

Broadway Community Alliance

February 20, 2024

To the editor:

Say No to the City of Yes for Economic Opportunity zoning changes. Mayor Adams and the Department of City Planning (DCP) have crafted **18 citywide zoning proposals** drawn largely from recommendations from the Real Estate, Construction, and Business industries. Their zoning wish list will come for a vote in the City Council in March. Basically, City of Yes calls for manufacturing and industrial uses to be permitted in commercial areas, and commercial development permitted in residential neighborhoods. What could go wrong?

DPC complains that zoning often presents a barrier to opening, operating, and expanding businesses in NYC. **THERE IS GOOD REASON FOR THAT.** In their desire to offer new opportunities for businesses to grow, City Planning will erase the lines between commercial and residential neighborhoods. This is problematic because by their very nature commercial businesses are accompanied by increased garbage, deliveries, traffic, congestion, signage, and other concerns. Whether you own a home, rent an apartment, or own a co-op these disastrous zoning changes will impact our neighborhoods' character and quality of life.

City of Yes creates a process for constructing commercial development up to 2,500 square feet on **corner properties in every residential neighborhood where current zoning prohibits them.** This so-called process calls for environmental review, but the end result will be rubber-stamped approvals by the city after a Negative Declaration is issued by the developer. (Proposal No. 16)

It creates a similar process for commercial development up to 15,000 square feet in **all residential neighborhoods** if an owner acquires a minimum of 1.5 acres. Developers will be incentivized to tear down private homes or low scale buildings to develop for commercial uses. How hard is it for a developer to combine lots (including those separated by a street) in order to meet their criteria of owning 1.5 acres? This proposal also includes commercial conversion of bottom floors of NYCHA Housing, often used for community uses. (Proposal No. 15)

Extending commercial businesses into residential neighborhoods will also hurt our current commercial areas, including mom and pop stores by promoting businesses that will compete with them. Why promote new business areas in residential neighborhoods when there is a 12% citywide retail vacancy rate now? Allowing "Micro-Distribution" delivery hubs or warehouses (also known as "Dark Stores") that are not open to the public will hurt our commercial areas because they will not bring people, goods, or services to our shopping areas. (Proposal No. 14)

Clearly, the business community is besieged with serious problems including high rents, competition from illegal vendors who pay no rent or taxes, failure to prosecute theft, and a myriad of confusing city regulations and red tape. None of these issues are addressed by City of Yes. In fact, allowing more industrial and manufacturing uses previously disallowed such as Urban Agriculture and Life Science Labs may increase demand for space causing rents to rise. (Proposals 7 & 8)

Another troubling change affects regulations for home businesses in residential neighborhoods. Home businesses may increase their square footage from 25% to 49%, increase employees from 1 to 3, and a list of prohibited occupations has been removed. Neighbor complaints will fall on the Department of Buildings and other agencies to coordinate. Good luck. (Proposal No. 11)

What is the point of the proposal to allow commercial uses on the second or upper floors of buildings in residential areas with a commercial overlay? This will affect neighbors' quality of life as well as compete with the need for housing units. (Proposal No. 5)

We oppose the zoning changes developed by Mayor's Office of Nightlife that approves live music, dancing, and entertainment in bars for up to 200 people. Our concern is noise from commercial districts carrying over into adjacent residential areas, and lack of enforcement due to agency cutbacks. (Proposal #9)

What can be done? The City Council should reject these radical one-size-fits-all zoning changes outright when it comes for a vote in March. They also have the power to negotiate with the Department of City Planning to remove egregious proposals that will destroy our neighborhoods. It is important to make your concerns known to your elected representatives.

They say that necessity is the mother of invention. Along with Bronx Council for Environmental Quality, we have spearheaded Protect Bronx Neighborhoods from Overdevelopment, a nascent and growing coalition currently comprised of 18 diverse civic organizations from all over the Bronx. We stand unified by our opposition to proposed zoning changes in both City of Yes for Economic Opportunity and City of Yes for Housing Opportunity (coming to community boards this spring). They are both wolves in sheep's clothing.

Rob and Laura Spalter, co-chairs

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