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Potential guidelines on program specifics for Seward Park sites redevelopment
Manhattan's CB3 Land Use, Zoning, Public & Private Housing Committee
December 10, 2010

Potential CB3 Guidelines for Seward Park Sites Redevelopment

Presented below are recommended guidelines for consideration by Manhattan's Community Board 3 (CB 3). The CB 3 Land Use, Zoning, Public & Private Housing Committee prepared these guidelines. They are intended to guide the City of New York in its preparation of a plan and subsequent Request for Proposals (RFP) to develop the Seward Park sites.

I. INTRODUCTION

A. Guiding Principles

- 1) The plan and subsequent RFP for the Seward Park Sites must be in accordance with the principles laid out herein. Maximization of City revenue from the sale of the land should be a secondary consideration.
- 2) The City should select multiple developers, with additional consideration given to citywide non-profit developers; the cumulative effect of their proposals and subsequent actions must result in a development that adheres to these guidelines and underlying principles.
- 3) The City's conveyance of the land should include binding restrictions to assure that these principles are achieved.

B. Community Oversight

- 1) The City must communicate regularly with CB 3 on all aspects of project development, from preparation of the RFP and the Uniform Land use Review Procedure (ULURP) process through completion of all associated planning, programming and development.
- 2) There must be robust community participation in the planning and review process for the sites. This includes open information and regularly scheduled public meetings distinct from public hearings.

II. LAND USE AND PROGRAM

A. Mixed-Use Development

- 1) The mixed-use, mixed-income character of the neighborhood must be reflected in the development plan for the sites.
- 2) Each phase of development must reflect the mixed-use, mixed-income guidelines indicated herein, except if senior housing is built as an independent phase.

B. Commercial Development

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- 1) Full opportunity should be provided for economic development and local employment and entrepreneurship.
- 2) Retail should be maximized in street-level building frontages along major streets (i.e., Delancey Street west of Clinton Street and Essex Street).
- 3) Local service and convenience retail uses should predominate in street-level building frontages along side streets (i.e., Broome Street, Grand Street, Ludlow Street, Norfolk Street and/or Suffolk Street).
- 4) Mid-box retail should be encouraged to locate predominantly on the second floors of buildings along major streets (i.e., Delancey Street and/or Essex Street). "Mid-box" retail is defined as stores equal to 10,000 to 30,000 square feet (sf).
- 5) With the exception of a possible supermarket, no single retail tenant should exceed 30,000 sf in size. In addition, no more than three new liquor licenses within 500 feet of each other should be issued to establishments on the side streets, and no licenses can be established within 200 feet of any school or religious institution.
- 6) The Essex Street Market should be relocated to a superior site on a major street to accommodate a larger market with more goods and services. The existing Essex Street Market should not be closed or demolished before the new, larger market is constructed. Every effort should be made to retain the then current tenants of the Essex Street Market during the change in location and facility.
- 7) Every effort should be made to include a non- or limited-profit retail or other commercial component in the final program. This use may substitute for either local service and convenience retail (see #II.B.3) or civic uses (see #II.D). It is understood that this use will depend on project feasibility as well as a satisfactory proposal by a development or operating entity.
- 8) Every phase of retail development must provide a diversity of goods, services and price points.
- 9) Non-retail, commercial development – including office, hotel and/or a movie theater – should be provided. A movie theater is a priority; this use could be a component of a multi-purpose performance space, including one in connection with civic uses (see #II.D). The final commercial uses and their floor areas will depend on market conditions at the time of development, as well as satisfactory proposals by development or operating entities.

C. Housing

- 1) The sites should be developed to optimize their aggregate residential potential. At least 800 and preferably more than 1,000 housing units must be provided. However,

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the overall housing component should not comprise less than 60 percent of the total floor area, excluding floor area devoted to below-grade parking.

- 2) At least 40 percent of the non-market-rate units should be two bedrooms or larger, excluding senior housing.
- 3) The mixed-income character of the neighborhood must be reflected in the development plan for the sites. Accordingly:
 - a. At least 10 percent and preferably 30 percent of all units must be reserved for moderate- and middle-income households. The number of middle-income units should not exceed the number of moderate-income units.
 - b. At least 20 percent of all units must be reserved for low-income households.
 - c. Roughly 10 percent of all units must be reserved for seniors. Supportive housing for low-income individuals and/or families is permitted under this and the above allocation (see #II.C.3.b).
 - d. Depending on the final amounts of the above units provided, approximately 40 to 60 percent of all units should be available at market-rate values (i.e., for households with no income restrictions).
 - e. The household income definitions are as follows:

| <u>Income Range</u> | <u>Percent of Area Median Income</u> | <u>Maximum Income*</u> |
|---------------------|--------------------------------------|------------------------|
| Middle income | 131 – 165 percent | \$130,000 |
| Moderate income | 51 – 130 percent | \$100,000 |
| Low income | ≤ 50 percent | \$ 40,000 |

* Income limits are 2010 approximations for a family of four based on the most recently available data and will change from year to year; they are shown here for illustrative purposes only.

- f. Units should be affordable to a multitude of incomes within the above ranges (see #II.C.3.e), rather than to just the upper limits of each.
- 4) The final development plan should seek to achieve the uppermost range of non-market-rate units aspired to above, especially in the moderate-income category (see #II.C.3). Every effort should be made to secure Federal, State and other outside funding to achieve this goal. The ability of respondent developers to maximize the number of non-market-rate units should be a major criterion of the RFP and in the selection of developers.
- 5) To the extent possible, developers should be encouraged to consider homeownership and variant models (such as mutual housing).

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- 6) In mixed-income buildings, the non-market-rate units should be integrated with the market -rate housing and be indistinguishable from the exterior in terms of material and design quality.
- 7) The non-market-rate housing units should be prioritized for qualifying residents of Community District 3, residents who may be relocated as a result of planned development, and Tenants at Title Vesting – the former site tenants.
- 8) All non-market-rate units must remain affordable in perpetuity.

D. Civic Uses

- 1) The site development must include community, cultural and/or institutional (“civic”) uses and amenities that benefit residents of all ages.
- 2) Full opportunity should be provided for civic uses and amenities. It is understood that such use(s) for each site will depend on project feasibility as well as a satisfactory proposal by a development or operating entity. Civic use is broadly defined to include a possible non- or limited-profit retail component and/or non-profit offices.
- 3) The civic use obligation may in large measure but not entirely be satisfied by any one such use.
- 4) Consideration should be provided to setting aside sufficient land and building capacity for a public primary or secondary school. The siting of the school should allow it to be oriented on a side street.
- 5) Parks and open space should be a major feature of the final development program. A side street orientation is preferred for local neighborhood open space, such as a playground.

III. SITE LAYOUT AND DEVELOPMENT

A. Site-Specific Concerns

If necessary, as a development plan approaches and enters the ULURP process, site-specific concerns (e.g., regarding program mix, affordability, urban design or other aspects) that arise should continue to be addressed by members of the Community Board, its designated committee and the City.

B. Commercial Overlay

The sites along Delancey Street and Grand Street should be rezoned to include a commercial overlay.

C. Urban Design

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- 1) The final building and site plans must be in keeping with current planning principles of contextual design: e.g., building orientation and access should support and enhance the pedestrian realm and weave together the fabric of the neighborhood. Their final designs should consider successful models that have been employed in other cities around the nation and the world, especially as they pertain to mixed-income and mixed-use developments.
- 2) Existing streets, including those that have been de-mapped, should be preserved.
- 3) The development should exemplify good urban design and sound environmental principles. Environmental design solutions, such as passive and active energy and water use efficiencies, should be promoted. The development should comply with Enterprise Green Communities certification, which has been adopted by the NYC Department of Housing Preservation Development as the standard for their new projects.

D. Parking

The development should include at least enough public parking to replace the existing on-site public parking for cars (i.e., excluding commercial vehicles and trucks) that will be displaced as a result of development.

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