



GOWNTOWN A 197-X PLAN FOR UPPER MANHATTAN

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by Terreform
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GOWNTOWN

A 197-X PLAN

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Contents

- 6 Introduction
- 10 Welcome to Gowtown
- 18 With/Standing Columbia
- 32 Fire and (M)ice
- 36 Who's Here and How to Keep Them
- 44 Right to Remain and to Return
- 58 Disaggregation Nation
- 64 Accretive Growth/Hyper-Mix
- 70 Across 125th Street
- 78 ThinkLink

86	Science Walk
96	Hispanic Steps
101	Protect the Projects
106	Lavender Hill
112	Amster-Tram
120	Parkapelago
129	Manhattanville Transfers
151	Appendix I: A Short History of Genius Loci
166	Appendix II: Gowtown Ordinance
178	Works Cited

Introduction

What exactly is this document? To begin, it's a series of meditations on Manhattanville—and Upper Manhattan—intended to provoke discussion, even action. It has been prepared in light of Columbia University's massive expansion into the neighborhood and the inevitable enormous changes this will bring. This proposal is the work of Terreform—a nonprofit, freestanding research center, which as part of its mission formulates unsolicited interventions for vexed urban situations. *Gowtown* has not been commissioned by anyone, although its preparation has entailed extensive consultation, shares many points of view, and, of course, stands on the shoulders of giants. We are pleased to call to the achievements of Ron Shiffman, who has been New York's most dedicated community planner for decades and who was instrumental in producing Community Board 9's fine 197-a plan¹ (encompassing Manhattanville). We likewise salute the many groups and individuals in the neighborhood who—through a combination of imagination and resistance—have struggled to secure a happy and equitable future. With these fair efforts in mind, we choose to call this document a 197-x plan to acknowledge that it is not the result of consensus building and to suggest that such “unofficial” contributions should enjoy the same standing and warrant the same attention as the more official, community-sponsored 197-a and the generally developer-driven 197-c. A truly open planning process must be just that: one in which all contributions are respected.

We've worked in this location because it's a second home for those of us with connections to The City College of New York (CCNY) and Columbia, as well as the Upper West Side, Morningside Heights, Hamilton Heights, and Harlem; because it is going through an enormous, fraught transformation; and because, as a field of ecological and morphological possibilities, it is so fascinatingly singular. But isn't it a little late for fresh proposals in an area already so defined by Columbia's done deal? We think not: the time for intervention is critical in a situation that is just beginning to have its greatest effects, and it will only be more so as construction picks up, businesses change, and pressure on rents increases. The situation is urgent and we don't want the outcomes of this physical, social, and economic transformation left to the tender mercies of the invisible hand. Here is opportunity, a chance to harness these huge arriving energies toward a truly embracing vision of the public good. This project is not about mitigation, but about leverage.

The 197-x, which, in form, has hundreds of predecessors in the rich histories of advocacy planning, community pushback, and spontaneous interventions at every scale, seeks to augment the influence of existing 197-a and 197-c plans. It does so by proposing a mechanism for independently gathering neighborhood-development ideas to help broaden discussion of local futures as well as to widen the media through which they are expressed. The 197-x is equivalent to an *amicus curiae* brief, making the case of an interested “outside” party in order to expand the scope of discussion, to raise key issues, and to increase the possibilities for decision making. We want this 197-x to contribute to available institutional frameworks for making planning decisions, to local control, to the debate over bottom-up *and* top-down initiatives, and to expanding the repertoire of good ideas for the urban future, in New York and around the planet. Unlike 197-a and 197-c plans, a 197-x gives absolute privilege to the ideas it embodies rather than to either the process or the parties that produced them. We propose that it have official status to make these ideas more audible.

The 197-a, our predecessor and precedent, began life as a medium for devolving planning power to local communities. Tom Angotti describes its origins: “In 1989, voters approved a revision to the city charter that legitimized the efforts of neighborhoods to plan for their futures. For the first time, the city charter, which

1. Community Board 9, Borough of Manhattan, “197-a Plan for Community District 9,” (Government Document, New York, 2008), http://www1.nyc.gov/assets/planning/download/pdf/community/197a-plans/mn9_hamilton_manhattanville_197a.pdf.

functions as the city's constitution, explicitly enabled communities, through 59 community boards, to submit 'official' plans to the City Planning Commission and City Council under Section 197. The main reason for the charter change in 1989 was a U.S. Supreme Court ruling that found that the Board of Estimate, the city's main governing body since 1898, violated the constitutional principle of one person, one vote."²

But this idea of devolving planning power to community boards hasn't exactly worked out: the democratizing effects of the charter revision have barely trickled into the real planning process. Because a 197-a is just advisory and without statutory authority, decision making remains rooted with the City Council and the Department of City Planning (DCP), which have shown no particular inclination to support local planning. The DCP's own rules even include the get-out-of-jail-free provision that "The existence of an adopted 197-a plan shall not preclude the sponsor or any other city agency from developing other plans or taking actions not contemplated by the 197-a plan that may affect the same geographic area or subject matter."³ Although such plans have served as useful tools for community organization, research, and advocacy, the indifference of the Giuliani and Bloomberg administrations has given these efforts little purchase. Carl Weisbrod, Mayor de Blasio's Planning Commissioner, has also shown a decided lack of interest in the process. Even communities themselves have seen reasons to avoid it—the 197-a is sufficiently costly and cumbersome to create that to date only 13 plans have been approved, each, unfortunately, to largely marginal effect on final outcomes.

The case of the Columbia expansion is a fine example of the DCP's ambiguous—even slippery—position. Community Board 9 (encompassing Manhattanville, Morningside Heights, and Hamilton Heights), working with The Pratt Center for Community and Economic Development, produced and submitted a strong 197-a, which the DCP examined alongside Columbia's 197-c. While the 197-a process is meant to articulate a community's shared vision, 197-c plans are technically authored by the DCP, but usually come in response to proposals from private developers. In this case, there were enormous differences between the community's and Columbia's plans that included questions of residential and commercial displacement, the mix of uses, housing affordability, toxic hazards, eminent domain, and the integration of new construction into the existing neighborhood fabric. In a move of perverse calculation, the DCP approved *both* plans and instructed the parties to merge them. The result was as intended: the City Council adopted the Columbia plan almost precisely as it had been initially proposed, ignoring the most important—and contentious—aspects of the 197-a. In exchange, the university signed on to a long-term "community benefits" agreement intended to quiet opposition by meeting a certain number of needs in the wider neighborhood, including limited contributions to housing affordability, job training, and local schools. The Columbia plan is estimated (at the moment) to have a final cost of around \$6.3 billion while the community benefits agreement provides approximately \$150 million to the area, spread over many years. It is widely considered a bad deal.

Adding a 197-x to the mix could prompt a more comprehensive and multifarious discussion about our neighborhoods. However, backroom deals and the domination of private interests will persist unless the community-planning process sees serious structural changes. Making community-driven plans officially binding will be a good start. We also call for community boards to gain veto power over land-use decisions, as well as independence from borough presidents. While each of the city's 59 boards has as many as 50 unsalaried

2. Tom Angotti, *New York for Sale: Community Planning Confronts Global Real Estate* (Massachusetts: MIT Press, 2008), 154.

3. Ibid, 56.

members appointed by the relevant borough president, few have members with planning expertise or the funds necessary to hire a professional planner. Boards in wealthier areas may compensate by retaining their own outside experts, but low-income communities, which are disproportionately impacted by rapid development and environmental hazards, have far less ability to muster properly staffed boards. Having a full-time planner on staff would enable community boards to adequately navigate the long and complicated land-use review processes. Boards should furthermore be authentically representative of their communities, with regard to age, race, immigration status, gender, orientation, or any other defining attribute.

Below, a "lite" version of a proposed amendment to New York City's Charter provides a legal framework for 197-x plans.

NEW YORK CITY CHARTER

197-x. PLANS.

a. Plans by any individual or group of individuals, with or without affiliation to their community or borough boards, for the development, growth, and improvement of the city and of its boroughs and community districts may be submitted to the Department of City Planning (DCP) under the designation 197-x. Such plans may be proposed by (1) any individual regardless of age, race, creed, sexual orientation, level of education, profession, or any other defining attribute, to advance ideas regarding how to best make the city a more livable, equitable, sustainable, and enjoyable place; (2) any group of individuals, organized or otherwise, with a shared vision or concern for the future of the city. To ensure official documentation within the city's open-access data repository, the group or individual proposing any such plan shall submit the plan using the 197-x portal provided by the Department of City Planning. No official sponsorship by any governmental entity is required to submit such a plan. All New York Public Library locations are to be outfitted with computers linked directly to said portal, and supplied with a support staff versed in the 197-x submission process and available to assist anyone who may need it. Any such submissions will be immediately posted on the Department of City Planning website and made available in print via regular reports to all community district and borough officials. Additionally, all submitted 197-x plans will become official agenda items on forthcoming public hearings of both relevant community boards and of the City Planning Commission.

b. The City Planning Commission shall adopt rules establishing minimum standards for the form and content of 197-x plans pursuant to subdivision (c) of this section within six months after the 1st of January 2017. Such rules shall be minimal and written in a manner that does not penalize those who may wish to submit plans and are not skilled in—or able to employ someone who is skilled in—the graphic and other techniques generally associated with professional architects and planners. Upon receipt of a 197-x plan proposed in a manner pursuant to this section by any individual or group, the City

Planning Commission shall, within one month, determine whether such plan satisfies the standards established by these rules. If the City Planning Commission makes such a determination with respect to a submitted plan, it shall prepare or cause to be prepared an environmental analysis of said plan required by law to enable the Commission and the City Council to act on the plan pursuant to subdivision (d) of this section. If the City Planning Commission makes the determination provided for in this subdivision with respect to a plan, that plan shall be referred to the Department of City Planning for circulation and review pursuant to subdivisions (c) and (d) of this section.

c. All plans proposed in approved format pursuant to this section shall be referred to the Department of City Planning for circulation to all affected community boards, all affected community groups, all affected borough boards, and all affected borough presidents for review and comment. All community boards and borough boards to which such a plan is referred shall hold regular public hearings on any such plans. Said hearings shall determine the merits of all such plans and, by Community Board majority vote, determine whether or not said plans' recommendations, or any portion of them, are to be formalized.

d. Within a period not to exceed three months following review and recommendation of a plan pursuant to subdivision c of this section, the City Planning Commission shall (1) review such plan, (2) hold a public hearing on such plan, and (3) by resolution approve, approve with modifications, or disapprove such plan. If the Commission has approved a plan or approved a plan with modifications, such plan shall be subject to review and action by the City Council pursuant to section 197-d. The Council may by majority vote approve a plan which the City Planning Commission has disapproved or which the Commission has failed to take under consideration in timely fashion. Such a vote may be at the initiative of the Council, the Mayor, or of a community or borough board.

Welcome to Gowtown