



## CITY PLANNING COMMISSION

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November 26, 2007/Calendar No. 3

N 060047 NPM

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**IN THE MATTER OF** a plan concerning Community District 9 in Manhattan, submitted by Community Board 9, for consideration under the rules for the processing of plans pursuant to Section 197-a of the New York City Charter. The proposed plan for adoption is called **“Community Board 9 Manhattan 197-a Plan: Hamilton Heights, Manhattanville, Morningside Heights.”**

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### **BACKGROUND**

Manhattan Community Board 9 started its 197-a planning process in 1991, with a goal of developing a community-wide comprehensive plan. A draft plan was submitted to the New York City Department of City Planning in December 1998. After preliminary review, the Department returned the plan to the Community Board for reconsideration of various aspects of the plan. In 2003, the Community Board, working with its consultants, and with extensive community outreach and participation, drafted a new plan. On October 21, 2004, the Board voted to approve the plan for submission to the Department. The new plan, *Community Board 9 Manhattan 197-a Plan: Hamilton Heights, Manhattanville, Morningside Heights*, was submitted to the New York City Department of City Planning on August 4, 2005 in accordance with the City Planning Commission’s *Rules for the Processing of Plans Pursuant to Charter Section 197-a* (197-a rules). Community Board 9 revised some of its original recommendations in response to comments received from affected City agencies and concerns expressed during the public review process. The plan was referred out for public review on June 18, 2007. On September 24, 2007, Community Board 9 submitted a revised plan which included substantial revisions to the 197-a Plan with the objective, among others, of facilitating greater amounts of community facility use to accommodate Columbia University’s needs.

On August 6, 2007 at a public review session, CB 9 made an informational presentation about the 197-a plan to the Commission to provide an opportunity for the Commission to hear details

about the plan and to ask CB 9 representatives questions about the plan. First CB 9 described problems and assets in CD 9, outlined the planning process for the 197-a plan and explained the goals in the plan. The presentation then focused on manufacturing uses in CD 9 and in Manhattanville. CB 9 contended that the nature of manufacturing in the city has evolved significantly from a mix of small, mid-size and large-scale production businesses to smaller-scale specialized firms. The importance of these newer type businesses to the city's economy and Manhattanville's residents and workers was stressed. Also covered were cultural and historic resources; environmental concerns; institutional expansion; and 197-a plan recommendations for land use and other topics. The Commission asked questions about the number of jobs and businesses in CD 9; specific 197-a plan zoning recommendations; communications between the community and Columbia University; below grade geo-technical issues; and institutional expansion approaches.

During the public scoping for the Columbia University proposal, the Community Board requested that a 197-a Plan Alternative be analyzed in the environmental review of the Columbia University proposal. The Department of City Planning worked with Community Board 9 to develop the 197-a Plan development scenario to be analyzed in the DEIS. On June 18, 2007 the Department issued a Notice of Completion for the Draft Environmental Impact Statement (DEIS) which included a 197-a Plan Alternative and a modified 197-a Plan Alternative. After the DEIS was issued, Community Board 9, in conjunction with the submission of its revised 197-a Plan on September 24, 2007, made revisions to the 197-a Plan Alternative development scenario used for the DEIS analysis and requested that the revised development scenario be analyzed in the FEIS. The Commission was briefed on the analysis of the revised 197-a Plan Alternatives at a public review session on October 29, 2007, and the revised analysis is incorporated into the FEIS.

## **PLAN DESCRIPTION**

The 197-a plan covers Manhattan's Community District 9, an area generally bounded by West 110<sup>th</sup> Street, the Hudson River, West 155<sup>th</sup> Street and Jackie Robinson, St. Nicholas, and Morningside parks. Most of Community District 9 is zoned for moderately high density residential uses, with R8 districts on the western portion and R7-2 on the east side. Commercial overlays (C1-2 and C2-4) are mapped along Broadway, Amsterdam Avenue and West 125th and

West 145th streets. Within the center of the district, on the west side and along the Hudson River waterfront, are several areas zoned for manufacturing uses (M1-2, M2-3 and M3-1).

The plan is organized into several sections. The Introduction includes a statement of the goals of the plan, a brief description of the study area's history and community character, an overview of the Community Board's planning process and the plan's consistency with a number of city policies and planning initiatives. The Existing Conditions section provides analyses of the following topics: population; land use and zoning; urban design, open space and historic preservation; transportation and transit; economic development; environmental protection and sustainability; housing; and community facilities. The narratives in this section are supported by appendices containing maps, data, and other relevant information. The Recommendations section responds to issues identified in the Existing Conditions section with specific recommendations guided by the community's planning goals.

## Goals

The plan's stated goals are to:

- Build on the strong social, economic and cultural base of the district through a sustainable agenda that would reinforce and reinvigorate the ethnically diverse and culturally diverse community;
- Ensure that future development is compatible with the existing and historic urban fabric and complements the neighborhood's character;
- Create the conditions to generate good jobs for its residents;
- Provide housing and services that are affordable to the community;
- Provide for future growth while preserving the district's physical and demographic character without displacement of existing residents.

## Summary of Key Recommendations

To attain these goals, the plan recommends that the City

- study and adopt contextual zoning in appropriate areas of Community District 9;

- mandate affordable housing in the district, preserve existing affordable housing, and increase the number of housing opportunities for low, moderate- and middle income residents, including seniors;
- explore the development of underbuilt sites for housing, community facilities, or mixed residential/commercial buildings;
- proscribe the use of eminent domain for acquisition of private property for conveyance to another private owner;
- facilitate public and private efforts to implement the non-land use recommendations contained in the 197-a Plan through assistance with community benefits agreements with public, private and/or not-for-profit developers engaged in large-scale development in the district and with establishing a Community Trust Fund or similar mechanism funded by developers to pay for proposed community benefits;
- support the development of Manhattanville's Harlem Piers Waterfront Park and other new open space and provide improvements to existing open space;
- expand landmarks and historic district designations in the district;
- reuse the Amsterdam Avenue MTA Bus Depot and provide affordable municipal parking;
- support local business development and study expansion of commercial development along 125th Street;
- establish strategies for waste prevention, including the creation in CD 9 of the City's first Zero Waste Zone and establish high performance (green) buildings design standards for large scale new construction or rehabilitation in CD 9;
- identify sites for new public schools and explore strategies to improve services for aged and young people, including consideration of the feasibility of providing multi-generational arts and cultural facilities.

In addition to community district-wide recommendations, the 197-a plan proposes a new special zoning district for the Manhattanville area, with three distinct sub-districts, which seeks to foster a balance of production/light manufacturing uses, retail and community facilities within the special district, while ensuring that the physical aspects of new development respect special neighborhood features, such as the Twelfth Avenue and Broadway IRT viaducts, and ensure

public access to a new waterfront park on the Hudson River, on the western edge of the proposed special district.

At the end of its review period, CB 9 made substantial revisions to the 197-a Plan with the objective, among others, of facilitating greater amounts of community facility use to accommodate Columbia needs. These changes included, most significantly: adjusting the boundary line between Subdistricts 1 and 2 to enlarge the area (Subdistrict 2) within which community facility use would be permitted; increasing the proposed community facility FAR in Subdistrict 2 from 4 to 6; eliminating the requirement for manufacturing use on the lower stories; and allowing for greater flexibility with respect to certain proposed height and setback requirements, principally along the side streets.

## **THRESHOLD REVIEW AND DETERMINATION**

Pursuant to Section 3.010 of the 197-a rules, Department staff conducted a threshold review of the plan's consistency with standards for form, content and sound planning policy. On October 17, 2006, the City Planning Commission determined that the *Community Board 9 Manhattan 197-a Plan: Hamilton Heights, Manhattanville, Morningside Heights* complied with threshold standards for form, content and sound planning policy as set forth in Article 4 of the *Rules for Processing 197-a Plans*.

Some of the Community Board 9 197-a Plan recommendations are for the same area that Columbia University proposes to rezone (C 070495 ZMM, N 070496 ZRM). Columbia University is proposing a comprehensive plan to accommodate a variety of academic-related uses and public improvements in this area of Manhattanville, an area generally bounded by West 125<sup>th</sup> Street, the Hudson River, West 135<sup>th</sup> Streets, and Broadway/Old Broadway. The 197-a Plan also proposes a special zoning district to support mixed-use development, including preserving and expanding manufacturing uses, as well as to mandate affordable housing. The 197-a plan special district is generally bounded by West 122<sup>nd</sup> Street, the Hudson River, West 135 Streets, and Convent Avenue. Within the 197-a Plan special district, there are three sub-districts, two of which are nearly coterminous with Columbia University's proposed Special Manhattanville Mixed-Use District (Sub-districts 1 and 2). Sub-district 1 is generally bounded

by 125<sup>th</sup> Street/St. Clair Place, the Hudson River, 100 feet north of 134<sup>th</sup> Street, and 12<sup>th</sup> Avenue. Sub-district 2 is generally bounded by 125<sup>th</sup> Street, 12<sup>th</sup> Avenue, 100 feet north of 134<sup>th</sup> Street, and portions of West 133<sup>rd</sup> and West 135<sup>th</sup> streets, and Broadway/Old Broadway. Several elements of Columbia University's proposed program conflict with the CB 9 197-a Plan.

Since Community Board 9 and Columbia University had different visions for the same area, the Commission, to ensure that both plans would be afforded equal treatment in the public review process, pursuant to Section 3.021 of *Rules for the Processing of Plans Pursuant to Charter Section 197-a*, referred both plans for public review at the same time on June 18, 2007 and both plans were considered by the Commission simultaneously.

## **ENVIRONMENTAL REVIEW**

This application (N 060047 NPM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et. seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 07DCP072M. The lead is the City Planning Commission.

After a review of the potential environmental impacts of the proposed action, a Negative Declaration was issued on June 18, 2007.

## **PUBLIC REVIEW**

On June 18, 2007, the plan was duly referred to Manhattan Community Board 9 and the Manhattan Borough President for review and comment, in accordance with Article 6 of the *Rules for the Processing of Plans Pursuant to Charter Section 197-a*.

## **COMMUNITY BOARD PUBLIC HEARING**

As the sponsor of *Community Board 9 Manhattan 197-a Plan: Hamilton Heights, Manhattanville, Morningside Heights*, Community Board 9 held a public hearing on this application on July 9, 2007, and on August 20, 2007, by a vote of 35 to 0 with 0 abstentions, adopted a resolution recommending approval of the plan. On August 27, 2007, Community

Board 9 submitted its “*Manhattan Community Board 9 ULURP Report and Recommendations*” on the Columbia University proposal (see attachment). As part of that report, the Community Board endorsed a series of amendments to the 197-a Plan, which were subsequently incorporated into the revised 197-a Plan that was submitted on September 24, 2007.

## **BOROUGH PRESIDENT RECOMMENDATION**

This application (N 060047 NPM) was considered by the Manhattan Borough President, who held a public hearing on the application on September 19, 2007. On September 26, 2007, the Manhattan Borough President expressed general support of the plan, noting that a number of the 197-a plan’s specific recommendations could be implemented as part of a 197-c rezoning for a West Harlem Special District, proposed by the Borough President in Spring, 2007. The Borough President’s proposed West Harlem Special District excludes the Manhattanville area that is the subject of both the 197-a plan’s Special Purpose District’s Sub-districts 1 and 2 and Columbia University’s proposed rezoning. The Manhattan Borough President noted that while Community Board 9 and Columbia University “have very different underlying goals and very different planning approaches” for the Manhattanville area, there were more “general areas of convergence” than might be assumed.

The Manhattan Borough President offered the following comments on selected specific recommendations in the 197-a plan:

*1. Establish a Special Purpose District in Manhattanville*

As you know, I support the creation of a Special District in this area, to channel potential development and protect the social and physical character of the larger residential neighborhood. The establishment of a West Harlem Special District could fulfill this recommendation, although its name, borders and certain of its elements would be somewhat different than proposed in the 197-a plan. Many of the central elements of the proposed Manhattanville Special District -- inclusionary housing, street wall requirements, creation of anti-harassment and cure provisions -- are aspects I advocated for as part of the West Harlem Special District proposal. It will probably be necessary to consider further refinement of the defined FARs and permitted uses in this area, to provide appropriate flexibility for new and expected development in the area. Permitted uses should reflect current trends in the city and regional economies, and the growing importance of institutional and cultural growth. The proposed “New Amsterdam Mixed Use District,” a smaller area of the larger Special District, appropriately targets a discrete area in need of specific planning attention, and

the goals of the proposed subdistrict could be implemented as part of the upcoming West Harlem rezoning process. A mix of uses should be permitted in the area, and opportunities for creating affordable housing in this subdistrict should be increased.

*3. Proscribe Eminent Domain for Conveyance to a Private Party*

Private development sites should be assembled without resort to eminent domain except under the most extreme of circumstances. However, it is difficult to understand how this recommendation could become an effective part of an adopted 197-a plan, since eminent domain is usually sought and approved at the State level, or how it could become a rational City policy to proscribe its use only in one particular area of the City.

*4. Study and Adopt Contextual Zoning Throughout the District*

This recommendation should not only be adopted as a general policy goal, it should be proactively advanced as a 197-c rezoning, as I have proposed. I look forward to working with you and the local community to study and enact a contextual rezoning for West Harlem, where much of the zoning has remained unchanged since 1961.

*5. Utilize Inclusionary Zoning to Create Affordable Housing*

This recommendation should not only be adopted as a general policy goal, it should be proactively advanced as part of a 197-a c rezoning, as I have proposed. I look forward to working with you and the local community to study and enact a rezoning for West Harlem that includes West Harlem's first Inclusionary Housing program.

*7. Support Development of Manhattanville Piers*

This worthwhile (and long overdue) goal should be seriously pursued, but I urge that a careful analysis of potential traffic impacts be conducted before there is any closure or restriction of Marginal Street. It may also be worthwhile to investigate whether a private property owner might be willing to provide an easement that would facilitate pedestrian access to the piers.

*8A. Develop Land Adjacent to Sewage Treatment Plant for Recreational and Related Uses*

I have already been active in achieving this worthy goal in two respects. First, my office's "Take Me to the River" planning project will identify and develop design guidelines for pedestrian access points to the waterfront from 135<sup>th</sup> to 157<sup>th</sup> streets and develop a community based design for park land for the area east of Twelfth Avenue from 135<sup>th</sup> to 157<sup>th</sup> street. I look forward to working with you and the local community as this important planning project advances. Second, as part of the consideration of Columbia University's 197-c application, I have been able to secure a significant financial commitment towards the development of Harlem Waterfront Park.

*8B. Establish Farmers' Market in the District*

I have helped support Farmers' Markets in East Harlem as part of the "Go Green East Harlem" Project. This initiative could serve as a model for West Harlem and I am willing to work with CB 9 to determine feasible and appropriate locations. Farmers' Markets are important tools for healthy living.

*8C. Complete Improvements of Streetscape at Broadway Malls from 135<sup>th</sup> to 155<sup>th</sup> Street*

The “Take Me to the River” Project will identify specific streetscape improvement projects to be implemented from 135<sup>th</sup> to 157<sup>th</sup> streets.

*8E. Study Creating Additional Open Space and Playing Fields for Recreational Activities*

The “Take Me to the River” Project will identify recreational space in the area north of the sewage treatment plant.

*8G. Study Creating a Park on the Triangle Bounded by 125<sup>th</sup> and 129<sup>th</sup> streets and Broadway*

I suggest that this recommendation be extended as well to the western triangle on 125<sup>th</sup> Street between St. Clair and Riverside. I am working with Columbia University to amend their General Project Plan to plan for a public park on that site.

*11. Consider Providing Affordable Municipal Parking*

All aspects of traffic management should be considered, but the community should be careful not to frustrate its own goal of lessening traffic congestion and pollution. The creation of any large parking garage needs to be studied in careful detail, because of its potential to attract more traffic than it absorbs, and if located on public land, its potential to take up a site that could potentially be used instead for the development of affordable housing.

*29. Increase the Number of Housing Opportunities for Low-, Moderate-, and Middle-Income Residents, including Seniors.*

As previously stated, I expect that our partnership in pursuing a comprehensive rezoning of West Harlem will include a significant Inclusionary Housing program to facilitate the development of such housing.

*30. Study Underbuilt Sites for Development of Affordable Housing*

I support this recommendation as the first step to studying any potential rezoning. In addition, my office’s “No Vacancy” report has already begun the process of documenting and cataloguing the vacant or abandoned properties in Community District 9 and throughout the borough. These sites should be examined for every square inch of development potential and, wherever possible, devoted to the development of permanently affordable housing.

*31. Encourage the Development of a Community Land Trust*

I support this initiative, and I have been able to secure a \$20 million contribution from Columbia University to provide the initial endowment for such a fund.

*32. Retain and Improve Large Scale Housing Sites*

As part of my consideration of the Columbia rezoning proposal, I have been able to secure a significant commitment from Columbia University to improve the grounds and public open spaces of public housing in the community.

*34. Study and Develop Needed Community Facilities in the District*

A far-reaching examination of community facility needs demonstrates wise, proactive planning. While one site for a public school has been proposed by Columbia University, further analysis should be done to determine if other sites are needed throughout the district and where those sites could be located.

## **CITY PLANNING COMMISSION PUBLIC HEARING**

On September 19, 2007 (Calendar No. 3), the City Planning Commission scheduled October 3, 2007, for a public hearing on this application (N 060047 NPM). The hearing was duly held on October 3, 2007 (Calendar No. 25).

There were 105 speakers at the public hearing. Of this group, 65 speakers were in favor of the 197-a Plan and 11 speakers did not state a specific position on the plan. There were no speakers specifically opposed to the 197-a Plan.

The 197-a plan sponsor gave an opening presentation, noting that the Community Board's 197-a plan planning process had started a number of years ago, and that the plan covered all of Community District 9. The sponsor urged that the 197-a Plan be adopted as a framework for future development in Community District 9 and that the 197-a Plan could accommodate the expansion needs of Columbia University. The sponsor further noted that CB 9 had revised some of the plan's use, height and density recommendations within the plan's proposed Manhattanville Special District after the plan was referred out for public review in order to make the guidelines more flexible.

The sponsor reiterated the 197-a Plan's opposition to the use of eminent domain to convey private property to another private entity in all areas of CD 9.

The sponsor particularly expressed concerns about proposed future development in the 197-a Plan proposed Manhattanville Special District's Sub-districts 1 and 2. Noting the community's concerns about the geologic and seismic stability of the land and the area's potential vulnerability to flooding and storm surge, the sponsor asserted that these issues could have negative impacts on below-grade areas in future development. The sponsor recommended that a full analysis be conducted prior to approval of any new development, and that the Commission convene a panel of experts to evaluate these issues.

The sponsor stated support for new open space/parks on the two triangle parcels (known as the “bowtie”) on West 125<sup>th</sup> Street between Broadway and 12<sup>th</sup> Avenue.

The sponsor noted that the 197-a Plan recommended that Community Benefits Agreements (CBA) be negotiated with future developers, and that a CBA is a valuable tool for non-land use issues.

In addition to the plan’s sponsor, those who spoke in favor of the 197-a Plan included representatives of the West Harlem Environmental Action Coalition (WEACT), the Society for the Architecture of the City, the Coalition to Preserve Community, tenants from NYCHA’s Manhattanville Houses and Grant Houses, the Harlem Tenant’s Council, the Regional Plan Association, the City-wide Housing Development Fund Corporation Council (HDFC), the Pratt Center for Community Development, and the Municipal Art Society; an attorney representing several business owners in the 197-a Plan’s proposed special district; the State Senator for the 30<sup>th</sup> District; Columbia University students and recent graduates; members of Community Board 9; local clergy and social service professionals; and residents of the area.

Many of the speakers in favor of the 197-a Plan noted the diversity of their community, and how hard the community board had worked over many years to achieve consensus on the plan among its varied constituents. Many speakers, including the State Senator and the representative of the Municipal Art Society, urged the City and the Commission to respect the community planning process and ensure that the 197-a Plan’s goals be part of any decision-making process related to zoning and land use proposals for the area. Many speakers noted that the 197-a Plan provided a framework for growth in the area.

Sixteen supporters of the 197-a Plan reiterated their support for the 197-a Plan recommendation that proscribes the use of eminent domain in Community District 9.

Nearly half of the 197-a Plan supporters noted the need for affordable housing in Community District 9, and that the 197-a Plan has a number of recommendations that would preserve and expand the opportunities for affordable housing. Many expressed concerns about potential

residential displacement and pressures on existing tenants if recommendations in the 197-a plan are not implemented. Several speakers also expressed concerns about potential commercial displacement if recommendations for accommodating and expanding local manufacturing and industrial businesses in Community District 9 in the 197-a Plan are not implemented.

Thirteen 197-a Plan supporters, after noting that the 197-a Plan provides for more detailed review of developments that might potentially introduce hazardous materials into Community District 9, expressed concerns about siting Bio Hazard Level 3 labs or similar uses in this Manhattanville neighborhood; speakers cited concerns about protecting this densely populated urban area from exposure to toxic chemicals. Several speakers expressed concerns about the potential for construction-related noise and air pollution on the health and well-being of neighborhood residents in an area that already suffers from high asthma rates.

A few 197-a Plan supporters expressed concern about the potential destruction of the existing neighborhood fabric, and urged consideration for preserving historic buildings in Community District 9, including those listed in the 197-a Plan recommendations for historic preservation. A number of 197-a Plan supporters expressed concerns about the height and scale of new buildings, particularly in relation to proposed new developments in Community District 9.

## **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY**

This application (N 060047 NPM) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et. seq.) The designated WRP number is 06-064.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

## **CONSIDERATION**

The Commission believes that this application for the *Community Board 9 Manhattan 197-a Plan: Hamilton Heights, Manhattanville, Morningside Heights*, (N 060047 NPM) as modified, is appropriate.

Since part of the CB 9 197-a Plan covers the same area proposed by Columbia University as a new academic campus and the plan's recommendations are largely focused on that area, the Commission has been guided by the principle that the two plans should be reviewed in parallel and afforded equal treatment in the public review process. During the process, both applicants have been afforded multiple opportunities to present their views to the Commission, both in person and in writing, in and above the hearing and other requirements of land use and environmental review procedures. This has included the extended presentations to the Commission by both applicants, as well as the submission of memoranda responding to questions raised by Commissioners and describing various aspects of the proposals in greater detail. Through this intensive process, the Commission has gained a detailed understanding of the two plans, and of the respective viewpoints of the applicants. The Commission believes that the consideration of the two plans has been full and robust, and that the process has benefited from extensive input from members of the public, in addition as well as from the applicants themselves.

The Commission has carefully reviewed and considered the Manhattan Community Board 9 197-a Plan, as originally submitted by Manhattan Community Board 9 on August 4, 2005 and as clarified and modified by the Board on several occasions. A substantially revised plan was submitted on September 24, 2007. The Commission commends the Board and its 197-a Plan Committee for their collaborative approach in developing a 197-a plan responsive to the concern's of CD 9's residents and businesses and to many of the issues raised by city agencies affected by the plan. As a result of this effort, the plan as modified should result in a useful guide for city policy in keeping with the purpose and intent of 197-a plans.

In general, the Commission concurs with the plan's objectives and broad strategies for a sustainable agenda that would strengthen CD 9's diverse community; reinforce the area's

character and history; generate economic opportunities for residents and businesses; provide affordable housing and services; and accommodate future growth. The 197-a plan's many recommendations for environmental protection and sustainability are notable; some of these forward-thinking ideas were proposed before PlaNYC was issued and are generally consistent with PlaNYC goals.

At the end of the public review process, Community Board 9 significantly revised its plan to facilitate a greater amount of community facility development by increasing the community facility FAR to 6 (equal to Columbia University's proposal), and eliminating the requirement for ground floor manufacturing in Sub-district 2, an area corresponding to the area in which Columbia University seeks to expand. The Community Board also acknowledged that it was reasonable to anticipate that, with these revisions, development under the revised 197-a plan would result in an area predominantly devoted to Columbia University uses. Accordingly, the Commission believes that it has been presented not with two radically different visions of land use in Manhattanville, but instead with two different approaches toward how Columbia University can, and should grow in Manhattanville.

Based upon careful examination of the two plans during the public review process, the Commission has modified both plans to make them more consistent with each other with regard to how Columbia University can grow in the future. The Commission's consideration of the 197-a plan is set forth below.

### ***Land Use***

The 197-a plan has land use recommendations for CD 9 as whole and detailed proposals for the Manhattanville area. The plan proposes a new special purpose district for Manhattanville with three sub-districts to preserve existing uses and facilitate mixed-use development including community facilities, commercial, light manufacturing and residential uses.

### ***Special District***

The 197-a plan includes a number of recommendations for the entire proposed Manhattanville Special District, an area bordered by West 135<sup>th</sup> Street to the north; Convent and Morningside

avenues to the east; West 123<sup>rd</sup> Street, Amsterdam Avenue and West 122<sup>nd</sup> Street to the south; and the Hudson River to the west.

The 197-a Plan recommends that commercial overlays be rezoned to allow a greater mix of uses, including manufacturing uses. The Commission notes that the commercial overlays on the north side of West 125<sup>th</sup> Street between Broadway and Convent Avenue, and part of the south side at Broadway have been studied as part of the Department's 125<sup>th</sup> Street rezoning plan which was referred for public review October 1, 2007; C2-4 overlays would replace existing C2-2 and C1-4 overlays to allow for a greater range of local retail and service uses. In addition, the C2-4 overlay is being extended on the south side of 125<sup>th</sup> Street east of Broadway to legalize several non-conforming retail uses. The proposed 125<sup>th</sup> Street rezoning encourages active ground floor uses – retail and arts and entertainment-related uses, consistent with the 197-a plan's goal to encourage cultural uses.

The Commission believes that existing commercial overlays in other locations should be studied as part of the West Harlem rezoning study that DCP has agreed to undertake. The idea of expanding commercial overlays to permit manufacturing uses could be explored but the Commission has concerns about the impact of expanded production uses on nearby retail and residential uses.

The 197-a plan recommends preservation of visual corridors along West 125<sup>th</sup> Street and all east/west streets by developing streetwall requirements that reflect the existing built character. The Commission supports the objective of preserving east/west view corridors to the river. The Commission notes that the DCP proposed 125<sup>th</sup> Street rezoning overlaps the 197-a plan Special District area from Broadway to Convent Avenue and proposes rules to maintain a consistent streetwall that frames 125<sup>th</sup> Street through the base of new buildings at heights consistent with the existing context. These rules ensure a better match between the existing built context and the underlying zoning.

The 197-a plan recommends that eminent domain never be exercised to facilitate the conveyance of private property to another private party. The Commission recognizes that, as a matter of

law, eminent domain may be utilized for projects which fulfill a public purpose, including projects under the sponsorship of private entities, such as Columbia University. Columbia University is of significant importance to the City and the State as a center of educational excellence and a source of economic growth, and the Academic Mixed Use Development Plan is intended to fulfill these public purposes. If the Empire State Development Corporation (ESDC) determines to use eminent domain, it would have to determine that such action would be in the public interest, and not solely for the private benefit of Columbia. The Commission believes strongly that the exercise of eminent domain should be used judiciously and sparingly and only after careful consideration of the public benefits that would result from its uses, and subject to compliance with all applicable notice, hearing and other requirements. While the Commission has no evidence to suggest that condemnation proceedings result in property owners being unfairly compensated, it nevertheless believes that government acquisition of private property should, if possible, proceed on a voluntary basis. The Commission therefore expresses its hope that Columbia and the remaining private property owners in the area will reach agreement concerning these matters. At the same time, the Commission believes that, should the ESDC determine at a later date to exercise eminent domain, doing so would serve a public purpose insofar as it would allow for realization of the public benefits of the Columbia proposal. It should be noted that there will be not be condemnation of residential units and that any relocation of tenants would be pursuant to agreement. The Commission also notes that HPD has required that housing on replacement sites for Tenant Interim Lease (TIL) tenants must be of the same or better quality than those currently occupied by the tenants, at the same rents, and that the not-for-profit owners of the other buildings have insisted on similar requirements. Moreover, any relocation would be only with the consent of the owners or the tenant associations.

The Commission disagrees with Community Board 9's opposition to the conveyance of City property to Columbia University, including below-grade volumes below West 130<sup>th</sup>, 131<sup>st</sup>, and 132<sup>nd</sup> streets, which may take place through uncontested condemnation. These conveyances are instrumental to the creation of Columbia University's proposed Central Below Grade Service Area. This area allows most support functions to be provided below grade, thereby allowing more active street life with a minimum of disruptions from above-grade parking, loading and curb cuts. It also facilitates weaving the new Columbia University facilities and open space into

the fabric of the community while providing for improved functionality of the Columbia University facilities and program. The conveyance of the below-grade volumes will not affect public ownership of the streets at grade, which will remain open for use by the public.

The Commission does not endorse the 197-a plan recommendation that no east-west streets at, above or below grade in the 197-a Plan's Manhattanville Special District should be demapped.

The Commission applauds CB 9's goal to promote the creation of affordable housing but can not endorse the 197-a plan's recommendation for Mandatory Inclusionary Zoning since it is not consistent with city policy. The city has chosen to encourage the construction and preservation of affordable housing in appropriate locations using discretionary, bonusable zoning provisions so that developers have flexibility during varying economic conditions. The Department is committed to the implementation of the Inclusionary Housing Program regulations in appropriate locations in West Harlem subject to the findings in the rezoning study. Regarding the 197-a plan recommendation to explore the creation of a program linking new workspace to affordable housing, the Department will explore this idea as part of the West Harlem rezoning study. The 197-a plan also recommends the creation of an anti-harassment and cure provision in the proposed special district to prevent displacement of existing tenants. The Commission acknowledges the pressures that new development may bring to bear on low/moderate income residents in buildings located near new development areas. The Manhattan Borough President has recommended anti-harassment and anti-demolition provisions for the West Harlem study area. While conducting the West Harlem rezoning study, the Department will work closely with the New York City Department of Housing Preservation and Development to evaluate the need for such measures.

The Commission is pleased to note that Columbia University has committed to a number of mitigation measures to address indirect residential displacement, a significant adverse impact identified in the Columbia University FEIS. Columbia will establish a \$20 million fund to develop or preserve affordable housing within CD 9; enact a range of programs to reduce university-generated housing demand; and provide funding for anti-harassment programs. These

measures are more fully described in the City Planning Commission report for the Columbia University rezoning (N 070496 ZRM) and the Columbia University proposal FEIS.

### ***Sub-district 1***

The Commission endorses, with modifications, the 197-a plan's goals for the Sub-district 1 area, to support existing light manufacturing uses and commercial uses and retain existing businesses in the area west of 12<sup>th</sup> Avenue, to support the development of Harlem Piers Waterfront Park, and to encourage public access to the waterfront. The plan seeks to consolidate the three different manufacturing districts into a single, light manufacturing district for the Sub-district 1 area which is bounded by West 129<sup>th</sup> Street and St. Clair Place on the south, 100 feet north of West 134<sup>th</sup> Street on the north, 12<sup>th</sup> Avenue on the east, and the Hudson River on the west. The existing zoning is a mix of M1-2, M2-3 and M1-1.

The Commission generally supports the 197-a plan's concept of rezoning this area for light manufacturing uses, but believes that a single light manufacturing district is not appropriate for this entire area.

The Commission notes that the Harlem Piers Waterfront Park, west of Marginal Street from St. Clair Place to West 133<sup>rd</sup> Street, is currently under construction and is scheduled for completion in 2008. The Commission supports rezoning this area to a light manufacturing district, an M1-1 district that permits park use. The M1-1 district has no parking requirements, consistent with the 197-a plan's recommendation for a waiver of parking requirements.

For the area between Marginal Street and 12<sup>th</sup> Avenue, the Commission notes that development opportunities are constrained because most of this area is under three elevated structures: the 12<sup>th</sup> Avenue viaduct; the Amtrak rail viaduct; and the Henry Hudson Parkway. Fairway, a large supermarket, occupies three blocks plus a portion of a fourth block in the area between Marginal Street and 12<sup>th</sup> Avenue. The Commission supports rezoning this area between Marginal Street and 12<sup>th</sup> Avenue to a light manufacturing district (M1-2). The M1-2 district would limit certain retail uses to 10,000 square feet except by a special permit, which would be consistent with the

197-a plan recommendation. The Commission believes however that in the M1-2 district, food stores should be permitted without size restrictions to accommodate the existing supermarket.

Because the Commission believes that this light manufacturing district does not need the proposed 197-a plan special requirements to regulate development in this area, there are a number of 197-a plan recommendations for Sub-district 1 the Commission does not endorse. The Commission does not believe an FAR bonus for new super-specialty businesses is needed. It notes that the M1 zoning, which limits community facility uses and prohibits residential uses, will provide for a range of potential commercial and light industrial uses. The Commission notes that Fairway, for example, contains within the store what can be considered super-specialty uses like baked goods and freshly-prepared foods. Similar and complementary uses are allowed under the light manufacturing zoning.

The 197-a plan recommendation for a height limit of 45 feet is not supported because it may constrain new development in the area between Marginal Street and 12<sup>th</sup> Avenue, an area already constrained by overhead structures. The Commission believes that a 60-foot height limit would allow new development but would still respect the unique 85-foot high 12<sup>th</sup> Avenue viaduct. The 197-a plan recommends mandatory visual transparency; while the Commission welcomes visual transparency for retail and commercial uses, requiring it could inhibit the development of certain service and industrial uses that CB 9 seeks to encourage. The Commission does not endorse the 197-a plan recommendation for a mandatory impact analysis of sounds and vibrations (on neighboring buildings) and mitigation measures for new developments because the Commission believes that there is not sufficient data to justify unique sound/vibration regulations for this area.

### ***Sub-district 2***

The Commission supports, with modifications, the 197-a plan's goals for a mixed use district in the Sub-district 2 area for the area generally bounded by the center of 12<sup>th</sup> Avenue on the west, Old Broadway and Broadway on the east, West 133<sup>rd</sup>, 134<sup>th</sup> and 135<sup>th</sup> streets on the north, West 125<sup>th</sup> Street and St. Clair Place and West 129<sup>th</sup> Street on the south. The plan's goal for this area is to promote a mix of uses (light manufacturing, commercial, community facilities and residential uses). This area is generally coterminous with the Columbia University plan; the 197-a plan's

proposed FAR's are generally consistent with those proposed in the Columbia University application.

Uses in this M1-2 area include manufacturing, warehousing and moving and storage businesses, surface parking lots, automotive related uses, restaurant and retail uses. The area includes the landmarked Claremont Theatre building on the east side of Broadway at the corner of West 135<sup>th</sup> Street. Residential uses within Sub-district 2, with a total of 101 dwelling units, are located at or near Broadway. A large housing complex, 3333 Broadway, is adjacent to the north side of Sub-district 2, and NYCHA's Manhattanville Houses is adjacent to the east side of Sub-district 2 on the east side of Broadway.

The Commission agrees with CB 9 that the existing M1-2 zoning for this area should be changed to allow a range of uses and greater densities. The 197-a Plan recommends an FAR range of 4 to 6 for residential, community facility, commercial and manufacturing uses in Sub-district 2. The 197-a Plan did not propose FARs for commercial overlays.

The Commission notes that the 197-a plan's Sub-district 2 is adjacent to R7-2 and R8 districts, which have residential maximum FARs of 3.44 and 6.02 respectively and a community facility maximum FAR of 6.5. The 197-a plan's recommended commercial FAR range of 4 to 6 is consistent with commercial FAR equivalents for the adjacent residential districts. The Commission supports, with modifications, the 197-a plan's general concept of a range of FARs, consistent with the adjacent residential districts.

The Commission notes the decline of manufacturing uses in this area over time. The City has taken steps to protect and enhance a number of areas in the city for industrial and other business uses with its Industrial Business Zone (IBZ) policy and designated industrial business zones; the Commission notes that the Manhattanville area was not designated as one of these industrial business zones. The Commission does not believe a high manufacturing FAR is realistic and does not anticipate new high density manufacturing uses would locate in this area. Therefore, the Commission does not endorse CB 9 197-a Plan Sub-district 2's recommended FAR of 4 to 6 for manufacturing uses in this area, nor does it support the 197-a Plan's recommendation for

bonus FARs for the provision of new manufacturing/ production uses in new mixed-use buildings.

**Ability of the Revised 197-a Plan to Accommodate Columbia University's Proposal**

The Commission notes that Community Board 9 revised its 197-a Plan to better accommodate Columbia University's expansion needs by: adjusting the boundary line between Subdistricts 1 and 2 to enlarge the area (Subdistrict 2) within which community facility use would be permitted; increasing the proposed community facility FAR in Subdistrict 2 from 4 to 6; eliminating the requirement for manufacturing use on the lower stories; and allowing for greater flexibility with respect to certain proposed height and setback requirements, principally along the side streets. The Commission applauds Community Board 9 for its efforts to provide greater flexibility for development in this area. However, the Commission finds that even with these revisions, the plan would result in an irregular pattern of development with less open space and an inferior public and pedestrian environment than that achievable under the integrated campus plan proposed by Columbia University, and that it would accommodate only a portion of Columbia's proposed program.

Development under the revised 197-a Plan, as analyzed in the FEIS, would produce between 2.4 to 2.6 million square feet of academic program space, depending upon the assumptions utilized, constituting 50 to 53 percent of the program space under Columbia's Academic Mixed Use Development Plan. Without assemblage of public and private sites not under Columbia ownership or control, the construction of the Central Below Grade Service Area could not be undertaken; those functions that Columbia proposes to locate below grade would have to be located above grade, reducing the number of floors that could be used for Columbia University program space. With no Central Below Grade Service area, there would be no major shared academic research support space, central loading facility and centralized parking, centralized mechanical/HVAC systems, and no classroom and other program space below grade. As a result, individual buildings would have their own truck loading docks and those buildings which could accommodate below grade parking in conventional basements would each have a car ramp on the street. Support uses that would be shared among buildings with the Central Below Grade

Service Area would have to be duplicated in each building -- each building would have its own HVAC/boiler, and a mechanical floor above grade, and each academic research building would have academic research support space occupying above-grade floors. Development under the revised 197-a plan would result in reduced active ground floor use and would not include an open space network.

The Commission thus believes that the revised 197-a Plan, while accommodating greater amounts of community facility use than the original version of the plan, does not set forth a comprehensive plan that would integrate Columbia's long-term growth into the urban fabric in a manner consistent with City objectives.

The Commission does not endorse a number of special regulations recommended by the 197-a Plan for Sub-district 2. The 197-a plan recommends a sky exposure plane from base height of 45 feet on the east side of 12<sup>th</sup> Avenue. The Commission believes that the Columbia University's proposed set backs along 12<sup>th</sup> Avenue respect the 12<sup>th</sup> Avenue viaduct and provide widened sidewalk space for pedestrians. The Commission's position on mandatory affordable housing is explained in the section about the 197-a plan's proposed Special District on pages 16 and 17. The Commission's comments on the plan's recommended mandatory impact analysis of sounds and vibrations and mitigation measures for new developments has been discussed in the section about proposed Sub-district 1 on page 18. The Commission believes that the 197-a plan's recommendations for prohibition of residential uses on first two floors for new development and mandatory visual transparency for first two floors are too restrictive.

### ***Sub-district 3***

Sub-district 3, within the CB 9 197-a Plan's proposed Special District, is an area covering parts of five blocks generally between Amsterdam and Convent avenues, West 125<sup>th</sup> and West 130<sup>th</sup> streets. The plan recommends changing the existing M1-1 zoning to a mixed use district to facilitate light manufacturing and cultural uses in buildings shared with residential uses. Currently the area is predominantly a mix of commercial, industrial and parking facilities with

two small areas with multi-family residential buildings. The MTA's Amsterdam Bus Depot is on a large city-owned site on the block between West 129<sup>th</sup> and West 128<sup>th</sup> streets.

The Commission believes that the best approach for Sub-district 3 is to include this area in the West Harlem rezoning study that the Department of City Planning will conduct in consultation with the Manhattan Borough President and CB 9. The existing M1-1 zoning has been in place largely without change since 1961 and should be revisited. In April 2007, the Manhattan Borough President proposed rezonings for areas outside of Columbia University's proposed special district. The Borough President seeks to ensure that the West Harlem community benefits from new development, including the Columbia University's planned expansion, and that West Harlem is protected from potential negative impacts.

In response to planning issues raised by the Borough President, the Department, in a letter dated September 25, 2007, committed to working with the Borough President and the community to develop and implement a plan that reflects the Borough President's objectives. This study would create a long-term plan for the growth of West Harlem that would be consistent with the area's existing character. Both zoning and non-zoning policy initiatives will be considered for the area between the Hudson River and Convent and Bradhurst/Edgecombe avenues, between 125<sup>th</sup> and 155<sup>th</sup> streets. The area covered by this planning study would not include the proposed Columbia University rezoning area or the proposed CB 9 197-a Plan Sub-districts 1 and 2. Working with the Borough President and the community, DCP will evaluate the existing zoning and determine appropriate locations for rezoning. Community facility issues will also be examined. The study will also identify appropriate locations for Inclusionary Housing Program regulations to facilitate the creation of permanent affordable housing. Zoning tools that can best achieve shared objectives and sound planning practices will be selected. DCP expects to develop a West Harlem rezoning proposal by summer 2008.

### ***Recommendations for Entire CD 9 Area***

#### ***Land Use***

The plan recommends public and private efforts to implement non-land use recommendations in the plan and that a community benefits agreement or a similar approach be linked to large scale

rezonings in CD 9. The agreement would encourage a developer to set aside a percentage of value added by approvals of rezonings for investment in the community. The Commission believes that community benefits agreements are private agreements and should only be entered into by developers and applicants on a voluntary basis. While community benefits agreements can be of benefit to a local community, a City policy of linking any large scale development in CD 9 to a community benefits agreement based on the principle that a portion of any increase in the value of property resulting from zoning and other public approvals should be paid to the local community would raise significant issues regarding sound land use planning and create either the appearance or reality that such agreements are not voluntary in nature.

The Commission endorses efforts to preserve existing neighborhood scale and building types. The 197-a plan recommends a study to consider contextual zoning throughout CD 9. The Commission is pleased that the Department has committed to a West Harlem rezoning study which would look at the mapping of contextual zoning in appropriate locations. That expanded study would examine the zoning for most of the area from West 155th to West 125th Street, covering approximately three-quarters of CD 9. The remaining Morningside Heights area from West 125th Street to West 110th Street is typified by large institutional uses such as Columbia University, Barnard College, Union Theological Seminary, St. Lukes Hospital, Riverside Church, St. John the Divine and Bank Street school. Student dormitories and faculty housing are found throughout the Morningside Heights area. Heights of buildings vary. Institutional uses are at the high end at 10 to 20 stories while residential buildings are at four to 12 stories. There are limited opportunities for contextual zoning in this area. This area south of 125<sup>th</sup> Street would not be included in the upcoming DCP West Harlem rezoning study. The area might be studied at a later date, subject to land use issues and DCP resources.

The Commission does not endorse the 197-a plan recommendation to establish floor-to-ceiling height limits comparable to existing housing. The New York City building code requires minimum building ceiling heights. The Department can propose zoning districts with specified building heights but not floor-to-ceiling heights.

Regarding the 197-a plan's recommendation about out-of-scale community facilities and "tower in the park" buildings, the DCP West Harlem rezoning study will explore zoning mechanisms to address the balance between residential and community facilities as well as assess the appropriate locations for contextual zoning.

The 197-a plan recommends that the city institute a voluntary Inclusionary Zoning Program for areas not being rezoned or upzoned; developers would get more density than the existing zoning would allow in exchange for providing affordable housing. The Commission appreciates CB 9's objective to create new mechanisms to generate additional affordable housing; however the Commission believes that Inclusionary Housing should be developed within the context of a comprehensive plan, not on a site by site basis. The Commission supports the continuance of the Inclusionary Housing program.

The Commission supports the 197-a plan recommendation that under-developed properties be examined for potential community development and reuse. Such properties would be identified in the DCP West Harlem rezoning study. Regarding the site of the former P.S. 186, at 517-527 West 147<sup>th</sup> Street, which is currently owned by a Local Development Corporation, the M. L. Wilson Boys Club of Harlem, the Commission is also disappointed that the building on this site has been deteriorating and has remained vacant for over 25 years. The city is working with the LDC, elected officials and the community to develop a proposal for reuse of the site.

The 197-a plan recommends that city agencies monitor the use of former city-owned properties. The Commission does not fully agree with this recommendation; the Commission believes that city agencies should monitor the use of former city-owned sites only for cases in which the purchaser agreed to legally-binding contractual obligations as a condition for the sale of the property.

### ***Urban Design and Open Space***

The Commission is pleased to note CB 9's support of the new Harlem Piers Park. This park on the Hudson River, currently under construction, will bring public access to the waterfront and provide much-needed public open space to CD 9. The park is to open in 2008.

The 197-a plan calls for streetscape improvements on West 125<sup>th</sup> Street and 12<sup>th</sup> Avenue, and the Commission is supportive of this recommendation. The Commission enthusiastically endorses streetscape improvements on the Broadway malls from 135<sup>th</sup> to 155<sup>th</sup> streets as recommended in the 197-a plan. DPR has recently completed the reconstruction of the Broadway malls between West 140th and 145th streets and is seeking funding to continue improving the Broadway malls between West 145th and 155th streets.

The Commission does not endorse the 197-a plan recommendation to close Marginal Street. It agrees with the New York City Department of Transportation (NYCDOT) that vehicular access to the Henry Hudson Parkway at the 125<sup>th</sup> Street access and exit ramps requires Marginal Street to remain open to vehicular traffic.

The 197-a plan recommends that West 131<sup>st</sup> Street between 12<sup>th</sup> Avenue and Marginal Street be reopened and remapped to permit views and direct access to the waterfront. Currently this portion of the street is privately owned and used by Fairway for parking. The Commission supports the EDC *West Harlem Master Plan* recommendation that 131<sup>st</sup> Street remain closed to through traffic but available for pedestrian access and as a view corridor if feasible. The city should work with the owner of the property (currently Fairway) and NYCDOT to determine the feasibility of delineating a safe pedestrian path on West 131<sup>st</sup> Street between 12<sup>th</sup> Avenue and Marginal Street.

Regarding the 197-a plan's recommended bike path along the waterfront from Cherry Walk at St. Clair Place to 145<sup>th</sup> Street, the Commission is pleased to note that the greenway between West 135<sup>th</sup> Street and 145<sup>th</sup> Street has been completed and is open to the public. The segment between St. Clair Place and West 135<sup>th</sup> Street is under construction as part of the new waterfront park.

The Commission enthusiastically supports the 197-a plan's call for intensive planting of trees in CD 9. The Department of Parks and Recreation (DPR) regularly plants trees in CD 9 as part of its twice yearly planting program; in 2006 26 trees were planted. DPR expects to plant 30 to 40 trees in CD 9 in 2007. Regarding CB 9's suggestion that DPR should assist private property

owners in “greening” their properties, the Commission notes the Department has proposed regulations to require street tree planting for all new developments and major enlargements citywide. The Commission further notes that DPR is available to offer advice on proper tree and plant species, and can provide a list of experienced contractors upon request; a list of approved tree species is available on DPR’s website.

The 197-a plan recommends that the strip of land adjacent to the sewage treatment plant between West 135<sup>th</sup> and West 155<sup>th</sup> streets be developed for a variety of recreational uses, related uses and parking. The Commission supports the exploration of the use of this property for such uses. The Manhattan Borough President has committed to developing a community-based design for park use for this area. DPR has obtained permission from DEP to use a portion of this area underneath the West Side Highway for parking by users of the ballfields in the north end of Riverside Park.

The Commission supports an exploration of the feasibility of a farmers’ market in CD 9, potentially on 12<sup>th</sup> Avenue and/or a site north of 135<sup>th</sup> Street for the Hamilton Heights area. Issues of traffic flow and pedestrian safety would need to be considered.

The 197-a plan recommends the protection of community gardens in CD 9. The Commission agrees with CB 9 that community gardens are very valuable resources for community residents. There are six community gardens in CD 9 that are part of the New York State Attorney General’s Community Gardens Agreement of 2002. The Community Gardens Agreement stipulates that gardens covered by the agreement that are in DPR, DOE or other non-developing city agency jurisdiction will continue as community gardens in the City’s Green Thumb program. In the event that the City determines to sell or develop any of these garden lots, such sale or development shall be subject to the land use and garden review processes set forth in the Agreement. As per the agreement, one (the Sculpture Garden on block 2067, lot 108) of these six garden sites is “Subject to Development,” and would be subject to applicable land use and garden review processes; at the present time, there are no development plans for this garden site. CD 9 has eight additional community gardens that are not included in the Community Gardens Agreement. Of these eight gardens, three are owned or controlled by the Trust for Public Land (TPL); two are owned or controlled by the New York Restoration Project (NYRP); two are under

DPR jurisdiction; and one is privately owned. Should DPR wish to develop these sites with other non-park related uses, the action would be subject to ULURP review. Regarding the one private site, the city can not control the use of privately-owned properties, beyond enforcement of zoning regulations and building codes.

The Commission applauds CB 9's call for adding green areas to CD 9 and notes that greening the city is a goal of PlaNYC. The city should explore potential locations for new landscaping and the creation of new plazas. As part of PlaNYC, NYCDOT is identifying opportunities within public streets to recapture spaces for public enjoyment. The northern portion of CD 9 is a priority area for identifying future plaza projects. The Commission endorses the 197-a plan's recommendations to study opportunities for additional open space and playing fields for recreational activities.

The 197-a plan recommends studies for redesigning 125<sup>th</sup> Street, 130<sup>th</sup> Street and 12<sup>th</sup> Avenue as landscaped boulevards. The Commission does not support this recommendation. The Commission agrees with EDC's conclusion that a landscaped median along 125th Street to the river is not viable. The Commission further notes that West 130<sup>th</sup> Street is a narrow street that could not accommodate a landscaped boulevard and that structural issues on 12<sup>th</sup> Avenue related to the viaduct could make a landscaped boulevard costly and impractical in this location.

Regarding the 197-a plan's recommended outdoor plaza at the intersection of West 125<sup>th</sup> and West 130<sup>th</sup> streets and 12<sup>th</sup> Avenue, a goal of PlaNYC is to recapture public street space for public enjoyment. The city should study this general area for possible plaza space which could enhance pedestrian traffic to the new West Harlem Piers waterfront park. One idea is the recommendation of the Manhattan Borough President for a park on the triangular site at West 125<sup>th</sup> Street, St. Clair Place and 12<sup>th</sup> Avenue.

The 197-a Plan proposes that a park be created on all of the triangular property bounded by West 125<sup>th</sup> and West 129<sup>th</sup> streets and Broadway . The Commission notes that this property is privately owned. While the Commission is very supportive of efforts to add new public open space in CD 9, it notes that the acquisition of private property for a park use would represent a

significant commitment of City resources; at the same time, the City has committed extensive resources to create the new Harlem Piers waterfront park two blocks from this property. At this point in time, the Commission does not endorse this recommendation.

The Commission strongly supports the 197-a plan's recommendation that planning should commence for the reuse of the site occupied by the former West 135<sup>th</sup> Street Marine Transfer Station which is permanently closed. In a letter dated September 4, 2007 to the Chair of CB 9, the Office of the Deputy Mayor for Economic Development and Rebuilding states that that office looks forward to beginning this planning process with CB 9 and the West Harlem Environmental Action (WEACT).

### ***Historic Preservation***

The 197-a plan contains a series of recommendations for landmark and historic district designations. The Commission appreciates CB 9's goal to preserve significant landmarks and areas of historic interest. The protection of such buildings and districts is an essential part of safeguarding the city's heritage for future generations. CD 9 has a long, rich history. The Landmarks Preservation Commission (LPC) considers sites and areas recommended for historic designation throughout the city.

The Commission notes that as part of the City and State's review of the proposed Columbia University rezoning in Manhattanville LPC and the State Office of Parks, Recreation and Historic Preservation (OPRHP) evaluated sites for the Columbia University Proposal EIS. LPC also reviewed sites of historic interest to CB 9 in this area. These agencies state that within the Columbia University Academic Mixed Use Subdistrict A area the following buildings are of historic interest: The Studebaker Building at 615 West 131<sup>st</sup> Street; the Warren Nash Building at 3280 Broadway; the former Sheffield Farms Stable at 3229 Broadway and an interior portion of the West Market Diner at 629 West 131<sup>st</sup> Street. Also recognized as being of historic significance are the Riverside Drive Viaduct, the Manhattan Valley IRT viaduct and the 125<sup>th</sup> Street IRT subway station.

Columbia University is in the process of restoring the Studebaker Building for adaptive reuse and has proposed the adaptive reuse of the Warren Nash Building. Columbia University has committed to relocating the historically significant portions of the West Market Diner in consultation with OPRHP. As part of its proposal, Columbia University prepared a study to evaluate the feasibility of reusing the former Sheffield Farms Stable at 3229 Broadway in the Academic Mixed-Use Area and submitted the study to OPRHP for review on October 15, 2007. The study is contained in the Columbia University proposal FEIS; it concluded that the former Sheffield Farms Stable does not meet the requirements for an academic research facility. In a letter dated November 14, 2007, OPRHP concurred that it is not appropriate to retain just a portion of the former Sheffield Farms Stable or just its façade, and requested that further study be undertaken to determine if it is feasible to retain the former Sheffield Farms Stable in the Academic Mixed-Use Development Area. In response to OPRHP's request, a further analysis was conducted and it was determined that such alternative is not feasible (see FEIS Chapter 24). Measures that would partially mitigate this impact include Historic American Buildings Survey (HABS) Level I documentation of the former Sheffield Farms Stable (to be submitted to OPRHP, the New York Historical Society, and the Museum of the City of New York); and development and installation of a permanent interpretive exhibit or exhibits in or near the Project Area to document the history of the former Sheffield Farms Stable and to encompass the larger history of the Manhattanville neighborhood. These measures however would not completely eliminate the impact. Therefore the demolition of the Sheffield Farms Stable building would be an unavoidable significant adverse impact on this historic resource as a result of the Columbia University proposal.

### ***Transportation***

The Commission supports the 197-a plan recommendation for the development of a street management plan for CD 9. NYCDOT will work with CB 9 to develop a comprehensive plan for improvements to the area as part of the Harlem Morningside Heights Transportation Study. The Commission also generally endorses the 197-a plan recommendation to establish pedestrian friendly streets and to increase pedestrian safety. As part of the Harlem Morningside Heights Transportation Study, NYCDOT is examining pedestrian safety and will propose pedestrian safety measures if appropriate in CD 9. Pedestrian conditions at specific intersections will need

to be evaluated. The study area runs from 116<sup>th</sup> Street to 135<sup>th</sup> Street, from the Hudson River to the East River. The 197-a plan calls for the elimination of through traffic to and from the Henry Hudson Parkway from local streets. NYCDOT will examine cross-town traffic as part of the Harlem-Morningside Heights Traffic Study and will investigate this issue and recommend solutions if appropriate.

The 197-a plan supports the construction of new ramps to the Henry Hudson Parkway. The Commission believes that the city should consider if there are any feasible improvements for access and/or exit from the Henry Hudson Parkway which would improve traffic circulation in the West Harlem area.

Regarding the 197-a plan's recommendation to improve truck traffic in CD 9 and to explore strategies for restricting and regulation truck traffic on Broadway, the Commission and NYCDOT acknowledge the difficulties with managing truck traffic in the CB 9 study area. NYCDOT notes that their Truck Route Management and Community Impact Reduction Study, available on their website, recommends allowing small commercial vehicles on selected parkways. NYCDOT suggests that this should be investigated further for the section of the Henry Hudson Parkway between West 125th Street and the George Washington Bridge; if feasible, this might alleviate truck traffic on Broadway.

The Commission supports, along with NYCDOT, the 197-a plan recommendation for a study to examine the feasibility of an intermodal hub with transit and waterborne uses at the West Harlem waterfront, integrating the new West Harlem Piers waterfront park and balancing waterfront uses, public access needs and environmental issues. EDC is currently planning for a ferry and excursion vessel docking facility near the foot of West 125th Street.

The 197-a plan recommends that the city develop a new higher speed, high capacity, barrier free mass transit vehicle for 125<sup>th</sup> Street corridor. The Commission recognizes that the New York City Transit Authority (NYCT) shares the general goal as CB 9 to improve mass transit on 125<sup>th</sup> Street. Unique vehicles for specific streets are not developed but NYCT is developing a proposal for limited stop service on 125th Street which would increase bus speeds. 125th Street (in

combination with 1st and 2nd avenues) is also one of five corridors citywide that are being considered for implementation of bus rapid transit.

The Commission agrees with CB 9's goal to improve bus service in CD 9. The idea of express or dedicated bus lines for specific streets would have to be evaluated to see if service patterns or ridership levels would support limited-stop bus service. Currently Broadway has limited-stop M5 bus service between West 135th Street and West 159th Street, where it operates in tandem with the M4. It should be noted that NYCDOT is working with NYCT to initiate Bus Rapid Transit (BRT) service; West 125th Street is under consideration for use as a BRT corridor.

The Commission supports the 197-a plan recommendation to study the 125<sup>th</sup> Street/ Broadway subway station to improve access. The Commission has concerns about the recommendation for express subway service at the 125<sup>th</sup> Street/Broadway subway station because the track layout at this station is not designed for express service. There are only two local tracks; therefore, any express service at 125<sup>th</sup> Street station would require trains to run on the local track, skipping other local stations with higher ridership than 125th Street. Consequently, providing express service at 125th Street would not provide a net benefit to the majority of riders along the Upper Broadway Line. Currently, No. 1 train riders have a convenient cross-platform transfer to No. 2 and 3 express service at 96th Street.

The Commission does not, at this point, endorse the plan's recommendation to study extending the 2<sup>nd</sup> Avenue subway line to the 125<sup>th</sup> Station of the No. 1 line. Construction of such an extension is not part of the MTA's long-range plan; currently planned Phases 2, 3 and 4 are not yet funded. The MTA acknowledges that while the design for the Second Avenue Subway does not preclude future extension west along 125th Street, it is not clear how the below-grade Second Avenue line could connect to the elevated Broadway line.

The 197-a plan states that if the 2<sup>nd</sup> Avenue Subway extension is not feasible, that an alternative east/west low floor bus/trolley with dedicated lanes should be studied. Low-floor buses may be deployed on some routes if such buses become available in accordance with the NYC Transit bus procurement plan. Dedicated curb-side bus lanes may be feasible, but would require the removal

of existing mid-block sidewalk extensions on 125th Street by NYCDOT. As described above, 125th Street is also a candidate corridor for bus rapid transit. The Commission supports the plan's recommendation for a study for the creation of a cultural bus loop to link historic and other cultural facilities within northern Manhattan.

The Commission does not endorse a study for the feasibility of creating new municipal parking garages; the city no longer creates new municipal parking facilities because they are very expensive to construct and to maintain. NYCDOT is however seeking to maximize the installation of muni-meters in CD 9 which may increase the use of the curb parking space by 15 to 20 percent.

The Commission does not endorse the plan's recommendation to study a reuse (for housing, education, job training or commercial uses) for the Amsterdam Avenue bus depot, located between West 128<sup>th</sup> and West 129 streets. The NYC Transit Authority requires the continued use of this depot for its bus fleet, and has no plans to cease operations there. The Amsterdam Avenue depot will be used a temporary operating depot when the bus depot on Malcolm X Boulevard at 147th Street is reconstructed. After that, it will be used as a temporary operating depot when the bus depot on Second Avenue at 126th Street is being reconstructed, and then the NYC Transit Authority expects to continue using the depot for other uses.

The Commission supports efforts to facilitate the implementation of bike paths in CD 9, particularly routes to the new waterfront park. Preparation for the New York City Bicycle Master Plan included a thorough evaluation of corridors for the selection of final routes; NYCDOT welcomes suggestions from CB 9 in identifying priority routes and determining locations where other uses such as parking could be replaced with bike routes. NYCDOT notes that it can accelerate the installation of City Racks bicycle parking structures in the CD 9 if the Board identifies locations for these bike racks. The Commission, along with NYCDOT, does not endorse a bike route on West 125<sup>th</sup> Street which is an extremely busy east/west traffic corridor with many vehicles vying for limited space.

The 197-a plan recommends that the number of new pedestrian bridges in CD 9 be restricted and that a study should be conducted for the removal of existing ones with the exception of those that provide access to parks or other public facilities. The Commission appreciates CB 9's concern that pedestrian bridges can sometimes isolate interaction between connector buildings' users and the community. However the Commission would evaluate the appropriateness of new pedestrian bridges on a case by case basis. Currently, within CD 9, there are several existing pedestrian bridges that do not provide access to parks: two skywalks between hospital buildings at West 114th and West 117 streets; one bridge for Columbia University over Amsterdam Avenue at 118th Street; and one bridge for City College over Convent Avenue at approximately West 136<sup>th</sup> Street. Generally these pedestrian bridges are serving the needs of these institutions. Therefore the Commission does not support the plan's recommendation about pedestrian bridges.

### ***Economic Development***

The 197-a plan recommends the creation (or identification) of an entity to undertake economic development activities in CD 9. The Commission supports the goal of strengthening economic development in CD 9; the city should work with the Upper Manhattan Empowerment Zone (UMEZ), EDC and other local organizations to promote economic development in CD 9. The Commission does not endorse the plan's recommendation to use zoning incentives to encourage small businesses. Zoning is not an appropriate mechanism to achieve this end. The Commission supports the city's efforts to assist small local businesses for start-up and growth. The plan's ideas for the expansion of current economic development packages to include renters and an exploration of the development of a trust for industrial space to purchase property for selected light manufacturing uses are citywide issues that might be looked at citywide but not for a specific community district.

The Commission endorses the 197-a plan recommendations to support local business development and notes that CD 9 merchants and property owners should take advantage of the Small Business Services' (SBS) existing programs. These programs include the Avenue NYC program which provides assistance to Local Development Corporations, Merchant's Associations and other neighborhood groups to carry out commercial revitalization activities such as local marketing and business attraction initiatives. SBS also provides funding and

technical assistance to support merchants and property owners who are interested in forming a BID. Existing zoning allows the creation of sidewalk cafes on Amsterdam Avenue between 125<sup>th</sup> and 155<sup>th</sup> streets.

The 197-a plan recommends a study for the expansion of commercial development along 125<sup>th</sup> Street from Morningside Avenue to the Hudson River. The Commission believes that such a study at this point is not called for. DCP has studied the portion of 125<sup>th</sup> Street between Broadway and Morningside Avenue and has proposed zoning changes as part of its proposed 125<sup>th</sup> rezoning which was referred for public review on October 1, 2007. The proposal would create a special district that would allow a wide range of retail and cultural uses to support the ongoing revitalization of 125<sup>th</sup> Street.

The Commission supports the 197-a plan goal to improve job opportunities for CD 9 residents but does not think that linking future rezonings to community benefits agreements is appropriate. Economic development agencies should work with CB 9 and local business organizations to identify additional economic opportunities within CD 9.

### ***Environmental Protection and Sustainability***

The Commission applauds CB 9's interest and efforts to promote sustainability in CD 9 and notes that PlaNYC has similar goals. The Mayor's Citywide Sustainability Task Force is focusing on these issues. CB 9 should work with appropriate agencies to achieve the objective of waste reduction. City agencies should consider selecting CD 9 for any innovative or pilot programs that might be instituted because CB 9 is so supportive of this effort.

The Commission supports the plan's objective to minimize air pollution from NYCT buses but does not support the plan's recommendation to accelerate the conversion of the MTA bus depot on 12<sup>th</sup> Avenue to a compressed natural gas facility because the MTA has already converted to vehicles using cleaner fuel which is as efficient as natural gas. Newer buses now utilize hybrid technology.

The Commission endorses goals for safety and pollution prevention for both new and existing uses and is optimistic about the City's efforts to develop strategies to prevent and reduce pollution and to ensure the city's safety. The Commission cautions against high thresholds for review of new uses.

The Commission endorses the 197-a plan's recommendation about green building standards; this proposal is consistent with PlaNYC "Energy" Initiatives 3 and 5, to strengthen energy and building codes and prioritize areas for targeted incentives. The City has announced the implementation of standards for green building design and new regulations will be prepared. The Department of Design and Construction (DDC) has developed green building standards for NYC-owned construction. The School Construction Authority (SCA) has adopted green building standards for new school construction.

The 197-a plan recommends planting and green roof strategies where appropriate in CD 9. The Commission supports this goal and notes that PlaNYC encourages the installation of green roofs. The city is advocating for state approval of a proposal for a green roof tax abatement.

### ***Housing***

The Commission is enthusiastic about the CB 9 197-a Plan's emphasis on providing more housing opportunities for low, moderate and middle income residents. The Commission shares this goal and notes that since 1987 HPD has helped to create approximately 12,500 units of housing in CD 9.

The Commission shares the CB 9 197-a Plan goal to preserve government-assisted affordable housing. The city aims to retain units in the city's affordable housing stock, including those in the low-income housing tax credit program, those developed through the Mitchell-Lama program, and those in the federal Department of Housing and Urban Development's (HUD) multi-family programs. HPD and HDC have developed a refinancing strategy for Mitchell-Lama developments to restructure mortgages and procure funds for capital improvements, which would be tied to commitments to stay in the program for an additional 15 years. HPD is also working with HDC to develop a program that would allow Mitchell-Lama rental developments to convert

to cooperatives structured to be affordable to Mitchell-Lama tenants, with developers continuing to receive tax abatements. HPD is also working on a series of federal and state legislative proposals to ensure tenant protections and provide incentives for owners to remain in the program.

The 197-a plan recommends low income tenant ownership to prevent displacement in housing developments such as Mitchell-Lama complexes when owners choose to buy out of the program. HPD's Mitchell-Lama housing strategy is aimed at protecting such tenants and ensuring rents remain affordable. However implementing homeownership in these situations is not currently an HPD program. HPD is working to develop a co-op conversion program.

As part of the New York City Housing Authority's (NYCHA) Plan to Preserve Public Housing and the Mayor's New Housing Market Place plan to create 165,000 residential units by 2013, NYCHA is conducting a city-wide analysis of its portfolio to identify development opportunities to increase the City's supply of new affordable housing and to generate revenue through the disposition of underutilized vacant land to maintain NYCHA's stock of public housing.

The Commission endorses the 197-a plan recommendation for the study of underutilized sites for the development of affordable housing. It is likely that such an exploration would be part of the new West Harlem rezoning study. The city has examining areas throughout the city that could be rezoned to facilitate appropriate residential and mixed-use development. The Commission notes that there are no HPD-managed vacant lots in CD 9 for the development of affordable housing. Regarding sites in CD 9 that are under other agency jurisdictions, it is HPD's general policy to work with other city and state agencies to collaborate on transfers of surplus property to HPD for development of affordable housing.

The Commission supports the 197-a plan's recommendation to promote the development of a community land trust. HPD is working with the NYC Housing Partnership to develop NYC's first ever "land bank" which would make strategic acquisitions of land or buildings which could be developed with affordable housing.

Regarding the 197-a plan's recommendation that the city should urge New York State to maintain existing rent regulations (and, if possible, to strengthen these regulations), the Commission notes that rent regulations, determined by New York State, will expire in 2011, a future date beyond the current administration.

An increase in the funding for existing home maintenance and repair programs will depend on the city's available monies. The Article 8A Loan Program provides loans of up to \$35,000 per dwelling unit for repair work with no maximum per building, subject to availability of funds.

### ***Community Facilities***

The Commission supports city agencies working with CB 9 to identify needed community facilities within CD 9; Community District Needs Statements and budget consultations can be useful tools for that effort. In examining land use issues as part of the new West Harlem zoning study, the need for particular community facilities may become evident. The Department of City Planning has committed to identifying non-zoning policy initiatives as well as zoning tools while conducting that study.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant effect on the environment; and be it further

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will be consistent with WRP policies, and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 197-a of the New York City Charter, that the 197-a plan, *The Community Board 9 Manhattan 197-a Plan: Hamilton Heights, Manhattanville, Morningside Heights*, submitted by Manhattan Community Board 9 on June 17, 2005 and revised on September 25, 2007, is approved with modifications:

**Whereas**, approved 197-a plans guide the future actions of public agencies; and

**Whereas**, approved 197-a plans cannot preclude subsequent actions by the City Planning Commission and the City Council in their review of possible future applications under other charter-described processes; and

**Whereas**, many of the zoning and land use recommendations in this 197-a plan will require subsequent approval of 197-c zoning map change applications, which have their own defined review procedures; and

**Whereas**, the recommendations and proposals contained in the Recommendations section of the *Community Board 9 Manhattan 197-a Plan: Hamilton Heights, Manhattanville, Morningside Heights* are hereby replaced and modified as follows:

1. Rezone the area (identified in the 197-a plan as Sub-district 1) generally located between 12th Avenue and the Hudson River between West 134th Street and St. Clair Place for light manufacturing uses to support existing businesses, encourage new high performance light manufacturing uses, permit large supermarkets and allow the Harlem Piers Waterfront Park to conform to zoning regulations.
2. Rezone area (identified in the 197-a plan as Sub-district 2) generally located between West 135th Street and West 125th Street from Old Broadway and Broadway to 12th Avenue to allow a greater range of uses (manufacturing, commercial, community facilities and residential uses); some uses would be allowed at a higher density (community facility, commercial and residential) to facilitate new development.
3. Examine the existing zoning for the rest of CD 9 north of West 125th Street to evaluate the possibilities for contextual zoning to maintain neighborhood scale, for upzonings to promote new development, and for the application of Inclusionary Housing in appropriate locations to promote housing affordable to CD 9 residents. It would assess the need for additional measures to prevent residential displacement; examine possibilities for facilitating new development on underutilized sites; evaluate existing commercial overlays and potential new ones; and address community facilities issues.
4. Monitor the use of former city-owned sites in which the purchaser agreed to legally-binding contractual obligations as a condition for the sale of the property.

## **Urban Design, Open Space and Historic Preservation**

5. To facilitate public access to the waterfront, explore the feasibility of providing a pedestrian path with appropriate safety measures on West 131st Street between 12th Avenue and Marginal Street.
6. Preserve east/west visual corridors to the Hudson River in the area between West 135th and West 125th streets, west of Broadway.
7. Support the completion of a bike path from Cherry Walk at St. Clair Place along the waterfront to 145th Street where feasible.
8. Provide for streetscape improvements on West 125th Street, 12th Avenue and Broadway.
9. Provide for intensive tree planting in CD 9 and promote strategies for private property owners to green their properties.
10. Explore the feasibility of using the land just east of the sewage treatment plant between West 135th and West 155th streets for recreational and related uses and for parking.
11. Explore the feasibility of the establishment of an additional farmers' market in CD 9.
12. Protect community gardens in CD 9 on properties in city jurisdiction consistent with the Community Gardens Agreement of 2002 and consistent with city agency priorities.
13. Study possibilities for the creation of additional publicly-accessible open space and recreational areas in CD 9.
14. To facilitate new green areas in CD 9, explore potential locations in CD 9 for new landscaping and plazas on city-owned properties.
15. Study options for the reuse of the site occupied by the former West 135th Street Marine Transfer Station which is permanently closed.
16. To reinforce the rich history in CD 9, preserve historic resources as have been designated for landmark or historic district status by the Landmarks and Preservation Commission.

## **Transportation**

17. Develop a street management plan for CD 9, including a comprehensive plan for traffic improvements and increased pedestrian safety. Consider traffic options to improve traffic circulation within CD 9, particularly a decrease in traffic to and from the Henry Hudson Parkway on local streets; and potential solutions to regulate trucks on Broadway.

18. Explore bus and traffic management options to facilitate faster bus service within CD 9, particularly along West 125th Street.
19. Examine the feasibility of an intermodal hub with transit and waterborne uses at the West Harlem waterfront.
20. Study potential for the creation of a cultural bus loop to link historic and other cultural facilities within northern Manhattan.
21. Study the 125th Street/Broadway IRT subway station to improve access.
22. Facilitate the implementation of bike paths in CD 9 and installation of bike racks.

### **Economic Development**

23. Support local business development and improvements by facilitating opportunities for small business development, encouraging business associations, and promoting sidewalk cafes.
24. Support measures to improve job opportunities for CD 9 residents, consistent with city policies.

### **Environmental Protection and Sustainability**

25. Consider selection of CD 9 for innovative or pilot programs to implement strategies for waste prevention.
26. Pursue strategies for safety and pollution prevention for new and existing uses.
27. Support standards for green building design and new regulations.
28. Promote planting and green roof strategies where appropriate in CD 9.

### **Housing**

29. Increase affordable housing opportunities for low, moderate and middle income residents in CD 9.
30. Preserve government-assisted affordable housing in CD 9 and explore efforts for co-op conversions to provide ownership to tenants in rental buildings, including Mitchell-Lama rental complexes.

31. Identify vacant and underutilized sites for the development of affordable housing in CD 9.
32. Encourage development of a land bank which would make strategic acquisitions of land or buildings to develop with affordable housing.
33. Support increased funding for existing home maintenance and repair programs, within city resources.

### **Community Facilities**

34. In consultation with CB 9, identify needed community facilities and programs within CD 9.

The above resolution (N 060047 NPM), duly adopted by the City Planning Commission on November 26, 2007 (Calendar No. 3), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, AICP Chair**

**KENNETH J. KNUCKLES, Esq., Vice Chairman**

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**

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**LEVENTHAL, JOHN MERLOLO, KAREN A. PHILLIPS, DOLLY WILLIAMS,**

Commissioners