NoHo's Historic Cores are spread throughout the neighborhood advancing from Houston to Astor Place, east and west throughout the M1-5B zone – a 10 block Historic District with 16 individually Landmarks. Unlike SoHo the individual landmarks and the Historic Districts represent three centuries of existing built New York City history, as well as a tangible reminder of economic and social evolution beginning with:

Federal-style row houses that were constructed in the first decades of the nineteenth century for middle-class New Yorkers in the early 19th Century." A second period of residential development occurred following the Civil War, a period during which the NoHo East area began its transformation from a low-scale neighborhood of row houses to a densely built-up and crowded urban sector. Commercial development continued as the turn of the century approached, and some of the city's most prominent developers constructed new loft buildings…. Today, this diversity of small dwellings, apartment buildings, factories, lofts, and stables represents an intact and unusual historic mixed-use neighborhood in lower Manhattan.
NoHo East Designation Report
June 24, 2003

To the north and west NoHo's first designation, chronicles our commercial and institutional history with larger buildings filling the footprint of every lot:

The NoHo Historic District, which is comprised of approximately 125 buildings, represents the period of New York City's commercial history from the early 1850s to the 1910s, when this section prospered as one of its major retail and wholesale dry goods centers. Acclaimed architects were commissioned to design ornate store and loft buildings in popular architectural styles, providing a rich fabric against which shoppers promenaded, looked at display windows, and bought goods, and merchants sold products. The district also contains early-nineteenth century houses, nineteenth- and twentieth-century institutional buildings, turn-of-the-century office buildings, as well as modest twentieth-century commercial structures, all of which testify to each successive phase in the development of the historic district. Today, the effect is of powerful and unifying streetscapes of marble, cast iron, limestone, brick, and terra-cotta facades.
NoHo Historic District Report
June 29, 1999

	G	H	I	J	K	L	M	N	O	P	Q	R	S
1	**Dev. Site**	**Address #**	**Street**	**Block**	**Lot**	**Lot Size**	**Floors**	**Total Sq. Ft**	**Commercial Floors**	**Residential Units**	**DOB Classification**	**C of O Documentation**	**Conditions**
2	**#1**	350	Bowery	531	42	1,873	3	6,390	1	2	Residence (Multiple Use) - Primarily Two Family with One Store or Office (S2)	1953. 1st Store; 2-3 Showroom, Office, Storage, Apartment. No Use Groups	Air Rights for 2.0 FAR Transferred to 358 Bowery. Built 1920. No HPD Registrations
3	***#1***	352	Bowery	531	41	2,016	3	5,275	1	2	Residence (Multiple Use) - Primarily Two Family with One Store or Office (S2)	1963. 1st Store; 2-3 Apartments	Air Rights for 2.0 FAR Transferred to 358 Bowery. Built 1920. No HPD Registrations
4	**#13**	358	Bowery	531	37	8,705	1	5,072	1		Store Buildings (Taxpayers Included) - One Story Retail Building (K1)	2017 Temp. Eating & Drinking UG-6A	In Development for Office Use
6	**EEE**	403	Lafayett	544	5	11,985	3	33,996	1		**All Parking Garages (G1)**	1954. 1st Motor Vehicle Repair, Gasoline; 2-Roof Parking. Connected to 24 East 4th St.	This is a two lot parcel that wraps to East 4th St. adjacent to the Merchants House Museum
7	**J**	27	East 4th	544	72	3,456	1	3,600	1		All Parking Garages (G1)	1946. Garage for more than 4 cars. Connected to 403 Lafayette	See Above. Application before Landmarks for a 7-story as of right office building. See https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2020/12/27-E-4th_Community-Board-Presentation_2020_12_02.pdf
9	BB	686	Broadwa	531	3	5,330	2	15,660	1		Store Buildings (Taxpayers Included) - Multi-Story Retail Building (K2)	1995. Retail all floors UG-6. **Converting to Farm Distillery	Air Rights for 10 FAR Transferred to 684 Broadway
10	**N**	57	Great Jo	530	132	2,383	2	4,187	2		Store Buildings (Taxpayers Included) - Multi-Story Retail Building (K2)	2016 Temp. 1st Retail UG-6; 2 Offices UG-6	Built 1868
11	**#14**	53	Bond	529	35	2,885	2	5,764	4		Store Buildings (Taxpayers Included) - Multi-Story Retail Building (K2)	2013 Final. 1st Eating & Drinking UG-6; 2nd Office & Storage UG-6	Built 1950
12	**#3**	315	Lafayett	522	43	1,144	1	1,000	1		Store Buildings (Taxpayers Included) - One Story Retail Building (K1) ALSO 299 Mulberry	2006 Final. Small Business Machine Rental or Repair UG-9A	Lot is directly over Subway and also serves as an entrance to Broadway/Lafayette Station. 1000 sq. ft lot disqualifies
13	**#30**	324	Lafayett	522	28	6,272	8	38,720	9		Office Buildings - Office with Comm – 7 to 19 Stories (O6)	2002. Mezz thru 3 Transient Hotel UG-5; 4-8 Factory UG-17. 2018. Cellar and 1st Eating & Drinking UG-6A and 6F	Transient Hotel is now offices for nonprofit BRC and architect offices. 9 Stories Built in 1897. No HPD Registrations.
14	**F**	732	Broadwa	545	20	3,320	4	11,662	1	4	Store Buildings (Taxpayers Included) - Predominant Retail with Other Uses (K4)	2006 Final. Cellar, 1st Commercial UG 6; 2-4 JLWQA UG-17 (?)	Built in 1853. Likely rent stabilized tenants. HPD indicates that conversions have not been registered. Stabilized tenancy undocumented.

Subject: SoHo/NoHo Rezoning Plan
Date: Friday, December 4, 2020 at 3:41:39 PM Central Standard Time
From: Amelia Josephson
To: 21DCP059M_DL

Dear DCP,

I am writing to express my support for rezoning SoHo/NoHo for affordable housing. While broadly supportive of the plan, I urge DCP to ensure that the commercial FAR is not so generous as to disincentivize housing production. Further, I favor the deepest level of MIH affordability, and hope that DCP will work with DOE and other stakeholders to ensure a thoughtful plan for school integration.

Best,

Amelia Josephson
Board Member Open New York
908-812-4049

Subject: CHPC Comments on SoHo/NoHo DSOW
Date: Tuesday, December 8, 2020 at 10:05:35 AM Central Standard Time
From: Sheena Kang
To: 21DCP059M_DL
Attachments: CHPC SoHo_NoHo DSOW Comments - Written.pdf

Dear SoHo/NoHo Neighborhood Plan Team:

Please see attached written comments from Citizens Housing & Planning Council (CHPC) on the SoHo/NoHo Neighborhood Plan Draft Scope of Work. We are happy to answer any questions you may have. Thank you for your important work on this issue!

All the best,

Sheena Kang
Senior Policy Analyst
Citizens Housing & Planning Council
42 Broadway, Suite 2010
New York, NY 10004
212-286-9211 x 112
Read about our latest work at www.chpcny.org
And find us on Twitter, Facebook and LinkedIn

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Comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work (CEQR No. 21DCP059M)

Citizens Housing & Planning Council
December 3, 2020

Summary

CHPC applauds and thanks the administration for pursuing the SoHo/NoHo Neighborhood Plan & rezoning (CEQR No. 21DCP059M), an important step forwards in implementing the fair housing goals and values laid out in NYC's *Where We Live* plan. In order for the rezoning to achieve the fair housing goals underlying it, CHPC urges the City to maximize opportunities for new housing. CHPC recommends:

- Implementing the new residential FARs laid out in the Draft Scope of Work.
- Retaining the existing FAR of 5 for commercial and manufacturing uses, at least in the SoHo East, SoHo West, and NoHo-Bowery Corridor Subdistricts, rather than increasing commercial and manufacturing FAR to levels proposed in the Draft Scope.
- Exploring options to expand the rezoning area, to make the housing opportunity zones larger and maximize opportunities for new residential development.
- Relaxing the proposed rule for one-to-one retention of non-residential uses in projects involving large existing buildings, to avoid preservation of commercial uses at the expense of housing.

CHPC is happy to answer any questions regarding these recommendations. Our full comments, provided at the Scoping Meeting on December 3rd, are provided below.

Detailed Comments

Citizens Housing & Planning Council (CHPC) is grateful for the opportunity to offer comments on the Draft Scope of Work (DSOW) for the SoHo/NoHo Neighborhood Plan & Rezoning (CEQR No. 21DCP059M).

First and foremost, CHPC is incredibly enthusiastic to see the SoHo/NoHo rezoning advance, and we applaud and thank the administration for taking this crucial opportunity. This rezoning marks an important step forwards in implementing the goals and values that are laid out in *Where We Live*, the City's plan to affirmatively further fair housing. It is time for concrete policy reforms that combat, rather than continue to study, racial inequity and the legacy impacts of segregation. This rezoning is one such measure with the potential for substantive and meaningful impact.

Although 8,000 New Yorkers live in SoHo/NoHo today, residential development in the area is currently not allowed. New York is facing a homelessness crisis and an affordable housing shortage of historic magnitudes. Rezoning SoHo/NoHo will allow for the creation of desperately needed housing supply in a neighborhood that is already largely residential. Meanwhile, with the addition of new affordable units, low-income households and New Yorkers of color will finally get to share in the benefits that SoHo/NoHo has to offer. Low-income residents will no longer be excluded from the opportunity to live in SoHo and enjoy its excellent access to transit, high-performing schools, concentration of jobs, and other rich amenities. The impacts of living in a neighborhood like SoHo/NoHo can be huge: in 2018, the life expectancy of Manhattan CB2 residents was 85.8 years of age, nearly 5 years longer than the citywide average of 81.2.

In order for the rezoning to achieve these positive impacts, however, it must facilitate a substantive amount of residential development. Opportunities for new housing are already limited, with 85% of the rezoning area located in a historic district. To ensure that the rezoning advances the fair housing goals that it is rooted in, CHPC urges the City to maximize opportunities for housing development, especially along the edges of the rezoning area, outside of the SoHo and NoHo Cores.

Specifically, CHPC recommends retaining the area's existing FAR for commercial and manufacturing uses, rather than adopting the higher commercial FARs proposed in the Draft Scope of Work. The residential FARs included in the Draft Scope strike an appropriate balance between built character and opportunities for new housing. Commercial FARs of 6 and 10 could easily disrupt that by suppressing residential

development in favor of office and other commercial uses. CHPC recommends limiting the commercial FAR to 5, at least in the SoHo East, SoHo West, and NoHo-Bowery Corridor Subdistricts, where the greatest housing opportunity exists. CHPC also recommends exploring options to expand the rezoning area, to make the housing opportunity zones larger and create additional opportunities for new residential development.

Finally, CHPC is concerned that a requirement for the one-to-one retention of non-residential floor area in projects involving large existing buildings could preserve commercial uses at the expense of new housing. We hope that the City will consider relaxing this proposed rule, which might also restrict housing opportunities to respond to market changes in the wake of COVID-19.

We are happy to answer any questions you may have regarding our comments. Thank you for allowing me to speak and for your efforts to advance this crucial rezoning.

Subject: SoHo/NoHo Rezoning (CEQR No. 21DCP059M)
Date: Friday, December 18, 2020 at 11:52:17 AM Central Standard Time
From: King, Penny
To: 21DCP059M_DL
CC: Bernstein, Zachary
Attachments: UAL - Draft Scope of Work Comments (12-18-20).pdf

Hello,
Attached please find comments on the draft scope of work from United American Land. Thank you.

Best,
Penny

Penny King
Associate
Penny.King@friedfrank.com | Tel: **+1 212 859 8415**

Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza, New York, NY 10004
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Pronouns: she/her/hers

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United American Land LLC

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December 18, 2020

By E-mail

New York City Department of City Planning
Environmental Assessment and Review Division
Attn: Olga Abinader, Director
120 Broadway, 31st Floor
New York, New York 10271
21DCP059M_DL@planning.nyc.gov

Re: SoHo/NoHo Rezoning (CEQR No. 21DCP059M)
Comments on the Draft Scope of Work for an Environmental Impact Statement

Dear Ms. Abinader:

This letter provides written comments on behalf of United American Land regarding the Draft Scope of Work dated October 28, 2020 for an Environmental Impact Statement for the SoHo/NoHo Rezoning proposal.

United American Land supports the efforts by the Borough President, Council Member Chin, and Department of City Planning (DCP) to modernize SoHo and NoHo's zoning rules and promote affordable housing development throughout these neighborhoods, while balancing the needs of artists, residents, and businesses.

In particular, we support the Department's goal of removing some of the obstacles presented by the existing zoning controls in this area, such as permitting ground-floor retail uses as-of-right, reflecting the reality of the market and the actual ground-floor uses throughout SoHo/NoHo.

As a long-term property owner in SoHo/NoHo, we have experience navigating the unique challenges of developing and renovating sites in this area. We suggest that DCP take into account the following considerations:

- DCP's zoning regulations for SoHo/NoHo should include provisions allowing for special permits or variances certified or filed prior to the adoption of new zoning regulations to be started or continued. As the Draft Scope notes, SoHo/NoHo has seen "an extraordinarily high volume of applications for special permits and variances." Special permits approved in recent years may not be vested by the time the proposed SoHo/NoHo rezoning is adopted. The No-Action Condition for the EIS should assume that properties that have obtained such special permits and variances are developed in accordance with the terms of those approvals.

- SoHo/NoHo includes underutilized sites that are challenging to develop due to their irregularity and shallow lot sizes. On these lots, yard and front setback requirements result in floorplates that are infeasible to construct once taking into account elevatoring, required egress stairs, and other building systems. DCP's zoning regulations should carefully consider how yard and setback regulations may affect the ability to construct functional floorplates. The Final Scope should confirm that the EIS will analyze With-Action Condition building envelopes consistent with these provisions.

- DCP's zoning regulations for SoHo/NoHo should consider as-of-right flexibility in bulk envelopes to account for the fact that over 80 percent of the project area is within City-designated historic districts and would require Landmarks Preservation Commission (LPC) approval for construction. Based on our experience, we anticipate that LPC may in some cases require new structures to set back at lower base heights than those identified in DCP's presentation during the public scoping meeting, and that LPC may prefer shallower setbacks than the standard setback depths. To ensure that LPC may shape building forms without the need for separate land use actions, DCP's zoning regulations for SoHo/NoHo should include provisions allowing for as-of-right variations in building envelopes on properties subject to LPC review. The Final Scope should confirm that the EIS will analyze With-Action Condition building envelopes consistent with these provisions.

Thank you for your attention to these comments.

Sincerely



Albert Laboz
United American Land, LLC

Subject: REBNY comments re 21DCP059M
Date: Wednesday, December 9, 2020 at 11:11:47 AM Central Standard Time
From: Basha Gerhards
To: Olga Abinader (DCP), 21DCP059M_DL
CC: Danielle J. DeCerbo (DCP), Madeleine McGrory
Attachments: 20201209 REBNY to DCP SoHo NoHo Draft Scope.pdf

Good afternoon!

Please see the attached scoping comments from the Real Estate Board of New York (REBNY). Please contact plodhi@rebny.com if the comments require any clarification on our end.

Thank you and hope all are well.
Basha

Basha Gerhards
Vice President
Policy and Planning
The Real Estate Board of New York
p: (212) 616-5254
e: BGerhards@rebny.com
www.rebny.com
Stay on top of New York.

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REBNY
REAL ESTATE BOARD OF NEW YORK

REBNY Testimony | December 9, 2020

The Real Estate Board of New York to

The Department of City Planning Concerning the SoHo NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M (ULURP Nos. Pending)

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY thanks the Department of City Planning (DCP) for the opportunity to submit comments on the SoHo NoHo Neighborhood Plan Draft Scope of Work (DSOW) in furtherance of the objectives laid out by the robust community engagement process *Envision SoHo/NoHo*.

The rezoning of Soho NoHo is necessary to replace outdated zoning that does not align with current commercial uses within the identified districts, and provides a critical opportunity to incentivize increasing both employment opportunities within the neighborhoods, as well as the supply of affordable housing within a transit-rich environment that has been largely devoid of much needed housing development. REBNY therefore supports the rezoning objectives. It is critical for the vitality of SoHo and NoHo that arts and cultural uses are supported, the world renowned cast iron district is valued, and commercial and residential uses are given parity with maker space to maintain its mixed use character.

As identified in the draft scope of work, the current "obsolete and onerous zoning," places significant barriers on property owners and businesses within the districts, including the high cost of acquiring special permitting for common ground floor uses including retail, food, beverage and other commercial uses. As the City navigates the economic challenges of the COVID-19 crisis, it is imperative that burdensome restrictions and limitations are not placed on businesses seeking to employ New Yorkers, and that they are able to efficiently operate in all New York City neighborhoods. Businesses currently operating in the SoHo NoHo districts, or seeking to move there, should be supported by city zoning which should be flexible across multiple business types. The neighborhoods of SoHo and NoHo are reliant on a vibrant mix of commercial uses, and the current system of planning via special permit is not sustainable given the evolving retail landscape and trends. It is imperative then that the DSOW clearly defines preservation requirements and the anticipated impacts of such. The resulting zoning text must not repeat the mistakes of the former Garment Center manufacturing preservation text with the inclusion of an out of touch ratio to the current and projected manufacturing sector trends.

Per a 2019 Department of City Planning report, job growth has outpaced housing production by a rate of .28 housing units permitted for each net new job, in the last decade. This has exacerbated pressure on rents, particularly at more affordable levels. In order to combat this historic deficit, every borough, and every neighborhood, needs to contribute to meeting the housing demand of the city. The draft scope of work anticipates that among the projected development sites, the neighborhoods of SoHo and NoHo could result in a net increase of approximately 1,683 dwelling units, including nearly 500 affordable units on projected development sites, with the potential of nearly 500 more affordable units on potential development sites. Without the proposed actions, existing conditions will remain, and under the Reasonable Worst Case Development Scenario, the total No Action development would comprise 16 existing DUs with no affordability requirement. This would deny the City much-needed tax revenue for economic recovery and affordable housing that will support neighborhood integration and further the City's Fair Housing goals.

To meet these goals, the DSOW needs to identify the proposed bulk and building envelope requirements. Those requirements must then be carefully analyzed to their implications on the utilization of the proposed maximum Floor Area Ratio (FAR)s. It would be deeply unfortunate to set housing unit production goals that cannot be practically met by a mismatch in buildable floor area versus permitted floor area. Such consideration must also take into account, where applicable, how Landmarks Preservation Commission review may impact potential development sites achieving the density necessary to the creation of affordable housing units and the integration of SoHo and NoHo. Additionally, the projected and potential development sites should be broken out into expected conversions, enlargements and developments. Finally, the DSOW should consider under public policy how to further fair housing goals under the city's *Where We Live NYC* plan, including whether to not implement community preference in the housing lottery for the affordable units.

REBNY supports the purpose and need of the proposed actions, as well as the land use and zoning objectives. Thank you for the opportunity to submit comments on this important opportunity to align current land uses with a vibrant neighborhood's needs, to give New Yorkers in need of greater access to housing and employment those opportunities, as well as relieving businesses of burdensome restrictions.

CONTACT(s):

Paimaan Lodhi
Senior Vice President, Policy and Planning
Real Estate Board of New York

212.616.5203
plodhi@rebny.com

Subject: Submitting Comments on the NoHo/SoHo Neighborhood Plan - From Supportive Housing Network of NY

Date: Friday, December 18, 2020 at 1:01:35 PM Central Standard Time

From: Moira McComas

To: 21DCP059M_DL

CC: Rebecca Sauer

Attachments: Comments on NoHo SoHo Rezoning Plan, The Supportive Housing Network of NY.pdf

Good afternoon: Please see attached for The Supportive Housing Network of NY's comments on the NoHo/SoHo Neighborhood Plan. Thank you for your time and consideration on this commentary.

Moira McComas
She/her
Policy Analyst
Supportive Housing Network of NY
247 W. 37th Street -18th floor
New York, NY 10018
PH: 646-619-9640 x149

the Network
Supportive Housing Network of NY

December 18, 2020

New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Comments regarding "SoHo NoHo Neighborhood Plan"

To the New York City Department of City Planning:

The following comments are submitted on behalf of the Supportive Housing Network of New York (The Network) regarding the SoHo/NoHo Neighborhood Plan.

The Network represents over 200 nonprofit members who operate 52,000 units of supportive housing statewide. Supportive housing is permanent affordable housing with embedded social services for eligible individuals and families, people who are experiencing chronic homelessness and living with disabilities and/or other barriers to maintaining stable housing. The Network also has over 100 corporate members including tax credit syndicators, banks, and other financial institutions. Our primary concern is to ensure ongoing investment by financial institutions in supportive housing development in New York State and investment in mission-driven, community-based organizations with proven track records.

The Network is supportive of New York City's plan to rezone two of its wealthiest neighborhoods – SoHo and NoHo. While the proposed rezoning changes are an improvement over the status quo, we are concerned the plan allows for commercial densities that will incentivize retail and commercial uses over maximizing affordable and supportive housing.

Moreover, because of land prices and NIMBYism, supportive housing has been developed mostly in the Bronx and Brooklyn in recent years (compared to its birth in the SROs of Manhattan). Whiter and wealthier communities have greater leverage to dissuade plans that include new density that makes way for affordable and supportive housing development. The responsibility of accommodating our City's growth should not fall solely on communities of color that have experienced disinvestment. We believe supportive and affordable housing should be in all areas of the city, including whiter and wealthier areas like SoHo and NoHo that are considered high opportunity.

Thank you for the opportunity to comment on SoHo/NoHo Neighborhood Plan.

Sincerely,

Laura D. Mascuch
Executive Director
Supportive Housing Network of New York

Subject: FW: re. Proposed Rezoning in Soho/Noho, Community Board 2
Date: Tuesday, December 8, 2020 at 8:30:07 AM Central Standard Time
From: Annabelle Meunier (DCP)
To: 21DCP059M_DL

Forwarding to whole DL.

From: Sara Avila (DCP) <SAvila@planning.nyc.gov>
Sent: Monday, December 7, 2020 10:27 PM
To: Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Sylvia Li (DCP) <SLI2@planning.nyc.gov>; Nabeela Malik (DCP) <NMalik@planning.nyc.gov>
Subject: Fw: re. Proposed Rezoning in Soho/Noho, Community Board 2

From: Loring McAlpin <loringm@gmail.com>
Sent: Monday, December 7, 2020 4:46 PM
To: Sara Avila (DCP) <SAvila@planning.nyc.gov>
Subject: re. Proposed Rezoning in Soho/Noho, Community Board 2

Objections to Zoning Changes in NoHo/SoHo – 12/6/2020
Dear Community Board 2,
I write on behalf of 39 Great Jones Street, a Co-op on the south side of Great Jones Street in NoHo. I am the President of the Co-op, and have lived in the building since 1989. Other members have lived here since the Co-op's incorporation in 1978. The building was organized in the mid 70's, by artists and others looking to rehabilitate a building that had lost its former 'light industry' occupants. The hard work of many such transformations helped preserve the architecture and historic character of the neighborhood. Our building is one of the few examples of Renaissance Rival buildings in the city, and former New York Times architectural critic, Christopher Gray, has described it and NoHo's historic interest. All of these efforts to preserve and renovate led ultimately to NoHo's designation by the Landmark Preservation Commission as an Historic District in 1999. While its industrial tenants have largely left as professionals started to move in, joining those artists still in residence, the neighborhood has retained its notable historic character nonetheless, in large part because of zoning restrictions. Bond Street is an excellent example of how new development on empty or underutilized sites could allow for growth while maintaining the historic feel of the surrounding buildings and neighborhood.
In 2008, Great Jones Street was included in the Historic District Extension, as it lies in the very center of the NoHo Historic District. If the current FAR of 5 is increased to 9.7 as proposed, it will allow massive building along Lafayette Street, undoing preservation efforts of the last 20 years. The transfer of air rights combined with no height limits would potentially turn this Core Historic District into a canyon, shrouded by shadow with

increased traffic, noise, and unanticipated environmental impacts that would be impossible to mitigate. The Edison parking lot on the corner of Lafayette and Great Jones provides a prime example of what could go wrong. With no height restrictions, the lot, a major portion of the street's north side, could assemble an allowed FAR 9.7 to create a tower that would dwarf the surrounding buildings. Why is it that all of the effort to preserve a historic neighborhood can so swiftly be overturned simply in the name of economic development and affordable housing?

We all support the laudable goal of increasing affordable housing, but question how effectively this rezoning would achieve those goals. If these zoning changes are allowed as proposed, it could create over a thousand luxury units in SoHo and NoHo, with a fraction of affordable units, barely a quarter. Given the current real estate market, it is doubtful that the Mandatory Inclusionary Housing (MIH) will be functionally "inclusionary" given the neighborhood, especially since MIH rules allow for developers to contribute to a fund for affordable housing to be built elsewhere, not even in NoHo or SoHo. What assumptions will the Environmental Impact Report use to determine the price of the MIH units, the socio-economic and financial status of the MIH unit owners to achieve the "affordable units" goal, especially during a pandemic? What assumptions and methodology will the consultants use to show how rezoning achieves the MIH goals in a 10 year time frame from construction to occupation? What has been the Department of City Planning's MIH track record with other Manhattan MIH projects? We wonder why there is a rush to promote economic development and affordable housing during the Covid-19 Pandemic, with so many unknowns. The gentrification of NoHo was remarkably successful in creating housing and an environment for commercial growth, which is precisely what this rezoning would jeopardize in NoHo and SoHo. Historic Preservation and affordable housing can co-exist, but this rezoning plan will not realistically achieve either of these goals. Therefore, we ask the Community Board to respect the voice of those of us who live here, preserve this historic neighborhood and reject the rezoning efforts to increase the FAR in NoHo and SoHo.

Yours sincerely, Loring McAlpin

Board President of 39 Great Jones St. Current Project

Subject: SoHo NoHo Neighborhood Plan: Draft Scope of Work for anEnvironmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

Date: Friday, December 18, 2020 at 3:55:36 PM Central Standard Time

From: South Village

To: 21DCP059M_DL

December 18, 2020

RE: SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

I write to you today as a founding member of South Village Neighbors, a community group that formed in 2012 in response to the proliferation of luxury condominium developments on the Sixth Avenue corridor between Canal Street and Houston. Our work focuses on quality-of-life issues on the blocks bordered by Houston at the north, Canal Street at the south, Sixth Avenue to the west, and Thompson Street to the east. This letter will address the concerns of our members residing within this area.

We are gravely concerned about the likely adverse impacts of the proposed rezoning of areas within and adjacent to the South Village.

We call on the Department of City Planning to **pause this rezoning process until face-to-face meetings can be held.** Many elderly residents in our community do not have the technological resources to participate in remote meetings or review the digital documents needed to understand the proposed rezoning. Community input must be accessible and allow for the participation of all members of our communities.

We urge DCP to **develop a comprehensive survey of all rent-regulated units within and adjacent to the areas slated for rezoning and to prepare a plan to mitigate displacement and other adverse impacts on residents** as part of the Environmental Impact Study. By DCP's own accounting, of the 8,000 residents of SoHo/NoHo, 60%, or 4,800, are renters. Over 50% of rents paid in this neighborhood are under $2,000. Thus 31% of our rental units in this neighborhood are affordable. The city has a responsibility to protect not only the current tenants in these units but also the long-term affordability of this housing.

We trust that DCP can and will **embrace this opportunity for genuine innovation, through adaptive re-use and truly affordable subsidized housing development**. While some individuals and entities are casting the goals of in-scale building and affordable housing as mutually exclusive, we believe that these objectives are not only compatible, but that it is a social justice imperative to provide affordable housing in medium and low-rise settings conducive to congenial social interaction. Quality of life matters for people of all income levels, and we ask DCP to ensure that any zoning changes will ensure adequate provisioning for open spaces, schools, hospitals, and all of the amenities and affordances provided by forward-thinking, comprehensive city planning. We call on DCP to rise to this challenge.

We note also that much of our neighborhood is included in the Sullivan-Thompson Historic District and we are deeply concerned about the precedents that are being contemplated in this rezoning — changes that threaten to destroy the very characteristics of the neighborhood that make the South Village and SoHo destinations for people from around the city, the region, and the world. **Protect our historic neighborhoods by repurposing commercial and retail spaces for affordable housing.**

For all of these reasons we support the Community Alternative Zoning Plan for SoHo/NoHo (December 2020) and endorse the resolution submitted to you by Community Board 2 on this matter that was ratified last evening at the Full Board Meeting.

Sincerely,

Micki McGee, Ph.D.

Subject: Testimony for the SoHo/NoHo Neighborhood Plan - Scoping Dec 3, 2020
Date: Friday, December 4, 2020 at 2:11:50 PM Central Standard Time
From: David mulkins
To: 21DCP059M_DL
Attachments: 12-3-20 Soho-Noho Scoping TESTIMONY - David Mulkins Bowery Alliance of Neighbors ---.pdf

Testimony for the SoHo/NoHo Neighborhood Plan - Scoping
Presented via the DCP's Zoom meeting, December 3, 2020

My name is David Mulkins and I'm the president of the Bowery Alliance of Neighbors.

During one of the city's most devastating health and economic crises, it is reprehensible to try to ramrod through a rezoning plan that quite clearly can have a destructive impact on the residents, small businesses, the long-established artists community, and the historic character of Soho and Noho, two of the city's most iconic neighborhoods. As 1000's of businesses have closed or struggle to survive, city officials' time would be much better spent passing the Small Business Jobs Survival Act, which it has been sitting on for over 30 years.

Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on under-developed lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development which would in fact bring only a pittance of actual affordable units---two affordable units for every 8 luxury units. It is an insulting sham to say that such an imbalance is promoting affordability when it primarily benefits developers and the forces of gentrification.

The Bowery Alliance of Neighbors opposes the city's plan to upzone SoHo and NoHo or to loosen the square foot limits for retail spaces, which would open the floodgates to big box stores and turn this quaint neighborhood into a mega-mall. If anything, steps should be taken to support and encourage small mom-and-pop businesses.

We support the Community Alternative Plan which includes significant affordable housing and at the same time protects the residents, the artists, the small businesses and the unique character of these two iconic New York City Historic Districts. Sensible cities, like Paris and Prague would <u>never</u> allow their historic districts to be destroyed by such reckless rezoning plans.

Sincerely,
David Mulkins, President
Bowery Alliance of Neighbors
184 Bowery, #4
New York, NY 10012

BOWERY ALLIANCE OF NEIGHBORS

184 Bowery, #4 New York, NY 10012
www.boweryalliance.org
David Mulkins, President
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David Mulkins

Vice Presidents
Michele Campo
Jean Standish

Secretary
Sally Young

Treasurer
Jean Standish

Landmarks Committee Chair
Mitchell Grubler

Co-Founders
Anna L. Sawaryn
David Mulkins

Board of Advisors:

Simeon Bankoff
Executive Director
Historic Districts Council

Kent Barwick
President Emeritus
Municipal Arts Society

Leo Blackman
Architect

Kerri Culhane
Architectural Historian

Doris Diether
Zoning Consultant

Eric Ferrara
Historian & Director
Lower East Side History Project

Pi Gardiner
Executive Director
Merchant's House Museum

Michael Geyer
Architect

Bob Holman
Poet & Proprietor
Bowery Poetry Club

Joyce Mendelsohn
Historian/Writer/Educator

Mick Moloney
Musician, Historian

Luc Sante
Historian

NYC Department of City Planning December 3, 2020
120 Broadway, 31st Floor
NY, NY 10271
Attn: Olga Abinader, Director, Environmental Assessment & Review

Testimony: Scoping Meeting for SoHo/NoHo Neighborhood Plan

During one of the city's most devastating health and economic crises, it is reprehensible to try to ramrod through a rezoning plan that quite clearly can have a destructive impact on the residents, small businesses, the long-established artists community, and the historic character of Soho and Noho, two of the city's most iconic neighborhoods. As 1000's of businesses have closed or struggle to survive, city officials' time would be much better spent passing the Small Business Jobs Survival Act, which it has been sitting on for over 30 years.

Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on under-developed lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development which would in fact bring only a pittance of actual affordable units---two affordable units for every 8 luxury units. It is an insulting sham to say that such an imbalance is promoting affordability when it primarily benefits developers and the forces of gentrification.

The Bowery Alliance of Neighbors opposes the city's plan to upzone SoHo and NoHo or to loosen the square foot limits for retail spaces, which would open the floodgates to big box stores and turn this quaint neighborhood into a mega-mall. If anything, steps should be taken to support and encourage small mom-and-pop businesses.

We support the Community Alternative Plan which includes significant affordable housing and at the same time protects the residents, the artists, the small businesses and the unique character of these two iconic New York City Historic Districts. Sensible cities, like Paris and Prague would never allow their historic districts to be destroyed by such reckless rezoning plans.

Sincerely,

David Mulkins
President

Subject: Open New York Comment on SoHo/NoHo Draft Scope of Work
Date: Friday, December 18, 2020 at 3:09:26 PM Central Standard Time
From: Open New York
To: 21DCP059M_DL
Attachments: Open New York Comment on SoHo-NoHo Draft Scope of Work.pdf

Hello,

Thank you for the opportunity to offer input on the Draft Scope of Work for the SoHo/NoHo Neighborhood Plan. Please find our comments attached. We are available to clarify any of our comments or elaborate further if you would like.

Thank you,
Open New York

--



Open New York
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To the New York City Department of City Planning:

Thank you for the opportunity to comment on the Draft Scope of Work for an Environmental Impact Statement for the SoHo/NoHo Neighborhood Plan (CEQR No. 21DCP059M). We are writing to offer input from Open New York, an independent, all-volunteer, pro-housing organization—we fight for more housing in high-opportunity neighborhoods, so New York City can be more affordable, equitable, and sustainable.

We have advocated for the inclusion of a significant MIH upzoning in the upcoming rezoning of SoHo and NoHo since the Envision SoHo/NoHo process began. We were delighted to see one included within the City's own proposal, and are ready to continue advocating for it as the process continues. That said, while the current proposal is a clear improvement over the status quo, it also contains a number of issues that could substantially diminish the amount of housing that is ultimately built. Whether these issues are fixed could determine whether a rezoning produces a few hundred homes or thousands with deeper affordable set-asides, and we hope you take them into account while drafting the final scope of work and Environmental Impact Statement.

The first issue we note is that proposed commercial densities are too high. This is an issue throughout the proposed rezoning area (see Table 1 in the DSOW) but it's most acute in the proposed Housing Opportunity Area (M1-6/R10) districts (see Figure 4, page 20 of the pdf) where the city is proposing that the Commercial Floor to Area Ratio (FAR) be raised from its current 5 to 10, while the residential FAR would be raised from its current 0 to 12. At current and projected residential and commercial real estate values, some developers will opt to build office buildings instead of residential buildings if these FARs are maintained, as office rents are higher than residential rents in the area. Furthermore, where greater residential densities are allowed, the incremental difference in density for a residential project would be made up entirely by affordable units. While the havoc that the pandemic has wrought on the office market mitigates this risk slightly, many of these projected development sites are held by long-term owners who may not be in enough of a rush to develop that they could wait for the commercial market to return. The M1-5/R7X districts (which overlap with most of the historic districts) present a slightly less acute version of this issue, given the proposed commercial FAR of 5 and residential FAR of 6—while this has the same ratio of incremental increase in residential FAR to commercial FAR as the M1-6/R10 districts, these sites are often smaller than those in the M1-6/R10 districts, making their floorplates not particularly suitable for office buildings. We request that you lower the proposed commercial FARs to 2 throughout the project area or at least to 5 in the R10 and R9X districts and to 2 in the R7X districts.

A further way to pursue the rezoning's stated goal of introducing residential use and promoting equity in housing is to increase the proposed residential FARs, regardless of whether you opt to lower the commercial FARs in the Final Scope of Work. While there is no way to boost the allowable residential density in the M1-6/R10 districts that are projected to deliver the bulk of the units due to the state's

limit on residential density ("FAR cap"), there is potential to boost allowable residential density elsewhere, particularly in the M1-5/R9X districts. There are many buildings either in or across the street from the proposed M1-5/R9X districts that are very densely built already, and which should provide sufficient justification for mapping those areas should be mapped as R10 as well instead of R9X, which would boost the residential density from FAR 9.7 to 12. Shifting the M1-5/R9X districts to R10 and the M1-5/R7X districts to R8X (or higher) would increase the number of projected units—both market-rate and affordable—offering greater opportunities to integrate this wealthy, majority-white neighborhood.

The Non-Residential Floor Area Retention policy (page 18 of the DSOW) is a further obstacle to the introduction of residential use in the proposed rezoning area. Residential conversions, which will already be challenging with many properties given floor plan and tax challenges, would be near impossible if this policy is maintained in the Final Scope of Work and through ULURP. (The lack of conversions in the C6-1G and C6-26 districts in Chinatown with the same policy demonstrates the challenges.) We urge you to remove this policy or limit its application to more specific areas where cultural and artistic importance for non-residential uses can more directly be seen.

Lastly, there are a number of lots within the proposed rezoning area that are not included as possible development sites.

- 55 Bleecker Street is adjacent to a building that is larger than the zoning in the Draft Scope of Work would allow, and we urge you to increase its proposed FAR.
- 477-479 West Broadway is adjacent to a building that is larger than the zoning in the Draft Scope of Work would allow, and we urge you to increase its proposed FAR.
- 2 Howard Street, a parking garage, offers a prime opportunity for residential development—a far more worthwhile use for the space—and should be included as a possible development site. Because the site is owned by the federal government, we urge the Department of City Planning to work with relevant policymakers to issue an RFP to develop the property as affordable housing.
- 142 Grand Street, currently an empty lot, should be included in the Scope of Work as a possible development site. Because the site is owned by the City, we urge the Department of City Planning and the relevant City agencies to issue an RFP to develop the property as affordable housing, in addition to maintaining DEP access and providing public open space.

Thank you again for the opportunity to comment on this Draft Scope of Work. We look forward to continuing to fight for a more inclusive SoHo/NoHo.

Sincerely,

Open New York

Subject: NoHo BID Statement to DCP on Scoping Document
Date: Friday, December 18, 2020 at 12:18:21 PM Central Standard Time
From: Cordelia Persen
To: Sylvia Li (DCP), GLi-council, 21DCP059M_DL, Chan, Stephanie (ManhattanBP)
CC: Cordelia Persen
Attachments: NoHo BID Statement to DCP on Scoping Document .pdf

Hello Sylvia, Stephanie and Gigi and the rest of the DCP Team,

Attached is the NoHo BID statement on the SoHo NoHo Scoping document.

Thank you,
Cordelia

--
Cordelia Persen
Executive Director
NoHo BID
212.677.4579

December 18, 2020

Sylvia Xiaomeng Li
Planning Team Lead
NYC Dept. of City Planning
120 Broadway, 31st Fl.
New York, NY 10271

Dear Sylvia:

The NoHo Business Improvement District would like to present the following comments in response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M.

First off, the NoHo BID is excited to see the rezoning moving forward. After participating in the Envision SoHo NoHo Process, it became more apparent to us in each session that there are many issues that need to be adjusted to shepherd our neighborhoods into the future.

We support the effort to make retail as of right and would like to reiterate that due to the large size of our floorplates, we would like to see Use Group 10 allowed and the arbitrary 10,000ft limit lifted. We also want the scoping to consider retail on the 2nd Floor and basement level as well. Since currently retail is allowed on upper floors, we want to make sure any final zoning allows certain uses like health and wellness, which are located there now.

What we see needed in the future is flexibility. Flexibility to continue use as offices or make changes and allow residential if the market demands it. Flexibility for retail to exist in all sizes and include a hybrid level of uses including small manufacturing. The pandemic is shaking our cities core and we hope that whatever new rules are set, that they leave room for property owners to use their spaces as the market guides instead of conforming to the rigid rules that currently stand that makes doing business difficult in SoHo and NoHo.

We are concerned though about the level of proposed upzoning in our historic core. The BID wants to preserve the look and the feel of NoHo and asks that you scope out new zoning FAR scenarios that protect vs threaten our existing landmarking. NoHo is blessed with a rich

architectural history and that is part of what makes it special and whatever the final zoning looks like, it must protect that.

While we are very supportive of the goal of adding affordable housing and legalizing housing in general, we worry that this plan, as it exists, will sacrifice the preservation of our architecture for what may only amount to a handful of units. We encourage you at DCP to scope out a wider variety of zoning scenarios to give us more options as we hammer out the final plan. These scenarios should include allowing converting office space to housing, if that is what the market shows in our changing economy, instead of preserving every square foot of commercial space and adding the new housing above the current bulk of existing buildings. Going forward we believe that the demand for housing and office space will continue to be strong since both businesses and residents are attracted to our historic architecture format and being located in a strong live work neighborhood.

The NoHo BID is committed to helping work out a zoning plan that works for the whole community. We hope that the scoping document will study enough scenarios so that we have the tools to do that and address various community member's concerns.

Best,



Cordelia Persen
Executive Director

Subject: SoHo NoHo Neighborhood Plan - DSOW
Date: Thursday, December 17, 2020 at 5:51:27 PM Central Standard Time
From: Popovits, Iliberth
To: 21DCP059M_DL, Olga Abinader (DCP)
CC: Schreibman, Lisa, Parnes, Jeremy, Bohn, Eric, Lo, Eric

Hi,

Please see comments/questions below for the SoHo NoHo DSOW from our NYCT Station Planning unit.

Please let us know when the TPF/TDF Tech Memo will be available for this proposed rezoning. Lacking that additional detail, we have a number of questions on this DSOW:

- Figure 5 shows a cluster of Projected Development Sites in the vicinity of W 4th St and Lafayette St, projected to see incremental development of around 410 DUs and 48,000 gsf of office space. It seems reasonable to assume that subway customers making 6 train trips between this part of the Project Area and locations to the north would access the 6 train at Astor Pl station. Why is this station not included for analysis?

- Figure 5 also shows a cluster of Projected Development Sites at the southwest corner of the Project Area, between 6th Ave and West Broadway. These sites are projected to see incremental development of around 300 DUs and 80,000 gsf of office space. Subway customers making trips between the West side and these sites are likely to use the Canal St (1) and Canal St (ACE) stations. Why are these stations not included for analysis?

- On what is based your expectation that "most, if not all new trips at the Canal Street station complex will be using the entrances in the vicinity of Lafayette Street"? Projected Development Sites 8, 9, 10, 24, 25, 26, and 27 are projected to see incremental development of almost 700 DUs, 11,000 gsf of medical offices, and 19,000 gsf of destination retail. We believe it is reasonable to assume that some of the resultant trips will use the Broadway subway entrances as well. We recommend including those entrances and appropriate control areas and circulation elements in your analysis.

- Are trips assigned for potential development sites? If so, consider conducting a transit

analysis at Prince St (RW) and Spring St (6) stations.

Regards,

Iliberth Popovits

Manager, Information & Planning Support
MTA, New York City Transit
New York, NY 10004
Tel. 646-252-5672
Iliberth.popovits@nyct.com

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Subject: SoHo/NoHo Rezoning (CEQR No. 21DCP059M)
Date: Friday, December 18, 2020 at 11:52:20 AM Central Standard Time
From: King, Penny
To: 21DCP059M_DL
CC: Bernstein, Zachary
Attachments: Trinity - Draft Scope of Work Comments (12-18-20).pdf

Hello,
Attached please find comments on the draft scope of work from Trinity Church. Thank you.

Best,
Penny

Penny King
Associate
Penny.King@friedfrank.com | Tel: **+1 212 859 8415**

Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza, New York, NY 10004
friedfrank.com

Pronouns: she/her/hers

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December 18, 2020

NYC Department of City Planning
Environmental Assessment and Review Division
Attn: Olga Abinader, Director
120 Broadway, 31st Floor
New York, NY 10271
21DCP059M_DL@planning.nyc.gov

Re: SoHo/NoHo Rezoning (CEQR No. 21DCP059M) Comments on the Draft Scope of Work for an Environmental Impact Statement

Dear Ms. Abinader:

This letter provides written comments on behalf of Trinity Church regarding the Draft Scope of Work dated October 28, 2020 for an Environmental Impact Statement for the SoHo/NoHo Rezoning proposal.

Trinity supports the efforts by the Borough President, Council Member Chin, and Department of City Planning to modernize SoHo and NoHo's zoning rules and promote affordable housing development throughout these neighborhoods, while balancing the needs of artists, residents, and businesses.

Two of Trinity's properties are within the proposed rezoning area. One of those properties is a vacant site, which has sat dormant for decades due to the restrictions of the existing M1-5B zoning. The proposed rezoning could facilitate activation of this site, which would also fill a significant gap in its block. New zoning controls should give consideration to the need to improve the functionality of existing commercial buildings, some of which are non-complying, to allow for combination with adjacent parcels where necessary to provide for elements such as additional elevatoring. Taking account of the needs of the unique sites in this district will help facilitate development of underutilized site, and perpetuate the vibrant mixed-use character that has defined Soho and Noho for decades.

Sincerely,

Sujohn Sarkar
Managing Director, Asset Management

Subject: SoHo Zoning Changes
Date: Wednesday, December 2, 2020 at 9:59:42 PM Central Standard Time
From: Ed Somekh
To: 21DCP059M_DL

Hello,
My wife and I are residents (permanent NYC residents) at 16 Crosby Street, Apt 4RN. In addition, I am an elected Board member (Director) of the SoHo Brodway Alliance.
We have lived here close to 6 years.

We are STRONGLY against the zoning changes being put forth. In addition, I was a member of many focus groups over the past 2 years, as part of this process, and this proposed outcome does NOT nearly resemble the outcome of those months and months of very detailed and thoughtful work. We find it truly shocking that the upcoming being proposed makes any sense. This would dramatically impact our quality of life here and we very strongly oppose it.
The list of environmental issues is huge. The area already suffers from over-crowding - pre pandemic - and people literally are forced to walk in the streets very often. As it is today, they City has no control over the trash situation here and if it were not for more broadly funded private cleaning the areas like Crosby, Broadway and Mercer would be filled with trash all the time. This is further compounded during rain storms where huge amounts of trash end up clogging the area sewers. Noise levels from all the trash companies, good deliveries, construction vehicles is very high so adding people and activity will only hurt this.
The only real need I see here is to allow for some commercial/manufacturing buildings to be allowed to convert to residential to bring more life at night AND, maybe more importantly, bring more people that live here and care about the surrounding environment and take care of it. Today, there are too many workers here that dont care, transient people that dont care, tourists that don't care.
Another point is the randomness of buildings selected for upzoning. How does that possibly work? It needs a very close look and for sure makes no sense on a block to have a random 2 buildings selected to get this. That seems unfair, dishonest and like some special interest is involved. For sure that needs a closer look and we are mobilizing attorneys to do so.
THe section on AIR owners paying $1,000 per square foot to cover to normal ownership….like the millions of other people in NYC…how was that even remotely developed. Why would anyone ever pay anything close to that for this. Makes absolutely no sense. Is biased and unfair and will be vigorously fought. This was discussed extensively in the focus groups and clearly the outcome of all that work was almost totally ignored.
To put it mildly, we very strongly disagree with this proposal and are NOT at all in favor of it.

We strongly suggest this entire process be put on pause during the current pandemic and once this is over it can more properly be addressed with meetings, open forums and a review of all the Focus Group work and more detailed explanations on where all that work was applied. These is absolutely no reason to rush this process now during a period when it is much harder to get things done and meet in person.

Best regards,

Ed Somekh
SoHo Broadway Board Member

ed.somekh@gmail.com

(m) 914-320-5877

Subject: Housing Rights Initiative's Written Testimony on the SoHo/NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 6:11:14 PM Central Standard Time
From: Michael Sutherland
To: 21DCP059M_DL
Attachments: Housing Rights Initiative Written Testimony.pdf

Good evening,

Attached is Housing Rights Initiative's written testimony on the public scoping meeting that took place on December 3rd, 2020.

Best,
Michael Sutherland
--
Michael Sutherland | Research & Policy Associate | Housing Rights Initiative | Pronouns: he/him/his
www.housingrightsny.org | michael@housingrightsny.org

HOUSING RIGHTS INITIATIVE

P.O. Box 20490 New York, NY 10023

Written Testimony to the Department of City Planning
Submitted by Housing Rights Initiative

City Planning Scoping Meeting for
the SoHo-NoHo Neighborhood Plan

Hearing Date: December 3, 2020

Housing Rights Initiative (HRI) is submitting written testimony to the Department of City Planning in support of the SoHo-NoHo Neighborhood Plan. HRI is a non-profit organization that has generated close to 70 class action lawsuits against predatory landlords. While our organization has long been a critic of this administration's policy of upzoning low income areas, we fully support this plan to create hundreds of deeply affordable housing units in one of the wealthiest neighborhoods in America.

If done correctly, New York City could create over 700 units of affordable housing at $900 a month for a family of three in an area where the median asking rent is over $4,000. This would be a step in the right direction in creating a more equitable zoning system—one in which the development burden is not squarely placed on the backs of low-income communities of color.

There are some deficiencies in the current scoping document that should be resolved to ensure the most affordable housing at the deepest levels possible. First and foremost, the residential densities proposed in the plan are too low. While there is no way to raise the allowable residential density in the parts of the project area that will deliver the bulk of the units, the M1-5/R9X districts can and should be mapped as R10 districts. This would raise the allowable residential density from FAR 9.7 to 12.

Secondly, the commercial densities in the plan are too high throughout the project area. This issue is most prevalent in the proposed Housing Opportunity Area districts. We're concerned that instead of building residential buildings, some developers will elect to build office buildings down the road. Affordable housing should be the priority for SoHo, not commercial development.

Some posit that this plan would be out of character with SoHo. However, we argue that SoHo is out of character with New York City. In a city that is almost 25% Black, SoHo is only 1% Black.

SoHo is also the richest neighborhood in New York City, with a median household income of $150,600 compared to New York City's median household income of $64,000. SoHo is not a suburb, it is a neighborhood in a city of over 8 million people, and it is time for them to start acting like it.

Furthermore, according to the Furman Center, of the city's 59 community districts, SoHo/Greenwich Village ranked:

- #1 for median household income;
- #1 for median sales price per condominium unit;
- #1 for median rent;
- #1 for school performance;
- #1 for access to subways;
- But #48 for racial diversity.

Thanks to neighborhoods like SoHo, New York City has become the economic segregation capital of America. This can change, but only if our most exclusionary communities start letting their neighbors in.

Housing Rights Initiative urges the Department and the administration to not give in to these monied voices, and to create the most affordable housing at the deepest levels possible. We strongly support the SoHo-NoHo Neighborhood Plan and look forward to holding this administration accountable.

Subject: Re: SoHo/NoHo Submission: Task 8. URBAN DESIGN & VISUAL RESOURCES Pages 35 to 36
Date: Friday, December 18, 2020 at 12:36:31 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE URBAN DESIGN AND VISUAL RESOURCES TASK 8 .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 8. URBAN DESIGN AND VISUAL RESOURCES Pages 35 to 36

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 8. URBAN DESIGN AND VISUAL RESOURCES

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: Task 8. URBAN DESIGN AND VISUAL RESOURCES PAGES 35 to 36

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

1. WIND CONDITIONS ANALYSIS IS WARRANTED

The Draft Scope of Work assumes that **"an analysis of pedestrian wind conditions is not warranted".**

This assumption is not correct. **Pedestrian wind conditions are warranted.**
The analysis of pedestrian wind conditions should be undertaken.

Scientific studies indicate greatly increased maximum wind gusts exist now and projected for the future. These studies give great credence to the need to include how **both pedestrians and residents** in the study area will be affected by wind conditions.

As example of current research pertinent to this rezoning, studies indicate **a 37.5% increase in maximum wind gusts for the period 2017-2050.**

"**New York City is projected to** experience higher **wind gusts** under a warming climate for the period 2017–2050 **in** comparison with the historical data period of 1973–2017. The future maximum **wind gusts** are expected **to reach 110 mph, a significant increase from the recent maximum wind of 80 mph."**

See: Projections of Wind Gusts for New York City Under a Changing Climate
The American Society of Mechanical Engineers (ASME) (*)
Research Papers
August 2020, published online September 3, 2020 in Journal of Engineering for Sustainable Buildings and Cities
Link: https://asmedigitalcollection.asme.org/sustainablebuildings/article/1/3/031004/1086138/Projections-of-Wind-Gusts-for-New-York-City-Under

2. WIND FLOWS & INCREASE IN PARTICULATES, POLLUTION CONCENTRATIONS & VELOCITY

The increase of particulates, pollution concentration fields, and velocity due to the behavior of wind flows negatively affects the pedestrian and residential population and must be addressed as part of the Scope of Work.

Increased allowable FAR and height and density increases the velocity and pollution concentration fields at ground level.

The Draft Scope of Work does not take into account the effects of the proposed increase in allowable FAR and height and density, nor transfer of air rights, on wind velocity as well as pollution concentration fields.

"Taller buildings lead to pollution and particulates remaining locally within the surrounding building area, including "dead-zones" and high-concentration "hotspots" which did not previously exist."

See: Science Direct research 2017: **How tall buildings affect turbulent air flows and dispersion of pollution within a neighborhood.**
Link: https://www.sciencedirect.com/science/article/pii/S0269749117319322

1

Highlights

Effect of tall buildings on velocity as well as pollution concentration fields is clearly seen.
•
Presence of tall buildings leads to pollution remaining locally within the building area.
•
Location and extend of newly-formed concentration hotspots depend on the height of the tall buildings surrounding the “source” building

See: **Turbulent Flows and Pollution Dispersion around Tall Buildings Using Adaptive Large Eddy Simulation (LES)** published July 2020
Link: https://www.mdpi.com/2075-5309/10/7/127/htm

"Our results show that the location of a tall building relative to an emission source has a massive effect both at higher levels and at downstream areas."

There are numerous other similar studies that should be used in evaluating the Scope of Work for the Tasks, including the Tasks on URBAN DESIGN AND VISUAL RESOURCES and AIR QUALITY.

3. UP ZONING & TRANSFER OF AIR RIGHTS:
STUDY EFFECTS ON WIND CONDITIONS COMBINED WITH POLLUTION CONCENTRATIONS & FLOWS

Wind conditions, combined with pollution concentration fields and wind flows must be studied in relationship to the proposed up zoning.

There is no reference in the Draft Scope of Work regarding the overall significant up zoning of the study area nor does it address the transfer of air rights and how these factors could further exacerbate the negative effects of wind conditions, pollution concentration fields, and pollution flows.

Respectfully submitted,

Jeanne Wilcke

(*) ASME is one of the oldest standards-developing organizations in America. It produces approximately 600 codes and standards covering many technical areas, such as fasteners, plumbing fixtures, elevators, pipelines, and power plant systems and components. ASME's standards are developed by committees of subject matter experts using an open, consensus-based process. Many ASME standards are cited by government agencies as tools to meet their regulatory objectives.

2

Response to the
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: URBAN DESIGN AND VISUAL RESOURCES
PAGES 35 to 36 TASK 8. URBAN DESIGN AND VISUAL RESOURCES

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

WIND CONDITIONS
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This assumption is not correct. **Pedestrian wind conditions are warranted.**
The analysis of pedestrian wind conditions should be undertaken.

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As example of current research pertinent to this rezoning, studies indicate **a 37.5% increase in maximum wind gusts for the period 2017-2050.**

"**New York City is projected to** experience higher **wind gusts** under a warming climate for the period 2017–2050 **in** comparison with the historical data period of 1973–2017.
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There are numerous other similar studies that should be used in evaluating the Scope of Work for the Tasks, including the Tasks on URBAN DESIGN AND VISUAL RESOURCES and AIR QUALITY.

3. There is no reference in the Draft Scope of Work regarding the overall significant up zoning of the study area nor does it address the transfer of air rights and how these factors could further exacerbate the negative effects of wind conditions, pollution concentration fields, and pollution flows.

Respectfully submitted,

_____
Jeanne Wilcke

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Subject: SoHo/NoHo Submission: Task 17. Noise Pages 47 to 48
Date: Friday, December 18, 2020 at 12:12:10 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE NOISE TASK 17 .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 17. NOiSE PAGES 47 to 48

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 17. Noise
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 16, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 17. NOISE PAGES 47 to 48

DATA COLLECTION AND ANALYSES ON NOISE WILL BE DEFICIENT AND FAULTY AS PROPOSED UNDER THE DRAFT SCOPE OF WORK

It is unacceptable that the lack of details on how noise levels will be established and the methodology used will be submitted at some later time - in an area where there have been serious issues with noise complaints over years - in addition to data being collected during a pandemic and in an abnormal economic climate.

1. INACCURATE AND DEFICIENT NOISE DATA DUE TO PANDEMIC AND ECONOMIC CLIMATE

The NOISE analyses will not be accurate in the midst of a once-in-a-hundred year pandemic with offices at low occupancy, restaurants closed or at minimal occupancy and early closing times, theaters closed, lack of tourists, the large decrease in traffic and truck deliveries unloading/loading to retail stores, restaurants and offices.

2. PROBLEM WITH NOISE ANALYSES BEING DIRECTLY RELATED TO TRANSPORTATION

The NOISE analyses are directly connected to the TRANSPORTATION data which data will not be representative of normal conditions.

3. METHODOLOGY SHOULD BE SUBMITTED NOW, NOT LATER

The Draft Scope of Work states that if the current traffic pattern is not deemed representative, "existing condition" noise levels will be established using previous environmental reviews within and adjacent to the rezoning area. **The methodology will be submitted later.**

The methodology must be part of the Draft Scope of Work and not for submission later.

The lack of details on how noise levels will be established, in an area where there have been serious and numerous issues with noise complaints, is not acceptable.

In addition, noise studies were done in the past by DOT but were not made available for public review. These studies should be requested, analyzed, and incorporated.

While the Draft Scope of Work details methods to analyze Air Quality, Transportation, Pedestrian Flows and more - there is no acceptable reason to not include the methods to analyze NOISE.

(Unless the reason is that this is a rushed process and that items in the Draft Scope of Work were not addressed due to time, overlooked, or not addressed in order to control the methodology without public input.)

1

4. POTENTIAL NOISE IMPACTS DUE TO OUTDOOR MECHANICAL EQUIPMENT MUST BE ANALYZED

The Draft Scope of Work says it is "assumed that outdoor mechanical equipment would be designed to meet applicable regulations and consequently no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed".

This is a serious omission in the Draft Scope of Work.

Which applicable regulations will be used must be stated in the Scope of Work. M or R zone regulations or something else?

Noise impacts must be analyzed taking into account the need for larger capacity mechanical equipment due to the enlargement of square footage proposed for bars, restaurants, retail, and other uses and increased FAR.

A. ARCHITECTURE & REAR YARD CONSIDERATIONS

The SoHo and NoHo Historic Districts have cast-iron loft architecture buildings different from many other areas, and often with close proximity of rear yards to each other - **different than regular residential zoning requirements.**

Due to the cast-iron architecture, rear yard configurations, and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, **these noise impacts and applicable regulations must be analyzed and changed if appropriate after such analysis.**

B. M ZONE PERMITTED DECIBELS VERSUS R ZONE PERMITTED DECIBELS

M zones must be reviewed for permitted sound levels versus R zones.

This analysis is particularly crucial due to the proposed increase in allowable size of bars, restaurants, retail and other uses.

If M zones allow higher significantly higher decibels than R zones, the noise impact of larger establishments, implying larger HVAC & other mechanical capacity is required, must be studied.

Such proposed increases in size often require increases in size of equipment (HVAC for example).
Due to the characteristics of building lots, rear yards, and the mix of uses including residential &/or artist and creative makers who reside/work in or are in abutting buildings, the proposed enlargement of uses that may require additional outdoor mechanical equipment and noise impacts must be taken into account.

C. CHANGES IN AIR FILTRATION & SIMILAR SYSTEMS DUE TO PANDEMIC

Analysis must address noise impacts of current and projected changes and additions in air filtration mechanical equipment and similar equipment due to the pandemic and their impact standalone and combined.

Lastly, the rezoning plan should be withdrawn until such time as accurate data can be collected in normal conditions. The process must be PAUSED.

Respectfully submitted,

Jeanne Wilcke **2**

Response to Task 17. Noise

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 16, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 17. NOISE PAGES 47 to 48

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Respectfully submitted,

Subject: Re: SoHo/NoHo Submission: ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS
Date: Friday, December 18, 2020 at 6:50:57 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 18 2020 RESPONSE WORKLIVE MECHANISMS & RULES .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

FOCUS: ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS

1. ABILITY FOR EXISTING & FUTURE ARTISTS & CREATIVE MAKERS TO WORK

The Draft Scope of Work does not address the ability of Certified Artists, artists, and those in creative or "maker" industries to continue their work within their work/live, JLWQA, or other specified designations of residences under the proposed rezoning.

Nor does the Draft Scope of Work address **FUTURE** Certified Artists, artists, and those in creative or "maker" industries and their ability to work within their work/live, JLWQA, or other specified designations of residences under the proposed rezoning.

The ability of Certified Artists, artists, and those in creative or "maker" industries to continue their work within their work/live, JLWQA, or other specified designations of residences under the rezoning must be included and clarified.

It is important to ensure there is no conflict and an understanding of what is allowed between those residents who are strict residential and the artists and those in creative or "maker" fields.

The ability of existing and future Certified Artists, artists, and creative makers to have the ability to continue their occupations in place must be addressed and included under any rezoning changes and the Scope of Work.

2. WILL ARTIST CERTIFICATION CONTINUE ?

The Draft Scope of Work does not address the Artist Certification process, including the following questions:

Will the City continue the Artist Certification process?
Will the City continue the Artist Certification process in SoHo and NoHo if the rezoning takes place?
Will the City update and expand the Artist Certification designation?
Will the City add other categories, such as "creative makers"?

All these and more items related to this issue are not addressed but must be included in the Scope of Work and any rezoning documents.

Respectfully submitted,

Jeanne Wilcke

Response to ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6
Date: Friday, December 18, 2020 at 4:17:16 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE ARTISTS & CERTIFICATION .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Date: December 17, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6

Several instances occur of selected phrasing and picking the way to present facts that indicate a bias and partiality that is misleading.

This bias indicates a predisposition to a predetermined outcome that is not acceptable in a document that should be impartial to facts.

The facts should be presented in full, not selectively phrased to lobby and show "parti pris" - that a side is taken - until all the facts are presented fairly and completely.

1. MORE THAN HALF OF RENTAL UNITS ARE PRICED BELOW $2,000

The current phrasing states:
"...**almost half** of rental units are priced above $2,000 per month".
To present the facts fully and fairly, the phrasing should be changed to indicate or add:
MORE than half of rental units are priced BELOW $2,000 per month.

2. ESTIMATE OF ARTISTS & ARTIST CERTIFICATION FACTS

These sentences are very unfair and lack context for the ULURP process and a major up zoning:

"*While the exact number is difficult to estimate, the share of certified artist residents in the Project Area today is likely small. The number of artists certifications issued by DCLA has declined significantly in recent decades: since 2015, fewer than 10 certifications were issued annually.*"

Our own City, which is responsible for Artist Certifications, does not have the data and finds it "difficult to estimate" the number of Certified Artists in the study area.

This is unacceptable. **The City must do the hard work and the research to gather the data to determine - not "estimate" - the number of Certified Artists.**

The Scope of Work as presented denigrates and diminishes the existing artist community in SoHo and NoHo. Unless the hard data is collected, unless both Certified Artists, those who identify as artists, and those who identify as creative makers are identified and data gathered and become part of the Scope of Work - the City's statements are not substantiated. This must be corrected in the Scope of Work.

3. CITY'S LACK OF SUPPORT FOR ARTISTS & CREATIVE MAKERS

It has been widely known for years that the City has given little to no support to Artist Certification.
(If the City doesn't even have the data, see #1, that in itself helps support this statement.)

Like an owner of a landmarked building who lets it go into disrepair to the point that the owner cries out that the building can no longer be saved and it must be demolished for safety reasons - the same holds true for the City's support of artists and Artist Certifications.

Elected officials and agency representatives have been told over the years that the Artist Certification process needed to be updated and expanded to accommodate new and evolving technologies and "makers". Nothing was done.

4. "....since 2015, fewer than 10 certifications were issued annually". This statement and its implications and phrasing is undermined by the City itself.

The Artist Certification application link on NYC's website for a long time stated: **NON-EXISTING PAGE**

This was pointed out several times over months during the Envision SoHo/NoHo Advisory Committee meetings and in other forums and meetings.

When checked days ago, the application is now available. It is assumed that due to calling out that the application was not available and the rezoning process was about to take place, the application link was magically re-added.

The Scope of Work must address the City's own reasons and deficiencies in not supporting Artist Certifications, not updating the process, not expanding Artists Certification to new and evolving technologies and "makers", and most importantly - making the Artist Certification application and process not easily available, if at all.

5. NEED FOR THE CITY DO THE RESEARCH REQUESTED

A consultant who presented before the Advisory Committee was hired independently by real estate interests (per information received after the presentation).

The data they presented posed significant problems which was questioned. Particularly as relates to residents who identify as an artist.

The consultant gave Federal data that groups employment into broad categories that do not specifically identify artist occupations or those who identify as artists. The data used was extremely general in scope.

Community representatives pointed to the problem with the data presented, such as many artists may file tax returns based on W-2 income or similar for jobs that support them while at the same time identifying as an artist. (i.e. waiter, gallery assistant, superintendent, temp worker, etc.)

The community representatives on the Advisory Committee and members of the public have demanded many times that the City do the appropriate research in SoHo and NoHo to make the rezoning process legitimate in its presentation of data and facts relating to artists, certified or not, that reside in the study area.

To this date that research has not been done but must be done and included in the Scope of Work.

The consultant did admit emphatically that their research indicated that SoHo and NoHo are unique districts.
Yet the consultant used non-unique, generic, and traditional districts in data comparisons to make conclusions about SoHo and NoHo.

Data that is extremely general or using non-unique, generic, and traditional districts as a basis for conclusions reached by the consultant should not used as a basis for SoHo and NoHo with their unique existing zoning.

Furthermore it is not acceptable for the City to rely on conclusions by a consultant hired independently by real estate interests who are interested parties. This presents a Conflict of Interest and a perception of bias and lack of fairness.

The City must either do the data research itself or contract with an independent firm or firms. Either way, the direction given should be to give a clear, unbiased, and fair view in reaching conclusions.

In addition, such research must be germane and relevant to the SoHo and NoHo areas. This includes further data collection and extrapolating from real and true data that reflects these unique districts,. Only then can appropriate, fair, unbiased and factual conclusions be made for rezoning and up zoning.

6. PRESENCE OF HUNDREDS OF SoHo & NoHo ARTISTS AT PUBLIC MEETINGS

The Draft Scope of Work does not acknowledge or count the hundreds of Certified Artist residents and those who identify as resident artists who attended the Envision SoHo/NoHo public meetings and gave their input.

These artists exist and must be counted in the data assembled.

The significant presence of Certified Artists who reside in the Study Area is diminished in the Scope of Work. They must be included.

Furthermore the ability of Certified Artists, artists, and creative makers must have the ability to continue their occupations in place and this must be addressed under any rezoning changes.

Respectfully submitted,

Jeanne Wilcke

3

Response to C. BACKGROUND TO THE PROPOSED ACTIONS - Page 6

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 17, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6

Several instances occur of selected phrasing and picking the way to present facts that indicate a bias and partiality that is misleading.

This bias indicates a predisposition to a predetermined outcome that is not acceptable in a document that should be impartial to facts.

The facts should be presented in full, not selectively phrased to lobby and show "parti pris" - that a side is taken - until all the facts are presented fairly and completely.

1. MORE THAN HALF OF RENTAL UNITS ARE PRICED BELOW $2,000

The current phrasing states:
"...**almost half** of rental units are priced above $2,000 per month".
To present the facts fully and fairly, the phrasing should be changed to indicate or add:
MORE than half of rental units are priced BELOW $2,000 per month.

2. ESTIMATE OF ARTISTS & ARTIST CERTIFICATION FACTS

These sentences are very unfair and lack context for the ULURP process and a major up zoning:

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Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: IMPACT & PRECEDENT FOR HISTORIC DISTRICTS
Date: Friday, December 18, 2020 at 4:22:00 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 18 2020 RESPONSE PRECEDENT UPZONING HISTORIC DISTRICT .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: UP ZONING AND INCREASE IN FAR - IMPACT ON & PRECEDENT SET FOR HISTORIC DISTRICTS

Submitted as a PDF and text in the body of this email.

Thank you,

Jeanne Wilcke

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: UP ZONING & INCREASE IN FAR - IMPACT ON & PRECEDENT SET FOR HISTORIC DISTRICTS

The Study Area for up zoning and an increase in FAR includes Historic Districts.

The Draft Scope of Work does not include or address how an up zoning and increase in FAR throughout Historic Districts in the Study Area will impact both 1) the Historic Districts in the Study Area, and 2) other Historic Districts throughout NYC.

The Draft Scope of Work does not address whether other Historic Districts have been up zoned or had FAR increased throughout most or all of their Districts in the past.

The Draft Scope of Work does not address the precedent that will be set for other Historic Districts and the impacts if the Historic Districts in the Study Area are up zoned and the FAR increased throughout.

1. IMPACT OF UP ZONING AND FAR INCREASE IN HISTORIC DISTRICTS

The Draft Scope of Work must include, study, and address the impact of up zoning and increases in FAR on the integrity, historical significance, architectural significance, coherence and cohesion of:
1) The Historic Districts in the Study Area;
and
2) The resultant impact and precedent set for other Historic Districts throughout NYC.

2. PAST UP ZONINGS AND FAR INCREASES IN HISTORIC DISTRICTS

The Draft Scope of Work must include, address and confirm whether any other NYC Historic District has been up zoned and the allowable FAR been increased throughout most or all areas of any other Historic Districts.

3. PRECEDENT SET FOR ZONING AND FAR INCREASE IN AN HISTORIC DISTRICT

The Draft Scope of Work must include and address the IMPACTS & PRECEDENTS that an up zoning and increase in FAR in the Historic Districts in the the Study Area will set for other NYC Historic Districts.

Factors such as the integrity, historical significance, architectural significance, coherence and cohesion of Historic Districts along with landmark and preservation standards must be included in the analyses.
Legal issues should also be considered.

Respectfully submitted,

Response to UP ZONING & INCREASE IN FAR
IMPACT ON & PRECEDENT SET FOR HISTORIC DISTRICTS

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: Task 6. SHADOWS Pages 33 to 34
Date: Friday, December 18, 2020 at 2:47:40 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE SHADOWS TASK 6 .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 6. SHADOWS Pages 33 to 34

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 6. SHADOWS
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 16, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 6. SHADOWS PAGES 33 to 34

Shadow analysis needs to address:
Projected Development
Potential Development
Transfer of Air Rights
Effect on trees in the study area that has one of the lowest ratios in open & green space per person

1. TREES
The effect of additional shadows on trees in the study area, an area that has one of the lowest ratios of open & green space per person, must be studied.

The SoHo and NoHo study area has one of the lowest ratios of open and green space per person in the entire City of New York.

- As per NYC's own data research, pollution concentration levels in the study area are at the highest levels.

- As per NYC's own data research, existing trees and lack of many trees affects physical & chemical processes that affect chemical reactions with leaves, air cooling, humidity - and therefore affect pollution levels and human health.

Increased shadows from Projected Development, Potential Development, and Air Rights Transfers (which are not addressed in the Draft Scope of Work but must be) will significantly affect the already strained environmental situation for the study area's trees.

The lack of open and green space and difficulty for trees and their survival in the study area when adding increased shadows through up zoning will further affect human health (asthma, etc.)

2. TRANSFER OF AIR RIGHTS
The transfer of air rights must be addressed and studied to appropriately gauge negative effects on shadows.

There is no reference in the Draft Scope of Work regarding the transfer of air rights.
The significant up zoning of the Study Area cannot be viewed for purposes of the Scope of Work and a rezoning without an assessment of the ramifications of the ability to transfer of air rights, and what limitations or lack of limitations on transfers will exist.

The ability to further transfer air rights after the study area is up zoned can further exacerbate the negative effects of shadow conditions.

3. PROJECTED & POTENTIAL DEVELOPMENT
Both Projected and Potential Development must be analyzed as regards to shadows.

The Draft Scope of Work looks to Projected Development and implies that Potential Development is not significant in the analysis over the time frame. This is a false premise. The Potential Development is real, has significant chance of happening on many buildings throughout the study area in the time frame, and will significantly affect shadows within the study area.

Respectfully submitted,

Jeanne Wilcke

Response to Task 6. SHADOWS

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CEQR No. 21DCP059M ULURP Nos. Pending

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Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: Task 14. TRANSPORTATION PAGES 40 to 44
Date: Friday, December 18, 2020 at 12:29:44 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE TRANSPORTATION TASK .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 14. TRANSPORTATION Pages 40 to 44

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 14. TRANSPORTATION

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: Task 14. TRANSPORTATION PAGES 40 to 44

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

1. TRANSPORTATION DATA COLLECTION AND ANALYSIS

The collection of data and analysis as presented in the Draft Scope of Work will be deficient and inaccurate for the purpose of this major rezoning plan and for long-term planning.

We are in the midst of a once-in-100-year pandemic. Data collection and analysis will give a faulty and deficient basis for this rezoning due to the abnormal conditions being experienced.

The Director of the U.S. Chamber of Commerce of the Center for Disease Control predicted that normal conditions are not expected until at least the 3rd quarter of 2021. This is similar to the base economic forecast by The Conference Board and others, including financial institutions.

The following sections of the Draft Scope of Work are particularly problematic due to gathering and analysis of data in the midst of a once-in-a-hundred-year pandemic. Determining "whether a proposed action may have a potential significant impact" is not achievable at this time and for the near future.

Offices are closed or minimally occupied with many employees working remotely, restaurants and bars are closed or have greatly reduced operations and customers, retail stores are either closed or have greatly reduced customer operations within their physical stores, schools and universities have reduced in-class learning and/or are doing remote classes, hotels are experiencing distress due to lack of bookings.

In addition there are major economic shifts occurring and anticipated in areas such as telecommuting, retail businesses, and remote education.

This process and rezoning should be delayed and paused in order to obtain and analyze data in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

2. TRAVEL DEMAND and TRAFFIC

TRAVEL DEMAND and TRAFFIC studies per CEQR guidelines will be grossly undercounting data for analysis due to the current pandemic and abnormal current economic and pandemic circumstances being experienced.

Data and analyses that will be deficient include the following:
1. Data gathering and analyses of peak hour and mode of travel, as well as by person and vehicle trips.
2. Identifying "the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks".
3. The Level 2 screening assessment "to validate the intersections and and pedestrian/transit elements" for analysis.
4. Data collection by DOT (the Department of Transportation) which will likely include a mix of Automatic Traffic Recorder machine counts and intersection turning movement counts, along with vehicle classification counts".

3. DATA DEFICIENT AS SUPPORT FOR AIR QUALITY & NOISE ANALYSES

The DOT data collection is used "as support data for air quality and noise analyses".
As this data will be used for other parts of the rezoning data collection:

The deficiencies in the DOT data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP

process in assessing air quality and noise levels.

1

4. USING RECENT STUDIES IN THE VICINITY OF THE STUDY AREA

The Draft Scope of Work states, "Where applicable, available information from recent studies in the vicinity of the study area will be compiled...".

A. It is very problematic that recent studies "in the vicinity of the study area" would be used to substantiate a major rezoning. This could mean studies from the East Village, the Lower East Side, the Financial District or other areas which are distinctly different from the SoHo and NoHo areas and have different traffic & pedestrian flows and patterns.

B. Due to the pandemic a major economic shift is evolving.
It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

5, TRAVEL DEMAND FROM DEVELOPMENT SITES

Regarding travel demand from "projected development sites" as well as "demand from other major developments planned in the the vicinity of the study area":

A. NYU's large development site on Mercer St. and Bleecker St. must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area.

B. The Draft Scope of Work emphasizes the addition of DWELLING UNITS which would include AFFORDABLE HOUSING and cites Opportunity Zones.

****** Yet there is NO GUARANTEE under this rezoning proposal that any housing or dwelling units will be built in the study area, particularly affordable housing. *****

The base premise of the Draft Scope of Work that this proposal will "create opportunities for housing, including affordable housing" is not backed by factual evidence or arguments that such housing will be built.

6. NEED TO ASSESS TRAVEL DEMAND UNDER DIFFERENT USE SCENARIOS

The Scope of Work must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.

There is no guarantee any housing, particularly affordable housing, will be built in the study area. Therefore Travel Demand under different use scenarios must be studied.

7. NEED TO ASSESS TRAVEL DATA PROJECTIONS AND UP ZONING IMPACTS

The large increases in FAR and allowable height and density over the entire study area impacts travel data projections needed to assess the rezoning.

The Scope of Work does not address - but must address - impacts on the study area being up zoned.

The ability to further transfer air rights after the study area is up zoned can further impact Travel Demand and data projections.
There is no reference in the Draft Scope of Work regarding the transfer of air rights.
The significant up zoning of the Study Area cannot be viewed for purposes of the Scope of Work and a rezoning without an assessment of the ramifications of the ability to transfer of air rights, and what limitations or lack of limitations on transfers will exist.

2

8. TRANSIT

The analysis on current ridership conditions and peak hour service will be inaccurate due to the current pandemic and economic conditions.

If the "incremental person-trips by bus" would "exceed 50 peak hour trips in one direction on one or more routes" there will be an analysis of local bus conditions. Counting of peak hour trips during the pandemic conditions and current economic conditions will not give accurate data for rezoning and long-term planning purposes.

Data collection and analyses compiled during the pandemic will result in inaccurate and deficient data due to the decrease in traffic and trucks, offices, retail establishments and bars and restaurants closed or at reduced capacities, remote learning by schools and universities, and tourist visits greatly reduced.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be built, especially in numbers stated in the
Draft Scope of Work.

9. PEDESTRIANS

A. Pedestrian counts will be inaccurate due to the current pandemic and economic conditions.

B. The "potential for incremental demand" will be inaccurate due to the expectation of a large increase in dwelling units and residents.

There is NO GUARANTEE under this rezoning proposal that such dwelling units will be built in the study area.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be

built in the study area, especially in numbers stated in the Draft Scope of Work.

The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.

C. The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density and transfer of air rights throughout the study area are not taken into account.

Respectfully submitted,

Jeanne Wilcke

3

Response to Task 14. TRANSPORTATION

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: Task 14. TRANSPORTATION PAGES 40 to 44

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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3. DATA DEFICIENT AS SUPPORT FOR AIR QUALITY & NOISE ANALYSES

The DOT data collection is used "as support data for air quality and noise analyses".
As this data will be used for other parts of the rezoning data collection:

T**he deficiencies in the DOT data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality and noise levels.**

4. USING RECENT STUDIES IN THE VICINITY OF THE STUDY AREA

The Draft Scope of Work states, "Where applicable, available information from recent studies in the vicinity of the study area will be compiled...".

A. It is very problematic that recent studies "in the vicinity of the study area" would be used to substantiate a major rezoning. This could mean studies from the East Village, the Lower East Side, the Financial District or other areas which are distinctly different from the SoHo and NoHo areas and have different traffic & pedestrian flows and patterns.

B. Due to the pandemic a major economic shift is evolving.

It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

5, TRAVEL DEMAND FROM DEVELOPMENT SITES

Regarding travel demand from "projected development sites" as well as "demand from other major developments planned in the the vicinity of the study area":

A. NYU's large development site on Mercer St. and Bleecker St. must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area.

B. The Draft Scope of Work emphasizes the addition of DWELLING UNITS which would include AFFORDABLE HOUSING and cites Opportunity Zones.

****** Yet there is NO GUARANTEE under this rezoning proposal that any housing or dwelling units will be built in the study area, particularly affordable housing. *****

The base premise of the Draft Scope of Work that this proposal will "create opportunities for housing, including affordable housing" is not backed by factual evidence or arguments that such housing will be built.

6. NEED TO ASSESS TRAVEL DEMAND UNDER DIFFERENT USE SCENARIOS

The Scope of Work must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.

There is no guarantee any housing, particularly affordable housing, will be built in the study area. Therefore Travel Demand under different use scenarios must be studied.

7. NEED TO ASSESS TRAVEL DATA PROJECTIONS AND UP ZONING IMPACTS

The large increases in FAR and allowable height and density over the entire study area impacts travel data projections needed to assess the rezoning.

The Scope of Work does not address - but must address - impacts on the study area being up zoned.

The ability to further transfer air rights after the study area is up zoned can further impact Travel Demand and data projections.
There is no reference in the Draft Scope of Work regarding the transfer of air rights.
The significant up zoning of the Study Area cannot be viewed for purposes of the Scope of Work and a rezoning without an assessment of the ramifications of the ability to transfer of air rights, and what limitations or lack of limitations on transfers will exist.

8. TRANSIT

The analysis on current ridership conditions and peak hour service will be inaccurate due to the current pandemic and economic conditions.

If the "incremental person-trips by bus" would "exceed 50 peak hour trips in one direction on one or more routes" there will be an analysis of local bus conditions. Counting of peak hour trips during the pandemic conditions and current economic conditions will not give accurate data for rezoning and long-term planning purposes.

Data collection and analyses compiled during the pandemic will result in inaccurate and deficient data due to the decrease in traffic and trucks, offices, retail establishments and bars and restaurants closed or at reduced capacities, remote learning by schools and universities, and tourist visits greatly reduced.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be built, especially in numbers stated in the Draft Scope of Work.

9. PEDESTRIANS

A. Pedestrian counts will be inaccurate due to the current pandemic and economic conditions.

B. The "potential for incremental demand" will be inaccurate due to the expectation of a large increase in dwelling units and residents.

There is NO GUARANTEE under this rezoning proposal that such dwelling units will be built in the study area.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be built in the study area, especially in numbers stated in the Draft Scope of Work.

The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.

C. The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density and transfer of air rights throughout the study area are not taken into account.

Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: Task 15. AIR QUALITY Pages 44 to 46
Date: Friday, December 18, 2020 at 12:20:53 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE AIR QUALITY TASK 15 .pdf

Response to Task 15. AIR QUALITY PAGES 44 to 46
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 15. AIR QUALITY PAGES 44 to 46

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 15. AIR QUALITY PAGES 44 to 46
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 15. AIR QUALITY PAGES 44 to 46

DATA COLLECTION AND ANALYSES ON AIR QUALITY WILL BE DEFICIENT AND FAULTY AS PROPOSED UNDER THE DRAFT SCOPE OF WORK

Data collection and analyses on Air Quality will be deficient and faulty for the purpose of this rezoning proposal and long-term planning for the following reasons and specific items herein included must be addressed.

1. DATA COLLECTION AND ANALYSES DURING THE PANDEMIC & IN AN ABNORMAL ECONOMIC ENVIRONMENT

This process and rezoning should be delayed and paused in order to obtain and analyze data in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

We are in the midst of a once-in-100-year pandemic. Data collection and analysis will give a faulty and deficient basis for this rezoning due to the abnormal conditions being experienced.

The Director of the U.S. Chamber of Commerce of the Center for Disease Control predicted that normal conditions are not expected until at least the 3rd quarter of 2021. This is similar to the base economic forecast by The Conference Board and others, including financial institutions.

Offices are closed or minimally occupied with many employees working remotely, restaurants and bars are closed or have greatly reduced operations and customers, retail stores are either closed or have greatly reduced customer operations within their physical stores, schools and universities have reduced in-class learning and/or are doing remote classes, hotels are experiencing distress due to lack of bookings.

In addition there are major economic shifts occurring and anticipated in areas such as telecommuting, retail businesses, and remote education that make the premises for this proposed rezoning and long-term planning disputable.

2. USE OF INACCURATE AND DEFICIENT DATA PROVIDED BY DOT

The Department of Transportation (DOT) data collection and analyses under Task 14. Transportation is used to "support data for air quality and noise analyses".

Since Task 14. Transportation data collection and analyses will also be used for Task 15. Air Quality, t**he deficiencies in the Transportation data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality.**

Please refer to my separate response and submission titled:
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3. WIND CONDITIONS AFFECTING AIR QUALITY

Wind conditions, velocity, and pollution concentration fields are all related. These factors should be included in the Scope of Work.

In Task 8. Urban Design and Visual Resources, pages 35 to 36, it is stated that "an analysis of pedestrian wind conditions is not warranted".

This assumption is not correct. **Wind conditions are warranted and are tied to air quality.**

The analysis of pedestrian wind conditions as part of Air Quality data collection and analyses are warranted and should be undertaken.

Scientific studies indicate greatly increased maximum wind gusts exist now and are projected for the future. These studies give great credence to the need to include how **both pedestrians and residents and the increase in FAR** in the study area will be affected by wind conditions.

As example of current research pertinent to this rezoning, studies indicate **a 37.5% increase in maximum wind gusts for the period 2017-2050.**

"**New York City is projected to** experience higher **wind gusts** under a warming climate for the period 2017–2050 **in** comparison with the historical data period of 1973–2017.
The future maximum **wind gusts** are expected **to reach 110 mph, a significant increase from the recent maximum wind of 80 mph."**

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The American Society of Mechanical Engineers (ASME) (*)
Research Papers
August 2020, published online September 3, 2020 in Journal of Engineering for Sustainable Buildings and Cities
Link: https://asmedigitalcollection.asme.org/sustainablebuildings/article/1/3/031004/1086138/Projections-of-Wind-Gusts-for-New-York-City-Under

The increase of particulates, pollution concentration fields, and velocity due to the behavior of wind flows negatively affects the pedestrian and residential population and must be addressed as part of the Scope of Work.

Increased allowable FAR, height and density will increase the velocity and pollution concentration fields at ground level.

The Draft Scope of Work does not take into account the effects of the proposed increase in allowable FAR and height and density on wind velocity as well as pollution concentration fields.

"Taller buildings lead to pollution and particulates remaining locally within the surrounding building area, including "dead-zones" and high-concentration "hotspots" which did not previously exist."

See: Science Direct research 2017: **How tall buildings affect turbulent air flows and dispersion of pollution within a neighborhood.**
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Highlights
Effect of tall buildings on velocity as well as pollution concentration fields is clearly seen.
Presence of tall buildings leads to pollution remaining locally within the building area.
Location and extend of newly-formed concentration hotspots depend on the height of the tall buildings surrounding the “source” building

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"Our results show that the location of a tall building relative to an emission source has a massive effect both at higher levels and at downstream areas."

There are numerous other current and timely studies that should be researched and used in evaluating the Scope of Work for Task 15. Air Quality.

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5. TRANSFER OF AIR RIGHTS

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The ability to further transfer air rights after the study area is up zoned could further exacerbate the negative effects of wind conditions, velocity, pollution concentration fields, and pollution flows.

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Response to Task 15. Air Quality

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 15. AIR QUALITY PAGES 44 to 46

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Jeanne Wilcke

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Subject: Re: SoHo/NoHo Submission: The Bowery Historic District
Date: Friday, December 18, 2020 at 4:27:37 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 18 2020 RESPONSE BOWERY HISTORIC DISTRICT .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

FOCUS: HISTORIC DISTRICTS. NEIGHBORHOOD CONTEXT, PROJECT AREA, Task 7 OMISSION OF THE BOWERY HISTORIC DISTRICT

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: HISTORIC DISTRICTS. NEIGHBORHOOD CONTEXT, PROJECT AREA, Task 7
OMISSION OF THE BOWERY HISTORIC DISTRICT

Dialogue and information and inclusion of The Bowery Historic District is not in the Draft Scope of Work.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as “The Bowery Historic District”.

The Bowery Historic District must be added to:
The dialogue on Historic Districts, page 8
The dialogue on Project Area, page 7, first paragraph.
The dialogue on Neighborhood Context in the Bowery Corridor, pages 9 &10
Task 7. Historic and Cultural Resources, pages 34 & 35

In addition, The Bowery Historic District should be added to any other part of the Draft Scope of Work where other historic and cultural parts and dialogue of the district are included.

See: https://www.nps.gov/nr/feature/places/pdfs/13000027.pdf
The link includes information on The Bowery Historic District and contributing resources in The Bowery Historic District.

See: https://www.boweryalliance.org
The link provides information on the Bowery Alliance of Neighbors and includes resources and information on the Bowery and The Bowery Historic District.
Several instances occur of selected phrasing and picking the way to present facts that indicate a bias and partiality that is misleading.

1. HISTORIC DISTRICTS
Page 8

The Draft Scope of Work does not include The Bowery Historic District.
The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as “The Bowery Historic District”.

This omission in the Draft Scope of Work should be remedied and dialogue and information must be provided.
The Bowery Historic District must be added to the Draft Scope of Work in the section titled “Historic Districts”.

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3. NEIGHBORHOOD CONTEXT
Bowery Corridor
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Jeanne Wilcke

2

Response to HISTORIC DISTRICTS. NEIGHBORHOOD CONTEXT, PROJECT AREA, Task 7
THE BOWERY HISTORIC DISTRICT
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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Jeanne Wilcke

TRANSCRIPTS

WEBVTT

1
00:00:00.359 --> 00:00:11.099
Olga Abinader, Director, DCP EARD: You are tuning into the remote public scoping meeting for the Soho Novo neighborhood plan proposal secret number 21 DTP 05 9am

2
00:00:11.610 --> 00:00:19.410
Olga Abinader, Director, DCP EARD: My name is Olga applicator and I'm the director of the New York City Department of city planning environmental assessment and review division or E AR D.

3
00:00:19.800 --> 00:00:36.870
Olga Abinader, Director, DCP EARD: Stephanie. Sure. Lu W director of air D will co host today's meeting and, in the event of any technical challenges on my end. Stephanie will take over this meeting on my behalf. We truly appreciate your patience as we adjust to this remote public scoping meeting format.

4
00:00:37.950 --> 00:00:42.720
Olga Abinader, Director, DCP EARD: I do want to thank everyone for taking the time out of your day to attend this remote meeting.

5
00:00:43.170 --> 00:00:58.260
Olga Abinader, Director, DCP EARD: I want to acknowledge that technology like this isn't perfect. However, it is an invaluable tool that allows the critical land use and environments review prophecies to proceed while keeping all of us safe during this public health crisis.

6
00:00:58.830 --> 00:01:04.770
Olga Abinader, Director, DCP EARD: I also want to emphasize that we will hear from everyone who wishes to provide testimony today.

7
00:01:05.820 --> 00:01:20.070
Olga Abinader, Director, DCP EARD: During this meeting and this meeting will remain open until we have heard from all voices. We also welcome written comments and testimony for the next 15 days following this meeting through December 18 2020

8
00:01:20.640 --> 00:01:27.450
Olga Abinader, Director, DCP EARD: And we provide written comments, the same attention and consideration as comments provided live at today's meeting.

9
00:01:28.230 --> 00:01:34.920

Olga Abinader, Director, DCP EARD: We also recognize that the 1pm start time some saw in our registration materials may have been confusing to some of you.

10
00:01:35.370 --> 00:01:47.160
Olga Abinader, Director, DCP EARD: To clarify this earlier time allows us time to prepare and set up our zoom meeting for you to minimize the amount of time you have to wait before the public scoping meeting actually begins.

11
00:01:48.660 --> 00:01:51.810
Olga Abinader, Director, DCP EARD: I'll ask production now to please open our initial presentation.

12
00:02:10.020 --> 00:02:19.050
Olga Abinader, Director, DCP EARD: Please give us a moment as it does take a little bit of time to upload some of these presentations. Again, I'll ask production to open our initial presentation.

13
00:02:28.230 --> 00:02:42.810
Olga Abinader, Director, DCP EARD: Okay, looks like we might be experiencing a few technical difficulties at the moment. So I will start again and ask for production to please help us upload our initial presentation. Here we go.

14
00:02:45.420 --> 00:02:47.430
Olga Abinader, Director, DCP EARD: And can we please move ahead to the next slide.

15
00:02:50.130 --> 00:02:57.750
Olga Abinader, Director, DCP EARD: All right, thank you. So for those of you who are logged into zoom and in need of Cantonese or Mandarin translation today.

16
00:02:58.230 --> 00:03:08.160
Olga Abinader, Director, DCP EARD: Please click the interpretation button on your zoom screen. And if you need Cantonese Translation. Translation, excuse me, please select Chinese

17
00:03:08.790 --> 00:03:19.080
Olga Abinader, Director, DCP EARD: If you need Mandarin, please select Portuguese. Also, please be sure to select the mute original audio button on your screen.

18
00:03:19.830 --> 00:03:30.060

Olga Abinader, Director, DCP EARD: Once you have selected these options and interpreter will be there to translate the meeting into your preferred language be that Mandarin or Cantonese

19
00:03:30.840 --> 00:03:43.890
Olga Abinader, Director, DCP EARD: If you would like to provide testimony in Cantonese or Mandarin today you will have a five minute time limit to speak and an interpreter will translate your testimony live into English.

20
00:03:44.970 --> 00:03:54.900
Olga Abinader, Director, DCP EARD: Also take a few moments. Now, to allow our interpreters to translate these instructions will start first with our Cantonese translator.

21
00:03:57.030 --> 00:04:02.850
Translator 3 (Cantonese): Idaho or highly refined, you cannot come yet what day I'll take on finding it get

22
00:04:04.350 --> 00:04:16.860
Translator 3 (Cantonese): Come. There you go. So you gone to market funny koala so high leakage zoom. Get yo. Yo, I got the call the demon in Chinese or the hi john one

23
00:04:17.550 --> 00:04:32.820
Translator 3 (Cantonese): Though we handle condo market funny, you go, so you got do you define it. Hi, Johan de de de far gone, Portuguese, what a porthole Nah man later how we handle what they can find you. Thank you.

24
00:04:34.980 --> 00:04:37.980
Olga Abinader, Director, DCP EARD: Thank you will move ahead now with their Mandarin translator.

25
00:04:39.240 --> 00:04:50.340
Translator 1 - Mandarin: I mean, that's just how it will change it up by the countdown to answer the little triangle Sunni she introduced me to be in the mood to be able to Cambodia Mongolian ego super

26
00:04:50.850 --> 00:05:00.390
Translator 1 - Mandarin: Ego super rendering strong one. Now ruminations shouting condo modifying my family that don't one Chinese naked P foundation longevity in the

27
00:05:01.740 --> 00:05:13.740

Translator 1 - Mandarin: Kitchen quantum rather fight he gave me his home in hospital junkie, the bluefin now rule me shouting from one meeting to the ancient Portuguese just put out one not how we

28
00:05:15.150 --> 00:05:21.120
Translator 1 - Mandarin: Teamed up JOHN. JOHN one does it fit the sheer song. Now we change into I'm fine.

29
00:05:25.170 --> 00:05:35.130
Olga Abinader, Director, DCP EARD: Thank you so much. We will now proceed to the puppet scoping meeting for this SOHO know whole neighborhood plant, please give us a moment as we upload our next presentation.

30
00:05:51.990 --> 00:05:53.400
Olga Abinader, Director, DCP EARD: Thank you and welcome.

31
00:05:54.510 --> 00:06:14.280
Olga Abinader, Director, DCP EARD: Further record. Let me note that the city and remnants of quality review or seeker application number for this project is 21 DC P 059 TODAY'S DATE IS DECEMBER 3 2020 and the time is approximately 2:06pm. Next slide please.

32
00:06:17.100 --> 00:06:24.600
Olga Abinader, Director, DCP EARD: Again, my name is Olga Ave later and I'm the Director of the environmental assessment and review division of the New York City Department of city planet.

33
00:06:25.050 --> 00:06:35.310
Olga Abinader, Director, DCP EARD: I'll be sharing today's public scoping meeting but department of city planning is acting on behalf of the City Planning Commission as a lead agency for this proposals in Romans a review.

34
00:06:35.880 --> 00:06:46.020
Olga Abinader, Director, DCP EARD: As lead agency, the department will be responsible for overseeing the preparation and completion of the proposals environmental impact statement or he is. Next slide please.

35
00:06:48.960 --> 00:06:59.310
Olga Abinader, Director, DCP EARD: Joining me today are several of my colleagues from the Department of city planning, as I mentioned previously, Stephanie Sheila, with Deputy Director of the environmental assessment and review division joins us today.

36
00:06:59.730 --> 00:07:08.040

Olga Abinader, Director, DCP EARD: Also joining us our eaters to Chen, Director of the departments Manhattan office and Eric botsford deputy director of the departments Manhattan office.

37
00:07:08.370 --> 00:07:16.620
Olga Abinader, Director, DCP EARD: And building a team leader within the environmental assessment and review division is managing this he is in his join us today as well. Sylvia Lee.

38
00:07:17.130 --> 00:07:31.890
Olga Abinader, Director, DCP EARD: Project Manager and IT departments Manhattan office as well as Andrew can to who's acting on behalf of the enrollments for review project management for this project or also joining us. Lastly nebula Molly senior planner know Manhattan office is joining us as well.

39
00:07:32.970 --> 00:07:40.050
Olga Abinader, Director, DCP EARD: I'd like to note also that a representative from the environmental consulting firm A Cara will be presenting along with us today.

40
00:07:40.770 --> 00:07:49.860
Olga Abinader, Director, DCP EARD: And that I should also mention that during today's revolt public meeting. We are joined by about a dozen of our colleagues from the Department of city planning.

41
00:07:50.100 --> 00:07:59.490
Olga Abinader, Director, DCP EARD: Who have worked extremely hard to assist us with this remote public scoping meeting format. Many thanks to them for all of their hard work. Next slide please.

42
00:08:03.540 --> 00:08:09.690
Olga Abinader, Director, DCP EARD: Together, we are here to receive your comments on the draft scope of work for this. Oh no, whole neighborhood plan proposal.

43
00:08:10.110 --> 00:08:21.660
Olga Abinader, Director, DCP EARD: Draft scope of work identifies the subjects to be analyzed in the upcoming draft environmental impact statement or D is and describes the methodology that will be used in those analyses.

44
00:08:22.140 --> 00:08:29.160
Olga Abinader, Director, DCP EARD: I will note that the draft scope of work material is available on the Department of city planning website. Next slide please.

45
00:08:32.880 --> 00:08:44.010
Olga Abinader, Director, DCP EARD: The purpose of this public scoping meeting is to allow for public participation in the preparation of the draft, he is at the earliest stage possible in the environmental review process.

46
00:08:44.220 --> 00:08:49.710
Olga Abinader, Director, DCP EARD: Specifically scoping allows the public to help shape the DEA is before it is written,

47
00:08:50.400 --> 00:09:02.580
Olga Abinader, Director, DCP EARD: Toward that end the department acting as lead agency will receive verbal testimony on the draft scope of work from elected officials government agencies, the local community board and the general public.

48
00:09:03.120 --> 00:09:12.540
Olga Abinader, Director, DCP EARD: We also welcome written comments on the draw scope of work. They may be submitted through Friday, December 18 2020. Next slide please.

49
00:09:17.010 --> 00:09:27.330
Olga Abinader, Director, DCP EARD: At the end of the written comment period, the department as lead agency will review all comments receive those be here today as well as written comments that we have received throughout this process.

50
00:09:27.660 --> 00:09:34.710
Olga Abinader, Director, DCP EARD: After carefully reviewing these comments, the department will decide what changes if any needs to be made to the draft scope of work.

51
00:09:35.580 --> 00:09:47.100
Olga Abinader, Director, DCP EARD: And then and final scope of work will be issued. It is the final scope of work that will serve as a basis for preparing the draft environmental impact statement. Next slide please.

52
00:09:53.280 --> 00:09:57.690
Olga Abinader, Director, DCP EARD: Note that today marks the beginning of the written comment period under draft scope of work.

53
00:09:57.990 --> 00:10:01.200
Olga Abinader, Director, DCP EARD: No decisions will be made today regarding the draft scope of work.

54
00:10:01.440 --> 00:10:15.180
Olga Abinader, Director, DCP EARD: And the purpose of today's meeting is to allow the public to provide their comments about the draft scope of work until allow the department to listen to those comments. It's important for all voices to be heard today. Next slide please.

55
00:10:18.870 --> 00:10:24.090
Olga Abinader, Director, DCP EARD: Oh, I will now focus on the structure of today's meeting, which is going to be divided into three parts.

56
00:10:24.540 --> 00:10:33.060
Olga Abinader, Director, DCP EARD: During the first part, Sylvia elite of the Manhattan office will provide a brief overview describing the Soho know whole neighborhood rezoning proposal.

57
00:10:33.690 --> 00:10:42.030
Olga Abinader, Director, DCP EARD: Patrick Blanche field, a representative of a care of the environmental consultant for this proposal will then provide a short summary of address scope of work.

58
00:10:42.840 --> 00:10:53.190
Olga Abinader, Director, DCP EARD: During this second part of this meeting, we will be receiving comments on the draft scope of work from elected officials government agencies and community board representatives.

59
00:10:53.850 --> 00:11:08.880
Olga Abinader, Director, DCP EARD: And during the third and final part of today's meeting the department will receive comments from the general public the meeting will end. Only when everyone who has signed up to provide testimony has had a chance to be heard. Next slide please.

60
00:11:13.020 --> 00:11:22.800
Olga Abinader, Director, DCP EARD: On to a few logistics for today's remote scoping meeting again the protocol is intended to ensure that everyone has had a chance to speak and that always his or her

61
00:11:23.850 --> 00:11:46.470
Olga Abinader, Director, DCP EARD: If you wish to speak and plan to access our meeting online using a computer, tablet or smartphone. Please remember to register online using the Soho Novo pumping scoping meeting page of the NYC engaged portal@www.nyc.gov forward slash NYC E. N. G. A. G.

62

00:11:47.430 --> 00:12:03.660
Olga Abinader, Director, DCP EARD: A link to join this meeting and provide your testimony. If desired, will be emailed to you. After you have completed the registration process on the NYC engage portal, we will, at that point, add you to our speakers list. Next slide please.

63
00:12:07.200 --> 00:12:15.390
Olga Abinader, Director, DCP EARD: When it is your turn to speak your name will be called and you will be granted speaking temporary speaking privileges by the Department of city putting snap.

64
00:12:15.780 --> 00:12:28.110
Olga Abinader, Director, DCP EARD: So please listen closely for Your Name to be called once your name has been called, we will unmute your microphone or we will help you unmute your microphone and you will be asked to provide your remarks.

65
00:12:28.500 --> 00:12:39.030
Olga Abinader, Director, DCP EARD: To allow us to hear from everyone who is just to speak. We ask that everyone from the public limit their remarks to three minutes. Unless otherwise notified.

66
00:12:39.390 --> 00:12:51.960
Olga Abinader, Director, DCP EARD: A three minute countdown clock will run on the screen. If you're able to view us online at the three minute mark your time will expire. And at that time, you will be asked to conclude your testimony.

67
00:12:53.220 --> 00:13:03.540
Olga Abinader, Director, DCP EARD: Please also note that your testimony will be verbal only we will be able to hear you but we will not be able to see you. Next slide please.

68
00:13:08.130 --> 00:13:18.450
Olga Abinader, Director, DCP EARD: And additional note of instruction for those of you joining us by telephone today if you do wish to provide testimony via telephone, please select star nine when prompted.

69
00:13:19.020 --> 00:13:28.260
Olga Abinader, Director, DCP EARD: Please listen for me to call out the last three digits of your phone number. At that point, you will be given the temporary ability to share your testimony.

70
00:13:28.710 --> 00:13:34.620
Olga Abinader, Director, DCP EARD: You must then press star six to unmute yourself and we will be able to hear you speak.

71
00:13:35.040 --> 00:13:43.950
Olga Abinader, Director, DCP EARD: When your testimony is complete, or your three minutes have expired, we will let you know and you must press star six again to mute yourself.

72
00:13:44.550 --> 00:13:48.360
Olga Abinader, Director, DCP EARD: We will be repeating these instructions throughout the course of today's meeting.

73
00:13:49.320 --> 00:14:03.540
Olga Abinader, Director, DCP EARD: We would also like to know that we would like to encourage dial in participants call in by phone, who wish to provide testimony to register online, excuse me to register via telephone using the dial in participants hotline.

74
00:14:04.950 --> 00:14:16.230
Olga Abinader, Director, DCP EARD: Please note also that muting and I'm muting registered speakers may take a brief moment as you are still adjusting to this remote zoom meeting format. Next slide please.

75
00:14:22.380 --> 00:14:30.330
Olga Abinader, Director, DCP EARD: A few words on to time limits speakers from the general public have three minutes to provide testimony today.

76
00:14:30.750 --> 00:14:40.410
Olga Abinader, Director, DCP EARD: There are a few exceptions to our time limits for example, elected officials are given the courtesy to jump the front of the queue and are not time limited

77
00:14:41.070 --> 00:14:51.660
Olga Abinader, Director, DCP EARD: Also if translation services are being used by someone from the general public the time to speak and provide testimony will be provided with excuse me will be extended to five minutes.

78
00:14:52.230 --> 00:15:03.960
Olga Abinader, Director, DCP EARD: For members of the public not needing translation services. We will announce when the three minute time limit is reach, at which point you will be asked to conclude remarks. Next slide please.

79
00:15:07.530 --> 00:15:14.880

Olga Abinader, Director, DCP EARD: Once again interpretation services are available today. For those of you who wish to provide verbal testimony in Cantonese or Mandarin.

80
00:15:15.210 --> 00:15:26.190
Olga Abinader, Director, DCP EARD: Five minutes of speaking time will be allotted to those needing these services verbal comments given in Cantonese or Mandarin will be translated into English. After the testimony is completed.

81
00:15:26.700 --> 00:15:38.790
Olga Abinader, Director, DCP EARD: verbal and written comments and address scope of work in languages other than English Cantonese or Mandarin will be translated and incorporated into the final scope of work. Next slide please.

82
00:15:39.240 --> 00:15:47.880
Stephanie Shellooe, Deputy Director, DCP EARD: Although we like to pause for a moment just to ensure that the Mandarin and Cantonese translation channels are working appropriately.

83
00:15:48.540 --> 00:15:51.090
Olga Abinader, Director, DCP EARD: Absolutely let's give them a moment to get started.

84
00:17:20.820 --> 00:17:25.740
Studies Support 1: Production one we please check the chat that I just sent you.

85
00:19:20.490 --> 00:19:32.400
Olga Abinader, Director, DCP EARD: Hello everyone just announcing that we are just taking a brief pause at the moment to troubleshoot some technical difficulties that we are experiencing, we should receive them within a few minutes. Thank you all for your patience.

86
00:19:33.870 --> 00:19:35.760
Stephanie Shellooe, Deputy Director, DCP EARD: Hello translator to are you on

87
00:19:46.140 --> 00:19:46.980
Translator 2 - Mandarin Backup: Are you talking to me.

88
00:19:47.430 --> 00:19:48.150
Stephanie Shellooe, Deputy Director, DCP EARD: Please unmute your

89
00:19:49.230 --> 00:19:49.680
Stephanie Shellooe, Deputy Director, DCP EARD: Yes.

90
00:19:50.550 --> 00:19:50.910
Okay.

91
00:19:52.380 --> 00:19:59.250
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, so you're on this Portuguese channel and you should be translating simultaneously for the presentation. During this point.

92
00:20:00.960 --> 00:20:01.320
Translator 2 - Mandarin Backup: Okay.

93
00:20:05.220 --> 00:20:05.610
Yes.

94
00:20:07.350 --> 00:20:10.590
Stephanie Shellooe, Deputy Director, DCP EARD: Oh yes, the meeting has begun please translate

95
00:20:11.610 --> 00:20:16.500
Stephanie Shellooe, Deputy Director, DCP EARD: For any folks who may have joined this channel for Mandarin translation of this presentation. Okay.

96
00:20:17.910 --> 00:20:18.390
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you.

97
00:20:25.500 --> 00:20:34.260
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, I believe the translator is set on Mandarin translation. If one will select Portuguese and the interpretation section.

98
00:20:37.380 --> 00:20:40.350
Translator 2 - Mandarin Backup: Is identical put the harsh and you should do when they find you. Uh huh.

99
00:21:03.420 --> 00:21:04.560
Studies Support 1: Production one

100
00:21:05.880 --> 00:21:11.460

Studies Support 1: Can we confirm that the translators are on the correct channels.

101
00:21:15.420 --> 00:21:16.590
Studies Support 1: Yes, we can.

102
00:21:18.780 --> 00:21:19.530
Production: Confirmed

103
00:21:21.210 --> 00:21:22.440
Translator, Chinese - Mandarin (BU 1) : And translate

104
00:21:29.220 --> 00:21:30.480
Studies Support 1: Yes, we can hear you.

105
00:21:31.500 --> 00:21:32.460
Studies Support 1: Hold on.

106
00:21:35.880 --> 00:21:40.500
Translator, Chinese - Mandarin (BU 1) : And complete how, when and translator 2 million anger shame and during the

107
00:21:41.610 --> 00:21:49.230
Translator, Chinese - Mandarin (BU 1) : Funny in the container. You can also function differently to. She said, Oh, got it on the show. Who knew me out fine.

108
00:21:50.400 --> 00:21:58.530
Translator, Chinese - Mandarin (BU 1) : Tuning don't even want a male name, can a woman male mandarins we thought, geez to shoot IBM and during

109
00:22:01.380 --> 00:22:02.940
Translator, Chinese - Mandarin (BU 1) : This special love

110
00:22:04.530 --> 00:22:13.980
Translator, Chinese - Mandarin (BU 1) : Mail. I don't want my damn sure. For sure. All kinds of human geography home and team dollar Cantonese to find their own way of Mandarin. The thing which is the umbrella. Under the sheet,

111
00:22:16.740 --> 00:22:17.040
Translator, Chinese - Mandarin (BU 1) : So,

112
00:22:19.410 --> 00:22:22.200
Translator 1 - Mandarin: I'm eager for English. She was a Sylvia

113
00:22:24.810 --> 00:22:34.320
Translator 1 - Mandarin: Technical the proper sleep was the issue maker mentoring, we will share the screen so she'll make a translator charming city de la

114
00:22:35.340 --> 00:22:39.840
Translator 1 - Mandarin: Liga to jump on the show. What's the temperature. Now we covered the hardest thing in the

115
00:22:45.120 --> 00:22:46.860
Translator, Chinese - Mandarin (BU 1) : whole country or a male mandri

116
00:22:47.400 --> 00:22:48.150
Translator 1 - Mandarin: Do what's it up.

117
00:22:50.610 --> 00:22:51.150
Translator 1 - Mandarin: Oh, no.

118
00:22:51.300 --> 00:23:04.590
Translator 3 (Cantonese): Please don't want a translation. Want to see interpreter translator is not set to be interpreted correct such only translated to right now can do the translations in the Portuguese room. So just

119
00:23:05.070 --> 00:23:05.580
Okay.

120
00:23:07.980 --> 00:23:17.700
Translator, Chinese - Mandarin (BU 1) : UNTIL MAY NOT TRANSLATE her to me any good. So we all got it on what appearances younger Sure honey, also from zoom saying to her house on the Zoning Commission.

121
00:23:18.810 --> 00:23:26.070
Translator, Chinese - Mandarin (BU 1) : Periods handles attention to what's written down in Mandarin and he even concentration from a domain which hinders me

122
00:23:32.580 --> 00:23:34.740
Translator 3 (Cantonese): To say something Chancellor to

123
00:23:43.050 --> 00:23:44.490
Translator, Chinese - Mandarin (BU 1) : Translate one translates

124
00:23:45.150 --> 00:23:45.570
Translator 3 (Cantonese): To

125
00:23:46.380 --> 00:23:48.270
Translator 2 - Mandarin Backup: Me, please don't touch.

126
00:23:51.360 --> 00:23:51.540
Translator, Chinese - Mandarin (BU 1) : It.

127
00:23:52.320 --> 00:23:53.520
Translator 2 - Mandarin Backup: Was it was a backup.

128
00:23:53.760 --> 00:24:09.180
Translator, Chinese - Mandarin (BU 1) : Needs a NIDA NIDA NIDA NIDA zoom attendees in the panelists panelists john three Sherman that you go negative three, some of the different you Lucy, can you please tell me see a decision should I, should I should choose

129
00:24:11.220 --> 00:24:21.930
Translator, Chinese - Mandarin (BU 1) : To attend the panel is that the Libya usually is coming down and he is that he or she wasn't city and kind of emulate illustrations Translate. Translate into

130
00:24:22.020 --> 00:24:24.600
Translator 3 (Cantonese): Translator to sin and a translator once and you

131
00:24:26.760 --> 00:24:27.900
Translator, Chinese - Mandarin (BU 1) : Guys, I need a

132
00:24:27.990 --> 00:24:30.480
Translator 3 (Cantonese): Translator to can you hear me say something

133
00:24:35.790 --> 00:24:38.490
Translator 3 (Cantonese): Just to sort. So, too. Haha. Hello.

134
00:24:55.980 --> 00:24:56.640
Translator 3 (Cantonese): Tina da ne

135

00:25:00.360 --> 00:25:08.370
Translator 3 (Cantonese): Ne, ne need. We all choose one better Tisha, we need to find how to tell other session.

136
00:25:24.960 --> 00:25:29.430
Translator 3 (Cantonese): Sorry for the delay, we have solved our technical issue with me zoom meeting.

137
00:25:30.660 --> 00:25:32.220
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, thank you very much.

138
00:25:33.660 --> 00:25:40.380
Olga Abinader, Director, DCP EARD: Thank you, everyone. And we apologize to your audience for the technical difficulties of you were experiencing with our translation services.

139
00:25:40.710 --> 00:25:55.200
Olga Abinader, Director, DCP EARD: Wanted to just take the time to make sure that they were resolved so that everyone has a chance to participate as warranted. So why don't we go back to our presentation will move on to slide 14 our presentation again please bear with us, we can proceed.

140
00:26:04.620 --> 00:26:16.800
Olga Abinader, Director, DCP EARD: All right, thank you all for your patience. So to those of those of you who are viewing us on livestream and who wish to testify. Please be mindful of any potential background noise during your testimony.

141
00:26:17.100 --> 00:26:22.500
Olga Abinader, Director, DCP EARD: Make sure that your live stream is muted. When you begin your testimony to avoid hearing an echo

142
00:26:23.520 --> 00:26:30.360
Olga Abinader, Director, DCP EARD: If anyone is viewing today's presentation, but does not wish to provide testimony currently not that this

143
00:26:30.780 --> 00:26:46.260
Olga Abinader, Director, DCP EARD: Is a challenging format for us. So please stream this meeting, using the live stream links included within the NYC engage and city planning websites, given the attendance capacity constraints on zoom. Next slide please.

144
00:26:49.410 --> 00:26:56.430

Olga Abinader, Director, DCP EARD: If you do wish to provide written testimony. It may be submitted to the Department of city planet directly

145
00:26:56.820 --> 00:27:13.320
Olga Abinader, Director, DCP EARD: Our mailing address is 120 Broadway 31st for New York, New York 10271 attention will get Avenue later if you'd like to provide an email testimony, please reach out to us at 21 TCP 059

146
00:27:14.100 --> 00:27:25.200
Olga Abinader, Director, DCP EARD: Underscore dl@planning.nyc.gov. And as a reminder, the department will accept her in comments until Friday, December the 18th

147
00:27:27.330 --> 00:27:40.590
Olga Abinader, Director, DCP EARD: If you did miss the instructions today. Please be sure to visit www.nyc.gov forward slash NYC een GA G for instructions on how to participate.

148
00:27:41.430 --> 00:27:57.900
Olga Abinader, Director, DCP EARD: We will now move on to the first part of our meeting at this time the department will present an overview of the proposed project. This presentation will be followed by the Environmental consultant who will summarize the dress scope of work. Next slide please.

149
00:28:04.080 --> 00:28:04.710
Olga Abinader, Director, DCP EARD: Take it away.

150
00:28:07.770 --> 00:28:20.700
Sylvia Li, Presenter of Project Overview: Thank you. My name is Sylvia Lee senior plant planner at the Department of city planning and project lead for this. Oh no, who neighborhood plan, I would like to thank you for joining us today. Virtually. Next slide please.

151
00:28:25.470 --> 00:28:30.930
Sylvia Li, Presenter of Project Overview: In the next 20 minutes or so I'll provide an overview of the planning goals for the neighborhood plan.

152
00:28:31.350 --> 00:28:42.660
Sylvia Li, Presenter of Project Overview: I will also cover critical steps in the environmental review process moving forward for those who tuned in. On October 26 our info session. Some of this would be a refresher.

153

00:28:43.290 --> 00:28:54.120
Sylvia Li, Presenter of Project Overview: Then I, together with Patrick from AK RF we'll go over a summary of this. Oh no. Whoa draft scope of work before we open it up for public comment. Next slide please.

154
00:28:56.760 --> 00:29:00.480
Sylvia Li, Presenter of Project Overview: First a quick overview of the neighborhood plan. Next slide please.

155
00:29:04.170 --> 00:29:08.880
Sylvia Li, Presenter of Project Overview: Here we have a general timeline of the planning process. As you can see here

156
00:29:09.180 --> 00:29:18.000
Sylvia Li, Presenter of Project Overview: The current neighborhood plan. It's being informed by what we heard during the invasion. So who knows the whole community engagement process that took place last year.

157
00:29:18.360 --> 00:29:24.120
Sylvia Li, Presenter of Project Overview: I'll also note that the plan is also driven by important equity and inclusion goals for the city.

158
00:29:24.840 --> 00:29:35.580
Sylvia Li, Presenter of Project Overview: So we're now with now entered the next phase of this oh no effort where the neighborhood plan gets refined and the zoning proposal gets developed in the coming months.

159
00:29:35.850 --> 00:29:48.120
Sylvia Li, Presenter of Project Overview: Today scoping meeting, following the info info session in October is another of the many opportunities for the community and the public to inform this ongoing process. Next slide please.

160
00:29:49.620 --> 00:29:54.690
Sylvia Li, Presenter of Project Overview: To start some background on the Soho no hold neighborhoods and reasons for action now.

161
00:29:55.680 --> 00:30:01.830
Sylvia Li, Presenter of Project Overview: The study area generally encompasses the Soho know who neighborhoods within Manhattan Community district to

162
00:30:02.250 --> 00:30:08.820
Sylvia Li, Presenter of Project Overview: The majority of the area is characterized and protected by the six city designated historic districts

163
00:30:09.180 --> 00:30:17.580
Sylvia Li, Presenter of Project Overview: These neighborhoods are centrally located highly accessible by transit close to major institutions and other mixed use neighborhoods.

164
00:30:18.480 --> 00:30:30.210
Sylvia Li, Presenter of Project Overview: As you all know, so who knows existing zoning was established in 1971 to address specific land use and economic conditions that were dramatically different from those today.

165
00:30:30.810 --> 00:30:43.260
Sylvia Li, Presenter of Project Overview: As echoed by many residents businesses and property owners during envision so who know how a major impetus for the planning process is the need to replace the overly restrictive.

166
00:30:43.860 --> 00:30:52.530
Sylvia Li, Presenter of Project Overview: onerous manufacturing zoning with new mixed use regulations that meet the current and future needs of the neighborhood and beyond.

167
00:30:53.430 --> 00:31:03.810
Sylvia Li, Presenter of Project Overview: And taking a step back to consider. So, whoa, whoa, whoa, in the context of the city against a backdrop of equities and her chips exacerbated by coven

168
00:31:04.680 --> 00:31:15.900
Sylvia Li, Presenter of Project Overview: We are moving toward the plan now because it is important that we make concrete steps to address persisting housing and socio economic divides that exist in our city.

169
00:31:16.380 --> 00:31:26.370
Sylvia Li, Presenter of Project Overview: We need to do so by using all the tools we have to break down barriers and at housing in neighborhoods that offer more opportunities and upward mobility.

170
00:31:26.970 --> 00:31:39.000
Sylvia Li, Presenter of Project Overview: I see that the next slide is already on before I get into the scoping material. I'd like to summarize the neighborhood planning goals which are characterized into these four buckets, you see on the screen.

171
00:31:39.420 --> 00:31:46.680

Sylvia Li, Presenter of Project Overview: At the info session, we've just discussed in detail about how the diverse set of perspectives and voices.

172
00:31:47.070 --> 00:31:56.760
Sylvia Li, Presenter of Project Overview: Emerged from a vision. So who know how, as well as the values we hold as New Yorkers let to these planning goals here. I'll just do a quick recap.

173
00:31:57.270 --> 00:32:07.890
Sylvia Li, Presenter of Project Overview: On housing the neighborhood plan intends to create new opportunities for housing and affordability by lifting outdated is only restrictions on residential use

174
00:32:08.340 --> 00:32:14.100
Sylvia Li, Presenter of Project Overview: The plan would also require permanently affordable housing in Soho no hole for the first time.

175
00:32:14.850 --> 00:32:28.590
Sylvia Li, Presenter of Project Overview: Components of the plan would also reflect envision so who knows recommendation to allow joint living or quarters for artists to remain as well as to accommodate live work more broadly in existing a new building.

176
00:32:29.610 --> 00:32:42.630
Sylvia Li, Presenter of Project Overview: On the economic side the plan would carry forward what we've heard from the local business community to allow a wider range of uses, which bring vibrancy and jobs to the neighborhoods and our city.

177
00:32:43.170 --> 00:32:50.700
Sylvia Li, Presenter of Project Overview: At the same time, the neighborhood of plan would also allow us to collaborate with other agencies and the local community.

178
00:32:51.300 --> 00:32:58.050
Sylvia Li, Presenter of Project Overview: To improve the daily experience of those who live, work and visit the neighbor visit SOHO and know

179
00:32:58.740 --> 00:33:06.840
Sylvia Li, Presenter of Project Overview: For arts and culture, in addition to allowing joint living work quarters for artists to remain and accommodating creative live, work,

180
00:33:07.290 --> 00:33:12.060

Sylvia Li, Presenter of Project Overview: More broadly, the neighborhood plan as it develops will also devise

181
00:33:12.690 --> 00:33:21.270
Sylvia Li, Presenter of Project Overview: creative solutions within and outside of zoning to recognize those who are not certified artists, but are part of the Soho know community.

182
00:33:21.630 --> 00:33:29.400
Sylvia Li, Presenter of Project Overview: Paired with strategies to sustain SOHO know hose cultural legacy and artists creative community on design.

183
00:33:30.210 --> 00:33:41.670
Sylvia Li, Presenter of Project Overview: The plan would implement building form controls that enhance the neighborhoods beloved character and also guide future development to fit into the existing context. Next slide please.

184
00:33:43.590 --> 00:33:47.400
Sylvia Li, Presenter of Project Overview: The slide sums up the key elements of the neighborhood plan.

185
00:33:49.680 --> 00:33:57.480
Sylvia Li, Presenter of Project Overview: Which will continue to be developed and refined. I'll go into further details in the draft scope of work portion of this presentation.

186
00:33:57.780 --> 00:34:10.350
Sylvia Li, Presenter of Project Overview: Here and interest of time, I'll just note that zoning, as well as other strategies outside of zoning are intended to work in unison to achieve these multiple planning goals. Next slide. Peace.

187
00:34:12.510 --> 00:34:19.680
Sylvia Li, Presenter of Project Overview: In other words, zoning is about one component of the neighborhood plan, but it will be the focus of today's meeting.

188
00:34:20.250 --> 00:34:34.770
Sylvia Li, Presenter of Project Overview: The zoning changes contemplated as part of the neighborhood plan and described and the draft scope of work will help advance the shared vision of a more equitable economically resilient and culturally vibrant, so no hope.

189

00:34:35.400 --> 00:34:45.360
Sylvia Li, Presenter of Project Overview: As noted earlier, the zoning proposal, I'll walk you through today is not the final version today scoping meeting is the first of many opportunities for you to weigh in.

190
00:34:46.230 --> 00:35:03.420
Sylvia Li, Presenter of Project Overview: Next slide please. Before diving into the details of the Soho know zoning contemplated in the draft scope of work. I'll do a quick recap of the environmental review process as a context for today's scoping meeting. Next slide please.

191
00:35:05.490 --> 00:35:12.420
Sylvia Li, Presenter of Project Overview: The city's environmental quality review or seeker is the process by which we identify potential

192
00:35:13.290 --> 00:35:24.570
Sylvia Li, Presenter of Project Overview: Impacts from a new land use proposal and study them to inform the project. It is one of the first more formalized steps in establishing a land use proposal.

193
00:35:25.440 --> 00:35:41.610
Sylvia Li, Presenter of Project Overview: There are different deliverables that seeker produces depending on the land use actions and in this case. So know who neighborhood plan requires an environmental impacts the statement he is, which is the most extensive type of environmental review.

194
00:35:42.180 --> 00:36:00.240
Sylvia Li, Presenter of Project Overview: So why is this process important seeker allows participants in the public review process to evaluate project benefits as well as new needs it may generate it also ensures mitigation measures are identified for adverse environmental impacts. Next slide please.

195
00:36:02.730 --> 00:36:08.490
Sylvia Li, Presenter of Project Overview: The dress code work is the first step towards producing and he is and the further

196
00:36:09.210 --> 00:36:19.980
Sylvia Li, Presenter of Project Overview: Analyses the scope of work for so Whoa whoa whoa establishes the scope of what environmental components need to be analyzed to inform the neighborhood plan.

197
00:36:20.790 --> 00:36:39.090
Sylvia Li, Presenter of Project Overview: More on this shortly. This is. It is important to note hair that the scope does not establish the final

neighborhood plan proposal, but rather it is used to essentially set up the parameters for the neighborhood plan in order to conduct environmental analysis. Next slide please.

198
00:36:40.230 --> 00:36:59.070
Sylvia Li, Presenter of Project Overview: Today scoping meeting will be an opportunity for you to provide input on these areas of analysis I eat the scope of the project for the environmental review, meaning that what should or shouldn't be included in the analysis. Next slide please.

199
00:37:00.480 --> 00:37:08.820
Sylvia Li, Presenter of Project Overview: So what happens after today all comments from the scoping meeting and during the common period following today's meeting.

200
00:37:09.120 --> 00:37:20.640
Sylvia Li, Presenter of Project Overview: Will be reviewed and incorporated into the final scope of work which initiates analysis for the draft environmental impact statement D is before a final eat.

201
00:37:21.630 --> 00:37:34.380
Sylvia Li, Presenter of Project Overview: Before final environmental impact statement is issued, I'll note here that the proposal development process, shown here in the blue bar on this diagram progresses in parallel with the environmental review.

202
00:37:34.890 --> 00:37:44.250
Sylvia Li, Presenter of Project Overview: In the coming months, there will be additional opportunities for public participation before and during the formal land use review process, also known as your

203
00:37:45.240 --> 00:37:55.980
Sylvia Li, Presenter of Project Overview: Next slide please. So moving on to a summary of what is included in the cell, who know what neighborhood plan draft scope of work. Next slide please.

204
00:37:58.500 --> 00:38:01.800
Sylvia Li, Presenter of Project Overview: What's in this document, then you may have seen on our website.

205
00:38:03.150 --> 00:38:17.100
Sylvia Li, Presenter of Project Overview: The dress code work includes a description of the contemplated zoning actions as a basis to define the parameters for environmental analysis. As noted earlier, this is not the final neighborhood plan proposal.

206
00:38:18.270 --> 00:38:36.090
Sylvia Li, Presenter of Project Overview: The draft scope of work also includes the environmental analysis framework, as well as an overview of what that he is will ultimately entail in the remainder of the presentation. Patrick and I will walk you through these key pieces of information. Next slide please.

207
00:38:38.820 --> 00:38:46.680
Sylvia Li, Presenter of Project Overview: So purpose in need statement and the draft scope of work reflects the planning goals of the neighborhood plan as I previously described

208
00:38:47.190 --> 00:38:59.190
Sylvia Li, Presenter of Project Overview: To address these identified needs zoning map and zoning texts amendments are contemplated to replace the existing and 158 and one five beat zoning. Next slide please.

209
00:39:00.930 --> 00:39:12.690
Sylvia Li, Presenter of Project Overview: Before we dive in a quick summary of the existing zoning manufacturing and certain commercial uses on a limited basis today are permitted at five FA IR density

210
00:39:13.230 --> 00:39:21.960
Sylvia Li, Presenter of Project Overview: Joint living work quarters for artists jail W QA provides certified artists live work allowance as a unique manufacturing use

211
00:39:22.470 --> 00:39:43.080
Sylvia Li, Presenter of Project Overview: Ground for uses are limited to industrial and uses that serve the manufacturing industry a reflection of the land uses in Soho know when the zoning was put in place in the 1970s community facility uses again only a very narrow subset of them are permitted at a higher FDR at 6.5

212
00:39:44.310 --> 00:39:53.490
Sylvia Li, Presenter of Project Overview: This limitation is largely due to the lack of need for residential amenities back in the 70s, where residential occupancy were rare.

213
00:39:54.180 --> 00:40:03.600
Sylvia Li, Presenter of Project Overview: residential use is not permitted under existing zoning bulk regulations, follow the very flexible non contextual manufacturing

214
00:40:04.170 --> 00:40:15.750

Sylvia Li, Presenter of Project Overview: Regulations these current regulations actually allow build forms that could be quite different from the typical cast iron lofts that characterize SOHO know. Next slide please.

215
00:40:17.550 --> 00:40:24.720
Sylvia Li, Presenter of Project Overview: As described in the draft scope of work. It is contemplated that the existing zoning will be replaced by a series of

216
00:40:25.260 --> 00:40:36.630
Sylvia Li, Presenter of Project Overview: mixed use zoning districts and a new special so Whoa whoa whoa mixed use district where a wider range of residential, commercial and light manufacturing uses will be permitted.

217
00:40:37.080 --> 00:40:47.040
Sylvia Li, Presenter of Project Overview: This would mean that the onerous ad hoc special permit processes will no longer be necessary to locate retail or other storefront uses on the ground floor.

218
00:40:47.520 --> 00:41:05.520
Sylvia Li, Presenter of Project Overview: Existing under utilized commercial manufacturing spaces can be repurposed more easily to housing and new residential and mixed use development may may more readily occur on underdeveloped parcels, the new mixed use regulations.

219
00:41:06.720 --> 00:41:15.810
Sylvia Li, Presenter of Project Overview: would also mean that a wider variety of live work arrangements can be accommodated and converted and newly constructed residential units.

220
00:41:16.260 --> 00:41:24.420
Sylvia Li, Presenter of Project Overview: Not required or limited to certified artists only so no whoa will also be designated as a mandatory inclusion Harry housing area.

221
00:41:25.050 --> 00:41:35.610
Sylvia Li, Presenter of Project Overview: And my ah area requiring affordable housing in new developments and residential conversions that exceed Mia H AP applicability thresholds.

222
00:41:36.390 --> 00:41:47.250
Sylvia Li, Presenter of Project Overview: To recognize different characteristics if different parts of the neighborhood distinct sub districts within the special district would be to will be established and different regulations.

223
00:41:48.030 --> 00:41:59.580
Sylvia Li, Presenter of Project Overview: Will will be included. So Whoa, no whoa course our preservation focused sub districts that encompass large part of this historic districts

224
00:42:00.090 --> 00:42:08.340
Sylvia Li, Presenter of Project Overview: Now, whoa, North Broadway helston Canal Street sub districts are located along historic corridors and white streets.

225
00:42:09.000 --> 00:42:22.680
Sylvia Li, Presenter of Project Overview: No hope Bowery so West so East sub districts are transitional areas largely outside of historic districts that are framed by other thoroughfares and white streets. Next slide please.

226
00:42:23.790 --> 00:42:39.930
Sylvia Li, Presenter of Project Overview: The sub district regulations, together with the new underlying zoning are intended to reflect distinct characteristics differing land use patterns and balance different multiple planning goals. Next slide please.

227
00:42:43.410 --> 00:42:49.230
Sylvia Li, Presenter of Project Overview: Into historic centers of SOHO and knowhow highlighted in pink here on the map.

228
00:42:49.470 --> 00:43:04.560
Sylvia Li, Presenter of Project Overview: medium density makes us zoning districts are being proposed to reflect the existing context where buildings are typically four to seven story loft, but can also range from low rises to close to 10 storey buildings. Next slide please.

229
00:43:05.790 --> 00:43:18.030
Sylvia Li, Presenter of Project Overview: I'll note here that this density permitted by the proposed and one, five or seven x district is the same as the existing density permitted in the ambulance is a and m one fight beads on it.

230
00:43:19.080 --> 00:43:27.630
Sylvia Li, Presenter of Project Overview: Where it differs, is that the new mixed use zoning districts introduces residential use and applies the city's mandatory inclusion airy housing program.

231
00:43:28.230 --> 00:43:38.580

Sylvia Li, Presenter of Project Overview: Then you're zoning district as well as the special district will work together to establish contextual building envelopes so that new development would fit into the historic context.

232
00:43:39.060 --> 00:43:46.560
Sylvia Li, Presenter of Project Overview: Referenced here at the bottom of this slide is the standard bulk rules described in the underlying our seven x district.

233
00:43:47.100 --> 00:43:57.510
Sylvia Li, Presenter of Project Overview: I'll note that the they will be further modified and supplemented by additional Special District regulations relevant to these sub districts which are still being worked out.

234
00:43:58.800 --> 00:43:59.640
Sylvia Li, Presenter of Project Overview: Next slide please.

235
00:44:01.980 --> 00:44:05.610
Sylvia Li, Presenter of Project Overview: Moving on to the historic corridors highlighted here in blue.

236
00:44:06.570 --> 00:44:24.300
Sylvia Li, Presenter of Project Overview: Where existing taller denser loft buildings line. The white streets and can reach upwards of 180 feet and sometimes over 10 FA RS two variations of medium to high density and makes us districts are being contemplated. Next slide please.

237
00:44:25.500 --> 00:44:44.490
Sylvia Li, Presenter of Project Overview: At five and 6.5 FM or the allowable the allowable commercial and community facility densities in the new am one, five, or nine x districts are the same as what is permitted by the existing. And once I've a and once IP zoning, except that alone Broadway.

238
00:44:45.510 --> 00:44:59.430
Sylvia Li, Presenter of Project Overview: And parts of no whole along Lafayette, where there is already a higher concentration of large loft, as well as jobs is slightly higher commercial density of six FM would be permitted to reflect these conditions.

239
00:45:00.090 --> 00:45:06.210
Sylvia Li, Presenter of Project Overview: Again, where the new zoning differs from what it is today is the allowance for housing residential use

240
00:45:06.690 --> 00:45:13.590
Sylvia Li, Presenter of Project Overview: Would be permitted at a higher density than commercial uses but would also carry a mandatory affordability requirement.

241
00:45:14.160 --> 00:45:31.800
Sylvia Li, Presenter of Project Overview: Similar to the historic course the standard are nine x bulk regulations referenced here will be supplemented by the Special District provisions to accommodate new development and increase density with appropriate build forms that enhanced a character of these iconic corridors.

242
00:45:33.210 --> 00:45:46.230
Sylvia Li, Presenter of Project Overview: Next slide please. Lastly, around the edges of SOHO knowhow framed by other white streets as a response to these areas transitional nature as well as the adjacent context.

243
00:45:46.830 --> 00:45:57.330
Sylvia Li, Presenter of Project Overview: And importantly, to maximize development potential on underutilized parcels outside of historic districts higher density mixed use districts are being contemplated

244
00:45:58.740 --> 00:45:59.580
Sylvia Li, Presenter of Project Overview: Next slide please.

245
00:46:01.470 --> 00:46:11.670
Sylvia Li, Presenter of Project Overview: The and one six are 10 districts would permit non residential use with a maximum FDR of 10 whereas housing would be allowed at higher FDR 12

246
00:46:12.210 --> 00:46:14.790
Sylvia Li, Presenter of Project Overview: With the mandatory affordability requirement.

247
00:46:15.240 --> 00:46:25.110
Sylvia Li, Presenter of Project Overview: While these areas and mostly outside of historic districts this special district would still implement contextual controls that include appropriate base height ranges.

248
00:46:25.410 --> 00:46:36.120
Sylvia Li, Presenter of Project Overview: And maximum building height so that new development would comment accommodate they increase density provide housing within loftlike building form instead of the unlimited

249
00:46:36.540 --> 00:46:44.460
Sylvia Li, Presenter of Project Overview: Unlimited high towers that you see in parts of the neighborhood today as they are allowed by the current and one five A and B zoning.

250
00:46:45.510 --> 00:46:46.320
Sylvia Li, Presenter of Project Overview: Next slide please.

251
00:46:47.610 --> 00:46:59.610
Sylvia Li, Presenter of Project Overview: In addition to this special building form provisions. As mentioned earlier, the special district would also include a special use rules regarding existing joint living work quarters for artists.

252
00:47:00.060 --> 00:47:07.080
Sylvia Li, Presenter of Project Overview: Which will be permitted to remain with an option to convert to regular housing details of the mechanism.

253
00:47:08.190 --> 00:47:17.670
Sylvia Li, Presenter of Project Overview: Are will still be worked out as the proposal develops in the coming months, other special regulations include residential conversion roles.

254
00:47:18.510 --> 00:47:31.020
Sylvia Li, Presenter of Project Overview: And as of right allowance for retail over 10,000 square feet, as well as physical culture establishments, such as gems new hotels would only be allowed by special permit. Next slide please.

255
00:47:34.050 --> 00:47:49.770
Sylvia Li, Presenter of Project Overview: As proposed the entire rezone area will be designated as an mandatory inclusion Harry housing area where residential development and conversions above a certain size will be required to set aside floor area for permanently affordable housing.

256
00:47:50.280 --> 00:48:00.690
Sylvia Li, Presenter of Project Overview: While the specific options will get worked out and you learn on the slides here are the options available in Soho knowhow and the corresponding affordability levels.

257
00:48:01.320 --> 00:48:15.810
Sylvia Li, Presenter of Project Overview: I'll note that these required income levels for the affordable units in the NIH program are lower

compared to the Soho knowhow his current median household income, which is around 140 5000 a year.

258
00:48:16.980 --> 00:48:25.650
Sylvia Li, Presenter of Project Overview: These affordable units would meaningfully contribute to the socio economic diversity of the neighborhoods and have advanced the city's fair housing goals.

259
00:48:26.820 --> 00:48:27.630
Sylvia Li, Presenter of Project Overview: Next slide please.

260
00:48:29.460 --> 00:48:37.950
Sylvia Li, Presenter of Project Overview: Now moving on to a bit more technical part of the draft draft scope of work. So in order to access

261
00:48:38.520 --> 00:48:51.030
Sylvia Li, Presenter of Project Overview: Sorry, in order to assess the possible effects of these zoning changes a reasonable worst case was developed to evaluate the likely conditions within a 10 year analysis, period.

262
00:48:51.450 --> 00:49:02.280
Sylvia Li, Presenter of Project Overview: On the identified development sites shown on this map, I will clarify that these sites are identified for conservative environmental analysis.

263
00:49:02.760 --> 00:49:10.290
Sylvia Li, Presenter of Project Overview: Using standard seeker criteria and adjusted based on market and physical conditions in Soho no hope.

264
00:49:10.830 --> 00:49:17.550
Sylvia Li, Presenter of Project Overview: The incremental differences of housing units as well as square footage is for different uses shown on the slide.

265
00:49:17.880 --> 00:49:38.700
Sylvia Li, Presenter of Project Overview: Are essentially comparisons between the future conditions without the zoning changes on these identified sites and the future conditions with the contemplated new zoning in place. The 27 projected development sites shown on the map in blue are considered more likely development sites.

266
00:49:40.080 --> 00:49:59.880
Sylvia Li, Presenter of Project Overview: Because they are vacant or significantly under built larger in size and more regularly shaped than

other sites. The 57 potential development sites, shown here in white are considered less likely to be developed within the analysis year compared to the projected development sites.

267
00:50:00.900 --> 00:50:13.980
Sylvia Li, Presenter of Project Overview: This is largely due to their more challenging physical conditions or other potential hindrances or the more extensive review by the city's Landmarks Preservation Commission. The LPC

268
00:50:15.180 --> 00:50:27.750
Sylvia Li, Presenter of Project Overview: I'll note that for conservative analysis purposes in the environmental review development on parcels within historic districts is assumed to maximize the allowable floor area within the permitted building envelope.

269
00:50:28.110 --> 00:50:40.470
Sylvia Li, Presenter of Project Overview: This is not to say that they've reflect LPC future review and approval, which will still be required on all of these sites on a case by case basis, with or without the proposed zoning actions.

270
00:50:41.100 --> 00:50:49.290
Sylvia Li, Presenter of Project Overview: With that, I'll turn it over to Patrick to cover something even more technical parts of the draft scope of work. Thank you.

271
00:50:53.460 --> 00:50:55.320
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: All right, thank you. Sylvia

272
00:50:56.700 --> 00:51:16.290
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Good afternoon. My name is Patrick when I feel I am vice president a carrot, Inc. We are a number of environmental consulting firm that will be assisting department city planning on the preparation of the is for the Soho Novo neighborhood plan on. Next slide please.

273
00:51:20.010 --> 00:51:29.910
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: So the he is we'll look at 19 areas on the left side of the slide, the secret technical areas, plus some additional

274
00:51:31.050 --> 00:51:45.750
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: analyses and studies given. So, whoa, and no hoes historic and built contacts and the new uses

and development expected with zoning changes we accept that we we expect certain areas of it.

275
00:51:46.560 --> 00:52:06.210
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Certain technical areas to be more focused in the is this includes land use zoning and public policy or been designed and visual resources historic resources hazardous materials, transportation, and that includes traffic transit and pedestrian conditions noise and air quality.

276
00:52:07.590 --> 00:52:15.630
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Some areas of less focus in the is natural resources watering store infrastructure solid waste and energy.

277
00:52:17.670 --> 00:52:18.660
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Next slide please.

278
00:52:22.650 --> 00:52:33.360
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: So in addition to the technical areas that he is will consider mitigation for significant adverse impacts identified as a result of the zoning changes.

279
00:52:35.100 --> 00:52:40.470
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: The is will also consider alternatives proposed actions. These are alternatives to

280
00:52:41.250 --> 00:52:57.330
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: The zoning changes that are proposed by city planning. So at a minimum. This will include a no action alternative. And then there are additional alternatives yet to be determined that they could include a no unmitigated adverse impact alternative and a lesser density alternative

281
00:52:58.350 --> 00:53:06.060
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: In addition to the environmental areas that yes will include summary chapters, including unavoidable adverse impacts chapter

282
00:53:06.510 --> 00:53:17.640
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: It will consider the growth inducing aspects of the proposed actions and irreversible and irretrievable commitment of resources. So with that, I will hand it back to Sylvia

283

00:53:25.020 --> 00:53:25.830
Sylvia Li, Presenter of Project Overview: Excited.

284
00:53:27.060 --> 00:53:27.180
So,

285
00:53:29.730 --> 00:53:40.140
Sylvia Li, Presenter of Project Overview: With that, I think, Olga or Stephanie can take over to start the public scoping meeting comment section of this meeting.

286
00:53:41.310 --> 00:53:42.690
Olga Abinader, Director, DCP EARD: Thank you so much. Sylvia

287
00:53:42.780 --> 00:53:55.650
Olga Abinader, Director, DCP EARD: And thank you, Patrick. We will now move on to part two of our public scoping meeting if you can please have production projected the instructions for participating on me in the meeting that would be very useful.

288
00:53:56.250 --> 00:54:08.670
Olga Abinader, Director, DCP EARD: At this time we will be receiving comments from elected officials community board representatives and leaders from government agencies, I do want to note that if

289
00:54:09.270 --> 00:54:20.280
Olga Abinader, Director, DCP EARD: It's highlighted in red font in this slide. For those of you viewing us online if speakers do experience any technical issues that do not allow them to speak.

290
00:54:20.910 --> 00:54:35.310
Olga Abinader, Director, DCP EARD: We will cause and give you a moment. And if you continue to experience technical difficulties, we will move on to the next speaker to allow for troubleshooting to happen in the background and we will call your name again at a later time.

291
00:54:35.940 --> 00:54:44.370
Olga Abinader, Director, DCP EARD: If this does happen to you. Please be sure to visit the How To guides on the NYC engage website portal for assistance.

292
00:54:44.910 --> 00:55:03.750
Olga Abinader, Director, DCP EARD: If you are calling in hang up the phone dial 877-853-5247 again 877-853-5247 and you'll be prompted for a meeting ID, in which case you'll dial 618

293
00:55:04.170 --> 00:55:25.920
Olga Abinader, Director, DCP EARD: To 377396 and a password, which is the number one again 877-853-5247 meeting ID 618237736 and password one if you are experiencing technical difficulties as a telephone caller today.

294
00:55:26.730 --> 00:55:31.170
Olga Abinader, Director, DCP EARD: All right, we'll move on to our list of speakers in this round of the scoping meeting.

295
00:55:31.620 --> 00:55:49.830
Olga Abinader, Director, DCP EARD: It looks like we do have three speakers and there will be no time limits for speakers in this part of the process. Our first speaker is assembly member Deborah Glick, followed by democratic district leader Arthur shorts assembly member click, we are ready for you.

296
00:56:03.090 --> 00:56:10.350
Olga Abinader, Director, DCP EARD: Assembly member Glick, we are ready for your testimony. If you are available and would like to provide it at this time.

297
00:56:24.720 --> 00:56:30.930
Olga Abinader, Director, DCP EARD: Okay, one last time. Assembly member Glick. If you are available. We are ready for your testimony.

298
00:56:33.300 --> 00:56:39.840
Olga Abinader, Director, DCP EARD: If not, we will do a brief pause and allow the next speaker to come online.

299
00:56:41.730 --> 00:56:42.720
02. - EO Democratic District Leader - Arthur Schwartz: I'm here.

300
00:56:43.860 --> 00:56:46.440
02. - EO Democratic District Leader - Arthur Schwartz: Should be on the screen or just my voice.

301
00:56:46.830 --> 00:56:57.360
Olga Abinader, Director, DCP EARD: We will only be able to hear you. We will not be able to see you. So our next speaker is democratic district leader Arthur shorts for ready for you. Okay.

302
00:57:06.600 --> 00:57:10.320

Olga Abinader, Director, DCP EARD: Mr. Schwartz. If that's you, we are not able to hear your testimony at this time.

303
00:57:12.600 --> 00:57:15.420
02. - EO Democratic District Leader - Arthur Schwartz: I got someone muted me I'm back.

304
00:57:15.630 --> 00:57:18.150
Olga Abinader, Director, DCP EARD: You hear me now. My apologies. We can hear you now.

305
00:57:18.660 --> 00:57:27.720
02. - EO Democratic District Leader - Arthur Schwartz: Okay, I want to begin by noting that I support the community alternative zoning plan for SOHO know how that's been submitted by a number of organizations.

306
00:57:28.170 --> 00:57:36.450
02. - EO Democratic District Leader - Arthur Schwartz: And I'm, I believe, other people will discuss and I request that this alternative plan be evaluated as part of the he is specifically

307
00:57:36.960 --> 00:57:46.350
02. - EO Democratic District Leader - Arthur Schwartz: And not just be included elements of it being included under various no action or lesser action alternatives.

308
00:57:46.980 --> 00:58:05.460
02. - EO Democratic District Leader - Arthur Schwartz: I have been a resident of this community for 41 years I share the dismay at how are once affordable community has become so incredibly expensive and it has become more expensive as it has become more expensive. It has become more segregated as it becomes more and more wealthy.

309
00:58:06.480 --> 00:58:16.770
02. - EO Democratic District Leader - Arthur Schwartz: Not only is housing absurdly expensive. The, the, the purchase of affordable food and other necessities has become correspondingly

310
00:58:18.030 --> 00:58:36.690
02. - EO Democratic District Leader - Arthur Schwartz: Difficult, the answer to the city's affordable housing crisis is not mandatory includes every included conclusion airy housing myth only result in greater gentrification in every community in which it is introduced and and and the median affordable income.

311

00:58:38.760 --> 00:58:46.530
02. - EO Democratic District Leader - Arthur Schwartz: Application to mandatory exclusionary housing results and affordable units and communities like ours being unaffordable except

312
00:58:47.010 --> 00:58:56.280
02. - EO Democratic District Leader - Arthur Schwartz: For all but a small number of the current residents of the Community affordable housing cannot be market driven, it must be government driven

313
00:58:56.730 --> 00:59:13.770
02. - EO Democratic District Leader - Arthur Schwartz: Although the city is in a financial crunch it will not be in that crunch forever right now and in the new in the near future. The city needs to take advantage of the incredibly inexpensive capital lending market and drive a housing program of its own not relying on private developers.

314
00:59:14.910 --> 00:59:23.700
02. - EO Democratic District Leader - Arthur Schwartz: To the extent that mandatory inclusion every housing is used in any manner, it must include far more than the 20 to 30%

315
00:59:25.320 --> 00:59:33.810
02. - EO Democratic District Leader - Arthur Schwartz: Includes narration exclusionary housing that is currently in. It's in the programs and I suggest that it must be at least 650 percent of the square footage

316
00:59:34.410 --> 00:59:40.980
02. - EO Democratic District Leader - Arthur Schwartz: And the city what and this should be a city wide median income requirement applied not an area median income requirement.

317
00:59:41.910 --> 00:59:49.020
02. - EO Democratic District Leader - Arthur Schwartz: I strongly support the conversion of existing non residential buildings to residential use as of right

318
00:59:49.380 --> 00:59:56.310
02. - EO Democratic District Leader - Arthur Schwartz: With a stronger and my age requirement as one way to address the need for additional housing affordable housing in this community.

319
00:59:56.850 --> 01:00:07.350
02. - EO Democratic District Leader - Arthur Schwartz: And I strongly support the proposal to use the program to restore and perpetuate the artistic and the artistic nature of this community.

320
01:00:08.040 --> 01:00:16.740
02. - EO Democratic District Leader - Arthur Schwartz: With breaks for our production spaces, especially nonprofits and prioritize to eligibility for low income applicants who are in the arts.

321
01:00:17.460 --> 01:00:36.870
02. - EO Democratic District Leader - Arthur Schwartz: I strongly oppose any zoning, which allows big box stores or oversized retail or oversized eating establishments to be established in this zone so hope cannot become another cookie cutter wealthy community, which is what this plan will lead to thank you very much for hearing you today.

322
01:00:38.220 --> 01:00:45.120
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. Our next speaker is community board to chair Carter.

323
01:00:46.290 --> 01:00:48.120
Olga Abinader, Director, DCP EARD: Community Board to chair Carter.

324
01:00:50.040 --> 01:00:54.450
Olga Abinader, Director, DCP EARD: Carter booth, we are ready to receive your testimony. Are you able to hear us.

325
01:01:00.120 --> 01:01:00.930
X 03. - EO CB 2 Chair- Carter Booth: Are you able to hear me.

326
01:01:01.650 --> 01:01:02.880
Olga Abinader, Director, DCP EARD: Yes, we are. Thank you.

327
01:01:03.780 --> 01:01:12.900
X 03. - EO CB 2 Chair- Carter Booth: My name is Carter boots. I'm the chair of Community Board to I also represented community board to during the envision so nope no whole process on the advisory group.

328
01:01:13.860 --> 01:01:30.390
X 03. - EO CB 2 Chair- Carter Booth: Can you board to will be submitting a detailed written response on December 18 which will be informed by a public hearing that we welcome all to attend the public hearing will be on December 8 at 6:30pm details are available on our website CB to manhattan.org

329
01:01:31.440 --> 01:01:45.690

X 03. - EO CB 2 Chair- Carter Booth: Yesterday, the nation's one day death toll of coronavirus deaths are past 3000 for the first time with over 100,000 hospitalizations, the highest today our entire state, including New York City are operating under a declared state of disaster.

330
01:01:47.490 --> 01:01:54.750
X 03. - EO CB 2 Chair- Carter Booth: The public officers law has been modified, given the state of emergency through Governor Cuomo series of emergency executive orders number 202

331
01:01:55.350 --> 01:02:06.960
X 03. - EO CB 2 Chair- Carter Booth: It was emergency order suspended modified. Many of our existing laws. This is the climate that we're in today a state of emergency, yet we sit find ourselves here today discussing this rezoning

332
01:02:07.980 --> 01:02:16.710
X 03. - EO CB 2 Chair- Carter Booth: It's obvious from today's bungled rollout that this meeting of this meeting that there are not complete and tested procedures in place for this portion of the mandated process.

333
01:02:17.130 --> 01:02:21.630
X 03. - EO CB 2 Chair- Carter Booth: It's unclear how detailed and meaningful scope and he is can be completed.

334
01:02:22.380 --> 01:02:33.090
X 03. - EO CB 2 Chair- Carter Booth: When we cannot collect data on the normal use in such an abnormal once in a lifetime time period, the snapshot in time is an extreme outlier. To be clear that a collected during the pandemic.

335
01:02:33.420 --> 01:02:38.160
X 03. - EO CB 2 Chair- Carter Booth: Can be relied on for future predictions, certainly not for the next two decades.

336
01:02:39.150 --> 01:02:45.840
X 03. - EO CB 2 Chair- Carter Booth: Pages at 495 of the vision so Whoa whoa whoa report outline the next steps and suggested areas for further analysis and study

337
01:02:46.230 --> 01:02:58.830
X 03. - EO CB 2 Chair- Carter Booth: The first sentence, the process sponsors are committed to continuing community involvement and transparency proceeding any future implementation of recommendations. I'm not aware of any continuing community involvement.

338
01:02:59.400 --> 01:03:03.270
X 03. - EO CB 2 Chair- Carter Booth: Prior to the end of the envision process and prior to the beginning of this process.

339
01:03:04.470 --> 01:03:11.400
X 03. - EO CB 2 Chair- Carter Booth: Or any coverage of the next steps are suggested areas for further analysis study on pages 84 and 85 of that report.

340
01:03:12.570 --> 01:03:21.390
X 03. - EO CB 2 Chair- Carter Booth: As far as transparency is concerned, nobody even knows who's on this zoom call or even how many people are here as would be the norm and in public meeting or hearing

341
01:03:22.530 --> 01:03:30.450
X 03. - EO CB 2 Chair- Carter Booth: As I asked at the last meeting. I'm not sure why given unprecedented events and different way these meetings are being handled that we're

342
01:03:31.020 --> 01:03:40.560
X 03. - EO CB 2 Chair- Carter Booth: During the state of emergency that TCP did not even reach out to all the attendees who provided their email addresses during the envision SOHO know whole process to ensure transparency.

343
01:03:40.950 --> 01:03:52.590
X 03. - EO CB 2 Chair- Carter Booth: And their continued participation. It's also unclear what other steps were taken to reach out to people who may not have been may not have access to the internet or familiarity with online meetings like this one.

344
01:03:54.750 --> 01:04:05.850
X 03. - EO CB 2 Chair- Carter Booth: It's important as stewards of our community to get this right. Yeah, TCP is not even continue the conversation or tried to further this conversation to get this right. It's a rushed process and that goes, most of the government's

345
01:04:06.060 --> 01:04:24.030
X 03. - EO CB 2 Chair- Carter Booth: Scrambling during the entire state of emergency, yet you are asking us to trust this process, which is clearly not that transparent. There's also a question of our shared values when many of us don't agree on how to achieve those shared values, instead of being

346
01:04:26.010 --> 01:04:26.790

X 03. - EO CB 2 Chair- Carter Booth: Informed

347
01:04:28.110 --> 01:04:34.530
X 03. - EO CB 2 Chair- Carter Booth: By our artificial time period deadline being rushed by an artificial deadline and time period.

348
01:04:36.510 --> 01:04:43.710
X 03. - EO CB 2 Chair- Carter Booth: It would seem that the responsible stewardship of our community would be involved a continuing conversation as well as a better understanding

349
01:04:44.100 --> 01:04:55.860
X 03. - EO CB 2 Chair- Carter Booth: Where the city and community stands as we exit coven which is appended our one commercial to residential and three retail landscape all areas addressed in this

350
01:04:57.030 --> 01:05:11.550
X 03. - EO CB 2 Chair- Carter Booth: In the, in the draft scope. So we can properly, excuse me, so we can better evolve our understand our underlying zoning to ensure the future success of so Whoa, whoa, whoa. We need to stabilize our community and city first before we plan for the coming decades. Thank you.

351
01:05:13.290 --> 01:05:30.870
Olga Abinader, Director, DCP EARD: Thank you for providing your testimony. We will now go back to our initial speaker and that is assembly member click assembly member click if you're able to hear us, please unmute yourself so we can hear testimony.

352
01:05:44.430 --> 01:05:45.900
Olga Abinader, Director, DCP EARD: Assembly member and click

353
01:05:47.760 --> 01:05:50.310
Studies Support 1: The assembly. My first microphone is on.

354
01:05:53.190 --> 01:05:57.720
Olga Abinader, Director, DCP EARD: Assembly member click your microphone appears to be on. Are you able to hear us.

355
01:06:06.990 --> 01:06:13.410
Olga Abinader, Director, DCP EARD: Assembly member Glick. If you're unable to unmute yourself, we will be able to assist you will call you.

356
01:06:13.440 --> 01:06:14.610

1212****153: Can you hear me now.

357
01:06:16.140 --> 01:06:18.750
1212****153: Hi, yes, we are able to hear it believe

358
01:06:19.050 --> 01:06:22.050
Olga Abinader, Director, DCP EARD: Numbers 1234 number ending in 153

359
01:06:23.310 --> 01:06:25.230
1212****153: I guess so. You got me.

360
01:06:25.980 --> 01:06:29.730
1212****153: Yeah, okay. It's been a trial.

361
01:06:31.800 --> 01:06:40.230
1212****153: Okay, thank you very much for the opportunity to testify before you on the dress scope of work for the environmental impact statement for so. Oh, no.

362
01:06:40.590 --> 01:06:49.350
1212****153: We have submitted a far more lengthy detailed testimony, but in the interest of time, I will run through this very quickly.

363
01:06:50.220 --> 01:07:08.430
1212****153: The dress scope anticipates a very robust and extremely far reaching. You learn that will change the character and makeup of Soho, and no Whoa, and I have concerns about what is in the scoping document. But more importantly, I am alarmed by what is excluded from the study

364
01:07:09.660 --> 01:07:20.820
1212****153: First I find the provisions for the joint living work quarters for artists to be lacking in protections that were discussed at length during the envision so oh no whoa process in 2019

365
01:07:21.780 --> 01:07:30.930
1212****153: I have long carried the last law bill in the state legislature to bring this type of unit into rent regulation.

366
01:07:32.340 --> 01:07:42.330
1212****153: I've written to the mayor calling his attention to the interim multiple dwelling buildings that have gone unregistered and a non compliant with both city and state law.

367

01:07:42.630 --> 01:07:47.280
1212****153: This is a persistent problem which does not seem to be addressed within

368
01:07:48.090 --> 01:08:02.940
1212****153: This document and I am concerned that the mechanism for g h i j k l W Q A building certifications as an entirely voluntary transition from use group 17 D to use Group two is inadequate.

369
01:08:03.810 --> 01:08:19.860
1212****153: This type of residence represents 30% of Soho, and no whoa housing stock were legal mechanisms already exists to further bolster affordability and TCP should revisit their commitments regarding JL W Q A

370
01:08:20.370 --> 01:08:31.620
1212****153: In the envision process and make use of the affordable affordability mechanisms that we currently have second over the many years we have written to the CP

371
01:08:32.130 --> 01:08:41.340
1212****153: The mayor and Oath regarding illegal retail uses in Soho, and no Whoa, and some spaces are currently in direct violation of the zoning code.

372
01:08:41.700 --> 01:09:03.240
1212****153: And others have tenuous designations. And it's unclear how the city will serve the needs of residents in this heavily promoted shopping designation area, I am concerned that allowing for us group 10 retail spaces to be as of right and exceeding 10,000 square feet is too broad and problematic.

373
01:09:04.500 --> 01:09:18.000
1212****153: Sir, I have questions for lying on market rate luxury residential development as a vehicle for building affordable housing actually achieves the goal of mandatory Inclusion. Inclusion airy housing.

374
01:09:18.480 --> 01:09:26.520
1212****153: Inclusion airing housing programs do not produce the levels of affordable housing in communities that they purport to create

375
01:09:27.210 --> 01:09:37.740
1212****153: Nor do these programs address the fundamental issue of real estate speculation driving up neighborhood values to a point where long term, long term residents are pushed out

376
01:09:38.460 --> 01:09:50.370
1212****153: Research has shown that speculative nature of zoning changes displaces residence in the interim time waiting for approval as building owners. Try to capitalize

377
01:09:50.940 --> 01:09:59.550
1212****153: On the coming increase in land values there can be more residents laws than the number of units myth proposes to create

378
01:09:59.970 --> 01:10:17.880
1212****153: Analysis within tasked to have the is must include a greater understanding of jail W QA units in unregistered IMD building so as to ensure that the indirect residential displacement portions of tax task three are fully studied

379
01:10:18.480 --> 01:10:30.390
1212****153: I'm also concerned that the scoping document will fail to adequately study the potential increase in family apartments, which will add to public education needs in the neighborhood.

380
01:10:30.750 --> 01:10:41.250
1212****153: And I am concerned that test two and three of the is will not fully capture the potential impact of zoning change and lead to further issues down the road.

381
01:10:42.660 --> 01:10:49.680
1212****153: Finally I've long been skeptical of the claim that zoning changes will not affect the character of historic districts

382
01:10:50.640 --> 01:10:55.350
1212****153: Because the Landmarks Preservation Commission will weigh in.

383
01:10:55.950 --> 01:11:07.890
1212****153: Well task seven of the is addresses historic and cultural resources there impacts to historic districts that are not addressed in the draft scope, notably LPC cannot consider height.

384
01:11:08.370 --> 01:11:18.990
1212****153: As part of their review of projects that desire to see historic districts preserved is not automatically opposition to residential development or affordable housing.

385
01:11:19.290 --> 01:11:33.870

1212****153: Too often neighborhoods are forced to choose between equally desirable and necessary choices. It is a false dichotomy to decide between housing and park space or density and historic character.

386
01:11:34.590 --> 01:12:02.040
1212****153: I am further somewhat confused and disturbed that there is a part that is listed is less focus that includes water and sewer infrastructure. This is shocking since areas along Grand Street and West Broadway regularly flood. So there are problems with infrastructure that must be addressed.

387
01:12:03.150 --> 01:12:16.950
1212****153: I recognize that the review of the scoping document is gives us a pivotal opportunity to ensure that the correct metrics are studied, but I feel that there are a number that have been left out.

388
01:12:18.120 --> 01:12:26.850
1212****153: And there exist in the envision so Whoa, no whoa process and should be added to this document.

389
01:12:27.150 --> 01:12:39.990
1212****153: The neighborhoods. I represent are far too expensive and have seen a large concentration of luxury development, which has only exacerbated the housing crisis, I do not believe that housing.

390
01:12:40.980 --> 01:12:48.420
1212****153: Luxury housing depending on luxury housing, particularly in a time when we see a glut on the market where

391
01:12:49.380 --> 01:13:09.870
1212****153: luxury apartments are going begging, it will if you depend on luxury development, the affordable units will never be created, there are alternatives that are being presented by out of the community and I urge TCP to incorporate that direction.

392
01:13:11.100 --> 01:13:13.170
1212****153: In your review for any

393
01:13:14.370 --> 01:13:17.940
1212****153: Further movement along towards who you are.

394
01:13:19.140 --> 01:13:36.450
1212****153: Thank you for this time, and I apologize for the many problems that existed in trying to call various numbers in order to get

on. So thank you for your patience and we do have a longer more detailed document that has been provided to you in writing. Thank you.

395
01:13:37.080 --> 01:13:38.340
Olga Abinader, Director, DCP EARD: AQ assembly member we

396
01:13:38.340 --> 01:13:52.290
Olga Abinader, Director, DCP EARD: Appreciate that you had experienced some difficulties so we are so glad that you were able to log on and join us today. Our next speaker is state committee member Christopher Martin.

397
01:13:57.750 --> 01:13:58.530
X 04. EO - Christopher Marte: Hi, can you hear me.

398
01:13:59.220 --> 01:14:00.060
Olga Abinader, Director, DCP EARD: Yes, we can hear you.

399
01:14:00.810 --> 01:14:06.420
X 04. EO - Christopher Marte: I thank you for hosting meeting. My name is Christopher meditative state committee person and 65th assembly Bishop

400
01:14:06.990 --> 01:14:15.360
X 04. EO - Christopher Marte: I like to stay for the record that the CP is failing the residents of New York when they send out a zoom link for the meeting just hours before it goes live

401
01:14:16.350 --> 01:14:24.900
X 04. EO - Christopher Marte: This cool a questions the integrity of this legally required community engagement process and for this proposal in China.

402
01:14:25.740 --> 01:14:43.830
X 04. EO - Christopher Marte: I will send all my comments by email, but my major concerns or the lack of commitment to affordable housing, the study of direct displacement inside and outside the area of focus the protection of the current JL W QA tenants in Soho, and no hope, and the potential destruction of historic

403
01:14:45.120 --> 01:14:51.630
X 04. EO - Christopher Marte: First on the lack of commitment to affordable housing on page 18 under mandatory exclusionary housing program.

404
01:14:51.930 --> 01:15:02.010

X 04. EO - Christopher Marte: It offers a loophole to developers who are facing financial hardship or can't feasibly finance the development to apply for an exemption exemption to myth.

405
01:15:02.550 --> 01:15:10.890
X 04. EO - Christopher Marte: During a pandemic, the luxury developers can claim financial hardship. This is a gross oversight that allows nothing but luxury housing to be

406
01:15:11.340 --> 01:15:20.490
X 04. EO - Christopher Marte: Bill as a part of this scheme. In addition, this plan does not allow for conversion of commercial space to residential which can allow for deep affordable housing.

407
01:15:21.300 --> 01:15:27.900
X 04. EO - Christopher Marte: Second under tasks three socio economic conditions. The city is not requiring the study of direct displacement

408
01:15:28.680 --> 01:15:43.980
X 04. EO - Christopher Marte: Can the city offer concrete reasons and data about why they refuse to study this some of the largest sites plan for this development on the border of Chinatown. And so, and then you rent stabilized tenants will be put at risk when luxury development is

409
01:15:45.030 --> 01:15:48.330
Studies Support 1: pretty valuable right father right property taxes rises.

410
01:15:48.510 --> 01:16:02.370
X 04. EO - Christopher Marte: And landlords will pass these increases on to their tenants or else begins harass these rent stabilized tenants out of their home so they could flip it and build more luxury housing displacement must be studied before moving forward with this rezoning

411
01:16:03.570 --> 01:16:16.710
X 04. EO - Christopher Marte: Third under joint live work quarters for artists. It's state that the city will create a mechanism to voluntary allow J o w to a tendency to transition to make their living situation legal under the new zoning.

412
01:16:17.130 --> 01:16:23.610
X 04. EO - Christopher Marte: However, there is no mention of what the zoning. This mechanism is the guideline or timeline for its creation.

413
01:16:24.150 --> 01:16:35.640

X 04. EO - Christopher Marte: Well, what happened to these artists as they wait for the city to tell them whether they will lose their leases or not this plan creates a strategy for massive fiction of seniors and tenants who made this neighborhood.

414
01:16:36.450 --> 01:16:45.960
X 04. EO - Christopher Marte: For we feel we fear that this up zoning described in the proposal will set a terrible precedent for up zoning and destruction of historic districts throughout the city.

415
01:16:46.890 --> 01:16:57.270
X 04. EO - Christopher Marte: This up zoning will erase the history of our city for the prophet of developers, I'll add a lot more comments to my email. But thank you for allowing me to speak.

416
01:16:58.620 --> 01:17:13.080
Olga Abinader, Director, DCP EARD: And you so much for providing your testimony and we do look forward to receiving your full testimony in writing. All right. I will now check with our team to see if there's any other speakers who are part of our part two of our scoping meeting.

417
01:17:14.280 --> 01:17:26.700
Olga Abinader, Director, DCP EARD: And it looks like there are none. At this time, so we'll move on to part three. But today's public scoping meeting where members of the general public will be able to speak for up to three minutes.

418
01:17:27.210 --> 01:17:39.090
Olga Abinader, Director, DCP EARD: I'll know once again that a three minute time tracker will begin when speakers provide their testimony. So at this time I'd like our production team to display our time tracker.

419
01:17:42.090 --> 01:17:45.870
Olga Abinader, Director, DCP EARD: Please give us a moment as we provide our time tracker online.

420
01:17:49.050 --> 01:17:52.650
Olga Abinader, Director, DCP EARD: And while that's happening. I will just share a few reminders.

421
01:17:53.700 --> 01:18:05.190
Olga Abinader, Director, DCP EARD: Please remember that after three minutes have passed speakers will be asked to conclude their remarks if technical issues do arise. So don't allow speakers to

422

01:18:05.880 --> 01:18:13.710
Olga Abinader, Director, DCP EARD: Provide their testimony today we will pause, we will move on to the next speaker to allow for troubleshooting to happen in the background.

423
01:18:14.130 --> 01:18:23.610
Olga Abinader, Director, DCP EARD: And once again, if this does happen to you. Please remember to visit the How To guides on the NYC engage website for assistance.

424
01:18:24.480 --> 01:18:36.000
Olga Abinader, Director, DCP EARD: Or for assistance if you have dialed in, instead of locked into the zoo. Please be sure to call. Excuse me, can we please reset our timer at the moment. Thank you and go back to the three minute mark.

425
01:18:36.660 --> 01:18:53.970
Olga Abinader, Director, DCP EARD: Okay, for assistance callers should hang up the phone and call 877-853-5247 I'm prompter prompted for a meeting ID please dial 618-237-7396 and then pop from them for the password dial one

426
01:18:54.960 --> 01:19:12.510
Olga Abinader, Director, DCP EARD: All right, let's get on to the list of our speakers members for the general public. Our first speaker is speaker. Number six is Sean Sweeney, followed by number seven. Janine Keeley once again Sean Sweeney, followed by Janine Kili.

427
01:19:13.740 --> 01:19:17.100
Olga Abinader, Director, DCP EARD: China Sean saying are you able to hear us kindly unmute yourself.

428
01:19:29.280 --> 01:19:36.720
Olga Abinader, Director, DCP EARD: Sean's Sean Sweeting, are you able to hear us. If you are, please unmute yourself so you can provide your testimony.

429
01:19:41.790 --> 01:19:56.520
Studies Support 1: It appears that Sean Sweeney has an older version of zoom will have someone reached out to him from our back of house to try to connect with him so that we can receive his testimony.

430
01:19:57.420 --> 01:20:13.410
Olga Abinader, Director, DCP EARD: Thank you, Sean Sweeney, as you probably heard we will be reaching out to you separately. We'll move on to our next speaker that next speaker is Janine Keeley Jenny and Kelly,

if you can hear us, please unmute yourself so you can begin your testimony.

431
01:20:22.290 --> 01:20:23.490
Olga Abinader, Director, DCP EARD: To Jamie and Kelly.

432
01:20:30.360 --> 01:20:30.600
X 07. Jeannine Kiely: Hi.

433
01:20:31.470 --> 01:20:37.110
X 07. Jeannine Kiely: Hi, my name is Janine Kylie. I'm a democratic district leader and a resident in Soho.

434
01:20:37.650 --> 01:20:46.470
X 07. Jeannine Kiely: And like Arthur Schwartz, I support that the city should evaluate alternatives, specifically the community alternative rezoning plan for SOHO and knowhow

435
01:20:46.980 --> 01:20:59.880
X 07. Jeannine Kiely: The city's plan currently proposed fails to achieve even many of the city's own state at goals, it fails to dramatically expand non student affordable housing even evaluate 100% affordable housing alternate

436
01:21:00.450 --> 01:21:05.280
X 07. Jeannine Kiely: Such as the redevelopment of federally owned underutilized parking garage to Howard.

437
01:21:05.790 --> 01:21:11.550
X 07. Jeannine Kiely: For both affordable housing and government parking now that there's a more favorable administration in Washington and

438
01:21:12.030 --> 01:21:23.850
X 07. Jeannine Kiely: Another example is failure to look at the purchase of distressed assets to be redeveloped at 100% affordable housing or supportive housing in light of the new year term office market Glen and drop in tourism.

439
01:21:24.960 --> 01:21:35.490
X 07. Jeannine Kiely: The plan also fails to promote and preserve the uniquely mixed use character of so Whoa, whoa, whoa, and instead prioritises commercial office development and dormitories over non student housing.

440

01:21:35.820 --> 01:21:44.100
X 07. Jeannine Kiely: Big Box retail over small businesses and redevelopment over protections for current residents, including artists, many of whom are seniors aging in place.

441
01:21:44.400 --> 01:22:02.610
X 07. Jeannine Kiely: And who are at risk of displacement particularly egregiousness the non residential floor area retention that incentivizes office use not adaptive reuse and it's inconsistent with the plans objectives to expand housing opportunities and promote adaptive reuse it also has a

442
01:22:03.930 --> 01:22:14.910
X 07. Jeannine Kiely: Very complex CPC certification process, even though the plan is put it being put in place to get rid of land use applications and ad hoc approvals.

443
01:22:15.240 --> 01:22:24.030
X 07. Jeannine Kiely: And importantly, designed to reduce special permits variances and regulatory burdens that allegedly fail to disk report fall disproportionately on smaller businesses.

444
01:22:24.810 --> 01:22:33.180
X 07. Jeannine Kiely: As mentioned before, the plan fails reserve. So, whoa, and know who is historic districts and he fails to incorporate meaningful community input throughout the process.

445
01:22:33.600 --> 01:22:41.790
X 07. Jeannine Kiely: Currently, the plan ignores the recommendations from the November 2019 and vision so Whoa whoa whoa report for additional outreach and additional study

446
01:22:42.540 --> 01:22:54.420
X 07. Jeannine Kiely: Supporting the bleep that many neighbors hold that the 2019 meetings are simply a nod to public engagement somehow the city will also simultaneously can be complete environmental analysis, while receiving comments.

447
01:22:54.930 --> 01:23:02.730
X 07. Jeannine Kiely: And frankly, this is a war of attrition, why not release today's presentation in advance, along with the registration link. So the meeting can be more efficient.

448
01:23:03.030 --> 01:23:07.950
X 07. Jeannine Kiely: Or does the city hope that many speakers, other than those paid to attend will drop off after several hours.

449
01:23:08.310 --> 01:23:17.550
X 07. Jeannine Kiely: Finally, from an environmental perspective, the plan vastly under estimates the environmental impact because the city assumes any development historic districts

450
01:23:17.910 --> 01:23:25.410
X 07. Jeannine Kiely: Other than development on vacant lots will take place after 10 years why solely because these sites are subject to LPC review and approval.

451
01:23:25.680 --> 01:23:41.400
X 07. Jeannine Kiely: Even though the city proposes a significant up zoning to our seven x and our nine x and is silent on air rights transfers, it is very likely that many of these sites will be developed over the next 10 years significantly impacting nearly every secret technical area. Thank you.

452
01:23:42.360 --> 01:23:57.990
Olga Abinader, Director, DCP EARD: Thank you for your testimony. And he's killing me to look forward to hearing more. Our next speaker is Elisa Monty followed by Mickey Mickey Elisa Monta if you're able to hear us currently on mute yourself so you can begin your testimony.

453
01:23:58.620 --> 01:24:00.840
X 08. elisa monte: I believe I've unmuted you. Can you hear me.

454
01:24:01.410 --> 01:24:02.130
Olga Abinader, Director, DCP EARD: Yes, I can.

455
01:24:02.610 --> 01:24:16.050
X 08. elisa monte: Great. Well, let me start out by introducing myself as a longtime resident having moved into the knowhow in 1973 so I was one of the first

456
01:24:17.310 --> 01:24:31.800
X 08. elisa monte: Individual artists to move into a very derelict neighborhood and put our energy and love into it to bring it to what it is today, which is obviously a very sought after.

457
01:24:32.640 --> 01:24:43.920
X 08. elisa monte: Area that people love coming to. And I think they love coming to it, simply because of the history and the love that was put into the area.

458
01:24:46.050 --> 01:24:52.560
X 08. elisa monte: That all being put aside as emotional background to what needs to be addressed.

459
01:24:54.150 --> 01:25:07.170
X 08. elisa monte: It is really an absurd idea to leave it to developers to concern themselves with low income housing, they are not concerned with housing.

460
01:25:08.010 --> 01:25:19.350
X 08. elisa monte: Low or median income. They're only concerned with their profits as they should be. They are businessman and their role in life is to make as much money as they can.

461
01:25:19.770 --> 01:25:32.070
X 08. elisa monte: Which is understandable. So it's completely absurd for us to put our hopes and dreams into their good intentions, that's ridiculous. It should be left to the government. It should be left to

462
01:25:33.540 --> 01:25:44.700
X 08. elisa monte: The ideas and the thoughts of people that are actually concerned and it's their job to solve these problems. That's where it should be put not to developers.

463
01:25:46.230 --> 01:26:09.600
X 08. elisa monte: The fact that the developers to think that the development and the increase in the FA IR and all of this know how. And so how historic districts will not destroy the area and its aesthetic is again an absurdity of course it will it there. We will be nothing left of the area's unique

464
01:26:10.620 --> 01:26:24.540
X 08. elisa monte: Quality, it will be destroyed and that's totally unnecessary. We all want affordable housing and everyone in the area is willing to work very hard and long on that with solutions that are reasonable

465
01:26:24.990 --> 01:26:33.480
X 08. elisa monte: And achievable, keeping the nature of the area and being inclusive to all those that need help. Thank you.

466
01:26:34.680 --> 01:26:50.640
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. Our next speaker is Mickey Mickey, followed by Benjamin dark. I'm very

sorry if I mispronounced your name Mickey Mickey. Are you able to hear us. So we're ready for your testimony.

467
01:26:51.120 --> 01:26:53.550
X 09. Micki McGee: Yes, I can hear you. Can you hear me.

468
01:26:53.940 --> 01:26:58.710
X 09. Micki McGee: Yes, fantastic. Thank you for the opportunity to speak.

469
01:26:59.880 --> 01:27:15.960
X 09. Micki McGee: I want to share with the Department of city planning my dismay about what I see as a catastrophic lack of a magic imagination with respect to affordable housing for our neighborhood.

470
01:27:17.160 --> 01:27:30.360
X 09. Micki McGee: Our neighborhood groups South Village neighbors and many neighbors in this area have fought for affordable housing in places through out the downtown area, including the St. John's project.

471
01:27:30.960 --> 01:27:43.800
X 09. Micki McGee: At Duarte square and so on, at the times we have fought for affordable housing. We have literally been laughed at by people from the mayor's office as well as from city planning.

472
01:27:44.670 --> 01:27:58.590
X 09. Micki McGee: We're very, very stunned to see affordable housing as something that's on your agenda and we're happy to see that it's there. But what is the failure here is that

473
01:27:59.730 --> 01:28:14.580
X 09. Micki McGee: It seems that there is no vision beyond a neo liberal private housing notion of mandatory exclusionary housing which is not mandatory. It is it utterly at the discretion of developers.

474
01:28:15.240 --> 01:28:26.160
X 09. Micki McGee: Further, there is no place in this plan, which has designated residential development. So I strongly encourage this group.

475
01:28:26.760 --> 01:28:41.220
X 09. Micki McGee: Your agency and anyone involved to stand behind and support the community alternative zoning plan, which has in it suggestions and ideas to protect the joint work.

476

01:28:42.060 --> 01:29:02.280
X 09. Micki McGee: Quarters live work quarters of artists who have pioneered this neighborhood, and that has plans and the opening for developing affordable housing that will be a public good that we all strive to see realized. Thank you very much. I see my time.

477
01:29:03.420 --> 01:29:09.570
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. We will now move on to our next speaker. And that's Benjamin dark a

478
01:29:10.590 --> 01:29:15.630
Olga Abinader, Director, DCP EARD: Benjamin Dr. K. If you're able to hear us, please unmute yourself so we can begin your testimony.

479
01:29:22.830 --> 01:29:24.300
Olga Abinader, Director, DCP EARD: Benjamin dark hit

480
01:29:31.980 --> 01:29:32.550
Olga Abinader, Director, DCP EARD: Benjamin

481
01:29:37.410 --> 01:29:37.860
Olga Abinader, Director, DCP EARD: Excuse

482
01:29:38.550 --> 01:29:40.890
Public Coordinator 3 : Me, it appears that he's left the room.

483
01:29:41.190 --> 01:29:41.670
Olga Abinader, Director, DCP EARD: Thank you.

484
01:29:43.320 --> 01:29:52.710
Olga Abinader, Director, DCP EARD: Okay. We'll move on to our next speaker, then. Thanks so much. Our next speaker is Todd fine Todd fine followed by Gene Wilkie

485
01:29:58.170 --> 01:30:02.700
Olga Abinader, Director, DCP EARD: Time fine if you're able to hear us, please unmute yourself so we can be in your testimony.

486
01:30:03.240 --> 01:30:04.170
X 11. Todd Fine: Yes. Hi.

487
01:30:05.580 --> 01:30:15.810

X 11. Todd Fine: Yes, I'm the president of the Washington Street advocacy group which is extremely concerned about the plans express in the Deputy Mayor Vicky beans, where we live NYC report.

488
01:30:16.290 --> 01:30:24.420
X 11. Todd Fine: To promote high rise construction in historic districts with world famous SOHO being the first test case this is page 194

489
01:30:25.080 --> 01:30:35.010
X 11. Todd Fine: Through a movement began by figures like Jane Jacobs Margaret Mead and Eleanor Roosevelt that save so hope from demolition by Robert Moses and the lower Manhattan Expressway

490
01:30:35.430 --> 01:30:39.600
X 11. Todd Fine: New York City became a model for historic preservation in the United States and internationally.

491
01:30:40.140 --> 01:30:52.770
X 11. Todd Fine: The weakening of its 1965 landmarks law and the Soho historic district to a gamed public dialogue process during the coven 19 pandemic signals a general attack on the principles behind preservation

492
01:30:53.820 --> 01:31:07.500
X 11. Todd Fine: We demand that any rezoning of SOHO include new designations of individual landmarks. As a result of the fields survey promised in the department of city planning scoping document for its environmental impact statement Task seven,

493
01:31:07.980 --> 01:31:15.210
X 11. Todd Fine: The SOHO historic district in the rezoning area holds over 600 sites currently only contains two individual landmarks.

494
01:31:16.620 --> 01:31:23.670
X 11. Todd Fine: After a significant proposed up zoning, there would be significant pressure pressures for demolition and alteration on all historic

495
01:31:23.940 --> 01:31:30.780
X 11. Todd Fine: Buildings in the district and preservation would depend solely on the politics of the Landmarks Preservation Commission at any given moment.

496
01:31:31.080 --> 01:31:39.090

X 11. Todd Fine: In addition, there are substantial parts of SOHO in Chinatown in the rezoning area that are outside of any historic district and will have no protection at all.

497
01:31:39.750 --> 01:31:45.480
X 11. Todd Fine: In anticipation of today's meeting, I asked that the Department of city planning and the Landmarks Preservation Commission.

498
01:31:45.780 --> 01:31:52.980
X 11. Todd Fine: And depth, the deputy mayor's office release details about the proposed and marks field survey in test seven with no response.

499
01:31:53.280 --> 01:32:02.280
X 11. Todd Fine: If the Department of city planning are serious about the rezoning of SOHO this field sure survey should be one of the largest preservation projects and years and needs to have a defined budget.

500
01:32:02.520 --> 01:32:10.470
X 11. Todd Fine: coordination with the Landmarks Preservation Commission a pipeline for designation and involvement of leading outside experts in architecture and history.

501
01:32:11.190 --> 01:32:18.780
X 11. Todd Fine: This team of experts should also be empowered to develop the promised contextual standards that will apply to new construction and alterations.

502
01:32:19.200 --> 01:32:31.110
X 11. Todd Fine: Aka RF CANNOT HANDLE THIS ALONE. And you shouldn't just rely on one on one consultancy to evaluate hundreds and hundreds of properties. This needs to be a diverse

503
01:32:31.470 --> 01:32:36.420
X 11. Todd Fine: Group of Experts, including academics and other experts and to host history.

504
01:32:36.930 --> 01:32:43.230
X 11. Todd Fine: Finally, let me also say that this entire public process needs to be delayed or cancelled this meeting.

505
01:32:43.560 --> 01:33:01.050
X 11. Todd Fine: Was on the link zoom link for this meeting was only given two hours before this meeting that I have not seen any other city agency operate in a registration process that way. This was badly handled and it's gamed to prevent our participation. Thank you.

506
01:33:02.550 --> 01:33:11.430
Olga Abinader, Director, DCP EARD: We thank you for your feedback and we are taking all of this testimony and revisiting our processes so that we can do better. Each and every time.

507
01:33:12.090 --> 01:33:17.790
Olga Abinader, Director, DCP EARD: Our next speaker is Gene Wilkie gene Wilkie and well gene Wilkie is

508
01:33:18.570 --> 01:33:25.830
Olga Abinader, Director, DCP EARD: coming online. I'd like to also note to Benjamin Dr. K. If they are currently not in the meeting.

509
01:33:26.190 --> 01:33:43.170
Olga Abinader, Director, DCP EARD: But still viewing our live stream. Please join our meeting via zoom or via dial in. And then let us know that you're here and we will come back to you so you can provide your testimony. We do want to make sure that all voices are heard today. Alright. Our next speaker is Gene Wilkie

510
01:33:44.220 --> 01:33:44.700
I didn't

511
01:33:46.020 --> 01:33:46.590
X 12. Jeanne Wilcke: Hear me

512
01:33:47.250 --> 01:33:47.970
Olga Abinader, Director, DCP EARD: Yes, we can.

513
01:33:48.330 --> 01:33:59.430
X 12. Jeanne Wilcke: Okay, Jenny Wilkie from the know home neighborhood association. I am an opposition to the rezoning and observing as presented and process must be paused.

514
01:34:00.210 --> 01:34:10.800
X 12. Jeanne Wilcke: We are in the midst of a once in a 100 year pandemic data collection and analysis will give a faulty basis for the long term planning needed

515
01:34:11.280 --> 01:34:18.120
X 12. Jeanne Wilcke: For a rezoning due to the artificial and abnormal conditions being experienced yesterday at the US Chamber of

516
01:34:18.810 --> 01:34:34.680
X 12. Jeanne Wilcke: Commerce, the director of the Center for Disease Control predicted that normal conditions are not expected until at least the third quarter of 2021 there are financial and economic forecasts that go way beyond that, even, particularly for the hospitality industry.

517
01:34:35.880 --> 01:34:47.940
X 12. Jeanne Wilcke: There are three items. I'd like to point to, so I don't go over what other people have gone into and they already transportation air quality and noise sections.

518
01:34:49.410 --> 01:35:09.480
X 12. Jeanne Wilcke: Of the regarding noise. The dress scope of work states that if the current traffic pattern is not deemed representative, which probably won't be existing condition noise levels will be established using previous environmental reviews within an adjacent to the rezoning area.

519
01:35:10.590 --> 01:35:18.570
X 12. Jeanne Wilcke: But the methodology will be submitted later this methodology must be part of the draft scope of work now.

520
01:35:19.020 --> 01:35:32.400
X 12. Jeanne Wilcke: And not for submission later but lack of details on how noise levels will be established in an area where there have been serious issues with noise complaints is not acceptable. Next is air quality where New York City's own

521
01:35:33.570 --> 01:35:43.350
X 12. Jeanne Wilcke: report shows that this community district is highest on the New York City scale of elemental carbon particular matter nitric oxide, etc, etc.

522
01:35:44.610 --> 01:35:48.540
X 12. Jeanne Wilcke: Putting monitors out at a time of a pandemic with low

523
01:35:49.980 --> 01:35:57.660
X 12. Jeanne Wilcke: Traction from buildings is not appropriate. Lastly, transportation travel travel demand and traffic studies for secret.

524
01:35:57.960 --> 01:36:06.480
X 12. Jeanne Wilcke: Guidelines will be grossly under counting pedestrian trips vehicle members travel times and the support data for air quality and noise analysis.

525
01:36:06.870 --> 01:36:17.670
X 12. Jeanne Wilcke: Transit analysis, particularly at em and people levels at Subway stack sections will complete be completely effective for us and rezoning to the low ridership levels.

526
01:36:19.380 --> 01:36:27.840
X 12. Jeanne Wilcke: To repeat the plan should be withdrawn until such time as accurate data can be collected in normal conditions, the process must be caused. Thank you.

527
01:36:28.950 --> 01:36:30.630
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

528
01:36:31.710 --> 01:36:47.070
Olga Abinader, Director, DCP EARD: I'll call on our next three speakers number 13 peg brain number 14 Pete Davies and number 15 Laura Tenenbaum peg brain if you're able to hear us, please unmute yourself so we can hear your testimony.

529
01:36:52.410 --> 01:36:53.160
X 13. Peg Breen: You hear me now.

530
01:36:53.820 --> 01:36:54.570
Olga Abinader, Director, DCP EARD: We can hear you.

531
01:36:55.320 --> 01:36:55.740
Okay.

532
01:36:57.600 --> 01:37:04.590
X 13. Peg Breen: Good afternoon. I'm green president of the New York landmarks Conservancy. A 47 year old preservation organization.

533
01:37:05.100 --> 01:37:14.190
X 13. Peg Breen: I was also a member of the Navajo SOHO study group that looked at potential rezoning of these neighborhoods last year to reflect current residential and commercial realities.

534
01:37:14.580 --> 01:37:20.010
X 13. Peg Breen: All the study group members agreed that the historic character of the area must be preserved.

535
01:37:20.490 --> 01:37:26.940

X 13. Peg Breen: Instead this proposal threatens the historic districts by allowing and you're doubling of new developments throughout the area.

536
01:37:27.390 --> 01:37:32.790
X 13. Peg Breen: This would be a substantial of zoning of a historic district and said, terrible precedent.

537
01:37:33.510 --> 01:37:43.230
X 13. Peg Breen: Most of the 27 likely and 57 potential development sites listed contained existing buildings. Some are four, six and eight stories tall.

538
01:37:43.650 --> 01:37:56.460
X 13. Peg Breen: Some DC P notes or within historic districts. This plan guarantees the loss of existing fabric and would increase the pressure on the Landmarks Preservation Commission to approve out of scale development.

539
01:37:57.240 --> 01:38:08.520
X 13. Peg Breen: Conservancy supports zoning recognize this modern commercial and residential needs allows residential use protects artists and encourages affordable housing.

540
01:38:09.150 --> 01:38:21.210
X 13. Peg Breen: But none of this requires the massive of zoning currently proposed it was submitted more detailed testimony, but for now we have for know of zoning and the historic or lower

541
01:38:21.720 --> 01:38:30.900
X 13. Peg Breen: Limits throughout the rest of the area and contextual height limits, they also asked you to list the maximum height of all the buildings being proposed.

542
01:38:31.680 --> 01:38:51.030
X 13. Peg Breen: So over no hostess store character enable them to become the thriving mixed used areas that attracted people from around the city and around the world. A city is risking their viability, the say should know and do better. Thank you for the opportunity to present the Conservancy's views.

543
01:38:52.500 --> 01:39:06.090
Olga Abinader, Director, DCP EARD: Thank you for your testimony will now move on to speakers 14 and 15 Pete Davies and Laura Tenenbaum Pete davison's if you're there, please unmute yourself so we can receive your testimony.

544
01:39:06.690 --> 01:39:26.760
X 14. Pete Davies: Oh yes, good afternoon. Thank you much Davies Broadway residents coalition I oppose the TCP plan I oppose the proposed up zoning, I call on TCP to pause this process and to incorporate the community alternative plan in any future discussions.

545
01:39:27.480 --> 01:39:37.110
X 14. Pete Davies: I serve as a residential representative of the cell Broadway initiative, the only New York City bid with equal representation of residents.

546
01:39:37.350 --> 01:39:45.750
X 14. Pete Davies: Which came about due to the large number of residents long Broadway and solo something that TCP ignores and it's draft scope of work.

547
01:39:46.230 --> 01:39:58.830
X 14. Pete Davies: In fact, DC pins general claim that Broadway has quote the lowest concentration of residential users in the project area is NS substantiated. And it just simply incorrect.

548
01:39:59.190 --> 01:40:05.520
X 14. Pete Davies: And this is one of the many problematic claims found throughout the 51 pages of the draft scope.

549
01:40:06.090 --> 01:40:24.870
X 14. Pete Davies: TCP must pauses process because everyone is noted, we are in unprecedented times under, under such extraordinary conditions out and TCP study all the areas that need attention TCP cannot TCP must pause

550
01:40:25.560 --> 01:40:32.190
X 14. Pete Davies: As acknowledged on 1026 and the TCP meeting the studies have not been done.

551
01:40:32.790 --> 01:40:40.950
X 14. Pete Davies: When you save time comes to study and analysis is needed, due to the many faults and inadequacies found throughout the draft scope.

552
01:40:41.430 --> 01:40:54.240
X 14. Pete Davies: TCP sites as a primary reason for this plan to promote economic recovery resiliency and growth yet dbcp offers no economic analysis of explain

553

01:40:54.930 --> 01:41:08.490
X 14. Pete Davies: The American Planning Association notes that any resulting action to be fully transparent must include financial analysis so that everyone can properly judge the proposal.

554
01:41:09.300 --> 01:41:21.930
X 14. Pete Davies: I call on TCP to do an economic analysis of the entire proposal, including for the FA IR increase the grant of value being given to property owners from the mayor and TCP

555
01:41:22.440 --> 01:41:32.400
X 14. Pete Davies: Also for any and all costs linked to the proposed conversion of the district TCP has failed to include any such examination for so when

556
01:41:33.600 --> 01:41:40.530
X 14. Pete Davies: We need an FA our analysis for all properties, including them out of new buildable square feet of structure.

557
01:41:40.800 --> 01:41:53.460
X 14. Pete Davies: Including the value of that FA are not just for the 27 projected properties or the 57 potential properties but for all the 800 plus properties in Soho window.

558
01:41:53.850 --> 01:42:12.810
X 14. Pete Davies: We need retail space analysis for the expansion of as of right we need special permit and study analysis, we need to SLA application analysis, we need an LPC application analysis like diamonds out. I will, I will send in more in writing. Thank you.

559
01:42:13.470 --> 01:42:17.160
Olga Abinader, Director, DCP EARD: Thank you for your testimony. We do look forward to receiving your comments.

560
01:42:17.820 --> 01:42:35.220
Olga Abinader, Director, DCP EARD: Our next speaker is Laura Tenenbaum Lauren Tenenbaum a little note at this time that after our next speaker. We are going to move on to anyone joining us via telephone who wishes to provide testimony. So our next speaker is Laura 10 amount

561
01:42:36.540 --> 01:42:39.960
Olga Abinader, Director, DCP EARD: Laura tenement few. Can you hear us, please unmute yourself so we can hear.

562
01:42:40.320 --> 01:42:42.870

X 15. Lora Tenenbaum: I am unmuted. I was waiting for you to stop talking.

563
01:42:44.310 --> 01:42:46.080
Olga Abinader, Director, DCP EARD: Apologies. Please begin.

564
01:42:47.340 --> 01:42:58.110
X 15. Lora Tenenbaum: Anyway, I have resided in Soho since 1973 I live in an all artist co op, which has been an all artists co op since that time.

565
01:42:59.370 --> 01:43:01.050
X 15. Lora Tenenbaum: I reject any up zoning.

566
01:43:02.070 --> 01:43:15.060
X 15. Lora Tenenbaum: In this in Soho and knowhow and I feel that the scoping document ignores the results of the envision process in which I was one of the participants, despite claiming to follow them.

567
01:43:15.570 --> 01:43:26.100
X 15. Lora Tenenbaum: At the very best you're picking out what you want to hear. However, I am totally in support of a mandatory affordable housing requirement.

568
01:43:27.510 --> 01:43:36.390
X 15. Lora Tenenbaum: I support real affordable housing that will truly increase the percentages of people of color and diverse incomes into my neighborhood.

569
01:43:36.960 --> 01:43:47.220
X 15. Lora Tenenbaum: Unfortunately, the draft scopes carve out allowing developers to pay into a fund rather than build affordable housing or to plead financial distress.

570
01:43:47.940 --> 01:43:59.610
X 15. Lora Tenenbaum: Are unacceptable. It puts into question the stated purpose of the rezoning the current plan would overwhelm the community with even more rich people

571
01:44:00.540 --> 01:44:15.690
X 15. Lora Tenenbaum: Increasing their percentages and worsening any imbalance, rather than bringing equity into our community there is in fact no guarantee that the zoning will bring in any affordable housing at all. This is a

572

01:44:18.780 --> 01:44:30.060
X 15. Lora Tenenbaum: This just makes more wealthy the landowners. This is all about real estate. I also think that affordable housing.

573
01:44:30.660 --> 01:44:39.480
X 15. Lora Tenenbaum: Should the fact of the matter is that many artists residents and other residents here already filled the bill for the upper scale of the affordability equation.

574
01:44:39.930 --> 01:44:53.850
X 15. Lora Tenenbaum: And that any additional affordable housing that should come in should really be aiming for people at the lower end extremely low income through low income people so that we really get to be more equitable

575
01:44:54.210 --> 01:45:04.440
X 15. Lora Tenenbaum: It's important to me that we keep the historic district start and that means no up zoning, um,

576
01:45:05.580 --> 01:45:06.810
X 15. Lora Tenenbaum: We also in

577
01:45:09.480 --> 01:45:10.710
X 15. Lora Tenenbaum: We must keep

578
01:45:11.910 --> 01:45:13.620
X 15. Lora Tenenbaum: The restriction on

579
01:45:15.030 --> 01:45:19.110
X 15. Lora Tenenbaum: big box stores. Nothing larger than 10,000 square feet.

580
01:45:20.460 --> 01:45:33.150
X 15. Lora Tenenbaum: No eating or drinking larger than 5000 square feet and a very strict requirement for indoor loading docks must be enforced city planning has recently waved the requirement in several SOHO applications.

581
01:45:33.360 --> 01:45:40.860
X 15. Lora Tenenbaum: And the results do not work for the residents. Lastly, I want to say that we have to put this whole process on pause

582
01:45:41.160 --> 01:45:53.490

X 15. Lora Tenenbaum: There is no need for every argument against starting this extensive life altering EULA during a pandemic no data collected during this period could possibly be scientifically applied to real planning.

583
01:45:54.390 --> 01:45:55.050
X 15. Lora Tenenbaum: Wait, wait.

584
01:45:55.170 --> 01:45:56.280
Olga Abinader, Director, DCP EARD: For your testimony.

585
01:45:56.370 --> 01:45:58.530
X 15. Lora Tenenbaum: Thank you. I will submit more

586
01:45:59.430 --> 01:46:07.770
Olga Abinader, Director, DCP EARD: Okay, we look forward to receiving that at this time I'd like to take a pause to move on to those members of the public who have dialed into our meeting.

587
01:46:08.700 --> 01:46:19.200
Olga Abinader, Director, DCP EARD: If you did not register to speak, using the dial and hotline please indicate that you would like to speak and provide testimony by dialing star nine again by dialing star nine

588
01:46:19.830 --> 01:46:34.230
Olga Abinader, Director, DCP EARD: Once your phone number is announced. Just remember to dial star six and you'll be able to unmute yourself again if you did not register to speak, using the dial in hotline please indicate that you would like to speak by dialing star night.

589
01:46:35.940 --> 01:46:37.800
Olga Abinader, Director, DCP EARD: Will give people a moment to

590
01:46:38.970 --> 01:46:56.670
Olga Abinader, Director, DCP EARD: Identify themselves and it does look like we have one person who dialed in. That looks like we have at least two. All right. Very first speaker is a phone number, ending in 466466 please dial star six to unmute yourself and we will be able to hear you.

591
01:47:02.220 --> 01:47:04.170
X 1212****466: Hello, yes.

592
01:47:04.230 --> 01:47:11.190

X 1212****466: We can hear you. Yeah. This is Sean Sweeney, I'm the director of the soul Alliance, I was the first speaker and there's something

593
01:47:12.360 --> 01:47:15.540
X 1212****466: Wrong with the zoom. Yes, but any other issue.

594
01:47:17.100 --> 01:47:31.830
X 1212****466: Let's look at the soul is actually is the four is the successor to the Soho artist association which worked with City Planning back in 1971 to give us a successful zoning, we have now. Now I see ourselves working against

595
01:47:32.340 --> 01:47:40.890
X 1212****466: City Planning. It's a terrible reversal of fortune. Look at the success we had for the last 50 years I really wish you would include in future.

596
01:47:42.960 --> 01:47:51.180
X 1212****466: Hearings include the alternative community plan which you will be getting. But let's talk about saw hose infrastructure, it's in a floodplain.

597
01:47:51.930 --> 01:48:02.310
X 1212****466: There's been regular flooding on West Broadway and grand going back for decades, any new building will have to go down to the bedrock. What effect will this have on historic buildings Jason through these

598
01:48:05.280 --> 01:48:06.660
X 1212****466: We have had raw sewage.

599
01:48:07.680 --> 01:48:14.310
X 1212****466: We've had sandy going up as far as was Broadway and grand and Western grand

600
01:48:16.080 --> 01:48:28.740
X 1212****466: Secondly, so we want. We have to see what the cost will be for these increase infrastructure like building bathtubs around the surface to keep the water out of the basement. Secondly,

601
01:48:30.660 --> 01:48:39.810
X 1212****466: Let's talk about crowds. This is going to bring in 60 at least about 6400 new residents and god knows how many more shoppers into these big box stores and office workers.

602
01:48:41.430 --> 01:48:54.090
X 1212****466: Originally, the Department of Transportation wanted to have this Time Square Mall on print street because it was so crowded that was 10 years ago. Thankfully, we will convince them, it would be more advantageous to go to Times Square.

603
01:48:55.230 --> 01:49:02.550
X 1212****466: That was a success if so how if print it was too crowded 10 years ago. What's it going to be like when you have thousands and thousands of more

604
01:49:03.330 --> 01:49:09.330
X 1212****466: Residents and shoppers. You have to do it, an impact study on the on congestion increasing

605
01:49:09.930 --> 01:49:20.760
X 1212****466: If there's a parking lot on pestering Baxter, which is really trying to town. Nowadays, what is luxury housing going to do to the poor people living in the tenements in China tell

606
01:49:21.240 --> 01:49:27.780
X 1212****466: This is the first zoning and historic district and 55 years. Why is that happening now. Will this be meaning.

607
01:49:28.290 --> 01:49:40.050
X 1212****466: Could you please tell us. Will this mean up zoning and every other historic district in the city finally come out, not finally but Canal Street is a hot zone declared by the Federal Environmental Protection Agency.

608
01:49:41.400 --> 01:49:46.350
X 1212****466: As one of the worst spots in America, second only in New York City to the South Bronx.

609
01:49:47.610 --> 01:49:55.650
X 1212****466: 6400 new tenants. Many of them are wealthy are going to need their cars and their limousines, where are they going to park. Have you been doing

610
01:49:57.210 --> 01:50:06.780
X 1212****466: An air quality study, like the EPA had done 10 years ago and in Canal Street where these results that I'm talking about, where were obtained

611
01:50:07.800 --> 01:50:26.130
X 1212****466: I think you should have an air quality study. And what about schools all these people are going to have children. There's no schools here also, I understand. So you need to do an analysis on that. I also understand that further as a ratio for every sort of 1000 people

612
01:50:27.780 --> 01:50:40.350
X 1212****466: New York Police Department, we call requires one police officer, where they would be funding the police where we're going to get the additional police to patrol and protect these all these new stores and these new residents.

613
01:50:41.460 --> 01:50:48.810
X 1212****466: So thank you for Lima totally against this absorbing I support the time. Oh, thank you very much. I support the alternative

614
01:50:50.700 --> 01:50:52.560
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

615
01:50:53.640 --> 01:51:05.700
Olga Abinader, Director, DCP EARD: All right, let's remind folks who have already registered or I'm sorry, who have not registered and zoo, but have raised their hands are interested in speaking, please.

616
01:51:06.780 --> 01:51:07.710
Olga Abinader, Director, DCP EARD: If you could please

617
01:51:08.970 --> 01:51:20.760
Olga Abinader, Director, DCP EARD: register yourself using our online portals or a dial and information, we will get you all lined up to speak and we will give you the opportunity to provide your testimony.

618
01:51:21.270 --> 01:51:43.260
Olga Abinader, Director, DCP EARD: I am now moving on to speak here who is dialed in number 422 phone number, ending in for 22 once again dial in number 422 you're ready to receive your testimony.

619
01:51:53.730 --> 01:51:57.210
Olga Abinader, Director, DCP EARD: Okay, and it appears that that person has either left the meeting or

620
01:51:57.390 --> 01:51:58.740
Olga Abinader, Director, DCP EARD: Experiencing technical hello

621
01:51:58.890 --> 01:51:59.670
X 1917****422: Can you hear me.

622
01:52:00.360 --> 01:52:02.730
Olga Abinader, Director, DCP EARD: Oh, yes, yes. You aren't we can hear you now.

623
01:52:02.970 --> 01:52:04.260
Olga Abinader, Director, DCP EARD: Thank you. Hi.

624
01:52:04.500 --> 01:52:06.930
X 1917****422: Hi this is Geraldine Scalia.

625
01:52:08.100 --> 01:52:14.400
X 1917****422: I really appreciate it. What Shawn just said and what everyone has said in mind is a lot less technical, but

626
01:52:16.740 --> 01:52:21.180
X 1917****422: You know I'm opposed to the TCP plan and opposed to the zoning.

627
01:52:22.080 --> 01:52:31.350
X 1917****422: The environmental impact. I'm just reading my letter that I'm sending the environmental impact of this plan is to negative, both for the neighborhood and for the skyline in Manhattan.

628
01:52:31.890 --> 01:52:42.300
X 1917****422: Environmentally the air quality will diminish, particularly with the view tickly or traffic congestion on the sidewalks and streets is not a positive thing.

629
01:52:43.080 --> 01:52:51.780
X 1917****422: This will completely cancel any charm THIS NEIGHBORHOOD HAS and which attracts people to live and visit the neighborhood.

630
01:52:52.350 --> 01:53:03.810
X 1917****422: As I walk down Broadway in Soho. There's a mega NIKE STORE with a long line around the corner that we have enough sneaker stores on Broadway, and I believe there are a few Nike stores in lower Manhattan already

631
01:53:04.320 --> 01:53:09.810

X 1917****422: This is not interesting or unique or good for smaller business people and designer is stifling

632
01:53:10.590 --> 01:53:19.110
X 1917****422: Unique mom and pop stores and small designers towards or what's Rawls now drew people to shop here the architecture is one of a kind, and unique

633
01:53:19.470 --> 01:53:29.280
X 1917****422: To the former factory to this former factory area why turn this into a mall by want to shop at bigger stores. So we'll go to 34 street or uptown 40 street in the blood.

634
01:53:29.940 --> 01:53:42.840
X 1917****422: I live on houses treats. It's already a thoroughfare to New Jersey in Brooklyn. Do you care about air quality, I say go to the subway or burbs are bigger land spaces and build your plastic mega live

635
01:53:44.400 --> 01:53:55.290
X 1917****422: And most of the residents of the area want developers to Stop ruining our skylines our streets our neighborhoods in our air. I lived in so hopeless and facility for 40 years

636
01:53:55.740 --> 01:54:07.830
X 1917****422: On the professional artists and aging at that is many, many need new accessible, affordable housing for low income for low income working artists.

637
01:54:08.190 --> 01:54:18.120
X 1917****422: I stand with broadening the plan for reasonable living workspaces for local art artists working in tandem with the neighborhood.

638
01:54:18.900 --> 01:54:30.660
X 1917****422: And the politicians in this neighborhood, the people who we work the community think clearly about this up zoning, that is most advantageous to the needs of the people living in this area.

639
01:54:31.710 --> 01:54:32.130
X 1917****422: Thanks.

640
01:54:33.540 --> 01:54:34.590
Olga Abinader, Director, DCP EARD: Thank you so much for your

641
01:54:34.590 --> 01:54:35.280

X 1917****422: Remarks

642
01:54:35.730 --> 01:54:43.290
Olga Abinader, Director, DCP EARD: And move on to another caller and again as a reminder, we are going to get to everyone who wishes to speak today. So if you

643
01:54:43.770 --> 01:54:53.520
Olga Abinader, Director, DCP EARD: Even if you have not registered, but you've raised your hands for all otherwise signal that you would like to speak, we will get to. So we appreciate your patience, while we get through our list.

644
01:54:53.940 --> 01:55:05.460
Olga Abinader, Director, DCP EARD: Our next speaker is someone who's dialed in their phone number ends in 828 once again 828 and please dial star six to unmute yourself.

645
01:55:15.510 --> 01:55:18.300
X 1212****828: Yes, I don't know if you've got the right person here.

646
01:55:19.110 --> 01:55:19.890
Olga Abinader, Director, DCP EARD: We can hear you.

647
01:55:20.580 --> 01:55:31.440
X 1212****828: Well, all right. I'll make my testimony. My name is Judith remley I've lived in the neighborhood for four years. I am an artist and I live in a rent stabilized apartment.

648
01:55:32.790 --> 01:55:46.260
X 1212****828: My concerns are that this project lacks vision, it calls itself and envision process, but there's no vision. It seems to only repeat past mistakes.

649
01:55:47.370 --> 01:56:00.510
X 1212****828: The reforms offer a kind of a knee jerk attempt at a future which were planning during a pandemic, I agree with everyone has spoken about this timing. We need to pause

650
01:56:01.440 --> 01:56:09.120
X 1212****828: Nothing should be decided until after the pandemic is under control development in the neighborhood.

651
01:56:09.690 --> 01:56:26.970

X 1212****828: Is changed. We don't need to increasingly grow but to repurpose and utilize existing structures. There are so many big luxury housing units that are virtually empty. They need to be repurposed it's actually

652
01:56:29.340 --> 01:56:31.920
X 1212****828: Affordable housing us is the idea

653
01:56:33.870 --> 01:56:38.640
X 1212****828: I just and I'm really personally concerned as a rent stabilized tenant.

654
01:56:39.870 --> 01:56:52.950
X 1212****828: About the displacement of existing tenants know no one is is letting those of us know who are at risk, what the future has planned for us, or how we

655
01:56:53.760 --> 01:57:07.380
X 1212****828: can endure this kind of attack. So I'm totally against it and I am hearing all the speakers everyone who's spoken is against this project. So who is for it and why

656
01:57:07.830 --> 01:57:22.650
X 1212****828: I, I absolutely believe that if this is a the developers have created this and it's all about money. So I'm disappointed. And I think you should pause and reconsider this plan. Thank you.

657
01:57:24.000 --> 01:57:44.610
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony, and this time we're going to be shifting back to our registered speakers we can please reset the clock, our next two speakers number 16 Stephen Herrick followed by number 17 Amanda Yagi Stephen Herrick if you're able to please unmute yourself.

658
01:57:46.860 --> 01:57:48.090
X 16. Steven Herrick: The afternoon. Can you hear me.

659
01:57:48.690 --> 01:57:49.290
Olga Abinader, Director, DCP EARD: Yes, we can.

660
01:57:49.710 --> 01:58:02.100
X 16. Steven Herrick: Okay, yeah, I'm Steve Harris executive director of the Cooper square committee a tenant rights and affordable housing preservation organization in the Lower East Side nice village. I was also a member of the Navajo so study group.

661
01:58:03.300 --> 01:58:12.960
X 16. Steven Herrick: And the square committee supports the introduction of mandatory inclusion Harry housing into the study area as well as loosening of restrictions on retail uses

662
01:58:13.530 --> 01:58:22.620
X 16. Steven Herrick: To allow for ground ground floor retail with use groups six and 10 allowed in parts of the study area. We also support efforts to incentivize

663
01:58:23.760 --> 01:58:35.100
X 16. Steven Herrick: Retaining and expanding the cultural character of the community, possibly through carefully crafted zoning bonuses in all parts of the study area. We want to see height limits on new buildings.

664
01:58:36.750 --> 01:58:48.810
X 16. Steven Herrick: However, DC. P. Suppose I mean districts don't reflect the recommendations of the planet report released last year based on the advisory groups, many meetings and truly reflect bowls.

665
01:58:49.920 --> 01:58:59.520
X 16. Steven Herrick: And objective stated in the work scope instead BCP proposes substantial up zoning of most of the study area, including the historic epics Cooper.

666
01:59:00.090 --> 01:59:14.580
X 16. Steven Herrick: Cooper square strongly urge is a nuanced approach that maintains a five point of FDR and his work residential core of Soho, which is so very or seven, which comprises roughly 40% of the study area.

667
01:59:15.840 --> 01:59:25.710
X 16. Steven Herrick: It would only generate about 10% of the projected low income unit in the CP soft side analysis. So it would be no last to keep the the FDR

668
01:59:26.670 --> 01:59:36.240
X 16. Steven Herrick: 5.0 instead we recommend really focusing on and taking advantage of the significant affordable housing opportunities outside historic district.

669
01:59:36.660 --> 01:59:49.860
X 16. Steven Herrick: Sub areas three and eight to protect particular and part of sub area one on the soft side analysis shows that these areas can generate over 80% of the new affordable housing and know how and Soho.

670
01:59:52.680 --> 02:00:07.140
X 16. Steven Herrick: Typically, we recommend lower density than the art pen districts that the CP proposing, we think are nine a zoning is worth analyzing as an alternative. It provides an 8.5 FM ER and 175 foot height limit.

671
02:00:08.820 --> 02:00:14.310
X 16. Steven Herrick: We definitely want it to be contextual, given the soft sites in the area within a one block radius.

672
02:00:15.840 --> 02:00:30.090
X 16. Steven Herrick: Have similar buildings similar height. We also align ourselves with the know how various stakeholders position it as TCP analyze a more simplified zoning scenario for the 11 blocks in no hope. North of Boston

673
02:00:32.250 --> 02:00:38.190
X 16. Steven Herrick: Basically I should probably let john speak on those. So, I will. I won't go into detail on them.

674
02:00:39.240 --> 02:00:49.860
X 16. Steven Herrick: We believe that despite adopting lower density than what you see, please proposing the city should still generate a comparable amount of low income housing if it uses a more aggressive myth formula.

675
02:00:51.000 --> 02:00:57.780
Olga Abinader, Director, DCP EARD: Thank you so much for your comments, your time is up to will receive your comments and writing. We do have a long list of speakers coming up next.

676
02:00:58.530 --> 02:01:09.630
Olga Abinader, Director, DCP EARD: Thank you very much. And that's to take a brief pause right now to announce a clarification that if anyone has already joined us via zoom. But originally did not indicate that they wanted to

677
02:01:10.020 --> 02:01:17.940
Olga Abinader, Director, DCP EARD: Join us via provide their own testimony, you still are able to provide testimony and what you do need to do is

678
02:01:18.270 --> 02:01:28.740

Olga Abinader, Director, DCP EARD: Go on, zoom, again we register and answer yes to question one again go to our portal be registered for a meeting and answer yes to question one.

679
02:01:28.920 --> 02:01:45.330
Olga Abinader, Director, DCP EARD: So that we can keep track of all of the speakers. And again, ensure that everyone who wants to speak today has an opportunity to do so. Thank you very much. And we'll move on to our next speaker number 17 Amanda Yagi followed by 18 Emily Hellstrom

680
02:01:46.590 --> 02:01:47.700
Olga Abinader, Director, DCP EARD: Amanda Yagi

681
02:01:49.020 --> 02:01:50.010
X 17. Amanda Yaggy: Hi, can you hear me.

682
02:01:50.670 --> 02:01:53.430
Olga Abinader, Director, DCP EARD: Hi. Yes, we can hear you. Thanks.

683
02:01:53.550 --> 02:01:54.780
X 17. Amanda Yaggy: Um, I

684
02:01:55.950 --> 02:02:14.340
X 17. Amanda Yaggy: Was so glad to hear what everyone else has had to say. So far, I agree with everyone saying that the timing of this right now is it's basically senseless because the data you're using it predates the pandemic.

685
02:02:15.870 --> 02:02:21.240
X 17. Amanda Yaggy: So right there. I think this whole process should be put on hold. Um,

686
02:02:23.070 --> 02:02:28.260
X 17. Amanda Yaggy: But that brings me to my next point. So I'm going to try to avoid going over what other people have said.

687
02:02:29.550 --> 02:02:30.450
X 17. Amanda Yaggy: Which is that

688
02:02:32.130 --> 02:02:35.370
X 17. Amanda Yaggy: 2020, I think, was one of the three hottest years on record.

689

02:02:37.200 --> 02:02:44.280
X 17. Amanda Yaggy: The reduction in greenhouse emissions didn't make a dense, actually. So I looked at the city's own data.

690
02:02:45.810 --> 02:02:49.860
X 17. Amanda Yaggy: The city set a goal this administration in 2015

691
02:02:51.270 --> 02:02:53.040
X 17. Amanda Yaggy: To reduce by

692
02:02:55.200 --> 02:02:58.680
X 17. Amanda Yaggy: You know submissions 30% by 2030

693
02:03:00.870 --> 02:03:02.640
X 17. Amanda Yaggy: From 2005 levels.

694
02:03:03.870 --> 02:03:12.090
X 17. Amanda Yaggy: And then abandoned to that goal. Apparently completely from 2005 to there's only a 15% drop

695
02:03:13.920 --> 02:03:19.260
X 17. Amanda Yaggy: This is such a carbon intensive and environmentally destructive plan.

696
02:03:20.460 --> 02:03:34.620
X 17. Amanda Yaggy: In a city that's already full of vacant space that's already being heated and cool. Plus you lose the carbon capture that exists in built the already built structures.

697
02:03:35.850 --> 02:03:50.070
X 17. Amanda Yaggy: Just any casual survey of Manhattan landscape right now shows vacant big box stores vacant luxury apartments. So they get non luxury apartments.

698
02:03:51.870 --> 02:03:54.450
X 17. Amanda Yaggy: Again, I just

699
02:03:55.860 --> 02:04:16.680
X 17. Amanda Yaggy: Think I don't understand. And I haven't seen an explanation for why pre pandemic. The city abandoned meeting. It's a mission goals and this plan does nothing but generate a huge new quantity of admissions for an area which, as Mr Sweeney said is already so heavily burdened

700
02:04:18.150 --> 02:04:19.740
X 17. Amanda Yaggy: Thanks, a young rest my time.

701
02:04:20.820 --> 02:04:22.530
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

702
02:04:23.700 --> 02:04:33.750
Olga Abinader, Director, DCP EARD: Well now on our next two speakers those speakers are Emily Hellstrom and to john Sarkar Emily hills true and Sue Johnson or car.

703
02:04:36.660 --> 02:04:37.650
X 18. Emily Hellstrom: Hello. Can you hear me.

704
02:04:38.250 --> 02:04:38.850
Olga Abinader, Director, DCP EARD: Yes, we can.

705
02:04:39.720 --> 02:04:50.520
X 18. Emily Hellstrom: Great. My name is Emily Hellstrom and I'm actually currently wearing a mask, because we are in a global pandemic and I'm in a place that I can't take my mask off. So I do hope you can hear me.

706
02:04:51.300 --> 02:05:11.040
X 18. Emily Hellstrom: Yes, I am the co op board president of the largest residential co op in on the Broadway corridor and we spoke about this rezoning of zoning at our last board meeting and our. It is very, very clear that the residents in my building.

707
02:05:12.240 --> 02:05:17.370
X 18. Emily Hellstrom: Are absolutely up in arms and very, very sad about this.

708
02:05:18.420 --> 02:05:27.960
X 18. Emily Hellstrom: The, the actions called in this plan. Unfortunately, many, many, many of our residents attended all of the envision SOHO knowhow

709
02:05:29.250 --> 02:05:35.760
X 18. Emily Hellstrom: That happened over the course of many months hours and hours of time spent

710
02:05:36.900 --> 02:05:42.150

X 18. Emily Hellstrom: In what we were told by Borough President Gale Brewer, as well as

711
02:05:43.620 --> 02:06:02.460
X 18. Emily Hellstrom: City councilwoman Margaret chin that this would be truly a ground up rezoning that this was about what people wanted we spent hours of time putting in our, our testimony and and opinions and nothing is that is in this plan that came out of

712
02:06:03.480 --> 02:06:13.020
X 18. Emily Hellstrom: The District Planning Council is in is what we did in the envision so Whoa, whoa, whoa. Unfortunately, so much of this is about office space.

713
02:06:14.040 --> 02:06:29.250
X 18. Emily Hellstrom: And and really, we could be looking at truly affordable housing, we need to take a look at the community plan that the community has come together and endorse many, many, many different

714
02:06:29.970 --> 02:06:45.120
X 18. Emily Hellstrom: activist groups have have endorsed this plan. We need to take a look at that. I also am the vice president of the Soho Broadway initiative, though I am not speaking on behalf of the initiative, I spent hours and hours compromising with

715
02:06:46.980 --> 02:06:52.560
X 18. Emily Hellstrom: Commercial property owners talking about how can we come together for our compromise. This

716
02:06:53.880 --> 02:07:09.840
X 18. Emily Hellstrom: Up zoning has nothing to do with what we talked about in the compromise and i'm just i'm severely disappointed. Why can't we have ground up adult conversations about what we want to have happen instead of being foisted

717
02:07:10.890 --> 02:07:33.210
X 18. Emily Hellstrom: Upon us something that we absolutely do not want. We do not need increased FLIR we do not need basement to to very high commercial property. I mean, retail, we really need to have a simple plan that makes whole, the people who are here so that we can absolutely have

718
02:07:35.340 --> 02:07:47.310
X 18. Emily Hellstrom: You know, residents who are legal. We need to keep the affordable housing that's already here, we should be turning office space into residential if we need to make a because we absolutely need to make new affordable housing.

719
02:07:47.670 --> 02:07:49.740
Olga Abinader, Director, DCP EARD: So we should be absolutely looking at most fear.

720
02:07:49.740 --> 02:08:07.710
Olga Abinader, Director, DCP EARD: Testimony, and they do need to move on to our long list of speakers, but we will accept your testimony and writing. If you'd like to send the complete version to us. Our next speaker is Susan Sarkar followed by Lynn Ellsworth number 19 to john Sarkar we're ready for you.

721
02:08:15.780 --> 02:08:19.110
Olga Abinader, Director, DCP EARD: To John's, your Sarkar if you're here, please unmute yourself.

722
02:08:23.250 --> 02:08:27.630
X 19. Stephen Smith: Hi, my name is Stephen Smith and I

723
02:08:29.340 --> 02:08:41.850
X 19. Stephen Smith: My comment is essentially that you know I'm happy that the city is rezoning is, you know, considering rezoning the sites for residential use. However, I have two issues. The first one is

724
02:08:42.990 --> 02:08:45.510
X 19. Stephen Smith: You know, I feel a little weird coming here and

725
02:08:46.830 --> 02:08:50.160
X 19. Stephen Smith: You know, speaking out against higher density. Hello.

726
02:08:51.300 --> 02:08:51.900
Olga Abinader, Director, DCP EARD: Yes.

727
02:08:52.350 --> 02:08:58.680
X 19. Stephen Smith: Sorry. Okay, I'm speaking. All right, I feel, you know, a little weird coming out speaking out against the commercial density, but

728
02:08:59.070 --> 02:09:12.660
X 19. Stephen Smith: The fact is, myth is a sort of serious impairment to the value of a residential development site and if you apply my age to, you know, one FDR point of residential

729
02:09:13.470 --> 02:09:19.830
X 19. Stephen Smith: Land, it's going to be worth less than the commercial them. So if in the highest density district you allow

730
02:09:20.580 --> 02:09:27.540
X 19. Stephen Smith: You know, a roughly equal amount of residential and commercial FDR, the developers are going to choose the commercial FA or you're going to get a bunch of office buildings.

731
02:09:27.930 --> 02:09:37.170
X 19. Stephen Smith: And you know New York City is under supplied an office space and it has these, you know, horrible knock on effects, especially for the industrial market in the outer boroughs, as developers, convert those office buildings.

732
02:09:37.680 --> 02:09:45.570
X 19. Stephen Smith: But you know if the goal is to build housing. It's not going to happen if you allow similar residential and commercial densities.

733
02:09:46.050 --> 02:09:53.010
X 19. Stephen Smith: And in fact, if you, you know, even cut the commercial densities to five and the residential densities to 10 developers are

734
02:09:53.460 --> 02:09:57.450
X 19. Stephen Smith: There's a very good chance that they're going to build half the building is commercial. I know that traditionally

735
02:09:57.840 --> 02:10:03.510
X 19. Stephen Smith: You know office developers like larger floor plates, but the truth is a lot of these high paying boutique tenants.

736
02:10:04.080 --> 02:10:11.940
X 19. Stephen Smith: Don't you know don't take huge spaces, you know, they're like these small boutique finance shops and they will take a small floor plate if you allow it.

737
02:10:12.720 --> 02:10:21.330
X 19. Stephen Smith: So, you know, basically you need to understand that the economics of, you know, developed a myth development are not strong.

738
02:10:22.020 --> 02:10:29.790

X 19. Stephen Smith: Even in a place like SOHO with rent so high on given where construction costs are. And, you know, given the rents that you have to charge for the affordable units.

739
02:10:30.030 --> 02:10:40.050
X 19. Stephen Smith: So you really need to make it worth developers while to both residential and understand. You can't absorb beyond that they are 12 given state law. So unfortunately, you really need to downs with the commercial space now.

740
02:10:40.500 --> 02:10:50.430
X 19. Stephen Smith: You know, the city does need more commercial space because like I said, you know, creates displacement of commercial especially industrial users in the outer boroughs, or if there's not enough in Manhattan. But there's other neighborhoods for it.

741
02:10:51.120 --> 02:10:58.980
X 19. Stephen Smith: You know the meatpacking district was kind of a joke of a of a historic district. So that's a good place for it. And then my other comment is that

742
02:10:59.490 --> 02:11:10.860
X 19. Stephen Smith: I think it's a real shame that you're not maxing out the residential density in no hope. For example, I think that parking lot. For example, in great Jones should be, you know, our 10 equivalent

743
02:11:12.960 --> 02:11:21.780
X 19. Stephen Smith: Because, you know, there's not a lot of room for development. And so, how so you really need to like make use of every, every site that you can, you know, that doesn't have a historic building on it.

744
02:11:22.770 --> 02:11:28.380
X 19. Stephen Smith: So anyway, but the most important thing is really you just need to be mindful of the economics of myth, you know, there's a lot of

745
02:11:28.590 --> 02:11:39.390
X 19. Stephen Smith: rhetoric about how this is a giveaway to developers, but the fact is it's not true. It's, you know, this land is not really worth that much once you apply these mandatory mandatory exclusionary housing overlay to it. Thank you.

746
02:11:40.350 --> 02:11:49.890

Olga Abinader, Director, DCP EARD: Thank you for your comments and testimony and my apologies for that makes up in your name. We are now moving ahead with speakers number 20 and 21

747
02:11:50.940 --> 02:11:56.310
Olga Abinader, Director, DCP EARD: Speaker number 20 is lead Ellsworth speaker number 21 is Marcus.

748
02:11:57.360 --> 02:11:59.460
Olga Abinader, Director, DCP EARD: Leonard elsewhere. We are ready for your testimony.

749
02:12:00.390 --> 02:12:02.670
X 20. Lynn Ellsworth: Great. Did I unmute properly. Can you hear me.

750
02:12:02.880 --> 02:12:04.380
Olga Abinader, Director, DCP EARD: He did. Yes, we can. Great.

751
02:12:04.860 --> 02:12:16.650
X 20. Lynn Ellsworth: I'm Lynn Ellsworth on Chair of the Tribeca trust and co founder of human scale NYC Tribeca trust and human skin YC both object to the entire content of the zoning proposal on hand.

752
02:12:17.130 --> 02:12:28.170
X 20. Lynn Ellsworth: Based as it is and deeply flawed social science about housing prices for which there is absolutely no consensus among economists, no matter what the Edward Glaser fans will say,

753
02:12:28.920 --> 02:12:37.140
X 20. Lynn Ellsworth: It's tragic that this is being done to benefit Edison properties and Trinity and serve as a wedge and Vicky beans well known war against historic districts

754
02:12:37.650 --> 02:12:46.680
X 20. Lynn Ellsworth: The claims for public benefit or laughable and the harms that will be done or great indeed worse the full harms are unaccounted for. And the he is method.

755
02:12:47.310 --> 02:12:52.560
X 20. Lynn Ellsworth: Therefore, we support the community alternative and call for a pause until after the city is vaccinated

756
02:12:53.220 --> 02:13:03.240

X 20. Lynn Ellsworth: We also object to the process by which this proposal is being railroaded through with the manipulated public consultative process that undermines the legitimacy of municipal government

757
02:13:03.690 --> 02:13:15.240
X 20. Lynn Ellsworth: Very deep reform is needed, we object to zoom being used as a substitute for real public hearings and we believe that the public's rights and the user process or being steamrollered by the use of zoom

758
02:13:15.990 --> 02:13:25.440
X 20. Lynn Ellsworth: We are dismayed by the city planning an open NYC is offensive and illogical race and class baiting that has been used to justify this proposal.

759
02:13:25.800 --> 02:13:30.900
X 20. Lynn Ellsworth: All that racing class analysis is also based on shamefully flood social science.

760
02:13:31.530 --> 02:13:40.230
X 20. Lynn Ellsworth: The is methodology and scope is not credible, it does not account for cumulative effects of all developments taking place within a mile radius of the three housing sites.

761
02:13:40.530 --> 02:13:49.980
X 20. Lynn Ellsworth: And their cumulative impacts on wastewater sewage historic districts traffic congestion subway use sidewalk space and on libraries, parks and public schools.

762
02:13:50.280 --> 02:14:06.600
X 20. Lynn Ellsworth: The flaws are so great that any person looking into it would logically conclude that the flaws are there, so as to assure that the proposal is being shoved through the system TCP has made a massive mess here. We hope that the electoral process can fix it. Thank you.

763
02:14:07.650 --> 02:14:27.120
Olga Abinader, Director, DCP EARD: Thank you for your testimony will move on to her next handful of speakers speaker number 21 is Mark diagnosis speaker number 22 William Thomas speaker number 23 Casey berkovitz and speaker and over 24 on her de la marque die guest speaker number 21 we're ready for your testimony.

764
02:14:28.440 --> 02:14:29.910
X 21. Mark Dicus: I. Good afternoon. Can you hear me.

765
02:14:30.540 --> 02:14:31.020
Yes.

766
02:14:32.400 --> 02:14:36.630
X 21. Mark Dicus: All right. My name is Mark. I guess I'm the executive director or the South Broadway initiative.

767
02:14:37.080 --> 02:14:51.390
X 21. Mark Dicus: The not for profit that manages the neighborhood focused Business Improvement District on Broadway from house and check it out. I was also a member of the envision SOHO Novo advisory group. And I'm pleased to be speaking with you this afternoon.

768
02:14:52.530 --> 02:15:02.760
X 21. Mark Dicus: The seller probably initiative supports pursuing the seven oh plans important policy goals of creating more affordable housing and legalizing residential as well as retail uses

769
02:15:03.600 --> 02:15:18.180
X 21. Mark Dicus: updating these outdated rules will support a more equitable recovery from the covert 19 pandemic by creating more affordable housing much needed affordable housing and creating more certainty for those who want to legally live in and operate a business and so

770
02:15:20.040 --> 02:15:21.660
X 21. Mark Dicus: The increases.

771
02:15:23.640 --> 02:15:30.540
X 21. Mark Dicus: The increases in the floor area ratio and the draft scope of work is concerned, too many people in these neighborhoods.

772
02:15:31.080 --> 02:15:38.400
X 21. Mark Dicus: We encourage the city to achieve these important policy goals and ways that do not change the historic character or these important historic neighborhoods.

773
02:15:39.000 --> 02:15:42.360
X 21. Mark Dicus: We are the Department of city planning to explore alternative approaches.

774
02:15:42.660 --> 02:15:50.550

X 21. Mark Dicus: Including ones that rely on lower Florida area ratios within the historic districts converting office space to residential

775
02:15:50.790 --> 02:15:58.350
X 21. Mark Dicus: Or other approaches to achieve the important goals of bringing more affordable housing into these neighborhoods, while also maintaining the one of a kind, historic look

776
02:15:58.860 --> 02:16:07.680
X 21. Mark Dicus: And feel of these neighborhoods and completing the environmental impact study for the proposed rezoning it's important to consider that. So how was a neighborhood where people live.

777
02:16:08.250 --> 02:16:18.480
X 21. Mark Dicus: Right next door to read to retail and office businesses, day to day operations like garbage collection and deliveries can be challenging to fit into a mixed use community like so.

778
02:16:18.990 --> 02:16:23.610
X 21. Mark Dicus: As these operations freak ruling US public sidewalk space and can be noisy.

779
02:16:24.390 --> 02:16:38.100
X 21. Mark Dicus: City Planning to study ways to change the zoning and other public policies to give back this space to the public will helping to provide a quiet night to residents. Thank you for the opportunity to speak with you today. And good luck.

780
02:16:39.060 --> 02:16:49.650
Olga Abinader, Director, DCP EARD: Thank you. Our next speaker is number 22 William Thomas followed by number 23 Casey berkovitz William Thomas, please unmute yourself.

781
02:16:51.330 --> 02:16:52.260
X 22. William Thomas: Hello. Can you hear me.

782
02:16:52.800 --> 02:17:02.730
X 22. William Thomas: Yes. Okay. Beautiful. I. Hi, everyone. My name is William Thomas. I live in the East Village and I'm here as a member of open York

783
02:17:03.300 --> 02:17:06.780
X 22. William Thomas: An independent all volunteer pro HOUSING ORGANIZATION.

784
02:17:07.440 --> 02:17:14.910
X 22. William Thomas: I wanted to quickly. Thank you. CP for the work so far. There's a lot of goodness and I was especially heartened to see the emphasis placed on a

785
02:17:15.240 --> 02:17:27.420
X 22. William Thomas: mixed income housing which so Whoa, whoa, whoa. Certainly more up being among the most expensive and segregated neighborhoods in the city. And that's what I wanted to focus my testimony on a few issues we had with the plan.

786
02:17:28.560 --> 02:17:44.910
X 22. William Thomas: First, the commercial allowances appear far too high, across the board, they risked out crowding out new housing so the city should drop those commercial allowances, especially in the housing opportunity areas to ensure that residential construction will always be the better choice.

787
02:17:46.020 --> 02:17:58.110
X 22. William Thomas: Secondly, as much of the rezoning area is landmarked we should approach the rezoning with an eye to maximize opportunity on the relatively few non contributing sites that exists with relevant context.

788
02:17:58.920 --> 02:18:06.480
X 22. William Thomas: There are many buildings, either in or across the street from the repurposed at our nine x districts that are very densely built

789
02:18:06.960 --> 02:18:14.520
X 22. William Thomas: So those areas should be mapped as our 10 instead, which are boost the residential density from FDR 9.7 to 12

790
02:18:15.210 --> 02:18:21.840
X 22. William Thomas: Similarly, the our seven x district should instead the map with the least are eight x possibly hiring some pockets.

791
02:18:22.440 --> 02:18:29.130
X 22. William Thomas: Thirdly, the city proposes that the commercial floor area must be replaced one to one. In the case of developments or conversions.

792
02:18:29.580 --> 02:18:34.740
X 22. William Thomas: This would severely limit potential residential conversions and should be wrapped scrapped entirely

793
02:18:35.520 --> 02:18:41.850
X 22. William Thomas: Up forth. There are many development sites that are not included in the CDS projections or not as dense as they could be.

794
02:18:42.600 --> 02:18:56.010
X 22. William Thomas: 55 Bleecker Street or 477 479 West Broadway or directly adjacent to buildings larger than the proposal is on it and then propose that they are should be increased, even if the maps look a little messier for it.

795
02:18:57.060 --> 02:19:07.230
X 22. William Thomas: To Howard Street is a parking garage owned by the federal government should be included in the rezoning as well as one 142 Grand Street, which is owned by the city.

796
02:19:08.010 --> 02:19:16.200
X 22. William Thomas: These may seem like relatively minor tweaks, but they could make the difference between a rezoning that ultimately results in a few hundred homes versus a few thousand

797
02:19:16.620 --> 02:19:23.280
X 22. William Thomas: And for all the families that could potentially live here, and especially in the affordable units that can make all the difference in the world.

798
02:19:23.880 --> 02:19:27.360
X 22. William Thomas: And so I really hope you consider making those changes.

799
02:19:27.750 --> 02:19:45.570
X 22. William Thomas: And while it doesn't relate to the scope, per se. We hope that you will plan on including the deepest affordability for those units as well as open the Community preference beyond CB to itself so that you can really maximize the opportunity that this road rezoning could provide

800
02:19:46.620 --> 02:19:47.100
X 22. William Thomas: Thank you.

801
02:19:48.540 --> 02:19:49.020
X 22. William Thomas: Good.

802
02:19:50.190 --> 02:20:05.070

Olga Abinader, Director, DCP EARD: Thank you for your testimony will now move on to our next speaker speaker number 23 is Casey Berkowitz followed by 24 conquer the law and number 25 Andrew Berman Casey Berkowitz please unmute yourself.

803
02:20:05.430 --> 02:20:06.120
X 23. Casey Berkovitz: Why can you hear me.

804
02:20:06.690 --> 02:20:12.390
X 23. Casey Berkovitz: Yes. Great. First of all, I want to thank you for this meeting. I do appreciate that you

805
02:20:12.900 --> 02:20:19.260
X 23. Casey Berkovitz: Have largely without a hitch held an online meeting. Well, I wish that it was at a time. That was more accessible for working New Yorkers.

806
02:20:19.440 --> 02:20:25.890
X 23. Casey Berkovitz: I do think that the online format is working well and it certainly allows me and many others to attend. When we wouldn't be able to attend in person.

807
02:20:26.850 --> 02:20:32.850
X 23. Casey Berkovitz: As to the draft scope of work I do want to echo previous comments that the commercial FLIR

808
02:20:33.240 --> 02:20:43.710
X 23. Casey Berkovitz: I believe should be lowered. I think that the the economic analysis that a previous speaker laid out is generally matches the real estate market and probably will even in a down market for office space.

809
02:20:44.250 --> 02:20:50.340
X 23. Casey Berkovitz: And realistically, the, the many benefits that I believe would come from resulting of so Whoa whoa whoa for increased housing.

810
02:20:50.820 --> 02:20:59.310
X 23. Casey Berkovitz: For integration and for the environment depend on housing and not office use as as much as New York does a

811
02:20:59.880 --> 02:21:09.060
X 23. Casey Berkovitz: Could I think use use more diverse array of office space. The real benefit here is the integration and the sustainability benefits for housing and SOHO know

812
02:21:09.450 --> 02:21:14.580
X 23. Casey Berkovitz: Which, as I'm sure you know are extremely white and wealthy and are also well extremely well served by transit.

813
02:21:15.120 --> 02:21:26.700
X 23. Casey Berkovitz: So to that. To that end, I believe that the residential FLIR should be higher. So that selling it and developing it as residential would pencil in a way that commercially just wouldn't

814
02:21:28.110 --> 02:21:29.430
X 23. Casey Berkovitz: I also want to echo

815
02:21:30.570 --> 02:21:35.580
X 23. Casey Berkovitz: A previous speakers comments on city and federal government own lots that are currently

816
02:21:36.300 --> 02:21:43.860
X 23. Casey Berkovitz: Largely non-contributing uses that appear to have been excluded from the study area, as many speakers have said, I believe that

817
02:21:44.340 --> 02:21:53.850
X 23. Casey Berkovitz: There is actually a lot of a lot of potential for government developed affordable housing and I think that in addition to, including those non-contributing lots in the

818
02:21:54.510 --> 02:22:04.290
X 23. Casey Berkovitz: In the study area, the TCP and other city and federal and state agencies should put out RFP is to develop them for mixed income or even entirely affordable housing.

819
02:22:04.980 --> 02:22:10.380
X 23. Casey Berkovitz: And lastly I'd like to urge you to better coordinate with the Department of Education and the community, the

820
02:22:11.070 --> 02:22:15.840
X 23. Casey Berkovitz: District to have the Community Education Council district two and the superintendent there to

821
02:22:16.380 --> 02:22:28.140
X 23. Casey Berkovitz: do everything you can to further not only housing but school integration. Some of the best performing schools in the city are in the southern half of Manhattan, if not SOHO proper

822
02:22:28.830 --> 02:22:33.870
X 23. Casey Berkovitz: And because some of those schools use residency based admissions requirements.

823
02:22:34.470 --> 02:22:40.470
X 23. Casey Berkovitz: New affordable housing in particular and new housing in general. And so, whoa, whoa, whoa, could open a lot of opportunity to New York families.

824
02:22:40.770 --> 02:22:49.440
X 23. Casey Berkovitz: Who are otherwise in neighborhood schools that are that do not perform as well on many of the standard metrics as schools in this area. And so I'd urge you to both

825
02:22:50.220 --> 02:23:02.340
X 23. Casey Berkovitz: Map. The housing opportunities zones in this scope with school admission zones from the Department of Education, but also just more generally, I'd encourage the Department of city planning to coordinate with the Department of Education. Thanks very much.

826
02:23:03.390 --> 02:23:25.230
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Well now call on excuse me, I'll call the name of our next four speakers number 24 on curved all number 25 and drew Berman number 26 both RICO Bono and number 27 Eli S. Our next speaker is anchor della please unmute yourself.

827
02:23:26.400 --> 02:23:27.720
X 24. Ankur Dalal: I can you hear me.

828
02:23:28.260 --> 02:23:36.960
X 24. Ankur Dalal: Yes, thank you. I strongly support the city's plan to up zone. So, whoa, and no Whoa, and allow for new market rate and affordable housing.

829
02:23:37.230 --> 02:23:42.270
X 24. Ankur Dalal: These neighborhoods are transit rich and located close to North America to largest job centers.

830
02:23:42.660 --> 02:23:54.270
X 24. Ankur Dalal: Failure to allow new development in line with demand in these neighborhoods has resulted in prices that are unaffordable to all but the wealthy or those lucky enough to either buy their homes or obtain rent controlled leases decades ago.

831
02:23:54.990 --> 02:24:00.360
X 24. Ankur Dalal: I'm particularly disappointed by some of the elected officials who spoke earlier today.

832
02:24:00.900 --> 02:24:11.160
X 24. Ankur Dalal: Who had the gall to complain about a lack of new housing to complain about a proposal for new housing in this neighborhood. Well, having presided over decades of gentrification and doing nothing to address it.

833
02:24:11.490 --> 02:24:20.550
X 24. Ankur Dalal: It's unsurprising if disappointing that many members of the community who had who already get to live here and we're current residents have spoken out against this plan.

834
02:24:21.600 --> 02:24:24.480
X 24. Ankur Dalal: And don't want to change the status quo, from which they benefit.

835
02:24:25.410 --> 02:24:33.120
X 24. Ankur Dalal: I believe that this rezoning will provide new homes for those who want to join this wonderful community and I appreciate the chance to get to speak in favor of it.

836
02:24:33.810 --> 02:24:40.260
X 24. Ankur Dalal: I think the plan is a wonderful way forward that will allow thousands of homes for potentially 10s of thousands of New Yorkers.

837
02:24:40.440 --> 02:24:52.020
X 24. Ankur Dalal: But to maximize the number of homes. I have to echo some of the comments that were previously made first. I do think given the economics of the mandatory inclusion Neri housing policy that the commercial densities should be lower.

838
02:24:52.470 --> 02:25:02.790
X 24. Ankur Dalal: If they can be across the board of far have to, I think you could then get a result where you'd have as much affordable housing and housing as possible.

839
02:25:03.360 --> 02:25:06.930
X 24. Ankur Dalal: But if you think that that commercial commercial far have to was too low.

840
02:25:07.350 --> 02:25:12.540

X 24. Ankur Dalal: At least leave it at five, rather than increasing it to 10 in the places where you have proposed to increase it.

841
02:25:12.810 --> 02:25:18.690
X 24. Ankur Dalal: I also think that the residential densities are too low and I echo some of the comments that were made earlier about the

842
02:25:18.900 --> 02:25:26.820
X 24. Ankur Dalal: Residential densities being too low. In particular, I think that the Broadway house in core door no home north the canal cord or that all looks to be about

843
02:25:27.450 --> 02:25:38.910
X 24. Ankur Dalal: Our nine x should instead be mapped with an AR 10 and the are seven x districts within the historic district should be our eight x or higher if possible.

844
02:25:40.440 --> 02:25:54.780
X 24. Ankur Dalal: Thank you again for the opportunity to speak. I think this is a wonderful plan and with a few few small tweaks could result in thousands of homes for 10s of thousands of people and in a real change in the quality of life for a lot of New Yorkers. So I really appreciate it. Thank you.

845
02:25:55.530 --> 02:26:04.890
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker is Andrew Berman, followed by Bo RICO Bono and Eli is number 25 and requirements, please unmute yourself.

846
02:26:06.630 --> 02:26:07.230
X 25. Andrew Berman: Can you hear me.

847
02:26:07.800 --> 02:26:08.190
Yes.

848
02:26:09.570 --> 02:26:15.540
X 25. Andrew Berman: I'm Andrew Berman executive director of village preservation and I strongly oppose the mayor's up zoning plan.

849
02:26:15.990 --> 02:26:20.670
X 25. Andrew Berman: And support the community alternative plan submitted by more than a dozen local community groups.

850
02:26:21.330 --> 02:26:34.560

X 25. Andrew Berman: I don't think that any public review and approval process to take place for any rezoning until in person meetings can begin again and a full analysis of the plans impacts can be done, which is clearly not happening in this rushed timeframe.

851
02:26:35.280 --> 02:26:42.600
X 25. Andrew Berman: The analysis done by the city so far as deeply flawed. It leaves out many sites which are likely to be developed under the proposed rezoning

852
02:26:42.810 --> 02:26:54.450
X 25. Andrew Berman: With huge oversized buildings and it fails to account for the many current rent stabilized and loft lots and it's as well as small businesses which are likely to be pushed out by the proposed changes.

853
02:26:55.230 --> 02:27:05.310
X 25. Andrew Berman: Requiring affordable housing in new residential development. One of the purported purposes of the city's proposed rezoning can be done without the proposed up zoning.

854
02:27:05.760 --> 02:27:17.670
X 25. Andrew Berman: It can be applied to new residential development at the same size and scale currently allowed for other kinds of development in Soho and Novo five FA are as the community plan calls for

855
02:27:18.480 --> 02:27:30.990
X 25. Andrew Berman: Retail rules can be changed to accommodate reasonably sized businesses, as in the community plan, but the proposed allowance in the city plan for over 10,000 square feet for retail is outrageous.

856
02:27:31.320 --> 02:27:38.760
X 25. Andrew Berman: A limit of 10,000 square feet for retail and 5000 square feet for eating and drinking establishment is more than sufficient

857
02:27:39.960 --> 02:27:47.010
X 25. Andrew Berman: It should be noted that the city's plan doesn't guarantee even a single unit of affordable housing being built in Soho and Novo

858
02:27:47.430 --> 02:27:55.440
X 25. Andrew Berman: It's an entirely market driven plan. So nothing gets built until or unless a for profit developer feels it fits their bottom line.

859
02:27:55.980 --> 02:28:02.400
X 25. Andrew Berman: The plan also allows off site substitutes and more disturbingly also offers massive of zoning.

860
02:28:02.760 --> 02:28:17.340
X 25. Andrew Berman: For commercial uses in the quote housing opportunities zones, unquote, as well, meaning it's entirely possible that any and all developed insights in these areas could be filled with office buildings or hotels, which would provide no affordable housing.

861
02:28:18.570 --> 02:28:27.810
X 25. Andrew Berman: The city's plan also discourages conversions of commercial buildings to residential uses through the commercial floor area retention provisions, this should be dropped

862
02:28:29.250 --> 02:28:36.330
X 25. Andrew Berman: It must be noted that in typical times the streets of SOHO and know who are choked with residents visitors workers and shoppers.

863
02:28:36.630 --> 02:28:49.290
X 25. Andrew Berman: The city plan proposes adding thousands more to the mix with allowances for huge big box store chain stores and an appt zoning, which would create vastly out of scale structures and encouraged demolition of

864
02:28:49.590 --> 02:28:58.020
X 25. Andrew Berman: Existing historic ones, the community alternative plan provides affordable housing and reasonable accommodations for as of right retail

865
02:28:58.440 --> 02:29:11.370
X 25. Andrew Berman: The city's plan is merely a bonanza for real estate developers who've donated generously to the mayor's campaign and lobbied for these changes, changes which will destroy the historic character of two iconic

866
02:29:11.430 --> 02:29:15.450
Studies Support 1: New York and that's time. Sorry. Five minutes was added inadvertently

867
02:29:16.800 --> 02:29:27.570
Olga Abinader, Director, DCP EARD: Thank you, Mr Berman, we will accept your testimony and writing and full. Our next speaker is number 26 Bo rica Bono, followed by number 27 a lightness.

868
02:29:29.940 --> 02:29:35.310
X 26. Bo Riccobono: Yes, hi, Barbara ca Bono longtime resident of Soho. I also working so

869
02:29:35.370 --> 02:29:38.670
Olga Abinader, Director, DCP EARD: Hard for one moment. We need to reset our clock to three minutes.

870
02:29:40.050 --> 02:29:40.710
X 26. Bo Riccobono: Give me five.

871
02:29:42.240 --> 02:29:50.610
Olga Abinader, Director, DCP EARD: I would love to unless you are needing an interpreter, we can't give you five minutes, just give us one moment, this will be reestablished her clock. Okay.

872
02:29:53.430 --> 02:29:55.770
Olga Abinader, Director, DCP EARD: There we go. All right. Please be gathered

873
02:29:56.310 --> 02:30:02.640
X 26. Bo Riccobono: Yeah, I don't want to belabor many, many good points that have already been made, but I just want to concentrate on a couple of things.

874
02:30:02.910 --> 02:30:16.770
X 26. Bo Riccobono: One, I want to be very clear I although I'm participating in this process. I want to be very clear that I think this process should not go on. It is probably illegal. It may be challenged in court and therefore I do want to

875
02:30:17.370 --> 02:30:27.570
X 26. Bo Riccobono: Be clear that we're preserving a claim that this process is not legal. I understand that, due to the covert 19 crisis.

876
02:30:28.740 --> 02:30:44.340
X 26. Bo Riccobono: There were certain actions taken to make legal of these kinds of online meetings and I can understand and they have been very helpful and I can understand the need for ministerial decisions that must go on. This is a completely

877
02:30:45.600 --> 02:30:55.800

X 26. Bo Riccobono: The zoning is something that can happen really anytime it hasn't happened as many people pointed out hasn't happened for 50 years I think it

878
02:30:56.190 --> 02:31:07.890
X 26. Bo Riccobono: postponing it for a few months would not be the worst thing. It's a discretionary process, I do not believe it comes within the purview of the changes to the public meetings laws.

879
02:31:08.190 --> 02:31:18.240
X 26. Bo Riccobono: That took place. I want to be clear on that. I think this process is illegal, as it is going on right now. Other issues that haven't. I don't think

880
02:31:19.230 --> 02:31:28.230
X 26. Bo Riccobono: Adequately been addressed are an over reliance on the city's landmark Preservation Commission to uphold the character of the neighborhood.

881
02:31:28.560 --> 02:31:41.100
X 26. Bo Riccobono: There are myriad examples of of horrible decisions that the LPC made let's remember that the LPC is a political unit. So we can't necessarily

882
02:31:41.490 --> 02:31:51.720
X 26. Bo Riccobono: Depend on their good graces and they're good judgment and we just an example, the PO room. The Provincetown Playhouse. There was a church over on

883
02:31:52.920 --> 02:32:02.880
X 26. Bo Riccobono: I think it's these 12th Street, where there was a huge building built by NYU in front of which is preserved facade of an old church. I mean, it just, it's absolutely

884
02:32:03.990 --> 02:32:14.760
X 26. Bo Riccobono: Absurd that this was allowed. And believe me, this can happen. So there is an over reliance on the LPC to protect this this this wonderful community of SOHO knowhow

885
02:32:15.300 --> 02:32:25.290
X 26. Bo Riccobono: And again to everybody's benefit you know the. Let's be careful not to kill the goose that laid the golden egg Soho, and no developed

886
02:32:25.770 --> 02:32:35.730

X 26. Bo Riccobono: In the way that they did because of what they are. And now I see city planning trying to kill it to satisfy the political purposes of a basically a failed.

887
02:32:36.180 --> 02:32:53.550
X 26. Bo Riccobono: Mayoral administration and in the last throes less death throes of this administration. I think it's horrible. I respect you. People who work there. I know you have jobs to do. I'm sorry that you have been asked to do this. And I think that this process should pause. Thank you.

888
02:32:53.820 --> 02:33:03.750
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker number 27 is Eli us followed by number 28 Timothy Burke. He like us, please unmute yourself.

889
02:33:14.520 --> 02:33:17.430
Olga Abinader, Director, DCP EARD: You like so if you're able to hear us, please unmute yourself.

890
02:33:18.150 --> 02:33:20.490
Stephanie Shellooe, Deputy Director, DCP EARD: It appears that you have watched the meeting.

891
02:33:21.300 --> 02:33:25.680
Olga Abinader, Director, DCP EARD: Thank you so much. We'll move on to our next speaker number 28 Timothy Burke.

892
02:33:31.800 --> 02:33:32.430
X 28. Timothy Burke: Can you hear me.

893
02:33:32.850 --> 02:33:34.500
Olga Abinader, Director, DCP EARD: Yes. Great.

894
02:33:35.190 --> 02:33:43.440
X 28. Timothy Burke: I've heard arguments that this proposal will gentrified Soho, and we're in the neighborhood displacement is not caused by too many homes. It's caused by too few

895
02:33:44.160 --> 02:33:49.080
X 28. Timothy Burke: The only displacement will be a racist who want to live in segregated white only neighborhoods.

896
02:33:49.590 --> 02:33:55.260

X 28. Timothy Burke: This historic preservation is being used as a tool to increase property values of current landowners.

897
02:33:55.920 --> 02:34:03.420
X 28. Timothy Burke: Andrew Berman mediocre mediocre Lee right so in his article land marketing helps not hurts property values.

898
02:34:04.050 --> 02:34:09.420
X 28. Timothy Burke: There's some interesting delay tactics that are nothing more than talking trying to talk this proposal to death.

899
02:34:10.050 --> 02:34:14.640
X 28. Timothy Burke: Environmentally building housing your transit is the best thing we can do to help fight climate change.

900
02:34:15.360 --> 02:34:31.860
X 28. Timothy Burke: We need this rezoning for more affordable and just New York City. I urge the BCP to increase residential density and their scope to problem or more housing. Also want to thank the BCP for maintaining such a professional composure while listening to such crazy testimony.

901
02:34:34.440 --> 02:34:42.120
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. Our next speaker is number 29 can A followed by Speaker number 30 Ronnie will

902
02:34:48.990 --> 02:34:53.280
Olga Abinader, Director, DCP EARD: Speaker number 29 can a if you're so with us, please unmute yourself.

903
02:35:01.440 --> 02:35:02.130
Olga Abinader, Director, DCP EARD: Okay.

904
02:35:03.480 --> 02:35:12.390
Olga Abinader, Director, DCP EARD: Alright, sounds like we're experiencing technical difficulties with Ken a we'll move on to our next speaker number 30 Ronnie wolf number 30 Ronnie.

905
02:35:17.280 --> 02:35:20.670
Olga Abinader, Director, DCP EARD: Ronnie wolf. Are you able to hear us. If you are, please. Hi yourself.

906
02:35:21.360 --> 02:35:21.660

Olga Abinader, Director, DCP EARD: Hello.

907
02:35:21.690 --> 02:35:22.470
X 30. Ronnie Wolf: Hi, can you hear me.

908
02:35:23.010 --> 02:35:23.730
Olga Abinader, Director, DCP EARD: Yes, we can.

909
02:35:24.510 --> 02:35:36.480
X 30. Ronnie Wolf: So I'm not going to be offering testimony, but I have two questions for TCP, but first I'd like to go on record that this process should be paused and the plan rejected.

910
02:35:36.960 --> 02:35:46.740
X 30. Ronnie Wolf: I moved here in 1979 I'm a professional certified artists and own my apartment and a commercial space on Broadway. My first question is,

911
02:35:47.100 --> 02:36:01.680
X 30. Ronnie Wolf: Why has the CP proposed to designate Broadway a business corridor and by doing so, what advantage does the city does it deliver to the city. So that's my first question.

912
02:36:02.400 --> 02:36:24.270
X 30. Ronnie Wolf: My second question is, why isn't indoor parking mandated to be included within any development sites. After all, once those sites are developed the neighborhoods will lose thousands of parking spaces. Can we expect that TCP will review and correct this erroneous admission.

913
02:36:25.440 --> 02:36:25.920
X 30. Ronnie Wolf: Thank you.

914
02:36:26.940 --> 02:36:36.420
Olga Abinader, Director, DCP EARD: Thank you, Ronnie wolf. Well, we are unable to answer your questions at this very moment, we will consider them and provide a formal response in our final scope of work.

915
02:36:36.900 --> 02:36:52.860
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. All right at this moment, I am going to pause so we can provide an opportunity for anyone who's dialed in to please indicate that they'd like to provide testimony by dialing star nine

916

02:36:55.770 --> 02:37:04.770
Olga Abinader, Director, DCP EARD: Let's see if we have anyone else who has dialed in, and would like to speak, please dial star nine to indicate that you wouldn't like to speak.

917
02:37:09.300 --> 02:37:15.450
Olga Abinader, Director, DCP EARD: Let's give people a moment to indicate that they would like to speak and see if my colleagues have identified anyone

918
02:37:16.920 --> 02:37:30.120
Olga Abinader, Director, DCP EARD: All right. We do have one dialer who would like to provide testimony their phone number ends in 064064 please dial star six to unmute yourself.

919
02:37:43.950 --> 02:37:44.430
X 1713****064: Yes.

920
02:37:47.760 --> 02:37:53.880
X 1713****064: I would like to speak I my phone number is 86464 ok

921
02:37:56.280 --> 02:37:57.930
Olga Abinader, Director, DCP EARD: You are on and we can hear you just fine.

922
02:37:59.130 --> 02:38:06.690
X 1713****064: Okay perfect, so I'm Stephen Slade and like virtually everybody else I'm against this plan for Soho.

923
02:38:07.140 --> 02:38:17.790
X 1713****064: I own my home here everybody in my building is up in arms about this plan that this is a bad idea. I'm also against increasing pollution sewage.

924
02:38:18.390 --> 02:38:28.740
X 1713****064: Increasing the poor air quality and crowds mostly for luxury apartments to be built. So, whoa is artists museums restaurants churches and retail

925
02:38:29.130 --> 02:38:48.750
X 1713****064: And yet they say needs more commercial development to make it more interesting, they say they want to add density. Your plan is supposed to increase flexibility, if this actually reminds me of the project where they wanted to build a freeway straight through. So cope

926
02:38:49.800 --> 02:39:02.100
X 1713****064: Luckily they realize that was a bad idea. This is going to cost us quality of life heritage and dollars it's touted as creating a new central business district.

927
02:39:02.610 --> 02:39:08.760
X 1713****064: Tourist start coming to see a new central business district tourism brings in 100 billion a year.

928
02:39:09.390 --> 02:39:18.270
X 1713****064: To put that in perspective, our entire city budget is a 4 billion terrorism's already taken a huge hit this year. Why destroyed completely

929
02:39:18.780 --> 02:39:29.700
X 1713****064: And finally, isn't a historical district a trust going forward for future generations to preserve something of value.

930
02:39:30.270 --> 02:39:39.030
X 1713****064: So that our children and grandchildren can experience a bit of life, their parents and great grandparents did. Why would we violate that

931
02:39:39.690 --> 02:39:59.400
X 1713****064: Boston, New Orleans, Paris, London, they wouldn't destroy their history. Why would we, I feel we should keep our promises to future generations, especially if the alternative is to destroy historical neighborhood, simply for more luxury distance. So, too.

932
02:40:00.780 --> 02:40:14.580
X 1713****064: It's a, it's okay to have a bad idea. And this is a bad idea, but it's not okay to not realize that you, the idea is bad and then to give it up when most everyone else.

933
02:40:15.300 --> 02:40:25.260
X 1713****064: As evidenced by the response of this call realizes it's a bad idea. And it's thank you very much for the time to speak. I appreciate it.

934
02:40:26.310 --> 02:40:27.540
X 1713****064: Thank you for your time.

935
02:40:27.780 --> 02:40:42.450

Olga Abinader, Director, DCP EARD: And for your testimony. Our next speaker, who has dialed in their phone number ends with 554 once again phone number 554 please dial star six to unmute yourself.

936
02:40:42.510 --> 02:40:44.190
So we can begin your testimony.

937
02:40:45.810 --> 02:40:53.700
X 1415****554: Hello this is Benjamin. Gosh, I'm hanging in there. I was cooking. Find the unmute on the zoom call so

938
02:40:58.440 --> 02:41:10.500
X 1415****554: I've been listening to all the testimonies and I mostly agree with those that are totally opposed to this massive of zoning and also questioning the

939
02:41:10.980 --> 02:41:26.850
X 1415****554: Reasonableness of achieving the myth goals. I live in on grey Jones on in Novo and we're actually, my wife and I were being pushed out by the current gentrification. What's not even think about what happens in the future with this up something

940
02:41:27.900 --> 02:41:39.930
X 1415****554: With increasing property taxes and building maintenance. We're not going to be able to afford to live there. Pretty soon and we're gonna have to move out as seniors, which is something the city really needs to take into account when it does any kind of

941
02:41:41.040 --> 02:41:47.310
X 1415****554: Environmental impact. This is a social impact that's real significant as we've heard from other speakers.

942
02:41:48.720 --> 02:41:54.630
X 1415****554: The, the zoning is is also inconsistent with the affordable housing goals. Again, I agree with

943
02:41:55.320 --> 02:42:06.840
X 1415****554: Many of the speakers were requesting lay until the pandemic is under control. It's not possible to justify the assumptions that he is will use to assess traffic noise construction and other impacts.

944
02:42:07.380 --> 02:42:12.750
X 1415****554: Based on economic demographic financial and other assumptions that are critical to the results.

945
02:42:13.800 --> 02:42:23.580
X 1415****554: So there's just, it's not really possible to do and I really don't think that should be done now it has to get some factors, some semblance of normal, normal

946
02:42:25.140 --> 02:42:28.020
X 1415****554: Also, another reason for a delay is

947
02:42:29.160 --> 02:42:35.640
X 1415****554: My and many people that we've heard the lack of trust in the whole community participation process.

948
02:42:37.590 --> 02:42:44.970
X 1415****554: The in the envisioning process that we attended the end is August, because I've said spent many hours going to meetings.

949
02:42:45.990 --> 02:42:58.440
X 1415****554: Is a slap in the face when nothing that literally nothing that we had discussed at door with the consultants and other officials in the planning department.

950
02:42:58.950 --> 02:43:11.850
X 1415****554: Was considered in my view in the scoping report or the scope of report was very had many platitudes economic development, achieving housing goals and all these wonderful things, but they were just works.

951
02:43:12.630 --> 02:43:31.530
X 1415****554: What we were trying to do with the envision meeting was what many of the people who were talking today and giving testimony maintain the historic wonderful sense of the neighborhood and try and keep it from further gentle, gentle rotation and obliteration

952
02:43:33.660 --> 02:43:34.320
X 1415****554: So this

953
02:43:36.990 --> 02:43:46.050
X 1415****554: Camp. I don't feel that the CIS can proceed without a third Community alternative plan action that many of the speakers have also proposed.

954
02:43:46.500 --> 02:43:59.850

X 1415****554: And this has to be done in my view with a sincere community process, not some so much for your comments. We are at time and we thought a lot of speakers. Our next speaker.

955
02:44:00.930 --> 02:44:13.890
Olga Abinader, Director, DCP EARD: At this moment, my colleague, Stephanie she Lou deputy director of the environmental assessment and review division will now take over and call in the next few speakers, Stephanie.

956
02:44:14.820 --> 02:44:25.650
Stephanie Shellooe, Deputy Director, DCP EARD: It thinks all our next dial in speaker phone number and an 898 please go ahead and unmute yourself by dialing star six and we'll hear your testimony.

957
02:44:32.790 --> 02:44:33.930
X 1917****898: Yeah, I can you hear me okay

958
02:44:36.720 --> 02:44:37.320
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, please.

959
02:44:39.780 --> 02:44:40.380
X 1917****898: Okay, great.

960
02:44:41.490 --> 02:44:56.070
X 1917****898: My name is Mandy. I'm a a long time resident of SOHO across the street. I live in a co op that has both a residence and then we own multiple retail units. So we're sort of on our landlords

961
02:44:57.240 --> 02:45:05.130
X 1917****898: I have a number of concerns with the proposal, I want to repeat everything that that folks have already said, I think a couple of points one

962
02:45:05.520 --> 02:45:16.560
X 1917****898: It just seems to be that the the benefit for affordable housing relative to the massive of zoning. It doesn't seem like a very good trade for the city.

963
02:45:17.010 --> 02:45:24.930
X 1917****898: I think is as we looked at what I'll call a few hundred units. That's effectively one buildings worth of affordable housing.

964
02:45:25.350 --> 02:45:32.940

X 1917****898: We have to do better than that. And we should be able to do better than that. And we don't need to up stone an entire neighborhood to do that. And I think anyone

965
02:45:33.390 --> 02:45:42.180
X 1917****898: Could do that effectively doubling the, the height of buildings. And so isn't going to dramatically impact the neighborhood is this frankly being disingenuous.

966
02:45:43.470 --> 02:45:49.260
X 1917****898: The second piece I'm actually concerned that what's been proposed.

967
02:45:50.100 --> 02:46:02.400
X 1917****898: Accelerates gentrification in the areas that are not yet fully gentrified. And so when I think about South Soho, and the shoulders. That's really where the housing opportunity areas are cited

968
02:46:02.880 --> 02:46:08.790
X 1917****898: And that's exactly where folks who are a lot of them older fixed income currently live

969
02:46:09.420 --> 02:46:19.950
X 1917****898: And so I think the notion that you're looking at incremental affordable housing units. When you take into account that displacement is is naive. I think when I look at the map.

970
02:46:20.610 --> 02:46:27.150
X 1917****898: Within a block of where I live. There are two locations that are projected to be developed on Crosby.

971
02:46:27.600 --> 02:46:37.650
X 1917****898: One is a rent stabilized building that like hundred percent affordable units right now, and the other is a very historically significant architectural building so

972
02:46:38.160 --> 02:46:48.750
X 1917****898: If those two buildings are massively renovated or destroyed. I have a hard time seeing how we're actually raising equity or preserving historical character in the neighborhood.

973
02:46:49.830 --> 02:46:59.430
X 1917****898: Last that all many it's it's relevant. I think to some of the shoulder housing opportunity areas is you're taking sort of a stout bowl to some of these

974
02:46:59.760 --> 02:47:14.700
X 1917****898: Areas and really taking historic streets and carving them into multiple districts in a way that's going to destroy the historic character of the street. So if you take my street alone. It's going to be three different zones on one street.

975
02:47:15.840 --> 02:47:25.590
X 1917****898: When people walk down a street they look holistically and think about that character, where they are. They don't look at an affiliate at a time. And so I think when you think about

976
02:47:26.070 --> 02:47:36.150
X 1917****898: No matter what direction you go in looking at this as an integrated neighborhood and not individual slivers of building. I think it's really important. Thank you very much appreciated.

977
02:47:39.570 --> 02:47:43.740
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you very much for your testimony. Our next speaker is Alexander now.

978
02:47:50.940 --> 02:47:51.510
X31. Alexandr Neratoff: Can you hear me.

979
02:47:52.140 --> 02:47:53.790
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, we can hear you.

980
02:47:54.360 --> 02:48:01.440
X31. Alexandr Neratoff: Alexander. They're tough speaking on behalf of New York loft parents in opposition to a blanket of zoning, particularly a commercial use.

981
02:48:01.800 --> 02:48:06.870
X31. Alexandr Neratoff: And to the introduction of unrestricted residential uses into this mixed use neighborhood.

982
02:48:07.290 --> 02:48:14.280
X31. Alexandr Neratoff: That in combination would be highly unlikely result in a production that any significant quantity of affordable housing.

983
02:48:14.760 --> 02:48:18.060
X31. Alexandr Neratoff: That would benefit this neighborhood where it is so sorely needed

984
02:48:18.720 --> 02:48:28.680
X31. Alexandr Neratoff: There is no serious recognition of how to preserve and enhance existing joint live, work, or authorities that our neighborhoods actual existing affordable housing.

985
02:48:29.190 --> 02:48:39.420
X31. Alexandr Neratoff: Or any provision at all to create new joint live work orders for artists. I'm an architect and certified artists living and working in Soho. For the past 40 years

986
02:48:39.930 --> 02:48:46.380
X31. Alexandr Neratoff: So know who is unique and defining characteristic, besides being an area designated for artists living and working

987
02:48:46.980 --> 02:48:59.700
X31. Alexandr Neratoff: Is a key urban planning concept of mixed use applied not only on a macro level to allow industrial, commercial and residential uses to coexist building by building and Floor by floor.

988
02:49:00.090 --> 02:49:09.660
X31. Alexandr Neratoff: But to allow the merger of live and work within each unit one can live in 90% of a loft and work in 10% or the other way around.

989
02:49:10.350 --> 02:49:22.020
X31. Alexandr Neratoff: The residential district equivalent is called home occupation and it is generally restricted to 25% of a space and 500 square feet, defined as incidental to the main use which is living

990
02:49:22.350 --> 02:49:35.340
X31. Alexandr Neratoff: And further limited to specific not objectionable uses introducing residential use was that qualifications would lose what makes, so who knows special not only now, but in the future.

991
02:49:36.120 --> 02:49:50.670
X31. Alexandr Neratoff: Updating is clearly necessary. It's been 15 years I support giving SOHO no special districts status that allows one to write local regulations and definitions without worrying how a change here.

992
02:49:51.060 --> 02:50:02.610

X31. Alexandr Neratoff: Would affect the rest of the city, one can alter the definition of home occupation within a special it as a financial use to mimic the mixed use qualities of em 1585 be

993
02:50:03.270 --> 02:50:12.180
X31. Alexandr Neratoff: One can tailor the bulk regulations of residential buildings to make the mimic that higher density low rise characteristic of this historic area.

994
02:50:12.630 --> 02:50:24.810
X31. Alexandr Neratoff: So additional development does not result in disproportional height increases and when can greatly span and change the characteristics of the myth affordable housing program.

995
02:50:25.230 --> 02:50:44.790
X31. Alexandr Neratoff: To make it support truly low income truly desegregated and particularly artist housing and affiliated community shared studio and exhibition facilities and local performance organizations, citing those in or close to. So no, thank you.

996
02:50:47.460 --> 02:50:52.050
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you for your testimony. Our next speaker is Martha Lawrence.

997
02:50:54.060 --> 02:51:01.110
Stephanie Shellooe, Deputy Director, DCP EARD: Lawrence, we do not currently see you in in the zoom meeting please rejoin if you're able

998
02:51:02.760 --> 02:51:11.160
Stephanie Shellooe, Deputy Director, DCP EARD: In that case, our next speaker will be Michelle Varian followed by Zilla Jones and followed by Madeline Applebaum

999
02:51:12.330 --> 02:51:14.760
Stephanie Shellooe, Deputy Director, DCP EARD: Michelle variant. Please begin your testimony.

1000
02:51:15.330 --> 02:51:21.990
X 33. Michele Varian: Hello, I'm here speaking on behalf of the Soho design district. I'm also a resident of Soho.

1001
02:51:23.250 --> 02:51:33.480
X 33. Michele Varian: To speak on behalf of small businesses. I want to call out the fact that there's nothing talking about how this up zoning will severely jeopardize existing businesses and Soho.

1002
02:51:34.620 --> 02:51:43.320
X 33. Michele Varian: The potential construction that would monopolize the sidewalks, as well as often take ups lanes of the street.

1003
02:51:43.860 --> 02:51:49.020
X 33. Michele Varian: And hamper delivery, as well as pedestrians, being able to get to businesses would be a severe

1004
02:51:49.950 --> 02:52:08.010
X 33. Michele Varian: restriction on existing businesses who are already severely hurting because of this last year's pandemic and have that then followed by years of construction would probably drive out most of the existing businesses that if they do survive the pandemic.

1005
02:52:09.660 --> 02:52:19.590
X 33. Michele Varian: Since most of the other things that I am extremely against the up zoning, as are the other members of the Soho design district and

1006
02:52:20.190 --> 02:52:35.700
X 33. Michele Varian: Most other things regarding residential and impacts regarding real estate values driving out existing tenants that have been expressed by others I 100% agree with and I will be getting more information in writing. Thank you.

1007
02:52:38.370 --> 02:52:43.920
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you. We look forward to receiving your written testimony. Our next speaker is valid Jones.

1008
02:52:47.040 --> 02:52:49.470
X 34. Zella Jones: You okay, you can hear me.

1009
02:52:49.860 --> 02:52:51.810
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, we can. Okay.

1010
02:52:52.470 --> 02:52:53.190
So,

1011
02:52:54.240 --> 02:53:05.820
X 34. Zella Jones: My name is Bella Jones. I'm president of know hub our stakeholders incorporated a nonprofit and in no hope. And we represent 350 property owners and Lester's in knowhow

1012
02:53:06.600 --> 02:53:21.330
X 34. Zella Jones: will submit written comments which are focused on. No. Whoa. But for now, let me summarize, we support the goals of the zoning action to create greater housing opportunities for all in a manner that will retain the existing character of, you know,

1013
02:53:22.740 --> 02:53:22.980
X 34. Zella Jones: The

1014
02:53:24.000 --> 02:53:32.010
X 34. Zella Jones: Stakeholders request that the scope of work be broad enough to permit consideration of the following alternatives.

1015
02:53:32.730 --> 02:53:48.030
X 34. Zella Jones: One rezone north of house in St. To eight are at a with a C five dash to overlay option to rezone north of Houston straight to see six to a

1016
02:53:48.720 --> 02:54:00.990
X 34. Zella Jones: Number three, modify the Sn MD map north of house and straight to recognize that all the likely sites for new affordable housing are north of great john St.

1017
02:54:01.410 --> 02:54:17.400
X 34. Zella Jones: By creating sub districts using great john st as a north south boundary with the self Subdistrict am one six or 815 paired with our eight eight and the North subject district am five

1018
02:54:18.030 --> 02:54:31.620
X 34. Zella Jones: Are nine x, we will have more to say in our written comments regarding the need to address the historic districts, the existing overbuilt buildings and the need to retain no host maker community. Thank you.

1019
02:54:34.710 --> 02:54:41.880
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you very much. Our next speaker is Madeline Applebaum followed by Nicole Wyler and Pauline Augustine.

1020
02:54:43.470 --> 02:54:44.640
Stephanie Shellooe, Deputy Director, DCP EARD: Madeline Applebaum

1021
02:55:03.900 --> 02:55:07.740

Stephanie Shellooe, Deputy Director, DCP EARD: Madeline Applebaum, are you able to unmute yourself and provide testimony.

1022
02:55:13.980 --> 02:55:15.870
Studies Support 1: Microphone is currently on

1023
02:55:26.760 --> 02:55:38.340
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, if the functionality is not working. Please visit NYC engage to find the dial in information so that you can dial in via phone, we can get your contact information.

1024
02:55:39.960 --> 02:55:46.200
Stephanie Shellooe, Deputy Director, DCP EARD: The next speaker is Nicole Wyler followed by Pauline Augustine Nicole Wyler

1025
02:55:48.420 --> 02:55:50.340
X 36. Nicole Weiler: Hi there. Can you hear me.

1026
02:55:50.730 --> 02:56:03.840
X 36. Nicole Weiler: Yes. Hi. Thank you so much for providing me the opportunity to speak today. My name is Nicole Wyler I'm a resident of Soho. I've been here for over seven years now.

1027
02:56:04.590 --> 02:56:14.100
X 36. Nicole Weiler: I work at a small creative business on the edge of Chinatown. So I spend all of my time in the areas affected by this potential rezoning

1028
02:56:14.880 --> 02:56:29.760
X 36. Nicole Weiler: My partner and I purchased our home and Soho, and my business chose its location and then neighborhood specifically based on the current historic character of the neighborhood and the current creative community here.

1029
02:56:30.330 --> 02:56:39.990
X 36. Nicole Weiler: All of which are being threatened by the up zoning plan I oppose the zoning plan and I support the community alternative plan.

1030
02:56:40.860 --> 02:57:00.120
X 36. Nicole Weiler: I strongly feel that no public review and approval process should take place until in person meetings can begin again and a full analysis of the plans impacts can take place. Thank you so much for your time and for planning this meeting and I'll follow up more in writing.

1031
02:57:03.540 --> 02:57:13.470
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you. And thank you for sticking with us today. Our next speaker is Pauline Augustine, followed by Susan forking and Ingrid weigand

1032
02:57:15.630 --> 02:57:16.770
Stephanie Shellooe, Deputy Director, DCP EARD: Pauline Augustine.

1033
02:57:28.680 --> 02:57:30.510
Stephanie Shellooe, Deputy Director, DCP EARD: You may need to unmute your microphone.

1034
02:57:30.930 --> 02:57:31.830
X 37. Pauline Augustine: Can you hear me now.

1035
02:57:32.040 --> 02:57:33.060
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, there you are.

1036
02:57:33.690 --> 02:57:52.590
X 37. Pauline Augustine: Hi, my name is Pauline Augustine. I'm a resident of SOHO for over 15 years and I'm a senior citizen. And I want to tell you that I am definitely opposed to this plan and I do on support community alternative zoning in the very beginning when the

1037
02:57:53.760 --> 02:57:59.970
X 37. Pauline Augustine: Process started, I was at the first meeting and realized that it did look like it was just a

1038
02:58:01.050 --> 02:58:13.230
X 37. Pauline Augustine: You know condescending attempt to get some very interesting input that wasn't going to affect anyone in the planning process as I see here today. That's exactly what happened. A lot of my

1039
02:58:15.660 --> 02:58:24.120
X 37. Pauline Augustine: Residents here and friends and neighbors and a lot of hours of input for no reason at all for all their time and energy and hopefully

1040
02:58:25.050 --> 02:58:39.060
X 37. Pauline Augustine: So we need a postponement. This is not the time to do this meeting and I think it was very few places of having an idea that this would pass through that any commentary from the people who are going to be affected by it every single day.

1041
02:58:40.080 --> 02:58:50.010
X 37. Pauline Augustine: One building higher than normal can take away sunshine, like in my apartment for two hours a day every single day of the year.

1042
02:58:50.580 --> 02:58:56.190
X 37. Pauline Augustine: So you can imagine what happens when those buildings go up around the people who live here.

1043
02:58:56.670 --> 02:59:09.210
X 37. Pauline Augustine: That's nothing to do with the impact that has not been looked into seriously of how it would affect the infrastructure, the environmental problems. The schools every single thing in this process.

1044
02:59:09.780 --> 02:59:17.820
X 37. Pauline Augustine: It takes a lot of thought and energy. But then again, that's not what was going on here. I do believe it was trying to push through something

1045
02:59:18.270 --> 02:59:26.160
X 37. Pauline Augustine: By what the real estate industry would profit from enormously during a time when you think we weren't paying attention.

1046
02:59:26.580 --> 02:59:40.500
X 37. Pauline Augustine: Well you here today, right. Everybody was here we are paying attention and a lot more people are paying attention, who didn't have time to do this or unable to be at the meeting. Thank you very much for letting me speak my mind and

1047
02:59:41.520 --> 02:59:42.330
X 37. Pauline Augustine: I hope that

1048
02:59:43.590 --> 02:59:47.550
X 37. Pauline Augustine: All of our ideas will really be seriously considered. Thank you.

1049
02:59:50.430 --> 02:59:52.950
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you for your testimony and

1050
02:59:55.140 --> 03:00:01.620

Stephanie Shellooe, Deputy Director, DCP EARD: We will now go to an elected official who has joined us Jenny low

1051
03:00:05.130 --> 03:00:09.480
Stephanie Shellooe, Deputy Director, DCP EARD: Jenny low if you're able to unmute yourself and provide your testimony will accept that now.

1052
03:00:10.830 --> 03:00:12.420
X 41. EO - jenny low: Okay, can you hear me.

1053
03:00:12.750 --> 03:00:13.980
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, thank you. Great.

1054
03:00:14.010 --> 03:00:24.450
X 41. EO - jenny low: Thank you. First of all, thank you for holding this hearing. It's very important for residents and the public to hear what

1055
03:00:25.200 --> 03:00:45.600
X 41. EO - jenny low: The next steps are and what your, what is being planned. I just have a few comments. First of all, I am a district leader of Lower Manhattan Chinatown and lowly site area and I am a resident of the north of Little Italy, just at the end of SOHO for 20 years and I grew up in Chinatown.

1056
03:00:47.340 --> 03:01:06.450
X 41. EO - jenny low: I am opposing the absorbing proposal for the Soho knowhow area for a number of reasons. First is that we need to preserve the current character of this historical district, we need to protect the

1057
03:01:07.590 --> 03:01:22.200
X 41. EO - jenny low: Law live and workspace for artists for the pioneers who gave us this beautiful area Kosovo, we need to help them and support them age in place.

1058
03:01:24.030 --> 03:01:37.950
X 41. EO - jenny low: We need affordable housing in in this area, the currently proposed 100 somewhat against 3200 total housing unit is not enough.

1059
03:01:38.970 --> 03:01:54.390
X 41. EO - jenny low: We need to have more affordable housing that is to me an insult. When they propose that little bit of units for for affordable housing. We also need real affordable housing for this area.

1060

03:01:55.410 --> 03:02:07.170
X 41. EO - jenny low: Given the characteristic of this neighborhood, which is full of smaller businesses not box stores. We all are under a lot of pressure to

1061
03:02:08.550 --> 03:02:19.290
X 41. EO - jenny low: Because of the covert pandemic. We need to be able to help them and support them. So I joined the chorus of others who spoke and said,

1062
03:02:20.190 --> 03:02:42.180
X 41. EO - jenny low: We. This is not the time to deliberate this process where everything is done online. We need to put this on hold until we can do in person meeting where the residents can fully participate. So I joined the chorus of other

1063
03:02:43.560 --> 03:03:01.290
X 41. EO - jenny low: advocates and residents of this community this neighborhood that I am opposed I oppose the zoning and I call for a pause of the process so that we can really this is a very important decision for this neighborhood.

1064
03:03:01.980 --> 03:03:21.180
X 41. EO - jenny low: As much as I think virtual meetings work well, but it doesn't work for this situation here. So I would please hear our call and please put this on hold until the pandemic is over. Thank you very much for letting me speak today.

1065
03:03:22.950 --> 03:03:25.830
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you very much for your comments. And for joining us today.

1066
03:03:27.000 --> 03:03:32.730
Stephanie Shellooe, Deputy Director, DCP EARD: Our next speaker will be Susan forking followed by Ingrid weekend. Susan forking

1067
03:03:46.440 --> 03:03:50.040
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, you can unmute yourself, you should be able to provide your testimony.

1068
03:03:51.270 --> 03:04:01.470
Stephanie Shellooe, Deputy Director, DCP EARD: Oh, we're being notified that Susan has an old version of zoom. So Susan, if you can use the dial in information and we will get to in our next

1069

03:04:02.700 --> 03:04:03.570
Stephanie Shellooe, Deputy Director, DCP EARD: Batch

1070
03:04:05.250 --> 03:04:13.560
Stephanie Shellooe, Deputy Director, DCP EARD: Our next speaker is Ingrid weekend. Sorry if I'm mispronouncing your name. You can unmute yourself and you can ride your testimony.

1071
03:04:19.230 --> 03:04:21.270
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, you're very soft, but we can hear you.

1072
03:04:22.440 --> 03:04:25.380
X 39. INGRID WIEGAND: Okay, I'm fast to fade.

1073
03:04:27.060 --> 03:04:37.170
X 39. INGRID WIEGAND: Okay, I'm Ingrid weekend. I've lived to work in Soho for decades. I was one of the members of the original artists Association.

1074
03:04:37.710 --> 03:04:51.990
X 39. INGRID WIEGAND: That negotiated the founding of SOHO with the city planning commission, so I know what I'm talking about when I say that I support changes that allow a wider and economic and diverse

1075
03:04:52.860 --> 03:05:07.200
X 39. INGRID WIEGAND: Economic and diverse range of people to live in. So, but I host the DPS plan to allow tall modern buildings and huge blazingly Lit Box stores in this historic district.

1076
03:05:08.070 --> 03:05:23.790
X 39. INGRID WIEGAND: Where they average height of most of the buildings is five or six stories and the style is classic or Mozart's all under the cover of getting the real estate industry to cough up a few affordable housing units.

1077
03:05:24.450 --> 03:05:36.030
X 39. INGRID WIEGAND: You are also pursuing this planner time when commercial occupancy in the city is down some 90% this is according to the urban green tech Council.

1078
03:05:36.570 --> 03:05:44.490
X 39. INGRID WIEGAND: Which is a major, major advisor to end on environmental issues to the city and of which I'm also a member

1079
03:05:45.210 --> 03:05:53.820
X 39. INGRID WIEGAND: When the city recovers from coven commercial occupancy will migrate to the many new newly built commercial spaces.

1080
03:05:54.330 --> 03:06:08.370
X 39. INGRID WIEGAND: Leaving midtown, whether it's all the commercial buildings virtually empty stores and St. Alex, this is where you have a ready source of thousands of units of affordable housing.

1081
03:06:08.880 --> 03:06:16.770
X 39. INGRID WIEGAND: And where you can create incentive for redevelopment as you did for the financial district after 911

1082
03:06:17.730 --> 03:06:35.490
X 39. INGRID WIEGAND: Instead of degrading one of the city's premier neighborhoods flooding with residents workers and Sharples without any clear consideration that they air, water, sanitation and other public services cannot possibly absorb

1083
03:06:36.570 --> 03:06:53.220
X 39. INGRID WIEGAND: I asked that the department and other proponents of this proposal Turner attention to developing opportunities for affordable and general resident residential housing in the areas older commercial building

1084
03:06:54.300 --> 03:07:11.070
X 39. INGRID WIEGAND: So on. No need a well thought out plan increasing its economic and other diversity, but that decidedly does not require substantially more people, more stores and more construction. Thank you.

1085
03:07:14.940 --> 03:07:26.880
Olga Abinader, Director, DCP EARD: Thank you so much older happening back on will now move on to speaker number 40 Joseph demo. Cindy Joseph time. I mean, we're ready for your testimony.

1086
03:07:37.350 --> 03:07:40.860
Olga Abinader, Director, DCP EARD: Joseph day Monday. Are you able to hear us. If so, please unmute yourself.

1087
03:07:45.060 --> 03:07:46.470
Stephanie Shellooe, Deputy Director, DCP EARD: Not seeing them in the meeting.

1088
03:07:47.610 --> 03:07:54.240

Olga Abinader, Director, DCP EARD: Okay, thanks so much. Stephanie. Our next speaker is number 44 Darlene lots

1089
03:07:58.620 --> 03:08:04.500
Olga Abinader, Director, DCP EARD: Number 44 Darlene Lutz, if you're in the meeting, please unmute yourself so we can hear your testimony.

1090
03:08:06.300 --> 03:08:09.180
X 44. Darlene Lutz: Hi. I didn't sign up to speak, but

1091
03:08:10.350 --> 03:08:12.270
X 44. Darlene Lutz: I've listened. A lot. I'm I'm

1092
03:08:13.680 --> 03:08:25.170
X 44. Darlene Lutz: I'm a resident LA. I'm a resident facing a Trinity Church Wall Street a site that was supposed to have been developed in 2013

1093
03:08:26.310 --> 03:08:30.390
X 44. Darlene Lutz: Regarding the Hudson is where we're going. So

1094
03:08:31.830 --> 03:08:34.320
X 44. Darlene Lutz: This was also supposed to have a school at the base.

1095
03:08:35.970 --> 03:08:48.210
X 44. Darlene Lutz: That with residential housing 50 stories of it. This never came to fruition, but we have had a lot of development of 2530 storey buildings.

1096
03:08:49.020 --> 03:09:01.470
X 44. Darlene Lutz: North of that site and they're all luxury condos and they're pretty much all empty one of them will also supposed to have some medium income housing.

1097
03:09:02.250 --> 03:09:14.220
X 44. Darlene Lutz: It is ready to rent that housing is nowhere on the scope. So I guess my final comments here is that, you know, the rezoning happens, there are a lot of promises made and

1098
03:09:15.600 --> 03:09:36.720
X 44. Darlene Lutz: And then it seems like you know the drivers of it will turn out of inevitably the real estate magnets like Trinity Church Wall Street will take the money like they did from Disney, to the tune of nearly $700 million for a 99 year land lease and run with it so

1099
03:09:37.980 --> 03:09:42.420
X 44. Darlene Lutz: Please consider that all is not a parent.

1100
03:09:43.680 --> 03:09:52.950
X 44. Darlene Lutz: In this discussion of, you know, a long time residence. You know, we've we've soldiered through this and we really want to maintain have some

1101
03:09:53.670 --> 03:10:08.700
X 44. Darlene Lutz: To be able to maintain some quality of life here. So how has never had a supermarket. We still don't, we don't have a you know simple services. I think there's one Cobbler in the neighborhood.

1102
03:10:10.290 --> 03:10:11.790
X 44. Darlene Lutz: One dry cleaner.

1103
03:10:12.900 --> 03:10:13.350
X 44. Darlene Lutz: You know,

1104
03:10:14.520 --> 03:10:27.630
X 44. Darlene Lutz: There isn't really you know this this area has turned over to servicing tourism all well and good. It's brought in a lot of revenue for the city so I'm

1105
03:10:31.410 --> 03:10:50.700
X 44. Darlene Lutz: Sorry, I'm getting texted about, uh, I guess I'll conclude my testimony and say stick to what you know we if we stick to what the residents with the alternative plan if I think, you know, we can go for this, but you know what the city is proposing right now is really

1106
03:10:52.560 --> 03:10:54.510
X 44. Darlene Lutz: quite distressing.

1107
03:10:55.710 --> 03:10:56.010
X 44. Darlene Lutz: To the

1108
03:10:56.280 --> 03:10:57.870
Olga Abinader, Director, DCP EARD: You so much for your testimony.

1109
03:10:57.900 --> 03:10:58.380
X 44. Darlene Lutz: Thank you.

1110
03:10:59.490 --> 03:11:08.490
Olga Abinader, Director, DCP EARD: Our next speaker is number 45 Sarah Walker, followed by number 46 David Lawrence Sarah Walker.

1111
03:11:09.150 --> 03:11:12.510
Olga Abinader, Director, DCP EARD: We are ready for your testimony. Please unmute yourself. Okay.

1112
03:11:12.570 --> 03:11:13.230
X 45. Sarah Walker: Can you hear me.

1113
03:11:13.800 --> 03:11:22.200
X 45. Sarah Walker: Yes. Okay, thank you. I am speaking for myself and the long time artist residence that fill my building.

1114
03:11:22.770 --> 03:11:35.880
X 45. Sarah Walker: We support the community alternative plan and oppose DC PS planned obsession SOHO and know how we were regular participants in the envision so how no hope process.

1115
03:11:36.570 --> 03:11:44.550
X 45. Sarah Walker: And feel totally blindsided by this plan which looks nothing like the recommendations that came out of the envision process.

1116
03:11:45.150 --> 03:11:59.100
X 45. Sarah Walker: In fact, it was through neighbors, we found out about this meeting, not through the TCP, among other things up zoning would bring even more traffic to our already clogs streets parking is already a

1117
03:11:59.100 --> 03:11:59.640
Huge

1118
03:12:00.720 --> 03:12:17.760
X 45. Sarah Walker: Made more so by City Bike Racks outdoor dining introducing thousands of new units and larger stores will completely overload Soho, and no whoa with cars and trucks and with cars and trucks come even more intense noise and air pollution.

1119
03:12:18.480 --> 03:12:35.280
X 45. Sarah Walker: And by the way, the longtime artists residents who pioneered SOHO and knowhow came here in order to live and work affordably. We fully support affordable housing, but not as a fig leaf over a massive luxury of zoning push. Thank you.

1120
03:12:37.320 --> 03:12:53.250
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker number 46 is David Lawrence, followed by number 47 Renee long rose David Lawrence, please unmute yourself if you're available and ready to provide your testimony.

1121
03:12:54.090 --> 03:12:55.170
X 46. David Lawrence: Hello. Can you hear me.

1122
03:12:55.710 --> 03:13:00.390
X 46. David Lawrence: Yes. Okay, great. Um, I, I'm a

1123
03:13:01.410 --> 03:13:13.200
X 46. David Lawrence: I'm on the board of directors of a building where a grand and Crosby and we're all artists. Here I've I'm a photographer and I moved here 25 years ago because of the outstanding light.

1124
03:13:14.040 --> 03:13:32.790
X 46. David Lawrence: Part of one of the amenities that one one speaker touched on it. But one of the amenities of Soho, and the village. It's the light. And that's because buildings are low, and the sunlight can penetrate and it enriches our lives and it makes us happier people and more productive.

1125
03:13:34.560 --> 03:13:36.510
X 46. David Lawrence: Residents and workers.

1126
03:13:37.560 --> 03:13:43.110
X 46. David Lawrence: This plan does not acknowledge this in any way. In fact,

1127
03:13:44.370 --> 03:13:44.880
X 46. David Lawrence: The

1128
03:13:46.050 --> 03:13:46.440
X 46. David Lawrence: The

1129
03:13:48.330 --> 03:13:52.440
X 46. David Lawrence: Fa IR increases, which are to me seem exorbitant

1130
03:13:53.490 --> 03:14:06.900

X 46. David Lawrence: guarantee that the Broadway card or will become the Broadway wall that separates East SOHO from West Soho, and the nibbling around the edges, allowing

1131
03:14:08.070 --> 03:14:09.690
X 46. David Lawrence: These exorbitant buildings.

1132
03:14:10.770 --> 03:14:17.610
X 46. David Lawrence: That cast immense shadows. Will it mean that, so we'll be in a canyon of shade.

1133
03:14:19.050 --> 03:14:22.020
X 46. David Lawrence: I, I have a first hand experience.

1134
03:14:23.520 --> 03:14:33.930
X 46. David Lawrence: Most of the buildings around me are six stories tall and I get sufficient sunlight to do my job every day, but about eight years ago, the city allowed have

1135
03:14:34.530 --> 03:14:45.270
X 46. David Lawrence: Something to go up at the time was called this so Mondrian Soho. Now it's called nomo so Whoa, it's an ugly hotel, it blocks out our light.

1136
03:14:47.160 --> 03:14:57.780
X 46. David Lawrence: For an hour each day. If there were, and the way that the new zoning is proposed the entire block south of me could be

1137
03:14:58.890 --> 03:15:03.180
X 46. David Lawrence: We would given be given these enhanced FA ours.

1138
03:15:04.230 --> 03:15:12.870
X 46. David Lawrence: Buildings that across the street or four and six stories tall could conceivably come become 12 story tall residential buildings.

1139
03:15:13.440 --> 03:15:28.920
X 46. David Lawrence: Which would obliterate all my sunlight and essentially as an artist, put me out of business. That's a very personal effect, but it also has an effect on on the commerce and the well being of the people in this area. And the other thing is that

1140
03:15:29.940 --> 03:15:41.280

X 46. David Lawrence: Increasing the number of people as envisioned by this proposal would nearly doubled. So how, but so how is gridlock on a Friday afternoon or Sunday evening.

1141
03:15:41.820 --> 03:15:58.050
X 46. David Lawrence: I don't see how you can put another vehicle here a intentionally because if anything we need to reduce that traffic. We need to reduce the pollution, we need to reduce the noise and this plan does nothing except increase all of that. Thanks for you.

1142
03:15:58.290 --> 03:15:59.310
Olga Abinader, Director, DCP EARD: So much for your time.

1143
03:16:00.420 --> 03:16:01.380
X 46. David Lawrence: Okay, of course.

1144
03:16:01.650 --> 03:16:08.580
Olga Abinader, Director, DCP EARD: Our next speaker is number 47 Renee Monroe's followed by number 48 and Feliciano

1145
03:16:09.840 --> 03:16:12.870
Olga Abinader, Director, DCP EARD: Ronnie Montrose please unmute yourself are ready for your testimony.

1146
03:16:14.370 --> 03:16:15.450
X 47. Renee Monrose: Hello. Can you hear me.

1147
03:16:15.900 --> 03:16:16.410
Yes.

1148
03:16:17.490 --> 03:16:27.690
X 47. Renee Monrose: Hi, I'm an artist and a long term resident of Broadway in Soho in my volunteer work. I'm also an active supporter of social justice and diversity.

1149
03:16:28.260 --> 03:16:38.670
X 47. Renee Monrose: So let's be honest here. This plan is a travesty and a completely dishonest about its complained to foster the ideas of social justice and racial diversity.

1150
03:16:39.600 --> 03:16:55.620
X 47. Renee Monrose: On a basic level, it has a veritable litany of shortcomings, it is full of vague assertions and Miss characterizations

of the character SOHO faulty data on demographics and it is based on a completely debunked theory of affordable housing.

1151
03:16:56.640 --> 03:17:02.550
X 47. Renee Monrose: This plan should be rejected out of hand. But for now, the city needs to put this process on pause

1152
03:17:03.780 --> 03:17:13.350
X 47. Renee Monrose: As has been said before by others facing any projections and such radical changes on current conditions as a useless useless.

1153
03:17:13.890 --> 03:17:29.580
X 47. Renee Monrose: Job, the city and the neighborhood need to stabilize. First we have vaccines on the horizon. So why can the city not wait and evaluate the situation when we have a clear view of what the city will be post co but

1154
03:17:30.690 --> 03:17:39.030
X 47. Renee Monrose: My main question here. Is this though, how can this administration which is claiming the moral high ground of racial justice and diversity.

1155
03:17:39.390 --> 03:17:47.880
X 47. Renee Monrose: Promote a concept of trickle down housing that is a documented failure and no more valid than Reagan's trickle down economics.

1156
03:17:48.420 --> 03:18:01.530
X 47. Renee Monrose: In cities like Chicago and Los Angeles. It has completely failed to create any substantial affordable housing and only generated massive displacement and gentrification while enriching wealthy developers.

1157
03:18:02.400 --> 03:18:11.880
X 47. Renee Monrose: In my email comments I have provided links to Shetty studies that show how myth has totally failed to create affordable housing.

1158
03:18:12.690 --> 03:18:18.000
X 47. Renee Monrose: If the city is so serious about Racial Diversity and Equity, then why is it fostering

1159
03:18:18.510 --> 03:18:27.210

X 47. Renee Monrose: The infusion. A big box stores, which are mostly on by white people instead of promoting small unique businesses owned by people of color.

1160
03:18:28.080 --> 03:18:41.310
X 47. Renee Monrose: I am my neighbors support the community alternative plan and real affordable housing, we welcome diversity to this neighborhood I asked the city and our elected officials to pause this project and reject this plan.

1161
03:18:43.440 --> 03:18:44.790
Olga Abinader, Director, DCP EARD: Thank you for your testimony.

1162
03:18:45.870 --> 03:18:56.490
Olga Abinader, Director, DCP EARD: Our next speaker number 48 is m Feliciano, my apologies if I mispronounced your name. There followed by number 49 Frederick's Foster's Shapiro.

1163
03:18:57.060 --> 03:19:07.500
Olga Abinader, Director, DCP EARD: And Feliciano if you're there, please unmute yourself so we can hear your testimony. Can you hear me, yes, we can just give us a moment until we set up our timer on our screen.

1164
03:19:13.050 --> 03:19:14.190
Olga Abinader, Director, DCP EARD: Okay, you may begin.

1165
03:19:15.090 --> 03:19:23.610
X 48. M Feliciano: Thank you for the time to address this issue. I am a resident of Soho, and I have been for a number of years.

1166
03:19:24.720 --> 03:19:36.600
X 48. M Feliciano: I in fact live in a club on Broadway to residential call up. We're about a quarter of our residents are original artists residents of this community.

1167
03:19:37.320 --> 03:19:52.140
X 48. M Feliciano: All of them aging in place here. So for this community and for this building affordability is not only important. It is something that we strive for and defend as a matter of course.

1168
03:19:52.860 --> 03:20:00.510
X 48. M Feliciano: The, the importance of diversity and affordability is not anything that anybody here as I speak with our community.

1169

03:20:01.770 --> 03:20:12.570
X 48. M Feliciano: Is against in any way I echo everything that our community members have been saying, especially the support for

1170
03:20:13.560 --> 03:20:19.440
X 48. M Feliciano: The commute part and community alternative plan that have been put for us.

1171
03:20:20.430 --> 03:20:33.210
X 48. M Feliciano: Putting this plan on hold all of that. I also in fact want to take a bit of time to to challenge notions about this community that I have been hearing repeatedly

1172
03:20:33.810 --> 03:20:42.180
X 48. M Feliciano: Both from the Department of city planning and particular Sylvia leave because she is the she was the speaker today for it in the previous

1173
03:20:42.780 --> 03:20:57.420
X 48. M Feliciano: Meeting about how not vibrant. So who is how not resilience. So who is how restrictive and Honoris and apparently according to some other speakers even racist at times.

1174
03:20:58.560 --> 03:21:12.210
X 48. M Feliciano: I am here to tell you that I live and I work here we thrive here I have raised a family here. I know my neighbors and I'm here to say that this is a community.

1175
03:21:14.040 --> 03:21:39.390
X 48. M Feliciano: I would like, and I encourage all of you, behind this plan to think about. So exactly as that as a living community with residents and workers making their home here and and thriving here. This is not a dead place. This is a place where people live. So putting that human aspect to our environment.

1176
03:21:39.930 --> 03:21:42.090
Translator 3 (Cantonese): A little default mother, you're saying

1177
03:21:42.150 --> 03:21:42.720
X 48. M Feliciano: Thank you.

1178
03:21:43.650 --> 03:21:45.600
Translator 3 (Cantonese): What Asian awesome

1179

03:21:45.900 --> 03:21:46.980
Olga Abinader, Director, DCP EARD: Just for one moment.

1180
03:21:48.090 --> 03:22:04.290
Olga Abinader, Director, DCP EARD: Here's what we're receiving some feedback from our translator three. So I'm going to just put a brief pause on the moment so we can get our back of house and please address our issue with translator three, we can hear it live and not in the correct channel.

1181
03:22:06.630 --> 03:22:06.960
Translator 3 (Cantonese): Sorry.

1182
03:22:07.860 --> 03:22:10.320
Olga Abinader, Director, DCP EARD: No, no, no worries. All right.

1183
03:22:12.630 --> 03:22:17.640
Olga Abinader, Director, DCP EARD: Okay, thank you. And now we will move on to our next speaker.

1184
03:22:19.680 --> 03:22:32.040
Olga Abinader, Director, DCP EARD: Our next speaker is number 49 Frederick's foster Shapiro, followed by Speaker number 50 Victoria hills job number 49 Frederick's posture of Shapiro, please unmute yourself.

1185
03:22:34.980 --> 03:22:51.630
X 49. Fredericka Foster Shapiro: Thank you. I live on Green Street, although at the moment. My husband and I are not on Green Street. We're out of New York because of I have developed COPD and he's 81

1186
03:22:52.380 --> 03:23:06.030
X 49. Fredericka Foster Shapiro: We used to live on Wooster street almost 30 years ago, which was right above canal and there was black heavy stuff on the window sale. Many, many of us got sick. And then of course the towers came down

1187
03:23:06.720 --> 03:23:18.600
X 49. Fredericka Foster Shapiro: I have friends who have lung cancer is a result of that, all I'm saying is that we have a real pollution problem in Soho, and fifth NYU.

1188
03:23:19.680 --> 03:23:26.040
X 49. Fredericka Foster Shapiro: Building all that it is. We do definitely need low cost housing.

1189
03:23:26.730 --> 03:23:34.470
X 49. Fredericka Foster Shapiro: And I think that community plan that we came up with included low cost housing, we do want more diversity in the neighborhood.

1190
03:23:34.740 --> 03:23:53.550
X 49. Fredericka Foster Shapiro: And we'd love to get some of the young artists back it's us old ones who are able to stay there because we got our building so many years ago or our loft and to get these faces totally broken up, we're going to lose.

1191
03:23:54.570 --> 03:24:04.470
X 49. Fredericka Foster Shapiro: Places where we can have in the city sculptors and painters and musicians and dance studios and small art galleries.

1192
03:24:04.830 --> 03:24:26.940
X 49. Fredericka Foster Shapiro: And all the things that make a community really vital, we don't know what's going to happen after the pandemic. We don't know what our neighborhoods going to be like I am utterly baffled. How can we do this now during the pandemic. When the neighborhood has changed completely.

1193
03:24:28.320 --> 03:24:47.670
X 49. Fredericka Foster Shapiro: Anyway, um, the advantage of it being on Zoom is I didn't have to come to the city to speak, and I appreciate your listening to me. I guess I need to say I am really opposed to this plan and I am in favor of the Community plan. Thank you so much.

1194
03:24:48.360 --> 03:25:00.420
Olga Abinader, Director, DCP EARD: Thank you for your testimony. And we're really glad to have you participate remotely. Our next speaker is Victoria Hill helston a tour at Hillsdale, are you here with us.

1195
03:25:04.560 --> 03:25:09.660
Olga Abinader, Director, DCP EARD: Victoria Hill. So if you are here, please unmute yourself. Otherwise, we will move on to number 51

1196
03:25:12.510 --> 03:25:25.320
Olga Abinader, Director, DCP EARD: Okay. We'll move on to our next speaker number 51 Daniel colon followed by number 52 Barry Holden Daniel Cohen, if you are here, please unmute yourself so that we can hear your testimony.

1197
03:25:26.970 --> 03:25:27.840

X 51. Daniel Cohen: Hi, can you hear me.

1198
03:25:28.350 --> 03:25:28.860
Yes.

1199
03:25:30.390 --> 03:25:45.780
X 51. Daniel Cohen: My name is Daniel Cohen in the 1950s. My great uncle Arthur Conan invested in Manhattan real estate particularly relevant to the Soho rezoning our buildings, he invested in at 256 East 10th STREET AND 256 West 22nd Street, both of which are within walking distance of so

1200
03:25:47.160 --> 03:25:57.900
X 51. Daniel Cohen: My family still receives rent money from these investments and up until now, the zoning code has protected speculators like ourselves from competition and now allowed us to charge extremely high rents to hardworking New Yorkers.

1201
03:25:58.740 --> 03:26:08.460
X 51. Daniel Cohen: Unlike most New Yorkers. However, we haven't had to contribute anything of value in order to profit off of the city and we like it that way. In fact, most of my family doesn't even live in New York anymore.

1202
03:26:09.210 --> 03:26:17.610
X 51. Daniel Cohen: All thanks to New York City's wonderful zoning code which has blocked new buildings from competing with us. However, if you were to legalize more housing and Soho.

1203
03:26:17.880 --> 03:26:24.390
X 51. Daniel Cohen: That in order to compete with the newer fancier buildings that would go up. We might have to lower our rent slightly. Wouldn't that be terrible.

1204
03:26:25.200 --> 03:26:34.140
X 51. Daniel Cohen: I'm grateful that in the past, the Department of city planning has sided with speculators like my great uncle Arthur by perpetuating bands on new housing, please don't stop now.

1205
03:26:34.440 --> 03:26:40.290
X 51. Daniel Cohen: Please don't read them so hope, let us speculators make more money off of attendance by protecting us from competition.

1206
03:26:40.890 --> 03:26:50.790
X 51. Daniel Cohen: You want to continue charging as high rents as possible to hard working New Yorkers and allowing more competition would

go against that. Please oppose the Soho rezoning so that nearby older buildings.

1207
03:26:50.880 --> 03:26:52.020
X 51. Daniel Cohen: Like boy, boy. Yeah.

1208
03:26:52.290 --> 03:26:53.400
X 51. Daniel Cohen: Tidy one

1209
03:26:54.420 --> 03:26:54.600
X 51. Daniel Cohen: Like

1210
03:26:56.340 --> 03:26:56.700
X 51. Daniel Cohen: What

1211
03:26:57.300 --> 03:26:58.020
Olga Abinader, Director, DCP EARD: Please continue.

1212
03:26:59.130 --> 03:27:06.420
X 51. Daniel Cohen: Like the one my family profits from at 256 East 10th Street will continue to command high rents. Thank you. That's all.

1213
03:27:07.920 --> 03:27:16.080
Olga Abinader, Director, DCP EARD: Thank you for your testimony. For our next speaker is number 52 very Holden, followed by number 53 Mayra

1214
03:27:16.680 --> 03:27:17.100
Take over

1215
03:27:18.540 --> 03:27:28.470
Olga Abinader, Director, DCP EARD: Part. It was for one moment. I think we're still hearing our translators, if you can please switch your channels that we can hear speakers in the main channel. Thank you very much.

1216
03:27:29.730 --> 03:27:34.380
Olga Abinader, Director, DCP EARD: Hi, yes, we are now on number 52 speaker very Holden.

1217
03:27:35.190 --> 03:27:45.630
X 52. Barry Holden: Well, you know, I decided to speak when this meeting first started, and I've been listening to everybody and everybody said some really terrific things in general.

1218
03:27:46.110 --> 03:28:05.580
X 52. Barry Holden: I agree with almost everything. And I just wonder, I would ask a question of this process. Um, do you really listen to what we're saying. And this is really make a difference, or is this just essentially going to keep plowing forward and end up with one stand up. That's my question. And comment.

1219
03:28:05.970 --> 03:28:18.510
Olga Abinader, Director, DCP EARD: Thank you for your question. And we will respond more formally, but informally, just to let you know we are listening. This process is intended for every voice to be heard. We will listen if you participate today.

1220
03:28:19.020 --> 03:28:33.930
Olga Abinader, Director, DCP EARD: Provide your testimony verbally or if you provide your feedback in writing either via email or by emailing us your comments. So yes, we do. Listen. Thank you so much. Our next speaker is Margaret Mayra gory

1221
03:28:36.060 --> 03:28:48.210
Olga Abinader, Director, DCP EARD: My colleagues are telling me that Mayra org is currently not in our meeting. So we're going to move on to speaker number 54 Denny Selous Danny solace, are you here with us.

1222
03:28:49.710 --> 03:28:58.680
X 54. Denny Salas: Oh yeah, am. Can you hear me. Yes, perfect. My name is Danny solace and full disclosure, I am a candidate for city council in the desert in this desert.

1223
03:28:59.190 --> 03:29:08.520
X 54. Denny Salas: I am going to speak to the possibilities of rezoning that allow more affordable housing for lower income families to reside in high opportunity areas like SOHO and know by sharing my story.

1224
03:29:08.970 --> 03:29:15.750
X 54. Denny Salas: My family resided in town with one of the worst performing school systems and was often known for violence games and children getting into drug dealing.

1225
03:29:16.080 --> 03:29:23.940
X 54. Denny Salas: My parents were unwilling to limit their children's future take an extraordinary and legal step to provide us with opportunity the neighboring town was wealthier and had high

1226

03:29:24.390 --> 03:29:31.680
X 54. Denny Salas: Quality public schools. When my siblings I every school age. My parents enroll does. And these schools by lying about their address and violating the law.

1227
03:29:32.070 --> 03:29:40.140
X 54. Denny Salas: As immigrants, my parents risk of your penalty Swisher their children will receive a good education to them. Their actions were justified because they serve their kids.

1228
03:29:40.590 --> 03:29:48.360
X 54. Denny Salas: What was the outcome of their actions we ended up extending your school in our personal lives, my older sister became a willing Fulbright Scholar and obtain a PhD in psychology

1229
03:29:48.600 --> 03:29:54.630
X 54. Denny Salas: My older brother became a long haul truck driver while teaching himself three languages and coding but younger sister or message.

1230
03:29:54.870 --> 03:29:59.340
X 54. Denny Salas: Master's degree in economics and as continue pursuing her studies to her and a doctorate in the field.

1231
03:29:59.700 --> 03:30:02.520
X 54. Denny Salas: Our city is segregated by exclusionary zoning policies.

1232
03:30:02.760 --> 03:30:12.780
X 54. Denny Salas: The drawn school and housing lines and ensure the wealthiest have access to valuable real estate in high quality public education, while the working classes fasting two cycles of poverty crime and inferior schools.

1233
03:30:13.110 --> 03:30:19.080
X 54. Denny Salas: These policies can be eliminated by rezoning and building more housing in areas that have historically spot against it.

1234
03:30:19.440 --> 03:30:24.330
X 54. Denny Salas: near where I live. No neighborhood better provides an opportunity for change than rezoning so no

1235
03:30:24.630 --> 03:30:31.020

X 54. Denny Salas: But changing zoning rules in these areas. We can create a minimum of 700 affordable homes and an excellent neighborhood would access to great schools.

1236
03:30:31.470 --> 03:30:38.040
X 54. Denny Salas: Citigroup's recent study calculated as structural racism at Casa United States economy $16 trillion dollars over the last 20 years

1237
03:30:38.340 --> 03:30:45.000
X 54. Denny Salas: Moving these barriers that have held held back generations of Americans could increase our nation's GDP by $5 trillion in the next five years.

1238
03:30:45.240 --> 03:30:51.810
X 54. Denny Salas: Let us be blunt these policies exists due to green and prejudice individuals who benefit from taxpayer investments, whose tax burden.

1239
03:30:52.020 --> 03:30:57.330
X 54. Denny Salas: Disproportionately falls under cities lower socioeconomic citizens have weaponized their privilege for their prosperity.

1240
03:30:57.720 --> 03:31:05.010
X 54. Denny Salas: The cornerstone of their motivation never publicly admitted it never publicly admitted is to ensure the property values increase maintain their wealth.

1241
03:31:05.250 --> 03:31:12.330
X 54. Denny Salas: They believe that increased development would dilute their properties value and apply the same reasoning if more people of color were to occupy their space.

1242
03:31:12.750 --> 03:31:16.560
X 54. Denny Salas: That as a purpose of supporting exclusionary policies is born out of greed and racism.

1243
03:31:16.920 --> 03:31:21.990
X 54. Denny Salas: The murder of George Florida has a working in entire movement toward ending racist practices and policing beyond

1244
03:31:22.320 --> 03:31:30.360

X 54. Denny Salas: Our moral progress if it's the fight those especially ones that call themself Democrats and progressives who are opposed to ending the racist policies that have led the generational iniquities.

1245
03:31:30.930 --> 03:31:39.000
X 54. Denny Salas: Since I'm a few seconds left. I do want to embarrass my opponents are spoken and chose political expediency rather standing up for what is morally correct

1246
03:31:40.680 --> 03:31:54.810
Olga Abinader, Director, DCP EARD: Thank you for her testimony. Our next speaker is Madeline jingled Madeline jangled we're not sure if you're still here at the meeting, but if you are, please unmute yourself and begin your testimony.

1247
03:31:59.010 --> 03:32:00.660
Olga Abinader, Director, DCP EARD: Madeline jangled

1248
03:32:02.910 --> 03:32:05.520
Olga Abinader, Director, DCP EARD: All right, we'll move on to our next speaker.

1249
03:32:06.540 --> 03:32:14.580
Olga Abinader, Director, DCP EARD: Our speaker number 56 is Ken a Ken a if you are still with us, please unmute yourself.

1250
03:32:15.330 --> 03:32:16.320
X 56. Ken A: Hi, can you hear me.

1251
03:32:16.740 --> 03:32:22.380
X 56. Ken A: Yes I opportunities to share my background because I like to show you some graphics

1252
03:32:22.470 --> 03:32:29.370
Olga Abinader, Director, DCP EARD: For me, fortunately, we are only able to hear you today not see you but you can provide information over email or in writing.

1253
03:32:29.610 --> 03:32:48.330
X 56. Ken A: Okay, so I'll pull out of our email by rather talk about my own personal experience. I've been in New York City for almost 10 years I'm half Latino I've lived in non historic district and historic districts in my time here. And I often find myself being the only Latino amount

1254
03:32:49.770 --> 03:32:50.490
X 56. Ken A: And

1255
03:32:51.510 --> 03:33:04.440
X 56. Ken A: As someone who has studied economics and thought about this and study that I'm doing some research here is clear and obvious that the experts agree that

1256
03:33:07.110 --> 03:33:16.470
X 56. Ken A: The lack of affordable housing. And so how which had only produced one and one and only affordable housing units in the last six or five years.

1257
03:33:18.120 --> 03:33:27.300
X 56. Ken A: Has contributed to this. If you look at the segregation by Historic District versus non historic district. There's a really clear drop off and diversity.

1258
03:33:27.780 --> 03:33:37.410
X 56. Ken A: I am not against Assad districts. But I do think we need a reformed historic districts to be more inclusive and give opportunities to

1259
03:33:38.820 --> 03:33:48.840
X 56. Ken A: People have different color. So, um, and you're scoping review what I would suggest that you do is consider how to maximize your for housing.

1260
03:33:49.290 --> 03:34:08.520
X 56. Ken A: Units and the number of units by increasing a president or F AR M I saw that and and plan. Those a option for commercial space. I would encourage you to reduce the office space a commercial space FLIR as a disincentive to

1261
03:34:09.540 --> 03:34:17.850
X 56. Ken A: $40 a barrel office space as opposed to affordable housing which is desperately needed. And I also saw there's a potential harder for

1262
03:34:19.980 --> 03:34:25.740
X 56. Ken A: Non was a denture commercial space retention. If I'm just saying it correctly.

1263
03:34:26.850 --> 03:34:34.980

X 56. Ken A: You should get a bit of that harder. It's harder to prove to pull out as a Herder to promote integration into our historic districts

1264
03:34:36.330 --> 03:34:36.990
X 56. Ken A: So,

1265
03:34:38.040 --> 03:34:41.130
X 56. Ken A: It would be important to get rid of all herders especially

1266
03:34:42.600 --> 03:34:45.510
X 56. Ken A: In once in a lifetime opportunity that is the

1267
03:34:47.220 --> 03:34:49.830
X 56. Ken A: To create a housing until how for generations to come.

1268
03:34:51.600 --> 03:34:58.560
X 56. Ken A: I will provide provide details and an email. I'm glad that the BCP is thinking about this issue.

1269
03:35:00.000 --> 03:35:01.140
X 56. Ken A: Of you the rest of my time.

1270
03:35:02.160 --> 03:35:03.390
Olga Abinader, Director, DCP EARD: Thank you very testimony.

1271
03:35:04.410 --> 03:35:11.730
Olga Abinader, Director, DCP EARD: Our next speaker is she not King number 57 Sheena. Okay, please mute yourself. You're ready for your testimony.

1272
03:35:16.860 --> 03:35:26.430
X 57. Sheena Kang: Can you hear me. Yes. Okay. Thank you so much. Thank you so much for having me. My name is Sheena calm and I am with the citizens' housing and Planning Council.

1273
03:35:27.270 --> 03:35:32.400
X 57. Sheena Kang: So first and foremost, we as the HTC are just really incredibly enthusiastic to see

1274
03:35:32.760 --> 03:35:44.400
X 57. Sheena Kang: This rezone move forward. And we'd like to applaud and think the administration for taking this crucial opportunity to implement

some of the Fair Housing goals and values laid out in the Where We Live Plan.

1275
03:35:45.000 --> 03:35:59.880
X 57. Sheena Kang: It is long pass time for concrete policy reforms that will actually combat rather than just continue to study racial inequity and the impacts of segregation and so this rezoning I think has the potential for really substantive and meaningful impact without an

1276
03:36:01.080 --> 03:36:08.250
X 57. Sheena Kang: M, as you know, although 1000 New Yorkers live in. So who knows. Today it residential development in the areas not currently allowed

1277
03:36:08.820 --> 03:36:14.580
X 57. Sheena Kang: But the city is facing a homelessness crisis and an affordable housing shortage of historic magnitude

1278
03:36:15.030 --> 03:36:22.650
X 57. Sheena Kang: So this rezoning will allow for the creation of affordable housing that is desperately needed and an area that is really already largely residential

1279
03:36:23.430 --> 03:36:31.680
X 57. Sheena Kang: Then with the addition of new affordable units low income households in New Yorkers of color will finally get to share in the benefits that SOHO know how has to offer.

1280
03:36:32.070 --> 03:36:44.010
X 57. Sheena Kang: And no longer be excluded from the access to transit high performing schools jobs and other rich amenities in the area, the impacts of living in a neighborhood like SOHO can be really huge.

1281
03:36:44.760 --> 03:36:52.380
X 57. Sheena Kang: In 2018 the life expectancy of Manhattan CB to residents was almost five years longer than the city wide average

1282
03:36:53.970 --> 03:37:02.220
X 57. Sheena Kang: So in order for the rezoning to achieve these positive impacts. It's essential to facilitate a substantive amount of residential development.

1283
03:37:02.610 --> 03:37:12.780

X 57. Sheena Kang: Opportunities for new housing are already limited with 85% of the rezoning area and a historic district. So, to ensure that the rezoning advances the Fair Housing goals. It's really rooted in

1284
03:37:13.380 --> 03:37:21.810
X 57. Sheena Kang: Ch PC does urge the city to maximize opportunities for new residential development. Specifically, we recommend retaining the existing

1285
03:37:22.800 --> 03:37:28.950
X 57. Sheena Kang: For commercial and manufacturing uses rather than adopting the higher commercial FERS proposed in the draft scope.

1286
03:37:29.790 --> 03:37:36.330
X 57. Sheena Kang: A residential fly is included in the draft scope strike a delicate balance between both character and opportunities for new housing.

1287
03:37:36.900 --> 03:37:47.550
X 57. Sheena Kang: He proposed commercial FA ours of six and 10 could easily disrupt that by suppressing residential development in favor of office and other commercial uses. So we do recommend

1288
03:37:47.910 --> 03:37:55.440
X 57. Sheena Kang: Limiting the commercial FDR to five, especially in the Soho east to west and no hope. Every quarter sub districts

1289
03:37:56.280 --> 03:38:06.780
X 57. Sheena Kang: We also recommend explain off options to expand the rezoning area to make those aforementioned housing opportunities zones larger and create additional opportunities for new housing.

1290
03:38:07.710 --> 03:38:22.560
X 57. Sheena Kang: And then finally, we are concerned that a requirement for the one to one retention of non residential for area and projects with large existing buildings could preserve commercial uses at the expense of new housing. Do we hope that the city will consider relaxing this proposal.

1291
03:38:23.520 --> 03:38:24.780
X 57. Sheena Kang: And you got your testimony.

1292
03:38:25.500 --> 03:38:35.700

Olga Abinader, Director, DCP EARD: Our next speaker is number 58 Dan Miller, followed by number 59 core do Kurt Delia person Dan Miller, please unmute yourself.

1293
03:38:43.350 --> 03:38:48.330
Public Coordinator 3 : Mr. Miller has a version of zoom that

1294
03:38:49.470 --> 03:38:50.880
Public Coordinator 3 : Doesn't allow him to be

1295
03:38:52.170 --> 03:38:56.190
Public Coordinator 3 : To speak so will will work to get him on to be another route.

1296
03:38:57.180 --> 03:39:08.580
Olga Abinader, Director, DCP EARD: Thank you, Mr. Miller We will work with you. As you've heard, to get you to have your voice for today. Thank you so much for your patience. We'll move on to our next speaker number 59 career Delia person.

1297
03:39:10.590 --> 03:39:12.570
Olga Abinader, Director, DCP EARD: Or Delia person, please unmute yourself.

1298
03:39:12.960 --> 03:39:13.830
X 59. Cordelia Persen: Hi, can you hear me.

1299
03:39:14.310 --> 03:39:14.850
Yes.

1300
03:39:16.110 --> 03:39:24.570
X 59. Cordelia Persen: Hi I'm Cordelia person. I'm the executive director of the No. Whoa. Business Improvement District. I was also a member of the envision process advisory group.

1301
03:39:25.830 --> 03:39:37.710
X 59. Cordelia Persen: I want to say that the biggest happy that the rezoning is moving forward. We think the changes that like making retail as of right and allowing us group 10 on our large floor plate buildings is an important

1302
03:39:38.310 --> 03:39:40.140
X 59. Cordelia Persen: For the economic future of the neighborhood.

1303
03:39:40.770 --> 03:39:52.890
X 59. Cordelia Persen: In this rapidly changing economy where we don't know what is coming. We want to encourage flexibility to help make it easier to fill spaces and whatever new uses want to locate at our storefront levels.

1304
03:39:53.730 --> 03:40:05.490
X 59. Cordelia Persen: We are concerned, though, about the level of the proposed up zoning in our historic core the bid wants to preserve the look and the feel of knowhow and asked you to scope out

1305
03:40:06.090 --> 03:40:15.360
X 59. Cordelia Persen: A new zoning FDR scenarios with lower rates numbers that protect versus threaten our existing land marking.

1306
03:40:16.170 --> 03:40:21.270
X 59. Cordelia Persen: knowhow is blessed with rich architectural history and that is part of what makes us special

1307
03:40:21.870 --> 03:40:35.400
X 59. Cordelia Persen: While we are very supportive of the goal of adding affordable housing we worried that this plan as it exists will sacrifice the preservation of our architecture for what may only amount to a handful of units. Thank you.

1308
03:40:37.020 --> 03:40:54.810
Olga Abinader, Director, DCP EARD: Thank you. Our next speakers, there have three who are lined up. Number six seat Susan Posen number 61 Karen been outright number 62 max live in Livingston number 16 Susan Posen, are you here, joining us at this meeting.

1309
03:40:57.660 --> 03:40:58.770
Olga Abinader, Director, DCP EARD: Susan Posen

1310
03:41:00.930 --> 03:41:07.230
Olga Abinader, Director, DCP EARD: Okay. We'll move on to carry that out right Karen van outright, are you here.

1311
03:41:09.870 --> 03:41:10.290
Okay.

1312
03:41:13.890 --> 03:41:18.300
Olga Abinader, Director, DCP EARD: Moving on to max Livingston max Livingston

1313
03:41:24.930 --> 03:41:36.660
Olga Abinader, Director, DCP EARD: All right, my colleagues are telling me that these speakers are not at our meeting at this moment we'll move on to Ben broader Ben router. If you are still with us, please unmute yourself. We're ready for your testimony.

1314
03:41:37.620 --> 03:41:39.480
X 63. Ben Rotter: I can you hear me, yes.

1315
03:41:40.500 --> 03:41:45.900
X 63. Ben Rotter: Thank you for giving all of us the opportunity to comment. I know it's already been a long afternoon, you're doing a wonderful job.

1316
03:41:46.470 --> 03:41:56.340
X 63. Ben Rotter: Sitting here with us. So I just want to say I support this project because rezoning specifically the rezoning for increase housing is long overdue and this project would do the bare minimum.

1317
03:41:56.940 --> 03:42:09.600
X 63. Ben Rotter: To begin rebuilding and creativity in these neighborhoods and restoring the true history as a vibrant multi generational multi multi racial mixed use neighborhoods, not simply pretty buildings with homes for the wealthy and expensive boutique shopping

1318
03:42:10.290 --> 03:42:15.390
X 63. Ben Rotter: Unlike a number of speakers, I actually am not a long term residents, because I could never afford to live there.

1319
03:42:15.690 --> 03:42:24.720
X 63. Ben Rotter: I urge DC not too overweight complaints about neighborhood character from people who already have housing and instead continue to focus on the desperate need for housing.

1320
03:42:25.230 --> 03:42:33.450
X 63. Ben Rotter: Language, such as neighborhood character and historic landmark being have been used for generations to entrench racial segregation and create exclusive wealthy neighborhoods.

1321
03:42:33.840 --> 03:42:40.500
X 63. Ben Rotter: Even if that's not the intent of the people currently using these terms. That's what they've done in the past. And that's what they would continue to do in the future.

1322
03:42:41.400 --> 03:42:46.080
X 63. Ben Rotter: That's exactly what is happening to these neighborhoods that have led to decades of verification

1323
03:42:46.500 --> 03:42:53.910
X 63. Ben Rotter: Where I do find reason to critique. This proposal is something that's been mentioned a number of times, which is the commercial bars.

1324
03:42:54.270 --> 03:43:05.220
X 63. Ben Rotter: I would ask you to consider reducing reducing the commercial forest as much as possible in order to ensure the highest number of housing, especially affordable housing will actually get built

1325
03:43:06.360 --> 03:43:11.970
X 63. Ben Rotter: With a little bit of their meeting time I'd also just like to thank you guys for continuing to host meetings virtually

1326
03:43:12.840 --> 03:43:18.210
X 63. Ben Rotter: I know there's complaints that it's different from the way it normally works, but I know personally, I would never be able to attend.

1327
03:43:18.540 --> 03:43:28.020
X 63. Ben Rotter: A meeting from two to five on a weekday if it wasn't being done virtually so I appreciate this opportunity to still be involved with my fellow New Yorkers. Thank you so much.

1328
03:43:28.680 --> 03:43:29.850
Olga Abinader, Director, DCP EARD: Thank you for your testimony.

1329
03:43:30.930 --> 03:43:39.360
Olga Abinader, Director, DCP EARD: All right, our next speaker number 64 apparently has already joined us and provide a testimony. So, to be fair to everyone else in this process.

1330
03:43:39.660 --> 03:43:53.310
Olga Abinader, Director, DCP EARD: We're going to ask that speaker to please provide the testimony in writing and that will be considered and we'll move on to speaker number 65 Kim Lippmann Kim Lippmann if you're here, please unmute yourself.

1331
03:44:00.540 --> 03:44:01.980

Olga Abinader, Director, DCP EARD: Kim Lippmann

1332
03:44:07.650 --> 03:44:10.710
Olga Abinader, Director, DCP EARD: All right. Alright, we will move on to our next batch of speakers.

1333
03:44:12.090 --> 03:44:20.550
Olga Abinader, Director, DCP EARD: And I am not sure if the next batch of speakers are still with us, but I'll call their names, and if you are here, please unmute yourself in the order your call.

1334
03:44:21.750 --> 03:44:26.640
Olga Abinader, Director, DCP EARD: Speaker number 66 Christopher good Christopher good

1335
03:44:29.970 --> 03:44:35.550
Olga Abinader, Director, DCP EARD: Speaker number 67 Julie Harrison Julie Harrison.

1336
03:44:40.380 --> 03:44:43.740
Olga Abinader, Director, DCP EARD: Speaker number 68 Geraldine s

1337
03:44:45.600 --> 03:44:46.620
Olga Abinader, Director, DCP EARD: Carol DNS.

1338
03:44:50.730 --> 03:44:53.730
Olga Abinader, Director, DCP EARD: Speaker number 69 Michelle Campo

1339
03:44:55.620 --> 03:44:56.970
Olga Abinader, Director, DCP EARD: Michelle Campo

1340
03:45:00.750 --> 03:45:05.190
Olga Abinader, Director, DCP EARD: Speaker number 70. Oh, I think I did hear someone, yes.

1341
03:45:05.220 --> 03:45:12.120
X 69. michele campo: But I would like to give my time to David Mullins, if that's possible. I know we've listed there somewhere, coming up in the future.

1342
03:45:12.330 --> 03:45:22.740

Olga Abinader, Director, DCP EARD: That okay it's coming up in the future. Very shortly after you. Thank you so much. Michelle Campo. Our next speaker is speaker number 70 Michelle cover Smith.

1343
03:45:24.750 --> 03:45:25.980
Olga Abinader, Director, DCP EARD: Michelle, Congressman.

1344
03:45:30.300 --> 03:45:34.770
Olga Abinader, Director, DCP EARD: Our next speaker is number 73 David malkin's

1345
03:45:37.710 --> 03:45:38.940
Olga Abinader, Director, DCP EARD: David malkin's

1346
03:45:40.380 --> 03:45:42.240
X 73. David Mulkins: Can you hear me, yes.

1347
03:45:43.350 --> 03:45:48.630
X 73. David Mulkins: Hi, my name is David Vulcans on the president of the Bowery alliance of neighbors.

1348
03:45:49.740 --> 03:45:59.490
X 73. David Mulkins: And I, I thank you for letting the community speak during one of the city's most devastating health and economic crises.

1349
03:45:59.820 --> 03:46:14.700
X 73. David Mulkins: It is reprehensible to try to ramrod through a rezoning plan that quite clearly can have a destructive impact on residents small businesses, the longest established artist community.

1350
03:46:15.150 --> 03:46:22.620
X 73. David Mulkins: And the historic character of Soho, and no. Whoa. Two of the city's most iconic neighborhoods.

1351
03:46:23.310 --> 03:46:38.070
X 73. David Mulkins: As thousands of businesses have closed or a struggle to survive city officials time would be much better spent passing the long delayed. Small Business Jobs survival act.

1352
03:46:38.580 --> 03:46:51.840
X 73. David Mulkins: Which it has been sitting on for 30 years addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require

1353
03:46:52.260 --> 03:47:00.150
X 73. David Mulkins: Zoning changes which result in construction significantly larger than what the current rules allow

1354
03:47:00.810 --> 03:47:11.130
X 73. David Mulkins: sufficiently large buildings that could include affordable housing can be built on underdeveloped blots in the neighborhood right now.

1355
03:47:11.880 --> 03:47:28.680
X 73. David Mulkins: Now is no need to up zone, the neighborhood to allow for new development, which in fact bring only a pittance of actual affordable units to affordable units for every eight luxury units.

1356
03:47:29.130 --> 03:47:42.870
X 73. David Mulkins: It is an insulting sham to say that such an imbalance is promoting affordability when it primarily benefits developers and the forces of gentrification.

1357
03:47:43.620 --> 03:48:05.460
X 73. David Mulkins: The Bowery alliance of neighbors opposes the city's plan to up some Soho, and no home or change the square foot limits for retail spaces which are widely believed to open the floodgates to big box stores and turn this quaint neighborhood into a mega mall.

1358
03:48:06.510 --> 03:48:17.460
X 73. David Mulkins: If anything steps should be taken to support and encourage small mom and pop businesses, we support the community alternative plan.

1359
03:48:17.910 --> 03:48:34.470
X 73. David Mulkins: Which includes significant affordable housing and at the same time protects the residents, the artist, the small businesses and the unique character of two iconic New York City historic districts

1360
03:48:34.980 --> 03:48:46.920
X 73. David Mulkins: Sensible cities like Paris and Prague would never allow their historic districts to be destroyed by such reckless rezoning plans.

1361
03:48:47.310 --> 03:48:47.700
Olga Abinader, Director, DCP EARD: Thank you.

1362
03:48:47.940 --> 03:48:49.530

Olga Abinader, Director, DCP EARD: So much. Mr. Wilkins.

1363
03:48:49.920 --> 03:49:07.680
Olga Abinader, Director, DCP EARD: Thank you have more testimony to provide a reminder that we are accepting right testimony through December 18 our next speaker number 74 is Michael Lewin Michael Lewin, if you are here with us, please unmute yourself.

1364
03:49:07.770 --> 03:49:22.620
X 74. Michael Lewyn: I am, yes. So I favor, more, more housing and I generally support the testimony of Stephen Smith and CH PC. What I'd like to do is respond as kind of some of the arguments against new housing.

1365
03:49:24.300 --> 03:49:28.410
X 74. Michael Lewyn: Since I have limited time I think way back a couple of hours ago.

1366
03:49:28.860 --> 03:49:36.420
X 74. Michael Lewyn: Lynn Ellsworth of the tribe that could trust seems suggested that the law of supply and demand is somehow on perfect. She doesn't believe the new housing or lower costs.

1367
03:49:36.690 --> 03:49:50.820
X 74. Michael Lewyn: But it seems to me now, more than ever, we know that's wrong because we've seen that demand is collapse because of covert and by an odd coincidence rents go went down to. So to me it seems clear the law of supply and demand is real.

1368
03:49:52.230 --> 03:50:01.530
X 74. Michael Lewyn: Andrew Berman testified that. So how was somehow, if I understand correctly, that's our site basically to dance into traffic clog to support new housing.

1369
03:50:01.920 --> 03:50:11.520
X 74. Michael Lewyn: That clearly should be someplace else somewhere, but in fact fact I looked on city data.com so has 58,000 people per square mile, which is

1370
03:50:11.730 --> 03:50:17.610
X 74. Michael Lewyn: To be fair, it's more than the city wide average but it's less than the Manhattan average it's less than most Manhattan neighborhoods.

1371
03:50:17.970 --> 03:50:25.830

X 74. Michael Lewyn: So it seems to me if you're going if you're if if density is an argument against new housing.

1372
03:50:26.490 --> 03:50:34.500
X 74. Michael Lewyn: Is probably an argument against your housing somewhere else. Similarly, someone else mentioned that. So, whoa, it's a mixed use area that's true of most of Manhattan.

1373
03:50:35.130 --> 03:50:43.170
X 74. Michael Lewyn: And frankly, I think most people should more people should be living in mixed use areas because that means more people can walk to storage and other amenities.

1374
03:50:43.620 --> 03:50:50.490
X 74. Michael Lewyn: Instead of driving number taking the subway, especially now that subway, that there's likely to be big cuts and subway service.

1375
03:50:50.730 --> 03:51:02.100
X 74. Michael Lewyn: I think it's more important than ever to try to concentrate as much new housings can in areas that are close to major business districts like Midtown and Wall Street, so that people can walk to those office districts

1376
03:51:02.670 --> 03:51:06.240
X 74. Michael Lewyn: Because there might not be as much subway services, there was a year ago.

1377
03:51:07.590 --> 03:51:19.560
X 74. Michael Lewyn: Similarly, a lot of commentators complained about traffic and pollution. But if housing shortages force people into the suburbs, an outer boroughs. That will mean more people drive more which have Kurt's creates more traffic and pollution.

1378
03:51:20.520 --> 03:51:33.840
X 74. Michael Lewyn: Finally, I hear a lot of discussion about sunlight. Well, I live in midtown Manhattan and in Midtown. There's buildings and much taller than anywhere near Soho, and there's plenty of sunlight, so I don't really get that argument.

1379
03:51:34.290 --> 03:51:38.580
X 74. Michael Lewyn: And since I'm running out of time. I reserved for other arguments for an email, I'll send you

1380
03:51:39.840 --> 03:51:45.660

Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker is Spencer heckles

1381
03:51:46.680 --> 03:51:49.230
Olga Abinader, Director, DCP EARD: Spencer heckle please unmute yourself.

1382
03:51:50.700 --> 03:51:51.270
X 75. Spencer Heckwolf: I can hear me.

1383
03:51:51.930 --> 03:51:52.440
Yes.

1384
03:51:53.460 --> 03:51:55.110
X 75. Spencer Heckwolf: Hi. I want to support

1385
03:51:56.430 --> 03:52:00.480
X 75. Spencer Heckwolf: Of zoning Soho, especially of zoning residentially

1386
03:52:01.950 --> 03:52:04.590
X 75. Spencer Heckwolf: This city desperately needs more homes.

1387
03:52:05.220 --> 03:52:07.230
Olga Abinader, Director, DCP EARD: So we need to start your, your time.

1388
03:52:07.560 --> 03:52:07.860
Okay.

1389
03:52:10.200 --> 03:52:10.530
Olga Abinader, Director, DCP EARD: Good.

1390
03:52:11.460 --> 03:52:21.090
X 75. Spencer Heckwolf: Okay, this city desperately needs more homes and needs more market right homes, it needs more affordable housing. It means more shelters. It means more supportive housing.

1391
03:52:21.780 --> 03:52:33.840
X 75. Spencer Heckwolf: It means basically everything every Joe Biden's housing plan calls for desegregating rich white neighborhoods near lots of jobs and lots of transit.

1392
03:52:34.320 --> 03:52:39.630

X 75. Spencer Heckwolf: Is literal housing plan says these type of areas need to allow for a lot more housing.

1393
03:52:40.470 --> 03:52:47.190
X 75. Spencer Heckwolf: So I'm guessing a lot of you voted for Joe Biden and that's in his plan and that wasn't every single Democratic candidates.

1394
03:52:48.090 --> 03:53:05.520
X 75. Spencer Heckwolf: It wasn't in Donald Trump's plan he wanted to exclude people from wealthy high opportunity areas. Well, we need to allow more people to live in these types of areas concerns about character and all that stuff. I'm sorry it's it comes second to people needing a place to live.

1395
03:53:07.530 --> 03:53:14.280
X 75. Spencer Heckwolf: So again, I support the zoning, I support, I support these meetings, I think these online meetings are much more inclusive.

1396
03:53:14.790 --> 03:53:21.900
X 75. Spencer Heckwolf: Than the in person meetings, I think they should continue post pandemic, you should integrate them into in person meetings so people can choose

1397
03:53:22.290 --> 03:53:38.670
X 75. Spencer Heckwolf: I strongly disagree with people who want to put this on hold, wanting to put TCP staff out of a job because they aren't able to yell at opponents in person meetings I find her principal. So again, please keep these meetings going forward. Thank you. Bye.

1398
03:53:39.480 --> 03:53:50.880
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker, excuse me, will be moving on to those members of the public who have dialed in, who perhaps, perhaps experienced technical difficulties earlier in this meeting.

1399
03:53:52.140 --> 03:54:01.020
Olga Abinader, Director, DCP EARD: Our next speaker is phone number, ending in 714 I believe is Dan Miller who wasn't able to join us via zoom

1400
03:54:02.970 --> 03:54:07.920
Olga Abinader, Director, DCP EARD: Dan Miller, please unmute yourself by dialing star six when you have

1401

03:54:08.040 --> 03:54:10.290
X 1202****714: The ability to do so. Hi, can you hear me.

1402
03:54:10.920 --> 03:54:11.850
X 1202****714: We can, yes.

1403
03:54:12.900 --> 03:54:13.530
X 1202****714: Okay, great.

1404
03:54:14.850 --> 03:54:25.890
X 1202****714: I, like many others and going to support this rezoning I think it's really, really important that, so get more housing and more affordable housing.

1405
03:54:26.310 --> 03:54:37.320
X 1202****714: market rate housing fantastic affordable housing. Fantastic. But what I'd like to do is make sure that this plant that this rezoning actually produces

1406
03:54:38.130 --> 03:54:50.580
X 1202****714: The amount as much housing as we can get out of this process. And to do that, I'd like to focus on one specific issue, namely that unfortunately the commercial densities are too high here.

1407
03:54:52.170 --> 03:55:03.180
X 1202****714: We I'm a part of a group called open, New York, and we push for more housing and we've done. We've done a lot of work on this project and it's

1408
03:55:04.140 --> 03:55:16.110
X 1202****714: It's clear that the way to maximize the amount of housing here is to make sure that developers decide to build residential rather than commercial space and the best way to do that.

1409
03:55:16.470 --> 03:55:43.590
X 1202****714: Is to maximize the residential FLIR and, for example, you could build, you could go up to our 10 instead of our nine x. And you could go out to our eight or even higher instead of our seven x in some of the outside, outside lots, but also limit the commercial density

1410
03:55:44.640 --> 03:55:48.480
X 1202****714: The current proposal has a proposed commercial FA IR of 10

1411
03:55:49.530 --> 03:56:07.650

X 1202****714: That should be lowered to five to ensure that developers have the right incentives to build as much housing as possible to make sure that we can house as many New Yorkers as possible. In an ideal world, we can have both right. We would have a robust

1412
03:56:08.730 --> 03:56:18.750
X 1202****714: commercial space development here and also a lot of residential development. Unfortunately, the state legislature. It limits us to 12 Sai total

1413
03:56:19.230 --> 03:56:30.570
X 1202****714: And we don't live in a perfect world so until that changes, we have to concentrate on what's needed most. And that's residential development, so please make sure that

1414
03:56:31.020 --> 03:56:41.430
X 1202****714: Developers are incentivized to do the right thing and build some housing here rather than commercial space, which would be less desirable or even worse.

1415
03:56:42.030 --> 03:56:53.250
X 1202****714: Not passing the plan at all and leaving these parking lots, sitting fallow in one of the densest and most desirable neighborhoods in the greatest city in the world. Thank you.

1416
03:56:54.510 --> 03:57:03.000
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. All right. At this time, I'm going to ask our production team to please display on the screen art instructions side.

1417
03:57:04.740 --> 03:57:14.130
Olga Abinader, Director, DCP EARD: And while that is happening in the background. If there's anyone else who wishes to speak at this time. But experience technical issues.

1418
03:57:14.640 --> 03:57:26.730
Olga Abinader, Director, DCP EARD: We do want to remind everyone to please call into our hotline and our dial in number, so that we can register you via telephone so that we can give you an opportunity to be heard today.

1419
03:57:27.030 --> 03:57:34.530
Olga Abinader, Director, DCP EARD: It is important for us to make sure that every voice is heard today. So at this time.

1420

03:57:35.250 --> 03:57:47.940
Olga Abinader, Director, DCP EARD: My apologies. You can also find instructions on how to register online@www.nyc.gov forward slash NYC e n G, A, G, or NYC engage

1421
03:57:48.300 --> 03:58:04.050
Olga Abinader, Director, DCP EARD: We will now wait approximately five minutes for members of the public wishing to provide their testimony, who haven't been able to do so to please complete the online registration process before we return and receive this meeting.

1422
03:58:04.860 --> 03:58:13.920
Olga Abinader, Director, DCP EARD: The time is 5:58pm we will return at 603 or shortly thereafter. Thank you all for your patience and we will see you in five minutes.

1423
04:03:04.320 --> 04:03:09.000
Olga Abinader, Director, DCP EARD: Alright, good afternoon everyone and welcome back to our public scoping meeting.

1424
04:03:09.630 --> 04:03:17.700
Olga Abinader, Director, DCP EARD: To those of you who have joined us just now you're tuning into the virtual or remote public scoping meeting for the Soho no whole neighborhood plan.

1425
04:03:18.060 --> 04:03:30.750
Olga Abinader, Director, DCP EARD: For the record, this proposal seeker or city and ramen. So quality review number is 21 D CP 05 9am. My name is Olga Avenue and I'm the director of the New York City.

1426
04:03:31.260 --> 04:03:37.050
Olga Abinader, Director, DCP EARD: Planning, excuse me, New York City Department of State Planning and ramen. So assessment and review division.

1427
04:03:37.770 --> 04:03:47.010
Olga Abinader, Director, DCP EARD: We are currently on Part three of today's public scoping meeting where members of the public can be heard for a limit of three minutes.

1428
04:03:47.850 --> 04:03:59.310
Olga Abinader, Director, DCP EARD: We do have two new speakers who have joined us during the break. So now I'm going to call her names and I'll ask our production team to please project the timer with three minutes on the clock.

1429
04:04:04.590 --> 04:04:15.960
Olga Abinader, Director, DCP EARD: Well, that is happening in the background. I will call on the names of the next two speakers. Our first speaker number 76 is Martin Lawrence.

1430
04:04:16.500 --> 04:04:28.020
Olga Abinader, Director, DCP EARD: Followed by number 77 Amelia Josephson Martin Lawrence. If you are able to hear us, please unmute yourself as we're ready to hear your testimony and

1431
04:04:28.080 --> 04:04:28.920
X 76. Marna Lawrence: Can you hear me.

1432
04:04:29.520 --> 04:04:30.870
Olga Abinader, Director, DCP EARD: Yes. Oh, good. Okay.

1433
04:04:31.140 --> 04:04:31.590
Um,

1434
04:04:32.670 --> 04:04:35.010
X 76. Marna Lawrence: I miss my time. I'm sorry. I went out and

1435
04:04:35.400 --> 04:04:40.380
X 76. Marna Lawrence: Immediately afterwards as with the vast majority of speakers attending this meeting.

1436
04:04:41.010 --> 04:04:49.470
X 76. Marna Lawrence: I oppose the plan is presented, I object to up zoning when there is so much available. They can space and believe that it is a dishonest ruse.

1437
04:04:49.920 --> 04:04:55.620
X 76. Marna Lawrence: The city to suggest, they're building high rise luxury buildings will create truly affordable housing.

1438
04:04:56.400 --> 04:05:03.270
X 76. Marna Lawrence: And also seeing how little studies been done to date city planning is not ready to move forward. It's obvious there should be a pause.

1439
04:05:03.960 --> 04:05:20.130
X 76. Marna Lawrence: The time is late and I will give them Jordan my time speaking to others, except to say that I am too. And this has been

mentioned before, I'm utterly and terribly distressed by the lack of public access public review and public input.

1440
04:05:21.300 --> 04:05:29.370
X 76. Marna Lawrence: Putting aside workshops, no one listened city council. I mean city planning did not listen to the people, the residents and the small business owners.

1441
04:05:29.910 --> 04:05:36.870
X 76. Marna Lawrence: At the, you know, we're at those workshops. So the process leaves one, you know, wanting

1442
04:05:37.830 --> 04:05:45.240
X 76. Marna Lawrence: I strongly believe in governmental transparency and understand that the present circumstances with the pandemic make that a real challenge.

1443
04:05:45.870 --> 04:05:52.650
X 76. Marna Lawrence: However, I don't think that there has been an earnest attempt to keep the community readily informed, to be honest. It is shocking to see

1444
04:05:53.130 --> 04:06:00.600
X 76. Marna Lawrence: How the city is decided to push through. I mean really pushed through changes that would so significantly impact the lives

1445
04:06:00.990 --> 04:06:20.610
X 76. Marna Lawrence: Of so many residents and small business owners, especially at such a time as this when our city is under such distress to the bit due to the pandemic, it appears obvious that this is a land grab for the powerful real estate industry and all those who will profit from it. Thank you.

1446
04:06:23.250 --> 04:06:31.140
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker is Amelia Josephson Amelia Josephson please unmute yourself.

1447
04:06:33.210 --> 04:06:39.840
X 77. Amelia Josephson: I can folks hear me. Yes. Great, thanks so much for making the time to hear these public comments.

1448
04:06:40.590 --> 04:06:50.850

X 77. Amelia Josephson: Like some other folks who have spoken very interested in prioritizing the possibility of new residential units in Soho and knowhow as part of the rezoning

1449
04:06:51.330 --> 04:06:56.460
X 77. Amelia Josephson: And so would echo comments that have been made about the commercial floor area ratio.

1450
04:06:57.330 --> 04:07:09.510
X 77. Amelia Josephson: I'd also like to use this time to push for the deepest level of affordability on the affordable units, I think, as has been shared this is a real opportunity to integrate

1451
04:07:10.170 --> 04:07:16.890
X 77. Amelia Josephson: What has become a very elite neighborhood of our city. And the best way to do that is through deep affordability.

1452
04:07:17.850 --> 04:07:26.520
X 77. Amelia Josephson: To that same and I would also encourage the city to coordinate so that as we integrate the housing and so we're also making sure we integrate the schools.

1453
04:07:27.450 --> 04:07:36.390
X 77. Amelia Josephson: Because we know that folks will be moving into the neighborhood with families starting families and we want this process to be as transformative.

1454
04:07:37.260 --> 04:07:48.420
X 77. Amelia Josephson: When it comes to integration as possible to get the most benefit for equity in our city. So I'll keep it brief. But thanks again for making this time and excited to hear more about the process going forward.

1455
04:07:49.500 --> 04:07:59.850
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Now we're going to move on to members of the public who have dialed in, and who actually are still interested in providing testimony.

1456
04:08:01.710 --> 04:08:13.500
Olga Abinader, Director, DCP EARD: Let's see. I will not check with my colleagues to see if anyone has settled in. As a reminder, if you'd like to let us know that you'd like to speak and you haven't spoken already, please remember to dial star nine

1457
04:08:14.160 --> 04:08:28.410

Olga Abinader, Director, DCP EARD: dial star nine and that will tell our team that you are interested in joining us and providing testimony. Once again, please tell star nine if you called via telephone and would like to provide testimony.

1458
04:08:31.860 --> 04:08:44.250
Olga Abinader, Director, DCP EARD: Okay, I'm hearing from my team that someone named Anita georgeson wishes to provide testimony, I need a George Jorgenson, are you on the call.

1459
04:08:50.280 --> 04:08:54.960
Olga Abinader, Director, DCP EARD: Anita georgeson and my apologies if I mispronounced your name.

1460
04:08:55.980 --> 04:08:58.890
Stephanie Shellooe, Deputy Director, DCP EARD: I believe there's someone with the

1461
04:08:58.920 --> 04:09:01.590
X 1917****576: Their phone number, ending in 576

1462
04:09:03.240 --> 04:09:03.780
Hello.

1463
04:09:04.860 --> 04:09:06.660
X 1917****576: Yes, this is Victoria.

1464
04:09:08.040 --> 04:09:08.850
X 1917****576: Victoria, am I

1465
04:09:09.780 --> 04:09:11.220
Olga Abinader, Director, DCP EARD: Will start the clock. Yes. Hi.

1466
04:09:11.580 --> 04:09:13.800
X 1917****576: Victoria Hill stem I

1467
04:09:15.660 --> 04:09:27.570
X 1917****576: Thank you for having me and including me. I'm sorry. This was my first time on zoom, I would like to first say that, of course, I support the communities.

1468
04:09:28.770 --> 04:09:43.170

X 1917****576: rezoning plans, I would like to say that I agree with most of the callers that this is extremely inappropriate during a pandemic SOHO now represents

1469
04:09:43.710 --> 04:09:59.580
X 1917****576: An aging artist an aging community that are at the highest risk, it is extremely improper to put this burden on its residents that we need to handle this in person.

1470
04:10:00.150 --> 04:10:11.910
X 1917****576: With everybody present, I would like to say that I am a last minute for very many years in tried, and we went through this in after 911

1471
04:10:12.420 --> 04:10:26.490
X 1917****576: And Tribeca was rezoned every other building is now sitting vacant our neighbors or illegally displaced with accidents buyers wiring buildings.

1472
04:10:27.060 --> 04:10:41.760
X 1917****576: It is atrocious. What went on in for a backup after 911 many of our neighbors from Tribeca all the way to Harlem, because it's the ports all showed up in record numbers to oppose myth.

1473
04:10:42.360 --> 04:10:52.680
X 1917****576: But as you call during the myth hearings Alicia Glenn and the key being were very clear during 12 hours of testimony.

1474
04:10:53.250 --> 04:11:07.980
X 1917****576: That the way that myth won't work since we knew this plan would cause massive displacement was that they had every tool in their toolbox, meaning the dob that the Department of

1475
04:11:08.670 --> 04:11:17.520
X 1917****576: Housing and renewal half of the mayor staff has left half of these departments and the city records are not available.

1476
04:11:18.540 --> 04:11:34.980
X 1917****576: This is a very, very, very inappropriate circumstance, we're in this circumstance, what the mayor has approved apparently calling us a bunch of wealthy hippies, which is ridiculous given he's the one that owns two homes in Park Slope.

1477
04:11:35.550 --> 04:11:42.810

X 1917****576: Is absolutely not true. Jay Z Denzel duty Damon dash Russell Simmons.

1478
04:11:43.980 --> 04:11:58.080
X 1917****576: Rachael Ray Basquiat john legend have all been our neighbors for over 25 years. This is a community of artists, the arts are not discriminatory.

1479
04:11:58.530 --> 04:12:20.340
X 1917****576: More over, than the pandemic that 1.4 million people face eviction and the supply and demand has has altered dramatically what you left out of this plan, which is male practice in my opinion is that TV and film will produce more revenue by the year 2025 than our state taxes, many

1480
04:12:22.710 --> 04:12:25.260
X 1917****576: Unfortunately, are not real.

1481
04:12:25.890 --> 04:12:31.740
Olga Abinader, Director, DCP EARD: Thank you so much. If you would like to provide the rest of your testimony in writing, we will continue to accept that.

1482
04:12:32.460 --> 04:12:41.100
Olga Abinader, Director, DCP EARD: Alright, we are now moving on to our next speakers. Do we have any others who had technical difficulties today who still wish to provide testimony.

1483
04:12:41.490 --> 04:12:55.530
Olga Abinader, Director, DCP EARD: But call your name earlier please alert, one of our colleagues, please. Again, we encourage you to call in, again, so we can make sure that we get everybody who wishes to speak today and anyone else. Any others wishing to provide testimony today.

1484
04:12:57.300 --> 04:13:00.060
Olga Abinader, Director, DCP EARD: I will check with my colleagues now to see if we have anyone else.

1485
04:13:01.950 --> 04:13:02.640
Olga Abinader, Director, DCP EARD: Okay.

1486
04:13:06.840 --> 04:13:18.360
Olga Abinader, Director, DCP EARD: All right. It does look like we have one additional color this additional color your phone number ends with the three digits 903903

1487
04:13:19.920 --> 04:13:25.050
Olga Abinader, Director, DCP EARD: Please press star six to unmute yourself and we will

1488
04:13:25.080 --> 04:13:26.250
Olga Abinader, Director, DCP EARD: Project our

1489
04:13:26.520 --> 04:13:28.140
X 1917****903: Timer for three minutes.

1490
04:13:29.880 --> 04:13:33.270
Olga Abinader, Director, DCP EARD: All right. Can you hear me, please. MC century yourself.

1491
04:13:34.770 --> 04:13:40.830
X 1917****903: My name is Jonathan Linden them. I was born and raised in New York live as long as I can remember.

1492
04:13:42.420 --> 04:13:50.580
X 1917****903: I'm gonna keep my testimony pretty short because I'm sure we're all tired all the first I want to say thank you for arranging this I do really appreciate the online format. It makes it a lot easier to attend.

1493
04:13:52.200 --> 04:14:00.210
X 1917****903: In 1972 mayor Lindsay's housings our guy named Simeon goal or during a fight to build affordable housing and queens asked

1494
04:14:01.650 --> 04:14:05.550
X 1917****903: When did the computation process come to a halt. When can we rely on commitments once made

1495
04:14:06.270 --> 04:14:14.550
X 1917****903: I think it's clear from testimony today by many people that the concerns raised by people opposed to affordable housing and SOHO and opposed to letting people live.

1496
04:14:14.880 --> 04:14:17.580
X 1917****903: Where they work and live where they have opportunity once tonight to them.

1497
04:14:18.210 --> 04:14:23.610

X 1917****903: Are just concerns. We've heard time and time again to block all affordable housing in the city concerns about shadows concerns.

1498
04:14:24.000 --> 04:14:30.780
X 1917****903: About loud noises concerns about people have a different skin color living your neighborhood. This is all stuff we've heard before. And it's time

1499
04:14:31.650 --> 04:14:40.140
X 1917****903: To rely on him and once made SME on goal or said commitments to allowing people to live a better life where they can. That's all I have to say thank you very much.

1500
04:14:41.400 --> 04:14:42.660
Thank you for your testimony.

1501
04:14:43.740 --> 04:14:46.530
Olga Abinader, Director, DCP EARD: All right, I will check with my colleagues to see if we have anyone

1502
04:14:46.530 --> 04:14:48.600
Olga Abinader, Director, DCP EARD: Else wishing to provide testimony.

1503
04:14:48.630 --> 04:14:49.050
Today,

1504
04:14:50.490 --> 04:15:05.640
Olga Abinader, Director, DCP EARD: All right, we'll try once again with Anita, who is ending in three digits 574 if your phone number ends in the digits 574 please press star six to unmute yourself so we can hear testimony.

1505
04:15:07.620 --> 04:15:08.910
Olga Abinader, Director, DCP EARD: Not sure if you're still with us.

1506
04:15:09.090 --> 04:15:10.110
X 1646****574: Hello to Nita

1507
04:15:10.890 --> 04:15:12.720
Olga Abinader, Director, DCP EARD: Hi, were able to hear you. Hi.

1508
04:15:14.160 --> 04:15:16.050
X 1646****574: Thank you for taking my call.

1509
04:15:17.670 --> 04:15:23.940
X 1646****574: I am an agreement so agreement with not the previous speaker, the previous speaker prior

1510
04:15:25.110 --> 04:15:37.080
X 1646****574: In tried Becca, and as many others have said, our community is 100% not opposed to affordable housing.

1511
04:15:38.130 --> 04:15:40.950
X 1646****574: In fact, we think is a very good idea.

1512
04:15:42.120 --> 04:16:03.900
X 1646****574: We are opposed to up zoning as the current availability of places to build will meet the demand for affordable housing. It is simply a plain and simple developer banker investment.

1513
04:16:05.010 --> 04:16:08.220
X 1646****574: Folks giveaway plain and simple.

1514
04:16:09.750 --> 04:16:25.860
X 1646****574: It's widely known that the primary landlord is so hope, for example, also a no. Whoa, is a major contributed contributor to De Blasio it's just so completely transparent.

1515
04:16:27.150 --> 04:16:29.490
X 1646****574: As previous speakers have said.

1516
04:16:30.540 --> 04:16:33.090
X 1646****574: Mountains of ultra luxury.

1517
04:16:34.560 --> 04:16:46.170
X 1646****574: Apartments will be created be created here with a very small portion of affordable and the bracket that that the cutoff is that for income.

1518
04:16:46.740 --> 04:17:00.000
X 1646****574: For affordable is actually kind of high hundred and $60,000 income, a year or something like that. So again, I just want to emphasize our communities, welcome.

1519
04:17:01.860 --> 04:17:15.840

X 1646****574: Families residents etc requiring affordable housing. In fact, that's why I live here because it was affordable. When I lived here and to no fault of anyone

1520
04:17:16.350 --> 04:17:33.120
X 1646****574: Who had been here for a while, it became very desirable through our sweat equity not private equity. So no up zoning yes to affordable housing. Thank you.

1521
04:17:34.200 --> 04:17:35.880
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

1522
04:17:36.780 --> 04:17:42.510
Olga Abinader, Director, DCP EARD: All right, I'll check in with my colleagues again to see if we have anyone else wishing to provide testimony today.

1523
04:17:47.190 --> 04:17:52.440
Olga Abinader, Director, DCP EARD: Please hang hang on for one minute while we double check. Thank you.

1524
04:17:54.840 --> 04:18:05.970
Olga Abinader, Director, DCP EARD: And once again, our contact information is projected on the screen to those of you who have joined us online through able to dial in or join us via telephone

1525
04:18:09.570 --> 04:18:10.350
All right.

1526
04:18:11.580 --> 04:18:28.470
Olga Abinader, Director, DCP EARD: We do have an additional color who wishes to provide testimony today so project. Our timer three minutes. Once again, our callers phone numbers last three digits are 11616 please remember to press star six to unmute yourself.

1527
04:18:36.690 --> 04:18:47.940
Olga Abinader, Director, DCP EARD: If you're able to hear us. If your phone number ends in 116 we are ready for your testimony. Please unmute yourself. I believe that you dial star six to unmute yourself.

1528
04:18:57.180 --> 04:18:57.450
X 1917****116: Here's

1529
04:19:00.390 --> 04:19:03.060

X 1917****116: Your live stream, be able to hear you better

1530
04:19:12.990 --> 04:19:13.800
X 1917****116: Give you a moment.

1531
04:19:29.610 --> 04:19:30.570
X 1917****116: Having trouble here.

1532
04:19:31.620 --> 04:19:39.000
X 1917****116: Hi, can you hear me now I have the zoom the screen on but I've been waiting hours to get on this because I had signed up.

1533
04:19:40.290 --> 04:20:00.690
X 1917****116: So I've waited till two o'clock. And so that's one. One reason I really feel the meeting should be in her in person for something that's important. I'm over 40 year resident and the loft tenants and I've been through many different things as as a tenant and what concerns me after reading

1534
04:20:01.920 --> 04:20:09.780
X 1917****116: The city's proposal and attending all the meetings that we were really promised the residence here.

1535
04:20:10.440 --> 04:20:17.910
X 1917****116: That that was the number one priority was to keep the residents safe and here. And second, was to preserve

1536
04:20:18.600 --> 04:20:32.100
X 1917****116: The historic district of so how so after reading the new proposal. It's just things that was just, it's very much destroyed and really has no protections which under a 10 year

1537
04:20:32.940 --> 04:20:42.870
X 1917****116: renovation and changing and that would be terrific. The noise, the traffic, the construction that this but also what happens to

1538
04:20:43.740 --> 04:20:54.420
X 1917****116: Tenants and I'm an artist block that is many times there's harassment, there's already calls. I'm getting about from real estate people asking if I'm moving

1539
04:20:55.290 --> 04:21:09.330
X 1917****116: But there's already, but there's all kinds of things that can happen because I see no protection and the plan for the residence or

for the area of someone decided to not follow whatever vague rules are there which there are none.

1540
04:21:10.500 --> 04:21:18.540
X 1917****116: I highly recommend the city of following the alternative zoning plan and i i see really know

1541
04:21:19.020 --> 04:21:26.040
X 1917****116: The up zoning is just going to destroy this beautiful historic neighborhood and also the all the

1542
04:21:26.520 --> 04:21:45.750
X 1917****116: Artists themselves, which were artists, an important movements throughout the 60s, 70s, 80s, 90s to 10am today. This is not something in the past is there living artists. They're also as the ones are senior aging in place, we have all our artwork.

1543
04:21:46.950 --> 04:21:57.480
X 1917****116: And we may have a state of our work from people. And this takes time and we need to be here. We need to be living here. To do this, this needs to be safe.

1544
04:21:58.110 --> 04:22:05.130
X 1917****116: I've worked all my life with other communities all over the city in the borough and I want this to guarantee

1545
04:22:05.730 --> 04:22:15.300
X 1917****116: That this will be a diverse community and that's housing, like I'm a lot 10 that can easily be done, and these extra buildings and change the way

1546
04:22:15.900 --> 04:22:29.370
X 1917****116: Where I came in. Not all of us are luxury high income people. And that's what must be protected. And so, as well as people coming in, should not come into a high rise.

1547
04:22:30.090 --> 04:22:40.380
X 1917****116: Neighborhood. They should have the value of living in this beautiful neighborhood that we have that should be available and accessible to everybody.

1548
04:22:41.280 --> 04:22:59.610
X 1917****116: Not just this luxury, which I would destroy the community to turn into that and it's nothing. That is our that we've ever wanted.

And it was so much for your testimony. We know in one on XP. Anyways, the summer, our community 78

1549
04:22:59.640 --> 04:23:00.360
Olga Abinader, Director, DCP EARD: Is Bobby. Bobby

1550
04:23:05.790 --> 04:23:06.330
Olga Abinader, Director, DCP EARD: Bobby

1551
04:23:06.360 --> 04:23:20.100
X 78. Bobbi Barnett: Barnett. Hi, can you hear me, are you able to hear me. Okay, that's great. Thank you so very much. My name is Bobby Barnett. I'm a lifelong New Yorker. I'm a public servant. I also live walking distance from this proposed site.

1552
04:23:20.670 --> 04:23:31.800
X 78. Bobbi Barnett: I wanted to just commend TCP, both on hearing all of these comments for, you know, so many hours here and then also for taking the time to create such a thoughtful plan here for this rezoning

1553
04:23:32.910 --> 04:23:40.890
X 78. Bobbi Barnett: I want to echo the support that I've heard from various colors relating to both greater residential

1554
04:23:41.580 --> 04:23:46.830
X 78. Bobbi Barnett: Densities for this, the sites proposed and then deeper levels of housing affordability in this plan.

1555
04:23:47.340 --> 04:23:54.570
X 78. Bobbi Barnett: With almost half of the city's tenants rent burdened, now is the time to push for greater affordability numbers and levels.

1556
04:23:55.140 --> 04:24:13.650
X 78. Bobbi Barnett: With this rezoning. And so I do hope that you take that into consideration. I also wanted to offer a specific point of critique about the draft plan specifically related to the non residential floor area retention policies which I think you talked about on page 18 of the draft plan.

1557
04:24:14.880 --> 04:24:23.250
X 78. Bobbi Barnett: The city proposes that commercial floor area must be replaced one to one. In the case of any development or conversion to other uses, including residential

1558
04:24:23.850 --> 04:24:32.580
X 78. Bobbi Barnett: And I hope that TCP considers removing or revising this policy to allow for easier conversions from commercial to residential uses in this district.

1559
04:24:32.970 --> 04:24:40.410
X 78. Bobbi Barnett: We absolutely are at a point where we need greater amounts of housing and not less. And so easing this regulatory burden would be extremely helpful at this time.

1560
04:24:41.010 --> 04:24:46.800
X 78. Bobbi Barnett: At this point in the pandemic, it is important to think about how we can take action to help the entire city recover.

1561
04:24:47.460 --> 04:25:01.080
X 78. Bobbi Barnett: Make sure that there is more housing available and greater levels of housing affordability, I hope that the city moves forward with this process with this process with an eye toward creating more housing and more housing affordability. Thank you so much.

1562
04:25:02.670 --> 04:25:12.690
Olga Abinader, Director, DCP EARD: Thank you so much for providing your testimony. At this time, it appears that that this last testimony was the final one provided for today.

1563
04:25:13.230 --> 04:25:24.390
Olga Abinader, Director, DCP EARD: I would like to ask our production team to please display PowerPoint slide number 16, I believe, which displayed our contact information so you can share that with anyone just still wishes to provide

1564
04:25:25.200 --> 04:25:34.530
Olga Abinader, Director, DCP EARD: Their testimony in writing. So, I believe it was slide number 16 in our PowerPoint. So all that is being worked on in the background.

1565
04:25:35.430 --> 04:25:44.400
Olga Abinader, Director, DCP EARD: Thank you very much. If no one else wishes to speak at this time we will move ahead to close today's public scoping meeting.

1566
04:25:45.030 --> 04:25:52.890
Olga Abinader, Director, DCP EARD: I will reiterate if no one excuse me if those of you who had difficulties, providing testimony today.

1567
04:25:53.430 --> 04:26:06.990
Olga Abinader, Director, DCP EARD: And you weren't able to get your voice heard today, we still are providing the opportunity for you to provide your feedback to us in writing to hear our screen is displaying our contact information.

1568
04:26:07.830 --> 04:26:20.460
Olga Abinader, Director, DCP EARD: Please recall that you can make out provide a letter to us, our mailing addresses 120 Broadway 31st for New York here was your 271 attention myself okay Avenue later.

1569
04:26:21.060 --> 04:26:33.390
Olga Abinader, Director, DCP EARD: Or if it's easier for you. You can also email us at 21 TCP 059 M underscore dl@planning.nyc.gov

1570
04:26:33.780 --> 04:26:53.730
Olga Abinader, Director, DCP EARD: All of this information is available on the Department of city planning website scoping page and also on the NYC engaged portal@www.nyc.gov forward slash NYC E and G. A. G. The deadline for submitting your written comments to us is Friday, December.

1571
04:26:54.930 --> 04:27:06.630
Olga Abinader, Director, DCP EARD: Excuse me 18 2020. It is currently approximately 6:28pm and the public scoping meeting is now close. Thank you for everyone for participating today.

COMMUNITY BOARD

Subject: Manhattan CB2 Resolution - Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact

Date: Friday, December 18, 2020 at 3:32:30 PM Central Standard Time

From: Thompson, Josh

To: 21DCP059M_DL

CC: robert atterbury, shelby.garner@mail.house.gov, Jacob Priley, Eliana Cohen, Eliana Cohen, Charlie Anderson, shivani@yuhlineniou.org, Kunkes, Andrew, Luke Wolf, Chang, Andrew (ManhattanBP), PComerford-council, mguardiola-council, Cehonski, Irak, Sylvia Li (DCP), Andrew Cantu (DCP), Frederica Sigel, Carter Booth, Gormley, Bob (CB)

Attachments: 12 Response to SoHo NoHo Neighborhood Plan_Draft Scope of Work for an Environmental Impact.pdf

Good Afternoon,

For your consideration, please see the attached resolution from Manhattan Community Board 2: "Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact".

Sincerely,

Josh Thompson
Assistant District Manager
Manhattan Community Board 2
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New York, NY 10012

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Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
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December 18, 2020

Marisa Lago, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on December 17, 2020, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

We are at an inflection point. Urban retail has been thrown into disarray. Long-standing local businesses are fighting for their survival. We are only just beginning to understand Covid-19's impact on office, retail and residential space, let alone deal with its human toll on our city. The ongoing pandemic is an unprecedented attack on our city, and it is fair to ask: What will our neighborhoods look like after this long winter? Will we come back fairer and stronger?

The "SoHo/NoHo Neighborhood Plan Draft Scope of Work" ignores the majority of the Envision SoHo/NoHo Report and its 27 recommendations, ensures profit-making for a few, offers almost nothing to protect and improve what is so irreplaceable about these districts, and it does little to deliver the vital affordable housing our city needs now.

SoHo and NoHo were landmarked for a reason. The choices we make now, most irreversible, will define and reshape our neighborhoods for the next decades. Do we really want to turn our community into cookie-cutter copies of what can be found all over the city?

CB2 sounds a clear warning on seven key issues:

1. Preserve our uniqueness: Let's do no harm. The beloved, gritty, artistic, human-scale creativity of these streets and their varied storefronts is a national treasure, but it can easily be destroyed.

SoHo and NoHo have already proven to have a highly successful, distinctive, functioning eco-system that perennially attracts retailers, shoppers, artists and tourists from all over the world, generating significant revenue for the City and State.

The success of these neighborhoods is in part the result of a stable regulatory framework that is a combination of the creative amendment of the M1-5A and M1-5B zoning texts, including the Special Permit requirements, the Loft Law, and the creation of the historic districts.

2. Keep it artistic: The presence of galleries, resident artists and cultural spaces has been key to our success for the past 50 years and has transformed our neighborhoods into world-renowned centers of art and creativity.

This requires constant efforts to nurture, sustain and attract cultural institutions, art galleries, artists and the evolving creative and "maker" communities.

Let's retain and perpetuate the creative arts character of these neighborhoods, whether in new construction or adaptive reuse.

3. Get serious about affordable housing: As our city rebuilds in the aftermath of Covid-19, how do we achieve housing and social justice after an economic free-fall?

Our community supports affordable housing.

We need a better approach than Mandatory Inclusionary Housing (MIH), which has shown to be ineffective as a zoning tool for affordable housing, as demonstrated most recently in the Flushing rezoning that, per citylimits.org (Nov. 11, 2020), that will produce only 75-90 affordable units out of 1725 in only one out of four residential sites.

MIH guarantees lucrative developer payoffs and offers only modest promises of affordable units to reach the equitable housing goals specifically identified as a core reason to rush forward with this plan. It includes loopholes that allow developers to opt-out through "hardship" or simply build all-commercial buildings instead.

Any new residential development should adequately address the displacement of long-term residents and low-income residents.

We reject towering blocks of luxury housing that impact negatively on the character of our neighborhoods. The outlined best-case scenario of 328 to 494 affordable units ignores the socioeconomic impact of up to 1355 ultra-luxury, market-rate apartments.

We reject incentivization of office use over residential uses.

We reject any plans for a blanket up-zoning. Let's *actually grasp* what the new balance will be between retail, commercial and residential as those markets stabilize and recalibrate.

Community Board 2 calls for the expanded conversation on affordable housing that

the City should have undertaken during Envision SoHo NoHo. One-size-fits-all programs are not the solution.

4. Update, but don't oversize: Everyone agrees that the special permit process needs streamlining. Ground floor spaces should be available to lively, appropriate retail businesses, without requiring special permits.

SoHo and NoHo are mixed-use neighborhoods with sizeable residential populations. Let's not unleash a land grab of oversized retail and eating and drinking establishments that would crowd out smaller retailers and local neighborhood restaurants, reduce the variety and total number of businesses, and wreak havoc on residential life.

Let's not create an environment that favors big box retail over small businesses. The current restrictions are working and deserve protection: no retail over 10,000sf; a 5,000sf cap on eating and drinking. Those uses should be restricted to below the second floor, as is common throughout the city.

5. Encourage adaptive reuse: The magic of our streets started with the spontaneous transformation by artists of existing industrial space into lofts, imaginative retail and creative office use. SoHo and NoHo exemplify the great transformation and success of New York City in the postindustrial era. This adaptive reuse model inspired a development style now used in readapting industrial areas around the world. Further evolution of this successful transformation should be encouraged through adaptive reuse without new, out-of-scale construction.

6. Protect current occupants: Our neighborhoods need a fair resolution of residential controversies that produces permanent, equitable affordability. That means:

- Record and protect current affordable rental units.
- Identify a mechanism to legalize residential occupancy in manufacturing units without disrupting legal conforming occupants through a public process.
- Protect resident artists and protect the joint live-work manufacturing framework for their lofts, including those still in the transition process from Interim Multiple Dwelling status.
- Identify solutions to help adapt spaces for those aging in place and maintain the unique protections under The Loft Law for our pioneering artist residents.

7. Examine the financial implications: The Draft Scope of work requires an economic analysis across the entire study area. The current focus on only 27 projected sites (out of approximately 850 lots) fails to address the array of other development possibilities. Transparency was promised; we expect it.

Now is not the time for business as usual. The pressure of your timeline is self-imposed and the consequences of moving forward with the wrong plan are stark. Making the wrong choices will without doubt kill what is unique, world-renowned and profitable about SoHo and NoHo without achieving our shared goal.

No Scope or Environmental Impact Study compiled now, during an ongoing global upheaval, could possibly be an accurate assessment of any neighborhood or provide the basis for changes we will live with for decades. While everything is in monumental flux, we call for caution and innovative thinking—the creation of a comprehensive, long-range vision implemented in carefully-designed, incremental stages.

That process should begin with an examination of the shortcomings of the current draft scope of work and the presentation (for public review before any ULURP begins) of a new draft scope that reflects those shortcomings, plus the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Herewith the resolution that documents the basis for our concerns. It is based on input from two Land Use Committee meetings and a public hearing with 175+ attendees and 40+ speakers. The resolution follows the outline of the draft scope of work for the proposed plan:

WHEREAS:

A. INTRODUCTION

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965.

2. This Draft Scope is only 61 pages long and explores the impact of 27 projected development sites and 57 potential development sites. In comparison, the Bushwick Draft Scope is 201 pages long and analyzes 167 projected sites. The Draft Scope for the Gowanus Rezoning, led by not only Department of City Planning (DCP) but also by NYC HPD and NYC Parks, is 237 pages long and analyzes 60 projected sites. Clearly, the Gowanus and Bushwick proposals have benefitted from having been started prior to the pandemic.

3. On p. 1, the Draft Scope states that this proposal was "informed by local and citywide stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019" by Manhattan Borough President Gale Brewer, City Council Member for City Council District 1 Margaret Chin, and DCP.

4. The report, "Envision SoHo/NoHo: Summary and Recommendations," created by the plan sponsors at the end of the Envision process concluded with 25+ "Suggested Areas for Further Analysis/Study," p. 85). There is no evidence in the Draft Scope that any additional work on those areas has been done (see Task 1).

5. On p. 1, the Draft Scope's Reasonable Worst-Case Development Scenario expects a net increase of approximately 1,683 dwelling units, only 20%-29% of which would be "affordable" units. CB2 is looking for a greater percentage of affordable units in any new development.

6. Long before the pandemic, many retail spaces remained empty. Adding 57,473gsf of projected destination retail space (p.1) without any mention of how small local retail would be protected is of grave concern.

The goal of expanding housing opportunities by "requiring permanently affordable housing" is mentioned on p. 2, but there are no details or mechanism described in the Draft Scope for either the preservation of current affordable housing or the legalization of existing residents in SoHo and NoHo. Nor did the Draft Scope study the number of affordable units and how many of these units are occupied by residents over 60, who are aging in place and comprise a Naturally Occurring Retirement Community (NORC). This was a topic of extreme concern and importance during the Envision process.

7. To achieve the goal on p. 2 of preserving historic resources, adaptive reuse of existing buildings could yield a significant number of affordable units more quickly than an upzoning, without greatly increasing the stock of luxury market-rate units.

8. The Draft Scope seeks to promote economic recovery, resiliency, and growth by allowing a wider range of uses (p.2), but many property owners have kept rents high to satisfy mortgage requirements, hold out for "credit tenants," and/or use high rent potential as a way to finance other locations, causing long-term retail vacancies.

9. Many of the introduction's stated objectives are contradicted by the Proposed Action. For example: Requiring permanently affordable housing to "support income diversity" is an objective, one with which CB2 agrees. However, CB2 questions how adding 70-80% market-rate housing based on incentives that may never be realized will ever ensure affordable housing.

10. Another objective is to "establish appropriate densities and building forms that ensure new development harmonizes with neighborhood context and scale (p.2)." Historic districts do this by their very nature, and 85% of the proposed upzoning area is in such districts. The proposed increase in as-of-right FAR would significantly redefine neighborhood context and scale rather than harmonizing with the existing historic building forms.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

C. BACKGROUND TO THE PROPOSED ACTIONS

PROJECT AREA HISTORY

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

1. Artist Certification: p. 5 of the Draft Scope, states that "many residents did not qualify for artist certification." The absence of certification is a problem with the certification process and the agency overseeing it. It does not indicate a lack of artists.

Discussions with many working artists in SoHo and NoHo during the Envision SoHo/NoHo meetings clarified that the Department of Cultural Affairs (DCLA) certification was haphazard, complicated and, since it had not been enforced for so long, unnecessary for artists residing in Joint Live-Work Quarters for Artists (JLWQA) housing in SoHo and NoHo.

2. Special permits and variances: p. 5 of the Draft Scope states that "the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize

retail uses." CB2's opportunity to weigh in is vital for community representation in the application process. With removal of these reviews, only speculation and profit govern retail uses, rather than their desirability in a mixed-use neighborhood.

3. P. 5 of the Draft Scope acknowledges that the Covid-19 pandemic has impacted SoHo and NoHo, and then makes an unsubstantiated assumption that office, retail, accommodation and food services will remain core economic assets in the long term. Pandemic-related questions include:

a. Who will come back to work in offices and will the offices have the appropriate infrastructure to ensure safety?
b. Would office, hotel and other properties currently under distress become available for city acquisition, perhaps in partnership with a not-for-profit to create 100% affordable housing in existing structures?
c. Will in-person retail ever exceed the levels it had before the pandemic despite vacancies prior?
d. How much retail will return, now that consumers have shifted largely to shopping from home?
e. How much tourism will return and when?
f. Rents have been dropping since 2016 and the pandemic has furthered this correction. How long will that remain? Will rents come down low enough to provide affordable housing without requiring the immense increases in FAR contemplated in the proposal outlined in the Draft Scope?
g. Would adaptive reuse rebalance the neighborhoods without resorting to what amounts to developer giveaways and increased building envelopes?

4. Without data based on post-pandemic experience, the answers can only be guesses.

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

ENVISION SOHO/NOHO

1. This section of the Draft Scope describes the Envision process and its goals in detail but completely disregards the expectation that "these Neighborhood Priority recommendations and corresponding potential Implementation Strategies…have been developed with an understanding that many areas warrant further research and community input. (Envision SoHo/NoHo, p.11)"

2. It is a disservice to the entire Envision process to describe its findings as conclusive, when the Report itself states, "It is emphasized that the provided Potential Implementation Strategies are not definitive."

3. It is hard to understand how CPC is willing to turn its back on the Report's findings (p.46) that continued conversation and aspirational thinking "…is encouraged to further evolve ideas to achieve effective implementation."

4. The Plan fails to "maintain, enforce and strengthen existing protections for residents including renters and those in rent-regulated units (p.7)," one of seven goals in the November

2019 Envision SoHo/NoHo report. Instead, the conversion from existing M zoning to new R or C zoning will remove protections directly related to work created and practiced within the unique JLWQA units that were established specifically for the M1-5A and M1-5B districts. Further, real estate speculation, brought on by upzonings, is known to increase the instances of harassment aimed at rent-regulated tenants. This is of particular concern for the numerous senior residents who were part of the pioneering movement that transformed these neighborhoods and are now aging in place.

5. The Scope should include outreach to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast Study Area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

6. The survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope, is not included.

PROJECT AREA

HISTORIC DISTRICTS

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965. If a precedent is set now, the Proposed Actions not only will have a negative impact on the immediate study area, the proposed actions, but also will have a profound negative impact on historic districts throughout the city.

2. An action that would potentially damage the character and attraction of all our historic districts and the tax-base city-wide must not be passed.

3. The assorted FAR increases proposed for within various areas of the historic districts run the risk of fundamentally altering the neighborhoods, and such proposals are in contradiction to NYC Landmark law (§ 25301[b]) which notes that the protection and perpetuation of protected districts are "for the education, pleasure and welfare of the people of the city."

4. In the historic districts, where upzoning is proposed to be a minimum of 20% (6 FAR), and up to 94% (9.7 FAR)—and in a few cases 140% (12 FAR)—changes in neighborhood character will be subject mostly to LPC review. But those big FAR increases will create tremendous incentives for owners to seek rooftop additions and demolitions, some of which no doubt the LPC will grant. And new development at that scale will also often be out of scale for the historic districts, where the overall average FAR in both SoHo and NoHo is below 5.

NEIGHBORHOOD CONTEXT

1. Lifting the 5,000sf limit on restaurants would not achieve the desired goal to "contribute to the charm and vibrancy of SoHo and NoHo (p.9) or "foster the small business community of SoHo/NoHo…" (p.2).

2. The variety of eating and drinking establishments already in existence in the district is part of the unique character of SoHo/NoHo and is a differentiator to other parts of the city. The

regulations restricting their size to 5,00sf were the product of years of consultation and consensus-building by the community and public officials; that restriction has been critical to protecting the vibrancy, tourism economy and commercial and residential desirability of the SoHo/NoHo area.

3. Prior to Covid-19, the SoHo/NoHo area was already vibrant, bustling and congested and among the most popular areas of NYC with tourists, already providing plenty of food and drink options to the community of residents, workers and visitors all over the area.

4. The outsize scale of eating & drinking establishments of more than 5,000sf would require a level of commercial delivery, garbage handling and other services that would overwhelm and destroy the residential life that exists throughout the district.

5. Even the wider street corridors are already very congested and establishments of this size will create significant adverse effects on noise and congestion levels as well as public safety. (As recently as July 29, 2020 the NY State Liquor Authority voted against an on-premise liquor license application for a food hall on Broadway for these reasons).

SoHo and NoHo Historic Cores

1. Notwithstanding the Draft Scope's acknowledgement of NoHo's and SoHo's "pervasive mixed-use character" which "contributes to the charm and vibrancy of SoHo and NoHo and presents unique conditions related to zoning, land use, and quality of life" (p. 9), the Draft Scope fails to address and correct the serious quality-of-life problems that mixed-use engenders, and which Envision SoHo/NoHo strongly recommended be addressed.

2. It is not by chance that "bars and restaurants are interspersed across the project area, but are more prevalent along Lafayette St., Great Jones St., Bond St., and W Broadway." For decades, the SoHo/NoHo community fought successfully to restrict use on the narrower and much more residential streets. The ill-effects of oversize bars and restaurants is detrimental to the character, the local environment, and the residential life of these neighborhoods. For the Draft Scope to casually suggest that these uses be legalized—apparently without restriction as to size—ignores the wishes of thousands of families, Community Board 2, the NY State Liquor Authority, and local elected officials who feel otherwise. It will drastically alter the neighborhood character.

3. It is ill-advised to draw a line down the center of any street so that one side is populated with huge developments facing another side's "intact historic zone." As the Draft Scope is currently configured, that happens in 5+ instances.

Commercial Corridors

Broadway Corridor

1. The Draft Scope states, "The Broadway corridor contains…a high concentration of commercial uses, particularly offices and destination retail (p.9)." What the document fails to state is that many, if not most, of these establishments have been operating without proper Certificates of Occupancy for decades, in clear violation of the law. Indeed, it is these countless

violations and lack of enforcement that propelled the creation of the Envision SoHo/NoHo process in the first place.

2. The Broadway corridor appears to be regarded as a development opportunity without reference to the current overcrowded sidewalks and congestion in the street, not to mention hazardous crossings and dangerous turns at intersections.

3. The Draft Scope should take into account the mixed-use character of this corridor and its sizeable population. According to the Broadway Residents Coalition, the population along Broadway in both NoHo and SoHo is comprised of over 750 residential units. Broadway between Canal and Houston Sts. has approximately 57 second-floor JLWQA residential units with many more above.

4. Any proposed actions to address recovery from the Covid-19 pandemic in the Broadway corridor or anywhere else are premature and must be only tentative at this time.

Bowery Corridor

1. While the Draft Scope describes the SoHo and NoHo historic districts in some detail, it blithely ignores the historic, architectural, cultural, and commercial significance of the Bowery.

2. Despite the plethora of historic structures that the Bowery is famed for, the Draft Scope's chief comment on this subject is, "There are a number of under-built sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings." In fact, in 2013 the Bowery was placed in the Department of the Interior's National Register of Historic Places, defined as "the official list of the Nation's historic places worthy of preservation."

3. The Draft Scope ignores the monumental structures, the historic buildings, and the cultural history of this boulevard—the second oldest thoroughfare in the city after Broadway.

4. It seeks to perpetuate the legend of the Bowery as a home to derelicts, both human and buildings, while ignoring its rich contribution to the city's streetscape and past.

5. The Bowery historic district extends from Chatham Square in Chinatown to Cooper Square in NoHo. It contains multiple building styles, including several NYC Landmarks Preservation Commission (LPC) Individual Landmarks, two of which are in NoHo. One, the Bond Street Savings Bank/Bouwerie Lane Theatre at 330 Bowery, a French Second Empire gem, was among the first Individual Landmarks, designated in 1967. It was added to the National Register of Historic Places in 1980.

6. The other Individual Landmark, the Cooper Union, just north of the study area, an Italianate brownstone and a mere feet outside the study area, was deemed a National Landmark in 1961 and an LPC Individual Landmark in 1965, the same year the LPC was formed.

Canal St. Corridor

1. The Draft Scope states "341 Canal and 419 Broadway, at six and eight stories respectively, are establishing Canal Street as a gateway to the neighborhood and serve as a transition between SoHo and the taller commercial buildings south of Canal."

2. Both these new buildings are planned in accordance with the current 5 FAR, with no request from the developer for a variance or a special permit, so we question the need now for the added FAR that the Draft Scope is proposing for the corridor.

SoHo East and SoHo West

1. The Draft Scope states that SoHo East and SoHo West "are generally less residential and less built up than the other areas described above." This ignores the scores of East SoHo residents residing at 129 Lafayette St. by Howard St., as well as the countless residents in the crowded tenements abutting Chinatown, Little Italy and Nolita and the residents in the West SoHo and South Village tenement buildings.

2. Introducing new housing that is only 20-30% affordable will gentrify these "low-intensity semi-industrial" areas, increase the cost-of-living for many of these low-income residents trying to eke out a living, and accelerate their displacement.

E. PURPOSE AND NEED FOR THE PROPOSED ACTION

1. This section references the importance of addressing the needs of the City's artists and creative workforce with no supporting plan details.

2. This section takes suggestions for further study from 12 areas for the Envision SoHo NoHo Summary (see Task 1) and re-purposes them as "community-driven recommendations."

3. CPC's specifically excludes from the proposed zoning actions the improvement and support of "public realm management" (e.g., infrastructure issues). This is contrary to the prominence of that topic during the professed goals of the 2019 Envision SoHo/NoHo process.

4. "The public realm" (i.e., "quality of life") is only mentioned once in the entire Draft Scope whereas Envision SoHo NoHo mentions it 37 times. The Scope must address concern for the resident population in more detail and propose zoning solutions to address these concerns—not increase them.

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

1. The Draft Scope states that the obsolete and onerous current zoning will be replaced with appropriate and flexible regulations to address the need for expanded as-of-right commercial development balanced with the need to maintain appropriate residential use, but it does not explain how residential uses would be protected from commercial expansion or what that balance should be.

2. This section discusses the 74-781 Special Permit process but does not offer any plan to improve and update it.

3. The Draft Scope makes little mention of 74-711 Special Permits. DCP assumes that all special permits are onerous and makes no mention of the public benefit of the 74-711, which assures that historic buildings are maintained in perpetuity.

4. Overreliance on special permits is largely related to UG6 ground floor retail, but the Draft Scope lumps all UG6 together. Nor does it address the existing 5,000sf maximum, failing to give UG6 eating and drinking the particular consideration it requires.

5. Of the six key findings of the DCP July 2020 Study, none of them concluded that "outdated regulatory barriers will only serve to exacerbate the recovery for two of New York City's most significant commercial areas." Nor is there any evidence that these "outdated regulatory barriers" will restrict recovery post-Covid-19.

6. This DCP study showed 50% vacancies in SoHo NoHo, and data reports by SoHo Business Initiative on July 30, 2020 reported a 31% vacancy. DCP is now using the uncertainties of Covid-19 recovery to move quickly ahead with an upzoning. Moreover, it significantly reduced the size of five of the 24 corridors studied in the 2019 storefront vacancy report and excluded the following previously-surveyed streets:

a. Houston Street between MacDougal and Mulberry Streets
b. Prince Street between Sixth Avenue and Mulberry Streets
c. Broome Street between Sixth Avenue and Mulberry Streets
d. Lafayette Street between Prince Street and Astor Place
e. Centre Street between Canal and Spring Streets
f. Mulberry Street between Canal and Bleecker Streets

7. Canal St. (which, according to the study had a higher vacancy rate on the south side than on the north) had very high vacancies well before Covid-19 and has been a wasteland ever since Thor, Vornado and others cleared out all the longtime local businesses that offered all sorts of useful materials and products as part of a failed effort to turn the Canal corridor into a new retail strip mall.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

1. The word "equity" appears only four times in the Draft Scope and no further details to advance the goal are provided.

2. As our city rebuilds in the aftermath of the Covid-19 pandemic over the coming years, there is the exciting possibility that New York City will come back stronger, and fairer. How can we ensure true and lasting equality for everyone? How do we achieve economic justice for all after an economic freefall?

3. The southwestern corner of the project area is slated to be the site of significant residential development, but it is also one of the most polluted corners of the city. Study how siting

affordable housing at the entrance to the Holland Tunnel contributes to the goal of equity in housing.

SUPPORT ARTS AND CULTURE

1. The Draft Scope describes no detailed plan to maintain the existing JLWQA and rent-stabilized and rent-controlled apartments, and there is no official count, nor even an estimate, of the number of such units.

2. The Draft Scope provides no occupation-based restrictions to accomplish the goal of supporting the artists and makers population.

3. The Draft Scope mentions voluntary transition from JLWQA to residential use but it does not detail how it would work or how arts and creative uses would benefit.

4. The Draft Scope refers to certified-artist-occupied JLWQA as "the sole as-of-right quasi-residential use" when in fact, Use Group 17D is very much a real residential option.

5. The Draft Scope states that "only 30% of all SoHo/NoHo homes are still listed as JLWQA use on Certificates of Occupancy," but that low percentage is unreliable data, since DOB has increasingly been dropping the JLWQA annotation. Even the Loft Board is aware of this and intends to address it.

6. The "voluntary option to transition JLWQA to regular residential use with conditions that more broadly benefit the arts and creative industries" is not only vague and unspecified, but it opens the door to losing a lot of units that might best be transferred to rent stabilization. Verbiage like this—with no mention of permanent affordability—leaves the role of the Loft Board in limbo.

7. Instead of converting M districts to UG2, the Scope should study maintaining the M district with protections and broader allowances for residentially-occupied units. UG2 puts at risk things that the Draft Scope claims to want to protect.

8. Not-for-profit museums (UG3) should be made as of right.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

1. The Draft Scope proposes to "facilitate superior urban design," but it is necessary to precisely distinguish between the historic effectiveness of the existing urban design (which needs to be protected) and any necessary updating of the variance and special permit processes (which allow for the engagement of the community).

2. The Draft Scope discusses deploying "appropriate buildings forms" that "relate harmoniously to the loft building context." It is important to explore the dangers of big box retail and new residential projects with uncharacteristic, out-of-scale FAR.

3. The Draft Scope points out that "existing bulk regulations in M1-5A and M1-5B districts" haven't always served the "loft building context." The fact remains that ill-considered

modifications to those regulations might easily produce far more drastic, if unintentional threats to this national treasure, especially if explicit limits and cautions are not clearly identified before deciding future changes.

4. The Proposed Actions would establish new bulk and height regulations, and where it is claimed that these regulations would "minimize the effects of new developments and enlargements on neighboring buildings," the DCP must rigorously substantiate this claim so that resulting impacts truly correspond to promises made.

5. This Draft Scope states the changes would "allow the LPC to shape the building form without the need for separate land use actions." This process would bypass community input on land use issues, which should remain as an important check and balance.

6. There is no analysis regarding the number of LPC applications that will be generated by DCP's proposed new maximum FAR.

F. DESCRIPTION OF THE PROPOSED ACTIONS

1. The Action's goal is purportedly to "strengthen SoHo/NoHo as a vibrant mixed-use district and more inclusive community," but the challenge remains to ensure that the specific, concrete changes implemented actually serve that objective.

2. The Proposed Actions correctly support nurturing a "healthy retail ecosystem," but these districts already have a successful and unique ecosystem (characterized by small scale diversity and artistic vibe) whose continuation is valuable in its own right.

3. Retail is in the middle of massive restructuring and national crisis. It seems prudent to proceed cautiously and not blindly apply once-familiar approaches in a context where they might have major adverse impacts. This may be the time and special place for truly visionary innovation to be the key to survival.

4. The last proposed action, "Support arts and culture and creative industries that serve the community and the public with use allowances and other appropriate provisions," is yet another example of a bone that is thrown to the community without a single supporting detail.

ZONING MAP AMENDMENT

1. The proposed Zoning Map Amendment that establishes the Special SoHo NoHo Mixed Use District proposes eight new zoning sub-districts with proposed as-of-right use and bulk regulations that allow for major increases in floor area ratios far in excess of current building bulk and form.

The proposed Zoning Map Amendment increases in FAR are without regard to the unique historical development pattern of SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. One example is the projected development at 558 Broadway, where DCP identifies for the future the construction of a 200' tall tower due to the granting of over 50,000 SF of new allowable bulk. Data indicates over a dozen other locations along Broadway with similar additions of new bulk, which could result in a succession of towers

all along Broadway from Canal Street north, despite the DCP's November 9, 2020 FAQ that erroneously states the "new rules will not allow tall towers and skyscrapers."

PROPOSED ZONING DISTRICTS

1. Instead of simplifying regulations and procedures, DCP proposes five new zones, eight new subdistricts and, in several cases, boundaries for the subdistricts that bisect streets.

2. In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope.

3. To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan.

PROPOSED SPECIAL SOHO/NOHO MIXED USE DISTRICT (SNMD)

ZONING TEXT AMENDMENTS

1. CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows--with no public review process-- retail uses over 10,000sf (including cellar space) and eating & drinking establishments over 5,000sf.

2. Calculation of FAR in retail establishments should include basement/cellar space.

3. An upzoning of residential FAR need not be a requirement of Mandatory Inclusionary Housing (p. 17). The Scope should include the study of the potential of adaptive reuse as an alternative to increasing FAR.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

General Use Regulations

1. The Draft Scope states (p. 17): "Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts' use regulations would apply, with modifications." The subsequent table, as well as the proposed zoning map, show these three proposed zonings as well.

2. The two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1).

3. The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified.

4. Allowing "UG 10 retail uses such as department stores over 10,000zsf" as-of-right flies in the face of Envision SoHo NoHo, which specifically recommended maintaining the 10,000zsf cap (Envision SoHo NoHo, 3.1).

As-of-right Use Group 10 is also inconsistent with the second goal of the report, to "foster the small business community" as noted on p. 6 of the Draft Scope. Existing and new small businesses will need additional protections.

5. If Use Group 10 retail uses are to be permitted as-of-right, where are the provisions for the protection of residents, such as enforcement of the loading berths requirement and restriction of delivery hours?

6. SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context.

Joint Live-Work Quarters for Artists

1. JLWQA is inadequately addressed in the Draft Scope. Despite accounting for 30+% of residential units in SoHo and NoHo (per p.31, Envision SoHo/NoHo Report), there are no details regarding either the preservation or the legalization of these residents. This was a topic of extreme importance during the Envision SoHo/NoHo process.

2. The Draft Scope allows for voluntary transition from Use Group 17D JLWQA to Use Group 2, but does not define the details of the "mechanism" and related costs for doing so. Such conversions must result in no loss of tenant rights protections.

3. There are no guidelines or timeline for transitioning UG 17D JLWQA with permanent affordability to Use Group 2 nor are there any provisions for protecting JLWQA units in IMD buildings in limbo.

4. The Scope needs to study alternatives to JLWQA and do research into expanding the definition of "artist."

5. The Draft Scope's modifications of FAR prioritize big box retail over small businesses and office use over housing.

6. What provisions will the SNMD include to govern "JLWQA, arts and cultural uses, and conversions of existing buildings (p.17)."

7. The Draft Scope does not explain what would become of the Loft Law process nor does it offer a single detail regarding how "the mechanism would be paired with conditions that support arts and culture and establishments that broadly benefit the community and the public."

8. "The voluntary transition from UG 17D JLWQA to UG2 residential with expanded home occupation provisions" sounds like an update of live/work but would result in the loss of many affordable units that would otherwise be transitioned into rent stabilization.

9. It is not clear if the City would propose amnesty to non-certified artists living in JLWQA units as it did in 1987 ("Non artist Tenants Grandfathered in SoHo and NoHo, *NY Times,* Aug. 30, 1987) and noted on p. 5 (2nd para) of the Draft Scope or if the current permitted uses under M-zoning will continue to be permitted.

Non-Residential Floor Area Retention

1. Why will the proposal will require a developer to replace any commercial space lost to residential conversion with an equal amount of new commercial space? And will this cause displacement of the existing commercial tenants?

2. Despite the current glut of office space, the Non-Residential Floor Area Retention modification incentivizes office use, not adaptive reuse, and is inconsistent with the Draft Scope's objectives.

3. Retention Modification may also disincentivize residential development and conversions, which contradicts the Draft Scope's objectives to "expand housing opportunities" and "promote adaptive reuse of existing buildings by allowing for the conversion of existing buildings (p. 2)."

4. DCP (RWCDS Table 3) shows 75 Spring St. (DSOW 31(CV), 154 Grand St. (DSOW 32(CV)) and 324 Lafayette (DSOW 28 (CV) as projected development sites with conversion from office to residential, and no office retention. For those in the historic core, DCP grants a FAR allowance that does not line up with the historic core subdistrict allowances.

5. The Retention Modification also requires the Chair of the CPC to certify that the amount of non-residential floor area in a building will be replaced at a one-to-one ratio with future non-residential uses on the zoning lot, but this certification is not subject to public review and adds a new city approval for each project even though the Draft Scope seeks to reduce the number of applications and approvals.

6. Existing office buildings offer an opportunity for adaptive re-use. This proposal discourages this possibility, but should be more open to investigating its utilization, as REBNY is proposing for Midtown.

7. Conversions to residential within existing buildings, many of which are grossly overbuilt, will complicate as-of-right conversion to residential without special rules.

Floor Area and Bulk Regulations

1. Two subdistricts—the Broadway-Houston Corridor and NoHo North—would permit full lot coverage up to two stories, instead of the 70% and 80% permitted for interior/through and corner lots respectively under R9X zoning. This will negatively impact light and air for buildings that share a rear lot line.

2. Many buildings in the area have 2nd floor residential occupancy, and there is no indication that DCP has taken this into consideration.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

1. If the maximum additional MIH FAR is built across SoHo and NoHo, it will add nearly 11 million new square feet of new housing: the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels.

2. Nothing in the MIH program guarantees that any housing will be built. It would be helpful to see a report on successful MIH programs.

3. There are strong incentives for office and dormitory use.

4. The pre-Covid-19 luxury condo glut will temper any business decisions to build new housing—both luxury and affordable.

5. The special permit process for developers with "hardship" cases will undermine the creation of affordable units.

6. New, as-of-right residential development, with mandatory inclusion of affordable housing could be accomplished with less disruption and no upzoning at the same FAR as is currently allowed for commercial/manufacturing development in SoHo.

7. This would be particularly feasible if, as is suggested on p. 19, the text amendment were to "provide for some adjustments to make the existing MIH program work for conversions in SoHo and NoHo." It also does not describe these adjustments nor explain how they would apply to office buildings undergoing a conversion or redevelopment, given the proposed requirement to maintain non-residential floor area.

8. Chief among these adjustments would be requiring lower income levels and a higher percentage of residences reserved for the required affordable housing.

9. Subsidies should be provided to ensure the development of affordable housing, with greater subsidies for those developments with a higher percentage of affordable housing.

10. A set-aside for some percentage of the required affordable units in new residential developments should be considered for those in the maker and creative arts and industries.

11. Developments should consider dedicated arts-production space in new developments, especially in those where the unit size is 850sf.

12. If commercial FAR is raised to 10 and residential FAR is only 12 for MIH, the meager difference will disincentivize residential development. The Scope should examine the effect of no upzonings for commercial use.

13. DCP's proposed zoning text amendment would allow for off-site, low-income housing when less than 25,000sf of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing.

14. The proposed Affordable Housing Fund allows developers to apply to BSA for a "special permit" to reduce their payment into the Fund where requirement would make development "financially infeasible." Isn't one of the goals to reduce the number of special permits? Would this be a public process?

15. What are the criteria for which the BSA would grant this exception?

16. How will the DEIS define and calculate "financially feasible"?

17. The Scope needs to include a description of how the Affordable Housing Fund will work. Since 2016, how much money has been paid into this fund and where and how has the money been spent?

18. A loophole allows payments into an Affordable Housing Fund in lieu of building the housing in the proposed area, defeating the stated goal. This loophole must be closed.

19. It is unclear who determines the amount a developer pays to the Affordable Housing Fund? The developer? The DCP? The City Council? Is this amount based on the project's "financial feasibility"?

20. Exempting "developments, enlargements, or conversions that do not exceed either 10 units or 12,500zsf or residential floor area from the requirements of the program" may be shortsighted, given the scale of many of the smaller buildings in SoHo/NoHo.

21. As a market-driven program, MIH program is unlikely to produce neither the number of AH units required to make a difference nor provide hoising at the AMIs most needed by our city's vulnerable populations.

22. In addition to the three zoning districts described, in the data in Appendix A, there are two lots with M1-6/R10A zoning: 358 Bowery (DSOW #13 and already in development as an office building) and 350-352 Bowery (DSOW #1). The R10A offers bonuses for contextual development and senior facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonuses to create even larger buildings? This should be clarified.

23. The Scope needs to explain how Covid-19 and a recovery whose details are impossible to predict would affect the number/percentage of projected development sites legitimately be able to apply for this exception?

WRP REVIEW PROCESS AND DETERMINATION

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas is going to be an added cost to developers.

G. ANALYSIS FRAMEWORK

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

1. What and whose assumptions about the future "financial feasibility" will the DEIS model use to forecast the "No Action condition" and the "With Action condition" analysis in the 10-year time-frame (2021-2031)?

2. What happens if Covid-19 continues and/or worsens the current economic downturn? Will the RWCDS model's financial and economic assumptions be changed "mid-stream" to reflect the reality of a significant delay in the financially feasibility to absorb the "build-out" commercial and residential square footage assumed in the model?

3. What assumptions are reasonable for a 10-year period in light of Covid-19 and the yet-undetermined economic recovery, given the office space glut; the historical reliance on tourism spending and the fact that 2019 tourism levels might not return for many years; the pre-Covid-19 luxury condo glut, only worsened by Covid-19; and overleveraged retail landlords hurt by pre-Covid-19 retail rent drops and post-Covid-19 empty offices and lack of tourists, particularly foreign tourists who tend to spend more?

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

1. The Draft Scope assumes that in a No Action condition, residential conversions and conversion of former industrial space to commercial uses would not occur and CPC discretionary actions and BSA variances would not be obtained. Even with a conservative environmental analysis, given the heavy calendar of the CB2 Land Use committee, it is hard to imagine that these actions would cease to be applied for and (and usually granted).

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

1. There are no projected development sites located within the Canal Corridor (Subdistrict 4), making evaluation of the effects of the proposed action on the Canal Corridor impossible, according to the methodology set forth by the Draft Scope. Similarly, there are no potential development sites located within the NoHo–Bowery Corridor (Subdistrict 1), SoHo East (Subdistrict 3), or SoHo West (Subdistrict 8). Only a single projected development site is located within the NoHo Core (Subdistrict 6): DSOW 14: 53 Bond St. This is not a sufficient number of sites for the analysis framework.

2. Two of the six Proposed Development Sites that are within the SoHo Core (Subdistrict 7) incorrectly identify M1-5/R9X as the proposed zoning: DSOW 31(CV) – 75 Spring St.; and DSOW 32(CV) – 154 Grand St. They should be M1-5/R7X.

3. Potential Development Site W – 92 Prince St., which is within the boundary of the Broadway–Houston Corridor (Subdistrict 5), is incorrectly identified as M1-5/R7X. It should be: M1-5/R9X with modifications.

4. The following projected sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site 1 (350, 352 Bowery) is listed on the National Registry of Historic Places in the Bowery Historic District. It has transferred air rights for 2.0 FAR to 358 Bowery.
b. Site 2 (30 Great Jones St – block 531, lots 17, 52, 56) is located wholly within the NoHo Historic District.
c. One of the tax lots in Site 3 is in fact only 1000sf, so it does not meet the criteria for a development site, but Site 3 consists of two lots joined together so as a whole site 3 is above the 1700sf limit. The two are also directly above the Lafayette/Broadway subway station.
d. Site 12 (410 Lafayette St) is located wholly within the NoHo Historic District.
e. Site 13 (358 Bowery) is currently undergoing active construction and does not meet the criteria for a Projected Development site. It is listed on the National Registry of History Places within the Bowery Historic District.
f. Site 15 (281 Lafayette St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
g. Site 16 (81 Mercer St) is located wholly within the SoHo-Cast Iron Historic District and is occupied by an existing building, so does not meet the criteria for a Projected Development site.
h. Site 23 (72 Grand St) is located wholly within the Soho-Cast Iron Historic District. It has additionally undergone multiple discretionary reviews by the LPC and most recently came before CB2 in Sept., 2020, seeking an application to construct a four-story commercial building.
i. Site 24 (217 Hester St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
j. Site 27 (114 Baxter St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
k. Site 30 (324 Lafayette St) is located wholly within the NoHo Historic District.
l. Site 31 (75 Spring St), a purported conversion site, is located wholly within the SoHo-Cast Iron Historic District Extension. It is already overbuilt to a FAR of 9.85, exceeding the maximum allowable FAR in an R7X zone.
m. Site 32 (154 Grand St) is located wholly within the SoHo-Cast Iron Historic District Extension.

5. The following Potential Development Sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site BB (686 Broadway) has transferred air rights for 10 FAR to 684 Broadway and should not be considered a development site.
b. Site BBB (146 Spring St) is among the oldest buildings in SoHo, built in 1819; was reviewed by CB2M in April 2004 (LPC Item 9); and should not be considered a development site.
c. Site EEE (403 Lafayette St) is adjacent to an individual LPC Landmark, the Merchant's House.

d. Site HH (102 Greene St) was involved in a discretionary review by the LPC and granted a CPC Special Permit in Feb 2010 (ULURP 080260ZSM), and thus should have been excluded from the development scenario.
e. Site J (27 East 4 St) is adjacent to an individual LPC Landmark, the Merchant's House. It underwent discretionary review by the LPC in 2018, and most recently came before the CB2 Landmarks Committee on Dec. 10, 2020, seeking an application to demolish an existing one-story garage and construct a new building. Accordingly, it should not be considered a development site.

6. The proposed R10 zoning drives the RWCDS, but may not produce the projected housing. The city's assumption that the vast majority of development will be for residential use, 84% of projected GFA, may be unrealistic given that R10 zoning allows 10 FAR for commercial uses without any MIH subsidy.

7. There is already current glut of luxury condos.

8. There is a trend for property owners to build office space in lieu of housing in nearby Hudson Square and 550 Washington, including new headquarters for Disney and Google.

9. "One entirely non-residential building is projected in the western portion of the project area near Hudson Square, another strong office market": That site is at the northeast corner of Grand St. at Sixth Avenue and is owned by Trinity Church Real Estate and is shown as #22 on the Projected Map/List. The Scope should explain why new FAR will be allowed on that site but housing is not required.

10. What is the basis of the conclusion that "a substantial portion" of the 1,683 DUs are "expected to be affordable"?

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

1. The Scope needs to explain why the lot area threshold was set at 1700sf or larger to guide where development can reasonably be expected to occur.

2. Much of the area has been landmarked going back to 1973., but the Landmark Districts were only cursorily mentioned.

3. There is only a very brief mention of rent-stabilized tenants in buildings of six or more residential units. The proposal claims that these sites should be excluded from the development scenario because of the expense of relocating the residents. This category requires deeper analysis, due to the number of buildings in SoHo/NoHo of this size. Has CPC determined the impact of any residential displacement from the development of projected and potential sites?

According to the Loft Board, there are currently 475 units in 331 buildings under their control. The DEIS must study stabilized IMD tenants covered under Loft Laws and rent- stabilized affordable housing programs including as JLWQA.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

1. More than half of the GFA of the 27 projected development sites (or 1,942,995sf) will benefit five property owners:

a. Edison Properties' two parking lots account for 397,836 sf, or 20% of the GFA, and the Appendix shows that these sites would contain medical office space and a grocery store;
b. Alexander Chu/Centre Plaza LLC and Stellar Management and City Urban Realty buildings account for 279,798sf or 14% of the GFA;
c. Diehl Realty's SoHo parking garage accounts for 138,794 sf or 7% of the GFA, which per the Appendix shows would contain a grocery store under the city's plan;
d. Lots owned by Yee Tai & The Kaufman Organization are expected to account for 133,184sf or 7% of the GFA; and,
e. Park-It's garage accounts for 93,383 sf or 5% of the GFA and community facility space, plus Park-It owns two parking garages on the potential development site list, accounting for another 172,542 sf.

2. In light of a more favorable federal administration, has CPC reevaluated the redevelopment potential of 2 Howard Street, a federally-owned parking garage with a lot area of 12,716sf, which at 12 FAR could be redeveloped for more than 144,000sf and 100% affordable housing, while maintaining parking for government vehicles?

3. In light of the near-term prospects for substantially built office buildings and hotels, has CPC explored the purchase of distressed assets to be redeveloped as 100% affordable and/or supportive housing?

Projected Development Sites

1. The DEIS needs to analyze sites that might be developed after 10 years, including 57 Potential Development Sites that are assumed to be "less likely to be developed" within 10 years, and all other sites in the study area impacted by the proposed zoning changes. (Under CEQR Technical Manual guidelines, potential sites are only analyzed in the DEIS for "site-specific effects such as potential noise impacts, effects on historic resources and the possible presence of hazardous materials," (Draft Scope, p. 24). As a result, the Draft Scope vastly underestimates the impact of the proposed upzoning on historic districts because it excludes all site located within historic districts, other than vacant lots, solely because these sites are "subject to LPC review and approval."

2. Per the Draft Scope, lots of highly irregular shape would be excluded because of the difficulty of future as-of-right development; because such lots are more costly and more difficult to build on; and because they do not produce marketable floor space. The CB2 Land Use committee sees applications for development on such types of lots on a regular basis and for this reason, DCP must study irregular lots in the DEIS/Scope.

3. In fact, several of these sites already have plans for development. Owners of two underutilized sites, 61 Spring St. and 134 Wooster St., listed by DCP as "Potential," have already applied to the City to construct commercial structures on their lots. Nearby, on just one block of Prince St. between Greene and Mercer Sts., 105 Prince Street, a two-story building housing the Apple store with a 6,000sf footprint; 110 Prince St., a recently constructed one-story retailer; and

92 Prince St., another recent one-story mercantile structure yearning to increase in height and bulk, will surely attract developers seeking to enlarge them along this busy thoroughfare.

4. Why is a garage at 349 Canal St. (DSOW ID DDD) and an abutting building excluded from projected development when many similar sites are included for study?

5. Although DSOW ID 23 is indicated as being Vacant Land (land use 11), 72 Grand St. was, in fact, until recently a standing one-story cast-iron building in the Soho-Cast Iron Historic District that had had the upper four floors destroyed by fire.

DEVELOPMENT SCENARIO PARAMETERS

1. In these sections, the parameters for development (small units, low floor- to-ceiling heights, small floor plates) all but eliminate the possibility of any future affordable housing for any artist or live-work situations, further eroding the identity of SoHo and NoHo.

2. These parameters are also a complete repudiation of any attempt to "accommodate and expand live-work" (last bullet, p.2), or "create housing and live-work opportunities" (third bullet, p.7) or "support and promote and create more spaces and uses for arts, maker uses and cultural uses." (last bullet, p7)

3. The lots for development include lots now dedicated to commercial uses with very few residents. The DEIS/Scope must study the projected increase in residential population of almost 50%, which will create the need for new infrastructure for a significantly expanded population. The area does not have the infrastructure to support this change in residential population, and if history is any guide, the City will not provide that infrastructure in a timely, systematic, or thorough manner. We have clear instances of such failure in our own community board.

4. Why does the Draft Scope assume that development sites will exclude "government facilities, utilities, large institutions, homeless shelters, and houses of worship" even though the study says that since these facilities are often under-built? In light of all the efforts to redevelop these types of sites around the City, it seems naïve to exclude them.

Dwelling Unit Factor

1. Does establishing a size of 850sf per unit support the stated goal of the Neighborhood Plan to "accommodate and expand live-work uses and supporting creative, arts and cultural uses"? (p.2)

Floor-to-Floor Height

Conversion Prototypes

1. According to the DCP map, Conversion Prototype 75 Spring St. is in the Historic Core with the lowest FAR change (M1-5/R7X), but in Appendix 1, it is part of the calculation for the Broadway Commercial Corridor (M1-5/R9X), which has highly increased FAR. At its existing 9.85 FAR, 75 Spring is either overbuilt by 4 FAR (M1-5/R7X) or by 1.85 FAR (M1-5/R9X). Any claim of affordable housing at that location will have to be subtracted from DCP's affordable housing total.

Development within Historic Districts on Projected and Potential Sites

1. Because all three proposed "representative examples" of prototype conversion are all within a stone's throw of each other (154 Grand, 75 Spring, 324 Lafayette), they are hardly "distributed across the project area."

2. All three are landmarked.

APPENDIX 1

1. These three tables are unreadable, and need to be reformatted (offered in some downloadable format) in larger type to be accessible to the general public for whom they are intended.

2. There is data/information in the Appendix that is not referenced in the text of the Draft Scope, which increases the lack of transparency of the spreadsheets—and clouds the intent of the Draft Scope itself.

3. Projected Development Sites: The following discrepancies in Appendix 1 should be studied:

   a. Site 1 (350, 352 Bowery): FAR of 2; PLUTO data reports FAR of 3.00.
   b. Site 3 (315 Lafayette, 301 Mulberry): FAR of 1; PLUTO data reports FAR of 1.56.
   c. Site 4 (155, 159 Grand St): FAR of 2; PLUTO data reports FAR of 5.53.
   d. Site 7 (381, 383 Canal St): FAR of 3; PLUTO data reports FAR of 3.82.
   e. Site 8 (126 Lafayette, 257 Canal St): FAR of 2; PLUTO data reports FAR of 2.55.
   f. Site 9 (239, 243 Canal St, 3 Howard St): FAR of 3; PLUTO data reports FAR of 3.48.
   g. Site 13 (358 Bowery): FAR of 0; PLUTO data reports FAR of 0.58.
   h. Site 20 (356 West Broadway): FAR of 3; PLUTO data reports FAR of 3.97.
   i. Site 25 (123 Lafayette): FAR of 4; PLUTO data reports FAR of 5.35.
   j. Site 27 (114 Baxter): FAR of 5; PLUTO data reports FAR of 5.98.
   k. Site 30 (324 Lafayette): FAR of 5; PLUTO data reports FAR of 6.17.
   l. Site 31 (75 Spring St): FAR of 8; PLUTO data reports FAR of 9.85. It is in the historic core, so its actual FAR is 5.
   m. Site 32 (154 Grand St): FAR of 5; PLUTO data reports FAR of 5.94

4. Potential Development Sites: The following discrepancies in Appendix 1 should be studied.

   a. Site AA (382 West Broadway): FAR of 2; PLUTO data reports FAR of 2.90.
   b. Site BB (686 Broadway): FAR of 2; PLUTO data reports FAR of 2.94.
   c. Site EEE (403 Lafayette): FAR of 2; PLUTO data reports FAR of 2.84.
   d. Site FFF (90 Grand St): FAR of 4 PLUTO data reports FAR of 6.04.
   e. Site GGG (96 Spring St): FAR of 7; PLUTO data reports FAR of 8.02.
   f. Site MM (53 Mercer St): FAR of 2; PLUTO data reports FAR of 3.44.
   g. Site W (92 Prince St): FAR of 1; PLUTO data reports FAR of 2.36.
   h. Site WW (518 Broadway): FAR of 1; PLUTO data reports FAR of 4.48.
   i. Site Y (424 West Broadway): FAR of 2; PLUTO data reports FAR of 2.78.
   j. Site YY (118, 120 Prince St): FAR of 1; PLUTO data reports FAR of 1.89.
   k. Site Z (396 W Broadway): FAR of 2; PLUTO data reports FAR of 2.85.

5. Include in the DEIS/Scope an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

6. Include in the DEIS/Scope an accurate building-by-building analysis that correctly quantifies the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses so that the CEQR analysis will truly reflect the proposed actions' potential adverse impacts on the existing character of SoHo and NoHo.

PROPOSED DRAFT SCOPE OF WORK FOR THE EIS

Task 1: Project Description:

This task should describe "the background and/or history of the project" and detail "key planning considerations that have shaped the current proposal." The tasks for study in the DEIS should include the recommended study items from "Envision SoHo/NoHo: A Summary of Findings & Recommendations." They are taken from the Report below verbatim:

IMPROVE QUALITY OF LIFE

1.1A: **Further research** the specificity of SoHo/NoHo's mixed-use nature and schedule needs for curb access with the objective to make deliveries more efficient

ENCOURAGE NEIGHBORHOOD DIVERSITY

2.1B:

- **Study** the implications of the Housing Stability and Tenant Protections Act of 2019 and if/how it interacts with rent regulations within Loft Law provisions.
- Work with State elected officials to **explore** measures to implement and enforce anti-harassment procedures based on the newly passed rent law.

2.1C: It is recommended that Process Sponsors **study** the feasibility of implementing such rental assistance for low-income artists and other renters.

2.2A: Consider a potential expansion of live-work definition that reflects current and future trends, which should be **further studied** and identified.

2.2B: Exact mechanisms and use classifications of the framework presented remains unclear and would require further **study**.

2.2C: **Study** new affordable housing that is targeted to artists and is conducive to arts production in the context of fair housing laws and broader concerns over housing equity.

2.2D: **Additional research** to create a new entity outside DCLA to review the eligibility and connect individuals with benefits/resources to detail further how such an entity might be established, how it would function, and how it would improve the ability to administer eligibility standards without being overly exclusionary.

2.2E:

- **Explore** how legislative efforts could be made to implement property tax breaks and other mechanisms to support existing artists and to encourage arts and making in new "live-work" units that accommodate a broader range of cultural workers.
- **Explore** mechanisms to incentivize shared work and/or exhibition space for artists and makers as provisions in new developments or residential conversions.
- **Explore** ways to establish productive relationships between local non-profits and the business community to encourage and formalize support the local arts and cultural programming.
- **Explore** opportunities to connect property owners with efforts seeking to create temporary programming/ studios in empty commercial spaces.
- **Explore** opportunities to create a "Made in SoHo/NoHo" branding campaign and encourage retailers to commission designs from SoHo/NoHo artists and makers, with possibly a portion of sales of such goods used to support local arts and culture in the neighborhood.

2.3B: **Study** local non-profits in efforts to help artists and others find affordable housing, live-work space, or general work space.

2.3C: **Explore** opportunities to create design guidelines, with assistance and input from LPC based on the study area's character, to ensure future development will be physically and architecturally contextual with existing built environment.

PROMOTING ECONOMIC VITALITY

3.1A: **Study** how to allow a wider range of compatible ground floor uses that balance mixed-use neighborhood blocks and examine a wider range of compatible uses, traffic patterns, sanitation efforts, and a retail study. Efforts would include the involvement of the business and residential communities.

3.1B: It is recommended that further research **study** the following:

- The appropriate parameters for allowing hybrid/complementary uses, including consideration of the type, size, operations, and land use compatibility.
- How hybrid uses might be viable in a continually evolving local economy, as they become established and potentially seek opportunities to grow.

3.1C: **Further research** and a coordinated effort with the community is recommended to create general guidelines and potential subareas for the expansion of such uses.

3.2A: It is recommended that community groups and the City **further research** advantages that a cultural arts district designation might provide for SoHo/NoHo. Such a designation may more broadly enhance community identity and affirm local heritage.

3.2B: The planning process also revealed that there are opportunities to update use regulations in ways that consider the expansion of arts and maker uses. The City should consider this as an area requiring **further analyses**.

3.2C: Private landlords should be encouraged to "activate" vacant properties during interim occupancy periods for artistic, micro-manufacturing and cultural uses. Currently, artistic and cultural uses are not permitted as-of-right and an allowance for such uses would remove zoning violations and fines that are in place. It is recommended that the City further **explore** the feasibility of such an initiative by further contemplating two provisions: the involvement of well-suited local partners and non-profits to help with monitoring, and the potential role of philanthropy and incentives to help fund such an endeavor.

3.2D: Additional consultation with relevant agencies and organizations is recommended, in light of their expertise of artists' workspace needs, to **study** new live-work typologies and configurations that are responsive to today's generation of artists and makers.

3.2E: **Study** the feasibility of implementing such tax incentives for these causes and further investigate other financial support mechanisms that could be utilized.

3.3B: I**nvestigate** the feasibility of encouraging affordable rent options specific to such uses.

3.3C: Work with Small Business Services (SBS), Chambers of Commerce, BIDs and merchants' associations to better **understand** small business' challenges in SoHo/NoHo, and connect them to resources.

Task 2: Land Use, Zoning and Public Policy

1. A thorough understanding via a detailed economic analysis should be conducted on all areas and properties that may be afforded additional development rights through increased FAR to properly calculate the value of the economic development conferred and the impacts of transferable development rights.

2. Study the potential impacts of the Proposed Actions on land use, zoning, and public policy, but beware the methodologies presented in the CEQR Technical Manual. The Municipal Art Society of New York's recently released the report, A Tale of Two Rezonings: Taking a Harder Look at CEQR, exposes the shortcomings of the existing environmental review process through the lens of two recent rezonings in Long Island City (2001) and Downtown Brooklyn (2004).

3. The report demonstrates CEQR's failure to predict the type and scale of new development that its zoning changes will stimulate and studies the resulting impacts on open space, transit congestion, school seats, and other measures of livability.

4. Chief among the findings of the MAS Report is CEQR's to take into account the cumulative effect of many small, individual acts. "From school capacity, to open space, to traffic congestion, to affordable housing, the CEQR process has produced mitigation plans that have no bearing on the ultimate needs of these neighborhoods. Residents have been left to shoulder the burden of these miscalculations," said Elizabeth Goldstein, President of MAS. MAS points out that decisionmakers need, and New Yorkers deserve, an environmental review process that does more than disclose limited and illusory outcomes from the City's zoning changes.

5. MAS proposes a series of improvements across eight categories of reform, including consideration of potential zoning lot mergers, increasing the range and scope of alternatives, making use of General Environmental Impact Statements to assess a wider range of potential outcomes, and requiring the implementation of mitigation measures before receiving Certificates of Occupancy.

6. "These neighborhoods [in Queens and Brooklyn] were transformed by an explosion of high-end, high-rise residential development, fueled—unintentionally—by the City's zoning changes. Demographically, they are now whiter, wealthier, and more crowded than ever." (MAS, A Tale of Two Rezonings: Taking a Harder Look at CEQR)

7. Study the feasibility of the purchase of distressed buildings by the City (by eminent domain, etc.)

8. Include the survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope but is not included.

Task 3: Socioeconomic Condition

1. During the City's October 26, 2020 Zoom presentation, it admitted that it has not performed the necessary studies to investigate potential for displacement within the study area. Direct Residential Displacement is a chief concern. The Plan will increase vulnerabilities of approximately 1,500 rent stabilized units, including more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law. This brings into question the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood (p.27)."

2. Study the following items across the entire Study Area:
   a. Value of FAR by square foot, for each individual property.
   b. Costs of LPC applications, due to enlargements etc., rising from the increased FAR.
   c. Transferable Development Rights, all possible scenarios.
   d. Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism").
   e. Costs of newly-allowed SLA applications, per removal of existing zoning boundaries.
   f. Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

3. The analysis projected for the levels of displacement of owner and renter occupied residential units and existing manufacturing and retail establishments does not include current housing costs for units that would be displaced and salaries for jobs that would be lost. Alternatives should be developed for replacement of displaced units and jobs, which are essential to protect the existing socio-economic character of SoHo NoHo.

4. Investigate the character and size of the various "employment hubs" in the project area before positing any assumptions about displacement.

5. Recalculate the resident and worker assumptions Table 2 was based on, in light of Covid-19.

6. Reach out to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast study area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

7. Study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2.

8. Data gathered by the Broadway Residents Coalition indicates approximately 750 rent-stabilized units in and around the three Housing Opportunity Areas will be affected, and greater than 1500 units within the study area. Quantify and analyze the direct effect of that across the Neighborhood Plan.

9. Study the effect of upzoning on the southeastern and southwestern corners of SoHo with respect to displacement and the economy.

10. Indirect Business Displacement: The DEIS study should investigate/document effects of potential commercial displacement to be caused by elimination of existing commercial spaces caused by conversion in the light of pandemic and post pandemic office market.

11. Include additional data on the breakdowns, locations and rental/ownership of floor area within the study area occupied by the artistic/creative/"maker" communities so that the CEQR analysis discloses any potential adverse impacts on these SoHo/NoHo communities and appropriate and equitable provisions can be developed to provide for their retention in the SNMD.

12. So that equitable provision can be made to provide for their retention in the SNMD, analyze the available zoning and governmental support programs used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural, artistic and "maker" communities (e.g., Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) as potential mitigation for displacement of these communities created by the proposed actions.

13. Identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings.

Task 4: Community Facilities and Services

1. Public Schools:

    a. As a result of Covid-19, public schools were closed after March 13, 2020 through the end of the 2019-20 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing.
    b. Consequently, how could you accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population?

2. Libraries and Childcare Centers

    a. If the population increases by 41% (Table 2, p. 22), study the impact of the increase on libraries and childcare centers.

Task 5: Open Space

1. The upzoning is expected to increase the SoHo and NoHo population from 7800 to 11,011 (an increase of 3,211 residents per Table 2). Demand and use of open green space have increased during Covid-19 and "proven that parks are essential infrastructure." Under the *CEQR Technical Manual*, the broader "NoHo Neighborhood" is the only downtown neighborhood that the NYC Department of Parks and Recreation defines as underserved by open space.

2. Meanwhile, SoHo and NoHo remain significantly underserved by open space, with an open space ratio of only 0.08 acres per 1,000 residents, as compared with the City's planning goal of 2.5 acres per 1,000 residents.

3. The addition of open space at the E. Fourth St. and Grand St. water tunnel sites would only increase the open space ratio in SoHo and NoHo to 0.09 acres per 1,000 residents, still well below the City planning goal.

4. Study accompanying any increase in FAR with an increase in open space, either in the form of additional physical open space or contributions to an Open Space Fund that would be used within CB2. Such a fund would be formed to provide the active and passive forms of recreation to the level of the City's planning goals. It would be formed and administered by the City and used to add either one or more recreation centers (like the Tony Dapolito Recreation Center) designed and sized to serve the increased population of SoHo and NoHo as a result of the proposed actions.

Task 6: Shadows

1. Study the effect of shadows on typical loft buildings with large windows and artists' studios.

2. Study the potential for all new or redesigned buildings (not just buildings over 50 ft.) to cast shadows.

3. Study the loss of sky if FAR is increased.

4. Study the effect of shadows from new or redesigned buildings on the current open spaces.

5. Study the effect of shadows on historic buildings with ornamentation that will be obscured and compromise the look and feel of the historic districts.

Task 7: Historic and Cultural Resources

1. Standards should be established for new construction that maintain the integrity of the street walls that constitute the urban form of the historic districts. The projected analysis includes an examination of historic and cultural resources within the study area, but it does not address all the impact of new construction in the historic districts. The Landmarks Preservation Commission does not usually rule on the height and bulk and setbacks and open space of new buildings. This could result in development that is out of scale with existing historic buildings.

2. The DEIS Scoping document should investigate/analyze the impacts and additional impacts of the zoning recommendations on the SoHo-NoHo plan, and in particular the area between Bleecker and Spring and Mercer to Crosby St. Fifty-two and a half percent of all buildings were built prior to 1939. As a result, the majority of existing buildings were built to full lot dimensions, and a significant number with through-lot configurations. This building-to-building density has, and will continue to be, an impediment in configuring and regulating the crucial infrastructure adaptations necessary for increased density within the built environment.

3. Study the archaeological history of this area and the importance of preserving any remaining artifacts. In the 1640s, a New Netherland community known as the "Land of the Blacks" encompassed what today are SoHo, NoHo, Chinatown, Little Italy, and Greenwich Village. Black land ownership continued into the time of New York City. From 1643-1716,130 acres+ were owned by free Black men and women in what is now the neighborhoods of Soho and NoHo, including Bond Street, Bowery and Lafayette.

4. Study the danger of demolition of old buildings and the approaches for protecting them.

5. Study the danger of demolition and construction on sites that are immediately adjacent to individual landmarks, as is the case for Site EEE (403 Lafayette St.) and Site J (27 E 4 S.t).

6. Study the impact of the proposed actions on tourism and real estate values as the connection to the past is weakened by the proposed actions.

7. Study the short- and long-term impact on the Landmarks Law if it is modified to suit political demands and not cultural, educational or history needs.

8. Study the effects of a surge of new construction within historical structures.

9. Investigate/document the impact of maker economy give-backs within the scope of this zoning proposal as in similar subsidized artist housing and performance spaces (Governor's Island, Westbeth).

10. The DEIS study should investigate/document effects and costs of development of older, historic buildings in their feasibility analysis. SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939 [source 2014-2018 American Community Survey]. For this reason, the feasibility of adding MIH units or even new development under this zoning will be severally affected by the age and historic underpinnings. Added to this is a building stock that has virtually no separation – even rear yards in most places, especially the commercial corridors. These factors will impact costs of new buildings and the ability to include MIH in the mix. In fact, it could encourage non-residential development or produce another wave of BSA applications based on hardship not dis-similar to those experienced over the last 15 years.

Task 8: Urban Design and Visual Resources

1. The description of this task states that "an assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning."

2. DCP should study the well-established precedents demonstrating that additional FAR has harmful impacts on an altered streetscape and that the City has rightfully acted in the past to prevent such damage.

3. DCP avoids the fact that, besides building on underutilized sites, property owners will surely take advantage of increased FAR to add bulk on top of existing landmarked buildings, forever changing the streetscape, view corridors and character of the historic districts, along both Broadway and Lafayette Sts. as well as the side streets. This rooftop scenario actually occurred in 1998 when property owners uncovered a zoning loophole that saw at least seven rooftop additions constructed contrary to the zoning intent. When New Yorkers complained about the harmful impact, the City Council quickly amended the Zoning Resolution to remove this loophole.

4. This task states that "for the projected and potential development sites, the analysis will focus on general building types," but in this case, most of the affected and adjacent study area is landmarked. The LPC does not normally approve "general" building types. Instead, it demands buildings of a higher quality, often with expensive details and materials not found in cookie-cutter "general" structures. The pressure will be formidable on LPC to approve generalized building plans submitted by developers to counter their financial deficits that building below-market housing generates. This would result in undistinguished edifices detracting from neighborhood masterpieces.

5. Study the difference in terms of landmarking between With Action and No Action, which will see the historic districts' skyline utterly altered from the historic built-context that has long been in place—a context that draws countless visitors to marvel at the special character of the area.

6. If the zoning is changed to these three districts, the pedestrian experience will gradually become as follows (from the NYC Zoning Handbook): RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. Study how increases in height and density will increase wind.

8. Study if bulk, form and scale will comply with residential standards.

9. Study how the proposed actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use.

10. Analyze the proposed actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the study area.

Task 9: Natural Resources

1. Study how the streams in the Canal St. area will affect new construction.

2. Study how new construction in the Canal St. area will affect the stability of adjacent old buildings, given the network of underground waterways.

3. Study the issue of the subsoil, particularly in the M1-5B district, which is wet. A new building on the corner of Greene and Canal was forced to build out of steel, as opposed to poured concrete, and took more than 3 years to complete at the current FAR.

Task 10: Hazardous Materials

1. Study the environmental effect of the old gas works in the area of the Edison parking lot in southeast SoHo.

Task 11: Water and Sewer

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure.

3. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 12: Solid Waste and Sanitation

1. Study how deliveries and pickups will be affected by the lack of loading berths and storage if, as predicted by the report, increased residential creates 50 additional tons of waste per week.

Task 13: Energy

Task 14: Transportation

TRAVEL DEMAND AND SCREENING ASSESSMENT

1. Study traffic at more times of day than just peak hours. A great variety of different activities occur in the neighborhood at many times of day.

2. Study more transportation modes than just automotive, transit and pedestrian. Need to include bicycles, e-bikes and other micro-mobility modes.

TRAFFIC

1. Selection of study locations needs to be based on not only "the assignment of project generated traffic and the CEQR Technical Manual, but also in consultation with the community (CB2, block associations, BIDs, businesses, etc.) based on frequent observations.

2. The generation of 50 or more additional vehicle trips in any peak hour needs to be considered in the context of how traffic can be reduced from its current state. In addition, there are side streets in the area that are frequently inundated by automotive traffic and need to be studied along with the key corridors.

3. Nine days of continuous ATR counts will help supplement data collection at peak hours, but will not adequately reflect conditions that occur frequently at non-peak hours, which should be included, because of the varied activities occurring in these neighborhoods at different times of day. What is needed are accounts of routine users and inhabitants who regularly observe and experience conditions, which can be achieved by incorporating questionnaires/surveys and interviews.

4. A truck trip generation forecast alone doesn't address the already highly negative truck impacts. Create a management plan.

5. The influence of the Covid-19 pandemic must be taken into account, i.e., the atypical conditions that exist because of the pandemic don't reflect what traffic conditions will be once there is a return to normal, i.e., to a stabilized situation. The study should be based on pre-Covid-19 figures (applied as existing conditions, rather than what currently exists) which reflect "No Action" more accurately.

6. Regarding mitigation, Vision Zero has introduced a new outlook on how traffic functions with alternative modes, new street geometries and varied curb uses that need to be considered, rather than just the traditional approaches.

TRANSIT

1. Study Transit using pre-Covid-19 figures, which present a more realistic picture of what can be viewed as base conditions.

2. Study problems posed by nearby subway lines for 20+ projected and potential sites.

3. Although there is attention to conditions at subway stations, there is no consideration of the impact on subway cars (e.g., crowding estimates) i.e., the proposed actions will have an impact on the system, not just stations.

4. There have been gaps created in bus service in the SoHo area with the restructuring of bus routes such as the M1 which eliminates a central route for SoHo, a dearth that calls for remediation. Spacing of bus stops, trip frequency and seating opportunities also need improvement. These types of already existing problems need to be part of the analysis.

5. Problems exist concerning access for the bus going down Broadway, which is often blocked by stationery tourist buses and slowed down by traffic congestion. This needs to be considered.

PEDESTRIANS

1. Little attention is paid to examination of the latest alternative transportation approaches to creating more space for pedestrians and making the pedestrian environment safer, more comfortable and accessible. The formulaic approach of the CEQR Technical Manual is no longer enough to ascertain impacts which should be assessed based on actual pedestrian needs in action and an already existing lack of needed pedestrian facilities.

PARKING

1. Study how using parking lots/facilities for development of residential buildings could lead to increased demand for on-street parking, which isn't even currently available. This needs to be assessed, as does the impact on the environment and traffic movement of increased cruising for parking spaces.

2. Of the 27 proposed development sites seven are parking lots or garages [DSOW 2, 10, 12, 16, 20, 22: marked as land use 10; DSOW 21: marked as bldg. class “Fireproof” but in fact a parking garage]. However, the No Action condition shows only 39,000 gsf of parking area, which upon inspection is solely attributable to the site at 356 West Broadway.

3. An additional five Proposed sites contain parking for at least 228 cars, according to their certificates of occupancy.

4. Using the DCP’s assumption of 300 sq ft of parking per vehicle, 228 cars accounts for 68,400 gsf of parking. As some of the certificates of occupancy state “at least” x number of vehicles, this is a lower limit.

5. Additionally, DSOW 22 represents 4,484 gsf of parking area, according to the tax lot’s land use classification as a parking facility.

6. Taking into account the additional gsf of parking lot area, Table 2, the No Action Condition, undercounts the Other Commercial (Parking) category by at least 72,884 gsf, as well as the Total Commercial subtotal by that same amount.

7. The Population figures Table 2, according to the standard industry rates of 1 employee per 1,000 sf of other commercial, also undercounts the number of Workers by 73 employees.

8. Accordingly, the net change, or Incremental condition, in Table 2 should state a loss of -111,884 gsf of Other Commercial (Parking) and -124,392 gsf of Total Commercial space. Additionally, the net change of Workers should be -182 workers.

Task 15: Air Quality

1. Study how proximity of the Holland Tunnel affects air quality.

2. Study how the poor air quality will affect the equity position of this location.

Task 16: Greenhouse Gas Emissions and Climate Change
1. Study the New York City Zoning & Land Use Map to see how the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study how building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas will affect construction costs.

Task 17: Noise

1. Study how the noise from retail deliveries to Big Box stores will affect life for residents if the population of SoHo/NoHo increases by almost 50%.

Task 18: Public Health

Task 19: Neighborhood Character

1. Study the effect on neighborhood character of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels (Crosby St. size), if the maximum additional MIH FAR is built across SoHo and NoHo.

2. Study the effect on neighborhood character of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight.

3. Study the impact of proposed actions on the defining features and human scale of the project area.

4. Study the adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970's.

5. Coordinate with City and State agencies to do a comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area.

6. Study how the limits of the three proposed zoning districts will change neighborhood character. NYC Zoning Handbook: RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. A detailed analysis must be conducted to show how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. The Draft Scope notes that projects that make substantial alterations to the scale of the streetscape may require a detailed analysis.

8. For example, in NoHo, a 20,000 square-feet parking lot on Lafayette and Jones Streets is located within the proposed M1-5/R9X area. According to DCP's own website, the Proposed Actions could produce a tall, bulky, twenty-story high-rise apartment building characteristic of Chelsea and Murray Hill—although it sits in the median-rise NoHo Historic District Extension. Such an edifice will result in a dramatic and harmful impact on the historic district.

Task 20: Construction

1. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 21: Mitigation

Task 22: Alternatives

1. Analyze alternates to the Proposed Actions that will not increase the existing FAR within the historic districts and alternates that satisfy MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

2. Include in the DEIS an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

Task 23: Summary Chapters

Task 24: Executive Summary

Therefore, be it resolved that no Scope or DEIS compiled during the global upheaval of a pandemic could possibly be an accurate assessment of any neighborhood.

Be it further resolved that CB2 urgently recommends that DCP examine the shortcomings of the draft scope of work as outlined above and present to CB2 for further review a new draft scope of work that rectifies those shortcomings plus reflects the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Be it further resolved that this new draft scope be presented to CB2 for public review before any ULURP is begun.

Be it finally resolved that CB2 recommends that DCP study and offer affordable housing alternatives to Mandatory Inclusionary Housing (such as new, more targeted, zoning tools and an expanded review of adaptive reuse) and study and offer the minimal modifications to the existing M1-5A/B zoning that would be required to achieve the primary goal of affordable housing and small business survival without increased FAR.

Vote: Passed with 45 Board members in favor and one abstention (B. Kubovy-Weiss).

Please advise us of any decision or action taken in response to this resolution.

Sincerely,

Carter Booth, Chair
Community Board #2, Manhattan

Frederica Sigel, Chair
Land Use & Housing Committee
Community Board #2, Manhattan

CB/jt

c: Hon. Jerrold Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Brad Hoylman, State Senator
Hon. Brian Kavanagh, State Senator
Hon. Deborah Glick, Assembly Member
Hon. Youh-Line Niou, Assembly Member
Hon. Bill de Blasio, Mayor
Hon. Scott Stringer, City Comptroller

Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council Speaker
Hon. Margaret Chin, City Council Member
Hon. Carlina Rivera, City Council Member
Sylvia Li, Dept. of City Planning
Andrew Cantu, Dept. of City Planning

Subject: Manhattan CB2 Resolution - Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact

Date: Friday, December 18, 2020 at 3:32:30 PM Central Standard Time

From: Thompson, Josh

To: 21DCP059M_DL

CC: robert atterbury, shelby.garner@mail.house.gov, Jacob Priley, Eliana Cohen, Eliana Cohen, Charlie Anderson, shivani@yuhlineniou.org, Kunkes, Andrew, Luke Wolf, Chang, Andrew (ManhattanBP), PComerford-council, mguardiola-council, Cehonski, Irak, Sylvia Li (DCP), Andrew Cantu (DCP), Frederica Sigel, Carter Booth, Gormley, Bob (CB)

Attachments: 12 Response to SoHo NoHo Neighborhood Plan_Draft Scope of Work for an Environmental Impact.pdf

Good Afternoon,

For your consideration, please see the attached resolution from Manhattan Community Board 2: "Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact".

Sincerely,

Josh Thompson
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December 18, 2020

Marisa Lago, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on December 17, 2020, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

Response to SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

We are at an inflection point. Urban retail has been thrown into disarray. Long-standing local businesses are fighting for their survival. We are only just beginning to understand Covid-19's impact on office, retail and residential space, let alone deal with its human toll on our city. The ongoing pandemic is an unprecedented attack on our city, and it is fair to ask: What will our neighborhoods look like after this long winter? Will we come back fairer and stronger?

The "SoHo/NoHo Neighborhood Plan Draft Scope of Work" ignores the majority of the Envision SoHo/NoHo Report and its 27 recommendations, ensures profit-making for a few, offers almost nothing to protect and improve what is so irreplaceable about these districts, and it does little to deliver the vital affordable housing our city needs now.

SoHo and NoHo were landmarked for a reason. The choices we make now, most irreversible, will define and reshape our neighborhoods for the next decades. Do we really want to turn our community into cookie-cutter copies of what can be found all over the city?

CB2 sounds a clear warning on seven key issues:

1. Preserve our uniqueness: Let's do no harm. The beloved, gritty, artistic, human-scale creativity of these streets and their varied storefronts is a national treasure, but it can easily be destroyed.

SoHo and NoHo have already proven to have a highly successful, distinctive, functioning eco-system that perennially attracts retailers, shoppers, artists and tourists from all over the world, generating significant revenue for the City and State.

The success of these neighborhoods is in part the result of a stable regulatory framework that is a combination of the creative amendment of the M1-5A and M1-5B zoning texts, including the Special Permit requirements, the Loft Law, and the creation of the historic districts.

2. Keep it artistic: The presence of galleries, resident artists and cultural spaces has been key to our success for the past 50 years and has transformed our neighborhoods into world-renowned centers of art and creativity.

This requires constant efforts to nurture, sustain and attract cultural institutions, art galleries, artists and the evolving creative and "maker" communities.

Let's retain and perpetuate the creative arts character of these neighborhoods, whether in new construction or adaptive reuse.

3. Get serious about affordable housing: As our city rebuilds in the aftermath of Covid-19, how do we achieve housing and social justice after an economic free-fall?

Our community supports affordable housing.

We need a better approach than Mandatory Inclusionary Housing (MIH), which has shown to be ineffective as a zoning tool for affordable housing, as demonstrated most recently in the Flushing rezoning that, per citylimits.org (Nov. 11, 2020), that will produce only 75-90 affordable units out of 1725 in only one out of four residential sites.

MIH guarantees lucrative developer payoffs and offers only modest promises of affordable units to reach the equitable housing goals specifically identified as a core reason to rush forward with this plan. It includes loopholes that allow developers to opt-out through "hardship" or simply build all-commercial buildings instead.

Any new residential development should adequately address the displacement of long-term residents and low-income residents.

We reject towering blocks of luxury housing that impact negatively on the character of our neighborhoods. The outlined best-case scenario of 328 to 494 affordable units ignores the socioeconomic impact of up to 1355 ultra-luxury, market-rate apartments.

We reject incentivization of office use over residential uses.

We reject any plans for a blanket up-zoning. Let's *actually grasp* what the new balance will be between retail, commercial and residential as those markets stabilize and recalibrate.

Community Board 2 calls for the expanded conversation on affordable housing that

the City should have undertaken during Envision SoHo NoHo. One-size-fits-all programs are not the solution.

4. Update, but don't oversize: Everyone agrees that the special permit process needs streamlining. Ground floor spaces should be available to lively, appropriate retail businesses, without requiring special permits.

SoHo and NoHo are mixed-use neighborhoods with sizeable residential populations. Let's not unleash a land grab of oversized retail and eating and drinking establishments that would crowd out smaller retailers and local neighborhood restaurants, reduce the variety and total number of businesses, and wreak havoc on residential life.

Let's not create an environment that favors big box retail over small businesses. The current restrictions are working and deserve protection: no retail over 10,000sf; a 5,000sf cap on eating and drinking. Those uses should be restricted to below the second floor, as is common throughout the city.

5. Encourage adaptive reuse: The magic of our streets started with the spontaneous transformation by artists of existing industrial space into lofts, imaginative retail and creative office use. SoHo and NoHo exemplify the great transformation and success of New York City in the postindustrial era. This adaptive reuse model inspired a development style now used in readapting industrial areas around the world. Further evolution of this successful transformation should be encouraged through adaptive reuse without new, out-of-scale construction.

6. Protect current occupants: Our neighborhoods need a fair resolution of residential controversies that produces permanent, equitable affordability. That means:

- Record and protect current affordable rental units.
- Identify a mechanism to legalize residential occupancy in manufacturing units without disrupting legal conforming occupants through a public process.
- Protect resident artists and protect the joint live-work manufacturing framework for their lofts, including those still in the transition process from Interim Multiple Dwelling status.
- Identify solutions to help adapt spaces for those aging in place and maintain the unique protections under The Loft Law for our pioneering artist residents.

7. Examine the financial implications: The Draft Scope of work requires an economic analysis across the entire study area. The current focus on only 27 projected sites (out of approximately 850 lots) fails to address the array of other development possibilities. Transparency was promised; we expect it.

Now is not the time for business as usual. The pressure of your timeline is self-imposed and the consequences of moving forward with the wrong plan are stark. Making the wrong choices will without doubt kill what is unique, world-renowned and profitable about SoHo and NoHo without achieving our shared goal.

No Scope or Environmental Impact Study compiled now, during an ongoing global upheaval, could possibly be an accurate assessment of any neighborhood or provide the basis for changes we will live with for decades. While everything is in monumental flux, we call for caution and innovative thinking—the creation of a comprehensive, long-range vision implemented in carefully-designed, incremental stages.

That process should begin with an examination of the shortcomings of the current draft scope of work and the presentation (for public review before any ULURP begins) of a new draft scope that reflects those shortcomings, plus the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Herewith the resolution that documents the basis for our concerns. It is based on input from two Land Use Committee meetings and a public hearing with 175+ attendees and 40+ speakers. The resolution follows the outline of the draft scope of work for the proposed plan:

WHEREAS:

A. INTRODUCTION

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965.

2. This Draft Scope is only 61 pages long and explores the impact of 27 projected development sites and 57 potential development sites. In comparison, the Bushwick Draft Scope is 201 pages long and analyzes 167 projected sites. The Draft Scope for the Gowanus Rezoning, led by not only Department of City Planning (DCP) but also by NYC HPD and NYC Parks, is 237 pages long and analyzes 60 projected sites. Clearly, the Gowanus and Bushwick proposals have benefitted from having been started prior to the pandemic.

3. On p. 1, the Draft Scope states that this proposal was "informed by local and citywide stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019" by Manhattan Borough President Gale Brewer, City Council Member for City Council District 1 Margaret Chin, and DCP.

4. The report, "Envision SoHo/NoHo: Summary and Recommendations," created by the plan sponsors at the end of the Envision process concluded with 25+ "Suggested Areas for Further Analysis/Study," p. 85). There is no evidence in the Draft Scope that any additional work on those areas has been done (see Task 1).

5. On p. 1, the Draft Scope's Reasonable Worst-Case Development Scenario expects a net increase of approximately 1,683 dwelling units, only 20%-29% of which would be "affordable" units. CB2 is looking for a greater percentage of affordable units in any new development.

6. Long before the pandemic, many retail spaces remained empty. Adding 57,473gsf of projected destination retail space (p.1) without any mention of how small local retail would be protected is of grave concern.

The goal of expanding housing opportunities by "requiring permanently affordable housing" is mentioned on p. 2, but there are no details or mechanism described in the Draft Scope for either the preservation of current affordable housing or the legalization of existing residents in SoHo and NoHo. Nor did the Draft Scope study the number of affordable units and how many of these units are occupied by residents over 60, who are aging in place and comprise a Naturally Occurring Retirement Community (NORC). This was a topic of extreme concern and importance during the Envision process.

7. To achieve the goal on p. 2 of preserving historic resources, adaptive reuse of existing buildings could yield a significant number of affordable units more quickly than an upzoning, without greatly increasing the stock of luxury market-rate units.

8. The Draft Scope seeks to promote economic recovery, resiliency, and growth by allowing a wider range of uses (p.2), but many property owners have kept rents high to satisfy mortgage requirements, hold out for "credit tenants," and/or use high rent potential as a way to finance other locations, causing long-term retail vacancies.

9. Many of the introduction's stated objectives are contradicted by the Proposed Action. For example: Requiring permanently affordable housing to "support income diversity" is an objective, one with which CB2 agrees. However, CB2 questions how adding 70-80% market-rate housing based on incentives that may never be realized will ever ensure affordable housing.

10. Another objective is to "establish appropriate densities and building forms that ensure new development harmonizes with neighborhood context and scale (p.2)." Historic districts do this by their very nature, and 85% of the proposed upzoning area is in such districts. The proposed increase in as-of-right FAR would significantly redefine neighborhood context and scale rather than harmonizing with the existing historic building forms.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

C. BACKGROUND TO THE PROPOSED ACTIONS

PROJECT AREA HISTORY

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

1. Artist Certification: p. 5 of the Draft Scope, states that "many residents did not qualify for artist certification." The absence of certification is a problem with the certification process and the agency overseeing it. It does not indicate a lack of artists.

Discussions with many working artists in SoHo and NoHo during the Envision SoHo/NoHo meetings clarified that the Department of Cultural Affairs (DCLA) certification was haphazard, complicated and, since it had not been enforced for so long, unnecessary for artists residing in Joint Live-Work Quarters for Artists (JLWQA) housing in SoHo and NoHo.

2. Special permits and variances: p. 5 of the Draft Scope states that "the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize

retail uses." CB2's opportunity to weigh in is vital for community representation in the application process. With removal of these reviews, only speculation and profit govern retail uses, rather than their desirability in a mixed-use neighborhood.

3. P. 5 of the Draft Scope acknowledges that the Covid-19 pandemic has impacted SoHo and NoHo, and then makes an unsubstantiated assumption that office, retail, accommodation and food services will remain core economic assets in the long term. Pandemic-related questions include:

a. Who will come back to work in offices and will the offices have the appropriate infrastructure to ensure safety?
b. Would office, hotel and other properties currently under distress become available for city acquisition, perhaps in partnership with a not-for-profit to create 100% affordable housing in existing structures?
c. Will in-person retail ever exceed the levels it had before the pandemic despite vacancies prior?
d. How much retail will return, now that consumers have shifted largely to shopping from home?
e. How much tourism will return and when?
f. Rents have been dropping since 2016 and the pandemic has furthered this correction. How long will that remain? Will rents come down low enough to provide affordable housing without requiring the immense increases in FAR contemplated in the proposal outlined in the Draft Scope?
g. Would adaptive reuse rebalance the neighborhoods without resorting to what amounts to developer giveaways and increased building envelopes?

4. Without data based on post-pandemic experience, the answers can only be guesses.

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

ENVISION SOHO/NOHO

1. This section of the Draft Scope describes the Envision process and its goals in detail but completely disregards the expectation that "these Neighborhood Priority recommendations and corresponding potential Implementation Strategies…have been developed with an understanding that many areas warrant further research and community input. (Envision SoHo/NoHo, p.11)"

2. It is a disservice to the entire Envision process to describe its findings as conclusive, when the Report itself states, "It is emphasized that the provided Potential Implementation Strategies are not definitive."

3. It is hard to understand how CPC is willing to turn its back on the Report's findings (p.46) that continued conversation and aspirational thinking "…is encouraged to further evolve ideas to achieve effective implementation."

4. The Plan fails to "maintain, enforce and strengthen existing protections for residents including renters and those in rent-regulated units (p.7)," one of seven goals in the November

2019 Envision SoHo/NoHo report. Instead, the conversion from existing M zoning to new R or C zoning will remove protections directly related to work created and practiced within the unique JLWQA units that were established specifically for the M1-5A and M1-5B districts. Further, real estate speculation, brought on by upzonings, is known to increase the instances of harassment aimed at rent-regulated tenants. This is of particular concern for the numerous senior residents who were part of the pioneering movement that transformed these neighborhoods and are now aging in place.

5. The Scope should include outreach to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast Study Area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

6. The survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope, is not included.

PROJECT AREA

HISTORIC DISTRICTS

1. This proposal is the first-ever upzoning of an historic district since the creation of the Landmarks Preservation Commission (LPC) in 1965. If a precedent is set now, the Proposed Actions not only will have a negative impact on the immediate study area, the proposed actions, but also will have a profound negative impact on historic districts throughout the city.

2. An action that would potentially damage the character and attraction of all our historic districts and the tax-base city-wide must not be passed.

3. The assorted FAR increases proposed for within various areas of the historic districts run the risk of fundamentally altering the neighborhoods, and such proposals are in contradiction to NYC Landmark law (§ 25301[b]) which notes that the protection and perpetuation of protected districts are "for the education, pleasure and welfare of the people of the city."

4. In the historic districts, where upzoning is proposed to be a minimum of 20% (6 FAR), and up to 94% (9.7 FAR)—and in a few cases 140% (12 FAR)—changes in neighborhood character will be subject mostly to LPC review. But those big FAR increases will create tremendous incentives for owners to seek rooftop additions and demolitions, some of which no doubt the LPC will grant. And new development at that scale will also often be out of scale for the historic districts, where the overall average FAR in both SoHo and NoHo is below 5.

NEIGHBORHOOD CONTEXT

1. Lifting the 5,000sf limit on restaurants would not achieve the desired goal to "contribute to the charm and vibrancy of SoHo and NoHo (p.9) or "foster the small business community of SoHo/NoHo…" (p.2).

2. The variety of eating and drinking establishments already in existence in the district is part of the unique character of SoHo/NoHo and is a differentiator to other parts of the city. The

regulations restricting their size to 5,00sf were the product of years of consultation and consensus-building by the community and public officials; that restriction has been critical to protecting the vibrancy, tourism economy and commercial and residential desirability of the SoHo/NoHo area.

3. Prior to Covid-19, the SoHo/NoHo area was already vibrant, bustling and congested and among the most popular areas of NYC with tourists, already providing plenty of food and drink options to the community of residents, workers and visitors all over the area.

4. The outsize scale of eating & drinking establishments of more than 5,000sf would require a level of commercial delivery, garbage handling and other services that would overwhelm and destroy the residential life that exists throughout the district.

5. Even the wider street corridors are already very congested and establishments of this size will create significant adverse effects on noise and congestion levels as well as public safety. (As recently as July 29, 2020 the NY State Liquor Authority voted against an on-premise liquor license application for a food hall on Broadway for these reasons).

SoHo and NoHo Historic Cores

1. Notwithstanding the Draft Scope's acknowledgement of NoHo's and SoHo's "pervasive mixed-use character" which "contributes to the charm and vibrancy of SoHo and NoHo and presents unique conditions related to zoning, land use, and quality of life" (p. 9), the Draft Scope fails to address and correct the serious quality-of-life problems that mixed-use engenders, and which Envision SoHo/NoHo strongly recommended be addressed.

2. It is not by chance that "bars and restaurants are interspersed across the project area, but are more prevalent along Lafayette St., Great Jones St., Bond St., and W Broadway." For decades, the SoHo/NoHo community fought successfully to restrict use on the narrower and much more residential streets. The ill-effects of oversize bars and restaurants is detrimental to the character, the local environment, and the residential life of these neighborhoods. For the Draft Scope to casually suggest that these uses be legalized—apparently without restriction as to size—ignores the wishes of thousands of families, Community Board 2, the NY State Liquor Authority, and local elected officials who feel otherwise. It will drastically alter the neighborhood character.

3. It is ill-advised to draw a line down the center of any street so that one side is populated with huge developments facing another side's "intact historic zone." As the Draft Scope is currently configured, that happens in 5+ instances.

Commercial Corridors

Broadway Corridor

1. The Draft Scope states, "The Broadway corridor contains…a high concentration of commercial uses, particularly offices and destination retail (p.9)." What the document fails to state is that many, if not most, of these establishments have been operating without proper Certificates of Occupancy for decades, in clear violation of the law. Indeed, it is these countless

violations and lack of enforcement that propelled the creation of the Envision SoHo/NoHo process in the first place.

2. The Broadway corridor appears to be regarded as a development opportunity without reference to the current overcrowded sidewalks and congestion in the street, not to mention hazardous crossings and dangerous turns at intersections.

3. The Draft Scope should take into account the mixed-use character of this corridor and its sizeable population. According to the Broadway Residents Coalition, the population along Broadway in both NoHo and SoHo is comprised of over 750 residential units. Broadway between Canal and Houston Sts. has approximately 57 second-floor JLWQA residential units with many more above.

4. Any proposed actions to address recovery from the Covid-19 pandemic in the Broadway corridor or anywhere else are premature and must be only tentative at this time.

Bowery Corridor

1. While the Draft Scope describes the SoHo and NoHo historic districts in some detail, it blithely ignores the historic, architectural, cultural, and commercial significance of the Bowery.

2. Despite the plethora of historic structures that the Bowery is famed for, the Draft Scope's chief comment on this subject is, "There are a number of under-built sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings." In fact, in 2013 the Bowery was placed in the Department of the Interior's National Register of Historic Places, defined as "the official list of the Nation's historic places worthy of preservation."

3. The Draft Scope ignores the monumental structures, the historic buildings, and the cultural history of this boulevard—the second oldest thoroughfare in the city after Broadway.

4. It seeks to perpetuate the legend of the Bowery as a home to derelicts, both human and buildings, while ignoring its rich contribution to the city's streetscape and past.

5. The Bowery historic district extends from Chatham Square in Chinatown to Cooper Square in NoHo. It contains multiple building styles, including several NYC Landmarks Preservation Commission (LPC) Individual Landmarks, two of which are in NoHo. One, the Bond Street Savings Bank/Bouwerie Lane Theatre at 330 Bowery, a French Second Empire gem, was among the first Individual Landmarks, designated in 1967. It was added to the National Register of Historic Places in 1980.

6. The other Individual Landmark, the Cooper Union, just north of the study area, an Italianate brownstone and a mere feet outside the study area, was deemed a National Landmark in 1961 and an LPC Individual Landmark in 1965, the same year the LPC was formed.

Canal St. Corridor

1. The Draft Scope states "341 Canal and 419 Broadway, at six and eight stories respectively, are establishing Canal Street as a gateway to the neighborhood and serve as a transition between SoHo and the taller commercial buildings south of Canal."

2. Both these new buildings are planned in accordance with the current 5 FAR, with no request from the developer for a variance or a special permit, so we question the need now for the added FAR that the Draft Scope is proposing for the corridor.

SoHo East and SoHo West

1. The Draft Scope states that SoHo East and SoHo West "are generally less residential and less built up than the other areas described above." This ignores the scores of East SoHo residents residing at 129 Lafayette St. by Howard St., as well as the countless residents in the crowded tenements abutting Chinatown, Little Italy and Nolita and the residents in the West SoHo and South Village tenement buildings.

2. Introducing new housing that is only 20-30% affordable will gentrify these "low-intensity semi-industrial" areas, increase the cost-of-living for many of these low-income residents trying to eke out a living, and accelerate their displacement.

E. PURPOSE AND NEED FOR THE PROPOSED ACTION

1. This section references the importance of addressing the needs of the City's artists and creative workforce with no supporting plan details.

2. This section takes suggestions for further study from 12 areas for the Envision SoHo NoHo Summary (see Task 1) and re-purposes them as "community-driven recommendations."

3. CPC's specifically excludes from the proposed zoning actions the improvement and support of "public realm management" (e.g., infrastructure issues). This is contrary to the prominence of that topic during the professed goals of the 2019 Envision SoHo/NoHo process.

4. "The public realm" (i.e., "quality of life") is only mentioned once in the entire Draft Scope whereas Envision SoHo NoHo mentions it 37 times. The Scope must address concern for the resident population in more detail and propose zoning solutions to address these concerns—not increase them.

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

1. The Draft Scope states that the obsolete and onerous current zoning will be replaced with appropriate and flexible regulations to address the need for expanded as-of-right commercial development balanced with the need to maintain appropriate residential use, but it does not explain how residential uses would be protected from commercial expansion or what that balance should be.

2. This section discusses the 74-781 Special Permit process but does not offer any plan to improve and update it.

3. The Draft Scope makes little mention of 74-711 Special Permits. DCP assumes that all special permits are onerous and makes no mention of the public benefit of the 74-711, which assures that historic buildings are maintained in perpetuity.

4. Overreliance on special permits is largely related to UG6 ground floor retail, but the Draft Scope lumps all UG6 together. Nor does it address the existing 5,000sf maximum, failing to give UG6 eating and drinking the particular consideration it requires.

5. Of the six key findings of the DCP July 2020 Study, none of them concluded that "outdated regulatory barriers will only serve to exacerbate the recovery for two of New York City's most significant commercial areas." Nor is there any evidence that these "outdated regulatory barriers" will restrict recovery post-Covid-19.

6. This DCP study showed 50% vacancies in SoHo NoHo, and data reports by SoHo Business Initiative on July 30, 2020 reported a 31% vacancy. DCP is now using the uncertainties of Covid-19 recovery to move quickly ahead with an upzoning. Moreover, it significantly reduced the size of five of the 24 corridors studied in the 2019 storefront vacancy report and excluded the following previously-surveyed streets:

a. Houston Street between MacDougal and Mulberry Streets
b. Prince Street between Sixth Avenue and Mulberry Streets
c. Broome Street between Sixth Avenue and Mulberry Streets
d. Lafayette Street between Prince Street and Astor Place
e. Centre Street between Canal and Spring Streets
f. Mulberry Street between Canal and Bleecker Streets

7. Canal St. (which, according to the study had a higher vacancy rate on the south side than on the north) had very high vacancies well before Covid-19 and has been a wasteland ever since Thor, Vornado and others cleared out all the longtime local businesses that offered all sorts of useful materials and products as part of a failed effort to turn the Canal corridor into a new retail strip mall.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

1. The word "equity" appears only four times in the Draft Scope and no further details to advance the goal are provided.

2. As our city rebuilds in the aftermath of the Covid-19 pandemic over the coming years, there is the exciting possibility that New York City will come back stronger, and fairer. How can we ensure true and lasting equality for everyone? How do we achieve economic justice for all after an economic freefall?

3. The southwestern corner of the project area is slated to be the site of significant residential development, but it is also one of the most polluted corners of the city. Study how siting

affordable housing at the entrance to the Holland Tunnel contributes to the goal of equity in housing.

SUPPORT ARTS AND CULTURE

1. The Draft Scope describes no detailed plan to maintain the existing JLWQA and rent-stabilized and rent-controlled apartments, and there is no official count, nor even an estimate, of the number of such units.

2. The Draft Scope provides no occupation-based restrictions to accomplish the goal of supporting the artists and makers population.

3. The Draft Scope mentions voluntary transition from JLWQA to residential use but it does not detail how it would work or how arts and creative uses would benefit.

4. The Draft Scope refers to certified-artist-occupied JLWQA as "the sole as-of-right quasi-residential use" when in fact, Use Group 17D is very much a real residential option.

5. The Draft Scope states that "only 30% of all SoHo/NoHo homes are still listed as JLWQA use on Certificates of Occupancy," but that low percentage is unreliable data, since DOB has increasingly been dropping the JLWQA annotation. Even the Loft Board is aware of this and intends to address it.

6. The "voluntary option to transition JLWQA to regular residential use with conditions that more broadly benefit the arts and creative industries" is not only vague and unspecified, but it opens the door to losing a lot of units that might best be transferred to rent stabilization. Verbiage like this—with no mention of permanent affordability—leaves the role of the Loft Board in limbo.

7. Instead of converting M districts to UG2, the Scope should study maintaining the M district with protections and broader allowances for residentially-occupied units. UG2 puts at risk things that the Draft Scope claims to want to protect.

8. Not-for-profit museums (UG3) should be made as of right.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

1. The Draft Scope proposes to "facilitate superior urban design," but it is necessary to precisely distinguish between the historic effectiveness of the existing urban design (which needs to be protected) and any necessary updating of the variance and special permit processes (which allow for the engagement of the community).

2. The Draft Scope discusses deploying "appropriate buildings forms" that "relate harmoniously to the loft building context." It is important to explore the dangers of big box retail and new residential projects with uncharacteristic, out-of-scale FAR.

3. The Draft Scope points out that "existing bulk regulations in M1-5A and M1-5B districts" haven't always served the "loft building context." The fact remains that ill-considered

modifications to those regulations might easily produce far more drastic, if unintentional threats to this national treasure, especially if explicit limits and cautions are not clearly identified before deciding future changes.

4. The Proposed Actions would establish new bulk and height regulations, and where it is claimed that these regulations would "minimize the effects of new developments and enlargements on neighboring buildings," the DCP must rigorously substantiate this claim so that resulting impacts truly correspond to promises made.

5. This Draft Scope states the changes would "allow the LPC to shape the building form without the need for separate land use actions." This process would bypass community input on land use issues, which should remain as an important check and balance.

6. There is no analysis regarding the number of LPC applications that will be generated by DCP's proposed new maximum FAR.

F. DESCRIPTION OF THE PROPOSED ACTIONS

1. The Action's goal is purportedly to "strengthen SoHo/NoHo as a vibrant mixed-use district and more inclusive community," but the challenge remains to ensure that the specific, concrete changes implemented actually serve that objective.

2. The Proposed Actions correctly support nurturing a "healthy retail ecosystem," but these districts already have a successful and unique ecosystem (characterized by small scale diversity and artistic vibe) whose continuation is valuable in its own right.

3. Retail is in the middle of massive restructuring and national crisis. It seems prudent to proceed cautiously and not blindly apply once-familiar approaches in a context where they might have major adverse impacts. This may be the time and special place for truly visionary innovation to be the key to survival.

4. The last proposed action, "Support arts and culture and creative industries that serve the community and the public with use allowances and other appropriate provisions," is yet another example of a bone that is thrown to the community without a single supporting detail.

ZONING MAP AMENDMENT

1. The proposed Zoning Map Amendment that establishes the Special SoHo NoHo Mixed Use District proposes eight new zoning sub-districts with proposed as-of-right use and bulk regulations that allow for major increases in floor area ratios far in excess of current building bulk and form.

The proposed Zoning Map Amendment increases in FAR are without regard to the unique historical development pattern of SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. One example is the projected development at 558 Broadway, where DCP identifies for the future the construction of a 200' tall tower due to the granting of over 50,000 SF of new allowable bulk. Data indicates over a dozen other locations along Broadway with similar additions of new bulk, which could result in a succession of towers

all along Broadway from Canal Street north, despite the DCP's November 9, 2020 FAQ that erroneously states the "new rules will not allow tall towers and skyscrapers."

PROPOSED ZONING DISTRICTS

1. Instead of simplifying regulations and procedures, DCP proposes five new zones, eight new subdistricts and, in several cases, boundaries for the subdistricts that bisect streets.

2. In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope.

3. To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan.

PROPOSED SPECIAL SOHO/NOHO MIXED USE DISTRICT (SNMD)

ZONING TEXT AMENDMENTS

1. CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows--with no public review process-- retail uses over 10,000sf (including cellar space) and eating & drinking establishments over 5,000sf.

2. Calculation of FAR in retail establishments should include basement/cellar space.

3. An upzoning of residential FAR need not be a requirement of Mandatory Inclusionary Housing (p. 17). The Scope should include the study of the potential of adaptive reuse as an alternative to increasing FAR.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

General Use Regulations

1. The Draft Scope states (p. 17): "Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts' use regulations would apply, with modifications." The subsequent table, as well as the proposed zoning map, show these three proposed zonings as well.

2. The two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1).

3. The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified.

4. Allowing "UG 10 retail uses such as department stores over 10,000zsf" as-of-right flies in the face of Envision SoHo NoHo, which specifically recommended maintaining the 10,000zsf cap (Envision SoHo NoHo, 3.1).

As-of-right Use Group 10 is also inconsistent with the second goal of the report, to "foster the small business community" as noted on p. 6 of the Draft Scope. Existing and new small businesses will need additional protections.

5. If Use Group 10 retail uses are to be permitted as-of-right, where are the provisions for the protection of residents, such as enforcement of the loading berths requirement and restriction of delivery hours?

6. SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context.

Joint Live-Work Quarters for Artists

1. JLWQA is inadequately addressed in the Draft Scope. Despite accounting for 30+% of residential units in SoHo and NoHo (per p.31, Envision SoHo/NoHo Report), there are no details regarding either the preservation or the legalization of these residents. This was a topic of extreme importance during the Envision SoHo/NoHo process.

2. The Draft Scope allows for voluntary transition from Use Group 17D JLWQA to Use Group 2, but does not define the details of the "mechanism" and related costs for doing so. Such conversions must result in no loss of tenant rights protections.

3. There are no guidelines or timeline for transitioning UG 17D JLWQA with permanent affordability to Use Group 2 nor are there any provisions for protecting JLWQA units in IMD buildings in limbo.

4. The Scope needs to study alternatives to JLWQA and do research into expanding the definition of "artist."

5. The Draft Scope's modifications of FAR prioritize big box retail over small businesses and office use over housing.

6. What provisions will the SNMD include to govern "JLWQA, arts and cultural uses, and conversions of existing buildings (p.17)."

7. The Draft Scope does not explain what would become of the Loft Law process nor does it offer a single detail regarding how "the mechanism would be paired with conditions that support arts and culture and establishments that broadly benefit the community and the public."

8. "The voluntary transition from UG 17D JLWQA to UG2 residential with expanded home occupation provisions" sounds like an update of live/work but would result in the loss of many affordable units that would otherwise be transitioned into rent stabilization.

9. It is not clear if the City would propose amnesty to non-certified artists living in JLWQA units as it did in 1987 ("Non artist Tenants Grandfathered in SoHo and NoHo, *NY Times,* Aug. 30, 1987) and noted on p. 5 (2nd para) of the Draft Scope or if the current permitted uses under M-zoning will continue to be permitted.

Non-Residential Floor Area Retention

1. Why will the proposal will require a developer to replace any commercial space lost to residential conversion with an equal amount of new commercial space? And will this cause displacement of the existing commercial tenants?

2. Despite the current glut of office space, the Non-Residential Floor Area Retention modification incentivizes office use, not adaptive reuse, and is inconsistent with the Draft Scope's objectives.

3. Retention Modification may also disincentivize residential development and conversions, which contradicts the Draft Scope's objectives to "expand housing opportunities" and "promote adaptive reuse of existing buildings by allowing for the conversion of existing buildings (p. 2)."

4. DCP (RWCDS Table 3) shows 75 Spring St. (DSOW 31(CV), 154 Grand St. (DSOW 32(CV)) and 324 Lafayette (DSOW 28 (CV) as projected development sites with conversion from office to residential, and no office retention. For those in the historic core, DCP grants a FAR allowance that does not line up with the historic core subdistrict allowances.

5. The Retention Modification also requires the Chair of the CPC to certify that the amount of non-residential floor area in a building will be replaced at a one-to-one ratio with future non-residential uses on the zoning lot, but this certification is not subject to public review and adds a new city approval for each project even though the Draft Scope seeks to reduce the number of applications and approvals.

6. Existing office buildings offer an opportunity for adaptive re-use. This proposal discourages this possibility, but should be more open to investigating its utilization, as REBNY is proposing for Midtown.

7. Conversions to residential within existing buildings, many of which are grossly overbuilt, will complicate as-of-right conversion to residential without special rules.

Floor Area and Bulk Regulations

1. Two subdistricts—the Broadway-Houston Corridor and NoHo North—would permit full lot coverage up to two stories, instead of the 70% and 80% permitted for interior/through and corner lots respectively under R9X zoning. This will negatively impact light and air for buildings that share a rear lot line.

2. Many buildings in the area have 2nd floor residential occupancy, and there is no indication that DCP has taken this into consideration.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

1. If the maximum additional MIH FAR is built across SoHo and NoHo, it will add nearly 11 million new square feet of new housing: the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels.

2. Nothing in the MIH program guarantees that any housing will be built. It would be helpful to see a report on successful MIH programs.

3. There are strong incentives for office and dormitory use.

4. The pre-Covid-19 luxury condo glut will temper any business decisions to build new housing—both luxury and affordable.

5. The special permit process for developers with "hardship" cases will undermine the creation of affordable units.

6. New, as-of-right residential development, with mandatory inclusion of affordable housing could be accomplished with less disruption and no upzoning at the same FAR as is currently allowed for commercial/manufacturing development in SoHo.

7. This would be particularly feasible if, as is suggested on p. 19, the text amendment were to "provide for some adjustments to make the existing MIH program work for conversions in SoHo and NoHo." It also does not describe these adjustments nor explain how they would apply to office buildings undergoing a conversion or redevelopment, given the proposed requirement to maintain non-residential floor area.

8. Chief among these adjustments would be requiring lower income levels and a higher percentage of residences reserved for the required affordable housing.

9. Subsidies should be provided to ensure the development of affordable housing, with greater subsidies for those developments with a higher percentage of affordable housing.

10. A set-aside for some percentage of the required affordable units in new residential developments should be considered for those in the maker and creative arts and industries.

11. Developments should consider dedicated arts-production space in new developments, especially in those where the unit size is 850sf.

12. If commercial FAR is raised to 10 and residential FAR is only 12 for MIH, the meager difference will disincentivize residential development. The Scope should examine the effect of no upzonings for commercial use.

13. DCP's proposed zoning text amendment would allow for off-site, low-income housing when less than 25,000sf of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing.

14. The proposed Affordable Housing Fund allows developers to apply to BSA for a "special permit" to reduce their payment into the Fund where requirement would make development "financially infeasible." Isn't one of the goals to reduce the number of special permits? Would this be a public process?

15. What are the criteria for which the BSA would grant this exception?

16. How will the DEIS define and calculate "financially feasible"?

17. The Scope needs to include a description of how the Affordable Housing Fund will work. Since 2016, how much money has been paid into this fund and where and how has the money been spent?

18. A loophole allows payments into an Affordable Housing Fund in lieu of building the housing in the proposed area, defeating the stated goal. This loophole must be closed.

19. It is unclear who determines the amount a developer pays to the Affordable Housing Fund? The developer? The DCP? The City Council? Is this amount based on the project's "financial feasibility"?

20. Exempting "developments, enlargements, or conversions that do not exceed either 10 units or 12,500zsf or residential floor area from the requirements of the program" may be shortsighted, given the scale of many of the smaller buildings in SoHo/NoHo.

21. As a market-driven program, MIH program is unlikely to produce neither the number of AH units required to make a difference nor provide hoising at the AMIs most needed by our city's vulnerable populations.

22. In addition to the three zoning districts described, in the data in Appendix A, there are two lots with M1-6/R10A zoning: 358 Bowery (DSOW #13 and already in development as an office building) and 350-352 Bowery (DSOW #1). The R10A offers bonuses for contextual development and senior facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonuses to create even larger buildings? This should be clarified.

23. The Scope needs to explain how Covid-19 and a recovery whose details are impossible to predict would affect the number/percentage of projected development sites legitimately be able to apply for this exception?

WRP REVIEW PROCESS AND DETERMINATION

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas is going to be an added cost to developers.

G. ANALYSIS FRAMEWORK

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

1. What and whose assumptions about the future "financial feasibility" will the DEIS model use to forecast the "No Action condition" and the "With Action condition" analysis in the 10-year time-frame (2021-2031)?

2. What happens if Covid-19 continues and/or worsens the current economic downturn? Will the RWCDS model's financial and economic assumptions be changed "mid-stream" to reflect the reality of a significant delay in the financially feasibility to absorb the "build-out" commercial and residential square footage assumed in the model?

3. What assumptions are reasonable for a 10-year period in light of Covid-19 and the yet-undetermined economic recovery, given the office space glut; the historical reliance on tourism spending and the fact that 2019 tourism levels might not return for many years; the pre-Covid-19 luxury condo glut, only worsened by Covid-19; and overleveraged retail landlords hurt by pre-Covid-19 retail rent drops and post-Covid-19 empty offices and lack of tourists, particularly foreign tourists who tend to spend more?

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

1. The Draft Scope assumes that in a No Action condition, residential conversions and conversion of former industrial space to commercial uses would not occur and CPC discretionary actions and BSA variances would not be obtained. Even with a conservative environmental analysis, given the heavy calendar of the CB2 Land Use committee, it is hard to imagine that these actions would cease to be applied for and (and usually granted).

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

1. There are no projected development sites located within the Canal Corridor (Subdistrict 4), making evaluation of the effects of the proposed action on the Canal Corridor impossible, according to the methodology set forth by the Draft Scope. Similarly, there are no potential development sites located within the NoHo–Bowery Corridor (Subdistrict 1), SoHo East (Subdistrict 3), or SoHo West (Subdistrict 8). Only a single projected development site is located within the NoHo Core (Subdistrict 6): DSOW 14: 53 Bond St. This is not a sufficient number of sites for the analysis framework.

2. Two of the six Proposed Development Sites that are within the SoHo Core (Subdistrict 7) incorrectly identify M1-5/R9X as the proposed zoning: DSOW 31(CV) – 75 Spring St.; and DSOW 32(CV) – 154 Grand St. They should be M1-5/R7X.

3. Potential Development Site W – 92 Prince St., which is within the boundary of the Broadway–Houston Corridor (Subdistrict 5), is incorrectly identified as M1-5/R7X. It should be: M1-5/R9X with modifications.

4. The following projected sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site 1 (350, 352 Bowery) is listed on the National Registry of Historic Places in the Bowery Historic District. It has transferred air rights for 2.0 FAR to 358 Bowery.
b. Site 2 (30 Great Jones St – block 531, lots 17, 52, 56) is located wholly within the NoHo Historic District.
c. One of the tax lots in Site 3 is in fact only 1000sf, so it does not meet the criteria for a development site, but Site 3 consists of two lots joined together so as a whole site 3 is above the 1700sf limit. The two are also directly above the Lafayette/Broadway subway station.
d. Site 12 (410 Lafayette St) is located wholly within the NoHo Historic District.
e. Site 13 (358 Bowery) is currently undergoing active construction and does not meet the criteria for a Projected Development site. It is listed on the National Registry of History Places within the Bowery Historic District.
f. Site 15 (281 Lafayette St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
g. Site 16 (81 Mercer St) is located wholly within the SoHo-Cast Iron Historic District and is occupied by an existing building, so does not meet the criteria for a Projected Development site.
h. Site 23 (72 Grand St) is located wholly within the Soho-Cast Iron Historic District. It has additionally undergone multiple discretionary reviews by the LPC and most recently came before CB2 in Sept., 2020, seeking an application to construct a four-story commercial building.
i. Site 24 (217 Hester St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
j. Site 27 (114 Baxter St) is listed on the National Registry of Historic Places within the Chinatown/Little Italy Historic District.
k. Site 30 (324 Lafayette St) is located wholly within the NoHo Historic District.
l. Site 31 (75 Spring St), a purported conversion site, is located wholly within the SoHo-Cast Iron Historic District Extension. It is already overbuilt to a FAR of 9.85, exceeding the maximum allowable FAR in an R7X zone.
m. Site 32 (154 Grand St) is located wholly within the SoHo-Cast Iron Historic District Extension.

5. The following Potential Development Sites have distinctions not reflected in the Draft Scope that should be studied:

a. Site BB (686 Broadway) has transferred air rights for 10 FAR to 684 Broadway and should not be considered a development site.
b. Site BBB (146 Spring St) is among the oldest buildings in SoHo, built in 1819; was reviewed by CB2M in April 2004 (LPC Item 9); and should not be considered a development site.
c. Site EEE (403 Lafayette St) is adjacent to an individual LPC Landmark, the Merchant's House.

d. Site HH (102 Greene St) was involved in a discretionary review by the LPC and granted a CPC Special Permit in Feb 2010 (ULURP 080260ZSM), and thus should have been excluded from the development scenario.
e. Site J (27 East 4 St) is adjacent to an individual LPC Landmark, the Merchant's House. It underwent discretionary review by the LPC in 2018, and most recently came before the CB2 Landmarks Committee on Dec. 10, 2020, seeking an application to demolish an existing one-story garage and construct a new building. Accordingly, it should not be considered a development site.

6. The proposed R10 zoning drives the RWCDS, but may not produce the projected housing. The city's assumption that the vast majority of development will be for residential use, 84% of projected GFA, may be unrealistic given that R10 zoning allows 10 FAR for commercial uses without any MIH subsidy.

7. There is already current glut of luxury condos.

8. There is a trend for property owners to build office space in lieu of housing in nearby Hudson Square and 550 Washington, including new headquarters for Disney and Google.

9. "One entirely non-residential building is projected in the western portion of the project area near Hudson Square, another strong office market": That site is at the northeast corner of Grand St. at Sixth Avenue and is owned by Trinity Church Real Estate and is shown as #22 on the Projected Map/List. The Scope should explain why new FAR will be allowed on that site but housing is not required.

10. What is the basis of the conclusion that "a substantial portion" of the 1,683 DUs are "expected to be affordable"?

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

1. The Scope needs to explain why the lot area threshold was set at 1700sf or larger to guide where development can reasonably be expected to occur.

2. Much of the area has been landmarked going back to 1973., but the Landmark Districts were only cursorily mentioned.

3. There is only a very brief mention of rent-stabilized tenants in buildings of six or more residential units. The proposal claims that these sites should be excluded from the development scenario because of the expense of relocating the residents. This category requires deeper analysis, due to the number of buildings in SoHo/NoHo of this size. Has CPC determined the impact of any residential displacement from the development of projected and potential sites?

According to the Loft Board, there are currently 475 units in 331 buildings under their control. The DEIS must study stabilized IMD tenants covered under Loft Laws and rent- stabilized affordable housing programs including as JLWQA.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

1. More than half of the GFA of the 27 projected development sites (or 1,942,995sf) will benefit five property owners:

a. Edison Properties' two parking lots account for 397,836 sf, or 20% of the GFA, and the Appendix shows that these sites would contain medical office space and a grocery store;
b. Alexander Chu/Centre Plaza LLC and Stellar Management and City Urban Realty buildings account for 279,798sf or 14% of the GFA;
c. Diehl Realty's SoHo parking garage accounts for 138,794 sf or 7% of the GFA, which per the Appendix shows would contain a grocery store under the city's plan;
d. Lots owned by Yee Tai & The Kaufman Organization are expected to account for 133,184sf or 7% of the GFA; and,
e. Park-It's garage accounts for 93,383 sf or 5% of the GFA and community facility space, plus Park-It owns two parking garages on the potential development site list, accounting for another 172,542 sf.

2. In light of a more favorable federal administration, has CPC reevaluated the redevelopment potential of 2 Howard Street, a federally-owned parking garage with a lot area of 12,716sf, which at 12 FAR could be redeveloped for more than 144,000sf and 100% affordable housing, while maintaining parking for government vehicles?

3. In light of the near-term prospects for substantially built office buildings and hotels, has CPC explored the purchase of distressed assets to be redeveloped as 100% affordable and/or supportive housing?

Projected Development Sites

1. The DEIS needs to analyze sites that might be developed after 10 years, including 57 Potential Development Sites that are assumed to be "less likely to be developed" within 10 years, and all other sites in the study area impacted by the proposed zoning changes. (Under CEQR Technical Manual guidelines, potential sites are only analyzed in the DEIS for "site-specific effects such as potential noise impacts, effects on historic resources and the possible presence of hazardous materials," (Draft Scope, p. 24). As a result, the Draft Scope vastly underestimates the impact of the proposed upzoning on historic districts because it excludes all site located within historic districts, other than vacant lots, solely because these sites are "subject to LPC review and approval."

2. Per the Draft Scope, lots of highly irregular shape would be excluded because of the difficulty of future as-of-right development; because such lots are more costly and more difficult to build on; and because they do not produce marketable floor space. The CB2 Land Use committee sees applications for development on such types of lots on a regular basis and for this reason, DCP must study irregular lots in the DEIS/Scope.

3. In fact, several of these sites already have plans for development. Owners of two underutilized sites, 61 Spring St. and 134 Wooster St., listed by DCP as "Potential," have already applied to the City to construct commercial structures on their lots. Nearby, on just one block of Prince St. between Greene and Mercer Sts., 105 Prince Street, a two-story building housing the Apple store with a 6,000sf footprint; 110 Prince St., a recently constructed one-story retailer; and

92 Prince St., another recent one-story mercantile structure yearning to increase in height and bulk, will surely attract developers seeking to enlarge them along this busy thoroughfare.

4. Why is a garage at 349 Canal St. (DSOW ID DDD) and an abutting building excluded from projected development when many similar sites are included for study?

5. Although DSOW ID 23 is indicated as being Vacant Land (land use 11), 72 Grand St. was, in fact, until recently a standing one-story cast-iron building in the Soho-Cast Iron Historic District that had had the upper four floors destroyed by fire.

DEVELOPMENT SCENARIO PARAMETERS

1. In these sections, the parameters for development (small units, low floor- to-ceiling heights, small floor plates) all but eliminate the possibility of any future affordable housing for any artist or live-work situations, further eroding the identity of SoHo and NoHo.

2. These parameters are also a complete repudiation of any attempt to "accommodate and expand live-work" (last bullet, p.2), or "create housing and live-work opportunities" (third bullet, p.7) or "support and promote and create more spaces and uses for arts, maker uses and cultural uses." (last bullet, p7)

3. The lots for development include lots now dedicated to commercial uses with very few residents. The DEIS/Scope must study the projected increase in residential population of almost 50%, which will create the need for new infrastructure for a significantly expanded population. The area does not have the infrastructure to support this change in residential population, and if history is any guide, the City will not provide that infrastructure in a timely, systematic, or thorough manner. We have clear instances of such failure in our own community board.

4. Why does the Draft Scope assume that development sites will exclude "government facilities, utilities, large institutions, homeless shelters, and houses of worship" even though the study says that since these facilities are often under-built? In light of all the efforts to redevelop these types of sites around the City, it seems naïve to exclude them.

Dwelling Unit Factor

1. Does establishing a size of 850sf per unit support the stated goal of the Neighborhood Plan to "accommodate and expand live-work uses and supporting creative, arts and cultural uses"? (p.2)

Floor-to-Floor Height

Conversion Prototypes

1. According to the DCP map, Conversion Prototype 75 Spring St. is in the Historic Core with the lowest FAR change (M1-5/R7X), but in Appendix 1, it is part of the calculation for the Broadway Commercial Corridor (M1-5/R9X), which has highly increased FAR. At its existing 9.85 FAR, 75 Spring is either overbuilt by 4 FAR (M1-5/R7X) or by 1.85 FAR (M1-5/R9X). Any claim of affordable housing at that location will have to be subtracted from DCP's affordable housing total.

Development within Historic Districts on Projected and Potential Sites

1. Because all three proposed "representative examples" of prototype conversion are all within a stone's throw of each other (154 Grand, 75 Spring, 324 Lafayette), they are hardly "distributed across the project area."

2. All three are landmarked.

APPENDIX 1

1. These three tables are unreadable, and need to be reformatted (offered in some downloadable format) in larger type to be accessible to the general public for whom they are intended.

2. There is data/information in the Appendix that is not referenced in the text of the Draft Scope, which increases the lack of transparency of the spreadsheets—and clouds the intent of the Draft Scope itself.

3. Projected Development Sites: The following discrepancies in Appendix 1 should be studied:

   a. Site 1 (350, 352 Bowery): FAR of 2; PLUTO data reports FAR of 3.00.
   b. Site 3 (315 Lafayette, 301 Mulberry): FAR of 1; PLUTO data reports FAR of 1.56.
   c. Site 4 (155, 159 Grand St): FAR of 2; PLUTO data reports FAR of 5.53.
   d. Site 7 (381, 383 Canal St): FAR of 3; PLUTO data reports FAR of 3.82.
   e. Site 8 (126 Lafayette, 257 Canal St): FAR of 2; PLUTO data reports FAR of 2.55.
   f. Site 9 (239, 243 Canal St, 3 Howard St): FAR of 3; PLUTO data reports FAR of 3.48.
   g. Site 13 (358 Bowery): FAR of 0; PLUTO data reports FAR of 0.58.
   h. Site 20 (356 West Broadway): FAR of 3; PLUTO data reports FAR of 3.97.
   i. Site 25 (123 Lafayette): FAR of 4; PLUTO data reports FAR of 5.35.
   j. Site 27 (114 Baxter): FAR of 5; PLUTO data reports FAR of 5.98.
   k. Site 30 (324 Lafayette): FAR of 5; PLUTO data reports FAR of 6.17.
   l. Site 31 (75 Spring St): FAR of 8; PLUTO data reports FAR of 9.85. It is in the historic core, so its actual FAR is 5.
   m. Site 32 (154 Grand St): FAR of 5; PLUTO data reports FAR of 5.94

4. Potential Development Sites: The following discrepancies in Appendix 1 should be studied.

   a. Site AA (382 West Broadway): FAR of 2; PLUTO data reports FAR of 2.90.
   b. Site BB (686 Broadway): FAR of 2; PLUTO data reports FAR of 2.94.
   c. Site EEE (403 Lafayette): FAR of 2; PLUTO data reports FAR of 2.84.
   d. Site FFF (90 Grand St): FAR of 4 PLUTO data reports FAR of 6.04.
   e. Site GGG (96 Spring St): FAR of 7; PLUTO data reports FAR of 8.02.
   f. Site MM (53 Mercer St): FAR of 2; PLUTO data reports FAR of 3.44.
   g. Site W (92 Prince St): FAR of 1; PLUTO data reports FAR of 2.36.
   h. Site WW (518 Broadway): FAR of 1; PLUTO data reports FAR of 4.48.
   i. Site Y (424 West Broadway): FAR of 2; PLUTO data reports FAR of 2.78.
   j. Site YY (118, 120 Prince St): FAR of 1; PLUTO data reports FAR of 1.89.
   k. Site Z (396 W Broadway): FAR of 2; PLUTO data reports FAR of 2.85.

5. Include in the DEIS/Scope an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

6. Include in the DEIS/Scope an accurate building-by-building analysis that correctly quantifies the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses so that the CEQR analysis will truly reflect the proposed actions' potential adverse impacts on the existing character of SoHo and NoHo.

PROPOSED DRAFT SCOPE OF WORK FOR THE EIS

Task 1: Project Description:

This task should describe "the background and/or history of the project" and detail "key planning considerations that have shaped the current proposal." The tasks for study in the DEIS should include the recommended study items from "Envision SoHo/NoHo: A Summary of Findings & Recommendations." They are taken from the Report below verbatim:

IMPROVE QUALITY OF LIFE

1.1A: **Further research** the specificity of SoHo/NoHo's mixed-use nature and schedule needs for curb access with the objective to make deliveries more efficient

ENCOURAGE NEIGHBORHOOD DIVERSITY

2.1B:

- **Study** the implications of the Housing Stability and Tenant Protections Act of 2019 and if/how it interacts with rent regulations within Loft Law provisions.
- Work with State elected officials to **explore** measures to implement and enforce anti-harassment procedures based on the newly passed rent law.

2.1C: It is recommended that Process Sponsors **study** the feasibility of implementing such rental assistance for low-income artists and other renters.

2.2A: Consider a potential expansion of live-work definition that reflects current and future trends, which should be **further studied** and identified.

2.2B: Exact mechanisms and use classifications of the framework presented remains unclear and would require further **study**.

2.2C: **Study** new affordable housing that is targeted to artists and is conducive to arts production in the context of fair housing laws and broader concerns over housing equity.

2.2D: **Additional research** to create a new entity outside DCLA to review the eligibility and connect individuals with benefits/resources to detail further how such an entity might be established, how it would function, and how it would improve the ability to administer eligibility standards without being overly exclusionary.

2.2E:

- **Explore** how legislative efforts could be made to implement property tax breaks and other mechanisms to support existing artists and to encourage arts and making in new "live-work" units that accommodate a broader range of cultural workers.
- **Explore** mechanisms to incentivize shared work and/or exhibition space for artists and makers as provisions in new developments or residential conversions.
- **Explore** ways to establish productive relationships between local non-profits and the business community to encourage and formalize support the local arts and cultural programming.
- **Explore** opportunities to connect property owners with efforts seeking to create temporary programming/ studios in empty commercial spaces.
- **Explore** opportunities to create a "Made in SoHo/NoHo" branding campaign and encourage retailers to commission designs from SoHo/NoHo artists and makers, with possibly a portion of sales of such goods used to support local arts and culture in the neighborhood.

2.3B: **Study** local non-profits in efforts to help artists and others find affordable housing, live-work space, or general work space.

2.3C: **Explore** opportunities to create design guidelines, with assistance and input from LPC based on the study area's character, to ensure future development will be physically and architecturally contextual with existing built environment.

PROMOTING ECONOMIC VITALITY

3.1A: **Study** how to allow a wider range of compatible ground floor uses that balance mixed-use neighborhood blocks and examine a wider range of compatible uses, traffic patterns, sanitation efforts, and a retail study. Efforts would include the involvement of the business and residential communities.

3.1B: It is recommended that further research **study** the following:

- The appropriate parameters for allowing hybrid/complementary uses, including consideration of the type, size, operations, and land use compatibility.
- How hybrid uses might be viable in a continually evolving local economy, as they become established and potentially seek opportunities to grow.

3.1C: **Further research** and a coordinated effort with the community is recommended to create general guidelines and potential subareas for the expansion of such uses.

3.2A: It is recommended that community groups and the City **further research** advantages that a cultural arts district designation might provide for SoHo/NoHo. Such a designation may more broadly enhance community identity and affirm local heritage.

3.2B: The planning process also revealed that there are opportunities to update use regulations in ways that consider the expansion of arts and maker uses. The City should consider this as an area requiring **further analyses**.

3.2C: Private landlords should be encouraged to "activate" vacant properties during interim occupancy periods for artistic, micro-manufacturing and cultural uses. Currently, artistic and cultural uses are not permitted as-of-right and an allowance for such uses would remove zoning violations and fines that are in place. It is recommended that the City further **explore** the feasibility of such an initiative by further contemplating two provisions: the involvement of well-suited local partners and non-profits to help with monitoring, and the potential role of philanthropy and incentives to help fund such an endeavor.

3.2D: Additional consultation with relevant agencies and organizations is recommended, in light of their expertise of artists' workspace needs, to **study** new live-work typologies and configurations that are responsive to today's generation of artists and makers.

3.2E: **Study** the feasibility of implementing such tax incentives for these causes and further investigate other financial support mechanisms that could be utilized.

3.3B: I**nvestigate** the feasibility of encouraging affordable rent options specific to such uses.

3.3C: Work with Small Business Services (SBS), Chambers of Commerce, BIDs and merchants' associations to better **understand** small business' challenges in SoHo/NoHo, and connect them to resources.

Task 2: Land Use, Zoning and Public Policy

1. A thorough understanding via a detailed economic analysis should be conducted on all areas and properties that may be afforded additional development rights through increased FAR to properly calculate the value of the economic development conferred and the impacts of transferable development rights.

2. Study the potential impacts of the Proposed Actions on land use, zoning, and public policy, but beware the methodologies presented in the CEQR Technical Manual. The Municipal Art Society of New York's recently released the report, A Tale of Two Rezonings: Taking a Harder Look at CEQR, exposes the shortcomings of the existing environmental review process through the lens of two recent rezonings in Long Island City (2001) and Downtown Brooklyn (2004).

3. The report demonstrates CEQR's failure to predict the type and scale of new development that its zoning changes will stimulate and studies the resulting impacts on open space, transit congestion, school seats, and other measures of livability.

4. Chief among the findings of the MAS Report is CEQR's to take into account the cumulative effect of many small, individual acts. "From school capacity, to open space, to traffic congestion, to affordable housing, the CEQR process has produced mitigation plans that have no bearing on the ultimate needs of these neighborhoods. Residents have been left to shoulder the burden of these miscalculations," said Elizabeth Goldstein, President of MAS. MAS points out that decisionmakers need, and New Yorkers deserve, an environmental review process that does more than disclose limited and illusory outcomes from the City's zoning changes.

5. MAS proposes a series of improvements across eight categories of reform, including consideration of potential zoning lot mergers, increasing the range and scope of alternatives, making use of General Environmental Impact Statements to assess a wider range of potential outcomes, and requiring the implementation of mitigation measures before receiving Certificates of Occupancy.

6. "These neighborhoods [in Queens and Brooklyn] were transformed by an explosion of high-end, high-rise residential development, fueled—unintentionally—by the City's zoning changes. Demographically, they are now whiter, wealthier, and more crowded than ever." (MAS, A Tale of Two Rezonings: Taking a Harder Look at CEQR)

7. Study the feasibility of the purchase of distressed buildings by the City (by eminent domain, etc.)

8. Include the survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope but is not included.

Task 3: Socioeconomic Condition

1. During the City's October 26, 2020 Zoom presentation, it admitted that it has not performed the necessary studies to investigate potential for displacement within the study area. Direct Residential Displacement is a chief concern. The Plan will increase vulnerabilities of approximately 1,500 rent stabilized units, including more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law. This brings into question the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood (p.27)."

2. Study the following items across the entire Study Area:
   a. Value of FAR by square foot, for each individual property.
   b. Costs of LPC applications, due to enlargements etc., rising from the increased FAR.
   c. Transferable Development Rights, all possible scenarios.
   d. Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism").
   e. Costs of newly-allowed SLA applications, per removal of existing zoning boundaries.
   f. Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

3. The analysis projected for the levels of displacement of owner and renter occupied residential units and existing manufacturing and retail establishments does not include current housing costs for units that would be displaced and salaries for jobs that would be lost. Alternatives should be developed for replacement of displaced units and jobs, which are essential to protect the existing socio-economic character of SoHo NoHo.

4. Investigate the character and size of the various "employment hubs" in the project area before positing any assumptions about displacement.

5. Recalculate the resident and worker assumptions Table 2 was based on, in light of Covid-19.

6. Reach out to the following areas/groups as recommended in Envision SoHo NoHo (p.84): the Southeast study area; younger populations of SoHo/NoHo; workers of SoHo/NoHo; and other important voices inside and outside the SoHo/NoHo boundaries.

7. Study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2.

8. Data gathered by the Broadway Residents Coalition indicates approximately 750 rent-stabilized units in and around the three Housing Opportunity Areas will be affected, and greater than 1500 units within the study area. Quantify and analyze the direct effect of that across the Neighborhood Plan.

9. Study the effect of upzoning on the southeastern and southwestern corners of SoHo with respect to displacement and the economy.

10. Indirect Business Displacement: The DEIS study should investigate/document effects of potential commercial displacement to be caused by elimination of existing commercial spaces caused by conversion in the light of pandemic and post pandemic office market.

11. Include additional data on the breakdowns, locations and rental/ownership of floor area within the study area occupied by the artistic/creative/"maker" communities so that the CEQR analysis discloses any potential adverse impacts on these SoHo/NoHo communities and appropriate and equitable provisions can be developed to provide for their retention in the SNMD.

12. So that equitable provision can be made to provide for their retention in the SNMD, analyze the available zoning and governmental support programs used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural, artistic and "maker" communities (e.g., Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) as potential mitigation for displacement of these communities created by the proposed actions.

13. Identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings.

Task 4: Community Facilities and Services

1. Public Schools:

    a. As a result of Covid-19, public schools were closed after March 13, 2020 through the end of the 2019-20 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing.
    b. Consequently, how could you accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population?

2. Libraries and Childcare Centers

    a. If the population increases by 41% (Table 2, p. 22), study the impact of the increase on libraries and childcare centers.

Task 5: Open Space

1. The upzoning is expected to increase the SoHo and NoHo population from 7800 to 11,011 (an increase of 3,211 residents per Table 2). Demand and use of open green space have increased during Covid-19 and "proven that parks are essential infrastructure." Under the *CEQR Technical Manual*, the broader "NoHo Neighborhood" is the only downtown neighborhood that the NYC Department of Parks and Recreation defines as underserved by open space.

2. Meanwhile, SoHo and NoHo remain significantly underserved by open space, with an open space ratio of only 0.08 acres per 1,000 residents, as compared with the City's planning goal of 2.5 acres per 1,000 residents.

3. The addition of open space at the E. Fourth St. and Grand St. water tunnel sites would only increase the open space ratio in SoHo and NoHo to 0.09 acres per 1,000 residents, still well below the City planning goal.

4. Study accompanying any increase in FAR with an increase in open space, either in the form of additional physical open space or contributions to an Open Space Fund that would be used within CB2. Such a fund would be formed to provide the active and passive forms of recreation to the level of the City's planning goals. It would be formed and administered by the City and used to add either one or more recreation centers (like the Tony Dapolito Recreation Center) designed and sized to serve the increased population of SoHo and NoHo as a result of the proposed actions.

Task 6: Shadows

1. Study the effect of shadows on typical loft buildings with large windows and artists' studios.

2. Study the potential for all new or redesigned buildings (not just buildings over 50 ft.) to cast shadows.

3. Study the loss of sky if FAR is increased.

4. Study the effect of shadows from new or redesigned buildings on the current open spaces.

5. Study the effect of shadows on historic buildings with ornamentation that will be obscured and compromise the look and feel of the historic districts.

Task 7: Historic and Cultural Resources

1. Standards should be established for new construction that maintain the integrity of the street walls that constitute the urban form of the historic districts. The projected analysis includes an examination of historic and cultural resources within the study area, but it does not address all the impact of new construction in the historic districts. The Landmarks Preservation Commission does not usually rule on the height and bulk and setbacks and open space of new buildings. This could result in development that is out of scale with existing historic buildings.

2. The DEIS Scoping document should investigate/analyze the impacts and additional impacts of the zoning recommendations on the SoHo-NoHo plan, and in particular the area between Bleecker and Spring and Mercer to Crosby St. Fifty-two and a half percent of all buildings were built prior to 1939. As a result, the majority of existing buildings were built to full lot dimensions, and a significant number with through-lot configurations. This building-to-building density has, and will continue to be, an impediment in configuring and regulating the crucial infrastructure adaptations necessary for increased density within the built environment.

3. Study the archaeological history of this area and the importance of preserving any remaining artifacts. In the 1640s, a New Netherland community known as the "Land of the Blacks" encompassed what today are SoHo, NoHo, Chinatown, Little Italy, and Greenwich Village. Black land ownership continued into the time of New York City. From 1643-1716,130 acres+ were owned by free Black men and women in what is now the neighborhoods of Soho and NoHo, including Bond Street, Bowery and Lafayette.

4. Study the danger of demolition of old buildings and the approaches for protecting them.

5. Study the danger of demolition and construction on sites that are immediately adjacent to individual landmarks, as is the case for Site EEE (403 Lafayette St.) and Site J (27 E 4 S.t).

6. Study the impact of the proposed actions on tourism and real estate values as the connection to the past is weakened by the proposed actions.

7. Study the short- and long-term impact on the Landmarks Law if it is modified to suit political demands and not cultural, educational or history needs.

8. Study the effects of a surge of new construction within historical structures.

9. Investigate/document the impact of maker economy give-backs within the scope of this zoning proposal as in similar subsidized artist housing and performance spaces (Governor's Island, Westbeth).

10. The DEIS study should investigate/document effects and costs of development of older, historic buildings in their feasibility analysis. SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939 [source 2014-2018 American Community Survey]. For this reason, the feasibility of adding MIH units or even new development under this zoning will be severally affected by the age and historic underpinnings. Added to this is a building stock that has virtually no separation – even rear yards in most places, especially the commercial corridors. These factors will impact costs of new buildings and the ability to include MIH in the mix. In fact, it could encourage non-residential development or produce another wave of BSA applications based on hardship not dis-similar to those experienced over the last 15 years.

Task 8: Urban Design and Visual Resources

1. The description of this task states that "an assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning."

2. DCP should study the well-established precedents demonstrating that additional FAR has harmful impacts on an altered streetscape and that the City has rightfully acted in the past to prevent such damage.

3. DCP avoids the fact that, besides building on underutilized sites, property owners will surely take advantage of increased FAR to add bulk on top of existing landmarked buildings, forever changing the streetscape, view corridors and character of the historic districts, along both Broadway and Lafayette Sts. as well as the side streets. This rooftop scenario actually occurred in 1998 when property owners uncovered a zoning loophole that saw at least seven rooftop additions constructed contrary to the zoning intent. When New Yorkers complained about the harmful impact, the City Council quickly amended the Zoning Resolution to remove this loophole.

4. This task states that "for the projected and potential development sites, the analysis will focus on general building types," but in this case, most of the affected and adjacent study area is landmarked. The LPC does not normally approve "general" building types. Instead, it demands buildings of a higher quality, often with expensive details and materials not found in cookie-cutter "general" structures. The pressure will be formidable on LPC to approve generalized building plans submitted by developers to counter their financial deficits that building below-market housing generates. This would result in undistinguished edifices detracting from neighborhood masterpieces.

5. Study the difference in terms of landmarking between With Action and No Action, which will see the historic districts' skyline utterly altered from the historic built-context that has long been in place—a context that draws countless visitors to marvel at the special character of the area.

6. If the zoning is changed to these three districts, the pedestrian experience will gradually become as follows (from the NYC Zoning Handbook): RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. Study how increases in height and density will increase wind.

8. Study if bulk, form and scale will comply with residential standards.

9. Study how the proposed actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use.

10. Analyze the proposed actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the study area.

Task 9: Natural Resources

1. Study how the streams in the Canal St. area will affect new construction.

2. Study how new construction in the Canal St. area will affect the stability of adjacent old buildings, given the network of underground waterways.

3. Study the issue of the subsoil, particularly in the M1-5B district, which is wet. A new building on the corner of Greene and Canal was forced to build out of steel, as opposed to poured concrete, and took more than 3 years to complete at the current FAR.

Task 10: Hazardous Materials

1. Study the environmental effect of the old gas works in the area of the Edison parking lot in southeast SoHo.

Task 11: Water and Sewer

1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure.

3. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 12: Solid Waste and Sanitation

1. Study how deliveries and pickups will be affected by the lack of loading berths and storage if, as predicted by the report, increased residential creates 50 additional tons of waste per week.

Task 13: Energy

Task 14: Transportation

TRAVEL DEMAND AND SCREENING ASSESSMENT

1. Study traffic at more times of day than just peak hours. A great variety of different activities occur in the neighborhood at many times of day.

2. Study more transportation modes than just automotive, transit and pedestrian. Need to include bicycles, e-bikes and other micro-mobility modes.

TRAFFIC

1. Selection of study locations needs to be based on not only "the assignment of project generated traffic and the CEQR Technical Manual, but also in consultation with the community (CB2, block associations, BIDs, businesses, etc.) based on frequent observations.

2. The generation of 50 or more additional vehicle trips in any peak hour needs to be considered in the context of how traffic can be reduced from its current state. In addition, there are side streets in the area that are frequently inundated by automotive traffic and need to be studied along with the key corridors.

3. Nine days of continuous ATR counts will help supplement data collection at peak hours, but will not adequately reflect conditions that occur frequently at non-peak hours, which should be included, because of the varied activities occurring in these neighborhoods at different times of day. What is needed are accounts of routine users and inhabitants who regularly observe and experience conditions, which can be achieved by incorporating questionnaires/surveys and interviews.

4. A truck trip generation forecast alone doesn't address the already highly negative truck impacts. Create a management plan.

5. The influence of the Covid-19 pandemic must be taken into account, i.e., the atypical conditions that exist because of the pandemic don't reflect what traffic conditions will be once there is a return to normal, i.e., to a stabilized situation. The study should be based on pre-Covid-19 figures (applied as existing conditions, rather than what currently exists) which reflect "No Action" more accurately.

6. Regarding mitigation, Vision Zero has introduced a new outlook on how traffic functions with alternative modes, new street geometries and varied curb uses that need to be considered, rather than just the traditional approaches.

TRANSIT

1. Study Transit using pre-Covid-19 figures, which present a more realistic picture of what can be viewed as base conditions.

2. Study problems posed by nearby subway lines for 20+ projected and potential sites.

3. Although there is attention to conditions at subway stations, there is no consideration of the impact on subway cars (e.g., crowding estimates) i.e., the proposed actions will have an impact on the system, not just stations.

4. There have been gaps created in bus service in the SoHo area with the restructuring of bus routes such as the M1 which eliminates a central route for SoHo, a dearth that calls for remediation. Spacing of bus stops, trip frequency and seating opportunities also need improvement. These types of already existing problems need to be part of the analysis.

5. Problems exist concerning access for the bus going down Broadway, which is often blocked by stationery tourist buses and slowed down by traffic congestion. This needs to be considered.

PEDESTRIANS

1. Little attention is paid to examination of the latest alternative transportation approaches to creating more space for pedestrians and making the pedestrian environment safer, more comfortable and accessible. The formulaic approach of the CEQR Technical Manual is no longer enough to ascertain impacts which should be assessed based on actual pedestrian needs in action and an already existing lack of needed pedestrian facilities.

PARKING

1. Study how using parking lots/facilities for development of residential buildings could lead to increased demand for on-street parking, which isn't even currently available. This needs to be assessed, as does the impact on the environment and traffic movement of increased cruising for parking spaces.

2. Of the 27 proposed development sites seven are parking lots or garages [DSOW 2, 10, 12, 16, 20, 22: marked as land use 10; DSOW 21: marked as bldg. class “Fireproof” but in fact a parking garage]. However, the No Action condition shows only 39,000 gsf of parking area, which upon inspection is solely attributable to the site at 356 West Broadway.

3. An additional five Proposed sites contain parking for at least 228 cars, according to their certificates of occupancy.

4. Using the DCP’s assumption of 300 sq ft of parking per vehicle, 228 cars accounts for 68,400 gsf of parking. As some of the certificates of occupancy state “at least” x number of vehicles, this is a lower limit.

5. Additionally, DSOW 22 represents 4,484 gsf of parking area, according to the tax lot’s land use classification as a parking facility.

6. Taking into account the additional gsf of parking lot area, Table 2, the No Action Condition, undercounts the Other Commercial (Parking) category by at least 72,884 gsf, as well as the Total Commercial subtotal by that same amount.

7. The Population figures Table 2, according to the standard industry rates of 1 employee per 1,000 sf of other commercial, also undercounts the number of Workers by 73 employees.

8. Accordingly, the net change, or Incremental condition, in Table 2 should state a loss of -111,884 gsf of Other Commercial (Parking) and -124,392 gsf of Total Commercial space. Additionally, the net change of Workers should be -182 workers.

Task 15: Air Quality

1. Study how proximity of the Holland Tunnel affects air quality.

2. Study how the poor air quality will affect the equity position of this location.

Task 16: Greenhouse Gas Emissions and Climate Change
1. Study the New York City Zoning & Land Use Map to see how the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.

2. Study how building to the specifications of the City Planning's Zoning for Coastal Flood Resiliency program in the M1-6/R10, M1-5/R9X, and M1-5/R7X areas will affect construction costs.

Task 17: Noise

1. Study how the noise from retail deliveries to Big Box stores will affect life for residents if the population of SoHo/NoHo increases by almost 50%.

Task 18: Public Health

Task 19: Neighborhood Character

1. Study the effect on neighborhood character of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels (Crosby St. size), if the maximum additional MIH FAR is built across SoHo and NoHo.

2. Study the effect on neighborhood character of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight.

3. Study the impact of proposed actions on the defining features and human scale of the project area.

4. Study the adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970's.

5. Coordinate with City and State agencies to do a comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area.

6. Study how the limits of the three proposed zoning districts will change neighborhood character. NYC Zoning Handbook: RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10 density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. A detailed analysis must be conducted to show how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. The Draft Scope notes that projects that make substantial alterations to the scale of the streetscape may require a detailed analysis.

8. For example, in NoHo, a 20,000 square-feet parking lot on Lafayette and Jones Streets is located within the proposed M1-5/R9X area. According to DCP's own website, the Proposed Actions could produce a tall, bulky, twenty-story high-rise apartment building characteristic of Chelsea and Murray Hill—although it sits in the median-rise NoHo Historic District Extension. Such an edifice will result in a dramatic and harmful impact on the historic district.

Task 20: Construction

1. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Task 21: Mitigation

Task 22: Alternatives

1. Analyze alternates to the Proposed Actions that will not increase the existing FAR within the historic districts and alternates that satisfy MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

2. Include in the DEIS an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

Task 23: Summary Chapters

Task 24: Executive Summary

Therefore, be it resolved that no Scope or DEIS compiled during the global upheaval of a pandemic could possibly be an accurate assessment of any neighborhood.

Be it further resolved that CB2 urgently recommends that DCP examine the shortcomings of the draft scope of work as outlined above and present to CB2 for further review a new draft scope of work that rectifies those shortcomings plus reflects the impact of the pandemic on the residential, commercial and retail sectors of our economy.

Be it further resolved that this new draft scope be presented to CB2 for public review before any ULURP is begun.

Be it finally resolved that CB2 recommends that DCP study and offer affordable housing alternatives to Mandatory Inclusionary Housing (such as new, more targeted, zoning tools and an expanded review of adaptive reuse) and study and offer the minimal modifications to the existing M1-5A/B zoning that would be required to achieve the primary goal of affordable housing and small business survival without increased FAR.

Vote: Passed with 45 Board members in favor and one abstention (B. Kubovy-Weiss).

Please advise us of any decision or action taken in response to this resolution.

Sincerely,

Carter Booth, Chair
Community Board #2, Manhattan

Frederica Sigel, Chair
Land Use & Housing Committee
Community Board #2, Manhattan

CB/jt

c: Hon. Jerrold Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Brad Hoylman, State Senator
Hon. Brian Kavanagh, State Senator
Hon. Deborah Glick, Assembly Member
Hon. Youh-Line Niou, Assembly Member
Hon. Bill de Blasio, Mayor
Hon. Scott Stringer, City Comptroller

Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council Speaker
Hon. Margaret Chin, City Council Member
Hon. Carlina Rivera, City Council Member
Sylvia Li, Dept. of City Planning
Andrew Cantu, Dept. of City Planning

GENERAL PUBLIC

From: Jana Adler
To: 21DCP059M_DL
Subject: Upzoning SoHo/NoHo
Date: Tuesday, November 24, 2020 1:51:35 PM

Upzoning SoHo/NoHo

Hello:

The city's just-released proposal to upzone all of these neighborhoods, including designated historic districts, and to make the allowable size of new development as much as nearly two and a half times the size of what's currently allowable -- including in some parts of historic districts -- is completely outrageous. The entire plan is wrong and I strongly oppose it. It would encourage the proliferation of large chain big box stores when it's small independent businesses that are suffering and need the city's help. And the only affordable housing it would create is completely market-dependent, will only occur if and when private for-profit real estate developers feel it is worth their while, and is dependent upon adding a flood of luxury condos to the neighborhood in out-of-scale buildings as the price for it. These neighborhoods would welcome affordable housing. They oppose and do not need huge new buildings more than twice the size of what's currently allowed that would be 75-80% luxury condos, along with huge international chain stores. This is nothing but a huge giveaway to developers who have long lobbied for these changes and donated generously to the Mayor's campaign and now-shuttered, ethically tarred non-profit as a means to achieve it.

Please make sure this does not happen, this would change our city for the worse.

Best,
Jana Adler

Subject: AGAINST City Planning Scoping Meeting for the SoHo-NoHo Neighborhood Plan
Date: Thursday, December 3, 2020 at 1:39:22 PM Central Standard Time
From: Jana Adler
To: 21DCP059M_DL

Hello - I had hoped to join today's meeting but since I am unable to. I wanted to voice my opinion and alarm about this rezoning plan.

This is terrible for NYC , as a homeowner in Greenwich Village this is hurting my quality of life and the spirit of NYC - NO to this proposed rezoning. Shame on the Mayor and developers for pushing this fake community improvement when it's really just selling out the city for its parts.

NO.

Thank you

Subject: I DO NOT Support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 10:38:07 AM Central Standard Time
From: Patricia Ali
To: 21DCP059M_DL

This is a poorly worded and stupidly timed effort in support of real estate developers.
DO NOT VOTE FOR THIS PROPOSAL.
Patricia Ali, resident of SOHO

Sent from my iPhone

Subject: I Do not Support Rezoning NoHo/SoHo
Date: Saturday, December 19, 2020 at 12:06:02 AM Central Standard Time
From: Funeral Home E-Mail
To: 21DCP059M_DL

I do NOT support rezoning NoHo/SoHo.

Sent from my iPhone

Subject: Opposing the mayor's upzoning plan
Date: Monday, December 7, 2020 at 2:09:36 PM Central Standard Time
From: Naomi S. Antonakos
To: 21DCP059M_DL
Attachments: EmailSignature_text NEW.jpg

and supporting the cummuity's alternative plan.

Do not erase the unique communities of Soho and Noho, treasures that have evolved naturally over decades and are unique in definition, safe, terrific for SMALL shopping and restaurant activities.

No upzoning.

No destruction of historic buildings.

Develop in an area where it would be welcome.

Never destroy something already very good.

Naomi S. Antonakos



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212 925 5956 I 917 650 2207
info@stephenantonakos.com I www.stephenantonakos.com

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Subject: Testimony on Soho/Noho rezoning
Date: Friday, December 4, 2020 at 4:11:14 PM Central Standard Time
From: Jacob Baskin
To: 21DCP059M_DL

Hello,

As a New York City resident and homeowner, I wanted to write in support of a housing-focused, inclusive Soho/Noho rezoning. This area is one of the richest and most transit accessible in the whole city and it is vital for us to take this opportunity to maximize access to opportunity for low- and middle-income New Yorkers by building new housing, both market-rate and affordable, in this neighborhood.

The current DSOW is a good start, but I believe that there are steps that can be taken to increase the amount of housing that will be constructed as a result of the rezoning. In particular, increasing the maximum buildable floor area by changing proposed R9X zoning to R10 and proposed R7X zoning to R8X would maximize the housing potential of these areas within state legal requirements. Furthermore, the Non-Residential Floor Area Retention Policy will make it harder for developers to produce new housing, both by new developments and residential conversions, and should be eliminated except perhaps in exceptional circumstances.

Furthermore, some sites can be included in the rezoning or have their density increased. 55 Bleecker Street and 477-479 West Broadway abut buildings that are built more densely than their proposed density post-rezoning; these lots should be rezoned to match the density of their neighboring buildings. And 2 Howard Street and 142 Grand Street, owned by the federal government and city, respectively, should be included in the rezoning, allowing for the development of mixed-income housing on these parcels.

Thank you for your attention to these issues. Especially during COVID, as the city recovers from a major disaster, it is essential to make sure the city can grow and remain vital rather than stagnating, and to make sure that it provides a good quality of life and access to opportunity for residents of all income levels.

Best,

Jacob Baskin

Subject: NoHo Soho Scoping meeting
Date: Thursday, December 3, 2020 at 10:57:31 AM Central Standard Time
From: Leigh Behnke
To: Jeffrey Glovsky (DCP), 21DCP059M_DL

OPPOSITION TO THE PLAN
OPPOSITION TO UPZONING

Please PAUSE THIS PROCESS AND REJECT THIS PLAN BECAUSE:

1.DIFFICULT PROCESS TO ACCESS

I am very upset at how difficult this process is during the pandemic. It appears to be designed to thwart public input and participation. My entire life savings are at stake based on how the upzoning on Broadway will affect my ability to live, work, and ultimately to sell my apartment, which represents most of my net wealth.

2.INFRASTRUCTURE
I am extremely concerned about how the limited and historic infrastructure will support this huge increase in population, and in retail space.

Of particular concern is in the delivery systems that will be required to support retail that is larger than 10,000 sq feet. The few stores that already have this square footage are unable to have goods delivered without impacting the adjacent mixed use community. Broadway is already a nightmare with constant confrontations between these entities. What requirements are proposed to bring more goods into the neighborhood and how will these practices be enforced?
Where will space be created for loading zones that are off street and thus will not affect the quality of life including off hour noise and air pollution for the residents who live above the shops.

3>COSTS TO CURRENT RESIDENTS

Currently there is a tax to convert manufacturing space to residential space. In a worst case scenario this would be an about equal to the current value of my loft, wiping out my life savings. I have owned this space since 1984 and occupy it legally. How does the city justify changing a zoning regulation that imposes such an extreme hardship on the current middle and lower income residents who currently reside here? Is grandfathering of such fees being considered?

4 Effect on Residents of Broadway Corridor

None of us are hostile to affordable housing, we welcome it. We are hostile to the upzoning that is required to enable it. Additionally, those of us on the Broadway corridor are extremely hostile to the plan to allow large retail to obese their square footage. We have lived with a precarious balance. This plan sells out the residents who have lived here since the 1970's.

Thank you for your consideration of these points.
Leigh Behnke
543 Broadway
NYC,NY 10012

Subject: SoHo/NoHo Scoping Session Comment
Date: Monday, December 7, 2020 at 3:54:09 PM Central Standard Time
From: Vern Bergelin
To: 21DCP059M_DL

Dear DCP Planners,

The following is my comment on the proposed EIS and ULURP action for the rezoning of SoHo/NoHo:

Don't be mislead by the talking points promoting the so-called "Community Plan" or by other outside interests presented at your Scoping meeting on December 3rd.

While all residents of Manhattan, and indeed the City, State and country have the right to comment under the scoping process, I believe the comments and other inputs of residents, property owners and workers residing or having a direct interest WITHIN the areas of SoHo and NoHo directly affected by the proposed action should take priority or be considered the most substantive for the purposes of your scoping and planning process.

Thank you,

Vern Bergelin
Property Owner, NoHo

Sent from Mail for Windows 10

Subject: I DO NOT Support Rezoning NoHo/SoHo
Date: Friday, December 18, 2020 at 1:29:24 PM Central Standard Time
From: Eugenia Bone
To: 21DCP059M_DL

I do NOT support rezoning in its current incarnation.

I have lived in SoHo for over 30 years and I don't know anyone who has a problem with affordable housing in our neighborhood. What residents like me have a problem with is when affordable housing is used as a beard for luxury rentals and retail rezoning that would allow for big box type businesses to move in.

Soho, once a center for manufacturing in the city, was revitalized by artistic people, and there are still many of us left. I want affordable housing here, because that means students and artists can live in Soho again, and I want small business interests to be protected. We need a fishmonger in the neighborhood, not a Target.

Let's rezone, but rezone for real, reflecting real income ratios. Instead of 25% affordable housing in a luxury building, rezone for 75% affordable housing. And no free pass for superstores that will stamp out the residential feel of our community. It's bad enough we suffer from the blight of franchises that have made the neighborhood feel like an airport mall. On the one hand the rezoning plan is selling affordable housing, but on the other hand, it awards most of that housing to the luxury market. On the one hand the plan removes "cumbersome regulations for retail business" but those cumbersome regulations prohibit megastores. C'mon. Let's have an honest policy that truly supports diverse residents and small businessowners in Soho and beyond.

I won't vote for any City Council member who supports this plan. And it is time to stop characterizing the neighborhood as exclusively the playground of the rich. There are plenty of rent controlled artistic people who still live here, making our work and contributing to the cultural riches of NYC. And I feel confident saying we all pay more than $750 in taxes a year.

Eugenia Bone

http://www.eugeniabone.com

Subject: Soho/noho rezoning meeting Dec 3rd 2-5pm
Date: Tuesday, December 1, 2020 at 7:02:47 PM Eastern Standard Time
From: sam chiddlewack
To: 21DCP059M_DL

Hi

I will be in attendance for the meeting on Dec 3rd and would like to know when you will update the assumptions/analysis that is affecting the decision making?

In the previous meeting re up zoning of soho/noho it was stated that the analysis for this had been conducted in 2019, which was pre-covid.
The city landscape, demographics and income has altered dramatically since March 2013 so a re-evaluation must be necessary to
Come up with a fair and balanced proposal.

Regards.
Samantha Chadwick
NYC resident.

Subject: SoHo/NoHo Plan
Date: Friday, December 4, 2020 at 3:33:15 PM Central Standard Time
From: Mike Cherepko
To: 21DCP059M_DL

Dear Planners,

I'd like to register my support for the SoHo/NoHo plan. I think it could be bigger and do more to get more housing. I also think community preference for MIH units should be extended to anyone who works in the neighborhood, not just people already rich enough to live there. But overall, I am so happy to see this happening.

Thanks,
Mike Cherepko
Brooklyn

Subject: NoHo & SoHo upzoning
Date: Wednesday, December 2, 2020 at 1:18:48 PM Eastern Standard Time
From: Anne Christensen
To: 21DCP059M_DL

Planning Commission,

I oppose the mayors plan to allow for bigger, larger developments in the SoHo & NoHo areas. We do not need box stores and cookie-cutter developments moving in.
My husband has a very small business, a bookstore, in this area and has for over 15 years. The charm and artistry of the area is the heart of NYC!
There must be other solutions besides ruining the soul of the city. What will be left? Does everyone have to move to Brooklyn?

Anne Christensen

Subject: Comments pasted and attached re SoHo NoHo Rezoning Draft Scope
Date: Saturday, December 12, 2020 at 5:11:24 PM Central Standard Time
From: Mary Clarke
To: 21DCP059M_DL
Attachments: Rezoning comments to CityPlanning Dec 12 2020.docx

Overview

After attending every single Envision SoHo NoHo meeting and TWO artist/rental tenant focus groups, I can assure you the scoping document is beyond disappointing. It is shocking.

In every meeting, we were repeatedly told this "envisioning plan" was simply that, and that it was NOT a rezoning effort, nor was a rezoning even in the works. Not one of the principals used the R word unless they slipped up (yes, it happened once or twice).

City Planning staff patiently listened to stakeholders detail their likes, dislikes, complaints and ideas, both big picture and small. Not a single idea is reflected in the scoping document.

After working for years to get Historic District designation in NoHo (which took three separate designations to accomplish in full (1999, 2003, 2008), this new plan puts the buildings in our Historic Districts in jeopardy, subject to demolition and/or enlargement. This is not OK.

As many others have already stated, now is not the time to undertake these measures. We must put the process on pause.

Comments on specific Draft Scope items

Page 11 on Draft Scope pdf

(pp. 9-10 on doc)

NEIGHBORHOOD CONTEXT

Bowery Corridor

“The Bowery, a major commercial corridor and wide street, is located at the northeast corner of the Project Area in NoHo between Great Jones Street and Astor Place. The stretch north of 4th Street is characterized primarily by mixed residential and commercial buildings and a large institutional presence, with heights ranging from four to 16 stories and FARs generally between 5.0 and 9.0. **In the area outside of the historic district along and south of East 4th Street,** there are a number of under-built sites, including vacant land, low-rise tenements, and single-story semi-industrial or formerly industrial buildings that have been converted to eating and drinking establishments. Ground-floor retail is more common south of East 4th Street than the area to the north.”

COMMENT

The above is a major error, which is reflected in the maps on Figures 1, 2, 3 and 4 in the Draft Scope, where mapped boundaries of the historic district do not include the west side of Bowery from 4th St to Bond. Most of the buildings on the west side of the Bowery south of East 4th Street are indeed **WITHIN** the NoHo Historic District Extension. Each is noted, mapped and described in the Noho Historic District Extension designation report from May 2008. The west side of Bowery should be considered part of the **Historic Core.**

354 and 356 Bowery between Great Jones and East 4th Street are cited.

330 through 344 Bowery between Bond and Great Jones St. are cited.

p. 27 on pdf

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

P. 28 on PDF

p. 23 on doc (continued under the above heading)

"Certain lots that meet these criteria have been **excluded** from the development scenario based on the following conditions, in accordance with the guidance provided in the CEQR Technical Manual, and because they are very unlikely to be redeveloped as a result of the Proposed Actions:

• Multi-unit buildings with existing tenants, such as existing individual buildings with **six** or more residential units, and assemblages of buildings with a total of 6 or more residential units, are **unlikely** to be redeveloped because of the required relocation of tenants in rent-stabilized units)."

COMMENT: What about smaller individual buildings with existing tenants with **FEWER than 6** residential units?

Examples: 26, 28, 33, 51 and 52 Bond Street—mostly rent-stabilized JLWQA /or IMD, artist-occupied housing. Many of the tenants are 65 and older. Are these buildings also "unlikely to be redeveloped" or does their small size render them too insignificant for protection? **Article 7C** addresses and covers buildings occupied by as few as **three** families. As the Draft Scope states (below):

p. 5 on pdf

C. BACKGROUND TO THE PROPOSED ACTIONS

• PROJECT AREA HISTORY

p. 6 on PDF

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

"In the early 1980s, the City and State introduced zoning and legislative changes to regulate the conversion of non-residential loft buildings after recognizing a growing trend of illegal residential loft conversions. The MDL was amended by the enactment of Article 7C (also known as the "Loft Law"), which enabled the creation of Interim Multiple Dwellings (IMDs), i.e., a temporary legal status conferred upon commercial or manufacturing buildings occupied by **three** or more families with the ultimate expectation that such buildings be upgraded as permanent housing, and established the New York City Loft Board to regulate such conversions to residential use."

p. 28 on pdf

p. 23 on doc

PROJECTED AND POTENTIAL DEVELOPMENT SITES

"To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: ***projected development sites*** and ***potential development sites.*** The projected development sites are considered more likely to be developed within the 10-year analysis period. Potential sites are considered less likely to be developed over the approximately 10-year analysis period. Projected and potential development sites were identified based on the following criteria:

Potential Development Sites

· Lots with slightly irregular shapes or challenging configurations (overly narrow, deep), small (generally between 1,700 sf and 2,000 sf in lot area), or encumbrances which would make development more difficult will be considered potential development sites in the EIS.

· Sites located within historic districts that are occupied by existing buildings will be considered potential development sites in the EIS. The demolition, redevelopment and/or enlargement of these buildings are subject to LPC review and approval, which could contribute to higher development cost and longer timeframe.

COMMENT

I'm particularly concerned about the smaller buildings on Bleecker and Bond Sts, : On Bond between Bowery and Lafayette alone there are five small buildings, three of them Federal and/or Greek Revival structures. Are these buildings now subject to "demolition, redevelopment and/or enlargement"?

Subject: upzoning SoHo/NoHo
Date: Thursday, December 3, 2020 at 10:49:35 AM Central Standard Time
From: Robert Cohen
To: 21DCP059M_DL

To whom it may concern.

I am opposed to the DCP's plan and opposed to upzoning in SoHo/NoHo.

- The plan pushes heavily for increased office space, attempting to convert SoHo/NoHo into a Central Business District. This means the influx of thousands into our already congested neighborhood.

- Thousands of new residents will need their automobiles. Where will they park? How much pollution will they generate? (The Federal Environmental Protection Agency has listed Canal Street as having some of the worst pollution levels in the country.)

- I am also concerned about the environmental impact on sewage, infrastructure, sanitation and waste removal, public transportation, police and fire services, schools, open green space, vehicular and pedestrian congestion, air pollution, and quality of life, to list just a few.

For these and other reasons I demand at the very least that any decision will be postponed until Covid-19 has abated and a true public meeting can take place.

Sincerely
Robert Cohen

Robert Cohen, Ph.D.
123 Prince Street
New York, NY 10012
phone / fax 212-475-5682

Subject: SOHO-NOHO REZONING SCOPING REPORT
Date: Monday, December 7, 2020 at 1:31:59 PM Central Standard Time
From: Benjamin Darche
To: 21DCP059M_DL

TESTIMONY
1. I am a 16-year NOHO resident living with my wife, who moved into the neighborhood over 45 years ago. She is one of the pioneer artists in residence, among many others that are testifying today. We are being pushed out by the current neighborhood gentrification due to increasing property taxes and building maintenance costs, among others. The up-zoning will accelerate the gentrification process. It will reduce housing for current residents, and will not achieve "affordable housing" goals stated in the scoping report. Is this the "economic development" goal DCP has in mind? I don't think so.
2. I am against the massive SOHO-NOHO up-zoning and it's so-called "MIH" plan to support "affordable housing". The question is "affordable" for whom? As currently structured, the MIH is basically an excuse to provide developers with an incentive to wring concessions and tax breaks from the city in exchange for so called "affordable housing". Developers will only consider "affordable housing units" if they receive sufficient tax incentives; height or FAR variances, and other taxpayer subsidies to achieve their "threshold" profitability. Housing for "lower middle income" owners is not feasible in the increasingly high-end luxury condominium SOHO-NOHO neighborhood without direct, massive government subsidies. "Affordable housing" is a major conundrum that requires innovative solutions; not developer giveaways.
3. The EIS must be delayed until a third "community alternative plan option" is thoroughly vetted by a sincere community process, unlike the envision process that preceded the scoping report. The scoping report disregarded any of our inputs and concerns during the multi-month envision process and the many hours community participants provided in the spirit of cooperation with DCP. The scoping report is clear evidence of the city's duplicity in telling us one thing and doing another. I will not participate in a sham.
4. If DCP is sincere in requesting community input, we need a third option that includes a new citywide approach to "affordable housing; not the same developer "give away" at taxpayer expense. At a minimum, DCP should evaluate the MIH track record in Manhattan before proceeding with any SOHO-NOHO up-zoning that is supposedly driven by the goal to increase the stock of "affordable housing", economic development, and the other "goals", or more accurately, meaningless platitudes, listed in the scoping report.
5. The EIS community plan option must have a democratically elected community task force that prepares the community plan side-by-side with DCP staff and elected official representatives. This option should be vetted with the NOHO-SOHO community group members of the task force with the power to veto the EIS altogether unless the EIS considers the Community Plan. The rationale for this approach is that DCP will proceed with the build-out or "With Action" alternative in any case (as evidenced by the disregard of the envision process). The goal of the veto is to reach a reasonable compromise with DCP while providing "affordable housing", not simply to hand over SOHO and NOHO for "economic development", that will drive the final nail in the SOHO-NOHO historic landmarks coffin.

QUESTIONS AND COMMENTS

SOHO-NOHO REZONING SCOPING REPORT QUESTIONS AND COMMENTS

Introduction

Did the LPC in 1999 create the NOHO Historic District for the City to eradicate it 20 years later? This isn't "Historic Preservation" but simply the propagation of uncompromising, unyielding "economic development" and so called "affordable housing" that isn't affordable. What will be the socio-demographic characteristics of the households that live in the "affordable units" proposed for these GIANT developments surrounding the NOHO Historic District? What is the median AMI for the current NOHO neighborhood? – is it possible to have "affordable housing" with the recent glut of multi-million dollar condominiums in the project area?

Comments and Questions on the Scoping Report

1. Page 13: “Purpose and Need for the Proposed Actions: “The Proposed Actions are necessary to address neighborhood and citywide planning needs, including supporting economic development (does this include equitable economic development?) and recovery and resiliency and strengthening mixed-use, increasing access to housing—including affordable housing, and establishing harmonious built form”. What do these words actual mean? We need clear definitions, assumptions and methods to measure the outcomes implied by these words.

2. Page 17: ”Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts’ use regulations would apply, with modifications”. What are the modifications?

3. Page 18, Affordable Housing Fund: The proposed Affordable Housing Fund allows developers to apply to BSA for a “special permit” to reduce their payment into the Fund where requirement would make development “financially infeasible”. How will the DEIS define and calculate “financially feasible” (see the next question on the RWCDS model, below)? With a very high AMI in the NOHO Core, what household income levels are necessary to qualify for the MIH program? What are the demographic characteristics of families/persons that may qualify for “affordable housing” units?

4. Page 18: What are the proposed “subdistrict regulations” to “allow sufficient flexibility” (what does sufficient flexibility mean?) to achieve housing goals (the 1,699 With Action additional DUs?) What are the “affordable” prices of the “affordable units”?

5. Page 18: What is the forecasted median income of the households that will live in the project area’s “affordable units”? We need the statistics of the current AMI for the project area to compare them with the required minimum income for the proposed affordable units in each of the project’s sub areas, especially the SNMD. These statistics, among many others, were not given to the community participants by DCP in the so-called “envision” neighborhood workshops during the rezoning exploratory phase conduced a couple of years ago.

6. Page 18: Who determines the amount a developer pays into the Affordable Housing Fund? The developer? The DCP? The city council? Is this amount based on the project’s “financial feasibility”?

7. Page 19: RWCDS model: whose “crystal ball” (assumptions about the future “financial feasibility”) will the EIS model use to forecast the “No Action condition” and the “With Action condition” analysis in the 10-year time-frame (2021-2031)? What happens if COVID continues and/or worsens the current economic downturn? Will the RWCDS model’s financial and economic assumptions be changed “mid-stream” to reflect the reality of a significant delay in the financially feasibility to absorb the “build-out” commercial and residential square footage assumed in the model? Any change in the number of MIH units?

8. Page 18 MIH Program
• Will the EIS assess whether an Appendix 1 project is “financially feasible” AND comply with the two MIH options? (Option 1 requires 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the AMI (what is the baseline AMI year? What assumptions will the model use to forecast the AMI and other input variables from 2021-2031?). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent AMI (same as previous questions). Option 2 would require 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent AMI. (same as the previous questions).
• What is the annual forecasted assumption of the median AMI for each of the subproject areas over the 10-year forecast horizon for each development site indicated in Appendix 1? What is the absorption rate assumption (number of MIH and other units sold over time at a specific price for a specific project? Does the model automatically adjust the unit Price to achieve “financial feasibility” goals stated in Options 1 and 2? the amount of Affordable Housing Fund subsidy required to make the project feasible for the developer?
9. Page 20 Future with the Proposed Actions – what is the basis of the conclusion that “a substantial portion of the 1,683 DUs are expected to be affordable”? Has the DCP already run the models to arrive at this conclusion? If not, how did DCP arrive at the percentage AMI figures for Options 1 and 2, above? Will the EIS consultant simply confirm

this conclusion?
10. Page 28 – Will the EIS use the same assumptions as presented in the last 3 paragraphs of page 21 to determine the “net increment of 3,181 residents” (1,683 DUs; the net increase over No Action)?

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Benjamin Darche
Infrastructure and Public Finance Consultant
phone: +1-415-595-2554
skype: bdarche

Subject: Soho Noho Plan
Date: Saturday, December 5, 2020 at 6:01:53 PM Central Standard Time
From: Joe DiMondi
To: 21DCP059M_DL

I am writing to express my strong opposition to the current Soho Noho plan:
- Upzoning will destroy the character of this historic area by more than doubling the height of buildings and taking away our sunny, breezy streets and replacing them with shadow and pollution. No other world city allows such development in historic areas to this degree. Why Soho?
- Creating the Broadway corridor as envisioned will reduce the size of historic Soho by 40%. Historic Soho consists of only 5 streets: Crosby; Mercer; Greene; Wooster; and West Broadway. The Broadway corridor will effectively remove Crosby and Mercer streets from historic preservation by having one side of each street be deemed commercial. There is no such thing as a historic half street. So our best shot at preservation is having a 3 street historic area?
- Crosby Street in particular will be decimated. A street often called one of the most beautiful streets in all of NYC (https://www.thrillist.com/amphtml/lifestyle/new-york/most-beautiful-nyc-new-york-city-streets) will be cut into pieces, with half of the street deemed commercial (Broadway corridor) and the south end deemed either another business corridor (Canal) or a housing opportunity area, allowing 140% upzoning. How hard is it really in a city the size of NYC to preserve one of the most beautiful and historic streets in NYC? Is this really such a burden? Or is it because I am literally surrounded by REITS who have bought up the spaces on Crosby and Broadway and are just waiting for upzoning
- Big box retail stores are completely out of scale with the neighborhood. Soho is one of the premier retail destination in the world, bar none. What possible reason is there to allow big box retail in a small scale historic neighborhood, when other areas already offer such amenities or are better equipped to offer such amenities?
- “Balanced” against all of this, the affordable housing to be developed is a essentially nothing. 400-800 units? One building could support that. And the government owns lots to build on. They could develop these lots and create thousands of 100% permanently affordable units. Units that would then attract affordable amenities. No value oriented grocer, for example, is coming to Soho for 400-800 units in a sea of new luxury development. The current plan will put a small number of affordable housing in an area barren of amenities, barren of schools (Soho has zero and wont build one for 400-800 units), barren of parks, basically cut off from community necessities.

The city has benefitted mightily from Soho becoming one of its most lucrative retail and tourist destinations in the world. At the expense of its residents over time. It is time for the city to listen to those residents to create a sensible plan to align zoning with reality and streamline regulations to bring certainty to residents, commercial and retail owners and tenants alike.

Joseph DiMondi

Subject: 410 Lafayette Street/NoHo
Date: Monday, November 30, 2020 at 6:52:06 AM Eastern Standard Time
From: Yvonne Fernandez
To: 21DCP059M_DL

Thank you in advance.

I had written before this question during the last meeting held. I have not yet received an answer.

My question is this:
In the initial zoning plan, 410 Lafayette Street a designated parking lot has been placed in the zoning plan as a possible place to build. Is there a direct possibility of this since to occur since this property has a lease in place for several more years. Has this property been decided by the owner to sell in order to allow for future building?

Thank you.
Yvonne Fernandez
917.608.9199
Email: evooevo107@gmail.com

Subject: How will you address:

Date: Wednesday, December 2, 2020 at 9:45:25 PM Central Standard Time

From: Noyes Flood

To: 21DCP059M_DL

#1: the environmental impact of tens of thousands more people

#2: the environmental problems on our antiquated sewage system of thousands of new residents flushing their toilets and showering in the morning getting ready for work. We recall raw sewage backing up on West Broadway during past storm run-offs. The same problems apply to thousands of new office workers straining our waste system all day.

#3: much of SoHo is in a flood plain. Hurricane Sandy brought flood waters up to Wooster Street and halfway up to Broome Street. What mitigation for new construction has the city planned to deal with these flooding problems?

#4: thousands of wealthy new residents will need their automobiles. Where will they park? How much pollution will they generate? Remember, the Federal Environmental Protection Agency has listed **Canal Street having some of the worst pollution levels in the country**

#5: there are **no schools** in SoHo/NoHo. Where will all the new kids be educated?

#6: more people will require more police and fire services. Yet the upzoning proposal ignores this reality.

#7: Zoom meetings are not true public meetings. Rezonings are not mandated by law. Surely during a pandemic, this upzoning can be postponed until we can have true public meetings in person, and not in the Cloud. Demand a postponement.

#8: to accurately measure the impacts on the environment, DCP needs to collect real-time data on pedestrian counts, vehicular traffic counts, public transportation usage, etc. However, due to covid, we know that SoHo/NoHo retail activity is a shadow of its former self, and a shadow of what it will be when things return to normal. So, any data collected now will not reflect the reality of what will be in the near future and thus will be **grossly inaccurate.**

This is WRONG. POSTPONE. Aside of getting money in your pocket, what's the rush, de Blasio? WTF? A Democrat? Really?

Subject: Zoom Meeting Dec 3
Date: Friday, December 4, 2020 at 11:18:13 AM Central Standard Time
From: Susan Fortgang
To: 21DCP059M_DL
CC: Sean Sweeney, Pete Davies

Dear Ms Abinator and the Members of the DCP,

Re: Community Testimony on the Scoping Plan for the EIS for Upzoning SoHo NoHo

I was very disturbed by the way the Zoom meeting was handled yesterday. On an issue as important as this, more effort should have been made to address the members of the community who wished to testify. I **waited for 4 hours**, from 1:00 when we were first able to register and sign up to testify, to 5:00 PM when my name was finally called to give my testimony. Sadly, I was not able to testify in front of the community as I, along with several other community members, was told that I had an older version of the Zoom software and was not compatible. After waiting for this very long time, I was then told to phone in and wait again. Due to to other obligations, I was not able to give any more time. Here are my comments:

• Registration should have been provided days before the meeting. This is what was done in your previous meeting. At that time, I was given a personal passcode for inclusion in the meeting. My Zoom software worked during that meeting.

• Information should have been given, even at 1:00 when the registration opened, as to the need to have the most updated version of Zoom. Did I miss this? I would have had time to install it before the meeting began at 2 PM. Others, including Deborah Glick, and Sean Sweeney, had problems. While I accept responsibility, many of us are not always technically up to date.

•What bothered me the most, was that I had no idea of where I was on the list of persons waiting to testify. Consideration was given to individuals needing translation and callers who phoned in. <u>It would have been considerate for those of us on the list waiting to testify, if you had read the names and our number on the list at the beginning of the meeting and updated this during the meeting.</u> It was difficult to take a break because we did not know when and if we would be called. Announcing who the next speaker was provided little information to those of us who were waiting in line. Obviously, you had a list of all who had registered to testify. I believe I was about# 29 when my name was called around 5:00. It would hav also been appropriate to let us know how many speakers were still waiting at that time so we could anticipate when the meeting would end. Time is valuable to all of us and waiting for 4 hours without success is disturbing to me. Just saying that everyone will have an opportunity to testify is not enough when one is required to wait for so many hours not knowing when the end is in sight.

This process is definitely flawed. I participated in many of the community meetings, spending countless hours participating in this process only to feel short changed. You are now rushing us into an EIS that should definitely be postponed considering the conditions in SoHo during the pandemic. The entire future of this community hangs in the balance. I will be submitting written testimony as well as contacting my representatives.

Susan Fortgang
23 Greene Street, SoHo

Subject: Testimony Re: Draft Scoping Proposal for SoHo-NoHo
Date: Tuesday, December 15, 2020 at 10:09:34 AM Central Standard Time
From: Susan Fortgang
To: 21DCP059M_DL
CC: Sean Sweeney
Attachments: Testimony for DCP from Susan Fortgang 1220.docx

Dear Ms. Abinader and Committee Members,

Please consider my testimony in the attached Word document. Thank You.

Susan Fortgang
23 Greene Street

To: Department of City Planning
Att: Olga Abinader and Committee Members
From: Susan Fortgang
SoHo Artist Resident – 23 Greene Street SoHo – M15B
Re: Proposed Draft Scoping Plan for the EIS for Up Zoning SoHo NoHo
Date: December 15, 2020

I am opposed to the current Department of City Planning Plan to Up Zone SoHo and NoHo.

I object to the pursuit of an Environmental Impact Study during the pandemic during which conditions in SoHo are definitely skewed. There are few tourists, many empty retail spaces, few office workers, less traffic and many businesses and restaurants that are struggling. It is not possible to measure the impact of the changes you are proposing at this time and it is unclear as to how these communities will recover. The EIS needs to be postponed.

While I have concerns about many aspects of the proposed Draft in the broader sense, particularly the changes to allowable building heights and the large numbers of luxury tenants you are planning to inject into the community, I am confining my comments to the M-15B in SoHo and to the situation involving current JLWQA along with many environmental concerns. I participated in many of the meetings involving the Neighborhood Plan. I am a certified artist, along with my husband, Robert Schecter, and we have lived in SoHo for over 45 years.

Issues Involving the M1-5B – now M15-R7X.

• **Your proposal fails to define specifically what use groups will be allowed on the ground floor.** Changes to the ground floor use can dramatically alter the quality of life in this important part of the historic district as well as damage the historic nature of these blocks below Broome Street. Most of the significant and oldest of Cast Iron buildings are located in this part of SoHo giving unique and defining character to the district. Designer showrooms and small unique retail should be preserved here. There should be no food, dining or entertainment allowed on these blocks and reasonable closing hours should be observed in this area to protect many residents living on upper floors many of whom have large historic windows about 150 years old. Events, with music, drinking, crowds, should be restricted and there should be enforcement.

Unlike other areas in the district, there are very few, if any, of these beautiful ground floor showrooms for rent in the M-15B – even under the pandemic. On Greene Street where I live, several ground floor showrooms are owned by one landlord who does not live here. His main concern is with maximizing his rent, not necessarily for the historic district or the quality-of -life issues that many of us are trying to protect. Under your plan of expanding the use groups in the M-15B, this landlord will have a lot of power in determining the nature of our very historic block depending on how he rents these ground floors and to what extent restrictions, if any, are enforced. There are many residential buildings in SoHo where the ground floor is not owned by the Co-Op or the Condominium. Many quality-of-life issues being expressed by residents throughout SoHo involve a delicate balance between residents and the needs of owners of ground floors.

• **Your proposal fails to take into account the special nature of the Cast Iron itself which is a huge transmitter of sound.** The narrow streets, cast iron, and cobblestones create an echo chamber which amplifies sound. Many buildings in the M-15B have windows that are over 150 years old. Cars with loud stereos and motorcycles drive through our streets just to hear the intense sound that their vehicles produce which resound in our homes and workspaces. People shouting on the street, particularly when drinking, have a similar effect. This is difficult to measure as much of this activity is sporadic and unpredictable. However, appropriate ground floor uses are critical for maintaining the quality-of-life as well as the character of the historic district. The M-15B is the real SoHo.

• **Your proposal fails to address the many new uses of our streets where moving vehicles have been reduced to one lane.** <u>The impact of changes made by the Bloomberg administration have had the opposite effect on our environment by adding to the air and noise pollution.</u> This is a result of the alternate use of our streets for bike lanes, Citi Bike parking, regular parking, and now, outside restaurant use of the street. Restaurants are already looking to make these outdoor café's permanent. **Traffic cannot move.** Prior to the pandemic, there was more air pollution, noise pollution and horn honking than ever before. On Grand Street, the bike lane is vastly under used. Now that people are dependent on delivery services, this situation will worsen.



Grand and Greene St



Cars trying to turn on Grand from Greene

Again, there is a sporadic nature to this problem and if you measure it at the wrong time, you will not see the problem. Greene Street where I live, between Canal and Grand, is a major north bound street and traffic moves north from Tribeca, Canal St and Lower Manhattan. Many vehicles want to turn right on Grand Street, a major artery to little Italy, Chinatown, and the East River bridges, but they cannot turn because Grand Street has one lane and is dominated by an underutilized bike lane as well as other uses as I mentioned. No one from the city takes a second look or follows up. On a few occasions, emergency vehicles could not turn.



•**Your proposal fails to address the need for parking.** In fact, two of the potential development sites in the proposal, on Canal Street and West Broadway are currently parking garages heavily relied upon by the community, hotels, businesses, and visitors. They will be among the first buildings to be sold to developers for luxury development. Neither the Sheraton Hotel, on the south side of Canal Street or the SoHo Grand Hotel on West Broadway have garages.

• **Your proposal does not adequately address the soil conditions along Canal Street and in many sections of the M-15B.** A new residential building, just finishing construction on the corner of Greene and Canal Streets, took over 3 years to complete as it had to be built out of steel as opposed to poured concrete due to soil conditions. There is no garage. Yet, the developer, under the current FAR, will still make a profit. The building conforms to the character of the block. I shudder to think what this would have looked like 2.5 times the height under your proposal for Canal Street.



• **Your proposal does not adequately address the infrastructure and age of the cast iron buildings in the M-15B**. The conditions here are unique not only with the soil but also because we live on a flood plain. Parts of the M- 15B have flooded several times during the years. St Alphonsus Church was torn down because it was sinking. A few years ago, a building on Grand and Wooster Street collapsed. Many cast iron buildings in this section, including the one I live in, are listing. What will protect the community when incentives for luxury development in this section is "as of right" and there are few controls?

Issues About JLWQA

My husband and I are original loft tenants, certified artists, and currently live and work in SoHo under Rent Stabilization. We have gone through the processes of the Loft Law and, in cooperation with our original landlord, worked together to bring the building to code. The tenants paid for code for their lofts and the common areas of the building. In 1991, we were granted a C/O for JLWQA and were placed under Rent Stabilization. It is a unique relationship that has allowed the majority of us to stay in the community. Four Rent Stabilized tenants and five artists still live in my building since the early 1970's. There is another building like this, with several Rent Stabilize tenant-artists across the street.

• **Your proposal does not adequately count the number of artists or rent stabilized tenants or look into ways to model what is already successful.** More than half the people I know in SoHo are rent stabilized tenants. Most of the people I know in general, who live here, are artists or affiliated and interested in the arts. There seems to be an effort to allow big corporations to take over under the assumptions being made about RS tenants, and the numbers of artists who live in SoHo-NoHo. Artists need access to galleries and museums. The artists, owners and renters, give our community stability by voting here and looking out for the neighborhood. We do not need more luxury apartments in buildings that are 2.5 times the size. Many owners of this type of housing do not live here but buy for investment. JLWQ's should be encouraged, not only for artists, but for individuals who want a stake in a creative community. Surely, you can explore some original approaches. This is the affordable housing we need. Sadly, developers benefiting in this draft, will buy their way out of affordable housing which will not get built. I support opportunity for affordable housing that is not linked to luxury development and that actually gets created in SoHo.

• **Your proposal does not address the unique and varied situations with the Loft Law or NYS.** It concerns me that you say that owners can transition from JLWQA to apartments. This could be problematic for artist tenants covered by the Loft Law or Rent Stabilization. It increases the options for landlords to harass tenants into leaving or even telling artists that they can no longer work I their spaces. The DHCR (Dept of Housing and Community Renewal, NYS) considers lofts to be apartments for rent purposes only. Under the Loft Law, tenants have a right to sell their fixtures and their leases, but landlords have the right to buy them back particularly when it involves Vacancy Decontrol. Vacancy Decontrol in general has been the cause for the loss in affordable housing in New York City and elsewhere. These issues need more attention as zoning changes have deep effects.

In conclusion, I urge you not to throw the baby out with the bath water and to refine your thinking about preserving many aspects of SoHo and NoHo. While I accept the fact that some changes are necessary it is also smart to preserve the qualities of the historic district – something that cannot be replaced for future generations. Many tourists come here to see the architecture and the special nature of the neighborhood. Shopping and eating are secondary in the M-15B. Restrict the retail and entertainment uses in the M 15-7RX. Encourage unique small businesses and avoid allowing chain stores. Protect the Design District. Changes in the zoning have large impacts and many are unknown. Thank you for your consideration.

Susan Fortgang
23 Greene Street
artsmart44@aol.com

Subject: Feedback on SoHo/NoHo plan
Date: Friday, December 18, 2020 at 1:10:03 PM Central Standard Time
From: Fredericka Foster
To: 21DCP059M_DL, hello@cb2manhattan.org

On Dec 18, 2020, at 10:38 AM, Bennett Shapiro <benshapiro.mac@me.com> wrote:

Excellent note, with modifications below——-

To Whom it May Concern:

We agree with many others in SoHo that we need more affordable housing in our neighborhood - many artists who had been renting here for years have been pushed out. This is one of the few areas in the city that has the kind of space artists need to work and these lofts are essential for dancers, sculptors, as well as painters such as myself.

I have difficulty understanding why you are trying to push this major project through in a hurried fashion without face to face discussions, when so many SoHo residents are out of town because of the COVID risk. For such a huge reorganization you must arrange meetings that include comprehensive input by all affected persons. Also, the anticipated context for your environmental impact studies is completely unrealistic because of COVID-related perturbations in regional shopping, work environments, dining, entertainment, residential life, academic life, and everything else that was going on in the SoHo area prior to February 2020. Thus, this seems to be a sham analysis, to fill in a checklist without any attempt to learn anything appropriate about the real impact of this poorly developed plan. You need to wait until we see what New York looks like in the aftermath of this terrible disaster. It feels like you are trying to take advantage of the citizens of downtown New York, especially those in SoHo, NoHo and surrounding areas, to rush into a poorly characterized plan just to enrich a few developers.

Also, and as you well know, an enormous amount of vacant and underutilized space is available in Manhattan right now because of the COVID disaster. How are you approaching those opportunities for optimal use? Why are you focusing on SoHo and NoHo, when to add all your imagined buildings will completely change our neighborhood. As you well know, but so cynically forgot to mention in your biased proposal, we are one of the few living areas in NY with no park and no parking! If your plan were to go through, where will you put all the resultant cars in the area? We have no schools - where will the children go? And no open spaces for families to enjoy the outdoors. Moreover, the air pollution downtown surrounding the Canal street area is substantial, and up-zoning in this area is moving in the wrong direction.

You offer arguments that the city needs to lower rents, and thus the requirement for higher density development in SoHo/NoHo. This is obviously some fantasy of your planning group, since current rents are are being lowered all over the city because of the COVID pandemic. You must have noticed that buildings are empty in many parts of NYC, so please explain why you argue for building more commercial space in this historic, protected area.

It is obvious to one of us as the last artist owning a loft in our building at 121 Greene Street that our current SoHo/NoHo neighbors need to be able to be legally occupy their spaces, by insuring that they all can obtain appropriate protections This is the kind of up zoning we need. Many of the buildings that you see as opportunities for inappropriate expansion are the very ones that have artists living in rent controlled spaces. Your plan for massive development will result in them being kicked out, further devaluing one of the special aspects that SoHo developed over the past half century, and one characteristic responsible for NYC being identified as a world center of creativity (with many obvious roles played in the economic success of Manhattan during that period, as has been well recognized).

Thus, this plan has the potential for social, artistic and economic damage to NYC that is not considered in any balanced fashion in your presentation, and needs much further careful analysis and discussion before it's implementation. The downside of this proposal for the culture and special attributes of NYC is much greater than the potential upside, and that requires much more consideration and discussion before implementation.

Thank you for your consideration,

Fredericka Foster, Certified Artist under the NYC program
Ben Shapiro
121 Greene Street
Mailing: 215 Thompson. NY NY 10012

Subject: RPA testimony on the coping of SoHo/NoHo
Date: Friday, December 18, 2020 at 2:45:33 PM Central Standard Time
From: Moses Gates
To: 21DCP059M_DL
CC: Danielle J. DeCerbo (DCP)
Attachments: RPA SoHo_NoHo testimony.docx

Thank you for the opportunity to submit testimony, please see attached.

Moses Gates
Vice President, Housing & Neighborhood Planning
Regional Plan Association
One Whitehall, 16th Floor, New York, NY 10004
mgates@rpa.org | 718.440.1411

TESTIMONY OF THE REGIONAL PLAN ASSOCIATION ON THE SCOPING OF NEW YORK CITY DCP'S PROPOSED SOHO/NOHO REZONING

Thank you for the opportunity to submit testimony. My name is Moses Gates, and I am the Vice President for Housing and Neighborhood Planning at Regional Plan Association. RPA is a non-profit civic organization that conducts research, planning and advocacy to improve economic opportunity, mobility, environmental sustainability and the quality of life for those who live and work in the New York metropolitan region.

RPA is excited about DCP's focus on the SoHo/NoHo area as a neighborhood which could supply much needed affordable housing growth as well as the overall direction of the proposal. More mixed-income housing is greatly needed in New York, particularly in areas with access to jobs and mass transit, and in areas which do not currently have affordable housing opportunities for new residents. This is also the type of place where New York's Mandatory Inclusionary Housing policy is designed to work: High market neighborhoods in which larger buildings can be built with proper zoning.

In scoping the proposed rezoning we would like to see DCP take a somewhat more expansive look at the geography. Specifically, there are several areas not included in the rezoning where significant potential for affordable housing could exist.

First, we would like to see the area east side of 6th Avenue between Canal and Houston street considered, especially the areas which are not part of the existing Sullivan-Thompson Historic District. For instance, between Sullivan Street and Sixth Avenue, south of Spring street, there are four newly built large, expensive single-family homes - the type of development that results in high-market areas which are not zoned to allow for enough mixed-income multifamily housing. Encouraging more single-family homes is completely inappropriate in an area like SoHo which has good access to jobs and transit, and which needs more neighborhood retail uses and more affordable housing. This is especially egregious considering Sixth Avenue is a wide street in core Manhattan, the type of street which is best suited for large multifamily buildings. This site of these four townhouses could easily accommodate well over 100 apartments with ground floor neighborhood retail and still not be taller than the building next door. Despite its recent construction, this site could still be a feasible development site with the proper zoning, and we urge its inclusion in the study. In addition, the Houston Street corridor east of Mulberry street, the South Side of Canal Street, and the East side of Lafayette Street could be added to the study area as well.

We would also like to see the R10 designation extended to the north side of Grand Street, and specifically encompass the municipally owned site at 142 Grand Street. Any development on this site is likely to be 100% affordable housing and as such should be zoned for as much residential use as possible, especially since the south side of Grand Street is also proposed to be rezoned to R10. We would also like to see all of the Canal street corridor have an R10 designation as well, instead of the currently proposed R9X.

We would also like to see the proposal tailored to encourage more housing overall. Currently, the spread between commercial and residential density is too low. Especially in the R7X areas we would like to see the residential FAR increased.

In conjunction with other changes to be made in the MIH text with this proposal we would like to specifically see one loophole closed, which is in section 23-96 (b) 2 of the Zoning Resolution. This specifically allows IH projects where “all affordable housing units are rental affordable housing and all other dwelling units are homeownership housing” to economically segregate the buildings, putting all the affordable rental housing on lower “poor floors” and all of the high-end condos on upper floors, leading not to a mixed-income community but to a two-tiered structure both literally and figuratively. This is not in the spirit of mixed-income housing and neighborhoods, and we urge DCP to eliminate this language in the SoHo/NoHo MIH area, if not the MIH text overall.

Finally, we also highly encourage DCP to coordinate with DOT and other agencies to truly reimagine Canal and Houston streets especially as modern thoroughfares, safe for pedestrians and cyclists, and look for places where the zoning code could encourage this type of transformation.

Thank you for the opportunity to submit testimony, and we look forward to continuing to support the effort to bring more affordable housing to one of our neighborhoods most in need of it.

Moses Gates
Vice-President, Regional Plan Association

Subject: DELAY DELAY !!!

Date: Thursday, December 3, 2020 at 11:42:13 AM Central Standard Time

From: Madelynn Gingold

To: 21DCP059M_DL

At a time of pandemic, when local co life is deeply disturbed, it is outrageous bad timing to try to push forward with the SOHO/NOHO rezoning plan.
Who gives you public relations advice?…the real estate industry?…clearly not the community. DELAY!
Madelynn Gingold (RESIDENT since 1971)
148 Greene Street
NYC10012
917 853 8846

Subject: SoHo/NoHo Scope of Work
Date: Thursday, December 3, 2020 at 10:12:45 AM Central Standard Time
From: Chris Goode
To: 21DCP059M_DL

I am a 40 year resident of this neighborhood. We desperately need more housing of all kinds. I support rezoning which increases the FAR and locations for more housing to be built. I support reducing the allowable FAR for offices in order to further promote more housing. Unfortunately the current proposal of 10 FAR for office and 12 FAR for housing is not a big enough incentive for developers to switch from office to housing construction.

Further I believe zoning should be amended to allow for the incorporation of housing into existing office/commercial buildings allowing for a mixed use. Also allowing for set back (not visible from street) rooftop additions of apartments on all existing buildings would be a good way to add further housing.

Thank you,

Christopher Goode
646-337-8824

Subject: support for rezoning NoHo/SoHo
Date: Friday, December 18, 2020 at 1:48:19 PM Central Standard Time
From: Lawrence Greenfield
To: 21DCP059M_DL

Hello,

My name is Lawrence Greenfield, and I live at 366 Broadway, just south of SoHo. I strongly support the proposed rezoning and allowing more housing to be built in SoHo and NoHo. It will make SoHo as well as my neighborhood a better, more vibrant place, as well as more welcoming to all New Yorkers.

thank you,
Lawrence Greenfield
366 Broadway, Apt 12B, New York NY 10013
718-809-5941

Subject: SoHo/NoHo Rezoning comment
Date: Wednesday, December 9, 2020 at 6:34:46 PM Central Standard Time
From: Dennis Griffith
To: 21DCP059M_DL

I work in SoHo and live just across the study boundary in NoLIta. I'd like to express broad support with upzoing, but I have a concern about the focus of the current proposal. Specifically, I'm worried that the increased commercial densities would compete with the similar (slightly larger!) residential densities. I'd like to see the plan figure out a way to get both a substantial commercial and residential component (I'd like to see something like the FiDi's cool towers out of my corner office), but failing that, I'd like to see a stronger preference towards residential.

Additionally, I'd like to object to the upzoning by Prince and Mulberry. It's too small. The buildings there don't seem especially historic or interesting, so I think it would be an opportunity to allow a lot more density. I'm not comfortable with the zoning code to say what's the specific zone I'd want, but my office across the street (14FAR per ZoLa) seems like a reasonable comparison.

Subject: Input into Soho/Noho Zoning Plan
Date: Friday, December 4, 2020 at 6:35:23 PM Central Standard Time
From: Matthew Guttentag
To: 21DCP059M_DL

Dear Planning Team,

I was unable to attend the planning meeting on the Soho/Noho rezoning, but am a NYC resident and would like to offer my perspective. As someone who is not able to afford to live in that area, but would certainly love to, I am delighted that the rezoning is offering more housing and in particular more affordable housing. However, I am concerned that the plan is not going far enough on that front to truly make a difference, and recommend the following adjustments:

-The proposed M1-5/R9X districts (the Broadway - Houston Corridor, NoHo North, and Canal Corridor) should instead be mapped with R10 and the M1-5/R7X districts should instead be mapped with at least R8X.

-The city should not provide commercial upzonings in the rezoning, especially in the housing opportunity areas, where it most risks crowding out new housing.

-The city should get rid of the Non-Residential Floor Area Retention, or at least restrict it.

These would all add more much-needed housing. I would love to some day be able to move to the neighborhood, and will be closely following (and casting my local votes) based on whether that is moving towards becoming a reality!

Warm regards,

Matthew Guttentag

Subject: WTF!
Date: Wednesday, December 2, 2020 at 4:41:42 PM Eastern Standard Time
From: Clarence Hahn
To: 21DCP059M_DL

To All,

I live in Soho and find the current proposal a collection of terrible, corrupt, and deeply cynical policies that would eviscerate the neighborhood AND completely miss the intended mark of mobilising progressives around affordable housing. The analysts and politicians putting forward this proposal are merely 'ticking' the progressive box while simultaneously raising campaign funds - NY politicians at their best!

Sincerely,
Clarence Hahn

Subject: NoHO/SOHO Rezoning
Date: Friday, December 18, 2020 at 4:14:41 PM Central Standard Time
From: Ilana Haramati
To: 21DCP059M_DL

Hi,

As a resident of lower Manhattan, I write in support of the plan for rezoning NoHo/SoHo. Doing so will increase housing, and help move our city one step closer to being a welcoming place for *all* New Yorkers. Increasing equity and access to affordable housing should be a top priority for the city--it is the only way we can continue to be the vibrant place that so many want to call home.

Best,

Ilana Haramati, resident of 10002

Subject: SoHo/NoHo rezoning
Date: Friday, December 4, 2020 at 6:50:06 PM Central Standard Time
From: Meghan Heintz
To: 21DCP059M_DL

Hi,

I'm writing today to say I support rezoning SoHo and NoHo for more housing and especially more affordable housing. This neighborhood hasn't done it's fair share with respect to housing and rezoning it for more affordable housing would make the city more inclusive. I hope that the city will make sure that the levels of affordability offered are deep and structure the rezoning such that housing is prioritized over new office space.

I wish I could say I am a SoHo resident so you'd take my testimony seriously but the neighborhood is laughably unaffordable to me and out of my reach, so I cannot. I hope the city will take into account the opinions of residents of other NYC neighborhoods considering how deeply exclusive and expensive SoHo/NoHo currently is.

Thank you,
Meghan Heintz
1275 Prospect Ave.
Brooklyn, NY

Subject: SoHo/NoHo Draft Scoping Comments
Date: Friday, December 18, 2020 at 3:41:34 PM Central Standard Time
From: Emily Hellstrom
To: 21DCP059M_DL
Attachments: SoHoNoHo Scoping Comments.pdf

Dear City Planning Commission,

I have lived in SoHo since 1996, and, among other things, I am the president of the largest residential co-op on Broadway and Crosby Street. I am writing today on behalf of my building residents, to oppose the massive up-zoning which is being foisted upon us with no regard for the community based plans that I have seen. Many of us believed the city at the start of the Envision SoHo NoHo process when you claimed this would be a “ground up” rezoning and a “true community process”.

Within the SoHo Broadway Initiative, where I act as the Vice President, we came to believe that after 50 years, and so many of the uses within the district out of compliance, that it was important to begin planning for the next 50 years. So we spent time creating a framework that stakeholders who live, work and visit the district could get behind. Several resident groups also worked on plans. In addition, we all spent hours of volunteer time to attend the many meetings for Envision SoHo/NoHo.

What the City rolled out last month has no bearing on the hours of time that so many of us spent in discussion and planning. Instead we are saddled with a massive increase in FAR that no stakeholder was interested in. It does not guarantee one unit of affordable housing, instead relying on a failed MIH mechanism with an abysmal track record of creating affordable units because it relies heavily on the whims of commercial developers who are inextricably tied to market forces. It prioritizes office space which, if there is ANYTHING this pandemic has taught us, is about to get a massive face change. It does not speak about any other vision for creating affordable housing, such as incentivizing office conversions, looking at working with the hotel industry to convert some of the hotels into housing, nor does it take a hard look at the city owned land at 2 Howard Street, which is currently serving as a severely underused police parking lot. It also does not look at how to preserve the thousands of residents who live here in rent controlled units, nor does it show any way of legalizing other residents who are non-artists and need to live legally, and says nothing of height limits, landmarking or any protections for artists. It also is reckless when it comes to retail with nothing written in regarding methods for encouraging small business and making sure that we do not have floor to ceiling commercialization throughout the district.

This plan looks like it was outdated 5 years ago, let alone a plan to bring us into the future. There are several community groups that have created solid, productive compromises which aim to correct many of the issues this neighborhood faces, including affordable housing, mixed use living, and retail. I urge the City Planning Commission to slow down this process, focus listening to the community, so that we can do the hard work of coming up with a plan that actually works for all stakeholders.

All the best,
Emily Hellstrom

Co-op Board President
514 Broadway/66 Crosby Street

—
Emily Hellstrom
917 386-7479
emilyhellstrom@mac.com

Emily Hellstrom
66 Crobsy Street, #6E
New York, NY 10012

December 18, 2020

Dear City Planning Commission,

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This plan looks like it was outdated 5 years ago, let alone a plan to bring us into the future. There are several community groups that have created solid, productive compromises which aim to correct many of the issues this neighborhood faces, including affordable housing, mixed use living, and retail. I urge the City Planning Commission to slow down this process, focus listening to the community, so that we can do the hard work of coming up with a plan that actually works for all stakeholders.

All the best,
Emily Hellstrom



Co-op Board President
514 Broadway/66 Crosby Street

Subject: Comments re: DCP Scope of Work for SoHo and NoHo
Date: Friday, December 18, 2020 at 5:03:26 PM Central Standard Time
From: Rosalie Hronsky
To: 21DCP059M_DL
Attachments: 12 18 2020 Comments on DCP Scope of Work SoHo NoHo.pdf

Please see attached letter.

Rosalie J. Hronsky
435 West Broadway
New York, NY 10012
December 18, 2020

VIA Email Transmission
NYC Department of City Planning
21DCP059M_DL@planning.nyc.gov.

Re: Comments on DCP Plan for the Rezoning of SoHo and NoHo
and DCP Scope of Work

Dear Sirs and Madams:

I write this letter in opposition to the SoHo/NoHo upzoning plan proposed by the NYC Department of City Planning (DCP) and the Draft Scope of Work (Scope of Work) DCP has issued. It is also submitted in favor of the Community Alternative Rezoning Plan for SoHo and NoHo (Community Alternative).

DCP represents that it sought "community input to develop strategies to both honor SoHo/NoHo's history and ensure the continued vitality of the neighborhoods going forward." Instead, DCP has issued a proposed plan and Scope of Work that are remarkable in their total disregard of the hours of the input from the SoHo and NoHo residents, who made these neighborhoods what they are today. The DCP and Mayor are attempting to rush through a proposed plan that would destroy the character, skyline and light in these historic neighborhoods, increase traffic and pedestrian congestion on our streets, and adversely affect the quality of life of residents. It would only benefit the developers who generously contributed to the Mayor's political campaigns and have long lobbied the Mayor for upzoning.

I am married to an artist, and we reside in one of the first artist coops in SoHo, which was formed by a group of artists in the early '70s. We were able to purchase our loft in the late '80s because the artist requirement suppressed real estate values in SoHo and made our loft affordable. Our coop has had minimal turnover in the more than 30 years we have lived here and has always been strict about the artist requirement. We know many other artists who bought lofts when they were affordable or reside in lofts protected by the Loft Law who have stayed in place in SoHo because comparable spaces are no longer affordable to buy or rent. In contrast to the Community Alternative, DCP's plan, if adopted, would undercut SoHo/NoHo's history and legacy by neither requiring nor protecting any affordable housing for artists.

DCP's proposed plan and Scope of Work pay mere lip service to and minimize the artistic community residing in SoHo. Without conducting a survey of all residential buildings in SoHo, as was done when the zoning was changed to permit artists to reside in SoHo, DCP has concluded based on such specious evidence as the "decline

of the number of artist certifications by the DCLA" since the 70s and '80s, that "artists do not make up a significant segment of the current 8,000 person residential population or market demand in SoHo/NoHo. DCP's conclusions are self-serving and fallacious. DCP also does not explain with any particularity how its plan would continue SoHo/NoHo's artistic legacy.

At no point during our community meetings with DCP and political leaders about expanding the zoning of SoSo/NoHo was the building of luxury high-rises mentioned. If it were, it would have been met with vociferous opposition. The requirement that developers include MIH affordable housing in these luxury high-rises is replete with exceptions and does not guarantee that truly affordable housing will be provided. The developers purposely mischaracterize our neighborhoods' opposition to DCP's plan, and insult our intelligence, by calling us racists who do not want affordable housing in our backyard. This is a ruse by developers who falsely cloak their self-interest in the promise of affordable housing but cannot be trusted to build what they promise. What our neighborhoods oppose is the destruction of smaller buildings and their replacement by out- of-scale luxury high-rises. We oppose upzoning and support the Community Plan, which would preserve the FARs in our neighborhood and provide more actually affordable housing. We have consistently stated that we are in favor of affordable housing in SoHo, including affordable housing for artists, and in favor of greater diversity.

Currently, SoHo is characterized by relatively low-rise buildings, many of which are landmarked. It is a former industrial area with open skies, sunlight and views of the New York skyline, including of the Empire State Building to the north and the World Trade Center to the south. The projected development as of right in SoHo West will obscure the view of the World Trade Center and essentially change SoHo's skyline. It should be noted that the shadows analysis proposed by DCP in its Scope of Work is basically meaningless because of the dirth of green space and parks in the SoHo. The only parks nearby are the park on Thompson Street and Washington Square Park, which are both already crowded. I raised two sons in SoHo, and we had to travel to other neighborhoods for them to play in green parks. Any plan for residential expansion in SoHo should provide for new parks and green spaces but DCP's plan does not. Also, there has also long been a shortage of public schools serving SoHo.

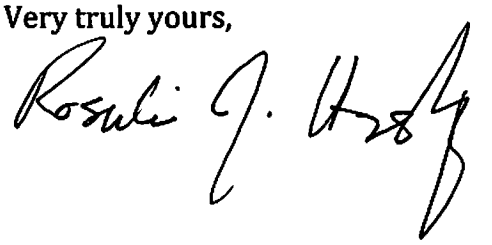
DCP's proposed plan, if adopted, will permit greater FARs throughout SoHo and result in the almost doubling of SoHo's residential population and the influx of thousands of new office workers into the neighborhood. It will also insert a long commercial strip of over-sized box stores centered on and spanning the length of Broadway from NoHo to SoHo. (See Scope of Work, Figure 4) This commercial strip, in which department stores will be permitted as of right, will be situated between the two historical, landmarked parts of SoHo and will bring even more shoppers and vehicular traffic into our neighborhood, which is already strained by its proximity to the Holland tunnel. This will result in more noise and pollution.

It is also highly questionable whether the old and fragile gas, plumbing, sewage, electrical and other infra-structures in SoHo can handle this increase of population. Canal Street, which was formerly a canal, and Grand Street and West Broadway have a long history of flooding when storms strike the neighborhood. And ConEd is ever-present digging up the streets in search of the source of the gas smells on West Broadway. In fact, as recently as a year ago, a manhole exploded on West Broadway that caused a geyser of fire, which kept going as pressure built up underground. It took hours for the Fire Department and ConEd to get it under control and weeks to repair.

Lastly, the current timeframe of the EIS in the middle of the Covid-19 pandemic, and the temporary economic downturn and lack of tourism it has caused, will result in the study being predicated on facts, e.g. pedestrian and vehicular traffic, that are not characteristic of the neighborhoods because many people are staying indoors or out of the City, working from home and ordering food and goods on the internet. The EIS should be postponed until after the pandemic is over in order to assess the real underlying conditions in these neighborhoods.

We request that DCP's plan be rejected because it would overwhelm SoHo with at least ten years of development, with unfettered destruction of short buildings, increased FARs throughout the neighborhood, and a population and traffic density more akin to Herald Square. Affordable housing is a false promise under the developer-backed DCP plan. Indeed, the SoHo we played a large part in creating and love would become unrecognizable. Therefore, we request that DCP's plan be rejected and that the Community plan - which provides for in-scale-buildings at the current FARs, truly affordable housing, and greater diversity - should be adopted.

Very truly yours,



Subject: Comments on SoHo/NoHo Rezoning
Date: Tuesday, December 1, 2020 at 12:47:16 PM Eastern Standard Time
From: Drew Johnston
To: 21DCP059M_DL

Dear Department of City Planning,
I'm writing in advance of the meeting Thursday, with a few thoughts of mine about the initial rezoning plan put forward in the SoHo/NoHo area. I think the plan is a great start, and a nice contrast to some prior rezonings which have been focused on lower-income areas. I think the department is right in its interest in adding housing capacity near so many jobs--the existing housing stock in the area is extremely expensive, and largely out of reach of many (like me) who work in the area. I would caution that, if extremely high commercial densities are allowed, the residential rezoning may yield fewer units than hoped for, if developers instead rent space out as offices. This is something the department ought to keep in mind when revising this proposal.
Thanks,
Drew Johnston

Subject: from Alex Katz
Date: Monday, December 7, 2020 at 12:54:18 PM Central Standard Time
From: Vincent Katz
To: 21DCP059M_DL

From Alex Katz, painter and SoHo resident since 1968:

The City's SoHo/NoHo Neighborhood plan would ruin the traditional character of the neighborhood as it currently exists. It would open it to development and the introduction of gigantic chain stores and restaurants, irreparably damaging the neighborhood. The quality of SoHo, which is a major tourist attraction, and thus, a benefit to the image and income of the city, is based on the scale and architectural quality of its buildings and spaces, and also its history as a home to those involved in the arts. Allowing developers to build luxury housing and large-scale commercial spaces will utterly destroy SoHo as we know it. We demand that the current plan be scrapped and the alternative proposal being crafted by neighborhood residents be considered. Thank you.

Subject: Soho/Noho upzoning
Date: Monday, December 7, 2020 at 3:41:06 PM Central Standard Time
From: Susan Keith
To: 21DCP059M_DL

We are against the present city administration's proposed upzoning of Soho/Noho . The fact that this is being brought up front again in the midst of the Covid pandemic which is in an extremely dangerous surge and people can not physically attend forums/meetings is appalling and thoughtless. The Soho/Noho neighborhood has changed in the past year, with many residents having left the city, either temporarily or permanently, and many businesses have closed. Any surveys for environmental impact or other assessments that have been done during this period are not valid as they reflect a ghost of the neighborhood and not what it has been prior to the Covid pandemic. These are not normal times, and when we come to a time when we have safely emerged from this health emergency, we will have a new normal which can not be known at this time. There are many residential condos/coops that have not sold, and empty stores up and down our streets. Newer buildings that have been put up in the past two years have large empty retail spaces with no tenants. The mayor's plan seems designed for further upscale development, and large commercial retailers, increasing the scale of allowable retail stores beyond the present 10,000 sq.ft. Trying to sell this plan as a boon for affordable housing is a sham, as whatever is created if any will not be of significance. If the city seriously wants to address the need for affordable housing which is monumental, then that should be the focus. There should be research into unoccupied buildings and spaces, existing landlords in need, and what could be done on a broader and more immediate time frame.

The proposed plan also does not incorporate the feedback from the series of Envision Soho meetings that were held and heavily attended by residents prior to the pandemic. There should be a pause put on any rezoning process until we are safely past this dire period, and we are in favor of the Community Alternative Rezoning plan which has the input of multiple community groups and incorporates the concerns of long time artist residents and the preservation of the joint living/work quarters for artists who were instrumental in creating the unique Soho neighborhood.

The potential impact of the mayor's proposed plan on the Soho/ Noho neighborhood environment is of serious concern. The addition of a few thousand more residents and the possibility of a surge of office workers and big chain stores with an influx of shoppers will stress our aging infrastructure including sewage system, sanitation, as well as the public transportation system. In the years preceding Covid"s arrival, the sewers have at times backed up during heavy rains storms. Sidewalks and subway platforms were often packed and cars crowded streets, adding to air pollution and street waste. The addition of close to 80% more residents than those currently residing here would burden the present police force and there would be a need for additional police for public safety.

The area has no schools, no real parks or green or open space and there is a lack of nearby health care since the closing of St. Vincent's Hospital, which should be a consideration for an increased population. The present pandemic should serve as a warning for the need to plan ahead for public health as researchers have highlighted for us that there will most likely be new virus threats and that climate change plays a part in this. And we should remember what happened with super storm Sandy, as flood waters reached close by, and power was lost for days. The city has not even completed all the proposed mitigation plans to protect us from another such event.

The plan cuts up our neighborhood by zones allowing for building size increase of a minimum of 20% in some blocks and increases up to 240% in height and bulk outside the Historic district. There would be a doubling of present height and bulk along Broadway and Lafayette in the Historic district. This approach and carving out

of different allowable height and bulk allowances on different blocks will effectively destroy what made Soho/Noho a special, unique, neighborhood that drew people here, artisans and special stores, and brought back an area that was losing its manufacturing businesses. There are sites designated for development in the mayor's plan next to historic, cast iron buildings, and there is a risk of undermining the foundations of these older buildings or having fatal damage done to adjacent walls by excavations and heavy construction work. This happened to a building on the NE corner of Grand and Wooster. Allowing retail spaces greater than the present 10,000 sq. ft. would attract big box chains that would diminish and drive out small independent stores that added to the character and charm of our neighborhood.

We agree that there is a need for affordable housing but adding more expensive high rise apartments to our neighborhood and upzoning for larger retail spaces are not the answers to this need. We have new buildings with empty spaces now, and our post pandemic future remains to be seen with the possibility of many people not returning to live here or even coming into offices for work. We feel that the mayor's plan should be put aside and when we are in recovery and more healed, we would support the CommunityAlternative Rezoning Plan for Soho and Noho which addresses the issues of current residents as well as provides for affordable housing and allows for as-of right location of broader retail use within the current limits of 10,000 sq. ft. Soho/ Noho does not have to be carved up to look nothing like itself and have all its unique charm removed to accomplish these goals.

Susan and John Keith
16 Crosby Street- 5RN
New York, N.Y. 10013

Subject: Re: Soho-Noho Neighborhood plan
Date: Thursday, December 3, 2020 at 1:04:18 PM Central Standard Time
From: CUSHLA KELLY
To: 21DCP059M_DL

I also would like to add I am the president of the Co-op board at 119 Spring Street and speak for them.

> On Dec 3, 2020, at 1:36 PM, CUSHLA KELLY <cushlakelly@msn.com> wrote:
>
> To Whom it May Concern,
>
> I live at 119 Spring Street #3, I am also a joint owner of 119 Greene Street #3. I have lived in the neighborhood for 27 years. My 2 children attended local schools and we consider Soho our home.
>
> I vehemently oppose the Soho-Noho Neighborhood proposal. Everything we love about our neighborhood is in jeopardy. As long term residents we pay our taxes, maintain our buildings, participate in community efforts to preserve the historic architecture and culture which we value greatly.
>
> Already we have been under attack with recent lootings. With the development proposals and up zoning in question here, the heart of what makes Soho so special will be destroyed. People like me, my family and neighbors will no longer wish to live there. The population increase cannot be supported.
>
> Maybe you don’t care about us.
>
> Soho has a tradition of artists, of beautiful historic cast iron buildings, of quiet cobble stone streets. You can rip the heart out of Soho in the interest of higher tax receipts, but in doing so you will loose it. Maybe money rules here and I am crying into the dark. I have to try.
>
> Yours sincerely,
> Cushla Kelly
>
>

From: Cameron Khajavi
To: 21DCP059M_DL
Subject: soho
Date: Monday, November 23, 2020 12:06:04 PM

Longtime soho resident and think the plan proposed would murder the culture of the neighbhorood which is a big driver of tourism and the overall energy of NYC

It would be an abomination to have big box retailers lining the streets of soho – mega buildings would eliminate the beauty of the area as well

I'm very saddened by what you are proposing – please don't do it

Subject: Calling For Postponement of Proposed Zoning Changes
Date: Thursday, December 3, 2020 at 4:26:04 PM Central Standard Time
From: Alison Knowles
To: 21DCP059M_DL

Dear DCP,

I am a long term resident of SOHO.

Due to the pandemic, state of emergency and lack of data on the following open issues, I'm requesting that re-zoning of the SOHO & NOHO districts be postponed.

Open Issues:

– the environmental impact of tens of thousands more people

– the environmental problems on our antiquated sewage system of thousands of new residents flushing their toilets and showering in the morning getting ready for work. We recall raw sewage backing up on West Broadway during past storm run-offs. The same problems apply to thousands of new office workers straining our waste system all day.

– much of SoHo is in a flood plain. Hurricane Sandy brought flood waters up to Wooster Street and halfway up to Broome Street. What mitigation for new construction has the city planned to deal with these flooding problems?

– thousands of wealthy new residents will need their automobiles. Where will they park? How much pollution will they generate? Remember, the Federal Environmental Protection Agency has listed Canal Street having some of the worst pollution levels in the country

– there are no schools in SoHo/NoHo. Where will all the new kids be educated?

– more people will require more police and fire services. Yet the upzoning proposal ignores this reality.

– Zoom meetings are not true public meetings. Rezonings are not mandated by law. Surely during a pandemic, this upzoning can be postponed until we can have true public meetings in person, and not in the Cloud. Demand a postponement.

– to accurately measure the impacts on the environment, DCP needs to collect real-time data on pedestrian counts, vehicular traffic counts, public transportation usage, etc.
However, due to covid, we know that SoHo/NoHo retail activity is a shadow of its former self, and a shadow of what it will be when things return to normal. So, any data collected now will not reflect the reality of what will be in the near future and thus will be grossly inaccurate.

Alison Knowles

Alison Knowles
122 Spring Street
New York, New York 10012

Subject: EARD Public Scoping Meeting: SoHo/NoHo - formal written Comment
Date: Thursday, December 3, 2020 at 1:59:23 PM Central Standard Time
From: Diane Kolyer
To: 21DCP059M_DL

Cannot the required affordable housing in new residential development be met without the proposed upzoning? Surely it can be applied to new residential development at the same size and scale currently allowed for other kinds of development in SoHo and NoHo?

DIANE KOLYER
646.734.4995 mobile
dkolyer@gmail.com

Subject: (none)
Date: Wednesday, December 2, 2020 at 1:37:47 PM Eastern Standard Time
From: Shaked Koplewitz
To: 21DCP059M_DL

Hi,

I'm concerned that the Soho-noho neighborhood plan doesn't do enough to increase the supply of market-rate housing. The focus on affordable housing is great for the tiny fraction of people who won the affordable housing lottery, but does nothing for the majority of us who live in market rate housing - and in that area, the plan seems to upzone the minimum amount of housing to support affordable housing, instead of focusing on creating an abundance of market rate housing.

Best,
Shaked

Subject: Soho/Noho Rezoning testimony
Date: Sunday, December 6, 2020 at 11:09:41 AM Central Standard Time
From: Michelle Kuppersmith
To: 21DCP059M_DL

Hello,

I want to thank DCP for continuing to host engagement meetings using Zoom during this difficult time. As a local community board member, I understand how difficult it can be for residents to attend long, in-person sessions at night and I encourage DCP to include Zoom in a hybrid engagement process going forward, even when we are allowed to have in-person meetings, to allow for the full breadth of participants to join.

However, I will say that 2 PM is a very difficult time for people to join and stay on to speak, even via Zoom, especially for those who do not work at home or are not retired. I would also encourage you to allow registration ahead of time with an emailed link, to remove any specter that you are attempting to reduce participation. Opponents to this plan will use anything to call into question its credibility - I recommend that DCP do everything it can to remove the "illegitimacy" line of attack that opponents will use to discredit the proposal.

Overall I support the idea of changing zoning in Soho/Noho, as it has not been modified in nearly 50 years, a time when the neighborhood and the city itself have drastically changed. But I think the plan as it stands has one major flaw in that it does not promote affordable housing at the maximum level possible, which is necessary to start addressing New York City's housing crisis. I want to remind everyone that as we evaluate this proposal that we are part of a broader community, one where 57,341 homeless people, including 18,653 homeless children slept in municipal shelters on average in October.

That is why I believe that the city should NOT provide commercial upzonings in this rezoning, especially in the housing opportunity areas, where it most risks crowding out new housing because often commercial space is more profitable than housing. Ideally, the city would drop commercial housing across the board to FAR 2 to always make housing a better financial choice for developers.

Again, Soho/Noho's rezoning (frankly, the city's zoning writ large) needs to be revisited and I urge DCP to adopt the zoning regulations that will most encourage housing - not office space, given that the rezoning will rely mainly on private developers to add housing. Ideally, the city would work with non-profit partners to turn any city/federally owned lots into 100% affordable housing for a range of lower/middle incomes.

Thank you,
Michelle Kuppersmith
125 Delancey Street

Subject: [West Village Resident] SoHo Rezoning
Date: Monday, December 7, 2020 at 7:31:32 PM Central Standard Time
From: Samir Lavingia
To: 21DCP059M_DL

TL;DR:

Hi!

My name is Samir Lavingia, and I live in the West Village. I am a huge supporter of this rezoning. It will bring more equity to the very wealthy parts of Manhattan and help desegregate our city.

My neighborhood is overwhelmingly white in a city that is incredibly diverse. I encourage you to bring a rezoning to the West Village next (especially on transit lines like 7th Ave South and 6th Ave) in order to get more Affordable Housing and further desegregate Lower Manhattan.

Cheers,
Samir

Subject: RE: DCP DECEMBER 3rd SCOPING MEETING RE: THE SOHO/NOHO ZONING PROPOSAL
Date: Thursday, December 17, 2020 at 1:44:02 PM Central Standard Time
From: Marna Lawrence
To: 21DCP059M_DL
Attachments: DCP SCOPING ltr SoHo.NoHo.pdf

To Department of City Planning Members:

Please find attached a revised letter regarding the December 3, 2020 Scoping meeting pertaining to the SoHo/NoHo rezoning proposal, in which I strongly recommend that the City place a PAUSE on the proposal, before moving forward.

Sincerely,

Marna Lawrence

Date: December 16, 2020

FROM: Marna Lawrence
19 Cleveland Place, #1D
New York, NY 10012

To: NYC Department of City Planning

Re: SoHo / NoHo Rezoning Plan
Scoping Meeting: 12/3/2020

To the Department of City Planning:

I attended the December 3, 2020 meeting regarding the SoHo / NoHo Rezoning Plan, and attended almost every Envision SoHo / NoHo Envision workshop, Community Board 2 meeting and DCP hearing since the beginning of the process. **The Draft Scope of Work is insufficient to cover the wide range of issues facing SoHo & NoHo, and the Scope needs to be broadened.**

It is quite clear that this project needs to be put on hold until the Department of City Planning (DCP), the Mayor, and all pertinent NYC and NYS governmental agencies have a clearer idea as to what the future brings for our City during this unprecedented time. It is absurd for the Mayor and the DCP to push through such an enormously complicated plan that looks to change the use and zoning of two such significant neighborhoods in Lower Manhattan, while at the same time businesses are shutting down and Wall Street companies are moving out of the City. And it is equally absurd to consider building more luxury apartment buildings during a time when NYC residents — especially those living in high end luxury apartments — are leaving the City in significantly large numbers.

Since 2019, the community engaged in good faith with the City to to encourage neighborhood diversity, promote economic vitality and improve the quality of life of those who live and work in these neighborhoods. It is quite unfortunate that, so far, this process appears to have been either a sham — or, at the very least, a shame.

- With the Envision SoHo/NoHo program, the City asked the Community to get involved in the process of rezoning these two wonderful neighborhoods. The City assured the Community that we were partners — important and vital stakeholders who would have a say in the outcome.

- The Community worked diligently and methodically to provide the City with an exhaustive, fair and detailed analysis of the project, outlining desired outcomes.

- The City then went behind a closed door, stifling public access, and walked back out of the door with a plan that quite frankly included little to nothing of what the Community recommended or wanted.

- The Community wanted to generate fair and inclusive affordable housing, by "reactivating underused spaces, such as storefronts": the City wants to destroy and demolish buildings where existing spaces exist, in order to build way! oversized luxury commercial and residential buildings, including very few — not so affordable — residential units.

- The Community plan overwhelmingly stated opposition to large scale upzoning: the City's plan focuses mainly on where best to build out-of-scale enormous construction projects.

- The Community plan called for improved quality of life for residents and small business, focusing on better enforcement,

stronger zoning rules and building codes: the City plan offers depressingly little in the way of data driven environmental studies or traffic studies — or even how much actual residential or small business displacement would occur, should these oversized developments actualize.

Frankly, the vast majority of those individuals who attended the December 3rd meeting came away with a sense of outrage that the City has turned its back on the Community, while only serving the interests of the few. And it is discouraging and infuriating to see how the City has decided to PUSH thru changes that would so significantly impact the lives of so many residents and small business owners — especially at such a time as this — when our City is under such distress due to the pandemic.

It is not too late for the City to do the right thing and place a PAUSE on this plan. We look to the future, as we 'see a light at the end of the tunnel'. The City should wait until after the Pandemic is over, when we can actually **see** what is needed for our City and our neighborhoods.

Sincerely,

Marna Lawrence

Subject: RE: PAUSE: SOHO / NOHO ZONING PROPOSAL
Date: Thursday, December 17, 2020 at 12:50:50 PM Central Standard Time
From: Marna Lawrence
To: 21DCP059M_DL
Attachments: DCP SCOPING ltr SoHo.NoHo.pdf

To Department of City Planning Members:

Please find attached my letter regarding the December 3, 2020 Scoping meeting pertaining to the SoHo/NoHo rezoning proposal, in which I strongly recommend that the City place a PAUSE on the proposal, before moving forward.

Sincerely,

Marna Lawrence

Date: December 16, 2020

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19 Cleveland Place, #1D
New York, NY 10012

To: NYC Department of City Planning

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Scoping Meeting: 12/3/2020

To the Department of City Planning:

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It is quite clear that this project needs to be put on hold until the Department of City Planning (DCP), the Mayor, and all pertinent NYC and NYS governmental agencies have a clearer idea as to what the future brings for our City during this unprecedented time. It is absurd for the Mayor and the DCP to push through such an enormously complicated plan that looks to change the use and zoning of two such significant neighborhoods in Lower Manhattan, while at the same time businesses are shutting down and Wall Street companies are moving out of the City. And it is equally absurd to consider building more luxury apartment buildings during a time when NYC residents — especially those living in high end luxury apartments — are leaving the City in significantly large numbers.

Since 2019, the community engaged in good faith with the City to to encourage neighborhood diversity, promote economic vitality and improve the quality of life of those who live and work in these

neighborhoods. It is quite unfortunate that, so far, this process appears to have been either a sham — or, at the very least, a shame.

- With the Envision SoHo/NoHo program, the City asked the Community to get involved in the process of rezoning these two wonderful neighborhoods. The City assured the Community that we were partners — important and vital stakeholders who would have a say in the outcome.

- The Community worked diligently and methodically to provide the City with an exhaustive, fair and detailed analysis of the project, outlining desired outcomes.

- The City then went behind a closed door, stifling public access, and walked back out of the door with a plan that quite frankly included little to nothing of what the Community recommended or wanted.

- The Community wanted to generate fair and inclusive affordable housing, by "reactivating underused spaces, such as storefronts": the City wants to destroy and demolish buildings where existing spaces exist, in order to build way! oversized luxury commercial and residential buildings, including very few — not so affordable — residential units.

- The Community plan overwhelmingly stated opposition to large scale upzoning: the City's plan focuses mainly on where best to build out-of-scale enormous construction projects.

- The Community plan called for improved quality of life for residents and small business, focusing on better enforcement, stronger zoning rules and building codes: the City plan offers depressingly little in the way of data driven environmental studies or traffic studies — or even how much actual residential

or small business displacement would occur, should these oversized developments actualize.

Frankly, the vast majority of those individuals who attended the December 3rd meeting came away with a sense of outrage that the City has turned its back on the Community, while only serving the interests of the few. And it is discouraging and infuriating to see how the City has decided to PUSH thru changes that would so significantly impact the lives of so many residents and small business owners — especially at such a time as this — when our City is under such distress due to the pandemic.

It is not too late for the City to do the right thing and place a PAUSE on this plan. We look to the future, as we 'see a light at the end of the tunnel'. The City should wait until after the Pandemic is over, when we can actually **see** what is needed for our City and our neighborhoods.

Sincerely,

Marna Lawrence

Subject: Resident Response to Soho/Noho Neighborhood Plan and DCP 12/3/20 Zoom meeting
Date: Saturday, December 5, 2020 at 11:32:38 PM Central Standard Time
From: Ann D. Levy
To: 21DCP059M_DL

To the Department of City Planning:

I am a longtime resident of Soho (38 years) and am responding to the Soho/Noho Neighborhood Plan.

I am extremely troubled by the efforts of the City and the DCP to rush through during a pandemic — a time when many residents are not even here — this plan that would dramatically impact our neighborhood.

How can scientific evaluations be made when so much of life in this neighborhood is distorted now by closures containing the spread of Covid-19 and significantly fewer people are here?

This process needs to be paused until we are well past the pandemic and the neighborhood returns to whatever the new normal is.

I do not support this Soho/Noho Neighborhood Plan that has clearly been rushed and put together in a slapdash manner with many mistakes and oversights. It is insulting to residents that it in *no way* reflects the hard work and recommendations of the Envision Soho/Noho Plan that so many of us provided information and feedback for in months of meetings. For these reasons, **I support the Community Alternative Rezoning Plan for soho and Noho** which *does* reflect the Envision Soho/Noho Plan.

The UpZoning permitted in the DCP's plan will cause oversized skyscrapers to dominate this historic neighborhood, nearly double the population, and inundate the neighborhood with still more people who come to work in new office space or shop in big box stores. All of this will impact our daily lives in countless negative ways, including construction going on all around us for many years. It is questionable whether any storefront spaces, new office space, or luxury residences are even needed now, since there seems to be a glut of all of these spaces vacant here and elsewhere in the City. Why does all of this disruption need to occur for the supposed 840 affordable units that *may* be built, but are not guaranteed because of sunset clauses that allow landlords loopholes? There are better ways to build affordable units.

Environmental concerns: The scoping plan fails to consider in detail, or at all, many of the important environmental and quality of life issues brought about by almost doubling the population and bringing in additional workers with increased office space, not to mention the addition of numerous skyscrapers.

--What provisions are being made for increased traffic, pedestrians, garbage, noise, and pollution?

--What provisions are being made for greater use of public transportation and the need for more schools and green space?

--Soho is in a flood plain. What is required for proper drainage and sewage systems and with greater waste being produced by significantly more people?

--Much of Soho is built on land that is not stable, some over old swamplands. **What geological studies have been done or need to be done to be sure that giant towers can even be built—and without structural damage to fragile 19th century structures?**

--**What structural surveys of existing buildings need to be done to find out whether 19th century buildings can withstand constant vibrations from jackhammers and piledrivers used on multiple construction sites?** *There have already been several cases of buildings whose structural integrity was compromised by excavation*

on adjacent construction sites and the residents of these buildings were displaced.

--Studies of shadows cast by out-of-scale skyscrapers only take into consideration how they will impact public spaces, not artists' studios and/or residences?

--What about the environmental impact of wholesale construction for several years in terms of dust, debris, asbestos, and noise on residents and workers, some of who are in the neighborhood 24/7?

The City has demonstrated continually over the years that it is incapable of providing adequate garbage collection, snow clearance, noise control, and policing, even as it has found more and more ways to bring ever larger numbers of people into the neighborhood. *How are we to expect that the City will be able to respond with adequate services to the near doubling of the population, especially with budget cuts due to Covid-19?*

Soho was landmarked as a neighborhood, not as individual buildings dotted here and there in the midst of a 20th century district. In treating these buildings collectively, the Landmarks Preservation Commission was intending to preserve the feel of the entire 19th and early 20th century commercial neighborhood that was built here. Cutting this historic district in two with the Broadway Commercial Corridor — a canyon of skyscrapers — will disturb the continuity of the neighborhood, not only visually and historically, but also the sense of neighborhood that residents and shopkeepers experience.

The Broadway Commercial Corridor should be eliminated from the plan and the historic district should be kept as a unified whole. The plan's assesment of the character of this area and its residents does not reflect what is there. There are many more residences on Broadway than the scoping plan states and, while the area between Howard Street and Houston does contain some 10-12 story buildings, most of these blocks consist largely of 5 story buildings. Landmarking was meant to preserve the context in which these older and lower buildings existed.

There is no need to build newer or larger buildings in the corridor. There was already, pre-pandemic, an abundance of vacant store fronts on Broadway that has increased during recent months as many shops have gone out of business. It is questionable whether any new office space will be needed now that companies are finding they can run efficiently and cut the overhead costs of running large office spaces by having staff work from home. Sandwiching, probably useless, skyscrapers along this corridor would destroy the continuity and integrity of one of New York City's oldest historic neighborhoods. **UpZoning should not be permitted.**

No big box stores or large restaurants should be permitted. They are not in keeping with the character of the neighborhood and they squeeze out local, one-of-a-kind, smaller shops. Oversize stores create problems that this neighborhood is ill-equipped to handle: noise from constant late-night deliveries that keeps residents awake and a huge volume of trash that overtakes sidewalks while awaiting pickup. **Stores must be limited to 10,000 square feet and restaurants should be limited to 5,000 square feet.**

UpZoning the Broadway Corridor would not only severely impact Broadway, but also Crosby and Mercer Streets. Crosby, an extremely narrow street and one lined almost completely with 5 story loft buildings in its lower blocks, is nestled in between Broadway and Lafayette. **Permitting UpZoning on Broadway and Lafayette, without respecting landmarked buildings that are part of the Historic District, would put Crosby Street residents in a dark canyon between two rows of out-of-scale towers, more than twice the height of the 25 story NoMo Hotel (former Mondrian Hotel.)** Loss of light would impact negatively on these residents' daily existence and deflate the real estate value of their lofts. Crosby Street's connection to the rest of the Soho Historic District would be cut. Mercer Street would be impacted to a slightly lesser degree, because Greene Street to its west is not part of the corridor.

Other world class cities (like Berlin which was devastated by WWII) **have managed to preserve their historic neighborhoods by keeping new building heights consistent with older structures, constructing imaginative new buildings that fit in architecturally with historic ones, and by permitting taller buildings only *outside* of historic districts.** Lower Manhattan below 14th Street includes multiple historic and architecturally diverse neighborhoods which give a picture of what NYC life in lower Manhattan looked like 100-150 years ago and in some areas, even earlier. These unique neighborhoods and their proximity to each other are a draw for tourists and visitors. **If Soho**

and Noho's integrity is destroyed and its landmark status is bypassed, this will set the stage for the mass destruction of New York City's rich historical past. If NYC wants to remain a cultural and historical destination point, it needs to do much better than the current Soho/Noho Plan.

Correction needed: Please note that 16 Crosby Street and 452 Broadway are incorrectly labeled as "residential" on the Existing Land Use Fig. 6 (page 26.) They should be correctly labeled "residential with commercial below."

"Elite" Soho and Affordable Housing: The study frankly acknowledges that it did not have an accurate way to determine how many artists live in the neighborhood. There are more artist residents than is noted in the scoping document. Most are longtime artist residents, many of whom never acquired certification, and other longtime rent stabilized residents. These senior citizens need to be able to age and stay in place. They are not rich. They moved here when lofts were the affordable housing for artists — lofts provided work and living space all in one location. Many artists are still renters. Those that were fortunate to be able to convert their buildings to coops, are only wealthy if they sell their lofts and move. With the huge capital gains taxes they would owe, it would not be possible for them to acquire equivalent live-work space.

Most residents support the creation of affordable housing, but not through this sideways process. The MIH plan only specifies a small proportion of affordable units, relative to the huge number of luxury apartments, and because of "sunset clauses," does not guarantee that *any* affordable housing will ever be built! There is currently a glut of vacant luxury apartments so there is no need for this kind of building.

If the focus is on creating affordable housing, why not do just that, through repurposing existing buildings and building new housing on vacant lots with FARs in keeping with current building heights? Funding should be done through government programs and not made contingent on real estate developers' profits. Otherwise, there is no guarantee that these units will ever get built.

The **Community Alternative Rezoning Plan for Soho and Noho** offers plans for affordable housing without UpZoning. Please consider this plan as an alternative. The DCP's plan is unacceptable and should be abandoned.

Sincerely,

Ann Levy
16 Crosby Street

Subject: Soho rezoning proposals
Date: Thursday, December 3, 2020 at 4:53:11 PM Central Standard Time
From: michael lewyn
To: 21DCP059M_DL

I am writing to endorse Open New York's proposals for additional residential upzoning, and to elaborate on my testimony. Given the city's recurrent housing problems and the possible long-term decline of the office market, I think that housing should take priority over offices- especially within walking distance of what's left of the Wall Street office market.

But I am writing to respond to some of the counterarguments raised.

If I understand her testimony correctly, Lynn Ellsworth of the Tribeca Trust seems to believe that the law of supply and demand is somehow "unproven." But now more than ever we know that this is wrong: demand has collapsed because of COVID, and rents have gone down.

If I understand his testimony correctly, Andrew Berman claims that Soho is too dense and traffic-clogged to support new housing. But according to city-data.com, Soho has about 58,000 people per square mile, below Manhattan's 70k-per-square-mile average. Similarly, Mark Dicus testified that Soho is a mixed-use area- but that's true of most of Manhattan. And frankly, I think that more people should live in mixed-use areas, so that more people can have the opportunity to walk to stores and other amenities.

Similarly, a variety of commentators complained about traffic and pollution. But if housing shortages force people into the suburbs and outer boroughs, more people will drive more, creating more traffic and pollution.

Pauline Augustine claims that new housing will block off sunlight. In midtown Manhattan the buildings are much taller than those proposed for Soho, yet there is ample sunlight.

Somebody wrote that new construction would drive out existing businesses. But new construction happens all the time, both in New York and other cities- yet older businesses somehow continue to exist. So that claim makes no sense.

Prof. Michael Lewyn
Touro Law Center
225 Eastview Drive
Central Islip NY 11722

Sent from Outlook

Subject: Soho/Noho needs more housing
Date: Saturday, December 5, 2020 at 12:38:34 PM Central Standard Time
From: Max Livingston
To: 21DCP059M_DL

I am writing to express my support for the DCP's upzoning of SoHo/NoHo. New York is in a housing crisis, and the wealthy neighborhoods of lower Manhattan are precisely where we should be building more housing and taller buildings. I attended the public comment meeting on Thursday but unfortunately had to leave before my name was called to speak. As some others in the meeting noted, there are some possible issues with the current proposal that risk offices being built instead of housing. I support the reduction of the commercial FAR and increase of the residential FAR to ensure that developers build homes rather than offices. Additionally, I would encourage the city to be ambitious and try to get the most new housing that you can, by increasing the height/FAR of 55 Bleecker and 477-479 W Broadway, and including 2 Howard and 142 Grand in the rezoning. Additionally, the proposed M1-5/R9X districts should be mapped to R10, and the M1-5/R7X should be mapped to at least R8X.

Thank you for your hard work and for enduring the tedious hours of public comment on Thursday.

Max

Subject: UpZoning for SoHo/NoHo
Date: Friday, December 4, 2020 at 7:19:20 AM Central Standard Time
From: Bonnie Lynn
To: 21DCP059M_DL

Hello,

I am a resident in SoHo since 1980. I am not rich. I live in a small rent-stabilized loft (under the loft law). I am a retired teacher and now
a self employed photographer.

I listened to the Zoom Meeting yesterday . I'll be brief.

1. These hearings should be postponed for a few months so we can participate IN PERSON as in any democracy. I
suspect these hearings are illegal.

2. I am STRONGLY opposed to the plan as put forth by DCP and supported by the real estate developers and groups
totally unconnected to the neighborhood .

3. I STRONGLY support the Alternative Plan submitted by 10 different true area groups.

Thank you.

Bonnie Lynn
110 Greene Street.

Subject: Rezoning of North side of Great Jones Street to a Commercial Corridor
Date: Friday, December 11, 2020 at 1:08:01 PM Central Standard Time
From: William P Manfredi
To: 21DCP059M_DL

We live and work in an AIR co-op on the the North side of Great Jones Street that is proposed to become a Commercial Corridor. Our loft is on the ground floor and has a Certificate of Occupancy for joint living and work quarters. We have spent thousand of dollars to make it livable and conform to the requirements for a C of O. If the ground floors are to become only commercial how are we going to be protected? I assume we will be grandfathered in as long as we live in our space but if we want to sell or rent out our space will it revert to being commercial space only? Also for your information there are other people in NOHO who live on the ground floor.
Thank You
Nancy English and William Manfredi

Subject: Comments/ Questions Scoping Document/ Soho/ Noho
Date: Wednesday, December 2, 2020 at 7:06:35 PM Central Standard Time
From: Margo Margolis
To: 21DCP059M_DL

I would strongly recommend that this process be put on **pause.** We are in the middle of a Pandemic and it is not possible to do a reliable study or collect accurate data during this time when the norms for life, work and commerce have been upended. Reading the scoping document, I have serious questions about assumptions made concerning the number of artists residing in Soho. Artist Certifications? How far back did you look? Many artists here applied for certification in the 70's and 80's. That is but one example of what I think are erroneous statements in the document. There was also data collected in July about retail when the neighborhood was the center for social activism, marches and upheaval in addition Covid. How can that possibly yield accurate information?

What mitigation strategies are being analyzed to accommodate development of a proposed 78% increase in residential population to accommodate increased energy demands, levels of sanitation and waste management as well as water provision? The additional strain on infrastructure and community resources is an issue. According to *Governing Magazine* there are 41.7 police officers per 1000 residents in NYC. As population grows, there must be comparable increases in NYPD,FDNY and DSNY. What amenities are planned? Currently there are no schools, no parks, no green/and or open space, no access to health care facilities for current residents. What will need to be provided for the increase of population projected?

Google "real estate in New York" and entry after entry states information like this from CNBC*:Manhattan Apartment glut reaches 13,000.* The article and others like it states "The number of vacant apartment buildings in Manhattan continues to grow as the effects of a recent construction boom and the COVID-19 crisis converge within the city's real estate market and continues to posit, "While talk of excess supply in the city's real estate market has been on the rise in recent years, with most critics **citing the region's overdevelopment of luxury high-rise apartments and condominiums..."**

Soho does not need to add to the glut of luxury towers. Why not100% affordable housing?

No one can predict how life will be permanently impacted post pandemic. Remote work may be the norm and office space may languish. Many hotels have closed for good. Why not consider adaptive re-use to convert vacant properties to affordable housing?
The scoping document fails to reflect what the community has communicated through

the Envision Soho/ Noho Process all of which is contained on the document **Community Alternative Rezoning Plan for Soho and Noho** which I support as opposed
the proposal by the DCP.

AS a result of the current crisis the long- term attractiveness of New York as a place to live, to work and to visit is very much in question. It is critical for the vitality and the financial viability of the city to maintain the things about New York that make it unique and authentic. Soho is grassroots, organically grown, continually evolving. It has a history of the multi uses that have generated life and commerce in the area.
New York has to be careful to not let developers turn neighborhoods into a suburban mall, "a placeless place", where any sense of character has been obliterated.
New York faces a critical moment!

Thank you,

Margo Margolis, Painter and resident since 1972
16 Crosby Street
New York, 10013

Subject: SoHo/NoHo draft rezoning
Date: Friday, December 4, 2020 at 5:09:25 PM Central Standard Time
From: Geoffery Metz
To: 21DCP059M_DL

Dear City Planning Team,

I am writing in support of the draft rezoning, with some reservations. The rezoning represents a chance to right some of the historical wrongs that have led to the segregation of our city, and the prospects for truly affordable housing are maybe the best of all the current administration's rezoning plans. It could be the proof of concept for the controversial MIH program, and give many of our lower-income New Yorkers a chance to thrive in the amenity-rich neighborhood.

However, to ensure that we are getting the most subsidized affordable housing possible, I support many of Open New York For All's suggestions:

1) We should reduce the commercial densities to ensure this does not become another office district. In general, both sectors are in high demand, and without a noticeable step up in FAR for residential density compared to commercial, the addition of MIH may nudge many developers to pursue the more profitable office options, which, while also in high demand, will not do anything to diversify the neighborhood and will continue our decades of *de facto* segregation. If we want to ensure a retail component is maintained, then we should leave it as an overlay or not have the commercial FAR go above 2.0.

2) While we can't do anything about the state's FAR cap, we should maximize the available FAR to ensure that the largest amount of affordable units get built. That means that the sections zoned for R9X should instead be R10, and R7X should be at least R8X, although in the borough of skyscrapers we should be able to allow more. Importantly, the 55 Bleecker and 477 to 479 West Broadway sites are also zoned less densely than their surrounding, existing buildings, and these should be adjusted to match the context.

3) The parking at 2 Howard Street and 142 Grand Street should be included. While the Howard lot is federally owned, the incoming administration should be much more inclined to working with the city, and in as we stare down the barrel of the climate crisis, we should not be preserving parking for any reason, let alone in one of the most transit connected neighborhoods in the country.

4) Lastly, the non-residential floor area retention should probably be gone. This has been shown to hinder residential development in other neighborhoods, and I'd argue that preserving commercial space at the expense of allowing more neighbors is not a desirable outcome given the depths of our housing crisis.

Lastly, I'd like to just say that the public comment from the current residents disturbed me. The tone was that of an older, gated community. While I understand that change in general is disruptive and can be jarring, we also need to come to grips with the fact that we've allowed this area to become one of the richest, most exclusive neighborhoods in the country as a result of our indifference. As a Kew Gardens resident who is married to an artist, I can't help what might have been if I had just had the luck to be born and come to the city a few decades earlier. But I, like many who live elsewhere or want to live in the city, do not have the opportunity because of our failure to recognize our city's magnetism, and to allow more people to live where the infrastructure (subway, proximity, schools) is strongest. It's a massive policy failure. The rezoning has the opportunity to correct this, and I hope we take this chance to make it match our inclusive values.

Thank you for your time.

Geoffery Metz

Subject: SoHo/NoHo Neighborhood Plan
Date: Sunday, December 6, 2020 at 11:30:48 AM Central Standard Time
From: Mitcheltree, Anne
To: 21DCP059M_DL
CC: andrew@gvshp.org

Dear City Planning Leadership Team:

I listened for two hours to the Thursday December 3rd broadcast of the Hearing for the SoHo/NoHo Neighborhood Plan.
Two very consistent repeated themes emerged.

Because we are right now in the midst of a contagious infection viral pneumonia pandemic…
The stores are empty.. the streets are empty…. The schools are empty… the parks are empty.

People and businesses are going into bankruptcy at an alarming rate.
The government cannot know how many schools, jobs and businesses have died along with the
Constituent population. It is extremely imprudent to measure, count, assess, forecast or plan
any type of congestion, density, population, demographic, at this time.
The entire "plan" for social economic development in Soho/Noho needs to stop.

A second theme is the consistent betrayal of the World Renowned Historic Architectural District which
so many constituents have devoted so much time to advocating and lobbying the government to preserve.
It's obvious that new architects want to move in to areas that were already landmarked.
Modernism is coming late to the Manhattan Real Estate Boom and should be placed appropriately.

It was just sad to hear how many New Yorkers had to be heard to speak up in fear of what a thoughtless and crude government might do.
Please stop the Soho/Noho Neighborhood plan. Support the New Plan developed by local citizen groups.

Thank you for your consideration.
Sincerely,
Anne Mitcheltree

Visit www.nychealthandhospitals.org

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Subject: Writing in support of SoHo/NoHo rezoning
Date: Tuesday, December 1, 2020 at 1:10:44 PM Eastern Standard Time
From: J. Mohorčich
To: 21DCP059M_DL

Hello,

I am writing to support higher density, especially in housing, for Soho and Noho. I think the city's plan as proposed in the DSOW is a great start. I'd like more density, especially including mapping certain buildings as R10 instead of R9X where possible, which as you know would help the neighborhood's affordability and sustainability.

We're in a climate crisis and a rent crisis and more housing helps alleviate both. As a resident of lower Manhattan (in LES/Two Bridges), I want more housing, not less, for a better and less exclusionary NYC.

Thanks for reading,

Dr. J. Mohorcich

Subject: OPPOSITION TO SOHO /NOHO UPZONING PLAN
Date: Thursday, December 3, 2020 at 10:18:09 AM Central Standard Time
From: Renee Monrose
To: 21DCP059M_DL

I am an artist and have lived and worked at 542 Broadway for 35 years. I am also a member of the Broadway Residents Coalition.

My primary question is ***WHY THE RUSH?!*** We are living through completely unprecedented and unpredictable times. Any data gleaned from the way things are now will be distorted. Vaccines are on the horizon which makes the rush even more illogical. The city's situation will change dramatically as it settles into a post-Covid reality. It is then that we should take stock and plan for the future. Not now.

Instead Mayor DeBlasio has used Covid as an excuse for railroading the up-zoning plan. It is a complete betrayal after the promises in the Envision SoHo / NoHo Report to wait for more community input before releasing any such plan.

That the Scoping Document is utterly vague and full of mischaracterizations about SoHo (When will the city do a REAL demographic study of the number of artists who live and work here? When will the city do a REAL analysis of the affordable housing already in existence here?) is not surprising given the disingenuous motives for rushing this plan and the haste with which is was prepared.

Some of the major concerns that the city must address are:

- We need an accurate environmental impact study — vehicular and pedestrian traffic; air quality; sanitation; transportation. But it's impossible to collect accurate data now when SoHo's population of residents, shoppers and office workers are at low ebb thanks to Covid. Any conclusions based on today's data will be a gross distortion and a blind guess as to what SoHo will be and need in the near future.

- How can the city propose almost doubling the neighborhood population from 8,000 to 14,400 (and that's if only 2 people live in each proposed new unit)? We have no green space, no schools and an antiquated sewage system. What will happen when the thousands and thousands of new residents and office workers flush their toilets in the morning? Raw sewage running down Broadway the way it did on W. Broadway after a recent rain storm? That should be great for business.

- And how can the city conclude that injecting thousands of luxury apartments, along with a comparatively small amount of not-so-affordable units, will increase diversity in our neighborhood? My neighbors and I support REAL affordable housing. With 13,000-15,000 vacant apartments in the city and a huge number of empty office spaces, this could be accomplished without building towers of luxury condos that, given the loopholes in MIH, may or may not provide *even one* unit of affordable housing.

Studies by MIT, the Federal Reserve have shown that MIH is a failure and the concept of trickle down housing is as illusory as trickle down economics.

https://doi.org/10.1177/1078087418824672

https://www.forbes.com/sites/eriksherman/2018/08/03/additional-building-wont-make-city-housing-more-affordable-says-fed-study/?sh=5edd3ec3218b

- Instead of opening the floodgates to big box stores that could be in any mall in America and are usually owned by white people, why isn't the city looking to help small, unique businesses owned and run by people of color?

- How will the city protect artists' rights to work where they live?

The city is being completely disingenuous by saying this is about racial justice and diversity . To anyone paying attention, it's clearly only about one thing — lining the pockets of the developers who funded Mayor DeBlasio's campaign. The Mayor and City Planning should be ashamed.

We in SoHo want diversity and we demand affordable housing — **REAL** affordable housing.

Mayor DeBlasio, PAUSE THIS PROCESS!

Sincerely,

Renée Monrose
542 Broadway #3F
New York, NY

Subject: OPPOSITION to PROPOSED UPZONING OF SOHO AND NOHO
Date: Sunday, December 13, 2020 at 5:26:26 AM Central Standard Time
From: Renee Monrose
To: 21DCP059M_DL
CC: Brad Hoylman, Brewer, Gale (ManhattanBP), mchin-council, Deborah Glick, kavanagh@nysenate.gov, Andrew Berman, Anthony Drummond, Erik Botsford (DCP)

I am an artist and have lived and worked at 542 Broadway for 35 years. I am also a member of the Broadway Residents Coalition.

I vehemently oppose the Upzoning Plan described in the SoHo/NoHo Neighborhood Plan Draft Scope of Work release on Oct. 28, 2020. The plan fails to address the real need for affordable housing in these neighborhoods and presents a faulty concept of trickle down housing that has proven a failure in cities like Chicago and Los Angeles. It presents inaccurate data on the demographics of SoHo and NoHo's artistic communities and presents completely false information on the number of empty stores along Canal St. (The documents includes data on the south side of Canal, where 70% of the stores are empty even though that side of canal is not part of the zoning area. On the SoHo side of Canal, only 30% are empty.)

The plan needs to be REJECTED.

Mayor DeBlasio shocked these two neighborhoods when he dropped this plan in October. The big question is ***WHY THE RUSH?!*** We are living through completely unprecedented and unpredictable times. Any data gleaned from the way things are now will be distorted. Vaccines are on the horizon which makes the rush even more illogical and suspect. The city's situation will change dramatically as it settles into a post-Covid reality. It is then that we should take stock and plan for the future. Not now.

Instead Mayor DeBlasio has used Covid as an excuse for railroading his upzoning plan. It is a complete betrayal after the promises in the Envision SoHo / NoHo Report to wait for more community input before releasing any such plan.

That the Scoping Document is utterly vague and full of mischaracterizations about SoHo (When will the city do a REAL demographic study of the number of artists who live and work here? When will the city do a REAL analysis of the affordable housing already in existence here?) is not surprising given the disingenuous motives for rushing this plan and the haste with which is was prepared.

Some of the major concerns that the city must address are:

- We need an accurate environmental impact study — vehicular and pedestrian traffic; air quality; sanitation; transportation. But it's impossible to collect accurate data now when SoHo's population of residents, shoppers and office workers are at low ebb thanks to the pandemic. Any conclusions based on today's data will be a gross distortion and a blind guess as to what SoHo will be and need in the near future.

- How can the city propose almost doubling the neighborhood population from 8,000 to 14,400 (and that's if only 2 people live in each proposed new unit)? We have no green space, no schools and an antiquated sewage system. What will happen when the thousands and thousands of new residents and office workers flush their toilets in the morning? Raw sewage running down Broadway the way it did on W. Broadway after a recent rain storm? That should be great for business, not to mention the residents the plan so blithely ignores.

- And how can the city conclude that injecting thousands of luxury apartments, along with a comparatively

small amount of not-so-affordable units, will increase diversity in our neighborhood? My neighbors and I support REAL affordable housing. With 13,000-15,000 vacant apartments in the city and a huge number of empty office spaces, this could be accomplished without building towers of luxury condos that, given the loopholes in MIH, may or may not provide *even one* unit of affordable housing. The city should be focussed on resume for Class B and C buildings and hotels.

Studies by MIT, the Federal Reserve have shown that MIH is a failure and the concept of MIH trickle down housing is as illusory as trickle down economics.

https://doi.org/10.1177/1078087418824672

https://www.forbes.com/sites/eriksherman/2018/08/03/additional-building-wont-make-city-housing-more-affordable-says-fed-study/?sh=5edd3ec3218b

- Instead of opening the floodgates to big box stores that could be in any mall in America and are usually owned by white people, why isn't the city looking to help small, unique businesses owned and run by people of color?

- How will the city protect artists' rights to work where they live?

The city is being completely disingenuous by saying this is about racial justice and diversity . To anyone paying attention, it's clearly only about one thing — lining the pockets of the developers who funded Mayor DeBlasio's campaign. The Mayor and City Planning should be ashamed.

We in SoHo want diversity and we demand affordable housing — **REAL** affordable housing.

Mayor DeBlasio, PAUSE THIS PROCESS! DROP THIS PLAN!!

Sincerely,

Renée Monrose
542 Broadway #3F
New York, NY

Subject: Subject: Response & Correction to SoHo/NoHo Draft Scope of Work
Date: Friday, December 18, 2020 at 9:53:18 AM Central Standard Time
From: David mulkins
To: 21DCP059M_DL
CC: Mitchell ban--st--Grubler

Date: December 18, 2020
From: David Mulkins, President Bowery Alliance of Neighbors
To: NYC Department of City Planning
Subject: Response & Correction to SoHo/NoHo Draft Scope of Work:
The Bowery Historic District (National Register of Historic Places) must be included.

Response & Correction to the SoHo/NoHo Draft Scope of Work
Pages 8 to 10 and Figure 3

HISTORIC DISTRICTS
Page 8
The Draft Scope of Work does not, but must include **The Bowery Historic District**, which is listed on both
the **NY State Register of Historic Places** and the **National Register of Historic Places**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as "The Bowery Historict District". It is also listed on the NY State Register of Historic Places.

This omission in the Draft Scope of Work should be remedied and the information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Historic Districts".

NEIGHBORHOOD CONTEXT
Bowery Corridor
Pages 9 & 10

The Draft Scope of Work does not include **The Bowery Historic District**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as **"The Bowery Historic District".**

This omission in the Draft Scope of Work should be remedied and information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Bowery Corridor".

See: https://www.nps.gov/nr/feature/places/pdfs/13000027.pdf
The link includes the National Park Services information on **The Bowery Historic District** and

contributing resources
in **The Bowery Historic District**. It's website also contains additional information on this page: https://www.nps.gov/nr/feature/places/13000027.htm

See: https://www.boweryalliance.org The link provides information on the Bowery Alliance of Neighbors and includes resources and information on the Bowery, **The Bowery Historic District**, the street's status as NYC's oldest street, and its seminal links to tap dance, vaudeville, Yiddish theater, Abe Lincoln, Houdini, modern tattooing, Abstract Expressionism, Beat literature, improvisational jazz, and punk rock. The site also includes info on the acclaimed *Windows on the Bowery* Historic signage project, which has just been released in a book edition.

Sincerely,
David Mulkins, President
Bowery Alliance of Neighbors
184 Bowery, #4
New York, NY 10012
631-901-5435 mulbd@yahoo.com

Subject: Feedback on the SoHo NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 10:43:27 PM Central Standard Time
From: Connie Murray
To: 21DCP059M_DL

Dear Olga,

I hope I am sending this before the deadline and I appreciate the opportunity to express my deep concern over the proposed upzoning of the two historical and architecturally important NYC neighborhoods of Soho and Noho.

30 years ago, I lived in a cheap walk-up in Soho where I regularly walked across Houston Street to my job in Noho: it was a magical time in my lifelong existence as a native New Yorker, I lived in a literal 7-minute city, and I strive to protect the irreplaceable beauty, charm and character of a place I was lucky enough to inhabit for a few years in my wild youth.

But even if I hadn't experienced the extraordinary gift of having lived in Soho and worked in Noho, I would still be working to preserve both globally cherished locations today. These neighborhoods, industrial, aspirational and so indigenously New York, are important to save because they represent our economic history as well as the architectural story which will always need to be told in this, my hometown, the oldest city in the country.

As I relay in my blog post regarding the proposed Soho Noho upzoning https://fuelgrannie.com/2020/10/24/open-your-eyes-to-opennewyork/, I was born the year after the old Penn Station was demolished which resulted in the formation of a long overdue landmarks and preservation initiative which formed the year I turned one. I grew up feeling naturally protective of what needed to be saved and preserved in my hometown; I was surrounded by adults who had never recovered from the destruction of the former Penn Station https://mashable.com/2015/07/20/original-penn-station/. I understood how important architectural beauty was and that once something is gone, it is gone forever.

So I cannot believe now in this year 2020, as a middle-aged woman, I must step up to fight something I had assumed this city had already won back when I was in diapers with the creation of the Landmark Preservation Commission. I cannot believe any of us as New Yorkers are being bamboozled by our outgoing Mayor, his donor squad and their lobbying fanclub to actual fathom ruining Soho and Noho. I cannot believe such an idea is even on the table, especially now during a pandemic.

But I know enough of what goes on in NYC real estate and have been observing the puffed-chest Yimby rabblerousers long enough to know why, indeed, such an absurd idea is, in fact, on the table. And I deeply resent how this city even takes any of this lobbying seriously. But these mega developers and Yimby cheerleaders are taken seriously for only one reason: they are Bill de Blasio's donor circle and Blaz has gotta grease some egos before he whiffs out of office next year.

Are we literally selling out our irreplaceable beauty, architecture, sunlight, history, tourist delight of Soho/Noho because of a handful of Yimbys? These folks ain't even New Yorkers, our Mayor certainly isn't: are we really throwing away the future of Soho and Noho for the whim of a guy who eats pizza with a knife and fork?

Buildings cannot speak for themselves: they need their admirers to advocate for them. We cannot be stupid with this. We don't need to upzone Soho Noho or demolish the Elizabeth Street Garden in order to create affordable housing and opportunities for lower income populations. And how well does downtown Manhattan support the food and household budget of a low or fixed income household? What field studies have been done? What does livability honestly look like? This isn't an experiment: some patches of Tribeca already look like the worst parts of Williamsburg with awkward modern asymmetrical glass structures which barely make sense in the surroundings out of which they aggressively jut. We cannot allow this to happen, in an even worse fashion, in Soho and Noho.

Upzoning is not the panacea these Yimby blowhards insist it is. A pre-pandemic MIT study flat out "suggests the Yimby narrative on housing is wrong" New MIT study suggests the Yimby narrative on housing is wrong | 48 hills This narrative is wrong: and it won't work in Soho Noho.

Again: this is Soho Noho! Are we really thinking of doing this? What insanity. We have such limited historical and aspirational architecture left here in New York City. Future generations will be furious at us for doing something as stupid as the destruction of the old Penn Station, again.

As a native New Yorker, as a former resident of Soho Noho and a proud current resident of another loft building oasis, Long Island City, Queens, I implore the city planners to not be foolish, to be thoughtful of our future history and the legacy we will leave: destroying Soho and Noho would be devastating to this city.

We can do better than appeasing Bill de Blasio's donors. It's been 8 years of late morning arrivals, gym dates and bad ideas: let's allow this upzoning to also finally die with his last term. Upzoning Soho/Noho is a terrible idea and my hometown deserves better.

Thank you for your time and consideration, this is a matter which means a great deal to me,

Connie Murray
Long Island City, NY

Subject: Soho & Noho
Date: Wednesday, December 16, 2020 at 5:43:31 AM Central Standard Time
From: Jane Nelson
To: 21DCP059M_DL

To whom it may concern,
I have been living in soho for more than 40 years. I moved here as an artist for space & because it was a small community.
The idea to upzone the area of Soho & Noho is a terrible idea.
I went to all of the meetings about it,no one would say why or who wanted this.
The problems are many:
These areas do NOT have the infrastructure for so many more people.
This will cause environmental problems:
Too much traffic resulting in air pollution,sound pollution,garbage
More garbage trucks all night
More deliveries all night
Too many pedestrians on the street.
The quality of life will be much worse.
Some small parks would be better.
The environmental impact is too much for an area with small buildings.
Please DO NOT do this
Jane Nelson

Subject: Public Scoping Meeting on the SoHo NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 4:48:40 PM Central Standard Time
From: Alexandr Neratoff
To: 21DCP059M_DL
Attachments: image001.jpg, SoHo-NoHo Scoping Testimony (personal) 12-17-20.pdf

Ms. Olga Abinader, Director
Tthe Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor, New York, New York 10271

By e-mail

Please see attached written testimony.

Alexandr Neratoff Architect
57 Prince Street, 2 Floor
New York, NY 10012
212 431 0011
Neratoff.com

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ALEXANDR NERATOFF architect

57 prince street, suite 2F new york, ny 10012 tel. 212.431.0011 alexandr@neratoff.com

December 17, 2020

Statement to DCP Public Scoping Meeting re: SoHo-NoHo Re-Zoning –

I testified at the December 3rd DCP Public Scoping Virtual Meeting in opposition to the proposed text of the "SoHo-NoHo Neighborhood Plan" on behalf of NY Loft Tenants. I add the following testimony to expand some points I made and to add a few other details and new considerations.

I oppose a blanket up-zoning, particularly any increase in commercial FAR, and an introduction of unrestricted residential uses into this very special mixed-use neighborhood. As presented, this proposal would in addition be highly unlikely to result in the production of any significant quantity of new affordable housing that would benefit this neighborhood, where it is so sorely needed, or any other neighborhood in CB2 or anywhere else.

Real estate owners' financial considerations will likely limit new construction to commercial offices and retail – the MIH surcharge that does not burden commercial development loads the dice in the choice between commercial and residential new construction. So what is the purpose to give this area an increase in commercial FAR? That will not produce a single new affordable housing unit. And why is office use being treated like the factories were in the late 1970's – do offices really need protection? In the context of organizations like Deutsche Bank deciding to move 75% of their offices out of New York, office space will be in serious over-supply. This is not a transient Covid-related transformation. This is a major shift in market development that cannot be studied while we are in the middle of this pandemic: the available data has been made obsolete by this shift and it is not possible to study this issue until the market stabilizes in late 2021 and early 2022.

The existing Loft Law and Rent-Stabilized Joint-Live-Work Quarters for Artists are not recognized in this proposal as this neighborhood's true affordable housing (housing protected tenants regardless of their occupation), and there is no considered attempt to preserve or enhance them. Shockingly for a neighborhood that remains the US's only artist-specific zoning, there is not even an attempt to allow the creation of <u>new</u> Joint-Live-Work Quarters for Artists (present zoning only allows them to be the end-product of a conversion of existing industrial space), a feature that could have easily been added. Ignoring the affordable nature of this housing stock is a missed opportunity under a program that purports to be motivated by the creation of new affordable housing. The only consideration that these IMD or former IMD units get is to find a mechanism to streamline buy-outs that, yes, would help those who want out, but will also produce a substantial number of market-rate units that will produce marketable product for the owners.

I am an architect and certified artist living and working in SoHo for the past 40 years. SoHo-NoHo's unique and defining characteristic besides being an area designated for artists living and working, is a key urban planning concept of "mixed-use", applied not only on a macro-level to allow industrial,

commercial and residential uses to co-exist building-by-building and floor-by-floor, but to allow the merger of "live" and "work" within each unit. One can live in 90% of a loft and work in 10%, or the other way around. The residential district equivalent is called "Home Occupation" and it is generally restricted to 25% of a space and 500 SF, defined as "incidental" to the main use, and further limited to specific non-objectionable uses. Introducing residential use without qualifications would lose what makes SoHo-NoHo "special" not only now but in the future.

Updating is clearly necessary. It's been 50 years. I support giving SoHo-NoHo "Special District" status that allows one to write local regulations and definitions without worrying how a change here would affect the rest of the city. One can alter the definition of "Home Occupation" within a "Special" residential use to mimic the mixed-use qualities of M1-5A/5B. One can tailor the bulk regulations of residential buildings to make them mimic the higher density, low-rise characteristic of this historic area, so additional development does not result in disproportional height increases. And one can greatly expand and change the characteristics of the MIH Affordable Housing Program to make it support truly low-income, truly de-segregated and particularly artist housing and affiliated community shared studio and exhibition facilities and local performance organizations, siting those in or close to SoHo-NoHo.

There are two methods to accomplish this re-zoning: one, a minimal method, would keep the district an M zone so as not to let it become just another residential area, and by simple text and definition changes, allow almost any type of residential use to be introduced but only as part of mixed-use units that could be called "joint-living-work quarters." Instead of restricting this use for artists, the goal would be to allow any use from art, music or theatre studio, commercial, architectural or design office, or even light manufacturing to co-exist with as-of-right with residential use. The other advantage of keeping this area an "M" zone is that the MIH component could be customized to be anything we would want it to be, to benefit this neighborhood in ways that would not apply elsewhere.

If one bases the re-zoning on the now common R/M zoning model used throughout Brooklyn, the goal would be to mimic the mixed-use characteristics discussed above, so as not to make any non-residential use be "accessory" and devoid of real and protected rights to exist and therefore to disturb the "bedroom community" status that inherently protects all residential areas. I love living in SoHo as I can work at any hour of day and night in as much space of my loft as in necessary for my work.

It is understood that any new residential use would contribute to MIH or its local equivalent as defined within the Special District, regardless whether it is an M or an R/M district. Recognizing the very limited potential scope of MIH-yielding actions that would produce any new affordable housing in this neighborhood, I would propose two actions unique to the Special District that could address this issue: to impose the MIH program on any 1st floor retail use above 10,000 SF per establishment (that disproportionately burdens the neighborhood with both pedestrian, vehicular, garbage collection and delivery traffic), and on any increase in FAR for office use. These additional uses would pay into an MIH fund in a comparable ratio to new residential use, thus equalizing the choice between residential and commercial development.

Thank you for the opportunity to submit my thoughts.

Alexandr Neratoff

Subject: Soho Noho upzoning
Date: Thursday, December 17, 2020 at 11:06:02 AM Central Standard Time
From: p.ong
To: 21DCP059M_DL

Hello,

I am writing to suggest a reconsideration of the plan to upzone SoHo and NoHo. By reconsideration I mean, foremost, to PAUSE this idea until NYC returns to more normal times when the corona virus pandemic is brought under control. To continue to rush headlong into implementing this plan is to do so in the dark without necessary thoughtful, contextual weighing of all the changed circumstances New York City will find itself in after this devastation of its economy and fabric of life. More immediately, the environmental impact study that is about to be done will not yield a reliable measure of this massive upzoning change that the DCP is spearheading.

On the other hand, I support the Community Alternative Rezoning Plan for SoHo and Noho as a far more effective and palatable blueprint to meet the need of truly affordable housing, and one that doesn't destroy the history, culture and character of a storied, world-renowned neighborhood, unique also in an otherwise young country.

This week I have been heartened to read in the New York Times that the Real Estate Board of New York (REBNY) is giving serious consideration to another rezoning idea, which is to convert empty office buildings, including ones in Midtown Manhattan, into residential units. Another coalition group is urging 2021 mayoral candidates to prioritize converting under-used hotels into supportive and affordable housing. At the same time, the City Council is being urged to budget $4 billion to expand housing opportunities.

Thus, I urge the DCP to PAUSE until the smoke clears, to wait and see how these other plans pan out, and only then integrate its Soho and Noho vision, which currently is out-of-step with the times in its green lighting developers to build luxury high-rises, a category of housing the city least needs in the foreseeable future.

Thank you for your time and onsideration.

Sincerely yours,
Patsy Ong

Subject: If low income families want to live in Soho/Noho
Date: Tuesday, December 8, 2020 at 1:20:47 AM Central Standard Time
From: Ian Orekondy
To: 21DCP059M_DL

Please support 400 low income families to live there. Diversity makes the city thrive. It's what NYC is, and we need to work for it!

Ian

Subject: I DO NOT support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 11:10:28 AM Central Standard Time
From: S. Packer, M.D.
To: 21DCP059M_DL

Sharon Packer MD
P 212-777-1875
C 917-855-8475
F 888-726-1791

580 Broadway
Suite 504
Soho
NYC, NY
10012

Www.drsharonpacker.com
Www.psychiatryinpopularculture.com

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Please note that we cannot guarantee security of email. For greater security, pl fax 888-726-1791.

If you received this email in error, please delete immediately and inform us of this error. Thx.

Thanks for emailing.

Subject: written copy of Community Alternative Plan
Date: Thursday, December 3, 2020 at 4:50:19 PM Central Standard Time
From: Judith Ren-Lay
To: 21DCP059M_DL

Tried to call back and ask this question. What is the Community Alternatibe Plan?

Is there a way we might have access to the Community Alternative Plan proposed in opposition? Can it be offered on your website?

Thank you,

J R-L
Judith Ren-Lay
ren-lay@mindspring.com
212-941-7828
judithren-lay.com

Subject: written testimony r.e. SoHo/NoNo rezoning
Date: Thursday, December 3, 2020 at 5:01:13 PM Central Standard Time
From: Judith Ren-Lay
To: 21DCP059M_DL
CC: Drummond, Anthony, Margaret Chin

To whom it may concern,

This development plan, tauted as an 'envision' plan, lacks vision. It seems to be based in the needs of developers and was created before the pandemic. We all have to adjust to the new reality and this plan should be tabled in order to be studied further. It seems to blindly drop a plan onto an area without considering what is already in existence. The reality in the current pandemic neighborhoods of SoHo/NoHo now includes many newly empty, under-used properties. Re-imagining the area post-pandemic is necessary. Trying to push through this plan at this time is counter-productive. The plan should be scrapped and a new approach considered. There are far more creative approaches to bringing diverse low-income residents into the area and also maintaining the landmark, historical feeling of SoHo/NoHo.

'Affordable housing' is a catch phrase for luxury housing to be developed and built on the pretense of affordability. There is very little actual affordability in existing 'mixed use' new bulding projects. The question is always 'affordable to whom?' Also, there are already many rent-stabilized units in the area. Losing them seems to go against the proposed aim of increasing affordable units in reach of lower income tenants. Isn't there a way to extend rent-stabilization? We are far past pretending that the wealthy will choose to pay for those less advantaged.

The written language in the proposal is almost designed to confuse those of us who are not in on the tehnical usage. May I suggest you re-imagine the plan translated into lay-language so current residents, who will be most impacted by the plan, can understand just what you are actually planning.

I agree with so much of the spoken testimony - all points urging delay and questioning the validity of the plans. Will these comments be widely distributed and known? Also is there a way we might have access to the Community Alternative Plan mentioned in the testimony and proposed in opposition?

And last and most disturbingly, I also believe this plan is a pet project of the DeBlasio administration and the mayor is trying to push it through before leaving office.

I have hung onto the 2pm call and now it is almost 6pm and I worry you will not even read these written comments, much less respond to them.

Thank you,

J R-L

Judith Ren-Lay
ren-lay@mindspring.com
212-941-7828
judithren-lay.com

Myles Ehrlich <mehrlich@akrf.com>

Fwd: FW: SoHo-NoHo Input for EIS

1 message

Samuel Nourieli <snourieli@akrf.com> Wed, Dec 23, 2020 at 9:41 PM
To: Myles Ehrlich <mehrlich@akrf.com>

One more comment came in below...

---------- Forwarded message ---------
From: **Glen Price (DCP)** <GPRICE@planning.nyc.gov>
Date: Wed, Dec 23, 2020 at 9:25 PM
Subject: FW: SoHo-NoHo Input for EIS
To: Patrick Blanchfield <pblanchfield@akrf.com>, Samuel Nourieli <snourieli@akrf.com>, Amy Diehl Crader <acrader@akrf.com>, Gewirtzman, Stuart <sg@phaeng.com>, hkearney@akrf.com <hkearney@akrf.com>
CC: White, Robert <rwhite@akrf.com>

FYI, please see below.

From: Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>
Sent: Wednesday, December 23, 2020 5:24 PM
To: Glen Price (DCP) <GPRICE@planning.nyc.gov>
Cc: Thomas Smith (DCP) <TSMITH@planning.nyc.gov>; Sylvia Li (DCP) <SLI2@planning.nyc.gov>; Andrew Cantu (DCP) <ACANTU@planning.nyc.gov>
Subject: FW: SoHo-NoHo Input for EIS

Hi Glen,

Please see the below correspondence and ask AKRF to include in the Response to Comments document.

Thank you,

Annabelle

From: Bill Rosser <bill.rosser77@gmail.com>
Sent: Wednesday, December 23, 2020 5:09 PM
To: 21DCP059M_DL <21DCP059M_DL@planning.nyc.gov>
Subject: SoHo-NoHo Input for EIS

I am sorry for the delay in my submission to you, but nevertheless I am sending it along in hopes it may be part of your considerations.

I appreciate the opportunity for prior citizen input regarding the EIS draft. However the resultant document seems to be driven by other forces, ignoring much of the stated desires of the citizens.

Democracy here seems to be largely ignored. While democratic expression of opposition to the city's needs may need to be overridden in certain cases, but why here?

Citizens, by and large, do NOT want:

- an enlarged business center
    - large big-box retail stores
    - new large commercial office buildings
    - large restaurants
- a contrived means of gaining affordable housing
    - offering developers a profit incentive so large for new luxury apartments that they can afford to include 20% of the units for lower-income residents
    - an encroaching of higher buildings that surpass the typical height of the present neighborhoods

What citizens DO want, or can accept, as an alternative:

- a plan that truly addresses the need for affordable housing - which most agree is a desperate need here in SoHo-NoHo
    - allow development of affordable housing that is *not* part of Mandatory Inclusionary Housing
    - allow commercial buildings and others to be converted to affordable housing
    - build residential housing facilities that are 100% for affordable housing
    - consider apartment unit sizes that could include 450 - 950 square feet
    - create opportunities for developers to want to participate in just-affordable housing by making it economically attractive to them. Innovate with direct subsidies or tax-benefit financing that would create the needed incentive for developers.
- along the way deal with noise, traffic, trash, parks, greenways and AIR issues as best we can.
    - it is the new tall buildings and pushing out of small retail stores that we do not want, and will fight for.
    - new residential facilities are clearly preferred to new commercial buildings.

The above is meant to represent our democratic process - on behalf of the citizens, and not to create substantial new opportunities for developers as a service to them, especially in historic districts. We should do this as a sound and admired city.

Sound opportunities seem to exist here right now. As a personal example, I live in NoHo on Lafayette Street and over the past 5 or so years, four brand-new buildings have been built within 100 yards of my residence (since 1999). All are less than 10 stories and seem to be doing very well. So there is money to be made right here and now. No special gifts to the real estate industry needed. And a nearby parking lot would be ideal for new affordable housing. This would be a good solution and I am totally for it. Why not try this and help solve the real fundamental problem in the city - not enough affordable housing.

Thank you for your consideration. Bill Rosser

--
Samuel Nourieli
Planner
.....

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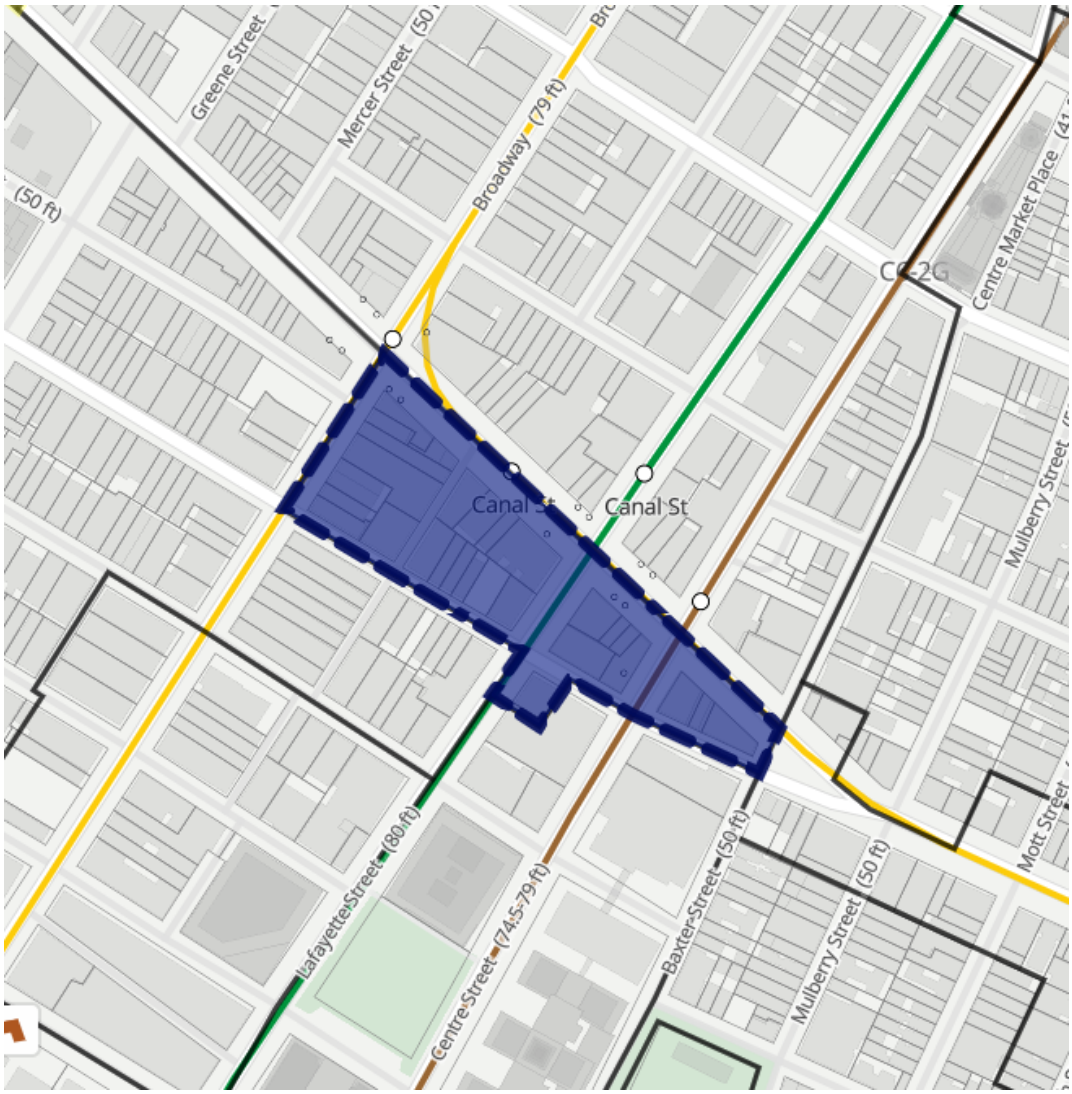
Subject: Soho / Noho neighborhood rezoning
Date: Thursday, December 3, 2020 at 2:25:29 PM Central Standard Time
From: Benjamin Rubenstein
To: 21DCP059M_DL
Attachments: image.png

Hello,

Thank you in advance for considering my question. Why was the M1-5 district south of Canal Street between Broadway and Baxter Street excluded from the rezoning area? I feel an argument could be made to include this area for the same reasons it makes sense to rezone the northern side of Canal.



Thanks again,
Benjamin

--
Benjamin F. Rubenstein
(847) 507-5538
bfrubenstein@gmail.com

Subject: Testimony for NoHo/SoHo Rezoning
Date: Thursday, December 3, 2020 at 12:48:59 PM Central Standard Time
From: Denny Salas
To: 21DCP059M_DL

Please submit the following as written testimony for this hearing.

My immigrant parents of four kids were determined to achieve the American Dream but did not have access to resources or the opportunity to give their children the material needs that are often associated with being in this country.

What we did have was resolve and an unyielding faith that anyone could make it in America, if they worked hard enough.

My parents' foremost concern was their children's need to receive a high-quality education to avoid relegating them to a cycle of generational poverty. They would often tell us, "Education is the number one anti-poverty program America has ever created, and to make it here, you have to learn."

But where we lived offered little hope. The town we resided in had one of the worst-performing school systems and was often known for violence, gangs, and children getting into drug-dealing.

My parents were unwilling to limit their children's future, taking an extraordinary, and illegal, step to provide us with opportunity.

The neighboring town was wealthier and had high-quality public schools. When my siblings and I reached school age, my parents enrolled us in these schools by lying about their address, in violation of the law. As immigrants, my parents risked severe penalties to ensure their children would receive a good education. To them, their actions were justified because of service to their kids.

What was the outcome of their actions? We ended up excelling in school and our personal lives. My older sister became a William Fulbright Scholar and attained a Ph.D. in Psychology. My older brother became a long-haul truck driver, while teaching himself three languages and coding. My younger sister earned a master's degree in economics and has continued pursuing her studies to earn a doctorate in the field.

Our story of hope illustrates the extraordinary decisions some families have made – and will continue to make – to ensure their children are not forsaken. It is also a story that gets at the heart of structural inequities that exist in New York City today.

Our city is segregated by exclusionary zoning policies -- the drawn school and housing lines -- that ensure the wealthiest have access to valuable real estate and high-quality public education while the working class is fastened to cycles of poverty, crime, and inferior schools. These policies can be eliminated by rezoning and building more housing in areas that have historically fought against it.

Near where I live, no neighborhood better provides an opportunity for change than rezoning Soho and Noho.

By changing zoning rules in these areas we can create a minimum of 700 affordable homes in an excellent neighborhood with access to great schools. Since the COVID-19 pandemic began, over 4,200 New York City schoolchildren lost a parent due to the coronavirus. These children are not only missing an idol, but now have to deal with mental stress, loss of income, and dire consequences of what their future might look like without guidance.

With rezoning, we can prioritize housing single parents with school-age children and help rebuild their lives by providing homes in a high-opportunity area with access to high-quality schools so current and future generations of New Yorkers can unlock their full potential and lead exemplary lives.

In a recent study by Citigroup, they calculated that structural racism has cost the United States economy $16 trillion over the last 20 years, and removing these barriers that have held back generations of Americans, could increase our nation's GDP by $5 trillion over the next five years.

But what are the true motivations behind keeping these policies in place?

Let's be blunt: These policies exist due to greed and prejudice. Individuals who benefit from taxpayer investments, whose tax burden disproportionately falls on the lowest socioeconomic citizens of our city, have weaponized their privilege for their own prosperity.

The cornerstone of their motivation, never publicly admitted, is to ensure that property values increase to maintain their wealth. They believe that increased development would dilute the value of their property and apply the same reasoning if more people of color were to occupy "their" space.

That is the purpose of supporting exclusionary policies. It is borne out of greed and racism.

The murder of George Floyd has awoken an entire movement toward ending racist practices in policing and beyond. It is our moral prerogative to fight those – especially ones that call

themselves Democrats and progressives – who are opposed to ending the racist policies that have led to generational inequities.

Our resolve and unyielding faith must be firmer than those forces that stand in opposition to creating a fairer and more just New York City. Let us rise to this call for change and offer families like mine hope.

--
Denny Salas
NYC City Council Candidate, District 1 - Manhattan
www.dennysalas.com
Twitter: @realdennysalas
Instagram: @realdennysalas

Subject: I Support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 3:27:38 PM Central Standard Time
From: patricia sarnataro
To: 21DCP059M_DL

Against this!! I think it is outrageous that you want to bring more development to this area. It is already overcrowded ,noisy, I am fed up.

Sent from my iPad

Subject: Personal Soho UpZoning comments (same letter attached as a doc)
Date: Thursday, December 3, 2020 at 3:24:56 PM Central Standard Time
From: GS
To: 21DCP059M_DL
Attachments: No to mega up-zoning

For the record, I am opposed to the DCP's plan and opposed to up-zoning as proposed. The environmental impact of this plan is so negative, both for the neighborhood and for the skyline of Manhattan. Environmentally, the air quality will diminish, particularly with the added vehicular traffic. The congestion on the sidewalks and streets is NOT a positive thing. This will completely cancel any charm this neighbor has and which attracts people to live and visit the neighborhood. As I walk down Broadway in SOHO there is a MEGA Nike store with a long line around the block. Don't we have enough sneaker stores on Broadway? And I believe there are a few Nike stores in lower Manhattan already. This is NOT fitting, interesting or good for smaller business people and designers. It is stifling. The unique, mom and pop stores and small designer shops are what draw people to shop here. The architecture is one-of a kind and unique to this former factory area. Why turn this into a mall? If I want to shop at bigger stores, I will go to 34th Street or uptown, 14th street and above.
I live on Houston Street; it's already a thoroughfare to NJ and Brooklyn.

Do you care about air quality where you live and/or work?
I say, go to the suburbs or bigger land spaces to build your plastic megaliths. I, and most of the residents of the area want developers to STOP ruining our skylines, our streets, our sidewalks and our air.
I have lived in SoHo and vicinity for over 40 years. I am a professional artist, and aging at that. I, as many, need new accessible affordable housing for low-income working artists. I stand with broadening the plan for reasonable, living-work spaces for local artists by working with local artists and people who represent us.
Think clearly about this upzoning so it fits most advantageous the needs of the people living in the area!

Geraldine Scalia
December 3, 2020

Subject: I DO NOT Support Rezoning NoHo/SoHo
Date: Friday, December 11, 2020 at 2:32:48 PM Central Standard Time
From: Lee Slater
To: 21DCP059M_DL, data@dennysalas.com

As a result of covid 19 there are many office buildings that are virtually empty and may never again be filled. Instead of destroying two of the most unique areas of the city, why not allow easy conversion of that office space to housing.

Hey Denny-- you can think more creatively than converting two unique areas of our city to tall buildings can't you?

Lee Slater

Subject: I support Soho/Noho Rezoning
Date: Thursday, December 17, 2020 at 4:24:26 PM Central Standard Time
From: Leah Smit
To: 21DCP059M_DL

Elected officials and city planners of New York,

Rezoning of Soho/Noho is a progressive step in providing affordable housing access in previously unattainable areas of the city. It will uplift BIPOC communities and make NYC a more equitable place for everyone.

I support the rezoning of Soho/Noho.

Thank you,

Leah Smit
Resident of Bushwick

Subject: Opposition to the Rezoning of the SoHo/NoHo Historic Districs
Date: Friday, December 18, 2020 at 1:14:19 AM Central Standard Time
From: Jean Standish
To: 21DCP059M_DL

I support the maintenance of the existing zoning in SoHo and NoHo and opposes the proposed upzoning of the area. The SoHo/NoHo report issued in early January was vague, though it implied that an upzoning of sites would be warranted if affordable housing is included. This is now being seized upon by vested interests, including groups led and funded by developers who own undeveloped property in the area that would directly benefit financially from the proposed upzoning. But the zoning for SoHo and NoHo already allows more than ample-sized development, as evidenced by numerous buildings of ten to thirty stories in height which have gone up in the neighborhood in recent years.

Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on under-developed lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development which would be substantially larger in order to provide affordable housing. That is just an excuse to give developers bigger windfalls with the fig leaf of affordable housing thrown in to try to make it acceptable. The detrimental effects of such an upzoning would far out way the pittance of “affordable” housing units actually resulting from such an upzoning. An upzoning is a deal-breaker for any plan for SoHo or NoHo.

I also strongly oppose any move to lift the existing 10K Sq. ft. limit for retail uses. SoHo and NoHo do not need to be further transformed into a mega-mall. While retail uses are important and well-run appropriate ones are welcome, they should not overwhelm the neighborhood, which very large big-box and multi-level stores tend to. If anything, steps should be taken to support and encourage small mom-and-pop businesses. We don't need to make the rules looser to accommodate more large-scale stores.

Jean Standish

Subject: SOHO NOHO REZONING : Comments Prior to Scoping Meeting
Date: Thursday, December 3, 2020 at 12:17:16 PM Central Standard Time
From: lora.tenenbaum@gmail.com
To: Jeffrey Glovsky (DCP), 21DCP059M_DL

SOHO NOHO REZONING : Comments Prior to Scoping Meeting

- My Background
  - I am both a resident and a property-owner in an M1-5B zoning district, within the SoHo-Cast Iron Historic District.
  - I have lived in JLWQA cooperative in SoHo since 1973 with my artist husband. His studio constitutes 35% of our home.
  - I was grandfathered in; my husband has been certified as an artist by the Department of Cultural Affairs
  - Our cooperative has only approved certified artists and their families.
  - Our last sale was in 2001; we are very stable.
  - There is one exception: a man and his family who inherited a loft from two of the residents who died. They are a family of color.
  - Most of us are senior citizens who have aged in place.
  - We are struggling with the costs of maintaining a 150 year old building, increasing property taxes.
  - I was a member of CB2's land use/zoning committee for 12 years…chaired it for about half that time.
  - I participated fully in the Envision SoHo/NoHo project, despite its many flaws.
  - My block's demographics include 72 rent stabilized units, and a majority population of non-whites.

- I reject any upzoning.
- This scoping document ignores the results of the Envision process.
- I am totally In support of a mandatory affordable housing requirement…real affordable housing that will truly increase the percentages of people of color and diverse incomes into my neighborhood.
  - The draft Scope's carveout, allowing developers to pay into a fund rather than build affordable housing in my community is unacceptable. It puts the lie to the stated purpose of the rezoning.
  - **The current plan would overwhelm the community with even more rich (probably white) people, increasing their percentages and worsen any imbalance rather than bringing equity into our community**
  - There is no guarantee that the upzoning will bring in any affordable housing at all.
  - Affordable housing in SoHo and NoHo should be applied only to people of Extremely Low Income through Low Income. Many artist residents and other residents here already fill the bill for the upper scale of affordability.
  - Any new residential development should require inclusion of affordable units without awarding an upzoning.
  - In short, I would support deeper and broader mandatory affordability requirements, without upzoning.
  - I support the **alternative proposal** made by Village Preservation, the SoHo Alliance, Broadway Residents Coalition, SoHo Design District and others.
- There should be no designated commercial corridors where people have already been allowed to reside.
  - Broadway between Canal St and Houston St has approx. 57 second floor JLWQA and residential units. Many more above.
  - One building alone has 43 residential units.
  - Many of the retail spaces emptied out before the pandemic. Retail is in flux right now.
- OK to allow retail under 10,000 square feet below the second floor.
  - Include basement/cellar retail use in calculating FAR.
  - Maintain retail size restrictions.
  - 5000 square foot limit on eating or drinking establishments should be maintained.

    - No 10,000+ square foot “big box” stores
        - In fact, this should be strengthened to prevent the disaster we have in NIKE.
        - Note that Bloomingdales SoHo was doing so badly before the pandemic, it was seeking permission from the SLA to serve liquor throughout the store.
        - A very strict requirement for indoor loading docks must be enforced. City Planning has recently waived the requirement in several SoHo applications., and the result does not work for the residents.
- Allow Use Group 3 museums as of right.
- It is vital to preserve our Historic Districts. Adding additional FAR will destroy SoHo and NoHo Historic Districts.
- **We have no parks, no planted areas, no school, no grocery stores, no gathering places for our community. All we have is the sky because of our FAR of 5. This plan does not give us any amenities and takes away our sky.**
- Impose a pied a terre tax.
- The most likely result of the proposed rezoning will be NO affordable houses, more rich people who overwhelm the current population, the loss of Chinese-owned small businesses on Lafayette and Centre Streets, and large interactive entertainment retail venues that do not work well with a residential population, as well as clubs & bars.
    - An active nightlife in a cast iron district really is very very noisy and disrupts sleep.
- We need a height limit.
- Flood zone data needs to be included.
    - In some areas, the water table is above the ground level, resulting in the ground floor not being counted in calculating FAR.
- Artists
    - You must quantify the artists. Do a real study to determine how many active artists and creative makers live in SoHo and NoHo.
    - Preserve JLWQA.
    - Protect JLWQA rentals
    - Bring IMD units into rent stabilization
    - What would happen when a JLWQA, a manufacturing use group, changes to a residential use group? What new criteria would have to be met? What would the cost be? Would a JLWQA coop be required to provide MIH units?
    - The arts industry is a vital part of New York’s economy.

LASTLY:

- Put this process on PAUSE.
    - There is no need for, and every argument against, starting this extensive, life-altering ULURP during the pandemic.
    - No data collected during this period could possibly be scientifically applied to real planning.
    - No one knows what NY will be like after the pandemic. We need at least 2 years to stabilize.
- **ADAPTIVE RE-USE** is what our goal should be.

These are my comments for now. I will be submitting further comments after the scoping session.

Respectfully submitted,

Lora Tenenbaum
423 Broome Street
New York, NY 10013
lora.tenenbaum@gmail.com

Cheers,

Lora Tenenbaum
Mobile: 917.647.1542
Landline: 212.925.4715


CONSIDER OUR ENVIRONMENT BEFORE PRINTING THIS E-MAIL

Subject: Draft Scope of Work for SoHo/NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 2:33:29 PM Central Standard Time
From: lora.tenenbaum@gmail.com
To: 21DCP059M_DL
Attachments: 20201218.Response to DSCW SoHo NoHo.Tenenbaum.pdf

Cheers,

Lora Tenenbaum
Mobile: 917.647.1542

From Lora Tenenbaum, 423 Broome Street, SoHo.

SoHo / NoHo Neighborhood Plan (CEQR #21DCP059M)

COMMENTS: DRAFT SCOPE OF WORK (DSOW)

To submit written comments, please email: 21DCP059M_DL@planning.nyc.gov

I am truly shocked at how the DSOW is filled with general, unsubstantiated statements, incorrect data and false presumptions. The end result is a mess of questionable assumptions and conclusions. It needs to go back to the drawing board, preferably at a time more conducive to true planning..and not during a Pandemic. Take a rest and come back in a year with a realistic DSOW.

- The DSOW is based on data collected during a time of socioeconomic upheaval and a pandemic, where no definitive answer to what NYC will need in the future can be determined.
- The DSOW was released for public comment in the midst of a pandemic, when many residents and businesses have been temporarily displaced and have life-altering impacts to deal with. This is a major zoning change being rushed through when most people aren't looking.

Any rezoning plan for SoHo and NoHo, unlike the DSOW, must satisfy the key principles and objectives that were identified during the extensive 2019 Envision process, including

- Protect and preserve SoHo and NoHo's Historic Districts.
- Ensure and expand non-student, affordable housing.
- Minimize displacement in SoHo and NoHo and in surrounding areas.
- Promote SoHo and NoHo's unique mixed use character.
- Legalize and maintain existing housing units, preserve Joint Live-Work Quarters for Artists (JLWQA) and expand to categories of non-artists, preferably creative "makers".

If it doesn't, it gives the message to the people that DCP will waste their time with make-work, that city planning is politically driven, and that our mayor rules from the top down to satisfy his real estate cronies. That the accelerated time frame is all to ram it through while everyone is distracted. *After all, there is no guarantee that a single MIH unit will be built under the proposal, but a definite guarantee that the landowners will be given a multimillion dollar bonanza.*

Further work and study must be done to make this right and achieve the objectives stated above.

It might make the DCP a laughing stock, but this is no laughing matter. The Mayor's DCP is taking advantage of the PANDEMIC. Not only are you making this presentation when the populace is distracted with other things, with their lives and livelihood in jeopardy, and many having been temporarily (or perhaps permanently) displaced, you are unable to hold proper physical public hearings and have collected DATA during a period that is not indicative of what was or will be. In this period of UNCERTAINTY, we cannot know what NYC will look like, or assess its FUTURE NEEDS. We already saw RETAIL uses declining nationwide before the

Pandemic, yet you seek to enlarge the amount of retail here. Most experts are saying we will never go back to that, and that OFFICE work will be done more remotely and that the emptiness of MIDTOWN offices will continue. There are indications that the Financial Industry will leave NYC for good. If that happens, not only would the demand for offices lessen dramatically, but so would the need for high end residential uses, on which your MIH plan depends.

Above all, I urge you to PAUSE and look at the MINIMUM possible changes so that our community will not be destroyed, but improved; so that affordable housing for people of an even lower income than you plan for can become part of our community, and some of the regulatory burdens be removed from residential and commercial members of the community. So that our Historic Districts are not harmed, and that JLWQA uses be protected and perhaps enlarged. We do not want our community to disappear into a world of high rise commercial and residential buildings, dominated by big box stores and an even greater percentage of wealthy inhabitants. Here is what I urge you to do to make this a true COMMUNITY plan:

- No increase in FAR of 5.
- Height limit to avoid such inappropriate heights as the NoMo Hotel.
- Guarantee greater opportunities for affordable housing, such as allowing conversion of existing office and commercial space, making it mandatory with some subsidy, and making it available to those on the lower range of income. Drop the failed MIH plan.
- Retail under 10,0000 square feet as of right below the level of the first floor, but if the basement or cellar are used for selling purposes, their footage should apply.
- Eating or Drinking Establishments under 5,000 square feet as of right.
- Legalize residential uses, but put real thought and planning into protecting JLWQA and encouraging the use and reputation of SoHo/NoHo as a creative community.

Page by page comments:

Pages 1-2:

<u>Housing</u>

DSOW fails to provide for any actual affordable housing. Instead it proposes a scheme based on market forces whereby developers may choose to include a very small portion of "affordable" units within market-rate housing developments. The DCP Plan includes no guarantee that any affordable units will actually be built. It provides a number of loopholes whereby developers can receive a waiver and not build affordable units at all. **In the end, the Plan fails to achieve its stated goal**. In fact, it seems that the real goal is to increase the lack of diversity by increasing dramatically the percentage of the very type of "luxury" housing that the Mayor and DCP claim has made SoHo and NoHo exclusionary.

The end result of this plan would be to increase the value of the real estate owned by big developers and destroy a community that would embrace increased residential diversity and encourage small businesses.

The Proposed Actions seek to accomplish the following land use and zoning objectives:

Promote economic recovery and growth

The financial implications of the proposed zoning changes for all of the Study Area must be studied. The DSOW is too narrow, focusing on only 27 Projected sites (out of approximately 850 lots). The review is limited to the implications from possible affordable housing scenarios, even though it is clear that it is not likely to produce much of that.

By limiting the scope the Plan fails to address the array of other development possibilities that will be made possible under the new provisions. Therefore those who might be impacted by aspects of the Plan, particularly current residents of SoHo and NoHo, have not been given the information needed to fully understand how the Plan will impact them in any way, including financially.

The economic analysis should cover the various and assorted components that make up the Plan. This would include study and analysis of the following across the entire Study Area:

- Value of increased FAR by square foot for each individual property, and totalled.
- Costs of LPC applications that will rise from the opportunities provided by increased FAR in the Historic Districts.
- All possible scenarios of Transferable Development Rights
- Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism")
- Likely number of applications for, and costs of newly-allowed liquor license applications.
- Costs related to the Affordable Housing Fund and how that would apply for existing residentially occupied buildings, as well as for new developments.

Please consider these questions as well:

- How quickly did SoHo and NoHo grow in the past 50 years, since the creation of the M1-M5 A& B zoning compared to other neighborhoods in the City? Provide a chart showing that growth and the expected growth under the DSOW.
- Isn't it to be expected that there would be a slowdown in growth after 50 years?
- Isn't it enough that S-N was the "second highest grossing retail market in NYC" in 2015-2016? (page 5)

Ensure new development harmonizes with neighborhood context and scale

- Show how the proposed upzoning can possibly "harmonize with the neighborhood's context and scale"?

Promote the preservation of historic resources and adaptive reuse

The DSOW fails to adequately provide for true protection of the "architectural character" found within and around the Historic Districts within SoHo and NoHo. This failure is particularly notable in the City's proposal to increase the FAR to 9.7 within the Historic Districts, particularly along Broadway and nearby, which will allow for non-contextual towers rising to 200 feet and more. Yet, in Envision, the community called for protection and preservation of the Historic Districts and the NYC Landmarks Law mandates stewardship and protection of the entirety of the Historic Districts for future generations.

- The DSOW must consider the implications of the added FAR across all of the protected districts, in regard to applications to the Landmarks Preservation Commission where owners will seek to build on the new allowances of FAR and Value granted to them under the DSOW.
- Define "historic resources"and explain how the historic districts will remain preserved in the suggested upzoning.
- Study the opportunities for adaptive reuse by allowing conversion of office space to residential space with a required minimum of affordable housing and compare that to the current Plan, which does not allow conversion of commercial/office uses into residential.

Continue to accommodate and expand live-work uses and support creative, arts, and cultural uses.

- Please provide specifics. Just even one? Pretty please?
- This requires thorough identification of what is to be continued. How many live-work uses are there now? This study must include live-work that is currently un-certified by the DCA, just as non-legal residential uses must be quantified.
- Given the need to pay into an affordability fund, how could a small artist cooperative, with a single non-certified artist unit, be able to legalize that single floor and at the same time maintain JLWQA for the remaining units? Please study that and similar scenarios.

Page 5: Demographics

- The DSOW merely speculates that the number of certified artists is small with no backing data, and fails entirely to quantify the actual number of artists and other makers and their families living in JLWQA units. Given that the DOB has never stopped non-artists from owning and living in JLWQA units, there is no wonder that people stopped bothering to file for certification.
- Artists are left out of the discussion of jobs. Are they also left out of their discussion of industries? Or are they considered a conforming manufacturing industry (UG17D)? What is their economic contribution?
- The Plan seems to make us original pioneers disappear rather than do what it must: quantify the numbers of artists, their families, and other "makers" living and working in JLWQA units.

- The DSOW states that occupation above the ground floors of the Area's buildings are 18% "retail and other", 30% office. What is the other 50%? If residential, including JLWQA, then **Residential is the largest single use within the two districts.**
- The 2010 census showed that the Study Area had a larger than usual senior citizen population even then. The Area is filled with the original "pioneers" aging in place in their JLWQAs. This should be quantified and plans made to accommodate their special needs. Many are living in rent stabilized lofts, many are in IMD limbo, and many are owners who bought cheap, worked and raised families there, and now are facing the same plight as small farmers: the value of their land has gone up and taxes accordingly, but they are struggling to keep up with costs as their actual income is low. What will be the impact of the Plan on them? How many would be forced out and displaced?
- Show the need for more office space and the impact of new office space in the Study Area on other, older office buildings in Manhattan, particularly Midtown. Isn't there a trend in the financial and tech sectors to work from home? Goldman Sachs is contemplating Florida (although that's probably a ploy to get some tax reduction from NYC).
- What will happen to small businesses in the upzoning and the competition with big box stores for space and customers? In fact, what is the definition of "small business"? You must study the impact of big box stores on small businesses, and include an analysis of subdividing large plate ground floors into multiple retail stores.
- Most zoning does not allow residential uses to be below commercial/manufacturing uses in the same building. Since JLWQA is a manufacturing use, this has not been an issue within our buildings. But, once a JLWQA unit is converted to residential, and there is a JLWQA unit on the floor above, or on the same floor, how will this be dealt with? Noise and noxious odor standards in the Neighborhood allows artists to use their materials and construct their art in the place they live. How will this work if there are pure residential apartments below them or on the same floor?

Page 5: The DSOW states that the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize retail uses, but fails to differentiate between types of retail, particularly UG6 and UG10, being sought. The following must be studied in order to make accurate predictions about future needs:

- How many special permits or variances were sought for UG10 retail?
- How many businesses should be labeled as UG10 retail that are not. (Bloomingdale's SoHo and Museum of Ice Cream come to mind).
- How many large retail establishments are operating illegally in the Study Area, with neither a special permit nor a variance.
- Since the Envision process showed a clear preference within the community for as-of -right retail on the ground floor, but continued size restrictions for retail and eating or drinking, the DSOW should determine how such "least change" zoning would impact the number of applications for special permits or variances.
- A full study, analysis and report for retail uses within the neighborhoods must be part of any plan put forward for the Neighborhood.

- Should the size limitation be lifted, identify and study the impacts of the existing buildings that could be occupied by UG10 retail or large eating or drinking establishments such as clubs.

Page 6: Home Ownership.

Per the DSOW, roughly 40 percent of the area's housing units are owner-occupied, nearly twice as high as the Manhattan average.

- Clarify the status of the roughly 60% of housing units that are not owner-occupied. DCP needs to study the entirety of the districts to quantify occupancies.
- DCP also should study how many owners, particularly artists in JLWQA cooperatives, are like small farmers...land rich but money poor. Many thus have wealth on paper, but can only realize it if they sell and leave the community. Isn't this displacement?

HISTORIC DISTRICTS (Page 8)

Just to agree with those experts who say that this is a betrayal. It is clearly a plan to start the destruction of Historic Districts.

Neighborhood Context (p9)

Broadway Corridor: DSOW states that Broadway "has the lowest concentration of residential uses in the Project Area," yet Broadway is more heavily populated when compared to various parts of the Project Area. It is the second most populated of the proposed sub-districts. Nevertheless, DCP continuously minimizes the existence of residents on and around Broadway, thereby making faulty assumptions about the extent of impacts from conflicting commercial and retail uses, particularly UG10 and Eating or Drinking Uses.

- DCP must study the Broadway corridor with more specificity, including identifying the number of residential and JLWQA units, and the number of residents along the Corridor.
- DCP must study the delivery systems that will be required to support retail that is larger than 10,000 sq feet. The few stores that already have this square footage are unable to have goods delivered without impacting the adjacent mixed use community. Broadway is already a nightmare with constant confrontations between these entities. What requirements are proposed for bringing even more goods into the neighborhood and how will they be enforced?
- Where will space be created for loading zones that are on the street and thus will not affect the quality of life of the residents who live above the shops?
- In addition to big box stores, large retail uses include a new industry: large retail interactive entertainment venues that seek liquor licenses and late night closings. What will be the impact of such businesses on the quality of life of their residential neighbors?

EXISTING ZONING (Pages 10 – 13)

The M1-5A and M1-5B zoning found throughout SoHo and NoHo is the underlying framework that allowed for the artistic blossoming of these neighborhoods. The M-district creative allowances within the buildings-- allowances for sometimes noxious materials, space, sound and more -- are among the reasons that the arts were able to flourish here. The goal, now and looking forward, should be to evolve the zoning, to nurture creativity into the future. Perhaps look at other municipalities that copied SoHo and NoHo,but then made it work better as an Artist District.

PURPOSE AND NEED FOR THE PROPOSED ACTION (Pages 13 – 16)

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

- DCP fails to provide any accurate data on the residential population of SoHo and NoHo.
- DCP fails to provide an accurate analysis of the affected population and their myriad occupations.
- DCP fails to provide accurate data on the number of working artists, certified or not. Basing this on the number of applications for artist certification in 2019 and 2020 is unacceptable. After all, many of the artists who still live and work here were certified decades ago and over the years, the visual arts restriction was inconsistently applied. As a result, some artists have deemed the onerous application process as unnecessary.

Questions:

- When and how will DCP provide accurate data on the number of working artists, certified or otherwise, live and work in SoHo?
- How many people live in rent stabilized units? Without a proper analysis of the population, the various creative occupations of the residents and of the potential for displacement of tenants in rent stabilized units and other residents, the plan is fundamentally flawed.

The DSOW fails to respect what it characterizes as the “unique historic character and cultural legacy” of the Neighborhood by lifting reasonable zoning limitations on oversized retail operations and eating or drinking establishments. Removing these controls runs the risk of dramatically increasing noise, crowding, traffic and sanitation problems.

The DSOW wrongfully treats the Broadway Corridor as a purely commercial strip, completely ignoring the thousands of residents who live in units above the ground floor. Thanks in particular to the oversized retail that rooted itself on Broadway (most of them illegally or with questionable help from the DOB), Broadway Corridor residents and their neighbors have long suffered from excessive noise, air and light pollution, impassable sidewalks and overcrowded subways. The proposed zoning changes will only make these problems exponentially worse.

- How will DCP protect and enhance the quality of life for residents, including those in the proposed Broadway Corridor?
- Accepting that regulatory burdens fall disproportionately on smaller businesses and property owners in getting permits for ground floor retail, wouldn’t the problem be

largely solved by allowing retail on the ground floors , basements and cellars so long as it was under 10,000 square feet, and also maintaining the 5,000 square foot limit on eating or drinking establishments?

- Study the impacts on quality of life of the residents of both scenarios, keeping in mind that the plan would allow large clubs and interactive entertainment venues, which operate into the wee hours of the morning, plus an increase in retail loading and unloading at night.
- It is entirely poor "planning" to use data on closed/vacant retail stores gathered in July 2020, after this area was heavily damaged by looters and subsequent outlying robberies as an indicator of "vacancies". Many retailers were told by their insurers to board up. We are in the midst of a pandemic.

Page 15: INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING

The DSOW fails to meet the stated goal of diversifying the neighborhoods. What is needed is real affordable housing that will house those in need, rather than the mere possibility of some small quotient of a development scheme. What is *not* needed is a huge injection of 70% to 80% luxury condos, the construction of which will do little to diversify the neighborhoods. In fact, the **net result would be a statistically less diverse neighborhood than the one we have now.**

- How will you protect our ancient cast iron buildings during new development construction?
- Why are you placing most of the new residential towers in the 100-year food plane or in Chinatown? One leads to construction issues (bathtub? piles?) and additional stories due to the water table being above the first floor level, the other to displacement of minority-owned businesses and minority residents.
- The above must be fully studied.
- There is no guarantee that the upzoning will bring in any affordable housing at all...or even residential units of any kind.
- The Plan has been launched in the midst of a devastating Pandemic when all data about housing, retail and office space, transportation, air quality etc. is inherently skewed.

As is laid out in the Community Alternative Zoning Plan for SoHo and NoHo, the City should expand diversity through deeper and broader commitments than currently cited in the DSOW:

- A higher percentage of residential developments reserved for affordable housing than the 20%-30% square footage currently proposed.
- Lower income levels for the required affordable housing than the up to 130% AMI currently proposed.
- Subsidies should be provided to ensure the development of affordable housing, instead of office space.
- Any new residential development should require inclusion of affordable units without awarding an upzoning.

Support Arts and Culture (p 15)

- How will allowing and encouraging transitioning away from JLWQA to residential uses result in the preservation and creation of affordable studio space and other broadly accessible creative spaces, as is claimed? Again, you should identify existing creative spaces, including JLWQA studios and UG9 Artist Studios, and analyze how many will remain after 10 years into the rezoning.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

- The LPC has often failed in the past to protect the historic nature of districts, in SoHo, NoHo and elsewhere under its purview. Why would this change now?
- Since the city has done a pretty poor job in always demanding that new buildings fit historical contexts, what does "more appropriately" actually mean?
- Since more than 80% of the Study Area is within an Historic District, specify those sites that would require approval for review by LPC.
- How in the world do your increased bulk regulations "more appropriately respond to neighborhood context?
- Given that the historic 19th cast iron buildings next to development sites risk having their foundations undermined by excavation and construction as has happened in the past in SoHo, what will be done to preserve the structural integrity of contributing buildings in the Historic Districts?

DESCRIPTION OF THE PROPOSED ACTIONS (Pages 16 – 19)

As suggested in the Alternative Plan, I support appropriately scaled as-of-right retail without opening the floodgates to Big Box chains, large interactive entertainment venues and oversized eating or drinking establishments such as clubs.

Neighborhood residents do not object to a reasonable loosening of ground floor retail regulations to allow retail uses which are compatible in size and character for the neighborhood. However, an allowance for destination retail in excess of 10,000 sf of selling space will only result in the dramatic proliferation of large chain stores, interactive entertainment venues, and eating or drinking establishments that have already been shown to create conflicts in these mixed-use neighborhoods, and will likely have an even larger negative impact upon quality of life if those uses are expanded as-of-right.

- Identify sites that could be converted to big box stores, to large eating or drinking venues, particularly clubs and then study their impacts.

The DSOW should be aimed at protecting and supporting small businesses and the arts community. Without protections, small and arts-related businesses will face increased financial pressures caused by a broad opening of zoning regulations to retail use.

Such protections could be partially accomplished by:

- Allowing Use Group 6 Retail up to 10,000 sq ft, and no larger, as-of-right. It would be preferable if basement or cellar retail uses were included in the calculation (excepting storage).
- Allowing eating or drinking establishments up to 5,000 sq ft, and no larger, as-of-right, inclusive of below ground eating or drinking uses.
- Providing protections for arts-related and creative-industry ground floor spaces.
- Formulating new and creative actions which help and encourage existing and new small independent businesses, while discouraging the proliferation of chain stores, as other cities have done.
- Allowing non-profit museums (UG3) as of right.
- Take the no action scenario, the alternative plan scenario (which would legalize ground floor retail but keep the current size limits) and the proposed action scenario and determine how many special permits or variances would be anticipated under each scenario within the next 10 years.

ZONING TEXT AMENDMENTS (Page 17)

Much of this has already been addressed. However, can you please define what "modify the typical regulation" means and identify the additional "requirements" and "parameters" that will be established. This section is suffering seriously from a case of vagueness.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

<u>General Use Regulations</u>

Joint Live-Work Quarters for Artist (page 18)

QUESTIONS:

- What is “the mechanism” by which the City will facilitate the “voluntary transition” from Use Group 17D (JLWQA) to Use Group 2 (residential)? Would it be applied only to complete buildings, or unit by unit? If the latter, what would be the impact on JLWQA neighbors in the building? Would you allow residential uses under JLWQA uses in the same building?
- What are the tax implications/burdens for such conversions?
- What are the cost implications/burdens on the occupants or owners to effect such conversions?
- Will these conversions be unit by unit or building by building? If not unit by unit, how will you deal with those who want to remain JLWQA in a building where others want to convert to residential?

Floor Area and Bulk Regulations, Page 18:

Definitions and clarifications are needed for the following (mostly subjective) terms used:

- Desirable
- Appropriate
- Supplement

- Respect
- Unique
- Sufficient flexibility
- Harmonious

The following require additional research and information**:**

- Substantiate or provide details for the stated presumption regarding size and location of "larger loft buildings."
- Provide residential and Live-Work occupancy information along Broadway, Lafayette Street and in the Northern portion of NoHo.
- Identify, study and analyze the impact on residents of the area of the specific mix of uses along and around "wide" streets, such as Broadway and Lafayette.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM (Page 18)

MIH is a proven failure. The Manhattan Institute study published this year found that only 2065 affordable housing units have been built in NYC since the MIH program was created four years ago.

You know what they say about people who keep failing but make no changes to their behaviour?

WRP REVIEW PROCESS AND DETERMINATION

Much of the southern portion of SoHo, particularly the area from Canal Street to Broome Street, is in a flood plain. The western section is in the 100 year flood plain. Soil conditions throughout these blocks have resulted in numerous construction complications, including the collapse of 72 Grand Street. When the SoHo Grand Hotel was built, they needed to insert multiple pilings, the noise driving the neighbors crazy and making it difficult to work at home.

- What mitigation for new construction has the city planned to deal with these flooding problems?
- Will this impact the number of stories allowed in buildings in the 100-year flood plain area or elsewhere?'
- Are the added costs taken into account in your analyses?
- Study noise implications based on the type of foundation construction needed in the flood plains.

G. ANALYSIS FRAMEWORK (Pages 19 – 25)

REASONABLE WORST CASE DEVELOPMENT SCENARIO

- The socio-economic impacts will be underestimated should the DSOW not go beyond the flawed CEQR requirements.
- The plan underestimates the impact of upzoning because it limits itself too narrowly and fails to look at the approximately 850 lots within a 56 block area, most within an Historic District.

- The DSOW fails to consider how the integrity of the Historic Districts would be undermined by the creation of various zones of development within the 56 block Study Area.
- The DSOW fails to note that the proposals do not guarantee a single unit of affordable housing.
    - There are greater incentives for office and dormitory use rather than residential use of any kind, much less affordable residential uses.
    - The pre-Covid glut of both luxury condos and rentals, especially in lower Manhattan, will dissuade construction of new housing.
    - Developers can apply for waivers to reduce or modify MIH requirements, including the allowable provision whereby "affordable" units will be allowed to be built elsewhere, outside the Study Area, all related to payments into an unspecified "Affordable Housing Fund." Any allowance of that sort is in direct contradiction of the stated purpose set forward by DCP, which is greater inclusivity and diversity within the Study Area by the development of affordable housing units within SoHo and NoHo.
    - The end result will be a statistically LESS DIVERSE, BUT DENSER AND LESS LIVEABLE Neighborhood.
- The DSOW is being drafted, and research done, during a Pandemic when all the norms for life, work, and commerce have been upended. It is not possible to make accurate assessments or collect reliable data at this time.
- This DSOW, which purports to plan for the next ten years, cannot analyze what might be needed without first studying and analyzing the consequences of the pandemic on all facets of work and life in the City.
- New, other, and perhaps more appropriate opportunities for affordable housing and development through adaptive reuse may be identifiable after the City normalized post-Pandemic. Right now the need for offices, hotels, and other commercial spaces has diminished, yet the plan is to increase them here.

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

The existing zoning framework could be maintained while allowing for an organic change within the Zoning Resolution. This could be achieved through targeted zoning text changes, which would enable appropriate flexibility that will be responsive to local needs and our dynamically changing City.

The scoping document cites restrictions to ground floor use regulations and outdated manufacturing zoning.

- In actuality, SoHo and NoHo constitute a mixed-use neighborhood that has a robust retail and commercial environment, occupying much of the ground floor spaces of buildings throughout the 56 block area. It is, as the DSOW points out, among the top two highest grossing retail markets of the City.
- The restrictions in place that limit the ground floor commercial use to 10,000 sq. ft for retail and 5,000 sq. ft. for eating or drinking establishments are a benefit to the

residential community, and are essential to maintenance of residential quality of life in this unique mixed use neighborhood of historic cast-iron buildings.

Text changes without up-zoning can allow for:

- Group 6 Retail up to 10,000 sf (preferably with basement and cellar retail uses included in the calculation).
- Eating or drinking establishments of up to 5,000 sf.
- As-of-right residential development with affordability mandates, at the same 5.0 FAR that is currently allowable for commercial and manufacturing development in SoHo and NoHo
- Legalization and protection of current residential occupancies. Legalize and maintain existing housing units, preserve JLWQA and expand those to categories of non-artists, preferably other creative makers.
- Minimize conversion restrictions to allow new residential development including affordable housing though adaptive reuse of existing buildings.
- Expand inclusion and diversity through broader affordability requirements, aiming at the lower end of the scale.

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

- The Plan fails to guarantee and expand affordable housing.
- The Plan threatens to displace existing residents.
    - There are currently approximately 1500 rent stabilized units including more than 500 in the R10 housing opportunity subdistricts and more than 400 IMD Loft Law units that have yet to be converted to rent stabilized under current law.
    - The number of land rich but lower income artists owning and occupying JLWQA cooperative units have not been established either.
    - There has been no study to date that examines how the rezoning would impact the socioeconomic aspects of the neighborhood and the potential for displacement. The concern is that CEQR does not contemplate nor call for studies of all the types of displacement that we would see here, particularly displacement of the elderly artist and maker community.
    - What will happen to residents in the areas not under Historic District protection. In particular, look at the impacts on the Asian population in the southeastern portion of the Study Area...the residents and the small businesses.
- Where is the financial analysis that explains how the proposed changes would impact the neighborhood?
- Where is the plan to protect residents who are renting and in rent regulated units, which is a major goal in the Envision Report?
- The maximum allowable floor area ratio of 12 which would be introduced here and and would see a near doubling of allowable size of new developments.
- How can we avoid the tall towers we see in Millionaires Row, which has the same FAR?
- The DSOW fails to indicate height caps and how the proposed special district would impact the transfer of development or air rights.

- Explain how R10 zoning would create 72% of residential housing when the zoning incentivises commercial and dormitory uses without mandatory MIH.
- The Plan's modification is to retain non-commercial space in spite of the current glut of office space and to prohibit conversion to residential use
- The DSOW removal of current restrictions to retail space and eating or drinking establishments prioritizes big box retail and interactive entertainment venues at the detriment of small businesses, which have been the mainstay of commerce in the area and a central part of the identity and financial vitality of the district. Those small businesses include unincorporated (Schedule C) artists, whose livelihood could well be impacted.
    - You must study the impact on small businesses.
    - You must study the impact on artists and others who work where they live and are unincorporated sole proprietors.
- The DSOW prioritizes Parking over housing by requiring parking for 40% of dwelling units which makes little sense in an area close to transit systems and one that has major traffic congestion. After all, less than 24% of the population of SoHo and NoHo (and all of Downtown Manhattan) own cars, according to the EDC. The only neighborhood in Manhattan that has that percentage of car owners is the Upper East Side...an extremely wealthy neighborhood.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES (Page 22)

PROJECTED AND POTENTIAL DEVELOPMENT SITES

Projected Development Sites

Potential Development Sites

Most of the data you provide for this section is said to be found in *Appendix 1,* Tables 1, 2 and 3, which is illegible and therefore functionally nonexistent. Because it references the data presented in Appendix 1, the usefulness of Figure 5 "Protected and Potential Development Sites" is limited.

- It is vital that before the scoping is finalized, a proper, legible presentation of the data said to be in Appendix 1 be made easily available to the public. This is a major, disastrous, failure of the DSOW.

The DSOW fails to adequately assess the full impact of either Projected or Potential Development Sites on the existing neighborhoods by limiting the scope to just 27 locations.

- The Scope of Work, along with the extent of study, research and analysis, must be broadened.

While you state you will study noise impacts from development, effects on "historic resources" (which you fail to define) and hazardous materials for each potential site, you fail to discuss the impacts of the uses of those sites once operating. For example, you seek to expand the number of big box stores on Broadway, but the full impact of such operations in a mixed use neighborhood, surrounded by thousands of residents, must also be studied. There was a reason the DOT installed pedestrian bulb-outs for Broadway in 2019, and that related to the number of pedestrians after several more large scale stores moved in. The fact that cast iron structures are pervious to noise, and the way noise travels in SoHo/NoHo must be studied and factored in as well.

DEVELOPMENT SCENARIO PARAMETERS

Dwelling Unit Factor

Floor-to-Floor Height

Conversion Prototypes

Development within Historic Districts on Projected and Potential Sites

- It has been said that the current Plan would add an additional 11,000,000 sf of new "Unused Development Rights" to the Study Area. Is this accurate?
- If accurate, what would be the real worst case scenario?
- You have not discussed transfer of Air Rights.

TASKS

PROPOSED DRAFT SCOPE OF WORK FOR THE EIS (Pages 25 – 51)

TASK 3: Socioeconomic Conditions

If the socioeconomic character of an area includes its population, housing, and economic activity, you must study:

- The impacts on the economy should the Neighborhood no longer be able to act as a backdrop for the film industry.
- The impacts on small businesses should large big box stores be allowed.
- The impact on our elderly, particularly the artist "pioneers" who started the path to what SoHo and NoHo is now, and are aging in place.
- The impact on the arts businesses, including those manufacturing their art where they live.
- The impact on tourism once the neighborhood loses its character.
- The light and air made available by SoHo/NoHo's low rise buildings give a charm to the SoHo/NoHo district that tourists, shoppers, office workers and residents are drawn to and enjoy.
- It is critical to include the unique aspects of SoHo as core economic assets of the proposed zoning area.

- Provide accurate and reliable data that supports the DSOW's call for a vast increase in office space.
- We are in the middle of a 100-year pandemic and all normal patterns of work, shopping and office work have been broken. Any data gleaned at this time for 10-year or more projections can only be faulty and lead to unimaginable consequences

TASK 4: Community Facilities and Services – Public Schools, Libraries, etc.

SCHOOLS:

Neither SoHo nor NoHo currently have public schools within their borders. Our children go to various different schools in other neighborhoods. The DSOW projects a 78% increase in residential population and an uncalculated increase in the number of elementary school children. Where in the zoning area does DCP propose these children go to school?

- You must analyze the need for schools based on changes to the Project Area as a whole, not looking at each single development site and asking if it alone would require a school.
- How will the DCP develop an accurate formula for determining the need for schools, based on future, unknowable post-Covid demographics?
- What site would be appropriate for a school?
- In order to fund new public schools, the City should require developers of all new residential buildings to contribute to a capital fund that would pay for the building of new schools or include them in their building projects.

TASK 5: Open Space (page 32)

Community Board 2, Manhattan has one of lowest open space ratios in NYC at 0.60 acres per 1,000 residents. SoHo and its neighbor Little Italy have only 0.07 acres per 1,000 residents or 3 square feet per person -- about the size of a small chair. The projected 78% increase in population would render the number of acres per 1,000 to the size of a thumbnail! And that calculation includes traffic islands as open space.

CEQR establishes New York City's optimal open space goal to be 2.5 acres of open space per 1,000 residents, including 0.5 acres of passive open space and 2.0 acres of active open space. How will you meet that?

- An assessment of existing open space and an assessment of open space needs under the upzoning must be required for the Study Area.
- Any assessment or study conducted during or for likely a year after the Pandemic would fail to give even a remotely accurate assessment of the amount of open space needed by these areas.
- Such assessment should also distinguish between passive and active open space, paved vs. green open space, and identify membership-only and traffic island open space. How much open space has activities for children, for seniors?
- What steps will the City take to remedy this extreme lack of open space?
- What will the city require of developers regarding open and green, active and passive space in their projects?

TASK 14: TRANSPORTATION

Given the Pandemic, any collection of data and analysis as presented in the DSOW will be deficient and inaccurate for the purpose of this major rezoning plan and for long-term planning.

- Currently, offices are closed or skeleton-crewed, restaurant and bar activity is minimized, retail stores are also closed or also severely reduced their operations. People are staying home to work and to study.
- All traffic and transportation studies must be conducted after the Pandemic and once the post-Pandemic period normalizes. At the very earliest, that would be the third quarter of 2021.

TRAVEL DEMAND and TRAFFIC:

- This month, the 2-way toll on the Verrazano-Narrows Bridge was reinstated after more than 30 years. The through traffic generated by the bridge impacts the level of particulate matter, traffic congestion, and noise levels on Lafayette Street, Broome Street and Grand Street. If you don't believe the impact (because DOT refused to study it), see Friday Rush Hour (Little Italy/SoHo) .
- The proposed studies and assessments cannot be validly made and then applied during the time frame of the DSOW, given the Pandemic and a following period of adjustment.
- Using recent studies "in the vicinity of the study area" to substantiate a major rezoning is quite problematic. This could mean studies from areas which are distinctly different from SoHo and NoHo and have different traffic and pedestrian flows and patterns could be used inappropriately. As noted above, the DOT consistently refused requests to study the through traffic coming from the Williamsburg Bridge to the Holland Tunnel. And, now that the Verrazano-Narrows Bridge has changed its tolling methods, a new pattern of traffic will emerge not only in the Study Area, but in the vicinity.
- The City is undergoing a major economic shift that began with the loss of retail due to internet sales, and continued due to the Pandemic. We are still in the midst of the Pandemic and it will be close to a year until things come to a new normal. It is wrong and unscientific to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

Travel Demand from Development Sites:

- The DSOW must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.
- The large increases in FAR and allowable height and density over the entire Study Area impacts travel data projections needed to assess the rezoning and thus the complete Study Area must be included in Travel Demand assessments.

TRANSIT: Again: Pandemic data is flawed data and we won't know what the new normal will be until at least the last quarter of 2021.

PEDESTRIANS

- Again: Pandemic data is flawed data and we won't know what the new normal will be until at least the last quarter of 2021.
- The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.
- The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density throughout the study area are not taken into account.

TASK 17: Noise

Again: Pandemic data is flawed data and we won't know what the new normal will be until at least the last quarter of 2021.

The SoHo and NoHo Historic Districts have cast-iron loft architecture buildings that differ from many other areas, and often with close proximity to rear yards - different from the usual residential zoning requirements. Records of public hearings in Community Board #2 show 30 years of residents complaining about night time noise and pointing to the fact that cast iron buildings do not keep noise out and make it bounce around oddly. Their main complaints have been noisy restaurants, restaurant patrons, bars and their patrons, HVAC units and loading and unloading activities from oversized retail.

- Due to the cast-iron architecture and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, noise impacts must be analyzed.
- Given the proposed increase in allowable size of bars, restaurants, retail and other uses, noise impact on the whole region must be studied.

Given the constraints of time, I must stop writing now... (lucky you) and send this in.

Cheers,

Lora Tenenbaum

423 Broome Street

New York, NY 10013

lora.tenenbaum@gmail.com

Subject: SoHo/NoHo Rezoning Comments
Date: Friday, December 18, 2020 at 10:14:18 PM Central Standard Time
From: Ben Carlos Thypin
To: 21DCP059M_DL

To whom it may concern,

I am writing to express my support for the proposed rezoning of SoHo and NoHo. If enacted, this rezoning has the potential to create several thousand homes in two of the highest opportunity neighborhoods on the planet. Practically speaking, the market rate homes would serve to relieve the upward pressure on housing costs in surrounding neighborhoods that's been caused in part by displaced demand from SoHo and NoHo for several decades, while the deeply affordable homes would provide hundreds of low-income households with access to all the opportunities that SoHo and NoHo have to offer. While the material improvements to people's lives in SoHo/NoHo, surrounding neighborhoods, and for those New Yorkers lucky enough to win the lottery for the affordable units would be substantial, the enactment of this rezoning would also be significant symbolically given our city's unfortunate history of leaning on marginalized communities to shoulder the bulk of the city's growth in exchange for community investments that they should have received anyway and far sooner than they did as part of the rezoning. Our shameful history of disinvestment in marginalized communities is part of why rezoning SoHo and NoHo is a moral imperative - after all, if we had been investing in those communities they wouldn't need to move to some place like SoHo or Noho to access opportunities. While we work to bring long overdue investments and opportunities to marginalized communities, it's imperative that we provide access to the opportunities that already exist in our city to those that need it most. Similarly, this rezoning would also be a significant step toward reversing our shameful history of redlining and segregation.

All that said, I have one major concern with the Draft Scope of Work that, if unaddressed, could undermine the positive practical and symbolic consequences of the rezoning. The proposed commercial FARs are too high throughout the proposed rezoning area and if they are not lowered, there is a significant risk that commercial development becomes a more profitable option for landowners and developers than residential development, particularly outside the historic districts where the bulk of the housing could be constructed. I've gone back and forth about the best way to demonstrate how real this risk is given two statistical challenges. The first challenge is that because SoHo and NoHo are both substantially built out and mostly covered in historic districts, there aren't that many recent and relevant sales one could use for determining the price commercial ZFA trades at. The second challenge is that because there have been so few MIH rezonings in rich neighborhoods like SoHo and NoHo, there are very few comparable sales of the type of residential ZFA that would exist post-rezoning. As a result, I decided the best approach was to use two examples that happened around the same time:

In May 2016, the City of New York sold 19 East Houston Street to a developer who proceeded to construct an office building of approximately 30,000 square feet. The developer paid the city $38.825 million, or $1249 per commercial ZFA. Now I appreciate that this was a complex transaction and a highly valuable retail location at the peak of the market, but it suffices to say that commercial rents in SoHo and NoHo are very high and as a result, commercial ZFA is extremely expensive. In contrast, MIH Residential ZFA in rich neighborhoods is nowhere near as expensive. The best example is from the 339-345 East 33rd Street Rezoning, which occurred in 2018 and for which the developer paid $244/MIH Residential ZFA for the property, a figure that doesn't include entitlement costs or tenant buyouts. Furthermore, unlike the gleaming new commercial building at 19 East Houston Street, the proposed development of 339-345 East 33rd Street hasn't even broken ground yet. While I support the MIH program in rich neighborhoods like these, it's important to keep in mind the costs that it imposes on development and the discount to ZFA values that result. I am not going to pretend this is the most thorough analysis that could be done on this matter, but I think it's clear given the delta between $1,249 per commercial ZFA and $244/MIH Residential ZFA in neighborhoods with similar income profiles that the risk of commercial development crowding out residential development is extremely real, particularly given that many of the proposed development sites are also on highly visible corners like 19 East Houston is.

Lastly, I suspect there is some concern within DCP and elsewhere that reducing the proposed commercial FAR in order to further incentivize residential development would undermine the dynamic mixed use character of SoHo and NoHo. Based on the latest version of the city's PLUTO database, the existing commercial area in SoHo and NoHo amounts to nearly 13 million square feet, while the residential area is 8.8 million square feet, making the neighborhoods 60% commercial . According to the draft scope of work for the rezoning, if all the probable and potential development sites were developed as predominantly residential, the residential area would increase by 3.2 million square feet while the commercial area would increase by 315,000 square feet. If everything were built out to the projections in the DSOW, commercial area would drop to 54% of total area, hardly a sea change compared to 60%.

In conclusion, I urge you to not even take the risk that developers choose to develop predominantly commercial instead of predominantly residential. The future of thousands of families and charting a new path for our city's land use policy is far more important than maintaining the present balance of commercial to residential area within SoHo and NoHo.

Thank you for your consideration.

-Benjamin Carlos Thypin

Subject: I Support Rezoning NoHo/SoHo
Date: Friday, December 18, 2020 at 7:36:21 PM Central Standard Time
From: Jose Torres
To: 21DCP059M_DL

God bless... All,Best Wishes!!!

Subject: zoning and open spaces
Date: Monday, November 30, 2020 at 4:45:42 PM Eastern Standard Time
From: jill vexler
To: 21DCP059M_DL

To Whom It May Concern:
I understand that the zoning committee is presently considering allowing the parking lot on Lafayette for possible development. This is the parking lot adjacent to the presently under renovation NYU building. This building has disrupted the neighborhood for years. Enough. Please. Enough.

I heartily urge the committee TO LEABE IT as an OPEN SPACWE. One of the few breathing spaces in the area. Or develop it as an open park area for NYU and other employees and students who wish to sit somewhere in NoHO. NO MORE HIGH BUILDINGS, please. Enough. Enough Enough.

Please cease the wonton vapid construction of more buildings in our already too visually densely populated area of lower Manhattan.

Thank you.
Dr. j Vexler

Subject: Comments on SoHo/NoHo Rezoning
Date: Tuesday, December 8, 2020 at 7:02:59 PM Central Standard Time
From: Jeremy Welsh-Loveman
To: 21DCP059M_DL

Dead NYC Department of City Planning,

Thank you for your hard work in moving this planning process along. I would like to comment in favor of changing the residential zoning from the proposal to allow for more residential floor area. Specifically, the proposed M1-5/R9X districts (the Broadway - Houston Corridor, NoHo North, and Canal Corridor) should instead be zoned as R10 and the M1-5/R7X districts should instead be mapped with at least R9X, and possibly higher. As you know this area is in lower Manhattan, well connected with mass transit and close to many tall, dense residential buildings. New York City has a significant housing shortage, and little housing has been built in Manhattan in the past few decades. This lack of housing growth has spurred higher housing costs further and further out in outer boroughs. This is likely the last time the zoning in this area will be changed for decades. It's important that the DCP takes this once in a generation opportunity to allow for a significant amount of housing in an already expensive area.

I think the DCP should also not include any non-residential floor space retention policy. This would make it much more difficult to convert different spaces to different uses, which is vital for a dynamic and changing city such as NYC. I don't really understand the reason for this other than status quo bias and it would seem to restrict redevelopment and reuse for no good reason.

Thank you for the consideration.

Thanks,
Jeremy Welsh-Loveman

Subject: public comment re: SoHo/NoHo upzoning
Date: Thursday, December 3, 2020 at 1:12:06 PM Central Standard Time
From: B. Winters
To: 21DCP059M_DL

Greetings,

I am writing today to oppose the Mayor's upzoning plan for SoHo/NoHo. I support the community alternative plan.

I do not think any public review and approval process should take place until in-person meetings can begin again, and a full analysis of the plan's impacts can take place.

The analysis done by the city so far is faulty — it leaves out many sites which are likely to be developed under the proposed rezoning with huge, oversized buildings, and it fails to account for the many current rent stabilized and loft law tenants, as well as small businesses, which are likely to be pushed out by the proposed changes.

Retail rules can be changed to accommodate reasonably-sized businesses, but the proposed allowance for over 10,000 sq ft for retail is outrageous. A limit of 10K sq ft for retail and 5K sq ft for eating and drinking establishments is more than enough.

Requiring affordable housing in new residential development can be done without the proposed upzoning — it can be applied to new residential development at the same size and scale currently allowed for other kinds of development in SoHo and NoHo

I am very concerned about the impact of this rezoning on surrounding neighborhoods, especially the working class communities of color in Chinatown and the Lower East Side. If the Soho/Noho Rezoning is really about racial justice and truly affordable housing, then why haven't you listened to the working class communities of color in Chinatown and the Lower East Side in our demands for the Chinatown Working Group Plan, a community-led rezoning plan designed to protect our neighborhoods (just adjacent to the newly proposed up zoning in Soho/Noho, which will impact our communities, too) from speculative overdevelopment and displacement. Why is it "too ambitious" (your words!) to follow the lead of impacted communities and working people when it comes to city planning?

Sincerely,

Briar Winters
157 Rivington Street #11
New York, NY 10002

Subject: OPPOSITION TO THE PLAN OPPOSITION TO UPZONING....2 Questions for DCP
Date: Thursday, December 3, 2020 at 11:54:45 AM Central Standard Time
From: Ronnie Wolf
To: Jeffrey Glovsky (DCP), 21DCP059M_DL

QUESTION 1
Why designate Broadway a Business Corridor?

In doing so, property taxes will rise, restrictions on the size of retailers and restaurants and that on sign illumination will be eliminated. Each of these unconscionable changes will negatively impact the quality of life of the residents who reside in the 43 buildings between Houston and Canal Streets.

DCP, long time artists, who organically created, invested heavily into this renown neighborhood; being responsible for maintaining most of its sidewalks and the facades, will be forced out of their "affordable" forever homes.
We, the heavily burdened taxpayers and "small business owners", demand a comprehensive STUDY addressing the fallout of making the change and placing the entire Proposal on PAUSE until after the Pandemic.

Broadway in SoHo and NoHo must become an endless building site nor another City LOSER Business Corridor to indulge Real Estate Developers.

It's obvious that this Proposal has nothing to do with increasing Affordable Housing though it's the hypocritical rally cry for proponents of the PLAN.

Broadway is VERY different from Canal Street. Canal is used as a thruway between Bridges and Tunnels with very few residential units. Broadway, on the other hand, runs through a Mixed Use community. *There are more than double the amount of Residential units on Broadway than ground floor Commercial units.

Designating Broadway as a Commercial corridor would be destructive to the local community.
DCP should recognize that we are the ones who shop and support the retailers and restaurants in our neighborhood especially now that tourists are gone. Those who purchase luxury apts are the same ones who will flee the City in times of disasters. The area doesn't need additional luxury housing.

Question 2
Why hasn't "indoor parking" been provided for and mandated for new construction?

The neighborhoods will need tourists and shoppers to come from elsewhere in order to thrive and become vibrant again. Most will do so in cars. The residents, who use cars to get to their jobs, will continue to need parking.
Parking mustn't be eliminated. DCP's proposal suggests building massive buildings on large parking lots. Whatever the outcome, SoHo/NoHo residents demand for there to be indoor parking in all new development sites.

Thank you
41 year SoHo artist resident Ronnie Wolf

Sent from my iPad

let me know your concerns. Residents need to stand up.

Subject: opposition to the Soho / Noho upzoning plan
Date: Thursday, December 3, 2020 at 9:53:02 AM Central Standard Time
From: Jill Woodward
To: 21DCP059M_DL

Dear Members:

I oppose the Mayor's vision for upzoning in Soho/Noho, and instead look toward this community plan for solutions to affordable housing. I cannot see any benefit to the Mayor's proposal that's not addressed in a smarter way in the community plan.

I do support reasonable retail in the area, but not the supersize chain stores the plan would encourage. These drain money out of the local economy—and as we're seeing now, many will drive local small businesses out and then go bankrupt later leaving huge eyesores behind.

The vision this plan puts forth would destroy any unique value that New York City has to offer compared to other cities in the world. To keep NYC strong and great, I urge you to keep its most valuable assets in mind - character, and people.

Sincerely,
Jill A. Woodward

Jill Woodward
jillwoodward.com

OFFICIALS

Subject: Joint Testimony on the SoHo NoHo Neighborhood Plan Draft Scope of work
Date: Friday, December 18, 2020 at 5:35:55 PM Central Standard Time
From: Kelley, Chelsea
To: 21DCP059M_DL, Sylvia Li (DCP)
CC: Drummond, Anthony, mchin-council, Chaparro, Lizette (ManhattanBP), Mann, Raju, Martinez-Rubio, Angelina, Chan, Stephanie (ManhattanBP)
Attachments: SoHo NoHo - MBP Brewer and CM Chin Joint Testimony - 2020-12-18.docx

Hello,

Please find attached joint testimony on behalf of the Office of Council Member Margaret S. Chin and the Office of the Manhattan Borough President Gale A. Brewer, for the SoHo NoHo Neighborhood Plan Draft Scope of Work (CEQR No. 21DCP059M, ULURP Nos. Pending).

Please let us know if you have any issues accessing the document.

Best,

Chelsea Kelley
New York City Council | Land Use Division
Cell 646-370-0171
ckelley@council.nyc.gov

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Gale A. Brewer, Borough President

December 18, 2020

Joint Testimony from the Office of Council Member Margaret S. Chin and the Office of the Manhattan Borough President Gale A. Brewer

Comments on the SoHo NoHo Neighborhood Plan Draft Scope of Work

CEQR No. 21DCP059M
ULURP Nos. Pending

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that broadly benefit the community and the public in and beyond the Project Area" (DSOW, 18). This mechanism remains undefined and must be clarified for how it intends to accomplish its stated goals.

Furthermore, the proposal is vague about expanding home occupations for work-live situations. Project Actions should include provisions for grandfathering existing uses to protect artist tenants currently residing in JLWQA units. All JLWQA units need to continue in perpetuity as affordable units.

Mapping Discrepancies

We ask that the DCP revisit their study of Projected and Potential Development Sites (DSOW, 21) as some of the listed lots are erroneous in building typology, height and size. We also ask that the list further include existing numbers of retail, commercial, manufacturing (including JLWQA) and residential uses.

A building-by-building analysis is imperative as some of the lots identified by the DCP may already be in demolition, development, or a private sale transaction, thereby precluding the lot as a Projected or Potential Development site for affordable housing analysis by the DSOW. One such example is the lot "DSOW ID 13" (358 Bowery) which was sold in 2019 along with nearby development rights. On December 2, 2020, the owner of that site filed a Department of Buildings application to demolish the structure that is on that site, highlighting the need for this application to be informed by the most up-to-date information as it moves through the public review process.

Retail and Office Space

Even though most people would characterize SoHo/NoHo as a major retail neighborhood, the majority of the M1-5A and M1-5B zoning district provisions do not allow as-of-right retail uses on the ground floor and basement levels. According to the DSOW, more than 90 CPC special permits were granted in this area between 2000 and 2019, and the New York City Board of Standards and Appeals (BSA) also granted variances over this period. It is clear that the existing zoning in SoHo/NoHo was created under economic circumstances that have not existed for some time, with the result being a constant stream of applications and approvals for CPC special permits and BSA variances. There is significant room for improvement in this outdated framework.

The Proposed Actions would change the current restrictions on retail and allow large-scale retail (defined as over 10,000 ZSF) as-of-right on the ground floor and basement levels throughout the area. The Envision SoHo/NoHo Advisory Group carefully contemplated what the right retail restrictions should be in the new framework. The general consensus was to allow a wider range of as-of-right retail and commercial uses on the ground floor and basement levels, while maintaining the special permit process for retail and use over 10,000 ZSF. We stand by these recommendations. Given the consistent mixed-use character of these neighborhoods, it is crucial to consider the quality of life impacts to the residents living above commercial uses. Large-scale retail tends to bring more frequent deliveries and trash hauls at all hours. Maintaining the special permit process for retail over 10,000 ZSF will give local residents a voice in the process when new large-scale retail is proposed.

The DSOW should furthermore consider an avenue for the conversion of existing office or commercial spaces to affordable units. While a post-COVID future remains uncertain at this time, there may be significant real estate impacts of companies choosing to discontinue their office leases in favor of working from home.

Community Alternative Zoning Plan for SoHo/NoHo

In December 2020, a coalition of neighborhood groups, including Village Preservation, drafted an alternative plan that offered an alternative set of principles for guiding any rezoning of the neighborhood. This plan should be analyzed before the proposed action moves forward.

Task 3: Socioeconomic Conditions

The DCP must broaden the scope of study of the SoHo/NoHo population to include data of the share of the community who identify as artists and an analysis of how many art making, art displaying, and art supporting units currently reside in the neighborhoods, and the number of existing JLWQA units that are currently occupied and vacant. This study should also include an analysis of the number of art spaces and art supporting spaces that have been lost in the last few decades. The definition of artist and art making spaces needs to be broadened and modernized.

The DSOW must fully consider the southeast and southwest portions of the SoHo/NoHo area for further study. The southwest area (bordered by Canal Street and 6th Avenue, listed in the DSOW Figure 4 as "SoHo West") is generally a transitional area and the southeast area (bordered by Canal Street and Baxter Street, listed in the DSOW Figure 4 as "SoHo East") adjoins Manhattan Chinatown. Both areas have a different neighborhood character compared to the core of SoHo/NoHo and deserve their own analysis of socioeconomic conditions to fully understand their neighborhood needs.

Task 4: Community Facilities and Services

School and University Facilities

There have been conversations over many years about the potential for a school on the New York University (NYU) campus, and NYU is committed to working with New York City School Construction Authority (SCA) to site a school there if one is needed. Many community members have discussed the possibility of moving forward with a special needs school at this site and we urge the SCA and the New York Department of Education (DOE) to work closely with our offices to advance this proposal. We cannot responsibly add thousands of units of new housing units into the neighborhood without advancing schools at these sites.

The DSOW must include data for current school enrollment numbers in SoHo/NoHo and projected enrollment and school seat data for elementary, intermediate, and high school levels according to the Reasonable Worst Case Development Scenario (RWCDS) , which estimates that approximately 1,683 new Dwelling Units will be added to the area. Additionally, the DSOW analysis must analyze libraries, childcare centers, police stations, fire stations, and health care facility needs. Due to the oversaturation of university dormitories in the neighborhood, we request that community facilities further stipulate a provision that there will be no dormitory or live-in use.

The Envision SoHo/NoHo Advisory Group supported the idea of a density development bonus in exchange for the provision of artist and art supporting spaces. The possibility of an additional 0.5 Floor Area Ratio (FAR) bonus for the provision of artist and art supporting space on the ground floor and basement levels should be studied. It is important that these spaces be visible to the public at the ground floor. Should a developer choose to apply for this community facility bonus for art making purposes, the SNMD must further stipulate that the community facility use will be made a permanent use.

Any new residential floor area for developments, enlargements and conversions containing significantly large existing buildings would require certification by the City Planning Commission (CPC) Chairperson (See *Non-Residential Floor Area Retention* on DSOW, 18). This certification would also require that non-residential floor area be retained at a one-to-one ratio in larger buildings. We ask that "significantly large existing buildings" be defined. Furthermore, this provision should be studied to encourage artist and artist supporting spaces in these buildings. The one-to-one ratio requirement could be reduced to 0.5-to-1 FAR

if artist or artist supporting spaces are provided on the ground floor and basement levels.

Task 5: Open Space

It is no surprise that SoHo/NoHo lacks open space. In fact, the large floor plates of buildings are a big part of what gives these neighborhoods such unique character. As there are very few publicly owned sites in the surrounding area, we urge the Administration to explore, in tandem with NYC Department of Parks & Recreation, any green space opportunities in the neighborhood, and if needed, include disposition actions in the bundle of land use actions to facilitate infill for community facilities or affordable housing units. A few examples include 70 Mulberry Street in Community Board 3 and the Department of Environmental Protection (DEP) sites at Bowery Street and East 4th Street (planned as new open space construction) and at Grand Street and Lafayette Street (142 Grand Street), which was previously presented in an LPC public hearing on June 25, 2019 as a new passive open space for the public.

As the Proposed Actions seek to promote this character in new development, opportunities to create new open spaces at the ground level will likely not be realized. Green spaces and trees provide an incredibly important ecological value to New Yorkers and help to keep the city cool during increasingly hot summers. The City Council passed Local Laws 92 and 94 of 2019, which require buildings to dedicate a portion of their roofs to renewable energy or green roofs. In SoHo/NoHo, extra incentives should be considered in order to increase the likelihood of green roofs in this area that is so lacking in open space.

Task 6: Shadows

We ask that the DSOW consider the impact of shadows upon open space, parks, individual landmarks, and the historic district as a whole, as its architectural elements could very well be compromised. We also ask that the DCP consider artist live-work spaces within buildings that could be adversely impacted by shadows, for example, indoor photography studios with spaces that depend on natural light. One artist pointed out that her large, industrial windows are required for her to do her work, and any blocking of sunlight would destroy her ability to make a living.

Tasks 7, 8, and 19:
Historic and Cultural Resources, Urban Design/Visual Resources, Neighborhood Character

About 80 to 85 percent of the Project Area is located within the SoHo Cast Iron Historic District and its extension, the NoHo Historic District and its extension, and the NoHo East Historic District, allowing the LPC substantial regulatory oversight throughout the area. While LPC review will certainly help to ensure that the character of future development is harmonious with the existing buildings, a public facing document that outlines specific guidelines for the architectural character of future development should be created with assistance and input from the LPC and the broader community. This will help alleviate the administrative burden on the LPC and give community members an additional voice in the process.

We request that the DSOW include an adaptive re-use study of any distressed, historical buildings in the neighborhood. We also request that the DSOW study the possibility of any archaeological remains and artifacts from historical burial grounds that were prevalent in the history of Lower Manhattan.

Tasks 9 – 11: Natural Resources, Hazardous Materials, and Water and Sewer Infrastructure

There are significant and unaddressed environmental concerns prevalent in the southern and southeast zones of the Project Area (listed in the DSOW Figure 4 as the "Canal Corridor" and "SoHo East") which were historically swampland. There are ground stability issues at Canal Street that could be a detriment to any new construction around or near historical buildings in the area. Additionally, the Canal Street intersections at Broadway and Grand Street experienced some of Lower Manhattan's worst flooding in the aftermath of 2012 Hurricane Sandy.

The DSOW must include the environmental implications of historic automobile related services located in the Project Area. This area, nicknamed "Gasoline Alley," was home to a considerable number of gas stations and automobile repair shops. This includes a previous gasworks facility at the southeast corner of Centre Street and Baxter Street that went through a New York State Department of Environmental Conservation (DEC) Voluntary Cleanup Program in January of 2018 (Consolidated Edison (CE) – Hester St. Gas Works, DEC Site # V00528).

The DSOW should further outline if the increase in neighborhood building densities would affect street-level wind conditions and an increase of ground-level particulates.

Task 12: Solid Waste and Sanitation Services

Quality of Life

The mixed-use character of SoHo/NoHo continues to raise a number of quality of life concerns that are distinct to the neighborhood. The Envision SoHo/NoHo Advisory Group made recommendations around loading zones and waste pick-ups that must be addressed as part of this proposal. It is possible that these issues are outside of the bounds of zoning. However, the commitments in the DSOW must be meaningfully upheld. The scope of work acknowledges that "although not part of the proposed zoning actions… strategies outside of zoning would be developed to work in unison to support broader planning goals such as improving public realm management (e.g., retail delivery and loading management) and supporting the arts and creative industries in SoHo/NoHo)" (DSOW, 13).

The prevalence of SoHo/NoHo's through-block buildings and narrow streets are of concern for deliveries and waste removal. The DSOW should consider the impact of increasing commercial spaces for the area upon pedestrian and vehicular movements, in particular the areas of Bleecker Street, Spring Street, Mercer Street, and Crosby Street.

We strongly encourage consideration of the following strategies for deliveries and trash pick-ups made by the Envision SoHo/NoHo Advisory Group:

- Develop a vending action plan with improved strategies that ensure pedestrian safety while allowing continued vending;
- Conduct a comprehensive parking and loading and unloading study to improve conditions and enforcement;
- Create a coordinated district-wide loading plan for deliveries;
- Prioritize or require delivery technologies that are quieter;
- Coordinate with the New York City Department of Sanitation's Commercial Waste Zones program;
- Work with landlords to implement best practices in lease terms, e.g. require that trash be stored inside buildings until pick-up; and
- Define community standards, e.g. "optimal hours of operation" with the aim to guide private carters' bidding that serves commercial businesses.

Tasks 13 - 17: Energy, Transportation, Air Quality, Greenhouse Gas Emissions, and Noise

The COVID-19 pandemic has brought upon us an unprecedented time in the city's history and we are still experiencing the impacts that it has left on the urban landscape. With businesses being conducted from home, we have seen the closure of a number of SoHo/NoHo retail spaces and restaurants that previously depended on pedestrian foot traffic.

We ask that the DSOW carefully scrutinize any environmental data collected after March 2020 and take into consideration that the presented data is not representative of the pre-COVID-19 conditions of the SoHo/NoHo neighborhood. Collected data on vehicular traffic, pedestrian foot traffic, subway use, energy, noise, and air quality must be re-evaluated to account for pre-COVID-19 levels. The DSOW notes that, "… due to the ongoing COVID-19 pandemic, field measurements of noise levels may not represent expected noise exposure at the proposed project… if the current traffic pattern is not deemed representative, "existing condition" noise levels would be established using a combination of noise levels measured within and adjacent to the rezoning area for previous environmental reviews, mathematical models, add projections of typical vehicular traffic volumes. The specific methodology and technical approach for the establishment of existing condition noise levels will be described in a memorandum submitted to the lead agency for comment and approval" (DSOW, 48).

This procedure must be appropriately conveyed to all the partners listed in the DSOW for these sections that will be consulted for impact analyses; National Grid, the Mayor's Office of Sustainability (MOS), the New York City Department of Transportation (DOT), the Metropolitan transportation Authority-New York City Transit (MTA-NYCT), and the New York City Department of Environmental Protection (DEP).

Task 18 and 20: Public Health and Construction

Now more than ever, it is imperative that construction impacts be reviewed in tandem with public health impacts. These include any and all unmitigated significant adverse impacts from conditions related to air quality, hazardous materials, noise, as well as transportation systems and construction staging impacts on vehicular and pedestrian traffic. Both the Project Development Sites and Potential Development Sites must be analyzed for construction impacts to the area and additionally their impacts to public health, within the 10-year analysis period as stated by the DSOW. The geographic area for analysis must include lots that straddle the Project Area, for conservative analysis purposes.

The analysis of construction impacts must also include analysis and mitigations for historical building damage, as many adjacent properties to listed projected development sites are landmarked properties. The construction study must also include impacts to subgrade water, storm, and sewage channels, unstable ground, and existing building foundations.

Conclusion

While we largely support the inclusion of MIH and affordable housing in the SoHo/NoHo neighborhoods and the opportunity to remedy the many pre-existing quality-of-life concerns, we are troubled that the City has decided to pursue a rezoning at this time of a nation-wide emergency and recovery period. We ask that the DCP carefully scrutinize all collected data to ensure that records are representative with pre-COVID conditions and that any public hearing processes for the scoping for environmental documents and Uniform Land Use Review Procedure (ULURP) are upheld to the highest standard for proper community dialogue and discussion. We ask that the DCP work closely with the LPC to identify,

conserve, and protect the longstanding landmarked buildings in the SoHo/NoHo historic district and that tenant protections for live-work spaces are upheld in any transition.

This is an important opportunity to modernize outdated zoning to better reflect current conditions of the SoHo/NoHo neighborhoods. However, the mixed-use legacy and unique neighborhood character that originated from historical zoning measures must be protected and celebrated.

We look forward to continue working with the DCP on this important project.

Subject: Joint Testimony on the SoHo NoHo Neighborhood Plan Draft Scope of work
Date: Friday, December 18, 2020 at 5:35:55 PM Central Standard Time
From: Kelley, Chelsea
To: 21DCP059M_DL, Sylvia Li (DCP)
CC: Drummond, Anthony, mchin-council, Chaparro, Lizette (ManhattanBP), Mann, Raju, Martinez-Rubio, Angelina, Chan, Stephanie (ManhattanBP)
Attachments: SoHo NoHo - MBP Brewer and CM Chin Joint Testimony - 2020-12-18.docx

Hello,

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Please let us know if you have any issues accessing the document.

Best,

Chelsea Kelley
New York City Council | Land Use Division
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Gale A. Brewer, Borough President

December 18, 2020

Joint Testimony from the Office of Council Member Margaret S. Chin and the Office of the Manhattan Borough President Gale A. Brewer

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The proposed zoning for the Special SoHo/NoHo Mixed-Use District (SNMD) would allow for existing JLWQA units to remain and references a mechanism that would, "facilitate the voluntary transition from Use Group 17D JLWQA to Use Group 2 residential use with expanded home occupation provisions." The mechanism would also, "be paired with conditions that support arts and culture uses and establishments

that broadly benefit the community and the public in and beyond the Project Area" (DSOW, 18). This mechanism remains undefined and must be clarified for how it intends to accomplish its stated goals.

Furthermore, the proposal is vague about expanding home occupations for work-live situations. Project Actions should include provisions for grandfathering existing uses to protect artist tenants currently residing in JLWQA units. All JLWQA units need to continue in perpetuity as affordable units.

Mapping Discrepancies

We ask that the DCP revisit their study of Projected and Potential Development Sites (DSOW, 21) as some of the listed lots are erroneous in building typology, height and size. We also ask that the list further include existing numbers of retail, commercial, manufacturing (including JLWQA) and residential uses.

A building-by-building analysis is imperative as some of the lots identified by the DCP may already be in demolition, development, or a private sale transaction, thereby precluding the lot as a Projected or Potential Development site for affordable housing analysis by the DSOW. One such example is the lot "DSOW ID 13" (358 Bowery) which was sold in 2019 along with nearby development rights. On December 2, 2020, the owner of that site filed a Department of Buildings application to demolish the structure that is on that site, highlighting the need for this application to be informed by the most up-to-date information as it moves through the public review process.

Retail and Office Space

Even though most people would characterize SoHo/NoHo as a major retail neighborhood, the majority of the M1-5A and M1-5B zoning district provisions do not allow as-of-right retail uses on the ground floor and basement levels. According to the DSOW, more than 90 CPC special permits were granted in this area between 2000 and 2019, and the New York City Board of Standards and Appeals (BSA) also granted variances over this period. It is clear that the existing zoning in SoHo/NoHo was created under economic circumstances that have not existed for some time, with the result being a constant stream of applications and approvals for CPC special permits and BSA variances. There is significant room for improvement in this outdated framework.

The Proposed Actions would change the current restrictions on retail and allow large-scale retail (defined as over 10,000 ZSF) as-of-right on the ground floor and basement levels throughout the area. The Envision SoHo/NoHo Advisory Group carefully contemplated what the right retail restrictions should be in the new framework. The general consensus was to allow a wider range of as-of-right retail and commercial uses on the ground floor and basement levels, while maintaining the special permit process for retail and use over 10,000 ZSF. We stand by these recommendations. Given the consistent mixed-use character of these neighborhoods, it is crucial to consider the quality of life impacts to the residents living above commercial uses. Large-scale retail tends to bring more frequent deliveries and trash hauls at all hours. Maintaining the special permit process for retail over 10,000 ZSF will give local residents a voice in the process when new large-scale retail is proposed.

The DSOW should furthermore consider an avenue for the conversion of existing office or commercial spaces to affordable units. While a post-COVID future remains uncertain at this time, there may be significant real estate impacts of companies choosing to discontinue their office leases in favor of working from home.

Community Alternative Zoning Plan for SoHo/NoHo

In December 2020, a coalition of neighborhood groups, including Village Preservation, drafted an alternative plan that offered an alternative set of principles for guiding any rezoning of the neighborhood. This plan should be analyzed before the proposed action moves forward.

Task 3: Socioeconomic Conditions

The DCP must broaden the scope of study of the SoHo/NoHo population to include data of the share of the community who identify as artists and an analysis of how many art making, art displaying, and art supporting units currently reside in the neighborhoods, and the number of existing JLWQA units that are currently occupied and vacant. This study should also include an analysis of the number of art spaces and art supporting spaces that have been lost in the last few decades. The definition of artist and art making spaces needs to be broadened and modernized.

The DSOW must fully consider the southeast and southwest portions of the SoHo/NoHo area for further study. The southwest area (bordered by Canal Street and 6th Avenue, listed in the DSOW Figure 4 as "SoHo West") is generally a transitional area and the southeast area (bordered by Canal Street and Baxter Street, listed in the DSOW Figure 4 as "SoHo East") adjoins Manhattan Chinatown. Both areas have a different neighborhood character compared to the core of SoHo/NoHo and deserve their own analysis of socioeconomic conditions to fully understand their neighborhood needs.

Task 4: Community Facilities and Services

School and University Facilities

There have been conversations over many years about the potential for a school on the New York University (NYU) campus, and NYU is committed to working with New York City School Construction Authority (SCA) to site a school there if one is needed. Many community members have discussed the possibility of moving forward with a special needs school at this site and we urge the SCA and the New York Department of Education (DOE) to work closely with our offices to advance this proposal. We cannot responsibly add thousands of units of new housing units into the neighborhood without advancing schools at these sites.

The DSOW must include data for current school enrollment numbers in SoHo/NoHo and projected enrollment and school seat data for elementary, intermediate, and high school levels according to the Reasonable Worst Case Development Scenario (RWCDS) , which estimates that approximately 1,683 new Dwelling Units will be added to the area. Additionally, the DSOW analysis must analyze libraries, childcare centers, police stations, fire stations, and health care facility needs. Due to the oversaturation of university dormitories in the neighborhood, we request that community facilities further stipulate a provision that there will be no dormitory or live-in use.

The Envision SoHo/NoHo Advisory Group supported the idea of a density development bonus in exchange for the provision of artist and art supporting spaces. The possibility of an additional 0.5 Floor Area Ratio (FAR) bonus for the provision of artist and art supporting space on the ground floor and basement levels should be studied. It is important that these spaces be visible to the public at the ground floor. Should a developer choose to apply for this community facility bonus for art making purposes, the SNMD must further stipulate that the community facility use will be made a permanent use.

Any new residential floor area for developments, enlargements and conversions containing significantly large existing buildings would require certification by the City Planning Commission (CPC) Chairperson (See *Non-Residential Floor Area Retention* on DSOW, 18). This certification would also require that non-residential floor area be retained at a one-to-one ratio in larger buildings. We ask that "significantly large existing buildings" be defined. Furthermore, this provision should be studied to encourage artist and artist supporting spaces in these buildings. The one-to-one ratio requirement could be reduced to 0.5-to-1 FAR

if artist or artist supporting spaces are provided on the ground floor and basement levels.

Task 5: Open Space

It is no surprise that SoHo/NoHo lacks open space. In fact, the large floor plates of buildings are a big part of what gives these neighborhoods such unique character. As there are very few publicly owned sites in the surrounding area, we urge the Administration to explore, in tandem with NYC Department of Parks & Recreation, any green space opportunities in the neighborhood, and if needed, include disposition actions in the bundle of land use actions to facilitate infill for community facilities or affordable housing units. A few examples include 70 Mulberry Street in Community Board 3 and the Department of Environmental Protection (DEP) sites at Bowery Street and East 4th Street (planned as new open space construction) and at Grand Street and Lafayette Street (142 Grand Street), which was previously presented in an LPC public hearing on June 25, 2019 as a new passive open space for the public.

As the Proposed Actions seek to promote this character in new development, opportunities to create new open spaces at the ground level will likely not be realized. Green spaces and trees provide an incredibly important ecological value to New Yorkers and help to keep the city cool during increasingly hot summers. The City Council passed Local Laws 92 and 94 of 2019, which require buildings to dedicate a portion of their roofs to renewable energy or green roofs. In SoHo/NoHo, extra incentives should be considered in order to increase the likelihood of green roofs in this area that is so lacking in open space.

Task 6: Shadows

We ask that the DSOW consider the impact of shadows upon open space, parks, individual landmarks, and the historic district as a whole, as its architectural elements could very well be compromised. We also ask that the DCP consider artist live-work spaces within buildings that could be adversely impacted by shadows, for example, indoor photography studios with spaces that depend on natural light. One artist pointed out that her large, industrial windows are required for her to do her work, and any blocking of sunlight would destroy her ability to make a living.

Tasks 7, 8, and 19:
Historic and Cultural Resources, Urban Design/Visual Resources, Neighborhood Character

About 80 to 85 percent of the Project Area is located within the SoHo Cast Iron Historic District and its extension, the NoHo Historic District and its extension, and the NoHo East Historic District, allowing the LPC substantial regulatory oversight throughout the area. While LPC review will certainly help to ensure that the character of future development is harmonious with the existing buildings, a public facing document that outlines specific guidelines for the architectural character of future development should be created with assistance and input from the LPC and the broader community. This will help alleviate the administrative burden on the LPC and give community members an additional voice in the process.

We request that the DSOW include an adaptive re-use study of any distressed, historical buildings in the neighborhood. We also request that the DSOW study the possibility of any archaeological remains and artifacts from historical burial grounds that were prevalent in the history of Lower Manhattan.

Tasks 9 – 11: Natural Resources, Hazardous Materials, and Water and Sewer Infrastructure

There are significant and unaddressed environmental concerns prevalent in the southern and southeast zones of the Project Area (listed in the DSOW Figure 4 as the "Canal Corridor" and "SoHo East") which were historically swampland. There are ground stability issues at Canal Street that could be a detriment to any new construction around or near historical buildings in the area. Additionally, the Canal Street intersections at Broadway and Grand Street experienced some of Lower Manhattan's worst flooding in the aftermath of 2012 Hurricane Sandy.

The DSOW must include the environmental implications of historic automobile related services located in the Project Area. This area, nicknamed "Gasoline Alley," was home to a considerable number of gas stations and automobile repair shops. This includes a previous gasworks facility at the southeast corner of Centre Street and Baxter Street that went through a New York State Department of Environmental Conservation (DEC) Voluntary Cleanup Program in January of 2018 (Consolidated Edison (CE) – Hester St. Gas Works, DEC Site # V00528).

The DSOW should further outline if the increase in neighborhood building densities would affect street-level wind conditions and an increase of ground-level particulates.

Task 12: Solid Waste and Sanitation Services

Quality of Life

The mixed-use character of SoHo/NoHo continues to raise a number of quality of life concerns that are distinct to the neighborhood. The Envision SoHo/NoHo Advisory Group made recommendations around loading zones and waste pick-ups that must be addressed as part of this proposal. It is possible that these issues are outside of the bounds of zoning. However, the commitments in the DSOW must be meaningfully upheld. The scope of work acknowledges that "although not part of the proposed zoning actions… strategies outside of zoning would be developed to work in unison to support broader planning goals such as improving public realm management (e.g., retail delivery and loading management) and supporting the arts and creative industries in SoHo/NoHo)" (DSOW, 13).

The prevalence of SoHo/NoHo's through-block buildings and narrow streets are of concern for deliveries and waste removal. The DSOW should consider the impact of increasing commercial spaces for the area upon pedestrian and vehicular movements, in particular the areas of Bleecker Street, Spring Street, Mercer Street, and Crosby Street.

We strongly encourage consideration of the following strategies for deliveries and trash pick-ups made by the Envision SoHo/NoHo Advisory Group:

- Develop a vending action plan with improved strategies that ensure pedestrian safety while allowing continued vending;
- Conduct a comprehensive parking and loading and unloading study to improve conditions and enforcement;
- Create a coordinated district-wide loading plan for deliveries;
- Prioritize or require delivery technologies that are quieter;
- Coordinate with the New York City Department of Sanitation's Commercial Waste Zones program;
- Work with landlords to implement best practices in lease terms, e.g. require that trash be stored inside buildings until pick-up; and
- Define community standards, e.g. "optimal hours of operation" with the aim to guide private carters' bidding that serves commercial businesses.

Tasks 13 - 17: Energy, Transportation, Air Quality, Greenhouse Gas Emissions, and Noise

The COVID-19 pandemic has brought upon us an unprecedented time in the city's history and we are still experiencing the impacts that it has left on the urban landscape. With businesses being conducted from home, we have seen the closure of a number of SoHo/NoHo retail spaces and restaurants that previously depended on pedestrian foot traffic.

We ask that the DSOW carefully scrutinize any environmental data collected after March 2020 and take into consideration that the presented data is not representative of the pre-COVID-19 conditions of the SoHo/NoHo neighborhood. Collected data on vehicular traffic, pedestrian foot traffic, subway use, energy, noise, and air quality must be re-evaluated to account for pre-COVID-19 levels. The DSOW notes that, "… due to the ongoing COVID-19 pandemic, field measurements of noise levels may not represent expected noise exposure at the proposed project… if the current traffic pattern is not deemed representative, "existing condition" noise levels would be established using a combination of noise levels measured within and adjacent to the rezoning area for previous environmental reviews, mathematical models, add projections of typical vehicular traffic volumes. The specific methodology and technical approach for the establishment of existing condition noise levels will be described in a memorandum submitted to the lead agency for comment and approval" (DSOW, 48).

This procedure must be appropriately conveyed to all the partners listed in the DSOW for these sections that will be consulted for impact analyses; National Grid, the Mayor's Office of Sustainability (MOS), the New York City Department of Transportation (DOT), the Metropolitan transportation Authority-New York City Transit (MTA-NYCT), and the New York City Department of Environmental Protection (DEP).

Task 18 and 20: Public Health and Construction

Now more than ever, it is imperative that construction impacts be reviewed in tandem with public health impacts. These include any and all unmitigated significant adverse impacts from conditions related to air quality, hazardous materials, noise, as well as transportation systems and construction staging impacts on vehicular and pedestrian traffic. Both the Project Development Sites and Potential Development Sites must be analyzed for construction impacts to the area and additionally their impacts to public health, within the 10-year analysis period as stated by the DSOW. The geographic area for analysis must include lots that straddle the Project Area, for conservative analysis purposes.

The analysis of construction impacts must also include analysis and mitigations for historical building damage, as many adjacent properties to listed projected development sites are landmarked properties. The construction study must also include impacts to subgrade water, storm, and sewage channels, unstable ground, and existing building foundations.

Conclusion

While we largely support the inclusion of MIH and affordable housing in the SoHo/NoHo neighborhoods and the opportunity to remedy the many pre-existing quality-of-life concerns, we are troubled that the City has decided to pursue a rezoning at this time of a nation-wide emergency and recovery period. We ask that the DCP carefully scrutinize all collected data to ensure that records are representative with pre-COVID conditions and that any public hearing processes for the scoping for environmental documents and Uniform Land Use Review Procedure (ULURP) are upheld to the highest standard for proper community dialogue and discussion. We ask that the DCP work closely with the LPC to identify,

conserve, and protect the longstanding landmarked buildings in the SoHo/NoHo historic district and that tenant protections for live-work spaces are upheld in any transition.

This is an important opportunity to modernize outdated zoning to better reflect current conditions of the SoHo/NoHo neighborhoods. However, the mixed-use legacy and unique neighborhood character that originated from historical zoning measures must be protected and celebrated.

We look forward to continue working with the DCP on this important project.

Subject: Assemblymember Glick SoHo NoHo Scoping Testimony
Date: Thursday, December 3, 2020 at 9:54:15 AM Central Standard Time
From: Charles Anderson
To: 21DCP059M_DL
Attachments: AM Glick_DCP_SoHo NoHo Scoping Testimony_12.3.20.pdf

Hello,

Please find attached testimony from Assemblymember Deborah J. Glick regarding the SoHo NoHo scoping hearing on December 3, 2020.

Many constituents have contacted our office this morning because there is no live link to register for this hearing and it would be helpful if DCP would update us as to the process. Many individuals, including the Assemblymember herself, would like to register to speak.

Thank you,

Charlie Anderson

--
Charlie Anderson

Director of Community Affairs
Office of Assemblymember Deborah J. Glick
212-674-5153 (office)
929-314-2931 (remote)

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

DEBORAH J. GLICK
Assemblymember 66TH District
New York County

CHAIR
Higher Education Committee
Intern Committee

COMMITTEES
Environmental Conservation
Rules
Ways & Means

Testimony of Assemblymember Deborah J. Glick
Before the New York City Department of City Planning
Regarding the SoHo/NoHo Neighborhood Plan Draft Scope of Work
CEQR No. 21DCP059M

December 3, 2020

Thank you for the opportunity to testify before you today regarding the Draft Scope of Work for an environmental impact statement regarding a pending Uniform Land Use Review Procedure (ULURP) in the SoHo and NoHo neighborhoods in Manhattan. I am Assemblymember Deborah J. Glick and I represent these two neighborhoods in the State Legislature as part of the 66th Assembly District. Frequently, my office will comment on issues that are within the district but strictly under the city's jurisdiction but affects a number of my constituents and the community I serve. ULURPs typically fall into this category and today's actions by the Department of City Planning (DCP) are no exception. This Draft Scope of Work anticipates a robust and far-reaching ULURP that will change the character and makeup of SoHo and NoHo. My office also participated in the Envision SoHo/NoHo community planning process in 2019. While we made comment and were present at many meetings, as a state office, we were not part of the advisory group and only commented on the summary of recommendations. After that process, many in the community, including myself, were left wondering what the next step would be from city government. While a subsequent ULURP and change in zoning to the neighborhood was anticipated, I have many concerns about discrepancies between issues raised in the Envision SoHo/NoHo process and what is in this document today.

I have many concerns about this Draft Scope of Work and am alarmed by the some of the changes but also by what has been excluded from the study. Notably, I find the provisions for the Joint Live Work Quarters for Artists (JLWQA) to be lacking in protections that were discussed at length during the Envision SoHo/NoHo process. Also, I am alarmed by the lack of changes to retail concerns in SoHo and NoHo that reflect a community-based provision which has been the subject of years of meetings and organizing on the part of concerned citizens and elected offices. Similarly, the Mandatory Inclusionary Housing (MIH) program that is invoked in this Draft Scope of Work and pending ULURP do not effectively increase affordable units in the neighborhoods at the rate desired by progressives in the City Council, City Hall, DCP, or even myself. Finally, I am concerned that this Draft Scope of Work and efforts from DCP and the city

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do not effectively preserve the historic nature of New York City neighborhoods—especially those which add to the American historical record and have provided the lion's share of tourist income and its burden on residents.

JLWQA & Legalization Mechanisms

As the Draft Scope of Work outlines, there is a long history in SoHo and NoHo surrounding JLWQA and other provisions for artist residences, their formal certifications with the city, and how New York State has passed legislation to help legalize these units and give protections to these residents. I have long carried the Loft Law bill in the State Legislature and any subsequent updates that would bring additional units into rent regulations under the New York State Department of Homes and Community Renewal (HCR). In 2016, I joined my colleagues in government Senator Brad Hoylman, then Senator Daniel Squadron, and Councilmembers Margaret Chin and Corey Johnson in writing to Mayor de Blasio asking if following the implementation of MIH and its partner program, Zoning for Quality and Affordability (ZQA), the city would pursue the legalization of Interim Multiple Dwelling (IMD) buildings. Despite the success of the Loft Law and the JLWQA program, there are still many non-certified buildings in SoHo and NoHo where artists live in unregulated IMD units. While an artist in that space may have a right to the apartment under rent regulation, they lack the full thrust of protections because the entire building has gone unregistered with the Loft Board. This is a voluntary delinquency on the part of the building owner/landlord and the city, who is tasked with enforcing this provision, but has failed to do so.

I am concerned that the mechanism for JLWQA building certifications in the Draft Scope of Work is an entirely voluntary transition from Use Group 17D to Use Group 2 as part of the New York City Zoning Text. DCP is correct in its estimation that the complex interaction of JLWQA zoning regulations, Loft Law, and artist certifications create a level of uncertainty today among residents who moved to the neighborhood in the 1960s to 80s and were working artists. However, elected officials have been raising this alarm with the city for years, and further real estate speculation that has driven up property values in SoHo and NoHo to incredible levels only has added to this uncertainty.

The Draft Scope of Work estimates that around 30% of all SoHo and NoHo homes still have JLWQA listed on their certificates of occupancy. However, the document implies this is a de minimis anecdote when in reality this represents a third of all housing stock in the community where legal mechanisms already exist to further bolster affordability. DCP should rethink this provision of an impending ULURP and return to the discussion and commitments with the community as outlined in the Envision SoHo/NoHo process to further legitimize these existing homes. Furthermore, rezoning efforts in other parts of the city like East New York or Inwood have shown that there are negative effects seen after or during zoning changes that displace residents. I am concerned that given the current tenuous legal nature of those that occupy artist residences, it would be inappropriate to move forward without addressing that concern.

Retail Concerns

Over the past several years, my office has written to DCP, Mayor de Blasio, and the Office of Administrative Trials and Hearings regarding illegal retail uses in SoHo and NoHo. In particular, I have raised issues with retail spaces that exceed 10,000 square feet and expand beyond the first floor. Some spaces are in direct violation of the zoning code and should be corrected. Others have tenuous designations, and it is unclear from city zoning how SoHo and NoHo, as a mixed-use community, will serve the needs of residents when it is clearly a heavily promoted shopping destination. The city has long had the power to compel these stores to comply with existing zoning code and correct the offending issue but has not wielded the full force of its power. I am concerned that the retail provisions in the Draft Scope of Work does not fully address these issues. In particular, allowing for Use Group 10 retail spaces in the proposed SoHo/NoHo Special Mixed-Use District and Subdistrict to be as-of-right for spaces exceeding 10,000 square feet is problematic due to the breadth of the allowance.

Allowing large retail like this is precisely the issue that residents and elected officials have been raising for a number of years. Furthermore, the Draft Scope of Work justifies this change by drawing attention to retail vacancies seen in an audit completed by DCP in July 2020. The timing of this audit is dubious as there were many retail vacancies throughout the city following the start of the pandemic and lower Manhattan in particular was the site of a number of protests which may have caused some retail establishments to either temporarily close or leave entirely. It should also be noted that high-rent vacancies and retail blight has plagued SoHo and NoHo—and many parts of Greenwich Village and lower Manhattan—since before the Envision SoHo/NoHo process and the pandemic. Residents and elected officials have long discussed changes to M1-5A and M1-5B zoning districts, with their appropriate use groups, for many years.

Changing to zoning to allow for smaller, non-destination shopping types of retail has been a welcomed conversation. The community's ability to review large permitted requests through the Board and Standards and Appeals (BSA), a tool that the community can use to ensure that any large destination shopping elements remain contextual, should not be removed. Given the state of the pandemic, and recent department store bankruptcies, it is unclear if this allowance will even be necessary which should only further inspire DCP to address retail concerns that are more probable in the district going forward.

Inclusionary Housing Programs, Residential Development, & Up-Zoning

In 2015, I submitted testimony before DCP and the City Council regarding the MIH and ZQA proposal where I drew attention to the misaligned goal of relying on market-rate—and in reality, luxury—residential development as a vehicle for building affordable housing. It is still apparent that inclusionary housing programs do not produce the levels of affordable housing in communities they aim to create. Nor do these programs address the fundamental issue of real estate speculation driving up the real estate prices, property taxes, and neighborhood value to a point where long-term residents are pushed out of their communities and it is economically inefficient to construct affordable housing.

Research surrounding inclusionary housing programs in New York City and in comparable cities in the US and elsewhere have shown that there are better policy mechanisms cities can use to achieve this goal. In 2017, Samuel Stein wrote in the Journal of Urban Affairs that zoning changes with MIH and ZQA have only further exacerbated the problem by causing real estate speculation when developers anticipate a zoning change and buy up properties thus driving prices higher despite the goal of housing development.[1] Stein's research shows that the speculative nature of a zoning change displaces more residents in the interim time of approval of a ULURP than the number of Dwelling Units (DUs) MIH proposes to create in the first place. Proponents of progressive housing policies have long held that inclusionary housing is a laudable goal and that all housing built moving forward should include affordable regulatory provisions and further ensure that neighborhoods truly are mixed income.

That is why it is imperative that the Draft Scope of Work document reflect these considerations. Analysis within Task 2 of the Environmental Impact Statement (EIS) must include a greater understanding of JLWQA units in unregistered IMD buildings so as to ensure that the indirect residential displacement portions of Task 3 are fully studied. In the past, I have written to DCP and Mayor de Blasio asking that the City Environmental Quality Review (CEQR) statutes and designations be changed to greater reflect community and neighborhood concerns surrounding development. In particular, I have advocated for changes to public use considerations like school construction and the metrics that measure the number of potential families with children. I am concerned that this Draft Scope of Work will fail to adequately study the potential increase in 2-, 3-, or 4-bedroom DUs across income categories which will add to public education needs in the neighborhood. I am concerned that Task 2 and Task 3 of the EIS will not fully capture the potential impact of a zoning change in SoHo and NoHo and despite any impending ULURP the city will be bemoaning a lack of affordable housing twenty years after certification.

Provisions for Historic Neighborhoods

Finally, I have long been skeptical of the claim that zoning changes will not affect the character of historic districts because of the Landmarks Preservation Commission (LPC) and their ability to review projects in historic neighborhoods. Experience in other historic neighborhoods with varying zoning designation like the Greenwich Village Historic District have shown that tall buildings and non-contextual structures can be built. While Task 7 of the EIS addresses historic and cultural resources, there are impacts to historic districts that are not addressed in the Draft Scope of Work. Notably, LPC cannot consider height as part of their review of construction in historic districts. As-of-right changes that are borne out of zoning text amendments, even when applied differently in historic districts, can result in out-of-context increases in building height and density.

The desire to see historic districts preserved is not automatically opposition to residential development or affordable housing. Too often, neighborhoods are forced to choose between

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[1] Stein, S. (2017). Progress for whom, toward what? Progressive politics and New York City's Mandatory Inclusionary Housing. *Journal of Urban Affairs*, *40*(6), 770–781. https://doi.org/10.1080/07352166.2017.1403854

equally desirable and necessary functions. It is a false choice to decide between housing or park space or density and historic character. The city can construct new housing, preserve existing affordable spaces, and leave historic neighborhoods intact. I hope that DCP will use this Draft Scope of Work to further study how increases in zoning density and height in potential development sites within historic districts will affect the contextual character of the street scape and neighborhood that LPC and the community want to preserve.

Conclusion

There are many issues within the Draft Scope of Work for a potential ULURP in SoHo and NoHo which may result in negative consequences for the communities and neighborhoods I represent. I recognize that review of the scoping document is a pivotal opportunity to ensure that the correct metrics are studied to ensure that appropriate and efficient development is seen. I also fully recognize the societal implications of this change and desperate need to increase an equitable division of resources within New York City. The neighborhoods I represent are far too expensive and have seen a large concentration of luxury development which has only exacerbated the housing crisis in New York City. Despite that fact, I remain unconvinced that inclusionary housing measure like MIH and ZQA are the most robust policy tools the city can use to address these concerns. I hope the Draft Scope of Work can be expanded to include considerations for the issues I have previously stated which may negatively affect our community.

Thank you.

Subject: Soho/Noho Neighborhood Plan Testimony Councilwoman Carlina Rivera and State Senator Brad Hoylman
Date: Friday, December 18, 2020 at 4:18:46 PM Central Standard Time
From: Loeb, Katie
To: 21DCP059M_DL
CC: Unger, Jeremy, jacob.bradhoylman@gmail.com, Kelley, Chelsea
Attachments: SoHo_NoHo Draft Scope Comments 12.18.2020.docx

Hello,

On behalf of Councilwoman Carlina Rivera and State Senator Brad Hoylman, please find attached joint testimony on the Soho/Noho Nieghborhood Plan.

Sincerely,

Katie Loeb | **Budget Director**

Office of Councilwoman Carlina Rivera
New York City Council District 2
kloeb@council.nyc.gov • 646-740-1175
District Office: 254 E 4th St
Hours: Monday & Wednesday 10am – 5pm
By appointment only

Keep up with Carlina, sign up for our newsletter!

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Draft Scoping Comments From New York City Council Member Carlina Rivera and New York State Senator Brad Hoylman on CEQR No. 21DCP059M, ULURP Nos. Pending

As elected representatives of the NoHo area, we are submitting the below comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work (DSOW) for an Environmental Impact Statement, CEQR No. 21DCP059M. The NoHo neighborhood is a vibrant mixed-use neighborhoods in New York City, one that has evolved from a primarily manufacturing-focused area to a community that today includes offices, big and small storefront businesses, residences, artists, and light manufacturing.

In addition, several historic districts have been established in NoHo and SoHo over the past few decades to preserve the historic context and establish contextual protections for much of the area in the DSOW. However, several concerns have been raised over the past years by DCP and the SoHo/NoHo advisory group regarding the unique M1-5A and M1-5B and Joint Live-Work Quarters for Artists (JLWQA) zoning rules that exist in the area, which must be addressed in the DSOW. We will focus our comments particularly on the NoHo neighborhoods that we represent, as well as on the larger proposed actions that would affect the entire area proposed in the DSOW.

NoHo

NoHo is zoned M1-5B, a unique zoning created to allow for working artists to legally occupy and work in nonresidential buildings. While many of those artists continue to reside in the area, NoHo today is characterized by residential buildings with street-level commercial spaces below, larger office buildings, and a number of public institutions, including the Public Theater and buildings leased and/or owned by New York University and Grace Church School. Many of these buildings have been forced to seek special permit actions to allow for these uses. Permitting as-of-right residential and limited commercial uses in this area, while preserving protections for artists under JLWQA, will allow for predictable zoning rules that can support small businesses and housing.

However, we request that the New York City Department of City Planning (DCP), review the DSOW and re-analyze their study of Project and Potential Development Sites to ensure that information is accurate regarding the character and status of each building, as well as provide further detail regarding potential for development. In particular, we are concerned about inaccuracies regarding 27 East 4th Street (where an application has been filed with LPC for an office development), the properties along Cooper Square leased by Grace Church School, and at 716 Broadway (which was raised by NoHo Bowery Stakeholders in their testimony). We have an intimate understanding of these locations, and we believe that DCP should clarify the status of these lots in their Reasonable Worst Case Development Scenario (RWCDS).

We are also particularly concerned regarding DCP's designation of Cooper Square as a "Potential Housing Area," which is not part of the EIS process and which DCP has not explained their determination for. We ask that the DSOW includes, as was raised in testimony by the Cooper Square Committee, a list of the existing numbers of retail, commercial, manufacturing (including JLWQA) and residential uses in the Project Area.

We also urge DCP to include a full range of equivalent contextual zoning districts (with variable height limits) to be studied as part of the DSOW as discussions with the community and affordable housing experts continue. In particular, we urge DCP to explore options that would limit further commercial office development beyond small storefront locations, so as to promote residential development and maximize the use of MIH where applicable. Therefore, the scope should include possibility for a commercial FAR of as little as 2.0. Limitations on certain types of community facilities, such as dormitories, must also be included to ensure the goals of this project are met. Due to proximity of the area to New York University, Cooper Union, and the New School, there is a high likelihood that developers would consider these more convenient over inclusionary residential options. We would also encourage DCP to study rules that would maximize lot coverage in areas where light and air can be maintained, particularly for through-lot blocks.

Regarding commercial storefront retail, we disagree with the Proposed Actions that would allow large-scale retail over 10,000 zoning square feet (ZSF) as-of-right. We continue to support the Envision SoHo-NoHo recommendations - which acknowledges residents' quality of life concerns regarding deliveries and increased sanitation pickups - by permitting as-of-right commercial uses on the ground floor and basement, but maintaining the special permit process for physical culture establishments and Use Group 10 commercial and retail units over 10,000 ZSF. We suggest including in the Final Scope of Work (FSOW) an analysis of special retail rules that would amount to a special retail district that would allow limitations on overall square footage and potentially frontage-width, similar to examples in Tribeca and the Upper West Side and explored previously in the Lower East Side.

We appreciate that the DSOW includes the continuation of the JLWQA program as an optional use. However, the FSOW must reiterate that all JLWQA units remain affordable in perpetuity, and include more specific actions that will be taken to address the expansion of arts and culture (or the more expansive terms, "creative" or "maker") spaces in the Project Area. Further language must also be added to ensure existing uses in current JLWQA are grandfathered into the new program and that contemporary creative use definitions are included. We must also ensure that co-op and condo owners seeking to legalize their buildings can convert them to residential Use Group 2. In particular, we would encourage the FSOW to study the plan put forward by the Envision SoHo/NoHo Advisory Group of permitting an additional 0.5 Floor Area Ratio (FAR) bonus for the provision of permanent artist and art-supporting space on the ground floor and basement levels of a building. It is important that these spaces be visible to the public at the ground floor. This study should also examine other areas where similar measures have been implemented or are being explored, such as in Gowanus and in Harlem on 125th Street, with a particular focus given to the needs in NoHo and SoHo regarding affordability. And in Task 3 of the DSOW titled, "Socioeconomic Conditions", DCP must expand its area of study to include additional metrics regarding the artist community, its population and available cultural spaces, and the number of

existing JLWQA units in the Project Area, as well as the change in these metrics over the past few decades.

Lastly, most of the lots within the project area that we represent are part of the NoHo Historic District and its extension, which provides substantial protections to existing structures and the overall harmonious character of the area, via LPC oversight and approval. However, to ensure further clarity regarding LPC's potential involvement in future approvals in this area, we request that LPC issue clear guidelines regarding the metrics they will use to determine harmoniousness and consider feedback from the community on this report. We also ask that as part of the overall study, LPC conduct a survey to expand what it considers to be contributing sites, and possibly additional individual designations, both within and without the historic districts of the target areas.

Affordable Housing and Mandatory Inclusionary Housing (MIH)

As the New York City economy continues to be ravaged by the COVID-19 pandemic, resulting in thousands of working-class New Yorkers losing their jobs and income, it is clear that the need for more affordable housing options and production are needed at this critical juncture. We recognize that the neighborhoods of SoHo and NoHo are some of the wealthiest and least diverse in the city, and that implementation of MIH in this area could play a significant role in addressing these serious issues through the creation of 621 to 940 affordable units throughout the proposed area, according to the DSOW.

However, we believe that the current proposed application for MIH outlined in the DSOW must include a number of modifications. The current MIH options do not require permanent affordable housing to be developed for developments under 10 units or 12,500 Zoning Square Foot (ZSF) within the designated area. Additionally, for developments between 10 and 25 units, or 12,500 to 25,000 ZSF, paying into an Affordable Housing Fund is permitted. The FSOW must be clear that both of these options cannot be allowed. Affordable housing must be included in any increased development in the Project Area - including conversions and enlargements - and given the lack of public lands available and significant costs for offsite affordable development in the immediate area, a Housing Fund would severely inhibit the additional affordable housing production needed locally. The Fund option also does not explicitly guarantee its use for housing in the target neighborhoods, which runs counter to the spirit and goals of MIH, especially in this area.

We also urge DCP to ensure the FSOW includes further avenues for the conversion of existing office or commercial spaces to as-of-right residential uses, as long as certain affordable housing totals are included. This is particularly important given the potential impact that COVID-19 may have on the office market in New York City and NoHo and SoHo in particular. However, we also recommend that the FSOW study the potential impact the Proposed Actions may have on long-term commercial tenants and explore potential pathways to their preservation.

In addition to the City's consideration of all affordability options currently presented through MIH, we would ask that as part of the FSOW, DCP and the New York City Law Department further clarify both the legality and feasibility of additional zoning text amendments that would allow for both deeper affordability requirements on top of an MIH designation, as well as whether it is possible to place MIH

requirements on all new development in the proposed area without an increase in maximum allowable FAR, since residential uses (UG2) are not currently permitted as-of-right. In addition, DCP should further clarify the minimum percentage increase of additional residential density that is required in order to expand the MIH program to a particular area. There has been to date no guidelines for what constitutes an "appropriate upzoning" for the program to be used.

As one of the most expensive neighborhoods in New York City, we believe this application is the exact opportunity for the City to further pioneer this important policy area, which would also allow for the exploration of various proposals to be further explored during the ULURP process, including those put forward by affordable housing advocates in the community such as Cooper Square Committee.

Finally, DCP must work with HPD to compile a list of rent-stabilized units in the area and ensure that additional resources and strategies are enacted to ensure their permanent protection.

Additional Areas of Needed Study and Action

Beyond the potential actions outlined within the DSOW, numerous areas of study will be required as part of the City Environmental Quality Review (CEQR). In light of the COVID-19 pandemic, a number of areas of study that would normally be routine must be expanded to ensure that pre- and post-pandemic metrics are being analyzed, and that involved agencies are aware of these needs. Areas of study that must be analyzed in this manner include school enrollment, subway use, pedestrian and vehicular traffic, noise, air quality, sanitation, sewer and water infrastructure use, and greenhouse gas emissions.

In addition, certain areas of study must be examined including potential adverse impacts related to additional construction both at and below grade, including the release of hazardous materials and risks to historic sites. We also request that the DSOW include an adaptive re-use study of any distressed, historical buildings in the neighborhood, as well as the possibility of any relevant archaeological remains and artifacts that may be uncovered during construction.

While we understand that certain policies and proposals outlined by the Envision SoHo/NoHo Advisory Group go beyond zoning actions, we strongly encourage DCP and relevant agencies to work in parallel on these items related to the public realm. These include potential opportunities for expanded open space, additional school construction, the development commercial delivery management, facilitating a thriving arts community, developing a vending action plan, ensuring a clear Sanitation plan with participants in the Commercial Waste Zones program, improving on-street sanitation enforcement and pick-ups (including piloting permanent on-street building trash receptacles in the Project Area).

In particular, we believe this must include piloting new programs, particularly Open Streets and Loading Zones such as those previously experimented with but abandoned in Downtown Brooklyn and elsewhere.

Conclusion

The SoHo/NoHo Neighborhood Plan presents an opportunity to modernize zoning to reflect the modern context of the area, while addressing affordable housing concerns and ensuring the preservation of these one-of-a-kind mixed-use communities.

We look forward to continuing work with DCP on this important project and urge DCP to address the range of questions and concerns we have raised in our comments. The FSOW must reflect the continuing need for study, discussion, and debate regarding the range of options that have not been fully analyzed or carefully scrutinized in light of the COVID-19 pandemic and DCP's severely limited community engagement process for this application.

We thank you for your consideration of these comments.

Subject: SoHo NoHo Draft Scope of Work for an Environmental Impact Statement CEQR No. 21DCP059M ULURP

Date: Friday, December 18, 2020 at 7:32:58 PM Central Standard Time

From: Christopher Marte

To: 21DCP059M_DL

Attachments: Draft Scope of Work for an Environmental Impact Statement_ Response to Task 3 .pdf

Hi,

Please see my comments to the SoHo/NoHo Draft Scope of Work for an EIS CEQR No.21DCP059M.

Thanks,
Christopher Marte
State Committee member of the 65th Assembly District
347-530-4248

Response to Task 3. SOCIOECONOMIC CONDITIONS
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending
Date: December 18, 2020
From: Christopher Marte, State Committeemember of the 65th Assembly District
FOCUS: Task 3. SOCIOECONOMIC CONDITIONS Pages 26 - 29

TASK 3. SOCIOECONOMIC CONDITIONS

DIRECT RESIDENTIAL DISPLACEMENT

This process and rezoning cannot continue until the City obtains and analyzes data and community input in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

The Draft of Scope states, “Direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. The Proposed Actions would not exceed the *CEQR Technical Manual* analysis threshold of 500 displaced residents, and therefore, are not expected to result in significant adverse impacts due to direct residential displacement. The EIS will disclose the number of residential units and estimated number of residents to be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population.”

This rezoning meets the CEQR threshold of the potential to displace 500 residents and the City must further study the adverse impacts this would have on the neighborhood and surrounding neighborhoods. Chinatown, SoHo and NoHo have an aging population that live on fixed incomes. In addition, COVID has created financial insecurity for an additional number of residents. New luxury development will make property taxes and land values become higher, which usually happens in an upzoning. This will lead to the displacement of residents, which is also a common effect of upzonings. The City did not share the data or methodology used on how it came to a conclusion to not conduct a direct displacement study and should disclose their metrics to the thousands of working people that live in the affected neighborhoods.

The City must conduct a displacement study that includes Chinatown, the Lower East Side, SoHo and NoHo.

INDIRECT RESIDENTIAL DISPLACEMENT

The draft of scope states, “The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance’s Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area.”

The Department of City Planning must use 2020 Census data for this EIS, if they truly want to conduct an accurate study.

The draft of scope states, “a detailed analysis, if warranted, would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the Proposed Actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.”

The existing conditions of residents and housing, and those at risk of displacement, is increasing every day of the pandemic. The City must conduct a detailed analysis on indirect residential displacement and not rely on pre-pandemic data if they want to accurately assess the impacts on identified populations at risk.

Subject: Soho/Noho Neighborhood Plan Testimony Councilwoman Carlina Rivera and State Senator Brad Hoylman
Date: Friday, December 18, 2020 at 4:18:46 PM Central Standard Time
From: Loeb, Katie
To: 21DCP059M_DL
CC: Unger, Jeremy, jacob.bradhoylman@gmail.com, Kelley, Chelsea
Attachments: SoHo_NoHo Draft Scope Comments 12.18.2020.docx

Hello,

On behalf of Councilwoman Carlina Rivera and State Senator Brad Hoylman, please find attached joint testimony on the Soho/Noho Nieghborhood Plan.

Sincerely,

Katie Loeb | **Budget Director**

Office of Councilwoman Carlina Rivera
New York City Council District 2
kloeb@council.nyc.gov • 646-740-1175
District Office: 254 E 4th St
Hours: Monday & Wednesday 10am – 5pm
By appointment only

Keep up with Carlina, sign up for our newsletter!

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Draft Scoping Comments From New York City Council Member Carlina Rivera and New York State Senator Brad Hoylman on CEQR No. 21DCP059M, ULURP Nos. Pending

As elected representatives of the NoHo area, we are submitting the below comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work (DSOW) for an Environmental Impact Statement, CEQR No. 21DCP059M. The NoHo neighborhood is a vibrant mixed-use neighborhoods in New York City, one that has evolved from a primarily manufacturing-focused area to a community that today includes offices, big and small storefront businesses, residences, artists, and light manufacturing.

In addition, several historic districts have been established in NoHo and SoHo over the past few decades to preserve the historic context and establish contextual protections for much of the area in the DSOW. However, several concerns have been raised over the past years by DCP and the SoHo/NoHo advisory group regarding the unique M1-5A and M1-5B and Joint Live-Work Quarters for Artists (JLWQA) zoning rules that exist in the area, which must be addressed in the DSOW. We will focus our comments particularly on the NoHo neighborhoods that we represent, as well as on the larger proposed actions that would affect the entire area proposed in the DSOW.

NoHo

NoHo is zoned M1-5B, a unique zoning created to allow for working artists to legally occupy and work in nonresidential buildings. While many of those artists continue to reside in the area, NoHo today is characterized by residential buildings with street-level commercial spaces below, larger office buildings, and a number of public institutions, including the Public Theater and buildings leased and/or owned by New York University and Grace Church School. Many of these buildings have been forced to seek special permit actions to allow for these uses. Permitting as-of-right residential and limited commercial uses in this area, while preserving protections for artists under JLWQA, will allow for predictable zoning rules that can support small businesses and housing.

However, we request that the New York City Department of City Planning (DCP), review the DSOW and re-analyze their study of Project and Potential Development Sites to ensure that information is accurate regarding the character and status of each building, as well as provide further detail regarding potential for development. In particular, we are concerned about inaccuracies regarding 27 East 4th Street (where an application has been filed with LPC for an office development), the properties along Cooper Square leased by Grace Church School, and at 716 Broadway (which was raised by NoHo Bowery Stakeholders in their testimony). We have an intimate understanding of these locations, and we believe that DCP should clarify the status of these lots in their Reasonable Worst Case Development Scenario (RWCDS).

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We also urge DCP to include a full range of equivalent contextual zoning districts (with variable height limits) to be studied as part of the DSOW as discussions with the community and affordable housing experts continue. In particular, we urge DCP to explore options that would limit further commercial office development beyond small storefront locations, so as to promote residential development and maximize the use of MIH where applicable. Therefore, the scope should include possibility for a commercial FAR of as little as 2.0. Limitations on certain types of community facilities, such as dormitories, must also be included to ensure the goals of this project are met. Due to proximity of the area to New York University, Cooper Union, and the New School, there is a high likelihood that developers would consider these more convenient over inclusionary residential options. We would also encourage DCP to study rules that would maximize lot coverage in areas where light and air can be maintained, particularly for through-lot blocks.

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In particular, we believe this must include piloting new programs, particularly Open Streets and Loading Zones such as those previously experimented with but abandoned in Downtown Brooklyn and elsewhere.

Conclusion

The SoHo/NoHo Neighborhood Plan presents an opportunity to modernize zoning to reflect the modern context of the area, while addressing affordable housing concerns and ensuring the preservation of these one-of-a-kind mixed-use communities.

We look forward to continuing work with DCP on this important project and urge DCP to address the range of questions and concerns we have raised in our comments. The FSOW must reflect the continuing need for study, discussion, and debate regarding the range of options that have not been fully analyzed or carefully scrutinized in light of the COVID-19 pandemic and DCP's severely limited community engagement process for this application.

We thank you for your consideration of these comments.

ORGANIZATIONS

Subject: AIANY SoHo Rezoning Statement
Date: Tuesday, December 8, 2020 at 8:27:56 AM Central Standard Time
From: Adam Roberts
To: 21DCP059M_DL
Attachments: AIANY SoHo Rezoning Statement.pdf

Attached is AIA New York's SoHo Rezoning Statement which we are offering as testimony for the scoping hearings. If there is anything else you need, please let me know. Thank you.

****

Adam Elliot Roberts
Director of Policy
AIA New York
536 LaGuardia Place New York, NY 10012
Office: 212-358-6116 | Cell: 516-510-2773
www.aiany.org

AIA New York

December 8, 2020

AIA New York Statement of Support for SoHo/NoHo Rezoning

Equitable design is a key component of solving New York City's ongoing affordability crisis. Without new housing, rents and home prices will continue to rise, making the city unaffordable for most New Yorkers. While there has been a significant amount of new residential construction in the city over the last few years, it has primarily been in more economically distressed and non-white communities in the outer boroughs. It is time that wealthier white neighborhoods start to accept new residences and new residents.

Architects strive to design integrated neighborhoods, ones with residents from diverse backgrounds and economic circumstances. True integration requires a diversity of housing typologies, not only market-rate units, but affordable and supportive units as well. The city has many tools to encourage diverse typologies, including the NYC 15/15 Rental Assistance Program, Supportive Housing Loan Program, Mandatory Inclusionary Housing (MIH), and Zoning for Qualify and Affordability (ZQA). All of these should be utilized for rezoning SoHo, NoHo, and other neighborhoods.

The proposed rezoning of SoHo and NoHo offers a first step towards making our city's housing policies more equitable. The current proposal shows that new construction can occur within established neighborhoods and historic districts, respecting older forms of architecture and current residents. Most crucially, plans for 800 units of legally mandated affordable housing would make one of our country's most expensive areas affordable for thousands of New Yorkers.

SoHo and NoHo have not undergone significant zoning changes in half a century, despite transforming from industrial to primarily residential and retail in use. Rezoning the area would enable compliance with more recent housing policies, such as MIH, which requires around 25% of new units to be affordable. Furthermore, it would also remove burdensome restrictions on small businesses which do not exist in neighborhoods with more updated zoning.

It is the duty of architects to ensure that neighborhoods are open and accessible to all, not only those of means. Therefore, AIA New York is expressing its strong support for the rezoning of SoHo and NoHo to allow for more residential construction. We encourage the city to allow for even greater amounts of affordable housing as the proposal is refined through discussions with the community. The current debate over this rezoning will set the precedent going forward of whether affordable housing can be designed and built in wealthier white neighborhoods.

It is time that zoning be used to make our city, particularly those centrally located neighborhoods like SoHo and NoHo, livable for all New Yorkers. In 2022, we will have a new Mayor and City Council, and we hope a rezoning of SoHo and NoHo will spur them to allow more affordable housing in similar parts of the city.

Board of Directors, AIA New York

The American Institute of Architects

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Subject: Statement on the Proposed SoHo NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 3:16:45 PM Central Standard Time
From: Simeon Bankoff
To: 21DCP059M_DL
Attachments: HDC to DCP Scoping Letter 12-18-20.pdf

Please find attached a statement from the Historic Districts Council regarding the SoHo NoHo Neighborhood Plan.

Simeon Bankoff
Executive Director
Historic Districts Council
p: 212-614-9107
c: 646-942-7354
f: 212-614-9127
www.hdc.org

HISTORIC DISTRICTS COUNCIL

THE ADVOCATE FOR NEW YORK CITY'S HISTORIC NEIGHBORHOODS

232 East 11th Street New York NY 10003
tel **(212) 614-9107** fax (212) 614-9127 email hdc@hdc.org

December 18, 2020
Hon. Marisa Lugo, Chair
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Chair Lugo,

The Historic Districts Council is the citywide advocate for New York's historic neighborhoods. HDC is aghast at the current proposal to rezone portions of the SoHo and NoHo neighborhoods for a number of reasons. The plan, as currently proposed, must be re-examined and radically reconfigured before being allowed to progress.

First and foremost, this proposal seeks to increase buildable density within five designated New York City historic districts and extensions. Within these designated historic districts, the Landmarks Preservation Commission holds ultimate authority over physical development, regulating the built form of the environment to a discretionally-determined standard of appropriateness. There is no "as of right" development within historic districts; all development must be permitted according to the LPC's standards. Therefore, increasing property developer's expectations of buildable space by increasing the "allowable" Floor Area Ratio when the ultimate policing power for development is not determined by the Zoning Resolution is bad public policy on a number of levels.

- It countermands established municipal policy (the landmark designations) of adaptive reuse and physical preservation by encouraging new development under the new guidelines.
- It creates an inherent conflict between two municipal regulatory agencies.
- It misleads property developers by implying an outcome for proposed development which cannot be reasonably expected.

Instead of streamlining development proposals, this proposal will lead to more conflict as developers will seek to gain approval for projects which are inherently out-of-scale and ill-proportioned to the protected historic properties. This will force the Landmarks Preservation Commission to either reject these undoubtedly ambitious new projects or reject its own standards and decades-long history of regulatory activity. Either of these scenarios could easily lead to legal action, which could have deleterious effects on established city policy and will increase the regulatory and municipal burden immeasurably. Simply put, this aspect of the plan – to increase the "allowable" bulk within the designated historic districts – is ill-conceived and will serve only to undermine the goals of municipal planning.

A less damaging proposal would be to not alter the existing "allowable" FAR but to carefully change its allowable use. This is a planning aspect over which the LPC does not preside, so the inherent intra-agency regulatory conflicts would be that much less.

Secondly, the proposed density increase on the non-designated areas is massively over-scaled for the existing urban environment. The area is largely a medium-density zone, and even as such, is still strained when it comes to necessary city services such as light, air, open space, sanitation, traffic flow, transit capacity, and necessary community services such as libraries and schools. Encouraging the amount of high-density development which the current plan does would push the physical plant of the neighborhood beyond the breaking point. In addition to the damage which that would do to current residents, it would also create a suboptimal environment for the new residents which this plan hopes to attract.

Thirdly, the proposed allowances for large retail space seem engineered to disadvantage small businesses. Small businesses are better than big-box retail for the city in a multitude of ways, from creating more jobs per square foot to generating more tax revenue which is retained locally. They must be encouraged and nurtured, especially during these dire times.

As you are aware, the community engaged in months-long planning process which sought to address many of the same issues as this plan. Their findings, while not perfect, were far less damaging than the current proposal. Recently another group of stakeholders has also drafted a plan which address these concerns. That plan, too, is far more beneficial to the neighborhood and the city than this one.

SoHo is rightfully regarded as an international model for urban revitalization, where an obsolete district of a city has organically regenerated into a vibrant part of the urban whole. Much of what allowed and encouraged that rebirth were preservation principles which were considered radical when initially put into place. Decades of observation and measurement have shown that the experiment of SoHo has succeeded. New social concerns and priorities have arisen which may require adjustments in the municipal plan for the area but not a complete retrenchment. We urge the City Planning Commission to re-examine this proposal and radically reform it in order to nurture and protect the SoHo and NoHo area.

Sincerely,



Simeon Bankoff
Executive Director

Subject: Comments re SoHo/NoHo Draft Scope of work
Date: Friday, December 18, 2020 at 9:45:13 AM Central Standard Time
From: Andrew Berman
To: 21DCP059M_DL

December 15, 2020

Olga Abinader
Environmental Assessment and Review Division, New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Dear Ms. Abinader:

I submit the following additional comments regarding the draft proposed scope of work for the above referenced environmental review:

The current draft assumes no building containing rent stabilized units will be a development site. This is a faulty assumption. Buildings containing rent stabilized and rent regulated units in this area are regularly demolished for new development. With the proposed upzoning, the likelihood and pace of such demolitions will greatly increase. The environmental review should include a complete cataloguing of buildings with rent regulated units in the proposed rezoning area, and include an assumption that any building which would be underbuilt under the new zoning is a potential development site. The study should address how many affordable/rent regulated units would be lost as a result.

The current draft assumes residential development on sites where commercial development seems at least if not more likely given the proposed allowable commercial FAR. An alternative analysis should be done assuming commercial, not residential development, on these sites.

How many residential developments or additions will the proposed rezoning allow that contain no affordable units? The proposed rezoning requires no affordable units for additions to existing buildings, developments under a certain size, and those that demonstrate economic hardship. How many units of market rate housing in total without affordable units attached might the rezoning produce?

The environmental review should provide complete data on the following within the rezoning area:

How many certified or working artists live there?

How many residential units are JLQWA, AIR, and/or covered by the loft law?

What are the income levels for residents — not just the mean of median of all? American Community Survey data indicates a significant fraction of households make below $80,000 annually, which falls within the range of low incomes which the Mandatory Inclusionary Housing program serves.

What are the racial and socio-economic demographics of residents of the proposed “Housing Opportunity Zones” where the largest upzonings are proposed, and where the potential for displacement is greatest? Particularly the southeast zone appears to have a very substantial non-White, lower-income population.

The review should study the impact of allowing destination retail of unlimited size as of right in the area would have on existing smaller independent businesses, and the likelihood of this resulting in their being pushed out of the neighborhood.

The review should study the Community Alternative Rezoning Plan submitted by 13 local community groups and its impacts.

The review should consider the outcomes if no commercial upzoning is included, as well as if a downzoning of commercial FAR to 2, 3, or 4 were implemented, in terms of the relative impacts upon the production of affordable housing.

Sincerely,

Andrew Berman
Executive Director
Village Preservation, *the Greenwich Village Society for Historic Preservation*
villagepreservation.org

Subject: Comments on DSOW - SoHo/NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 12:29:35 PM Central Standard Time
From: Jennifer Hong
To: 21DCP059M_DL
CC: Olga Abinader (DCP), Anthony Borelli, Jennifer Hong
Attachments: Edison Scoping Comments for Soho_Noho Neighborhood Plan DSOW 12.18.2020 Final.pdf

Dear Ms. Abinader,

Please find attached comments on the Draft Scope of Work for the SoHo/NoHo Neighborhood Plan (CEQR No. 21DCP059M) from Edison Properties.

Best regards,
Jennifer Hong

Jennifer J. Hong
Senior Director, Planning & Development
Edison Properties

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EDISON PROPERTIES

December 18, 2020

Olga Abinader, Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

oabinad@planning.nyc.gov
21DCP059M_DL@planning.nyc.gov

Re: Comments on Draft Scope of Work for the SoHo/NoHo Neighborhood Plan
CEQR #21DCP059M

Dear Ms. Abinader,

I write on behalf of Edison Properties, owner of two sites within the proposed SoHo/NoHo Neighborhood Plan area ("Plan Area"). Edison Properties is the parent company of Edison ParkFast, which has operated public parking lots on the sites for many years. We have reviewed the Draft Scope of Work ("DSOW") released by the New York City Department of City Planning. This letter contains Edison's comments on the proposed DSOW and City's rezoning proposal in general.

General Comments

The Department proposes a series of zoning map and zoning text amendments that aim to permit a greater mix of uses in NoHo and SoHo and better reflect the existing mixed-use character of these neighborhoods. By updating the zoning, this proposal would widen the variety of community facility and commercial uses that are permitted as of right. In addition, the allowance of as-of-right residential uses would promote the creation of new housing units in the area, including affordable units through the Mandatory Inclusionary Housing Program ("MIH"). This greater flexibility in programming buildings, including ground-floor uses, would support the mixed-use character of the neighborhoods. In addition, the Department proposes to thoughtfully increase densities across NoHo and SoHo, which would facilitate the development of much-needed housing of all kinds and new commercial and community facilities. The proposed as-of-right uses, as well as the proposed densities for those uses in each zoning district, should be maintained. This would encourage new residential development while maintaining the neighborhood's existing mixed-use character.

Edison's Sites

Edison Properties owns 375 Lafayette Street (Projected Development Site 2) and 174 Centre Street (Projected Development Site 10), which are both currently located in M1-5B districts.

The site at 375 Lafayette Street is slightly irregular with frontages on Lafayette Street, a Wide Street, and Great Jones Street, a Narrow Street. It's within the NoHo Historic District Extension. The approximately 19,775-SF site is located within the NoHo North Subdistrict of the proposed Special SoHo NoHo Mixed-Use District ("SNMD"). The City proposes to rezone the NoHo North Subdistrict as a modified M1-5/R9X district with MIH. As modified, the paired mixed-use district would allow a 6.0 FAR for commercial/manufacturing uses, 6.5 FAR for community facility uses and 9.7 FAR for residential uses with MIH. According to the DSOW, the underlying districts' bulk regulations would be modified "to support loft-like building forms that reflect and respect the unique existing and historic character…" (DSOW, p. 18)

The site at 174 Centre Street is also irregularly-shaped and has frontages on one Wide Street and two Narrow Streets – Centre, Hester, and Baxter streets, respectively. The approximately 13,244-SF site is located within the proposed SoHo East Subdistrict. The City proposes to rezone the SoHo East Subdistrict as an M1-6/R10 district with MIH. The paired mixed-use district would allow a 10.0 FAR for commercial/manufacturing and community facility uses and 12.0 FAR for residential uses with MIH. According to the DSOW, the underlying districts' bulk regulations would be modified "to allow sufficient flexibility to achieve the development and housing goals while responding to neighborhood context…" (DSOW, p. 18)

Specific Comments

We agree that the existing built context should be considered when implementing zoning changes and "appropriate" new building forms; we also have significant concerns about the potential changes the special district may impose on bulk regulations. The DSOW does not provide much detail on the specific modifications the SNMD will impose on underlying bulk regulations. However, the DSOW does show that many of the RWCDS projected development sites do not utilize their full proposed development potential.

In 2015, the Department put forth the Zoning for Quality and Affordability text amendment, which recognized the challenges of standard contextual envelopes for constructing affordable housing through the IH/MIH programs and, in general, high-quality residential buildings. Specifically, the Department identified that it was difficult to fully utilize IH/MIH residential FAR in well-designed buildings forms. In addition, overly restrictive building envelopes were also identified as preventing high-quality ground-floor spaces that enhance the streetscape and public realm.

The proposed street wall and building height regulations, as well as other bulk regulations, should permit the full use of the proposed permitted FAR. Full use of residential FAR would ensure that the maximum amount of affordable housing would be created. In addition, the Department should ensure that bulk regulations truly allow "modern workable envelopes" in recognition of the needs of new development, as opposed to simply matching bulky, non-complying buildings that could not be built under current regulations. Such flexibility would allow for efficient buildings with good layouts and floor-to-ceiling heights, as well as providing the required access to light and air. Further, the Department should not prescribe overly constrictive building envelopes for areas in which development will require review by the Landmarks Preservation Commission.

The proposed zoning for the subdistricts in which Edison's sites are located is appropriate given site-specific characteristics as well as the surrounding context.

375 Lafayette Street is located at the northeast corner of the intersection of Lafayette and Great Jones streets within the proposed NoHo North Subdistrict. This corner site has frontages on both streets and is within a historic district. Lafayette Street is one of the widest streets in the Plan Area and has an even greater width, at 100 feet, north of Great Jones Street. Great Jones Street is also very wide for a side street and, at over 74 feet, it nearly meets the required width to be considered a Wide Street. Many existing buildings on Lafayette Street are dense with large floorplates and deep side street frontages. Given the specific site conditions and general conditions on Lafayette Street, a building constructed under the proposed M1-5*/R9X district at 375 Lafayette Street would be appropriate to the surrounding built character and would further the objectives of the Plan.

174 Centre Street is located at the southeast corner of the intersection of Centre and Hester streets within the proposed SoHo East Subdistrict. The site is skewed, shallow, and irregular with frontages on Centre, Hester and Baxter streets and is on a block that is part of the Canal Street corridor. This site is in a transitional area where core SoHo, Chinatown, Lower Manhattan and Little Italy meet, and it is not within a historic district. The SoHo East Subdistrict has a varied built form and many underutilized parcels which presents an opportunity for new development and design flexibility – including all massing options permitted under R10 MIH. The proposed M1-6/R10 zoning district would expand housing opportunities, including maximizing affordable housing units, and meet important City and Plan goals.

Due to the historical development of streets and blocks within the SoHo East Subdistrict, many lots are skewed, shallow, or otherwise irregular, thereby creating challenging conditions for development. Such challenges likely exist elsewhere in the Plan Area where blocks share a similar development history. Especially important in opportunity areas where the proposed zoning would facilitate development to meet the Plan's goals, specifically affordable housing production, the SNMD's modification of the

underlying districts' bulk regulations should provide flexibility or relief for difficult conditions, such as rear yards/rear yard equivalents, courts, and narrow sites.

Summary

- The proposed as-of-right uses, as well as the proposed densities for those uses in each zoning district, should be maintained and the EIS should include such studies. This would encourage new residential development while maintaining the neighborhood's existing mixed-use character.

- The DSOW shows that several of the RWCDS projected development sites do not utilize their full proposed development potential. The proposed street wall and building height regulations, as well as other bulk regulations, should permit the full use of the proposed permitted FAR within zoning envelopes. The EIS should include any necessary study to ensure that all bulk envelope options permitted by the proposed underlying zoning districts is within the Plan's scope.

- Due to the historical development of streets and blocks, many lots in the Plan Area are shallow, skewed, or otherwise irregular, thereby creating challenging conditions for development. The SNMD's modification of the underlying districts' bulk regulations should provide flexibility or relief for difficult conditions, such as rear yards/rear yard equivalents, courts, and narrow sites. The EIS should include any necessary study to allow such specific flexibility or relief to be included in the Plan's scope.

Thank you for your consideration of our comments.

Sincerely,

Anthony Borelli
Senior Vice President, Planning & Development

Subject: Landmarks Conservancy Comments:Draft Scope of Work for Environmental Impact Statement, CEQR NO. 21DCP059M

Date: Friday, December 18, 2020 at 9:42:07 AM Central Standard Time

From: Peg Breen

To: 21DCP059M_DL

Attachments: SoHo NoHo scoping response.docx

Peg Breen
President
The New York Landmarks Conservancy
One Whitehall Street, 21st Floor
New York, New York 10004
www.nylandmarks.org

cell: 917-734-5656

December 18, 2020

The New York Landmarks Conservancy Comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M.

The New York Landmarks Conservancy generally supports the purpose and need for the proposed rezoning action: to recognize modern commercial and retail needs, allow residential use, protect artists, and encourage affordable housing. We support legalizing residential uses, including converting IMD/JLWQA buildings to Use Group 2. We support legalizing commercial uses: use group 6 in SoHo/NoHo and use Group 10 on Broadway, Lafayette and Canal Streets, but the massive upzoning described in the Project Description is not necessary to achieve the purpose and need.

The Draft Scope states that the goal is to "promote the preservation of historic resources and adaptive reuse of existing buildings"; and to "ensure that new development harmonizes with neighborhood context and scale." Eighty-five percent of the buildings are within historic districts. The SoHo-Cast Iron Historic District is a National Historic Landmark. Yet the proposal is incompatible with the values of historic designation. The proposal threatens the historic character of the area by allowing a doubling of the size of new buildings, and would place an undue burden on the City's Landmarks Preservation Commission to resist inappropriate development proposals.

The historic character of SoHo/NoHo enabled these areas to become attractive to residents, retail and tourists alike. The Landmarks Preservation Commission designation called the Cast Iron Buildings, and other examples of 19th century commercial architecture "an irreplaceable part of our cultural heritage."

The SoHo/No/Ho Study Group, including individual Study Group members like the Cooper Square Committee, SoHo Broadway Initiative, NoHo Bid, NoHo-Bowery Stakeholders, and the majority of people testifying at the December 3 Scoping Hearing, all agree that preserving the historic character is imperative.

We agree with the Cooper Square Committee, that more than 80 per cent of the "likely" affordable units that might be built over the next 10 years will take place in the areas outside of the historic districts.

Therefore we join the Cooper Square Committee in asking that the Final Scope of Work include additional alternatives to the Proposed Actions. One alternative studied should not increase FAR in areas 6 and 7, the historic cores; maintain the M1-5A and M1-5B zoning to continue to allow artist live/work use, impose a 120 foot height limit; and in the other sub-districts lower height and FAR limits to specifically respond to comments by the Cooper Square Committee and the No/Ho-Bowery Stakeholders.

The Final Scope of Work should include an alternative that studies residential and affordable units in commercial conversions without requiring the retention of commercial space.

The Final Scope should correct the many errors of fact in the DSOW with regard to building typologies, heights and size, so that the DEIS can accurately disclose the Proposed Actions potential adverse impacts.

Specifically the with action RWCDS in the Appendix shows 32 projected development sites but only 27 are in the main DSOW. Several projected development sites in that table show a zoning district that is not proposed (M1-5/R10A). There is a zoning district proposed (M1-6/R10) but has no proposed development sites. Explain why 4, 6 and 8 story buildings are considered projected development sites and why some of the projected development sites do not maximize the amount of floor area hey have available.

The Final Scope of Work should include a single map that shows the projected and potential development sites, proposed zoning districts, and existing historic districts.

The Final Scope of Work should include a land use map with current land uses confirmed by site survey. Existing land uses have never been well represented in the City’s PLUTO files, but they have also changed dramatically during this year and the current land uses should reflect reality.

Finally, because of the nature of regulations and uses in this area, ground floor land uses should be surveyed and mapped separately from upper floor land uses. .

Subject: Written Testimony Submission
Date: Wednesday, December 16, 2020 at 3:02:25 PM Central Standard Time
From: Arlene Peralta
To: 21DCP059M_DL
CC: Lynne P Brown
Attachments: 2020-12-16 NYU Written Testimony .pdf

Dear Ms. Abinader,

On behalf of Lynne Brown, Senior Vice President of University Relations and Public Affairs at NYU, please see attached written testimony.

Best,
Arlene

Arlene Peralta-Avila, Senior Director
NYU Community Engagement
665 Broadway, 10th Floor / 212-998-2401
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LYNNE P. BROWN, Ph.D.
Senior Vice President

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lynne.brown@nyu.edu

December 16, 2020

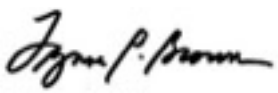
Olga Abinader, Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Dear Ms. Abinader,

New York University has followed the Department of City Planning's efforts to update the zoning of SoHo and NoHo through creation of the SoHo/NoHo Neighborhood Plan (the "Plan"). Our interest stems from our location: NYU's main campus has been anchored since 1831 in Washington Square, within several blocks of SoHo and NoHo. The University also owns a number of properties in the neighborhood. NYU was pleased to be included as one of the stakeholders in the Envision SoHo/NoHo engagement process begun in January 2019 and is also participating in the Working Group now engaged in the process of reviewing the Plan and the Draft Scope of Work for the DEIS.

As mentioned above, NYU currently occupies six properties (4 owned, 2 leased) in the NoHo neighborhood, all of them historic buildings adapted to provide a variety of uses including administrative and academic offices, a student health center, a center for global services, film and tv studios for our journalism program as well as practice/rehearsal studios for some of our performing arts programs. We consider ourselves fortunate to be located in a neighborhood that is rich in historic character, with a flourishing arts and cultural scene. NYU's top-ranked programs across the spectrum of the arts – from theater and film and dance to music and the visual arts -- are part of, and complementary to local arts and cultural activities. We look forward to the Plan moving forward, which we believe will facilitate our continued presence in the NoHo/SoHo neighborhoods in ways that can contribute to this vibrant part of the city, including its longstanding identity as a center for intellectual and cultural expression.

Sincerely,



Lynne P. Brown
Senior Vice President

Subject: SoHo/NoHo Neighborhood Plan Comments
Date: Thursday, December 17, 2020 at 3:27:02 PM Central Standard Time
From: Richard Corman
To: 21DCP059M_DL
Attachments: 2020-12-07 Pause and Revise the City Plan for SoHo_NoHo.pdf

Attached is a resolution passed by Downtown Independent Democrats (DID) on December 7, 2020, to pause and revise the DCP SoHo/NoHo Neighborhood plan.

While DID is in full support of bringing affordable housing to SoHo/NoHo and all neighborhoods, we see this plan as deeply flawed and it fails in the primary purpose of creating a meaningful amount of affordable housing.

Sincerely,

Richard J Corman
President
Downtown Independent Democrats

M: 201.513.8897
richard.corman@gmail.com
www.didnyc.org

DOWNTOWN INDEPENDENT DEMOCRATS

December 7, 2020

Hon. Bill de Blasio Mayor of New York City	Hon. Gale Brewer Manhattan Borough President	Hon. Carlina Rivera NYC Council Member
Hon. Corey Johnson NYC Council Speaker	Hon. Margaret Chin NYC Council Member	

Dear Mayor de Blasio, Borough President Brewer, and Council Members Chin and Rivera,

Enclosed please find a Resolution approved by Downtown Independent Democrats General Membership on December 7, 2020:

Resolution to Pause and Revise the City's Plan for SoHo/NoHo

The City's current plan creates significant value for current property owners, and incentivizes office development and big-box retail instead of adaptive reuse, new affordable housing and the preservation of the significant stock of affordable housing.

DID urges the City to complete promised studies and additional analysis after the pandemic state of emergency has lifted and to develop a plan that:

- Maintains the integrity of the impacted Historic Districts,
- Guarantees greater opportunities for affordable housing,
- Addresses displacement,
- Includes zoning that allows office to residential conversion and does not incentivize office and dormitory over residential use or big-box retail over small business,
- Defines clear "mechanisms" to legalize existing residential occupancies incorporating public review and input, and,
- Presents an economic analysis of the upzoning and how the Plan will impact transferable development rights.

Sincerely,

Richard Corman
President, Downtown Independent Democrats

Enclosure

cc: Hon. Chuck Schumer, U.S. Senator
Hon. Kirsten Gillibrand, U.S. Senator
Hon. Carolyn Maloney, U.S. Representative
Hon. Jerrold L. Nadler, U.S. Representative
Hon. Nydia Velázquez, U.S. Representative
Hon. Andrew Cuomo, NYS Governor
Hon. Andrea Stewart-Cousins, NYS Sen. Leader
Hon. Carl Heastie, NYS Assembly Speaker
Hon. Brad Hoylman, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Harvey Epstein, NY State Assembly
Hon. Deborah J. Glick, NY State Assembly
Hon. Yuh-Line Niou, NY State Assembly
Hon. Scott M. Stringer, NYC Comptroller
Hon. Jumaane Williams, NYC Public Advocate
Carter Booth, Chair, Manhattan Community Board 2

DOWNTOWN INDEPENDENT DEMOCRATS

Resolution to Pause and Revise the City's Plan for SoHo/NoHo

December 7, 2020

Whereas:

1. Any rezoning plan for SoHo and NoHo must satisfy a number of key principles and objectives that the local community identified during the extensive 2019 SoHo NoHo Envision process, including to:[1]

    a. Protect and preserve SoHo and NoHo's historic districts;
    b. Ensure and expand non-student, affordable housing;
    c. Minimize displacement in SoHo and NoHo and surrounding neighborhoods;
    d. Promote SoHo and NoHo mixed-use character, unique in the City for significant parts retail/commercial, office and residential; and,[2]
    e. Legalize and maintain existing housing units, preserve Joint Live Work Quarters for Artists ("JLWQA") and expand to categories of non-artists.

2. The SoHo NoHo Neighborhood Plan, put forward by the NYC Department of City Planning on October 28, 2020 (CEQR No. 21DCP059M)[3] in the midst of the unprecedented and ongoing Covid-19 health crisis, fails to meet the community recommendations cited above, the goals documented within the Plan itself, and the twelve "Next Steps" documented in the Envision SoHo/NoHo report;[4]

    a. The Plan fails to protect and preserve historic districts:

        i. **First Proposed Upzoning of HIstoric Districts:** This is the City's first proposed upzoning of an entire Historic District and, if approved, would have ramifications for every Historic District across the City.[5] However, the proposed upzoning within the landmarked districts is unnecessary

[1] In 2019, the Department of City Planning, Borough President Gale Brewer and Councilmember Margaret Chin initiated a six-month engagement process that included an 18-member Advisory Group, 40+ meetings, six public meetings/workshops, 17 Advisory Group meetings, eight focus group meetings with various stakeholder groups, and numerous other individual meetings with key stakeholders, culminating in the City's 85 page report, Envision SoHo/NoHo: A Summary of Findings and Recommendations ("Envision SoHo/NoHo Report").
[2] Envision SoHo/NoHo Report, page 37.
[3] SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, October 28, 2020 ("The Plan"). The Plan would replace M1-5A and M1-5B zoning with M1-5/R7X, M1-5/R9X and M1-6/R10 zoning, with several several modifications and identifies 27 Projected Development Sites that over the next 10 years are expected to produce 2 million gross square feet (gsf) of development, including 1,699 dwelling units and 330-498 affordable units, 413 units at the 25% affordable housing midpoint. See Appendix A for map and graphic overview.
[4] Envision SoHo/NoHo Report, pages 84-85.
[5] New York Landmarks Conservancy, Peg Breen: "SoHo/NoHo Upzoning Overkill," https://nylandmarks.org/news/soho-noho-upzoning-overkill/.

because the Plan could achieve 71% of the projected total GFA without upzoning any historic districts in SoHo and NoHo.[6]

ii. **Underestimates the Impact of the Proposed Upzoning.** The Plan vastly underestimates the impact of the proposed upzoning of historic districts to R7X and R9X because it excludes from the Projected Development list any site, other than vacant lots, located within historic districts, solely because these sites are "subject to LPC review and approval";[7] even though, the Plan changes zoning for over 800 lots across 146 acres[8], a 56-block area, 85% of which lies within protected Historic Districts.

iii. **Fails to Adequately Consider the intent of the NYC Landmarks Law,** and the implications of the Plan in relation to that law, which mandates that providing such protections is "a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people"[9] and that historic preservation is an essential civic service for "the education, pleasure and welfare of the people of the City."[10] By limiting its scope, the Plan fails to address the full impact of proposed changes on the nearly 8,000 existing residents. Neither does it offer any financial analysis regarding the changes and the resultant impacts, both locally and more broadly.

b. The Plan fails to ensure and expand affordable housing:

i. **No Affordable Housing Guaranteed:** The Plan, based on market forces, does not guarantee any housing will be built, since:

1. "Inclusionary zoning is always voluntary, and no development occurs without the expectation of a threshold rate of return on investment,"[11]
2. There are strong incentives for office and dormitory use, and
3. The pre-Covid luxury condo glut will temper any business decision to build new housing, both luxury and affordable;[12] and,
4. Under Mandatory Inclusionary Housing (MIH), developers can apply for a special permit to reduce or modify MIH requirements

[6] None of the 16 Projected Sites located in the proposed R10 districts are located entirely within a historic district. For sites partially located within and partially outside historic districts, the City assumes "that it is possible to concentrate future development on portions of the lot outside of historic districts where LPC review is not required, Plan, page 24.

[7] The Plan, page 24.

[8] The Plan, page 1.

[9] NYC Admin. Code: Chapter 8-A Section 205.1.0(b) [1976]

[10] NYC Admin. Code: Title 25 Chapter 3: Landmarks Preservation Preservation and Historic Districts; § 25-301 Purpose and declaration of public policy.

[11] Eric Kober, "De Blasio's Mandatory Inclusionary Housing Program, What is Wrong, and How It Can Be Made Right," *Manhattan Institute*, January 16, 2020, page 4, www.manhattan-institute.org/deblasios-mandatory-inclusionary-housing-program.

[12] Manhattan's glut of luxury condos could take 6 years to sell, Curbed New York, January 7, 2020, https://ny.curbed.com/2020/1/7/21052259/manhattan-luxury-condo-glut-years-to-sell

"in cases of hardship" where "requirements would make development financially infeasible"[13] or opt to pay into an Affordable Housing Fund for buildings from 10 to 25 units or 12,500 to 25,000 sq.ft.

ii. **Fails to Evaluate Higher-Percentage Affordable Housing Alternatives.** For example:
   1. Redevelopment of the federally-owned underutilized parking garage at 2 Howard Street for both high-percentage affordable housing and government parking, now that there is a more favorable administration in Washington; and,
   2. Purchase of distressed assets to be redeveloped as high-percentage affordable and/or supportive housing, in light of the near term office market glut and drop in tourism.

c. The Plan threatens to displace residents:

i. **Failure to Evaluate Displacement of Existing Residents**: The Plan will increase vulnerabilities of approximately 1,500 rent stabilized units,[14] including more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law (see Appendix B at the end of this Resolution detailing 602 units at risk of displacement). This brings into question the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood."[15] During the City's October 26, 2020 zoom presentation, it admitted that it has not performed the necessary studies to investigate potential for displacement within the study area.

ii. **Inadequate Protections for Current Renters, Including Many Seniors Aging in Place.**[16] The Plan fails to "maintain, enforce and strengthen existing protections for residents including renters and those in rent-regulated units," one of seven goals in the November 2019 *Envision SoHo/NoHo report*.[17] Instead, the conversion from existing M zoning to new R or C zoning will remove protections directly related to work created and practiced within the unique JLWQA units that were established

[13] The Plan, page 18.
[14] Manhattan Rent Stabilized Building List, Rent Guidelines Board, City of New York, July 2020, retrieved November 24, 2020, https://rentguidelinesboard.Cityofnewyork.us/wp-content/uploads/2020/07/2018-HCR-Manhattan.pdf
[15] The Plan, page 27
[16] Envision SoHo NoHo Report, page 61."SoHo/NoHo's long-time residential community that rents and is aging in place faces particular challenges. The desire for rental assistance to assist low-income artists and non-artists alike who struggle with affordability of this area has been community as a concern throughout the community engagement process."
[17] The Plan, page 15.

specifically for the M1-5A and M1-5B districts. Further, real estate speculation, brought on by rezonings, is known to increase the instances of harassment aimed at rent regulated tenants. This is of particular concern for the numerous senior residents who were part of the pioneering movement that transformed these neighborhoods, have lived in SoHo and NoHo for decades, and are now aging in place. Yet, the City has now suddenly up-ended their security, imperiling their health and well being.

d. The Plan compromises the mixed-use character of SoHo and NoHo:

i. **The Plan's FAR Increases Give Millions of Dollars of New Value to Property Owners with No Discernable Public Benefit.**
   1. Yet, the City fails to offer any accompanying financial analysis that either explains or justifies the proposed changes that will fundamentally alter the neighborhoods; and,
   2. The Plan is silent on height caps and how the proposed special district would impact the transfer of development or air rights.[18]

ii. **R10 Zoning Incentivizes Office and Dormitory Use, not Housing.** The Plan claims that R10 zoning will produce 72% of the residential GFA, but this is unrealistic because:
   1. R10 zoning allows 10 FAR for commercial and dormitory uses without any subsidy for Mandatory Inclusionary Housing (MIH),
   2. Property owners have chosen to build office space instead of housing in nearby Hudson Square and 550 Washington, including new headquarters for Disney and Google: and,
   3. Developers are planning to build a new 100,000 sq. ft. office building at 358 Bowery, one of the DCP sites where the City projects residential development.[19]

iii. **Modifications Incentivize Office Use, not Adaptive Reuse:**
   1. The Plan's modification to retain existing non-residential floor area, despite the current glut of office space, disincentivizes adaptive reuse of existing office buildings for residential use;[20,21]
   2. This modification also requires certification by the Department of City Planning which a) is not subject to public review, and b) adds a new city approval for *each* project, even though the Plan seeks

[18] Michelle Sinclair Colman, "Understanding the Power of Air Rights," City Realty, December 18, 2017 and Michael Smith, "Buying Air Rights in New York City: What You Need to Know About the NYC Development Rights Endorsement," *New York Real Estate Journal*, March 16, 2018.
[19] Brenzel, Kathryn. "These developers could benefit the most from Soho's rezoning." The Real Deal, November 24, 2020, available at therealdeal.com/2020/11/24/these-developers-could-benefit-the-most-from-sohos-rezoning/
[20] Greg David, "New York City's Growing Office Space Glut Heads to Post-9/11 Record," *TheCity.NYC*, October 15, 2020, www.theCity.nyc/2020/10/15/21518594/new-york-City-office-space-glut-lease-9-11-record.
[21] The Plan, page 17.

to replace zoning that relies "on individual land use applications and ad hoc approvals" and is purportedly designed to reduce special permits, variances and regulatory burdens that "fall disproportionately on smaller businesses."[22]

iv. **Modifications Prioritize Big Box Retail:** The Plan prioritizes big box retail over small businesses by permitting department stores over 10,000 sq. ft.[23] despite the November 2019 *Envision SoHo/NoHo* goal to "foster the small business community"[24] and makes erroneous claims[25] about local retail vacancies[26] to justify the expansion of both use group 10, department stores and destination retail and use group 6, that includes eating and drinking establishments, both of which are currently limited in size due to the known conflicts created by such large operations.[27,28]

v. **Prioritizes Parking Over Housing:** The Plan would require parking for up to 40-50% of dwelling units, without considering modifications that take into account how SoHo and NoHo are located in one of the most transit-accessible and traffic-clogged neighborhoods in the City. The justifications for such off-street parking requirements are cited as "weak rationale" by the American Planning Association,[29] and any such requirement for SoHo / NoHo needs to be rethought.

e. The Plan fails to legalize and maintain existing housing units, and provides no documented mechanism for Joint Live-Work Quarters, nor the timeline for its creation;

i. **Fails to Address the Legalization of Existing Housing Units**, a key goal outlined in the Envision SoHo / NoHo report.[30] The City's plan fails to include protections for Loft Law tenants and detail the mechanism for voluntary conversion of JLWQA units. The effort to ensure safe and affordable housing within SoHo and NoHo has been at the core of DID since its inception,[31] led by neighborhood pioneers who joined together

[22] The Plan, pages 14 and 18.
[23] The Plan would permit as-of-right both "Use Group 10 retail uses, such as department stores over 10,000 zsf, and "physical culture establishments," page 17.
[24] The Plan, page 6.
[25] The Plan, page 14.
[26] RETAIL ACTIVITY in NYC: Covid Recovery Across 24 Neighborhoods (September 2020; Page 24: Canal Street Survey Results); https://www1.nyc.gov/assets/planning/download/pdf/planning-level/housing-economy/retail-activity-nyc-covid-recovery.pdf
[27] Matter of the SoHo Community Council v New York State Liquor Authority (January 16, 1997); https://casetext.com/case/soho-community-v-liq-auth
[28] NYC DOB Enforcement Action Bulletin, February 2019; https://www1.nyc.gov/assets/buildings/pdf/0219_enforcement_action_bulletin.pdf
[29] The Pseudoscience of Parking Requirements; Donald Shoup, FAICP (APA; February 2020): https://www.planning.org/publications/document/9194519/
[30] Envision SoHo/NoHo, page 64: Figure 3.2: Potential JLWQA Pathways
[31] DID History; https://www.didnyc.org/club-history

and transformed the area[32] from a fading warehouse district into a unique mixed use neighborhood where the arts thrived, a model of urban adaptive re-use that has been copied around the world. This led to the passage of the NYS Loft Law and the creation of hundreds of housing units, designated under the area's Manufacturing zoning as Joint Living-Work Quarters for Artists.[33]

3. The City is facing an unprecedented fiscal, health and education crisis, where the current patterns of live-work, retail and transportation use reflect neither the state of the City prior to the pandemic, nor what the state of the City may be after the pandemic. Consequently, any scoping and study process at this time will be flawed, and any decisions made based on the pandemic state of affairs will fail to reflect the long-term state. The following tasks in the Plan cannot be adequately assessed during the current health emergency: energy, transportation, air quality, greenhouse gas emissions and climate change, noise, public health and neighborhood character.[34] It is irresponsible to move forward without providing adequate studies to mitigate the adverse impacts of these zoning changes.

Therefore be it resolved that Downtown Independent Democrats Urges the City to:

1. Pause and revise the DCP plan for SoHo and Noho, which despite the public rhetoric, creates significant value for current property owners, and incentivizes office development and big-box retail instead of adaptive reuse, new affordable housing, and the preservation of the significant stock of affordable housing;

2. Complete additional studies after the pandemic state of emergency has lifted, so that the City can measure a baseline normal state of live-work patterns in SoHo and NoHo, rather than making assumptions based either on the current pandemic state or on interpolations of data previously collected prior to the current health emergency; and,

3. Develop a revised plan that must:

    a. Maintain the integrity of the impacted Historic Districts, to fulfill the City's duty as guardian for the education, pleasure and welfare of the people of the City;
    b. Guarantee greater opportunities for affordable housing, including higher-percentage affordable housing alternatives such as the redevelopment of 2 Howard Street and the purchase and redevelopment of distressed properties;
    c. Address the displacement of current residents;
    d. Include zoning that allows office to residential conversion and does not incentivise office and dormitory over residential use or big-box retail over small business;

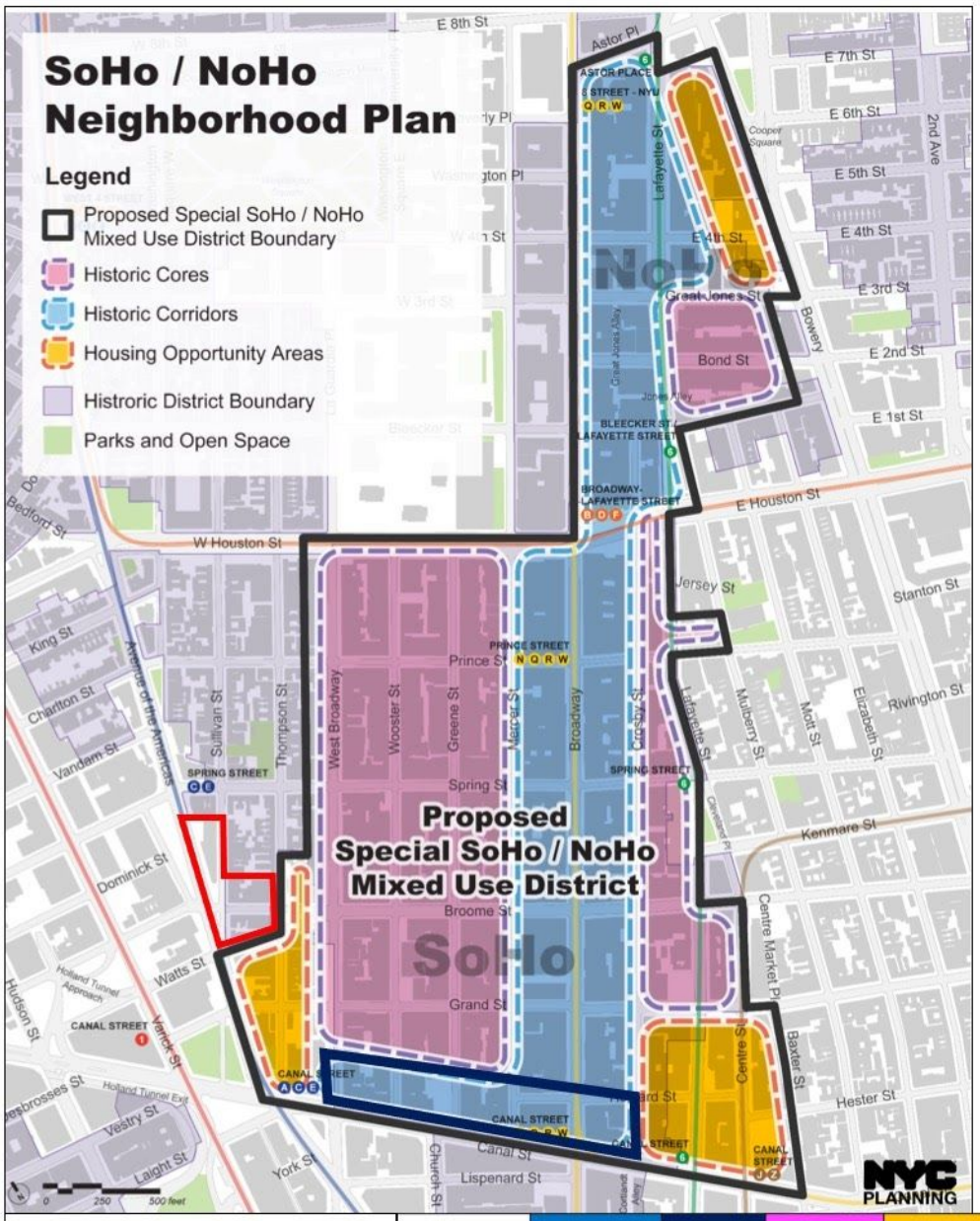
[32] Jim Stratton, "Pioneering in the Urban Wilderness", (1977), jimstrattonscifi.com/pioneering-in-the-urban-wilderness/
[33] Envision SoHo/NoHo Summary of Findings & Recommendations, page 30
[34] The Plan, pages 39-49

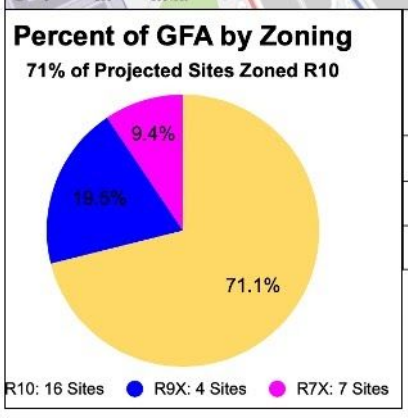
e. Establish and clarify the City's proposals for the "mechanisms" needed to legalize existing residential occupancies, including the "options" that will be available, and present said proposals for review and input; and,
f. Present a complete economic analysis related to the proposed increase of FAR, including the allotted price per sq. ft. for any FAR increases, applicable to each property lot within the zoning districts and how the Plan will impact transferable development rights.

Approved by Downtown Independent Democrats Membership: December 7, 2020

DOWNTOWN INDEPENDENT DEMOCRATS

Appendix A. Overview of Proposed Zoning Changes





Proposed Use & FAR	Broadway M1-5/R9X * modifications	Canal M1-5/9X	Historic Cores M1-5/R7X	NoHo-Bowery, SoHo E & W M1-6/R10
Comm/Mfg	6	5	5	10
Res w/ MIH	9.7	9.7	6	12
Comm Fac	6.5	6.5	6.5	10

Source: "SoHo/NoHo Neighborhood Plan Public Scoping Meeting, Presentation," NYC Department of City Planning, December 3, 2020, page 24. Red area removed from Study Area, originally included in October 7, 2020 map.

DOWNTOWN INDEPENDENT DEMOCRATS

Appendix B. List of Affordable Housing in SoHo/NoHo At Risk of Displacement

Rent-Stabilized Housing at Risk of Displacement in R10 / "Housing Opportunity Areas"
The following is a detailed list of buildings that include more than [600] dwelling units ("du") that are at risk of displacement under the City's Plan:

1)	SE SoHo:	150 du
2)	SW SoHo:	287 du
3)	NE NoHo:	165 du
	Total Units at Risk SoHo / NoHo	**602 du**

Sources

- HCR* (NYS): https://rentguidelinesboard.Cityofnewyork.us/wp-content/uploads/2020/07/2018-HCR-Manhattan.pdf
- HPD (NYC): https://hpdonline.hpdnyc.org/Hpdonline/provide_address.aspx

Dwelling Units by Subdistrict and Building

1) South East SoHo (6 Blocks: Baxter <-> Crosby / Canal <-> Grand)
Total Units: 150 du **[Total Block Lot Area: 237,333 SF]**

- Block 207 (Baxter <-> Centre / Canal <-> Hester): 28 du [Block Lot Area: 38,467 SF]

200 Hester:	8 du		HPD: Yes	8 du	
202 Hester:	8 du	HCR: 2018	HPD: Yes	8 du	Not Validly Registered
126 Baxter:	4 du	HCR: 2011; 2018	HPD: Yes	4 du	
128 Baxter:	8 du	HCR: 2018	HPD: Yes	8 du	

- Block 208 (Centre <-> Lafayette / Canal <-> Howard): 27 du [Block Lot Area: 36,157 SF]

129 Lafayette:	27 du		HPD: Yes	27 du	

- Block 209 (Partial, Lafayette <-> Crosby / Canal <-> Howard): 2 du [Block Lot Area: 40,726 SF]

261 Canal:	2 du		HPD: Yes	2 du	

- Block 233 (Lafayette <-> Crosby / Howard <-> Grand): 12 du [Block Lot Area: 42,135 SF]

133 Grand:	3 du	HCR: 2011; 2018	HPD: Yes	3 du	
143 Grand:	3 du		HPD: Yes	3 du	
145 Grand:	3 du				IMD in process
147 Grand:	6 du		HPD: Yes	7 du	Not Validly Registered

- Block 234 (Centre <-> Lafayette / Howard <-> Grand): 18 du [Block Lot Area: 34,260 SF]

161 Grand:	18 du

- Block 235 (Baxter <-> Centre / Hester <-> Grand): 63 du [Block Lot Area: 45,588 SF]

208 Centre:	6 du	HCR: 2018	HPD: Yes	6 du	
210 Centre:	5 du	HCR: 2011	HPD: Yes	5 du	
216 Centre:	4 du				
218 Centre:	4 du	HCR: 2011; 2018			
220 Centre:	4 du				
165 Grand:	3 du		HPD: Yes		
136 Baxter:	12 du		HPD: Yes	12 du	(Loft Law Completed)
148 Baxter:	5 du		HPD: Yes	4 du	Not Validly Registered
150 Baxter:	20 du	HCR: 2011; 2018			

DOWNTOWN INDEPENDENT DEMOCRATS

2) South West SoHo (7 Blocks: West Broadway <-> Sixth Avenue / Canal <-> Broome)
Total Units: 287 du [Total Block Lot Area: 167,138 SF]

- Block 227 (2 blocks, West Broadway <-> Sixth Avenue / Canal <-> Grand) 29 du
[Block Lot Area: 69,986 SF]

381 Canal:	3 du		HPD: Yes	3 du	IMD in process
383 Canal:	3 du		HPD: Yes	3 du	
385 Canal:	4 du				
35 Grand:	10 du		HPD: Yes	10 du	
41 Grand:	2 du		HPD: Yes	2 du	
17 Thompson:	10 du		HPD: Yes	7 du	Loft Law

- Block 476 (2 blocks, West Broadway <-> Sixth Avenue / Grand <-> Watts) 258 du
[Block Lot Area: 97,152 SF]

110 Sixth:	30 du				
116 Sixth:	36 du		HPD: Yes	36 du	
519 Broome:	10 du		HPD: Yes	10 du	
521 Broome:	5 du		HPD: Yes	6 du	
525 Broome:	5 du		HPD: Yes	5 du	
23 Thompson:	28 du	HCR: 2018	HPD: Yes	28 du	
26 Grand:	20 du	HCR: 2011	HPD: Yes	20 du	
30 Grand:	20 du	HCR: 2011; 2018	HPD: Yes	20 du	32 Grand
36 Grand:	1 du		HPD: Yes	1 du	20 Thompson
38 Grand:	16 du	HCR: 2011; 2018	HPD: Yes	20 du	
42 Grand		HCR: 2011	HPD: Yes	8 du	
44 Grand:	16 du	HCR: 2011; 2018	HPD: Yes	8 du	
46 Grand:	8 du	HCR: 2011; 2018	HPD: Yes	7 du	
48 Grand:	5 du		HPD: Yes	4 du	
50-52 Grand:		HCR: 2011	HPD: Yes	8 du	
24 Thompson:	1 du		HPD: Yes	2 du	
26 Thompson:	27 du	HCR: 2011; 2018	HPD: Yes	25 du	
32 Thompson:	16 du	HCR: 2011	HPD: Yes	14 du	
1 Watts:	4 du		HPD: Yes	2 du	
350 W. B'way:	7 du				
362 W. B'way:	6 du		HPD: Yes	6 du	

3) North East NoHo (Cooper Square <-> Lafayette / E. 4th <-> Astor Place)
Total Units: 165 du [Total Block Lot Area: 37,110 SF]

- Block 544 (1 Block (partial); Cooper Square <-> Lafayette / E. 4th <-> Astor Place) 165 du
[Block Lot Area: 37,110 SF]

2 Cooper Sq:	133 du	HCR: 2011; 2018	HPD: Yes	133 du
32 Cooper Sq:	3 du	HCR: 2011; 2018	HPD: Yes	3 du
34 Cooper Sq:	3 du	HCR: 2011; 2018	HPD: Yes	5 du
56 Cooper Sq:	26 du		HPD: Yes	25 du

SoHo / NoHo TOTAL "Yellow Zone" UNITS AT RISK: 602 dwelling units AT RISK

* Comparison of NYS HCR Manhattan Rent Stabilized Building Lists for 2011 & 2018

Subject: SoHo / NoHo: BRC Response to Draft Scope of Work; CEQR No. 21DCP059M
Date: Friday, December 18, 2020 at 9:10:51 PM Central Standard Time
From: Pete Davies
To: 21DCP059M_DL
CC: 'lora.tenenbaum@gmail.com', 'renee.monrose@me.com', 'margom@temple.edu'
Attachments: 201218_SoHo NoHo_DSOW_21DCP059M_BRC Response_Final.pdf

NYC Department of City Planning -

Attached is the response from Broadway Residents Coalition to the Draft Scope of Work for SoHo / NoHo, CEQR No. 21DCP059M.

Your consideration is appreciated.

Pete Davies
Broadway Residents Coalition
548 Broadway #5A
New York, NY 10012
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Broadway Residents Coalition; submitted December 18, 2020

NYC Department of City Planning
21DCP059M_DL@planning.nyc.gov

SoHo/NoHo Neighborhood Plan
Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M
ULURP Nos. Pending
October 28, 2020

Broadway Residents Coalition (BRC) Response to the Draft Scope of Work (DSOW)

The NYC DCP 10/28/2020 Draft Scope of Work (DSOW), presented as part of the proposed SoHo / NoHo Neighborhood Plan, is insufficient in its coverage of the wide range of issues that have been identified for SoHo & NoHo, and therefore the Scope of Work needs to be both broadened and re-imagined.

The DCP, and this DSOW, fail to fulfill the stated commitment of its Chair, as was promised as part of the Envision SoHo / NoHo community engagement process, "to continuing community involvement and transparency." It is a disservice to the residents of SoHo and NoHo for DCP to bring forward a proposal that fails to address in any substantive way the key concerns regarding legalization of residential units. Instead the community is presented with a rashly constructed draft of a "Plan" that brings to our doorsteps millions of square feet of new bulk to be inserted in and around our landmarked neighborhoods, an unrestricted allowance for retail of all sorts, and the false promise of affordable housing, which is really a developer's dream in disguise. To top this off, the City is granting millions of dollars of new value to select property owners, thereby setting the stage for a casino that will destabilize the neighborhoods, leaving many long-time local residents vulnerable and insecure.

The DSOW is replete with general unsubstantiated statements, incorrect data and false presumptions all leading to questionable assumptions. Therefore, in order to fulfill the necessary requirements, further work and study must be done. Presented here, following the format of the DSOW, is a detailed outline of what is needed to create a responsible plan for the future of SoHo and NoHo. Adequate time must be taken to fully study and analyze the neighborhoods, yet such studies and data collection cannot be performed during the current health emergency, when all aspects of life have been upturned.

Note that on October 28, 2020, when DCP issued the DSOW, the Covid-19 Health Emergency - having ravaged the City and the Nation for the prior eight months, resulting in unforeseen changes and causing a total transformation of the Study Area - was seeing a resurgence of the pandemic throughout the NYC area. On that day, just six weeks ago when the DSOW was presented, the nation counted 226,752 total pandemic deaths.

Today, December 18, 2020, the Nation counts 311,684 total deaths from the pandemic. The City is on the verge of another lockdown, apparently to be implemented after Christmas and continuing into the months of 2021. Once again all patterns of life will be disrupted across the neighborhoods of SoHo and NoHo. Hardly the time for a study on the streets.

Care is needed. And consideration. That was the promise made. It is time to make good on it.

A. INTRODUCTION (Pages 1 – 2)

DSOW, Page 1: The DCP Draft Scope of Work (Draft Scope) outlines the technical areas to be analyzed in the preparation of the Environmental Impact Statement (EIS) for the SoHo/NoHo Neighborhood Plan … to implement land use and zoning changes to better reflect existing neighborhood conditions, strengthen mixed-use, **create opportunities for housing**, including affordable housing …

- ***BRC Response:*** DCP fails to PROVIDE for any actual affordable housing, instead putting forward a scheme whereby developers might choose, based on market forces, to include a very small portion of "affordable" units within market-rate housing developments comprised of 70% to 80% market rate housing, thereby increasing to a much higher degree the very type of "luxury" housing that the Mayor and DCP claim has made the neighborhoods exclusionary. The DCP Plan includes no guarantee that any affordable units will be built, and the DCP Plan provides for loop holes where developers can receive a waiver for inclusion of affordable units. Ultimately the DCP Plan fails to achieve its stated goal.

  The DSOW fails to include any adequate alternatives to achieve its stated goals for the actual provision of affordable housing units.

DSOW, Pages 1-2:

The Proposed Actions seek to accomplish the following land use and zoning objectives:

- **Promote economic recovery** ...

- ***BRC Response:*** DCP must examine the financial implications; any Plan for SoHo / NoHo requires an economic analysis across the entire Study Area.

  The current draft scope is, by design, too narrow. The focus is on only 27 Projected sites (out of approximately 850 lots), and the review is limited to the implications from possible affordable housing scenarios. By limiting the scope DCP fails to address the array of other development scenarios that are made possible under the new provisions. Therefore those who will be impacted by aspects of the Plan, particularly current residents of SoHo and NoHo, have not been given the information needed to fully understand how the Plan will impact them financially. A full economic analysis is necessary.

  The economic analysis should cover the various and assorted components that make up the Plan, including but not limited to the following items across the entire Study Area:

  - Value of FAR by square foot, for each individual property
  - Costs of LPC applications, due to enlargements etc., rising from the increased FAR
  - Transferable Development Rights, all possible scenarios
  - Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a "mechanism")
  - Costs of newly-allowed SLA applications, per removal of existing zoning boundaries
  - Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

DSOW, Pages 1-2:

The Proposed Actions seek to accomplish the following land use and zoning objectives:

- **Celebrate … the architectural character** … of the SoHo and NoHo neighborhoods.

- ***BRC Response:*** The DCP in the DSOW fails to adequately provide for true protection of the "architectural character" found within and around the Landmarked districts of SoHo & NoHo. This failure is most notable in the City's proposal to increase the FAR to 9.7 within the Historic Districts, particularly along Broadway and nearby, which will allow for non-contextual towers rising to 200 feet and more. The community called for protection and preservation of the Historic Districts, in order to maintain their integrity. And the NYC Landmarks Law mandates stewardship and protection of the entirety of the Historic Districts for future generations.

  DCP must consider the implications of the added FAR across all of the protected districts, in regard to Applications to the Landmarks Preservation Commission where owners will seek to build on the new allowances of FAR and Value granted to them under the DCP Plan.

DSOW, Pages 1:

This proposal has been prepared in response to neighborhood-wide planning challenges brought by changing economic and demographic trends ...

The Proposed Actions would affect an approximately 56-block, 146-acre area (the Project Area) of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. [84 sites, Projected and Potential]

On the projected development sites [27 sites], the Proposed Actions are expected to result in a net increase of approximately 1,683 projected dwelling units (DUs) (including 328 to 494 affordable units); 57,473 gross square feet (gsf) (47,754 zoning square feet [zsf]) of projected retail space (local and destination retail and supermarket space); and 19,598 gsf (17,050 zsf) of projected community facility space. 57 potential development sites, which are considered less likely to be developed by the analysis year … may result in a net increase of approximately 1,548 DUs, including 293 to 446 permanently affordable units; 50,744 gsf (44,142 zsf) of potential destination retail space; and 15,465 gsf (13,453 zsf) of potential community facility space.

- ***BRC Response:*** The Draft Scope is too limited and must be broadened.

  The DSOW narrows its review for SoHo / NoHo to just 27 projected development sites that are "expected" to result in new affordable dwelling units, but there is no guarantee that even a single affordable unit - where people can live - will actually be built. Those 27 sites were selectively chosen from nearly 850 individual sites across the neighborhoods: That scope laid out in the DSOW is too limited, and fails to accurately capture the reality of the districts, and also fails to responsibly address the impacts of the DCP Plan on all current residents of the neighborhoods.

Similarly the DSOW is too limited in its consideration of new allowances for retail space, and therefore a thorough review of that aspect of any proposal, with full study and analysis, must also be broadened. DCP's "expected" increase in retail space across the Study Area is limited to new development, and therefore fails to take into account the new allowances for conversions in existing buildings, from current conforming uses to UG 6 & UG 10 retail.

NYC pluto data shows that current retail across SoHo & NoHo occupies over 4,000,000 SF (for the most part situated on the ground floor, with some of that also occupying the cellar and / or 2nd floor). DCP's new allowance for unrestricted retail would not only grant permitted retail use of the ground floors and cellars throughout the districts, but also *expanded* use at the 2nd Floor (expanded due to the new allowance for every 2nd floor space to be built out to the full expanse of the building lot).

By the implementation of those new retail allowances, over 6,000,000 SF of additional new retail could be added to the neighborhoods. The result for SoHo & NoHo buildings, on the second floors and below, would be an allowance for nearly 150% more retail space beyond what now exists. Yet none of that has been taken into consideration.

The DSOW is also insufficient in regard to office space in the Study Area. One large employer with headquarters on Broadway in SoHo currently has less than 4% of pre-Covid employees on site, and does not know what the situation will be in the future. Everything is in flux.

No one knows what the new normal will be post-pandemic. But at this time - with Covid surging, and the norms for life, work and commerce upended – one thing is clear: it is impossible now to do reliable studies or perform real time data collection.

The community opposes a plan that would line the pockets of developers to deliver luxury towers. Instead, the community wants affordable housing through adaptive reuse and contextual development. As a recent article in the New York Times points out, empty Class B and C office buildings and closed hotels may be a great opportunity to convert those buildings to residential use.

DSOW, Page 2: An Environmental Assessment Statement (EAS) that examined the Proposed Actions was completed on October 28, 2020 and a Positive Declaration, issued on October 28, 2020, established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

- ***BRC Response***: The DSOQ outlines a proposal for additional growth in SoHo/NoHo.

  What is the DCP criteria to define "growth"? Using that criteria, please provide a chart showing the rate of growth since M1-5A and M1-5B zoning districts were created until the present, and then predict the growth that is expected in 10-year increments for the next 50 years.

Note the DSOW (Page 2) states that SoHo/NoHo were the second highest grossing retail market in NYC in 2015-2016. Why would DCP change the formula that led to this status?

B. REQUIRED APPROVALS AND REVIEW PROCEDURES (Pages 2 – 3)

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION:

ENVISION SOHO/NOHO

- ***BRC Response*:** The DSOW states (Page 6) that "The impetus for the SoHo/NoHo planning process began in 2015 with a joint letter to DCP from the Manhattan Borough President and the local City Council Member" but offers only a passing reference to what led up to that letter: a concerted effort by Broadway Residents Coalition and Community Board 2 to compel the City to take enforcement action regarding the non-conforming and impactful oversized retail operations that had overrun Broadway in SoHo, and whose operations were creating very problematic quality of life issues for local residents.

  BRC was represented on the Envision SoHo / NoHo Advisory Group, and we were hopeful that our participation in the many meetings and discussions would lead to some meaningful change and relief from ongoing neighborhood conflicts that kept us awake for far too many nights. However it became apparent during the Envision process that no substantive conversations about actual zoning would take place, despite our many urgings to get to the heart of the matter. Instead the neighborhood was kept busy with side issues, apparently supplying DCP with just enough fodder so they could construct their reworking of SoHo and NoHo. DCP's REVISION is what is now before us, the mass of words, vague statements, and non-solutions that make up the DSOW.

C. BACKGROUND TO THE PROPOSED ACTIONS (Pages 3 – 10)

PROJECT AREA HISTORY (Page 3)

THE EARLY HISTORY OF SOHO AND NOHO

The SoHo and NoHo neighborhoods were used as farm and pastureland up to and through the 17th century, including the significant establishment of Manhattan's first free black settlement in SoHo on land granted by the Dutch West India Company.

- ***BRC Response*:** DCP fails to adequately address the historical takings of property and displacement of peoples that have occurred within the neighborhoods of SoHo & NoHo, and therefore the effort to achieve the City's stated goal of "racial justice" must be expanded. The goal was specifically noted by Deputy Mayor Vicki Been in the 10/07/2020 City Hall Press Release and then echoed by DCP during the 10/26/2020 Public Meeting. More extensive study must be done to fully document the unjust past actions of the various governments that have ruled over New York City since its founding, to better understand who took what, and who was robbed of ownership and/or displaced by those actions. Remedies to achieve true justice - for housing, occupancy and ownership - should be outlined, and actions to achieve those remedies must be put forth.

DCP makes NO mention of the Trinity Church Land Grant (circa 1705) and taking of lands from indigenous Lenape people within the Study Area. And there is no mention of the British policy against Black ownership of property, resulting in the taking of property deeded to freed Blacks (circa 1664). In the name of true historical justice, now is the time for the breadth of our history to be addressed.

See: DCP goal for "Racial Justice" as stated during the DCP SoHo / NoHo meeting on 10/26/2020:

> *"… of additional importance are the events that have taken place over the past several months. You know, regarding **racial justice** regarding COVID and economic challenges …"*

https://www.youtube.com/watch?v=2YnutZUNxF0&t=02h12m10s

DSOW, Page 4: The neighborhoods' resulting iconic cast-iron loft buildings contain large, contiguous floor plates, high ceilings and sturdy floors that can accommodate a wide range of business activities. This flexibility made them particularly conducive to adaptive reuse in later years.

- ***BRC Response*:** DCP fails to adequately consider the history of adaptive reuse of buildings within the districts and thereby misses the benefit gained by conversion of space. Instead DCP puts forth a requirement for retention of office space per the "Non-Residential Floor Area Retention" provision (See DSOW Page 18, under "F. Description of Proposed Actions").

  DCP contradicts its own goal of office retention by the inclusion of a number of allowances for conversion to residential without any office retention (See DSOW Appendix A: "SoHo/NoHo Neighborhood Plan RWCDS Table 3: Incremental Development").

A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

DSOW, Page 5: … Driven by storefront demand and zoning that does not permit most ground floor uses beyond industrial or heavy commercial establishments, the area sees an extraordinarily high volume of applications for special permits and variances to locate or legalize retail uses.

- ***BRC Response*:** The DSOW fails to differentiate between types of retail, with no specifics to clarify the "extraordinarily high volume of special permits" for those seeking to operate as UG 6 (Local Service Retail) and those seeking UG 10 (Large Destination Retail). DCP fails to note the illegal status of large retail establishments, with no information about the large destination retail operations that are operating either without the necessary Special Permit per ZR 74-922 or in violation of an existing UG 6 Retail Special Permit. And DCP fails to address, as it has for years, its own responsibility through lack of enforcement of its own special permits. Therefore the DCP narrative fails to provide honest information that is needed to make decisions for future uses throughout the Study Area.

- A full study, analysis and report for retail uses within the neighborhoods must be part of any plan put forward for SoHo and NoHo.

The DSOW also states that occupation above the ground floors of the Study Area's buildings are “18% retail and other” and “30% office.” That comprises slightly less than 50% of upper floor occupation. If the remainder is JLWQA and Residential, wouldn't that be the single-most largest use in the Study Area? Is JLWQA counted as an industrial use? How does DCP deal with the overlap of categories? Please clarify.

- Examine the financial implications: The draft scope of work requires an economic analysis across the entire Study Area.

The current draft scope is, by design, too narrow. The focus is on only 27 Projected sites (out of approximately 850 lots), and the review is limited to the implications from possible affordable housing scenarios. By limiting the scope in this way the Plan fails to address the array of other development scenarios that are made possible under the new provisions. Therefore those who might be impacted by any aspects of the Plan, particularly current residents of SoHo and NoHo, have no way to understand how it will impact them financially. Transparency was promised, and is needed.

The economic analysis should cover the various and assorted components that make up the Plan. Study and analysis for the following items are needed across the entire Study Area:

- Value of FAR by square foot, for each individual property
- Costs of LPC applications, due to enlargements etc., rising from the increased FAR
- Transferable Development Rights, all possible scenarios
- Costs applicable to residentially occupied units due to the proposed conversion from manufacturing use to residential use (now described, without specifics, as a “mechanism”)
- Costs of newly-allowed SLA applications, per removal of existing zoning boundaries
- Costs related to the Affordable Housing Fund and how that could apply for existing residentially occupied buildings, as well as for new developments.

DEMOGRAPHICS

DSOW, Page 6: … While the exact number is difficult to estimate, the share of certified artist residents in the Project Area today is likely small.

- ***BRC Response:*** DCP makes an assumption about artist residents with no data to back it up, citing the absence of data as the basis for DCP’s non-quantified description, thereby minimizing the very people who pioneered living-work spaces in SoHo and NoHo.

  DCP’s erasure of local residents must not be allowed to stand. DCP should do a complete survey and study of residents within the districts.

DCP must fulfill the commitment to complete such studies. That commitment is noted in the Envision Recommendations, Page 84, under Nest Steps:

> *The Process Sponsors are committed to continuing community involvement and transparency, preceding any future implementation of recommendations.*

DCP must fulfill its stated responsibility to the people of NYC, and refrain from moving forward until the needed studies have been done, the data analyzed, and the information presented to the community, including our elected representatives at all levels of government. Only after such fully transparent engagement between DCP and the community, should DCP come forward with any plan for SoHo & NoHo.

Even the 2010 census data showed that residents of SoHo tend to be older. The study of the local residents should include the number of senior citizen residents, their needs, and the impact of the proposed zoning changes.

DSOW, Page 6: … The neighborhood is characterized by high home-ownership rates: roughly 40 percent of the area's housing units are owner-occupied, nearly twice as high as the Manhattan average.

- ***BRC Response***: DCP fails to clarify the status of the roughly 60% of housing units that are not owner-occupied. DCP needs to study the entirety of the districts to quantify occupancies.

  DCP also should study how many owners, particularly artists in JLWQA cooperatives, are like small farmers...land rich but money poor. Many thus have wealth on paper, but can only realize it if they sell and leave the community. Isn't this displacement?

HISTORIC DISTRICTS (Page 8)

- ***BRC Response*:** See above per protections for the Landmarked districts.

  See: **SoHo/NoHo Upzoning Overkill**, from one Envision Advisory Group member representing the New York Landmarks Conservancy:

  > The City says the massive upzoning proposed for the SoHo and NoHo historic districts is based on recommendations by the SoHo/NoHo study group … Even people who wanted some changes think this is overkill. Or, as more than one now puts it, "a betrayal."
  >
  > For all the City's talk of "contextual zoning," much of the 56 block area would see a near doubling of the allowable size of new development.
  >
  > This is not a threat confined to SoHo and Noho. If this passes, massive upzoning proposals for historic districts across the City would follow.

NEIGHBORHOOD CONTEXT (Page 9)

Broadway Corridor

DSOW, Page 9: … Buildings along Broadway, between Crosby and Mercer Street in SoHo, and along the adjacent Lafayette Street in NoHo, are generally taller and bulkier than those in the neighborhood cores: between six and 12 stories tall with FARs often exceeding 10.0.

- ***BRC Response:*** The generalities presented by DCP mis-state the actual built conditions along Broadway in SoHo. Per NYC pluto data, 56% of Broadway buildings are 5-floors or less. DCP fails to quantify the number of buildings along the Broadway corridor with FAR exceeding 10, but NYC pluto data indicates that buildings of that bulk (10.0 FAR or greater) comprise less than 12% of buildings on both sides of Broadway in SoHo.

DSOW, Page 9: DCP claims that Broadway "has the lowest concentration of residential uses in the Project Area … "

- ***BRC Response:*** DCP mischaracterizes the facts about residential occupancy along Broadway. NYC pluto data indicates that Broadway through SoHo & NoHo includes more residential uses by unit per sub-district than all but one of the other individual sub-districts; only the SoHo Historic District Preservation areas (on the blocks to the east and west of Broadway blocks) contain more residential units than the stretch of Broadway blocks. Broadway includes approximately 16% of all residential units in the Project Area, more than are found in the NoHo Historic core area, more than in NoHo North area, more than in the Canal Corridor area and more than in each of the Housing Opportunity Areas at the edges of SoHo & NoHo.

  Broadway is more heavily populated when compared to various parts of the Project Area, yet DCP (once again) minimizes the existence of residents on and around Broadway, thereby making faulty assumptions about the extent of impacts from conflicting uses (retail, etc.).

  DCP must study the Broadway corridor with more specificity.

  Of particular concern is in the delivery systems that will be required to support retail that is larger than 10,000 sq feet. The few stores that already have this square footage are unable to have goods delivered without impacting the adjacent mixed-use community. Broadway is already a nightmare with constant confrontations between these entities.

QUESTION: What loading & delivery requirements are proposed for serving the hugely expanded retail that is proposed, and how will those regulations be enforced?

QUESTION: What consideration is being given for the lack of required off-street loading berths, a requirement of the zoning that has been waived too often by DCP and DOB?

QUESTION: In addition to big box stores, large retail uses include a new business model: oversized and impactful interactive entertainment venues that seek liquor licenses and late-night closings. What is being considered to minimize conflicts between these massively impactful businesses and residential neighbors living next door and above, whose quality of life is always the last consideration?

D. EXISTING ZONING (Pages 10 – 13)

- ***BRC Response:*** The Manufacturing zoning found throughout SoHo and NoHo is the underlying framework that allowed for the artistic blossoming of these neighborhoods. And the M District creative allowances within the buildings - for materials, space, sound and more - are among the reasons that the arts flourished here. The goal, now and looking forward, should be to EVOLVE the zoning, to nurture creativity into the future.

E. PURPOSE AND NEED FOR THE PROPOSED ACTION (Pages 13 – 16)

REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

- ***BRC Response:*** DCP fails to provide any accurate data on the residential population of SoHo and NoHo, particularly along the Broadway Corridor. Although the DSOW refers to an "established residential population" (p. 13), residents on the upper floors of Broadway in SoHo are continually minimized throughout the document.

  DCP fails to provide an accurate analysis of the affected population and their myriad occupations.

  DCP fails to provide accurate data on the number of working artists, certified or not, in SoHo. Basing this on the number of applications for artist certification in 2019 and 2020 is unacceptable:

  1. Many of the artists who still live and work here were certified decades ago.
  2. Over the years, the Artist in Residence restriction was inconsistently applied. As a result, some artists have foregone the onerous application process as unnecessary.

QUESTION: When and how will DCP provide accurate data on the number of working artists, certified or otherwise, living and working in SoHo?

QUESTION: How many people live in rent stabilized units within the Study Area? Without a proper analysis of the population, the various creative occupations of the residents and of the potential for displacement of tenants, including those in rent stabilized units, the plan is fundamentally flawed.

- ***BRC Response:*** DCP fails to respect what it characterizes as the "unique historic character and cultural legacy" of SoHo by its proposal to lift reasonable zoning limitations on oversized retail operations and eating & drinking establishments.

  The removal of these existing controls, put in place to manage conflicting uses, runs the risk of transforming the Broadway corridor north of Canal Street into another late-night district, akin to the Meatpacking District (where, unlike SoHo & NoHo, there are few residents). The as-of-right retail zoning as proposed in the DSOW will dramatically increase noise, crowding and sanitation problems. And no solutions are offered.

  The DCP treats this corridor as a purely commercial strip, completely ghosting the hundreds of residents who live in lofts above the ground floor, having established occupancy here well before the retailers arrived. Thanks in particular to the oversized

retail that, quite illegally, rooted itself on Broadway, these residents have long suffered from excessive noise, air and light pollution, impassable sidewalks and overcrowded subways. The proposed changes to the zoning will only make these well-known problems exponentially worse.

QUESTION: How will DCP protect and enhance the quality of life for residents along Broadway?

QUESTION: Accepting that regulatory burdens fall disproportionately on smaller businesses and property owners in getting permits for ground floor retail, wouldn't the problem be largely solved by allowing retail on the ground floors, basements and cellars so long as it was under 10,000 square feet, and also maintaining the 5,000 square foot limit on eating or drinking establishments?

DCP should conduct a comparative study, looking at the impacts on residential quality of life under separate scenarios, keeping in mind that the DSOW Plan would allow large clubs and interactive entertainment venues, which operate into the wee hours of the morning, plus an increase in retail loading and unloading at night.

BRC believes it is entirely poor "planning" to use data on closed/vacant retail stores gathered in July 2020; this area was heavily damaged by looters and subsequent outlying robberies as an indicator of "vacancies". Many retailers were told by their insurers to board up.

The DSOW fails to include any information regarding the looting that took place for days on end throughout the Study Area, and thereby fails to accurately assess the impacts of those events, and ignores the failure of the current City administration to protect the local businesses and population.

QUESTION: DCP will allow and encourage transitioning away from JLWQA to more "standard" residential uses. How will that result in the preservation and creation of affordable studio space and other broadly accessible creative spaces, as is claimed?

- DCP should identify existing creative spaces, including JLWQA studios, and analyze how many will remain after 10 years into the rezoning.

INTRODUCE RESIDENTIAL USE AND PROMOTE EQUITY IN HOUSING SUPPORT ARTS AND CULTURE

- ***BRC Response:*** DCP fails to provide a proper analysis of the economic forces and stresses that will accompany the proposed changes in uses for residential development and conversion, retail expansion and assorted other changes contemplated in the DSOW.

DCP fails to provide any analysis of the costs related to new construction within the Study Area, where it is well-known that soil conditions leave the invaluable 19th century historic buildings extremely vulnerable to damage when foundation work on new construction is performed. See:

- 27 East 4th Street
- 433 Broadway
- 72 Grand Street
- NYU construction sites and rehabilitation projects in NoHo

The DSOW is based on a hastily written and ill-conceived notion, that will only provide for *the possibility* of affordable housing. The stated goal is to achieve diversity in the residential population and increase housing availability. It is being launched in the midst of a devastating pandemic when all data about housing, retail and office space, transportation, air quality etc. is inherently skewed.

The Scope fails to meet the stated goal of diversifying the neighborhoods. What is needed is real affordable housing that will house those in need, rather than the mere "possibility" of some small quotient of a development scheme. What is not needed is a huge injection of 70% to 80% luxury condos, the construction of which will do little to diversify the neighborhoods. In fact, the net result would be a statistically less diverse neighborhood. Also not needed: any housing program that includes a loophole allowing developers to pay into a fund instead of building affordable units within the neighborhoods. There is little equity in such a plan.

DCP should analyze, study and present various incentives to make such conversions more attractive to developers. Creative vision is what NYC needs and deserves.

Further, as is laid out in the Community Alternative Zoning Plan for SoHo and NoHo: the city should expand diversity through deeper and broader commitments than currently cited in the DSOW:

- A higher percentage of residential developments reserved for affordable housing than the 20%-30% square footage currently proposed.
- Lower income levels for the required affordable housing than the up to 130% AMI currently proposed.
- Subsidies should be provided to ensure the development of affordable housing, instead of office space.

JLWQA (see also Section E, above and additional under Section F):

Residential occupants in numerous buildings throughout the Study Area do not abide by the artist-in-resident requirement, leaving those occupants and their buildings in legal limbo. The Mayor's current proposal, as hinted at in the DSOW, would allow these buildings to convert to more common residential use, but the costs associated with such conversions are not known, and are not addressed in the DSOW.

Conversions from Manufacturing Use to Residential Use under the Mayor's MIH program require payments into a fund for "affordable" housing initiatives. The payment rate is over $1,000 per square-foot. For a lofts building of a certain size, the cost to convert would be in the million dollars.

- ***BRC Response:*** DCP should quantify all the changes in material allowances that would be put in place if the zoning foundation is changed from current M to proposed R framework.

  DCP should also quantify all the existing protections that will be rolled over into proposed changes that are only hinted at in the DSOW.

FACILITATE SUPERIOR URBAN DESIGN AND APPROPRIATE BUILDING FORM

- ***BRC Response:*** The document is very vague on this issue. What does it mean that "the Proposed Actions would establish bulk regulations that more appropriately respond to the neighborhood context, provide flexibility to minimize the effects of new developments and enlargements on neighboring buildings and allow the LPC to shape the building form in a manner appropriate to the neighborhood"?

  The LPC has often failed in the past to protect the historic nature of districts, in SoHo, NoHo and elsewhere under its purview. Is the city claiming LPC will do a better job now?

QUESTION: What does "more appropriately" actually mean?

QUESTION: What specific sites would require approval for review by LPC?

QUESTION: What process of approval will developers / architects be required to go through to clear historical context concerns?

QUESTION: Since the ultimate, if sometimes unstated, goal is the dismantling of Landmarks regulations and the breaching of historical districts, what kind of power will LPC actually have over new construction?

QUESTION: Given market forces, the financial demands on developers, and a poor history of enforcing architecturally contextual structures in SoHo and NoHo, how will the city keep to this lofty (no pun intended) sounding mission statement about historical context and aesthetics?

QUESTION: Given that the historic 19th-Century cast iron buildings next to development sites risk having their foundations undermined by excavation and construction (as has happened in the past in Soho), what will be done to assure the preservation of the structural integrity of landmarked buildings throughout the historic districts?

QUESTION: What are height limits, specific to each subdistrict, that will be included in the proposed zoning?

QUESTION: What are any variances that would be allowed to exceed any such height limitations that will be included in the proposed zoning?

F. DESCRIPTION OF THE PROPOSED ACTIONS (Pages 16 – 19)

- ***BRC Response***: As described in the DID Alternative Plan, we support appropriately scaled as-of-right retail without opening the floodgates to Big Box chains and oversized eating or drinking establishments. Neighborhood residents do not object to a reasonable loosening of ground floor retail regulations to allow retail uses which are compatible in size and character for the neighborhood. But an allowance for destination retail in excess of 10,000 square feet of selling space will only result in the dramatic proliferation of large chain stores, interactive entertainment venues, and eating or drinking establishments that have already been shown to create conflicts in these mixed-use neighborhoods, and will likely have an even larger negative impact upon quality of life if those uses are expanded as-of-right.

  We urge the city to protect and support small businesses and the arts community. Without protections, small and arts-related businesses will face increased financial pressures caused by a broad opening of zoning regulations to retail use.

  Such protections could be partially accomplished by:

  - Allowing Use Group 6 Retail up to 10,000 sq ft, and no larger, as-of-right. It would be preferable if basement or cellar retail uses were included in the calculation (excepting storage),
  - Allowing eating or drinking establishments up to 5,000 sq ft, and no larger, as-of-right, inclusive of below ground eating or drinking uses,
  - Providing protections for arts-related and creative-industry ground floor spaces,
  - Formulating new and creative actions which help and encourage existing and new small independent businesses, while discouraging the proliferation of chain stores, as other cities have done.

QUESTION: Please take the no action scenario, the alternative plan scenario (which would legalize ground floor retail but keep the current size limits) and the proposed action scenario and determine how many special permits would be anticipated under each within the next 10 years.

ZONING MAP AMENDMENT

1. The proposed Zoning Map Amendment that establishes the Special SoHo NoHo Mixed Use District proposes eight new zoning sub-districts with proposed as-of-right use, and bulk regulations that allow for major increases in floor area ratios far in excess of current building bulk and form.

   The proposed Zoning Map Amendment increases in FAR are without regard to the unique historical development patterns in SoHo and NoHo and would create massive, out-of-scale developments throughout the districts. One example is the projected development at 558 Broadway, where DCP identifies for the future the construction of a 200’ tall tower due to the granting of over 50,000 SF of new allowable bulk. Data indicates over a dozen other locations along Broadway with similar additions of new

bulk, which could result in a succession of towers all along Broadway from Canal Street north, despite the DCP's November 9, 2020 FAQ that erroneously states the "new rules will not allow tall towers and skyscrapers."

QUESTION: How does the DCP define "tall towers" and what height limitations will be included in the proposed zoning?

PROPOSED ZONING DISTRICTS

1. Instead of simplifying regulations and procedures, DCP proposes five new zones, eight new subdistricts and, in several cases, boundaries for the subdistricts that bisect streets.
2. In the data in Appendix A, there are two lots with M1-6/R10A zoning—a district that is not discussed or mapped in the Draft Scope.
3. To "achieve the right balance among uses," the EIS study should investigate/document impact commercial overlays to limit the possibility of expanded new office construction and to ensure that local retail uses are incorporated in the plan.

PROPOSED SPECIAL SOHO/NOHO MIXED USE DISTRICT (SNMD)

ZONING TEXT AMENDMENTS (Page 17)

- ***BRC Response:*** The DSOW includes assertions that are so broad and vague as to be practically meaningless. Definitions and clarifications are needed so that everyone can fully understand what is being put forward.
  - Define "modify the typical regulation"
  - Clarify any additional "requirements" and "parameters" that will be established

1. CB2 is vehemently opposed to any proposed Zoning Text Amendment that allows-- with no public review process-- retail uses over 10,000sf (including cellar space) and eating & drinking establishments over 5,000sf.
2. Calculation of FAR in retail establishments should include basement/cellar space.
3. An upzoning of residential FAR need not be a requirement of Mandatory Inclusionary Housing (p. 17). The Scope should include the study of the potential of adaptive reuse as an alternative to increasing FAR.

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

General Use Regulations

1. The Draft Scope states on p. 17: "Within the SNMD, the proposed M1-5/R7X, M1-5/R9X, and M1-6/R10 districts' use regulations would apply, with modifications." The subsequent table, as well as the proposed zoning map, show these three proposed zonings as well.

2. The two lots in Appendix A with M1-6/R10A zoning are 358 Bowery (DSOW ID 13 and already in development as an office building) and 350-352 Bowery (DSOW ID 1).
3. The R10A offers bonuses for contextual development and community facilities. Would this be in conflict with the Mandatory Inclusionary Housing provisions of the proposal or would it be additional floor area bonus uses to create even larger buildings? Are these two lots on a corner of Bowery or within 100 feet of a corner, in which case they can be even taller? This should be clarified.
4. Allowing "UG 10 retail uses such as department stores over 10,000zsf" as-of-right flies in the face of Envision SoHo NoHo, which specifically recommended maintaining the 10,000zsf cap (Envision SoHo NoHo, 3.1).
5. As-of-right Use Group 10 is also inconsistent with the second goal of the report, to "foster the small business community" as noted on p. 6 of the Draft Scope. Existing and new small businesses will need additional protections.
6. If Use Group 10 retail uses are to be permitted as-of-right, where are the provisions for the protection of residents, such as enforcement of the loading berths requirement and restriction of delivery hours?
7. SNMD should provide protection for arts-related and creative-industry ground floor spaces, such as showrooms and galleries, which would face increased financial pressures caused by loosening the zoning regulations to retail uses and would have a negative effect on neighborhood context.

Joint Live-Work Quarters for Artists (page 18)

QUESTIONS:

1. What is "the mechanism" by which the city will facilitate the "voluntary transition" from Use Group 17D (JLWQA) to Use Group 2 (residential? Would it be applied only to complete buildings, or unit by unit? If the latter, what would be the impact on JLWQA neighbors in the building? Would you allow residential uses under JLWQA uses in the same building?
2. What are the tax implications/burdens for such conversions?
3. What are the cost implications/burdens on the occupants or owners related to such conversions?

Non-Residential Floor Area Retention, Page 18:

- ***BRC Response:*** The DSOW is contradictory in regard to required retention of office space throughout the Study Area, and this must be clarified.

  DCP states that office space must be retained and that "a restrictive declaration would be required to be executed and recorded, requiring the amount of pre-existing non-residential floor area in the existing building to be maintained on the zoning lot." Yet at the same time the DSOW includes on its list of Projected properties three properties

where that requirement is not adhered to (See: Appendix A). Those three Projected sites are noted as 30(CV), 31(CV) and 32(CV).

Rather than retaining office space, in those three instances DCP shows full conversion from commercial use to residential use. The contradictions found in the DSOW must be rectified.

Floor Area and Bulk Regulations, Page 18:

DSOW, Page 18, states the following:

The SNMD would adjust the floor area and bulk regulations of the proposed paired districts to ensure a desirable mix of these uses and facilitate appropriate building forms. The modified floor area for each subdistrict is shown in **Table 1**. To reflect Broadway and the northern portion of NoHo's status as major commercial corridors, and employment hubs, and its concentration of larger loft buildings, commercial and manufacturing FAR would be 6.0 and full lot coverage would be allowed up to two stories. In the Broadway-Houston Corridor, NoHo North, Canal Corridor, SoHo/NoHo Cores subdistricts, characterized by five historic districts with varied built form, special subdistrict provisions would supplement the typical M1-5/R7X and M1-5/R9X bulk regulations to support loft-like building forms that reflect and respect the unique existing and historic character of these areas. In the SoHo West, SoHo East and NoHo Bowery Subdistricts where areas are framed by wide streets and generally located outside of historic districts, special subdistrict regulations would modify the bulk regulations of the typical M1-6/R10 district to allow sufficient flexibility to achieve the development and housing goals while responding to neighborhood context within and around the Project Area.

In addition, the SNMD would provide design flexibility to minimize the effects of new developments and enlargements on neighboring buildings, support harmonious relationship with existing context, and facilitate a desirable pedestrian environment.

- ***BRC Response:*** This entire section, covering *Floor Area and Bulk Regulations,* is overly-general and vague; what is proposed requires a thorough and intelligible explanation.

  Definitions and clarifications are needed for the following general and vague terms used by DCP:
  - Define: "desirable"
  - Define: "appropriate"
  - Define: "supplement"
  - Define: "respect"
  - Define: "unique"
  - Define: "sufficient flexibility"
  - Define: "harmonious"

INSUFFICIENCIES in the DSOW regarding Floor Area and Bulk Regulations are outlined below; ALL require additional research and information**:**

1. The DSOW fails to substantiate or provide details for the stated presumption regarding size and location of "larger loft buildings."
2. The DSOW is silent in regard to residential and Living-Work occupancies along Broadway, Lafayette Street and in the Northern portion of NoHo.
3. The DSOW fails to include any information regarding the specific mix of uses along and around "wide" streets, such as Broadway, Lafayette, etc. and thereby the known conflicts between uses, particularly in regard to impacts on residents, has not been studied, examined or analyzed.

MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM, Page 18:

- ***BRC Response***: MIH has a proven to be failure for the actual production of affordable housing units in NYC. According to a 2020 study by the Manhattan Institute only 2,065 affordable housing units have been built in NYC since the MIH program was enacted four years ago.

  https://media4.manhattan-institute.org/sites/default/files/deblasios-mandatory-inclusionary-housing-program.pdf

WRP REVIEW PROCESS AND DETERMINATION

- ***BRC Response***: Much of the southern portion of SoHo, particularly the area from Canal Street to Broome Street, is in a flood plain. Hurricane Sandy brought the floodwaters up to Wooster Street and halfway up Broome Street. Soil conditions throughout these blocks have resulted in numerous construction complications, including the forced demolition of 72 Grand Street, an historic 5-story loft building that was compromised by excavation on the neighboring lot. More recently studies for possible developments revealed conditions not conducive to construction. Within the SW SoHo Housing Opportunity Area a 19th Century church, St. Alphonsus, was forced to be demolished due to sinkage, caused by unstable soils below. See the MTA Canal Street Station Study (November 2017), which notes this for soil conditions in the SW SoHo area:

  > … While levels were dry down to two foot two inches below grade, the same strata became wet from that point and continuing down to 10 feet below grade. From 10 to 12 feet below grade a layer of loose moist sand with clayey silt was encountered, and beneath this to 17 feet below grade was a wet loose stratum with sand and clayey silt (Ibid.). A relatively thin layer of moist peat and silt was encountered between 20 and 22 feet below grade, and beneath this was alternating layers of wet sand, some layers with silt and some with traces of shell fragments, to a final depth of 60 feet below grade where decomposing bedrock was encountered ...
  >
  > See: *Phase I Cultural Resources Study, Proposed Canal Street Substation*, New York, NY (2017);
  >
  > http://s-media.nyc.gov/agencies/lpc/arch_reports/1798.pdf

QUESTION: What mitigation for new construction has the city planned in order to deal with local flooding problems?

G. ANALYSIS FRAMEWORK (Pages 19 – 25)

REASONABLE WORST CASE DEVELOPMENT SCENARIO

- ***BRC Response:*** A recent report published by Pratt Center for Community Development titled, Flawed Finding I and Flawed Finding II examines how the methodologies in the CEQR Technical Manual fail to calculate the scale and extent of residential and business displacement risk. The RWCDS was based on such methodologies. The socio-economic impacts are limited under the CEQR process and do not fully account for the displacement of businesses and existing residents that form the core part of a community's identity. The study reveals that the elements of the methodology is based on a series of unjustified assumptions that lead to minimizing vulnerability and therefore, a finding of "no significant adverse impact" to the existing community.

  The plan underestimates the impact of upzoning to districts R7X and R9X because it excludes from the projected Development site any site other than vacant lots even though the plan changes zoning for over 800 lots within the 56-block area, 85% which is in Historic Districts.

  The plan fails to consider The NYC Landmarks Law which mandates protections as "a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people." It further states that historic preservation is an essential civic service "for the education, pleasure and welfare of the people of New York City". The DSOW fails to consider how the integrity of the Historic District would be undermined by the creation of various zones of development within the 56 block Study Area.

  The DSOW fails to note that the proposals do not guarantee a single unit of affordable housing. Under the proposal for Mandatory Inclusionary Housing within the Study Area, any residential development will be market driven, dependent upon the demand for market rate housing. There are greater incentives for office and dormitory use. The pre-Covid glut of both luxury condos and rentals, especially in lower Manhattan, will dissuade construction of new housing.

  Further, as noted in the DSOW, developers can apply for waivers to reduce or modify MIH requirements, including the allowable provision whereby "affordable" units will be allowed to be built elsewhere, outside the Study Area, all related to payments into an unspecified "Affordable Housing Fund." Any allowance of that sort is in direct contradiction of the stated purpose set forward by DCP: Greater inclusivity and diversity within the Study Area by the development of affordable housing units within SoHo and NoHo.

  The RWCDS fails to acknowledge that this proposal is being drafted during a Pandemic when all the norms for life, work, and commerce have been upended. It is not possible to make accurate assessments or collect reliable data at this time.

This DSOW, which purports to plan for the next ten years, cannot analyze what might be needed without first studying and analyzing the consequences of the pandemic on all facets of work and life in the City. In fact, there may be new opportunities for affordable housing and development through adaptive reuse if offices, hotels, and other commercial spaces are languishing.

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

- ***BRC Response:*** The existing zoning framework could be maintained while allowing for an evolution of the Zoning Resolution. This could be achieved through targeted zoning text changes, which would enable appropriate flexibility that will be responsive to local needs and the changing city.

  "One of urban planning's key paradoxes is that it relies on static regulations to influence dynamic processes of urban development. Zoning embodies this characterization by codifying rules for a relatively frozen vision of the city"

  (Journal of Planning, Education and Research)

  The scoping document cites restrictions to ground floor use regulations and outdated manufacturing zoning. In actuality, SoHo is a mixed-use neighborhood that has a robust retail and commercial environment, occupying much of the ground floor spaces of buildings throughout the 56-block Study Area.

  The restrictions in place that limit the ground floor commercial use to 10,000 sq. ft for retail and 5,000 sq. ft. for eating or drinking establishments are a benefit to the residential community, and are essential to maintenance of residential quality of life in this unique mixed-use neighborhood of historic cast-iron buildings.

  The community supports the allowance of appropriately scaled as-of-right Retail to support small businesses, and encourage small independent businesses by maintaining these reasonable size restrictions.

  Text changes without up-zoning or general rezoning can allow for:

  - Group 6 Retail up to 10,000 sq ft
  - Eating or drinking establishments of up to 5000 sq ft
  - As-of-right residential development with affordability mandates, at the same 5.0 FAR that is currently allowable for commercial / manufacturing development in SoHo and NoHo
  - Legalization and protection of current residential occupancies. Legalize and maintain existing housing units, preserve Joint Living-Work Quarters For Artists (JLWQA) and expand those to include categories of non-artists
  - Minimizing conversion restrictions to allow new residential development including affordable housing though adaptive reuse of existing buildings
  - Expansion of inclusion and diversity through broader affordability requirements

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

1. The Plan as contemplated in the DSOW fails to guarantee and expand affordable housing.
2. The Plan threatens to displace existing residents. There are currently approximately 1500 rent stabilized units including more than 500 in the R10 housing opportunity subdistricts and more than 400 IMD Loft Law units that have yet to be converted to rent stabilized under current law. The number of land rich but lower income artists owning and occupying JLWQA cooperative units have not been established.
3. There has been no study to date that examines how the rezoning would impact the socioeconomic aspects of the neighborhood and the potential for displacement.
4. There is no financial analysis that explains how the proposed changes would impact the neighborhood.
5. There is no plan to protect residents who are renting and in rent regulated units. This was specifically stated as a major goal in the Envision Soho/Noho Report. Conversion from existing M zoning would remove protections directly related to work created and practiced within JLWQA units established in the M1-5A and M1-5B areas.
6. The combination of the two neighborhoods including landmarked areas would be upzoned by an increase of 20% with increases to as much as two and a half the size of currently allowable development.
7. The Plan does not indicate height caps and how the proposed special district would impact the transfer of development or air rights
8. New development could be up to 2.4 times the size that is currently allowed.
9. DSOW does not explain how R10 zoning would actually create 72% of residential housing when the proposed zoning incentivizes commercial and dormitory uses without mandatory MIH.
10. The Plan’s modification is to retain non-commercial space in spite of the current glut of office space and to prohibit conversion to residential use
11. Plan’s modification of current restrictions to retail space and eating or drinking establishments to Use Group 10 for department stores and use group 6 for eating or drinking establishments prioritizes big box retail at the detriment of small businesses which have been the mainstay of commerce in the area and a central part of the identity and financial vitality of the district. Those small businesses include unincorporated (Schedule C) artists, whose livelihood could well be impacted.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

PROJECTED AND POTENTIAL DEVELOPMENT SITES

- ***BRC Response:*** Most of the data provided by DCP for the Projected and Potential Development Sites is said to be found in Appendix 1, Tables 1, 2 and 3 - all of which is illegible, and therefore functionally nonexistent. Because the DSOW references the data presented in Appendix 1, the usefulness of Figure 5 "Projected and Potential Development Sites" is severely limited.

  This is a major, disastrous, failure of the DSOW.

  It is vital that before the scoping is finalized, a proper, legible presentation of the data said to be in Appendix 1 be made easily available to the public.

Projected Development Sites

Potential Development Sites

- ***BRC Response:*** The DSOW fails to adequately assess the full impact of either Projected or Potential Development Sites on the existing neighborhoods. By limiting the scope to just 27 locations (approximately 3% of all the lots within the neighborhoods), what is presented is insufficient to address the myriad of issues that were raised during the Envision process, and which have been identified there and elsewhere. The Scope of Work, along with the extent of study, research and analysis, must be broadened.

  For example, the DSOW fails to sufficiently consider the repercussions of the proposed added FAR allowances, such as Potential Site PP (558 Broadway). That location in the heart of SoHo is identified as a likely future site for development with affordable housing. That is made possible through the implementation of new MIH FAR = 9.7, which grants that property over 54,000 SF of development rights, a gift of value worth millions of dollars. DCP labels that new building as rising to 200 feet.

  Nearly two dozen other properties on and around Broadway in SoHo and NoHo are to be granted similar new buildable square footage. Therefore it is likely that those locations all along Broadway could be built out to the same height as 558 Broadway: 200 feet. DCP claims there will be no “tall towers” yet DCP has created the formula that enables out-of-context structures to be built all along Broadway and nearby.

  SHADOW STUDIES are needed for any tax lot where the FAR amount granted results in the addition of 30,000 SF or more. See TASK 6.

  While DCP states that there will be a study of noise impacts from development, effects on "historic resources" (which the DSOW fails to define) and hazardous materials for each potential site, the DSOQ fails to discuss the impacts of the uses of those sites once they are built out and operating.

  For example, DCP seeks to expand the number of big box stores on Broadway, but the full impact of such operations in a mixed-use neighborhood, surrounded by thousands of residents, must also be studied. There was a reason the DOT installed pedestrian bulb-outs for Broadway in 2019, and that related to the number of pedestrians on the

sidewalks after several more large-scale stores moved in. The fact that cast iron structures are pervious to noise, and the way noise travels in SoHo/NoHo, must be studied and factored in as well.

DEVELOPMENT SCENARIO PARAMETERS

Dwelling Unit Factor

QUESTION: Does establishing a size of 850sf per unit support the stated goal of the Neighborhood Plan to "accommodate and expand live-work uses and supporting creative, arts and cultural uses"? (DSOW, Page 2)

Floor-to-Floor Height

- ***BRC Response:*** One notable design feature of the 19th century buildings found throughout SoHo and NoHo are the changing spatial distances from floor-to-floor, aka the varying ceiling heights, which are often seen to diminish in height as the building rises, creating a visual and spatial rhythm. Uniform ceiling heights are contrary to this key aspect of the historic buildings within the landmarked districts that make up the Study Area.

QUESTION: What design elements will be included to assure that the building forms are in keeping with the historic built environment?

Conversion Prototypes

1. According to the DCP map, Conversion Prototype 75 Spring Street is in the Historic Core with the lowest FAR change (M1-5/R7X), but in Appendix 1, that property is shown with the calculation for the Broadway Commercial Corridor (M1-5/R9X), which has highly increased FAR. At its existing 9.85 FAR, 75 Spring is either overbuilt by 4 FAR (M1-5/R7X) or by 1.85 FAR (M1-5/R9X). Any claim of affordable housing at that location will have to be subtracted from DCP's affordable housing total.

QUESTION: How will DCP rectify those inconsistencies?

Development within Historic Districts on Projected and Potential Sites

1. All three proposed "representative examples" of prototype conversion are in somewhat close proximity to each other, and on or near to Lafayette Street (154 Grand, 75 Spring, 324 Lafayette), and therefore are not "distributed across the project area."
2. All three properties identified for conversion without non-residential retention are within designated Landmark Districts.

QUESTION: What is the explanation for the inconsistent application of the non-residential retention provision that the DSOW puts forward as a key aspect of the proposed Plan?

1. Based on NYC pluto data and the new increases in FAR that is outlined in the DSOW, development within SoHo & NoHo would add an additional 11,000,000 SF of new development rights.
2. Given the huge FAR increases proposed for SoHo & NoHo by DCP, transparency is needed regarding any conversations or discussions that any property-owning entities (or their representatives) have had with the City about the value of air rights for individual properties and across the neighborhoods.

QUESTION: Why does the DSOW fail to address the issue of Transferable Development Rights (TDR) aka Air Rights?

See: *Transferable Development Rights (TDR) aka Air Rights Transfers per NYC Zoning Resolution*

https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/transferable-development-rights/research.pdf

Also See: *The NY City Planning Commission discussion of TDR*

CPC Review Session, 11/16/2020 (Cort Theater)

Comments from Commissioner Levin (cued to start at 02:10:35):

"In effect what we're doing is printing money to allow this expansion to occur"

"We need to be clear what we're doing … it's fine we're doing it, but we need to be doing it carefully."

Link: https://www.youtube.com/watch?v=5qvtxTNsuYQ&t=02h10m35s

H. PROPOSED DRAFT SCOPE OF WORK FOR THE EIS (Pages 25 – 51)

TASK 1: PROJECT DESCRIPTION (Page 26)

- **BRC Response**: This task should describe "the background and/or history of the project" and detail "key planning considerations that have shaped the current proposal." The tasks for study in the DEIS should include the recommended study items from "Envision SoHo/NoHo: A Summary of Findings & Recommendations."

TASK 2: LAND USE, ZONING AND PUBLIC POLICY (Pages 26 - 27)

- **BRC Response**:
  1. **A detailed economic analysis** should be conducted on all areas and properties that may be afforded additional development rights through increased FAR to properly calculate the value of the economic development conferred and the impacts of transferable development rights.
  2. Study the potential impacts of the Proposed Actions on land use, zoning, and public policy, but beware the methodologies presented in the CEQR Technical Manual. The Municipal Art Society of New York's recently released the report, *A Tale of Two Rezonings: Taking a Harder Look at CEQR*, exposes the shortcomings of the

existing environmental review process through the lens of two recent rezonings in Long Island City (2001) and Downtown Brooklyn (2004).

3. Study the feasibility of the purchase of distressed buildings by the City (by eminent domain, etc.)
4. Include the survey of land uses that DCP conducted, which is mentioned on p.5 of the Draft Scope but is not included.

TASK 3: SOCIOECONOMIC CONDITIONS (Pages 27 - 30)

DIRECT BUSINESS DISPLACEMENT

QUESTION: How will DCP assure that the market forces that will be unleashed under the proposed Plan do not drive the design and creative businesses out of the neighborhood?

INDIRECT RESIDENTIAL DISPLACEMENT

QUESTION: How can DCP claim that there will be no direct residential displacement, when the atmosphere that is being created by the introduction of increased FAR and grants of value is known to be destabilizing? There are over 500 residential units in and around the Housing Opportunity Areas, and hundreds more within other sub-districts which have been granted increased FAR to encourage development. The potential impacts from the proposed Plan on residents is woefully negligent. Many of the current residential population in both SoHo and NoHo are elders, now aging in place. There are no provisions described or outlined in the DSOW that considers the future for these residents.

INDIRECT BUSINESS DISPLACEMENT

QUESTION: How will DCP assure that the allowance of unrestricted retail, in both size and placement, does not drive out the small businesses that the DSOW states need to be nurtured and protected?

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

QUESTION: How will DCP assure that creative showrooms, a current conforming use, are not driven out by opening the flood gates to as-of-right retail throughout the Study Area?

- ***BRC Response***: **Non-Residential / Office Retention Requirement** (DSOW Page 18)

  DSOW over-emphasizes the need for increased amount of office space in an apparent attempt to transform SoHo/NoHo into a Central Business District.

  DCP fails to give accurate data about the need for such an increase in office space. We are in transformative time, in the middle of a 100-year pandemic; all normal patterns of work, transportation, shopping and office work have been disrupted. Data gleaned during this extraordinary period can only be faulty and nonrepresentative.

Reliance on such data, for the purpose of projecting 10-year+ into the future, is likely to lead to unimaginable and irreversible consequences.

The DSOW fails to incorporate and appreciate the myriad elements of the neighborhood, beyond office space, that contribute to the area's economic vitality and contribution to city coffers.

DCP fails to appreciate the impact of this clause which has the potential to increase bulk to the overall detriment of the neighborhoods.

The light and air made available by SoHo/NoHo's low-rise buildings give a charm to the SoHo/NoHo district that tourists, shoppers, office workers and residents are drawn to and enjoy.

The addition of excessive new bulk within any of the Historic District areas risks destroying the unique character of the neighborhoods, which is a primary attraction for tourists, shoppers, office workers and residents alike, not to mention the film industry, which would lose its SoHo/NoHo backdrop. To put it into bankable terms: The changes proposed will RUIN the BRAND known around the world.

It is critical to make a financial assessment of these unique aspects of SoHo and NoHo, examining them as core economic assets of the Study Area.

QUESTION: How will DCP assure that the unique aspects of SoHo & NoHo are fully protected, and that the neighborhoods are not allowed to be built-out, or filled in, or built atop of, or any other such results that will eliminate the very essence that makes these neighborhoods enticing, attractive, ?

Joint Live-Work Quarters for Artists

- ***BRC Response***: DCP fails to provide sufficient protection for the 1500 rent stabilized tenants in the study area. By proposing a simple shift from JLWQA to as-of-right Office Use on upper floors, these tenants would be potentially threatened with the loss of their live/work spaces. This includes more than 500 in the R10 "housing opportunity" subdistricts, and more than 400 IMD Loft Law units that have not yet been converted to rent stabilized status under current law.

  As the CB2 Land Use Committee rightly points out in its response to the DSOW, the City's assumption that there will not be direct displacement of more than 500 residents, and its claim that the SoHo/NoHo rezoning "would not typically be expected to alter the socioeconomic characteristics of a neighborhood" (p.27) is highly questionable.

  DCP should study the effect on JLWQA residents who might be displaced during the transition from UG17D JLWQA to UG2.

  Improved protections for residents of rent regulated units are needed to ensure that these residents can remain living in SoHo/NoHo, and to protect the existing stock of rent regulated units in the neighborhood. In fact, preserving existing affordable units was expressed by many as a priority before seeking new ways of providing additional affordable housing in the neighborhoods.

Another example of the DSOW's failure to create real affordable housing: IMD units are only eligible for limited rent increases during the legalization process. They may then become market-rate (through buy-out or abandonment proceedings) or be converted back to commercial uses (e.g. office) upon vacancy under certain circumstances, which further erodes the available stock of affordable housing units.

Artist live-work quarters, residential lofts, traditional offices, tech and media startups, maker-retailers, interior design and furniture showrooms and stores, boutiques and mass market retailers alike, coexist in the iconic and versatile loft buildings of SoHo and NoHo.

To ensure a proper balance of uses that promote Economic Vitality, the workforce nature and profile of the Broadway Corridor should continue to be considered as critical to the economic development of SoHo/NoHo.

For example, IMD units are only eligible for limited rent increases during the legalization process but may become market-rate (through buy-out or abandonment proceedings) or be converted back to commercial uses (e.g. office) upon vacancy under certain circumstances, which erodes the available stock of affordable housing. Tenant harassment has been reported.

TASK 4: COMMUNITY FACILITIES AND SERVICES (Pages 30 - 32)

Public Schools, Libraries, etc.

- ***BRC Response****:* The City Environmental Quality Review (CEQR) process for funding, siting and building of new public schools, is **flawed**.

  Most development projects do not trigger an analysis of their impact on school seats and, even when they do, the CEQR Technical Manual and EIS guidelines do not accurately estimate the need for new public seats.

  There are currently NO New York City public elementary schools located in SoHo. The DSOW projects an increase in residential population and an uncalculated increase in the number of elementary school children.

  As a result of Covid-19, public schools were closed after March 13, 2020 through the end of the 2019-20 school year; opened nearly a month late in Fall 2020 and then closed after just seven weeks, creating a crisis in providing education to all students, but particularly students with disabilities, English Language Learners and students living in temporary housing.

  QUESTION: How can DCP accurately quantify current utilization; assess the need for more school facilities for social distancing; or forecast demand for public school seats until schools fully and safely reopen, not to mention the need to address the increase in population?

Libraries and Childcare Centers

- ***BRC Response:*** Population increases by 41%, as are contemplated in the DSOW (Table 2, p. 22), require that the impact of such an increase on libraries and childcare centers be studied.

QUESTION: Unforeseen circumstances: How accurate are CEQR projections?

"We don't then go back and try and figure out whether precisely what we had projected actually comes to be in 10 years, or 15 years, or five years," said Susan Amron, the general counsel at the Department of City Planning (DCP). "In fact, there are always unforeseen circumstances, unforeseen influences that can affect the projections of the future."

"The environmental review for Downtown Brooklyn's 2004 rezoning projected that 979 new apartments would be built by 2013; but as in Long Island City, the growth has far outpaced projections. Some 3,000 apartments were created by 2013, and by 2018, another 5,000 new housing units had been built, according to the Municipal Arts Society's analysis. Similarly to Long Island City, 446 new students were expected to enter Brooklyn Community School District 13, but nearly 4,400 new students ultimately flocked to the neighborhood."

Link: https://ny.curbed.com/2019/5/8/18535693/nyc-neighborhood-rezonings-ceqr-environmental-review-city-council

- ***BRC Response:***

  - DCP should require **a school impact study**, using local data as required under the 2014 law, on all new residential construction and conversion, regardless of size.
  - In order to fund new public schools, the City should require developers of all new residential buildings to contribute to a capital fund that would pay for the building of new schools and / or include them in their building projects.

    http://www.nyc.gov/html/mancb2/downloads/pdf/District%20Needs%20FY%2020.pdf

TASK 5: OPEN SPACE (Pages 32 - 33)

- ***BRC Response:*** DSOW fails to provide for adequate open and green space in SoHo and NoHo.

  During Covid 19, demand for and use of open green space has increased demonstrating the importance of parks as essential infrastructure. Yet, as the DSOW rightly states, the projected zoning areas is "underserved" by open space (p.32). This issue was raised in the Envision SoHo / NoHo Report (Jan. 8, 2020) P. 51, 1.1D. While that report suggested ways to increase greenery and community space, it also repeatedly emphasized the lack of available open space in the area.

  In fact, CB 2 has one of lowest open space ratios in NYC at 0.60 acres per 1,000 residents. SoHo and its neighbor Little Italy have only 0.07 acres per 1,000 residents or 3 square feet per person -- about the size of a subway seat! The projected increase in population from 7,800 to 11,011 (an increase of 3,211 residents per Table 2) would render the number of acres per 1,000 to the size of a postage stamp!

  According to New York City's City Environmental Quality Review (CEQR), New York City's optimal open space goal is 2.5 acres of open space per 1,000 residents, including 0.5 acres of passive open space and 2.0 acres of active open space.

An Open Space assessment must be required for SoHo and NoHo. But given the impact that the ongoing pandemic has had on every aspect of SoHo (residential, pedestrian, retail, office, transportation), any assessment or EIS conducted at this time would fail to give even a remotely accurate assessment of the amount of open space needed by these neighborhoods.

Such assessment should also distinguish between passive and active open space, paved vs. green open space, and identify membership-only and traffic island open space. How much open space has activities for children, for seniors.

The city should require developers to include open and green, active and passive space in their projects either directly.

While the suggestion of an option for developers to contribute to an Open Space Fund to be used within CB2 sounds reasonable, the history of such funds shows that the monies sometimes languish in bank accounts, unspent on any projects, for years/indefinitely.

Creating such a fund for the zoning would be a reasonable suggestion if the City were to create a mechanism by which the funds must be spent within a certain period of time. Proper oversight and management would be key.

The rooftop recreational open space that is mandated under the current zoning, and required for buildings with 15 or more JLWQA units, must be maintained.

TASK 6: SHADOWS (Pages 33 - 34)

- ***BRC Response:*** **SHADOW STUDIES** are needed for any tax lot where the FAR amount granted results in the addition of 30,000 SF or more.

  558 Broadway (Potential Site PP) is identified as a likely future site for development of affordable housing, by implementation of new MIH FAR = 9.7, which grants that property over 54,000 SF of development rights. DCP labels that new building as rising to 200 feet.

  Nearly two dozen other properties on and around Broadway in SoHo and NoHo are to be granted similar new buildable square footage. Therefore it is likely that those locations all along Broadway could be built out to the same height as 558 Broadway: 200 feet.

TASK 7: HISTORIC AND CULTURAL RESOURCES (Pages 34 - 35)

- ***BRC Response:*** The SoHo SW Housing Opportunity Area has been identified as "potentially sensitive for historic archaeological resources" as is noted in the 2017 report for a proposed MTA substation at the northeast corner of Canal Street and Sixth Avenue. That report notes:

  > … for the larger 400-foot radius Study Areas there are 28 structures that lie within the State/National Register (S/NR) Soho Historic District, and 18 that lie within the New York City Landmark (NYCL) SoHo-Cast Iron Historic District ... it is recommended that MTA NYCT employ vibration control measures to minimize, as much as possible, the vibration levels in the historic neighborhoods near the construction site. Measures may include developing and implementing a vibration-monitoring program during highly disruptive construction activities, such as pile driving, to ensure that historic structures would not be damaged.

- See: *Phase I Cultural Resources Study, Proposed Canal Street Substation*, New York, NY (2017);

  Link: http://s-media.nyc.gov/agencies/lpc/arch_reports/1798.pdf

TASK 8: URBAN DESIGN AND VISUAL RESOURCES (Pages 35 - 36)

- ***BRC Response:*** WIND CONDITIONS must be studied and analyzed.

The increase in FAR as proposed makes an allowance for new structures rising to the height of 200 feet and higher along the main thoroughfares of SoHo and NoHo, yet the Draft Scope of Work assumes that "an analysis of pedestrian wind conditions is not warranted".

This assumption is not correct. Pedestrian wind conditions are warranted.

The analysis of pedestrian wind conditions should be undertaken.

1. Scientific studies indicate greatly increased maximum wind gusts exist now and projected for the future. These studies give great credence to the need to include how both pedestrians and residents in the study area will be affected by wind conditions.

   As an example of current research pertinent to this rezoning, studies indicate a 37.5% increase in maximum wind gusts for the period 2017-2050.

   > *"New York City is projected to experience higher wind gusts under a warming climate for the period 2017–2050 in comparison with the historical data period of 1973–2017.*
   >
   > *The future maximum wind gusts are expected to reach 110 mph, a significant increase from the recent maximum wind of 80 mph."*

   See: Projections of Wind Gusts for New York City Under a Changing Climate; *The American Society of Mechanical Engineers* (ASME) 09/03/2020;

   Link: Journal of Engineering for Sustainable Buildings and Cities

2. The increase of particulates, pollution concentration fields, and velocity due to the behavior of wind flows negatively affects the pedestrian and residential population and must be addressed as part of the Scope of Work.

   Increased allowable FAR, leading to additional height and density, increases the velocity and pollution concentration fields at ground level.

   The Draft Scope of Work does not take into account the effects of the proposed increase in allowable FAR and height and density on wind velocity as well as pollution concentration fields.

   > *"Taller buildings lead to pollution and particulates remaining locally within the surrounding building area, including "dead-zones" and high-concentration "hotspots" which did not previously exist."*
   >
   > *See:* Science Direct 2017: How tall buildings affect turbulent air flows and dispersion of pollution within a neighborhood.

   Highlights:

   - Effect of tall buildings on velocity as well as pollution concentration fields is clearly seen.
   - Presence of tall buildings leads to pollution remaining locally within the building area.
   - Location and extend of newly-formed concentration hotspots depend on the height of the tall buildings surrounding the “source” building:

     > *"Our results show that the location of a tall building relative to an emission source has a massive effect both at higher levels and at downstream areas."*
     >
     > *See:* Turbulent Flows and Pollution Dispersion around Tall Buildings Using Adaptive Large Eddy Simulation (LES) published July 2020
     >
     > Link: https://www.mdpi.com/2075-5309/10/7/127/htm

3. There is no reference in the Draft Scope of Work regarding the overall significant up zoning of the study area nor does it address the transfer of air rights and how these factors could further exacerbate the negative effects of wind conditions, pollution concentration fields, and pollution flows.

4. Additionally, any studies of pollution levels made during the COVID period or period of adjustment following the COVID Pandemic would be flawed. Inasmuch as the return of a 2-way toll on the Verrazano-Narrows Bridge this month, after more than 30 years, thus impacting through traffic in SoHo and resultant pollution, traffic and congestion, and noise levels, new studies must be made, once the situation normalizes.

TASK 9: NATURAL RESOURCES (Pages 36 - 37)

- ***BRC Response:***

The SoHo SW Housing Opportunity Area has been identified as "potentially sensitive for historic archaeological resources"; see:

Phase I Cultural Resources Study, Proposed Canal Street Substation, New York, NY (2017);

http://s-media.nyc.gov/agencies/lpc/arch_reports/1798.pdf

> … for the larger 400-foot radius Study Areas there are 28 structures that lie within the State/National Register (S/NR) Soho Historic District, and 18 that lie within the New York City Landmark (NYCL) SoHo-Cast Iron Historic District ... it is recommended that MTA NYCT employ vibration control measures to minimize, as much as possible, the vibration levels in the historic neighborhoods near the construction site. Measures may include developing and implementing a vibration-monitoring program during highly disruptive construction activities, such as pile driving, to ensure that historic structures would not be damaged.

TASK 10: HAZARDOUS MATERIALS (Pages 37 - 38)

The DSOW states: "The hazardous materials assessment will determine which, if any, of the Proposed Actions' projected and potential development sites may have been adversely affected by present or historical uses at or adjacent to the sites." The DSOW includes a number of sites that have been identified. However the DSOW does not include one of the sites located within the Housing Opportunity Area, SE SoHo, which is identified in DSOW Table 5 (Projected and Potential Development Sites) as Projected Site 10, five contiguous lots owned by Edison Properties, and where there is now a parking lot.

That location is also identified by NYS Department of Environment Conservation:

Site Name: CE – Hester St. Gasworks
Site Code: V00528
Past Use of the site: The former Manufactured Gas Plant (MGP) constructed in 1824.

The NYC DEC chronicles a long list of "Contaminants of Concern" on the site

See: Remedy Proposed for Voluntary Cleanup Site Contamination

Link: https://www.dec.ny.gov/data/der/factsheet/v00528cupropeng.pdf

See: Environmental Site Remediation Database Search Details

Link: https://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=V00528

- ***BRC Response:***

1. Study the environmental effect of the former Gas Works Plant located on and under the Edison parking lot in SE SoHo.

TASK 11: WATER AND SEWER INFRASTRUCTURE (Pages 38 - 40)

- ***BRC Response:*** Given the known propensity for flooding throughout the southern and western portion of the Study Area, along with the age of below-ground infrastructure, thorough study and analysis must be undertaken so that the public can fully understand what is being proposed, including the potential costs to be born by the taxpayers.

  1. According to New York City's Zoning & Land Use Map, the entire southern boundary of the SNMD going as far east as Greene St. and as far north as Dominick St. is in the floodplain.
  2. Study the effect of flooding and the effect of climate change on wastewater and stormwater infrastructure.
  3. Identify and analyze the proposed actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

TASK 12: SOLID WASTE AND SANITATION SERVICES (Page 39)

- ***BRC Response****:* Ongoing issues regarding trash and refuse collection is well known in the neighborhoods. The proposed transformation of Study Area by the insertion of millions of new buildable square feet, along with far broader allowances for millions of square feet of new high impact retail, warrant study. And it is not just the weight of the waste as indicated in the DSOW, but also the amount of waste produced by fast-fashion and other high-volume establishments - cardboard, plastic, paper, etc. - that must be considered.

  As noted in the Envision Recommendations, studies and analysis are needed to understand how carting of all sorts will be affected by the lack of both off-street loading berths and interior storage, and how that will impact the very limited amount of public space. And study is needed to anticipate conflicts caused by the addition of new structures and bulk, along with the addition of people living, working in and shopping at those buildings.

TASK 13: ENERGY (Page 39)

TASK 14: TRANSPORTATION (Pages 40 - 44)

- ***BRC Response****:* The collection of data and analysis for all aspects of Transportation, as presented in the Draft Scope of Work, will be deficient and inaccurate for the purpose of this major rezoning plan and for long-term planning.

  We are in the midst of a once-in-100-year pandemic. Data collection and analysis will give a faulty and deficient basis for this rezoning due to the abnormal conditions being experienced.

The Director of the U.S. Chamber of Commerce of the Center for Disease Control predicted that normal conditions are not expected until at least the 3rd quarter of 2021. This is similar to the base economic forecast by The Conference Board and others, including financial institutions.

The following sections of the Draft Scope of Work are particularly problematic due to gathering and analysis of data in the midst of a once-in-a-hundred-year pandemic. Determining "whether a proposed action may have a potential significant impact" is not achievable at this time and for the near future.

Offices are closed or minimally occupied with many employees working remotely, restaurants and bars are closed or have greatly reduced operations and customers, retail stores are either closed or have greatly reduced customer operations within their physical stores, schools and universities have reduced in-class learning and/or are doing remote classes, hotels are experiencing distress due to lack of bookings.

In addition there are major economic shifts occurring and anticipated in areas such as telecommuting, retail businesses, and remote education.

This process and rezoning should be delayed and paused in order to obtain and analyze data in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

TRAVEL DEMAND and TRAFFIC:

- ***BRC Response:*** TRAVEL DEMAND and TRAFFIC studies per CEQR guidelines will be grossly undercounting data for analysis due to the current pandemic and abnormal current economic and pandemic circumstances being experienced. Data and analyses that will be deficient include the following:

  1. Data gathering and analyses of peak hour and mode of travel, as well as by person and vehicle trips.
  2. Identifying "the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks".
  3. The Level 2 screening assessment "to validate the intersections and pedestrian/transit elements" for analysis.
  4. Data collection by DOT (the Department of Transportation) which will likely include a mix of Automatic Traffic Recorder machine counts and intersection turning movement counts, along with vehicle classification counts".

Data as Support for Air Quality and Noise Analyses:

- ***BRC Response:*** Data collected at this time and used for air quality and noise quality analyses will be flawed, due to the current extraordinary circumstances.

  The DSOW notes: "Where applicable, available information from recent studies in the vicinity of the study area will be compiled..."

  However, as this data will be used for other parts of the rezoning data collection, the deficiencies in this data collection and analyses will further undermine and be deficient

for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality and noise levels.

1. It is very problematic that recent studies "in the vicinity of the study area" would be used to substantiate a major rezoning. This could mean studies from the East Village, the Lower East Side, the Financial District or other areas which are distinctly different from the SoHo and NoHo areas and have different traffic & pedestrian flows and patterns.
2. Due to the pandemic a major economic shift is evolving. It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

Travel Demand from Development Sites:

- ***BRC Response:*** Regarding travel demand from "projected development sites" as well as "demand from other major developments planned in the vicinity of the study area":

  1. NYU's large development site on Mercer St. and Bleecker St. must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area.
  2. The Draft Scope of Work emphasizes the addition of DWELLING UNITS which would include AFFORDABLE HOUSING and cites Opportunity Zones.

     Yet there is NO GUARANTEE under this rezoning proposal that such housing or dwelling units will be built in the study area, particularly affordable housing.

     The Scope of Work must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.
  3. The DSOW does not address - but must address - impacts on the Study Area being up zoned. The large increases in FAR and allowable height and density over the entire Study Area impacts travel data projections needed to assess the rezoning.

TRANSIT

- ***BRC Response:*** Any analysis on current ridership conditions and peak hour service will be inaccurate due to the current pandemic and economic conditions.

  The Draft Scope anticipates a large percent increase in residents.

  If the "incremental person-trips by bus" would "exceed 50 peak hour trips in one direction on one or more routes" there will be an analysis of local bus conditions.

PEDESTRIANS

- ***BRC Response:*** Pedestrian counts will be inaccurate due to the current pandemic and economic conditions.

1. The "potential for incremental demand" will be inaccurate due to the expectation of a large increase in dwelling units and residents. There is NO GUARANTEE under this rezoning proposal that such dwelling units will be built in the study area.
2. The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.
3. The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density throughout the study area are not taken into account.

TASK 15: AIR QUALITY (Pages 44 - 46)

According to EHPT report, the Study Area (NYC Zip Codes 10013, 10012, 10014) had the worst rates in the city:

- Nitrogen Dioxide (23.6) compared to the city (15.6)
- Fine Particulate matter (9.7) compared to city (6.6)
- Sulfur Dioxide (0.3) compared to the city (0.2)

Link: http://a816-dohbesp.nyc.gov/IndicatorPublic/Report/ServerSideReport.aspx?reportid=77&geotypeid=3&geoentityid=308&boroughid=3

1. Study how proximity of the Holland Tunnel affects air quality and the impact of that for Projected housing developments in the Study Area.
2. Study how the poor air quality will affect the equity position of this location.

TASK 16: GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE (Page 47)

TASK 17: NOISE (Pages 47 - 48)

- ***BRC Response:*** In 2016 - 2017 NYC DOT performed a series of tests to study the noise produced by retail merchandise deliveries in SoHo. For years night time deliveries for retailer UNIQLO at 546 Broadway had been negatively impacting residents in the vicinity along Broadway. During 4th Quarter 2016, DOT Office of Freight Management (OFM) conducted noise tests (audio & video) of delivery equipment outside UNIQLO. Additional tests were conducted 1st Quarter of 2017.

  Similar studies were performed inf 2019 due to disruptions from mega-retail operation Zara at 511 Broadway. Those studies were performed along Mercer Street, opposite 77 Mercer, where late night disturbances were an ongoing issue due to the the massive amount of merchandise that the big fast fashion retailers move through these stores.

  Such studies reveal that noise from trucks, delivery equipment, etc. are an ongoing issue.

It is difficult to imagine now - with more than 300,000 dead and NYC moving again into the 2nd Covid shutdown phase - that any current or upcoming studies regarding noise, trucks, congestion, merchandise or retail will have much use or meaning for the world to come post-COVID. All in flux.

POTENTIAL NOISE IMPACTS DUE TO OUTDOOR MECHANICAL EQUIPMENT MUST BE ANALYZED

The Draft Scope of Work says it is "assumed that outdoor mechanical equipment would be designed to meet applicable regulations and consequently no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed" (DSOW, page 47).

This is a serious omission in the Draft Scope of Work.

The SoHo and NoHo Historic Districts have cast-iron loft architecture buildings different from many other areas, and often with close proximity of rear yards - different than regular residential zoning requirements.

Due to the cast-iron architecture and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, noise impacts must be analyzed.

This analysis is particularly crucial due to the proposed increase in allowable size of bars, restaurants, retail and other uses.

Such proposed increases in size often require increases in size of equipment (HVAC for example).

Due to the characteristics of building lots, rear yards, and the mix of uses including residential &/or artist and creative makers who reside/work in or are in abutting buildings, the proposed enlargement of uses that may require additional outdoor mechanical equipment and noise impacts must be taken into account.

TASK 18: PUBLIC HEALTH (Pages 48 - 49)

The DSOW states: Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and, if so, to identify measures to mitigate such effects.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

- ***BRC Response***: The DSOW offers nothing to assure the public that adverse impacts to the health of residents and others will be properly identified or responsibly addressed. The narrow review of just 27 sites within the 52-acre Study Area, where millions of square feet of new construction is contemplated, is wholly inadequate to assess the health impacts that are likely to result from the implementation of the DCP Plan, or any variation thereof.

  DCP must broaden the Scope of Work to include all reasonably anticipated public health impacts, and provide a reasoned elaboration for any conclusions with respect thereto. Areas to be addressed must include the public health impacts arising from the dispersal of hazardous materials due to demolition, excavation and/or construction. Analysis must include effects sought to be avoided, along with effects that may nonetheless eventuate even with any suggested preventative measures that may be put in place.

  The Scope of Work must also take into consideration the impact of construction throughout the proposed SNMD and the impact of that construction, excavation and/or demolition (including the delivery of construction materials and/or the removal of demolished or excavated materials) on the nearby neighborhoods abutting the Study Area. That should include (but not be limited to) those nearby neighborhoods outside the Study Area that are in proximity to what DCP has identified as the Housing Opportunity Areas and the Broadway / Lafayette Commercial Corridors (Chinatown, Little Italy, East Village, Greenwich Village, South Village, West SoHo, Hudson Square, Tribeca etc.).

TASK 19: NEIGHBORHOOD CHARACTER (Page 49)

1. Study the effect on neighborhood character of building the equivalent of four Empire State Buildings, 12 Woolworth Buildings or 90 NOMO SOHO Hotels (Crosby St. size), if the maximum additional MIH FAR is built across SoHo and NoHo.
2. Study the effect on neighborhood character of the impact of increased FAR inside the historic districts and outside the historic districts, which is different because of the mitigating effect of LPC oversight.
3. Study the impact of proposed actions on the defining features and human scale of the project area.
4. Study the adaptive reuse of existing buildings that preserved neighborhood character and was responsible for the area's renaissance in the 1970's.
5. Study, by coordination with City and State agencies, and complete a comprehensive inventory—by both quantity and type—of all types of affordable housing in the project area.
6. Study how the limits of the three proposed zoning districts will change neighborhood character. NYC Zoning Handbook: RX9 is described as producing "the taller, bulkier 16- to 18-story apartment buildings characteristic of Chelsea and Murray Hill in Manhattan." "Much of Midtown, Lower Manhattan and major avenues in Manhattan, as well as parts of Downtown Brooklyn and Long Island City, are mapped at R10

density." "R7X districts are mapped along major thoroughfares in Harlem in Manhattan and Jackson Avenue in Long Island City in Queens."

7. Study and analyze how the Proposed Actions will impact and negatively affect the defining features of the neighborhoods' character. The Draft Scope notes that projects that make substantial alterations to the scale of the streetscape may require a detailed analysis.

   For example, in NoHo, a 20,000 square-feet parking lot on Lafayette and Jones Streets is located within the proposed M1-5/R9X area. According to DCP's own website, the Proposed Actions could produce a tall, bulky, twenty-story high-rise apartment building characteristic of Chelsea and Murray Hill—although it sits in the median-rise NoHo Historic District Extension. Such an edifice will result in a dramatic and harmful impact on the historic district.

TASK 20: CONSTRUCTION (Pages 49 - 50)

1. DCP should identify and analyze the proposed actions' potential adverse impacts in consideration of the currently well-known unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo. Particular focus must be given to the potential adverse impacts on existing historic properties due to excavations and foundation work, both for new construction and restoration of existing structures within the Study Area.
2. The DSOW is overly focused on only one potential scenario: The development of affordable housing. The DSOW fails to adequately address the breadth of construction that will be made possible through the addition of new FAR levels and new allowances for retail of all sorts (including internal build-outs for retail establishments), not to mention the various conversion scenarios that are contemplated. The limited review by DCP ignores the numerous locations within the Study Area, beyond the 27 Projected sites that the DSOW identifies, which will be incentivized for development and construction by the granting of new FAR increases.

TASK 21: MITIGATION (Page 50)

TASK 22: ALTERNATIVES (Page 50)

1. The DCP consistently told community members, throughout the many months of the Envision SoHo / NoHo planning process, that we know these neighborhoods better than the agency's employees could ever hope to imagine. And we were told that our input would be the guiding force for whatever plans, small and large, emerged from that process.
2. Consideration should be given to various alternatives put forward by members of the local neighborhoods, many of whom took part in the Envision SoHo / NoHo planning process.
3. Analyze alternatives to the Proposed Actions that will not increase the existing FAR within the historic districts, and alternatives that do not attempt to meet MIH

requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

4. Include in the DEIS an accurate building-by-building analysis that corrects the many errors in the DSOW list with regard to building typologies, heights and size, so that an accurate analysis of the proposed actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered that will provide a range of building height caps more appropriate to their immediate surroundings.

TASK 23: SUMMARY EIS CHAPTERS (Pages 50 - 51)

TASK 24: EXECUTIVE SUMMARY (Page 51)

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Subject: Municipal Art Society Comments on 21DCP059M - SoHo/NoHo DSOW
Date: Friday, December 18, 2020 at 5:55:47 PM Central Standard Time
From: Thomas Devaney
To: 21DCP059M_DL
Attachments: image001.png, MAS Comments on SoHo-NoHo DSOW 12_18_2020.pdf

Dear Olga,

Please find the attached comments from the Municipal Art Society on the SoHo/NoHo Draft Scope of Work.

Best regards,

Tom

Thomas E. Devaney, AICP, LEED-AP
Senior Director of Land Use & Planning
The Municipal Art Society of New York
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MAS Comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work, CEQR No. 21DCP059M, New York, NY

December 18, 2020

The SoHo/NoHo Neighborhood Plan is the first major land use decision to affect SoHo and NoHo in 50 years, and is poised to significantly transform the character of these iconic neighborhoods. The City goals to strengthen retail uses, promote mixed-uses, recognize the importance of the neighborhood's art and creative culture, and encourage the development of affordable housing are laudable. The Draft Scope of Work (DSOW) must assess all factors to ensure that what is set in motion by the plan actually will achieve its objectives of net-new affordable housing rather than spur high-end residential growth that will displace economically vulnerable long-time residents and also incentivize threats to the area's rich neighborhood character.

Background

The M1-5A and M1-5B zoning districts were created in 1971 specifically for SoHo/NoHo. The zoning permitted the occupancy of certain industrial loft space, allowing conversions to Joint Living-Work Quarters for Artists (JLWQA), which remain the only as-of-right residential uses allowed.[1] The zoning prohibits ground-floor retail and tenants are not permitted to occupy spaces larger than 10,000 square feet. Despite these regulations, retail stores have violated the zoning occupancy restrictions and many non-artists occupy space designated for certified artists. The City contends that the high volume of special permit and variance applications for new or converted retail space indicates the area has outgrown its zoning.[2] Many opponents believe that the City's lack of zoning enforcement has created the problem that the rezoning seeks to solve.

The SoHo/NoHo rezoning is unique among the City's recent neighborhood rezonings. It is one of only two under the de Blasio administration that involves a predominantly white (78 percent), higher income area (median household income is $144,508 compared with $79,781 for Manhattan). Almost half of the area rental units are priced above $2,000 per month. In addition, SoHo/NoHo has four historic districts, comprising 80 percent of the rezoning area. These districts include the SoHo-Cast Iron Historic District; NoHo Historic District; NoHo East Historic District and a small portion of the Sullivan-Thompson Historic District. There is also a high level of home ownership in the area. Roughly 40 percent of the area's housing units are owner-occupied, nearly twice the Manhattan average.

In January 2019, the City began *Envision SoHo/NoHo*, what it describes as a "robust public neighborhood process" to engage the community in workshops and information sessions. The City also formed an 18-member stakeholder advisory group consisting of residents, business owners, elected officials, City agencies, and other advocacy organizations to help inform the process. In November 2019, DCP issued the report *Envision SoHo/NoHo*, which the Draft Scope of Work (DSOW) claims synthesized public input

[1] The DSOW states that 30 percent of all SoHo/NoHo homes are listed as JLWQA use on certificates of occupancy.

[2] According to the DSOW, between 2000 and 2019, the City granted over 90 CPC special permits within the bounds of SoHo and NoHo, a portion of Community District 2, compared to those granted in all of Community District 1 (21) or Community District 3 (51).

and stakeholder engagement, articulating the following goals of the plan: replace outdated manufacturing districts with mixed-use regulations; introduce residential use and promote equity in housing; support arts and culture; and facilitate superior urban design and appropriate building form.

Project Description

The plan would create the Special SoHo/NoHo Mixed Use District over a 56-block, 146-acre project area. The Special District will contain eight subdistricts that will vary in allowable uses and FAR. Manufacturing districts will be rezoned to include contextual residential districts R7X and R9X. A new M1-6 manufacturing district will be added, along with a R10 residential district. Each district will also allow commercial and community facility use. Residential FARs would range from 6 to 12, commercial FARs would range from 5 to 10, and community facility FAR would range from 6.5 to 10.

The project will result in almost 1,700 new residential units, comprising 1.7 million square feet (sf) of floor area. The number of affordable dwelling units will range from 330 to 498. The project will also result in almost 60,000 gross sf of retail, including a supermarket, 51,508 sf of commercial space, about 26,000 sf of manufacturing space, and 19,000 sf of community facility space. The rezoning is expected to add approximately 3,200 new residents to the project area by the 2031 build year.

As a way to preserve the area's cultural legacy, the plan would continue to allow JLWQA use and live-work arrangements under current zoning. It would also establish a volunteer option to allow JLWQA to transition to regular residential use with conditions that would support arts and creative industries. Under the plan, existing non-artist occupancy would be legalized, live-work would be more inclusive and reflective of modern needs, and the preservation and creation of affordable studio space would be supported.

Comments on the Draft Scope of Work

We look forward to the following comments being reflected in the Final Scope of Work (FSOW) and included in the Draft Environmental Impact Statement (DEIS).

Reasonable Worst Case Development Scenario

We question the reliability of the Reasonable Worst Case Development Scenario (RWCDS), which identifies 26 projected development sites and an alarming 57 potential development sites. The number of potential development sites is of primary concern because they are concentrated in the historic districts on sites occupied by existing buildings. The overall prospective development of the plan is significant. According to the DSOW, the development on potential development sites could result in over 1,500 additional dwelling units, 50,000 sf of destination retail and 15,000 sf of community facility space *in addition* to development projections in the RWCDS.

Under CEQR, projected development sites, those likely to be developed, are evaluated for impact. However, potential developments, are not. Potential development sites are less likely to be developed due to a variety of site conditions, such as size and shape. This is an important distinction because as we have seen with other neighborhood rezonings, potential development sites and unidentified sites often do get developed due to zoning lot mergers, development right transfers and additional zoning waivers and variances.

Public Disclosure

To provide a reliable evaluation of the full development impact under the proposal, the FSOW must reflect that all potential development sites will be evaluated for density-related impacts, not just site-specific impacts. The DEIS must include a readable, easily understood spreadsheet with all of the projected and potential development sites including Borough Block and Lot number, size of lot, current and proposed FAR, and full development potential.

The FSOW and DEIS must include a project area map of the projected and potential development sites with the historic districts boundaries clearly defined.

Project Description

Retail and Ground Floor Character

The character of SoHo/NoHo is in part driven by the cultural landscape. The recent loss of local retail and cultural offerings, such as art production and exhibition space, has already altered these neighborhoods. The DSOW should include more explicit direction for assessing requirements for smaller storefronts to encourage the longevity of independent businesses and cultural offerings, whether private, such as art galleries, or non-profit institutions, especially on the side streets. The proposal currently fosters inappropriately large retail uses, and we recommend that it be limited to 6 FAR as per community input.

Affordable Housing

For a project that touts affordable housing as a primary benefit, the FSOW must reflect that the DEIS will disclose and evaluate the affordability levels being considered under the Mandatory Inclusionary Housing program. Furthermore, the FSOW and DEIS must also disclose how much new affordable housing is expected to be constructed within and outside of the four historic districts. An overall estimate of units does not indicate how and where the purpose and need of this proposed rezoning is being met.

Historic Resources

No city neighborhood rezoning has more potential to adversely affect historic resources than the SoHo/NoHo proposal. As mentioned previously, 80 percent of the project area is located within the boundaries of a historic district. Unfortunately, because the DSOW did not include a project area map showing the projected and potential development sites along with historic district boundaries, it is not possible to know the location of development sites in relationship to designation status. We find this omission to be counter to the purpose of CEQR as a disclosure process, leaving the public without an important analytical reference. We expect the FSOW and DEIS to include this map.

As of the most recent September 2020 MapPluto data, there are roughly 2.5 million sf of development rights available within rezoning area historic districts. The rezoning proposes more than 9 million sf of additional density, with more than 6 million sf concentrated within the historic districts. MAS is concerned that the development pressures to achieve full FAR build outs will trigger out-of-scale and inappropriate proposals within the historic districts beyond what is proposed for study in the DSOW. The

statement that any development within historic districts would be subject to future review by the Landmarks Preservation Commission (LPC) provides little comfort given market conditions.

The DEIS must study the incremental increase in density that has taken place under the purview of the LPC within the area historic districts, and disclose how this an exponential change could be borne on designated properties.

Public Outreach

Despite the City's community engagement efforts, many speakers during the public scoping hearing claimed the proposal reflects very little of the community input conveyed. If the plan is to succeed, it needs to strike the proper balance of meeting the City's development goals and protecting the neighborhood's most vulnerable residents and its unique sense of place. Mindful recent community and political challenges to neighborhood rezonings, the City needs to ensure SoHo/NoHo Neighborhood Plan reflects community voices. We recommend the City pay careful attention to the comments raised by the public during the CEQR and ULURP processes and make the necessary improvements that best work for the community and the City.

Conclusion

The SoHo/NoHo neighborhoods have transformed into vibrant mixed-use destinations since the original 1971 rezoning. We recognize the need for a planning approach that reflects these changes and appropriately points towards a future of equity and inclusion. The work ahead in the DSOW and the public review processes that follow must use all the tools at the City's disposal to ensure that these changes can be achieved with great sensitivity to the unique historic and urban design character of these neighborhoods. Ultimately, for the SoHo/NoHo Neighborhood Plan to be successful it must protect the very characteristics that make this place special.

Subject: Comments of SoHo Broadway Initiative on Draft Scope for EIS on CEQR No. 21DCP059M
Date: Friday, December 18, 2020 at 1:55:46 PM Central Standard Time
From: Mark Dicus
To: Sylvia Li (DCP)
CC: 21DCP059M_DL, Edith Hsu-Chen (DCP), Erik Botsford (DCP)
Attachments: 2020.12.18 SBI Response to DCP EIS Scoping Document v2.pdf

Dear Sylvia:

Please see attached.

Sincerely,

MARK DICUS
Executive Director, **SoHo Broadway Initiative**

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December 18, 2020

Sylvia Xiaomeng Li
Planning Team Lead
NYC Dept. of City Planning
120 Broadway, 31st Fl.
New York, NY 10271

Dear Sylvia:

Please allow this letter to serve as the SoHo Broadway Initiative's comments and response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M.

The SoHo Broadway Initiative supports pursuing the SoHo NoHo Plan's important policy goals of creating more affordable housing and legalizing residential as well as retail uses. Updating these outdated rules will support a more equitable recovery from the COVID-19 pandemic by creating more affordable housing and creating more certainty for those who want to legally live in or operate a business in SoHo. Please see attached the Initiative's Planning Goals which the Initiative seeks to achieve through the rezoning process.

The increase of the floor area ratio in the draft scope of work is concerning to many in these neighborhoods. We encourage the City to achieve these important policy goals in ways that do not change the historic character of these important historic neighborhoods. We urge the Department of City Planning to explore alternative approaches, including ones that rely on lower floor area ratios within the historic districts, converting office space to residential or other approaches to achieve the important goals of bringing more affordable housing into these neighborhoods while also maintaining the one-of-a-kind historic look and feel of these neighborhoods.

In completing the environmental impact study for the proposed rezoning, it's important to consider that SoHo is a neighborhood where people live next to both retail and office businesses as well as a place where people come to work and visit. Day-to-day operations like garbage collection and deliveries can be

challenging to fit into a mixed-use community like SoHo, as these operations frequently use the public sidewalk space and can negatively impact those seeking to enjoy the public space while also being disruptive to neighbors. The Dept. of City Planning should study ways to change the zoning and other public policies to improve the public realm and mitigate the impacts that these operations have on the general public, including neighboring residents, businesses and visitors. These mitigation approaches should improve the quality of life for the public in line with the priorities and strategies identified in the Envision SoHo Report published in November 2019 (Neighborhood Priorities 1.1 A to 1.1D).

Thank you in advance for your attention to these comments.

Sincerely,



Mark Dicus

Cc: 21DCP059M_DL@planning.nyc.gov

Attachment

SOHO BROADWAY INITIATIVE

Planning Goals

Approved by SoHo Broadway Initiative on October 15, 2019

Planning Goals: A Balanced Approach

- SBI planning goals are enthusiastically supported by residential and commercial interests who made compromises to create a carefully balanced interconnected set of goals. These goals are designed to meet the primary needs of residential and commercial interests to enhance the unique mixed-use environment while not favoring one group over another.
- If one goal is removed or one set of interests favored over the other, the carefully balanced compromise falls apart.
- Pursuing strategies that achieve these planning goals will foster an environment that is attractive to residents, businesses and visitors for decades to come.

SOHO BROADWAY INITIATIVE

Planning Goals:

- Improve the overall quality of life by creating a more welcoming, accommodating, and accessible environment for those who live in, work in, and visit SoHo Broadway.
- Allow people to live here As of Right who are not certified artists while protecting current JLWQA occupants/uses and rent-protected units
- Allow retail use As of Right limiting contiguous retail to the basement, ground, and second floors along the SoHo Broadway corridor and low-impact retail uses (e.g. yoga studios, spas, hair care, galleries, etc.)above the 2nd floor

SOHO BROADWAY INITIATIVE

Planning Goals:

- Maintain the globally recognized creative and commercial communities that are key components of SoHo's mixed-use neighborhood.
- Preserve the historic look and feel of SoHo while maintaining the current scale and density
- Create publicly funded incentives to provide affordable opportunities for artists to work in SoHo and venues to celebrate the arts/creative community
- As a result of this process, don't increase real estate taxes

SOHO BROADWAY INITIATIVE

Subject: Comments for SoHo/NoHo scoping session
Date: Thursday, December 3, 2020 at 12:31:53 PM Central Standard Time
From: Lynn Ellsworth
To: 21DCP059M_DL
Attachments: Testimony on Scoping Hearing for SoHo.pdf

Please see attached pdf.

Testimony on Scoping Hearing for SoHo/NoHo
December 3, 2020

Lynn Ellsworth, for Tribeca Trust and Humanscale NYC

- Tribeca Trust and Human-scale NYC both object to the entire content of the zoning proposal on hand, based as it is in deeply flawed social science about housing prices for which there is absolutely no consensus among economists. The claims for public benefit are laughable and the harms that would done are great indeed and unaccounted for.

- We also object to the process by which this proposal is being railroaded through, with a shamefully false and manipulated public consultative process that undermines the legitimacy of municipal government.

- We object to ZOOM being used as a substitute for real public hearings and believe that the public's rights in the ULURP process are being steamrollered by the use of ZOOM.

- We are dismayed by the deeply offensive and illogical race- and class-baiting that has been used to justify this proposal.

- The EIS methodology and scope is not credible. It does not account for cumulative effects of all developments taking place with in a mile radius of the three housing sites and their cumulative impacts on wastewater, sewage, traffic, congestion, subway use, sidewalk space, and on libraries, parks and public schools. The flaws are so great that any person looking into it would conclude that the flaws are there so as to assure the proposals is shoved through the system.

From:	Todd Fine
To:	21DCP059M_DL; Sarah Carroll (LPC); hpdmedia (HPD); pressoffice@cityhall.nyc.gov; DCP Press (DCP); Marisa Lago (DCP); Sylvia Li (DCP); NYC Landmarks Press Office (LPC)
Subject:	Comment / Letter on SoHo Zoning
Date:	Monday, November 30, 2020 10:18:34 AM

Todd Fine
President, Washington Street Advocacy Group The Graduate Center CUNY 365 Fifth Avenue, Room 5114 New York, N.Y. 10016-4309 857-234-0920

The Honorable Vicki Been
Deputy Mayor for Housing & Economic Development
City Hall
New York NY, 10007

Monday, November 30, 2020

Dear Deputy Mayor Vicki Been,

Along with preservation organizations in New York City and across the nation, the Washington Street Advocacy Group is extremely concerned about the plans expressed in your “Where We Live NYC” report to promote high-rise construction in historic districts, with world-famous SoHo being the first test case (p. 194).

Through a movement begun by figures like Jane Jacobs, Aline Saarinen, Margaret Mead, Eleanor Roosevelt, and Philip Johnson -- that saved SoHo from demolition by Robert Moses and the Lower Manhattan Expressway -- New York City became a model for historic preservation in the United States and internationally. The weakening of its 1965 Landmarks Law and the SoHo historic district without true public dialogue during the COVID-19 crisis could signal a general attack on the principles behind preservation.

We demand that any rezoning of SoHo include new designations of individual landmarks as a result of the field survey promised in the Department of City Planning’s scoping document for its Environmental Impact Statement (Task 7). The SoHo historic district in the rezoning area holds over 600 sites, yet currently only contains two individual landmarks, the E. V. Haughwout Building and the Gay Activists Alliance Firehouse. After a significant proposed upzoning, there would be significant pressures for demolition and alteration on all historic buildings in the district, and preservation would depend solely on the politics of the Landmarks Preservation Commission at any given moment. In addition, there are substantial parts of SoHo and Chinatown in the rezoning area that are outside of any historic district and will have no protection at all.

Before the Department of City Planning scoping meeting on Thursday, December 3, 2020,

we ask that your office, the Department of City Planning, and the Landmarks Preservation Commission release details about the proposed landmarks field survey. If your office and the Department of City Planning are serious about the rezoning of SoHo, this field survey should be one of the largest preservation projects in years and needs to have a defined budget, coordination with the Landmarks Preservation Commission, a pipeline for designation, and involvement of leading outside experts in architecture and history. This team of experts should also be empowered to develop the promised contextual standards that will apply to new construction and alterations.

While we are generally concerned about the general plans to encourage high-rise construction, the scoping of this field survey is an opportunity for your office to signal its commitment to protecting SoHo and NoHo's historic buildings.

Sincerely,
Todd Fine

Cc: City Planning Commission Chair Marisa Lago; Sarah Carroll, Chair Landmarks Preservation Commission

--
Todd Fine
President, Washington Street Advocacy Group
+1 857.234.0920

Subject: SoHo/NoHo Draft Scope of Work
Date: Friday, December 18, 2020 at 2:38:23 PM Central Standard Time
From: Mitchell Grubler
To: 21DCP059M_DL

To: NYC Department of City Planning
Subject: Response & Correction to SoHo/NoHo Draft Scope of Work:
The Bowery Historic District (National Register of Historic Places) must be included.
From: Mitchell Grubler, Chair, Landmarks Committee, Bowery Alliance of Neighbors

Response & Correction to the SoHo/NoHo Draft Scope of Work
Pages 8 to 10 and Figure 3

HISTORIC DISTRICTS
Page 8
The Draft Scope of Work does not, but must include **The Bowery Historic District**, which is listed on both
the **NY State Register of Historic Places** and the **National Register of Historic Places**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as "The Bowery Historic District". It is also listed on the NY State Register of Historic Places.

This omission in the Draft Scope of Work should be remedied and the information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Historic Districts".

NEIGHBORHOOD CONTEXT
Bowery Corridor
Pages 9 & 10

The Draft Scope of Work does not include **The Bowery Historic District**.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as **"The Bowery Historic District".**

This omission in the Draft Scope of Work should be remedied and information must be provided.

The Bowery Historic District must be added to the Draft Scope of Work in the section titled "Bowery Corridor".

See: https://www.nps.gov/nr/feature/places/pdfs/13000027.pdf

The link includes the National Park Services information on **The Bowery Historic District** and contributing resources in **The Bowery Historic District**. It's website also contains additional information on this page: The Bowery Historic District

The Bowery Historic District

Subject: Cooper Square Committee comments on SoHo/NoHo draft scope of work
Date: Wednesday, December 16, 2020 at 2:47:17 PM Central Standard Time
From: Steve Herrick
To: 21DCP059M_DL
CC: Sylvia Li (DCP), Chan, Stephanie (ManhattanBP), KErvin@council.nyc.gov, Chaparro, Lizette (ManhattanBP), Chang, Andrew (ManhattanBP), Washington, Matthew (ManhattanBP), Gale Brewer, Brewer, Gale (ManhattanBP), Vallese, Gabrielle (ManhattanBP), Mackey, Mary Ann (ManhattanBP), mchin-council, Drummond, Anthony, Rivera, Carlina, pcarrillo-council
Attachments: SoHo Scoping Testimony for EIS - 12-16-2020.pdf, Table 3 - RS units in NoHo - Sub-Area 2.xlsx, Table 6 - Revised Zoning - 30 - 50 pct low inc.xlsx, Tables 1 & 2 - RS Units in sub areas 3 and 8.xlsx

Attached please find Cooper Square Committee's written testimony regarding the proposed rezoning of SoHo/NoHo. Thank you for the opportunity to put forward suggestions for DCP to analyze alternative zoning districts that promote low income housing, preserve the historic districts, remove onerous restrictions on ground floor retail and promote the arts in these historic mixed use neighborhoods.

Yours truly,

Steve Herrick
Executive Director



Cooper Square Committee
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Cooper Square Committee Testimony
Regarding the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an EIS
CEQR No. 21DCP059M
Submitted on Dec. 16, 2020

A. Introduction

The Introduction provides an incomplete count of the number of projected and potential soft sites in the study area. It claims a total of 27 projected development sites, totaling 1,683 projected dwelling units, that could result in 328 to 494 permanently affordable housing units over the next 10 years using MIH and 57 potential development sites comprising 1,548 potential units, including 293 to 428 potential affordable dwelling units using MIH. Given that there are well over 800 parcels in the study area, of which roughly half are below a 5.0 FAR currently, and DCP is proposing a massive upzoning in more than half of the study area, it is likely that there are a couple hundred sites that will gain significant development rights above their built FAR. DCP needs to do a more detailed analysis of the potential for enlargements of IMDs, JLWQs, and office buildings, including elevator buildings and walk ups. Even though 85% of the parcels in the study area are within historic districts, and not at significant risk of demolition, the potential enlargements could jeopardize the structural integrity of some buildings given their age and the condition of their foundations and footings.

The land use and zoning objectives spelled out in the introduction are generally consistent with those contained in the SoHo/NoHo Planning Report released in 2019 by DCP's planning consultant after some 40 meetings with the SoHo/NoHo Advisory Group and area stakeholders, but given that a major rezoning is planned, additional objectives should be 1) to ensure that expanded housing opportunities do not result in out of scale development and inappropriate building enlargements in the study area, 2) that the adaptive resuse of soft sites does not result in a loss of regulatory protections for loft law tenants, 3) to ensure that the redevelopment of existing buildings does not result in the displacement of long term tenants due to demolition of unregulated buildings in the study area, and 4) to minimize the risk of secondary displacement in adjacent area (especially Chinatown) outside the study area.

B. **Required Approvals and Review Procedures:** I have no comments on this section.

C. **Background to the Proposed Actions:** I have no comments on this section.

D. **Existing Zoning:** I have no comments on this section.

E. Purpose and Need for the Proposed Actions:

Replace outdated Manufacturing Districts with Mixed-Use Regulations: CSC supports this stated goal with regard to allowing ground floor retail, use groups 6 and 10. We support zoning that allows ground floor retail in SoHo/NoHo. We support zoning that allows use groups 6 in SoHo/NoHo, (such as bakeries, barber shops, book stores, florists, nail salons, drug stores, dry cleaners, laundrymats, food stores, eating or drinking establishments, stationary stores) on the ground floor throughout SoHo and

NoHo. On wide streets in close proximity of mass transit where the predominant use has been commercial (ie commercial corridors such as Broadway, Lafayette and Canal), use group 10 (clothing stores, furniture stores, department stores) should be allowed on the 2nd floor and below. We believe that service and appointment based retail (spas, yoga studios, gyms, etc) should be allowed above the 2nd floor.

Outside of designated commercial corridors, retail spaces in excess of 10,000 sq. ft. should be subject to a special permit or BSA application that requires community review that would provide for the possibility of modifications/stipulations on the proposal.

With regard to retail in excess of 10,000 sq. ft. in the commercial corridors, DCP should allow it in the 27% of buildings to that have floor plates in excess of 10,000 sq. ft. but perhaps study the impact of requiring them to make modifications that mitigate quality of life issues related to garbage collection (such as building a trash storage room and not allowing businesses to hold garbage on sidewalk for collection). With regard to deliveries (the City should consider enforcing no off hour deliveries unless operator can certify compliance with strict sound regulations).

However, we join with the NoHo-Bowery Stakeholders in asking DCP "to conduct an accurate building-by-building analysis correctly quantifying the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses so that the CEQR analysis will disclose the Proposed Actions' potential adverse impacts on the existing character of SoHo and NoHo".

Introduce Residential Use and Promote Equity in Housing: Given that a major purpose of the EIS is to analyze the impact on SoHo/NoHo of a significant upzoning, the section concerning the intention to introduce residential use and promote equity in housing should provide greater detail about the residential presence in the study area. While the Background section states there are an estimated 7,800 residents, there's no mention of the number of the number of housing units in SoHo/NoHo (it's about 4,125 with 1.89 persons per household). There's no breakdown in terms of owner vs. rental units, although other data sources claim between 40 and 47% home ownership rate. Page 15, under Support Arts and Culture, states that "about 30% of all SoHo/NoHo homes are listed as JLWQA use on certificates of occupancy. This corresponds with data from the website, https://whoownswhat.justfix.nyc/en/ which allows you to search the number of rent regulated units in each building. I looked up a sample of several hundred units in the larger buildings, and found that just 30% of rental units were rent stabilized or regulated under the loft law.

Assuming about 2,400 rental units in the study area, that would mean there are about 720 rent regulated units in the entire study area, or just 18% of the all housing units. It would be helpful if the EIS provides the most accurate data possible regarding the various residential occupancy statuses so that it can assess the potential displacement impact of the rezoning on residents. Attached are **Tables 1, 2 and 3** that CSC put together, using the Who Owns What database at https://whoownswhat.justfix.nyc which shows the unit counts in a fairly large sample of buildings in **DCP's Sub-Areas 3, 8 and 2,** the largest housing opportunity zones. Sub-Area 1 doesn't appear to offer many housing opportunities given that the largest site (the Bowery Bar site) is slated for office development. Given how few residential units there are in

these Sub-Areas, we are actually encouraged to see that the potential for displacement is quite small. There are very few rent regulated units in the SoHo/NoHo study area. CSC supports the goal of introducing rental use into SoHo/NoHo, and especially in these Sub-Areas, but we want the ultimate outcome to be a net gain in affordable rent regulated units. The loss of regulated units through demolition or displacement would undermine this goal, and the rezoning action needs to ensure that such risks are eliminated or at least minimized.

Rezonings have often created direct displacement pressures on tenants living in "soft site" buildings, and the proposed rezoning action should attempt to estimate how many residents in the area may face displacement pressures if property owners decide to demolish their buildings in the areas outside the historic district. DCP should propose a mechanism for monitoring this potential outcome, and funding should be provided to a tenant rights organization to inform residents of soft sites about the potential for harassment and how to respond to it, as was done for the East Village Rezoning in 2008. CSC recommends that the City of New York include SoHo/NoHo as one of the areas in the Certificate of No Harassment Program. Property owners with at least 1 rent stabilized unit should be required to submit a signed affidavit to the Mayor's Office to Protect Tenants every year for the 10 years after this rezoning is enacted stating the number of rent regulated units in their buildings. If they intend to redevelop their property, HPD should verify that there have not been any harassment complaints. The City of New York should also set aside sufficient funding for an organization such as CAAAV or AAFE to assign one of their tenant organizers to do outreach to tenants, especially Asian American tenants who make up more than 10% of the study area, and probably a higher percentage in Sub-Areas 3 and 8 which are right next to Chinatown's Canal Street, to ensure that they know their rights and how to enforce them if they are harassed.

Support Arts and Culture: CSC supports this goal, and we support DCP's intention to "continue to permit JLWQA use and live-work arrangements that already exist in the Project Area" but the rezoning actions don't provide detail about how this will be done, and how buildings whose residents enjoy loft law protections will be guaranteed that they will have the same or similar protections once their building is converted by the owner to residential use group 2.

For IMDs seeking to be legalized as residential buildings, DCP should spell out how many such buildings there are in SoHo/NoHo. Given that they are considered commercial buildings, and residents don't have rent stabilization protection currently, DCP should obtain a legal opinion as to whether they will come under rent stabilization upon being legalized as rent stabilized buildings if they have at least 6 units, and if one or more of the current tenants have leases and are paying less than $2,700 per month in rent. CSC supports using a zoning bonus to promote new cultural space in existing and new buildings. DCP should provide a 1.0 FAR bonus if 0.5 FAR of cultural space is created. The other 0.5 can be applied to residential or commercial use.

Facilitate Superior Urban Design and Appropriate Building Form: CSC supports this goal but finds that the proposed upzonings to R10 and R9X, with floor area ratios of 12.0 and 9.7 respectively, have the potential to create huge, out of scale buildings within or next to the historic districts. We present alternative zoning districts later in this testimony to promote MIH with contextual zoning districts. CSC recognizes that upzonings using MIH will be necessary to create a meaningful amount of low income

housing, but we strongly urge contextual zoning districts with height limits that correspond reasonably closely to some of the larger buildings within a one block radius of the projected development sites. Building massing, base height setbacks and floor heights should also correspond harmoniously with nearby buildings.

F. Description of the Proposed Actions:

We believe the proposed zoning actions, in particular the proposed zoning districts, don't achieve the objective of "establish appropriate bulk regulations to better reflect the existing character and enhance the built environment" as stated on page 16. Below is the zoning table we ask that DCP study as alternative rezoning scenarios in place of DCP's Table. (Note – We propose an additional 1.0 FAR if 0.5 FAR cultural use is added).

Table 4. CSC's Alternative Proposed Use and Floor Area Regulations

Broadway – Houston Corridor (Sub-Area 5)	SoHo West, SoHo East (Sub-Areas 3 and 8)	SoHo Core (Sub-Area 7)	NoHo District (Sub-Areas 1 and 2, and 6)	Canal Street Corridor (Sub-Area 4)
M1-5/R8A 5 FAR for commercial/ manufacturing 7.2 for residential with MIH 6.5 for community facility	M1-6/R9A 8.5 FAR for residential with MIH Allow 2 floors of commercial in residential buildings with 2.0 FAR for commercial 4.0 for community facility	M1-5/Residential Special District 5 FAR for commercial, manufacturing 5.0 for residential with MIH 5.0 FAR for community facility	R8A with C2-5 commercial overlay 7.2 Residential FAR, 2.0 Commercial FAR Option 2: 7.2 Residential FAR, 6.0 Commercial FAR Option 3: M1-5 or M1-6/R8A from Houston to Great Jones St And M1-6/R9X from Great Jones St to Astor Place 9.7 Residential FAR	R8A with C2-5 commercial overlay 7.2 Residential FAR, 2.0 Commercial FAR Or option 2: R7D with C2-5 commercial overlay 5.6 FAR for residential with MIH 2.0 FAR commercial overlay 5.0 for comm facility

Floor Area and Bulk Regulations:

DCP proposes allowing commercial and manufacturing of 6.0 FAR with full lot coverage up to two stories in the Broadway-Houston Corridor, NoHo North, Canal Street, SoHo/NoHo Cores sub-districts (in other words, Sub-Areas, 2, 4, 5, 6 and 7). While allowing full lot coverage is contextual with much of the study area, CSC has concerns about allowing conversions of existing commercial buildings to residential use when the buildings occupy the full lot. There are numerous buildings in SoHo/NoHo that extend through the entire block, and we think that converting to residential would result in buildings that are not code compliant.

DCP also states that "a restrictive declaration would be required to be executed and recorded, requiring the amount of pre-existing non-residential floor area in the existing building to be maintained on the zoning lot." This requirements seems intended to prevent conversions of office buildings to residential

use. It's understandable that DCP wants to prevent a massive loss of office space by opening the floodgates to residential conversion, but it would make more sense to disallow residential conversion or enlargements of any buildings are already overbuilt and exceed the maximum lot coverage required by zoning. Mixing residential units into existing office buildings create a myriad of problems, especially for a neighborhood that already has so many problems with noise, sanitation, congestion and other issues as a result of its mixed use character.

We believe that DCP should do an analysis of the impact of not allowing as of right residential conversions or enlargements of buildings that exceed 80% lot coverage. Doing so would reduce the number of potential residential conversions, and prevent inappropriate enlargements of existing buildings, many of which are currently overbuilt, and would not be permitted as of right today because they don't meet the setback requirements for their zoning districts. We believe that conversions of such buildings to residential with enlargements should require a variance, and that if no low income housing is included on site in the plan, a variance should not be granted.

DCP should develop zoning text governing the conversion process. CSC recommends that it should only be permitted in buildings where the existing commercial building has a vacancy rate exceeding 20% despite marketing efforts. In such cases, conversions of all or part of the building should separate out residential and commercial uses so that they are on different floors given the inherent conflict in occupying the same floor in mixed use buildings.

Mandatory Inclusionary Housing (MIH) Program:

It should be noted that MIH is in fact voluntary since residential development is one among several options. A developer can opt not to build housing, pursuing commercial or community facility opportunities that are more lucrative. Since MIH was enacted in 2016, City Limits magazine pointed out in a January, 2020 article that only some 2,100 units out of the 43,000 housing units started under the Mayor's housing plan have been created through the MIH requirement. MIH was expected to produce 12,000 units by 2024. DCP needs to reflect on the underwhelming results of MIH and tweak it to make it more attractive relative to other development opportunities. This can be done by downzoning the commercial FAR in the housing opportunity zones while significantly upzoning the residential FAR so that the relative difference is substantial. The City of New York should also make subsidies available, not just 421A tax abatements, in the housing opportunity zones for developers who are willing to create 50% to 100% affordable housing on site.

DCP needs to require, at a minimum, payment into an affordable housing fund for new construction or enlargements of 10 or fewer units, or under 12,500 zsf. The current proposal (page 18) to not require MIH for developments that fall below this threshold will create the risk of enlargements of many buildings in the historic districts. Buildings of 12,500 to 25,000 sq. ft. must require 30% low income housing on site. Buildings of 25,000 – 39,999 zsf should be required to include 40% low income housing, and buildings 40,000 zsf or more should be required to set aside 50% of units for low income housing.

Table 5: MIH Sliding Scale Based on Zoning Square Footage of the Residential Building:

Building Size	MIH Requirement
<12,500 ZSF	20% low income or pay into affordable housing fund
12,500 – 24,999 ZSF	30% low income on site
25,000 – 39,000 ZSF	40% low income on site
>40,000 ZSF	50% low income on site

This stepped up MIH requirement is not unreasonable. DCP's own proposal takes zoning square footage into account in deciding which MIH rules to apply. The above table takes advantage of the fact that the development cost per sq ft is lower for larger buildings, as well as the fact that SoHo/NoHo command some of the highest rents in NYC for market rate units, and they are capable of cross subsidizing low income housing to a much greater degree than other communities that the City of New York has rezoned with MIH. There's a significant difference between the rental market in SoHo/NoHo compared to the rest of Manhattan. The median asking rent in Manhattan in October, 2019 was $3,262 per month versus $5,223 per month in SoHo and NoHo, according to the brokerage firm Douglas Elliman. These rents were pre-Covid, and while they have declined 10% or more in Manhattan due to Covid-19's impact on the economy, it's reasonable to expect it will bounce back over the next couple of years, post-Covid, when any housing production resulting from this rezoning starts to come online. It doesn't make sense for the City of New York to give a 100% or more increase in residential FAR and not even try to extract greater social equity in return from such a wealthy neighborhood.

G. Analysis Framework

DCP's Reasonable Worst Case Development Scenario (RWCDS) estimates that the future with the proposed actions would result in a net increase of approximately 1,683 dwelling units over the next 10 years (including 328 (17.5%) to 494 (26.5%) low income housing. DCP anticipates that 2,002,545 gross sq ft of built floor area will be generated. This would include 169,663 sq. ft. of retail space and 19,598 gsf of community facility uses.

CSC considers the amount of projected low income created based on the large upzonings to be relatively low considering the enormous amount of development rights that will be generated by the proposed action. In brief, we believe that DCP is not extracting enough community benefits for the amount of concessions being made to the real estate developer community.

CSC asks that DCP analyze our alternative zoning scenario, which we believe will guide development activity to better outcomes by providing fewer alternative development opportunities. We believe DCP is setting up this rezoning to fail to achieve its goal, similar to the contextual rezoning of the East Village, which projected 348 low income units as a result of the voluntary inclusionary zones, which ultimately achieve less than half that number in the 12 years since it was enacted. Part of the problem was that DCP provided developers with the gift of large upzoning with no inclusionary housing required. By upzoning the commercial FAR in many of the SoHo/NoHo districts as of right, DCP is virtually ensuring that more office buildings and hotels will be developed instead of residential development since mandatory

inclusionary housing is always just one of several options. DCP needs to provide a far greater FAR differential between residential development and other alternatives such as commercial and community facility.

Attached is a **Table 6,** showing what can be achieved in the 27 soft sites based on our proposed rezoning scenario, using the sliding scale of 30% - 50% low income under MIH.

Sub-Area 7, No Upzoning: Allowing residential development at an FAR in excess of 5.0 poses a substantial risk to the historic districts in the core of SoHo/NoHo. Another major issue is that DCP's proposed text amendment would allow for off-site low-income housing when less than 25,000 sq. ft. of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing. In fact, the offsite affordable housing is likely to be situated in the outer boroughs. DCP's soft site analysis doesn't take into account this possibility at numerous sites in the study area, and yet it could do irreversible damage to the character of the historic districts.

CSC's alternative zoning scenario provides for somewhat smaller, but still substantial, upzonings in parts of the study area. A major exception is the SoHo historic residential core where we propose to introduce residential use at 5.0 FAR with MIH under a special district zoning designation. This sub-area makes up about 40% of the total study area, but under DCP's proposed zoning, it would likely create less than 30 low income housing units on the 6 soft sites DCP identified. Given the small lot sizes, 3 of the 6 sites would result in buildings with less than 20,000 sq. ft., and DCP's MIH plan would allow developers to pay into an affordable housing fund, and the low income housing would be developed off site in another community. Under our alternative proposal, it could still generate a similar number of low income housing units, but we recommend imposing height limits of 120 feet.

We believe that the small public benefit of some 30 low income units in this 21 block area is not worth the risk of inappropriate enlargements of existing historic buildings (again, with no low income housing on site) that could damage the aesthetic quality of this area and its appeal to millions of tourists every year. Given the billions of income SoHo generates for NYC in sales tax and property tax revenue, it is not worth the risk of undermining this valuable NYC asset.

Housing Opportunity Zones: Sub-Areas 3 and 8, Analyze the Impact of Upzoning to R9A: Sub-Areas 3 and 8 comprise a small part of the study area, yet account for *the majority of the low income housing* that can be generated through a rezoning. However, we think that the proposed R10 zoning, with a 12.0 FAR for MIH will lead to very large, out of scale buildings over 200 feet tall that tower over nearby tenement buildings. We recommend that DCP study the impact of an R9A zoning district, with an 8.5 FAR, and contextual height limits of 175 feet on wide avenues. A commercial overlay allowing a 2.0 commercial FAR would allow for ground floor and 2nd floor retail, and would take away the incentive for developing hotels or office buildings in these two sub-areas.

We think that the mid-block zoning on narrower side streets in these sub-areas should be set at R8A, with a 7.2 FAR and 145 foot height limit. Given that the soft sites are virtually all on wide streets (Centre Street, Lafayette Street, Canal Street, Grand Street, 6th Avenue), this concession will not significantly impact the production of low income units.

We project that the proposed upzoning could generate nearly 400 low income housing units in these 2 sub-areas alone if DCP applies a 30 – 50% low income requirement under MIH (instead of 20 – 30%) for the 14 soft sites located here, as per DCP's 27 soft site analysis. The 9 soft sites that can allow for over 40,000 zsf of residential development should be required to set aside 50% of the units for low income housing. Sites with 25,000 – 39,999 gsf of residential development should be required to set aside 40% of the units for low income housing, and those with less than 25,000 gsf of development potential should be required to set aside 30% of the units for low income housing. The rationale for this was noted earlier in our comments on the MIH program. If this requirement impacts project feasibility, DCP should allow the developer to reduce the on site affordability requirement by 10% by paying into an affordable housing fund.

Sub-Areas 1 and 2 in NoHo – Analyze a couple of different upzoning options: CSC recommends that DCP analyze the impact of simplifying the rezoning of the dozen blocks in NoHo, which are currently divided into 4 sub-areas by DCP (with sub-areas 1 and 2 covering the 4 blocks between Astor Place and Great Jones St and sub-areas 5 and 6 covering the 8 blocks between Great Jones and Houston Street). We support the NoHo-Bowery Stakeholders proposal that this area be broken down into either 1 or 2 zoning districts. DCP should analyze the impact of the following rezoning scenarios: 1) Re-zone NoHo to R8A (7.2 FAR) with a C2-5 overlay (2.0 commercial FAR), 2) Rezone NoHo to C6-2A, or 3) Create 2 zoning districts in NoHo that recognize that the prime affordable housing opportunity zones is north of Great Jones Street. From Houston Street to Great Jones Street (plus a mid-block section between Lafayette Street and Bowery extending up through the north side of East 4th Street), rezone it to M1-5 or M1-6 paired with R8A. Rezone north of Great Jones Street to M1-5/R9X, which allows for a 9.7 FAR, and set a 160 foot height limit on Lafayette Street, with a 120 foot height limit mid-block.

Sub-Areas 4 and 5, the Broadway Corridor and Canal Street Corridor, Upzone a maximum of R8A: CSC believes that an upzoning to R9X, with a 9.7 FAR, will create the risk of enlargements of many buildings in the historic district, especially given that page 18 of the scoping document. DCP should analyze the impact of rezoning both sub-areas at R8A, which sets a 7.2 residential FAR with a commercial overlay allowing retail up to the 2nd floor, and a 145 foot height limit. In the Broadway Corridor, DCP should consider keeping the commercial FAR at 5.0 given that there's a significant amount of square footage of office space in this sub-area.

A second alternative for the Canal Street Corridor would be to study an R7D zone, which sets a 5.6 residential FAR with MIH and a 115 foot height limit (11 stories). Many of the buildings on the Canal Street corridor are 6 stories or less, and DCP's proposed upzoning to R9X is significantly out of scale. A commercial overlay at 2.0 FAR with either option would ensure that residential development is the most likely scenario.

We also note that the **Chinatown Working Group** had proposed rezoning the south side of Canal Street (Sub-Area A in their plan), directly opposite this sub-area 4 in DCP's plan, to C4-4A/G Modified with a residential FAR of 4.8 to 6.0 and a commercial FAR of 4.0 and Community Facility FAR of 4.0, and a height limit of 85 feet. To our knowledge, DCP has not made any commitments regarding their proposal for this sub-area, but an upzoning of the north side of Canal Street to 9.7 FAR under MIH would contrast sharply with their vision for the Canal Street Corridor.

G. Proposed Draft Scope of Work for the EIS:

The Future with Proposed Actions analysis should be more comprehensive in examining the number of sites that would become soft sites as a result of the large upzoning to R9X and R10 in DCP's proposal. While about half of the properties in SoHo/NoHo are built up to about 5.0 FAR, many of the roughly 400 SoHo/NoHo properties with FARs below 5.0 are located in Sub-Areas, 1, 2, 3, 4, 5 and 8 which will undergo a 100% increase (R9X0 to 140% increase (R10) in allowable FAR under DCP's proposed rezoning. These amount to far more than 27 projected soft sites and 57 potential soft sites. DCP should analyze the amount of additional square footage of development rights that will be granted to the property owners in these areas, and analyze its potential impacts especially with regard to Task 5 (Open Space), Task 6 (Shadows), Task 7 (Historic and Cultural Resources), Task 8 (Urban Design and Visual Resources), Task 11 (Water and Sewer Infrastructure), Task 12 (Solid Waste and Sanitation Services), Task 13 (Energy), Task 14 (Transportation) and Task 15 (Air Quality). Task 17 (Noise) and Task 19 (Neighborhood Character). Each of these impacts will be lower with the alternative zoning scenario we are proposing.

With regard to the above items, CSC encourages DCP to explore ways to utilize the zoning action to increase open space through promotion of rooftop open space. With regard to historic resources, LPC should review the buildings in Sub-Areas 1, 3 and 8 outside the Historic Districts to determine whether any of them may qualify for landmark designation and include the list of such buildings in the EIS. Concerning urban design, bulk regulations should be similar to JLWQA buildings. The natural resources analysis should examine geotechnical engineer reports regarding sub-soil conditions along Canal Street which contains an underground stream. The potential infrastructure costs of building on it should be analyzed. The flooding issues at Canal Street and in southwest SoHo need to be studied and infrastructure improvements should be implemented as part of the rezoning action. With regard to solid waste and sanitation, DCP should examine the impact of implementing a requirement of trash compactor rooms on site. The draft scope notes that the study area generates 50 tons of waste per week.

In brief, we ask that in Section 22, DCP considers the Alternatives we have suggested for the rezoning so that the City of New York can preserve the historic districts of SoHo/NoHo while meeting the challenge of promoting a more economically and racially diverse community by promoting development of hundreds of low income housing units that fit contextually into the densely built mixed use environment of these historic neighborhoods, which produce a disproportionate amount of revenue for the City of New York through sales and real estate taxes.

Table 1: Sub-Area 8

Address	Units	Housing Type	2007 RS Units	2018 RS Units	
28 Grand Street	40	Rental	14	33	
23-25 Thompson St	28	Rental	27	2	
32 Thompson St	16	Rental	14	0	
20 Thompson St	10	Rental	0	0	5 story tenement
17 Thompson St	8	Condo	0	0	No risk of displacement
35 Grand St	10	Rental	0	0	Same address as 20 Thompson
383 Canal St	3	Rental	0	0	Soft site, could be demolished
387 Canal St	0	Retail	0	0	1 story retail, soft site
389 Canal St	0	Retail	0	0	Vacant lot, soft site
391 Canal St	0	Retail	0	0	1 story retail, soft site
393 Canal St	0	Retail	0	0	2 story retail, soft site
395 Canal St	0	Retail	0	0	2 story retail, soft site
	115		55	35	
				30.4%	rent stabilized

Table 2: Sub-Area 3

Address	Bldg Type	Total Residential Units	2007 RS Units	2018 RS Units	
247 Canal St	Miscellaneous	0	0	0	
126-128 Lafayette St	Office bldg	0	0	0	
204 Hester St	Parking lot	0	0	0	
3 Howard St	Multistory retail	0	0	0	
255 Canal St	Office bldg	0	0	0	
257 Canal St	Retail with other uses	0	0	0	
221 - 227 Canal St	Office bldg	0	0	0	
233 - 235 Canal St	Office bldg	0	0	0	
239 - 243 Canal St	Office bldg	0	0	0	
245 Canal St	Religious Facility	0	0	0	
247 Canal St	Other miscellaneous	0	0	0	
116 Baxter St	Office bldg	0	0	0	
118 Baxter St	Office bldg	0	0	0	
126 Baxter St	Residential bldg	4	0	0	
128 Baxter St	Residential bldg	8	8	0	
136 Baxter St	Residential bldg	12	0	0	
138 Baxter St	Office bldg	0	0	0	
140 Baxter St	Residential bldg	6	6	6	
142-144 Baxter St	1 story retail	0	0	0	Likely will be demolished
146 Baxter St	Church	0	0	0	
148 Baxter St	Residential bldg	5	0	0	
156 Baxter St	Office bldg	0	0	0	
206 Centre St	Office bldg	0	0	0	
208 Centre St	Residential bldg	6	6	6	
210 Centre St	Residential bldg	5	4	0	
214 Centre St	Church	0	0	0	
216 Centre St	Retail with other uses	0	0	0	
218 Centre St	Residential bldg	4	2	0	
220 Centre St	Residential bldg	4	0	0	
224 Centre St	Office bldg	0	0	0	
115 Lafayette St	1 story retail	0	0	0	
117-121 Lafayette St	Vacant lot	0	0	0	
123-127 Lafayette St	Office building	0	0	0	
131-135 Lafayette St	Residential	27	0	0	
139-145 Lafayette St	Parking Garage	0	0	0	
149-151 Lafayette St	Office building	0	0	0	
153-155 Lafayette St	Office building	0	0	0	
161 Lafayette St	Office building	0	0	0	
122-124 Lafayette St	Office building above subway station	0	0	0	
126-130 Lafayette St	3 story office building	0	0	0	Soft site, could be demolished
138 Lafayette St/ 11 Howard St	10 story hotel	0	0	0	
148 Lafayette St	12 story bldg/Blick Arts Materials	0	0	0	
150 Lafayette St	26 story, luxury hotel	0	0	0	
151-155 Grand Street	Office building	0	0	0	
159 Grand St/202 Center St	Solita SoHo Hotel	0	0	0	
161-163 Grand St	Residential	18	0	0	
167-171 Grand St	Office building	0	0	0	
173-179 Grand St	Residential	39	0	0	
181 Grand St	Residential	2	0	0	Soft site, could be demolished
183 Grand St	Residential	2	0	0	Soft site, could be demolished
202 Hester St	Residential	8	4	2	
Total		**150**	**30**	**14**	
				9.3%	rent stabilized

Table 3: Sub-Area 2

Address	Rent Stabil Res. Units	Rent Stabil. 2007	2017	
752 BROADWAY	176	20	15	
416 LAFAYETTE STREET	41	23	10	
36 EAST 4 STREET	18	9	7	
34 EAST 4 STREET	16	10	6	
434 LAFAYETTE STREET	14	8	8	
334 BOWERY	14	10	14	
17 BLEECKER STREET	11	0	**3**	
430 LAFAYETTE STREET	8	0	**8**	
428 LAFAYETTE STREET	8	0	**4**	
654 BROADWAY	8	0	**6**	
432 LAFAYETTE STREET	7	5	5	
4 GREAT JONES STREET	6	0	4	
25 GREAT JONES STREET				
27 GREAT JONES STREET	10	0	0	Condo
29 GREAT JONES STREET	10	0	0	Condo
31 GREAT JONES STREET	0	0	0	3 stories - Mostly retail
33 GREAT JONES STREET	3	0	0	
35 GREAT JONES STREET	0	0	0	7 story office bldg
37 GREAT JONES STREET	3	0	0	
39 GREAT JONES STREET	8	0	0	
41 GREAT JONES STREET	3	0	0	
43 GREAT JONES STREET	7	0	0	
45 GREAT JONES STREET	5	0	0	
47 GREAT JONES STREET	0	0	0	
49 GREAT JONES STREET		0	0	
51 GREAT JONES STREET	0	0	0	
53 GREAT JONES STREET	0	0	0	1 story retail
55 GREAT JONES STREET	6	0	0	
Total	382	85	90	
			23.6%	

Table 6: Projected Low Income Housing Units on 27 Soft Sites Using MIH (30% - 50% Low Income)

SoHo/NoHo Study Area

(An alternative Zoning Scenario)

#	Building Address	Area	Block	Lot	# of lots	Lot Area	Proposed Resid FAR	Resid ZFA	Projected Units	30% low income	40% low income	50% low income	Historic District?	Sub-Area	Notes	Low Income
1	358 Bowery	NoHo	531	37	1	9,574	R9X/9.7	68,933	77	-	-	-	No	1	Construction is already planned by a hotel developer at this site; he bought air rights from adjacent buildings	On Site
2	352 Bowery	NoHo	531	41, 42	2	4,844	R8A/7.2	34,877	39	-	16	-	No	1	1 story garage and 1 story retail between Great Jones & E 4th St	On Site
3	375 Lafayette St/Great Jones St	NoHo	531	17, 52, 56	3	20,527	R8A/7.2	147,794	164	-	-	82	Yes	2	Large Edison parking lot across st from 3-8 story buildings; Blink fitness bldg diagnolly across st is 14 stories	On Site
4	410 Lafayette Street	NoHo	545	48	1	8,906	R8A/7.2	64,123	71	-	-	36	Yes	2	Parking lot north of E 4th St; 418 Lafayette is over 120 ft tall	On Site
5	3 Howard Street	SoHo	208	13, 19, 20	3	21,348	R9A/8.5	181,458	202	-	-	101	No	3	4 story parking garage on Centre St, surrounded by 12 story bldgs	On Site
6	180 Centre Street	SoHo	207	, 6, 7, 8, 10	5	13,830	R9A/8.5	69,150	77	-		38	Yes	3	Parking lot between Canal and Hester St next to 7 story buildings	On Site
7	126 Lafayette Street	SoHo	209	21, 26	2	10,619	R9A/8.5	90,262	100	-		50	No	3	3 story bldg between Canal and Howard St near 16 story bldgs	On Site
8	114 Baxter Street	SoHo	207	20	1	6,614	R9A/8.5	44,187	49	-		25	No	3	Between Canal and Hester St	On Site
9	155 Grand Street	SoHo	234	9, 11	2	4,548	R9A/8.5	38,658	43	-	17		No	3	5 story bldg, Froquet restaurant on ground fl, just east of Lafayette St	On Site
10	247 Canal Street	SoHo	208	1	1	3,424	R9A/8.5	29,104	32	-	13		No	3	Vacant lot between Lafayette and Centre St next to 8 story bldg. It looks there's scaffolding there in the google photo	On Site
11	217 Hester Street	SoHo	235	29	1	2,885	R9A/8.5	24,523	27	8	11		No	3	3 story building between Lafayette and Baxter St (Demolition?)	On Site
12	123 Lafayette Street	SoHo	208	4	1	3,443	R9A/8.5	26,614	31		12		No	3	5 story building between Canal and Howard St (Conversion or demolition?)	On Site
13	324 Lafayette Street	NoHo	522	28	1	6,636	R8A/7.2	47,779	53			27	Yes	5	8 story office bldg, office to residential conversion	On Site
14	321 Lafayette Street	NoHo	522	41, 43	2	3,087	R8A/7.2	22,226	25	8			Yes	5	1 story bldg between Houston and Bleecker St, next to 7 story bldg	On Site
15	53 Bond Street	NoHo	529	35	1	3,190	SD/5.0	15,950	18	5			Yes	6	2 story building (NoHa Group) between Bowery and Lafayette St; an enlargement?	Off Site
16	281 Lafayette Street	NoHo	510	33	1	2,375	SD/5.0	11,875	13	4			Yes	7	1 story retail shop between Prince and Houston St	Off Site
17	75 Spring Street	SoHo	496	40	1	6,222	SD/5.0	31,110	35		14		Yes	7	8 story office building btwn Lafayette & Crosby St, office to residential conversion	On Site
18	154 Grand Street	SoHo	472	28	1	6,299	SD/5.0	31,495	35		14		No	7	6 story office building, We Work on ground floor, office to residential conversion	On Site
19	218 Lafayette Street	SoHo	482	27, 28	2	5,261	SD/5.0	26,305	29		12		Yes	7	2 two-story buildings between Broome and Spring St	On Site
20	72 Grand Street	SoHo	475	61	1	2,841	SD/5.0	14,205	16	5			Yes	7	Between Greene and Wooster St. It's under construction already?	Off Site
21	81 Mercer Street	SoHo	485	28	1	2,413	SD/5.0	12,065	13	4			Yes	7	Small parking lot between Broome and Spring St	Off Site
22	356 West Broadway	SoHo	476	73	1	10,183	R9A/8.5	86,556	96			48	No	8	2 story parking garage btwn Grand & Broome St, next to 7-9 story bldgs	On Site
23	43 Grand Street	SoHo	227	20, 22	2	6,265	R9A/8.5	53,253	59			30	No	8	Between W. Broadway & Thompson St	On Site
24	391 Canal Street	SoHo	227	6, 7	2	4,835	R9A/8.5	41,098	46			23	No	8	3 bldgs, 1-2 stories, between W. Broadway & Thompson St	On Site
25	92 Ave of the Americas	SoHo	476	1	1	4,484	R9A/8.5	38,114	42		17		No	8	Between Grand & Watts St, next to a 16 story bldg	On Site
26	30 Thompson Street	SoHo	476	56	1	2,770	R9A/8.5	23,545	26	8			No	8	1 story garage, between Grand & Broome St	On Site
27	381-383 Canal Street	SoHo	227	1, 2	2	2,944	R9A/8.5	16,486	18	5			No	8	2 four-story buildings between W Broadway and Thompson St (Demolition?)	Off Site
	Total								1,437	47	126	459			632	
										3.3%	8.8%	31.9%			43.9% of the units would be low income	

Total of 632 low income units, or 43.9% low income

SoHo NoHo Core (Sub-Areas 6 and 7) They comprise nearly half of the 56 block study area

DCP proposed R7X inclusionary: 6.0 FAR, 60-105 base height, 145 building height, 14 story maximum, 15% parking requirement

Alternative proposal: MIH without upzoning. Create a **special zoning district** in the SoHo core (sub-areas 6 and 7) that creates MIH at ates MIH with 5.0 FAR, set 85 ft ht limit

NoHo North and Broadway Corridor: (Sub-Areas 2 and 5) They comprise about 18 blocks

DCP proposes 9X inclusionary: It allows for 9.7 FAR, 105 - 145 base height, 205 ft height limit, 12% parking requirement

Alternative proposal for **Broadway corridor**: Create **R9A inclusionary**: 8.50 FAR, 60-125 ft base height, 175 ft maximum height, 17 stories

Rationale - there are numerous buildings on Broadway in excess of 8.5 FAR and in excess of 175 height

and there are very few opportunities to build housing on Broadway anyway, so the impact will b and

Alternative Proposal for **NoHo North**: Create **R8A inclusionary**: 7.2 FAR, 60-105 base height, 145 building height, 14 story maximum, 12% parking requirement

The few development sites in NoHo are near loft buildings that are 8 - 14 stories, and over 100 ft tall. With setbacks at 85 or 105 ft, they won't have a big negative impact

Housing Opportunity Zones: (Sub-areas 3 and 8)

DCP proposes R10 inclusionary zones in these areas outside the historic districts.

R10 inclusionary allows for: 12.0 FAR, 125-155 ft base height, 215 ft ht (21 stories) on narrow street, 235 ft on wide street (23 stories), 12% parking requirement

Alternative proposal: **R9A inclusionary** is appropriate for Sub-areas 3 and 8, with 8.5 FAR, 175 ft height limit

Canal Street Corridor: (Sub-area 4) It comprises 5 blocks of the north side frontage of Canal Street

DCP proposes 9X inclusionary: It allows for 9.7 FAR, 105 - 145 base height, 205 ft height limit, 12% parking requirement

Alternative proposal: this zoning is wildly out of scale with the 4-9 story character of Canal Street.

R7D or R8A inclusionary are more appropriate. R7D creates 5.6 FAR and R8A creates 7.2 FAR inclusionary housing with 115 to 145 height limits respectively.

Any site that can generate at least 40,000 sq. ft. of housing should be required to provide 50/50 mixed income housing. Smaller sites should be 70/30 mixed income.

All sites that generate at least 12,500 sq. ft. of housing must require on site affordable housing

DCP needs to create anti-harassment protections as part of this rezoning. Tenants in areas outside

historic districts could face displacement pressure.

Note: I provided the gross floor area for each site, not the zoning floor area since doing so would require a detailed analysis of each site to

determine the amount of mechanical spaces, cellar spaces, elevator shafts,staircases, or parking spaces that will be allocated to each building.

Subject: Response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M

Date: Wednesday, December 16, 2020 at 11:17:53 AM Central Standard Time

From: Zella Jones

To: 21DCP059M_DL

Attachments: NoHo-Bowery Stakeholders Complete EIS Response_2020-12-16.doc.pdf

Zella Jones
President

--
NOHO/BOWERY STAKEHOLDERS, INC
17 Bleecker St., Ste. 5
New York, NY 10012
Voice/Text: 917-686-8385

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NoHo Bowery Stakeholders

December 16, 2020

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Sylvia Xiaomeng Li
Planning Team Lead
NYC Dept. of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Sylvia:

This constitutes NoHo-Bowery Stakeholders, Inc. comments and response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M. Attached also are a map and table referenced in our response.

Our response is arranged in the same order as the Draft Scope of Work. Should you and the SoHo/NoHo Neighborhood Plan team wish further explanation or background we will be pleased to respond.

Thank you, in advance for your kind attention.

Sincerely,

Zella Jones

cc: **21DCP059M_DL@planning.nyc.gov**

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A. INTRODUCTION

Page 1
The following land use and zoning objectives articulated in the SoHo-NoHo Advisory process and report should be added:

- Introduce residential uses into neighborhoods which heretofore have not permitted residential development as a matter of right with a comprehensively planned and considered actions that incorporate consideration of impacts on current levels of **public** conditions such as public open space, sanitation, firehouses and equipment, delivery vehicle management (e.g., parking/standing/loading signage) and of future needs for hospital, schools in light of an accurate survey of existing residents and workers.

- Introduce residential uses into neighborhoods which heretofore have not permitted residential development as a matter of right with a comprehensively planned and considered action that incorporate consideration of impacts on current levels of **private** conditions such as protecting and expanding live-work uses and supporting creative, arts, and cultural uses and the neighborhood services they depend on that are unique to an existing JLWQA neighborhood, including neighborhood services for residential and light industrial (JLWQA) uses, adaptive reuse of existing buildings, and impacts on the existing supply of currently affordable existing commercial, community facility and JLWQ leases based on accurate surveys of existing residents, workers and building types.

We therefore recommend that the Scoping Document be modified to include in the draft EIS the necessary analyses to accomplish the two above objectives and further disclose the Proposed Actions' potential adverse impacts within the Study Area on the above-specified unquantified objectives.

C. BACKGROUND TO THE PROPOSED ACTIONS

Page5
A DIVERSIFYING ECONOMY AND A GROWING RESIDENTIAL PRESENCE

Consistent with the recommended new objectives, we therefore recommend that the Scoping Document be modified to include in the draft EIS an analysis to adequately disclose the Proposed Actions' potential adverse impacts on the current built environment within the Study Area, with particular attention to the area between Bleecker and Spring Streets, from Mercer to Crosby Streets and in particular how the Proposed Actions might adversely impact opportunities for expansion and/or conversion of already overbuilt, noncomplying buildings to residential use.

Page 5
DEMOGRAPHICS

DCP states that 40% of units are owner occupied and of the 60% that are rented nearly 50% pay less than $2,000/mo rent. This translates to 30% of current units are paying less than $2000/mo. rent. Based on DCP figures, 50% AMI would generate a rent of between $1500-1800/mo. Conclusion: 30% of rental units in NoHo/Soho are currently at or below 50% of AMI. This is a unique existing market that requires more extensive analysis to understand impacts.

We therefore recommend that the Scoping Document be modified to include in the draft EIS an accurate and more thorough analysis of the Proposed Actions' potential adverse impacts on the current and future supply and affordability of the existing stock of JLWQA and residential space within the Study Area.

Page 6
COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION: ENVISION SOHO/NOHO

We concur with a number of other organizations that participated in the Envision SoHo Advisory that this plan does not adequately address the conclusions of the Envision process. In particular, we concur with a statement submitted by the **Cooper Square Committee**:

Allowing residential development at an FAR in excess of 5.0 poses a substantial risk to the historic districts in the core of SoHo/NoHo. Another major issue is that DCP's proposed zoning text amendment would allow for of site low income housing when less than 25,000 sq. ft. of housing is developed. This creates an opening for developers to do enlargements of existing historic buildings, creating a windfall for developers who can add luxury penthouse units, and not have to provide any onsite affordable housing. In fact, the offsite affordable housing is likely to be situated in the outer boroughs. DCP's soft site analysis doesn't take into account this possibility at numerous sites in the study area, and yet it could do irreversible damage to the character of the historic districts.

We therefore recommend that the Scoping Document be modified to include in the draft EIS analyses of alternates to the Proposed Actions that will not increase the existing FAR within the Historic Districts and alternates that do not include satisfaction of MIH requirements through development of off-site affordable units and/or affordable units located outside the SNMD.

Page 9
NEIGHBORHOOD CONTEXT
SoHo and NoHo Historic Cores

NoHo's Historic Cores are spread throughout the neighborhood advancing from Houston to Astor Place, east and west throughout the M1-5B zone – a 10 block Historic District with 16 individually Landmarked Buildings. Unlike SoHo, the individual landmarks and the Historic Districts represent **three centuries** of existing built New York City history, starting with its Federal-style row houses constructed in the first decades of the nineteenth century for middle-class New Yorkers in the early 19th Century, as well as a tangible reminder of the City's economic and social evolution. Excerpts from the LPC Designation Reports:

" A second period of residential development occurred following the Civil War, a period during which the NoHo East area began its transformation from a low-scale neighborhood of row houses to a densely built-up and crowded urban sector. Commercial development continued as the turn of the century approached, and some of the city's most prominent developers constructed new loft buildings…. Today, this diversity of small dwellings, apartment buildings, factories,

lofts, and stables represents an intact and unusual historic mixed-use neighborhood in lower Manhattan.

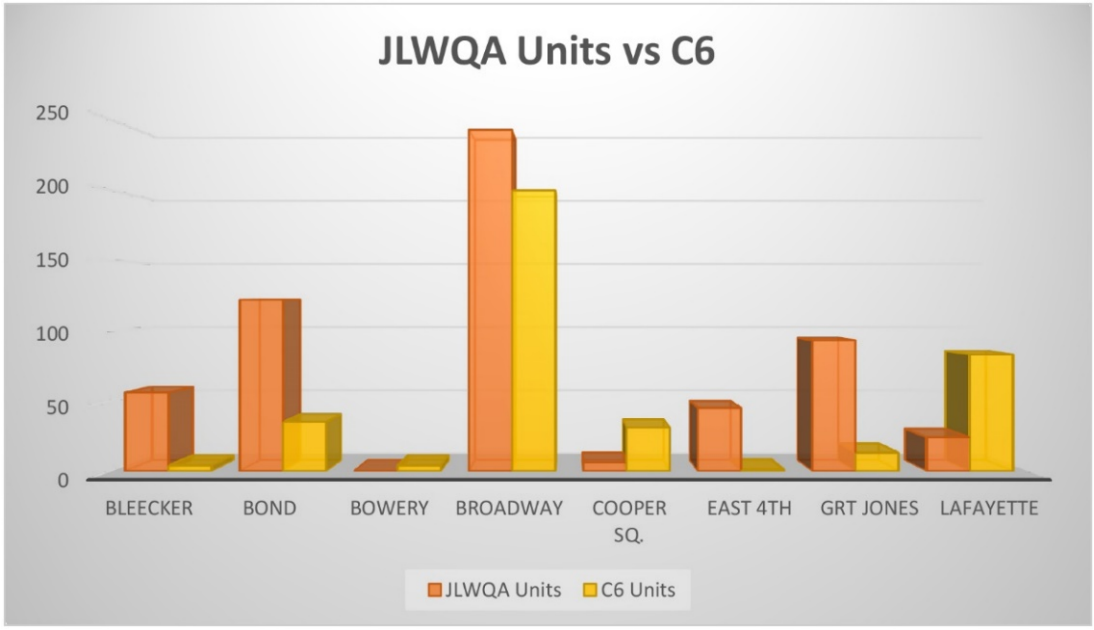
NoHo East Designation Report
June 24, 2003

The NoHo Historic District, which is comprised of approximately 125 buildings, represents the period of New York City's commercial history from the early 1850s to the 1910s, when this section prospered as one of its major retail and wholesale dry goods centers. Acclaimed architects were commissioned to design ornate store and loft buildings in popular architectural styles, providing a rich fabric against which shoppers promenaded, looked at display windows, and bought goods, and merchants sold products. The district also contains early-nineteenth century houses, nineteenth- and twentieth-century institutional buildings, turn-of-the-century office buildings, as well as modest twentieth-century commercial structures, all of which testify to each successive phase in the development of the historic district. Today, the effect is of powerful and unifying streetscapes of marble, cast iron, limestone, brick, and terra-cotta facades.

NoHo Historic District Report
June 29, 1999

We therefore recommend that the Scoping Document be modified to include in the draft EIS an accurate building-by-building analysis that corrects the many errors of fact in the DSOW with regard to building typologies, heights and sizes and the shadow impacts of any new development on historic buildings so that an accurate analysis disclosing the Proposed Actions' potential adverse impacts on the existing built conditions within the SNMD can be completed and alternates can be considered with that will provide a range of building height caps appropriate to their immediate surroundings including a 160' height cap in the northern portion of NoHo.

Page 9
BROADWAY CORRIDOR *(CONTINUED NEXT PAGE)*



This graph represents M1-5B NoHo, Only

In NoHo, the M1-5B zoned Broadway Corridor is predominantly JLWQA lofts with groundfloor commercial units of smaller footprint than counterparts south of Houston, with a few office exceptions. This speaks to the scale of commerce on Broadway in NoHo as opposed to SoHo. Accordingly, there will be very little opportunity for applying MIH in NoHo's Broadway Corridor, and little or no residential development but for the addition of ultra-luxury penthouse additions on iconic historic buildings.

We therefore recommend that the Scoping Document be modified to include in the draft EIS an accurate building-by-building analysis correctly quantifying the amounts of existing retail, commercial, manufacturing (including JLWQA) and residential uses, correctly identifying the opportunities for MIH in each building within NoHo so that the CEQR analysis will disclose the Proposed Actions' potential adverse impacts on its the existing character of SoHo and NoHo.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

Page 13
REPLACE OUTDATED MANUFACTURING DISTRICTS WITH MIXED USE REGULATIONS

Support of the arts and creative industries is not defined in the DCP scoping document.

We therefore recommend that the Scoping Document be modified to include in the draft EIS additional data on the breakdowns, locations and rental/ownership of floor area within the Study Area occupied by the artistic, creative and "maker" communities so that the CEQR analysis will disclose any potential adverse impacts on each of these valued and defining SoHo and NoHo communities and appropriate and equitable SNMD text can be developed to provide for their retention in the SNMD.

Page. 15
SUPPORT ARTS AND CULTURE

Consideration should be given to changes in the definition of an artist in Section 276 of the Multiple Dwelling Law that require annual registration renewal to qualify for JLWQA– State Action could aid in identifying artist/maker tenants as well as building spaces. [See Maker Economy https://comptroller.nyc.gov/reports/]

Consideration should be given to creating a Flip tax upon sale of a former JLWQA unit that would be paid into a fund for SoHo-NoHo art creation and display and assigned to a manager, similar to the Lower Manhattan Cultural Council, to assist currently non-complying residents with the transition from JLWQA occupancy to legal residential use.

We therefore recommend that the Scoping Document be modified to include in the draft EIS an analyses of available zoning and governmental support programs and precedents (*e.g.*, Westbeth, Manhattan Plaza, Special Midtown District, Special 125th Street District, Governor's Island) historically and currently used in conjunction with other City programs to support the retention or availability of both residential and work space for New York's cultural , artistic and "maker" communities as potential mitigation

for displacement of these communities created by the Proposed Actions.

F. DESCRIPTION OF THE PROPOSED ACTIONS.

ZONING MAP AMENDMENT

Page 16
PROPOSED ZONING DISTRICTS

There have been and will be many alternate actions proposed, including the use of residential districts with commercial overlays to protect LOCAL retail uses. The Scope of Work should be broad enough to permit consideration of the following alternatives utilized in areas surrounding the subject area.

We therefore specifically recommend that the Scoping Document be modified to include in the draft EIS the analyses of alternates to the Proposed Actions that will better reflect the existing land use patterns in NoHo and that will support the development of affordable housing within the NoHo portion of the SNMD. The alternates are:

1. **Re-zone north of Houston to R8A with a C2-5 overlay.**
2. ***Re-zone north of Houston Street to C6-2A.***
3. **Modify the SNMD map north of Houston to recognize that the likely sites for new affordable housing are north of Great Jones Street, by creating sub-districts using Great Jones Street as the north/south boundary, with the south subdistrict M1-6 or M1-5 paired with R8A and the north subdistrict M1-5/R9X [*Map Attached*]**

ZONING TEXT AMENDMENTS

SPECIAL SOHO/NOHO MIXED USE DISTRICT AND SUBDISTRICTS (SNMD)

Page 17
GENERAL USE REGULATIONS

We recommend that the Scoping Document be modified as necessary to consider the adoption of the following alternatives in the SNMD:

- **"home occupation" use as used in Special Tribeca Mixed Use District**

- **Limiting UG 10 to the Broadway and Lafayette corridors, as-of-right if under 10,000 sf and by special permit if over. Eliminating new transient hotels and dormitories that suppress the development of affordable housing on the few available sites in NoHo.**

Page 18
NON-RESIDENTIAL FLOOR AREA RETENTION

Existing NoHo office buildings, which are largely overbuilt present an opportunity for adaptive re-use especially for through-block buildings. Alternates with special rules will need to be considered.

We therefore recommend, consistent with its earlier recommendation for Section C-page 5 ("Background for the Proposed Actions"), that the Scoping Document be modified so that the draft EIS will identify and analyze potential adverse impacts on the current built environment within the SNMD, with particular attention to the necessity for specialized SNMD text governing conversions to MIH floor area, especially in existing overbuilt noncomplying buildings. In conjunction with these additional analyses, we recommend that the draft EIS study the potential for potentially adverse displacement of existing commercial tenants within the SNMD due to residential conversion in light of current pandemic and post-pandemic markets.

Page 18
NON-RESIDENTIAL FLOOR AREA RETENTION

SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939 [source 2014-2018 American Community Survey].

The feasibility of adding MIH units or even new development under this zoning will be severally impacted by the age and historic underpinnings.

This is a building stock that has virtually no separation – even rear yards in most places, especially the commercial corridors, these factors will impact costs of new buildings and the ability to include MIH in the mix.

Overcoming this built environment could encourage non-residential development or produce another wave of BSA applications based on hardship not dis-similar to those experienced over the last 15 years.

We therefore recommend that the Scoping Document be modified so that the draft EIS will identify and analyze the Proposed Actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Floor Area and Bulk Regulations
Page 18-19
MANDATORY INCLUSIONARY HOUSING (MIH) PROGRAM

We agree with the observations and conclusions of the testimony of the Cooper Square Committee regarding increasing the MIH required percentages, preventing enlargement of historic buildings and legalizing residential use in IMD/JLWQA Buildings.

We therefore recommend that the Scoping Document be modified so that the draft EIS will identify and analyze the programmatic recommendations of the Cooper Square Committee.

G. ANALYSIS FRAMEWORK

Page 23
PROJECTED AND POTENTIAL DEVELOPMENT SITES

The SoHo and NoHo M1-5B District is largely a historic district: 5,619 units were built prior to 1939. The feasibility of adding MIH units or even new development through the Proposed Actions will be severally impacted by the age and the very old configurations of the lots and buildings. The feasibility of MIH housing will be required to "hold its own" in competition among other development strategies and uses, and other provisions of the Zoning Resolution providing relief from financial hardship.

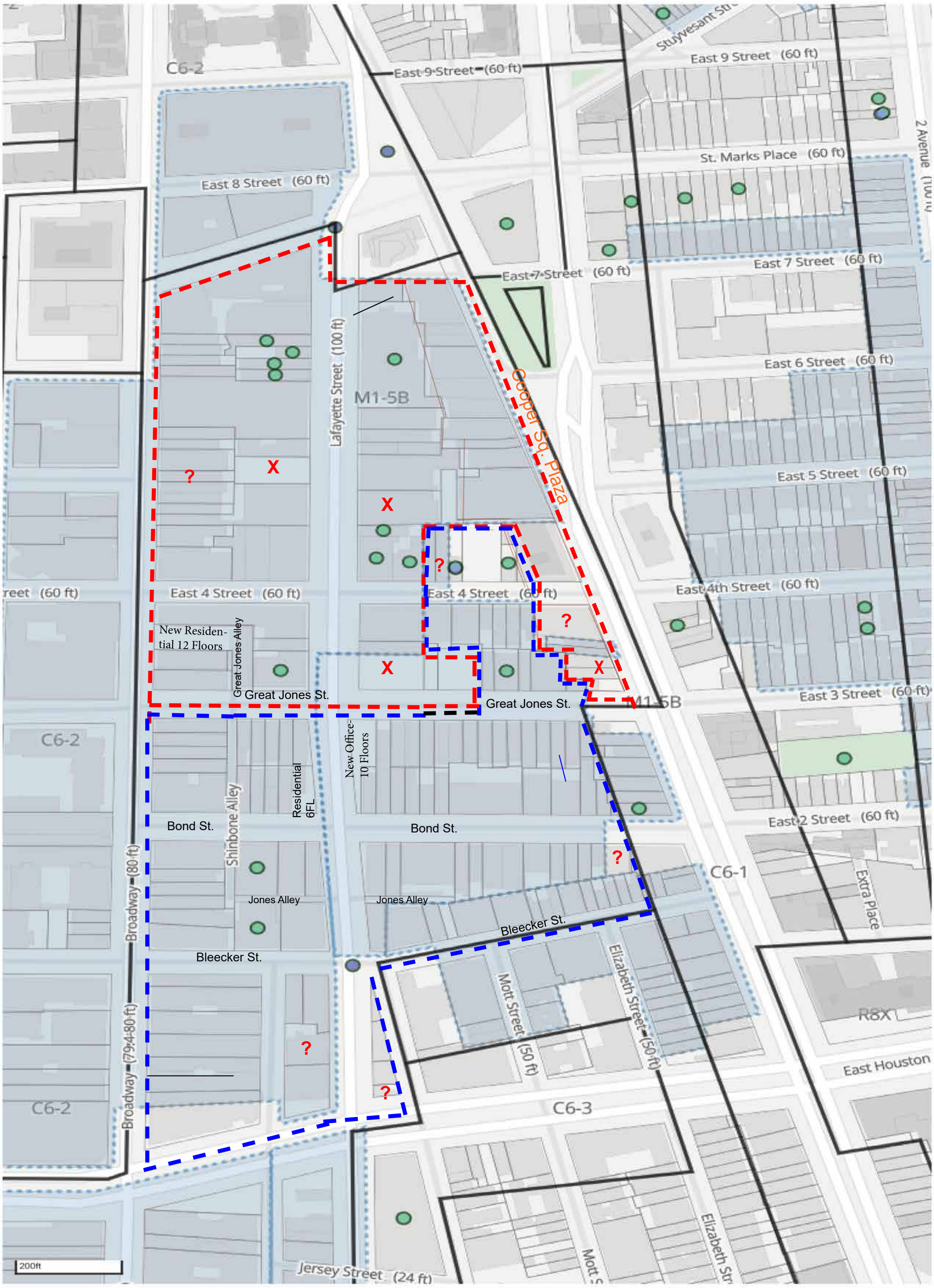
We therefore recommend that the Scoping Document be modified so that the draft EIS will identify and analyze the Proposed Actions' potential adverse impacts on the currently well-established unstable ground, subgrade water and storm and sewer drainage conditions within SoHo and NoHo, with particular emphasis on the potential adverse impacts on existing historic properties of excavations and foundations for new construction within the SNMD.

Page 24

PROJECTED DEVELOPMENT SITES & POTENTIAL DEVELOPMENT SITES

We recommend that the Agency review the lists of projected and potential development sites in NoHo for accuracy generally and to re-assess the assumptions regarding the likelihood for these sites to be developed as affordable housing under the Proposed Actions. Only three lots have buildings built after 1897; Two lots are already in development; one site is 1000 sq ft footprint.
See Table Attached

NoHo Alternative Mixed Use Special District Zones



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KEY

Individual Landmark

X Potential MIH Development

? Questionable MIH Development- Either already in development or disqualified

NoHo South Zone

NoHo North Zone

Section F

P. 16 PROPOSED ZONING DISTRICTS
The Scope of Work should be broad enough to permit consideration of the following alternatives utilized in areas surrounding the subject area.

The EIS study should investigate/document the impact of Commercial overlays in residential zones to limit the possibility of expanded new office construction and to ensure that LOCAL retail uses are incorporated in the plan:

We therefore recommend that the Scoping Document be modified to include in the draft EIS the analyses of alternates to the Proposed Actions that will better reflect the existing land use patterns in NoHo and that will support the development of affordable housing within the NoHo portion of the SNMD.

The alternates are:
1. Re-zone north of Houston to R8A with a C2-5 overlay.
2. Re-zone north of Houston Street to C6-2A.
3. Modify the SNMD map north of Houston to recognize that the likely sites for new affordable housing are north of Great Jones Street, [RED ZONE] by creating sub-districts using Great Jones Street as the north/south boundary, with the south subdistrict [BLUE] M1-6 or M1-5 paired with R8A and the north subdistrict M1-5/R9X [RED]

BACKGROUND:

NoHo's Historic Cores are spread throughout the neighborhood advancing from Houston to Astor Place, east and west throughout the M1-5B zone – a 10 block Historic District with 16 individually Landmarks. Unlike SoHo the individual landmarks and the Historic Districts represent three centuries of existing built New York City history, as well as a tangible reminder of economic and social evolution beginning with:

Federal-style row houses that were constructed in the first decades of the nineteenth century for middle-class New Yorkers in the early 19th Century." A second period of residential development occurred following the Civil War, a period during which the NoHo East area began its transformation from a low-scale neighborhood of row houses to a densely built-up and crowded urban sector. Commercial development continued as the turn of the century approached, and some of the city's most prominent developers constructed new loft buildings…. Today, this diversity of small dwellings, apartment buildings, factories, lofts, and stables represents an intact and unusual historic mixed-use neighborhood in lower Manhattan.
NoHo East Designation Report
June 24, 2003

To the north and west NoHo's first designation, chronicles our commercial and institutional history with larger buildings filling the footprint of every lot:

The NoHo Historic District, which is comprised of approximately 125 buildings, represents the period of New York City's commercial history from the early 1850s to the 1910s, when this section prospered as one of its major retail and wholesale dry goods centers. Acclaimed architects were commissioned to design ornate store and loft buildings in popular architectural styles, providing a rich fabric against which shoppers promenaded, looked at display windows, and bought goods, and merchants sold products. The district also contains early-nineteenth century houses, nineteenth- and twentieth-century institutional buildings, turn-of-the-century office buildings, as well as modest twentieth-century commercial structures, all of which testify to each successive phase in the development of the historic district. Today, the effect is of powerful and unifying streetscapes of marble, cast iron, limestone, brick, and terra-cotta facades.
NoHo Historic District Report
June 29, 1999

	G	H	I	J	K	L	M	N	O	P	Q	R	S
1	**Dev. Site**	**Address #**	**Street**	**Block**	**Lot**	**Lot Size**	**Floors**	**Total Sq. Ft**	**Commercial Floors**	**Residential Units**	**DOB Classification**	**C of O Documentation**	**Conditions**
2	**#1**	350	Bowery	531	42	1,873	3	6,390	1	2	Residence (Multiple Use) - Primarily Two Family with One Store or Office (S2)	1953. 1st Store; 2-3 Showroom, Office, Storage, Apartment. No Use Groups	Air Rights for 2.0 FAR Transferred to 358 Bowery. Built 1920. No HPD Registrations
3	***#1***	352	Bowery	531	41	2,016	3	5,275	1	2	Residence (Multiple Use) - Primarily Two Family with One Store or Office (S2)	1963. 1st Store; 2-3 Apartments	Air Rights for 2.0 FAR Transferred to 358 Bowery. Built 1920. No HPD Registrations
4	**#13**	358	Bowery	531	37	8,705	1	5,072	1		Store Buildings (Taxpayers Included) - One Story Retail Building (K1)	2017 Temp. Eating & Drinking UG-6A	In Development for Office Use
6	**EEE**	403	Lafayett	544	5	11,985	3	33,996	1		**All Parking Garages (G1)**	1954. 1st Motor Vehicle Repair, Gasoline; 2-Roof Parking. Connected to 24 East 4th St.	This is a two lot parcel that wraps to East 4th St. adjacent to the Merchants House Museum
7	**J**	27	East 4th	544	72	3,456	1	3,600	1		All Parking Garages (G1)	1946. Garage for more than 4 cars. Connected to 403 Lafayette	See Above. Application before Landmarks for a 7-story as of right office building. See https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2020/12/27-E-4th_Community-Board-Presentation_2020_12_02.pdf
9	BB	686	Broadwa	531	3	5,330	2	15,660	1		Store Buildings (Taxpayers Included) - Multi-Story Retail Building (K2)	1995. Retail all floors UG-6. **Converting to Farm Distillery	Air Rights for 10 FAR Transferred to 684 Broadway
10	**N**	57	Great Jo	530	132	2,383	2	4,187	2		Store Buildings (Taxpayers Included) - Multi-Story Retail Building (K2)	2016 Temp. 1st Retail UG-6; 2 Offices UG-6	Built 1868
11	**#14**	53	Bond	529	35	2,885	2	5,764	4		Store Buildings (Taxpayers Included) - Multi-Story Retail Building (K2)	2013 Final. 1st Eating & Drinking UG-6; 2nd Office & Storage UG-6	Built 1950
12	**#3**	315	Lafayett	522	43	1,144	1	1,000	1		Store Buildings (Taxpayers Included) - One Story Retail Building (K1) ALSO 299 Mulberry	2006 Final. Small Business Machine Rental or Repair UG-9A	Lot is directly over Subway and also serves as an entrance to Broadway/Lafayette Station. 1000 sq. ft lot disqualifies
13	**#30**	324	Lafayett	522	28	6,272	8	38,720	9		Office Buildings - Office with Comm – 7 to 19 Stories (O6)	2002. Mezz thru 3 Transient Hotel UG-5; 4-8 Factory UG-17. 2018. Cellar and 1st Eating & Drinking UG-6A and 6F	Transient Hotel is now offices for nonprofit BRC and architect offices. 9 Stories Built in 1897. No HPD Registrations.
14	**F**	732	Broadwa	545	20	3,320	4	11,662	1	4	Store Buildings (Taxpayers Included) - Predominant Retail with Other Uses (K4)	2006 Final. Cellar, 1st Commercial UG 6; 2-4 JLWQA UG-17 (?)	Built in 1853. Likely rent stabilized tenants. HPD indicates that conversions have not been registered. Stabilized tenancy undocumented.

Subject: SoHo/NoHo Rezoning Plan
Date: Friday, December 4, 2020 at 3:41:39 PM Central Standard Time
From: Amelia Josephson
To: 21DCP059M_DL

Dear DCP,

I am writing to express my support for rezoning SoHo/NoHo for affordable housing. While broadly supportive of the plan, I urge DCP to ensure that the commercial FAR is not so generous as to disincentivize housing production. Further, I favor the deepest level of MIH affordability, and hope that DCP will work with DOE and other stakeholders to ensure a thoughtful plan for school integration.

Best,

Amelia Josephson
Board Member Open New York
908-812-4049

Subject: CHPC Comments on SoHo/NoHo DSOW
Date: Tuesday, December 8, 2020 at 10:05:35 AM Central Standard Time
From: Sheena Kang
To: 21DCP059M_DL
Attachments: CHPC SoHo_NoHo DSOW Comments - Written.pdf

Dear SoHo/NoHo Neighborhood Plan Team:

Please see attached written comments from Citizens Housing & Planning Council (CHPC) on the SoHo/NoHo Neighborhood Plan Draft Scope of Work. We are happy to answer any questions you may have. Thank you for your important work on this issue!

All the best,

Sheena Kang
Senior Policy Analyst
Citizens Housing & Planning Council
42 Broadway, Suite 2010
New York, NY 10004
212-286-9211 x 112
Read about our latest work at www.chpcny.org
And find us on Twitter, Facebook and LinkedIn

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Comments on the SoHo/NoHo Neighborhood Plan Draft Scope of Work (CEQR No. 21DCP059M)

Citizens Housing & Planning Council
December 3, 2020

Summary

CHPC applauds and thanks the administration for pursuing the SoHo/NoHo Neighborhood Plan & rezoning (CEQR No. 21DCP059M), an important step forwards in implementing the fair housing goals and values laid out in NYC's *Where We Live* plan. In order for the rezoning to achieve the fair housing goals underlying it, CHPC urges the City to maximize opportunities for new housing. CHPC recommends:

- Implementing the new residential FARs laid out in the Draft Scope of Work.
- Retaining the existing FAR of 5 for commercial and manufacturing uses, at least in the SoHo East, SoHo West, and NoHo-Bowery Corridor Subdistricts, rather than increasing commercial and manufacturing FAR to levels proposed in the Draft Scope.
- Exploring options to expand the rezoning area, to make the housing opportunity zones larger and maximize opportunities for new residential development.
- Relaxing the proposed rule for one-to-one retention of non-residential uses in projects involving large existing buildings, to avoid preservation of commercial uses at the expense of housing.

CHPC is happy to answer any questions regarding these recommendations. Our full comments, provided at the Scoping Meeting on December 3rd, are provided below.

Detailed Comments

Citizens Housing & Planning Council (CHPC) is grateful for the opportunity to offer comments on the Draft Scope of Work (DSOW) for the SoHo/NoHo Neighborhood Plan & Rezoning (CEQR No. 21DCP059M).

First and foremost, CHPC is incredibly enthusiastic to see the SoHo/NoHo rezoning advance, and we applaud and thank the administration for taking this crucial opportunity. This rezoning marks an important step forwards in implementing the goals and values that are laid out in *Where We Live*, the City's plan to affirmatively further fair housing. It is time for concrete policy reforms that combat, rather than continue to study, racial inequity and the legacy impacts of segregation. This rezoning is one such measure with the potential for substantive and meaningful impact.

Although 8,000 New Yorkers live in SoHo/NoHo today, residential development in the area is currently not allowed. New York is facing a homelessness crisis and an affordable housing shortage of historic magnitudes. Rezoning SoHo/NoHo will allow for the creation of desperately needed housing supply in a neighborhood that is already largely residential. Meanwhile, with the addition of new affordable units, low-income households and New Yorkers of color will finally get to share in the benefits that SoHo/NoHo has to offer. Low-income residents will no longer be excluded from the opportunity to live in SoHo and enjoy its excellent access to transit, high-performing schools, concentration of jobs, and other rich amenities. The impacts of living in a neighborhood like SoHo/NoHo can be huge: in 2018, the life expectancy of Manhattan CB2 residents was 85.8 years of age, nearly 5 years longer than the citywide average of 81.2.

In order for the rezoning to achieve these positive impacts, however, it must facilitate a substantive amount of residential development. Opportunities for new housing are already limited, with 85% of the rezoning area located in a historic district. To ensure that the rezoning advances the fair housing goals that it is rooted in, CHPC urges the City to maximize opportunities for housing development, especially along the edges of the rezoning area, outside of the SoHo and NoHo Cores.

Specifically, CHPC recommends retaining the area's existing FAR for commercial and manufacturing uses, rather than adopting the higher commercial FARs proposed in the Draft Scope of Work. The residential FARs included in the Draft Scope strike an appropriate balance between built character and opportunities for new housing. Commercial FARs of 6 and 10 could easily disrupt that by suppressing residential

development in favor of office and other commercial uses. CHPC recommends limiting the commercial FAR to 5, at least in the SoHo East, SoHo West, and NoHo-Bowery Corridor Subdistricts, where the greatest housing opportunity exists. CHPC also recommends exploring options to expand the rezoning area, to make the housing opportunity zones larger and create additional opportunities for new residential development.

Finally, CHPC is concerned that a requirement for the one-to-one retention of non-residential floor area in projects involving large existing buildings could preserve commercial uses at the expense of new housing. We hope that the City will consider relaxing this proposed rule, which might also restrict housing opportunities to respond to market changes in the wake of COVID-19.

We are happy to answer any questions you may have regarding our comments. Thank you for allowing me to speak and for your efforts to advance this crucial rezoning.

Subject: SoHo/NoHo Rezoning (CEQR No. 21DCP059M)
Date: Friday, December 18, 2020 at 11:52:17 AM Central Standard Time
From: King, Penny
To: 21DCP059M_DL
CC: Bernstein, Zachary
Attachments: UAL - Draft Scope of Work Comments (12-18-20).pdf

Hello,
Attached please find comments on the draft scope of work from United American Land. Thank you.

Best,
Penny

Penny King
Associate
Penny.King@friedfrank.com | Tel: **+1 212 859 8415**

Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza, New York, NY 10004
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Pronouns: she/her/hers

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United American Land LLC

ual

December 18, 2020

By E-mail

New York City Department of City Planning
Environmental Assessment and Review Division
Attn: Olga Abinader, Director
120 Broadway, 31st Floor
New York, New York 10271
21DCP059M_DL@planning.nyc.gov

Re: SoHo/NoHo Rezoning (CEQR No. 21DCP059M)
Comments on the Draft Scope of Work for an Environmental Impact Statement

Dear Ms. Abinader:

This letter provides written comments on behalf of United American Land regarding the Draft Scope of Work dated October 28, 2020 for an Environmental Impact Statement for the SoHo/NoHo Rezoning proposal.

United American Land supports the efforts by the Borough President, Council Member Chin, and Department of City Planning (DCP) to modernize SoHo and NoHo's zoning rules and promote affordable housing development throughout these neighborhoods, while balancing the needs of artists, residents, and businesses.

In particular, we support the Department's goal of removing some of the obstacles presented by the existing zoning controls in this area, such as permitting ground-floor retail uses as-of-right, reflecting the reality of the market and the actual ground-floor uses throughout SoHo/NoHo.

As a long-term property owner in SoHo/NoHo, we have experience navigating the unique challenges of developing and renovating sites in this area. We suggest that DCP take into account the following considerations:

- DCP's zoning regulations for SoHo/NoHo should include provisions allowing for special permits or variances certified or filed prior to the adoption of new zoning regulations to be started or continued. As the Draft Scope notes, SoHo/NoHo has seen "an extraordinarily high volume of applications for special permits and variances." Special permits approved in recent years may not be vested by the time the proposed SoHo/NoHo rezoning is adopted. The No-Action Condition for the EIS should assume that properties that have obtained such special permits and variances are developed in accordance with the terms of those approvals.

- SoHo/NoHo includes underutilized sites that are challenging to develop due to their irregularity and shallow lot sizes. On these lots, yard and front setback requirements result in floorplates that are infeasible to construct once taking into account elevatoring, required egress stairs, and other building systems. DCP's zoning regulations should carefully consider how yard and setback regulations may affect the ability to construct functional floorplates. The Final Scope should confirm that the EIS will analyze With-Action Condition building envelopes consistent with these provisions.

- DCP's zoning regulations for SoHo/NoHo should consider as-of-right flexibility in bulk envelopes to account for the fact that over 80 percent of the project area is within City-designated historic districts and would require Landmarks Preservation Commission (LPC) approval for construction. Based on our experience, we anticipate that LPC may in some cases require new structures to set back at lower base heights than those identified in DCP's presentation during the public scoping meeting, and that LPC may prefer shallower setbacks than the standard setback depths. To ensure that LPC may shape building forms without the need for separate land use actions, DCP's zoning regulations for SoHo/NoHo should include provisions allowing for as-of-right variations in building envelopes on properties subject to LPC review. The Final Scope should confirm that the EIS will analyze With-Action Condition building envelopes consistent with these provisions.

Thank you for your attention to these comments.

Sincerely



Albert Laboz
United American Land, LLC

Subject: REBNY comments re 21DCP059M
Date: Wednesday, December 9, 2020 at 11:11:47 AM Central Standard Time
From: Basha Gerhards
To: Olga Abinader (DCP), 21DCP059M_DL
CC: Danielle J. DeCerbo (DCP), Madeleine McGrory
Attachments: 20201209 REBNY to DCP SoHo NoHo Draft Scope.pdf

Good afternoon!

Please see the attached scoping comments from the Real Estate Board of New York (REBNY). Please contact plodhi@rebny.com if the comments require any clarification on our end.

Thank you and hope all are well.
Basha

Basha Gerhards
Vice President
Policy and Planning
The Real Estate Board of New York
p: (212) 616-5254
e: BGerhards@rebny.com
www.rebny.com
Stay on top of New York.

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REBNY
REAL ESTATE BOARD OF NEW YORK

REBNY Testimony | December 9, 2020

The Real Estate Board of New York to

The Department of City Planning Concerning the SoHo NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M (ULURP Nos. Pending)

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY thanks the Department of City Planning (DCP) for the opportunity to submit comments on the SoHo NoHo Neighborhood Plan Draft Scope of Work (DSOW) in furtherance of the objectives laid out by the robust community engagement process *Envision SoHo/NoHo*.

The rezoning of Soho NoHo is necessary to replace outdated zoning that does not align with current commercial uses within the identified districts, and provides a critical opportunity to incentivize increasing both employment opportunities within the neighborhoods, as well as the supply of affordable housing within a transit-rich environment that has been largely devoid of much needed housing development. REBNY therefore supports the rezoning objectives. It is critical for the vitality of SoHo and NoHo that arts and cultural uses are supported, the world renowned cast iron district is valued, and commercial and residential uses are given parity with maker space to maintain its mixed use character.

As identified in the draft scope of work, the current "obsolete and onerous zoning," places significant barriers on property owners and businesses within the districts, including the high cost of acquiring special permitting for common ground floor uses including retail, food, beverage and other commercial uses. As the City navigates the economic challenges of the COVID-19 crisis, it is imperative that burdensome restrictions and limitations are not placed on businesses seeking to employ New Yorkers, and that they are able to efficiently operate in all New York City neighborhoods. Businesses currently operating in the SoHo NoHo districts, or seeking to move there, should be supported by city zoning which should be flexible across multiple business types. The neighborhoods of SoHo and NoHo are reliant on a vibrant mix of commercial uses, and the current system of planning via special permit is not sustainable given the evolving retail landscape and trends. It is imperative then that the DSOW clearly defines preservation requirements and the anticipated impacts of such. The resulting zoning text must not repeat the mistakes of the former Garment Center manufacturing preservation text with the inclusion of an out of touch ratio to the current and projected manufacturing sector trends.

Per a 2019 Department of City Planning report, job growth has outpaced housing production by a rate of .28 housing units permitted for each net new job, in the last decade. This has exacerbated pressure on rents, particularly at more affordable levels. In order to combat this historic deficit, every borough, and every neighborhood, needs to contribute to meeting the housing demand of the city. The draft scope of work anticipates that among the projected development sites, the neighborhoods of SoHo and NoHo could result in a net increase of approximately 1,683 dwelling units, including nearly 500 affordable units on projected development sites, with the potential of nearly 500 more affordable units on potential development sites. Without the proposed actions, existing conditions will remain, and under the Reasonable Worst Case Development Scenario, the total No Action development would comprise 16 existing DUs with no affordability requirement. This would deny the City much-needed tax revenue for economic recovery and affordable housing that will support neighborhood integration and further the City's Fair Housing goals.

To meet these goals, the DSOW needs to identify the proposed bulk and building envelope requirements. Those requirements must then be carefully analyzed to their implications on the utilization of the proposed maximum Floor Area Ratio (FAR)s. It would be deeply unfortunate to set housing unit production goals that cannot be practically met by a mismatch in buildable floor area versus permitted floor area. Such consideration must also take into account, where applicable, how Landmarks Preservation Commission review may impact potential development sites achieving the density necessary to the creation of affordable housing units and the integration of SoHo and NoHo. Additionally, the projected and potential development sites should be broken out into expected conversions, enlargements and developments. Finally, the DSOW should consider under public policy how to further fair housing goals under the city's *Where We Live NYC* plan, including whether to not implement community preference in the housing lottery for the affordable units.

REBNY supports the purpose and need of the proposed actions, as well as the land use and zoning objectives. Thank you for the opportunity to submit comments on this important opportunity to align current land uses with a vibrant neighborhood's needs, to give New Yorkers in need of greater access to housing and employment those opportunities, as well as relieving businesses of burdensome restrictions.

CONTACT(s):

Paimaan Lodhi
Senior Vice President, Policy and Planning
Real Estate Board of New York

212.616.5203
plodhi@rebny.com

Subject: Submitting Comments on the NoHo/SoHo Neighborhood Plan - From Supportive Housing Network of NY

Date: Friday, December 18, 2020 at 1:01:35 PM Central Standard Time

From: Moira McComas

To: 21DCP059M_DL

CC: Rebecca Sauer

Attachments: Comments on NoHo SoHo Rezoning Plan, The Supportive Housing Network of NY.pdf

Good afternoon: Please see attached for The Supportive Housing Network of NY's comments on the NoHo/SoHo Neighborhood Plan. Thank you for your time and consideration on this commentary.

Moira McComas
She/her
Policy Analyst
Supportive Housing Network of NY
247 W. 37th Street -18th floor
New York, NY 10018
PH: 646-619-9640 x149

the Network
Supportive Housing Network of NY

December 18, 2020

New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Comments regarding "SoHo NoHo Neighborhood Plan"

To the New York City Department of City Planning:

The following comments are submitted on behalf of the Supportive Housing Network of New York (The Network) regarding the SoHo/NoHo Neighborhood Plan.

The Network represents over 200 nonprofit members who operate 52,000 units of supportive housing statewide. Supportive housing is permanent affordable housing with embedded social services for eligible individuals and families, people who are experiencing chronic homelessness and living with disabilities and/or other barriers to maintaining stable housing. The Network also has over 100 corporate members including tax credit syndicators, banks, and other financial institutions. Our primary concern is to ensure ongoing investment by financial institutions in supportive housing development in New York State and investment in mission-driven, community-based organizations with proven track records.

The Network is supportive of New York City's plan to rezone two of its wealthiest neighborhoods – SoHo and NoHo. While the proposed rezoning changes are an improvement over the status quo, we are concerned the plan allows for commercial densities that will incentivize retail and commercial uses over maximizing affordable and supportive housing.

Moreover, because of land prices and NIMBYism, supportive housing has been developed mostly in the Bronx and Brooklyn in recent years (compared to its birth in the SROs of Manhattan). Whiter and wealthier communities have greater leverage to dissuade plans that include new density that makes way for affordable and supportive housing development. The responsibility of accommodating our City's growth should not fall solely on communities of color that have experienced disinvestment. We believe supportive and affordable housing should be in all areas of the city, including whiter and wealthier areas like SoHo and NoHo that are considered high opportunity.

Thank you for the opportunity to comment on SoHo/NoHo Neighborhood Plan.

Sincerely,

Laura D. Mascuch
Executive Director
Supportive Housing Network of New York

Subject: FW: re. Proposed Rezoning in Soho/Noho, Community Board 2
Date: Tuesday, December 8, 2020 at 8:30:07 AM Central Standard Time
From: Annabelle Meunier (DCP)
To: 21DCP059M_DL

Forwarding to whole DL.

From: Sara Avila (DCP) <SAvila@planning.nyc.gov>
Sent: Monday, December 7, 2020 10:27 PM
To: Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Sylvia Li (DCP) <SLI2@planning.nyc.gov>; Nabeela Malik (DCP) <NMalik@planning.nyc.gov>
Subject: Fw: re. Proposed Rezoning in Soho/Noho, Community Board 2

From: Loring McAlpin <loringm@gmail.com>
Sent: Monday, December 7, 2020 4:46 PM
To: Sara Avila (DCP) <SAvila@planning.nyc.gov>
Subject: re. Proposed Rezoning in Soho/Noho, Community Board 2

Objections to Zoning Changes in NoHo/SoHo – 12/6/2020
Dear Community Board 2,
I write on behalf of 39 Great Jones Street, a Co-op on the south side of Great Jones Street in NoHo. I am the President of the Co-op, and have lived in the building since 1989. Other members have lived here since the Co-op's incorporation in 1978. The building was organized in the mid 70's, by artists and others looking to rehabilitate a building that had lost its former 'light industry' occupants. The hard work of many such transformations helped preserve the architecture and historic character of the neighborhood. Our building is one of the few examples of Renaissance Rival buildings in the city, and former New York Times architectural critic, Christopher Gray, has described it and NoHo's historic interest. All of these efforts to preserve and renovate led ultimately to NoHo's designation by the Landmark Preservation Commission as an Historic District in 1999. While its industrial tenants have largely left as professionals started to move in, joining those artists still in residence, the neighborhood has retained its notable historic character nonetheless, in large part because of zoning restrictions. Bond Street is an excellent example of how new development on empty or underutilized sites could allow for growth while maintaining the historic feel of the surrounding buildings and neighborhood.
In 2008, Great Jones Street was included in the Historic District Extension, as it lies in the very center of the NoHo Historic District. If the current FAR of 5 is increased to 9.7 as proposed, it will allow massive building along Lafayette Street, undoing preservation efforts of the last 20 years. The transfer of air rights combined with no height limits would potentially turn this Core Historic District into a canyon, shrouded by shadow with

increased traffic, noise, and unanticipated environmental impacts that would be impossible to mitigate. The Edison parking lot on the corner of Lafayette and Great Jones provides a prime example of what could go wrong. With no height restrictions, the lot, a major portion of the street's north side, could assemble an allowed FAR 9.7 to create a tower that would dwarf the surrounding buildings. Why is it that all of the effort to preserve a historic neighborhood can so swiftly be overturned simply in the name of economic development and affordable housing?

We all support the laudable goal of increasing affordable housing, but question how effectively this rezoning would achieve those goals. If these zoning changes are allowed as proposed, it could create over a thousand luxury units in SoHo and NoHo, with a fraction of affordable units, barely a quarter. Given the current real estate market, it is doubtful that the Mandatory Inclusionary Housing (MIH) will be functionally "inclusionary" given the neighborhood, especially since MIH rules allow for developers to contribute to a fund for affordable housing to be built elsewhere, not even in NoHo or SoHo. What assumptions will the Environmental Impact Report use to determine the price of the MIH units, the socio-economic and financial status of the MIH unit owners to achieve the "affordable units" goal, especially during a pandemic? What assumptions and methodology will the consultants use to show how rezoning achieves the MIH goals in a 10 year time frame from construction to occupation? What has been the Department of City Planning's MIH track record with other Manhattan MIH projects? We wonder why there is a rush to promote economic development and affordable housing during the Covid-19 Pandemic, with so many unknowns. The gentrification of NoHo was remarkably successful in creating housing and an environment for commercial growth, which is precisely what this rezoning would jeopardize in NoHo and SoHo. Historic Preservation and affordable housing can co-exist, but this rezoning plan will not realistically achieve either of these goals. Therefore, we ask the Community Board to respect the voice of those of us who live here, preserve this historic neighborhood and reject the rezoning efforts to increase the FAR in NoHo and SoHo.

Yours sincerely, Loring McAlpin

Board President of 39 Great Jones St. Current Project

Subject: SoHo NoHo Neighborhood Plan: Draft Scope of Work for anEnvironmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

Date: Friday, December 18, 2020 at 3:55:36 PM Central Standard Time

From: South Village

To: 21DCP059M_DL

December 18, 2020

RE: SoHo NoHo Neighborhood Plan: Draft Scope of Work for an Environmental Impact Statement (CEQR #21DCP059M) (ULURP Nos. Pending)

I write to you today as a founding member of South Village Neighbors, a community group that formed in 2012 in response to the proliferation of luxury condominium developments on the Sixth Avenue corridor between Canal Street and Houston. Our work focuses on quality-of-life issues on the blocks bordered by Houston at the north, Canal Street at the south, Sixth Avenue to the west, and Thompson Street to the east. This letter will address the concerns of our members residing within this area.

We are gravely concerned about the likely adverse impacts of the proposed rezoning of areas within and adjacent to the South Village.

We call on the Department of City Planning to **pause this rezoning process until face-to-face meetings can be held.** Many elderly residents in our community do not have the technological resources to participate in remote meetings or review the digital documents needed to understand the proposed rezoning. Community input must be accessible and allow for the participation of all members of our communities.

We urge DCP to **develop a comprehensive survey of all rent-regulated units within and adjacent to the areas slated for rezoning and to prepare a plan to mitigate displacement and other adverse impacts on residents** as part of the Environmental Impact Study. By DCP's own accounting, of the 8,000 residents of SoHo/NoHo, 60%, or 4,800, are renters. Over 50% of rents paid in this neighborhood are under $2,000. Thus 31% of our rental units in this neighborhood are affordable. The city has a responsibility to protect not only the current tenants in these units but also the long-term affordability of this housing.

We trust that DCP can and will **embrace this opportunity for genuine innovation, through adaptive re-use and truly affordable subsidized housing development**. While some individuals and entities are casting the goals of in-scale building and affordable housing as mutually exclusive, we believe that these objectives are not only compatible, but that it is a social justice imperative to provide affordable housing in medium and low-rise settings conducive to congenial social interaction. Quality of life matters for people of all income levels, and we ask DCP to ensure that any zoning changes will ensure adequate provisioning for open spaces, schools, hospitals, and all of the amenities and affordances provided by forward-thinking, comprehensive city planning. We call on DCP to rise to this challenge.

We note also that much of our neighborhood is included in the Sullivan-Thompson Historic District and we are deeply concerned about the precedents that are being contemplated in this rezoning — changes that threaten to destroy the very characteristics of the neighborhood that make the South Village and SoHo destinations for people from around the city, the region, and the world. **Protect our historic neighborhoods by repurposing commercial and retail spaces for affordable housing.**

For all of these reasons we support the Community Alternative Zoning Plan for SoHo/NoHo (December 2020) and endorse the resolution submitted to you by Community Board 2 on this matter that was ratified last evening at the Full Board Meeting.

Sincerely,

Micki McGee, Ph.D.

Subject: Testimony for the SoHo/NoHo Neighborhood Plan - Scoping Dec 3, 2020
Date: Friday, December 4, 2020 at 2:11:50 PM Central Standard Time
From: David mulkins
To: 21DCP059M_DL
Attachments: 12-3-20 Soho-Noho Scoping TESTIMONY - David Mulkins Bowery Alliance of Neighbors ---.pdf

Testimony for the SoHo/NoHo Neighborhood Plan - Scoping
Presented via the DCP's Zoom meeting, December 3, 2020

My name is David Mulkins and I'm the president of the Bowery Alliance of Neighbors.

During one of the city's most devastating health and economic crises, it is reprehensible to try to ramrod through a rezoning plan that quite clearly can have a destructive impact on the residents, small businesses, the long-established artists community, and the historic character of Soho and Noho, two of the city's most iconic neighborhoods. As 1000's of businesses have closed or struggle to survive, city officials' time would be much better spent passing the Small Business Jobs Survival Act, which it has been sitting on for over 30 years.

Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on under-developed lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development which would in fact bring only a pittance of actual affordable units---two affordable units for every 8 luxury units. It is an insulting sham to say that such an imbalance is promoting affordability when it primarily benefits developers and the forces of gentrification.

The Bowery Alliance of Neighbors opposes the city's plan to upzone SoHo and NoHo or to loosen the square foot limits for retail spaces, which would open the floodgates to big box stores and turn this quaint neighborhood into a mega-mall. If anything, steps should be taken to support and encourage small mom-and-pop businesses.

We support the Community Alternative Plan which includes significant affordable housing and at the same time protects the residents, the artists, the small businesses and the unique character of these two iconic New York City Historic Districts. Sensible cities, like Paris and Prague would <u>never</u> allow their historic districts to be destroyed by such reckless rezoning plans.

Sincerely,
David Mulkins, President
Bowery Alliance of Neighbors
184 Bowery, #4
New York, NY 10012

BOWERY ALLIANCE OF NEIGHBORS

184 Bowery, #4 New York, NY 10012
www.boweryalliance.org
David Mulkins, President
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David Mulkins

Vice Presidents
Michele Campo
Jean Standish

Secretary
Sally Young

Treasurer
Jean Standish

Landmarks Committee Chair
Mitchell Grubler

Co-Founders
Anna L. Sawaryn
David Mulkins

Board of Advisors:

Simeon Bankoff
Executive Director
Historic Districts Council

Kent Barwick
President Emeritus
Municipal Arts Society

Leo Blackman
Architect

Kerri Culhane
Architectural Historian

Doris Diether
Zoning Consultant

Eric Ferrara
Historian & Director
Lower East Side History Project

Pi Gardiner
Executive Director
Merchant's House Museum

Michael Geyer
Architect

Bob Holman
Poet & Proprietor
Bowery Poetry Club

Joyce Mendelsohn
Historian/Writer/Educator

Mick Moloney
Musician, Historian

Luc Sante
Historian

NYC Department of City Planning December 3, 2020
120 Broadway, 31st Floor
NY, NY 10271
Attn: Olga Abinader, Director, Environmental Assessment & Review

Testimony: Scoping Meeting for SoHo/NoHo Neighborhood Plan

During one of the city's most devastating health and economic crises, it is reprehensible to try to ramrod through a rezoning plan that quite clearly can have a destructive impact on the residents, small businesses, the long-established artists community, and the historic character of Soho and Noho, two of the city's most iconic neighborhoods. As 1000's of businesses have closed or struggle to survive, city officials' time would be much better spent passing the Small Business Jobs Survival Act, which it has been sitting on for over 30 years.

Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. Sufficiently large buildings that could include affordable housing can be built on under-developed lots in the neighborhood right now. There is no need to upzone the neighborhood to allow for new development which would in fact bring only a pittance of actual affordable units---two affordable units for every 8 luxury units. It is an insulting sham to say that such an imbalance is promoting affordability when it primarily benefits developers and the forces of gentrification.

The Bowery Alliance of Neighbors opposes the city's plan to upzone SoHo and NoHo or to loosen the square foot limits for retail spaces, which would open the floodgates to big box stores and turn this quaint neighborhood into a mega-mall. If anything, steps should be taken to support and encourage small mom-and-pop businesses.

We support the Community Alternative Plan which includes significant affordable housing and at the same time protects the residents, the artists, the small businesses and the unique character of these two iconic New York City Historic Districts. Sensible cities, like Paris and Prague would never allow their historic districts to be destroyed by such reckless rezoning plans.

Sincerely,

David Mulkins
President

Subject: Open New York Comment on SoHo/NoHo Draft Scope of Work
Date: Friday, December 18, 2020 at 3:09:26 PM Central Standard Time
From: Open New York
To: 21DCP059M_DL
Attachments: Open New York Comment on SoHo-NoHo Draft Scope of Work.pdf

Hello,

Thank you for the opportunity to offer input on the Draft Scope of Work for the SoHo/NoHo Neighborhood Plan. Please find our comments attached. We are available to clarify any of our comments or elaborate further if you would like.

Thank you,
Open New York

--



Open New York
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To the New York City Department of City Planning:

Thank you for the opportunity to comment on the Draft Scope of Work for an Environmental Impact Statement for the SoHo/NoHo Neighborhood Plan (CEQR No. 21DCP059M). We are writing to offer input from Open New York, an independent, all-volunteer, pro-housing organization—we fight for more housing in high-opportunity neighborhoods, so New York City can be more affordable, equitable, and sustainable.

We have advocated for the inclusion of a significant MIH upzoning in the upcoming rezoning of SoHo and NoHo since the Envision SoHo/NoHo process began. We were delighted to see one included within the City's own proposal, and are ready to continue advocating for it as the process continues. That said, while the current proposal is a clear improvement over the status quo, it also contains a number of issues that could substantially diminish the amount of housing that is ultimately built. Whether these issues are fixed could determine whether a rezoning produces a few hundred homes or thousands with deeper affordable set-asides, and we hope you take them into account while drafting the final scope of work and Environmental Impact Statement.

The first issue we note is that proposed commercial densities are too high. This is an issue throughout the proposed rezoning area (see Table 1 in the DSOW) but it's most acute in the proposed Housing Opportunity Area (M1-6/R10) districts (see Figure 4, page 20 of the pdf) where the city is proposing that the Commercial Floor to Area Ratio (FAR) be raised from its current 5 to 10, while the residential FAR would be raised from its current 0 to 12. At current and projected residential and commercial real estate values, some developers will opt to build office buildings instead of residential buildings if these FARs are maintained, as office rents are higher than residential rents in the area. Furthermore, where greater residential densities are allowed, the incremental difference in density for a residential project would be made up entirely by affordable units. While the havoc that the pandemic has wrought on the office market mitigates this risk slightly, many of these projected development sites are held by long-term owners who may not be in enough of a rush to develop that they could wait for the commercial market to return. The M1-5/R7X districts (which overlap with most of the historic districts) present a slightly less acute version of this issue, given the proposed commercial FAR of 5 and residential FAR of 6—while this has the same ratio of incremental increase in residential FAR to commercial FAR as the M1-6/R10 districts, these sites are often smaller than those in the M1-6/R10 districts, making their floorplates not particularly suitable for office buildings. We request that you lower the proposed commercial FARs to 2 throughout the project area or at least to 5 in the R10 and R9X districts and to 2 in the R7X districts.

A further way to pursue the rezoning's stated goal of introducing residential use and promoting equity in housing is to increase the proposed residential FARs, regardless of whether you opt to lower the commercial FARs in the Final Scope of Work. While there is no way to boost the allowable residential density in the M1-6/R10 districts that are projected to deliver the bulk of the units due to the state's

limit on residential density ("FAR cap"), there is potential to boost allowable residential density elsewhere, particularly in the M1-5/R9X districts. There are many buildings either in or across the street from the proposed M1-5/R9X districts that are very densely built already, and which should provide sufficient justification for mapping those areas should be mapped as R10 as well instead of R9X, which would boost the residential density from FAR 9.7 to 12. Shifting the M1-5/R9X districts to R10 and the M1-5/R7X districts to R8X (or higher) would increase the number of projected units—both market-rate and affordable—offering greater opportunities to integrate this wealthy, majority-white neighborhood.

The Non-Residential Floor Area Retention policy (page 18 of the DSOW) is a further obstacle to the introduction of residential use in the proposed rezoning area. Residential conversions, which will already be challenging with many properties given floor plan and tax challenges, would be near impossible if this policy is maintained in the Final Scope of Work and through ULURP. (The lack of conversions in the C6-1G and C6-26 districts in Chinatown with the same policy demonstrates the challenges.) We urge you to remove this policy or limit its application to more specific areas where cultural and artistic importance for non-residential uses can more directly be seen.

Lastly, there are a number of lots within the proposed rezoning area that are not included as possible development sites.

- 55 Bleecker Street is adjacent to a building that is larger than the zoning in the Draft Scope of Work would allow, and we urge you to increase its proposed FAR.
- 477-479 West Broadway is adjacent to a building that is larger than the zoning in the Draft Scope of Work would allow, and we urge you to increase its proposed FAR.
- 2 Howard Street, a parking garage, offers a prime opportunity for residential development—a far more worthwhile use for the space—and should be included as a possible development site. Because the site is owned by the federal government, we urge the Department of City Planning to work with relevant policymakers to issue an RFP to develop the property as affordable housing.
- 142 Grand Street, currently an empty lot, should be included in the Scope of Work as a possible development site. Because the site is owned by the City, we urge the Department of City Planning and the relevant City agencies to issue an RFP to develop the property as affordable housing, in addition to maintaining DEP access and providing public open space.

Thank you again for the opportunity to comment on this Draft Scope of Work. We look forward to continuing to fight for a more inclusive SoHo/NoHo.

Sincerely,

Open New York

Subject: NoHo BID Statement to DCP on Scoping Document
Date: Friday, December 18, 2020 at 12:18:21 PM Central Standard Time
From: Cordelia Persen
To: Sylvia Li (DCP), GLi-council, 21DCP059M_DL, Chan, Stephanie (ManhattanBP)
CC: Cordelia Persen
Attachments: NoHo BID Statement to DCP on Scoping Document .pdf

Hello Sylvia, Stephanie and Gigi and the rest of the DCP Team,

Attached is the NoHo BID statement on the SoHo NoHo Scoping document.

Thank you,
Cordelia

--
Cordelia Persen
Executive Director
NoHo BID
212.677.4579

December 18, 2020

Sylvia Xiaomeng Li
Planning Team Lead
NYC Dept. of City Planning
120 Broadway, 31st Fl.
New York, NY 10271

Dear Sylvia:

The NoHo Business Improvement District would like to present the following comments in response to the SoHo/NoHo Neighborhood Plan Draft Scope of Work for an Environmental Impact Statement, CEQR No. 21DCP059M.

First off, the NoHo BID is excited to see the rezoning moving forward. After participating in the Envision SoHo NoHo Process, it became more apparent to us in each session that there are many issues that need to be adjusted to shepherd our neighborhoods into the future.

We support the effort to make retail as of right and would like to reiterate that due to the large size of our floorplates, we would like to see Use Group 10 allowed and the arbitrary 10,000ft limit lifted. We also want the scoping to consider retail on the 2nd Floor and basement level as well. Since currently retail is allowed on upper floors, we want to make sure any final zoning allows certain uses like health and wellness, which are located there now.

What we see needed in the future is flexibility. Flexibility to continue use as offices or make changes and allow residential if the market demands it. Flexibility for retail to exist in all sizes and include a hybrid level of uses including small manufacturing. The pandemic is shaking our cities core and we hope that whatever new rules are set, that they leave room for property owners to use their spaces as the market guides instead of conforming to the rigid rules that currently stand that makes doing business difficult in SoHo and NoHo.

We are concerned though about the level of proposed upzoning in our historic core. The BID wants to preserve the look and the feel of NoHo and asks that you scope out new zoning FAR scenarios that protect vs threaten our existing landmarking. NoHo is blessed with a rich

architectural history and that is part of what makes it special and whatever the final zoning looks like, it must protect that.

While we are very supportive of the goal of adding affordable housing and legalizing housing in general, we worry that this plan, as it exists, will sacrifice the preservation of our architecture for what may only amount to a handful of units. We encourage you at DCP to scope out a wider variety of zoning scenarios to give us more options as we hammer out the final plan. These scenarios should include allowing converting office space to housing, if that is what the market shows in our changing economy, instead of preserving every square foot of commercial space and adding the new housing above the current bulk of existing buildings. Going forward we believe that the demand for housing and office space will continue to be strong since both businesses and residents are attracted to our historic architecture format and being located in a strong live work neighborhood.

The NoHo BID is committed to helping work out a zoning plan that works for the whole community. We hope that the scoping document will study enough scenarios so that we have the tools to do that and address various community member's concerns.

Best,



Cordelia Persen
Executive Director

Subject: SoHo NoHo Neighborhood Plan - DSOW
Date: Thursday, December 17, 2020 at 5:51:27 PM Central Standard Time
From: Popovits, Iliberth
To: 21DCP059M_DL, Olga Abinader (DCP)
CC: Schreibman, Lisa, Parnes, Jeremy, Bohn, Eric, Lo, Eric

Hi,

Please see comments/questions below for the SoHo NoHo DSOW from our NYCT Station Planning unit.

Please let us know when the TPF/TDF Tech Memo will be available for this proposed rezoning. Lacking that additional detail, we have a number of questions on this DSOW:

- Figure 5 shows a cluster of Projected Development Sites in the vicinity of W 4th St and Lafayette St, projected to see incremental development of around 410 DUs and 48,000 gsf of office space. It seems reasonable to assume that subway customers making 6 train trips between this part of the Project Area and locations to the north would access the 6 train at Astor Pl station. Why is this station not included for analysis?

- Figure 5 also shows a cluster of Projected Development Sites at the southwest corner of the Project Area, between 6th Ave and West Broadway. These sites are projected to see incremental development of around 300 DUs and 80,000 gsf of office space. Subway customers making trips between the West side and these sites are likely to use the Canal St (1) and Canal St (ACE) stations. Why are these stations not included for analysis?

- On what is based your expectation that "most, if not all new trips at the Canal Street station complex will be using the entrances in the vicinity of Lafayette Street"? Projected Development Sites 8, 9, 10, 24, 25, 26, and 27 are projected to see incremental development of almost 700 DUs, 11,000 gsf of medical offices, and 19,000 gsf of destination retail. We believe it is reasonable to assume that some of the resultant trips will use the Broadway subway entrances as well. We recommend including those entrances and appropriate control areas and circulation elements in your analysis.

- Are trips assigned for potential development sites? If so, consider conducting a transit

analysis at Prince St (RW) and Spring St (6) stations.

Regards,

Iliberth Popovits

Manager, Information & Planning Support
MTA, New York City Transit
New York, NY 10004
Tel. 646-252-5672
Iliberth.popovits@nyct.com

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Subject: SoHo/NoHo Rezoning (CEQR No. 21DCP059M)
Date: Friday, December 18, 2020 at 11:52:20 AM Central Standard Time
From: King, Penny
To: 21DCP059M_DL
CC: Bernstein, Zachary
Attachments: Trinity - Draft Scope of Work Comments (12-18-20).pdf

Hello,
Attached please find comments on the draft scope of work from Trinity Church. Thank you.

Best,
Penny

Penny King
Associate
Penny.King@friedfrank.com | Tel: **+1 212 859 8415**

Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza, New York, NY 10004
friedfrank.com

Pronouns: she/her/hers

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December 18, 2020

NYC Department of City Planning
Environmental Assessment and Review Division
Attn: Olga Abinader, Director
120 Broadway, 31st Floor
New York, NY 10271
21DCP059M_DL@planning.nyc.gov

Re: SoHo/NoHo Rezoning (CEQR No. 21DCP059M) Comments on the Draft Scope of Work for an Environmental Impact Statement

Dear Ms. Abinader:

This letter provides written comments on behalf of Trinity Church regarding the Draft Scope of Work dated October 28, 2020 for an Environmental Impact Statement for the SoHo/NoHo Rezoning proposal.

Trinity supports the efforts by the Borough President, Council Member Chin, and Department of City Planning to modernize SoHo and NoHo's zoning rules and promote affordable housing development throughout these neighborhoods, while balancing the needs of artists, residents, and businesses.

Two of Trinity's properties are within the proposed rezoning area. One of those properties is a vacant site, which has sat dormant for decades due to the restrictions of the existing M1-5B zoning. The proposed rezoning could facilitate activation of this site, which would also fill a significant gap in its block. New zoning controls should give consideration to the need to improve the functionality of existing commercial buildings, some of which are non-complying, to allow for combination with adjacent parcels where necessary to provide for elements such as additional elevatoring. Taking account of the needs of the unique sites in this district will help facilitate development of underutilized site, and perpetuate the vibrant mixed-use character that has defined Soho and Noho for decades.

Sincerely,

Sujohn Sarkar
Managing Director, Asset Management

Subject: SoHo Zoning Changes
Date: Wednesday, December 2, 2020 at 9:59:42 PM Central Standard Time
From: Ed Somekh
To: 21DCP059M_DL

Hello,
My wife and I are residents (permanent NYC residents) at 16 Crosby Street, Apt 4RN. In addition, I am an elected Board member (Director) of the SoHo Brodway Alliance.
We have lived here close to 6 years.

We are STRONGLY against the zoning changes being put forth. In addition, I was a member of many focus groups over the past 2 years, as part of this process, and this proposed outcome does NOT nearly resemble the outcome of those months and months of very detailed and thoughtful work. We find it truly shocking that the upcoming being proposed makes any sense. This would dramatically impact our quality of life here and we very strongly oppose it.
The list of environmental issues is huge. The area already suffers from over-crowding - pre pandemic - and people literally are forced to walk in the streets very often. As it is today, they City has no control over the trash situation here and if it were not for more broadly funded private cleaning the areas like Crosby, Broadway and Mercer would be filled with trash all the time. This is further compounded during rain storms where huge amounts of trash end up clogging the area sewers. Noise levels from all the trash companies, good deliveries, construction vehicles is very high so adding people and activity will only hurt this.
The only real need I see here is to allow for some commercial/manufacturing buildings to be allowed to convert to residential to bring more life at night AND, maybe more importantly, bring more people that live here and care about the surrounding environment and take care of it. Today, there are too many workers here that dont care, transient people that dont care, tourists that don't care.
Another point is the randomness of buildings selected for upzoning. How does that possibly work? It needs a very close look and for sure makes no sense on a block to have a random 2 buildings selected to get this. That seems unfair, dishonest and like some special interest is involved. For sure that needs a closer look and we are mobilizing attorneys to do so.
THe section on AIR owners paying $1,000 per square foot to cover to normal ownership….like the millions of other people in NYC…how was that even remotely developed. Why would anyone ever pay anything close to that for this. Makes absolutely no sense. Is biased and unfair and will be vigorously fought. This was discussed extensively in the focus groups and clearly the outcome of all that work was almost totally ignored.
To put it mildly, we very strongly disagree with this proposal and are NOT at all in favor of it.

We strongly suggest this entire process be put on pause during the current pandemic and once this is over it can more properly be addressed with meetings, open forums and a review of all the Focus Group work and more detailed explanations on where all that work was applied. These is absolutely no reason to rush this process now during a period when it is much harder to get things done and meet in person.

Best regards,

Ed Somekh
SoHo Broadway Board Member

ed.somekh@gmail.com

(m) 914-320-5877

Subject: Housing Rights Initiative's Written Testimony on the SoHo/NoHo Neighborhood Plan
Date: Friday, December 18, 2020 at 6:11:14 PM Central Standard Time
From: Michael Sutherland
To: 21DCP059M_DL
Attachments: Housing Rights Initiative Written Testimony.pdf

Good evening,

Attached is Housing Rights Initiative's written testimony on the public scoping meeting that took place on December 3rd, 2020.

Best,
Michael Sutherland
--
Michael Sutherland | Research & Policy Associate | Housing Rights Initiative | Pronouns: he/him/his
www.housingrightsny.org | michael@housingrightsny.org

HOUSING RIGHTS INITIATIVE

P.O. Box 20490 New York, NY 10023

Written Testimony to the Department of City Planning
Submitted by Housing Rights Initiative

City Planning Scoping Meeting for
the SoHo-NoHo Neighborhood Plan

Hearing Date: December 3, 2020

Housing Rights Initiative (HRI) is submitting written testimony to the Department of City Planning in support of the SoHo-NoHo Neighborhood Plan. HRI is a non-profit organization that has generated close to 70 class action lawsuits against predatory landlords. While our organization has long been a critic of this administration's policy of upzoning low income areas, we fully support this plan to create hundreds of deeply affordable housing units in one of the wealthiest neighborhoods in America.

If done correctly, New York City could create over 700 units of affordable housing at $900 a month for a family of three in an area where the median asking rent is over $4,000. This would be a step in the right direction in creating a more equitable zoning system—one in which the development burden is not squarely placed on the backs of low-income communities of color.

There are some deficiencies in the current scoping document that should be resolved to ensure the most affordable housing at the deepest levels possible. First and foremost, the residential densities proposed in the plan are too low. While there is no way to raise the allowable residential density in the parts of the project area that will deliver the bulk of the units, the M1-5/R9X districts can and should be mapped as R10 districts. This would raise the allowable residential density from FAR 9.7 to 12.

Secondly, the commercial densities in the plan are too high throughout the project area. This issue is most prevalent in the proposed Housing Opportunity Area districts. We're concerned that instead of building residential buildings, some developers will elect to build office buildings down the road. Affordable housing should be the priority for SoHo, not commercial development.

Some posit that this plan would be out of character with SoHo. However, we argue that SoHo is out of character with New York City. In a city that is almost 25% Black, SoHo is only 1% Black.

SoHo is also the richest neighborhood in New York City, with a median household income of $150,600 compared to New York City's median household income of $64,000. SoHo is not a suburb, it is a neighborhood in a city of over 8 million people, and it is time for them to start acting like it.

Furthermore, according to the Furman Center, of the city's 59 community districts, SoHo/Greenwich Village ranked:

- #1 for median household income;
- #1 for median sales price per condominium unit;
- #1 for median rent;
- #1 for school performance;
- #1 for access to subways;
- But #48 for racial diversity.

Thanks to neighborhoods like SoHo, New York City has become the economic segregation capital of America. This can change, but only if our most exclusionary communities start letting their neighbors in.

Housing Rights Initiative urges the Department and the administration to not give in to these monied voices, and to create the most affordable housing at the deepest levels possible. We strongly support the SoHo-NoHo Neighborhood Plan and look forward to holding this administration accountable.

Subject: Re: SoHo/NoHo Submission: Task 8. URBAN DESIGN & VISUAL RESOURCES Pages 35 to 36
Date: Friday, December 18, 2020 at 12:36:31 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE URBAN DESIGN AND VISUAL RESOURCES TASK 8 .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 8. URBAN DESIGN AND VISUAL RESOURCES Pages 35 to 36

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 8. URBAN DESIGN AND VISUAL RESOURCES

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: Task 8. URBAN DESIGN AND VISUAL RESOURCES PAGES 35 to 36

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

1. WIND CONDITIONS ANALYSIS IS WARRANTED

The Draft Scope of Work assumes that **"an analysis of pedestrian wind conditions is not warranted".**

This assumption is not correct. **Pedestrian wind conditions are warranted.**
The analysis of pedestrian wind conditions should be undertaken.

Scientific studies indicate greatly increased maximum wind gusts exist now and projected for the future. These studies give great credence to the need to include how **both pedestrians and residents** in the study area will be affected by wind conditions.

As example of current research pertinent to this rezoning, studies indicate **a 37.5% increase in maximum wind gusts for the period 2017-2050.**

"**New York City is projected to** experience higher **wind gusts** under a warming climate for the period 2017–2050 **in** comparison with the historical data period of 1973–2017. The future maximum **wind gusts** are expected **to reach 110 mph, a significant increase from the recent maximum wind of 80 mph."**

See: Projections of Wind Gusts for New York City Under a Changing Climate
The American Society of Mechanical Engineers (ASME) (*)
Research Papers
August 2020, published online September 3, 2020 in Journal of Engineering for Sustainable Buildings and Cities
Link: https://asmedigitalcollection.asme.org/sustainablebuildings/article/1/3/031004/1086138/Projections-of-Wind-Gusts-for-New-York-City-Under

2. WIND FLOWS & INCREASE IN PARTICULATES, POLLUTION CONCENTRATIONS & VELOCITY

The increase of particulates, pollution concentration fields, and velocity due to the behavior of wind flows negatively affects the pedestrian and residential population and must be addressed as part of the Scope of Work.

Increased allowable FAR and height and density increases the velocity and pollution concentration fields at ground level.

The Draft Scope of Work does not take into account the effects of the proposed increase in allowable FAR and height and density, nor transfer of air rights, on wind velocity as well as pollution concentration fields.

"Taller buildings lead to pollution and particulates remaining locally within the surrounding building area, including "dead-zones" and high-concentration "hotspots" which did not previously exist."

See: Science Direct research 2017: **How tall buildings affect turbulent air flows and dispersion of pollution within a neighborhood.**
Link: https://www.sciencedirect.com/science/article/pii/S0269749117319322

1

Highlights

Effect of tall buildings on velocity as well as pollution concentration fields is clearly seen.
•
Presence of tall buildings leads to pollution remaining locally within the building area.
•
Location and extend of newly-formed concentration hotspots depend on the height of the tall buildings surrounding the “source” building

See: **Turbulent Flows and Pollution Dispersion around Tall Buildings Using Adaptive Large Eddy Simulation (LES)** published July 2020
Link: https://www.mdpi.com/2075-5309/10/7/127/htm

"Our results show that the location of a tall building relative to an emission source has a massive effect both at higher levels and at downstream areas."

There are numerous other similar studies that should be used in evaluating the Scope of Work for the Tasks, including the Tasks on URBAN DESIGN AND VISUAL RESOURCES and AIR QUALITY.

3. UP ZONING & TRANSFER OF AIR RIGHTS:
STUDY EFFECTS ON WIND CONDITIONS COMBINED WITH POLLUTION CONCENTRATIONS & FLOWS

Wind conditions, combined with pollution concentration fields and wind flows must be studied in relationship to the proposed up zoning.

There is no reference in the Draft Scope of Work regarding the overall significant up zoning of the study area nor does it address the transfer of air rights and how these factors could further exacerbate the negative effects of wind conditions, pollution concentration fields, and pollution flows.

Respectfully submitted,

Jeanne Wilcke

(*) ASME is one of the oldest standards-developing organizations in America. It produces approximately 600 codes and standards covering many technical areas, such as fasteners, plumbing fixtures, elevators, pipelines, and power plant systems and components. ASME's standards are developed by committees of subject matter experts using an open, consensus-based process. Many ASME standards are cited by government agencies as tools to meet their regulatory objectives.

2

Response to the
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: URBAN DESIGN AND VISUAL RESOURCES
PAGES 35 to 36 TASK 8. URBAN DESIGN AND VISUAL RESOURCES

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

WIND CONDITIONS
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This assumption is not correct. **Pedestrian wind conditions are warranted.**
The analysis of pedestrian wind conditions should be undertaken.

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As example of current research pertinent to this rezoning, studies indicate **a 37.5% increase in maximum wind gusts for the period 2017-2050.**

"**New York City is projected to** experience higher **wind gusts** under a warming climate for the period 2017–2050 **in** comparison with the historical data period of 1973–2017.
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There are numerous other similar studies that should be used in evaluating the Scope of Work for the Tasks, including the Tasks on URBAN DESIGN AND VISUAL RESOURCES and AIR QUALITY.

3. There is no reference in the Draft Scope of Work regarding the overall significant up zoning of the study area nor does it address the transfer of air rights and how these factors could further exacerbate the negative effects of wind conditions, pollution concentration fields, and pollution flows.

Respectfully submitted,

_____
Jeanne Wilcke

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Subject: SoHo/NoHo Submission: Task 17. Noise Pages 47 to 48
Date: Friday, December 18, 2020 at 12:12:10 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE NOISE TASK 17 .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 17. NOiSE PAGES 47 to 48

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 17. Noise
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 16, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 17. NOISE PAGES 47 to 48

DATA COLLECTION AND ANALYSES ON NOISE WILL BE DEFICIENT AND FAULTY AS PROPOSED UNDER THE DRAFT SCOPE OF WORK

It is unacceptable that the lack of details on how noise levels will be established and the methodology used will be submitted at some later time - in an area where there have been serious issues with noise complaints over years - in addition to data being collected during a pandemic and in an abnormal economic climate.

1. INACCURATE AND DEFICIENT NOISE DATA DUE TO PANDEMIC AND ECONOMIC CLIMATE

The NOISE analyses will not be accurate in the midst of a once-in-a-hundred year pandemic with offices at low occupancy, restaurants closed or at minimal occupancy and early closing times, theaters closed, lack of tourists, the large decrease in traffic and truck deliveries unloading/loading to retail stores, restaurants and offices.

2. PROBLEM WITH NOISE ANALYSES BEING DIRECTLY RELATED TO TRANSPORTATION

The NOISE analyses are directly connected to the TRANSPORTATION data which data will not be representative of normal conditions.

3. METHODOLOGY SHOULD BE SUBMITTED NOW, NOT LATER

The Draft Scope of Work states that if the current traffic pattern is not deemed representative, "existing condition" noise levels will be established using previous environmental reviews within and adjacent to the rezoning area. **The methodology will be submitted later.**

The methodology must be part of the Draft Scope of Work and not for submission later.

The lack of details on how noise levels will be established, in an area where there have been serious and numerous issues with noise complaints, is not acceptable.

In addition, noise studies were done in the past by DOT but were not made available for public review. These studies should be requested, analyzed, and incorporated.

While the Draft Scope of Work details methods to analyze Air Quality, Transportation, Pedestrian Flows and more - there is no acceptable reason to not include the methods to analyze NOISE.

(Unless the reason is that this is a rushed process and that items in the Draft Scope of Work were not addressed due to time, overlooked, or not addressed in order to control the methodology without public input.)

1

4. POTENTIAL NOISE IMPACTS DUE TO OUTDOOR MECHANICAL EQUIPMENT MUST BE ANALYZED

The Draft Scope of Work says it is "assumed that outdoor mechanical equipment would be designed to meet applicable regulations and consequently no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed".

This is a serious omission in the Draft Scope of Work.

Which applicable regulations will be used must be stated in the Scope of Work. M or R zone regulations or something else?

Noise impacts must be analyzed taking into account the need for larger capacity mechanical equipment due to the enlargement of square footage proposed for bars, restaurants, retail, and other uses and increased FAR.

A. ARCHITECTURE & REAR YARD CONSIDERATIONS

The SoHo and NoHo Historic Districts have cast-iron loft architecture buildings different from many other areas, and often with close proximity of rear yards to each other - **different than regular residential zoning requirements.**

Due to the cast-iron architecture, rear yard configurations, and the mix of uses including residential, artists and creative makers, and other uses in the same or abutting buildings, **these noise impacts and applicable regulations must be analyzed and changed if appropriate after such analysis.**

B. M ZONE PERMITTED DECIBELS VERSUS R ZONE PERMITTED DECIBELS

M zones must be reviewed for permitted sound levels versus R zones.

This analysis is particularly crucial due to the proposed increase in allowable size of bars, restaurants, retail and other uses.

If M zones allow higher significantly higher decibels than R zones, the noise impact of larger establishments, implying larger HVAC & other mechanical capacity is required, must be studied.

Such proposed increases in size often require increases in size of equipment (HVAC for example).
Due to the characteristics of building lots, rear yards, and the mix of uses including residential &/or artist and creative makers who reside/work in or are in abutting buildings, the proposed enlargement of uses that may require additional outdoor mechanical equipment and noise impacts must be taken into account.

C. CHANGES IN AIR FILTRATION & SIMILAR SYSTEMS DUE TO PANDEMIC

Analysis must address noise impacts of current and projected changes and additions in air filtration mechanical equipment and similar equipment due to the pandemic and their impact standalone and combined.

Lastly, the rezoning plan should be withdrawn until such time as accurate data can be collected in normal conditions. The process must be PAUSED.

Respectfully submitted,

Jeanne Wilcke **2**

Response to Task 17. Noise

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 16, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 17. NOISE PAGES 47 to 48

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Respectfully submitted,

Subject: Re: SoHo/NoHo Submission: ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS
Date: Friday, December 18, 2020 at 6:50:57 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 18 2020 RESPONSE WORKLIVE MECHANISMS & RULES .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

FOCUS: ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS

1. ABILITY FOR EXISTING & FUTURE ARTISTS & CREATIVE MAKERS TO WORK

The Draft Scope of Work does not address the ability of Certified Artists, artists, and those in creative or "maker" industries to continue their work within their work/live, JLWQA, or other specified designations of residences under the proposed rezoning.

Nor does the Draft Scope of Work address **FUTURE** Certified Artists, artists, and those in creative or "maker" industries and their ability to work within their work/live, JLWQA, or other specified designations of residences under the proposed rezoning.

The ability of Certified Artists, artists, and those in creative or "maker" industries to continue their work within their work/live, JLWQA, or other specified designations of residences under the rezoning must be included and clarified.

It is important to ensure there is no conflict and an understanding of what is allowed between those residents who are strict residential and the artists and those in creative or "maker" fields.

The ability of existing and future Certified Artists, artists, and creative makers to have the ability to continue their occupations in place must be addressed and included under any rezoning changes and the Scope of Work.

2. WILL ARTIST CERTIFICATION CONTINUE ?

The Draft Scope of Work does not address the Artist Certification process, including the following questions:

Will the City continue the Artist Certification process?
Will the City continue the Artist Certification process in SoHo and NoHo if the rezoning takes place?
Will the City update and expand the Artist Certification designation?
Will the City add other categories, such as "creative makers"?

All these and more items related to this issue are not addressed but must be included in the Scope of Work and any rezoning documents.

Respectfully submitted,

Jeanne Wilcke

Response to ARTISTS/ WORK/LIVE REQUIREMENTS / RULES & REGULATIONS

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6
Date: Friday, December 18, 2020 at 4:17:16 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE ARTISTS & CERTIFICATION .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Date: December 17, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6

Several instances occur of selected phrasing and picking the way to present facts that indicate a bias and partiality that is misleading.

This bias indicates a predisposition to a predetermined outcome that is not acceptable in a document that should be impartial to facts.

The facts should be presented in full, not selectively phrased to lobby and show "parti pris" - that a side is taken - until all the facts are presented fairly and completely.

1. MORE THAN HALF OF RENTAL UNITS ARE PRICED BELOW $2,000

The current phrasing states:
"...**almost half** of rental units are priced above $2,000 per month".
To present the facts fully and fairly, the phrasing should be changed to indicate or add:
MORE than half of rental units are priced BELOW $2,000 per month.

2. ESTIMATE OF ARTISTS & ARTIST CERTIFICATION FACTS

These sentences are very unfair and lack context for the ULURP process and a major up zoning:

"*While the exact number is difficult to estimate, the share of certified artist residents in the Project Area today is likely small. The number of artists certifications issued by DCLA has declined significantly in recent decades: since 2015, fewer than 10 certifications were issued annually.*"

Our own City, which is responsible for Artist Certifications, does not have the data and finds it "difficult to estimate" the number of Certified Artists in the study area.

This is unacceptable. **The City must do the hard work and the research to gather the data to determine - not "estimate" - the number of Certified Artists.**

The Scope of Work as presented denigrates and diminishes the existing artist community in SoHo and NoHo. Unless the hard data is collected, unless both Certified Artists, those who identify as artists, and those who identify as creative makers are identified and data gathered and become part of the Scope of Work - the City's statements are not substantiated. This must be corrected in the Scope of Work.

3. CITY'S LACK OF SUPPORT FOR ARTISTS & CREATIVE MAKERS

It has been widely known for years that the City has given little to no support to Artist Certification.
(If the City doesn't even have the data, see #1, that in itself helps support this statement.)

Like an owner of a landmarked building who lets it go into disrepair to the point that the owner cries out that the building can no longer be saved and it must be demolished for safety reasons - the same holds true for the City's support of artists and Artist Certifications.

Elected officials and agency representatives have been told over the years that the Artist Certification process needed to be updated and expanded to accommodate new and evolving technologies and "makers". Nothing was done.

4. "....since 2015, fewer than 10 certifications were issued annually". This statement and its implications and phrasing is undermined by the City itself.

The Artist Certification application link on NYC's website for a long time stated: **NON-EXISTING PAGE**

This was pointed out several times over months during the Envision SoHo/NoHo Advisory Committee meetings and in other forums and meetings.

When checked days ago, the application is now available. It is assumed that due to calling out that the application was not available and the rezoning process was about to take place, the application link was magically re-added.

The Scope of Work must address the City's own reasons and deficiencies in not supporting Artist Certifications, not updating the process, not expanding Artists Certification to new and evolving technologies and "makers", and most importantly - making the Artist Certification application and process not easily available, if at all.

5. NEED FOR THE CITY DO THE RESEARCH REQUESTED

A consultant who presented before the Advisory Committee was hired independently by real estate interests (per information received after the presentation).

The data they presented posed significant problems which was questioned. Particularly as relates to residents who identify as an artist.

The consultant gave Federal data that groups employment into broad categories that do not specifically identify artist occupations or those who identify as artists. The data used was extremely general in scope.

Community representatives pointed to the problem with the data presented, such as many artists may file tax returns based on W-2 income or similar for jobs that support them while at the same time identifying as an artist. (i.e. waiter, gallery assistant, superintendent, temp worker, etc.)

The community representatives on the Advisory Committee and members of the public have demanded many times that the City do the appropriate research in SoHo and NoHo to make the rezoning process legitimate in its presentation of data and facts relating to artists, certified or not, that reside in the study area.

To this date that research has not been done but must be done and included in the Scope of Work.

The consultant did admit emphatically that their research indicated that SoHo and NoHo are unique districts.
Yet the consultant used non-unique, generic, and traditional districts in data comparisons to make conclusions about SoHo and NoHo.

Data that is extremely general or using non-unique, generic, and traditional districts as a basis for conclusions reached by the consultant should not used as a basis for SoHo and NoHo with their unique existing zoning.

Furthermore it is not acceptable for the City to rely on conclusions by a consultant hired independently by real estate interests who are interested parties. This presents a Conflict of Interest and a perception of bias and lack of fairness.

The City must either do the data research itself or contract with an independent firm or firms. Either way, the direction given should be to give a clear, unbiased, and fair view in reaching conclusions.

In addition, such research must be germane and relevant to the SoHo and NoHo areas. This includes further data collection and extrapolating from real and true data that reflects these unique districts,. Only then can appropriate, fair, unbiased and factual conclusions be made for rezoning and up zoning.

6. PRESENCE OF HUNDREDS OF SoHo & NoHo ARTISTS AT PUBLIC MEETINGS

The Draft Scope of Work does not acknowledge or count the hundreds of Certified Artist residents and those who identify as resident artists who attended the Envision SoHo/NoHo public meetings and gave their input.

These artists exist and must be counted in the data assembled.

The significant presence of Certified Artists who reside in the Study Area is diminished in the Scope of Work. They must be included.

Furthermore the ability of Certified Artists, artists, and creative makers must have the ability to continue their occupations in place and this must be addressed under any rezoning changes.

Respectfully submitted,

Jeanne Wilcke

3

Response to C. BACKGROUND TO THE PROPOSED ACTIONS - Page 6

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 17, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: C. BACKGROUND TO THE PROPOSED ACTIONS Page 6

Several instances occur of selected phrasing and picking the way to present facts that indicate a bias and partiality that is misleading.

This bias indicates a predisposition to a predetermined outcome that is not acceptable in a document that should be impartial to facts.

The facts should be presented in full, not selectively phrased to lobby and show "parti pris" - that a side is taken - until all the facts are presented fairly and completely.

1. MORE THAN HALF OF RENTAL UNITS ARE PRICED BELOW $2,000

The current phrasing states:
"...**almost half** of rental units are priced above $2,000 per month".
To present the facts fully and fairly, the phrasing should be changed to indicate or add:
MORE than half of rental units are priced BELOW $2,000 per month.

2. ESTIMATE OF ARTISTS & ARTIST CERTIFICATION FACTS

These sentences are very unfair and lack context for the ULURP process and a major up zoning:

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Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: IMPACT & PRECEDENT FOR HISTORIC DISTRICTS
Date: Friday, December 18, 2020 at 4:22:00 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 18 2020 RESPONSE PRECEDENT UPZONING HISTORIC DISTRICT .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: UP ZONING AND INCREASE IN FAR - IMPACT ON & PRECEDENT SET FOR HISTORIC DISTRICTS

Submitted as a PDF and text in the body of this email.

Thank you,

Jeanne Wilcke

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: UP ZONING & INCREASE IN FAR - IMPACT ON & PRECEDENT SET FOR HISTORIC DISTRICTS

The Study Area for up zoning and an increase in FAR includes Historic Districts.

The Draft Scope of Work does not include or address how an up zoning and increase in FAR throughout Historic Districts in the Study Area will impact both 1) the Historic Districts in the Study Area, and 2) other Historic Districts throughout NYC.

The Draft Scope of Work does not address whether other Historic Districts have been up zoned or had FAR increased throughout most or all of their Districts in the past.

The Draft Scope of Work does not address the precedent that will be set for other Historic Districts and the impacts if the Historic Districts in the Study Area are up zoned and the FAR increased throughout.

1. IMPACT OF UP ZONING AND FAR INCREASE IN HISTORIC DISTRICTS

The Draft Scope of Work must include, study, and address the impact of up zoning and increases in FAR on the integrity, historical significance, architectural significance, coherence and cohesion of:
1) The Historic Districts in the Study Area;
and
2) The resultant impact and precedent set for other Historic Districts throughout NYC.

2. PAST UP ZONINGS AND FAR INCREASES IN HISTORIC DISTRICTS

The Draft Scope of Work must include, address and confirm whether any other NYC Historic District has been up zoned and the allowable FAR been increased throughout most or all areas of any other Historic Districts.

3. PRECEDENT SET FOR ZONING AND FAR INCREASE IN AN HISTORIC DISTRICT

The Draft Scope of Work must include and address the IMPACTS & PRECEDENTS that an up zoning and increase in FAR in the Historic Districts in the the Study Area will set for other NYC Historic Districts.

Factors such as the integrity, historical significance, architectural significance, coherence and cohesion of Historic Districts along with landmark and preservation standards must be included in the analyses.
Legal issues should also be considered.

Respectfully submitted,

Response to UP ZONING & INCREASE IN FAR
IMPACT ON & PRECEDENT SET FOR HISTORIC DISTRICTS

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: Task 6. SHADOWS Pages 33 to 34
Date: Friday, December 18, 2020 at 2:47:40 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE SHADOWS TASK 6 .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 6. SHADOWS Pages 33 to 34

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 6. SHADOWS
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 16, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 6. SHADOWS PAGES 33 to 34

Shadow analysis needs to address:
Projected Development
Potential Development
Transfer of Air Rights
Effect on trees in the study area that has one of the lowest ratios in open & green space per person

1. TREES
The effect of additional shadows on trees in the study area, an area that has one of the lowest ratios of open & green space per person, must be studied.

The SoHo and NoHo study area has one of the lowest ratios of open and green space per person in the entire City of New York.

- As per NYC's own data research, pollution concentration levels in the study area are at the highest levels.

- As per NYC's own data research, existing trees and lack of many trees affects physical & chemical processes that affect chemical reactions with leaves, air cooling, humidity - and therefore affect pollution levels and human health.

Increased shadows from Projected Development, Potential Development, and Air Rights Transfers (which are not addressed in the Draft Scope of Work but must be) will significantly affect the already strained environmental situation for the study area's trees.

The lack of open and green space and difficulty for trees and their survival in the study area when adding increased shadows through up zoning will further affect human health (asthma, etc.)

2. TRANSFER OF AIR RIGHTS
The transfer of air rights must be addressed and studied to appropriately gauge negative effects on shadows.

There is no reference in the Draft Scope of Work regarding the transfer of air rights.
The significant up zoning of the Study Area cannot be viewed for purposes of the Scope of Work and a rezoning without an assessment of the ramifications of the ability to transfer of air rights, and what limitations or lack of limitations on transfers will exist.

The ability to further transfer air rights after the study area is up zoned can further exacerbate the negative effects of shadow conditions.

3. PROJECTED & POTENTIAL DEVELOPMENT
Both Projected and Potential Development must be analyzed as regards to shadows.

The Draft Scope of Work looks to Projected Development and implies that Potential Development is not significant in the analysis over the time frame. This is a false premise. The Potential Development is real, has significant chance of happening on many buildings throughout the study area in the time frame, and will significantly affect shadows within the study area.

Respectfully submitted,

Jeanne Wilcke

Response to Task 6. SHADOWS

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CEQR No. 21DCP059M ULURP Nos. Pending

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Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: Task 14. TRANSPORTATION PAGES 40 to 44
Date: Friday, December 18, 2020 at 12:29:44 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE TRANSPORTATION TASK .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 14. TRANSPORTATION Pages 40 to 44

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 14. TRANSPORTATION

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: Task 14. TRANSPORTATION PAGES 40 to 44

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

1. TRANSPORTATION DATA COLLECTION AND ANALYSIS

The collection of data and analysis as presented in the Draft Scope of Work will be deficient and inaccurate for the purpose of this major rezoning plan and for long-term planning.

We are in the midst of a once-in-100-year pandemic. Data collection and analysis will give a faulty and deficient basis for this rezoning due to the abnormal conditions being experienced.

The Director of the U.S. Chamber of Commerce of the Center for Disease Control predicted that normal conditions are not expected until at least the 3rd quarter of 2021. This is similar to the base economic forecast by The Conference Board and others, including financial institutions.

The following sections of the Draft Scope of Work are particularly problematic due to gathering and analysis of data in the midst of a once-in-a-hundred-year pandemic. Determining "whether a proposed action may have a potential significant impact" is not achievable at this time and for the near future.

Offices are closed or minimally occupied with many employees working remotely, restaurants and bars are closed or have greatly reduced operations and customers, retail stores are either closed or have greatly reduced customer operations within their physical stores, schools and universities have reduced in-class learning and/or are doing remote classes, hotels are experiencing distress due to lack of bookings.

In addition there are major economic shifts occurring and anticipated in areas such as telecommuting, retail businesses, and remote education.

This process and rezoning should be delayed and paused in order to obtain and analyze data in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

2. TRAVEL DEMAND and TRAFFIC

TRAVEL DEMAND and TRAFFIC studies per CEQR guidelines will be grossly undercounting data for analysis due to the current pandemic and abnormal current economic and pandemic circumstances being experienced.

Data and analyses that will be deficient include the following:
1. Data gathering and analyses of peak hour and mode of travel, as well as by person and vehicle trips.
2. Identifying "the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks".
3. The Level 2 screening assessment "to validate the intersections and and pedestrian/transit elements" for analysis.
4. Data collection by DOT (the Department of Transportation) which will likely include a mix of Automatic Traffic Recorder machine counts and intersection turning movement counts, along with vehicle classification counts".

3. DATA DEFICIENT AS SUPPORT FOR AIR QUALITY & NOISE ANALYSES

The DOT data collection is used "as support data for air quality and noise analyses".
As this data will be used for other parts of the rezoning data collection:

The deficiencies in the DOT data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP

process in assessing air quality and noise levels.

1

4. USING RECENT STUDIES IN THE VICINITY OF THE STUDY AREA

The Draft Scope of Work states, "Where applicable, available information from recent studies in the vicinity of the study area will be compiled...".

A. It is very problematic that recent studies "in the vicinity of the study area" would be used to substantiate a major rezoning. This could mean studies from the East Village, the Lower East Side, the Financial District or other areas which are distinctly different from the SoHo and NoHo areas and have different traffic & pedestrian flows and patterns.

B. Due to the pandemic a major economic shift is evolving.
It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

5, TRAVEL DEMAND FROM DEVELOPMENT SITES

Regarding travel demand from "projected development sites" as well as "demand from other major developments planned in the the vicinity of the study area":

A. NYU's large development site on Mercer St. and Bleecker St. must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area.

B. The Draft Scope of Work emphasizes the addition of DWELLING UNITS which would include AFFORDABLE HOUSING and cites Opportunity Zones.

****** Yet there is NO GUARANTEE under this rezoning proposal that any housing or dwelling units will be built in the study area, particularly affordable housing. *****

The base premise of the Draft Scope of Work that this proposal will "create opportunities for housing, including affordable housing" is not backed by factual evidence or arguments that such housing will be built.

6. NEED TO ASSESS TRAVEL DEMAND UNDER DIFFERENT USE SCENARIOS

The Scope of Work must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.

There is no guarantee any housing, particularly affordable housing, will be built in the study area. Therefore Travel Demand under different use scenarios must be studied.

7. NEED TO ASSESS TRAVEL DATA PROJECTIONS AND UP ZONING IMPACTS

The large increases in FAR and allowable height and density over the entire study area impacts travel data projections needed to assess the rezoning.

The Scope of Work does not address - but must address - impacts on the study area being up zoned.

The ability to further transfer air rights after the study area is up zoned can further impact Travel Demand and data projections.
There is no reference in the Draft Scope of Work regarding the transfer of air rights.
The significant up zoning of the Study Area cannot be viewed for purposes of the Scope of Work and a rezoning without an assessment of the ramifications of the ability to transfer of air rights, and what limitations or lack of limitations on transfers will exist.

2

8. TRANSIT

The analysis on current ridership conditions and peak hour service will be inaccurate due to the current pandemic and economic conditions.

If the "incremental person-trips by bus" would "exceed 50 peak hour trips in one direction on one or more routes" there will be an analysis of local bus conditions. Counting of peak hour trips during the pandemic conditions and current economic conditions will not give accurate data for rezoning and long-term planning purposes.

Data collection and analyses compiled during the pandemic will result in inaccurate and deficient data due to the decrease in traffic and trucks, offices, retail establishments and bars and restaurants closed or at reduced capacities, remote learning by schools and universities, and tourist visits greatly reduced.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be built, especially in numbers stated in the
Draft Scope of Work.

9. PEDESTRIANS

A. Pedestrian counts will be inaccurate due to the current pandemic and economic conditions.

B. The "potential for incremental demand" will be inaccurate due to the expectation of a large increase in dwelling units and residents.

There is NO GUARANTEE under this rezoning proposal that such dwelling units will be built in the study area.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be

built in the study area, especially in numbers stated in the Draft Scope of Work.

The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.

C. The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density and transfer of air rights throughout the study area are not taken into account.

Respectfully submitted,

Jeanne Wilcke

3

Response to Task 14. TRANSPORTATION

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

FOCUS: Task 14. TRANSPORTATION PAGES 40 to 44

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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3. DATA DEFICIENT AS SUPPORT FOR AIR QUALITY & NOISE ANALYSES

The DOT data collection is used "as support data for air quality and noise analyses".
As this data will be used for other parts of the rezoning data collection:

T**he deficiencies in the DOT data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality and noise levels.**

4. USING RECENT STUDIES IN THE VICINITY OF THE STUDY AREA

The Draft Scope of Work states, "Where applicable, available information from recent studies in the vicinity of the study area will be compiled...".

A. It is very problematic that recent studies "in the vicinity of the study area" would be used to substantiate a major rezoning. This could mean studies from the East Village, the Lower East Side, the Financial District or other areas which are distinctly different from the SoHo and NoHo areas and have different traffic & pedestrian flows and patterns.

B. Due to the pandemic a major economic shift is evolving.

It is not appropriate to rely on older data "in the vicinity of the study area" or even in the proposed rezoning area until the economy has stabilized and we can assess the changes in how businesses, employees, education and industries operate.

5, TRAVEL DEMAND FROM DEVELOPMENT SITES

Regarding travel demand from "projected development sites" as well as "demand from other major developments planned in the the vicinity of the study area":

A. NYU's large development site on Mercer St. and Bleecker St. must be included as a site "in the vicinity of the study area" due to its expected significant impact on the surrounding area.

B. The Draft Scope of Work emphasizes the addition of DWELLING UNITS which would include AFFORDABLE HOUSING and cites Opportunity Zones.

****** Yet there is NO GUARANTEE under this rezoning proposal that any housing or dwelling units will be built in the study area, particularly affordable housing. *****

The base premise of the Draft Scope of Work that this proposal will "create opportunities for housing, including affordable housing" is not backed by factual evidence or arguments that such housing will be built.

6. NEED TO ASSESS TRAVEL DEMAND UNDER DIFFERENT USE SCENARIOS

The Scope of Work must assess travel demand from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) and not only housing.

There is no guarantee any housing, particularly affordable housing, will be built in the study area. Therefore Travel Demand under different use scenarios must be studied.

7. NEED TO ASSESS TRAVEL DATA PROJECTIONS AND UP ZONING IMPACTS

The large increases in FAR and allowable height and density over the entire study area impacts travel data projections needed to assess the rezoning.

The Scope of Work does not address - but must address - impacts on the study area being up zoned.

The ability to further transfer air rights after the study area is up zoned can further impact Travel Demand and data projections.
There is no reference in the Draft Scope of Work regarding the transfer of air rights.
The significant up zoning of the Study Area cannot be viewed for purposes of the Scope of Work and a rezoning without an assessment of the ramifications of the ability to transfer of air rights, and what limitations or lack of limitations on transfers will exist.

8. TRANSIT

The analysis on current ridership conditions and peak hour service will be inaccurate due to the current pandemic and economic conditions.

If the "incremental person-trips by bus" would "exceed 50 peak hour trips in one direction on one or more routes" there will be an analysis of local bus conditions. Counting of peak hour trips during the pandemic conditions and current economic conditions will not give accurate data for rezoning and long-term planning purposes.

Data collection and analyses compiled during the pandemic will result in inaccurate and deficient data due to the decrease in traffic and trucks, offices, retail establishments and bars and restaurants closed or at reduced capacities, remote learning by schools and universities, and tourist visits greatly reduced.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be built, especially in numbers stated in the Draft Scope of Work.

9. PEDESTRIANS

A. Pedestrian counts will be inaccurate due to the current pandemic and economic conditions.

B. The "potential for incremental demand" will be inaccurate due to the expectation of a large increase in dwelling units and residents.

There is NO GUARANTEE under this rezoning proposal that such dwelling units will be built in the study area.

Projections based on forecasts of a large percentage increase in residents are questionable. There is no guarantee under this rezoning proposal that any new dwelling units will be built in the study area, especially in numbers stated in the Draft Scope of Work.

The Draft Scope must assess pedestrian counts from Projected and Potential Development Sites under different use scenarios (office, community facilities, dormitories, etc.) - and not only housing.

C. The "potential for incremental demand" will be inaccurate if the large increases in FAR and allowable height and density and transfer of air rights throughout the study area are not taken into account.

Respectfully submitted,

Jeanne Wilcke

Subject: Re: SoHo/NoHo Submission: Task 15. AIR QUALITY Pages 44 to 46
Date: Friday, December 18, 2020 at 12:20:53 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 15 2020 RESPONSE AIR QUALITY TASK 15 .pdf

Response to Task 15. AIR QUALITY PAGES 44 to 46
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

Focus: Task 15. AIR QUALITY PAGES 44 to 46

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Response to Task 15. AIR QUALITY PAGES 44 to 46
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 15. AIR QUALITY PAGES 44 to 46

DATA COLLECTION AND ANALYSES ON AIR QUALITY WILL BE DEFICIENT AND FAULTY AS PROPOSED UNDER THE DRAFT SCOPE OF WORK

Data collection and analyses on Air Quality will be deficient and faulty for the purpose of this rezoning proposal and long-term planning for the following reasons and specific items herein included must be addressed.

1. DATA COLLECTION AND ANALYSES DURING THE PANDEMIC & IN AN ABNORMAL ECONOMIC ENVIRONMENT

This process and rezoning should be delayed and paused in order to obtain and analyze data in conditions appropriate for a major rezoning, which is after the current pandemic and economic conditions stabilize.

We are in the midst of a once-in-100-year pandemic. Data collection and analysis will give a faulty and deficient basis for this rezoning due to the abnormal conditions being experienced.

The Director of the U.S. Chamber of Commerce of the Center for Disease Control predicted that normal conditions are not expected until at least the 3rd quarter of 2021. This is similar to the base economic forecast by The Conference Board and others, including financial institutions.

Offices are closed or minimally occupied with many employees working remotely, restaurants and bars are closed or have greatly reduced operations and customers, retail stores are either closed or have greatly reduced customer operations within their physical stores, schools and universities have reduced in-class learning and/or are doing remote classes, hotels are experiencing distress due to lack of bookings.

In addition there are major economic shifts occurring and anticipated in areas such as telecommuting, retail businesses, and remote education that make the premises for this proposed rezoning and long-term planning disputable.

2. USE OF INACCURATE AND DEFICIENT DATA PROVIDED BY DOT

The Department of Transportation (DOT) data collection and analyses under Task 14. Transportation is used to "support data for air quality and noise analyses".

Since Task 14. Transportation data collection and analyses will also be used for Task 15. Air Quality, t**he deficiencies in the Transportation data collection and analyses will further undermine and be deficient for other important parts of the Environmental Impact Statement and the ULURP process in assessing air quality.**

Please refer to my separate response and submission titled:
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3. WIND CONDITIONS AFFECTING AIR QUALITY

Wind conditions, velocity, and pollution concentration fields are all related. These factors should be included in the Scope of Work.

In Task 8. Urban Design and Visual Resources, pages 35 to 36, it is stated that "an analysis of pedestrian wind conditions is not warranted".

This assumption is not correct. **Wind conditions are warranted and are tied to air quality.**

The analysis of pedestrian wind conditions as part of Air Quality data collection and analyses are warranted and should be undertaken.

Scientific studies indicate greatly increased maximum wind gusts exist now and are projected for the future. These studies give great credence to the need to include how **both pedestrians and residents and the increase in FAR** in the study area will be affected by wind conditions.

As example of current research pertinent to this rezoning, studies indicate **a 37.5% increase in maximum wind gusts for the period 2017-2050.**

"**New York City is projected to** experience higher **wind gusts** under a warming climate for the period 2017–2050 **in** comparison with the historical data period of 1973–2017.
The future maximum **wind gusts** are expected **to reach 110 mph, a significant increase from the recent maximum wind of 80 mph."**

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The American Society of Mechanical Engineers (ASME) (*)
Research Papers
August 2020, published online September 3, 2020 in Journal of Engineering for Sustainable Buildings and Cities
Link: https://asmedigitalcollection.asme.org/sustainablebuildings/article/1/3/031004/1086138/Projections-of-Wind-Gusts-for-New-York-City-Under

The increase of particulates, pollution concentration fields, and velocity due to the behavior of wind flows negatively affects the pedestrian and residential population and must be addressed as part of the Scope of Work.

Increased allowable FAR, height and density will increase the velocity and pollution concentration fields at ground level.

The Draft Scope of Work does not take into account the effects of the proposed increase in allowable FAR and height and density on wind velocity as well as pollution concentration fields.

"Taller buildings lead to pollution and particulates remaining locally within the surrounding building area, including "dead-zones" and high-concentration "hotspots" which did not previously exist."

See: Science Direct research 2017: **How tall buildings affect turbulent air flows and dispersion of pollution within a neighborhood.**
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Highlights
Effect of tall buildings on velocity as well as pollution concentration fields is clearly seen.
Presence of tall buildings leads to pollution remaining locally within the building area.
Location and extend of newly-formed concentration hotspots depend on the height of the tall buildings surrounding the “source” building

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"Our results show that the location of a tall building relative to an emission source has a massive effect both at higher levels and at downstream areas."

There are numerous other current and timely studies that should be researched and used in evaluating the Scope of Work for Task 15. Air Quality.

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5. TRANSFER OF AIR RIGHTS

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The ability to further transfer air rights after the study area is up zoned could further exacerbate the negative effects of wind conditions, velocity, pollution concentration fields, and pollution flows.

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Response to Task 15. Air Quality

October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 15, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: Task 15. AIR QUALITY PAGES 44 to 46

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Jeanne Wilcke

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Subject: Re: SoHo/NoHo Submission: The Bowery Historic District
Date: Friday, December 18, 2020 at 4:27:37 PM Central Standard Time
From: Jeanne Wilcke
To: 21DCP059M_DL
Attachments: 12 18 2020 RESPONSE BOWERY HISTORIC DISTRICT .pdf

Please find attached a submission on
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement

FOCUS: HISTORIC DISTRICTS. NEIGHBORHOOD CONTEXT, PROJECT AREA, Task 7 OMISSION OF THE BOWERY HISTORIC DISTRICT

Submitted as a PDF and text in the body of this email.

Thank you,
Jeanne Wilcke

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

FOCUS: HISTORIC DISTRICTS. NEIGHBORHOOD CONTEXT, PROJECT AREA, Task 7
OMISSION OF THE BOWERY HISTORIC DISTRICT

Dialogue and information and inclusion of The Bowery Historic District is not in the Draft Scope of Work.

The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as “The Bowery Historic District”.

The Bowery Historic District must be added to:
The dialogue on Historic Districts, page 8
The dialogue on Project Area, page 7, first paragraph.
The dialogue on Neighborhood Context in the Bowery Corridor, pages 9 &10
Task 7. Historic and Cultural Resources, pages 34 & 35

In addition, The Bowery Historic District should be added to any other part of the Draft Scope of Work where other historic and cultural parts and dialogue of the district are included.

See: https://www.nps.gov/nr/feature/places/pdfs/13000027.pdf
The link includes information on The Bowery Historic District and contributing resources in The Bowery Historic District.

See: https://www.boweryalliance.org
The link provides information on the Bowery Alliance of Neighbors and includes resources and information on the Bowery and The Bowery Historic District.
Several instances occur of selected phrasing and picking the way to present facts that indicate a bias and partiality that is misleading.

1. HISTORIC DISTRICTS
Page 8

The Draft Scope of Work does not include The Bowery Historic District.
The Bowery is listed by the United States Department of the Interior, National Park Service, in the National Register of Historic Places as “The Bowery Historic District”.

This omission in the Draft Scope of Work should be remedied and dialogue and information must be provided.
The Bowery Historic District must be added to the Draft Scope of Work in the section titled “Historic Districts”.

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3. NEIGHBORHOOD CONTEXT
Bowery Corridor
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Jeanne Wilcke

2

Response to HISTORIC DISTRICTS. NEIGHBORHOOD CONTEXT, PROJECT AREA, Task 7
THE BOWERY HISTORIC DISTRICT
October 28, 2020 Draft Scope of Work for an Environmental Impact Statement
CEQR No. 21DCP059M ULURP Nos. Pending

Date: December 18, 2020
From: Jeanne Wilcke, NoHo Neighborhood Association

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Jeanne Wilcke

TRANSCRIPTS

WEBVTT

1
00:00:00.359 --> 00:00:11.099
Olga Abinader, Director, DCP EARD: You are tuning into the remote public scoping meeting for the Soho Novo neighborhood plan proposal secret number 21 DTP 05 9am

2
00:00:11.610 --> 00:00:19.410
Olga Abinader, Director, DCP EARD: My name is Olga applicator and I'm the director of the New York City Department of city planning environmental assessment and review division or E AR D.

3
00:00:19.800 --> 00:00:36.870
Olga Abinader, Director, DCP EARD: Stephanie. Sure. Lu W director of air D will co host today's meeting and, in the event of any technical challenges on my end. Stephanie will take over this meeting on my behalf. We truly appreciate your patience as we adjust to this remote public scoping meeting format.

4
00:00:37.950 --> 00:00:42.720
Olga Abinader, Director, DCP EARD: I do want to thank everyone for taking the time out of your day to attend this remote meeting.

5
00:00:43.170 --> 00:00:58.260
Olga Abinader, Director, DCP EARD: I want to acknowledge that technology like this isn't perfect. However, it is an invaluable tool that allows the critical land use and environments review prophecies to proceed while keeping all of us safe during this public health crisis.

6
00:00:58.830 --> 00:01:04.770
Olga Abinader, Director, DCP EARD: I also want to emphasize that we will hear from everyone who wishes to provide testimony today.

7
00:01:05.820 --> 00:01:20.070
Olga Abinader, Director, DCP EARD: During this meeting and this meeting will remain open until we have heard from all voices. We also welcome written comments and testimony for the next 15 days following this meeting through December 18 2020

8
00:01:20.640 --> 00:01:27.450
Olga Abinader, Director, DCP EARD: And we provide written comments, the same attention and consideration as comments provided live at today's meeting.

9
00:01:28.230 --> 00:01:34.920

Olga Abinader, Director, DCP EARD: We also recognize that the 1pm start time some saw in our registration materials may have been confusing to some of you.

10
00:01:35.370 --> 00:01:47.160
Olga Abinader, Director, DCP EARD: To clarify this earlier time allows us time to prepare and set up our zoom meeting for you to minimize the amount of time you have to wait before the public scoping meeting actually begins.

11
00:01:48.660 --> 00:01:51.810
Olga Abinader, Director, DCP EARD: I'll ask production now to please open our initial presentation.

12
00:02:10.020 --> 00:02:19.050
Olga Abinader, Director, DCP EARD: Please give us a moment as it does take a little bit of time to upload some of these presentations. Again, I'll ask production to open our initial presentation.

13
00:02:28.230 --> 00:02:42.810
Olga Abinader, Director, DCP EARD: Okay, looks like we might be experiencing a few technical difficulties at the moment. So I will start again and ask for production to please help us upload our initial presentation. Here we go.

14
00:02:45.420 --> 00:02:47.430
Olga Abinader, Director, DCP EARD: And can we please move ahead to the next slide.

15
00:02:50.130 --> 00:02:57.750
Olga Abinader, Director, DCP EARD: All right, thank you. So for those of you who are logged into zoom and in need of Cantonese or Mandarin translation today.

16
00:02:58.230 --> 00:03:08.160
Olga Abinader, Director, DCP EARD: Please click the interpretation button on your zoom screen. And if you need Cantonese Translation. Translation, excuse me, please select Chinese

17
00:03:08.790 --> 00:03:19.080
Olga Abinader, Director, DCP EARD: If you need Mandarin, please select Portuguese. Also, please be sure to select the mute original audio button on your screen.

18
00:03:19.830 --> 00:03:30.060

Olga Abinader, Director, DCP EARD: Once you have selected these options and interpreter will be there to translate the meeting into your preferred language be that Mandarin or Cantonese

19
00:03:30.840 --> 00:03:43.890
Olga Abinader, Director, DCP EARD: If you would like to provide testimony in Cantonese or Mandarin today you will have a five minute time limit to speak and an interpreter will translate your testimony live into English.

20
00:03:44.970 --> 00:03:54.900
Olga Abinader, Director, DCP EARD: Also take a few moments. Now, to allow our interpreters to translate these instructions will start first with our Cantonese translator.

21
00:03:57.030 --> 00:04:02.850
Translator 3 (Cantonese): Idaho or highly refined, you cannot come yet what day I'll take on finding it get

22
00:04:04.350 --> 00:04:16.860
Translator 3 (Cantonese): Come. There you go. So you gone to market funny koala so high leakage zoom. Get yo. Yo, I got the call the demon in Chinese or the hi john one

23
00:04:17.550 --> 00:04:32.820
Translator 3 (Cantonese): Though we handle condo market funny, you go, so you got do you define it. Hi, Johan de de de far gone, Portuguese, what a porthole Nah man later how we handle what they can find you. Thank you.

24
00:04:34.980 --> 00:04:37.980
Olga Abinader, Director, DCP EARD: Thank you will move ahead now with their Mandarin translator.

25
00:04:39.240 --> 00:04:50.340
Translator 1 - Mandarin: I mean, that's just how it will change it up by the countdown to answer the little triangle Sunni she introduced me to be in the mood to be able to Cambodia Mongolian ego super

26
00:04:50.850 --> 00:05:00.390
Translator 1 - Mandarin: Ego super rendering strong one. Now ruminations shouting condo modifying my family that don't one Chinese naked P foundation longevity in the

27
00:05:01.740 --> 00:05:13.740

Translator 1 - Mandarin: Kitchen quantum rather fight he gave me his home in hospital junkie, the bluefin now rule me shouting from one meeting to the ancient Portuguese just put out one not how we

28
00:05:15.150 --> 00:05:21.120
Translator 1 - Mandarin: Teamed up JOHN. JOHN one does it fit the sheer song. Now we change into I'm fine.

29
00:05:25.170 --> 00:05:35.130
Olga Abinader, Director, DCP EARD: Thank you so much. We will now proceed to the puppet scoping meeting for this SOHO know whole neighborhood plant, please give us a moment as we upload our next presentation.

30
00:05:51.990 --> 00:05:53.400
Olga Abinader, Director, DCP EARD: Thank you and welcome.

31
00:05:54.510 --> 00:06:14.280
Olga Abinader, Director, DCP EARD: Further record. Let me note that the city and remnants of quality review or seeker application number for this project is 21 DC P 059 TODAY'S DATE IS DECEMBER 3 2020 and the time is approximately 2:06pm. Next slide please.

32
00:06:17.100 --> 00:06:24.600
Olga Abinader, Director, DCP EARD: Again, my name is Olga Ave later and I'm the Director of the environmental assessment and review division of the New York City Department of city planet.

33
00:06:25.050 --> 00:06:35.310
Olga Abinader, Director, DCP EARD: I'll be sharing today's public scoping meeting but department of city planning is acting on behalf of the City Planning Commission as a lead agency for this proposals in Romans a review.

34
00:06:35.880 --> 00:06:46.020
Olga Abinader, Director, DCP EARD: As lead agency, the department will be responsible for overseeing the preparation and completion of the proposals environmental impact statement or he is. Next slide please.

35
00:06:48.960 --> 00:06:59.310
Olga Abinader, Director, DCP EARD: Joining me today are several of my colleagues from the Department of city planning, as I mentioned previously, Stephanie Sheila, with Deputy Director of the environmental assessment and review division joins us today.

36
00:06:59.730 --> 00:07:08.040

Olga Abinader, Director, DCP EARD: Also joining us our eaters to Chen, Director of the departments Manhattan office and Eric botsford deputy director of the departments Manhattan office.

37
00:07:08.370 --> 00:07:16.620
Olga Abinader, Director, DCP EARD: And building a team leader within the environmental assessment and review division is managing this he is in his join us today as well. Sylvia Lee.

38
00:07:17.130 --> 00:07:31.890
Olga Abinader, Director, DCP EARD: Project Manager and IT departments Manhattan office as well as Andrew can to who's acting on behalf of the enrollments for review project management for this project or also joining us. Lastly nebula Molly senior planner know Manhattan office is joining us as well.

39
00:07:32.970 --> 00:07:40.050
Olga Abinader, Director, DCP EARD: I'd like to note also that a representative from the environmental consulting firm A Cara will be presenting along with us today.

40
00:07:40.770 --> 00:07:49.860
Olga Abinader, Director, DCP EARD: And that I should also mention that during today's revolt public meeting. We are joined by about a dozen of our colleagues from the Department of city planning.

41
00:07:50.100 --> 00:07:59.490
Olga Abinader, Director, DCP EARD: Who have worked extremely hard to assist us with this remote public scoping meeting format. Many thanks to them for all of their hard work. Next slide please.

42
00:08:03.540 --> 00:08:09.690
Olga Abinader, Director, DCP EARD: Together, we are here to receive your comments on the draft scope of work for this. Oh no, whole neighborhood plan proposal.

43
00:08:10.110 --> 00:08:21.660
Olga Abinader, Director, DCP EARD: Draft scope of work identifies the subjects to be analyzed in the upcoming draft environmental impact statement or D is and describes the methodology that will be used in those analyses.

44
00:08:22.140 --> 00:08:29.160
Olga Abinader, Director, DCP EARD: I will note that the draft scope of work material is available on the Department of city planning website. Next slide please.

45
00:08:32.880 --> 00:08:44.010
Olga Abinader, Director, DCP EARD: The purpose of this public scoping meeting is to allow for public participation in the preparation of the draft, he is at the earliest stage possible in the environmental review process.

46
00:08:44.220 --> 00:08:49.710
Olga Abinader, Director, DCP EARD: Specifically scoping allows the public to help shape the DEA is before it is written,

47
00:08:50.400 --> 00:09:02.580
Olga Abinader, Director, DCP EARD: Toward that end the department acting as lead agency will receive verbal testimony on the draft scope of work from elected officials government agencies, the local community board and the general public.

48
00:09:03.120 --> 00:09:12.540
Olga Abinader, Director, DCP EARD: We also welcome written comments on the draw scope of work. They may be submitted through Friday, December 18 2020. Next slide please.

49
00:09:17.010 --> 00:09:27.330
Olga Abinader, Director, DCP EARD: At the end of the written comment period, the department as lead agency will review all comments receive those be here today as well as written comments that we have received throughout this process.

50
00:09:27.660 --> 00:09:34.710
Olga Abinader, Director, DCP EARD: After carefully reviewing these comments, the department will decide what changes if any needs to be made to the draft scope of work.

51
00:09:35.580 --> 00:09:47.100
Olga Abinader, Director, DCP EARD: And then and final scope of work will be issued. It is the final scope of work that will serve as a basis for preparing the draft environmental impact statement. Next slide please.

52
00:09:53.280 --> 00:09:57.690
Olga Abinader, Director, DCP EARD: Note that today marks the beginning of the written comment period under draft scope of work.

53
00:09:57.990 --> 00:10:01.200
Olga Abinader, Director, DCP EARD: No decisions will be made today regarding the draft scope of work.

54
00:10:01.440 --> 00:10:15.180
Olga Abinader, Director, DCP EARD: And the purpose of today's meeting is to allow the public to provide their comments about the draft scope of work until allow the department to listen to those comments. It's important for all voices to be heard today. Next slide please.

55
00:10:18.870 --> 00:10:24.090
Olga Abinader, Director, DCP EARD: Oh, I will now focus on the structure of today's meeting, which is going to be divided into three parts.

56
00:10:24.540 --> 00:10:33.060
Olga Abinader, Director, DCP EARD: During the first part, Sylvia elite of the Manhattan office will provide a brief overview describing the Soho know whole neighborhood rezoning proposal.

57
00:10:33.690 --> 00:10:42.030
Olga Abinader, Director, DCP EARD: Patrick Blanche field, a representative of a care of the environmental consultant for this proposal will then provide a short summary of address scope of work.

58
00:10:42.840 --> 00:10:53.190
Olga Abinader, Director, DCP EARD: During this second part of this meeting, we will be receiving comments on the draft scope of work from elected officials government agencies and community board representatives.

59
00:10:53.850 --> 00:11:08.880
Olga Abinader, Director, DCP EARD: And during the third and final part of today's meeting the department will receive comments from the general public the meeting will end. Only when everyone who has signed up to provide testimony has had a chance to be heard. Next slide please.

60
00:11:13.020 --> 00:11:22.800
Olga Abinader, Director, DCP EARD: On to a few logistics for today's remote scoping meeting again the protocol is intended to ensure that everyone has had a chance to speak and that always his or her

61
00:11:23.850 --> 00:11:46.470
Olga Abinader, Director, DCP EARD: If you wish to speak and plan to access our meeting online using a computer, tablet or smartphone. Please remember to register online using the Soho Novo pumping scoping meeting page of the NYC engaged portal@www.nyc.gov forward slash NYC E. N. G. A. G.

62

00:11:47.430 --> 00:12:03.660
Olga Abinader, Director, DCP EARD: A link to join this meeting and provide your testimony. If desired, will be emailed to you. After you have completed the registration process on the NYC engage portal, we will, at that point, add you to our speakers list. Next slide please.

63
00:12:07.200 --> 00:12:15.390
Olga Abinader, Director, DCP EARD: When it is your turn to speak your name will be called and you will be granted speaking temporary speaking privileges by the Department of city putting snap.

64
00:12:15.780 --> 00:12:28.110
Olga Abinader, Director, DCP EARD: So please listen closely for Your Name to be called once your name has been called, we will unmute your microphone or we will help you unmute your microphone and you will be asked to provide your remarks.

65
00:12:28.500 --> 00:12:39.030
Olga Abinader, Director, DCP EARD: To allow us to hear from everyone who is just to speak. We ask that everyone from the public limit their remarks to three minutes. Unless otherwise notified.

66
00:12:39.390 --> 00:12:51.960
Olga Abinader, Director, DCP EARD: A three minute countdown clock will run on the screen. If you're able to view us online at the three minute mark your time will expire. And at that time, you will be asked to conclude your testimony.

67
00:12:53.220 --> 00:13:03.540
Olga Abinader, Director, DCP EARD: Please also note that your testimony will be verbal only we will be able to hear you but we will not be able to see you. Next slide please.

68
00:13:08.130 --> 00:13:18.450
Olga Abinader, Director, DCP EARD: And additional note of instruction for those of you joining us by telephone today if you do wish to provide testimony via telephone, please select star nine when prompted.

69
00:13:19.020 --> 00:13:28.260
Olga Abinader, Director, DCP EARD: Please listen for me to call out the last three digits of your phone number. At that point, you will be given the temporary ability to share your testimony.

70
00:13:28.710 --> 00:13:34.620
Olga Abinader, Director, DCP EARD: You must then press star six to unmute yourself and we will be able to hear you speak.

71
00:13:35.040 --> 00:13:43.950
Olga Abinader, Director, DCP EARD: When your testimony is complete, or your three minutes have expired, we will let you know and you must press star six again to mute yourself.

72
00:13:44.550 --> 00:13:48.360
Olga Abinader, Director, DCP EARD: We will be repeating these instructions throughout the course of today's meeting.

73
00:13:49.320 --> 00:14:03.540
Olga Abinader, Director, DCP EARD: We would also like to know that we would like to encourage dial in participants call in by phone, who wish to provide testimony to register online, excuse me to register via telephone using the dial in participants hotline.

74
00:14:04.950 --> 00:14:16.230
Olga Abinader, Director, DCP EARD: Please note also that muting and I'm muting registered speakers may take a brief moment as you are still adjusting to this remote zoom meeting format. Next slide please.

75
00:14:22.380 --> 00:14:30.330
Olga Abinader, Director, DCP EARD: A few words on to time limits speakers from the general public have three minutes to provide testimony today.

76
00:14:30.750 --> 00:14:40.410
Olga Abinader, Director, DCP EARD: There are a few exceptions to our time limits for example, elected officials are given the courtesy to jump the front of the queue and are not time limited

77
00:14:41.070 --> 00:14:51.660
Olga Abinader, Director, DCP EARD: Also if translation services are being used by someone from the general public the time to speak and provide testimony will be provided with excuse me will be extended to five minutes.

78
00:14:52.230 --> 00:15:03.960
Olga Abinader, Director, DCP EARD: For members of the public not needing translation services. We will announce when the three minute time limit is reach, at which point you will be asked to conclude remarks. Next slide please.

79
00:15:07.530 --> 00:15:14.880

Olga Abinader, Director, DCP EARD: Once again interpretation services are available today. For those of you who wish to provide verbal testimony in Cantonese or Mandarin.

80
00:15:15.210 --> 00:15:26.190
Olga Abinader, Director, DCP EARD: Five minutes of speaking time will be allotted to those needing these services verbal comments given in Cantonese or Mandarin will be translated into English. After the testimony is completed.

81
00:15:26.700 --> 00:15:38.790
Olga Abinader, Director, DCP EARD: verbal and written comments and address scope of work in languages other than English Cantonese or Mandarin will be translated and incorporated into the final scope of work. Next slide please.

82
00:15:39.240 --> 00:15:47.880
Stephanie Shellooe, Deputy Director, DCP EARD: Although we like to pause for a moment just to ensure that the Mandarin and Cantonese translation channels are working appropriately.

83
00:15:48.540 --> 00:15:51.090
Olga Abinader, Director, DCP EARD: Absolutely let's give them a moment to get started.

84
00:17:20.820 --> 00:17:25.740
Studies Support 1: Production one we please check the chat that I just sent you.

85
00:19:20.490 --> 00:19:32.400
Olga Abinader, Director, DCP EARD: Hello everyone just announcing that we are just taking a brief pause at the moment to troubleshoot some technical difficulties that we are experiencing, we should receive them within a few minutes. Thank you all for your patience.

86
00:19:33.870 --> 00:19:35.760
Stephanie Shellooe, Deputy Director, DCP EARD: Hello translator to are you on

87
00:19:46.140 --> 00:19:46.980
Translator 2 - Mandarin Backup: Are you talking to me.

88
00:19:47.430 --> 00:19:48.150
Stephanie Shellooe, Deputy Director, DCP EARD: Please unmute your

89
00:19:49.230 --> 00:19:49.680
Stephanie Shellooe, Deputy Director, DCP EARD: Yes.

90
00:19:50.550 --> 00:19:50.910
Okay.

91
00:19:52.380 --> 00:19:59.250
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, so you're on this Portuguese channel and you should be translating simultaneously for the presentation. During this point.

92
00:20:00.960 --> 00:20:01.320
Translator 2 - Mandarin Backup: Okay.

93
00:20:05.220 --> 00:20:05.610
Yes.

94
00:20:07.350 --> 00:20:10.590
Stephanie Shellooe, Deputy Director, DCP EARD: Oh yes, the meeting has begun please translate

95
00:20:11.610 --> 00:20:16.500
Stephanie Shellooe, Deputy Director, DCP EARD: For any folks who may have joined this channel for Mandarin translation of this presentation. Okay.

96
00:20:17.910 --> 00:20:18.390
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you.

97
00:20:25.500 --> 00:20:34.260
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, I believe the translator is set on Mandarin translation. If one will select Portuguese and the interpretation section.

98
00:20:37.380 --> 00:20:40.350
Translator 2 - Mandarin Backup: Is identical put the harsh and you should do when they find you. Uh huh.

99
00:21:03.420 --> 00:21:04.560
Studies Support 1: Production one

100
00:21:05.880 --> 00:21:11.460

Studies Support 1: Can we confirm that the translators are on the correct channels.

101
00:21:15.420 --> 00:21:16.590
Studies Support 1: Yes, we can.

102
00:21:18.780 --> 00:21:19.530
Production: Confirmed

103
00:21:21.210 --> 00:21:22.440
Translator, Chinese - Mandarin (BU 1) : And translate

104
00:21:29.220 --> 00:21:30.480
Studies Support 1: Yes, we can hear you.

105
00:21:31.500 --> 00:21:32.460
Studies Support 1: Hold on.

106
00:21:35.880 --> 00:21:40.500
Translator, Chinese - Mandarin (BU 1) : And complete how, when and translator 2 million anger shame and during the

107
00:21:41.610 --> 00:21:49.230
Translator, Chinese - Mandarin (BU 1) : Funny in the container. You can also function differently to. She said, Oh, got it on the show. Who knew me out fine.

108
00:21:50.400 --> 00:21:58.530
Translator, Chinese - Mandarin (BU 1) : Tuning don't even want a male name, can a woman male mandarins we thought, geez to shoot IBM and during

109
00:22:01.380 --> 00:22:02.940
Translator, Chinese - Mandarin (BU 1) : This special love

110
00:22:04.530 --> 00:22:13.980
Translator, Chinese - Mandarin (BU 1) : Mail. I don't want my damn sure. For sure. All kinds of human geography home and team dollar Cantonese to find their own way of Mandarin. The thing which is the umbrella. Under the sheet,

111
00:22:16.740 --> 00:22:17.040
Translator, Chinese - Mandarin (BU 1) : So,

112
00:22:19.410 --> 00:22:22.200
Translator 1 - Mandarin: I'm eager for English. She was a Sylvia

113
00:22:24.810 --> 00:22:34.320
Translator 1 - Mandarin: Technical the proper sleep was the issue maker mentoring, we will share the screen so she'll make a translator charming city de la

114
00:22:35.340 --> 00:22:39.840
Translator 1 - Mandarin: Liga to jump on the show. What's the temperature. Now we covered the hardest thing in the

115
00:22:45.120 --> 00:22:46.860
Translator, Chinese - Mandarin (BU 1) : whole country or a male mandri

116
00:22:47.400 --> 00:22:48.150
Translator 1 - Mandarin: Do what's it up.

117
00:22:50.610 --> 00:22:51.150
Translator 1 - Mandarin: Oh, no.

118
00:22:51.300 --> 00:23:04.590
Translator 3 (Cantonese): Please don't want a translation. Want to see interpreter translator is not set to be interpreted correct such only translated to right now can do the translations in the Portuguese room. So just

119
00:23:05.070 --> 00:23:05.580
Okay.

120
00:23:07.980 --> 00:23:17.700
Translator, Chinese - Mandarin (BU 1) : UNTIL MAY NOT TRANSLATE her to me any good. So we all got it on what appearances younger Sure honey, also from zoom saying to her house on the Zoning Commission.

121
00:23:18.810 --> 00:23:26.070
Translator, Chinese - Mandarin (BU 1) : Periods handles attention to what's written down in Mandarin and he even concentration from a domain which hinders me

122
00:23:32.580 --> 00:23:34.740
Translator 3 (Cantonese): To say something Chancellor to

123
00:23:43.050 --> 00:23:44.490
Translator, Chinese - Mandarin (BU 1) : Translate one translates

124
00:23:45.150 --> 00:23:45.570
Translator 3 (Cantonese): To

125
00:23:46.380 --> 00:23:48.270
Translator 2 - Mandarin Backup: Me, please don't touch.

126
00:23:51.360 --> 00:23:51.540
Translator, Chinese - Mandarin (BU 1) : It.

127
00:23:52.320 --> 00:23:53.520
Translator 2 - Mandarin Backup: Was it was a backup.

128
00:23:53.760 --> 00:24:09.180
Translator, Chinese - Mandarin (BU 1) : Needs a NIDA NIDA NIDA NIDA zoom attendees in the panelists panelists john three Sherman that you go negative three, some of the different you Lucy, can you please tell me see a decision should I, should I should choose

129
00:24:11.220 --> 00:24:21.930
Translator, Chinese - Mandarin (BU 1) : To attend the panel is that the Libya usually is coming down and he is that he or she wasn't city and kind of emulate illustrations Translate. Translate into

130
00:24:22.020 --> 00:24:24.600
Translator 3 (Cantonese): Translator to sin and a translator once and you

131
00:24:26.760 --> 00:24:27.900
Translator, Chinese - Mandarin (BU 1) : Guys, I need a

132
00:24:27.990 --> 00:24:30.480
Translator 3 (Cantonese): Translator to can you hear me say something

133
00:24:35.790 --> 00:24:38.490
Translator 3 (Cantonese): Just to sort. So, too. Haha. Hello.

134
00:24:55.980 --> 00:24:56.640
Translator 3 (Cantonese): Tina da ne

135

00:25:00.360 --> 00:25:08.370
Translator 3 (Cantonese): Ne, ne need. We all choose one better Tisha, we need to find how to tell other session.

136
00:25:24.960 --> 00:25:29.430
Translator 3 (Cantonese): Sorry for the delay, we have solved our technical issue with me zoom meeting.

137
00:25:30.660 --> 00:25:32.220
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, thank you very much.

138
00:25:33.660 --> 00:25:40.380
Olga Abinader, Director, DCP EARD: Thank you, everyone. And we apologize to your audience for the technical difficulties of you were experiencing with our translation services.

139
00:25:40.710 --> 00:25:55.200
Olga Abinader, Director, DCP EARD: Wanted to just take the time to make sure that they were resolved so that everyone has a chance to participate as warranted. So why don't we go back to our presentation will move on to slide 14 our presentation again please bear with us, we can proceed.

140
00:26:04.620 --> 00:26:16.800
Olga Abinader, Director, DCP EARD: All right, thank you all for your patience. So to those of those of you who are viewing us on livestream and who wish to testify. Please be mindful of any potential background noise during your testimony.

141
00:26:17.100 --> 00:26:22.500
Olga Abinader, Director, DCP EARD: Make sure that your live stream is muted. When you begin your testimony to avoid hearing an echo

142
00:26:23.520 --> 00:26:30.360
Olga Abinader, Director, DCP EARD: If anyone is viewing today's presentation, but does not wish to provide testimony currently not that this

143
00:26:30.780 --> 00:26:46.260
Olga Abinader, Director, DCP EARD: Is a challenging format for us. So please stream this meeting, using the live stream links included within the NYC engage and city planning websites, given the attendance capacity constraints on zoom. Next slide please.

144
00:26:49.410 --> 00:26:56.430

Olga Abinader, Director, DCP EARD: If you do wish to provide written testimony. It may be submitted to the Department of city planet directly

145
00:26:56.820 --> 00:27:13.320
Olga Abinader, Director, DCP EARD: Our mailing address is 120 Broadway 31st for New York, New York 10271 attention will get Avenue later if you'd like to provide an email testimony, please reach out to us at 21 TCP 059

146
00:27:14.100 --> 00:27:25.200
Olga Abinader, Director, DCP EARD: Underscore dl@planning.nyc.gov. And as a reminder, the department will accept her in comments until Friday, December the 18th

147
00:27:27.330 --> 00:27:40.590
Olga Abinader, Director, DCP EARD: If you did miss the instructions today. Please be sure to visit www.nyc.gov forward slash NYC een GA G for instructions on how to participate.

148
00:27:41.430 --> 00:27:57.900
Olga Abinader, Director, DCP EARD: We will now move on to the first part of our meeting at this time the department will present an overview of the proposed project. This presentation will be followed by the Environmental consultant who will summarize the dress scope of work. Next slide please.

149
00:28:04.080 --> 00:28:04.710
Olga Abinader, Director, DCP EARD: Take it away.

150
00:28:07.770 --> 00:28:20.700
Sylvia Li, Presenter of Project Overview: Thank you. My name is Sylvia Lee senior plant planner at the Department of city planning and project lead for this. Oh no, who neighborhood plan, I would like to thank you for joining us today. Virtually. Next slide please.

151
00:28:25.470 --> 00:28:30.930
Sylvia Li, Presenter of Project Overview: In the next 20 minutes or so I'll provide an overview of the planning goals for the neighborhood plan.

152
00:28:31.350 --> 00:28:42.660
Sylvia Li, Presenter of Project Overview: I will also cover critical steps in the environmental review process moving forward for those who tuned in. On October 26 our info session. Some of this would be a refresher.

153

00:28:43.290 --> 00:28:54.120
Sylvia Li, Presenter of Project Overview: Then I, together with Patrick from AK RF we'll go over a summary of this. Oh no. Whoa draft scope of work before we open it up for public comment. Next slide please.

154
00:28:56.760 --> 00:29:00.480
Sylvia Li, Presenter of Project Overview: First a quick overview of the neighborhood plan. Next slide please.

155
00:29:04.170 --> 00:29:08.880
Sylvia Li, Presenter of Project Overview: Here we have a general timeline of the planning process. As you can see here

156
00:29:09.180 --> 00:29:18.000
Sylvia Li, Presenter of Project Overview: The current neighborhood plan. It's being informed by what we heard during the invasion. So who knows the whole community engagement process that took place last year.

157
00:29:18.360 --> 00:29:24.120
Sylvia Li, Presenter of Project Overview: I'll also note that the plan is also driven by important equity and inclusion goals for the city.

158
00:29:24.840 --> 00:29:35.580
Sylvia Li, Presenter of Project Overview: So we're now with now entered the next phase of this oh no effort where the neighborhood plan gets refined and the zoning proposal gets developed in the coming months.

159
00:29:35.850 --> 00:29:48.120
Sylvia Li, Presenter of Project Overview: Today scoping meeting, following the info info session in October is another of the many opportunities for the community and the public to inform this ongoing process. Next slide please.

160
00:29:49.620 --> 00:29:54.690
Sylvia Li, Presenter of Project Overview: To start some background on the Soho no hold neighborhoods and reasons for action now.

161
00:29:55.680 --> 00:30:01.830
Sylvia Li, Presenter of Project Overview: The study area generally encompasses the Soho know who neighborhoods within Manhattan Community district to

162
00:30:02.250 --> 00:30:08.820
Sylvia Li, Presenter of Project Overview: The majority of the area is characterized and protected by the six city designated historic districts

163
00:30:09.180 --> 00:30:17.580
Sylvia Li, Presenter of Project Overview: These neighborhoods are centrally located highly accessible by transit close to major institutions and other mixed use neighborhoods.

164
00:30:18.480 --> 00:30:30.210
Sylvia Li, Presenter of Project Overview: As you all know, so who knows existing zoning was established in 1971 to address specific land use and economic conditions that were dramatically different from those today.

165
00:30:30.810 --> 00:30:43.260
Sylvia Li, Presenter of Project Overview: As echoed by many residents businesses and property owners during envision so who know how a major impetus for the planning process is the need to replace the overly restrictive.

166
00:30:43.860 --> 00:30:52.530
Sylvia Li, Presenter of Project Overview: onerous manufacturing zoning with new mixed use regulations that meet the current and future needs of the neighborhood and beyond.

167
00:30:53.430 --> 00:31:03.810
Sylvia Li, Presenter of Project Overview: And taking a step back to consider. So, whoa, whoa, whoa, in the context of the city against a backdrop of equities and her chips exacerbated by coven

168
00:31:04.680 --> 00:31:15.900
Sylvia Li, Presenter of Project Overview: We are moving toward the plan now because it is important that we make concrete steps to address persisting housing and socio economic divides that exist in our city.

169
00:31:16.380 --> 00:31:26.370
Sylvia Li, Presenter of Project Overview: We need to do so by using all the tools we have to break down barriers and at housing in neighborhoods that offer more opportunities and upward mobility.

170
00:31:26.970 --> 00:31:39.000
Sylvia Li, Presenter of Project Overview: I see that the next slide is already on before I get into the scoping material. I'd like to summarize the neighborhood planning goals which are characterized into these four buckets, you see on the screen.

171
00:31:39.420 --> 00:31:46.680

Sylvia Li, Presenter of Project Overview: At the info session, we've just discussed in detail about how the diverse set of perspectives and voices.

172
00:31:47.070 --> 00:31:56.760
Sylvia Li, Presenter of Project Overview: Emerged from a vision. So who know how, as well as the values we hold as New Yorkers let to these planning goals here. I'll just do a quick recap.

173
00:31:57.270 --> 00:32:07.890
Sylvia Li, Presenter of Project Overview: On housing the neighborhood plan intends to create new opportunities for housing and affordability by lifting outdated is only restrictions on residential use

174
00:32:08.340 --> 00:32:14.100
Sylvia Li, Presenter of Project Overview: The plan would also require permanently affordable housing in Soho no hole for the first time.

175
00:32:14.850 --> 00:32:28.590
Sylvia Li, Presenter of Project Overview: Components of the plan would also reflect envision so who knows recommendation to allow joint living or quarters for artists to remain as well as to accommodate live work more broadly in existing a new building.

176
00:32:29.610 --> 00:32:42.630
Sylvia Li, Presenter of Project Overview: On the economic side the plan would carry forward what we've heard from the local business community to allow a wider range of uses, which bring vibrancy and jobs to the neighborhoods and our city.

177
00:32:43.170 --> 00:32:50.700
Sylvia Li, Presenter of Project Overview: At the same time, the neighborhood of plan would also allow us to collaborate with other agencies and the local community.

178
00:32:51.300 --> 00:32:58.050
Sylvia Li, Presenter of Project Overview: To improve the daily experience of those who live, work and visit the neighbor visit SOHO and know

179
00:32:58.740 --> 00:33:06.840
Sylvia Li, Presenter of Project Overview: For arts and culture, in addition to allowing joint living work quarters for artists to remain and accommodating creative live, work,

180
00:33:07.290 --> 00:33:12.060

Sylvia Li, Presenter of Project Overview: More broadly, the neighborhood plan as it develops will also devise

181
00:33:12.690 --> 00:33:21.270
Sylvia Li, Presenter of Project Overview: creative solutions within and outside of zoning to recognize those who are not certified artists, but are part of the Soho know community.

182
00:33:21.630 --> 00:33:29.400
Sylvia Li, Presenter of Project Overview: Paired with strategies to sustain SOHO know hose cultural legacy and artists creative community on design.

183
00:33:30.210 --> 00:33:41.670
Sylvia Li, Presenter of Project Overview: The plan would implement building form controls that enhance the neighborhoods beloved character and also guide future development to fit into the existing context. Next slide please.

184
00:33:43.590 --> 00:33:47.400
Sylvia Li, Presenter of Project Overview: The slide sums up the key elements of the neighborhood plan.

185
00:33:49.680 --> 00:33:57.480
Sylvia Li, Presenter of Project Overview: Which will continue to be developed and refined. I'll go into further details in the draft scope of work portion of this presentation.

186
00:33:57.780 --> 00:34:10.350
Sylvia Li, Presenter of Project Overview: Here and interest of time, I'll just note that zoning, as well as other strategies outside of zoning are intended to work in unison to achieve these multiple planning goals. Next slide. Peace.

187
00:34:12.510 --> 00:34:19.680
Sylvia Li, Presenter of Project Overview: In other words, zoning is about one component of the neighborhood plan, but it will be the focus of today's meeting.

188
00:34:20.250 --> 00:34:34.770
Sylvia Li, Presenter of Project Overview: The zoning changes contemplated as part of the neighborhood plan and described and the draft scope of work will help advance the shared vision of a more equitable economically resilient and culturally vibrant, so no hope.

189

00:34:35.400 --> 00:34:45.360
Sylvia Li, Presenter of Project Overview: As noted earlier, the zoning proposal, I'll walk you through today is not the final version today scoping meeting is the first of many opportunities for you to weigh in.

190
00:34:46.230 --> 00:35:03.420
Sylvia Li, Presenter of Project Overview: Next slide please. Before diving into the details of the Soho know zoning contemplated in the draft scope of work. I'll do a quick recap of the environmental review process as a context for today's scoping meeting. Next slide please.

191
00:35:05.490 --> 00:35:12.420
Sylvia Li, Presenter of Project Overview: The city's environmental quality review or seeker is the process by which we identify potential

192
00:35:13.290 --> 00:35:24.570
Sylvia Li, Presenter of Project Overview: Impacts from a new land use proposal and study them to inform the project. It is one of the first more formalized steps in establishing a land use proposal.

193
00:35:25.440 --> 00:35:41.610
Sylvia Li, Presenter of Project Overview: There are different deliverables that seeker produces depending on the land use actions and in this case. So know who neighborhood plan requires an environmental impacts the statement he is, which is the most extensive type of environmental review.

194
00:35:42.180 --> 00:36:00.240
Sylvia Li, Presenter of Project Overview: So why is this process important seeker allows participants in the public review process to evaluate project benefits as well as new needs it may generate it also ensures mitigation measures are identified for adverse environmental impacts. Next slide please.

195
00:36:02.730 --> 00:36:08.490
Sylvia Li, Presenter of Project Overview: The dress code work is the first step towards producing and he is and the further

196
00:36:09.210 --> 00:36:19.980
Sylvia Li, Presenter of Project Overview: Analyses the scope of work for so Whoa whoa whoa establishes the scope of what environmental components need to be analyzed to inform the neighborhood plan.

197
00:36:20.790 --> 00:36:39.090
Sylvia Li, Presenter of Project Overview: More on this shortly. This is. It is important to note hair that the scope does not establish the final

neighborhood plan proposal, but rather it is used to essentially set up the parameters for the neighborhood plan in order to conduct environmental analysis. Next slide please.

198
00:36:40.230 --> 00:36:59.070
Sylvia Li, Presenter of Project Overview: Today scoping meeting will be an opportunity for you to provide input on these areas of analysis I eat the scope of the project for the environmental review, meaning that what should or shouldn't be included in the analysis. Next slide please.

199
00:37:00.480 --> 00:37:08.820
Sylvia Li, Presenter of Project Overview: So what happens after today all comments from the scoping meeting and during the common period following today's meeting.

200
00:37:09.120 --> 00:37:20.640
Sylvia Li, Presenter of Project Overview: Will be reviewed and incorporated into the final scope of work which initiates analysis for the draft environmental impact statement D is before a final eat.

201
00:37:21.630 --> 00:37:34.380
Sylvia Li, Presenter of Project Overview: Before final environmental impact statement is issued, I'll note here that the proposal development process, shown here in the blue bar on this diagram progresses in parallel with the environmental review.

202
00:37:34.890 --> 00:37:44.250
Sylvia Li, Presenter of Project Overview: In the coming months, there will be additional opportunities for public participation before and during the formal land use review process, also known as your

203
00:37:45.240 --> 00:37:55.980
Sylvia Li, Presenter of Project Overview: Next slide please. So moving on to a summary of what is included in the cell, who know what neighborhood plan draft scope of work. Next slide please.

204
00:37:58.500 --> 00:38:01.800
Sylvia Li, Presenter of Project Overview: What's in this document, then you may have seen on our website.

205
00:38:03.150 --> 00:38:17.100
Sylvia Li, Presenter of Project Overview: The dress code work includes a description of the contemplated zoning actions as a basis to define the parameters for environmental analysis. As noted earlier, this is not the final neighborhood plan proposal.

206
00:38:18.270 --> 00:38:36.090
Sylvia Li, Presenter of Project Overview: The draft scope of work also includes the environmental analysis framework, as well as an overview of what that he is will ultimately entail in the remainder of the presentation. Patrick and I will walk you through these key pieces of information. Next slide please.

207
00:38:38.820 --> 00:38:46.680
Sylvia Li, Presenter of Project Overview: So purpose in need statement and the draft scope of work reflects the planning goals of the neighborhood plan as I previously described

208
00:38:47.190 --> 00:38:59.190
Sylvia Li, Presenter of Project Overview: To address these identified needs zoning map and zoning texts amendments are contemplated to replace the existing and 158 and one five beat zoning. Next slide please.

209
00:39:00.930 --> 00:39:12.690
Sylvia Li, Presenter of Project Overview: Before we dive in a quick summary of the existing zoning manufacturing and certain commercial uses on a limited basis today are permitted at five FA IR density

210
00:39:13.230 --> 00:39:21.960
Sylvia Li, Presenter of Project Overview: Joint living work quarters for artists jail W QA provides certified artists live work allowance as a unique manufacturing use

211
00:39:22.470 --> 00:39:43.080
Sylvia Li, Presenter of Project Overview: Ground for uses are limited to industrial and uses that serve the manufacturing industry a reflection of the land uses in Soho know when the zoning was put in place in the 1970s community facility uses again only a very narrow subset of them are permitted at a higher FDR at 6.5

212
00:39:44.310 --> 00:39:53.490
Sylvia Li, Presenter of Project Overview: This limitation is largely due to the lack of need for residential amenities back in the 70s, where residential occupancy were rare.

213
00:39:54.180 --> 00:40:03.600
Sylvia Li, Presenter of Project Overview: residential use is not permitted under existing zoning bulk regulations, follow the very flexible non contextual manufacturing

214
00:40:04.170 --> 00:40:15.750

Sylvia Li, Presenter of Project Overview: Regulations these current regulations actually allow build forms that could be quite different from the typical cast iron lofts that characterize SOHO know. Next slide please.

215
00:40:17.550 --> 00:40:24.720
Sylvia Li, Presenter of Project Overview: As described in the draft scope of work. It is contemplated that the existing zoning will be replaced by a series of

216
00:40:25.260 --> 00:40:36.630
Sylvia Li, Presenter of Project Overview: mixed use zoning districts and a new special so Whoa whoa whoa mixed use district where a wider range of residential, commercial and light manufacturing uses will be permitted.

217
00:40:37.080 --> 00:40:47.040
Sylvia Li, Presenter of Project Overview: This would mean that the onerous ad hoc special permit processes will no longer be necessary to locate retail or other storefront uses on the ground floor.

218
00:40:47.520 --> 00:41:05.520
Sylvia Li, Presenter of Project Overview: Existing under utilized commercial manufacturing spaces can be repurposed more easily to housing and new residential and mixed use development may may more readily occur on underdeveloped parcels, the new mixed use regulations.

219
00:41:06.720 --> 00:41:15.810
Sylvia Li, Presenter of Project Overview: would also mean that a wider variety of live work arrangements can be accommodated and converted and newly constructed residential units.

220
00:41:16.260 --> 00:41:24.420
Sylvia Li, Presenter of Project Overview: Not required or limited to certified artists only so no whoa will also be designated as a mandatory inclusion Harry housing area.

221
00:41:25.050 --> 00:41:35.610
Sylvia Li, Presenter of Project Overview: And my ah area requiring affordable housing in new developments and residential conversions that exceed Mia H AP applicability thresholds.

222
00:41:36.390 --> 00:41:47.250
Sylvia Li, Presenter of Project Overview: To recognize different characteristics if different parts of the neighborhood distinct sub districts within the special district would be to will be established and different regulations.

223
00:41:48.030 --> 00:41:59.580
Sylvia Li, Presenter of Project Overview: Will will be included. So Whoa, no whoa course our preservation focused sub districts that encompass large part of this historic districts

224
00:42:00.090 --> 00:42:08.340
Sylvia Li, Presenter of Project Overview: Now, whoa, North Broadway helston Canal Street sub districts are located along historic corridors and white streets.

225
00:42:09.000 --> 00:42:22.680
Sylvia Li, Presenter of Project Overview: No hope Bowery so West so East sub districts are transitional areas largely outside of historic districts that are framed by other thoroughfares and white streets. Next slide please.

226
00:42:23.790 --> 00:42:39.930
Sylvia Li, Presenter of Project Overview: The sub district regulations, together with the new underlying zoning are intended to reflect distinct characteristics differing land use patterns and balance different multiple planning goals. Next slide please.

227
00:42:43.410 --> 00:42:49.230
Sylvia Li, Presenter of Project Overview: Into historic centers of SOHO and knowhow highlighted in pink here on the map.

228
00:42:49.470 --> 00:43:04.560
Sylvia Li, Presenter of Project Overview: medium density makes us zoning districts are being proposed to reflect the existing context where buildings are typically four to seven story loft, but can also range from low rises to close to 10 storey buildings. Next slide please.

229
00:43:05.790 --> 00:43:18.030
Sylvia Li, Presenter of Project Overview: I'll note here that this density permitted by the proposed and one, five or seven x district is the same as the existing density permitted in the ambulance is a and m one fight beads on it.

230
00:43:19.080 --> 00:43:27.630
Sylvia Li, Presenter of Project Overview: Where it differs, is that the new mixed use zoning districts introduces residential use and applies the city's mandatory inclusion airy housing program.

231
00:43:28.230 --> 00:43:38.580

Sylvia Li, Presenter of Project Overview: Then you're zoning district as well as the special district will work together to establish contextual building envelopes so that new development would fit into the historic context.

232
00:43:39.060 --> 00:43:46.560
Sylvia Li, Presenter of Project Overview: Referenced here at the bottom of this slide is the standard bulk rules described in the underlying our seven x district.

233
00:43:47.100 --> 00:43:57.510
Sylvia Li, Presenter of Project Overview: I'll note that the they will be further modified and supplemented by additional Special District regulations relevant to these sub districts which are still being worked out.

234
00:43:58.800 --> 00:43:59.640
Sylvia Li, Presenter of Project Overview: Next slide please.

235
00:44:01.980 --> 00:44:05.610
Sylvia Li, Presenter of Project Overview: Moving on to the historic corridors highlighted here in blue.

236
00:44:06.570 --> 00:44:24.300
Sylvia Li, Presenter of Project Overview: Where existing taller denser loft buildings line. The white streets and can reach upwards of 180 feet and sometimes over 10 FA RS two variations of medium to high density and makes us districts are being contemplated. Next slide please.

237
00:44:25.500 --> 00:44:44.490
Sylvia Li, Presenter of Project Overview: At five and 6.5 FM or the allowable the allowable commercial and community facility densities in the new am one, five, or nine x districts are the same as what is permitted by the existing. And once I've a and once IP zoning, except that alone Broadway.

238
00:44:45.510 --> 00:44:59.430
Sylvia Li, Presenter of Project Overview: And parts of no whole along Lafayette, where there is already a higher concentration of large loft, as well as jobs is slightly higher commercial density of six FM would be permitted to reflect these conditions.

239
00:45:00.090 --> 00:45:06.210
Sylvia Li, Presenter of Project Overview: Again, where the new zoning differs from what it is today is the allowance for housing residential use

240
00:45:06.690 --> 00:45:13.590
Sylvia Li, Presenter of Project Overview: Would be permitted at a higher density than commercial uses but would also carry a mandatory affordability requirement.

241
00:45:14.160 --> 00:45:31.800
Sylvia Li, Presenter of Project Overview: Similar to the historic course the standard are nine x bulk regulations referenced here will be supplemented by the Special District provisions to accommodate new development and increase density with appropriate build forms that enhanced a character of these iconic corridors.

242
00:45:33.210 --> 00:45:46.230
Sylvia Li, Presenter of Project Overview: Next slide please. Lastly, around the edges of SOHO knowhow framed by other white streets as a response to these areas transitional nature as well as the adjacent context.

243
00:45:46.830 --> 00:45:57.330
Sylvia Li, Presenter of Project Overview: And importantly, to maximize development potential on underutilized parcels outside of historic districts higher density mixed use districts are being contemplated

244
00:45:58.740 --> 00:45:59.580
Sylvia Li, Presenter of Project Overview: Next slide please.

245
00:46:01.470 --> 00:46:11.670
Sylvia Li, Presenter of Project Overview: The and one six are 10 districts would permit non residential use with a maximum FDR of 10 whereas housing would be allowed at higher FDR 12

246
00:46:12.210 --> 00:46:14.790
Sylvia Li, Presenter of Project Overview: With the mandatory affordability requirement.

247
00:46:15.240 --> 00:46:25.110
Sylvia Li, Presenter of Project Overview: While these areas and mostly outside of historic districts this special district would still implement contextual controls that include appropriate base height ranges.

248
00:46:25.410 --> 00:46:36.120
Sylvia Li, Presenter of Project Overview: And maximum building height so that new development would comment accommodate they increase density provide housing within loftlike building form instead of the unlimited

249
00:46:36.540 --> 00:46:44.460
Sylvia Li, Presenter of Project Overview: Unlimited high towers that you see in parts of the neighborhood today as they are allowed by the current and one five A and B zoning.

250
00:46:45.510 --> 00:46:46.320
Sylvia Li, Presenter of Project Overview: Next slide please.

251
00:46:47.610 --> 00:46:59.610
Sylvia Li, Presenter of Project Overview: In addition to this special building form provisions. As mentioned earlier, the special district would also include a special use rules regarding existing joint living work quarters for artists.

252
00:47:00.060 --> 00:47:07.080
Sylvia Li, Presenter of Project Overview: Which will be permitted to remain with an option to convert to regular housing details of the mechanism.

253
00:47:08.190 --> 00:47:17.670
Sylvia Li, Presenter of Project Overview: Are will still be worked out as the proposal develops in the coming months, other special regulations include residential conversion roles.

254
00:47:18.510 --> 00:47:31.020
Sylvia Li, Presenter of Project Overview: And as of right allowance for retail over 10,000 square feet, as well as physical culture establishments, such as gems new hotels would only be allowed by special permit. Next slide please.

255
00:47:34.050 --> 00:47:49.770
Sylvia Li, Presenter of Project Overview: As proposed the entire rezone area will be designated as an mandatory inclusion Harry housing area where residential development and conversions above a certain size will be required to set aside floor area for permanently affordable housing.

256
00:47:50.280 --> 00:48:00.690
Sylvia Li, Presenter of Project Overview: While the specific options will get worked out and you learn on the slides here are the options available in Soho knowhow and the corresponding affordability levels.

257
00:48:01.320 --> 00:48:15.810
Sylvia Li, Presenter of Project Overview: I'll note that these required income levels for the affordable units in the NIH program are lower

compared to the Soho knowhow his current median household income, which is around 140 5000 a year.

258
00:48:16.980 --> 00:48:25.650
Sylvia Li, Presenter of Project Overview: These affordable units would meaningfully contribute to the socio economic diversity of the neighborhoods and have advanced the city's fair housing goals.

259
00:48:26.820 --> 00:48:27.630
Sylvia Li, Presenter of Project Overview: Next slide please.

260
00:48:29.460 --> 00:48:37.950
Sylvia Li, Presenter of Project Overview: Now moving on to a bit more technical part of the draft draft scope of work. So in order to access

261
00:48:38.520 --> 00:48:51.030
Sylvia Li, Presenter of Project Overview: Sorry, in order to assess the possible effects of these zoning changes a reasonable worst case was developed to evaluate the likely conditions within a 10 year analysis, period.

262
00:48:51.450 --> 00:49:02.280
Sylvia Li, Presenter of Project Overview: On the identified development sites shown on this map, I will clarify that these sites are identified for conservative environmental analysis.

263
00:49:02.760 --> 00:49:10.290
Sylvia Li, Presenter of Project Overview: Using standard seeker criteria and adjusted based on market and physical conditions in Soho no hope.

264
00:49:10.830 --> 00:49:17.550
Sylvia Li, Presenter of Project Overview: The incremental differences of housing units as well as square footage is for different uses shown on the slide.

265
00:49:17.880 --> 00:49:38.700
Sylvia Li, Presenter of Project Overview: Are essentially comparisons between the future conditions without the zoning changes on these identified sites and the future conditions with the contemplated new zoning in place. The 27 projected development sites shown on the map in blue are considered more likely development sites.

266
00:49:40.080 --> 00:49:59.880
Sylvia Li, Presenter of Project Overview: Because they are vacant or significantly under built larger in size and more regularly shaped than

other sites. The 57 potential development sites, shown here in white are considered less likely to be developed within the analysis year compared to the projected development sites.

267
00:50:00.900 --> 00:50:13.980
Sylvia Li, Presenter of Project Overview: This is largely due to their more challenging physical conditions or other potential hindrances or the more extensive review by the city's Landmarks Preservation Commission. The LPC

268
00:50:15.180 --> 00:50:27.750
Sylvia Li, Presenter of Project Overview: I'll note that for conservative analysis purposes in the environmental review development on parcels within historic districts is assumed to maximize the allowable floor area within the permitted building envelope.

269
00:50:28.110 --> 00:50:40.470
Sylvia Li, Presenter of Project Overview: This is not to say that they've reflect LPC future review and approval, which will still be required on all of these sites on a case by case basis, with or without the proposed zoning actions.

270
00:50:41.100 --> 00:50:49.290
Sylvia Li, Presenter of Project Overview: With that, I'll turn it over to Patrick to cover something even more technical parts of the draft scope of work. Thank you.

271
00:50:53.460 --> 00:50:55.320
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: All right, thank you. Sylvia

272
00:50:56.700 --> 00:51:16.290
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Good afternoon. My name is Patrick when I feel I am vice president a carrot, Inc. We are a number of environmental consulting firm that will be assisting department city planning on the preparation of the is for the Soho Novo neighborhood plan on. Next slide please.

273
00:51:20.010 --> 00:51:29.910
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: So the he is we'll look at 19 areas on the left side of the slide, the secret technical areas, plus some additional

274
00:51:31.050 --> 00:51:45.750
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: analyses and studies given. So, whoa, and no hoes historic and built contacts and the new uses

and development expected with zoning changes we accept that we we expect certain areas of it.

275
00:51:46.560 --> 00:52:06.210
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Certain technical areas to be more focused in the is this includes land use zoning and public policy or been designed and visual resources historic resources hazardous materials, transportation, and that includes traffic transit and pedestrian conditions noise and air quality.

276
00:52:07.590 --> 00:52:15.630
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Some areas of less focus in the is natural resources watering store infrastructure solid waste and energy.

277
00:52:17.670 --> 00:52:18.660
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: Next slide please.

278
00:52:22.650 --> 00:52:33.360
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: So in addition to the technical areas that he is will consider mitigation for significant adverse impacts identified as a result of the zoning changes.

279
00:52:35.100 --> 00:52:40.470
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: The is will also consider alternatives proposed actions. These are alternatives to

280
00:52:41.250 --> 00:52:57.330
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: The zoning changes that are proposed by city planning. So at a minimum. This will include a no action alternative. And then there are additional alternatives yet to be determined that they could include a no unmitigated adverse impact alternative and a lesser density alternative

281
00:52:58.350 --> 00:53:06.060
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: In addition to the environmental areas that yes will include summary chapters, including unavoidable adverse impacts chapter

282
00:53:06.510 --> 00:53:17.640
AT - Patrick Blanchfield, Presenter for CEQR/DSOW: It will consider the growth inducing aspects of the proposed actions and irreversible and irretrievable commitment of resources. So with that, I will hand it back to Sylvia

283

00:53:25.020 --> 00:53:25.830
Sylvia Li, Presenter of Project Overview: Excited.

284
00:53:27.060 --> 00:53:27.180
So,

285
00:53:29.730 --> 00:53:40.140
Sylvia Li, Presenter of Project Overview: With that, I think, Olga or Stephanie can take over to start the public scoping meeting comment section of this meeting.

286
00:53:41.310 --> 00:53:42.690
Olga Abinader, Director, DCP EARD: Thank you so much. Sylvia

287
00:53:42.780 --> 00:53:55.650
Olga Abinader, Director, DCP EARD: And thank you, Patrick. We will now move on to part two of our public scoping meeting if you can please have production projected the instructions for participating on me in the meeting that would be very useful.

288
00:53:56.250 --> 00:54:08.670
Olga Abinader, Director, DCP EARD: At this time we will be receiving comments from elected officials community board representatives and leaders from government agencies, I do want to note that if

289
00:54:09.270 --> 00:54:20.280
Olga Abinader, Director, DCP EARD: It's highlighted in red font in this slide. For those of you viewing us online if speakers do experience any technical issues that do not allow them to speak.

290
00:54:20.910 --> 00:54:35.310
Olga Abinader, Director, DCP EARD: We will cause and give you a moment. And if you continue to experience technical difficulties, we will move on to the next speaker to allow for troubleshooting to happen in the background and we will call your name again at a later time.

291
00:54:35.940 --> 00:54:44.370
Olga Abinader, Director, DCP EARD: If this does happen to you. Please be sure to visit the How To guides on the NYC engage website portal for assistance.

292
00:54:44.910 --> 00:55:03.750
Olga Abinader, Director, DCP EARD: If you are calling in hang up the phone dial 877-853-5247 again 877-853-5247 and you'll be prompted for a meeting ID, in which case you'll dial 618

293
00:55:04.170 --> 00:55:25.920
Olga Abinader, Director, DCP EARD: To 377396 and a password, which is the number one again 877-853-5247 meeting ID 618237736 and password one if you are experiencing technical difficulties as a telephone caller today.

294
00:55:26.730 --> 00:55:31.170
Olga Abinader, Director, DCP EARD: All right, we'll move on to our list of speakers in this round of the scoping meeting.

295
00:55:31.620 --> 00:55:49.830
Olga Abinader, Director, DCP EARD: It looks like we do have three speakers and there will be no time limits for speakers in this part of the process. Our first speaker is assembly member Deborah Glick, followed by democratic district leader Arthur shorts assembly member click, we are ready for you.

296
00:56:03.090 --> 00:56:10.350
Olga Abinader, Director, DCP EARD: Assembly member Glick, we are ready for your testimony. If you are available and would like to provide it at this time.

297
00:56:24.720 --> 00:56:30.930
Olga Abinader, Director, DCP EARD: Okay, one last time. Assembly member Glick. If you are available. We are ready for your testimony.

298
00:56:33.300 --> 00:56:39.840
Olga Abinader, Director, DCP EARD: If not, we will do a brief pause and allow the next speaker to come online.

299
00:56:41.730 --> 00:56:42.720
02. - EO Democratic District Leader - Arthur Schwartz: I'm here.

300
00:56:43.860 --> 00:56:46.440
02. - EO Democratic District Leader - Arthur Schwartz: Should be on the screen or just my voice.

301
00:56:46.830 --> 00:56:57.360
Olga Abinader, Director, DCP EARD: We will only be able to hear you. We will not be able to see you. So our next speaker is democratic district leader Arthur shorts for ready for you. Okay.

302
00:57:06.600 --> 00:57:10.320

Olga Abinader, Director, DCP EARD: Mr. Schwartz. If that's you, we are not able to hear your testimony at this time.

303
00:57:12.600 --> 00:57:15.420
02. - EO Democratic District Leader - Arthur Schwartz: I got someone muted me I'm back.

304
00:57:15.630 --> 00:57:18.150
Olga Abinader, Director, DCP EARD: You hear me now. My apologies. We can hear you now.

305
00:57:18.660 --> 00:57:27.720
02. - EO Democratic District Leader - Arthur Schwartz: Okay, I want to begin by noting that I support the community alternative zoning plan for SOHO know how that's been submitted by a number of organizations.

306
00:57:28.170 --> 00:57:36.450
02. - EO Democratic District Leader - Arthur Schwartz: And I'm, I believe, other people will discuss and I request that this alternative plan be evaluated as part of the he is specifically

307
00:57:36.960 --> 00:57:46.350
02. - EO Democratic District Leader - Arthur Schwartz: And not just be included elements of it being included under various no action or lesser action alternatives.

308
00:57:46.980 --> 00:58:05.460
02. - EO Democratic District Leader - Arthur Schwartz: I have been a resident of this community for 41 years I share the dismay at how are once affordable community has become so incredibly expensive and it has become more expensive as it has become more expensive. It has become more segregated as it becomes more and more wealthy.

309
00:58:06.480 --> 00:58:16.770
02. - EO Democratic District Leader - Arthur Schwartz: Not only is housing absurdly expensive. The, the, the purchase of affordable food and other necessities has become correspondingly

310
00:58:18.030 --> 00:58:36.690
02. - EO Democratic District Leader - Arthur Schwartz: Difficult, the answer to the city's affordable housing crisis is not mandatory includes every included conclusion airy housing myth only result in greater gentrification in every community in which it is introduced and and and the median affordable income.

311

00:58:38.760 --> 00:58:46.530
02. - EO Democratic District Leader - Arthur Schwartz: Application to mandatory exclusionary housing results and affordable units and communities like ours being unaffordable except

312
00:58:47.010 --> 00:58:56.280
02. - EO Democratic District Leader - Arthur Schwartz: For all but a small number of the current residents of the Community affordable housing cannot be market driven, it must be government driven

313
00:58:56.730 --> 00:59:13.770
02. - EO Democratic District Leader - Arthur Schwartz: Although the city is in a financial crunch it will not be in that crunch forever right now and in the new in the near future. The city needs to take advantage of the incredibly inexpensive capital lending market and drive a housing program of its own not relying on private developers.

314
00:59:14.910 --> 00:59:23.700
02. - EO Democratic District Leader - Arthur Schwartz: To the extent that mandatory inclusion every housing is used in any manner, it must include far more than the 20 to 30%

315
00:59:25.320 --> 00:59:33.810
02. - EO Democratic District Leader - Arthur Schwartz: Includes narration exclusionary housing that is currently in. It's in the programs and I suggest that it must be at least 650 percent of the square footage

316
00:59:34.410 --> 00:59:40.980
02. - EO Democratic District Leader - Arthur Schwartz: And the city what and this should be a city wide median income requirement applied not an area median income requirement.

317
00:59:41.910 --> 00:59:49.020
02. - EO Democratic District Leader - Arthur Schwartz: I strongly support the conversion of existing non residential buildings to residential use as of right

318
00:59:49.380 --> 00:59:56.310
02. - EO Democratic District Leader - Arthur Schwartz: With a stronger and my age requirement as one way to address the need for additional housing affordable housing in this community.

319
00:59:56.850 --> 01:00:07.350
02. - EO Democratic District Leader - Arthur Schwartz: And I strongly support the proposal to use the program to restore and perpetuate the artistic and the artistic nature of this community.

320
01:00:08.040 --> 01:00:16.740
02. - EO Democratic District Leader - Arthur Schwartz: With breaks for our production spaces, especially nonprofits and prioritize to eligibility for low income applicants who are in the arts.

321
01:00:17.460 --> 01:00:36.870
02. - EO Democratic District Leader - Arthur Schwartz: I strongly oppose any zoning, which allows big box stores or oversized retail or oversized eating establishments to be established in this zone so hope cannot become another cookie cutter wealthy community, which is what this plan will lead to thank you very much for hearing you today.

322
01:00:38.220 --> 01:00:45.120
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. Our next speaker is community board to chair Carter.

323
01:00:46.290 --> 01:00:48.120
Olga Abinader, Director, DCP EARD: Community Board to chair Carter.

324
01:00:50.040 --> 01:00:54.450
Olga Abinader, Director, DCP EARD: Carter booth, we are ready to receive your testimony. Are you able to hear us.

325
01:01:00.120 --> 01:01:00.930
X 03. - EO CB 2 Chair- Carter Booth: Are you able to hear me.

326
01:01:01.650 --> 01:01:02.880
Olga Abinader, Director, DCP EARD: Yes, we are. Thank you.

327
01:01:03.780 --> 01:01:12.900
X 03. - EO CB 2 Chair- Carter Booth: My name is Carter boots. I'm the chair of Community Board to I also represented community board to during the envision so nope no whole process on the advisory group.

328
01:01:13.860 --> 01:01:30.390
X 03. - EO CB 2 Chair- Carter Booth: Can you board to will be submitting a detailed written response on December 18 which will be informed by a public hearing that we welcome all to attend the public hearing will be on December 8 at 6:30pm details are available on our website CB to manhattan.org

329
01:01:31.440 --> 01:01:45.690

X 03. - EO CB 2 Chair- Carter Booth: Yesterday, the nation's one day death toll of coronavirus deaths are past 3000 for the first time with over 100,000 hospitalizations, the highest today our entire state, including New York City are operating under a declared state of disaster.

330
01:01:47.490 --> 01:01:54.750
X 03. - EO CB 2 Chair- Carter Booth: The public officers law has been modified, given the state of emergency through Governor Cuomo series of emergency executive orders number 202

331
01:01:55.350 --> 01:02:06.960
X 03. - EO CB 2 Chair- Carter Booth: It was emergency order suspended modified. Many of our existing laws. This is the climate that we're in today a state of emergency, yet we sit find ourselves here today discussing this rezoning

332
01:02:07.980 --> 01:02:16.710
X 03. - EO CB 2 Chair- Carter Booth: It's obvious from today's bungled rollout that this meeting of this meeting that there are not complete and tested procedures in place for this portion of the mandated process.

333
01:02:17.130 --> 01:02:21.630
X 03. - EO CB 2 Chair- Carter Booth: It's unclear how detailed and meaningful scope and he is can be completed.

334
01:02:22.380 --> 01:02:33.090
X 03. - EO CB 2 Chair- Carter Booth: When we cannot collect data on the normal use in such an abnormal once in a lifetime time period, the snapshot in time is an extreme outlier. To be clear that a collected during the pandemic.

335
01:02:33.420 --> 01:02:38.160
X 03. - EO CB 2 Chair- Carter Booth: Can be relied on for future predictions, certainly not for the next two decades.

336
01:02:39.150 --> 01:02:45.840
X 03. - EO CB 2 Chair- Carter Booth: Pages at 495 of the vision so Whoa whoa whoa report outline the next steps and suggested areas for further analysis and study

337
01:02:46.230 --> 01:02:58.830
X 03. - EO CB 2 Chair- Carter Booth: The first sentence, the process sponsors are committed to continuing community involvement and transparency proceeding any future implementation of recommendations. I'm not aware of any continuing community involvement.

338
01:02:59.400 --> 01:03:03.270
X 03. - EO CB 2 Chair- Carter Booth: Prior to the end of the envision process and prior to the beginning of this process.

339
01:03:04.470 --> 01:03:11.400
X 03. - EO CB 2 Chair- Carter Booth: Or any coverage of the next steps are suggested areas for further analysis study on pages 84 and 85 of that report.

340
01:03:12.570 --> 01:03:21.390
X 03. - EO CB 2 Chair- Carter Booth: As far as transparency is concerned, nobody even knows who's on this zoom call or even how many people are here as would be the norm and in public meeting or hearing

341
01:03:22.530 --> 01:03:30.450
X 03. - EO CB 2 Chair- Carter Booth: As I asked at the last meeting. I'm not sure why given unprecedented events and different way these meetings are being handled that we're

342
01:03:31.020 --> 01:03:40.560
X 03. - EO CB 2 Chair- Carter Booth: During the state of emergency that TCP did not even reach out to all the attendees who provided their email addresses during the envision SOHO know whole process to ensure transparency.

343
01:03:40.950 --> 01:03:52.590
X 03. - EO CB 2 Chair- Carter Booth: And their continued participation. It's also unclear what other steps were taken to reach out to people who may not have been may not have access to the internet or familiarity with online meetings like this one.

344
01:03:54.750 --> 01:04:05.850
X 03. - EO CB 2 Chair- Carter Booth: It's important as stewards of our community to get this right. Yeah, TCP is not even continue the conversation or tried to further this conversation to get this right. It's a rushed process and that goes, most of the government's

345
01:04:06.060 --> 01:04:24.030
X 03. - EO CB 2 Chair- Carter Booth: Scrambling during the entire state of emergency, yet you are asking us to trust this process, which is clearly not that transparent. There's also a question of our shared values when many of us don't agree on how to achieve those shared values, instead of being

346
01:04:26.010 --> 01:04:26.790

X 03. - EO CB 2 Chair- Carter Booth: Informed

347
01:04:28.110 --> 01:04:34.530
X 03. - EO CB 2 Chair- Carter Booth: By our artificial time period deadline being rushed by an artificial deadline and time period.

348
01:04:36.510 --> 01:04:43.710
X 03. - EO CB 2 Chair- Carter Booth: It would seem that the responsible stewardship of our community would be involved a continuing conversation as well as a better understanding

349
01:04:44.100 --> 01:04:55.860
X 03. - EO CB 2 Chair- Carter Booth: Where the city and community stands as we exit coven which is appended our one commercial to residential and three retail landscape all areas addressed in this

350
01:04:57.030 --> 01:05:11.550
X 03. - EO CB 2 Chair- Carter Booth: In the, in the draft scope. So we can properly, excuse me, so we can better evolve our understand our underlying zoning to ensure the future success of so Whoa, whoa, whoa. We need to stabilize our community and city first before we plan for the coming decades. Thank you.

351
01:05:13.290 --> 01:05:30.870
Olga Abinader, Director, DCP EARD: Thank you for providing your testimony. We will now go back to our initial speaker and that is assembly member click assembly member click if you're able to hear us, please unmute yourself so we can hear testimony.

352
01:05:44.430 --> 01:05:45.900
Olga Abinader, Director, DCP EARD: Assembly member and click

353
01:05:47.760 --> 01:05:50.310
Studies Support 1: The assembly. My first microphone is on.

354
01:05:53.190 --> 01:05:57.720
Olga Abinader, Director, DCP EARD: Assembly member click your microphone appears to be on. Are you able to hear us.

355
01:06:06.990 --> 01:06:13.410
Olga Abinader, Director, DCP EARD: Assembly member Glick. If you're unable to unmute yourself, we will be able to assist you will call you.

356
01:06:13.440 --> 01:06:14.610

1212****153: Can you hear me now.

357
01:06:16.140 --> 01:06:18.750
1212****153: Hi, yes, we are able to hear it believe

358
01:06:19.050 --> 01:06:22.050
Olga Abinader, Director, DCP EARD: Numbers 1234 number ending in 153

359
01:06:23.310 --> 01:06:25.230
1212****153: I guess so. You got me.

360
01:06:25.980 --> 01:06:29.730
1212****153: Yeah, okay. It's been a trial.

361
01:06:31.800 --> 01:06:40.230
1212****153: Okay, thank you very much for the opportunity to testify before you on the dress scope of work for the environmental impact statement for so. Oh, no.

362
01:06:40.590 --> 01:06:49.350
1212****153: We have submitted a far more lengthy detailed testimony, but in the interest of time, I will run through this very quickly.

363
01:06:50.220 --> 01:07:08.430
1212****153: The dress scope anticipates a very robust and extremely far reaching. You learn that will change the character and makeup of Soho, and no Whoa, and I have concerns about what is in the scoping document. But more importantly, I am alarmed by what is excluded from the study

364
01:07:09.660 --> 01:07:20.820
1212****153: First I find the provisions for the joint living work quarters for artists to be lacking in protections that were discussed at length during the envision so oh no whoa process in 2019

365
01:07:21.780 --> 01:07:30.930
1212****153: I have long carried the last law bill in the state legislature to bring this type of unit into rent regulation.

366
01:07:32.340 --> 01:07:42.330
1212****153: I've written to the mayor calling his attention to the interim multiple dwelling buildings that have gone unregistered and a non compliant with both city and state law.

367

01:07:42.630 --> 01:07:47.280
1212****153: This is a persistent problem which does not seem to be addressed within

368
01:07:48.090 --> 01:08:02.940
1212****153: This document and I am concerned that the mechanism for g h i j k l W Q A building certifications as an entirely voluntary transition from use group 17 D to use Group two is inadequate.

369
01:08:03.810 --> 01:08:19.860
1212****153: This type of residence represents 30% of Soho, and no whoa housing stock were legal mechanisms already exists to further bolster affordability and TCP should revisit their commitments regarding JL W Q A

370
01:08:20.370 --> 01:08:31.620
1212****153: In the envision process and make use of the affordable affordability mechanisms that we currently have second over the many years we have written to the CP

371
01:08:32.130 --> 01:08:41.340
1212****153: The mayor and Oath regarding illegal retail uses in Soho, and no Whoa, and some spaces are currently in direct violation of the zoning code.

372
01:08:41.700 --> 01:09:03.240
1212****153: And others have tenuous designations. And it's unclear how the city will serve the needs of residents in this heavily promoted shopping designation area, I am concerned that allowing for us group 10 retail spaces to be as of right and exceeding 10,000 square feet is too broad and problematic.

373
01:09:04.500 --> 01:09:18.000
1212****153: Sir, I have questions for lying on market rate luxury residential development as a vehicle for building affordable housing actually achieves the goal of mandatory Inclusion. Inclusion airy housing.

374
01:09:18.480 --> 01:09:26.520
1212****153: Inclusion airing housing programs do not produce the levels of affordable housing in communities that they purport to create

375
01:09:27.210 --> 01:09:37.740
1212****153: Nor do these programs address the fundamental issue of real estate speculation driving up neighborhood values to a point where long term, long term residents are pushed out

376
01:09:38.460 --> 01:09:50.370
1212****153: Research has shown that speculative nature of zoning changes displaces residence in the interim time waiting for approval as building owners. Try to capitalize

377
01:09:50.940 --> 01:09:59.550
1212****153: On the coming increase in land values there can be more residents laws than the number of units myth proposes to create

378
01:09:59.970 --> 01:10:17.880
1212****153: Analysis within tasked to have the is must include a greater understanding of jail W QA units in unregistered IMD building so as to ensure that the indirect residential displacement portions of tax task three are fully studied

379
01:10:18.480 --> 01:10:30.390
1212****153: I'm also concerned that the scoping document will fail to adequately study the potential increase in family apartments, which will add to public education needs in the neighborhood.

380
01:10:30.750 --> 01:10:41.250
1212****153: And I am concerned that test two and three of the is will not fully capture the potential impact of zoning change and lead to further issues down the road.

381
01:10:42.660 --> 01:10:49.680
1212****153: Finally I've long been skeptical of the claim that zoning changes will not affect the character of historic districts

382
01:10:50.640 --> 01:10:55.350
1212****153: Because the Landmarks Preservation Commission will weigh in.

383
01:10:55.950 --> 01:11:07.890
1212****153: Well task seven of the is addresses historic and cultural resources there impacts to historic districts that are not addressed in the draft scope, notably LPC cannot consider height.

384
01:11:08.370 --> 01:11:18.990
1212****153: As part of their review of projects that desire to see historic districts preserved is not automatically opposition to residential development or affordable housing.

385
01:11:19.290 --> 01:11:33.870

1212****153: Too often neighborhoods are forced to choose between equally desirable and necessary choices. It is a false dichotomy to decide between housing and park space or density and historic character.

386
01:11:34.590 --> 01:12:02.040
1212****153: I am further somewhat confused and disturbed that there is a part that is listed is less focus that includes water and sewer infrastructure. This is shocking since areas along Grand Street and West Broadway regularly flood. So there are problems with infrastructure that must be addressed.

387
01:12:03.150 --> 01:12:16.950
1212****153: I recognize that the review of the scoping document is gives us a pivotal opportunity to ensure that the correct metrics are studied, but I feel that there are a number that have been left out.

388
01:12:18.120 --> 01:12:26.850
1212****153: And there exist in the envision so Whoa, no whoa process and should be added to this document.

389
01:12:27.150 --> 01:12:39.990
1212****153: The neighborhoods. I represent are far too expensive and have seen a large concentration of luxury development, which has only exacerbated the housing crisis, I do not believe that housing.

390
01:12:40.980 --> 01:12:48.420
1212****153: Luxury housing depending on luxury housing, particularly in a time when we see a glut on the market where

391
01:12:49.380 --> 01:13:09.870
1212****153: luxury apartments are going begging, it will if you depend on luxury development, the affordable units will never be created, there are alternatives that are being presented by out of the community and I urge TCP to incorporate that direction.

392
01:13:11.100 --> 01:13:13.170
1212****153: In your review for any

393
01:13:14.370 --> 01:13:17.940
1212****153: Further movement along towards who you are.

394
01:13:19.140 --> 01:13:36.450
1212****153: Thank you for this time, and I apologize for the many problems that existed in trying to call various numbers in order to get

on. So thank you for your patience and we do have a longer more detailed document that has been provided to you in writing. Thank you.

395
01:13:37.080 --> 01:13:38.340
Olga Abinader, Director, DCP EARD: AQ assembly member we

396
01:13:38.340 --> 01:13:52.290
Olga Abinader, Director, DCP EARD: Appreciate that you had experienced some difficulties so we are so glad that you were able to log on and join us today. Our next speaker is state committee member Christopher Martin.

397
01:13:57.750 --> 01:13:58.530
X 04. EO - Christopher Marte: Hi, can you hear me.

398
01:13:59.220 --> 01:14:00.060
Olga Abinader, Director, DCP EARD: Yes, we can hear you.

399
01:14:00.810 --> 01:14:06.420
X 04. EO - Christopher Marte: I thank you for hosting meeting. My name is Christopher meditative state committee person and 65th assembly Bishop

400
01:14:06.990 --> 01:14:15.360
X 04. EO - Christopher Marte: I like to stay for the record that the CP is failing the residents of New York when they send out a zoom link for the meeting just hours before it goes live

401
01:14:16.350 --> 01:14:24.900
X 04. EO - Christopher Marte: This cool a questions the integrity of this legally required community engagement process and for this proposal in China.

402
01:14:25.740 --> 01:14:43.830
X 04. EO - Christopher Marte: I will send all my comments by email, but my major concerns or the lack of commitment to affordable housing, the study of direct displacement inside and outside the area of focus the protection of the current JL W QA tenants in Soho, and no hope, and the potential destruction of historic

403
01:14:45.120 --> 01:14:51.630
X 04. EO - Christopher Marte: First on the lack of commitment to affordable housing on page 18 under mandatory exclusionary housing program.

404
01:14:51.930 --> 01:15:02.010

X 04. EO - Christopher Marte: It offers a loophole to developers who are facing financial hardship or can't feasibly finance the development to apply for an exemption exemption to myth.

405
01:15:02.550 --> 01:15:10.890
X 04. EO - Christopher Marte: During a pandemic, the luxury developers can claim financial hardship. This is a gross oversight that allows nothing but luxury housing to be

406
01:15:11.340 --> 01:15:20.490
X 04. EO - Christopher Marte: Bill as a part of this scheme. In addition, this plan does not allow for conversion of commercial space to residential which can allow for deep affordable housing.

407
01:15:21.300 --> 01:15:27.900
X 04. EO - Christopher Marte: Second under tasks three socio economic conditions. The city is not requiring the study of direct displacement

408
01:15:28.680 --> 01:15:43.980
X 04. EO - Christopher Marte: Can the city offer concrete reasons and data about why they refuse to study this some of the largest sites plan for this development on the border of Chinatown. And so, and then you rent stabilized tenants will be put at risk when luxury development is

409
01:15:45.030 --> 01:15:48.330
Studies Support 1: pretty valuable right father right property taxes rises.

410
01:15:48.510 --> 01:16:02.370
X 04. EO - Christopher Marte: And landlords will pass these increases on to their tenants or else begins harass these rent stabilized tenants out of their home so they could flip it and build more luxury housing displacement must be studied before moving forward with this rezoning

411
01:16:03.570 --> 01:16:16.710
X 04. EO - Christopher Marte: Third under joint live work quarters for artists. It's state that the city will create a mechanism to voluntary allow J o w to a tendency to transition to make their living situation legal under the new zoning.

412
01:16:17.130 --> 01:16:23.610
X 04. EO - Christopher Marte: However, there is no mention of what the zoning. This mechanism is the guideline or timeline for its creation.

413
01:16:24.150 --> 01:16:35.640

X 04. EO - Christopher Marte: Well, what happened to these artists as they wait for the city to tell them whether they will lose their leases or not this plan creates a strategy for massive fiction of seniors and tenants who made this neighborhood.

414
01:16:36.450 --> 01:16:45.960
X 04. EO - Christopher Marte: For we feel we fear that this up zoning described in the proposal will set a terrible precedent for up zoning and destruction of historic districts throughout the city.

415
01:16:46.890 --> 01:16:57.270
X 04. EO - Christopher Marte: This up zoning will erase the history of our city for the prophet of developers, I'll add a lot more comments to my email. But thank you for allowing me to speak.

416
01:16:58.620 --> 01:17:13.080
Olga Abinader, Director, DCP EARD: And you so much for providing your testimony and we do look forward to receiving your full testimony in writing. All right. I will now check with our team to see if there's any other speakers who are part of our part two of our scoping meeting.

417
01:17:14.280 --> 01:17:26.700
Olga Abinader, Director, DCP EARD: And it looks like there are none. At this time, so we'll move on to part three. But today's public scoping meeting where members of the general public will be able to speak for up to three minutes.

418
01:17:27.210 --> 01:17:39.090
Olga Abinader, Director, DCP EARD: I'll know once again that a three minute time tracker will begin when speakers provide their testimony. So at this time I'd like our production team to display our time tracker.

419
01:17:42.090 --> 01:17:45.870
Olga Abinader, Director, DCP EARD: Please give us a moment as we provide our time tracker online.

420
01:17:49.050 --> 01:17:52.650
Olga Abinader, Director, DCP EARD: And while that's happening. I will just share a few reminders.

421
01:17:53.700 --> 01:18:05.190
Olga Abinader, Director, DCP EARD: Please remember that after three minutes have passed speakers will be asked to conclude their remarks if technical issues do arise. So don't allow speakers to

422

01:18:05.880 --> 01:18:13.710
Olga Abinader, Director, DCP EARD: Provide their testimony today we will pause, we will move on to the next speaker to allow for troubleshooting to happen in the background.

423
01:18:14.130 --> 01:18:23.610
Olga Abinader, Director, DCP EARD: And once again, if this does happen to you. Please remember to visit the How To guides on the NYC engage website for assistance.

424
01:18:24.480 --> 01:18:36.000
Olga Abinader, Director, DCP EARD: Or for assistance if you have dialed in, instead of locked into the zoo. Please be sure to call. Excuse me, can we please reset our timer at the moment. Thank you and go back to the three minute mark.

425
01:18:36.660 --> 01:18:53.970
Olga Abinader, Director, DCP EARD: Okay, for assistance callers should hang up the phone and call 877-853-5247 I'm prompter prompted for a meeting ID please dial 618-237-7396 and then pop from them for the password dial one

426
01:18:54.960 --> 01:19:12.510
Olga Abinader, Director, DCP EARD: All right, let's get on to the list of our speakers members for the general public. Our first speaker is speaker. Number six is Sean Sweeney, followed by number seven. Janine Keeley once again Sean Sweeney, followed by Janine Kili.

427
01:19:13.740 --> 01:19:17.100
Olga Abinader, Director, DCP EARD: China Sean saying are you able to hear us kindly unmute yourself.

428
01:19:29.280 --> 01:19:36.720
Olga Abinader, Director, DCP EARD: Sean's Sean Sweeting, are you able to hear us. If you are, please unmute yourself so you can provide your testimony.

429
01:19:41.790 --> 01:19:56.520
Studies Support 1: It appears that Sean Sweeney has an older version of zoom will have someone reached out to him from our back of house to try to connect with him so that we can receive his testimony.

430
01:19:57.420 --> 01:20:13.410
Olga Abinader, Director, DCP EARD: Thank you, Sean Sweeney, as you probably heard we will be reaching out to you separately. We'll move on to our next speaker that next speaker is Janine Keeley Jenny and Kelly,

if you can hear us, please unmute yourself so you can begin your testimony.

431
01:20:22.290 --> 01:20:23.490
Olga Abinader, Director, DCP EARD: To Jamie and Kelly.

432
01:20:30.360 --> 01:20:30.600
X 07. Jeannine Kiely: Hi.

433
01:20:31.470 --> 01:20:37.110
X 07. Jeannine Kiely: Hi, my name is Janine Kylie. I'm a democratic district leader and a resident in Soho.

434
01:20:37.650 --> 01:20:46.470
X 07. Jeannine Kiely: And like Arthur Schwartz, I support that the city should evaluate alternatives, specifically the community alternative rezoning plan for SOHO and knowhow

435
01:20:46.980 --> 01:20:59.880
X 07. Jeannine Kiely: The city's plan currently proposed fails to achieve even many of the city's own state at goals, it fails to dramatically expand non student affordable housing even evaluate 100% affordable housing alternate

436
01:21:00.450 --> 01:21:05.280
X 07. Jeannine Kiely: Such as the redevelopment of federally owned underutilized parking garage to Howard.

437
01:21:05.790 --> 01:21:11.550
X 07. Jeannine Kiely: For both affordable housing and government parking now that there's a more favorable administration in Washington and

438
01:21:12.030 --> 01:21:23.850
X 07. Jeannine Kiely: Another example is failure to look at the purchase of distressed assets to be redeveloped at 100% affordable housing or supportive housing in light of the new year term office market Glen and drop in tourism.

439
01:21:24.960 --> 01:21:35.490
X 07. Jeannine Kiely: The plan also fails to promote and preserve the uniquely mixed use character of so Whoa, whoa, whoa, and instead prioritises commercial office development and dormitories over non student housing.

440

01:21:35.820 --> 01:21:44.100
X 07. Jeannine Kiely: Big Box retail over small businesses and redevelopment over protections for current residents, including artists, many of whom are seniors aging in place.

441
01:21:44.400 --> 01:22:02.610
X 07. Jeannine Kiely: And who are at risk of displacement particularly egregiousness the non residential floor area retention that incentivizes office use not adaptive reuse and it's inconsistent with the plans objectives to expand housing opportunities and promote adaptive reuse it also has a

442
01:22:03.930 --> 01:22:14.910
X 07. Jeannine Kiely: Very complex CPC certification process, even though the plan is put it being put in place to get rid of land use applications and ad hoc approvals.

443
01:22:15.240 --> 01:22:24.030
X 07. Jeannine Kiely: And importantly, designed to reduce special permits variances and regulatory burdens that allegedly fail to disk report fall disproportionately on smaller businesses.

444
01:22:24.810 --> 01:22:33.180
X 07. Jeannine Kiely: As mentioned before, the plan fails reserve. So, whoa, and know who is historic districts and he fails to incorporate meaningful community input throughout the process.

445
01:22:33.600 --> 01:22:41.790
X 07. Jeannine Kiely: Currently, the plan ignores the recommendations from the November 2019 and vision so Whoa whoa whoa report for additional outreach and additional study

446
01:22:42.540 --> 01:22:54.420
X 07. Jeannine Kiely: Supporting the bleep that many neighbors hold that the 2019 meetings are simply a nod to public engagement somehow the city will also simultaneously can be complete environmental analysis, while receiving comments.

447
01:22:54.930 --> 01:23:02.730
X 07. Jeannine Kiely: And frankly, this is a war of attrition, why not release today's presentation in advance, along with the registration link. So the meeting can be more efficient.

448
01:23:03.030 --> 01:23:07.950
X 07. Jeannine Kiely: Or does the city hope that many speakers, other than those paid to attend will drop off after several hours.

449
01:23:08.310 --> 01:23:17.550
X 07. Jeannine Kiely: Finally, from an environmental perspective, the plan vastly under estimates the environmental impact because the city assumes any development historic districts

450
01:23:17.910 --> 01:23:25.410
X 07. Jeannine Kiely: Other than development on vacant lots will take place after 10 years why solely because these sites are subject to LPC review and approval.

451
01:23:25.680 --> 01:23:41.400
X 07. Jeannine Kiely: Even though the city proposes a significant up zoning to our seven x and our nine x and is silent on air rights transfers, it is very likely that many of these sites will be developed over the next 10 years significantly impacting nearly every secret technical area. Thank you.

452
01:23:42.360 --> 01:23:57.990
Olga Abinader, Director, DCP EARD: Thank you for your testimony. And he's killing me to look forward to hearing more. Our next speaker is Elisa Monty followed by Mickey Mickey Elisa Monta if you're able to hear us currently on mute yourself so you can begin your testimony.

453
01:23:58.620 --> 01:24:00.840
X 08. elisa monte: I believe I've unmuted you. Can you hear me.

454
01:24:01.410 --> 01:24:02.130
Olga Abinader, Director, DCP EARD: Yes, I can.

455
01:24:02.610 --> 01:24:16.050
X 08. elisa monte: Great. Well, let me start out by introducing myself as a longtime resident having moved into the knowhow in 1973 so I was one of the first

456
01:24:17.310 --> 01:24:31.800
X 08. elisa monte: Individual artists to move into a very derelict neighborhood and put our energy and love into it to bring it to what it is today, which is obviously a very sought after.

457
01:24:32.640 --> 01:24:43.920
X 08. elisa monte: Area that people love coming to. And I think they love coming to it, simply because of the history and the love that was put into the area.

458
01:24:46.050 --> 01:24:52.560
X 08. elisa monte: That all being put aside as emotional background to what needs to be addressed.

459
01:24:54.150 --> 01:25:07.170
X 08. elisa monte: It is really an absurd idea to leave it to developers to concern themselves with low income housing, they are not concerned with housing.

460
01:25:08.010 --> 01:25:19.350
X 08. elisa monte: Low or median income. They're only concerned with their profits as they should be. They are businessman and their role in life is to make as much money as they can.

461
01:25:19.770 --> 01:25:32.070
X 08. elisa monte: Which is understandable. So it's completely absurd for us to put our hopes and dreams into their good intentions, that's ridiculous. It should be left to the government. It should be left to

462
01:25:33.540 --> 01:25:44.700
X 08. elisa monte: The ideas and the thoughts of people that are actually concerned and it's their job to solve these problems. That's where it should be put not to developers.

463
01:25:46.230 --> 01:26:09.600
X 08. elisa monte: The fact that the developers to think that the development and the increase in the FA IR and all of this know how. And so how historic districts will not destroy the area and its aesthetic is again an absurdity of course it will it there. We will be nothing left of the area's unique

464
01:26:10.620 --> 01:26:24.540
X 08. elisa monte: Quality, it will be destroyed and that's totally unnecessary. We all want affordable housing and everyone in the area is willing to work very hard and long on that with solutions that are reasonable

465
01:26:24.990 --> 01:26:33.480
X 08. elisa monte: And achievable, keeping the nature of the area and being inclusive to all those that need help. Thank you.

466
01:26:34.680 --> 01:26:50.640
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. Our next speaker is Mickey Mickey, followed by Benjamin dark. I'm very

sorry if I mispronounced your name Mickey Mickey. Are you able to hear us. So we're ready for your testimony.

467
01:26:51.120 --> 01:26:53.550
X 09. Micki McGee: Yes, I can hear you. Can you hear me.

468
01:26:53.940 --> 01:26:58.710
X 09. Micki McGee: Yes, fantastic. Thank you for the opportunity to speak.

469
01:26:59.880 --> 01:27:15.960
X 09. Micki McGee: I want to share with the Department of city planning my dismay about what I see as a catastrophic lack of a magic imagination with respect to affordable housing for our neighborhood.

470
01:27:17.160 --> 01:27:30.360
X 09. Micki McGee: Our neighborhood groups South Village neighbors and many neighbors in this area have fought for affordable housing in places through out the downtown area, including the St. John's project.

471
01:27:30.960 --> 01:27:43.800
X 09. Micki McGee: At Duarte square and so on, at the times we have fought for affordable housing. We have literally been laughed at by people from the mayor's office as well as from city planning.

472
01:27:44.670 --> 01:27:58.590
X 09. Micki McGee: We're very, very stunned to see affordable housing as something that's on your agenda and we're happy to see that it's there. But what is the failure here is that

473
01:27:59.730 --> 01:28:14.580
X 09. Micki McGee: It seems that there is no vision beyond a neo liberal private housing notion of mandatory exclusionary housing which is not mandatory. It is it utterly at the discretion of developers.

474
01:28:15.240 --> 01:28:26.160
X 09. Micki McGee: Further, there is no place in this plan, which has designated residential development. So I strongly encourage this group.

475
01:28:26.760 --> 01:28:41.220
X 09. Micki McGee: Your agency and anyone involved to stand behind and support the community alternative zoning plan, which has in it suggestions and ideas to protect the joint work.

476

01:28:42.060 --> 01:29:02.280
X 09. Micki McGee: Quarters live work quarters of artists who have pioneered this neighborhood, and that has plans and the opening for developing affordable housing that will be a public good that we all strive to see realized. Thank you very much. I see my time.

477
01:29:03.420 --> 01:29:09.570
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. We will now move on to our next speaker. And that's Benjamin dark a

478
01:29:10.590 --> 01:29:15.630
Olga Abinader, Director, DCP EARD: Benjamin Dr. K. If you're able to hear us, please unmute yourself so we can begin your testimony.

479
01:29:22.830 --> 01:29:24.300
Olga Abinader, Director, DCP EARD: Benjamin dark hit

480
01:29:31.980 --> 01:29:32.550
Olga Abinader, Director, DCP EARD: Benjamin

481
01:29:37.410 --> 01:29:37.860
Olga Abinader, Director, DCP EARD: Excuse

482
01:29:38.550 --> 01:29:40.890
Public Coordinator 3 : Me, it appears that he's left the room.

483
01:29:41.190 --> 01:29:41.670
Olga Abinader, Director, DCP EARD: Thank you.

484
01:29:43.320 --> 01:29:52.710
Olga Abinader, Director, DCP EARD: Okay. We'll move on to our next speaker, then. Thanks so much. Our next speaker is Todd fine Todd fine followed by Gene Wilkie

485
01:29:58.170 --> 01:30:02.700
Olga Abinader, Director, DCP EARD: Time fine if you're able to hear us, please unmute yourself so we can be in your testimony.

486
01:30:03.240 --> 01:30:04.170
X 11. Todd Fine: Yes. Hi.

487
01:30:05.580 --> 01:30:15.810

X 11. Todd Fine: Yes, I'm the president of the Washington Street advocacy group which is extremely concerned about the plans express in the Deputy Mayor Vicky beans, where we live NYC report.

488
01:30:16.290 --> 01:30:24.420
X 11. Todd Fine: To promote high rise construction in historic districts with world famous SOHO being the first test case this is page 194

489
01:30:25.080 --> 01:30:35.010
X 11. Todd Fine: Through a movement began by figures like Jane Jacobs Margaret Mead and Eleanor Roosevelt that save so hope from demolition by Robert Moses and the lower Manhattan Expressway

490
01:30:35.430 --> 01:30:39.600
X 11. Todd Fine: New York City became a model for historic preservation in the United States and internationally.

491
01:30:40.140 --> 01:30:52.770
X 11. Todd Fine: The weakening of its 1965 landmarks law and the Soho historic district to a gamed public dialogue process during the coven 19 pandemic signals a general attack on the principles behind preservation

492
01:30:53.820 --> 01:31:07.500
X 11. Todd Fine: We demand that any rezoning of SOHO include new designations of individual landmarks. As a result of the fields survey promised in the department of city planning scoping document for its environmental impact statement Task seven,

493
01:31:07.980 --> 01:31:15.210
X 11. Todd Fine: The SOHO historic district in the rezoning area holds over 600 sites currently only contains two individual landmarks.

494
01:31:16.620 --> 01:31:23.670
X 11. Todd Fine: After a significant proposed up zoning, there would be significant pressure pressures for demolition and alteration on all historic

495
01:31:23.940 --> 01:31:30.780
X 11. Todd Fine: Buildings in the district and preservation would depend solely on the politics of the Landmarks Preservation Commission at any given moment.

496
01:31:31.080 --> 01:31:39.090

X 11. Todd Fine: In addition, there are substantial parts of SOHO in Chinatown in the rezoning area that are outside of any historic district and will have no protection at all.

497
01:31:39.750 --> 01:31:45.480
X 11. Todd Fine: In anticipation of today's meeting, I asked that the Department of city planning and the Landmarks Preservation Commission.

498
01:31:45.780 --> 01:31:52.980
X 11. Todd Fine: And depth, the deputy mayor's office release details about the proposed and marks field survey in test seven with no response.

499
01:31:53.280 --> 01:32:02.280
X 11. Todd Fine: If the Department of city planning are serious about the rezoning of SOHO this field sure survey should be one of the largest preservation projects and years and needs to have a defined budget.

500
01:32:02.520 --> 01:32:10.470
X 11. Todd Fine: coordination with the Landmarks Preservation Commission a pipeline for designation and involvement of leading outside experts in architecture and history.

501
01:32:11.190 --> 01:32:18.780
X 11. Todd Fine: This team of experts should also be empowered to develop the promised contextual standards that will apply to new construction and alterations.

502
01:32:19.200 --> 01:32:31.110
X 11. Todd Fine: Aka RF CANNOT HANDLE THIS ALONE. And you shouldn't just rely on one on one consultancy to evaluate hundreds and hundreds of properties. This needs to be a diverse

503
01:32:31.470 --> 01:32:36.420
X 11. Todd Fine: Group of Experts, including academics and other experts and to host history.

504
01:32:36.930 --> 01:32:43.230
X 11. Todd Fine: Finally, let me also say that this entire public process needs to be delayed or cancelled this meeting.

505
01:32:43.560 --> 01:33:01.050
X 11. Todd Fine: Was on the link zoom link for this meeting was only given two hours before this meeting that I have not seen any other city agency operate in a registration process that way. This was badly handled and it's gamed to prevent our participation. Thank you.

506
01:33:02.550 --> 01:33:11.430
Olga Abinader, Director, DCP EARD: We thank you for your feedback and we are taking all of this testimony and revisiting our processes so that we can do better. Each and every time.

507
01:33:12.090 --> 01:33:17.790
Olga Abinader, Director, DCP EARD: Our next speaker is Gene Wilkie gene Wilkie and well gene Wilkie is

508
01:33:18.570 --> 01:33:25.830
Olga Abinader, Director, DCP EARD: coming online. I'd like to also note to Benjamin Dr. K. If they are currently not in the meeting.

509
01:33:26.190 --> 01:33:43.170
Olga Abinader, Director, DCP EARD: But still viewing our live stream. Please join our meeting via zoom or via dial in. And then let us know that you're here and we will come back to you so you can provide your testimony. We do want to make sure that all voices are heard today. Alright. Our next speaker is Gene Wilkie

510
01:33:44.220 --> 01:33:44.700
I didn't

511
01:33:46.020 --> 01:33:46.590
X 12. Jeanne Wilcke: Hear me

512
01:33:47.250 --> 01:33:47.970
Olga Abinader, Director, DCP EARD: Yes, we can.

513
01:33:48.330 --> 01:33:59.430
X 12. Jeanne Wilcke: Okay, Jenny Wilkie from the know home neighborhood association. I am an opposition to the rezoning and observing as presented and process must be paused.

514
01:34:00.210 --> 01:34:10.800
X 12. Jeanne Wilcke: We are in the midst of a once in a 100 year pandemic data collection and analysis will give a faulty basis for the long term planning needed

515
01:34:11.280 --> 01:34:18.120
X 12. Jeanne Wilcke: For a rezoning due to the artificial and abnormal conditions being experienced yesterday at the US Chamber of

516
01:34:18.810 --> 01:34:34.680
X 12. Jeanne Wilcke: Commerce, the director of the Center for Disease Control predicted that normal conditions are not expected until at least the third quarter of 2021 there are financial and economic forecasts that go way beyond that, even, particularly for the hospitality industry.

517
01:34:35.880 --> 01:34:47.940
X 12. Jeanne Wilcke: There are three items. I'd like to point to, so I don't go over what other people have gone into and they already transportation air quality and noise sections.

518
01:34:49.410 --> 01:35:09.480
X 12. Jeanne Wilcke: Of the regarding noise. The dress scope of work states that if the current traffic pattern is not deemed representative, which probably won't be existing condition noise levels will be established using previous environmental reviews within an adjacent to the rezoning area.

519
01:35:10.590 --> 01:35:18.570
X 12. Jeanne Wilcke: But the methodology will be submitted later this methodology must be part of the draft scope of work now.

520
01:35:19.020 --> 01:35:32.400
X 12. Jeanne Wilcke: And not for submission later but lack of details on how noise levels will be established in an area where there have been serious issues with noise complaints is not acceptable. Next is air quality where New York City's own

521
01:35:33.570 --> 01:35:43.350
X 12. Jeanne Wilcke: report shows that this community district is highest on the New York City scale of elemental carbon particular matter nitric oxide, etc, etc.

522
01:35:44.610 --> 01:35:48.540
X 12. Jeanne Wilcke: Putting monitors out at a time of a pandemic with low

523
01:35:49.980 --> 01:35:57.660
X 12. Jeanne Wilcke: Traction from buildings is not appropriate. Lastly, transportation travel travel demand and traffic studies for secret.

524
01:35:57.960 --> 01:36:06.480
X 12. Jeanne Wilcke: Guidelines will be grossly under counting pedestrian trips vehicle members travel times and the support data for air quality and noise analysis.

525
01:36:06.870 --> 01:36:17.670
X 12. Jeanne Wilcke: Transit analysis, particularly at em and people levels at Subway stack sections will complete be completely effective for us and rezoning to the low ridership levels.

526
01:36:19.380 --> 01:36:27.840
X 12. Jeanne Wilcke: To repeat the plan should be withdrawn until such time as accurate data can be collected in normal conditions, the process must be caused. Thank you.

527
01:36:28.950 --> 01:36:30.630
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

528
01:36:31.710 --> 01:36:47.070
Olga Abinader, Director, DCP EARD: I'll call on our next three speakers number 13 peg brain number 14 Pete Davies and number 15 Laura Tenenbaum peg brain if you're able to hear us, please unmute yourself so we can hear your testimony.

529
01:36:52.410 --> 01:36:53.160
X 13. Peg Breen: You hear me now.

530
01:36:53.820 --> 01:36:54.570
Olga Abinader, Director, DCP EARD: We can hear you.

531
01:36:55.320 --> 01:36:55.740
Okay.

532
01:36:57.600 --> 01:37:04.590
X 13. Peg Breen: Good afternoon. I'm green president of the New York landmarks Conservancy. A 47 year old preservation organization.

533
01:37:05.100 --> 01:37:14.190
X 13. Peg Breen: I was also a member of the Navajo SOHO study group that looked at potential rezoning of these neighborhoods last year to reflect current residential and commercial realities.

534
01:37:14.580 --> 01:37:20.010
X 13. Peg Breen: All the study group members agreed that the historic character of the area must be preserved.

535
01:37:20.490 --> 01:37:26.940

X 13. Peg Breen: Instead this proposal threatens the historic districts by allowing and you're doubling of new developments throughout the area.

536
01:37:27.390 --> 01:37:32.790
X 13. Peg Breen: This would be a substantial of zoning of a historic district and said, terrible precedent.

537
01:37:33.510 --> 01:37:43.230
X 13. Peg Breen: Most of the 27 likely and 57 potential development sites listed contained existing buildings. Some are four, six and eight stories tall.

538
01:37:43.650 --> 01:37:56.460
X 13. Peg Breen: Some DC P notes or within historic districts. This plan guarantees the loss of existing fabric and would increase the pressure on the Landmarks Preservation Commission to approve out of scale development.

539
01:37:57.240 --> 01:38:08.520
X 13. Peg Breen: Conservancy supports zoning recognize this modern commercial and residential needs allows residential use protects artists and encourages affordable housing.

540
01:38:09.150 --> 01:38:21.210
X 13. Peg Breen: But none of this requires the massive of zoning currently proposed it was submitted more detailed testimony, but for now we have for know of zoning and the historic or lower

541
01:38:21.720 --> 01:38:30.900
X 13. Peg Breen: Limits throughout the rest of the area and contextual height limits, they also asked you to list the maximum height of all the buildings being proposed.

542
01:38:31.680 --> 01:38:51.030
X 13. Peg Breen: So over no hostess store character enable them to become the thriving mixed used areas that attracted people from around the city and around the world. A city is risking their viability, the say should know and do better. Thank you for the opportunity to present the Conservancy's views.

543
01:38:52.500 --> 01:39:06.090
Olga Abinader, Director, DCP EARD: Thank you for your testimony will now move on to speakers 14 and 15 Pete Davies and Laura Tenenbaum Pete davison's if you're there, please unmute yourself so we can receive your testimony.

544
01:39:06.690 --> 01:39:26.760
X 14. Pete Davies: Oh yes, good afternoon. Thank you much Davies Broadway residents coalition I oppose the TCP plan I oppose the proposed up zoning, I call on TCP to pause this process and to incorporate the community alternative plan in any future discussions.

545
01:39:27.480 --> 01:39:37.110
X 14. Pete Davies: I serve as a residential representative of the cell Broadway initiative, the only New York City bid with equal representation of residents.

546
01:39:37.350 --> 01:39:45.750
X 14. Pete Davies: Which came about due to the large number of residents long Broadway and solo something that TCP ignores and it's draft scope of work.

547
01:39:46.230 --> 01:39:58.830
X 14. Pete Davies: In fact, DC pins general claim that Broadway has quote the lowest concentration of residential users in the project area is NS substantiated. And it just simply incorrect.

548
01:39:59.190 --> 01:40:05.520
X 14. Pete Davies: And this is one of the many problematic claims found throughout the 51 pages of the draft scope.

549
01:40:06.090 --> 01:40:24.870
X 14. Pete Davies: TCP must pauses process because everyone is noted, we are in unprecedented times under, under such extraordinary conditions out and TCP study all the areas that need attention TCP cannot TCP must pause

550
01:40:25.560 --> 01:40:32.190
X 14. Pete Davies: As acknowledged on 1026 and the TCP meeting the studies have not been done.

551
01:40:32.790 --> 01:40:40.950
X 14. Pete Davies: When you save time comes to study and analysis is needed, due to the many faults and inadequacies found throughout the draft scope.

552
01:40:41.430 --> 01:40:54.240
X 14. Pete Davies: TCP sites as a primary reason for this plan to promote economic recovery resiliency and growth yet dbcp offers no economic analysis of explain

553

01:40:54.930 --> 01:41:08.490
X 14. Pete Davies: The American Planning Association notes that any resulting action to be fully transparent must include financial analysis so that everyone can properly judge the proposal.

554
01:41:09.300 --> 01:41:21.930
X 14. Pete Davies: I call on TCP to do an economic analysis of the entire proposal, including for the FA IR increase the grant of value being given to property owners from the mayor and TCP

555
01:41:22.440 --> 01:41:32.400
X 14. Pete Davies: Also for any and all costs linked to the proposed conversion of the district TCP has failed to include any such examination for so when

556
01:41:33.600 --> 01:41:40.530
X 14. Pete Davies: We need an FA our analysis for all properties, including them out of new buildable square feet of structure.

557
01:41:40.800 --> 01:41:53.460
X 14. Pete Davies: Including the value of that FA are not just for the 27 projected properties or the 57 potential properties but for all the 800 plus properties in Soho window.

558
01:41:53.850 --> 01:42:12.810
X 14. Pete Davies: We need retail space analysis for the expansion of as of right we need special permit and study analysis, we need to SLA application analysis, we need an LPC application analysis like diamonds out. I will, I will send in more in writing. Thank you.

559
01:42:13.470 --> 01:42:17.160
Olga Abinader, Director, DCP EARD: Thank you for your testimony. We do look forward to receiving your comments.

560
01:42:17.820 --> 01:42:35.220
Olga Abinader, Director, DCP EARD: Our next speaker is Laura Tenenbaum Lauren Tenenbaum a little note at this time that after our next speaker. We are going to move on to anyone joining us via telephone who wishes to provide testimony. So our next speaker is Laura 10 amount

561
01:42:36.540 --> 01:42:39.960
Olga Abinader, Director, DCP EARD: Laura tenement few. Can you hear us, please unmute yourself so we can hear.

562
01:42:40.320 --> 01:42:42.870

X 15. Lora Tenenbaum: I am unmuted. I was waiting for you to stop talking.

563
01:42:44.310 --> 01:42:46.080
Olga Abinader, Director, DCP EARD: Apologies. Please begin.

564
01:42:47.340 --> 01:42:58.110
X 15. Lora Tenenbaum: Anyway, I have resided in Soho since 1973 I live in an all artist co op, which has been an all artists co op since that time.

565
01:42:59.370 --> 01:43:01.050
X 15. Lora Tenenbaum: I reject any up zoning.

566
01:43:02.070 --> 01:43:15.060
X 15. Lora Tenenbaum: In this in Soho and knowhow and I feel that the scoping document ignores the results of the envision process in which I was one of the participants, despite claiming to follow them.

567
01:43:15.570 --> 01:43:26.100
X 15. Lora Tenenbaum: At the very best you're picking out what you want to hear. However, I am totally in support of a mandatory affordable housing requirement.

568
01:43:27.510 --> 01:43:36.390
X 15. Lora Tenenbaum: I support real affordable housing that will truly increase the percentages of people of color and diverse incomes into my neighborhood.

569
01:43:36.960 --> 01:43:47.220
X 15. Lora Tenenbaum: Unfortunately, the draft scopes carve out allowing developers to pay into a fund rather than build affordable housing or to plead financial distress.

570
01:43:47.940 --> 01:43:59.610
X 15. Lora Tenenbaum: Are unacceptable. It puts into question the stated purpose of the rezoning the current plan would overwhelm the community with even more rich people

571
01:44:00.540 --> 01:44:15.690
X 15. Lora Tenenbaum: Increasing their percentages and worsening any imbalance, rather than bringing equity into our community there is in fact no guarantee that the zoning will bring in any affordable housing at all. This is a

572

01:44:18.780 --> 01:44:30.060
X 15. Lora Tenenbaum: This just makes more wealthy the landowners. This is all about real estate. I also think that affordable housing.

573
01:44:30.660 --> 01:44:39.480
X 15. Lora Tenenbaum: Should the fact of the matter is that many artists residents and other residents here already filled the bill for the upper scale of the affordability equation.

574
01:44:39.930 --> 01:44:53.850
X 15. Lora Tenenbaum: And that any additional affordable housing that should come in should really be aiming for people at the lower end extremely low income through low income people so that we really get to be more equitable

575
01:44:54.210 --> 01:45:04.440
X 15. Lora Tenenbaum: It's important to me that we keep the historic district start and that means no up zoning, um,

576
01:45:05.580 --> 01:45:06.810
X 15. Lora Tenenbaum: We also in

577
01:45:09.480 --> 01:45:10.710
X 15. Lora Tenenbaum: We must keep

578
01:45:11.910 --> 01:45:13.620
X 15. Lora Tenenbaum: The restriction on

579
01:45:15.030 --> 01:45:19.110
X 15. Lora Tenenbaum: big box stores. Nothing larger than 10,000 square feet.

580
01:45:20.460 --> 01:45:33.150
X 15. Lora Tenenbaum: No eating or drinking larger than 5000 square feet and a very strict requirement for indoor loading docks must be enforced city planning has recently waved the requirement in several SOHO applications.

581
01:45:33.360 --> 01:45:40.860
X 15. Lora Tenenbaum: And the results do not work for the residents. Lastly, I want to say that we have to put this whole process on pause

582
01:45:41.160 --> 01:45:53.490

X 15. Lora Tenenbaum: There is no need for every argument against starting this extensive life altering EULA during a pandemic no data collected during this period could possibly be scientifically applied to real planning.

583
01:45:54.390 --> 01:45:55.050
X 15. Lora Tenenbaum: Wait, wait.

584
01:45:55.170 --> 01:45:56.280
Olga Abinader, Director, DCP EARD: For your testimony.

585
01:45:56.370 --> 01:45:58.530
X 15. Lora Tenenbaum: Thank you. I will submit more

586
01:45:59.430 --> 01:46:07.770
Olga Abinader, Director, DCP EARD: Okay, we look forward to receiving that at this time I'd like to take a pause to move on to those members of the public who have dialed into our meeting.

587
01:46:08.700 --> 01:46:19.200
Olga Abinader, Director, DCP EARD: If you did not register to speak, using the dial and hotline please indicate that you would like to speak and provide testimony by dialing star nine again by dialing star nine

588
01:46:19.830 --> 01:46:34.230
Olga Abinader, Director, DCP EARD: Once your phone number is announced. Just remember to dial star six and you'll be able to unmute yourself again if you did not register to speak, using the dial in hotline please indicate that you would like to speak by dialing star night.

589
01:46:35.940 --> 01:46:37.800
Olga Abinader, Director, DCP EARD: Will give people a moment to

590
01:46:38.970 --> 01:46:56.670
Olga Abinader, Director, DCP EARD: Identify themselves and it does look like we have one person who dialed in. That looks like we have at least two. All right. Very first speaker is a phone number, ending in 466466 please dial star six to unmute yourself and we will be able to hear you.

591
01:47:02.220 --> 01:47:04.170
X 1212****466: Hello, yes.

592
01:47:04.230 --> 01:47:11.190

X 1212****466: We can hear you. Yeah. This is Sean Sweeney, I'm the director of the soul Alliance, I was the first speaker and there's something

593
01:47:12.360 --> 01:47:15.540
X 1212****466: Wrong with the zoom. Yes, but any other issue.

594
01:47:17.100 --> 01:47:31.830
X 1212****466: Let's look at the soul is actually is the four is the successor to the Soho artist association which worked with City Planning back in 1971 to give us a successful zoning, we have now. Now I see ourselves working against

595
01:47:32.340 --> 01:47:40.890
X 1212****466: City Planning. It's a terrible reversal of fortune. Look at the success we had for the last 50 years I really wish you would include in future.

596
01:47:42.960 --> 01:47:51.180
X 1212****466: Hearings include the alternative community plan which you will be getting. But let's talk about saw hose infrastructure, it's in a floodplain.

597
01:47:51.930 --> 01:48:02.310
X 1212****466: There's been regular flooding on West Broadway and grand going back for decades, any new building will have to go down to the bedrock. What effect will this have on historic buildings Jason through these

598
01:48:05.280 --> 01:48:06.660
X 1212****466: We have had raw sewage.

599
01:48:07.680 --> 01:48:14.310
X 1212****466: We've had sandy going up as far as was Broadway and grand and Western grand

600
01:48:16.080 --> 01:48:28.740
X 1212****466: Secondly, so we want. We have to see what the cost will be for these increase infrastructure like building bathtubs around the surface to keep the water out of the basement. Secondly,

601
01:48:30.660 --> 01:48:39.810
X 1212****466: Let's talk about crowds. This is going to bring in 60 at least about 6400 new residents and god knows how many more shoppers into these big box stores and office workers.

602
01:48:41.430 --> 01:48:54.090
X 1212****466: Originally, the Department of Transportation wanted to have this Time Square Mall on print street because it was so crowded that was 10 years ago. Thankfully, we will convince them, it would be more advantageous to go to Times Square.

603
01:48:55.230 --> 01:49:02.550
X 1212****466: That was a success if so how if print it was too crowded 10 years ago. What's it going to be like when you have thousands and thousands of more

604
01:49:03.330 --> 01:49:09.330
X 1212****466: Residents and shoppers. You have to do it, an impact study on the on congestion increasing

605
01:49:09.930 --> 01:49:20.760
X 1212****466: If there's a parking lot on pestering Baxter, which is really trying to town. Nowadays, what is luxury housing going to do to the poor people living in the tenements in China tell

606
01:49:21.240 --> 01:49:27.780
X 1212****466: This is the first zoning and historic district and 55 years. Why is that happening now. Will this be meaning.

607
01:49:28.290 --> 01:49:40.050
X 1212****466: Could you please tell us. Will this mean up zoning and every other historic district in the city finally come out, not finally but Canal Street is a hot zone declared by the Federal Environmental Protection Agency.

608
01:49:41.400 --> 01:49:46.350
X 1212****466: As one of the worst spots in America, second only in New York City to the South Bronx.

609
01:49:47.610 --> 01:49:55.650
X 1212****466: 6400 new tenants. Many of them are wealthy are going to need their cars and their limousines, where are they going to park. Have you been doing

610
01:49:57.210 --> 01:50:06.780
X 1212****466: An air quality study, like the EPA had done 10 years ago and in Canal Street where these results that I'm talking about, where were obtained

611
01:50:07.800 --> 01:50:26.130
X 1212****466: I think you should have an air quality study. And what about schools all these people are going to have children. There's no schools here also, I understand. So you need to do an analysis on that. I also understand that further as a ratio for every sort of 1000 people

612
01:50:27.780 --> 01:50:40.350
X 1212****466: New York Police Department, we call requires one police officer, where they would be funding the police where we're going to get the additional police to patrol and protect these all these new stores and these new residents.

613
01:50:41.460 --> 01:50:48.810
X 1212****466: So thank you for Lima totally against this absorbing I support the time. Oh, thank you very much. I support the alternative

614
01:50:50.700 --> 01:50:52.560
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

615
01:50:53.640 --> 01:51:05.700
Olga Abinader, Director, DCP EARD: All right, let's remind folks who have already registered or I'm sorry, who have not registered and zoo, but have raised their hands are interested in speaking, please.

616
01:51:06.780 --> 01:51:07.710
Olga Abinader, Director, DCP EARD: If you could please

617
01:51:08.970 --> 01:51:20.760
Olga Abinader, Director, DCP EARD: register yourself using our online portals or a dial and information, we will get you all lined up to speak and we will give you the opportunity to provide your testimony.

618
01:51:21.270 --> 01:51:43.260
Olga Abinader, Director, DCP EARD: I am now moving on to speak here who is dialed in number 422 phone number, ending in for 22 once again dial in number 422 you're ready to receive your testimony.

619
01:51:53.730 --> 01:51:57.210
Olga Abinader, Director, DCP EARD: Okay, and it appears that that person has either left the meeting or

620
01:51:57.390 --> 01:51:58.740
Olga Abinader, Director, DCP EARD: Experiencing technical hello

621
01:51:58.890 --> 01:51:59.670
X 1917****422: Can you hear me.

622
01:52:00.360 --> 01:52:02.730
Olga Abinader, Director, DCP EARD: Oh, yes, yes. You aren't we can hear you now.

623
01:52:02.970 --> 01:52:04.260
Olga Abinader, Director, DCP EARD: Thank you. Hi.

624
01:52:04.500 --> 01:52:06.930
X 1917****422: Hi this is Geraldine Scalia.

625
01:52:08.100 --> 01:52:14.400
X 1917****422: I really appreciate it. What Shawn just said and what everyone has said in mind is a lot less technical, but

626
01:52:16.740 --> 01:52:21.180
X 1917****422: You know I'm opposed to the TCP plan and opposed to the zoning.

627
01:52:22.080 --> 01:52:31.350
X 1917****422: The environmental impact. I'm just reading my letter that I'm sending the environmental impact of this plan is to negative, both for the neighborhood and for the skyline in Manhattan.

628
01:52:31.890 --> 01:52:42.300
X 1917****422: Environmentally the air quality will diminish, particularly with the view tickly or traffic congestion on the sidewalks and streets is not a positive thing.

629
01:52:43.080 --> 01:52:51.780
X 1917****422: This will completely cancel any charm THIS NEIGHBORHOOD HAS and which attracts people to live and visit the neighborhood.

630
01:52:52.350 --> 01:53:03.810
X 1917****422: As I walk down Broadway in Soho. There's a mega NIKE STORE with a long line around the corner that we have enough sneaker stores on Broadway, and I believe there are a few Nike stores in lower Manhattan already

631
01:53:04.320 --> 01:53:09.810

X 1917****422: This is not interesting or unique or good for smaller business people and designer is stifling

632
01:53:10.590 --> 01:53:19.110
X 1917****422: Unique mom and pop stores and small designers towards or what's Rawls now drew people to shop here the architecture is one of a kind, and unique

633
01:53:19.470 --> 01:53:29.280
X 1917****422: To the former factory to this former factory area why turn this into a mall by want to shop at bigger stores. So we'll go to 34 street or uptown 40 street in the blood.

634
01:53:29.940 --> 01:53:42.840
X 1917****422: I live on houses treats. It's already a thoroughfare to New Jersey in Brooklyn. Do you care about air quality, I say go to the subway or burbs are bigger land spaces and build your plastic mega live

635
01:53:44.400 --> 01:53:55.290
X 1917****422: And most of the residents of the area want developers to Stop ruining our skylines our streets our neighborhoods in our air. I lived in so hopeless and facility for 40 years

636
01:53:55.740 --> 01:54:07.830
X 1917****422: On the professional artists and aging at that is many, many need new accessible, affordable housing for low income for low income working artists.

637
01:54:08.190 --> 01:54:18.120
X 1917****422: I stand with broadening the plan for reasonable living workspaces for local art artists working in tandem with the neighborhood.

638
01:54:18.900 --> 01:54:30.660
X 1917****422: And the politicians in this neighborhood, the people who we work the community think clearly about this up zoning, that is most advantageous to the needs of the people living in this area.

639
01:54:31.710 --> 01:54:32.130
X 1917****422: Thanks.

640
01:54:33.540 --> 01:54:34.590
Olga Abinader, Director, DCP EARD: Thank you so much for your

641
01:54:34.590 --> 01:54:35.280

X 1917****422: Remarks

642
01:54:35.730 --> 01:54:43.290
Olga Abinader, Director, DCP EARD: And move on to another caller and again as a reminder, we are going to get to everyone who wishes to speak today. So if you

643
01:54:43.770 --> 01:54:53.520
Olga Abinader, Director, DCP EARD: Even if you have not registered, but you've raised your hands for all otherwise signal that you would like to speak, we will get to. So we appreciate your patience, while we get through our list.

644
01:54:53.940 --> 01:55:05.460
Olga Abinader, Director, DCP EARD: Our next speaker is someone who's dialed in their phone number ends in 828 once again 828 and please dial star six to unmute yourself.

645
01:55:15.510 --> 01:55:18.300
X 1212****828: Yes, I don't know if you've got the right person here.

646
01:55:19.110 --> 01:55:19.890
Olga Abinader, Director, DCP EARD: We can hear you.

647
01:55:20.580 --> 01:55:31.440
X 1212****828: Well, all right. I'll make my testimony. My name is Judith remley I've lived in the neighborhood for four years. I am an artist and I live in a rent stabilized apartment.

648
01:55:32.790 --> 01:55:46.260
X 1212****828: My concerns are that this project lacks vision, it calls itself and envision process, but there's no vision. It seems to only repeat past mistakes.

649
01:55:47.370 --> 01:56:00.510
X 1212****828: The reforms offer a kind of a knee jerk attempt at a future which were planning during a pandemic, I agree with everyone has spoken about this timing. We need to pause

650
01:56:01.440 --> 01:56:09.120
X 1212****828: Nothing should be decided until after the pandemic is under control development in the neighborhood.

651
01:56:09.690 --> 01:56:26.970

X 1212****828: Is changed. We don't need to increasingly grow but to repurpose and utilize existing structures. There are so many big luxury housing units that are virtually empty. They need to be repurposed it's actually

652
01:56:29.340 --> 01:56:31.920
X 1212****828: Affordable housing us is the idea

653
01:56:33.870 --> 01:56:38.640
X 1212****828: I just and I'm really personally concerned as a rent stabilized tenant.

654
01:56:39.870 --> 01:56:52.950
X 1212****828: About the displacement of existing tenants know no one is is letting those of us know who are at risk, what the future has planned for us, or how we

655
01:56:53.760 --> 01:57:07.380
X 1212****828: can endure this kind of attack. So I'm totally against it and I am hearing all the speakers everyone who's spoken is against this project. So who is for it and why

656
01:57:07.830 --> 01:57:22.650
X 1212****828: I, I absolutely believe that if this is a the developers have created this and it's all about money. So I'm disappointed. And I think you should pause and reconsider this plan. Thank you.

657
01:57:24.000 --> 01:57:44.610
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony, and this time we're going to be shifting back to our registered speakers we can please reset the clock, our next two speakers number 16 Stephen Herrick followed by number 17 Amanda Yagi Stephen Herrick if you're able to please unmute yourself.

658
01:57:46.860 --> 01:57:48.090
X 16. Steven Herrick: The afternoon. Can you hear me.

659
01:57:48.690 --> 01:57:49.290
Olga Abinader, Director, DCP EARD: Yes, we can.

660
01:57:49.710 --> 01:58:02.100
X 16. Steven Herrick: Okay, yeah, I'm Steve Harris executive director of the Cooper square committee a tenant rights and affordable housing preservation organization in the Lower East Side nice village. I was also a member of the Navajo so study group.

661
01:58:03.300 --> 01:58:12.960
X 16. Steven Herrick: And the square committee supports the introduction of mandatory inclusion Harry housing into the study area as well as loosening of restrictions on retail uses

662
01:58:13.530 --> 01:58:22.620
X 16. Steven Herrick: To allow for ground ground floor retail with use groups six and 10 allowed in parts of the study area. We also support efforts to incentivize

663
01:58:23.760 --> 01:58:35.100
X 16. Steven Herrick: Retaining and expanding the cultural character of the community, possibly through carefully crafted zoning bonuses in all parts of the study area. We want to see height limits on new buildings.

664
01:58:36.750 --> 01:58:48.810
X 16. Steven Herrick: However, DC. P. Suppose I mean districts don't reflect the recommendations of the planet report released last year based on the advisory groups, many meetings and truly reflect bowls.

665
01:58:49.920 --> 01:58:59.520
X 16. Steven Herrick: And objective stated in the work scope instead BCP proposes substantial up zoning of most of the study area, including the historic epics Cooper.

666
01:59:00.090 --> 01:59:14.580
X 16. Steven Herrick: Cooper square strongly urge is a nuanced approach that maintains a five point of FDR and his work residential core of Soho, which is so very or seven, which comprises roughly 40% of the study area.

667
01:59:15.840 --> 01:59:25.710
X 16. Steven Herrick: It would only generate about 10% of the projected low income unit in the CP soft side analysis. So it would be no last to keep the the FDR

668
01:59:26.670 --> 01:59:36.240
X 16. Steven Herrick: 5.0 instead we recommend really focusing on and taking advantage of the significant affordable housing opportunities outside historic district.

669
01:59:36.660 --> 01:59:49.860
X 16. Steven Herrick: Sub areas three and eight to protect particular and part of sub area one on the soft side analysis shows that these areas can generate over 80% of the new affordable housing and know how and Soho.

670
01:59:52.680 --> 02:00:07.140
X 16. Steven Herrick: Typically, we recommend lower density than the art pen districts that the CP proposing, we think are nine a zoning is worth analyzing as an alternative. It provides an 8.5 FM ER and 175 foot height limit.

671
02:00:08.820 --> 02:00:14.310
X 16. Steven Herrick: We definitely want it to be contextual, given the soft sites in the area within a one block radius.

672
02:00:15.840 --> 02:00:30.090
X 16. Steven Herrick: Have similar buildings similar height. We also align ourselves with the know how various stakeholders position it as TCP analyze a more simplified zoning scenario for the 11 blocks in no hope. North of Boston

673
02:00:32.250 --> 02:00:38.190
X 16. Steven Herrick: Basically I should probably let john speak on those. So, I will. I won't go into detail on them.

674
02:00:39.240 --> 02:00:49.860
X 16. Steven Herrick: We believe that despite adopting lower density than what you see, please proposing the city should still generate a comparable amount of low income housing if it uses a more aggressive myth formula.

675
02:00:51.000 --> 02:00:57.780
Olga Abinader, Director, DCP EARD: Thank you so much for your comments, your time is up to will receive your comments and writing. We do have a long list of speakers coming up next.

676
02:00:58.530 --> 02:01:09.630
Olga Abinader, Director, DCP EARD: Thank you very much. And that's to take a brief pause right now to announce a clarification that if anyone has already joined us via zoom. But originally did not indicate that they wanted to

677
02:01:10.020 --> 02:01:17.940
Olga Abinader, Director, DCP EARD: Join us via provide their own testimony, you still are able to provide testimony and what you do need to do is

678
02:01:18.270 --> 02:01:28.740

Olga Abinader, Director, DCP EARD: Go on, zoom, again we register and answer yes to question one again go to our portal be registered for a meeting and answer yes to question one.

679
02:01:28.920 --> 02:01:45.330
Olga Abinader, Director, DCP EARD: So that we can keep track of all of the speakers. And again, ensure that everyone who wants to speak today has an opportunity to do so. Thank you very much. And we'll move on to our next speaker number 17 Amanda Yagi followed by 18 Emily Hellstrom

680
02:01:46.590 --> 02:01:47.700
Olga Abinader, Director, DCP EARD: Amanda Yagi

681
02:01:49.020 --> 02:01:50.010
X 17. Amanda Yaggy: Hi, can you hear me.

682
02:01:50.670 --> 02:01:53.430
Olga Abinader, Director, DCP EARD: Hi. Yes, we can hear you. Thanks.

683
02:01:53.550 --> 02:01:54.780
X 17. Amanda Yaggy: Um, I

684
02:01:55.950 --> 02:02:14.340
X 17. Amanda Yaggy: Was so glad to hear what everyone else has had to say. So far, I agree with everyone saying that the timing of this right now is it's basically senseless because the data you're using it predates the pandemic.

685
02:02:15.870 --> 02:02:21.240
X 17. Amanda Yaggy: So right there. I think this whole process should be put on hold. Um,

686
02:02:23.070 --> 02:02:28.260
X 17. Amanda Yaggy: But that brings me to my next point. So I'm going to try to avoid going over what other people have said.

687
02:02:29.550 --> 02:02:30.450
X 17. Amanda Yaggy: Which is that

688
02:02:32.130 --> 02:02:35.370
X 17. Amanda Yaggy: 2020, I think, was one of the three hottest years on record.

689

02:02:37.200 --> 02:02:44.280
X 17. Amanda Yaggy: The reduction in greenhouse emissions didn't make a dense, actually. So I looked at the city's own data.

690
02:02:45.810 --> 02:02:49.860
X 17. Amanda Yaggy: The city set a goal this administration in 2015

691
02:02:51.270 --> 02:02:53.040
X 17. Amanda Yaggy: To reduce by

692
02:02:55.200 --> 02:02:58.680
X 17. Amanda Yaggy: You know submissions 30% by 2030

693
02:03:00.870 --> 02:03:02.640
X 17. Amanda Yaggy: From 2005 levels.

694
02:03:03.870 --> 02:03:12.090
X 17. Amanda Yaggy: And then abandoned to that goal. Apparently completely from 2005 to there's only a 15% drop

695
02:03:13.920 --> 02:03:19.260
X 17. Amanda Yaggy: This is such a carbon intensive and environmentally destructive plan.

696
02:03:20.460 --> 02:03:34.620
X 17. Amanda Yaggy: In a city that's already full of vacant space that's already being heated and cool. Plus you lose the carbon capture that exists in built the already built structures.

697
02:03:35.850 --> 02:03:50.070
X 17. Amanda Yaggy: Just any casual survey of Manhattan landscape right now shows vacant big box stores vacant luxury apartments. So they get non luxury apartments.

698
02:03:51.870 --> 02:03:54.450
X 17. Amanda Yaggy: Again, I just

699
02:03:55.860 --> 02:04:16.680
X 17. Amanda Yaggy: Think I don't understand. And I haven't seen an explanation for why pre pandemic. The city abandoned meeting. It's a mission goals and this plan does nothing but generate a huge new quantity of admissions for an area which, as Mr Sweeney said is already so heavily burdened

700
02:04:18.150 --> 02:04:19.740
X 17. Amanda Yaggy: Thanks, a young rest my time.

701
02:04:20.820 --> 02:04:22.530
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

702
02:04:23.700 --> 02:04:33.750
Olga Abinader, Director, DCP EARD: Well now on our next two speakers those speakers are Emily Hellstrom and to john Sarkar Emily hills true and Sue Johnson or car.

703
02:04:36.660 --> 02:04:37.650
X 18. Emily Hellstrom: Hello. Can you hear me.

704
02:04:38.250 --> 02:04:38.850
Olga Abinader, Director, DCP EARD: Yes, we can.

705
02:04:39.720 --> 02:04:50.520
X 18. Emily Hellstrom: Great. My name is Emily Hellstrom and I'm actually currently wearing a mask, because we are in a global pandemic and I'm in a place that I can't take my mask off. So I do hope you can hear me.

706
02:04:51.300 --> 02:05:11.040
X 18. Emily Hellstrom: Yes, I am the co op board president of the largest residential co op in on the Broadway corridor and we spoke about this rezoning of zoning at our last board meeting and our. It is very, very clear that the residents in my building.

707
02:05:12.240 --> 02:05:17.370
X 18. Emily Hellstrom: Are absolutely up in arms and very, very sad about this.

708
02:05:18.420 --> 02:05:27.960
X 18. Emily Hellstrom: The, the actions called in this plan. Unfortunately, many, many, many of our residents attended all of the envision SOHO knowhow

709
02:05:29.250 --> 02:05:35.760
X 18. Emily Hellstrom: That happened over the course of many months hours and hours of time spent

710
02:05:36.900 --> 02:05:42.150

X 18. Emily Hellstrom: In what we were told by Borough President Gale Brewer, as well as

711
02:05:43.620 --> 02:06:02.460
X 18. Emily Hellstrom: City councilwoman Margaret chin that this would be truly a ground up rezoning that this was about what people wanted we spent hours of time putting in our, our testimony and and opinions and nothing is that is in this plan that came out of

712
02:06:03.480 --> 02:06:13.020
X 18. Emily Hellstrom: The District Planning Council is in is what we did in the envision so Whoa, whoa, whoa. Unfortunately, so much of this is about office space.

713
02:06:14.040 --> 02:06:29.250
X 18. Emily Hellstrom: And and really, we could be looking at truly affordable housing, we need to take a look at the community plan that the community has come together and endorse many, many, many different

714
02:06:29.970 --> 02:06:45.120
X 18. Emily Hellstrom: activist groups have have endorsed this plan. We need to take a look at that. I also am the vice president of the Soho Broadway initiative, though I am not speaking on behalf of the initiative, I spent hours and hours compromising with

715
02:06:46.980 --> 02:06:52.560
X 18. Emily Hellstrom: Commercial property owners talking about how can we come together for our compromise. This

716
02:06:53.880 --> 02:07:09.840
X 18. Emily Hellstrom: Up zoning has nothing to do with what we talked about in the compromise and i'm just i'm severely disappointed. Why can't we have ground up adult conversations about what we want to have happen instead of being foisted

717
02:07:10.890 --> 02:07:33.210
X 18. Emily Hellstrom: Upon us something that we absolutely do not want. We do not need increased FLIR we do not need basement to to very high commercial property. I mean, retail, we really need to have a simple plan that makes whole, the people who are here so that we can absolutely have

718
02:07:35.340 --> 02:07:47.310
X 18. Emily Hellstrom: You know, residents who are legal. We need to keep the affordable housing that's already here, we should be turning office space into residential if we need to make a because we absolutely need to make new affordable housing.

719
02:07:47.670 --> 02:07:49.740
Olga Abinader, Director, DCP EARD: So we should be absolutely looking at most fear.

720
02:07:49.740 --> 02:08:07.710
Olga Abinader, Director, DCP EARD: Testimony, and they do need to move on to our long list of speakers, but we will accept your testimony and writing. If you'd like to send the complete version to us. Our next speaker is Susan Sarkar followed by Lynn Ellsworth number 19 to john Sarkar we're ready for you.

721
02:08:15.780 --> 02:08:19.110
Olga Abinader, Director, DCP EARD: To John's, your Sarkar if you're here, please unmute yourself.

722
02:08:23.250 --> 02:08:27.630
X 19. Stephen Smith: Hi, my name is Stephen Smith and I

723
02:08:29.340 --> 02:08:41.850
X 19. Stephen Smith: My comment is essentially that you know I'm happy that the city is rezoning is, you know, considering rezoning the sites for residential use. However, I have two issues. The first one is

724
02:08:42.990 --> 02:08:45.510
X 19. Stephen Smith: You know, I feel a little weird coming here and

725
02:08:46.830 --> 02:08:50.160
X 19. Stephen Smith: You know, speaking out against higher density. Hello.

726
02:08:51.300 --> 02:08:51.900
Olga Abinader, Director, DCP EARD: Yes.

727
02:08:52.350 --> 02:08:58.680
X 19. Stephen Smith: Sorry. Okay, I'm speaking. All right, I feel, you know, a little weird coming out speaking out against the commercial density, but

728
02:08:59.070 --> 02:09:12.660
X 19. Stephen Smith: The fact is, myth is a sort of serious impairment to the value of a residential development site and if you apply my age to, you know, one FDR point of residential

729
02:09:13.470 --> 02:09:19.830
X 19. Stephen Smith: Land, it's going to be worth less than the commercial them. So if in the highest density district you allow

730
02:09:20.580 --> 02:09:27.540
X 19. Stephen Smith: You know, a roughly equal amount of residential and commercial FDR, the developers are going to choose the commercial FA or you're going to get a bunch of office buildings.

731
02:09:27.930 --> 02:09:37.170
X 19. Stephen Smith: And you know New York City is under supplied an office space and it has these, you know, horrible knock on effects, especially for the industrial market in the outer boroughs, as developers, convert those office buildings.

732
02:09:37.680 --> 02:09:45.570
X 19. Stephen Smith: But you know if the goal is to build housing. It's not going to happen if you allow similar residential and commercial densities.

733
02:09:46.050 --> 02:09:53.010
X 19. Stephen Smith: And in fact, if you, you know, even cut the commercial densities to five and the residential densities to 10 developers are

734
02:09:53.460 --> 02:09:57.450
X 19. Stephen Smith: There's a very good chance that they're going to build half the building is commercial. I know that traditionally

735
02:09:57.840 --> 02:10:03.510
X 19. Stephen Smith: You know office developers like larger floor plates, but the truth is a lot of these high paying boutique tenants.

736
02:10:04.080 --> 02:10:11.940
X 19. Stephen Smith: Don't you know don't take huge spaces, you know, they're like these small boutique finance shops and they will take a small floor plate if you allow it.

737
02:10:12.720 --> 02:10:21.330
X 19. Stephen Smith: So, you know, basically you need to understand that the economics of, you know, developed a myth development are not strong.

738
02:10:22.020 --> 02:10:29.790

X 19. Stephen Smith: Even in a place like SOHO with rent so high on given where construction costs are. And, you know, given the rents that you have to charge for the affordable units.

739
02:10:30.030 --> 02:10:40.050
X 19. Stephen Smith: So you really need to make it worth developers while to both residential and understand. You can't absorb beyond that they are 12 given state law. So unfortunately, you really need to downs with the commercial space now.

740
02:10:40.500 --> 02:10:50.430
X 19. Stephen Smith: You know, the city does need more commercial space because like I said, you know, creates displacement of commercial especially industrial users in the outer boroughs, or if there's not enough in Manhattan. But there's other neighborhoods for it.

741
02:10:51.120 --> 02:10:58.980
X 19. Stephen Smith: You know the meatpacking district was kind of a joke of a of a historic district. So that's a good place for it. And then my other comment is that

742
02:10:59.490 --> 02:11:10.860
X 19. Stephen Smith: I think it's a real shame that you're not maxing out the residential density in no hope. For example, I think that parking lot. For example, in great Jones should be, you know, our 10 equivalent

743
02:11:12.960 --> 02:11:21.780
X 19. Stephen Smith: Because, you know, there's not a lot of room for development. And so, how so you really need to like make use of every, every site that you can, you know, that doesn't have a historic building on it.

744
02:11:22.770 --> 02:11:28.380
X 19. Stephen Smith: So anyway, but the most important thing is really you just need to be mindful of the economics of myth, you know, there's a lot of

745
02:11:28.590 --> 02:11:39.390
X 19. Stephen Smith: rhetoric about how this is a giveaway to developers, but the fact is it's not true. It's, you know, this land is not really worth that much once you apply these mandatory mandatory exclusionary housing overlay to it. Thank you.

746
02:11:40.350 --> 02:11:49.890

Olga Abinader, Director, DCP EARD: Thank you for your comments and testimony and my apologies for that makes up in your name. We are now moving ahead with speakers number 20 and 21

747
02:11:50.940 --> 02:11:56.310
Olga Abinader, Director, DCP EARD: Speaker number 20 is lead Ellsworth speaker number 21 is Marcus.

748
02:11:57.360 --> 02:11:59.460
Olga Abinader, Director, DCP EARD: Leonard elsewhere. We are ready for your testimony.

749
02:12:00.390 --> 02:12:02.670
X 20. Lynn Ellsworth: Great. Did I unmute properly. Can you hear me.

750
02:12:02.880 --> 02:12:04.380
Olga Abinader, Director, DCP EARD: He did. Yes, we can. Great.

751
02:12:04.860 --> 02:12:16.650
X 20. Lynn Ellsworth: I'm Lynn Ellsworth on Chair of the Tribeca trust and co founder of human scale NYC Tribeca trust and human skin YC both object to the entire content of the zoning proposal on hand.

752
02:12:17.130 --> 02:12:28.170
X 20. Lynn Ellsworth: Based as it is and deeply flawed social science about housing prices for which there is absolutely no consensus among economists, no matter what the Edward Glaser fans will say,

753
02:12:28.920 --> 02:12:37.140
X 20. Lynn Ellsworth: It's tragic that this is being done to benefit Edison properties and Trinity and serve as a wedge and Vicky beans well known war against historic districts

754
02:12:37.650 --> 02:12:46.680
X 20. Lynn Ellsworth: The claims for public benefit or laughable and the harms that will be done or great indeed worse the full harms are unaccounted for. And the he is method.

755
02:12:47.310 --> 02:12:52.560
X 20. Lynn Ellsworth: Therefore, we support the community alternative and call for a pause until after the city is vaccinated

756
02:12:53.220 --> 02:13:03.240

X 20. Lynn Ellsworth: We also object to the process by which this proposal is being railroaded through with the manipulated public consultative process that undermines the legitimacy of municipal government

757
02:13:03.690 --> 02:13:15.240
X 20. Lynn Ellsworth: Very deep reform is needed, we object to zoom being used as a substitute for real public hearings and we believe that the public's rights and the user process or being steamrollered by the use of zoom

758
02:13:15.990 --> 02:13:25.440
X 20. Lynn Ellsworth: We are dismayed by the city planning an open NYC is offensive and illogical race and class baiting that has been used to justify this proposal.

759
02:13:25.800 --> 02:13:30.900
X 20. Lynn Ellsworth: All that racing class analysis is also based on shamefully flood social science.

760
02:13:31.530 --> 02:13:40.230
X 20. Lynn Ellsworth: The is methodology and scope is not credible, it does not account for cumulative effects of all developments taking place within a mile radius of the three housing sites.

761
02:13:40.530 --> 02:13:49.980
X 20. Lynn Ellsworth: And their cumulative impacts on wastewater sewage historic districts traffic congestion subway use sidewalk space and on libraries, parks and public schools.

762
02:13:50.280 --> 02:14:06.600
X 20. Lynn Ellsworth: The flaws are so great that any person looking into it would logically conclude that the flaws are there, so as to assure that the proposal is being shoved through the system TCP has made a massive mess here. We hope that the electoral process can fix it. Thank you.

763
02:14:07.650 --> 02:14:27.120
Olga Abinader, Director, DCP EARD: Thank you for your testimony will move on to her next handful of speakers speaker number 21 is Mark diagnosis speaker number 22 William Thomas speaker number 23 Casey berkovitz and speaker and over 24 on her de la marque die guest speaker number 21 we're ready for your testimony.

764
02:14:28.440 --> 02:14:29.910
X 21. Mark Dicus: I. Good afternoon. Can you hear me.

765
02:14:30.540 --> 02:14:31.020
Yes.

766
02:14:32.400 --> 02:14:36.630
X 21. Mark Dicus: All right. My name is Mark. I guess I'm the executive director or the South Broadway initiative.

767
02:14:37.080 --> 02:14:51.390
X 21. Mark Dicus: The not for profit that manages the neighborhood focused Business Improvement District on Broadway from house and check it out. I was also a member of the envision SOHO Novo advisory group. And I'm pleased to be speaking with you this afternoon.

768
02:14:52.530 --> 02:15:02.760
X 21. Mark Dicus: The seller probably initiative supports pursuing the seven oh plans important policy goals of creating more affordable housing and legalizing residential as well as retail uses

769
02:15:03.600 --> 02:15:18.180
X 21. Mark Dicus: updating these outdated rules will support a more equitable recovery from the covert 19 pandemic by creating more affordable housing much needed affordable housing and creating more certainty for those who want to legally live in and operate a business and so

770
02:15:20.040 --> 02:15:21.660
X 21. Mark Dicus: The increases.

771
02:15:23.640 --> 02:15:30.540
X 21. Mark Dicus: The increases in the floor area ratio and the draft scope of work is concerned, too many people in these neighborhoods.

772
02:15:31.080 --> 02:15:38.400
X 21. Mark Dicus: We encourage the city to achieve these important policy goals and ways that do not change the historic character or these important historic neighborhoods.

773
02:15:39.000 --> 02:15:42.360
X 21. Mark Dicus: We are the Department of city planning to explore alternative approaches.

774
02:15:42.660 --> 02:15:50.550

X 21. Mark Dicus: Including ones that rely on lower Florida area ratios within the historic districts converting office space to residential

775
02:15:50.790 --> 02:15:58.350
X 21. Mark Dicus: Or other approaches to achieve the important goals of bringing more affordable housing into these neighborhoods, while also maintaining the one of a kind, historic look

776
02:15:58.860 --> 02:16:07.680
X 21. Mark Dicus: And feel of these neighborhoods and completing the environmental impact study for the proposed rezoning it's important to consider that. So how was a neighborhood where people live.

777
02:16:08.250 --> 02:16:18.480
X 21. Mark Dicus: Right next door to read to retail and office businesses, day to day operations like garbage collection and deliveries can be challenging to fit into a mixed use community like so.

778
02:16:18.990 --> 02:16:23.610
X 21. Mark Dicus: As these operations freak ruling US public sidewalk space and can be noisy.

779
02:16:24.390 --> 02:16:38.100
X 21. Mark Dicus: City Planning to study ways to change the zoning and other public policies to give back this space to the public will helping to provide a quiet night to residents. Thank you for the opportunity to speak with you today. And good luck.

780
02:16:39.060 --> 02:16:49.650
Olga Abinader, Director, DCP EARD: Thank you. Our next speaker is number 22 William Thomas followed by number 23 Casey berkovitz William Thomas, please unmute yourself.

781
02:16:51.330 --> 02:16:52.260
X 22. William Thomas: Hello. Can you hear me.

782
02:16:52.800 --> 02:17:02.730
X 22. William Thomas: Yes. Okay. Beautiful. I. Hi, everyone. My name is William Thomas. I live in the East Village and I'm here as a member of open York

783
02:17:03.300 --> 02:17:06.780
X 22. William Thomas: An independent all volunteer pro HOUSING ORGANIZATION.

784
02:17:07.440 --> 02:17:14.910
X 22. William Thomas: I wanted to quickly. Thank you. CP for the work so far. There's a lot of goodness and I was especially heartened to see the emphasis placed on a

785
02:17:15.240 --> 02:17:27.420
X 22. William Thomas: mixed income housing which so Whoa, whoa, whoa. Certainly more up being among the most expensive and segregated neighborhoods in the city. And that's what I wanted to focus my testimony on a few issues we had with the plan.

786
02:17:28.560 --> 02:17:44.910
X 22. William Thomas: First, the commercial allowances appear far too high, across the board, they risked out crowding out new housing so the city should drop those commercial allowances, especially in the housing opportunity areas to ensure that residential construction will always be the better choice.

787
02:17:46.020 --> 02:17:58.110
X 22. William Thomas: Secondly, as much of the rezoning area is landmarked we should approach the rezoning with an eye to maximize opportunity on the relatively few non contributing sites that exists with relevant context.

788
02:17:58.920 --> 02:18:06.480
X 22. William Thomas: There are many buildings, either in or across the street from the repurposed at our nine x districts that are very densely built

789
02:18:06.960 --> 02:18:14.520
X 22. William Thomas: So those areas should be mapped as our 10 instead, which are boost the residential density from FDR 9.7 to 12

790
02:18:15.210 --> 02:18:21.840
X 22. William Thomas: Similarly, the our seven x district should instead the map with the least are eight x possibly hiring some pockets.

791
02:18:22.440 --> 02:18:29.130
X 22. William Thomas: Thirdly, the city proposes that the commercial floor area must be replaced one to one. In the case of developments or conversions.

792
02:18:29.580 --> 02:18:34.740
X 22. William Thomas: This would severely limit potential residential conversions and should be wrapped scrapped entirely

793
02:18:35.520 --> 02:18:41.850
X 22. William Thomas: Up forth. There are many development sites that are not included in the CDS projections or not as dense as they could be.

794
02:18:42.600 --> 02:18:56.010
X 22. William Thomas: 55 Bleecker Street or 477 479 West Broadway or directly adjacent to buildings larger than the proposal is on it and then propose that they are should be increased, even if the maps look a little messier for it.

795
02:18:57.060 --> 02:19:07.230
X 22. William Thomas: To Howard Street is a parking garage owned by the federal government should be included in the rezoning as well as one 142 Grand Street, which is owned by the city.

796
02:19:08.010 --> 02:19:16.200
X 22. William Thomas: These may seem like relatively minor tweaks, but they could make the difference between a rezoning that ultimately results in a few hundred homes versus a few thousand

797
02:19:16.620 --> 02:19:23.280
X 22. William Thomas: And for all the families that could potentially live here, and especially in the affordable units that can make all the difference in the world.

798
02:19:23.880 --> 02:19:27.360
X 22. William Thomas: And so I really hope you consider making those changes.

799
02:19:27.750 --> 02:19:45.570
X 22. William Thomas: And while it doesn't relate to the scope, per se. We hope that you will plan on including the deepest affordability for those units as well as open the Community preference beyond CB to itself so that you can really maximize the opportunity that this road rezoning could provide

800
02:19:46.620 --> 02:19:47.100
X 22. William Thomas: Thank you.

801
02:19:48.540 --> 02:19:49.020
X 22. William Thomas: Good.

802
02:19:50.190 --> 02:20:05.070

Olga Abinader, Director, DCP EARD: Thank you for your testimony will now move on to our next speaker speaker number 23 is Casey Berkowitz followed by 24 conquer the law and number 25 Andrew Berman Casey Berkowitz please unmute yourself.

803
02:20:05.430 --> 02:20:06.120
X 23. Casey Berkovitz: Why can you hear me.

804
02:20:06.690 --> 02:20:12.390
X 23. Casey Berkovitz: Yes. Great. First of all, I want to thank you for this meeting. I do appreciate that you

805
02:20:12.900 --> 02:20:19.260
X 23. Casey Berkovitz: Have largely without a hitch held an online meeting. Well, I wish that it was at a time. That was more accessible for working New Yorkers.

806
02:20:19.440 --> 02:20:25.890
X 23. Casey Berkovitz: I do think that the online format is working well and it certainly allows me and many others to attend. When we wouldn't be able to attend in person.

807
02:20:26.850 --> 02:20:32.850
X 23. Casey Berkovitz: As to the draft scope of work I do want to echo previous comments that the commercial FLIR

808
02:20:33.240 --> 02:20:43.710
X 23. Casey Berkovitz: I believe should be lowered. I think that the the economic analysis that a previous speaker laid out is generally matches the real estate market and probably will even in a down market for office space.

809
02:20:44.250 --> 02:20:50.340
X 23. Casey Berkovitz: And realistically, the, the many benefits that I believe would come from resulting of so Whoa whoa whoa for increased housing.

810
02:20:50.820 --> 02:20:59.310
X 23. Casey Berkovitz: For integration and for the environment depend on housing and not office use as as much as New York does a

811
02:20:59.880 --> 02:21:09.060
X 23. Casey Berkovitz: Could I think use use more diverse array of office space. The real benefit here is the integration and the sustainability benefits for housing and SOHO know

812
02:21:09.450 --> 02:21:14.580
X 23. Casey Berkovitz: Which, as I'm sure you know are extremely white and wealthy and are also well extremely well served by transit.

813
02:21:15.120 --> 02:21:26.700
X 23. Casey Berkovitz: So to that. To that end, I believe that the residential FLIR should be higher. So that selling it and developing it as residential would pencil in a way that commercially just wouldn't

814
02:21:28.110 --> 02:21:29.430
X 23. Casey Berkovitz: I also want to echo

815
02:21:30.570 --> 02:21:35.580
X 23. Casey Berkovitz: A previous speakers comments on city and federal government own lots that are currently

816
02:21:36.300 --> 02:21:43.860
X 23. Casey Berkovitz: Largely non-contributing uses that appear to have been excluded from the study area, as many speakers have said, I believe that

817
02:21:44.340 --> 02:21:53.850
X 23. Casey Berkovitz: There is actually a lot of a lot of potential for government developed affordable housing and I think that in addition to, including those non-contributing lots in the

818
02:21:54.510 --> 02:22:04.290
X 23. Casey Berkovitz: In the study area, the TCP and other city and federal and state agencies should put out RFP is to develop them for mixed income or even entirely affordable housing.

819
02:22:04.980 --> 02:22:10.380
X 23. Casey Berkovitz: And lastly I'd like to urge you to better coordinate with the Department of Education and the community, the

820
02:22:11.070 --> 02:22:15.840
X 23. Casey Berkovitz: District to have the Community Education Council district two and the superintendent there to

821
02:22:16.380 --> 02:22:28.140
X 23. Casey Berkovitz: do everything you can to further not only housing but school integration. Some of the best performing schools in the city are in the southern half of Manhattan, if not SOHO proper

822
02:22:28.830 --> 02:22:33.870
X 23. Casey Berkovitz: And because some of those schools use residency based admissions requirements.

823
02:22:34.470 --> 02:22:40.470
X 23. Casey Berkovitz: New affordable housing in particular and new housing in general. And so, whoa, whoa, whoa, could open a lot of opportunity to New York families.

824
02:22:40.770 --> 02:22:49.440
X 23. Casey Berkovitz: Who are otherwise in neighborhood schools that are that do not perform as well on many of the standard metrics as schools in this area. And so I'd urge you to both

825
02:22:50.220 --> 02:23:02.340
X 23. Casey Berkovitz: Map. The housing opportunities zones in this scope with school admission zones from the Department of Education, but also just more generally, I'd encourage the Department of city planning to coordinate with the Department of Education. Thanks very much.

826
02:23:03.390 --> 02:23:25.230
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Well now call on excuse me, I'll call the name of our next four speakers number 24 on curved all number 25 and drew Berman number 26 both RICO Bono and number 27 Eli S. Our next speaker is anchor della please unmute yourself.

827
02:23:26.400 --> 02:23:27.720
X 24. Ankur Dalal: I can you hear me.

828
02:23:28.260 --> 02:23:36.960
X 24. Ankur Dalal: Yes, thank you. I strongly support the city's plan to up zone. So, whoa, and no Whoa, and allow for new market rate and affordable housing.

829
02:23:37.230 --> 02:23:42.270
X 24. Ankur Dalal: These neighborhoods are transit rich and located close to North America to largest job centers.

830
02:23:42.660 --> 02:23:54.270
X 24. Ankur Dalal: Failure to allow new development in line with demand in these neighborhoods has resulted in prices that are unaffordable to all but the wealthy or those lucky enough to either buy their homes or obtain rent controlled leases decades ago.

831
02:23:54.990 --> 02:24:00.360
X 24. Ankur Dalal: I'm particularly disappointed by some of the elected officials who spoke earlier today.

832
02:24:00.900 --> 02:24:11.160
X 24. Ankur Dalal: Who had the gall to complain about a lack of new housing to complain about a proposal for new housing in this neighborhood. Well, having presided over decades of gentrification and doing nothing to address it.

833
02:24:11.490 --> 02:24:20.550
X 24. Ankur Dalal: It's unsurprising if disappointing that many members of the community who had who already get to live here and we're current residents have spoken out against this plan.

834
02:24:21.600 --> 02:24:24.480
X 24. Ankur Dalal: And don't want to change the status quo, from which they benefit.

835
02:24:25.410 --> 02:24:33.120
X 24. Ankur Dalal: I believe that this rezoning will provide new homes for those who want to join this wonderful community and I appreciate the chance to get to speak in favor of it.

836
02:24:33.810 --> 02:24:40.260
X 24. Ankur Dalal: I think the plan is a wonderful way forward that will allow thousands of homes for potentially 10s of thousands of New Yorkers.

837
02:24:40.440 --> 02:24:52.020
X 24. Ankur Dalal: But to maximize the number of homes. I have to echo some of the comments that were previously made first. I do think given the economics of the mandatory inclusion Neri housing policy that the commercial densities should be lower.

838
02:24:52.470 --> 02:25:02.790
X 24. Ankur Dalal: If they can be across the board of far have to, I think you could then get a result where you'd have as much affordable housing and housing as possible.

839
02:25:03.360 --> 02:25:06.930
X 24. Ankur Dalal: But if you think that that commercial commercial far have to was too low.

840
02:25:07.350 --> 02:25:12.540

X 24. Ankur Dalal: At least leave it at five, rather than increasing it to 10 in the places where you have proposed to increase it.

841
02:25:12.810 --> 02:25:18.690
X 24. Ankur Dalal: I also think that the residential densities are too low and I echo some of the comments that were made earlier about the

842
02:25:18.900 --> 02:25:26.820
X 24. Ankur Dalal: Residential densities being too low. In particular, I think that the Broadway house in core door no home north the canal cord or that all looks to be about

843
02:25:27.450 --> 02:25:38.910
X 24. Ankur Dalal: Our nine x should instead be mapped with an AR 10 and the are seven x districts within the historic district should be our eight x or higher if possible.

844
02:25:40.440 --> 02:25:54.780
X 24. Ankur Dalal: Thank you again for the opportunity to speak. I think this is a wonderful plan and with a few few small tweaks could result in thousands of homes for 10s of thousands of people and in a real change in the quality of life for a lot of New Yorkers. So I really appreciate it. Thank you.

845
02:25:55.530 --> 02:26:04.890
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker is Andrew Berman, followed by Bo RICO Bono and Eli is number 25 and requirements, please unmute yourself.

846
02:26:06.630 --> 02:26:07.230
X 25. Andrew Berman: Can you hear me.

847
02:26:07.800 --> 02:26:08.190
Yes.

848
02:26:09.570 --> 02:26:15.540
X 25. Andrew Berman: I'm Andrew Berman executive director of village preservation and I strongly oppose the mayor's up zoning plan.

849
02:26:15.990 --> 02:26:20.670
X 25. Andrew Berman: And support the community alternative plan submitted by more than a dozen local community groups.

850
02:26:21.330 --> 02:26:34.560

X 25. Andrew Berman: I don't think that any public review and approval process to take place for any rezoning until in person meetings can begin again and a full analysis of the plans impacts can be done, which is clearly not happening in this rushed timeframe.

851
02:26:35.280 --> 02:26:42.600
X 25. Andrew Berman: The analysis done by the city so far as deeply flawed. It leaves out many sites which are likely to be developed under the proposed rezoning

852
02:26:42.810 --> 02:26:54.450
X 25. Andrew Berman: With huge oversized buildings and it fails to account for the many current rent stabilized and loft lots and it's as well as small businesses which are likely to be pushed out by the proposed changes.

853
02:26:55.230 --> 02:27:05.310
X 25. Andrew Berman: Requiring affordable housing in new residential development. One of the purported purposes of the city's proposed rezoning can be done without the proposed up zoning.

854
02:27:05.760 --> 02:27:17.670
X 25. Andrew Berman: It can be applied to new residential development at the same size and scale currently allowed for other kinds of development in Soho and Novo five FA are as the community plan calls for

855
02:27:18.480 --> 02:27:30.990
X 25. Andrew Berman: Retail rules can be changed to accommodate reasonably sized businesses, as in the community plan, but the proposed allowance in the city plan for over 10,000 square feet for retail is outrageous.

856
02:27:31.320 --> 02:27:38.760
X 25. Andrew Berman: A limit of 10,000 square feet for retail and 5000 square feet for eating and drinking establishment is more than sufficient

857
02:27:39.960 --> 02:27:47.010
X 25. Andrew Berman: It should be noted that the city's plan doesn't guarantee even a single unit of affordable housing being built in Soho and Novo

858
02:27:47.430 --> 02:27:55.440
X 25. Andrew Berman: It's an entirely market driven plan. So nothing gets built until or unless a for profit developer feels it fits their bottom line.

859
02:27:55.980 --> 02:28:02.400
X 25. Andrew Berman: The plan also allows off site substitutes and more disturbingly also offers massive of zoning.

860
02:28:02.760 --> 02:28:17.340
X 25. Andrew Berman: For commercial uses in the quote housing opportunities zones, unquote, as well, meaning it's entirely possible that any and all developed insights in these areas could be filled with office buildings or hotels, which would provide no affordable housing.

861
02:28:18.570 --> 02:28:27.810
X 25. Andrew Berman: The city's plan also discourages conversions of commercial buildings to residential uses through the commercial floor area retention provisions, this should be dropped

862
02:28:29.250 --> 02:28:36.330
X 25. Andrew Berman: It must be noted that in typical times the streets of SOHO and know who are choked with residents visitors workers and shoppers.

863
02:28:36.630 --> 02:28:49.290
X 25. Andrew Berman: The city plan proposes adding thousands more to the mix with allowances for huge big box store chain stores and an appt zoning, which would create vastly out of scale structures and encouraged demolition of

864
02:28:49.590 --> 02:28:58.020
X 25. Andrew Berman: Existing historic ones, the community alternative plan provides affordable housing and reasonable accommodations for as of right retail

865
02:28:58.440 --> 02:29:11.370
X 25. Andrew Berman: The city's plan is merely a bonanza for real estate developers who've donated generously to the mayor's campaign and lobbied for these changes, changes which will destroy the historic character of two iconic

866
02:29:11.430 --> 02:29:15.450
Studies Support 1: New York and that's time. Sorry. Five minutes was added inadvertently

867
02:29:16.800 --> 02:29:27.570
Olga Abinader, Director, DCP EARD: Thank you, Mr Berman, we will accept your testimony and writing and full. Our next speaker is number 26 Bo rica Bono, followed by number 27 a lightness.

868
02:29:29.940 --> 02:29:35.310
X 26. Bo Riccobono: Yes, hi, Barbara ca Bono longtime resident of Soho. I also working so

869
02:29:35.370 --> 02:29:38.670
Olga Abinader, Director, DCP EARD: Hard for one moment. We need to reset our clock to three minutes.

870
02:29:40.050 --> 02:29:40.710
X 26. Bo Riccobono: Give me five.

871
02:29:42.240 --> 02:29:50.610
Olga Abinader, Director, DCP EARD: I would love to unless you are needing an interpreter, we can't give you five minutes, just give us one moment, this will be reestablished her clock. Okay.

872
02:29:53.430 --> 02:29:55.770
Olga Abinader, Director, DCP EARD: There we go. All right. Please be gathered

873
02:29:56.310 --> 02:30:02.640
X 26. Bo Riccobono: Yeah, I don't want to belabor many, many good points that have already been made, but I just want to concentrate on a couple of things.

874
02:30:02.910 --> 02:30:16.770
X 26. Bo Riccobono: One, I want to be very clear I although I'm participating in this process. I want to be very clear that I think this process should not go on. It is probably illegal. It may be challenged in court and therefore I do want to

875
02:30:17.370 --> 02:30:27.570
X 26. Bo Riccobono: Be clear that we're preserving a claim that this process is not legal. I understand that, due to the covert 19 crisis.

876
02:30:28.740 --> 02:30:44.340
X 26. Bo Riccobono: There were certain actions taken to make legal of these kinds of online meetings and I can understand and they have been very helpful and I can understand the need for ministerial decisions that must go on. This is a completely

877
02:30:45.600 --> 02:30:55.800

X 26. Bo Riccobono: The zoning is something that can happen really anytime it hasn't happened as many people pointed out hasn't happened for 50 years I think it

878
02:30:56.190 --> 02:31:07.890
X 26. Bo Riccobono: postponing it for a few months would not be the worst thing. It's a discretionary process, I do not believe it comes within the purview of the changes to the public meetings laws.

879
02:31:08.190 --> 02:31:18.240
X 26. Bo Riccobono: That took place. I want to be clear on that. I think this process is illegal, as it is going on right now. Other issues that haven't. I don't think

880
02:31:19.230 --> 02:31:28.230
X 26. Bo Riccobono: Adequately been addressed are an over reliance on the city's landmark Preservation Commission to uphold the character of the neighborhood.

881
02:31:28.560 --> 02:31:41.100
X 26. Bo Riccobono: There are myriad examples of of horrible decisions that the LPC made let's remember that the LPC is a political unit. So we can't necessarily

882
02:31:41.490 --> 02:31:51.720
X 26. Bo Riccobono: Depend on their good graces and they're good judgment and we just an example, the PO room. The Provincetown Playhouse. There was a church over on

883
02:31:52.920 --> 02:32:02.880
X 26. Bo Riccobono: I think it's these 12th Street, where there was a huge building built by NYU in front of which is preserved facade of an old church. I mean, it just, it's absolutely

884
02:32:03.990 --> 02:32:14.760
X 26. Bo Riccobono: Absurd that this was allowed. And believe me, this can happen. So there is an over reliance on the LPC to protect this this this wonderful community of SOHO knowhow

885
02:32:15.300 --> 02:32:25.290
X 26. Bo Riccobono: And again to everybody's benefit you know the. Let's be careful not to kill the goose that laid the golden egg Soho, and no developed

886
02:32:25.770 --> 02:32:35.730

X 26. Bo Riccobono: In the way that they did because of what they are. And now I see city planning trying to kill it to satisfy the political purposes of a basically a failed.

887
02:32:36.180 --> 02:32:53.550
X 26. Bo Riccobono: Mayoral administration and in the last throes less death throes of this administration. I think it's horrible. I respect you. People who work there. I know you have jobs to do. I'm sorry that you have been asked to do this. And I think that this process should pause. Thank you.

888
02:32:53.820 --> 02:33:03.750
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker number 27 is Eli us followed by number 28 Timothy Burke. He like us, please unmute yourself.

889
02:33:14.520 --> 02:33:17.430
Olga Abinader, Director, DCP EARD: You like so if you're able to hear us, please unmute yourself.

890
02:33:18.150 --> 02:33:20.490
Stephanie Shellooe, Deputy Director, DCP EARD: It appears that you have watched the meeting.

891
02:33:21.300 --> 02:33:25.680
Olga Abinader, Director, DCP EARD: Thank you so much. We'll move on to our next speaker number 28 Timothy Burke.

892
02:33:31.800 --> 02:33:32.430
X 28. Timothy Burke: Can you hear me.

893
02:33:32.850 --> 02:33:34.500
Olga Abinader, Director, DCP EARD: Yes. Great.

894
02:33:35.190 --> 02:33:43.440
X 28. Timothy Burke: I've heard arguments that this proposal will gentrified Soho, and we're in the neighborhood displacement is not caused by too many homes. It's caused by too few

895
02:33:44.160 --> 02:33:49.080
X 28. Timothy Burke: The only displacement will be a racist who want to live in segregated white only neighborhoods.

896
02:33:49.590 --> 02:33:55.260

X 28. Timothy Burke: This historic preservation is being used as a tool to increase property values of current landowners.

897
02:33:55.920 --> 02:34:03.420
X 28. Timothy Burke: Andrew Berman mediocre mediocre Lee right so in his article land marketing helps not hurts property values.

898
02:34:04.050 --> 02:34:09.420
X 28. Timothy Burke: There's some interesting delay tactics that are nothing more than talking trying to talk this proposal to death.

899
02:34:10.050 --> 02:34:14.640
X 28. Timothy Burke: Environmentally building housing your transit is the best thing we can do to help fight climate change.

900
02:34:15.360 --> 02:34:31.860
X 28. Timothy Burke: We need this rezoning for more affordable and just New York City. I urge the BCP to increase residential density and their scope to problem or more housing. Also want to thank the BCP for maintaining such a professional composure while listening to such crazy testimony.

901
02:34:34.440 --> 02:34:42.120
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. Our next speaker is number 29 can A followed by Speaker number 30 Ronnie will

902
02:34:48.990 --> 02:34:53.280
Olga Abinader, Director, DCP EARD: Speaker number 29 can a if you're so with us, please unmute yourself.

903
02:35:01.440 --> 02:35:02.130
Olga Abinader, Director, DCP EARD: Okay.

904
02:35:03.480 --> 02:35:12.390
Olga Abinader, Director, DCP EARD: Alright, sounds like we're experiencing technical difficulties with Ken a we'll move on to our next speaker number 30 Ronnie wolf number 30 Ronnie.

905
02:35:17.280 --> 02:35:20.670
Olga Abinader, Director, DCP EARD: Ronnie wolf. Are you able to hear us. If you are, please. Hi yourself.

906
02:35:21.360 --> 02:35:21.660

Olga Abinader, Director, DCP EARD: Hello.

907
02:35:21.690 --> 02:35:22.470
X 30. Ronnie Wolf: Hi, can you hear me.

908
02:35:23.010 --> 02:35:23.730
Olga Abinader, Director, DCP EARD: Yes, we can.

909
02:35:24.510 --> 02:35:36.480
X 30. Ronnie Wolf: So I'm not going to be offering testimony, but I have two questions for TCP, but first I'd like to go on record that this process should be paused and the plan rejected.

910
02:35:36.960 --> 02:35:46.740
X 30. Ronnie Wolf: I moved here in 1979 I'm a professional certified artists and own my apartment and a commercial space on Broadway. My first question is,

911
02:35:47.100 --> 02:36:01.680
X 30. Ronnie Wolf: Why has the CP proposed to designate Broadway a business corridor and by doing so, what advantage does the city does it deliver to the city. So that's my first question.

912
02:36:02.400 --> 02:36:24.270
X 30. Ronnie Wolf: My second question is, why isn't indoor parking mandated to be included within any development sites. After all, once those sites are developed the neighborhoods will lose thousands of parking spaces. Can we expect that TCP will review and correct this erroneous admission.

913
02:36:25.440 --> 02:36:25.920
X 30. Ronnie Wolf: Thank you.

914
02:36:26.940 --> 02:36:36.420
Olga Abinader, Director, DCP EARD: Thank you, Ronnie wolf. Well, we are unable to answer your questions at this very moment, we will consider them and provide a formal response in our final scope of work.

915
02:36:36.900 --> 02:36:52.860
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. All right at this moment, I am going to pause so we can provide an opportunity for anyone who's dialed in to please indicate that they'd like to provide testimony by dialing star nine

916

02:36:55.770 --> 02:37:04.770
Olga Abinader, Director, DCP EARD: Let's see if we have anyone else who has dialed in, and would like to speak, please dial star nine to indicate that you wouldn't like to speak.

917
02:37:09.300 --> 02:37:15.450
Olga Abinader, Director, DCP EARD: Let's give people a moment to indicate that they would like to speak and see if my colleagues have identified anyone

918
02:37:16.920 --> 02:37:30.120
Olga Abinader, Director, DCP EARD: All right. We do have one dialer who would like to provide testimony their phone number ends in 064064 please dial star six to unmute yourself.

919
02:37:43.950 --> 02:37:44.430
X 1713****064: Yes.

920
02:37:47.760 --> 02:37:53.880
X 1713****064: I would like to speak I my phone number is 86464 ok

921
02:37:56.280 --> 02:37:57.930
Olga Abinader, Director, DCP EARD: You are on and we can hear you just fine.

922
02:37:59.130 --> 02:38:06.690
X 1713****064: Okay perfect, so I'm Stephen Slade and like virtually everybody else I'm against this plan for Soho.

923
02:38:07.140 --> 02:38:17.790
X 1713****064: I own my home here everybody in my building is up in arms about this plan that this is a bad idea. I'm also against increasing pollution sewage.

924
02:38:18.390 --> 02:38:28.740
X 1713****064: Increasing the poor air quality and crowds mostly for luxury apartments to be built. So, whoa is artists museums restaurants churches and retail

925
02:38:29.130 --> 02:38:48.750
X 1713****064: And yet they say needs more commercial development to make it more interesting, they say they want to add density. Your plan is supposed to increase flexibility, if this actually reminds me of the project where they wanted to build a freeway straight through. So cope

926
02:38:49.800 --> 02:39:02.100
X 1713****064: Luckily they realize that was a bad idea. This is going to cost us quality of life heritage and dollars it's touted as creating a new central business district.

927
02:39:02.610 --> 02:39:08.760
X 1713****064: Tourist start coming to see a new central business district tourism brings in 100 billion a year.

928
02:39:09.390 --> 02:39:18.270
X 1713****064: To put that in perspective, our entire city budget is a 4 billion terrorism's already taken a huge hit this year. Why destroyed completely

929
02:39:18.780 --> 02:39:29.700
X 1713****064: And finally, isn't a historical district a trust going forward for future generations to preserve something of value.

930
02:39:30.270 --> 02:39:39.030
X 1713****064: So that our children and grandchildren can experience a bit of life, their parents and great grandparents did. Why would we violate that

931
02:39:39.690 --> 02:39:59.400
X 1713****064: Boston, New Orleans, Paris, London, they wouldn't destroy their history. Why would we, I feel we should keep our promises to future generations, especially if the alternative is to destroy historical neighborhood, simply for more luxury distance. So, too.

932
02:40:00.780 --> 02:40:14.580
X 1713****064: It's a, it's okay to have a bad idea. And this is a bad idea, but it's not okay to not realize that you, the idea is bad and then to give it up when most everyone else.

933
02:40:15.300 --> 02:40:25.260
X 1713****064: As evidenced by the response of this call realizes it's a bad idea. And it's thank you very much for the time to speak. I appreciate it.

934
02:40:26.310 --> 02:40:27.540
X 1713****064: Thank you for your time.

935
02:40:27.780 --> 02:40:42.450

Olga Abinader, Director, DCP EARD: And for your testimony. Our next speaker, who has dialed in their phone number ends with 554 once again phone number 554 please dial star six to unmute yourself.

936
02:40:42.510 --> 02:40:44.190
So we can begin your testimony.

937
02:40:45.810 --> 02:40:53.700
X 1415****554: Hello this is Benjamin. Gosh, I'm hanging in there. I was cooking. Find the unmute on the zoom call so

938
02:40:58.440 --> 02:41:10.500
X 1415****554: I've been listening to all the testimonies and I mostly agree with those that are totally opposed to this massive of zoning and also questioning the

939
02:41:10.980 --> 02:41:26.850
X 1415****554: Reasonableness of achieving the myth goals. I live in on grey Jones on in Novo and we're actually, my wife and I were being pushed out by the current gentrification. What's not even think about what happens in the future with this up something

940
02:41:27.900 --> 02:41:39.930
X 1415****554: With increasing property taxes and building maintenance. We're not going to be able to afford to live there. Pretty soon and we're gonna have to move out as seniors, which is something the city really needs to take into account when it does any kind of

941
02:41:41.040 --> 02:41:47.310
X 1415****554: Environmental impact. This is a social impact that's real significant as we've heard from other speakers.

942
02:41:48.720 --> 02:41:54.630
X 1415****554: The, the zoning is is also inconsistent with the affordable housing goals. Again, I agree with

943
02:41:55.320 --> 02:42:06.840
X 1415****554: Many of the speakers were requesting lay until the pandemic is under control. It's not possible to justify the assumptions that he is will use to assess traffic noise construction and other impacts.

944
02:42:07.380 --> 02:42:12.750
X 1415****554: Based on economic demographic financial and other assumptions that are critical to the results.

945
02:42:13.800 --> 02:42:23.580
X 1415****554: So there's just, it's not really possible to do and I really don't think that should be done now it has to get some factors, some semblance of normal, normal

946
02:42:25.140 --> 02:42:28.020
X 1415****554: Also, another reason for a delay is

947
02:42:29.160 --> 02:42:35.640
X 1415****554: My and many people that we've heard the lack of trust in the whole community participation process.

948
02:42:37.590 --> 02:42:44.970
X 1415****554: The in the envisioning process that we attended the end is August, because I've said spent many hours going to meetings.

949
02:42:45.990 --> 02:42:58.440
X 1415****554: Is a slap in the face when nothing that literally nothing that we had discussed at door with the consultants and other officials in the planning department.

950
02:42:58.950 --> 02:43:11.850
X 1415****554: Was considered in my view in the scoping report or the scope of report was very had many platitudes economic development, achieving housing goals and all these wonderful things, but they were just works.

951
02:43:12.630 --> 02:43:31.530
X 1415****554: What we were trying to do with the envision meeting was what many of the people who were talking today and giving testimony maintain the historic wonderful sense of the neighborhood and try and keep it from further gentle, gentle rotation and obliteration

952
02:43:33.660 --> 02:43:34.320
X 1415****554: So this

953
02:43:36.990 --> 02:43:46.050
X 1415****554: Camp. I don't feel that the CIS can proceed without a third Community alternative plan action that many of the speakers have also proposed.

954
02:43:46.500 --> 02:43:59.850

X 1415****554: And this has to be done in my view with a sincere community process, not some so much for your comments. We are at time and we thought a lot of speakers. Our next speaker.

955
02:44:00.930 --> 02:44:13.890
Olga Abinader, Director, DCP EARD: At this moment, my colleague, Stephanie she Lou deputy director of the environmental assessment and review division will now take over and call in the next few speakers, Stephanie.

956
02:44:14.820 --> 02:44:25.650
Stephanie Shellooe, Deputy Director, DCP EARD: It thinks all our next dial in speaker phone number and an 898 please go ahead and unmute yourself by dialing star six and we'll hear your testimony.

957
02:44:32.790 --> 02:44:33.930
X 1917****898: Yeah, I can you hear me okay

958
02:44:36.720 --> 02:44:37.320
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, please.

959
02:44:39.780 --> 02:44:40.380
X 1917****898: Okay, great.

960
02:44:41.490 --> 02:44:56.070
X 1917****898: My name is Mandy. I'm a a long time resident of SOHO across the street. I live in a co op that has both a residence and then we own multiple retail units. So we're sort of on our landlords

961
02:44:57.240 --> 02:45:05.130
X 1917****898: I have a number of concerns with the proposal, I want to repeat everything that that folks have already said, I think a couple of points one

962
02:45:05.520 --> 02:45:16.560
X 1917****898: It just seems to be that the the benefit for affordable housing relative to the massive of zoning. It doesn't seem like a very good trade for the city.

963
02:45:17.010 --> 02:45:24.930
X 1917****898: I think is as we looked at what I'll call a few hundred units. That's effectively one buildings worth of affordable housing.

964
02:45:25.350 --> 02:45:32.940

X 1917****898: We have to do better than that. And we should be able to do better than that. And we don't need to up stone an entire neighborhood to do that. And I think anyone

965
02:45:33.390 --> 02:45:42.180
X 1917****898: Could do that effectively doubling the, the height of buildings. And so isn't going to dramatically impact the neighborhood is this frankly being disingenuous.

966
02:45:43.470 --> 02:45:49.260
X 1917****898: The second piece I'm actually concerned that what's been proposed.

967
02:45:50.100 --> 02:46:02.400
X 1917****898: Accelerates gentrification in the areas that are not yet fully gentrified. And so when I think about South Soho, and the shoulders. That's really where the housing opportunity areas are cited

968
02:46:02.880 --> 02:46:08.790
X 1917****898: And that's exactly where folks who are a lot of them older fixed income currently live

969
02:46:09.420 --> 02:46:19.950
X 1917****898: And so I think the notion that you're looking at incremental affordable housing units. When you take into account that displacement is is naive. I think when I look at the map.

970
02:46:20.610 --> 02:46:27.150
X 1917****898: Within a block of where I live. There are two locations that are projected to be developed on Crosby.

971
02:46:27.600 --> 02:46:37.650
X 1917****898: One is a rent stabilized building that like hundred percent affordable units right now, and the other is a very historically significant architectural building so

972
02:46:38.160 --> 02:46:48.750
X 1917****898: If those two buildings are massively renovated or destroyed. I have a hard time seeing how we're actually raising equity or preserving historical character in the neighborhood.

973
02:46:49.830 --> 02:46:59.430
X 1917****898: Last that all many it's it's relevant. I think to some of the shoulder housing opportunity areas is you're taking sort of a stout bowl to some of these

974
02:46:59.760 --> 02:47:14.700
X 1917****898: Areas and really taking historic streets and carving them into multiple districts in a way that's going to destroy the historic character of the street. So if you take my street alone. It's going to be three different zones on one street.

975
02:47:15.840 --> 02:47:25.590
X 1917****898: When people walk down a street they look holistically and think about that character, where they are. They don't look at an affiliate at a time. And so I think when you think about

976
02:47:26.070 --> 02:47:36.150
X 1917****898: No matter what direction you go in looking at this as an integrated neighborhood and not individual slivers of building. I think it's really important. Thank you very much appreciated.

977
02:47:39.570 --> 02:47:43.740
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you very much for your testimony. Our next speaker is Alexander now.

978
02:47:50.940 --> 02:47:51.510
X31. Alexandr Neratoff: Can you hear me.

979
02:47:52.140 --> 02:47:53.790
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, we can hear you.

980
02:47:54.360 --> 02:48:01.440
X31. Alexandr Neratoff: Alexander. They're tough speaking on behalf of New York loft parents in opposition to a blanket of zoning, particularly a commercial use.

981
02:48:01.800 --> 02:48:06.870
X31. Alexandr Neratoff: And to the introduction of unrestricted residential uses into this mixed use neighborhood.

982
02:48:07.290 --> 02:48:14.280
X31. Alexandr Neratoff: That in combination would be highly unlikely result in a production that any significant quantity of affordable housing.

983
02:48:14.760 --> 02:48:18.060
X31. Alexandr Neratoff: That would benefit this neighborhood where it is so sorely needed

984
02:48:18.720 --> 02:48:28.680
X31. Alexandr Neratoff: There is no serious recognition of how to preserve and enhance existing joint live, work, or authorities that our neighborhoods actual existing affordable housing.

985
02:48:29.190 --> 02:48:39.420
X31. Alexandr Neratoff: Or any provision at all to create new joint live work orders for artists. I'm an architect and certified artists living and working in Soho. For the past 40 years

986
02:48:39.930 --> 02:48:46.380
X31. Alexandr Neratoff: So know who is unique and defining characteristic, besides being an area designated for artists living and working

987
02:48:46.980 --> 02:48:59.700
X31. Alexandr Neratoff: Is a key urban planning concept of mixed use applied not only on a macro level to allow industrial, commercial and residential uses to coexist building by building and Floor by floor.

988
02:49:00.090 --> 02:49:09.660
X31. Alexandr Neratoff: But to allow the merger of live and work within each unit one can live in 90% of a loft and work in 10% or the other way around.

989
02:49:10.350 --> 02:49:22.020
X31. Alexandr Neratoff: The residential district equivalent is called home occupation and it is generally restricted to 25% of a space and 500 square feet, defined as incidental to the main use which is living

990
02:49:22.350 --> 02:49:35.340
X31. Alexandr Neratoff: And further limited to specific not objectionable uses introducing residential use was that qualifications would lose what makes, so who knows special not only now, but in the future.

991
02:49:36.120 --> 02:49:50.670
X31. Alexandr Neratoff: Updating is clearly necessary. It's been 15 years I support giving SOHO no special districts status that allows one to write local regulations and definitions without worrying how a change here.

992
02:49:51.060 --> 02:50:02.610

X31. Alexandr Neratoff: Would affect the rest of the city, one can alter the definition of home occupation within a special it as a financial use to mimic the mixed use qualities of em 1585 be

993
02:50:03.270 --> 02:50:12.180
X31. Alexandr Neratoff: One can tailor the bulk regulations of residential buildings to make the mimic that higher density low rise characteristic of this historic area.

994
02:50:12.630 --> 02:50:24.810
X31. Alexandr Neratoff: So additional development does not result in disproportional height increases and when can greatly span and change the characteristics of the myth affordable housing program.

995
02:50:25.230 --> 02:50:44.790
X31. Alexandr Neratoff: To make it support truly low income truly desegregated and particularly artist housing and affiliated community shared studio and exhibition facilities and local performance organizations, citing those in or close to. So no, thank you.

996
02:50:47.460 --> 02:50:52.050
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you for your testimony. Our next speaker is Martha Lawrence.

997
02:50:54.060 --> 02:51:01.110
Stephanie Shellooe, Deputy Director, DCP EARD: Lawrence, we do not currently see you in in the zoom meeting please rejoin if you're able

998
02:51:02.760 --> 02:51:11.160
Stephanie Shellooe, Deputy Director, DCP EARD: In that case, our next speaker will be Michelle Varian followed by Zilla Jones and followed by Madeline Applebaum

999
02:51:12.330 --> 02:51:14.760
Stephanie Shellooe, Deputy Director, DCP EARD: Michelle variant. Please begin your testimony.

1000
02:51:15.330 --> 02:51:21.990
X 33. Michele Varian: Hello, I'm here speaking on behalf of the Soho design district. I'm also a resident of Soho.

1001
02:51:23.250 --> 02:51:33.480
X 33. Michele Varian: To speak on behalf of small businesses. I want to call out the fact that there's nothing talking about how this up zoning will severely jeopardize existing businesses and Soho.

1002
02:51:34.620 --> 02:51:43.320
X 33. Michele Varian: The potential construction that would monopolize the sidewalks, as well as often take ups lanes of the street.

1003
02:51:43.860 --> 02:51:49.020
X 33. Michele Varian: And hamper delivery, as well as pedestrians, being able to get to businesses would be a severe

1004
02:51:49.950 --> 02:52:08.010
X 33. Michele Varian: restriction on existing businesses who are already severely hurting because of this last year's pandemic and have that then followed by years of construction would probably drive out most of the existing businesses that if they do survive the pandemic.

1005
02:52:09.660 --> 02:52:19.590
X 33. Michele Varian: Since most of the other things that I am extremely against the up zoning, as are the other members of the Soho design district and

1006
02:52:20.190 --> 02:52:35.700
X 33. Michele Varian: Most other things regarding residential and impacts regarding real estate values driving out existing tenants that have been expressed by others I 100% agree with and I will be getting more information in writing. Thank you.

1007
02:52:38.370 --> 02:52:43.920
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you. We look forward to receiving your written testimony. Our next speaker is valid Jones.

1008
02:52:47.040 --> 02:52:49.470
X 34. Zella Jones: You okay, you can hear me.

1009
02:52:49.860 --> 02:52:51.810
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, we can. Okay.

1010
02:52:52.470 --> 02:52:53.190
So,

1011
02:52:54.240 --> 02:53:05.820
X 34. Zella Jones: My name is Bella Jones. I'm president of know hub our stakeholders incorporated a nonprofit and in no hope. And we represent 350 property owners and Lester's in knowhow

1012
02:53:06.600 --> 02:53:21.330
X 34. Zella Jones: will submit written comments which are focused on. No. Whoa. But for now, let me summarize, we support the goals of the zoning action to create greater housing opportunities for all in a manner that will retain the existing character of, you know,

1013
02:53:22.740 --> 02:53:22.980
X 34. Zella Jones: The

1014
02:53:24.000 --> 02:53:32.010
X 34. Zella Jones: Stakeholders request that the scope of work be broad enough to permit consideration of the following alternatives.

1015
02:53:32.730 --> 02:53:48.030
X 34. Zella Jones: One rezone north of house in St. To eight are at a with a C five dash to overlay option to rezone north of Houston straight to see six to a

1016
02:53:48.720 --> 02:54:00.990
X 34. Zella Jones: Number three, modify the Sn MD map north of house and straight to recognize that all the likely sites for new affordable housing are north of great john St.

1017
02:54:01.410 --> 02:54:17.400
X 34. Zella Jones: By creating sub districts using great john st as a north south boundary with the self Subdistrict am one six or 815 paired with our eight eight and the North subject district am five

1018
02:54:18.030 --> 02:54:31.620
X 34. Zella Jones: Are nine x, we will have more to say in our written comments regarding the need to address the historic districts, the existing overbuilt buildings and the need to retain no host maker community. Thank you.

1019
02:54:34.710 --> 02:54:41.880
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you very much. Our next speaker is Madeline Applebaum followed by Nicole Wyler and Pauline Augustine.

1020
02:54:43.470 --> 02:54:44.640
Stephanie Shellooe, Deputy Director, DCP EARD: Madeline Applebaum

1021
02:55:03.900 --> 02:55:07.740

Stephanie Shellooe, Deputy Director, DCP EARD: Madeline Applebaum, are you able to unmute yourself and provide testimony.

1022
02:55:13.980 --> 02:55:15.870
Studies Support 1: Microphone is currently on

1023
02:55:26.760 --> 02:55:38.340
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, if the functionality is not working. Please visit NYC engage to find the dial in information so that you can dial in via phone, we can get your contact information.

1024
02:55:39.960 --> 02:55:46.200
Stephanie Shellooe, Deputy Director, DCP EARD: The next speaker is Nicole Wyler followed by Pauline Augustine Nicole Wyler

1025
02:55:48.420 --> 02:55:50.340
X 36. Nicole Weiler: Hi there. Can you hear me.

1026
02:55:50.730 --> 02:56:03.840
X 36. Nicole Weiler: Yes. Hi. Thank you so much for providing me the opportunity to speak today. My name is Nicole Wyler I'm a resident of Soho. I've been here for over seven years now.

1027
02:56:04.590 --> 02:56:14.100
X 36. Nicole Weiler: I work at a small creative business on the edge of Chinatown. So I spend all of my time in the areas affected by this potential rezoning

1028
02:56:14.880 --> 02:56:29.760
X 36. Nicole Weiler: My partner and I purchased our home and Soho, and my business chose its location and then neighborhood specifically based on the current historic character of the neighborhood and the current creative community here.

1029
02:56:30.330 --> 02:56:39.990
X 36. Nicole Weiler: All of which are being threatened by the up zoning plan I oppose the zoning plan and I support the community alternative plan.

1030
02:56:40.860 --> 02:57:00.120
X 36. Nicole Weiler: I strongly feel that no public review and approval process should take place until in person meetings can begin again and a full analysis of the plans impacts can take place. Thank you so much for your time and for planning this meeting and I'll follow up more in writing.

1031
02:57:03.540 --> 02:57:13.470
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you. And thank you for sticking with us today. Our next speaker is Pauline Augustine, followed by Susan forking and Ingrid weigand

1032
02:57:15.630 --> 02:57:16.770
Stephanie Shellooe, Deputy Director, DCP EARD: Pauline Augustine.

1033
02:57:28.680 --> 02:57:30.510
Stephanie Shellooe, Deputy Director, DCP EARD: You may need to unmute your microphone.

1034
02:57:30.930 --> 02:57:31.830
X 37. Pauline Augustine: Can you hear me now.

1035
02:57:32.040 --> 02:57:33.060
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, there you are.

1036
02:57:33.690 --> 02:57:52.590
X 37. Pauline Augustine: Hi, my name is Pauline Augustine. I'm a resident of SOHO for over 15 years and I'm a senior citizen. And I want to tell you that I am definitely opposed to this plan and I do on support community alternative zoning in the very beginning when the

1037
02:57:53.760 --> 02:57:59.970
X 37. Pauline Augustine: Process started, I was at the first meeting and realized that it did look like it was just a

1038
02:58:01.050 --> 02:58:13.230
X 37. Pauline Augustine: You know condescending attempt to get some very interesting input that wasn't going to affect anyone in the planning process as I see here today. That's exactly what happened. A lot of my

1039
02:58:15.660 --> 02:58:24.120
X 37. Pauline Augustine: Residents here and friends and neighbors and a lot of hours of input for no reason at all for all their time and energy and hopefully

1040
02:58:25.050 --> 02:58:39.060
X 37. Pauline Augustine: So we need a postponement. This is not the time to do this meeting and I think it was very few places of having an idea that this would pass through that any commentary from the people who are going to be affected by it every single day.

1041
02:58:40.080 --> 02:58:50.010
X 37. Pauline Augustine: One building higher than normal can take away sunshine, like in my apartment for two hours a day every single day of the year.

1042
02:58:50.580 --> 02:58:56.190
X 37. Pauline Augustine: So you can imagine what happens when those buildings go up around the people who live here.

1043
02:58:56.670 --> 02:59:09.210
X 37. Pauline Augustine: That's nothing to do with the impact that has not been looked into seriously of how it would affect the infrastructure, the environmental problems. The schools every single thing in this process.

1044
02:59:09.780 --> 02:59:17.820
X 37. Pauline Augustine: It takes a lot of thought and energy. But then again, that's not what was going on here. I do believe it was trying to push through something

1045
02:59:18.270 --> 02:59:26.160
X 37. Pauline Augustine: By what the real estate industry would profit from enormously during a time when you think we weren't paying attention.

1046
02:59:26.580 --> 02:59:40.500
X 37. Pauline Augustine: Well you here today, right. Everybody was here we are paying attention and a lot more people are paying attention, who didn't have time to do this or unable to be at the meeting. Thank you very much for letting me speak my mind and

1047
02:59:41.520 --> 02:59:42.330
X 37. Pauline Augustine: I hope that

1048
02:59:43.590 --> 02:59:47.550
X 37. Pauline Augustine: All of our ideas will really be seriously considered. Thank you.

1049
02:59:50.430 --> 02:59:52.950
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you for your testimony and

1050
02:59:55.140 --> 03:00:01.620

Stephanie Shellooe, Deputy Director, DCP EARD: We will now go to an elected official who has joined us Jenny low

1051
03:00:05.130 --> 03:00:09.480
Stephanie Shellooe, Deputy Director, DCP EARD: Jenny low if you're able to unmute yourself and provide your testimony will accept that now.

1052
03:00:10.830 --> 03:00:12.420
X 41. EO - jenny low: Okay, can you hear me.

1053
03:00:12.750 --> 03:00:13.980
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, thank you. Great.

1054
03:00:14.010 --> 03:00:24.450
X 41. EO - jenny low: Thank you. First of all, thank you for holding this hearing. It's very important for residents and the public to hear what

1055
03:00:25.200 --> 03:00:45.600
X 41. EO - jenny low: The next steps are and what your, what is being planned. I just have a few comments. First of all, I am a district leader of Lower Manhattan Chinatown and lowly site area and I am a resident of the north of Little Italy, just at the end of SOHO for 20 years and I grew up in Chinatown.

1056
03:00:47.340 --> 03:01:06.450
X 41. EO - jenny low: I am opposing the absorbing proposal for the Soho knowhow area for a number of reasons. First is that we need to preserve the current character of this historical district, we need to protect the

1057
03:01:07.590 --> 03:01:22.200
X 41. EO - jenny low: Law live and workspace for artists for the pioneers who gave us this beautiful area Kosovo, we need to help them and support them age in place.

1058
03:01:24.030 --> 03:01:37.950
X 41. EO - jenny low: We need affordable housing in in this area, the currently proposed 100 somewhat against 3200 total housing unit is not enough.

1059
03:01:38.970 --> 03:01:54.390
X 41. EO - jenny low: We need to have more affordable housing that is to me an insult. When they propose that little bit of units for for affordable housing. We also need real affordable housing for this area.

1060

03:01:55.410 --> 03:02:07.170
X 41. EO - jenny low: Given the characteristic of this neighborhood, which is full of smaller businesses not box stores. We all are under a lot of pressure to

1061
03:02:08.550 --> 03:02:19.290
X 41. EO - jenny low: Because of the covert pandemic. We need to be able to help them and support them. So I joined the chorus of others who spoke and said,

1062
03:02:20.190 --> 03:02:42.180
X 41. EO - jenny low: We. This is not the time to deliberate this process where everything is done online. We need to put this on hold until we can do in person meeting where the residents can fully participate. So I joined the chorus of other

1063
03:02:43.560 --> 03:03:01.290
X 41. EO - jenny low: advocates and residents of this community this neighborhood that I am opposed I oppose the zoning and I call for a pause of the process so that we can really this is a very important decision for this neighborhood.

1064
03:03:01.980 --> 03:03:21.180
X 41. EO - jenny low: As much as I think virtual meetings work well, but it doesn't work for this situation here. So I would please hear our call and please put this on hold until the pandemic is over. Thank you very much for letting me speak today.

1065
03:03:22.950 --> 03:03:25.830
Stephanie Shellooe, Deputy Director, DCP EARD: Thank you very much for your comments. And for joining us today.

1066
03:03:27.000 --> 03:03:32.730
Stephanie Shellooe, Deputy Director, DCP EARD: Our next speaker will be Susan forking followed by Ingrid weekend. Susan forking

1067
03:03:46.440 --> 03:03:50.040
Stephanie Shellooe, Deputy Director, DCP EARD: Okay, you can unmute yourself, you should be able to provide your testimony.

1068
03:03:51.270 --> 03:04:01.470
Stephanie Shellooe, Deputy Director, DCP EARD: Oh, we're being notified that Susan has an old version of zoom. So Susan, if you can use the dial in information and we will get to in our next

1069

03:04:02.700 --> 03:04:03.570
Stephanie Shellooe, Deputy Director, DCP EARD: Batch

1070
03:04:05.250 --> 03:04:13.560
Stephanie Shellooe, Deputy Director, DCP EARD: Our next speaker is Ingrid weekend. Sorry if I'm mispronouncing your name. You can unmute yourself and you can ride your testimony.

1071
03:04:19.230 --> 03:04:21.270
Stephanie Shellooe, Deputy Director, DCP EARD: Yes, you're very soft, but we can hear you.

1072
03:04:22.440 --> 03:04:25.380
X 39. INGRID WIEGAND: Okay, I'm fast to fade.

1073
03:04:27.060 --> 03:04:37.170
X 39. INGRID WIEGAND: Okay, I'm Ingrid weekend. I've lived to work in Soho for decades. I was one of the members of the original artists Association.

1074
03:04:37.710 --> 03:04:51.990
X 39. INGRID WIEGAND: That negotiated the founding of SOHO with the city planning commission, so I know what I'm talking about when I say that I support changes that allow a wider and economic and diverse

1075
03:04:52.860 --> 03:05:07.200
X 39. INGRID WIEGAND: Economic and diverse range of people to live in. So, but I host the DPS plan to allow tall modern buildings and huge blazingly Lit Box stores in this historic district.

1076
03:05:08.070 --> 03:05:23.790
X 39. INGRID WIEGAND: Where they average height of most of the buildings is five or six stories and the style is classic or Mozart's all under the cover of getting the real estate industry to cough up a few affordable housing units.

1077
03:05:24.450 --> 03:05:36.030
X 39. INGRID WIEGAND: You are also pursuing this planner time when commercial occupancy in the city is down some 90% this is according to the urban green tech Council.

1078
03:05:36.570 --> 03:05:44.490
X 39. INGRID WIEGAND: Which is a major, major advisor to end on environmental issues to the city and of which I'm also a member

1079
03:05:45.210 --> 03:05:53.820
X 39. INGRID WIEGAND: When the city recovers from coven commercial occupancy will migrate to the many new newly built commercial spaces.

1080
03:05:54.330 --> 03:06:08.370
X 39. INGRID WIEGAND: Leaving midtown, whether it's all the commercial buildings virtually empty stores and St. Alex, this is where you have a ready source of thousands of units of affordable housing.

1081
03:06:08.880 --> 03:06:16.770
X 39. INGRID WIEGAND: And where you can create incentive for redevelopment as you did for the financial district after 911

1082
03:06:17.730 --> 03:06:35.490
X 39. INGRID WIEGAND: Instead of degrading one of the city's premier neighborhoods flooding with residents workers and Sharples without any clear consideration that they air, water, sanitation and other public services cannot possibly absorb

1083
03:06:36.570 --> 03:06:53.220
X 39. INGRID WIEGAND: I asked that the department and other proponents of this proposal Turner attention to developing opportunities for affordable and general resident residential housing in the areas older commercial building

1084
03:06:54.300 --> 03:07:11.070
X 39. INGRID WIEGAND: So on. No need a well thought out plan increasing its economic and other diversity, but that decidedly does not require substantially more people, more stores and more construction. Thank you.

1085
03:07:14.940 --> 03:07:26.880
Olga Abinader, Director, DCP EARD: Thank you so much older happening back on will now move on to speaker number 40 Joseph demo. Cindy Joseph time. I mean, we're ready for your testimony.

1086
03:07:37.350 --> 03:07:40.860
Olga Abinader, Director, DCP EARD: Joseph day Monday. Are you able to hear us. If so, please unmute yourself.

1087
03:07:45.060 --> 03:07:46.470
Stephanie Shellooe, Deputy Director, DCP EARD: Not seeing them in the meeting.

1088
03:07:47.610 --> 03:07:54.240

Olga Abinader, Director, DCP EARD: Okay, thanks so much. Stephanie. Our next speaker is number 44 Darlene lots

1089
03:07:58.620 --> 03:08:04.500
Olga Abinader, Director, DCP EARD: Number 44 Darlene Lutz, if you're in the meeting, please unmute yourself so we can hear your testimony.

1090
03:08:06.300 --> 03:08:09.180
X 44. Darlene Lutz: Hi. I didn't sign up to speak, but

1091
03:08:10.350 --> 03:08:12.270
X 44. Darlene Lutz: I've listened. A lot. I'm I'm

1092
03:08:13.680 --> 03:08:25.170
X 44. Darlene Lutz: I'm a resident LA. I'm a resident facing a Trinity Church Wall Street a site that was supposed to have been developed in 2013

1093
03:08:26.310 --> 03:08:30.390
X 44. Darlene Lutz: Regarding the Hudson is where we're going. So

1094
03:08:31.830 --> 03:08:34.320
X 44. Darlene Lutz: This was also supposed to have a school at the base.

1095
03:08:35.970 --> 03:08:48.210
X 44. Darlene Lutz: That with residential housing 50 stories of it. This never came to fruition, but we have had a lot of development of 2530 storey buildings.

1096
03:08:49.020 --> 03:09:01.470
X 44. Darlene Lutz: North of that site and they're all luxury condos and they're pretty much all empty one of them will also supposed to have some medium income housing.

1097
03:09:02.250 --> 03:09:14.220
X 44. Darlene Lutz: It is ready to rent that housing is nowhere on the scope. So I guess my final comments here is that, you know, the rezoning happens, there are a lot of promises made and

1098
03:09:15.600 --> 03:09:36.720
X 44. Darlene Lutz: And then it seems like you know the drivers of it will turn out of inevitably the real estate magnets like Trinity Church Wall Street will take the money like they did from Disney, to the tune of nearly $700 million for a 99 year land lease and run with it so

1099
03:09:37.980 --> 03:09:42.420
X 44. Darlene Lutz: Please consider that all is not a parent.

1100
03:09:43.680 --> 03:09:52.950
X 44. Darlene Lutz: In this discussion of, you know, a long time residence. You know, we've we've soldiered through this and we really want to maintain have some

1101
03:09:53.670 --> 03:10:08.700
X 44. Darlene Lutz: To be able to maintain some quality of life here. So how has never had a supermarket. We still don't, we don't have a you know simple services. I think there's one Cobbler in the neighborhood.

1102
03:10:10.290 --> 03:10:11.790
X 44. Darlene Lutz: One dry cleaner.

1103
03:10:12.900 --> 03:10:13.350
X 44. Darlene Lutz: You know,

1104
03:10:14.520 --> 03:10:27.630
X 44. Darlene Lutz: There isn't really you know this this area has turned over to servicing tourism all well and good. It's brought in a lot of revenue for the city so I'm

1105
03:10:31.410 --> 03:10:50.700
X 44. Darlene Lutz: Sorry, I'm getting texted about, uh, I guess I'll conclude my testimony and say stick to what you know we if we stick to what the residents with the alternative plan if I think, you know, we can go for this, but you know what the city is proposing right now is really

1106
03:10:52.560 --> 03:10:54.510
X 44. Darlene Lutz: quite distressing.

1107
03:10:55.710 --> 03:10:56.010
X 44. Darlene Lutz: To the

1108
03:10:56.280 --> 03:10:57.870
Olga Abinader, Director, DCP EARD: You so much for your testimony.

1109
03:10:57.900 --> 03:10:58.380
X 44. Darlene Lutz: Thank you.

1110
03:10:59.490 --> 03:11:08.490
Olga Abinader, Director, DCP EARD: Our next speaker is number 45 Sarah Walker, followed by number 46 David Lawrence Sarah Walker.

1111
03:11:09.150 --> 03:11:12.510
Olga Abinader, Director, DCP EARD: We are ready for your testimony. Please unmute yourself. Okay.

1112
03:11:12.570 --> 03:11:13.230
X 45. Sarah Walker: Can you hear me.

1113
03:11:13.800 --> 03:11:22.200
X 45. Sarah Walker: Yes. Okay, thank you. I am speaking for myself and the long time artist residence that fill my building.

1114
03:11:22.770 --> 03:11:35.880
X 45. Sarah Walker: We support the community alternative plan and oppose DC PS planned obsession SOHO and know how we were regular participants in the envision so how no hope process.

1115
03:11:36.570 --> 03:11:44.550
X 45. Sarah Walker: And feel totally blindsided by this plan which looks nothing like the recommendations that came out of the envision process.

1116
03:11:45.150 --> 03:11:59.100
X 45. Sarah Walker: In fact, it was through neighbors, we found out about this meeting, not through the TCP, among other things up zoning would bring even more traffic to our already clogs streets parking is already a

1117
03:11:59.100 --> 03:11:59.640
Huge

1118
03:12:00.720 --> 03:12:17.760
X 45. Sarah Walker: Made more so by City Bike Racks outdoor dining introducing thousands of new units and larger stores will completely overload Soho, and no whoa with cars and trucks and with cars and trucks come even more intense noise and air pollution.

1119
03:12:18.480 --> 03:12:35.280
X 45. Sarah Walker: And by the way, the longtime artists residents who pioneered SOHO and knowhow came here in order to live and work affordably. We fully support affordable housing, but not as a fig leaf over a massive luxury of zoning push. Thank you.

1120
03:12:37.320 --> 03:12:53.250
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker number 46 is David Lawrence, followed by number 47 Renee long rose David Lawrence, please unmute yourself if you're available and ready to provide your testimony.

1121
03:12:54.090 --> 03:12:55.170
X 46. David Lawrence: Hello. Can you hear me.

1122
03:12:55.710 --> 03:13:00.390
X 46. David Lawrence: Yes. Okay, great. Um, I, I'm a

1123
03:13:01.410 --> 03:13:13.200
X 46. David Lawrence: I'm on the board of directors of a building where a grand and Crosby and we're all artists. Here I've I'm a photographer and I moved here 25 years ago because of the outstanding light.

1124
03:13:14.040 --> 03:13:32.790
X 46. David Lawrence: Part of one of the amenities that one one speaker touched on it. But one of the amenities of Soho, and the village. It's the light. And that's because buildings are low, and the sunlight can penetrate and it enriches our lives and it makes us happier people and more productive.

1125
03:13:34.560 --> 03:13:36.510
X 46. David Lawrence: Residents and workers.

1126
03:13:37.560 --> 03:13:43.110
X 46. David Lawrence: This plan does not acknowledge this in any way. In fact,

1127
03:13:44.370 --> 03:13:44.880
X 46. David Lawrence: The

1128
03:13:46.050 --> 03:13:46.440
X 46. David Lawrence: The

1129
03:13:48.330 --> 03:13:52.440
X 46. David Lawrence: Fa IR increases, which are to me seem exorbitant

1130
03:13:53.490 --> 03:14:06.900

X 46. David Lawrence: guarantee that the Broadway card or will become the Broadway wall that separates East SOHO from West Soho, and the nibbling around the edges, allowing

1131
03:14:08.070 --> 03:14:09.690
X 46. David Lawrence: These exorbitant buildings.

1132
03:14:10.770 --> 03:14:17.610
X 46. David Lawrence: That cast immense shadows. Will it mean that, so we'll be in a canyon of shade.

1133
03:14:19.050 --> 03:14:22.020
X 46. David Lawrence: I, I have a first hand experience.

1134
03:14:23.520 --> 03:14:33.930
X 46. David Lawrence: Most of the buildings around me are six stories tall and I get sufficient sunlight to do my job every day, but about eight years ago, the city allowed have

1135
03:14:34.530 --> 03:14:45.270
X 46. David Lawrence: Something to go up at the time was called this so Mondrian Soho. Now it's called nomo so Whoa, it's an ugly hotel, it blocks out our light.

1136
03:14:47.160 --> 03:14:57.780
X 46. David Lawrence: For an hour each day. If there were, and the way that the new zoning is proposed the entire block south of me could be

1137
03:14:58.890 --> 03:15:03.180
X 46. David Lawrence: We would given be given these enhanced FA ours.

1138
03:15:04.230 --> 03:15:12.870
X 46. David Lawrence: Buildings that across the street or four and six stories tall could conceivably come become 12 story tall residential buildings.

1139
03:15:13.440 --> 03:15:28.920
X 46. David Lawrence: Which would obliterate all my sunlight and essentially as an artist, put me out of business. That's a very personal effect, but it also has an effect on on the commerce and the well being of the people in this area. And the other thing is that

1140
03:15:29.940 --> 03:15:41.280

X 46. David Lawrence: Increasing the number of people as envisioned by this proposal would nearly doubled. So how, but so how is gridlock on a Friday afternoon or Sunday evening.

1141
03:15:41.820 --> 03:15:58.050
X 46. David Lawrence: I don't see how you can put another vehicle here a intentionally because if anything we need to reduce that traffic. We need to reduce the pollution, we need to reduce the noise and this plan does nothing except increase all of that. Thanks for you.

1142
03:15:58.290 --> 03:15:59.310
Olga Abinader, Director, DCP EARD: So much for your time.

1143
03:16:00.420 --> 03:16:01.380
X 46. David Lawrence: Okay, of course.

1144
03:16:01.650 --> 03:16:08.580
Olga Abinader, Director, DCP EARD: Our next speaker is number 47 Renee Monroe's followed by number 48 and Feliciano

1145
03:16:09.840 --> 03:16:12.870
Olga Abinader, Director, DCP EARD: Ronnie Montrose please unmute yourself are ready for your testimony.

1146
03:16:14.370 --> 03:16:15.450
X 47. Renee Monrose: Hello. Can you hear me.

1147
03:16:15.900 --> 03:16:16.410
Yes.

1148
03:16:17.490 --> 03:16:27.690
X 47. Renee Monrose: Hi, I'm an artist and a long term resident of Broadway in Soho in my volunteer work. I'm also an active supporter of social justice and diversity.

1149
03:16:28.260 --> 03:16:38.670
X 47. Renee Monrose: So let's be honest here. This plan is a travesty and a completely dishonest about its complained to foster the ideas of social justice and racial diversity.

1150
03:16:39.600 --> 03:16:55.620
X 47. Renee Monrose: On a basic level, it has a veritable litany of shortcomings, it is full of vague assertions and Miss characterizations

of the character SOHO faulty data on demographics and it is based on a completely debunked theory of affordable housing.

1151
03:16:56.640 --> 03:17:02.550
X 47. Renee Monrose: This plan should be rejected out of hand. But for now, the city needs to put this process on pause

1152
03:17:03.780 --> 03:17:13.350
X 47. Renee Monrose: As has been said before by others facing any projections and such radical changes on current conditions as a useless useless.

1153
03:17:13.890 --> 03:17:29.580
X 47. Renee Monrose: Job, the city and the neighborhood need to stabilize. First we have vaccines on the horizon. So why can the city not wait and evaluate the situation when we have a clear view of what the city will be post co but

1154
03:17:30.690 --> 03:17:39.030
X 47. Renee Monrose: My main question here. Is this though, how can this administration which is claiming the moral high ground of racial justice and diversity.

1155
03:17:39.390 --> 03:17:47.880
X 47. Renee Monrose: Promote a concept of trickle down housing that is a documented failure and no more valid than Reagan's trickle down economics.

1156
03:17:48.420 --> 03:18:01.530
X 47. Renee Monrose: In cities like Chicago and Los Angeles. It has completely failed to create any substantial affordable housing and only generated massive displacement and gentrification while enriching wealthy developers.

1157
03:18:02.400 --> 03:18:11.880
X 47. Renee Monrose: In my email comments I have provided links to Shetty studies that show how myth has totally failed to create affordable housing.

1158
03:18:12.690 --> 03:18:18.000
X 47. Renee Monrose: If the city is so serious about Racial Diversity and Equity, then why is it fostering

1159
03:18:18.510 --> 03:18:27.210

X 47. Renee Monrose: The infusion. A big box stores, which are mostly on by white people instead of promoting small unique businesses owned by people of color.

1160
03:18:28.080 --> 03:18:41.310
X 47. Renee Monrose: I am my neighbors support the community alternative plan and real affordable housing, we welcome diversity to this neighborhood I asked the city and our elected officials to pause this project and reject this plan.

1161
03:18:43.440 --> 03:18:44.790
Olga Abinader, Director, DCP EARD: Thank you for your testimony.

1162
03:18:45.870 --> 03:18:56.490
Olga Abinader, Director, DCP EARD: Our next speaker number 48 is m Feliciano, my apologies if I mispronounced your name. There followed by number 49 Frederick's Foster's Shapiro.

1163
03:18:57.060 --> 03:19:07.500
Olga Abinader, Director, DCP EARD: And Feliciano if you're there, please unmute yourself so we can hear your testimony. Can you hear me, yes, we can just give us a moment until we set up our timer on our screen.

1164
03:19:13.050 --> 03:19:14.190
Olga Abinader, Director, DCP EARD: Okay, you may begin.

1165
03:19:15.090 --> 03:19:23.610
X 48. M Feliciano: Thank you for the time to address this issue. I am a resident of Soho, and I have been for a number of years.

1166
03:19:24.720 --> 03:19:36.600
X 48. M Feliciano: I in fact live in a club on Broadway to residential call up. We're about a quarter of our residents are original artists residents of this community.

1167
03:19:37.320 --> 03:19:52.140
X 48. M Feliciano: All of them aging in place here. So for this community and for this building affordability is not only important. It is something that we strive for and defend as a matter of course.

1168
03:19:52.860 --> 03:20:00.510
X 48. M Feliciano: The, the importance of diversity and affordability is not anything that anybody here as I speak with our community.

1169

03:20:01.770 --> 03:20:12.570
X 48. M Feliciano: Is against in any way I echo everything that our community members have been saying, especially the support for

1170
03:20:13.560 --> 03:20:19.440
X 48. M Feliciano: The commute part and community alternative plan that have been put for us.

1171
03:20:20.430 --> 03:20:33.210
X 48. M Feliciano: Putting this plan on hold all of that. I also in fact want to take a bit of time to to challenge notions about this community that I have been hearing repeatedly

1172
03:20:33.810 --> 03:20:42.180
X 48. M Feliciano: Both from the Department of city planning and particular Sylvia leave because she is the she was the speaker today for it in the previous

1173
03:20:42.780 --> 03:20:57.420
X 48. M Feliciano: Meeting about how not vibrant. So who is how not resilience. So who is how restrictive and Honoris and apparently according to some other speakers even racist at times.

1174
03:20:58.560 --> 03:21:12.210
X 48. M Feliciano: I am here to tell you that I live and I work here we thrive here I have raised a family here. I know my neighbors and I'm here to say that this is a community.

1175
03:21:14.040 --> 03:21:39.390
X 48. M Feliciano: I would like, and I encourage all of you, behind this plan to think about. So exactly as that as a living community with residents and workers making their home here and and thriving here. This is not a dead place. This is a place where people live. So putting that human aspect to our environment.

1176
03:21:39.930 --> 03:21:42.090
Translator 3 (Cantonese): A little default mother, you're saying

1177
03:21:42.150 --> 03:21:42.720
X 48. M Feliciano: Thank you.

1178
03:21:43.650 --> 03:21:45.600
Translator 3 (Cantonese): What Asian awesome

1179

03:21:45.900 --> 03:21:46.980
Olga Abinader, Director, DCP EARD: Just for one moment.

1180
03:21:48.090 --> 03:22:04.290
Olga Abinader, Director, DCP EARD: Here's what we're receiving some feedback from our translator three. So I'm going to just put a brief pause on the moment so we can get our back of house and please address our issue with translator three, we can hear it live and not in the correct channel.

1181
03:22:06.630 --> 03:22:06.960
Translator 3 (Cantonese): Sorry.

1182
03:22:07.860 --> 03:22:10.320
Olga Abinader, Director, DCP EARD: No, no, no worries. All right.

1183
03:22:12.630 --> 03:22:17.640
Olga Abinader, Director, DCP EARD: Okay, thank you. And now we will move on to our next speaker.

1184
03:22:19.680 --> 03:22:32.040
Olga Abinader, Director, DCP EARD: Our next speaker is number 49 Frederick's foster Shapiro, followed by Speaker number 50 Victoria hills job number 49 Frederick's posture of Shapiro, please unmute yourself.

1185
03:22:34.980 --> 03:22:51.630
X 49. Fredericka Foster Shapiro: Thank you. I live on Green Street, although at the moment. My husband and I are not on Green Street. We're out of New York because of I have developed COPD and he's 81

1186
03:22:52.380 --> 03:23:06.030
X 49. Fredericka Foster Shapiro: We used to live on Wooster street almost 30 years ago, which was right above canal and there was black heavy stuff on the window sale. Many, many of us got sick. And then of course the towers came down

1187
03:23:06.720 --> 03:23:18.600
X 49. Fredericka Foster Shapiro: I have friends who have lung cancer is a result of that, all I'm saying is that we have a real pollution problem in Soho, and fifth NYU.

1188
03:23:19.680 --> 03:23:26.040
X 49. Fredericka Foster Shapiro: Building all that it is. We do definitely need low cost housing.

1189
03:23:26.730 --> 03:23:34.470
X 49. Fredericka Foster Shapiro: And I think that community plan that we came up with included low cost housing, we do want more diversity in the neighborhood.

1190
03:23:34.740 --> 03:23:53.550
X 49. Fredericka Foster Shapiro: And we'd love to get some of the young artists back it's us old ones who are able to stay there because we got our building so many years ago or our loft and to get these faces totally broken up, we're going to lose.

1191
03:23:54.570 --> 03:24:04.470
X 49. Fredericka Foster Shapiro: Places where we can have in the city sculptors and painters and musicians and dance studios and small art galleries.

1192
03:24:04.830 --> 03:24:26.940
X 49. Fredericka Foster Shapiro: And all the things that make a community really vital, we don't know what's going to happen after the pandemic. We don't know what our neighborhoods going to be like I am utterly baffled. How can we do this now during the pandemic. When the neighborhood has changed completely.

1193
03:24:28.320 --> 03:24:47.670
X 49. Fredericka Foster Shapiro: Anyway, um, the advantage of it being on Zoom is I didn't have to come to the city to speak, and I appreciate your listening to me. I guess I need to say I am really opposed to this plan and I am in favor of the Community plan. Thank you so much.

1194
03:24:48.360 --> 03:25:00.420
Olga Abinader, Director, DCP EARD: Thank you for your testimony. And we're really glad to have you participate remotely. Our next speaker is Victoria Hill helston a tour at Hillsdale, are you here with us.

1195
03:25:04.560 --> 03:25:09.660
Olga Abinader, Director, DCP EARD: Victoria Hill. So if you are here, please unmute yourself. Otherwise, we will move on to number 51

1196
03:25:12.510 --> 03:25:25.320
Olga Abinader, Director, DCP EARD: Okay. We'll move on to our next speaker number 51 Daniel colon followed by number 52 Barry Holden Daniel Cohen, if you are here, please unmute yourself so that we can hear your testimony.

1197
03:25:26.970 --> 03:25:27.840

X 51. Daniel Cohen: Hi, can you hear me.

1198
03:25:28.350 --> 03:25:28.860
Yes.

1199
03:25:30.390 --> 03:25:45.780
X 51. Daniel Cohen: My name is Daniel Cohen in the 1950s. My great uncle Arthur Conan invested in Manhattan real estate particularly relevant to the Soho rezoning our buildings, he invested in at 256 East 10th STREET AND 256 West 22nd Street, both of which are within walking distance of so

1200
03:25:47.160 --> 03:25:57.900
X 51. Daniel Cohen: My family still receives rent money from these investments and up until now, the zoning code has protected speculators like ourselves from competition and now allowed us to charge extremely high rents to hardworking New Yorkers.

1201
03:25:58.740 --> 03:26:08.460
X 51. Daniel Cohen: Unlike most New Yorkers. However, we haven't had to contribute anything of value in order to profit off of the city and we like it that way. In fact, most of my family doesn't even live in New York anymore.

1202
03:26:09.210 --> 03:26:17.610
X 51. Daniel Cohen: All thanks to New York City's wonderful zoning code which has blocked new buildings from competing with us. However, if you were to legalize more housing and Soho.

1203
03:26:17.880 --> 03:26:24.390
X 51. Daniel Cohen: That in order to compete with the newer fancier buildings that would go up. We might have to lower our rent slightly. Wouldn't that be terrible.

1204
03:26:25.200 --> 03:26:34.140
X 51. Daniel Cohen: I'm grateful that in the past, the Department of city planning has sided with speculators like my great uncle Arthur by perpetuating bands on new housing, please don't stop now.

1205
03:26:34.440 --> 03:26:40.290
X 51. Daniel Cohen: Please don't read them so hope, let us speculators make more money off of attendance by protecting us from competition.

1206
03:26:40.890 --> 03:26:50.790
X 51. Daniel Cohen: You want to continue charging as high rents as possible to hard working New Yorkers and allowing more competition would

go against that. Please oppose the Soho rezoning so that nearby older buildings.

1207
03:26:50.880 --> 03:26:52.020
X 51. Daniel Cohen: Like boy, boy. Yeah.

1208
03:26:52.290 --> 03:26:53.400
X 51. Daniel Cohen: Tidy one

1209
03:26:54.420 --> 03:26:54.600
X 51. Daniel Cohen: Like

1210
03:26:56.340 --> 03:26:56.700
X 51. Daniel Cohen: What

1211
03:26:57.300 --> 03:26:58.020
Olga Abinader, Director, DCP EARD: Please continue.

1212
03:26:59.130 --> 03:27:06.420
X 51. Daniel Cohen: Like the one my family profits from at 256 East 10th Street will continue to command high rents. Thank you. That's all.

1213
03:27:07.920 --> 03:27:16.080
Olga Abinader, Director, DCP EARD: Thank you for your testimony. For our next speaker is number 52 very Holden, followed by number 53 Mayra

1214
03:27:16.680 --> 03:27:17.100
Take over

1215
03:27:18.540 --> 03:27:28.470
Olga Abinader, Director, DCP EARD: Part. It was for one moment. I think we're still hearing our translators, if you can please switch your channels that we can hear speakers in the main channel. Thank you very much.

1216
03:27:29.730 --> 03:27:34.380
Olga Abinader, Director, DCP EARD: Hi, yes, we are now on number 52 speaker very Holden.

1217
03:27:35.190 --> 03:27:45.630
X 52. Barry Holden: Well, you know, I decided to speak when this meeting first started, and I've been listening to everybody and everybody said some really terrific things in general.

1218
03:27:46.110 --> 03:28:05.580
X 52. Barry Holden: I agree with almost everything. And I just wonder, I would ask a question of this process. Um, do you really listen to what we're saying. And this is really make a difference, or is this just essentially going to keep plowing forward and end up with one stand up. That's my question. And comment.

1219
03:28:05.970 --> 03:28:18.510
Olga Abinader, Director, DCP EARD: Thank you for your question. And we will respond more formally, but informally, just to let you know we are listening. This process is intended for every voice to be heard. We will listen if you participate today.

1220
03:28:19.020 --> 03:28:33.930
Olga Abinader, Director, DCP EARD: Provide your testimony verbally or if you provide your feedback in writing either via email or by emailing us your comments. So yes, we do. Listen. Thank you so much. Our next speaker is Margaret Mayra gory

1221
03:28:36.060 --> 03:28:48.210
Olga Abinader, Director, DCP EARD: My colleagues are telling me that Mayra org is currently not in our meeting. So we're going to move on to speaker number 54 Denny Selous Danny solace, are you here with us.

1222
03:28:49.710 --> 03:28:58.680
X 54. Denny Salas: Oh yeah, am. Can you hear me. Yes, perfect. My name is Danny solace and full disclosure, I am a candidate for city council in the desert in this desert.

1223
03:28:59.190 --> 03:29:08.520
X 54. Denny Salas: I am going to speak to the possibilities of rezoning that allow more affordable housing for lower income families to reside in high opportunity areas like SOHO and know by sharing my story.

1224
03:29:08.970 --> 03:29:15.750
X 54. Denny Salas: My family resided in town with one of the worst performing school systems and was often known for violence games and children getting into drug dealing.

1225
03:29:16.080 --> 03:29:23.940
X 54. Denny Salas: My parents were unwilling to limit their children's future take an extraordinary and legal step to provide us with opportunity the neighboring town was wealthier and had high

1226

03:29:24.390 --> 03:29:31.680
X 54. Denny Salas: Quality public schools. When my siblings I every school age. My parents enroll does. And these schools by lying about their address and violating the law.

1227
03:29:32.070 --> 03:29:40.140
X 54. Denny Salas: As immigrants, my parents risk of your penalty Swisher their children will receive a good education to them. Their actions were justified because they serve their kids.

1228
03:29:40.590 --> 03:29:48.360
X 54. Denny Salas: What was the outcome of their actions we ended up extending your school in our personal lives, my older sister became a willing Fulbright Scholar and obtain a PhD in psychology

1229
03:29:48.600 --> 03:29:54.630
X 54. Denny Salas: My older brother became a long haul truck driver while teaching himself three languages and coding but younger sister or message.

1230
03:29:54.870 --> 03:29:59.340
X 54. Denny Salas: Master's degree in economics and as continue pursuing her studies to her and a doctorate in the field.

1231
03:29:59.700 --> 03:30:02.520
X 54. Denny Salas: Our city is segregated by exclusionary zoning policies.

1232
03:30:02.760 --> 03:30:12.780
X 54. Denny Salas: The drawn school and housing lines and ensure the wealthiest have access to valuable real estate in high quality public education, while the working classes fasting two cycles of poverty crime and inferior schools.

1233
03:30:13.110 --> 03:30:19.080
X 54. Denny Salas: These policies can be eliminated by rezoning and building more housing in areas that have historically spot against it.

1234
03:30:19.440 --> 03:30:24.330
X 54. Denny Salas: near where I live. No neighborhood better provides an opportunity for change than rezoning so no

1235
03:30:24.630 --> 03:30:31.020

X 54. Denny Salas: But changing zoning rules in these areas. We can create a minimum of 700 affordable homes and an excellent neighborhood would access to great schools.

1236
03:30:31.470 --> 03:30:38.040
X 54. Denny Salas: Citigroup's recent study calculated as structural racism at Casa United States economy $16 trillion dollars over the last 20 years

1237
03:30:38.340 --> 03:30:45.000
X 54. Denny Salas: Moving these barriers that have held held back generations of Americans could increase our nation's GDP by $5 trillion in the next five years.

1238
03:30:45.240 --> 03:30:51.810
X 54. Denny Salas: Let us be blunt these policies exists due to green and prejudice individuals who benefit from taxpayer investments, whose tax burden.

1239
03:30:52.020 --> 03:30:57.330
X 54. Denny Salas: Disproportionately falls under cities lower socioeconomic citizens have weaponized their privilege for their prosperity.

1240
03:30:57.720 --> 03:31:05.010
X 54. Denny Salas: The cornerstone of their motivation never publicly admitted it never publicly admitted is to ensure the property values increase maintain their wealth.

1241
03:31:05.250 --> 03:31:12.330
X 54. Denny Salas: They believe that increased development would dilute their properties value and apply the same reasoning if more people of color were to occupy their space.

1242
03:31:12.750 --> 03:31:16.560
X 54. Denny Salas: That as a purpose of supporting exclusionary policies is born out of greed and racism.

1243
03:31:16.920 --> 03:31:21.990
X 54. Denny Salas: The murder of George Florida has a working in entire movement toward ending racist practices and policing beyond

1244
03:31:22.320 --> 03:31:30.360

X 54. Denny Salas: Our moral progress if it's the fight those especially ones that call themself Democrats and progressives who are opposed to ending the racist policies that have led the generational iniquities.

1245
03:31:30.930 --> 03:31:39.000
X 54. Denny Salas: Since I'm a few seconds left. I do want to embarrass my opponents are spoken and chose political expediency rather standing up for what is morally correct

1246
03:31:40.680 --> 03:31:54.810
Olga Abinader, Director, DCP EARD: Thank you for her testimony. Our next speaker is Madeline jingled Madeline jangled we're not sure if you're still here at the meeting, but if you are, please unmute yourself and begin your testimony.

1247
03:31:59.010 --> 03:32:00.660
Olga Abinader, Director, DCP EARD: Madeline jangled

1248
03:32:02.910 --> 03:32:05.520
Olga Abinader, Director, DCP EARD: All right, we'll move on to our next speaker.

1249
03:32:06.540 --> 03:32:14.580
Olga Abinader, Director, DCP EARD: Our speaker number 56 is Ken a Ken a if you are still with us, please unmute yourself.

1250
03:32:15.330 --> 03:32:16.320
X 56. Ken A: Hi, can you hear me.

1251
03:32:16.740 --> 03:32:22.380
X 56. Ken A: Yes I opportunities to share my background because I like to show you some graphics

1252
03:32:22.470 --> 03:32:29.370
Olga Abinader, Director, DCP EARD: For me, fortunately, we are only able to hear you today not see you but you can provide information over email or in writing.

1253
03:32:29.610 --> 03:32:48.330
X 56. Ken A: Okay, so I'll pull out of our email by rather talk about my own personal experience. I've been in New York City for almost 10 years I'm half Latino I've lived in non historic district and historic districts in my time here. And I often find myself being the only Latino amount

1254
03:32:49.770 --> 03:32:50.490
X 56. Ken A: And

1255
03:32:51.510 --> 03:33:04.440
X 56. Ken A: As someone who has studied economics and thought about this and study that I'm doing some research here is clear and obvious that the experts agree that

1256
03:33:07.110 --> 03:33:16.470
X 56. Ken A: The lack of affordable housing. And so how which had only produced one and one and only affordable housing units in the last six or five years.

1257
03:33:18.120 --> 03:33:27.300
X 56. Ken A: Has contributed to this. If you look at the segregation by Historic District versus non historic district. There's a really clear drop off and diversity.

1258
03:33:27.780 --> 03:33:37.410
X 56. Ken A: I am not against Assad districts. But I do think we need a reformed historic districts to be more inclusive and give opportunities to

1259
03:33:38.820 --> 03:33:48.840
X 56. Ken A: People have different color. So, um, and you're scoping review what I would suggest that you do is consider how to maximize your for housing.

1260
03:33:49.290 --> 03:34:08.520
X 56. Ken A: Units and the number of units by increasing a president or F AR M I saw that and and plan. Those a option for commercial space. I would encourage you to reduce the office space a commercial space FLIR as a disincentive to

1261
03:34:09.540 --> 03:34:17.850
X 56. Ken A: $40 a barrel office space as opposed to affordable housing which is desperately needed. And I also saw there's a potential harder for

1262
03:34:19.980 --> 03:34:25.740
X 56. Ken A: Non was a denture commercial space retention. If I'm just saying it correctly.

1263
03:34:26.850 --> 03:34:34.980

X 56. Ken A: You should get a bit of that harder. It's harder to prove to pull out as a Herder to promote integration into our historic districts

1264
03:34:36.330 --> 03:34:36.990
X 56. Ken A: So,

1265
03:34:38.040 --> 03:34:41.130
X 56. Ken A: It would be important to get rid of all herders especially

1266
03:34:42.600 --> 03:34:45.510
X 56. Ken A: In once in a lifetime opportunity that is the

1267
03:34:47.220 --> 03:34:49.830
X 56. Ken A: To create a housing until how for generations to come.

1268
03:34:51.600 --> 03:34:58.560
X 56. Ken A: I will provide provide details and an email. I'm glad that the BCP is thinking about this issue.

1269
03:35:00.000 --> 03:35:01.140
X 56. Ken A: Of you the rest of my time.

1270
03:35:02.160 --> 03:35:03.390
Olga Abinader, Director, DCP EARD: Thank you very testimony.

1271
03:35:04.410 --> 03:35:11.730
Olga Abinader, Director, DCP EARD: Our next speaker is she not King number 57 Sheena. Okay, please mute yourself. You're ready for your testimony.

1272
03:35:16.860 --> 03:35:26.430
X 57. Sheena Kang: Can you hear me. Yes. Okay. Thank you so much. Thank you so much for having me. My name is Sheena calm and I am with the citizens' housing and Planning Council.

1273
03:35:27.270 --> 03:35:32.400
X 57. Sheena Kang: So first and foremost, we as the HTC are just really incredibly enthusiastic to see

1274
03:35:32.760 --> 03:35:44.400
X 57. Sheena Kang: This rezone move forward. And we'd like to applaud and think the administration for taking this crucial opportunity to implement

some of the Fair Housing goals and values laid out in the Where We Live Plan.

1275
03:35:45.000 --> 03:35:59.880
X 57. Sheena Kang: It is long pass time for concrete policy reforms that will actually combat rather than just continue to study racial inequity and the impacts of segregation and so this rezoning I think has the potential for really substantive and meaningful impact without an

1276
03:36:01.080 --> 03:36:08.250
X 57. Sheena Kang: M, as you know, although 1000 New Yorkers live in. So who knows. Today it residential development in the areas not currently allowed

1277
03:36:08.820 --> 03:36:14.580
X 57. Sheena Kang: But the city is facing a homelessness crisis and an affordable housing shortage of historic magnitude

1278
03:36:15.030 --> 03:36:22.650
X 57. Sheena Kang: So this rezoning will allow for the creation of affordable housing that is desperately needed and an area that is really already largely residential

1279
03:36:23.430 --> 03:36:31.680
X 57. Sheena Kang: Then with the addition of new affordable units low income households in New Yorkers of color will finally get to share in the benefits that SOHO know how has to offer.

1280
03:36:32.070 --> 03:36:44.010
X 57. Sheena Kang: And no longer be excluded from the access to transit high performing schools jobs and other rich amenities in the area, the impacts of living in a neighborhood like SOHO can be really huge.

1281
03:36:44.760 --> 03:36:52.380
X 57. Sheena Kang: In 2018 the life expectancy of Manhattan CB to residents was almost five years longer than the city wide average

1282
03:36:53.970 --> 03:37:02.220
X 57. Sheena Kang: So in order for the rezoning to achieve these positive impacts. It's essential to facilitate a substantive amount of residential development.

1283
03:37:02.610 --> 03:37:12.780

X 57. Sheena Kang: Opportunities for new housing are already limited with 85% of the rezoning area and a historic district. So, to ensure that the rezoning advances the Fair Housing goals. It's really rooted in

1284
03:37:13.380 --> 03:37:21.810
X 57. Sheena Kang: Ch PC does urge the city to maximize opportunities for new residential development. Specifically, we recommend retaining the existing

1285
03:37:22.800 --> 03:37:28.950
X 57. Sheena Kang: For commercial and manufacturing uses rather than adopting the higher commercial FERS proposed in the draft scope.

1286
03:37:29.790 --> 03:37:36.330
X 57. Sheena Kang: A residential fly is included in the draft scope strike a delicate balance between both character and opportunities for new housing.

1287
03:37:36.900 --> 03:37:47.550
X 57. Sheena Kang: He proposed commercial FA ours of six and 10 could easily disrupt that by suppressing residential development in favor of office and other commercial uses. So we do recommend

1288
03:37:47.910 --> 03:37:55.440
X 57. Sheena Kang: Limiting the commercial FDR to five, especially in the Soho east to west and no hope. Every quarter sub districts

1289
03:37:56.280 --> 03:38:06.780
X 57. Sheena Kang: We also recommend explain off options to expand the rezoning area to make those aforementioned housing opportunities zones larger and create additional opportunities for new housing.

1290
03:38:07.710 --> 03:38:22.560
X 57. Sheena Kang: And then finally, we are concerned that a requirement for the one to one retention of non residential for area and projects with large existing buildings could preserve commercial uses at the expense of new housing. Do we hope that the city will consider relaxing this proposal.

1291
03:38:23.520 --> 03:38:24.780
X 57. Sheena Kang: And you got your testimony.

1292
03:38:25.500 --> 03:38:35.700

Olga Abinader, Director, DCP EARD: Our next speaker is number 58 Dan Miller, followed by number 59 core do Kurt Delia person Dan Miller, please unmute yourself.

1293
03:38:43.350 --> 03:38:48.330
Public Coordinator 3 : Mr. Miller has a version of zoom that

1294
03:38:49.470 --> 03:38:50.880
Public Coordinator 3 : Doesn't allow him to be

1295
03:38:52.170 --> 03:38:56.190
Public Coordinator 3 : To speak so will will work to get him on to be another route.

1296
03:38:57.180 --> 03:39:08.580
Olga Abinader, Director, DCP EARD: Thank you, Mr. Miller We will work with you. As you've heard, to get you to have your voice for today. Thank you so much for your patience. We'll move on to our next speaker number 59 career Delia person.

1297
03:39:10.590 --> 03:39:12.570
Olga Abinader, Director, DCP EARD: Or Delia person, please unmute yourself.

1298
03:39:12.960 --> 03:39:13.830
X 59. Cordelia Persen: Hi, can you hear me.

1299
03:39:14.310 --> 03:39:14.850
Yes.

1300
03:39:16.110 --> 03:39:24.570
X 59. Cordelia Persen: Hi I'm Cordelia person. I'm the executive director of the No. Whoa. Business Improvement District. I was also a member of the envision process advisory group.

1301
03:39:25.830 --> 03:39:37.710
X 59. Cordelia Persen: I want to say that the biggest happy that the rezoning is moving forward. We think the changes that like making retail as of right and allowing us group 10 on our large floor plate buildings is an important

1302
03:39:38.310 --> 03:39:40.140
X 59. Cordelia Persen: For the economic future of the neighborhood.

1303
03:39:40.770 --> 03:39:52.890
X 59. Cordelia Persen: In this rapidly changing economy where we don't know what is coming. We want to encourage flexibility to help make it easier to fill spaces and whatever new uses want to locate at our storefront levels.

1304
03:39:53.730 --> 03:40:05.490
X 59. Cordelia Persen: We are concerned, though, about the level of the proposed up zoning in our historic core the bid wants to preserve the look and the feel of knowhow and asked you to scope out

1305
03:40:06.090 --> 03:40:15.360
X 59. Cordelia Persen: A new zoning FDR scenarios with lower rates numbers that protect versus threaten our existing land marking.

1306
03:40:16.170 --> 03:40:21.270
X 59. Cordelia Persen: knowhow is blessed with rich architectural history and that is part of what makes us special

1307
03:40:21.870 --> 03:40:35.400
X 59. Cordelia Persen: While we are very supportive of the goal of adding affordable housing we worried that this plan as it exists will sacrifice the preservation of our architecture for what may only amount to a handful of units. Thank you.

1308
03:40:37.020 --> 03:40:54.810
Olga Abinader, Director, DCP EARD: Thank you. Our next speakers, there have three who are lined up. Number six seat Susan Posen number 61 Karen been outright number 62 max live in Livingston number 16 Susan Posen, are you here, joining us at this meeting.

1309
03:40:57.660 --> 03:40:58.770
Olga Abinader, Director, DCP EARD: Susan Posen

1310
03:41:00.930 --> 03:41:07.230
Olga Abinader, Director, DCP EARD: Okay. We'll move on to carry that out right Karen van outright, are you here.

1311
03:41:09.870 --> 03:41:10.290
Okay.

1312
03:41:13.890 --> 03:41:18.300
Olga Abinader, Director, DCP EARD: Moving on to max Livingston max Livingston

1313
03:41:24.930 --> 03:41:36.660
Olga Abinader, Director, DCP EARD: All right, my colleagues are telling me that these speakers are not at our meeting at this moment we'll move on to Ben broader Ben router. If you are still with us, please unmute yourself. We're ready for your testimony.

1314
03:41:37.620 --> 03:41:39.480
X 63. Ben Rotter: I can you hear me, yes.

1315
03:41:40.500 --> 03:41:45.900
X 63. Ben Rotter: Thank you for giving all of us the opportunity to comment. I know it's already been a long afternoon, you're doing a wonderful job.

1316
03:41:46.470 --> 03:41:56.340
X 63. Ben Rotter: Sitting here with us. So I just want to say I support this project because rezoning specifically the rezoning for increase housing is long overdue and this project would do the bare minimum.

1317
03:41:56.940 --> 03:42:09.600
X 63. Ben Rotter: To begin rebuilding and creativity in these neighborhoods and restoring the true history as a vibrant multi generational multi multi racial mixed use neighborhoods, not simply pretty buildings with homes for the wealthy and expensive boutique shopping

1318
03:42:10.290 --> 03:42:15.390
X 63. Ben Rotter: Unlike a number of speakers, I actually am not a long term residents, because I could never afford to live there.

1319
03:42:15.690 --> 03:42:24.720
X 63. Ben Rotter: I urge DC not too overweight complaints about neighborhood character from people who already have housing and instead continue to focus on the desperate need for housing.

1320
03:42:25.230 --> 03:42:33.450
X 63. Ben Rotter: Language, such as neighborhood character and historic landmark being have been used for generations to entrench racial segregation and create exclusive wealthy neighborhoods.

1321
03:42:33.840 --> 03:42:40.500
X 63. Ben Rotter: Even if that's not the intent of the people currently using these terms. That's what they've done in the past. And that's what they would continue to do in the future.

1322
03:42:41.400 --> 03:42:46.080
X 63. Ben Rotter: That's exactly what is happening to these neighborhoods that have led to decades of verification

1323
03:42:46.500 --> 03:42:53.910
X 63. Ben Rotter: Where I do find reason to critique. This proposal is something that's been mentioned a number of times, which is the commercial bars.

1324
03:42:54.270 --> 03:43:05.220
X 63. Ben Rotter: I would ask you to consider reducing reducing the commercial forest as much as possible in order to ensure the highest number of housing, especially affordable housing will actually get built

1325
03:43:06.360 --> 03:43:11.970
X 63. Ben Rotter: With a little bit of their meeting time I'd also just like to thank you guys for continuing to host meetings virtually

1326
03:43:12.840 --> 03:43:18.210
X 63. Ben Rotter: I know there's complaints that it's different from the way it normally works, but I know personally, I would never be able to attend.

1327
03:43:18.540 --> 03:43:28.020
X 63. Ben Rotter: A meeting from two to five on a weekday if it wasn't being done virtually so I appreciate this opportunity to still be involved with my fellow New Yorkers. Thank you so much.

1328
03:43:28.680 --> 03:43:29.850
Olga Abinader, Director, DCP EARD: Thank you for your testimony.

1329
03:43:30.930 --> 03:43:39.360
Olga Abinader, Director, DCP EARD: All right, our next speaker number 64 apparently has already joined us and provide a testimony. So, to be fair to everyone else in this process.

1330
03:43:39.660 --> 03:43:53.310
Olga Abinader, Director, DCP EARD: We're going to ask that speaker to please provide the testimony in writing and that will be considered and we'll move on to speaker number 65 Kim Lippmann Kim Lippmann if you're here, please unmute yourself.

1331
03:44:00.540 --> 03:44:01.980

Olga Abinader, Director, DCP EARD: Kim Lippmann

1332
03:44:07.650 --> 03:44:10.710
Olga Abinader, Director, DCP EARD: All right. Alright, we will move on to our next batch of speakers.

1333
03:44:12.090 --> 03:44:20.550
Olga Abinader, Director, DCP EARD: And I am not sure if the next batch of speakers are still with us, but I'll call their names, and if you are here, please unmute yourself in the order your call.

1334
03:44:21.750 --> 03:44:26.640
Olga Abinader, Director, DCP EARD: Speaker number 66 Christopher good Christopher good

1335
03:44:29.970 --> 03:44:35.550
Olga Abinader, Director, DCP EARD: Speaker number 67 Julie Harrison Julie Harrison.

1336
03:44:40.380 --> 03:44:43.740
Olga Abinader, Director, DCP EARD: Speaker number 68 Geraldine s

1337
03:44:45.600 --> 03:44:46.620
Olga Abinader, Director, DCP EARD: Carol DNS.

1338
03:44:50.730 --> 03:44:53.730
Olga Abinader, Director, DCP EARD: Speaker number 69 Michelle Campo

1339
03:44:55.620 --> 03:44:56.970
Olga Abinader, Director, DCP EARD: Michelle Campo

1340
03:45:00.750 --> 03:45:05.190
Olga Abinader, Director, DCP EARD: Speaker number 70. Oh, I think I did hear someone, yes.

1341
03:45:05.220 --> 03:45:12.120
X 69. michele campo: But I would like to give my time to David Mullins, if that's possible. I know we've listed there somewhere, coming up in the future.

1342
03:45:12.330 --> 03:45:22.740

Olga Abinader, Director, DCP EARD: That okay it's coming up in the future. Very shortly after you. Thank you so much. Michelle Campo. Our next speaker is speaker number 70 Michelle cover Smith.

1343
03:45:24.750 --> 03:45:25.980
Olga Abinader, Director, DCP EARD: Michelle, Congressman.

1344
03:45:30.300 --> 03:45:34.770
Olga Abinader, Director, DCP EARD: Our next speaker is number 73 David malkin's

1345
03:45:37.710 --> 03:45:38.940
Olga Abinader, Director, DCP EARD: David malkin's

1346
03:45:40.380 --> 03:45:42.240
X 73. David Mulkins: Can you hear me, yes.

1347
03:45:43.350 --> 03:45:48.630
X 73. David Mulkins: Hi, my name is David Vulcans on the president of the Bowery alliance of neighbors.

1348
03:45:49.740 --> 03:45:59.490
X 73. David Mulkins: And I, I thank you for letting the community speak during one of the city's most devastating health and economic crises.

1349
03:45:59.820 --> 03:46:14.700
X 73. David Mulkins: It is reprehensible to try to ramrod through a rezoning plan that quite clearly can have a destructive impact on residents small businesses, the longest established artist community.

1350
03:46:15.150 --> 03:46:22.620
X 73. David Mulkins: And the historic character of Soho, and no. Whoa. Two of the city's most iconic neighborhoods.

1351
03:46:23.310 --> 03:46:38.070
X 73. David Mulkins: As thousands of businesses have closed or a struggle to survive city officials time would be much better spent passing the long delayed. Small Business Jobs survival act.

1352
03:46:38.580 --> 03:46:51.840
X 73. David Mulkins: Which it has been sitting on for 30 years addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require

1353
03:46:52.260 --> 03:47:00.150
X 73. David Mulkins: Zoning changes which result in construction significantly larger than what the current rules allow

1354
03:47:00.810 --> 03:47:11.130
X 73. David Mulkins: sufficiently large buildings that could include affordable housing can be built on underdeveloped blots in the neighborhood right now.

1355
03:47:11.880 --> 03:47:28.680
X 73. David Mulkins: Now is no need to up zone, the neighborhood to allow for new development, which in fact bring only a pittance of actual affordable units to affordable units for every eight luxury units.

1356
03:47:29.130 --> 03:47:42.870
X 73. David Mulkins: It is an insulting sham to say that such an imbalance is promoting affordability when it primarily benefits developers and the forces of gentrification.

1357
03:47:43.620 --> 03:48:05.460
X 73. David Mulkins: The Bowery alliance of neighbors opposes the city's plan to up some Soho, and no home or change the square foot limits for retail spaces which are widely believed to open the floodgates to big box stores and turn this quaint neighborhood into a mega mall.

1358
03:48:06.510 --> 03:48:17.460
X 73. David Mulkins: If anything steps should be taken to support and encourage small mom and pop businesses, we support the community alternative plan.

1359
03:48:17.910 --> 03:48:34.470
X 73. David Mulkins: Which includes significant affordable housing and at the same time protects the residents, the artist, the small businesses and the unique character of two iconic New York City historic districts

1360
03:48:34.980 --> 03:48:46.920
X 73. David Mulkins: Sensible cities like Paris and Prague would never allow their historic districts to be destroyed by such reckless rezoning plans.

1361
03:48:47.310 --> 03:48:47.700
Olga Abinader, Director, DCP EARD: Thank you.

1362
03:48:47.940 --> 03:48:49.530

Olga Abinader, Director, DCP EARD: So much. Mr. Wilkins.

1363
03:48:49.920 --> 03:49:07.680
Olga Abinader, Director, DCP EARD: Thank you have more testimony to provide a reminder that we are accepting right testimony through December 18 our next speaker number 74 is Michael Lewin Michael Lewin, if you are here with us, please unmute yourself.

1364
03:49:07.770 --> 03:49:22.620
X 74. Michael Lewyn: I am, yes. So I favor, more, more housing and I generally support the testimony of Stephen Smith and CH PC. What I'd like to do is respond as kind of some of the arguments against new housing.

1365
03:49:24.300 --> 03:49:28.410
X 74. Michael Lewyn: Since I have limited time I think way back a couple of hours ago.

1366
03:49:28.860 --> 03:49:36.420
X 74. Michael Lewyn: Lynn Ellsworth of the tribe that could trust seems suggested that the law of supply and demand is somehow on perfect. She doesn't believe the new housing or lower costs.

1367
03:49:36.690 --> 03:49:50.820
X 74. Michael Lewyn: But it seems to me now, more than ever, we know that's wrong because we've seen that demand is collapse because of covert and by an odd coincidence rents go went down to. So to me it seems clear the law of supply and demand is real.

1368
03:49:52.230 --> 03:50:01.530
X 74. Michael Lewyn: Andrew Berman testified that. So how was somehow, if I understand correctly, that's our site basically to dance into traffic clog to support new housing.

1369
03:50:01.920 --> 03:50:11.520
X 74. Michael Lewyn: That clearly should be someplace else somewhere, but in fact fact I looked on city data.com so has 58,000 people per square mile, which is

1370
03:50:11.730 --> 03:50:17.610
X 74. Michael Lewyn: To be fair, it's more than the city wide average but it's less than the Manhattan average it's less than most Manhattan neighborhoods.

1371
03:50:17.970 --> 03:50:25.830

X 74. Michael Lewyn: So it seems to me if you're going if you're if if density is an argument against new housing.

1372
03:50:26.490 --> 03:50:34.500
X 74. Michael Lewyn: Is probably an argument against your housing somewhere else. Similarly, someone else mentioned that. So, whoa, it's a mixed use area that's true of most of Manhattan.

1373
03:50:35.130 --> 03:50:43.170
X 74. Michael Lewyn: And frankly, I think most people should more people should be living in mixed use areas because that means more people can walk to storage and other amenities.

1374
03:50:43.620 --> 03:50:50.490
X 74. Michael Lewyn: Instead of driving number taking the subway, especially now that subway, that there's likely to be big cuts and subway service.

1375
03:50:50.730 --> 03:51:02.100
X 74. Michael Lewyn: I think it's more important than ever to try to concentrate as much new housings can in areas that are close to major business districts like Midtown and Wall Street, so that people can walk to those office districts

1376
03:51:02.670 --> 03:51:06.240
X 74. Michael Lewyn: Because there might not be as much subway services, there was a year ago.

1377
03:51:07.590 --> 03:51:19.560
X 74. Michael Lewyn: Similarly, a lot of commentators complained about traffic and pollution. But if housing shortages force people into the suburbs, an outer boroughs. That will mean more people drive more which have Kurt's creates more traffic and pollution.

1378
03:51:20.520 --> 03:51:33.840
X 74. Michael Lewyn: Finally, I hear a lot of discussion about sunlight. Well, I live in midtown Manhattan and in Midtown. There's buildings and much taller than anywhere near Soho, and there's plenty of sunlight, so I don't really get that argument.

1379
03:51:34.290 --> 03:51:38.580
X 74. Michael Lewyn: And since I'm running out of time. I reserved for other arguments for an email, I'll send you

1380
03:51:39.840 --> 03:51:45.660

Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker is Spencer heckles

1381
03:51:46.680 --> 03:51:49.230
Olga Abinader, Director, DCP EARD: Spencer heckle please unmute yourself.

1382
03:51:50.700 --> 03:51:51.270
X 75. Spencer Heckwolf: I can hear me.

1383
03:51:51.930 --> 03:51:52.440
Yes.

1384
03:51:53.460 --> 03:51:55.110
X 75. Spencer Heckwolf: Hi. I want to support

1385
03:51:56.430 --> 03:52:00.480
X 75. Spencer Heckwolf: Of zoning Soho, especially of zoning residentially

1386
03:52:01.950 --> 03:52:04.590
X 75. Spencer Heckwolf: This city desperately needs more homes.

1387
03:52:05.220 --> 03:52:07.230
Olga Abinader, Director, DCP EARD: So we need to start your, your time.

1388
03:52:07.560 --> 03:52:07.860
Okay.

1389
03:52:10.200 --> 03:52:10.530
Olga Abinader, Director, DCP EARD: Good.

1390
03:52:11.460 --> 03:52:21.090
X 75. Spencer Heckwolf: Okay, this city desperately needs more homes and needs more market right homes, it needs more affordable housing. It means more shelters. It means more supportive housing.

1391
03:52:21.780 --> 03:52:33.840
X 75. Spencer Heckwolf: It means basically everything every Joe Biden's housing plan calls for desegregating rich white neighborhoods near lots of jobs and lots of transit.

1392
03:52:34.320 --> 03:52:39.630

X 75. Spencer Heckwolf: Is literal housing plan says these type of areas need to allow for a lot more housing.

1393
03:52:40.470 --> 03:52:47.190
X 75. Spencer Heckwolf: So I'm guessing a lot of you voted for Joe Biden and that's in his plan and that wasn't every single Democratic candidates.

1394
03:52:48.090 --> 03:53:05.520
X 75. Spencer Heckwolf: It wasn't in Donald Trump's plan he wanted to exclude people from wealthy high opportunity areas. Well, we need to allow more people to live in these types of areas concerns about character and all that stuff. I'm sorry it's it comes second to people needing a place to live.

1395
03:53:07.530 --> 03:53:14.280
X 75. Spencer Heckwolf: So again, I support the zoning, I support, I support these meetings, I think these online meetings are much more inclusive.

1396
03:53:14.790 --> 03:53:21.900
X 75. Spencer Heckwolf: Than the in person meetings, I think they should continue post pandemic, you should integrate them into in person meetings so people can choose

1397
03:53:22.290 --> 03:53:38.670
X 75. Spencer Heckwolf: I strongly disagree with people who want to put this on hold, wanting to put TCP staff out of a job because they aren't able to yell at opponents in person meetings I find her principal. So again, please keep these meetings going forward. Thank you. Bye.

1398
03:53:39.480 --> 03:53:50.880
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker, excuse me, will be moving on to those members of the public who have dialed in, who perhaps, perhaps experienced technical difficulties earlier in this meeting.

1399
03:53:52.140 --> 03:54:01.020
Olga Abinader, Director, DCP EARD: Our next speaker is phone number, ending in 714 I believe is Dan Miller who wasn't able to join us via zoom

1400
03:54:02.970 --> 03:54:07.920
Olga Abinader, Director, DCP EARD: Dan Miller, please unmute yourself by dialing star six when you have

1401

03:54:08.040 --> 03:54:10.290
X 1202****714: The ability to do so. Hi, can you hear me.

1402
03:54:10.920 --> 03:54:11.850
X 1202****714: We can, yes.

1403
03:54:12.900 --> 03:54:13.530
X 1202****714: Okay, great.

1404
03:54:14.850 --> 03:54:25.890
X 1202****714: I, like many others and going to support this rezoning I think it's really, really important that, so get more housing and more affordable housing.

1405
03:54:26.310 --> 03:54:37.320
X 1202****714: market rate housing fantastic affordable housing. Fantastic. But what I'd like to do is make sure that this plant that this rezoning actually produces

1406
03:54:38.130 --> 03:54:50.580
X 1202****714: The amount as much housing as we can get out of this process. And to do that, I'd like to focus on one specific issue, namely that unfortunately the commercial densities are too high here.

1407
03:54:52.170 --> 03:55:03.180
X 1202****714: We I'm a part of a group called open, New York, and we push for more housing and we've done. We've done a lot of work on this project and it's

1408
03:55:04.140 --> 03:55:16.110
X 1202****714: It's clear that the way to maximize the amount of housing here is to make sure that developers decide to build residential rather than commercial space and the best way to do that.

1409
03:55:16.470 --> 03:55:43.590
X 1202****714: Is to maximize the residential FLIR and, for example, you could build, you could go up to our 10 instead of our nine x. And you could go out to our eight or even higher instead of our seven x in some of the outside, outside lots, but also limit the commercial density

1410
03:55:44.640 --> 03:55:48.480
X 1202****714: The current proposal has a proposed commercial FA IR of 10

1411
03:55:49.530 --> 03:56:07.650

X 1202****714: That should be lowered to five to ensure that developers have the right incentives to build as much housing as possible to make sure that we can house as many New Yorkers as possible. In an ideal world, we can have both right. We would have a robust

1412
03:56:08.730 --> 03:56:18.750
X 1202****714: commercial space development here and also a lot of residential development. Unfortunately, the state legislature. It limits us to 12 Sai total

1413
03:56:19.230 --> 03:56:30.570
X 1202****714: And we don't live in a perfect world so until that changes, we have to concentrate on what's needed most. And that's residential development, so please make sure that

1414
03:56:31.020 --> 03:56:41.430
X 1202****714: Developers are incentivized to do the right thing and build some housing here rather than commercial space, which would be less desirable or even worse.

1415
03:56:42.030 --> 03:56:53.250
X 1202****714: Not passing the plan at all and leaving these parking lots, sitting fallow in one of the densest and most desirable neighborhoods in the greatest city in the world. Thank you.

1416
03:56:54.510 --> 03:57:03.000
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony. All right. At this time, I'm going to ask our production team to please display on the screen art instructions side.

1417
03:57:04.740 --> 03:57:14.130
Olga Abinader, Director, DCP EARD: And while that is happening in the background. If there's anyone else who wishes to speak at this time. But experience technical issues.

1418
03:57:14.640 --> 03:57:26.730
Olga Abinader, Director, DCP EARD: We do want to remind everyone to please call into our hotline and our dial in number, so that we can register you via telephone so that we can give you an opportunity to be heard today.

1419
03:57:27.030 --> 03:57:34.530
Olga Abinader, Director, DCP EARD: It is important for us to make sure that every voice is heard today. So at this time.

1420

03:57:35.250 --> 03:57:47.940
Olga Abinader, Director, DCP EARD: My apologies. You can also find instructions on how to register online@www.nyc.gov forward slash NYC e n G, A, G, or NYC engage

1421
03:57:48.300 --> 03:58:04.050
Olga Abinader, Director, DCP EARD: We will now wait approximately five minutes for members of the public wishing to provide their testimony, who haven't been able to do so to please complete the online registration process before we return and receive this meeting.

1422
03:58:04.860 --> 03:58:13.920
Olga Abinader, Director, DCP EARD: The time is 5:58pm we will return at 603 or shortly thereafter. Thank you all for your patience and we will see you in five minutes.

1423
04:03:04.320 --> 04:03:09.000
Olga Abinader, Director, DCP EARD: Alright, good afternoon everyone and welcome back to our public scoping meeting.

1424
04:03:09.630 --> 04:03:17.700
Olga Abinader, Director, DCP EARD: To those of you who have joined us just now you're tuning into the virtual or remote public scoping meeting for the Soho no whole neighborhood plan.

1425
04:03:18.060 --> 04:03:30.750
Olga Abinader, Director, DCP EARD: For the record, this proposal seeker or city and ramen. So quality review number is 21 D CP 05 9am. My name is Olga Avenue and I'm the director of the New York City.

1426
04:03:31.260 --> 04:03:37.050
Olga Abinader, Director, DCP EARD: Planning, excuse me, New York City Department of State Planning and ramen. So assessment and review division.

1427
04:03:37.770 --> 04:03:47.010
Olga Abinader, Director, DCP EARD: We are currently on Part three of today's public scoping meeting where members of the public can be heard for a limit of three minutes.

1428
04:03:47.850 --> 04:03:59.310
Olga Abinader, Director, DCP EARD: We do have two new speakers who have joined us during the break. So now I'm going to call her names and I'll ask our production team to please project the timer with three minutes on the clock.

1429
04:04:04.590 --> 04:04:15.960
Olga Abinader, Director, DCP EARD: Well, that is happening in the background. I will call on the names of the next two speakers. Our first speaker number 76 is Martin Lawrence.

1430
04:04:16.500 --> 04:04:28.020
Olga Abinader, Director, DCP EARD: Followed by number 77 Amelia Josephson Martin Lawrence. If you are able to hear us, please unmute yourself as we're ready to hear your testimony and

1431
04:04:28.080 --> 04:04:28.920
X 76. Marna Lawrence: Can you hear me.

1432
04:04:29.520 --> 04:04:30.870
Olga Abinader, Director, DCP EARD: Yes. Oh, good. Okay.

1433
04:04:31.140 --> 04:04:31.590
Um,

1434
04:04:32.670 --> 04:04:35.010
X 76. Marna Lawrence: I miss my time. I'm sorry. I went out and

1435
04:04:35.400 --> 04:04:40.380
X 76. Marna Lawrence: Immediately afterwards as with the vast majority of speakers attending this meeting.

1436
04:04:41.010 --> 04:04:49.470
X 76. Marna Lawrence: I oppose the plan is presented, I object to up zoning when there is so much available. They can space and believe that it is a dishonest ruse.

1437
04:04:49.920 --> 04:04:55.620
X 76. Marna Lawrence: The city to suggest, they're building high rise luxury buildings will create truly affordable housing.

1438
04:04:56.400 --> 04:05:03.270
X 76. Marna Lawrence: And also seeing how little studies been done to date city planning is not ready to move forward. It's obvious there should be a pause.

1439
04:05:03.960 --> 04:05:20.130
X 76. Marna Lawrence: The time is late and I will give them Jordan my time speaking to others, except to say that I am too. And this has been

mentioned before, I'm utterly and terribly distressed by the lack of public access public review and public input.

1440
04:05:21.300 --> 04:05:29.370
X 76. Marna Lawrence: Putting aside workshops, no one listened city council. I mean city planning did not listen to the people, the residents and the small business owners.

1441
04:05:29.910 --> 04:05:36.870
X 76. Marna Lawrence: At the, you know, we're at those workshops. So the process leaves one, you know, wanting

1442
04:05:37.830 --> 04:05:45.240
X 76. Marna Lawrence: I strongly believe in governmental transparency and understand that the present circumstances with the pandemic make that a real challenge.

1443
04:05:45.870 --> 04:05:52.650
X 76. Marna Lawrence: However, I don't think that there has been an earnest attempt to keep the community readily informed, to be honest. It is shocking to see

1444
04:05:53.130 --> 04:06:00.600
X 76. Marna Lawrence: How the city is decided to push through. I mean really pushed through changes that would so significantly impact the lives

1445
04:06:00.990 --> 04:06:20.610
X 76. Marna Lawrence: Of so many residents and small business owners, especially at such a time as this when our city is under such distress to the bit due to the pandemic, it appears obvious that this is a land grab for the powerful real estate industry and all those who will profit from it. Thank you.

1446
04:06:23.250 --> 04:06:31.140
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Our next speaker is Amelia Josephson Amelia Josephson please unmute yourself.

1447
04:06:33.210 --> 04:06:39.840
X 77. Amelia Josephson: I can folks hear me. Yes. Great, thanks so much for making the time to hear these public comments.

1448
04:06:40.590 --> 04:06:50.850

X 77. Amelia Josephson: Like some other folks who have spoken very interested in prioritizing the possibility of new residential units in Soho and knowhow as part of the rezoning

1449
04:06:51.330 --> 04:06:56.460
X 77. Amelia Josephson: And so would echo comments that have been made about the commercial floor area ratio.

1450
04:06:57.330 --> 04:07:09.510
X 77. Amelia Josephson: I'd also like to use this time to push for the deepest level of affordability on the affordable units, I think, as has been shared this is a real opportunity to integrate

1451
04:07:10.170 --> 04:07:16.890
X 77. Amelia Josephson: What has become a very elite neighborhood of our city. And the best way to do that is through deep affordability.

1452
04:07:17.850 --> 04:07:26.520
X 77. Amelia Josephson: To that same and I would also encourage the city to coordinate so that as we integrate the housing and so we're also making sure we integrate the schools.

1453
04:07:27.450 --> 04:07:36.390
X 77. Amelia Josephson: Because we know that folks will be moving into the neighborhood with families starting families and we want this process to be as transformative.

1454
04:07:37.260 --> 04:07:48.420
X 77. Amelia Josephson: When it comes to integration as possible to get the most benefit for equity in our city. So I'll keep it brief. But thanks again for making this time and excited to hear more about the process going forward.

1455
04:07:49.500 --> 04:07:59.850
Olga Abinader, Director, DCP EARD: Thank you for your testimony. Now we're going to move on to members of the public who have dialed in, and who actually are still interested in providing testimony.

1456
04:08:01.710 --> 04:08:13.500
Olga Abinader, Director, DCP EARD: Let's see. I will not check with my colleagues to see if anyone has settled in. As a reminder, if you'd like to let us know that you'd like to speak and you haven't spoken already, please remember to dial star nine

1457
04:08:14.160 --> 04:08:28.410

Olga Abinader, Director, DCP EARD: dial star nine and that will tell our team that you are interested in joining us and providing testimony. Once again, please tell star nine if you called via telephone and would like to provide testimony.

1458
04:08:31.860 --> 04:08:44.250
Olga Abinader, Director, DCP EARD: Okay, I'm hearing from my team that someone named Anita georgeson wishes to provide testimony, I need a George Jorgenson, are you on the call.

1459
04:08:50.280 --> 04:08:54.960
Olga Abinader, Director, DCP EARD: Anita georgeson and my apologies if I mispronounced your name.

1460
04:08:55.980 --> 04:08:58.890
Stephanie Shellooe, Deputy Director, DCP EARD: I believe there's someone with the

1461
04:08:58.920 --> 04:09:01.590
X 1917****576: Their phone number, ending in 576

1462
04:09:03.240 --> 04:09:03.780
Hello.

1463
04:09:04.860 --> 04:09:06.660
X 1917****576: Yes, this is Victoria.

1464
04:09:08.040 --> 04:09:08.850
X 1917****576: Victoria, am I

1465
04:09:09.780 --> 04:09:11.220
Olga Abinader, Director, DCP EARD: Will start the clock. Yes. Hi.

1466
04:09:11.580 --> 04:09:13.800
X 1917****576: Victoria Hill stem I

1467
04:09:15.660 --> 04:09:27.570
X 1917****576: Thank you for having me and including me. I'm sorry. This was my first time on zoom, I would like to first say that, of course, I support the communities.

1468
04:09:28.770 --> 04:09:43.170

X 1917****576: rezoning plans, I would like to say that I agree with most of the callers that this is extremely inappropriate during a pandemic SOHO now represents

1469
04:09:43.710 --> 04:09:59.580
X 1917****576: An aging artist an aging community that are at the highest risk, it is extremely improper to put this burden on its residents that we need to handle this in person.

1470
04:10:00.150 --> 04:10:11.910
X 1917****576: With everybody present, I would like to say that I am a last minute for very many years in tried, and we went through this in after 911

1471
04:10:12.420 --> 04:10:26.490
X 1917****576: And Tribeca was rezoned every other building is now sitting vacant our neighbors or illegally displaced with accidents buyers wiring buildings.

1472
04:10:27.060 --> 04:10:41.760
X 1917****576: It is atrocious. What went on in for a backup after 911 many of our neighbors from Tribeca all the way to Harlem, because it's the ports all showed up in record numbers to oppose myth.

1473
04:10:42.360 --> 04:10:52.680
X 1917****576: But as you call during the myth hearings Alicia Glenn and the key being were very clear during 12 hours of testimony.

1474
04:10:53.250 --> 04:11:07.980
X 1917****576: That the way that myth won't work since we knew this plan would cause massive displacement was that they had every tool in their toolbox, meaning the dob that the Department of

1475
04:11:08.670 --> 04:11:17.520
X 1917****576: Housing and renewal half of the mayor staff has left half of these departments and the city records are not available.

1476
04:11:18.540 --> 04:11:34.980
X 1917****576: This is a very, very, very inappropriate circumstance, we're in this circumstance, what the mayor has approved apparently calling us a bunch of wealthy hippies, which is ridiculous given he's the one that owns two homes in Park Slope.

1477
04:11:35.550 --> 04:11:42.810

X 1917****576: Is absolutely not true. Jay Z Denzel duty Damon dash Russell Simmons.

1478
04:11:43.980 --> 04:11:58.080
X 1917****576: Rachael Ray Basquiat john legend have all been our neighbors for over 25 years. This is a community of artists, the arts are not discriminatory.

1479
04:11:58.530 --> 04:12:20.340
X 1917****576: More over, than the pandemic that 1.4 million people face eviction and the supply and demand has has altered dramatically what you left out of this plan, which is male practice in my opinion is that TV and film will produce more revenue by the year 2025 than our state taxes, many

1480
04:12:22.710 --> 04:12:25.260
X 1917****576: Unfortunately, are not real.

1481
04:12:25.890 --> 04:12:31.740
Olga Abinader, Director, DCP EARD: Thank you so much. If you would like to provide the rest of your testimony in writing, we will continue to accept that.

1482
04:12:32.460 --> 04:12:41.100
Olga Abinader, Director, DCP EARD: Alright, we are now moving on to our next speakers. Do we have any others who had technical difficulties today who still wish to provide testimony.

1483
04:12:41.490 --> 04:12:55.530
Olga Abinader, Director, DCP EARD: But call your name earlier please alert, one of our colleagues, please. Again, we encourage you to call in, again, so we can make sure that we get everybody who wishes to speak today and anyone else. Any others wishing to provide testimony today.

1484
04:12:57.300 --> 04:13:00.060
Olga Abinader, Director, DCP EARD: I will check with my colleagues now to see if we have anyone else.

1485
04:13:01.950 --> 04:13:02.640
Olga Abinader, Director, DCP EARD: Okay.

1486
04:13:06.840 --> 04:13:18.360
Olga Abinader, Director, DCP EARD: All right. It does look like we have one additional color this additional color your phone number ends with the three digits 903903

1487
04:13:19.920 --> 04:13:25.050
Olga Abinader, Director, DCP EARD: Please press star six to unmute yourself and we will

1488
04:13:25.080 --> 04:13:26.250
Olga Abinader, Director, DCP EARD: Project our

1489
04:13:26.520 --> 04:13:28.140
X 1917****903: Timer for three minutes.

1490
04:13:29.880 --> 04:13:33.270
Olga Abinader, Director, DCP EARD: All right. Can you hear me, please. MC century yourself.

1491
04:13:34.770 --> 04:13:40.830
X 1917****903: My name is Jonathan Linden them. I was born and raised in New York live as long as I can remember.

1492
04:13:42.420 --> 04:13:50.580
X 1917****903: I'm gonna keep my testimony pretty short because I'm sure we're all tired all the first I want to say thank you for arranging this I do really appreciate the online format. It makes it a lot easier to attend.

1493
04:13:52.200 --> 04:14:00.210
X 1917****903: In 1972 mayor Lindsay's housings our guy named Simeon goal or during a fight to build affordable housing and queens asked

1494
04:14:01.650 --> 04:14:05.550
X 1917****903: When did the computation process come to a halt. When can we rely on commitments once made

1495
04:14:06.270 --> 04:14:14.550
X 1917****903: I think it's clear from testimony today by many people that the concerns raised by people opposed to affordable housing and SOHO and opposed to letting people live.

1496
04:14:14.880 --> 04:14:17.580
X 1917****903: Where they work and live where they have opportunity once tonight to them.

1497
04:14:18.210 --> 04:14:23.610

X 1917****903: Are just concerns. We've heard time and time again to block all affordable housing in the city concerns about shadows concerns.

1498
04:14:24.000 --> 04:14:30.780
X 1917****903: About loud noises concerns about people have a different skin color living your neighborhood. This is all stuff we've heard before. And it's time

1499
04:14:31.650 --> 04:14:40.140
X 1917****903: To rely on him and once made SME on goal or said commitments to allowing people to live a better life where they can. That's all I have to say thank you very much.

1500
04:14:41.400 --> 04:14:42.660
Thank you for your testimony.

1501
04:14:43.740 --> 04:14:46.530
Olga Abinader, Director, DCP EARD: All right, I will check with my colleagues to see if we have anyone

1502
04:14:46.530 --> 04:14:48.600
Olga Abinader, Director, DCP EARD: Else wishing to provide testimony.

1503
04:14:48.630 --> 04:14:49.050
Today,

1504
04:14:50.490 --> 04:15:05.640
Olga Abinader, Director, DCP EARD: All right, we'll try once again with Anita, who is ending in three digits 574 if your phone number ends in the digits 574 please press star six to unmute yourself so we can hear testimony.

1505
04:15:07.620 --> 04:15:08.910
Olga Abinader, Director, DCP EARD: Not sure if you're still with us.

1506
04:15:09.090 --> 04:15:10.110
X 1646****574: Hello to Nita

1507
04:15:10.890 --> 04:15:12.720
Olga Abinader, Director, DCP EARD: Hi, were able to hear you. Hi.

1508
04:15:14.160 --> 04:15:16.050
X 1646****574: Thank you for taking my call.

1509
04:15:17.670 --> 04:15:23.940
X 1646****574: I am an agreement so agreement with not the previous speaker, the previous speaker prior

1510
04:15:25.110 --> 04:15:37.080
X 1646****574: In tried Becca, and as many others have said, our community is 100% not opposed to affordable housing.

1511
04:15:38.130 --> 04:15:40.950
X 1646****574: In fact, we think is a very good idea.

1512
04:15:42.120 --> 04:16:03.900
X 1646****574: We are opposed to up zoning as the current availability of places to build will meet the demand for affordable housing. It is simply a plain and simple developer banker investment.

1513
04:16:05.010 --> 04:16:08.220
X 1646****574: Folks giveaway plain and simple.

1514
04:16:09.750 --> 04:16:25.860
X 1646****574: It's widely known that the primary landlord is so hope, for example, also a no. Whoa, is a major contributed contributor to De Blasio it's just so completely transparent.

1515
04:16:27.150 --> 04:16:29.490
X 1646****574: As previous speakers have said.

1516
04:16:30.540 --> 04:16:33.090
X 1646****574: Mountains of ultra luxury.

1517
04:16:34.560 --> 04:16:46.170
X 1646****574: Apartments will be created be created here with a very small portion of affordable and the bracket that that the cutoff is that for income.

1518
04:16:46.740 --> 04:17:00.000
X 1646****574: For affordable is actually kind of high hundred and $60,000 income, a year or something like that. So again, I just want to emphasize our communities, welcome.

1519
04:17:01.860 --> 04:17:15.840

X 1646****574: Families residents etc requiring affordable housing. In fact, that's why I live here because it was affordable. When I lived here and to no fault of anyone

1520
04:17:16.350 --> 04:17:33.120
X 1646****574: Who had been here for a while, it became very desirable through our sweat equity not private equity. So no up zoning yes to affordable housing. Thank you.

1521
04:17:34.200 --> 04:17:35.880
Olga Abinader, Director, DCP EARD: Thank you so much for your testimony.

1522
04:17:36.780 --> 04:17:42.510
Olga Abinader, Director, DCP EARD: All right, I'll check in with my colleagues again to see if we have anyone else wishing to provide testimony today.

1523
04:17:47.190 --> 04:17:52.440
Olga Abinader, Director, DCP EARD: Please hang hang on for one minute while we double check. Thank you.

1524
04:17:54.840 --> 04:18:05.970
Olga Abinader, Director, DCP EARD: And once again, our contact information is projected on the screen to those of you who have joined us online through able to dial in or join us via telephone

1525
04:18:09.570 --> 04:18:10.350
All right.

1526
04:18:11.580 --> 04:18:28.470
Olga Abinader, Director, DCP EARD: We do have an additional color who wishes to provide testimony today so project. Our timer three minutes. Once again, our callers phone numbers last three digits are 11616 please remember to press star six to unmute yourself.

1527
04:18:36.690 --> 04:18:47.940
Olga Abinader, Director, DCP EARD: If you're able to hear us. If your phone number ends in 116 we are ready for your testimony. Please unmute yourself. I believe that you dial star six to unmute yourself.

1528
04:18:57.180 --> 04:18:57.450
X 1917****116: Here's

1529
04:19:00.390 --> 04:19:03.060

X 1917****116: Your live stream, be able to hear you better

1530
04:19:12.990 --> 04:19:13.800
X 1917****116: Give you a moment.

1531
04:19:29.610 --> 04:19:30.570
X 1917****116: Having trouble here.

1532
04:19:31.620 --> 04:19:39.000
X 1917****116: Hi, can you hear me now I have the zoom the screen on but I've been waiting hours to get on this because I had signed up.

1533
04:19:40.290 --> 04:20:00.690
X 1917****116: So I've waited till two o'clock. And so that's one. One reason I really feel the meeting should be in her in person for something that's important. I'm over 40 year resident and the loft tenants and I've been through many different things as as a tenant and what concerns me after reading

1534
04:20:01.920 --> 04:20:09.780
X 1917****116: The city's proposal and attending all the meetings that we were really promised the residence here.

1535
04:20:10.440 --> 04:20:17.910
X 1917****116: That that was the number one priority was to keep the residents safe and here. And second, was to preserve

1536
04:20:18.600 --> 04:20:32.100
X 1917****116: The historic district of so how so after reading the new proposal. It's just things that was just, it's very much destroyed and really has no protections which under a 10 year

1537
04:20:32.940 --> 04:20:42.870
X 1917****116: renovation and changing and that would be terrific. The noise, the traffic, the construction that this but also what happens to

1538
04:20:43.740 --> 04:20:54.420
X 1917****116: Tenants and I'm an artist block that is many times there's harassment, there's already calls. I'm getting about from real estate people asking if I'm moving

1539
04:20:55.290 --> 04:21:09.330
X 1917****116: But there's already, but there's all kinds of things that can happen because I see no protection and the plan for the residence or

for the area of someone decided to not follow whatever vague rules are there which there are none.

1540
04:21:10.500 --> 04:21:18.540
X 1917****116: I highly recommend the city of following the alternative zoning plan and i i see really know

1541
04:21:19.020 --> 04:21:26.040
X 1917****116: The up zoning is just going to destroy this beautiful historic neighborhood and also the all the

1542
04:21:26.520 --> 04:21:45.750
X 1917****116: Artists themselves, which were artists, an important movements throughout the 60s, 70s, 80s, 90s to 10am today. This is not something in the past is there living artists. They're also as the ones are senior aging in place, we have all our artwork.

1543
04:21:46.950 --> 04:21:57.480
X 1917****116: And we may have a state of our work from people. And this takes time and we need to be here. We need to be living here. To do this, this needs to be safe.

1544
04:21:58.110 --> 04:22:05.130
X 1917****116: I've worked all my life with other communities all over the city in the borough and I want this to guarantee

1545
04:22:05.730 --> 04:22:15.300
X 1917****116: That this will be a diverse community and that's housing, like I'm a lot 10 that can easily be done, and these extra buildings and change the way

1546
04:22:15.900 --> 04:22:29.370
X 1917****116: Where I came in. Not all of us are luxury high income people. And that's what must be protected. And so, as well as people coming in, should not come into a high rise.

1547
04:22:30.090 --> 04:22:40.380
X 1917****116: Neighborhood. They should have the value of living in this beautiful neighborhood that we have that should be available and accessible to everybody.

1548
04:22:41.280 --> 04:22:59.610
X 1917****116: Not just this luxury, which I would destroy the community to turn into that and it's nothing. That is our that we've ever wanted.

And it was so much for your testimony. We know in one on XP. Anyways, the summer, our community 78

1549
04:22:59.640 --> 04:23:00.360
Olga Abinader, Director, DCP EARD: Is Bobby. Bobby

1550
04:23:05.790 --> 04:23:06.330
Olga Abinader, Director, DCP EARD: Bobby

1551
04:23:06.360 --> 04:23:20.100
X 78. Bobbi Barnett: Barnett. Hi, can you hear me, are you able to hear me. Okay, that's great. Thank you so very much. My name is Bobby Barnett. I'm a lifelong New Yorker. I'm a public servant. I also live walking distance from this proposed site.

1552
04:23:20.670 --> 04:23:31.800
X 78. Bobbi Barnett: I wanted to just commend TCP, both on hearing all of these comments for, you know, so many hours here and then also for taking the time to create such a thoughtful plan here for this rezoning

1553
04:23:32.910 --> 04:23:40.890
X 78. Bobbi Barnett: I want to echo the support that I've heard from various colors relating to both greater residential

1554
04:23:41.580 --> 04:23:46.830
X 78. Bobbi Barnett: Densities for this, the sites proposed and then deeper levels of housing affordability in this plan.

1555
04:23:47.340 --> 04:23:54.570
X 78. Bobbi Barnett: With almost half of the city's tenants rent burdened, now is the time to push for greater affordability numbers and levels.

1556
04:23:55.140 --> 04:24:13.650
X 78. Bobbi Barnett: With this rezoning. And so I do hope that you take that into consideration. I also wanted to offer a specific point of critique about the draft plan specifically related to the non residential floor area retention policies which I think you talked about on page 18 of the draft plan.

1557
04:24:14.880 --> 04:24:23.250
X 78. Bobbi Barnett: The city proposes that commercial floor area must be replaced one to one. In the case of any development or conversion to other uses, including residential

1558
04:24:23.850 --> 04:24:32.580
X 78. Bobbi Barnett: And I hope that TCP considers removing or revising this policy to allow for easier conversions from commercial to residential uses in this district.

1559
04:24:32.970 --> 04:24:40.410
X 78. Bobbi Barnett: We absolutely are at a point where we need greater amounts of housing and not less. And so easing this regulatory burden would be extremely helpful at this time.

1560
04:24:41.010 --> 04:24:46.800
X 78. Bobbi Barnett: At this point in the pandemic, it is important to think about how we can take action to help the entire city recover.

1561
04:24:47.460 --> 04:25:01.080
X 78. Bobbi Barnett: Make sure that there is more housing available and greater levels of housing affordability, I hope that the city moves forward with this process with this process with an eye toward creating more housing and more housing affordability. Thank you so much.

1562
04:25:02.670 --> 04:25:12.690
Olga Abinader, Director, DCP EARD: Thank you so much for providing your testimony. At this time, it appears that that this last testimony was the final one provided for today.

1563
04:25:13.230 --> 04:25:24.390
Olga Abinader, Director, DCP EARD: I would like to ask our production team to please display PowerPoint slide number 16, I believe, which displayed our contact information so you can share that with anyone just still wishes to provide

1564
04:25:25.200 --> 04:25:34.530
Olga Abinader, Director, DCP EARD: Their testimony in writing. So, I believe it was slide number 16 in our PowerPoint. So all that is being worked on in the background.

1565
04:25:35.430 --> 04:25:44.400
Olga Abinader, Director, DCP EARD: Thank you very much. If no one else wishes to speak at this time we will move ahead to close today's public scoping meeting.

1566
04:25:45.030 --> 04:25:52.890
Olga Abinader, Director, DCP EARD: I will reiterate if no one excuse me if those of you who had difficulties, providing testimony today.

1567
04:25:53.430 --> 04:26:06.990
Olga Abinader, Director, DCP EARD: And you weren't able to get your voice heard today, we still are providing the opportunity for you to provide your feedback to us in writing to hear our screen is displaying our contact information.

1568
04:26:07.830 --> 04:26:20.460
Olga Abinader, Director, DCP EARD: Please recall that you can make out provide a letter to us, our mailing addresses 120 Broadway 31st for New York here was your 271 attention myself okay Avenue later.

1569
04:26:21.060 --> 04:26:33.390
Olga Abinader, Director, DCP EARD: Or if it's easier for you. You can also email us at 21 TCP 059 M underscore dl@planning.nyc.gov

1570
04:26:33.780 --> 04:26:53.730
Olga Abinader, Director, DCP EARD: All of this information is available on the Department of city planning website scoping page and also on the NYC engaged portal@www.nyc.gov forward slash NYC E and G. A. G. The deadline for submitting your written comments to us is Friday, December.

1571
04:26:54.930 --> 04:27:06.630
Olga Abinader, Director, DCP EARD: Excuse me 18 2020. It is currently approximately 6:28pm and the public scoping meeting is now close. Thank you for everyone for participating today.