

December 16, 2015

STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY AT THE CITY PLANNING COMMISSION PUBLIC HEARING REGARDING THE ZONING FOR QUALITY AND AFFORDABILITY AND MANDATORY INCLUSIONARY HOUSING PROPOSALS

Good day Chair Weisbrod and Commissioners. I am Andrea Goldwyn speaking on behalf of the New York Landmarks Conservancy. The Conservancy is a private, independent, not-for-profit organization founded in 1973. Our mission is to preserve and protect historic resources throughout New York.

We cannot support ZQA and MIH, massive upzonings of the entire city, which impose a one-size-fits-all approach and ignore New York's unique communities.

Preservation contributes to affordable housing by maintaining units in older buildings, often in low-scale historic and contextual districts. ZQA encourages new construction with no guarantee of increased affordable housing. There needs to be an analysis of expected new market-rate and affordable units versus stabilized and affordable units that will be lost in ZQA.

We agree with our friends in the affordable housing community that the enormous amounts of market-rate development which MIH requires to produce a small number of affordable units will tip the balance of many neighborhoods far from affordability, and that the provisions allowing the Board of Standards and Appeals to waive even these requirements will further reduce the number of new affordable units.

Regarding historic resources, the DEIS is clearly flawed. It finds no impacts since ZQA is not expected to induce development, despite the goal of increased building. ZQA will affect City-designated historic districts, National Register districts, and districts eligible for National Register listing. It will put undue pressure on the Landmarks Commission to approve out of scale additions and new construction in historic districts with contextual zoning. This would negate landmark designation protections and add pressure to slow future designations.

This upzoning overturns basic planning principles. The review process is speeding along faster than that of any contextual district ZQA will replace. Communities with contextual zoning labored over years to ensure that plans tailored to their neighborhoods garnered consensus, often through compromise. Homeowners thought they had certainty regarding their blocks. ZQA threatens that work, and abandons agreements forged with the City. Light and air were once valued. Rear yards provided open space with grass coverage that alleviated stormwater runoff, but now they can be filled in to maximize FAR. ZQA reverses the Sliver Law and erases the distinction between narrow and wide streets. The system of FAR limits has always been a cap; under ZQA it will be an entitlement.

There is no strong rationale for alterations to Quality Housing regulations. It's not clear why significant sets of changes that will be realized very differently are forced together in one proposal. We are concerned that the changes to Quality Housing regulations will not increase quality as much as just allow for taller buildings. Construction methods evolve, so it's impractical to alter zoning for decades based on one technique (block-and-plank) likely to be replaced in coming years. And the focus on higher ground floor heights seems disproportionate to all of the other factors that contribute to a building's success.

The Administration and the Council are already talking about changes. We think it's time to withdraw, go back to the drawing board, and craft a proposal that addresses issues that we and communities across the City have raised.

Thank you for the opportunity to express the Landmarks Conservancy's views.