

COMPARISON MATRIX BETWEEN FRAMEWORK TO PRESERVE CHINATOWN/LES & PROPOSAL FOR A CHINATOWN/LES SPECIAL ZONING DISTRICT

TOPIC	TBNC'S FRAMEWORK TO PRESERVE CHINATOWN/LES	COALITION'S PROPOSAL FOR A CHINATOWN/LES SPECIAL Z.D.	COMPARISON BETWEEN TBNC & COALITION PROPOSALS		COMMENTS
			SIMILARITIES	DIFFERENCES	
Study Area	<p>There are 3 areas:</p> <ul style="list-style-type: none"> • Main Area (unspecified borders): Portion on CD3M that includes LES & Chinatown, used for development analysis & recommendations. This area excludes NYCHA, LES rezoned area, SPURA, historic Chinatown & special districts. • Main Area + NYCHA & SPURA: used for general recommendations. • CD3M: used for demographic & socioeconomic analysis. <p>Main area is based on the location of Soft Sites</p>	<p>There is one Study Area:</p> <ul style="list-style-type: none"> • Portion on CD3M that includes LES & Chinatown, used for land use analysis. • Study Area is further subdivided into 4 subareas (unspecified borders). <p>Study area seems to be based on zoning districts.</p>	<ul style="list-style-type: none"> • Both study areas comprise parts of the LES and Chinatown. • Both study areas share the same east, south and southwest borders. 	<ul style="list-style-type: none"> • TBNC's main study area excludes NYCHA, LES rezoned area, SPURA, historic Chinatown & special districts, although the proposal makes general zoning, housing & economic development recommendations for the entire LES/Chinatown neighborhoods. • The Coalition's proposal includes all these areas excluded from TBNC's proposal, although it doesn't make zoning recommendations for the SPURA sites. 	<ul style="list-style-type: none"> • Both proposals should clarify their study area borders and state criteria for its selection. Also, all the street names should be legible.
Planning Approach / Methodology	<ul style="list-style-type: none"> • TBNC's proposal is a framework for development. It presents an analysis of existing conditions, objectives, findings and recommendations seeking to understand current development in the area and to find opportunities for affordable housing preservation and creation, as well as preserving historical buildings and supporting local economic development. • Provides an Appendix with demographic and socioeconomic conditions to support findings and recommendations. • Provides an analysis of Soft Sites of the study area to support recommendations. 	<ul style="list-style-type: none"> • The Coalition's proposal is a straightforward rezoning proposal, with existing conditions analysis and findings embedded in the recommendations. This proposal seeks to protect local residents and businesses from displacement, as well as encourage growth without changing the built character of the neighborhoods. • Refers to other studies to substantiate recommendations. • Provides an analysis of Developable Sites of one subarea to support recommendations. 	<ul style="list-style-type: none"> • Both proposals seek to protect residents and businesses from displacement, preserve and create affordable housing and protect historical buildings and neighborhood fabric. • Both proposals focus on land use analysis to support their recommendations. TBNC's proposal provides a Soft Sites analysis of the study area; the Coalition's proposal provides a brief analysis of Developable Sites of one of the subareas. 	<ul style="list-style-type: none"> • TBNC's proposal provides an Appendix with demographic and socioeconomic conditions to support findings and recommendations, while the Coalition's proposal refers to other studies to substantiate recommendations. • TBNC's proposal provides zoning and housing recommendations, as well as objectives that include zoning, housing and local economy issues. The Coalition's proposal focus on special zoning districts to address the area's housing and development issues. • TBNC's proposal provides a description of zoning/land use issues. The Coalition's proposal explains few aspects but relevant descriptions are omitted. 	<ul style="list-style-type: none"> • Both proposals are focused on land use/zoning issues; however, relevant issues are omitted or unexplained, such as Uses and Parking. The recipients of these plans should be able to understand all issues related to zoning, as they will affect their neighborhoods. • The Objectives in TBNC's proposal read more like recommendations and get lost in the Executive Summary, since they're not mentioned thereafter or linked to any analysis. They would be more powerful if connected to this analysis and placed in the recommendations per se. Objectives then could be more general statements. • The Coalition's proposal lacks substantiation or its relevant recommendations. Links to references could not be found. In general, substantiation is more appropriate when it's explained in detail and case studies provided, not just as a footnote to a link. Also, the criteria for Developable sites doesn't follow City standards, thus it needs more explanation and substantiation, such as evidence of small, run-down lots being developed in the area.

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<p>Proposed Zoning District</p>	<p>In the Objectives, TBNC's proposal calls for the creation of Special District (s) that include:</p> <ul style="list-style-type: none"> • Anti-harassment provisions (In the Recommendations specifies that are intended for demolitions, renovations & conversions). • Historic preservation. • Incentives for affordable housing. <p>In the Recommendations, TBNC's proposal mandates Inclusionary Zoning (which is a special district designation) in areas with potential for development.</p>	<p>The Coalition's proposal calls for Special District for the entire area:</p> <ul style="list-style-type: none"> • Reducing max. as-of-right FAR to reflect built environment. • Allows FAR 6.0 for specific sites on a case-by-case basis, including affordable housing for the working and middle class. • Requires special permits for development on NYCHA property, and 100% affordable. • Requires a certification of no-harassment for demolitions, renovations & conversions. • Requires special permit for community facilities. • Requires special permit for industrial conversion to residential. • Proposes a Neighborhood Commercial District that would require special permit for chain stores with 11 or more branches. <p>The Coalition's proposal subdivides the special district into 4 subareas: A) NYCHA superblocks, B) Chinatown core, C) LES rezoned area & D) East River Waterfront:</p> <ul style="list-style-type: none"> • In the Chinatown core, it proposes a new type of IZ of at least 60% affordable, on a site-by-site and with community review and determination, targeted for a wide range of incomes. 	<ul style="list-style-type: none"> • Both proposals include the creation of special district to protect residents, businesses and the built environment. • Both proposals contain anti-harassment provisions for the entire study area. • Both proposals include Inclusionary Zoning provisions. 	<ul style="list-style-type: none"> • The Coalition's proposal specifies the special district for the entire study area. TBNC's proposal doesn't specify the number of special districts or their location. • TBNC's proposal is broad in terms of regulations for special district (it is called for in the Objectives, not the Recommendations). The Coalition's proposal is specific about the regulations for the special district. • TBNC's proposal mandates Inclusionary Zoning (as per current regulation) where applicable in the entire area. The Coalition's proposal mandates a special IZ on subarea B only. 	<ul style="list-style-type: none"> • Since the 1970s, the City has only designated 43 Special Purpose Districts. These types of districts places some restrictions on development, especially around urban design (transparency requirements, curb cuts, etc.), use limitations or control, amenities, bulk issues (FAR, Open Space, Lot Coverage) in areas considered of special interest by the City or areas where major land owners require special zoning requirements for large-scale development (Columbia University, for example). The use of special permits by the City Planning Commission places many restrictions for development of privately owned land, and are subject to ULURP review. Besides, owners might opt for filing a variance at the Board of Standards and Appeals claiming to get a return of their investments, thus bypassing ULURP or City Council review. It is unlikely that the City would approve a special district with so many restrictions as the one proposed by the Coalition. • The anti-harassment provisions in the special district as proposed in both plans can only be found in the Clinton Special District, enacted in 1974. Since then no other district has been granted this provision. Besides, the City Council's Local Law 7 of 2008 amends the City's Administrative Code to address harassment by landlords. So, it is unlikely that the City Planning Commission would include this provision in a special district. • Clarification is needed around the Coalition's Special IZ Review Process, especially with respect to community review and determination. Does it mean giving Community Boards a binding vote? In ULURP process, CBs, BPs, CPC and CC vote, however, CBs' and BPs' vote is advisory. This would require a change in City Charter. If not Community Boards, how is "Community" defined?

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Other Zoning Proposals: FAR / HEIGHT LIMITS	<ul style="list-style-type: none"> TBNC's proposal recommends a height cap of 60-70 feet on narrow streets (currently in C6-1 and C6-2 districts) to prevent over scale development. There are no recommendations for FAR in TBNC's proposal. 	<ul style="list-style-type: none"> The Coalition's proposal recommends reducing the maximum FAR where applies to reflect existing built environment. The proposal calls for a maximum FAR of 6.0 to build affordable housing for specific lots on a case-by-case basis and through community review. The proposal calls for subarea B (Chinatown core) to be rezoned to have a max. FAR of 3.0, which will produce 4-6 story buildings, similar to existing tenements. The Coalition also proposes to downzone subarea C (LES rezoned area) to a max FAR of 4.0 to protect the area from luxury development. 	<ul style="list-style-type: none"> Both proposals show concerns for the built environment. In using Height Limits or FAR, both proposals try to prevent over scaled developments and to produce buildings that match the existing context. 	<ul style="list-style-type: none"> TBNC's proposal doesn't provide recommendations around FAR, while the Coalition's does. TBNC's proposal makes specific recommendations around height limits for narrow streets in C6-1 & C6-2 districts. The Coalition's proposal makes specific recommendations around FAR for the Chinatown Core and for LES rezoned areas. The Coalition also makes general recommendations to reduce the FAR (sites TBD) to reflect the built environment. 	<ul style="list-style-type: none"> The Coalition's proposal doesn't specify what kind or FAR (Residential, Commercial or Community Facility) is to be reduced. Thus, it is assumed that the recommended reduction applies to all districts. With the exception of Subarea A (East River Superblocks) and part of Subarea C (LES rezoned area), the remaining study area is mostly zoned C, especially C6. This allows for FAR of 6.0 for Commercial or Community Facilities and 20% more if a public plaza is provided. This would allow building heights ranging between 75 and 125 feet, depending on the C6 district. Therefore, the Coalition's proposal is recommending a downzoning of the study area, except for the TBD areas for affordable housing, where FAR 6.0 would be allowed on a case-by-case basis and through community review & determination. To provide recommendations for downzoning, it would be advisable to provide population growth trends, as well as commercial and community facilities trends in the area. Otherwise, this proposal would be preventing development of uses and scales that could be needed for the community. As stated above, clarification is needed around the process for community review and determination.
Other Zoning Proposals: CONTEXTUAL ZONING	<ul style="list-style-type: none"> In the Objectives, TBNC's proposal recommends contextual zoning where appropriate to promote neighborhood scale and character. 	<ul style="list-style-type: none"> The Coalition's proposal recommends for subarea B (Chinatown core) to be contextually rezoned to R7B & C4-3A to match existing neighborhood context 	<ul style="list-style-type: none"> Both proposals show concerns for the area's existing context and want new development to reflect neighborhood scale. 	<ul style="list-style-type: none"> TBNC's proposal calls for further study to determine where contextual zoning is appropriate. The Coalition's proposes two specific zoning districts in one subarea. 	<ul style="list-style-type: none"> To provide specific zoning district recommendations, it would be advisable to make a comprehensive site and area analysis of zoning and land use. The Coalition's proposal doesn't provide data on the maximum built context (max built FAR), just on underbuilt lots. This only shows one aspect of the existing context, and it is not clear what the built context is like. Looking at TBNC's soft side analysis, it seems that many lots within this area are built to FARs of 3.44 or higher. Thus, preparing a cross analysis of both proposals would be helpful to understanding the area and thus making appropriate recommendations. It is also advisable to analyze Uses permitted and Parking restrictions to determine the appropriate zoning districts for an area.

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Other Zoning Proposals: SPECIAL ZONING RESTRICTIONS	<ul style="list-style-type: none"> TBNC's proposal recommends expanding the C6-1G and C6-2G to preserve and enhance local commercial and industrial jobs. On the same districts, the recommendations call for a review of permitted use to allow permanent housing for seniors or assisted living. 	<ul style="list-style-type: none"> The Coalition's proposal recommends strengthening the G zoning regulation to preserve manufacturing / industrial space. 	<ul style="list-style-type: none"> Both proposals seek to protect existing industrial businesses and jobs by supporting the continuation and strengthening of these districts. 	<ul style="list-style-type: none"> TBNC's proposal recommends expanding these districts, while the Coalition's doesn't. TBNC recommends the review of permitted uses to allow for targeted special needs housing in these districts. The Coalition's proposal doesn't. 	<ul style="list-style-type: none"> Both proposals support the continuation and strengthening of these "G" districts in order to protect industrial/manufacturing uses but none substantiates the need to preserve these industries and jobs. It would be helpful to prepare an analysis of businesses/jobs trends in the area or to refer to a current report or study on this issues in the area in order to validate this recommendation.
Other Zoning Proposals: WATERFRONT DEVELOPMENT	<ul style="list-style-type: none"> In the Objectives, TBNC's proposal recommends to protect waterfront access and views. 	<ul style="list-style-type: none"> The Coalition's proposal recommends developing the East River waterfront as per OUR Waterfront Alliance's plan. The Coalition also proposes the development of affordable housing 	<ul style="list-style-type: none"> Both proposals acknowledge the waterfront. 	<ul style="list-style-type: none"> TBNC's proposal is concerned with access and views. The Coalitions proposal is concerned with development. 	<ul style="list-style-type: none"> Supporting OUR Waterfront Alliance's plan could be a point of convergence for both proposals, since TBNC is one the Alliance's organizations, although the Framework doesn't mention this plan.
Other Zoning Proposals: TRANSFER OF DEVELOPMENT RIGHTS	<ul style="list-style-type: none"> In the Objectives, TBNC's proposal recommends allowing TDR within specified districts to protect neighborhood scale and promote new cultural uses. 	<ul style="list-style-type: none"> In the analysis of Subarea A, the Coalition mentions that NYCHA superblocks have an excess FAR that could be sold to private developers to build market-rate housing. However, it doesn't make any specific recommendation other than a mandatory community review process required in its proposed special district for this area. 	<ul style="list-style-type: none"> Both proposals acknowledge TDR. 	<ul style="list-style-type: none"> TBNC's recommendation entails further study to designate the appropriate districts, and introduces new cultural uses as a potential requirement. The Coalitions proposal is specific in its location and suggests a process. 	<ul style="list-style-type: none"> Both proposals are brief in their description / analysis of TDR. It would be advisable to develop further research of this issue in order to understand how it works and where could be applied within and throughout the study area for the benefit of its stakeholders.

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Other Zoning Proposals: ZONING INCENTIVES	<ul style="list-style-type: none"> In the Objectives, TBNC recommends the use of zoning incentives to support local cultural uses. 	<ul style="list-style-type: none"> The Coalition's proposal makes no mention of zoning incentives. 	<ul style="list-style-type: none"> N/A. 	<ul style="list-style-type: none"> N/A. 	<ul style="list-style-type: none"> Zoning incentives are common and inherent requirements in Special Districts. Therefore, it would be worthwhile to further study and discuss this issue to propose appropriate incentives that advance community development.
ECONOMIC DEVELOPMENT PROPOSAL	<ul style="list-style-type: none"> TBNC's proposal recommends the preparation of a Planning and Economic Impact Study of the Second Avenue Subway line and a Market Analysis of commercial corridors to address local economic development. In the Objectives, TBNC's proposal contains a series of recommendations to advance local economic development: <ul style="list-style-type: none"> Identify existing jobs and develop strategies to retain them. Develop worker skills and competency. Improve connections between creative and service sectors. Identify opportunities for new job creation and training. Examine existing City & State programs to insure that serves community needs. Create opportunities for the Go Green Movement to create jobs while reducing business and residential costs. 	<ul style="list-style-type: none"> The Coalition's proposal addresses the preservation of local businesses through the creation of a zoning district (Neighborhood Commercial District) that would require any chain with 11 or more branches to obtain a special permit before locating in the district. 	<ul style="list-style-type: none"> Both proposals are concerned with local business preservation. 	<ul style="list-style-type: none"> TBNC's framework addresses local economic development issues and suggests an approach to creating new and preserving existing jobs and businesses. The Coalition's proposal is a zoning plan and provides a specific zoning recommendation seeking to control new business development in order to protect existing local businesses. 	<ul style="list-style-type: none"> Both proposals are concerned with local business (and jobs) preservation but neither develops an analysis to substantiate its recommendations. TBNC's recommendation for the preparation of a Market Analysis of commercial corridors would provide a picture of the existing local economy and would allow the provision of appropriate recommendations and strategies along these corridors. In addition, an analysis of current business and jobs trends in the neighborhoods. Including opportunities for local development would provide an understanding of existing conditions and the basis for providing specific recommendations and strategies to preserve existing and create new businesses and jobs.

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HOUSING PROPOSAL	<ul style="list-style-type: none"> • In addition to zoning recommendations to provide affordable housing, TBNC's proposal recommends the preservation of rent-regulated units and support for subsidized units as a strategy for affordable housing preservation. • The proposal also identifies NYCHA campuses and the SPURA sites as the best opportunities for low-income housing development. It also proposes a planning study of NYCHA sites to determine the scope and scale of new development. • In the Objectives, TBNC's proposal contains a series of recommendations to preserve and create affordable housing: <ul style="list-style-type: none"> • Increase enforcement of building & health codes. • Prevent demolition of rent-stabilized buildings. • Create more affordable housing for seniors. • Expand the LMDC's programs that provide grants & loans to nonprofits for the purchase & renovation of tenements. • Encourage programs to bridge the difference between the federal & local AMI. • Insure affordable housing development in NYCHA. • Support elimination of rent regulation decontrol laws. • Eliminate rent increases in exchange for tax credits. 	<ul style="list-style-type: none"> • The Coalition's proposal contains general recommendations around the creation of affordable housing: <ul style="list-style-type: none"> • In Subarea A –Superblocks, the proposal calls for a comprehensive plan, and that any new housing development on NYCHA land and on DEP's Pike St. site should be 100% affordable. • In Subarea B – Chinatown Core, the proposal recommends the development of affordable housing on stalled construction sites and vacant lots. • Throughout the study area, the proposal recommends the development of 100% affordable housing on government-owned land. 	<ul style="list-style-type: none"> • Both proposals call for the creation of affordable housing. 	<ul style="list-style-type: none"> • TBNC's framework addresses the preservation of existing affordable housing and identifies objectives towards this goal. • The Coalition's proposal is a zoning plan and contains no strategy for affordable housing preservation. • TBNC's proposal for the creation of affordable housing provides an analysis of the challenges to developing it in the city and in these neighborhoods. • The Coalition's proposal doesn't address the challenges to building affordable housing. 	<ul style="list-style-type: none"> • Both proposals are deeply concerned with affordable housing; however, their approaches are different because they're different in nature. TBNC is a framework seeking for opportunities to preserve and create more affordable housing; the Coalition's proposal is a zoning plan. • The preservation of these neighborhoods, which is at the core of both proposals, implies housing preservation. Thus, it seems relevant to address this issue and have a strategy to achieve this goal. TBNC's framework identifies and outlines specific objectives for affordable housing preservation that are worthy of further analysis to provide substantiation to that proposal.