

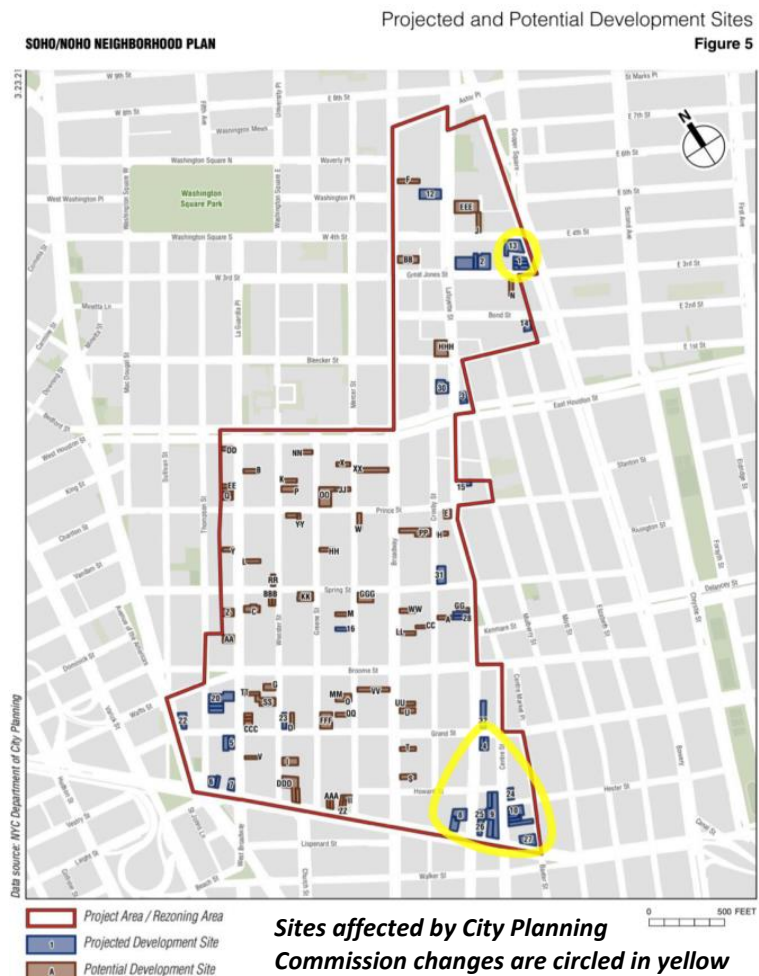
LESS THAN NOTHING:

How the City Planning Commission's Changes to the SoHo/NoHo/Chinatown Rezoning Plan Make No Difference In Its Failure to Create Affordable Housing

As per [our prior analysis](#), on every one of the sites where the City predicts affordable housing will be built under the rezoning, the plan actually offers **GREATER** financial incentives for **NOT** including affordable housing than for including it. In every case, the plan allows developers to build more market rate space if they choose NOT to include affordable housing than they would be allowed to build if they did include affordable housing. In 92% of cases, they could build the maximum allowable FAR without including any affordable housing whatsoever, by limiting their developments to market-rate residential uses of 25,000 square feet or less and, if needed, commercial or community facility uses. In the remaining 8% of cases, while the City's plan would not allow developers to build the maximum allowable FAR without including affordable housing, it would allow them to build more market-rate space than they would if they included 25-30% affordable housing, losing a significant chunk of the highly-profitable market-rate space in their developments.

In response to criticisms such as these about how the plan fails to ensure that it will result in the creation of affordable housing, when the City Planning Commission approved the rezoning on October 20, they made a very slight reduction in the allowable commercial FAR in two small subareas of the rezoning – from 10 to 8 FAR in the Southeast “Opportunity Zone” (Chinatown), and from 10 to 7 FAR in the Bowery “Opportunity Zone.”

Only 10 of the 84 sites where the City projects affordable housing being built are located in these zones, and would even be affected. On the 74 unaffected sites, under the proposed rezoning 69 would continue to be allowed to be developed to the maximum allowable FAR without including affordable housing, and 5 would continue to be allowed to be developed to just slightly less than the maximum allowable FAR, but would still be allowed to build substantially more market rate space when not including affordable housing than when including it, thus continuing to strongly incentivize developments with absolutely no affordable housing.



On the 10 sites affected by the proposed changes, the situation would be virtually identical.

On 5 sites (Sites 4, 24, 25, 26, and 27), one would still be able to build the maximum allowable FAR with no affordable housing.

On 3 sites (Sites 1, 8, and 10), one would be able to build the maximum allowable FAR with no affordable housing so long as the multiple lots which make up the site were developed separately (MIH allows 25K sq ft of market-rate residential development per zoning lot with no requirement for including affordable housing). In all three cases, even if the lots were combined (in spite of this powerful economic incentive to keep them separate), substantially more market-rate space would be allowed to be built when not including affordable than when it is included.

On 1 site (Site 9), one would still be able to build the maximum allowable FAR with no affordable housing on 2 of the 3 zoning lots, and on the third one could still build substantially more market rate space when not including affordable housing than would be allowed if one did include affordable housing. Even if the lots were combined (in spite of this powerful economic incentive to keep them separate), substantially more market-rate space would be allowed to be built when not including affordable than when it is included.

On just 1 site (site 13), while the maximum allowable FAR could not be achieved without including affordable housing, substantially more market rate space could be built by not including any affordable housing than by including it, continuing to provide a strong economic incentive not to include any affordable housing (*note: this site is currently being developed as a commercial building under the existing zoning, and thus is not likely to produce any affordable housing regardless*).

Thus the proposed changes make no substantive change in the built-in economic disincentives in the plan, which are likely to result in little or no affordable housing being built.

A site by site analysis follows:

Bowery “Opportunity Zone” – Max. Allowable FAR: 12 (7 FAR Commercial, 6.5 FAR Community Facility)

Site 1 – 348, 350, 352 Bowery and 54 Great Jones Street (4 lots)

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential, commercial, retail) on each of the 4 lots if developed separately, or if 2 buildings are developed on combinations of the lots, or 11 FAR of market rate uses if all four lots are developed jointly. City projects 8.6 to 9.15 FAR of market rate development (.87 FAR retail and 7.73 to 8.28 FAR market-rate residential), with 2.76 to 3.31 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*



Site 13 -- 358 Bowery (1 lot)

Rezoning allows 9.87 FAR of market rate uses with NO affordable housing (25K sq ft residential, commercial, retail)

City projects 8.64 to 9.2 FAR of market rate development (.87 FAR retail and 7.77 to 8.3 FAR market-rate residential), with 2.78 to 3.3 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*

Southeast “Opportunity Zone” (Chinatown) – Max. Allowable FAR: 12 (8 FAR Commercial, 6.5 FAR Community Facility)

Site 4 – 155 and 159 Grand Street

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential, commercial, retail) for a single building on both sites, or two separate buildings on each lot (two buildings can contain 25K sq sq ft of market-rate residential space each)

City predicts 8.46 to 9 FAR market rate uses (.87 FAR retail and 7.6 to 8.13 FAR market rate residential), with 2.71 to 3.25 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*



Site 8 – 126 Lafayette and 257 Canal Streets

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25 K sq ft residential, commercial, retail) for individual buildings on both lots (total of 50K sq ft of market-rate residential space)

or a single building on both lots of 10.42 FAR with NO affordable housing

City predicts 9 to 9.49 FAR market rate uses (2.17 FAR commercial and 6.83 to 7.32 FAR market rate residential), with 2.44 to 2.93 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*

Site 9 – 239 and 243 Canal Street, 3 Howard Street

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential on each lot, commercial, retail) on 3 Howard and 243 Canal Street and 9.87 FAR of market rate uses with no affordable housing (25K sq ft residential, commercial, retail) on 239 Canal Street,

or **9.26 FAR of market rate uses with NO affordable housing** (25K sq ft residential, commercial, retail) if all three lots are developed jointly

City predicts 8.65 to 9.2 FAR market rate uses (0.87 retail and 7.78 to 8.34 market rate residential) with 2.78 to 3.34 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*

Site 10 – 204 and 208 Hester Street, and 3 lots at 204 Centre Street

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential on each lot, commercial, retail) if each lot is developed separately or in multiple combinations

or **9.9 FAR market rate uses with no affordable housing** (25K sq ft residential on each lot, commercial, retail) if all five lots are developed jointly

City predicts 9.05 to 9.535 FAR market rate uses (.75 FAR Community Facility, 1.51 FAR Commercial, 6.8 to 7.275 FAR market-rate residential) with 2.425 to 2.9 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*

Site 24 – 217 Hester Street

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential, commercial, retail)

- **City predicts 8.65 to 9.21 FAR market rate uses** (.87 retail and 7.78 to 8.34 FAR market rate residential) with 2.78 to 3.336 FAR affordable residential

Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included

Site 25 – 123 Lafayette Street

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential, commercial, retail)

City predicts 6.28 to 6.67 FAR market rate uses (.87 retail and 5.4 to 5.8 FAR market rate residential) and 1.93 to 2.32 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*

Site 26 – 247 Canal Street

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential, commercial, retail)

City predicts 8.68 to 9.24 FAR market rate uses (.87 retail and 7.8 to 8.37 FAR market rate residential) with 2.8 to 3.35 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*

Site 27 – 114 Baxter Street

Rezoning allows 12 FAR of market rate uses with NO affordable housing (25K sq ft residential, commercial, retail)

City predicts 8.61 to 9.165 FAR market rate uses (.87 FAR retail and 7.74 to 8.3 FAR market rate commercial) with 2.765 to 3.32 FAR affordable residential

- *Proposed rezoning allows substantially more market rate FAR when NO affordable housing is included*

BY THE NUMBERS:

74 projected/potential affordable housing development sites unaffected by City Planning Commission changes

- 100% allow developers to build more market rate space if they DON'T include affordable housing than if they do
 - 69 allow developers to build the maximum allowable amount of space WITHOUT including affordable housing (i.e. 100% market rate)
 - 5 allow developers to build slightly less than the maximum allowable amount of space WITHOUT including affordable housing (i.e. 100% market rate), but still allow them to build substantially more **market rate space** than if they included affordable housing

10 projected/potential affordable housing development sites affected by City Planning Commission changes

- 100% **still** allow developers to build more market rate space if they DON'T include affordable housing than if they do
 - 5 **still** allow developers to build the maximum allowable amount of space WITHOUT including affordable housing (i.e. 100% market rate)
 - 3 **still** allow developers to build the maximum allowable amount of space WITHOUT including affordable housing (i.e. 100% market rate) so long as they develop the sites using the current separate zoning lots (if they combine zoning lots for a single development, they would **still** be allowed to build substantially more **market rate space** than if they included affordable housing)
 - 1 **still** allows developers to build the maximum allowable amount of space WITHOUT including affordable housing (i.e. 100% market rate) on 2 of the 3 lots involved (if they combine zoning lots for a single development, they would **still** be allowed to build substantially more **market rate space** than if they included affordable housing)
 - On only 1 site would a developer not be able to build the maximum allowable amount of space WITHOUT including affordable housing (i.e. 100% market rate), BUT they would **still** be allowed to build substantially more **market rate space** than if they included affordable housing – and this site is already slated for a purely commercial development with NO AFFORDABLE HOUSING under the existing zoning.