



**National Trust *for*
Historic Preservation**

Save the past. Enrich the future.

March 25, 2021

Hon. Bill de Blasio
Mayor
City Hall
New York, NY 10007

Hon. Marisa Lago
Chair, NYC Department of City Planning
120 Broadway 31st fl.
New York, NY 10271

Re: Proposed SoHo/NoHo Neighborhood Plan

Dear Mayor de Blasio and Chair Lago:

The National Trust for Historic Preservation (“National Trust”)¹ appreciates the opportunity to offer comments regarding the proposed “SoHo/NoHo Neighborhood Plan,” the first major comprehensive land-use revision to affect these iconic neighborhoods in 50 years. While the National Trust supports the modernization of SoHo’s zoning regulations in many ways—allowing a wider range of commercial uses, permitting residential use as-of-right, supporting the creative community, and improving the Joint Live Work Quarters for Artists (JLWQA) program—the National Trust strongly opposes the overarching upzoning that would destroy the unique and irreplaceable architectural fabric of these historic neighborhoods.

The National Trust absolutely agrees that we must increase affordable housing throughout New York City, especially in high opportunity transit-rich neighborhoods like SoHo, and we support the use of Mandatory Inclusionary Housing (MIH) throughout the city. The housing crisis is a complex problem that lacks a single answer and requires a broad mix of strategies to solve through regulations and subsidies. However, this proposed rezoning has prompted a public debate that mistakenly pits historic preservation against affordable housing. It is a false choice. In fact, cities across the nation are benefiting from collaborative efforts to create affordable housing and to protect and repurpose historic buildings. The City can

¹ The National Trust for Historic Preservation in the United States is a private nonprofit organization chartered by Congress in 1949 to “facilitate public participation” in the preservation of our nation’s heritage, and to further the historic preservation policy of the United States. *See* 54 U.S.C. § 312102(a). With more than one million members and supporters around the country, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government.

create affordable housing here, as other cities are doing, without sacrificing historic character.

Historic Resources

SoHo/NoHo is a paradigm for the revitalization and preservation of a formerly industrial district into a thriving multi-use neighborhood, influencing similar efforts around the country and the world. This is no accident. The late Tony Goldman, a Trustee of the National Trust, was one of the pioneers in the rehabilitation of many SoHo buildings in the late 1970s. He renovated 18 buildings, including the SoHo Building on Greene Street, and opened restaurants and bars to attract artists and a young clientele. Goldman understood the importance of recognizing and retaining the texture of old buildings, stating in 2010 in the National Trust's *Preservation* magazine, "I saw the architectural aura of the neighborhood. The cast-iron district expressed a powerful sense of place that didn't exist, that doesn't exist, in many places in the world. But it was the historic fabric, first and foremost, that captivated my attention and interest." The historic characteristics and sense of place Goldman valued are what have made SoHo the international destination it is today. SoHo is a remarkable real estate success because the neighborhood was designated, and its architecture protected. As the zoning is modernized, it would be wise for the City—SoHo's steward—to protect and celebrate this remarkable success story while also ensuring more equity and affordability for all New Yorkers in these neighborhoods.

The SoHo/NoHo Neighborhood Plan includes a dramatic increase in FAR that would impact a 56-block, 146-acre project area—80 percent of which overlaps the boundaries of 6 historic districts including the SoHo Cast Iron Historic District. According to our local partners at the Municipal Art Society, the most recent September 2020 MapPluto data shows there are approximately 2.5 million square feet of development rights currently available within the rezoning area. The proposed rezoning would more than triple this amount to nine million square feet, of which six million would be located within the historic districts.

The National Trust is deeply concerned that a massive increase in development rights, if approved, would result in proposals out of context with the scale, height, and density of these neighborhoods. This could result in yet more luxury apartments, with a limited affordable housing component, and potentially push out long-term tenants. It is also disconcerting that the rezoning area's boundaries are so closely aligned with this concentration of historic districts. This will result in intense pressure on the Landmarks Preservation Commission to approve out-of-scale development proposals within the historic districts.

While considering the impacts of this major initiative, we urge the Department of City Planning to work with the Landmarks Preservation Commission to conduct an analysis identifying the best sites for redevelopment and to calibrate upzoning to

encourage projects in those locations. We also recommend DCP develop design guidelines in partnership with LPC and the community to inform future development within the historic districts. This will lessen the burden on the LPC and give clarity to the community and to developers as proposals are conceived.

Affordable Housing and Historic Preservation

The National Trust knows that historic preservation and affordable housing are compatible and complementary goals. Our research shows that in many cities, neighborhoods with a higher concentration of older, smaller buildings are often more densely populated and contain greater numbers of affordable units than urban areas dominated by newer, larger structures.² In fact, preservation regulations and administrative practices can help retain valuable existing affordable housing and create new units through rehabilitation of vacant and underused structures. Our research also shows that maximizing the efficiency of our older and historic building stock increases density and, with the right policies in place, will preserve and produce more affordable housing.

As stated earlier, the National Trust supports Mandatory Inclusionary Housing in the proposed rezoning area. The MIH program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 square foot within the designated areas or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 square feet, a payment into an Affordable Housing Fund. We agree with Councilmember Margaret Chin’s recommendation in her comments to DCP dated December 8, 2020 that the 10-unit and 12,500 SF threshold should be reduced in SoHo/NoHo to zero.

A study of zoning in Chicago compared zoning reforms that encouraged development around transit stops and another set of reforms that expanded upzoned areas incentivizing taller, denser development.³ The study found that housing prices in the upzoned areas rose where building sizes increased. The Chicago study suggests there is a correlation between upzoning and an increase in housing prices. Because it is not unusual to see land values rise ahead of actual housing construction, there is also a danger that upzoning to promote more affordable housing will push low- and middle-income populations to the outer edges of denser development.⁴ As historic preservation advocates, we are not opposed to increased density—we support

² National Trust for Historic Preservation. Preservation Green Lab. “Older, Smaller, Better – Measuring how the character of buildings and blocks influences urban vitality.” May 2014. (available at <https://forum.savingplaces.org/act/research-policy-lab/older-smaller-better>)

³ Urban Affairs Review, “Upzoning Chicago: Impacts of a Zoning Reform on Property Values and Housing Construction.” Yonah Freemark. March 2019.

⁴ “Does Upzoning Boost the Housing Supply and Lower Prices? Maybe Not.” CityLab. Richard Florida. January 2019.

Accessory Dwelling Units (ADUs) and well-designed infill construction—but we also want to ensure that the unique and irreplaceable architectural fabric that has made places like SoHo what they are today—popular local national and international destinations whose character has added tangible and intangible value to the community—is not lost forever, along with the existing affordable housing in those historic areas.

Historic Tax Credits

Solutions to the affordable housing crisis are complex and should include subsidies at the local, state, and federal level. Those incentives, and other historic preservation policies already in place, can also help address affordable housing needs.

The most significant federal policy is the federal historic tax credit (“HTC”).⁵ This valuable tax incentive has helped drive down the cost of housing and has increased the availability of low- and moderate-income housing units. In cities across the nation, federal HTCs are used in combination with many other incentives including the Low Income Housing Tax Credit (“LIHTC”). Since the HTC was established, the number of low- and moderate-income housing units created using this tax incentive is well over 166,000 units. And, while this number is modest relative to the overall need for more affordable housing, the potential to grow the number of affordable housing units in historic buildings through legislative enhancements is significant.⁶

Conclusion

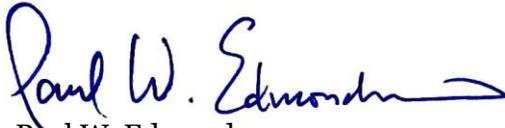
The National Trust supports modernizing zoning in this 56-block project area in SoHo and NoHo in ways that will benefit the residents of New York City by creating affordable housing, allowing a wider range of commercial uses, permitting residential use as-of-right, supporting the creative community, and improving the Joint Live Work Quarters for Artists program. Yet we must voice our opposition to this massive and overarching upzoning proposal that is not calibrated to the existing historic districts and appropriate opportunities for infill development. As SoHo and NoHo’s steward, New York City also has an obligation to protect the historic character of

⁵ The National Trust Community Investment Corporation (NTCIC), is a fully-owned subsidiary of the National Trust for Historic Preservation, enables tax credit equity investments that support sustainable communities nationwide. NTCIC places qualified tax credits for federal and state historic (HTC), new markets (NMTC), solar (ITC) and low-income housing (LIHTC). <https://ntccic.com/>

⁶ Bipartisan federal legislation, the Historic Tax Credit Growth and Opportunity Act (“HTC-GO”), is pending introduction in the House and Senate. Enacting HTC-GO would make historic preservation projects even more attractive to affordable housing developers and eliminate the current impediment that results when combining these two incentives. The National Trust is currently advocating for this legislation on Capitol Hill.

these neighborhoods, a legacy that benefits this generation and future generations of residents and visitors in New York City.

Sincerely,

A handwritten signature in blue ink that reads "Paul W. Edmondson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul W. Edmondson
President & CEO

cc:

Hon. Gale Brewer, Manhattan Borough President
One Centre Street, 19th fl. So., New York, NY 10007

Hon Corey Johnson, NYC City Council Speaker
224 West 30th Street, Suite 1206, New York, NY 10001

City Councilmember Margaret Chin, District 1
101 Lafayette Street, 9th floor, New York, NY 10013

City Councilmember Carlina Rivera, District 2
254 East 4th Street, New York, NY 10009

City Councilmember Rafael Salamanca Jr., Chair, NYC Council Land Use Committee
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