
WEST HARLEM SPECIAL DISTRICT

A zoning proposal by
Manhattan Borough President
Scott M. Stringer



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EXECUTIVE SUMMARY

Without proactive planning, the many significant development pressures West Harlem is experiencing, including Columbia University's planned expansion, could have far-reaching impacts on the neighborhood's social and physical character.

To ensure that the West Harlem community benefits from new development, and to prevent the gentrification, secondary displacement, traffic and other negative impacts that rising real estate pressures might otherwise bring to the area, the City should create a **West Harlem Special District**, from 125th to 145th Streets, from Bradhurst/Edgecombe and Convent Avenues to the Hudson River (see map, reverse). The area surrounding the proposed Columbia expansion zone would become a **preservation area**, with special zoning rules to encourage the preservation and stabilization of the community:

- **Contextual Zoning**, with limits on the density and height of new buildings, to preserve the neighborhood's character and limit displacement pressures.
- **Inclusionary Housing** to create new housing that is permanently affordable to West Harlem residents.
- **Special Rules for Community Facilities**, to stop grossly out-of-scale developments and prevent dorms and university uses in residential areas.
- **Density bonuses for “small business incubators,”** to incentivize affordably priced retail space for local small businesses.
- **Anti-Harassment and Anti-Demolition provisions**, to penalize property owners who harass their tenants, and discourage unnecessary demolition of housing.
- **Street tree planting regulations** for new developments, to meet the City's long-term environmental goals, and contribute to the community's health and quality of life.
- **Special parking regulations**, to ensure that parking in the area serves the needs of residents and encourages transit-based development instead of causing congestion and pollution.

Community Board 9 made many of these recommendations in its comprehensive 197-a plan. The West Harlem Special District can be the vehicle for turning these excellent planning considerations into law, and can provide a blueprint for the future growth and development of West Harlem.

There is precedent for this approach. In the Hudson Yards Special District, the Greenpoint-Williamsburg rezoning, the Clinton Special District, and many other places, the City has recognized the impact of major new developments and crafted special zoning rules to protect nearby vulnerable areas. West Harlem's zoning has not been updated since 1961, and it is long past time that it get the same type of contextual rezoning that Downtown neighborhoods have received in recent years.

With a West Harlem Special District, the West Harlem neighborhood would get the protections it needs to co-exist with, rather than be dominated by, Columbia University.

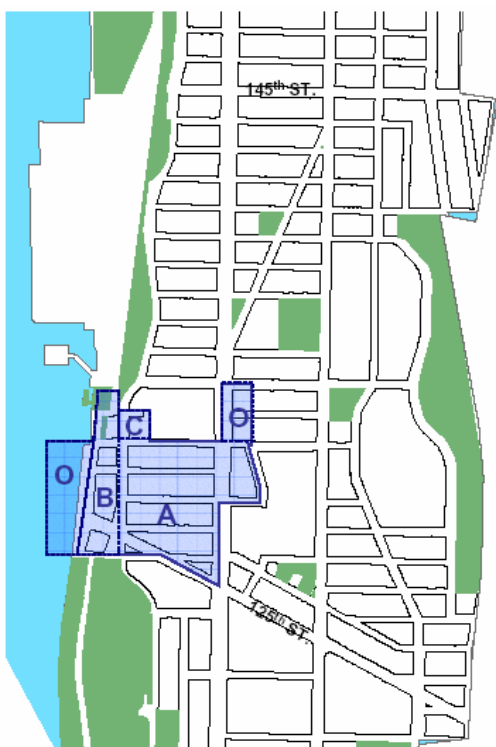
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BACKGROUND AND OVERVIEW

Columbia University has proposed to rezone an area of West Harlem north of its current campus to accommodate the university’s long-term growth and modernization. Columbia’s proposed rezoning would create a “Special Manhattanville Mixed-Use Zoning District” between 125th and 135th Streets, from Broadway to the Hudson River (See Map 1, below). The Special District would be comprised of several subareas, but its heart, the “Academic Mixed-Use Area” (Area “A”), is designed specifically to facilitate the university’s expansion.

Manhattan Community Board 9 has proposed a 197-a Plan which includes recommendations for the entire Community District but which centers largely on a proposed “Manhattanville Special District” designed to promote production/light manufacturing, retail and community facilities, and to ensure that certain physical features of the neighborhood remain in place (See Map 2, below). The borders of the proposed Special District extend from 122nd to 135th Streets west of Convent Avenue, but two of its three subdistricts – the “New Consolidated Manufacturing District” (Area “1”) and the “New Broadway Mixed Use District” (Area “2”) – together encompass nearly the exact same geographic area as Columbia has proposed to rezone.



Map 1: Columbia’s Proposed Rezoning Plan
Area “A” is the “Academic Mixed-Use Area” – the expansion zone. (Area “B” is the “Waterfront Area,” Area “C” is the “Mixed-Use Development Area,” and “O” represents other areas of the Special District.)



Map 2: CB9’s Proposed 197-a Plan Dotted line denotes boundaries of “Manhattanville Special District.” Area “1” is the “New Consolidated Manufacturing District,” and Area “2” is the “New Broadway Mixed Use District.” (Area “3” is the proposed “New Amsterdam Mixed-Use District.”)

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The City Planning Commission is reviewing these two plans concurrently during the City’s Uniform Land Use Review Procedure (ULURP). This has set up a public process, and a public debate, that has focused largely on what will or will not happen within the specific area planned for Columbia’s expansion.

The *direct* impact of the expansion is, of course, a critical and pressing concern. Before the State and City approve any rezoning or development plan, they must resolve the critical questions regarding the expansion’s potential to directly impact residents and businesses in the expansion footprint.

But West Harlem is more than just the 17 acres in the expansion area, and the impact of the expansion will be felt well beyond the footprint of the new campus. While the \$7 billion expansion plan will likely yield significant benefits to the economy of the City and the community, it will also have a profound long-term secondary impact on the new campus’ neighbors in West Harlem. A broader, long-term zoning strategy is necessary to ensure the continued stabilization of the larger West Harlem community in the face of this significant change, and in the face of the larger development trends sweeping across the City.

EXISTING CONDITIONS AND CONCERNS

The neighborhood surrounding the expansion zone is a distinctive, diverse and vibrant residential and mixed-use community. It has a strong built character defined by tenements and apartment buildings, with a significant presence of brownstones and row houses. The neighborhood’s social character is exemplified by a remarkable diversity of ethnic and socioeconomic backgrounds.

West Harlem suffers from obsolete zoning that has not been updated since the adoption of the 1961 Zoning Resolution. The area north of Columbia’s expansion zone is zoned R7-2 east of Broadway, and is zoned R8 on Broadway and to the west. C1-4 commercial overlays are mapped along Broadway and Amsterdam Avenue. These zoning districts lack height limits, and permit densities that do not reflect the context and scale of the neighborhood.

In addition to Columbia’s expansion plans, growth by other institutions such as City College and new residential development are increasing pressures on the neighborhood. Rising rents and an increasing number of Housing Court cases are evidence that gentrification and a hot real estate market are beginning to force out longtime community residents. This trend is likely to be further exacerbated by the presence of a new Ivy League campus, leading to significant secondary displacement impacts.

Current zoning provides greater overall development rights for projects that include



Map 3: Lots Built To Less Than 50% of Permitted Floor Area

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community facilities than for projects without them. Because West Harlem lacks contextual zoning, a significant increase in square footage is available for the development of “community facilities.” Elementary schools and community centers qualify as community facilities, but so do dormitories and university uses. This gap between allowed residential and community facility density (floor area ratio, or FAR) encourages institutional uses to invade solidly residential neighborhoods, leading to out-of-context buildings. This situation permits developments that would have a dramatic impact on residential character and could lead to tensions between the community and the university, as it has in other residential neighborhoods near large institutions.

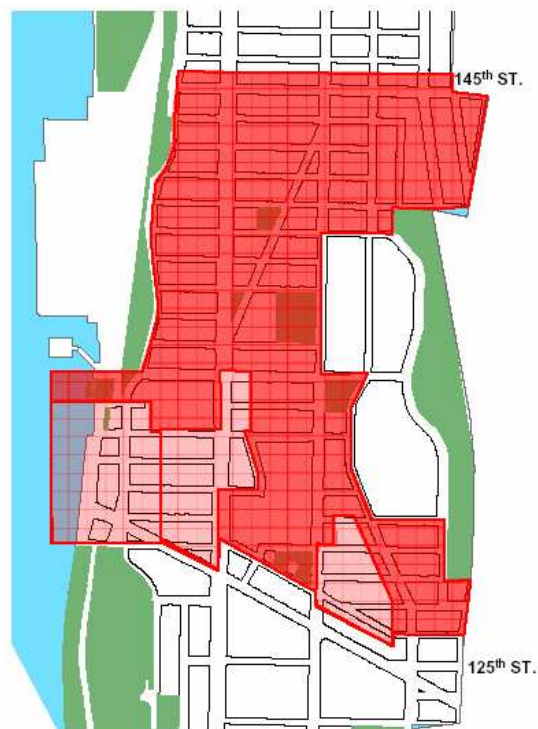
Surprisingly for an area with such a densely built character, under existing zoning there are a remarkable number of lots north of the expansion zone that are built significantly below their full development potential. Nearly a quarter of all lots in the area (215 of 975, 22%) are built to less than half of their available residential FAR. Over half of the lots (507 of 975, 52%) are built to less than half of their available community facility FAR. These lots are vulnerable to demolition and redevelopment, and those pressures will only increase with a new campus nearby. (See Map 3, previous page.)

New growth and development are generally desirable, but the current zoning for the area has paved the way for sweeping wholesale change. The area’s current zoning could allow gentrification and secondary displacement throughout West Harlem, permits institutional uses to “creep” into solidly residential neighborhoods, and could set the stage for significant threats to the social and physical character of the community.

THE PROPOSAL: THE WEST HARLEM SPECIAL DISTRICT

In the past, when approving major new growth or institutional expansion, the City has created special zoning districts to give potentially vulnerable nearby communities special protections (such as the Preservation Area of the Clinton Special District, ZR §96-10, and the Hell’s Kitchen subdistrict of the Hudson Yards Special District, ZR §93-90). A similar opportunity exists today to create special zoning rules and protections to ensure that the West Harlem community can coexist with, rather than be dominated by, Columbia University.

A new special district, the **West Harlem Special District**, would include the broader West Harlem area, from the Hudson River to Convent and Bradhurst/Edgecombe Avenues, between 125th Street and 145th Street. (See Map 4, this page.) The area planned for Columbia’s expansion would be just one subdistrict of this larger special district. The residential areas of West Harlem north of the planned expansion would become a **Preservation Subdistrict**, with zoning rules crafted to ensure that



Map 4: Preservation Subdistrict

the area's physical and social character will be preserved in face of the change that the Columbia expansion will bring.

The goals of the Preservation Subdistrict are to:

- Minimize or mitigate displacement, gentrification, traffic and other negative impacts that development pressures and institutional expansion might otherwise have on the West Harlem community.
- Correctly situate the Columbia expansion area within the context of the larger community, rather than rezone an area for the main purpose of meeting Columbia's needs.
- Create new and innovative opportunities to meet community and citywide planning goals, such as creating affordable housing and promoting economic development and job creation.
- Update the area's zoning to reflect current policy goals and development trends.
- Provide a vehicle for implementation of the community's recommendations and planning initiatives for the entirety of West Harlem.
- Create a zoning framework for the long-term stabilization and viability of the West Harlem community.

ELEMENTS OF THE PRESERVATION SUBDISTRICT

Overview

Many of the main elements of the Preservation Subdistrict reflect suggestions made by Manhattan Community Board 9 in their 197-a plan. The West Harlem Special District will be a vehicle for turning these excellent recommendations into law.

- **Contextual zoning** to prevent out-of-context development, preserve neighborhood character and scale, and minimize displacement pressure on current residents and businesses.
- **Special community facility regulations** to prevent out-of-context institutional facilities from overwhelming residential neighborhoods.
- **Inclusionary Housing** to ensure that new growth in the area will create housing opportunities that are affordable to West Harlem residents.
- **Anti-harassment and demolition restriction provisions** like those in other special districts, to protect tenants from illegal evictions, encourage the preservation of the existing housing stock and discourage displacement.
- A new **density bonus for small business incubators**, to provide incentives for developers to provide retail that supports the needs of the community.
- **Street tree planting requirements**, such as those in other Special Districts, to meet the City's long-term environmental goals and contribute to the health and quality of life of the community.
- **Special Off-street Parking Regulations**, to ensure that parking in the area serves the needs of residents and encourages transit-based development instead of causing traffic congestion and pollution.

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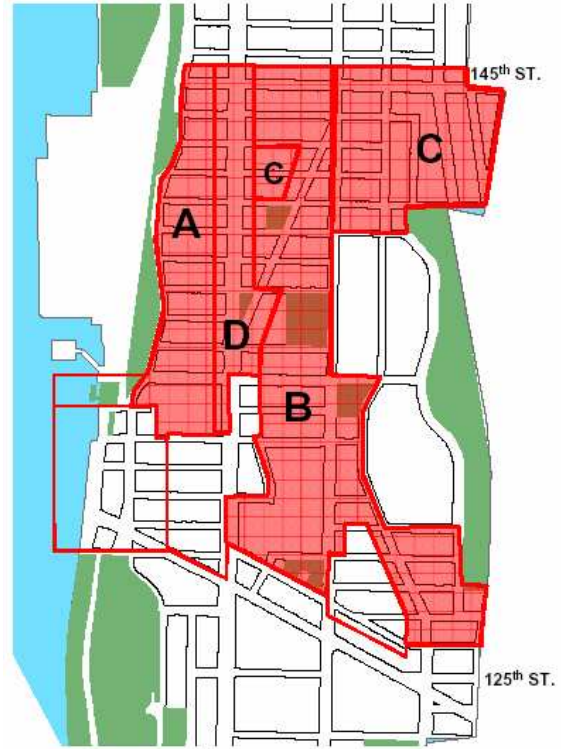
The preservation area would be divided into four subareas with different zoning rules tailored to each part of the neighborhood’s specific built character. (See Map 5, this page.)

Subarea A: West of Broadway

Between 133rd-145th Streets, from 100 feet west of Broadway to the Hudson River (See Map 5, this page), the Special District would rezone from an R8 to an R8A zoning district with a tailored base FAR of 4.275, standard street wall requirements of 60-85 feet and maximum building heights of 120 feet. Eighty-one percent (112 of 139) of the lots within this area currently comply with this lower FAR, which will keep development contextual with the built character of the neighborhood.

Because the area can accommodate somewhat higher density than this base FAR without contributing to displacement pressures, the subarea would have an inclusionary housing bonus to channel development energy into the creation of affordable housing. The bonus would allow developers to build up to 5.68 FAR, providing 33% more density in exchange for setting aside 20% of the total floor area for permanent affordable housing.

Instead of using the standard inclusionary housing income levels, this program would be geared towards the community’s affordable housing goals. After consultation with Community Board 9, the Department of Housing Preservation and Development would be empowered to establish, and periodically adjust, income levels that are appropriate for the West Harlem community. Developers would also have the option of paying into an affordable housing fund established to preserve or create affordable housing within Community District 9.



Map 5: Subareas of the Preservation Subdistrict
 “A” is West of Broadway, “B” is East of Broadway, “C” is the Hamilton Heights Low-Density Area, and “D” is the Broadway Corridor.

SUBAREA A: WEST OF BROADWAY			
	Existing Zoning: R8		Proposed Zoning: R8A
	Standard	w/ Quality Housing option	
Base FAR	6.02	7.2 (on a wide street)	4.275
Street Wall	No limit	60-85 feet	60-85 feet
Height Limit	No limit	120 feet	120 feet
Inclusionary Housing Bonus	None		Bonusable to 5.68 FAR

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Subarea B: East of Broadway

Between 126th and 145th Streets, in an area roughly between Broadway and Amsterdam Avenues (See Map 5, previous page), the Special District would rezone from an R7-2 zoning district to a tailored R7B district. Because the current FAR of 3.44 is reasonably contextual with the area’s built character, the area would not be downzoned. It would, however, adopt the standard R7B street wall requirements of 40-60 feet and building height limits of 80 feet. Ninety-eight percent (346 of 347) of buildings in this area already comply with this height limit.

SUBAREA B: EAST OF BROADWAY			
	Existing Zoning: R7-2		Proposed Zoning: R7B
	<i>Standard</i>	<i>w/ Quality Housing option</i>	
Base FAR	3.44	4.0 (on a wide street)	3.44
Street Wall	No limit	40-65 feet	40-60 feet
Height Limit	No limit	80 feet	80 feet

Subarea C: Hamilton Heights Low-Density Area

Between 140th-145th Streets, between Manhattan Avenue and Bradhurst/Edgecombe Avenue, and on the 141st-143rd Street midblocks between Broadway and Hamilton Place (See Map 5, previous page), the Special District would rezone from an R7-2 district to R7B. The area contains some of the community’s most historic properties, and a great deal of the Hamilton Heights Historic District. Because development in this subarea is at very low densities, it would be downzoned to a tailored maximum FAR of 3.0, with standard R7B street wall requirements of 40-60 feet and building height limits of 80 feet. Eighty-three percent (357 of 432) of lots in the area already comply with this FAR.

SUBAREA C: HAMILTON HEIGHTS LOW-DENSITY AREA			
	Existing Zoning: R7-2		Proposed Zoning: R7B
	<i>Standard</i>	<i>w/ Quality Housing option</i>	
Base FAR	3.44	4.0 (on a wide street)	3.0
Street Wall	No limit	40-65 feet	40-60 feet
Height Limit	No limit	80 feet	80 feet

Subarea D: Broadway Corridor

Between 133rd-145th Streets, along Broadway (see Map 5, previous page), the Special District would rezone from an R8 to an R8A zoning district, with a tailored FAR of 4.77, standard street wall requirements of 60-85 feet and maximum building heights of 120 feet. Seventy-nine percent (46 of 58) of the lots within this area currently comply with this lower FAR, which will keep development contextual to the built character of the neighborhood.

The corridor, which features commercial overlays and a strong retail sector, can accommodate somewhat higher density than this base FAR without contributing to displacement pressures. The subarea would feature a new “business incubator bonus” that would allow developers to achieve a bonus up to 6.02 FAR for providing affordably priced retail space to local businesses that serve local

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needs. This zoning would retain or promote the neighborhood’s small business community in addition to protecting its physical character.

SUBAREA D: BROADWAY CORRIDOR			
	Existing Zoning: R8		Proposed Zoning: R8A
	<i>Standard</i>	<i>w/ Quality Housing option</i>	
Base FAR	6.02	7.2 (on a wide street)	4.77
Street Wall	No limit	60-85 feet	60-85 feet
Height Limit	No limit	120 feet	120 feet
Small Business Incubator Bonus	None	None	Bonusable to 6.02 FAR

Throughout the Preservation Subdistrict

A number of special provisions would apply throughout the entire Preservation Subdistrict:

- **Anti-harassment provisions**, modeled on the protections in the Hudson Yards Special District (ZR §93-90), the Special Clinton District (ZR §96-110), and the Greenpoint-Williamsburg anti-harassment areas (ZR §23-13), would require developers of new buildings or substantial rehabilitations to demonstrate that there had been no previous history of tenant harassment of the building before beginning construction. If a building has a history of harassment, the developer would be required to “cure” this situation by building or preserving affordable housing in the Community District.
- **Demolition restrictions**, modeled on the protections in the Special Clinton District (ZR §96-24), would prohibit the demolition of viable residential buildings to encourage the preservation of West Harlem’s existing housing stock and to discourage unnecessary displacement of households.
- **Community Facility FAR** would be set as equal to residential FAR to eliminate the incentive to build out-of-context institutional uses in West Harlem.
- **Street tree planting** would be required for new developments, to contribute to the City’s long-term environmental goals and contribute to the community’s health and quality of life.
- **Certain community facility uses**, specifically dormitory and college/university uses, would only be permitted via special permit, to prevent institutional uses from negatively impacting the character of residential neighborhoods. Findings for such uses would set a high standard for meeting community needs and not adversely affecting neighborhood character.
- **Special off-street parking regulations** would be tailored to ensure that parking in residential neighborhoods serves local needs rather than the needs of Columbia’s students and visitors. Parking regulations should also encourage transit-based development rather than automobile usage, to mitigate the potential traffic impacts of the expansion.

CONCLUSION

In the face of significant development pressures, including but certainly not limited to the Columbia expansion, the West Harlem community needs a long-term zoning strategy to ensure the preservation of the community. The proposed contextual zoning controls will preserve the neighborhood's context and physical character, while the anti-harassment and demolition restriction provisions will quell displacement pressures and thereby preserve the community's social character. New bonuses, crafted specifically for the West Harlem community, will capture development energy and channel it towards the construction of new affordable housing and strengthening local businesses. Large institutions would not be able to overwhelm West Harlem neighborhoods by utilizing out-of-context community facility FAR. Special parking regulations will ensure that traffic and parking promotes, rather than obstructs, economic vitality, safety and health.

By situating Columbia's plan within the context of the larger community, the West Harlem Special District sets the stage for the long-term stabilization and strengthening of the community so that West Harlem can co-exist peacefully with Columbia for decades to come.