

Minutes of the Chinatown Working Group (CWG) Full Group Meeting
4pm to 6pm, Monday, February 6, 2012
American Legion L.T. Kimlau Post 1291

Voting members present: American Legion Post 1291 (Gabe Mui); Asian American Legal Defense and Education Fund (Bethany Li); Bowery Alliance of Neighbors (Mitchell Grubler); Chinese Progressive Association (Mae Lee); Chinese Staff and Workers Association (Josephine Lee); Committee Against Anti-Asian Violence (Jason Chan, Esther Wang, Zhi Qin Zheng, Billie Zhu); Community Board 1 (Michael Levine); Community Board 2 (Edward Ma, Antony Wong); Community Board 3 (John Leo); Immigrant Social Services (Lillian Moy); Indochina Sino-American Community Center (Gin Lee); Museum of the Chinese in America (Wayne Liu); National Mobilization Against Sweatshops (Michael Lalan); Two Bridges Neighborhood Council (Victor Papa, Wilson Soo)

Press: Ming Pao (Emily Chan); Sing Tao (Bonnie Li); World Journal (Helen Meng).

Elected officials: Alex Schierenbeck (Manhattan Borough President's Office)

Also present: Rob Hollander (Lower East Side Residents for Responsible Development); Charles Lai (Chinatown History Project); Irving Lee, Margarita Ng, Mae Wong, (Property Taxpayers); Zella Jones (NoHoManhattan.org)

Meeting called to order, 4:15pm, Mae Lee and Antony Wong facilitating

1. Introductions

2. Agenda approval

>>Agenda approved by all present

3. January minutes approval

>>January minutes approved by all present

4. Update on CAPZ RFP and CAPZ Agreements – Victor Papa presenting

Victor Papa: CB3's Land Use Committee accepted our revisions [as reflected in January CWG full meeting, see January Minutes & Appendices]. We urged CB3 to respond to evidence of displacement upzoned areas in the East Village/Lower East Side 2008, and to work with us on those concerns.

Mitchell Grubler: What was particularly objectionable to the rezoning was the upzoning on Chrystie Street, which is clearly within Chinatown. Are they compelling us to remove that too?

Victor Papa: Yes, but we can continue to discuss it when a planner is hired. If Chrystie Street is an issue, we can raise it again.

Irving Lee: They gave the impression that nothing could be done about displacement. What do you think of that?

Victor Papa: For them to admit that there is displacement in the rezoned area might have been to admit that the rezoning was responsible for some of that.

Esther Wang: At the Committee meeting, the Lower East Side Business Improvement District asked to remove the BID's catchment area. Was there any follow up?

Victor Papa: None.

Mae Lee: Going forward work more closely with them. So now we are conscious of an issue to address.

Rob Hollander: The committee expects the several map disputes to be resolved. The issues are: the Lower East Side BID, the Bowery, and the NYCHA housing by the waterfront. Tim Laughlin [LES BID] told me after the meeting that we should sit down and meet with the BID.

Bethany Li: McWater did defend the inclusion of the NYCHA area on the grounds that CWG is not planning to rezone the area but that it belongs in our study area.

Victor Papa: There are concerns about what may happen in that area.

Bethany Li: CB3 is also concerned with the future of that area.

Rob Hollander: They also included working with CWG among their goals for this year, and they approved the RFP unanimously.

Mitchell Grubler: Where do we go from here regarding the map.

Victor Papa: CAPZ must continue to meet to converse with the planner, with city agencies and the Community Board.

5. Presentation of the revised CAPZ Preliminary Action Plan – Wilson Soo presenting

Wilson Soo: The document is on the website [See appendix 1]. Changes were made to conform the PAP with the CAPZ agreements.

a) removal: mention of Seward Park Urban Renewal Area

b) addition: Call for the development of 100% truly affordable housing at local AMI on New York City Housing Authority (NYCHA) property, and for ULURP review of any redevelopment of NYCHA property.

c) addition: revival of any expired affordability programs (e.g., Mitchell-Lama, homesteading)

d) replacement of "propose" with "explore" landmark historic districts and landmarks lists in Chinatown

e) addition: recognition of the Bowery National Register District

f) replacement: "Explore development opportunities in undeveloped areas" and "Undeveloped Areas (e.g., parking lots)" replaces "the Canal Street Development Corridor"

g) addition: develop strong anti-harassment and anti-demolition provisions

h) addition: require certain chain stores/chain hotels to obtain a special permit which would require community review to operate in the community

Zella Jones: Consider chain hotels which have begun to appear since you are mentioning "chain stores."

Victor Papa: We should accept that.

Antony Wong: No voting today.

Wilson Soo: The PAP will not be voted upon until after the consultant comes on line.

Antony Wong: All these additions and concerns will be discussed at the time of final voting of the CAPZ PAP. The latest version of the CAPZ plan will be available on the website tonight.

6. Timeline – Antony Wong presenting [See Appendix 2]

Antony Wong: This is a general plan to get us back on track. The RFP deadlines are required. Please take a moment at home to review it.

Esther Wang: Isn't there a plan to hold a town hall?

Antony Wong: That was only for Cultural and Historical Preservation / CAPZ team.

Rob Hollander: CHP asked to expand the Two Bridges State & Federal Historic Registration tax credit workshop to include a Landmarks and City Historic District town hall, but for good reasons that expansion was rejected. Two town halls on preservation have been proposed, one for the Fujianese community around East Broadway and another for the rest of the Chinatown communities, but there has as yet been no further movement on these town halls.

7. Update on the funding from the Lower Manhattan Development Corporation – Michael Levine presenting

Michael Levine: The Fund for the City of New York, which had expressed willingness to be our fiscal conduit, has withdrawn its offer. We are now looking for any 501c3 that is not involved in CWG.

Bethany Li: The Tides Fund may be interested.

Michael Levine: Are they local or national?

Bethany Li: National. They have locations in San Francisco and New York.

Michael Levine: They should not take more than 9-15% as their fee. Ask also their protocols and requirements, how the bidding will go, whether they will allow the CWG to have a majority on the hiring committee.

Rob Hollander: Would EDC include someone acceptable to CWG as the majority member of the hiring committee.

Michael Levine: Our contact at EDC, Patrick Stewart, has left. The current EDC representative does not sound interested.

Esther Wang: North Star?

Mae Lee: They fund the Chinese Progressive Association so CWG can't use them.

Rob Hollander: Can it be any non-profit?

John Leo: They have to be large enough to front the funds and be willing to wait years for the repayment.

Mitchell Grubler: The New York Community Trust?

Victor Papa: Bethany's suggestion would do fine.

8. The RFP – Michael Levine presenting

Michael Levine: This is a standard proposal format prepared for us by EDC. It regards only zoning and zoning related issues. It's not the final product, but the considerations we want to have included in the consultant's work. We should vote on it.

Irving Lee: There is another group drafting an Economic Plan. How does that play into the RFP?

Michael Levine: This does not affect the Economic Plan. This is only for zoning proposals, including economic plans that require zoning changes.

Mae Lee: Is it possible that the Economic Team might not have to deal with issues that are already dealt with in the RFP?

Michael Levine: Depends on what the consultant chooses to take on.

Charles Lai: Will you change the deadline date on page 2 "February 2012"?

Michael Levine: Wilson will change it to late spring, June or July.

Antony Wong: CB3 will vote at the end of the month, then CBs 1 and 2 will review. Then CWG must approve it at the March meeting so that we can sign the MOU by the end of March.

Michael Levine: The RFP will have to be approved by CWG on March 5. I will place it on the calendar for CB1 March 1.

Antony Wong: For any revisions, contact Wilson. It will go up on line. Then we will vote on it March 5.

9. Economic progress report – Mae Lee presenting

Mae Lee: There is no plan ready to present today. The group has met three times since November. Input has been received including from new members, and still needs to be incorporated together before a plan can be presented. In lieu of holding a forth meeting, Irving Lee's [Property Taxpayers] group has written up their recommendations for additions/changes to the current draft Economic Development PAP.

Antony Wong: We have only just recently received the new document from Irving's group. It will be distributed to the attendees of the Economic meetings for online discussion and integrated together with the current draft PAP so that it can be presented to the full CWG for comments. Mae Lee: Wants to make sure that everyone has enough time to look at the document before it is discussed here at the full CWG.

Rob Hollander: Is the group interested in presenting it?

Mae Lee: Too confusing as some items overlap with other PAPs. It is best not to present today.

Irving Lee: Will there be opportunity to present at a later time? Not prepared today to give a presentation.

Antony Wong: Will speak offline with Irving and perhaps something can be presented next month.

10. Community announcements

Wilson Soo: Historic Preservation Tax Credit Workshop, February 16, 6:30-8:00pm. co-sponsored by Two Bridges & Historic Districts Council, hosted by Chinese Consolidated Benevolent Association (CCBA), 62 Mott Street, Manhattan. Workshop led by: Beth Cummings, Historic Sites Restoration Coordinator, New York State Office of Parks, Recreation, and Historic Preservation

Mitchell Grubler – Supporters of the Bialystoker Home, an unusual art deco building in the Lower East Side are trying to preserve the building from demolition. There is some interest in converting the building to affordable or senior housing. The group has postcards to mail to the local City Councilmember, Margaret Chin.

Mae Lee: On Wednesday Feb. 15 there will be an educational event about the Danny Chen case in Midtown, 399 Park Avenue, sponsored by Organization of Chinese Americans NY, Chinese Youth Initiative, Chinese Progressive Association, Korean Americans for Political Advancement and others to explain what the community can do and raise awareness of the issues related to harassment and hazing etc. in the military.

Esther Wang: CAAAV has been working with the Center for Urban Justice to prevent the eviction of the tenants in 11 Allen Street. We have a petition which we will distribute to you by e-mail.

Antony Wong: Next CWG full meeting will be held here Monday March 5, 5:30pm.

Meeting adjourned, 5:15pm

Respectfully submitted,
Rob Hollander, Secretary

**The Chinatown Working Group
Preliminary Action Plans
Presented by the CWG: CAPZ Working Teams**

Updated February 6, 2012

Table of Contents

CAPZ: Affordability | p. 2 – 3
CAPZ: Cultural and Historic Preservation | p. 4 – 6
CAPZ: Zoning | p. 7 – 8

CAPZ: Affordability

<u>Problem</u>	<u>Proposal</u>	<u>Agencies</u>
<p>Define a local Area Median Income figure that reflects the demographic of Chinatown and utilize this figure to define affordable housing.</p>	<p>Ensure that this figure is used for any city development effort in Chinatown and the greater Chinatown region.</p>	
<p>Preserve the existing rent regulated stock in Chinatown by:</p>	<p>Prohibiting the practice of predatory tactics that evict tenants from their rent regulated units. Prohibiting the intentional demolitions used by landlords to destroy the rent regulated units.</p>	
<p>Provide opportunities for affordable home ownership options:</p>	<p>Create and expand programs that effectively create opportunities for affordable Homeownership. Ensure that these programs restrict immediate resale and recapture property value increases.</p>	<p align="right">NYC Comptroller, HPD</p>
<p>Create more affordable housing rental units by utilizing existing subsidy programs:</p>	<p>Encourage 421-A incentive program to build affordable housing, but tailor it to meet our community needs to build mixed use affordable housing that targets several different income levels. Encourage Low Income Housing Tax Credits incentive program to build affordable housing, but tailor it to meet our community needs to build mixed use affordable housing that targets several different income levels. Define an Inclusionary Zoning program that incentivizes the creation of affordable housing units. Mandate affordable housing when buildings are built to maximum height. Call for the development of 100% truly affordable housing at local AMI on New York City Housing Authority (NYCHA) property, and for ULURP review of any redevelopment of NYCHA property.</p>	<p align="right">HPD</p>

Determine if other expired housing programs may be revived to serve Chinatown (ie. Mitchell-Lama, Homesteading).

CAPZ: Cultural and Historic Preservation

The Eight Principles

This action plan aims to implement eight principles designed to preserve Chinatown's vital culture:

1. Preserve and enhance the cultural character of Chinatown that makes it a unique and diverse community. Recognize that the foundations of traditions from the past and the innovations of the present compose the dynamic and complex character of this community.
2. Support cultural activities and preservation efforts that will attract and retain Chinatown residents, businesses, and visitors, while also addressing the quality and importance of family life.
3. Create a dedicated community arts center and other appropriate spaces for cultural use that are affordable to area artists, organizations and residents. Cultivate a hospitable and affordable environment in Chinatown for traditional and contemporary artists, artisans, cultural entities, culturally-based businesses, and cultural activities from inside and outside the community. Chinatown's interplay with its neighboring communities and the City infrastructure itself can be significantly enhanced.
4. Recognize, protect and preserve Chinatown's historical buildings/structures and districts of architectural and/or cultural significance, its distinctive streetscapes and other characteristic elements of the community.
5. Encourage imaginative new architecture and environmental design reflective of contemporary life and aesthetics, but also respects and acts in harmony with older architectural styles in the neighborhood.
6. Ensure that the efforts of other CWG working teams are consonant with the community's historic/cultural preservation, growth, and development goals.
7. Work with and support local cultural organizations that gather, safeguard and disseminate the shared histories and stories that collectively form the basic foundations of this neighborhood and are vitally relevant to its future, successive generations and the general American population.
8. Recognize that decorative elements like Chinese-style facades or ceremonial arches, while worthwhile, are just symbolic measures. Active policies, legislation and efforts are needed to achieve true long term revitalization that avoids the danger and short-sightedness of a "Disneyland Chinatown".

CAPZ: Cultural and Historic Preservation (continued)

<u>Problem</u>	<u>Proposal</u>	<u>Agencies</u>
<p>Chinatown is in danger of losing its distinctive culture and streetscape</p>	<p>Create a Special Chinatown Cultural and Historic Preservation Sub-district to protect historic structures and the low scale nature of the Chinatown core, and promote Chinatown culture and arts (examples: Fourth Street Arts block, SoHo artist certification, 42nd Street Theater Sub-district, Special Little Italy District). The special districting would:</p> <ul style="list-style-type: none"> i. Impose height restrictions to prevent the erosion of the skyline and street character. ii. Allow owners of historic buildings to sell and transfer air rights to developers citywide, designating a percentage of the sales for additional financing of the new Sub-district Fund referenced in Action Plan item A above iii. Include provision for a ‘percent for art’ requiring developers to set aside 1% of construction in the Subdistrict to public art projects iv. Legalize the signage, street set-ups, and storefront display practices (e.g. hanging ducks in windows) that are noted characteristics of Chinatown v. Provide protection for buildings of special interest or significance. vi. Establish a Chinatown visual and performing arts center plus other adequate affordable spaces for culturally specific performances, artwork, and activities through tax incentives, culture zones legislation, rent regulations protecting space for non-profit use, restrictive covenants, limited equity space arrangements, etc vii. Allow and encourage culturally distinct activities and businesses like open air markets wherever possible including in newly created spaces. 	<p>Community boards, New York State Council on the Arts, State Office of Parks, Recreation and Historic Preservation, the National Trust for Historic Preservation, National Register for Historic Places, LPC, City Council, State Legislature, Congress</p> <p><u>EDUCATE</u> local landlords on the benefits of landmarking and National Register listing, including tax credits for preservation and rehabilitation work</p>

CAPZ: Cultural and Historic Preservation (continued)

<u>Problem</u>	<u>Proposal</u>	<u>Agencies</u>
Chinatown is in danger of losing its distinctive culture and streetscape (continued)	Establish a Chinatown Culture and Historic Preservation Subdistrict Fund similar to the 42nd Street Theater Subdistrict Fund to provide grants for restoration projects and cultural programs in Chinatown. The fund would be financed by assessments on new real estate developments in the Chinatown district.	Community boards, DCP, LPC, DCA, City Council, State Legislature, Congress ALSO architectural historians, Preservation League of New York State, the Two Bridges Neighborhood Council, City Lore, HDC, MoCA, NY Landmarks Conservancy, Municipal Arts Society, Society for the Architecture of the City, local non profits
	Identify specific and appropriate non profits to manage the Fund. Identify an organization interested in sponsoring a survey of greater Chinatown for architectural, historical and/or cultural resources (buildings and districts of significance). Explore a Chinatown Historic District or Districts. Explore individual landmarks and a comprehensive list of buildings of special interest or significance in greater Chinatown for protection.	Community boards, New York State Council on the Arts, State Office of Parks, Recreation and Historic Preservation, the National Trust for Historic Preservation, National Register for Historic Places, LPC, City Council EDUCATE local landlords on the benefits of landmarking and National Register listing, including tax credits for preservation and rehabilitation work
	Support and promote the Two Bridges Chinatown/Little Italy National Register district and the Bowery National Register district.	
Rising real estate values threaten to displace Chinatown's culturally distinctive community	Explore alternative methods beyond rent regulation/stabilization for retaining current residents and attracting new immigrants (e.g., limited equity housing, housing restoration programs, inclusionary zoning for owner-occupied units, SROs, communal and temporary housing for recent immigrants).	Community boards, HPD, DHCR, State Legislature, Governor, mutual housing developers (AAFE, LESPMH) , urban development funders (e.g., Urban Investment Group)
	Explore city support for local small businesses	NYC Small Business Services
Coordination, support and consensus	Form working relationships with local organizations	Architectural historians, urban planning programs, MOCA, the Tenement Museum, the Eldridge St. Synagogue, the Educational Alliance, University Settlement, Henry Street Settlement, the Cultural Equity Group, the NYU Asian/Pacific American Studies program, the Cantonese Opera (Louisa Leo), the Julie Tay/Mencius Society, the Two Bridges Neighborhood Council, the Photography Group (Joe Wong), the Lower East Side History Project, the Bowery Alliance of Neighbors, City Lore, HDC inter alia
Information gathering	Use existing studies	Bowery Alliance study, CREATE Feasibility Study, MoCA Feasibility, Light Rail Impact study of LES Historic structures, Two Bridges Study for Historic Districting, Landmarks Preservation Commission / LES Tenement Museum survey/report filed with National Trust for Historic Preservation, Columbia University Bowery Study, Eldridge St Synagogue Historic Survey, CAAAV Study, AALDEF Study

CAPZ: Zoning

<u>Problem</u>	<u>Proposal</u>	<u>Agencies</u>
<p>New York City's Chinatown is the only major North American Chinatown without special zoning protection. San Francisco, Boston, Vancouver, Honolulu, and Toronto all have special zoning and development provisions, as does London.</p>	<p><u>Fundamentals of a Chinatown Special District:</u></p> <ul style="list-style-type: none"> • Affordable Housing (cf. Clinton Preservation District) • Cultural Use Bonus and Air Rights Transfer (cf. Theatre Subdistrict of Midtown Special District) • Aesthetic controls in special preservation subdistrict <ul style="list-style-type: none"> ○ streetscape ○ building form ○ transparency ○ signage to emphasize cultural and language diversity • Open Space requirements • Explore development opportunities in undeveloped areas • Develop strong anti-harassment and anti-demolition provisions. • Require certain chain stores/chain hotels to obtain a special permit which would require community review to operate in the community • District-wide Transfer of Development Rights to Preserve Character of Preservation Core • Construction and Building Maintenance Fund 	<p>New York City Department of City Planning</p>
	<p><u>Mechanics of the District: Zoning Goals and Strategies</u></p> <p>Preservation Core Sub-district (Medium-density residential and mixed-use zoning)</p> <ul style="list-style-type: none"> -to protect the low-rise character of Chinatown -to reinforce the vibrant and colorful streetscape -to permit appropriately scaled mixed-use development -to allow transfer of development rights (TDR) to allow property owners to make use of the zoning potential of their sites, but move development to a more appropriate area -to improve and upgrade existing housing stock <p>Undeveloped Areas (eg. Parking Lots) (Higher density mixed-use manufacturing zoning that encourages affordable housing)</p> <ul style="list-style-type: none"> -to enhance the long-term commercial viability of Chinatown and create new jobs 	

- to protect existing manufacturing and Class B & C office space
- to encourage new affordable housing
- to encourage mixed-use development which has historically been so prevalent in Chinatown-to allow an outlet for TDR to protect development of the Preservation Core
- to encourage the development of a Chinatown Cultural Arts Center through a Cultural Bonus mechanism

CWG Timeline (February 2012 to January 2014) - Draft

February 21 – CWG Coordinating Committee Meeting – Update on fiscal conduit issue.

February 28 – CB3 Full Board Meeting – Vote to approve CWG RFP during or Land Use committee resolutions.

February 29

- Contact CB1 and CB2 Co-Chairs/Land Use Committee Chairs about result of CB3 full board meeting regarding RFP, and decide whether a presentation is necessary to each CBs Land Use committee. If a presentation is not necessary, vote can be taken by all CBs at March CWG full group meeting.

March 5 – CWG Full Group Meeting

- Vote on RFP.
- Agree to or vote for fiscal conduit, if any.
- Presentation on Economic Development PAP.

March 20 – CWG Coordinating Committee Meeting – Memorandum of Understanding (MOU) signed by CB1, CB2, and CB3, and CWG Co-Chairs with LMDC for consultant funds.

April 2 – Issue RFP & CWG Full Group Meeting

April 17 – CWG Coordinating Committee

May 7 – CWG Full Group Meeting – Update on Planning Consultant bids

May 15 – CWG Coordinating Committee

June 4 – CWG Full Group Meeting – Vote on Planning Consultants Nominations for CWG Co-Chairs

June 19 – CWG Coordinating Committee Meeting

July 2 – CWG Full Group Meeting – Vote on new CWG Co-Chairs

July 17 – CWG Coordinating Committee Meeting

August 6 – CWG Full Group Meeting does not meet

August 21 – CWG Coordinating Committee Meeting

September 10 – CWG Full Group Meeting – Update by Planning Consultants

September 18 – CWG Coordinating Committee Meeting

Future CWG meetings should only take place every two months for an update by the planning consultant. CWG Coordinating Committee will continue to meet each month to receive updates by the planning consultant and for updates by implementation task forces.

November 5 – CWG Full Group Meeting – Update by planning consultant & implementation task forces

November 20 – CWG Coordinating Committee Meeting

January 2013 – CWG Full Group Meeting – Update by planning consultant & implementation task forces

March 2013 – CWG Full Group Meeting – Update by planning consultant & implementation task forces

May 2013 – CWG Full Group Meeting – Update by planning consultant & Nominate CWG Co-Chairs

July 2013 – CWG Full Group Meeting – Update by planning consultant & Vote on CWG Co-Chairs

August 2013 – CWG Full Group Meeting does not meet.

September 2013 - CWG Full Group Meeting – Planning consultant presents their final recommendations.

Schedule hereafter will be planned accordingly to receive community feedback to modify planning consultant recommendations.

November 2013 – CWG Full Group Meeting – Presentation of finalized 197a or 197c Plan for vote at January 2014 meeting.

January 2014 – CWG Full Group Meeting

- Full group votes on 197a or 197c Plan for submission to Manhattan Borough President and other agencies for approval.

CWG Full Group will no longer meet unless necessary due to problems with 197a or 197c Plan.

CWG Coordinating Committee will continue to meet monthly until June 2014 when CWG Co-Chairs term expires.