



DANIEL O'DONNELL  
Member of Assembly  
69<sup>th</sup> Assembly District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Committee on Correction  
Codes Subcommittee on  
Criminal Procedure

COMMITTEES  
Codes  
Education  
Environmental Conservation  
Tourism, Parks, Arts and  
Sports Development

May 17, 2016

Mayor Bill de Blasio  
Office of the Mayor  
City Hall  
New York, NY 10007

Dear Mayor de Blasio,

I write to follow up on previous letters I wrote to you on April 23, 2014 and November 5, 2014, regarding inappropriate development in my Assembly district, particularly above 96th Street. I have not received a response to my correspondence and since then, problems caused by large scale development have only become more urgent. I have enclosed copies of both letters for your convenience.

Since I wrote to you last, the developments that I was concerned about were either completed or have progressed. The development immediately adjacent to the Cathedral of St. John the Divine was completed, marring the iconic skyline. As you are aware, the proposed twenty-story nursing home across the street from P.S. 163 has been stalled due to a court order requiring that the environmental impact assessment be redone. It seems, however, that the city is supportive of the project and is letting it move forward: a disappointing revelation.

Now there is a series of large scale towers proposed, within a few blocks of each other, between West 120th St. and West 123rd street, by Union Theological Seminary and Jewish Theological Seminary. This means that the area, including thousands of seniors that live nearby at Morningside Gardens and Grant Houses, will be inundated with construction for years to come, creating a perfect storm of dust, debris, and noise that my constituents will have to endure. The details of these large scale developments, such as size, materials, and construction schedules, are not being disclosed to the community. Most troubling, these examples more clearly reveal a trend of non-profit institutions turning into real estate developers.

These problems are largely due to a lack of zoning in my district. The developments that I have cited above are all building as of right, through the purchase of air rights. This commonly used loophole in our zoning laws allows developers to build as tall as they want without city approval. The zoning laws in my district must be changed to match the natural landscape of the area. As it stands, my community is at a complete loss, with no ability to protect their health, their quality of life, and the sense of place within their neighborhood.

In the immediate term, these large scale developments should be required to include community benefit agreements. The communities that are most negatively impacted should receive benefits in consideration of the reduction in their quality of life. Additionally, the details of the benefit agreements should be reached through direct community input, engagement, and transparency. I hope that the city will, at the very least, work to ensure that the community is fairly compensated for their hardship. The burden of luxury development should not be shouldered by the less fortunate.

My community cannot wait any longer for regulatory reform. Development must be slowed and the well-being of our citizens must be made a priority. Historically these areas of our city have been frequently ignored, and now we see the results: institutions and developers taking advantage of the lack of zoning at the expense of the community. I urge you to call on the City Planning Commission to look into rezoning my district immediately.

I look forward to your response on this matter.

Very truly yours,

A handwritten signature in blue ink that reads "Daniel O'Donnell". The signature is written in a cursive, flowing style.

Daniel O'Donnell  
Assembly Member

Cc: Manhattan Borough President Gale Brewer  
New York City Council Member Mark Levine