



Testimony to the New York City Council on the Dutch Kills Rezoning
Brad Lander, Pratt Center for Community Development
October 2, 2008

Chairman Avella, Councilmember Gioia, and members of the committee, thank you for this opportunity to testify on the Dutch Kills Rezoning. I am Brad Lander, Director of the Pratt Center for Community Development. As you know, we work with community groups on a range of community planning, affordable housing, neighborhood preservation, and economic development issues.

I come before you today to plead with you to modify the proposed Dutch Kills rezoning to maintain the floor area ratio (FAR) for non-hotel manufacturing uses to 5.0. Do not allow the Bloomberg Administration's sweet talk about mixed-use areas, or mumbo-jumbo about process to obscure the unnecessary and misguided hostility to preserving appropriate, long-time, much-needed blue collar businesses in this long-industrial area.

You can make this change without undoing any of the important aspects of this rezoning:

- You can, and should, allow residential development within the height and FAR limits allowed, including an inclusionary housing bonus in the M1-R7A area.
- You can, and should, implement height limits to restrict residential, commercial, and manufacturing to appropriate contextual limits.
- You can, and should, restrict hotel uses to a lower FAR of 2.0. I would prefer that you go even further here, and only allow hotel uses by special permit. I concede that this change would be out-of-scope, though only because the Bloomberg Administration has refused to include it, despite the fact that it is the best alternative to achieve the goal.

These changes alone would be more than enough to tip the balance of this area from manufacturing to residential. For the truth, as we all know, is that the Bloomberg Administration's so-called "mixed-use zones" are in fact designed simply to be transitional zones, to provide a few years to convert from manufacturing uses to residential ones – as land owners who aim to achieve the highest-paying use convert their properties.

But in this neighborhood, where you have owners who would like to retain and strengthen manufacturing uses even when they would be allowed to convert to higher-paying residential, at a time when economic diversity is so sorely needed in our economy, it adds insult to injury to go even further, and take away manufacturing FAR that they already have.

The only conclusion that can be drawn is that, despite their claim to support a diverse economy, despite the lip service they pay to preserving viable manufacturing, they actually prefer to

undermine manufacturing, and to convert whatever land they think is even remotely viable from industrial uses into condos.

- What other explanation is there for the fact that the 95 rezonings the Administration has moved forward since 2003 have, in the short span of 5 years, reduced by 20% the land area where manufacturers can locate?¹
- What other conclusion can we draw for their persistence in pushing forward the elimination of 1,500 industrial jobs at Willets Point, showing gleaming images of condos that we don't believe anyone wants to finance, build, or buy at this time?
- Why else would they unnecessarily take away hundreds of thousands of square feet from manufacturing businesses in Dutch Kills, when they could simply apply the proposed contextual height and use limits to achieve the community's goals?

This is the wrong time for hostility to manufacturing. Manufacturing provides good jobs for working-class New Yorkers, at average salaries of \$49,000 (compared with \$34,000 for retail positions). With Wall Street in crisis, with the housing market frozen, with the high cost of oil and transport, New York City should be supporting manufacturing, not pushing it away.

For today: It is within the power of the City Council to restore non-hotel manufacturing FAR in Dutch Kills to 5.0, while leaving the newly-proposed mixed-use zoning, height and use restrictions in place. Do not be cowed by the claims that this is out-of-scope, or that there are obscure procedural reasons why you cannot do the right thing. Restore the manufacturing FAR to 5.0, and let the Bloomberg Administration go to court if they are so insistent on making it harder for blue-collar businesses to thrive here.

For the long-term: I urge the City Council to take more aggressive steps to stop the Bloomberg Administration's ill-timed and ill-considered hostility to manufacturing. Put forward legislation that would prohibit hotels, big-box stores, and office buildings in manufacturing areas except by special permit, so that they don't crowd out viable manufacturing. Move more M-zoned land into IBZs, to end the "open season" that has been declared for converting this land to residential uses. And for now, with the market for new housing construction frozen for the time being, stop rezoning viable M-zoned land and displacing vibrant manufacturing uses in pursuit of a bankrupt condo fantasy. Now more than ever, we need an economically diverse New York City, with a range of jobs for people across the spectrum.

Thank you very much for your patience and consideration.

¹ See Pratt Center (2008), *Protecting New York's Threatened Manufacturing Space*.

Protecting New York’s Threatened Manufacturing Space

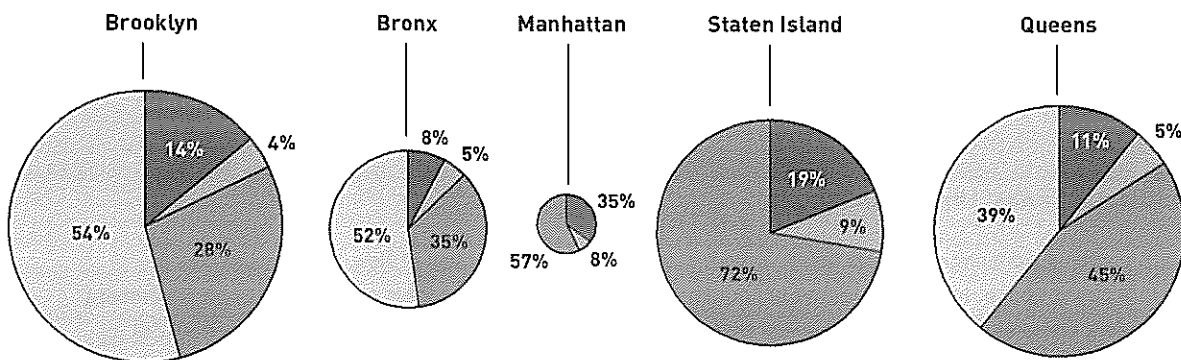
The New York City economy is best known for zipping electrons around the world in the service of financial institutions and media organizations. But New York City also depends on its manufacturers. Businesses that produce goods—everything from baked bread to sets for Broadway shows—employ some 105,000 New Yorkers. After years of losing companies that could produce overseas, what’s left in NYC are businesses that want and need to be here.

Manufacturing jobs are, for the most part, good jobs for working-class New Yorkers—in New York City they pay \$49,000 a year on average, compared with \$34,000 for retail positions. As the cost of shipping goods long distances rises sharply with spikes in the price of oil, the economic sense of making and buying things produced in New York City grows.

But even as the demand for goods produced in New York City remains strong, city government’s own policies are threatening manufacturers’ ability to do business here. When Mayor Bloomberg came into office in 2002, New York City had 12,542 acres of land where manufacturing businesses could legally operate. Today, thanks to zoning changes, it has fewer than 10,746, and another 1,800 acres would be converted to other uses under additional rezonings proposed by the Bloomberg administration. If the planned rezonings go through, New York City will have lost 20 percent of all its manufacturing space in the span of just a few years.

	Brooklyn	Bronx	Manhattan	Staten I.	Queens	NYC
All Available M-zoned Land (Acres)	3,671	1,535	498	3,506	3,333	12,542
Rezoning 2002-07	502	116	175	649	355	1,797
Proposed Rezoning	151	81	42	313	162	749
Manufacturing Outside IBZs	1,017	533	281	2,544	1,521	5,896
Manufacturing Within IBZs	2,001	805	0	0	1,295	4,100

Available M-zoned land as of 2002 excludes all M-zoned land occupied by permanent transportation and utility infrastructure, M-zoned land that had been converted to non-conforming uses, and M-zoned areas rezoned as mixed-use prior to 2002 (Tribeca, Dumbo, Port Morris)



Of the 95 New York City rezonings from 2003 to 2008, one-quarter converted manufacturing districts into some other category of land use—residential, commercial, or mixed-use zoning. Not one added a single acre of new space for manufacturers. The rapidly shrinking amount of land for industry and manufacturing is making it extremely difficult for companies to find space to make things in New York City. Only about 3 percent of manufacturing-zoned land contains vacant and rentable space.

When industrial land is rezoned, existing businesses may legally remain. But because other uses for the property, such as condominiums, tend to be more lucrative for property owners, rezoning pushes businesses out when their leases expire and landlords decide to convert to other uses. Rezoning of M-zoned land to other uses are for the most part irreversible.

If planned rezonings go through, New York City will have lost 20 percent of all its manufacturing space in the span of just a few years.

What's more, just because land is zoned for manufacturing doesn't mean that things are made there. In Brooklyn, manufacturing zones host big box stores like Ikea, Costco and even the Kings Plaza Mall. Hotels, waste transfer stations and office buildings are also permitted in many of these areas. This means that industrial business have to compete with tenants who can often pay far more for space.

New York City's limited stock of industrial land is not just the only home for businesses that make goods; companies that transport, store, fix, refurbish or recycle them must also locate on this dwindling number of acres. Taken together, those businesses employ hundreds of thousands more New Yorkers.

Willets Point's Dilemma

Among those workers are the roughly 1,700 employed by businesses in Willets Point, an industrial zone that the Bloomberg administration is proposing to rezone to accommodate 5,000 units of housing, retail and commercial space, and perhaps a new hotel and convention center. Under the Bloomberg plan, businesses there will not have the option to stay; they will either be bought out by the city or condemned through eminent domain.

Manufacturing jobs pay \$49,000 a year on average, compared with \$34,000 for retail positions.

While Willets Point's potholed and often flooded streets don't appear hospitable, businesses there thrive because they depend on proximity to one another. Alongside the House of Spices food plant and other industrial operations are auto repair, parts, and salvage shops that can only legally operate in a manufacturing zone. These are specialized businesses—in everything from auto glass to tires and rims body work to wrecking. If they are to stay in business, they need to move together and resettle in a cluster.

Seeking potential sites for the relocation of Willets Point businesses, the Pratt Center investigated areas where they could legally settle and feasibly do business. They will have few options. If the city's zoning proceeds, many will have to go out of business or leave New York City.

Industrial Zones' Uncertain Future

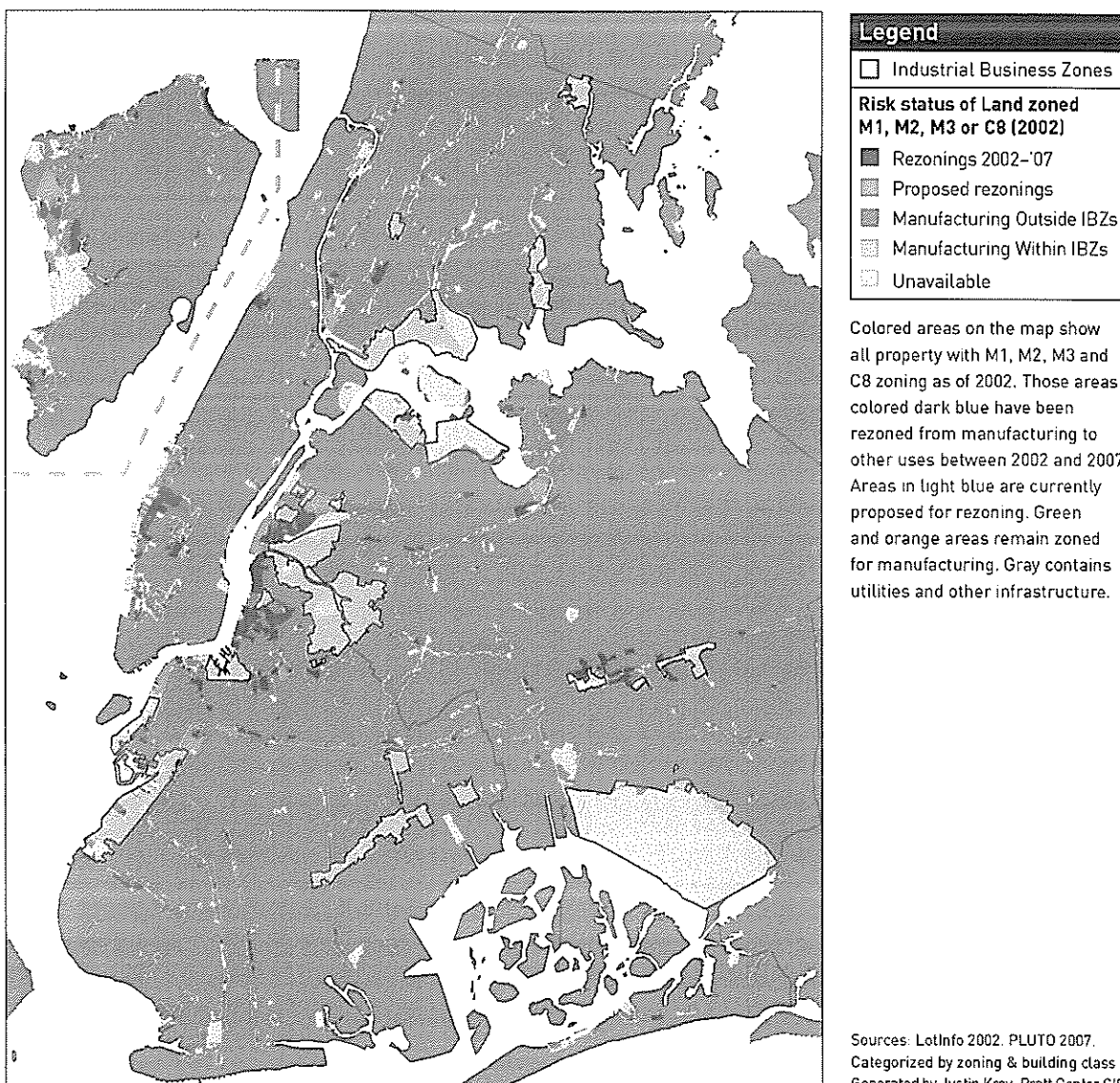
The Bloomberg administration has taken some measures to soften the blow of New York's rapid loss of manufacturing space. In 2005, with the encouragement of businesses and their advocates, Mayor Bloomberg launched a comprehensive industrial policy that included the creation of industrial business zones (IBZs) throughout the city, supported with \$17 million in funding (and up to \$9 million in tax credits) through 2009.

The IBZs are designed to promote investment in industry in designated areas, where residential development is prohibited. The new Office of Industrial and Manufacturing Businesses (OIMB), part of the city's Department of Small Business Services, oversees the IBZs and administers services and incentives that include a relocation tax credit for businesses relocating into an IBZ and grants for employee training and technical assistance. The city

established 16 IBZs, five each in the Bronx and Queens, and six in Brooklyn and Queens. Most IBZs are run in partnership with nonprofit local development corporations, which assist businesses seeking locations, financing, and services.

The Industrial Business Zones are a kind of haven for manufacturing space in New York City because Mayor Bloomberg has promised to keep them zoned for manufacturing and is incentivizing businesses to locate within them. But they include less than half of the city's remaining manufacturing space—just 4,100 of the city's 10,746 manufacturing-zoned acres are in designated IBZs. And even within IBZs, manufacturers are at risk because on most of the land, a hotel, big-box retail store, or large office building can be built “as-of-right,” with no rezoning or variance required. What's more, IBZs have no legal protection from rezoning in the long term; a future administration would have the power to change zoning through the usual land use review process.

Manufacturing Land Dries Up



What Can Be Done?

The Pratt Center is collaborating with the New York Industrial Retention Network and Zoning For Jobs to promote strategies that would safeguard manufacturing space in New York City. Efforts to preserve manufacturing space need to embrace the following principles:

- 1. hotels, big box stores and offices should be prohibited in IBZs or only allowed with a special permit from the city;**
- 2. more of the M-zoned land that is not in IBZs should be so designated;**
- 3. the IBZ protections themselves should be strengthened and made permanent through the creation of Industrial Employment Districts; and**
- 4. the city should declare a moratorium on rezoning M-zoned land until detailed studies are conducted to weigh negative economic impacts and quantify the need for new land uses.**



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Committee on Zoning and Franchises
Dutch Kills Rezoning - Queens
October 2, 2008

Good morning. I am Adam Friedman, Executive Director of the New York Industrial Retention Network (NYIRN). NYIRN is a citywide organization dedicated to saving and creating well-paying manufacturing jobs and to promoting sustainable development. Each year, NYIRN works with 200 to 300 manufacturers, and throughout our ten-year history we have helped more than 2,000 businesses stay and grow in NYC. For most of these businesses, the greatest challenge to their continued well-being is a shortage of affordable space.

Dutch Kills is a stable and thriving industrial area. For this reason, it was designated by the Mayor as an Ombudsman area in 2005, providing the businesses with a variety of economic development services and incentives.

The Department of City Planning has made some modifications to its original rezoning proposal which we think strike a reasonable balance between the City's needs to create both more jobs and housing, the residents' desire for a more residential community and the businesses' right to grow. "Reasonable," however, is not "optimal" and if the certification came up today in light of the City's precarious financial situation, it might have struck a different balance.

For example, we support DCP's restrictions on office use, which is in abundant supply and growing, to preserve industrial space which is extremely tight and necessary to preserve industrial jobs. On the other hand, to stop the proliferation of hotels which virtually everyone agrees were over-saturating the area, and to prevent out-of-scale development DCP originally down-zoned the manufacturing density from a 5 FAR to first a 2 FAR, later revised to a 3 FAR. Hotels are allowed as-of-right in manufacturing areas. DCP was in effect sacrificing potential industrial jobs to prevent hotel development. Two points:

First, that sacrifice was unnecessary: If the lower FAR was a strategy to stop inappropriate or out-of-scale hotel or office development in an area, it should have been accomplished directly, from inception, by excluding hotels or by requiring a special permit, and by establishing height restrictions. This convoluted approach was unnecessary.

Second, the city is confronting the need to accommodate as many as 1 million new residents. Part of the City's strategy is to increase residential density in appropriate areas. The same strategy should be applied to industrial areas. Ten years ago, it was unthinkable that anyone would develop a multi-story multi-tenanted industrial building, but that is exactly what is happening around the City.

For example, the Brooklyn Navy Yard recently completed a new building to provide a home for businesses serving the museum and arts community. Other recent examples of viable multi-storey manufacturing buildings include the Can Factory in Gowanus, the Greenpoint Manufacturing and Design Center, the Ice House in Crown Heights, and numerous buildings in Long Island City and Sunset Park. A recent survey by NYIRN of almost 200 businesses found numerous manufacturing sectors including metalworking and woodworking now willing to locate on upper floors, presumably to stay in the City and to be near their clients.

At present, the lack of available industrial space is a major threat to New York's industrial businesses and jobs. The City has rezoned nearly 20 million SF of industrial space since 2001, and 12 million SF more will be rezoned if current proposals move forward. Vacancy rates for industrial space throughout the City are in the 3-5% range, substantially lower than the vacancy for Manhattan office space.

This same issue – how to create space for both residential development, for commercial and industrial jobs, not to mention schools, open space and everything else that healthy communities need – is going to come back to the Council again and again. The answer lies in new zoning tools that allow more fine-tuned planning to reflect the diversity of our neighborhoods. DCP's revisions are a step in the right direction. In the future, similar steps should be taken to exclude superstores and hotels to create safe havens for well-paying blue collar jobs.

Thank you.

EXPANSIONS WILL BE STOPPED DEAD IN THEIR TRACKS BY THIS REZONING.

WE ARE WILLING TO DISCUSS HOW THE CITY CAN BETTER REACH ITS GOALS WITHOUT HARMING OUR ASSOCIATION'S BUSINESSES. FOR EXAMPLE, WE HAVE BEEN WILLING TO ABIDE BY THE LESSER FAR IN THE MORE RESIDENTIAL AREAS OF DUTCH KILLS. BUT FOR THE MORE INDUSTRIAL AREAS WE HAVE STATED THAT WE WOULD BE WILLING TO DISCUSS THE EXACT FLOOR AREA RATIO NEEDED AND STAY WITHIN THE 70 FOOT HEIGHT RESTRICTION. THE 70 FOOT HEIGHT RESTRICTION IS MERELY A FAÇADE BY CITY PLANNING AS EVEN IT ADMITTED THAT WITH A THREE FAR, ITS MODELS SHOWED MANUFACTURINGS ONLY BEING ABLE TO BUILD TO 55 TO 60 FOOT. ONLY BY INCREASING THE F.A.R. TO FOUR WOULD THE A MANUFACTURER BUILDING A NEW BUILDING BE ABLE TO USE ALL OF THE HEIGHT. EXPANSIONS OF CURRENT BUILDINGS COULD STILL USE THE FAR AND EXPAND USING THE FIVE F.A.R. WHILE STILL REMAINING WITHIN THE 70 FOOT HEIGHT RESTRICTION. AND PLEASE NOTE, THAT THE 70 FOOT LIMIT IS THE HEIGHT THAT CITY PLANNING THINKS IS CONTEXTUAL, NOT THE DUTCH KILLS PROPERTY OWNERS ASSOCIATION.

ULTIMATELY, OUR MANUFACTURERS HAVE BEEN ABLE TO CONDUCT THEIR BUSINESSES FOR AGES WITHOUT TRADITIONAL FLOOR PLATES AND CONFIGURATIONS AND WE ARE POISED TO DO SO IN THE FUTURE TO ALLOW FOR OUR VERTICAL EXPANSION. (AND INDEED, IN THE PAST, WE MAY HAVE GONE MORE VERTICAL, BUT FOR THE FACT THAT IT WAS OFTEN JUST CHEAPER TO BUY AN ADJACENT PROPERTY, AN OPTION THAT IS NOT FEASIBLE ANYMORE.) WHILE OLD HEAVY MANUFACTURING MAY HAVE REQUIRED SINGLE FLOOR SPACES, THE NEW, LIGHTER MANUFACTURING DOES NOT.

THUS, WE HOPE FOR SERIOUS CONSIDERATION OF OUR PROPOSED MAP WHICH WE ARE PROVIDING TO YOU TODAY.

THANK YOU FOR THIS OPPORTUNITY TO TESTIFY.

**TESTIMONY OF ROBERT S. ALTMAN ON BEHALF OF THE DUTCH KILLS
PROPERTY OWNERS ASSOCIATION BEFORE
THE NEW YORK CITY COUNCIL
OCTOBER 2, 2008**

I WOULD LIKE TO THANK THE SUBCOMMITTEE FOR ALLOWING ME TO TESTIFY TODAY ON THE DUTCH KILLS REZONING. I AM ROBERT ALTMAN AND I AM A CONSULTANT TO THE DUTCH KILLS PROPERTY OWNERS ASSOCIATION, A GROUP REPRESENTING 55 BUSINESSES AND PROPERTY OWNERS IN THE DUTCH KILLS AREA.

I AM TESTIFYING TODAY IN OPPOSITION TO THE COMMERCIAL DOWNZONING OF THE DUTCH KILLS AREA. THE DOWNZONING PROPOSAL HAS SIGNIFICANT FLAWS AND IS BASED ON INCORRECT ASSUMPTIONS.

OUR ASSOCIATION'S MAJOR PROBLEM WITH THE PROPOSAL IS THE REDUCTION OF A FAR FROM A 5 TO A 3 FLOOR AREA RATIO FOR INDUSTRIAL USES (WE ARE NOT COMPLAINING ABOUT A 2 FAR FOR ALL OTHER USES). WHILE THERE ARE RESIDENTIAL BLOCKS AND SOME OTHER RESIDENTIAL BUILDINGS IN THE AREA, THE MAJORITY OF THIS AREA IS COMMERCIAL, AND MOSTLY INDUSTRIAL, IN NATURE.

TODAY, YOU WILL HEAR FROM VARIOUS BUSINESS OWNERS IN THE COMMUNITY WHO OPPOSE THE COMMERCIAL DOWNZONING. YOU WILL HEAR WHY THEY NEED A FIVE FLOOR AREA RATIO, OR AT A MINIMUM A FOUR FLOOR AREA RATIO. MANY OF THE BUSINESSES IN THE PAST HAVE EXPANDED OUT RATHER THAN UP TO INCREASE THE SIZE OF THEIR BUSINESS. HOWEVER, LAND OVER THE PAST FIVE YEARS HAS BECOME PROHIBITIVE IN COST. THUS, THE MORE RECENT PHENOMENA IS THE DESIRE TO BUILD UP. AND WHEN WE DO THIS, WE NEED TO KNOW THAT WE WILL HAVE ADDITIONAL OPPORTUNITIES TO DO SO. THE INDUSTRIAL DOWNZONING FAILS TO TAKE THIS INTO ACCOUNT. AS WE PLAN TO EXPAND, WE NEED TO KNOW THAT WE HAVE THE POTENTIAL TO EXPAND FOR MANY YEARS, OR ELSE THE NEXT OPTION IS TO SIMPLY LEAVE NEW YORK CITY.

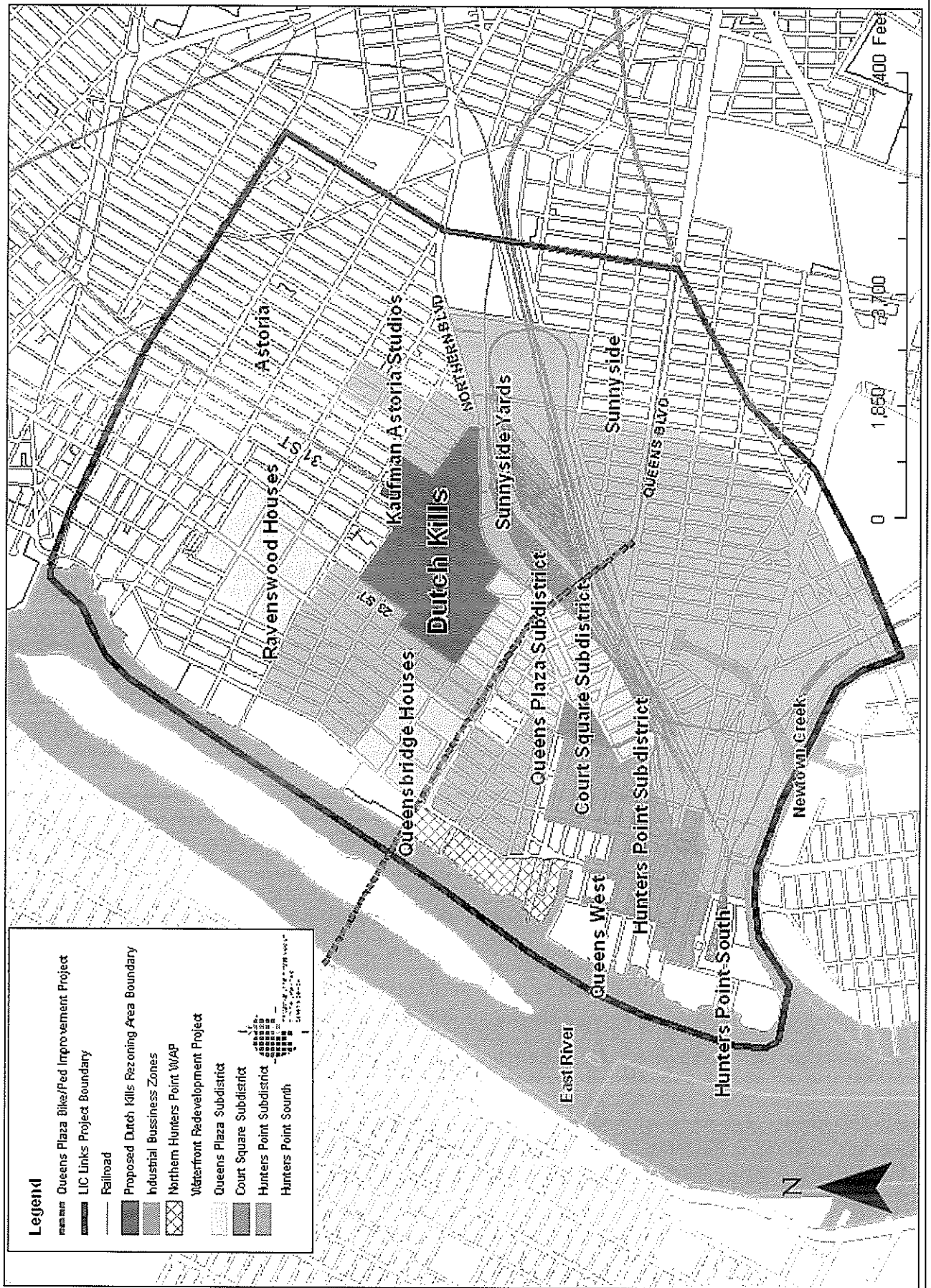
WE HAVE LAID OUT OTHER IMPORTANT POLICY ASPECTS IN A REPORT DISCUSSING WHY A REDUCTION IN F.A.R. TO 2 OR EVEN 3 IS HARMFUL TO MANUFACTURING BUSINESSES NOT ONLY IN OUR AREA, BUT ALSO TO MANUFACTURERS AND SMALL BUSINESSES IN OTHER PARTS OF THIS CITY. A COPY OF THIS REPORT IS SUBMITTED WITH THIS TESTIMONY.

MOREOVER, WE HAVE INCLUDED WITHIN THIS REPORT, EXAMPLES OF REAL BUSINESSES WHO WILL BE IMMEDIATELY HARMED BY THIS REZONING. THESE BUSINESSES ARE SEEKING TO EXPAND AND THESE

UTCH KILLS REZONING



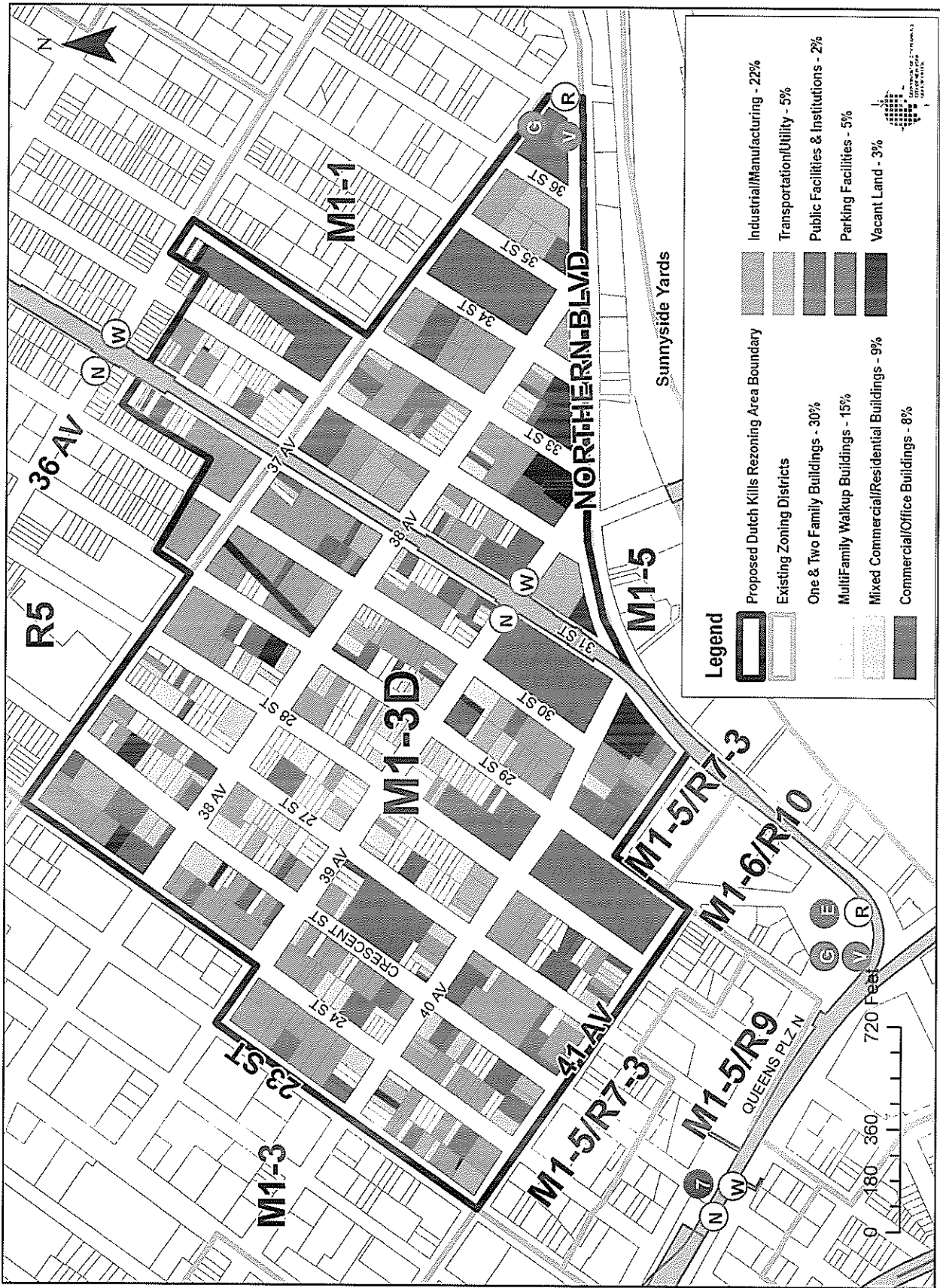
Dutch Kills Area Context



Legend

- Queens Plaza Bike/Ped Improvement Project
- LIC Links Project Boundary
- Railroad
- Proposed Dutch Kills Rezoning Area Boundary
- Industrial Business Zones
- Northern Hunters Point W/AP
- Waterfront Redevelopment Project
- Queens Plaza Subdistrict
- Court Square Subdistrict
- Hunters Point Subdistrict
- Hunters Point South

Dutch Kills: Existing Zoning and Land Use



**M1-3D District encompasses 40 blocks in the rezoning area
West side of 29th Street between 39th & 40th AV.**



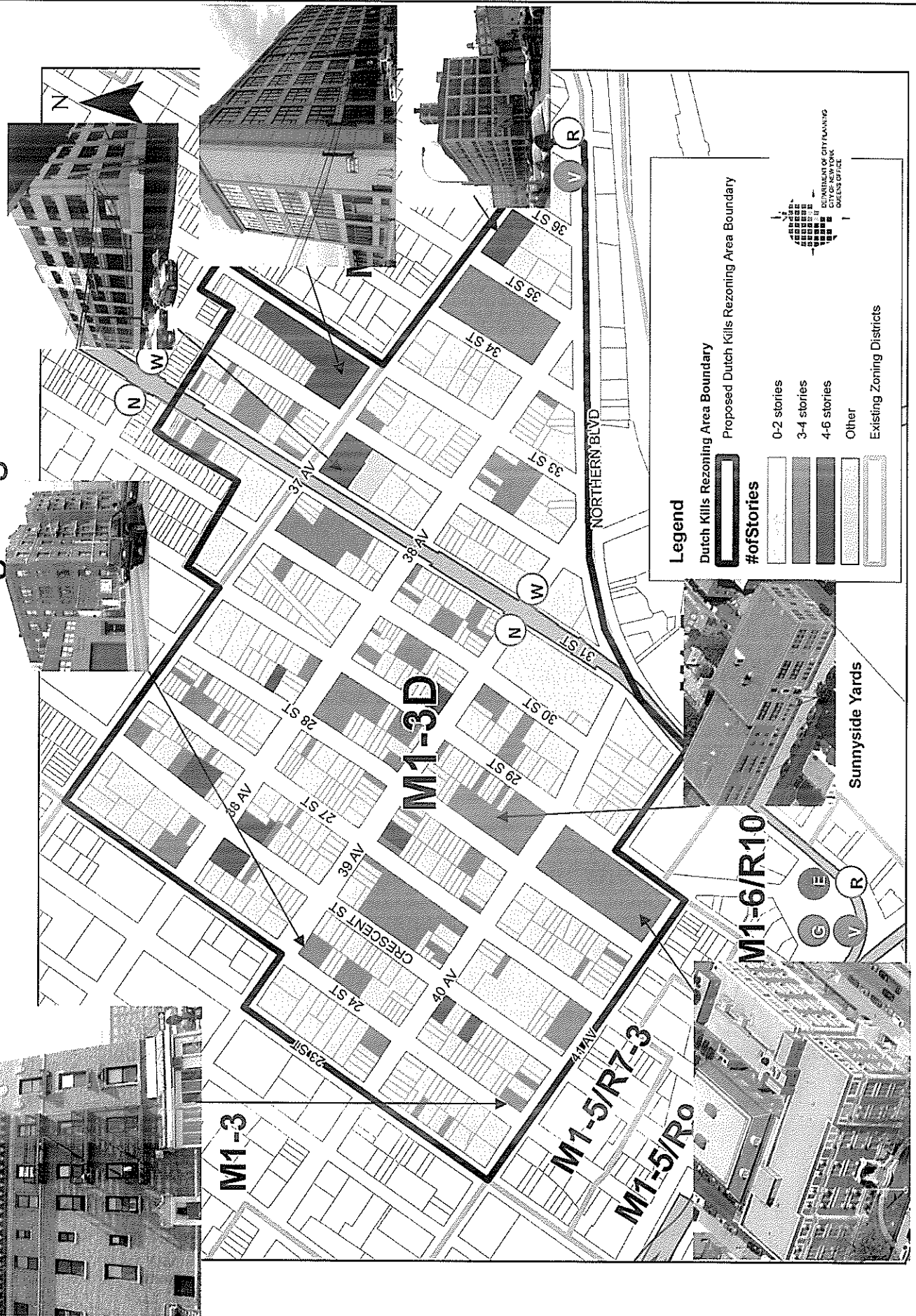
Restrictive mixed-use district
New Residential Use permitted by City Planning Authorization process only
Max Residential FAR=1.65 /Residential Height Limit= 32'
Max Manufacturing/Commercial FAR= 5.0
Max Community Facility FAR= 6.5

**M1-1 District includes 4 blocks in the rezoning area
32nd Street just south of 36th Av.**

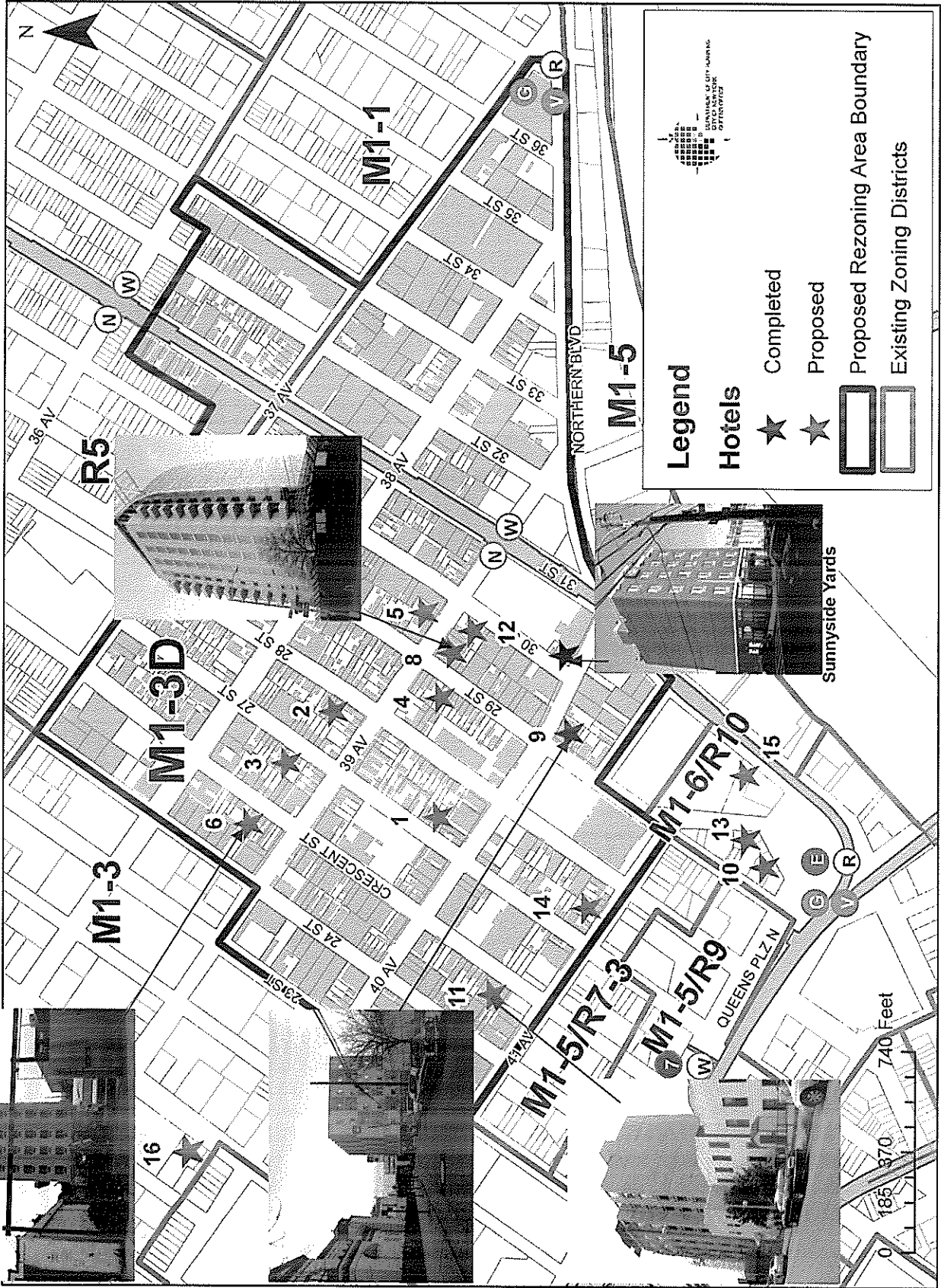


Low density manufacturing district
No New Residential Use Allowed
Max Manufacturing/Commercial FAR= 1.0
Max Community Facility FAR= 2.4

Dutch Kills: Building Heights



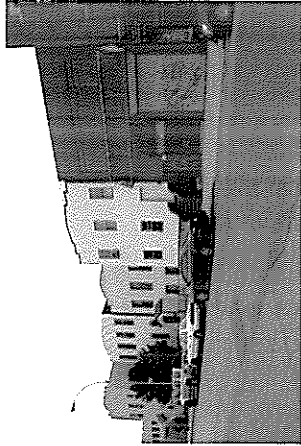
Dutch Kills: New Hotels



Dutch Kills Rezoning Goals & Objectives

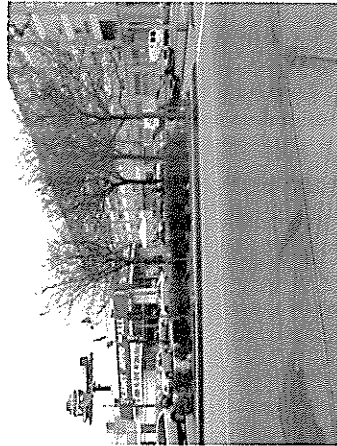


- Provide building height limits that would reinforce and more closely match existing building scales and prevent out-of-character development;



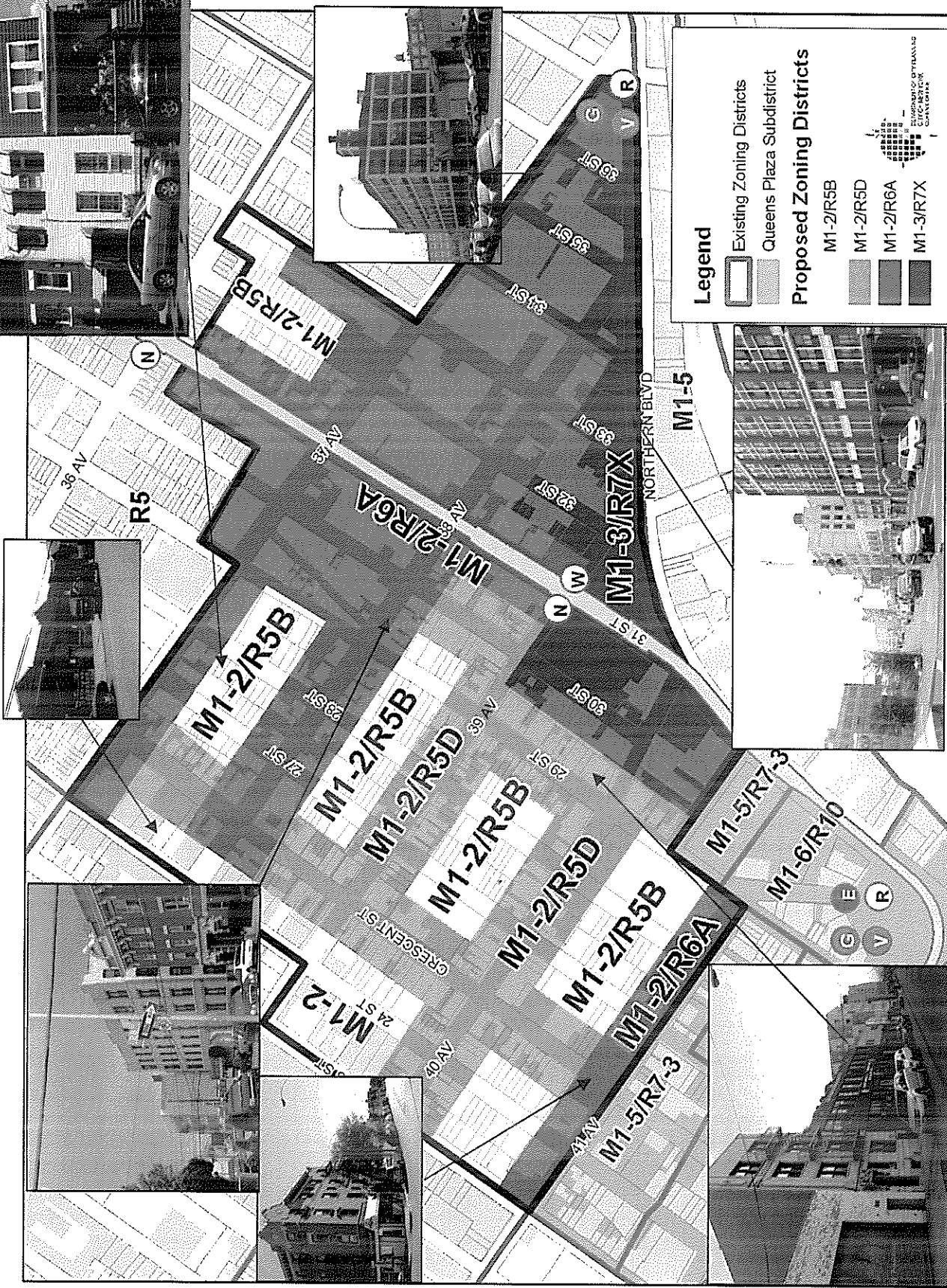
- Remove residential use restrictions;

- Support a broad range of commercial & light industrial businesses consistent with the area's diverse mix of land uses.





- Direct growth and provide housing opportunities along Northern Blvd, a wide street close to mass transit, and include incentives for affordable housing;





Dutch Kills: Proposed Zoning



Legend

-  Existing Zoning Districts
-  Queens Plaza Subdistrict

Proposed Zoning Districts

-  M1-2/R5B
-  M1-2/R5D
-  M1-2/R6A
-  M1-3/R7X



Dutch Kills: Proposed Zoning

M1-2/R5D

3-4 stories

Max FAR for all uses= 2.0

Max Bldg Height= 40'

M1-2/R6A

5-7 stories

Max FAR for light industrial/commercial use = 2.0

Max FAR for residential use= 3.0

Max FAR for mixed-use= 3.0

Max Bldg Height= 70'

M1-2/R5B

3 stories

Max FAR for light industrial/commercial use = 2.0

Max FAR for residential use= 1.65

Max FAR for mixed-use= 2.0

Max Bldg Height= 33'

M1-3/R7X

8-12 stories

Max FAR for light industrial/commercial use = 5.0

Max FAR for residential use w/ incl. zoning= 5.0

Max FAR for mixed-use= 5.0

Max Bldg Height= 125''



Legend

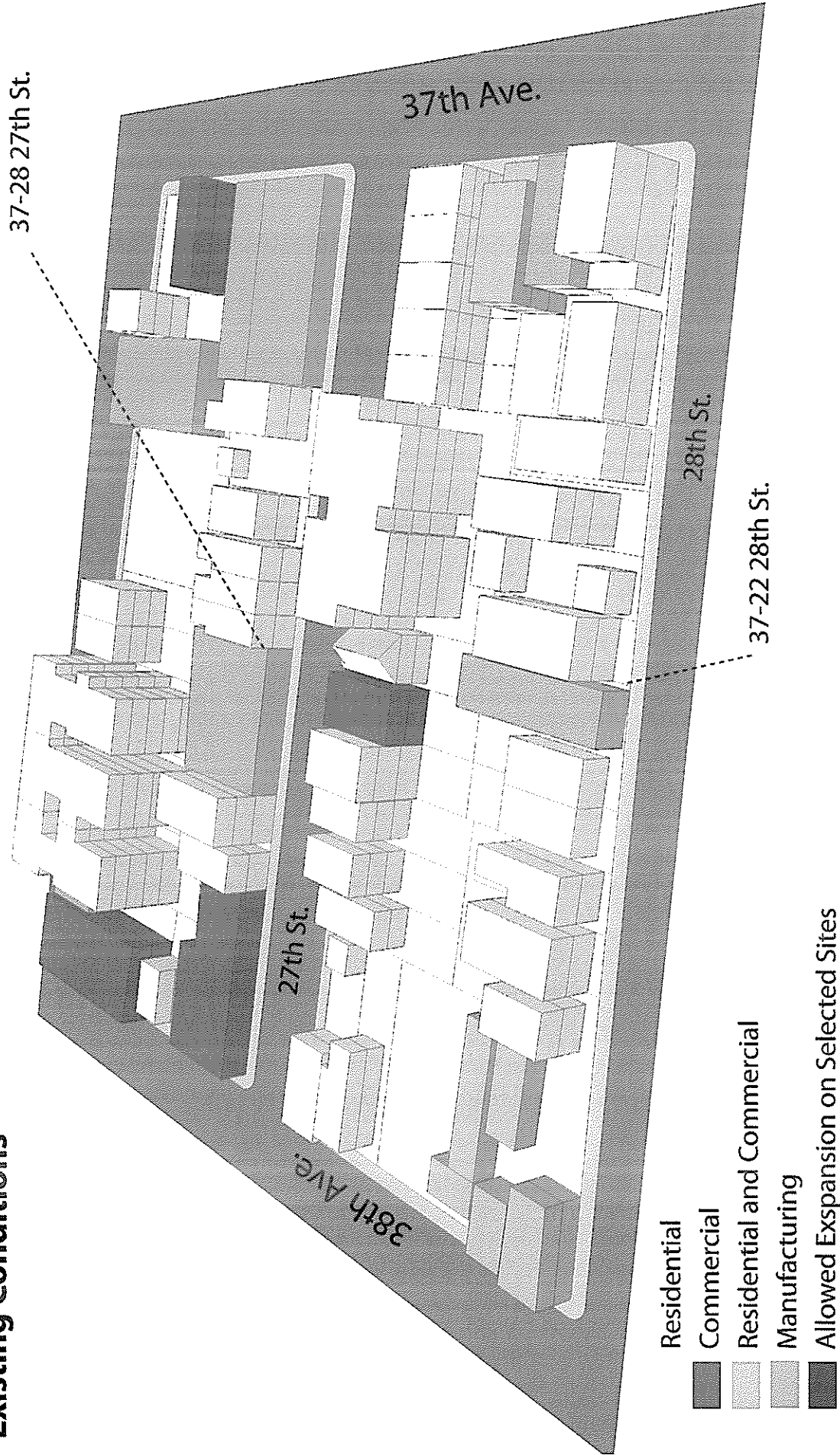
- Existing Zoning Districts
- Queens Plaza Subdistrict

Proposed Zoning Districts

- M1-2/R5B
- M1-2/R5D
- M1-2/R6A
- M1-3/R7X

Dutch Kills: Building Scenarios

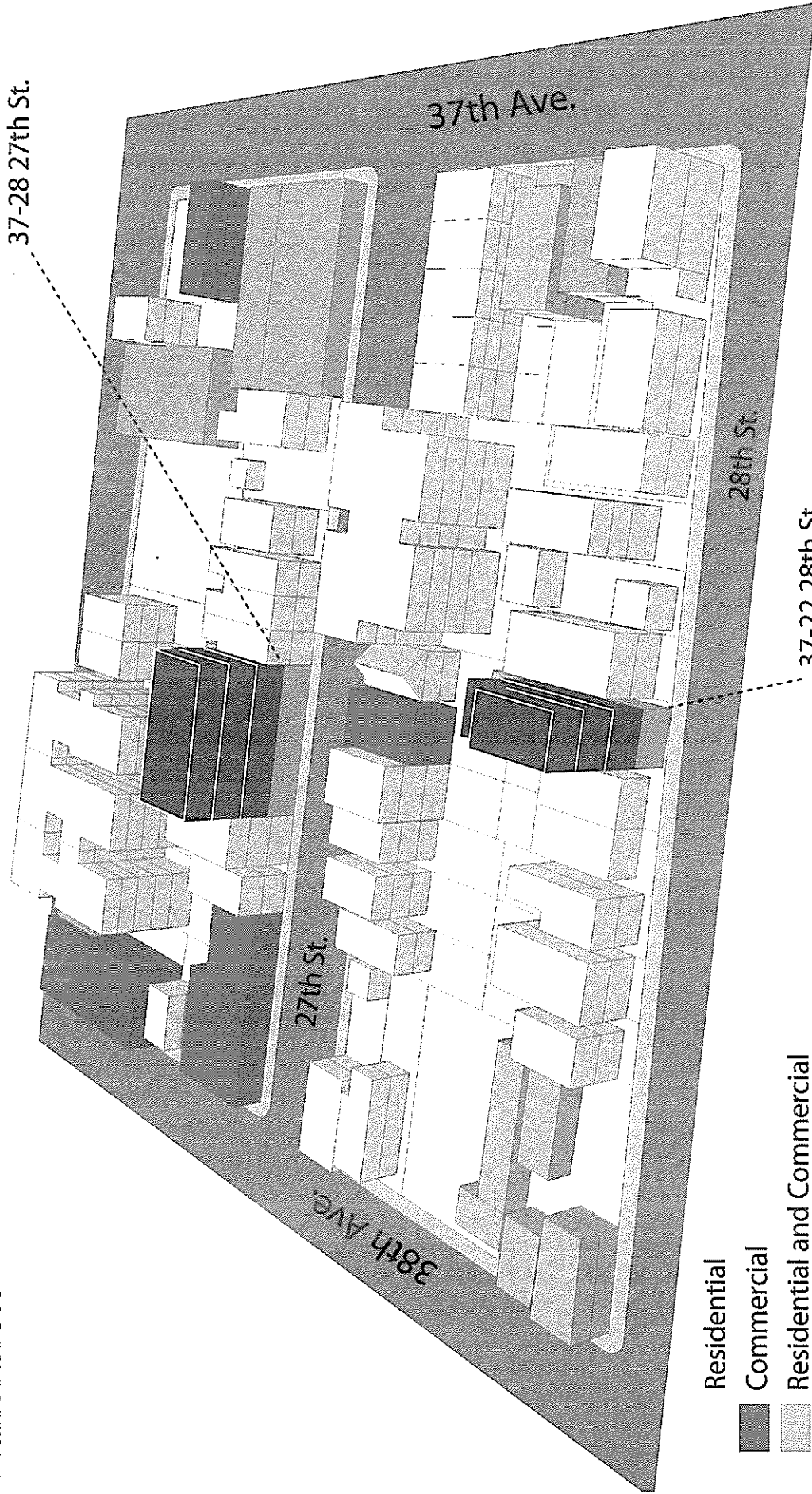
Existing Conditions



View Looking South-west

Dutch Kills: Building Scenarios

Max FAR 3.0



- Residential
- Commercial
- Residential and Commercial
- Manufacturing
- Allowed Expansion on Selected Sites

View Looking South-west

FOR THE RECORD

TESTIMONY BEFORE THE NEW YORK CITY COUNCIL

ASSEMBLYWOMAN MARGARET MARKEY

OCTOBER 2, 2008

Thank you for this opportunity to present my views about the rezoning of the Dutch Kills neighborhood that is located in my 30th Assembly District.

I am pleased to enthusiastically support the recommendation of the City Planning Commission that was issued on September 8, 2008 and urge the City Council to concur in its review of the recommendation for this area.

There have been many changes in Dutch Kills since the last rezoning of the area in 1989 and this recommendation is a welcome recognition of the current need to encourage continuing economic growth in the area while at the same time creating the opportunity for appropriate new residential development centered on nearby public transportation and the neighborhood's wide streets.

City Planning's new proposed zoning plan for the 40 blocks of the Dutch Kills neighborhood has been developed in a collaborative way through extensive consultation with community residents, local elected officials and civic organizations.

This long-awaited rezoning recognizes the mixed-use nature of the community and provides support for the wide range of uses in this area. Most importantly, it lifts current restrictions of residential developments and provides important incentives for the addition of new affordable housing to the community. It also accommodates the need to ensure that new higher-density development is directed to wider streets in the area.

With this rezoning recommendation, the City Planning Department has done an excellent job of balancing current needs and future opportunities and I am pleased to join with Dutch Kills Civic Association and other civic groups to support it.

Dutch Kills Neighborhood Rezoning Proposal
John Young, Director
Queens Office, Dept. of City Planning

City Council Subcommittee on Zoning and Franchises
October 2, 2008

Good morning, Chair Avella, Chair Katz, City Council Members, Ladies and Gentlemen.

My name is John Young, and I am the Director of the Queens Office of the Department of City Planning. On behalf of City Planning Director, Amanda Burden, I am very pleased to be here this morning to present the Department's efforts to update zoning designations for 40 blocks in the Dutch Kills neighborhood in western Queens. I am joined by Joy Chen who will present our rezoning proposal to you.

The Dutch Kills rezoning proposal that is before you today culminates a more than three-year effort to work with a broad spectrum of neighborhood residents and stakeholders to develop a zoning framework that more closely matches building patterns and will ensure more orderly development. It was begun in 2005 and builds upon the successful contextual mixed-use rezoning strategy adopted by the Council in August 2004 for the Hunter's Point community to the south of Dutch Kills.

Dutch Kills is located just north of the Queensboro Bridge and west of Sunnyside Yards, with good access to mass transit and proximity to midtown Manhattan. However, as currently zoned, residential development in Dutch Kills has been highly restricted, while commercial development is allowed at densities and building heights much greater than surrounding buildings. In the past few years, five hotels, ranging from 6 to 16 stories in height, have been constructed where surrounding buildings are generally two to three stories tall, and about 10 more hotels are in various stages of development within the 40 blocks of the rezoning area.

The Department's rezoning proposal seeks to curb out-of-character development in Dutch Kills, while removing restrictions on residential development and fostering a lively mix of uses. The proposed zoning changes would eliminate the current wide disparity in

allowable building scale between residential and commercial buildings and provide appropriately scaled development through finely tuned contextual zoning. Three of the proposed zones are intended to reinforce the prevailing scales along the area's mid-blocks and avenues with height limits ranging from 33 to 70 feet, generally 3 to 7 stories.

On 11 blocks along Northern Boulevard, a wide street close to mass transit, new housing opportunities would be fostered through higher density, mixed-use zoning that includes incentives for affordable housing, but with a firm height limit of 125 feet.

Similarly, the proposed mixed-use districts would also ensure that the scale for commercial and light industrial uses more closely matches that allowed for residential uses, and through proposed zoning text amendments, parking waivers for hotels and new residential uses would be reduced. A portion of four blocks at the western edge of the rezoning area would be rezoned to only allow commercial and light industrial uses, but at a scale that would curb out-of-context high rise development.

The Dutch Kills rezoning plan has been shaped by numerous participants during its development. I want to thank the area's passionate residents and ardent civic advocates, especially the Dutch Kills Civic Association, Community Board 1, and local elected officials – particularly Council Member Eric Gioia – and the state and federal representatives that have taken time to provide input into this important zoning initiative.

Following the May 19th certification of the proposal, we are very pleased with the support received from Community Board 1, which recommended to have slightly more density and height allowed for the proposed midblock and narrow avenue zones and a light manufacturing allowance of 3 FAR instead of the proposed 2 FAR for most of the area. Borough President Helen Marshall also supported the rezoning with recommendations that existing commercial or light manufacturing property owners be allowed 3 FAR instead of 2 for the purpose of expanding their businesses, and that City Planning consider increasing the allowed height for properties on 32nd Street between 36th and 37th avenues.

The Planning Commission carefully considered these recommendations and when it voted on Sept 8th to approve the proposal, it modified it to allow 3 FAR instead of 2 FAR for a range of semi-industrial and light manufacturing uses that have traditionally been part of the area's use mix.

We hope that you, too, will support this well-considered rezoning initiative to reinforce the built character and development patterns of the distinct and lively community of Dutch Kills.

And now Joy Chen will present the Dutch Kills Rezoning Plan.

