



IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located on the block generally bounded by East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a large-scale general development consisting of three mixed-use buildings with commercial and community facility uses on the lower levels, a total of approximately 655 affordable dwelling units on the upper levels and community gardens, Borough of Manhattan, Community District 11.

Approval of three separate matters is required:

1. The designation of property located on the block generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37-43, 45, 46, 48, 50-54, 121 and 122) as an Urban Development Action Area;
2. An Urban Development Action Area Project for such area; and
3. The disposition of such property to a developer selected by HPD.

This application for Urban Development Action Area Project (UDAAP) designation and project approval and disposition of City-owned property was submitted by the Department of Housing Preservation and Development (HPD) on April 17, 2017.

Approval of this application would facilitate the development of three predominantly mixed-use buildings containing approximately 655 affordable dwelling units, commercial and community facility floor area, community gardens and publicly accessible open space.

RELATED ACTIONS

In addition to the proposed UDAAP designation, project approval and disposition of City-owned property (C 170363 HAM) that is the subject of this report, implementation of the proposed

development also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

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| C 170361 ZMM | Zoning map amendment to change existing R7-2 and R7-2/C1-4 districts to R9 and R9/C2-5 districts. |
| N 170362 ZRM | Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area. |
| C 170364 PQM | Acquisition of a portion of the disposition area by the City for community garden use. |
| C 170365 ZSM | Special permit to modify the height and setback and yard requirements within a Large-Scale General Development. |
| C 170366 ZSM | Special permit to allow commercial use above the second story within a mixed-use building within a Large-Scale General Development. |
| C 170367 ZSM | Special permit to modify parking requirements within a Large Scale General Development. |
| N 170368 ZCM | Certification from the City Planning Commission to modify the ground-floor use requirements for a building facing a wide street. |

BACKGROUND

HPD seeks UDAAP designation, project approval and disposition of City-owned property, acquisition of a portion of the disposition area by the City for community garden use, a zoning map amendment to change existing R7-2 and R7-2/C1-4 districts to R9 and R9/C2-5 districts, a zoning text amendment to establish a MIH area, a special permit to modify the height and setback and yard requirements within a Large-Scale General Development, a special permit to allow commercial use above the second story within a mixed-use building, a special permit to modify parking requirements within a Large-Scale General Development and a certification from the City Planning Commission to modify the ground-floor use requirements for a building facing a wide street, to facilitate the development of three predominantly residential mixed-use buildings containing approximately 655 affordable dwelling units, commercial and community facility floor area, community gardens and publicly accessible open space.

The area to be rezoned (the “project area”) consists of Block 1617 (Lots 20-23, 25, 28, 29, 31, 33-35, 37-43, 45, 46, 48, 50-54, 121 and 122). Two of these lots (Lots 21 and 34) are privately owned and are not part of the development site. Lot 21, fronting on Madison Avenue, is improved with a four-story building containing eight residential units and two commercial units. Lot 34, fronting on East 112th Street, is currently utilized for surface parking and storage.

The development site comprises all of the other lots in the project area and contains six interim GreenThumb community gardens (Block 1617, Lots 22, 35, 38-40 and 51-53), all fronting on Park or Madison avenues. These interim gardens are operating under a temporary license agreement with HPD; the agreement allows garden-related activities on the site until HPD is able to achieve a viable development scenario. Four of the six existing interim gardens will be relocated on the development site, after construction. The remaining two gardens have been offered relocation sites within other nearby existing Department of Parks and Recreation (DPR) licensed gardens pursuant to the agency’s rules. A portion of the development site (Block 1617, Lots 23, 25, 28, 29, 31, 33, 41-43, 45, 46, 48, and part of Lot 37) had been also used as a baseball field by the East Harlem Little League (EHLL) under temporary license agreement with HPD. The license agreement expired October 2016 and the EHLL obtained a permit through DPR to play on a nearby DPR field in Thomas Jefferson Park. The lots previously licensed to the EHLL

are currently vacant.

The project area fronts three wide streets- East 112th Street and Madison and Park Avenues - and one narrow street, East 111th Street.

The project area is currently mapped with an R7-2 zoning district, with C1-4 commercial district overlays mapped to a depth of 100 feet along the Park and Madison avenue frontages.

R7-2 zoning districts are medium-density residential height factor districts with a maximum floor area ratio (FAR) of 3.44 for residential development and 6.5 for developments containing community facility floor area. Height factor buildings may not penetrate a sky exposure plane that begins at a height of 60 feet above curb level. As an alternative to height factor development, residential buildings constructed pursuant to the Quality Housing Program may be developed, on narrow streets, with a maximum FAR of 3.44 and a maximum height of 75 feet, and on a wide street, with a maximum FAR of 4.0 and a maximum building height of 80 feet. Districts with commercial overlays have a maximum commercial FAR of 2.0.

Across East 112th Street, to the north of the project area, are the Taft Houses, a New York City Housing Authority (NYCHA) public housing development, consisting of nine 19 story multi-family buildings constructed as a tower in the park development.

The block located immediately to the east of the project area contains a seven-story residential building built to the lot line.

The area south of the project area is characterized by multi-family buildings, single-story commercial buildings and mid-rise new construction residential development. The block directly south of the project area contains a 12-story residential building. The project area is also three blocks north of a recently approved affordable housing development, Lexington Gardens II, that also utilized an R9 zoning district.

The blocks west of the project area contain high-rise residential buildings, mid-rise residential and academic institutions.

Central Park is located just southwest of the project area.

The site is served by the 2 and 3 subway trains at 110th Street and Lenox Avenue, three blocks southwest, and the 6 train at 110th Street and Lexington Avenue, which is two blocks southeast. The site is also served by a number of local bus lines, including the M1, M2, M3 and M4 lines to the southwest; the M116 line to the north; the M101, M102 and M103 lines to the east; and the M106 to the south. The M15 Select Bus Service line is also accessible to the east of the site.

The proposed development comprises three predominantly residential mixed-use buildings on the development site containing approximately 718,447 square feet of total floor area (9.15 FAR).

The project would include approximately 544,069 square feet of residential floor area (7.10 FAR) consisting of a mix of studio, one bedroom, two bedroom and three bedroom units, for a total of 655 affordable dwelling units. All of the dwelling units would be affordable to households at a mix between 30 percent and 130 percent of the Area Median Income (AMI). In addition to the residential uses, the proposed development is anticipated to include approximately 140,485 square feet (1.60 FAR) of community facility uses for established non-profit organizations that have partnered with the development team, including the YMCA, DREAM charter school and Union Settlement. The proposed development is also anticipated to include approximately 33,794 square feet (0.44 FAR) of commercial or retail space. There would be no accessory parking as a part of the proposed development.

Building A is proposed to be located at the intersection of Madison Avenue and East 112th Street. It would have a three-story base that rises to a height of between 47 feet and 85 feet. Above the base, the building would set back the required 10 feet from the street line, and then rise to 37 stories, with a proposed height of between 418.5 feet and 458.5 feet. Building A would contain approximately 365 residential units with approximately 308,723 square feet of residential floor area, 10,311 square feet of community facility floor area and 32,194 square feet of commercial floor area, which is anticipated to include a local supermarket and medical office space for the Mount Sinai Medical Group.

Building B is proposed to be located along the remainder of the East 112th Street frontage and wrap along the Park Avenue frontage to a depth of approximately 72 feet. Building B is

proposed to have a five-story base that would rise to a height at or between 79.5 feet and 85 feet above the base plane. Above the base, the building would set back the required 10 feet from the street line, then rise to a height of 15 stories, with a proposed height of between 192.5 feet and 218.5 feet. Building B would contain approximately 211 residential units with approximately 163,945 square feet of residential floor area and 120,934 square feet of community facility floor area, including space for the DREAM charter school and the YMCA.

Building C is proposed to be located at the mid-block frontage of East 111th Street. Building C is proposed to have up to a seven-story base rising to a height at or between 85 feet and 94.34 feet above the base plane. Above the base, the building would rise to a height of 10 stories, with a proposed height of between 131.34 feet and 151.34 feet. Building C would contain approximately 79 residential units with approximately 71,401 square feet of residential floor area and 10,941 square feet of community facility use, which will include space for Union Settlement.

HPD anticipates that the proposed development would be built to Passive House standards, which exceed Leadership in Energy and Environmental Design (LEED) standards. To achieve passive certification, the project would utilize superior building insulation methods and other sustainability features, including a storm water detention tank for irrigating the proposed on-site community gardens, bioswales and street trees on the sidewalks surrounding the site, photovoltaic arrays on each of the bulkheads and green roofs with pergolas installed with photovoltaic arrays.

The proposed buildings would form an elevated open courtyard in the center of the proposed development. The courtyard would be accessible to the public and provide passive, landscaped recreation space that may include features such as a medicinal garden, seating and general open space. The courtyard would be accessible from Park Avenue through a staircase and elevator, from East 111th Street through an Americans with Disabilities Act (ADA) accessible pathway and through the rear entrances of the adjoining community facility spaces fronting on East 111th and East 112th streets. The pathway and courtyard would result in a minimum of approximately 16,900 square feet of additional publicly accessible open space. The restrictive declaration

recorded in connection with the Large-Scale General Development would ensure that the courtyard and pathway are adequately maintained and are open and accessible to the public during the hours of 8:00 am to 6:00 pm from November 1 to April 14, and during the hours of 8:00 am to 8:00 pm from April 15 to October 31. Because the final design of the open space has not yet been determined, the declaration would also establish a process for the City Planning Commission Chairperson's future review and certification that such design is consistent with the guidelines set forth within the restrictive declaration.

As a part of the proposed development, two community gardens would be located on the corner of Park Avenue and East 111th Street, and two community gardens would be located on the corner of Madison Avenue and East 111th Street. These community gardens would extend in a terraced fashion toward the elevated courtyard. A dedicated community room and bathroom, which would be available to members of all four community gardens, is proposed to be located within Building A. An additional bathroom is proposed to be located adjacent to the community gardens on Park Avenue. The ADA accessible pathway would pass through the gardens located along East 111th Street and into the interior courtyard.

In addition to the UDAAP action that is the subject of this report, the proposed development requires approval of the following related actions:

Zoning Map Amendment (C 170361 ZMM)

The applicant seeks a zoning map amendment to rezone the project area from an R7-2 district with C1-4 commercial overlays to a depth of 100 feet along the Park and Madison Avenue frontages to a R9 district with C2-5 commercial overlays to a depth of 100 feet along the Park and Madison Avenue frontages.

R7-2 is a height factor zoning district that encourages low-rise buildings on smaller lots and taller buildings with low lot coverage on larger lots. The maximum residential FAR is 3.44 and the maximum community facility FAR is 6.5. Height factor buildings may not penetrate a sky exposure plane that begins at a height of 60 feet above curb level. As an alternative to height factor development, residential buildings constructed pursuant to the Quality Housing Program may be developed, on narrow streets, with a maximum FAR of 3.44 and a maximum height of

75 feet, and on a wide street, with a maximum FAR of 4.0 and a maximum building height of 80 feet. Commercial overlays within R7-2 districts have a maximum commercial FAR of 2.0.

R9 districts have a maximum FAR of 10.0 for community facility uses and a maximum of 8.0 FAR for residential uses subject to the requirements of MIH (7.52 maximum residential FAR for developments not subject to MIH). These regulations require that a tower-on-a-base (TOB) building be located within 100 feet of a wide street along the long dimension of the block, or within 125 feet of a wide street along the short dimension of a block. TOB regulations also provide that the tower portion of such building is not permitted beyond 100 feet from any wide street. The base of such building must rise to a minimum height of 60 feet and up to a maximum of 85 feet above curb level. Above the base height, the tower must set back 10 feet from a wide street, and 15 feet from a narrow street. After providing the required setback, a tower may rise without height limitation. A tower may cover up to 40 percent of the zoning lot area, and is required to cover no less than 30 percent of such area. TOB regulations also require that between 55 percent and 60 percent of the total allowable floor area on the zoning lot must be located below a height of 150 feet above the curb level.

As an alternative TOB development, a residential building constructed pursuant to the Quality Housing Program may be developed. The maximum permitted height for a Quality Housing building in a MIH area with a qualifying ground floor is 175 feet within 100 feet of a wide street, and 165 feet on a narrow street beyond 100 feet of a wide street. The maximum permitted base height is 125 feet. At the location of the base height, the building must set back 10 feet from a wide street and 15 feet from a narrow street.

In R9 districts, lot coverage of residential buildings is restricted to no greater than 70 percent for an interior lot, and up to 100 percent for corner lots. Lot coverage for community facility buildings is restricted to no greater than 65 percent lot coverage for interior lots and up to 75 percent for corner lots. Accessory off-street parking spaces are required for 40 percent of dwelling units that are affordable to households at 80 percent of AMI or higher.

The proposed C2-5 overlays allow local retail uses such as grocery stores, dry cleaners, drug stores and restaurants. Additionally, C2-5 overlays have lower parking requirements than what

is required in the existing C1-5 overlay.

The proposed R9/C2-5 is intended to facilitate the development of affordable housing, provide continuity on the Madison Avenue commercial corridor and provide community facility space to serve the surrounding neighborhood.

Zoning Text Amendment (N 170227 ZRM)

The applicant seeks to amend Appendix F of the Zoning Resolution to establish an MIH area coterminous with the project area.

The applicant proposes to utilize the Deep Affordability Option, requiring that no less than 20 percent of residential floor area be affordable to households earning an average of 40 percent of AMI.

Acquisition of a portion of the Disposition Area by the City (C 170364 PQM)

The City proposes to acquire property located on the block generally bounded by East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 22, 35, 121, 122 and parts of Lots 23, 25, 28, 37) for use as passive recreation space and community gardens.

Upon acquisition by the City, the community garden area will be placed under jurisdiction of DPR, which will enter into license agreements with the community gardens.

Special Permit pursuant to Section 74-743, to modify, within a Large Scale General Development, the zoning regulations regarding height and setback, tower location and coverage and yard requirements (C 170365 ZSM)

The applicant requests to modify the zoning regulations regarding height and setback, tower location and coverage, and yard requirements, discussed in detail below, to facilitate a better overall site plan and relationship with surrounding development.

Tower Regulations

Buildings developed with a tower must comply with either TOB or standard tower regulations. Pursuant to Section 23-65(a) of the Zoning Resolution, any building with more than 25 percent of its total floor area dedicated to residential use that is located on a zoning lot that fronts on a wide street, and is within 125 feet of a wide street frontage along the long dimension of the

block, must be developed or enlarged pursuant to the TOB provisions. Section 23-65(b) provides that the standard tower regulations of Section 23-652 of the Zoning Resolution apply to any building that does not meet the location criteria of Section 23-65(a).

Since all of the buildings on the development site, including those portions more than 125 feet from the wide street frontage along the short dimension of the block, and more than 100 feet from the wide street frontage along the short dimensions of the block, are proposed to be subject to the TOB provisions, the applicant requests a waiver of the location criteria of Section 23-65(a) and 23-65(b) and seeks to instead apply the TOB regulations to the entire development site.

Tower Coverage

Section 23-651(a)(1) of the Zoning Resolution requires that at all levels, towers meeting the location and floor area requirements of Section 23-65(a) that are developed on zoning lots of at least 20,000 square feet must occupy between 30 and 40 percent of the lot area in the aggregate. As previously discussed, a portion of the proposed development will not meet the location criteria of Section 23-65(a). The applicant requests that the aggregate tower calculation be based on the entire area of the development site, including those areas more than 125 feet from the wide street frontage along the short dimensions of the block. In addition, since tower coverage ranges from 51 percent at 85 feet to 13 percent at 195.5 feet and above, the applicant requests modification of the tower coverage requirements to permit the towers of all buildings on the zoning lot to occupy, in the aggregate, an area comprising less than 30 percent of the lot area of the zoning lot at the upper levels of the tower and more than 40 percent of the lot area at the lower levels of the tower.

Location of Floor Area

Section 23-651(a)(3) requires that a minimum of 60 percent of the total floor area permitted on the zoning lot be located below 150 feet. As the proposed development will contain 424,169 square feet of zoning floor area, or 55 percent of the total floor area, below 150 feet, the applicant requests a modification of the floor area location requirements to permit 55 percent of the total floor area to be located below 150 feet.

Street Wall Requirements

Section 23-651(b)(1) of the Zoning Resolution requires that a street wall be provided for the entire portion of a zoning lot fronting on a wide street, and on a narrow street, within 125 feet of its intersection with a wide street. In addition, Section 35-64(a)(1) requires that mixed-use buildings developed under TOB regulations in R9 or R10 districts with a commercial overlay provide a street wall for the entire width of a base that is to be located on the street line of zoning lots fronting on wide street and on narrow streets within 30 feet of the intersection with a wide street.

Because community gardens are proposed for much of the frontages of Park Avenue (a wide street) and East 111th Street (a narrow street) within 125 feet of its intersection with Park and Madison Avenues, as well as the southern frontage of Madison Avenue (a wide street), no street wall is proposed. Additionally, no street wall is proposed to be provided at the intersection of Park Avenue and East 112th Street (a wide street), as the proposed ground floor of Building B would be undercut at the ground floor to provide shelter for the students of the proposed DREAM charter school.

The applicant requests a modification of the street wall requirements pursuant to Section 23-651(b)(1) to permit the proposed development to not occupy the entire frontage of the zoning lot in the aforementioned areas and to permit the base of the street wall of the proposed development to not be located entirely on the street line.

Section 23-651(b)(4) requires that all ground level open area located between the street line and the street wall of a base be landscaped except in front of entrances and exits to buildings.

Because a portion of the ground floor of Building B would be undercut at the northeast corner of the zoning lot, at the intersection of Park Avenue and East 112th Street, there would be approximately eight feet of open space between the street line and the street wall of the base that is not proposed to be landscaped. This is proposed to be a space where children attending the proposed DREAM charter school can gather. The applicant requests that this open area remain unplanted.

Section 23-651(a)(5) prohibits the location of a tower on a narrow street more than 100 feet from its intersection with a wide street. Since the Building C would be located on East 111th Street, which is a narrow street, approximately 225 feet from its intersection with Park Avenue, the applicant requests a modification of this requirement.

Height and Setback

Section 23-651(a)(4) requires that towers along a narrow street set back a minimum of 15 feet from the street wall at any level, and that towers along a wide street set back at least 10 feet from the street wall at any level.

The maximum base height for a TOB building developed within an R9 zoning district is 85 feet. Since the proposed Building C would be located on a narrow street, and would first set back 15 feet from the street wall at a height of 94.34 feet, a portion of the tower would be located at the street line. The applicant requests a modification of the tower setback requirements to permit portions of a tower in the proposed development to be located at the street line.

Section 23-651(b)(2) requires that the street wall of a building base rise to a height between 65 and 85 feet.

Because the base of Building A is proposed to rise to a height between 47 and 85 feet before setback, and the base of Building C is proposed to rise to a height of approximately 94 feet before setback, the applicant requests a modification of the base height requirements to permit the base along Madison Avenue and portions of East 112th Street to set back from the street line at a height of 47 to 60 feet above the curb level, and to permit the base height along East 111th and East 112th Streets to exceed 85 feet above the curb level.

Rear Yard Regulations

Section 24-382 requires that an open area with a minimum depth of 60 feet midway, or five feet from being midway, between two street lines be provided. Community facilities with a height no greater than 23 feet or two stories are permitted within rear yard equivalents 100 feet beyond the street line of a wide street, provided that the community facility is used for school, house of worship, college/university or hospital uses.

Since a portion of the proposed development would include a community facility that is not one of the permitted uses, and that community facility space would obstruct the rear yard equivalent, the applicant requests a modification of this requirement to allow a community facility space that does not contain a school, house of worship, college/university or hospital use.

Special Permit pursuant to Section 74-744(b) to allow commercial use to be located above the level of the second story in a mixed use building (C 170366 ZSM)

Section 32-42 does not permit commercial uses within a predominantly residential building to be located above the second level. The proposed development would include medical office space for Mt. Sinai on the second and third levels of Building A.

The applicant requests a special permit to allow commercial uses to be located above the second level of Building A to provide medical office space.

Special Permit pursuant to Section 74-532 to allow, within a large-scale general development seeking bulk modifications in a transit zone, a waiver of required accessory residential off-street parking (C 170367 ZSM)

Section 25-23 requires that accessory off-street parking spaces be provided for at least 40 percent of new dwelling units in R9 zoning districts to households with incomes of at least 80 percent of AMI. The proposed development could include up to 322 units of affordable housing that would be rented to families earning at least 80 percent of AMI. In connection with those units, up to 129 off-street accessory parking spaces could be required as a part of the proposed development.

The applicant seeks a special permit to waive this requirement to facilitate the production of affordable housing.

Certification pursuant to Section 32-435 to waive the requirement that a minimum of 50 percent of a building wall facing upon a wide street be occupied by commercial use at the ground floor (N 170368 ZCM)

Section 32-435(c) requires that buildings with a minimum of 50 feet wide that front on wide streets must provide a minimum of 50 percent of retail uses (Use Group 6A, 6C and 6F) on such frontages.

The base of Building A would be located within the C2-5 district proposed to be mapped along

Madison Avenue. Within the C2-5 overlay, the base would be approximately 140 feet along Madison Avenue, a wide street, and 100 feet along East 112th Street, a wide street. Because these street walls are more than 50 feet wide, and front on wide streets, this requirement would apply.

The base of Building B would be located within the C2-5 district proposed to be mapped along Park Avenue. Within the C2-5 overlay, the base of this building would have a width of approximately 75 feet along Park Avenue and 100 feet along East 112th Street. Because these street walls are more than 50 feet wide and front on wide streets, this requirement would apply.

Building A would provide 100 percent retail continuity along Madison Avenue, but would only provide 40 percent of the required 50 percent of retail continuity on East 112th Street due to the location of the residential lobby. Building B would contain the DREAM charter school on the ground floor and therefore would not provide retail continuity on East 112th Street or Madison Avenue.

The requested certification would waive the retail continuity requirements in connection with the proposed development.

In addition to the actions listed above, the proposed development will also require an amendment to the Milbank-Frawley Urban Renewal Plan, which is being requested in connection with the proposed East Harlem Rezoning (C 170360 HUM).

ENVIRONMENTAL REVIEW

This application (C 170363 HAM), in conjunction with the related actions (C 170361 ZMM, N 170362 ZRM, C 170364 PQM, C 170365 ZSM, C 170366 ZSM, C 170367 ZSM and N 170368 ZCM) was reviewed as an alternative (the “Sendero Verde Development Alternative”) in connection with the East Harlem Neighborhood Rezoning applications (C 170358 ZMM, N 170359 ZRM, N 170359(A) ZRM and C 170360 HUM) pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City

Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 17DCP048M. The Lead Agency is the City Planning Commission.

It was determined that this application and related actions, considered collectively with the East Harlem Neighborhood Rezoning applications, may have significant adverse impacts on the environment. A Positive Declaration was issued on November 10, 2016, and distributed, published and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on November 10, 2016. A public scoping meeting was held on December 15, 2016. A Final Scope of Work was issued on April 21, 2017.

A DEIS was prepared and the Notice of Completion for the DEIS was issued on April 21, 2017. On August 23, 2017, a public hearing was held on the DEIS pursuant to SEQRA and other relevant statutes. A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public hearing on the DEIS was completed and a Notice of Completion for the FEIS was issued on September 19, 2017.

The FEIS analyzed this application and related actions collectively with the East Harlem Rezoning actions as the Sendero Verde Development Alternative in Chapter 22, “Alternatives,” of the FEIS. Based on that analysis, significant adverse impacts related to hazardous materials, air quality and noise would be avoided through provisions and requirements of the Land Disposition Agreement (LDA), as described below:

Hazardous Materials

This application and related actions would not result in significant adverse impacts associated with hazardous materials. Provisions to preclude hazardous materials impacts would be required through the LDA or similar binding mechanisms for those assemblages comprised of City-owned property.

Air Quality – Stationary Source

For Building A, the air quality analysis determined that with the fossil fuel-fired stacks on the roof of the building, there would be no significant adverse air quality impact. For

Buildings B and C, the air quality analysis determined that a natural gas restriction, a stack set back and height restriction, a building annual energy intensity factor for heating and hot water equipment, a Community Health Plan (CHP) equipment emissions restriction, and a requirement to utilize low Nitrogen Oxides (NOx) burners would be required.

Noise

Construction in accordance with the necessary window-wall attenuation requirements would be required through the LDA between HPD and the project sponsor. In order to maintain an acceptable indoor noise environmental under closed-window conditions, an alternate means of ventilation would also be required for these affected façades. Prior to the property disposition and allocation of construction financing by HPD for Sendero Verde, the project sponsor's architect of record would be required to demonstrate to HPD that these requirements will be met. If the project sponsor wishes to pursue a more detailed acoustical study to further refine the window-wall attenuation requirements for the Sendero Verde Development buildings at a later date, such effort would be coordinated with and subject to approval by HPD. With these requirements in place as part of the Sendero Verde Development, there would be no significant adverse impacts related to noise.

Significant adverse impacts for this application and related actions were identified in the FEIS with respect to historic and cultural resources, transportation (traffic and transit) and construction (noise). These impacts and measures to minimize or eliminate such impacts, where feasible and practicable, would be identified in and ensured through the LDA and are described below:

Historic and Cultural Resources – Construction

Construction under the Sendero Verde Development would occur within 90 feet of the Park Avenue Viaduct, a State and National Register (S/NR) -eligible resource. Therefore, construction under the Sendero Verde Development Alternative could potentially result in construction-related impacts. To preclude impacts to the Viaduct as a result of construction at the Sendero Verde Development Site, the LDA between HPD and the

project sponsor would require LPC review and approval of a Construction Protection Plan (CPP). The CPP would be developed in accordance with the requirements stipulated in the New York City DOB's TPN #10/88 and LPC guidelines described in "Protection Programs for Landmarked Buildings." If any future State or Federal sources of funding are sought in connection with construction of Sendero Verde, the CPP would also be subject to review and approval by the New York State Office of Parks, Recreation & Historic Preservation.

Transportation – Traffic

This application and related actions would result in additional significant adverse traffic impacts beyond those identified for the proposed actions of the East Harlem Neighborhood Rezoning (the "East Harlem Proposed Actions") for a total of 36 study area intersections during one or more analyzed peak hours, seven more than under the East Harlem Neighborhood Rezoning. Under the Sendero Verde Development Alternative, 41 lane groups at 27 intersections would be impacted (compared with 34 lane groups at 21 intersections under the East Harlem Proposed Actions) in the weekday AM peak hour, 22 lane groups at 18 intersections (compared with 17 lane groups at 14 intersections under the East Harlem Proposed Actions) in the midday, 44 lane groups at 33 intersections (compared with 34 lane groups at 25 intersections under the East Harlem Proposed Actions) in the PM, and 26 lane groups at 21 intersections (compared with 22 lane groups at 19 intersections under the East Harlem Proposed Actions) in the Saturday peak hour.

The traffic mitigation measures for the Sendero Verde Development Alternative would include implementation of traffic engineering improvements such as signal timing changes and modifications to curbside parking regulations. The recommended measures would provide mitigation for many of the traffic impacts anticipated under this alternative. However, unmitigated significant impacts would remain at a total of eight lane groups at three intersections in the weekday AM peak hour, one lane group at one

intersection in the weekday midday, eight lane groups at three intersections in the weekday PM peak hour, and two lane groups at one intersection in the Saturday peak hour. This compares with seven lane groups at two intersections in the weekday AM peak hour, eight lane groups at three intersections in the weekday PM peak hour, and one lane group at one intersection in each of the weekday midday and Saturday peak hours under the East Harlem Proposed Actions.

Transportation – Transit

Upon completion of the development facilitated by the application and related actions, a significant adverse impact would result during the AM peak hour at the street stair (S3/P3) of the 110th Street Lexington Avenue Line station located at the northwest corner of Lexington Avenue and East 110th Street. Mitigation measures could include widening of the stair (or an alternative measure). The Sendero Verde project sponsor are responsible for implementation of any required mitigation associated with this significant stair impact and will coordinate with New York City Transit (NYCT) to explore potential mitigation measures. In the event NYCT determines that there are no practicable mitigation measures, the significant adverse impact would be unavoidable.

Construction – Noise

This application and related actions have the potential to result in construction noise impacts on the facades of nearby residences fronting Madison Avenue, East 112th Street and East 111th Street. The detailed construction noise analysis utilized conservative assumptions in order to assess the potential for significant adverse impacts. Remaining mitigation and noise control measures, including source and path controls, were explored. However, in the event that all mitigation measures are determined to be feasible and practicable, some significant adverse construction noise impacts could potentially continue to be experienced at sensitive receptors and, as a result, be unavoidable. The developer, in consultation with HPD, will explore and employ mitigation measures specific to its construction activities once a construction management firm for the Sendero Verde Development project is retained.

A Technical Memorandum reflecting the Commission's modifications to the East Harlem Neighborhood Rezoning ("Technical Memorandum 002") was issued on September 29, 2017. With respect to the Sendero Verde Alternative, Technical Memorandum 002 provided clarification on the implementation of mitigation measure associated with the significant adverse transit impact. HPD and the selected developer are responsible for implementation of any required mitigation associated with the identified stair impact. Prior to executing the LDA with the selected developer, HPD will coordinate with NYCT to explore potential practicable and feasible mitigation measures to address this impact. In the event that the parties determine that there are no practicable and feasible mitigation measure, the significant adverse impact would be unavoidable. Overall, Technical Memorandum 002 concluded that the modifications to the applications associated with the East Harlem Neighborhood Rezoning would not have any new or different significant adverse impacts than those identified in the FEIS.

UNIFORM LAND USE REVIEW

This application (C 170363 HAM), in conjunction with the related actions (C 170361 ZMM, C 170364 PQM, C 170365 ZSM, C 170366 ZSM and C 170367 ZSM), was certified as complete by the Department of City Planning on April 24th, 2017 and was duly referred to Community Board 11 and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related applications for a zoning text amendment (N 170362 ZRM) and a City Planning Commission certification (N 170368 ZCM), which were referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 11 held a public hearing on the application (C 170363 HAM) on June 27, 2017 and on that date, by a vote of 29 in favor, five in opposition, and with three abstentions, adopted a resolution recommending approval with the following conditions:

- “The development shall be 100 percent permanently affordable
- Local hiring commitment shall include a guaranteed minimum of 10 percent, with a CB 11 target of 35 percent pre-construction, 35 percent during construction and 100 percent post-construction, with all community partners shall be subject to the same hiring requirements
- 25 percent income band at 130 percent AMI shall be reduced to 20 percent and apportioned among the buildings, the remaining five percent shall be reduced to under 60 percent AMI
- Codify that there is accessibility to the open space in perpetuity
- A management plan for the premise shall be in place prior to the vote of the MBP and Speaker
- The hours and availability of amenities shall be set forth clearly, and there shall be signage on the premise clearly conveying to the public that the public space may be used by the public
- CB 11 shall have final approval on the selection of any community partners selected for the premises and such partners shall be from the East Harlem Community
- There shall be compliance with ADA requirements throughout the entire project
- There shall be additional safety training beyond OSHA training and an on-site security monitor during construction and pre-apprenticeship and apprenticeship training
- The development team and anchor tenants come before the community board quarterly as the project progresses and after the project, as well as coming before the Manhattan Borough President, NYC Council, NYC Planning”.

Borough President Recommendation

This application (C 170363 HAM) was considered by the Manhattan Borough President, who issued a recommendation approving the application on August 2, 2017, 2017, with the following conditions:

- “1. That the applicant and the proposed developer work with our office, Community Board 11, the local Council Member, and the City to reach deeper levels of affordability below 30 percent AMI on the income-restricted units and increase the percentage of units at 30 percent AMI and below;
2. That the proposed developer include a locally-based mission-driven nonprofit developer and/or community land trust as an equity partner with sufficient leverage to ensure that the extension of the non-permanent units as income-restricted units is made a priority;
3. That the applicant commits to and provides a timeline for completing a study of how to enact “practical permanence” by using restrictive covenants on the deed to compel owners to extend the duration of affordability and regulatory requirements;
4. That the proposed developer develop a tower design that demonstrates an integrated and well-designed façade, taking into account factors such as street wall articulation and

amounts of fenestration, that will result in a prominent and distinctive building which complements the character of the surrounding area; and

5. That the applicant and the proposed developer commit to providing regular updates to the Board and demonstrate way they have incorporated both the Board's and my [Manhattan Borough President's] recommendations prior to the CPC vote."

City Planning Commission Public Hearing

On August 9, 2017 (Calendar No. 22), the City Planning Commission scheduled August 23, 2017 for a public hearing on this application (C 170363 HAM) and the applications for the related actions. The hearing was duly held on August 23, 2017 (Calendar No. 40). There were eight speakers in favor of the application and none apposed.

Four members of the applicant team spoke in favor of the project. The team included representatives from the applicant, HPD; the developer, Jonathan Rose Companies; the project architect team, Handel Architects; and land use attorneys, Holland & Knight. The representative from HPD provided an overview of the proposed project and the community engagement process that resulted in the eventual RFP for the development site. The representative of the developer stated an intention to provide green, affordable housing that increases social equity by providing publicly accessible open space and space for community gardens. The representative from the project architect team discussed the design and bulk distribution of the proposed development, indicating that the tallest portion would be located in the northwest corner of the development site, as the majority of existing high-rise development in the area is north and west of the development site, and that the community gardens, the open area and the shortest building of the proposed development would be located on the south side of the development site to optimize the amount of sunlight. The representative also stated that one of the goals of the design was to promote public accessibility to the site.

A representative from Union Settlement, a community partner with the developers, spoke in favor of the project. The speaker stated that he supported the proposed project because the proposed residential portion of the development would be 100 percent affordable with 20 percent of the total dwelling units being dedicated to households earning 30 percent of AMI or

less. The speaker then discussed the importance of providing permanently affordable units and noted that for units that will not be permanently affordable, the term of affordability will last for a period between of 40 and 60 years. The speaker also applauded the developer's local hiring plan and provided an overview of the programming for the Union Settlement.

A representative of Acacia Network, a community non-profit, spoke in favor of the project. The speaker indicated that the Acacia Network has deep roots in the community and is invested in ensuring that the design and services in the proposed development are appropriate for the East Harlem community. The speaker stated that the development team is committed to developing "a high quality affordable housing project for the community."

One representative from DREAM charter school, a community partner, spoke in favor of the project. The speaker, the Deputy Director of family and community engagement, described the history of the school in East Harlem and how the space for a permanent DREAM charter school would further benefit the community. One speaker, a resident of Washington Houses and a parent of a DREAM charter school student, expressed her enthusiasm and support for opening a DREAM charter high school in East Harlem.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application (C 170363 HAM), in conjunction with the related actions (C 170361 ZMM, N 170362 ZRM, C 170364 PQM, C 170365 ZSM, C 170366 ZSM, C 1703678 ZSM and N 170368 ZCM), is appropriate.

The proposed development would improve underutilized, vacant property by facilitating the development of three predominantly residential mixed-use buildings containing approximately 655 affordable dwelling units, community facility space for established non-profit organizations that provide important services to the neighborhood, commercial space for medical offices and retail, community gardens and publicly accessible open space.

The approximately 655 affordable dwelling units resulting from the proposed development

would be affordable to households at a mix between 30 percent of AMI and 130 percent of AMI. Further, with MIH, 20 percent of the residential floor area, or approximately 108,814 square feet, will be required to be permanently affordable to households at an average of 40 percent of AMI. The Commission believes that this will help to meet the significant affordable housing needs in Manhattan generally and in Manhattan Community Board 11 specifically.

The proposed development would provide significant publicly accessible open space, in the form of an inner courtyard and space for community gardens. Multiple access points to the courtyard, consisting of a stair and elevator on the Madison Avenue frontage, an ADA-accessible pathway through the community gardens on the East 111th Street frontage and through the rear entrances of the adjoining community facility spaces, would help make the space visible and inviting. The project's restrictive declaration would not only ensure that the courtyard, through a future Chairperson certification, is well designed to serve its intended purpose for passive recreation, but also that it will be accessible to the public during the specified hours of 8:00 am to 6:00 pm from November 1 to April 14, and during the hours of 8:00 am to 8:00 pm from April 15 to October 31, and be adequately maintained. The Commission believes that providing publicly accessible open space will benefit the East Harlem community and the City as a whole.

The related application for a zoning map amendment (C 170361 ZMM) is appropriate and consistent with the development patterns found in the surrounding area. The Commission believes that the proposed development would enliven an underutilized block with active ground floor uses and that the R9 zoning regulations would permit a development that is compatible with the scale of existing nearby developments.

The proposed zoning text amendment (N 170362 ZRM) is appropriate. Designating the project area as an MIH area would ensure permanent affordability for a portion of the units on the site. The Deep Affordability Option requires that at least 20 percent of the residential floor area be provided for households at an average of 40 percent AMI.

The proposed acquisition of a portion of the disposition area by the City (C 170364 PQM) is appropriate. The City would acquire the community garden area upon, or prior to, completion

of the project. Upon acquisition by the City, the community garden area would be placed under the jurisdiction of DPR. Four of the six existing gardens would be relocated on the development site, after construction. The remaining two gardens have been offered relocation sites within other nearby existing DPR-licensed gardens.

The request for a special permit for bulk waivers pursuant to Section 74-743 of the Zoning Resolution (C 170365 ZSM) is appropriate. The Commission believes that the proposed bulk distribution would result in a better site plan that results in a better relationship with the development in the surrounding area. The majority of the bulk would be located on the frontage of two wide streets and is close to the tallest existing buildings surrounding the site. The remaining bulk would be distributed among two shorter buildings in a way that is harmonious with the mid-rise developments on the East 111th Street and Madison Avenue frontages. The proposed bulk distribution would also facilitate a raised courtyard accessible to the public, providing the community with much needed open space, and south-facing community gardens with maximum exposure to sunlight. The Commission believes that the proposed bulk distribution would not unduly increase the bulk of buildings in any one block or unduly obstruct access to light and air to the project area, nearby blocks or public streets. The proposed development offers varied building envelopes that facilitate an even distribution of light and air on the project area, adjacent blocks and surrounding public streets. The Commission also believes that the streets surrounding the proposed development would be adequate to handle additional traffic resulting from the proposed development, as the project area is bounded by three wide streets, East 112th Street, Madison and Park Avenues, which are capable of handling high volumes of traffic. Additionally, no accessory parking would be provided as a part of the proposed development. Finally, the Commission notes that a Restrictive Declaration with ownership requirements has been filed.

The request for a special permit pursuant Section 74-744(b) of the Zoning Resolution (C 170366 ZSM) to permit commercial use above the second level within a mixed use building is appropriate. The Commission notes that commercial uses would be located in a portion of Building A that has separate access to the outside and would not have any opening to the

residential portion of the building. Building A is proposed to contain medical office space, in connection with Mt. Sinai, on the second and third stories. The commercial space would have a separate building entrance on East 112th Street and would not provide openings to the residential portion of the development at any level. The Commission believes that the commercial uses would not be located above any story containing dwelling units and that the commercial space on the third level of Building A would not have adverse impacts on other uses within the building.

The request for parking waivers pursuant to Section 74-532 of the Zoning Resolution (C 170367 ZSM) is appropriate. The Commission believes that the reduction in the number of required accessory spaces would facilitate the creation of affordable housing by reducing the cost associated with providing the amount of parking that would otherwise be required. The Commission also believes that the reduction of parking spaces would result in a better site plan. Curb cuts or access ramps that would be required in connection with providing accessory parking would reduce the amount of public amenities, such as the publicly accessible courtyard and the community gardens, on the site and the lack of such curb cuts or access ramps allows for a seamlessly integrated pedestrian experience that would not be achievable if parking were provided on the site.

The request to waive the retail continuity requirements pursuant to Section 32-435 of the Zoning Resolution (N 170368 ZCM) is appropriate. Building A will provide sufficient retail continuity along Madison Avenue but will provide 40 percent of the required 50 percent of retail continuity on East 112th Street due to the location of the residential lobby. Building B will contain the DREAM charter school at ground floor and will not provide retail continuity on East 112th Street or Madison Avenue. The Commission certifies that an adequate supply of retail uses can be found at the ground floor level in the surrounding area and that the requested waivers are appropriate.

The Commission acknowledges that the development team have committed, in a letter to the Community Board dated July 27, 2017, to ensuring that the open space will be ADA-accessible and accessible to the public in perpetuity, and that appropriate public space signage will be

provided. These requirements are contained in a Large-Scale General Development restrictive declaration. The development team further stated that the maintenance plan for the courtyard would be addressed through a common elements agreement among the eventual owners of the three buildings and the DREAM condo unit, which would require all four owners to pay a proportionate share of the courtyard maintenance.

RESOLUTION

RESOLVED, that having considered the Sendero Verde Development Alternative in the Final Environmental Impact Statement (FEIS) of the Harlem Neighborhood Rezoning applications, for which a Notice of Completion was issued on September 19, 2017, with respect to this application (CEQR No. 17DCP048M), and the Technical Memorandum, dated September 29, 2017, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the Sendero Verde Development Alternative of the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Land Disposition Agreement(s) with the City, those project components related to the environment and mitigation measures determined to be practicable.

The report of the City Planning Commission, together with the FEIS and the Technical Memorandum dated September 29, 2017, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission finds that the action described herein will

have no significant impact on the environment; and

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located on the block generally bounded by East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122) in Community District 11, Borough of Manhattan, as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development have also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, be it further **RESOLVED**, that the City Planning Commission, after due considerations of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

- a) the designation of property located on the block generally bounded by East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122) as an Urban Development Action Area; and
- b) an Urban development Action Area Project for such area; and

BE IT FURTHER RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and development, for the disposition of City-owned property located on the block generally bounded by East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122) in Community District 11, Borough of Manhattan, to a developer

to be selected by the Department of Housing Preservation and development, is approved (C 170363 HAM).

The above resolution (C 170363 HAM), duly adopted by the City Planning Commission on October 2, 2017 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

RAYANN BESSER, ALFRED C. CERULLO, III,

MICHELLE R. DE LA UZ, JOSEPH DOUEK, RICHARD W. EADDY,

CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ *Commissioners*

Application #: **C 170367 ZSM**

CEQR Number: 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s): Manhattan

Community District Number(s): 11

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Return this completed page at least fourteen (14) days before the scheduled hearing date by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include in the subject line: (CB or BB) Public Hearing Notice + (6-digit application number), e.g., "CB Public Hearing Notice #C100000ZSQ"
 - MAIL:** Calendar Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all required accessory residential off-street parking spaces, in connection with a proposed mixed use development, within a large scale general development, in the Transit Zone, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts, Borough of Manhattan, Community District 11.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488			
Notification submitted by: Manhattan Community Board 11			
Date of Public Hearing: May 16, 2017		Time: 6:30 pm	
Hearing Location: Silverman School of Social Work 2180 Third Avenue, NY NY			
Name of CB/BB officer completing this form Angel Mescau		Title District Manager	
		Date 5/5/17	

Application #: **C 170366 ZSM**

CEQR Number: 17DCP048M

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- Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-421 (Location of commercial uses) to allow Use Group 6 uses on portions of the third floor of a proposed building (Building A), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9/C2-5* Districts, Borough of Manhattan, Community District 11.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488			
Notification submitted by: Manhattan Community Board 11			
Date of Public Hearing: MAY 16, 2017			Time: 6 ³⁰ pm
Hearing Location: Silberman School of Social Work 2180 Third Avenue, NY NY			
Name of CB/BB officer completing this form Angel Mesca		Title District Manager	Date 5/5/17

Application #: **C 170366 ZSM**

CEQR Number: 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s): Manhattan

Community District Number(s): 11

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 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-64 (Basic Height and Setback Requirements), 23-65 (Tower Regulations), 23-651 (Tower-on-a-base) and the rear yard requirements of Sections 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 24-382 (Require Rear Yard Equivalents), in connection with a proposed mixed used development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488			
Notification submitted by: Manhattan Community Board 11			
Date of Public Hearing: MAY 16, 2017		Time: 6:30 PM	
Hearing Location: SILVERMAN SCHOOL OF SOCIAL WORK 2180 Third Avenue, NY NY			
Name of CB/BB officer completing this form Angel Mesoria		Title District Manager	
		Date 5/5/17	

Application # **C150364 PQM**

CEQR Number: 17HPD048M

Project Name **Sendero Verde - East 111th Street**

Borough(s): Manhattan

Community District Number(s): 11

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- **MAIL:** Calendar Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
- **FAX:** to (212) 720-3356 and note "Attention of the Calendar Office"

2. Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter, for acquisition of property generally located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 22, 35, 121, 122 and parts of Lots 23, 25, 28, 37) for use as passive recreation space and community gardens, Borough of Manhattan, Community District 11.

Applicant(s): NYC Housing Preservation and Development 100 Gold Street 9G11 New York, NY 10038		Applicant's Representative: Veanda Simmons (HPD) 212-863-8350	
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488			
Notification submitted by: Manhattan Community Board 11			
Date of Public Hearing: May 16, 2017		Time: 6:30 pm	
Hearing Location: Silberman School of Social Work 2180 Third Avenue, NY NY 10035			
Name of CB/BB officer completing this form Angel Mescahi	Title District Manager	Date 5/5/17	

Application # **C150363 HAM**

CEQR Number: 17HPD048M

Project Name: **Sendero Verde - East 111th Street**

Borough(s): Manhattan

Community District Number(s): 11

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 - MAIL:** Calendar Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** to (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122), as an Urban Development Action Area; and
 - an Urban Development Action Area Project for such area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of large scale general development consisting of three mixed-use buildings with commercial and community facility uses on the lower levels, a total of approximately 655 affordable dwelling units on the upper levels and community gardens, Borough of Manhattan, Community District 11.

Applicant(s): NYC Housing Preservation and Development 100 Gold Street 9G11 New York, NY 10038		Applicant's Representative: Veanda Simmons (HPD) 212-863-8350	
Contact: Address questions about this application to the following DCP office. DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488			
Notification submitted by: Manhattan Community Board 11			
Date of Public Hearing: MAY 16, 2017			Time: 6:30 pm
Hearing Location: Silberman School of Social Work 2180 Third Avenue, NY NY			
Name of CB/BB officer completing this form Angel mesain	Title District Manager	Date 5/5/17	

Application #: **C 170361 ZMM**

CEQR Number: 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s): Manhattan

Community District Number(s): 11

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Return this completed page at least fourteen (14) days before the scheduled hearing date by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include in the subject line: (CB or BB) Public Hearing Notice + (6-digit application number), e.g., "CB Public Hearing Notice #C100000ZSQ"
 - MAIL:** Calendar Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b:

- eliminating from within an existing R7-2 District a C1-4 District bounded by:
 - East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;
- changing from an R7-2 District to an R9 District property bounded by East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and Madison Avenue; and
- establishing within the proposed R9 District a C2-5 District bounded by:
 - East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street and a line 100 feet westerly of Park Avenue;

Borough of Manhattan, Community District 11, as shown on a diagram (for illustrative purposes only) dated April 24, 2017.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488			
Notification submitted by: Manhattan Community Board 11			
Date of Public Hearing: MAY 16, 2017			Time: 5:00
Hearing Location: Silberman School of Social Work 2180 Third Avenue, NY NY			
Name of CB/BB officer completing this form Angel Mescaia		Title District Manager	Date 5/5/17

Application # C 170361 ZMM	Project Name: Sendero Verde - East 111th Street
CEQR Number: 17DCP048M	Borough(s): Manhattan
	Community District Number(s): 11
Please use the above application number on all correspondence concerning this application	

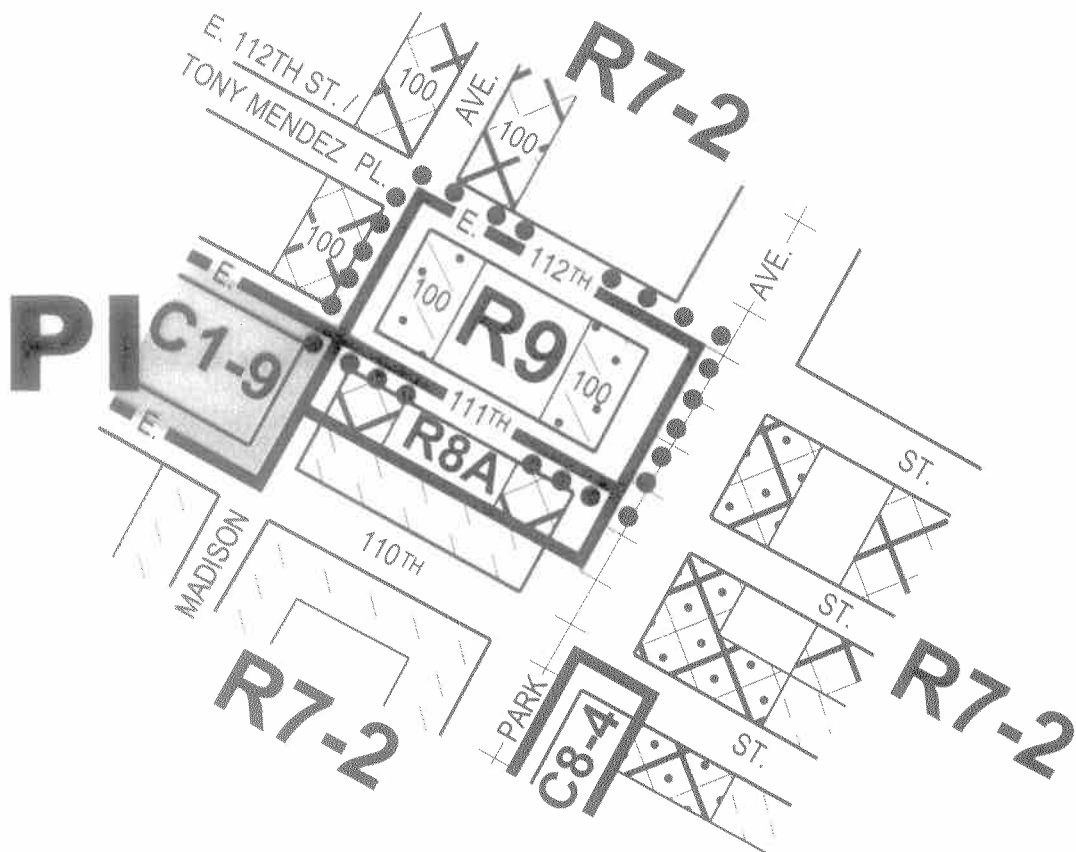
Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b:

- eliminating from within an existing R7-2 District a C1-4 District bounded by:
 - East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;
- changing from an R7-2 District to an R9 District property bounded by East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and Madison Avenue; and
- establishing within the proposed R9 District a C2-5 District bounded by:
 - East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;

Borough of Manhattan, Community District 11, as shown on a diagram (for illustrative purposes only) dated April 24, 2017.

Related Applications	N 170362 ZRM C 170363 HAM	C170364 PQM C 170365 ZSM	C 170366 ZSM C 170367 ZSM	N 170368 ZCM
Applicant(s): NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038			Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: <i>Address questions about this application to the following DCP office:</i> DEPARTMENT OF CITY PLANNING Manhattan Office Address: 120 Broadway, 31th Fl., New York, NY 10271-0001 Phone: 212-720-3480 Fax: 212-720-3488				
Public Review Timeline: On April 24, 2017 the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on May 3, 2017 and must be completed by July 3, 2017				



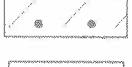
CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP
6b
BOROUGH OF
MANHATTAN


S. Lenard, Director
Technical Review Division

New York, Certification Date
APRIL 24, 2016



NOTE:

-  Indicates Zoning District Boundary.
-  The area enclosed by the dotted line is proposed to be rezoned by eliminating C1-4 Districts from within an existing R7-2 District, by changing an R7-2 District to an R9 District and by establishing C2-5 Districts within the proposed R9 District.
-  Indicates a C1-4 District.
-  Indicates a C1-5 District.
-  Indicates a C2-4 District.
-  Indicates a C2-5 District.
-  Indicates a Special Park Improvement District (PI).

Application # **C 170361 ZMM**

CEQR Number 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s): **Manhattan**

Community District Number(s): **11**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

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 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b:

- eliminating from within an existing R7-2 District a C1-4 District bounded by:
 - East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;
- changing from an R7-2 District to an R9 District property bounded by East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and Madison Avenue; and
- establishing within the proposed R9 District a C2-5 District bounded by:
 - East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue

Borough of Manhattan, Community District 11, as shown on a diagram (for illustrative purposes only) dated April 24, 2017.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Recommendation submitted by: Manhattan Community Board 11			
Date of public hearing: 6/27/2017		Location: National Black Theatre 203 5th Avenue, New York, NY 10035	
Was a quorum present? YES ☒ NO ☐		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 6/27/2017		Location: National Black Theatre 203 5th Avenue,	
RECOMMENDATION ☐ Approve ☐ Disapprove ☒ Approve With Modifications/Conditions ☐ Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 29 # Against: 5 # Abstaining: 3 Total members appointed to the board: 49			
Name of CB/BB officer completing this form Thomas Herrera		Title: Assistant District Manager Date: 7/3/2017	

NOTICE OF CERTIFICATION

Pursuant to the Uniform Land Use Review Procedure

Application # C170363 HAM CEQR Number 17HPD048M	Project Name: Sendero Verde - East 111th Street Borough(s) Manhattan Community District Number(s) 11
Please use the above application number on all correspondence concerning this application	

Docket Description

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD);

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of large scale general development consisting of three mixed-use buildings with commercial and community facility uses on the lower levels, a total of approximately 655 affordable dwelling units on the upper levels and community gardens, Borough of Manhattan, Community District 11.

Related Applications	C170361 ZMM, C170362 ZRM,	C170364 PQM,	C170365 ZSM, C170366 ZSM,	C170367 ZSM, C170368 ZCM,
Applicant(s): NYC Housing Preservation and Development 100 Gold Street New York, NY 10038			Applicant's Representative: Veanda Simmons (HPD) 212-863-8350	
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488				
Public Review Timeline: On April 24, 2017 the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on May 3, 2017 and must be completed by July 3, 2017				

Application #: **C170363 HAM**

CEQR Number: 17HPD048M

Project Name: **Sendero Verde - East 111th Street**

Borough(s): **Manhattan**

Community District Number(s): **11**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122), as an Urban Development Action Area; and
 - an Urban Development Action Area Project for such area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of large scale general development consisting of three mixed-use buildings with commercial and community facility uses on the lower levels, a total of approximately 655 affordable dwelling units on the upper levels and community gardens, Borough of Manhattan, Community District 11.

Applicant(s): NYC Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons (HPD) 212-863-8350	
Recommendation submitted by: <i>Manhattan Community Board 11</i>			
Date of public hearing: <i>6/27/2017</i>		Location: <i>National Black Theatre 2031 5th Avenue, New York, NY 10035</i>	
Was a quorum present? YES ☒ NO ☐		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: <i>6/27/2017</i>		Location: <i>National Black Theatre 2031 5th Avenue, New York, NY 10035</i>	
RECOMMENDATION ☐ Approve ☐ Disapprove ☒ Approve With Modifications/Conditions ☐ Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: <i>29</i> # Against: <i>5</i> # Abstaining: <i>3</i> Total members appointed to the board: <i>49</i>			
Name of CB/BB officer completing this form <i>Thomas Herrera</i>		Title <i>Assistant District Manager</i>	Date <i>7/3/2017</i>

Application #: C170364 PQM CEQR Number: 17HPD048M	Project Name: Sendero Verde - East 111th Street  Borough(s): Manhattan Community District Number(s): 11
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Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF an application submitted by Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter, for acquisition of property generally located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 22, 35, 121, 122 and parts of Lots 23, 25, 28, 37) for use as passive recreation space and community gardens, Borough of Manhattan, Community District 11.

Related Applications:	C170361 ZMM, C170362 ZRM,	C170363 HAM,	C170365 ZSM, C170366 ZSM,	C170367 ZSM, C170368 ZCM,
Applicant(s): NYC Housing Preservation and Development 100 Gold Street New York, NY 10038			Applicant's Representative: Veanda Simmons (HPD) 212-863-6275	
Contact: <i>Address questions about this application to the following DCP office:</i> DEPARTMENT OF CITY PLANNING Manhattan Office Address: 22 Reade Street, 6th Fl. West, New York, NY 10007-1216 Phone: 212-720-3480 Fax: 212-720-3488				
Public Review Timeline: On April 24, 2017 the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on May 3, 2017 and must be completed by July 3, 2017				

Application #: **C170364 PQM**

CEQR Number: 17HPD048M

Project Name: **Sendero Verde - East 111th Street**

Borough(s): **Manhattan**

Community District Number(s): **11**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

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 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
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Docket Description:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter, for acquisition of property generally located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 22, 35, 121, 122 and parts of Lots 23, 25, 28, 37) for use as passive recreation space and community gardens, Borough of Manhattan, Community District 11.

Applicant(s): NYC Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons (HPD) 212-863-8350	
Recommendation submitted by: Manhattan Community Board 11			
Date of public hearing: 6/27/2017		Location: National Black Theatre 2031 5 th Avenue, New York, NY 10035	
Was a quorum present? YES ☒ NO ☐		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 6/27/2017		Location: National Black Theatre 2031 5 th Avenue, New York, NY 10035	
RECOMMENDATION ☐ Approve ☒ Approve With Modifications/Conditions ☐ Disapprove ☐ Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 29 # Against: 5 # Abstaining: 3 Total members appointed to the board: 49			
Name of CB/BB officer completing this form Thomas Herren		Title Assistant District Manager Date 7/3/2017	

NOTICE OF CERTIFICATION

Pursuant to the Uniform Land Use Review Procedure

Application #: **C 170365 ZSM**

CEQR Number: 17DCP048M

Project Name: **Sendero Verde - East 111th Street**

Borough(s): **Manhattan**

Community District Number(s): **11**

Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-64 (Basic Height and Setback Requirements), 23-65 (Tower Regulations), 23-651 (Tower-on-a-base) and the rear yard requirements of Sections 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 24-382 (Require Rear Yard Equivalents), in connection with a proposed mixed used development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Related Applications:	C 170361 ZMM N 170362 ZRM	C 170363 HAM C 170364 PQM	C 170366 ZSM C 170367 ZSM	N 170368 ZCM
Applicant(s): NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038			Applicant's Representative: Veanda Simmons NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: <i>Address questions about this application to the following DCP office:</i> DEPARTMENT OF CITY PLANNING Manhattan Office Address: 120 Broadway, 31th Fl., New York, NY 10271-0001 Phone: 212-720-3480 Fax: 212-720-3488				
Public Review Timeline: On April 24, 2017 the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on May 3, 2017 and must be completed by July 3, 2017				

Application # **C 170366 ZSM**

CEQR Number 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s) **Manhattan**

Community District Number(s): **11**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
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Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-64 (Basic Height and Setback Requirements), 23-65 (Tower Regulations), 23-651 (Tower-on-a-base) and the rear yard requirements of Sections 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 24-382 (Require Rear Yard Equivalents), in connection with a proposed mixed used development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Recommendation submitted by: <i>Manhattan Community Board 11</i>			
Date of public hearing: <i>6/27/2017</i>		Location: <i>National Black Theatre 2031 5th Ave, New York, NY 10035</i>	
Was a quorum present? YES ☒ NO ☐		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote:		Location: <i>National Black Theatre 2031 5th Ave, New York, NY 10035</i>	
RECOMMENDATION ☐ Approve ☐ Disapprove ☒ Approve With Modifications/Conditions ☐ Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: <i>29</i> # Against: <i>5</i> # Abstaining: <i>3</i> Total members appointed to the board: <i>49</i>			
Name of CB/BB officer completing this form <i>Thomas Herrera</i>		Title <i>Assistant District Manager</i>	
		Date <i>7/3/2017</i>	

Application #: C 170367 ZSM	Project Name: Sendero Verde East - 111th Street
CEQR Number 17DCP048M	Borough(s): Manhattan
	Community District Number(s): 11
Please use the above application number on all correspondence concerning this application	

Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all required accessory residential off-street parking spaces, in connection with a proposed mixed use development, within a large scale general development, in the Transit Zone, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts, Borough of Manhattan, Community District 11.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Related Applications	C 170361 ZMM N 170362 ZRM	C 170363 HAM C 170364 PQM	C 170365 ZSM C 170366 ZSM	N 170368 ZCM
Applicant(s): NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038			Applicant's Representative: Veanda Simmons NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: <i>Address questions about this application to the following DCP office:</i> DEPARTMENT OF CITY PLANNING Manhattan Office Address: 120 Broadway, 31th Fl., New York, NY 10271-0001 Phone: 212-720-3480 Fax: 212-720-3488				
Public Review Timeline: On April 24, 2017 the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on May 3, 2017 and must be completed by July 3, 2017				

Application # **C 170367 ZSM**

CEQR Number 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s): Manhattan

Community District Number(s): 11

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

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Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all required accessory residential off-street parking spaces, in connection with a proposed mixed use development, within a large scale general development, in the Transit Zone, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts, Borough of Manhattan, Community District 11.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Recommendation submitted by: Manhattan Community Board 11			
Date of public hearing: 6/27/2017		Location: National Black Theatre 2031 5 th Avenue, New York, NY 10035	
Was a quorum present? YES ☒ NO ☐		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 6/27/2017		Location: National Black Theatre 2031 5 th Avenue, New York, NY 10035	
RECOMMENDATION ☐ Approve ☐ Disapprove ☒ Approve With Modifications/Conditions ☐ Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 29 # Against: 5 # Abstaining: 3 Total members appointed to the board: 49			
Name of CB/BB officer completing this form Thomas Herrera		Title Assistant District Manager	Date 7/3/2017

Application #: C 170366 ZSM	Project Name: Sendero Verde - East 111th Street
CEQR Number 17DCP048M	Borough(s): Manhattan
	Community District Number(s): 11
Please use the above application number on all correspondence concerning this application	

Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-421 (Location of commercial uses) to allow Use Group 6 uses on portions of the third floor of a proposed building (Building A), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9/C2-5* Districts, Borough of Manhattan, Community District 11.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Related Applications:	C 170361 ZMM N 170362 ZRM	C 170363 HAM C 170364 PQM	C 170365 ZSM C 170367 ZSM	N 170368 ZCM
Applicant(s): NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038			Applicant's Representative: Veanda Simmons NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: <i>Address questions about this application to the following DCP office:</i> DEPARTMENT OF CITY PLANNING Manhattan Office Address: 120 Broadway, 31th Fl., New York, NY 10271-0001 Phone: 212-720-3480 Fax: 212-720-3488				
Public Review Timeline: On April 24, 2017 the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on May 3, 2017 and must be completed by July 3, 2017				

Application #: **C 170366 ZSM**

CEQR Number: 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s): Manhattan

Community District Number(s): 11

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-421 (Location of commercial uses) to allow Use Group 6 uses on portions of the third floor of a proposed building (Building A), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9/C2-5* Districts, Borough of Manhattan, Community District 11.

* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Recommendation submitted by:			
Date of public hearing: 6/27/2017		Location: National Black Theatre 2031 5 th Avenue, New York, NY 10035	
Was a quorum present? YES ☒ NO ☐		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 6/27/2017		Location: National Black Theatre 2031 5 th Avenue, New York, NY 10035	
RECOMMENDATION ☐ Approve ☒ Approve With Modifications/Conditions ☐ Disapprove ☐ Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 29 # Against: 5 # Abstaining: 3 Total members appointed to the board: 49			
Name of CB/BB officer completing this form Thomas Herrera		Title Assistant District Manager Date 7/3/2017	



NOTICE OF CERTIFICATION

Pursuant to the Uniform Land Use Review Procedure

Application #: **C 170368 ZSM**

CEQR Number: 17DCP048M

Project Name: **Sendero Verde East 111th Street**

Borough(s): **Manhattan**

Community District Number(s): **11**

Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF an application submitted by [...]

Related Applications:	170361 ZMM N 170362 ZRM	170363 HAM 170364 PQM	170365 ZSM 170366 ZSM	N 170367 ZCM
Applicant(s): New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038			Applicant's Representative: Veanda Simmons New York City Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	
Contact: <i>Address questions about this application to the following DCP office</i> DEPARTMENT OF CITY PLANNING Manhattan Office Address: 120 Broadway, 31th Fl., New York, NY 10271-0001 Phone: 212-720-3480 Fax: 212-720-3488				
Public Review Timeline: On April 24, 2017 the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on May 3, 2017 and must be completed by July 3, 2017				



Diane Collier
Chair

Angel D. Mescain
District Manager

COMMUNITY BOARD ELEVEN

BOROUGH OF MANHATTAN
1664 PARK AVENUE
NEW YORK, NEW YORK 10035
TEL: (212) 831-8929/30
FAX: (212) 369-3571
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June 29th, 2017

Marisa Lago
Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Recommendation on ULURP Application Nos. C 170361 ZMM, C 150363 HAM, C 150364 PQM, C 170365 ZSM, C 170366 ZSM, C 170367 ZSM and C 170368 ZSM Sendero Verde 111th Street

Dear Director Lago,

On June 27th, 2017, Community Board 11 (CB11) held a public hearing and voted on the land use applications submitted by development team of NYC Department of Housing Preservation Development (HPD), Jonathan Rose and L&M Development with respect to their proposed mixed-use development project to be built on the majority of Block 1617 which is bound by 111th Street, 112th Street, Park Avenue, and Madison Avenue within our district.

The proposed development, Sendero Verde, would be comprised of three mixed-use buildings, ranging from 10-37 stories, containing a total of approximately 655 affordable residential units and with community partners Dream Charter School, Union Settlement, Harlem YMCA, Mount Sinai, Urban Market occupy 32,194 zoning square feet (zsf) of commercial space, and 142,185 zsf of community facility space. In addition, there will be a garden area to house four existing Green Thumb gardens along Park Avenue and East 111th Street.

The Sendero Verde project team is seeking approval of several actions to facilitate the development of this project, including approval of an Urban Development Action Area Project (UDAAP) area designation and project approval, and the disposition of City-owned parcels. Additionally, the project team seeks approval to acquire a portion of the Disposition Area for use as approximately four community gardens and a publically accessible path following disposition. The team also proposes a zoning map amendment and a zoning text amendment for the entirety of Block 1617, which includes the Disposition Area and two privately-owned parcels, Block 1617, Lots 21 and 34 in the East Harlem neighborhood of Manhattan Community District 11. Finally, the team will seek a special permit for the creation of Large Scale General Development to facilitate the urban design requirement of the Proposed Development.

PROJECT DESCRIPTION

In 2014, the City announced that East Harlem was among the first neighborhoods identified for zoning changes as a part of Mayor de Blasio's *Housing New York* plan. In response, Council Speaker Mark-Viverito convened a steering committee to establish a process for community-based planning. The steering committee, composed of community organizations, the Council Speaker's Office, Manhattan Community Board No. 11 and the Manhattan Borough President, undertook the preparation of the East Harlem Neighborhood Plan ("EHNP"). Objectives and recommendations contained in the Plan include the following: preservation of important East Harlem buildings and the reinforcement of neighborhood character; increased density in select places to increase affordable housing and space jobs; improvement and creation of more services and amenities for the East Harlem community through any new development on private and public sites.

On October 18, 2016, the Department of City Planning released its East Harlem Neighborhood Study, a draft zoning framework for the East Harlem Neighborhood—proposing various actions, including zoning map and text amendments to key corridors within the East Harlem Neighborhood Plan. The Study builds off the community planning process that resulted in the East Harlem Neighborhood Plan and aims to continue to meeting the housing goals outlined in the Mayor's Housing New York plan. It contemplates the rezoning of East Harlem between roughly East 104th Street and East 132nd Street and Second Avenue and Park Avenue. The proposed zoning changes respond to the recommendations of the East Harlem Neighborhood Plan and are intended to meet the following goals:

- Creating New Housing opportunities, with zoning that will allow construction of new affordable housing and preservation of existing housing;
- Emphasizing job creation and economic development that will benefit residents of the neighborhood;
- Improving streetscapes for pedestrians through enhanced urban design, commercial storefront guidelines, and zoning to maintain and strengthen the neighborhood's rich retail corridors;
- Guiding new development to corridors with rich transit access while ensuring that areas with cohesive low-scale character are respected; and
- Working in concert with other City agencies to identify and prioritize capital investments benefitting existing neighborhood residents.

In addition, the ULURP for the East Harlem rezoning proposes amendments to the Milbank Frawley Circle-East Urban Renewal Plan, to facilitate development on a number of sites along the Park Avenue corridor, including the Development Site.

In February 2016, community workshops were convened by HPD, City Council Speaker Melissa Mark-Viverito, Manhattan Borough President Gale Brewer, and Manhattan Community Board No.11 to gather input on community priorities for the Development Site. Following the workshop, HPD issued a Request for Proposals ("RFP") to solicit proposals for a mixed-use development with affordable housing and community amenities that met passive housing standards. The Proposed Development is the result of that RFP process.

Proposed Development

The Proposed Development includes the construction of three predominantly residential missed-use buildings as well as space for community gardens and a public path. In total, the Proposed development contains approximately 718,447 square feet of floor area (9.15 FAR) (approximately 785,398 gross square feet (gsf), of which approximately 544,069 square feet (7.10 FAR) will be residential (approximately 587,740 gsf), 32,194 square feet (0.44 FAR) will be commercial (approximately 30,218 gsf), and 142,185 square feet (1.60 FAR) of community facility (approximately 161,440 gsf). It will occupy all frontages on Block 1617 along East 111th Street, Madison Avenue, East 112th Street, and Park Avenue – not otherwise occupied by the non-City-owned parcels (Lots 21 and 34). The development assumes the creation of a Large Scale General Development that will merge all existing zoning lots into one zoning lot to be memorialized through a Zoning Lot and Development Agreement.

The three predominantly residential buildings will contain approximately 655 affordable dwelling units with a mix of studio, one, two, and three bedroom units. It is anticipated that the units will provide housing for individuals and families at a mix of income between 30% and 130% AMI.

In addition to the residential uses described above, the Proposed Development is anticipated to include a number of community facility uses, including spaces for a non-profit fitness center, a charter school, and a non-profit office. These community facility uses will occupy the majority of the street frontage along East 111th Street and the middle portion of East 112th Street. The Proposed development is anticipated to also include space for medical offices and retail. The proposed retail would occupy the Madison Avenue frontage of the Development Site. There will be no accessory parking as part of the Proposed Development.

Within the Proposed Development, the height of the three buildings ranges from 10 to 37 stories and between 117 and 432 feet to the top of the mechanical bulkhead.

Building A is proposed to be located at the intersection of Madison Avenue and East 112th Street. It is proposed to have a three story base that rises to between 47 feet and up to 85 feet. Above the base, the building would set back the required 10 feet from the street line, and then rise to 37 stories, with a roof height of 418.5 feet and a development envelope height of 458.5 feet. Building A will contain approximately 365 residential units with approximately 308,723 zsf of residential, approximately 10,311 zsf of community facility use, and approximately 32,194 zsf of commercial, which includes a local supermarket.

Building B is proposed to be located along the remainder of the East 112th Street Frontage, and wrap around along Madison Avenue for a depth of approximately 72 feet. It is proposed to have

up to a five story base that rises to approximately 79.5 feet and up to 85.0 feet above the base plane. Above the base, the building would set back the required 10 feet from the street line, then rise to a height of 15 stories, with a roof height of 192.5 feet, and a development envelope height of 218.5 feet. Building B will contain approximately 211 residential units with approximately 163,945 zsf of residential use, approximately 120,934 zsf of community facility use, which includes the DREAM charter school.

Building C is proposed to be located on the mid-block frontage of East 111th Street. It is proposed to have up to a seven story base that rises to approximately 85.0 to 94.34 feet above base plane. Above the base, the building would rise to a height of 10 stories, with a roof height of 131.34 feet above the base plane, and a development envelope height of approximately 151.34 feet. Building C will contain approximately 79 residential units with approximately 71,401 zsf of residential use, and approximately 10,941 zsf of community facility use.

The façade of the buildings recedes and projects, providing articulation and breaking up the bulk of the building profile. Alternating paneling along the building façade, as well as different treatments for the base of the buildings, provides further visual variability to the overall design. Extensive glazing along the ground floor of the buildings will encourage active streets and further enhance the aesthetic variety of the design.

Buildings A, B, and C will be built to Passive House standards. To achieve passive certification, the project will utilize superior building insulation methods. The project will also employ a number of sustainability features, including a storm-water detention tank to provide recycled water to the on-site community gardens, bioswales and street trees on the sidewalks surrounding the site, photovoltaic arrays on each of the bulkheads, and green roofs with featuring solar pergolas with photovoltaic arrays.

The proposed buildings will form an approximately 264.0' x 63.42' courtyard within the center of the Proposed Development. The courtyards formed by the proposed buildings will provide passive, landscaped recreation space and proposes to include features such as a medicinal garden, seating, and general green space. Public entrances to the courtyards are proposed along Park Avenue, through a staircase and elevator, as well as along East 111th Street, through an ADA accessible path. The courtyard will also be accessible through rear entrances in the adjoining community facility spaces.

As part of the Proposed Actions, the City will seek to acquire the Garden Area upon or prior to completion of the project. It is anticipated that the Garden Area will be located on Lots 22, 121, 122, and 35 and part of Lots 23, 25, 28 and 37. The Garden Area will accommodate approximately four of the existing interim Green Thumb gardens with frontages along Park Avenue, East 111th Street, and Madison Avenue. The remaining two community gardens located on the Development Site have also been offered relocation sites within other nearby existing Department of Parks and Recreation licensed gardens.

Upon acquisition by the City, the Garden Area will ultimately be placed under the jurisdiction of the Department of Parks and Recreation (“DPR”), which will enter into license agreements with the community volunteers/gardens.

Community gardens will be located on the corner of Park Avenue and East 111th Street, on the corner of Madison Avenue and East 111th Street, and on East 111th Street extending in a terraced fashion towards the elevated courtyard described above. A dedicated community room and a bathroom, which will be available to members of all four gardens, are currently proposed within Building A. An additional bathroom is anticipated to be located adjacent to the community garden(s) on Park Avenue. Additionally, a publicly accessible Path will pass through the gardens located along East 111th Street connecting to the interior courtyard. The Path will be included in the Acquisition Area and as with the Garden Area will be under the jurisdiction of the Department of Parks and Recreation. The owner and future owners of the Proposed Development will be responsible in consultation with DPR for construction of the Garden Area and the Path prior to acquisition. Additionally, owner/future owner of the Proposed Development will have all responsibility for the capital upkeep, maintenance, repair, and operations of the Path, including the portion through the Acquisition Area, and ensuring that it is accessible to the public during hours to be determined through negotiation between the City of New York and the developer.

CONCLUSION

Clearly, the Proposed Actions intend to create a substantial increase in affordable housing for the East Harlem community--a priority for the East Harlem community and a matter long advocated for by CB11. Block 1617 has served as a recreation field, small community gardens and gathering place for residents young and mature while waiting for urban planning changes. Our board diligently considered the 111th project over the past few months, participated in the community engagement sessions, hosted several committee presentations and held two public hearings on May 16th and June 20th respectively.

At our June 14th meeting with the project team, CB11’s Land Use members voiced concerns about the percentage of units proportioned at 130% AMI, the equity of apartment layouts and resident distribution throughout the building and floors-regardless of income and the local hiring goals presented. Access to the public space, signage and ADA compliance throughout the premises, maintenance and management of premises were other areas of interest to the committee. CB11 asked about local East Harlem developer participation in public site development as recommended by EHNP. After deliberation on responses presented, Community Board 11’s Land Use, Landmarks and Planning committee recommended approval with **conditions** that are imperative to the project and consistent with the affordability, economic and open space goals of CB11 and the EHNP for the district.

We look forward to continual dialogue with the development team to ensure our conditions and their commitments to the East Harlem community are honored as the project proceeds in the ULURP and construction process.

COMMUNITY BOARD RECOMMENDATION

Community Board 11 (CB11) recommends approval with conditions of ULURP Application Nos. C 170361 ZMM, C 150363 HAM, C 150364 PQM, C 170365 ZSM, C 170366 ZSM, C 170367 ZSM and C 170368 ZSM provided that Sendero Verde 111th Street commits to the following:

- The development shall be 100% permanently affordable
- Local hiring commitment shall include a guaranteed minimum of 10%, with a CB11 target of 35% pre-construction, 35% during construction and 100% post-construction, with all community partners shall be subject to same hiring requirements
- 25% income band at 130% AMI shall be reduced to 20% and apportioned among the buildings, and the remaining 5% shall be a reduced to under 60% AMI
- Codify that there is accessibility to the open space in perpetuity
- A management plan for the premise shall be in place prior to the vote of the MBP and Speaker
- The hours and availability of amenities shall be set forth clearly, and there shall be signage on the premise clearly conveying to the public that the public space may be used by the public
- CB11 shall have final approval on the selection of any community partners selected for the premises and such partners shall be from the East Harlem Community
- There shall be compliance with ADA requirements throughout the entire project
- There shall be additional safety training beyond OSHA training and an on-site security monitor during construction and pre-apprenticeship and apprenticeship training
- The development team and anchor tenants come before the community board quarterly as the project progresses and after the project, as well as coming before the Manhattan Borough President, NYC Council, NYC Planning.

Full Board Vote: 29 in favor, 5 opposed, 3 abstained

If you have any questions regarding our recommendation, please contact Angel Mescaín, District Manager, at 212-831-8929 or amescain.cb11@gmail.com.

Sincerely,



Diane Collier
Chair
Community Board 11

Enclosure

cc: Hon. Melissa Mark-Viverito, Speaker, New York City Council (via email)
Hon. Brian Benjamin, New York State Senate (via email)

Hon. Gale A. Brewer, Manhattan Borough President (via email)
Hon. Robert J. Rodriguez, New York State Assembly (via email)
Hon. Jose M. Serrano, New York State Senate (via email)
Candy Vives-Vasquez, Community Board 11 (via email)
Judith Febbraro, Community Board 11 (via email)

Borough President Recommendation

City Planning Commission
22 Reade Street, New York, NY 10007
Fax # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Applications: C 170361 ZMM, N 170362 ZRM, C 170363 HAM, C 170364 PQM, C 170365 ZSM, C 170366 ZSM, C 170367 ZSM, and N 170368 ZCM - Sendero Verde - East 111th Street

Docket Description:

C 170361 ZMM

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b:

1. eliminating from within an existing R7-2 District a C1-4 District bounded by:
 - a. East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - b. East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;
2. changing from an R7-2 District to an R9 District property bounded by East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and Madison Avenue; and
3. establishing with the proposed R9 District a C2-5 District bounded by
 - a. East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
 - b. East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;

In the East Harlem neighborhood, Community District 11, Borough of Manhattan.

(See Continued)

COMMUNITY BOARD NO:

11

BOROUGH: Manhattan

RECOMMENDATION

- ☐ APPROVE
- ☒ APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- ☐ DISAPPROVE
- ☐ DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached


BOROUGH PRESIDENT

August 2, 2017
DATE

N 140182 ZRM

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter, for the grant of a city planning commission certification pursuant to Section 32-345 of the Zoning Resolution to waive the requirement that a minimum of 50 percent of a building wall facing upon a wide street be occupied by commercial use at the ground level within Community District 11, Borough of Manhattan.

C 170363 HAM

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development (HPD)

1) Pursuant to Article 16 of the General Municipal Law of New York State for:

- a) Designation of property located on the block generally bounded by East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122), as an Urban Development Action Area; and
- b) An Urban Development Action Area Project for such area; and
- c) Pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of large scale development consisting of three mixed-use buildings with commercial and community facility uses on the lower levels, a total of approximately 655 affordable dwelling units on the upper levels and community gardens, in the East Harlem neighborhood, Community District 11, Borough of Manhattan.

C 170364 PQM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter, for acquisition of property generally located on the block generally bounded by East 111th Street, Park Avenue, East 112th Street, and Madison Avenue (Block 1617, Lots 22, 35, 121, 122 and parts of Lots 23, 25, 28, 37) for use as passive recreation space and community gardens, in the East Harlem neighborhood, Community District 11, Borough of Manhattan.

C 170365 ZSM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-64 (Basic Height and Setback Requirements), 23-65 (Tower Regulations), 23-651 (Tower-on-a-base) and the rear yard requirements of Sections 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 24-382 (Require Rear Yard Equivalents), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122) in R9 and R9/C2-5* Districts, in the East Harlem neighborhood, Community District 11, Borough of Manhattan.

C 170366 ZSM

IN THE MATTER OF an application an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-421 (Location of commercial uses) to allow Use Group 6 uses on portions of the third floor of a proposed building (Building A), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122) R9/C2-5* District, in the East Harlem neighborhood, Community District 11, Borough of Manhattan.

C 170367 ZSM

IN THE MATTER OF an application an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all required accessory residential off-street parking spaces, in connection with a proposed mixed use development, within a large scale general development, in the Transit Zone, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122) in R9 and R9/C2-5* Districts, in the East Harlem neighborhood, Community District 11, Borough of Manhattan.



OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

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Gale A. Brewer, Borough President

August 2, 2017

Recommendation on ULURP Application Nos. C 170361 ZMM, N 170362 ZRM, C 170363 HAM, C170364 PQM, C 170365 ZSM, C 170365 ZSM, C 170366 ZSM, C 170367 ZSM, and N 170368 ZCM - Sendero Verde – East 111th Street by The New York City Department of City Planning

PROPOSED ACTIONS

The New York City Department of Housing Preservation and Development (“HPD” or “the Applicant”) is seeking approval of several actions to facilitate the development of three mixed-use buildings, ranging from 10 to 37 stories (including bulkheads), containing a total of approximately 655 residential units, approximately 32,194 square feet of commercial space, and approximately 142,185 square feet of community facility space (“Proposed Project”) on Block 1617, generally bounded by Park Avenue, East 111th Street, Madison Avenue, and East 112th Street within the East Harlem neighborhood of Manhattan, Community Board 11.

The actions include: 1) rezoning of the project area from R7-2/C1-4 to R9/C2-5; 2) a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing Area (MIHA); 3) a UDAAP area designation and project approval along with a disposition of City-owned property; 4) an acquisition of a designated area within the project area by the City for community garden use and publically accessible path; 5) a special permit from the City Planning Commission (CPC), pursuant to Zoning Resolution (ZR) §74-743, to modify the bulk regulations within a Large Scale General Development (LSGD) to modify height and setback restrictions and yard requirements applicable to the Proposed Project; 6) a special permit from the CPC, pursuant to ZR §74-744(b), to allow commercial use above the level of the second story in a mixed-use building contrary to the provisions set forth in the ZR §32-42 and §32-435 (c); 7) a special permit from the CPC, pursuant to ZR §74-532, to waive 129 accessory off-street parking spaces required in connection with non-income restricted dwelling units within the Proposed Project and 8) a certification from the CPC pursuant to ZR §32-495 to waive the requirement that a minimum of 50 percent of a building wall facing upon a wide street shall be occupied at the ground level by commercial uses.

Zoning Map Change and Text Amendment

In evaluating these land use actions, the office of the Manhattan Borough President must consider if the proposed language meets the underlying premise of the Zoning Resolution of promoting the general health, safety and welfare of the neighborhood in which this project is being proposed and whether the development would be appropriate to the neighborhood. Any changes to the zoning map should be evaluated for consistency and accuracy, and given the land use implications, appropriateness for the growth, improvement and development of the

neighborhood and borough. In evaluating the text amendment, this office must consider whether the amendment is appropriate and beneficial to the community and consistent with the goals of the Mandatory Inclusionary Housing (“MIH”) program.

Urban Development Action Area and Urban Development Action Area Project

City-owned properties that are no longer in use or are in deteriorated or deteriorating condition are eligible to be designated as UDAA and UDAAP, pursuant to the Urban Development Area Act (Article 16 of the State General Municipal Law). UDAA and UDAAP provide incentives for private entities to correct substandard, unsanitary and/or blighted conditions. According to New York State General Municipal Law § 694(4), to receive a UDAA and/or UDAAP designation the City Planning Commission and the City Council must find that:

- a) the present status of the area tends to impair or arrest the sound growth and development of the municipality;
- b) the financial aid in the form of tax incentives, if any, to be provided by the municipality pursuant to [the tax incentives provisions of the Urban Development Action Area Act]... is necessary to enable the project to be undertaken; and
- c) the area designation is consistent with the policy and purposes [of the Urban Development Action Area Act].

Section 197-c of the New York City Charter mandates that the disposition of all City-owned real property (other than the lease of office space) be subject to the Uniform Land Use Review Procedure (“ULURP”). While no specific findings must be met to make a property eligible for disposition under Section 197-c, Section 1802(6)(j) of the Charter limits HPD to the disposition of residential real property.

Site Selection

HPD requests, pursuant to Section 197-c of the New York City Charter, the acquisition of property generally located on Block 1617 for use as passive recreation space and community gardens.

Special Permit pursuant to §74-743 of the Zoning Resolution (“Large-Scale Special Permit”)

In accordance with the provisions set forth in Chapter 4 of the Zoning Resolution, the City Planning Commission may, after public notice and a hearing, grant a special permit for modifications of the use or bulk regulations of the Zoning Resolution, provided that, for each modification, the conditions that must be addressed prior to granting the special permit are met.

For any LSGD, the Commission may permit special rules and deviations from the parameters of the ZR for distribution of floor area, distance between buildings, the distribution of units, lot coverage and total required open space, all of which are subject to specific limitations outlined in the ZR. In order to grant a special permit, under §74-743 (b)¹ the Commission shall find that:

¹ Under §74-743(b), the findings under Sections 74-743 (b)(3), 74-743(b)(5) – (9) are not applicable for the proposal under consideration. Findings are applicable based on proposal location and the scope of waivers or encroachments requested to facilitate the development or enlargement.

- 1) the distribution of floor area, open space, dwelling units, rooming units and the location of buildings, primary business entrances and show windows will result in a better site plan and a better relationship among buildings and open areas to adjacent streets, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the large scale general development, the neighborhood and the City as a whole;
- 2) the distribution of floor area and location of buildings will not unduly increase the bulk of buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants or users of buildings in the block or nearby block or of people using the public streets;
- 4) considering the size of the proposed large-scale general development, the streets providing access to such large-scale general development will be adequate to handle traffic resulting therefrom;
- 10) a declaration with regard to ownership requirements in paragraph (b) of the large-scale general development definition in Section 12-10 (DEFINITIONS) has been filed with the Commission; and
- 11) where the Commission permits floor area distribution from a zoning lot containing existing light industrial buildings to be demolished in accordance with the provisions of paragraph (a)(12) of this Section, such floor area distribution shall contribute to better site planning of the waterfront public access area and shall facilitate the development of affordable housing units within a large-scale general development.

In addition, pursuant to §11-42(c) of the Zoning Resolution, for a phased construction program of a multi-building complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed large-scale general development, a phasing plan showing the distribution of bulk and open space and, in the case of a site plan providing for common open space, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

The Commission may also prescribe additional conditions and safeguards to improve the quality of the large-scale general development and to minimize adverse effects on the character of the surrounding area.

Special Permit pursuant to §74-744(b) of the Zoning Resolution ("Stacking Special Permit")

For any LSGD, the Commission may permit residential and non-residential uses to be arranged within a building without regard for the regulations set forth in §32-42 provided the Commission shall find that:

- 1) the commercial uses are located in a portion of the mixed-use building that has separate access to the outside with no opening of any kind to the #residential# portion of the building at any story;
- 2) the commercial uses are not located directly over any story containing dwelling units; and

- 3) the modifications shall not have any adverse effect on the uses located within the building.

Special Permit pursuant to §74-532 of the Zoning Resolution (“Parking Waiver Special Permit”)

The applicant is also seeking a special permit, pursuant to §74-532 of the ZR, to waive up to 129 accessory off-street parking spaces required in connection with up to 322 units of affordable housing made available to families earning over 80 percent AMI within the proposed development.

The CPC may, in conjunction with an application for a large-scale residential development or large-scale general development in the Transit Zone seeking a bulk modification, reduce or waive the number of required accessory residential off-street parking spaces, including any spaces previously required for an existing building on the zoning lot, provided the Commission finds that:

- a) where the applicant is seeking a reduction of parking spaces required by §25-23 (Requirements Where Group Parking Facilities Are Provided), such reduction will facilitate the creation or preservation of income-restricted housing units in such large-scale residential development or large-scale general development. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;
- b) the anticipated rates of automobile ownership for residents of such large-scale residential development or large-scale general development are minimal and that such reduction or waiver is warranted;
- c) such reduction of parking spaces will not have undue adverse impacts on the residents, businesses or community facilities in the surrounding area, including the availability of parking spaces for such uses; and
- d) such reduction of parking spaces will result in a better site plan.

In determining the amount of parking spaces to reduce or waive, the CPC may take into account current automobile ownership patterns for an existing building containing residences on the zoning lot, as applicable. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the surrounding area.

Related to the ULURP approvals, the applicant also seeks a certification from the City Planning Commission to the Commissioner of Buildings pursuant to ZR §32-435 to waive or modify a street wall requirement if the Commission finds that such change will enhance the design quality of the street wall.

PROJECT DESCRIPTION

The Proposed Project includes the construction of three mixed-used buildings, the reconstruction and reassignment of footprint for four existing community gardens and a public path and interior open space. Part of the Development Site will be acquired by the City for use by the community gardens. Additionally the applicant proposes a zoning map amendment and zoning text

amendment for all of Block 1617, which includes the Project Site and two privately owned lots not included in the Proposed Project (Block 1617, Lots 21 and 34). The Project Site is within a larger Development Site for which the applicant is seeking an Urban Development Action Area (UDAA) and Urban Development Action Area Project (UDAAP) area designation for the development site.

Background

According to the NYC Department of Finance's Automated City Register Information System (ACRIS) the block and lots within the proposed development site all entered City stewardship, with a few exceptions, approximately between 1970 and 1980. That period overlapped with a wave of disinvestment and housing abandonment in low-income communities throughout the City. Rising costs and insecure economic cycles were especially punishing to vulnerable communities with older building stock. These conditions resulted in thousands of lots accumulating tax arrears, which sped up abandonment, and ultimately led to municipal ownership.²

Over time many community members advocated for community-centric planning to convert these underutilized and/or vacant spaces into positive contributions to the neighborhood. Strategies ranged from affordable housing to community centers. One specific example was the conversion of these spaces into community gardens and ball fields, as was the case with Block 1617.

The community gardens that have called this site home include Chenchita's Garden, Little Blue House Garden, Mission Garden, Friendly Garden, Villa Santurce, and Villa Santurce Jardinera. These represent some of the oldest community gardens in the City³. Under HPD control, community garden groups were allowed to sign multi-year interim license agreements, which gave them temporary use of the land. The ball field has been in active use by the East Harlem Little League at least since 1997.⁴

East 111th Street Community Visioning Sessions

In conjunction with goals set out by Mayor de Blasio's Housing New York Plan to create and preserve 200,000 affordable units, HPD took steps to begin planning for affordable housing on Block 1617. In February 2016, HPD, City Council Speaker Melissa Mark-Viverito, Manhattan Community Board 11 and the Office of the Manhattan Borough President convened community workshops to gather input on how to design a framework for future planning on this site.

² Breaking the Cycle of Abandonment, *Pioneer Institute - Better Government Competition No. 10* (2000) Retrieved from https://www1.nyc.gov/assets/hpd/downloads/pdf/bgc_winner.pdf

³ Bill de Blasio adds affordable housing while preserving NYC's gardens, *Daily News*, December 31, 2015. Retrieved from <http://www.nydailynews.com/news/politics/gonzalez-de-blasio-raze-gardens-affordable-housing-article-1.2482214>

⁴ Ball Fields For Housing: A Trade-Off Is Contested, *NY Times*, August 29, 1997. Retrieved from <http://www.nytimes.com/1997/08/29/nyregion/ball-fields-for-housing-a-trade-off-is-contested.html>

HPD collected the input into a “Community Visioning Report.” Below are the summary findings from the report⁵:

Programming

- Housing Types: Families, singles and young couples, seniors, and other supportive housing for those with special needs;
- Community Facility Types: Arts and cultural center, publicly accessible open space, active recreation facility, and other youth and workforce/economic development centers; and

Retail Types: Sit-down restaurant or cafe, affordable supermarket with healthy food options, and pharmacy; commercial uses in general should promote activity and enliven the street.

Affordability

- Rents affordable to a wide mix of household incomes, but prioritizing extremely low and very low income households;
- Strategies for affordability in perpetuity, such as community land trusts and non-profit ownership; and
- Options for homeownership.

Site Layout & Urban Design

- Maximize the number of affordable units, while respecting surrounding context;
- Create multiple buildings of varying scales with greater heights on the avenues;
- Buildings should incorporate setbacks;
- High quality design and green / sustainable features;
- Retail should be located on the avenues;
- Gardens should be located where there is access to adequate sunlight;
- Safety and security strategies should be prioritized on Park Avenue;
- Streetscape improvements, such as trees, benches, bike racks, and lighting, should be incorporated into the development and sidewalks; and
- Publicly-accessible open space (in addition to the four community gardens being incorporated into the new development).

Additional Considerations

- Local hiring initiatives, fair wages, and apprenticeship programs;
- Targeted marketing of new units to local residents and those that have been displaced from the neighborhood; and
- Willingness to work together with the community and gardeners, after developer selection.

A Request for Proposal (RFP) titled *SustainNYC* was released on May 23, 2016 outlining many of the parameters highlighted by meeting participants. The RFP also required responders to achieve

⁵ *East 111th Street Site Community Visioning Summary Report, Office of Neighborhood Strategies, NYC Department of Housing Preservation & Development*. April 25, 2016. Retrieved from <https://www1.nyc.gov/assets/hpd/downloads/pdf/community/e111-report-back.pdf>

other City policy goals such as the application of Passive House design. Language in the RFP asked responders to refer to other documents included as appendices so that they may identify other priorities. Those documents included the EHNP, the Community Visioning Report and a Community Garden Profiles and Priorities report drafted by the gardeners and staff from NYC Greenthumb.

East Harlem

The boundaries of East Harlem coincide with the boundaries of Manhattan Community Board 11. The Community District is generally bordered by East 96th Street to the south, East 132nd Street to the north, Fifth Avenue to the west and the FDR Drive and Randall's Island Park/Wards Island Park to the east. Additionally, CB 11 includes Thomas Jefferson Park, Marcus Garvey Park and Harlem River Park. As of 2016, East Harlem residents totaled approximately 122,434 residents with a median income of \$30,380, down 9 % from 2010.⁶ The area is characterized by multi-family residential and mixed residential/commercial properties (low to midrise multi-family walk-up and elevator).

East Harlem Neighborhood Plan

The East Harlem Neighborhood Plan ("EHNP" or "Plan") is a community-driven comprehensive roadmap for fostering smart growth in East Harlem. The process was led by City Council Speaker Melissa Mark-Viverito, Manhattan Community Board 11, Community Voices Heard (CVH) and our office in partnership with a 21-member steering committee of local stakeholders. Developing the plan was a two yearlong process with no less than eight large public meetings, approximately 40 policy discussions, numerous calls and meetings with city agencies and on-the-ground person-to-person survey collection. Representatives from mayoral agencies necessary for implementation of the plan, including DCP and HPD, were present at most meetings. This work resulted in a final report with over 260 key objectives and recommendations to ensure a stable and inclusive future for the neighborhood. The Steering Committee continues to meet on implementation of its recommendations.

The Plan acknowledges that this site is an active project within HPD's Manhattan pipeline, but it does not contain specific zoning recommendations for this full block site. According to the Plan's recommendations, all future rezonings should be done to ensure that 50 percent of the new housing on private and public rezoned sites is affordable to a variety of low- and moderate income levels. The Plan also recommends that 100 percent of units on public sites be permanently affordable, and that 20 percent of affordable units be set aside for those earning no more than 30 percent of AMI.

Other goals of the Plan relevant to this project are that affordable housing projects include:

⁶ Furman Center. *Manhattan Community Board 11 Profile. State of New York City's Housing and Neighborhoods 2016*. Retrieved from http://furmancenter.org/files/sotc/SOC_2016_PART2_MN11.pdf

- establishing a community preference for East Harlem residents (Affordable Housing Development, Objective 2.10);
- eliminating minimum parking requirements in rezonings (Zoning & Land use, Objective 2.11);
- preserving and investing in open space and playgrounds (Open Space & Recreation, Objective 1.1);
- expanding the use of underutilized and nontraditional spaces for the arts (Arts & Culture, Objective 1.2);
- creating socially vibrant sidewalks and activating the commercial streetscape (Zoning & Land use, Objective 3.1) and;
- leveraging rezonings to replace aging and inadequate school facilities with new facilities developed at the base of new developments (Zoning & Land use, Objective 3.3)

The Plan calls for permanent affordability when public sites are developed. However, only 40% of the units created in this project (those mandated under MIH and related regulatory agreements) will be permanently affordable.

Area Context

Located along the western border of CB11, the project site is surrounded by residential buildings with varied typologies. The majority of the area is zoned R7-2, R8A with a C1-5 overlay mapped along portions of East 110th Street, and C1-4 mapped along portions of Madison and Park Avenues. R7-2 is a medium-density residential height factor district that allows development between 0.87 to 3.44 FAR and community facility development with an FAR of up to 6.5. The top elevations of a building in non-contextual districts like R7-2 are set by height factor regulations that determine the building's impact on light and air. Developers can also choose to build a project pursuant to the Quality Housing Program. The Program helps protect the architectural integrity of neighborhoods by incentivizing height and street wall standards with more FAR and specific floor area deduction.

To the north and northeast of the project are Taft and Johnson Houses, two New York City Housing Authority development sites that are 14 and 19 stories respectively. To the east, the area is mapped R7-2 with building profiles that include multi-family tenements, mid-rise residential buildings, and single story commercial buildings. To the west the area is mapped C1-9, R8, C4-6, and R7-2 with building profiles that include multi-family tenements, high-rise residential buildings, single story commercial buildings, and academic institutions. To the south the area is mapped R7-2 with building profiles that include multi-family tenements, mid-rise residential buildings, and single story commercial buildings. Most recently, a rezoning was approved in 2016 for Lexington Gardens II (C 160336 ZMM), located three blocks south of the project. The application was a change from R7-2 and C8-4 Districts to an R9 District with the goal of producing approximately 390 new affordable residential units.

A number of educational institutions border the Project Site. It sits in Manhattan Community Education Council 4, which extends from East 96th Street and Second Avenue to East 125th Street and the Harlem River. Although mostly in East Harlem, it also includes Ward's Island and

Randall's Island. Mosiac Preparatory Academy, Success Academy Harlem East, and a District 75 Special Education School are co-located at the former 100-year-old PS 101 build to the east of the Project Site between Park and Lexington Avenue on East 111th Street. Also to the east of the Project Site is the Harbor Science and Arts Charter School located at 132/142 East 111th Street. To the west of the Project Site is P.S. 108 Assemblyman Angelo Del Toro Educational Complex located at 1615 Madison Avenue and The Alain L. Locke Magnet School for Environmental Stewardship and Harlem Link Charter School located at 21 West 111th Street, and P.S. 185 the Early Childhood Discovery and Design Magnet School located at 20 West 112th Street.

The area is home to several renowned spiritual and cultural institutions. The closest house of worship is the historic First Spanish Methodist Church on 163 East 111th Street to the east of the Project Site. To the west of the project site is the Community Christian Church of NYC located on 5 West 110th Street. To the north of the Project site is Mount Zion A.M.E. Church located on 1765 Madison Avenue. Nearby cultural centers, include El Barrio's Artspace PS109 located on East 99th Street between Third and Second Avenues and the Julia de Burgos Latino Cultural Center located on Lexington Avenue between East 105th Street and East 106th Street. Open spaces in close proximity to the project site include Central Park to the west and Marcus Garvey Park to the north.

The area is well served by the MTA. There are several bus routes that service the Project Site. To the southwest are bus stops for the M1, M2, M3 and M4 lines that run between Inwood and the East Village. To the east are bus stops for the M101, M102, and M103 that run between Harlem to City Hall. The M116 bus runs cross-town along 116th Street and the M106 bus runs cross-town along 106th Street. A select bus line, the M15, also serves the project site along Second and First avenues. Subway stations include the 110th Street stop on the #6 Lexington Line located at Lexington Avenue and East 110th Street, and the 110th Street stop on the 2 and 3 Seventh Avenue Express line located at Lenox Avenue and East 110th Street. The Project Site is also near Citi Bike terminals at Madison Avenue and East 106th Street, Madison Avenue and East 110th Street, and Third Avenue and East 109th Street.

Emergency services are provided by the NYPD's 23rd Precinct, located on East 102nd Street between Lexington and Third Avenues, and FDNY Engine 58 and Ladder 26 located on 1367 Fifth Avenue and Engine 91 located on 242 East 111th Street.

Project Area and Project Site

The Project Site is within a larger Development Site for which the applicant is seeking an Urban Development Action Area (UDAA) and Urban Development Action Area Project (UDAAP) area designation that includes Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 50, 51, 52, 53, 54, 121, and 122. Part of the Development Site will be acquired by the City for use by the community gardens. Additionally, the applicant proposes a zoning map amendment and zoning text amendment for all of Block 1617, which includes the Project Site and two privately owned lots not included in the Proposed Project (Block 1617, Lots 21 and 34). Both the Development Site and the privately owned lots make up the Project Area.

As previously noted, the proposed Project Site is bound by Park Avenue to the East, East 111th Street to the south, Madison Avenue to the west and East 112th Street to the north on Block 1617. The project site has an approximate total lot area of 76,576 square feet. The site includes six community gardens along the west, south and east frontages of the full block and a baseball field in the center. The lot is currently zoned as an R7-2 District with a C1-4 commercial overlay to a depth of 100 feet along Park and Madison Avenue. As stated above, R7-2 is a medium-density residential height factor district that allows development between 0.87 to 3.44 FAR and community facility development with an FAR of up to 6.5. C1- 4 overlays are designed to allow for local retail needs. The Project Area includes only city-owned parcels (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 50, 51, 52, 53, 54, 121, and 122). The remaining two lots on Block 617 are not part of the development site and are privately-owned. Lot 21 has a single four-story mixed-use building and Lot 34 is used for storage and surface parking.

Proposed Project

The Proposed Project includes the construction of three mixed-used buildings, the reconstruction and reassignment of footprint for four existing community gardens and a public path and interior open space. Once completed, the project will front all frontages on Block 1617. A significant factor in making the project work is the creation of a large-scale general development that will merge the zoning lot and memorialize all agreements into a land disposition agreement associated with the transfer of the property. This action will exclude privately –owned lots 21 and 34.

The Proposed Project will contain approximately 718,447 square feet of floor area (9.15 FAR). Of the total floor area for the proposed project, 544,069 (7.10 FAR) will be slated for residential use resulting in approximately 655 residential units. Commercial use will take up approximately 32,194 square feet (0.44 FAR) and approximately 142,185 square feet of community facility space (1.60 FAR) will be included. The three buildings are predominately residential with a mix of unit sizes ranging from studio through three bedroom units. The buildings will range from 10-37 stories or 117 to 432 feet (including bulkheads). Each of the buildings are predominately residential but will include either some commercial or community facility use or both.

What the application refers to as Building A is located at the intersection of Madison Avenue and East 112th Street. This building represents the tallest of the three structures at 37 Stories with an envelope height of approximately 418.5 feet with a three-story base. This building will contain approximately 308,723 square feet of residential use or 365 residential units, approximately 10,311 square feet of community facility use and approximately 32,194 square feet of commercial space, representing the total of the commercial space for this project. The commercial space will include a supermarket.

Fronting East 112th Street and wrapping to the west around Madison Avenue is Building B. This building will be 15 stories with an envelope height of approximately 218.5 feet with a five-story base. This building will contain approximately 163,945 square feet of residential use or 211

residential units and approximately 120,934 square feet of community facility use. Building B will be the home of a proposed DREAM Charter School.

Proposed for the midblock frontage of East 111th Street is Building C. This building will be 10 stories with an envelope height of approximately 151.34 feet with a seven-story base. This building will contain approximately 71,401 square feet of residential use or 79 residential units and approximately 10,941 square feet of community facility use.

Pursuant to the requirements of MIH, the applicant has proposed using Option 1 and Option 3 for this project. Option 1 requires that at least 25 percent of the residential floor area be permanently affordable with varying levels of affordability that average to 60 percent of AMI of (\$48,960 for a household of three⁷) with an additional requirement for a minimum of 10 percent of housing be affordable at 40 percent of AMI (\$31,080 for a household of three). Option 3 requires 20 percent of the total MIH floor area to be affordable at an average of 40 percent of AMI (\$31,080 for a household of three). Another stipulation is that subsidies are allowed only where they are necessary to support more affordable housing.

Out of the approximately 655 residential units in the three buildings, approximately 262 units, or 40 percent of units, will be permanently affordable. The higher percentage of permanently affordable units are due to HPD's requirement that any MIH project receiving public subsidy must increase the amount of permanently affordable units by 15 percent. Assuming that community preference will still be in effect when this building receives its Certificate of Occupancy, at least 50 percent of units are set aside for the residents of Community District 11. All of the affordable units will be subject to the affordable housing lottery with the maximum income capped at 130 percent of AMI.

The remaining 393 units will remain affordable for a term of 60 years. Currently the proposed developer is still in discussions with HPD as to what term sheets will be appropriate for this project but currently the proposed developer will be using HPD's Extremely Low & Low-Income Affordability (ELLA) Program for Buildings B & C and the M2 / Mixed-Middle-Income Program Term Sheets for Building A.

Per conversations with the applicant, the rent structure for units in the three buildings will provide six tiers of affordability. The breakdown is as follows: 20 percent of units or approximately 134 units at 30 percent AMI; five percent of units or approximately 32 units at 40 percent AMI; six percent of units or approximately 42 units at 50 percent AMI; 27 percent of units or approximately 174 units at 60 percent AMI; 17 percent of units or approximately 109 units at 80 percent AMI, and 25 percent or approximately 164 units at 130 percent AMI. The affordable units will be distributed pursuant to the current requirements of MIH.

Figure 1: Approximate Rents for Proposed Affordable Apartments

Affordable at 30% of AMI

⁷ based on the new AMI chart that HPD published on 1/11/17

Incomes	# of units	Proposed Monthly Rents
Studio	39 units	\$327 per month
1 Bedroom	49 units	\$418 per month
2 Bedroom	28 units	\$509 per month
3 Bedroom	18 units	\$582 per month
Total # of units	134 units	

Affordable at 40% of AMI		
Incomes	# of units	Proposed Monthly Rents
Studio	8 units	\$464 per month
1 Bedroom	12 units	\$590 per month
2 Bedroom	7 units	\$714 per month
3 Bedroom	5 units	\$819 per month
Total # of units	32 units	

Affordable at 50% of AMI		
Incomes	# of units	Proposed Monthly Rents
Studio	7 units	\$599 per month
1 Bedroom	21 units	\$758 per month
2 Bedroom	9 units	\$917 per month
3 Bedroom	5 units	\$1,053 per month
Total # of units	42 units	

Affordable at 60% of AMI		
Incomes	# of units	Proposed Monthly Rents
Studio	31 units	\$775 per month
1 Bedroom	63 units	\$970 per month
2 Bedroom	51 units	\$1,162 per month
3 Bedroom	29 units	\$1,344 per month
Total # of units	174 units	

Affordable at 80% of AMI		
Incomes	# of units	Proposed Monthly Rents
Studio	7 units	\$1,050 per month
1 Bedroom	21 units	\$1,320 per month
2 Bedroom	9 units	\$1,590 per month
3 Bedroom	5 units	\$1,831 per month
Total # of units	109 units	

Affordable at 130% of AMI		
Incomes	# of units	Proposed Monthly Rents

Studio	33 units	\$1,727 per month
1 Bedroom	49 units	\$2,168 per month
2 Bedroom	49 units	\$2,609 per month
3 Bedroom	33 units	\$3,008 per month
Total # of units	164 units	

Source: Jonathan Rose Companies | L+M Development Partners | Handel Architects | Steven Winter Associates (2017). Sendero Verde presentation [PowerPoint slides]. Retrieved from <http://www.cb11m.org/current-projects/>

All three buildings will meet Passive House standards. Successful implementation of this sustainability program will include a combination of structural elements installed during construction in addition to educational and support programming once the building starts to accept tenants. At the center of the proposed project will be an interior courtyard approximately 264 feet x 63.42 feet. The courtyard will be a passive recreational space with public entrances along Park Avenue, East 111th Street and the rear entrances of the adjoining community facility spaces.

Finally, per the requirements of the RFP, the applicant and the proposed developer will allocate space for continuing community garden use at the proposed development site. The reconstructed community gardens will be placed on the southern half of the full block site, fronting Madison Avenue, East 111th Street and Park Avenue. A dedicated community room and a bathroom will be available to the four gardens and located in Building A. The City plans to move forward with an acquisition of the garden areas and ultimately put them under the jurisdiction of DPR. A public path that traverses the garden area will be included in the acquisition action. Future maintenance of the path will remain the responsibility of the proposed developer. The maintenance of the path, public accessibility and upkeep requirements of the interior courtyard, hours of operations and other administrative responsibilities will be included in the disposition agreement.

Proposed Actions⁸

In order to facilitate the development of the mixed-use proposal of three buildings containing a total of approximately 655 residential units, approximately 32,194 square feet of commercial space, approximately 142,185 square feet of community facility square feet (“Proposed Project”) and the selection of land for community gardens and passive recreation space on Block 1617, the following land use actions are required:

Zoning Map Amendment:

⁸ The Project Site is within a larger Development Site for which the applicant is seeking an Urban Development Action Area (UDAA) and Urban Development Action Area Project (UDAAP) area designation that includes Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 50, 51, 52, 53, 54, 121, and 122. Part of the Development Site will be acquired by the City for use by the community gardens. Additionally the applicant proposes a zoning map amendment and zoning text amendment for all of Block 1617, which includes the Project Site and two privately owned lots not included in the Proposed Project (Block 1617, Lots 21 and 34). Both the Development Site and the privately owned lots make up the Project Area.

The applicant seeks a zoning map amendment to rezone the project area (Block 1617) from an R7-2 district with C1-4 overlays along both Park and Madison Avenue to a R9 district with C2-5 commercial overlays to a depth of 100 feet along the frontage of Park Avenue and the frontage of Madison Avenue. The rezoning area includes the Project Site (Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 50, 51, 52, 53, 54, 121, and 122) and the two privately owned lots (Lots 21 and 34).

Zoning Text Amendment

The applicant seeks to amend Appendix F of the Zoning Resolution to establish a Mandatory Inclusionary Housing Area over the Project Area affecting the city-owned property and privately owned property on Block 1617.

Designation of an Urban Development Action Area and Urban Development Action Area Project, Disposition of city-owned property

The applicant seeks to designate Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 50, 51, 52, 53, 54, 121, and 122 as a UDAA and UDAAP based on their analysis of the project area consisting of underutilized land and determination that incentives are needed to change what the applicant describes as “substandard, unsanitary, and blighting conditions.” The applicant is making the claim that the proposed project will promote better conditions and sound development. Disposition of the land to a developer will be determined by HPD. The proposed developer team is Jonathan Rose Companies, L+M Development Partners, Handel Architects, and Steven Winter Associates.

Site Selection

The city seeks authorization to acquire Lots 22, 121, 122 and 35 and portions of Lots 23, 25, 28 and 37 for use as a Community Garden. There are existing community garden spaces and a publicly-accessible path within the aforementioned lots. The Department of Parks and Recreation (DPR) will assume jurisdiction with the future owner of the Proposed Project to be responsible for all maintenance.

Special Permit pursuant to §74-743 of the Zoning Resolution

As stated in the application, in order to facilitate the construction of the Proposed Project, the applicant requests a special permit, pursuant to §74-743, to modify the bulk regulations within a LSGD containing height and setback restrictions and yard requirements applicable to the Proposed Project as follows:

- 23-65(a) and (b) to apply tower-on-a-base regulations to the entire development site and all buildings located on the development site, including those portions located beyond 125 feet from the wide street frontage along the short dimension of the block, and beyond 100 Feet from the wide street frontage along the long dimension of the block;
- 23-651(a) To determine the aggregate tower coverage of all buildings on the development site based upon the entire area of the development site, including those areas located beyond 125 feet from the wide street frontage along the short dimension of the block;
- 23-651(a)(1) to (i) calculate tower coverage restrictions to those portions of the proposed buildings on the development site located at any level above the maximum base height of

85 feet, (ii) to calculate tower coverage based upon the aggregate of all buildings located on the development site, and (iii) to allow, upon completion of all the buildings on the development site, the towers of all the buildings on the zoning lot to occupy in the aggregate an area comprising less than 30 percent of the lot area of the zoning lot at upper levels of the tower, and more than 40 percent of the lot area of the zoning lot at lower levels of the tower;

- 23-651 (a)(3) to permit a minimum of 55 percent of the total floor area permitted on the zoning lot to be located below a height of 150 feet above base plane;
- 23-651(a)(4) to allow the tower portion of the building at a height of 85 feet and above to be located at the street line (the portion of Building C located above 85 feet above base plane and located at the street line);
- 23-651(a)(5) to allow tower portions of the proposed development to be located on a narrow street at a distance that is more than 100 feet from the intersections with a wide street (Building C along East 111th Street);
- 23-651(b)(1) and 35-64(a)(1) to:
 - permit the proposed development not to occupy the entire frontage of the zoning lot along a wide street and on a narrow street within 125 feet of its intersection with a wide street (along Madison Avenue, Park Avenue and portions of East 111th Street), and;
 - to allow the base of the street wall of the proposed project along a wide street to not be located entirely on the street line (The base of Building B at the intersection of Park Avenue and East 112th Street);
- 23-651(b)(2) to permit the base of the proposed tower-on-a-base development along Madison Avenue and portions of East 112th Street to setback from the street line between a height of 47 feet and 60 feet above curb level, and allow the base along East 112th Street and East 111th Street to exceed a height of 85 feet above curb level;
- 23-651(4) to allow the open area at ground level between Park Avenue and East 112th Street street lines and the street wall of the proposed project not fronting on a building entrance or exits to not contain landscaping; and
- 24-832 to allow a permitted obstruction within a portion of the rear yard equivalent located in a residential district beyond 100 feet of a wide street that is used for a community facility use other than a school, house of worship, college, university or hospital with related facilities.

Special Permit pursuant to §74-532 of the Zoning Resolution

The applicant is also seeking a special permit, pursuant to §74-532 of the ZR, to waive up to 129 required accessory off-street parking spaces required in connection with up to 322 units of affordable housing made available to families earning over 80 percent AMI within the proposed development. Currently the Proposed Development includes no parking spaces as part of the site plan. Their analysis of car-ownership rates in the area anticipates a demand for 41 parking spaces and believes that existing on-street parking can absorb the need.

Certification from the City Planning Commission pursuant to ZR §32-435

The applicant is also seeking a certification from the CPC to waive the requirement that a

minimum of 50 percent of a building wall facing upon a wide street be occupied at the ground level by commercial uses. This action is not subject to review by the Borough President.

COMMUNITY BOARD RECOMMENDATIONS

At its Full Board meeting on June 27, 2017, Manhattan Community Board 11 (CB 11) passed a favorable resolution with conditions in support of the application. The final vote for the resolution was 29 in favor, 5 opposed, and 3 abstentions. Before the full board vote, the applicant appeared before several committees between December 2016 and June 2017 and the Board held two public hearings, on May 16, 2017 and June 20, 2017, where they heard testimony from the public.

In their written comments submitted to the Department of City Planning, CB 11 voiced support for the applicant's efforts to create affordable housing but expressed several concerns related to programming on the project site and depth of affordability. The Board questioned the need for the number of apartments set at 130 percent of AMI and wanted to see that redistributed to lower tiers. They also opposed the current unit distribution scheme, where all of the apartments set at 130 percent of AMI are consolidated into a single building. The Board challenged the applicants and proposed developer team's commitment to local hiring and pointed to their own robust set of standards as a minimum benchmark the applicant and developer should seek to achieve. CB 11 members also expressed a desire to see a local nonprofit developer recruited to be an equity partner on the project. The Board also asked several questions related to topics such as ADA compliance, maintenance and management of the proposed development with specific attention to the public open space.

As a result of these conversations, CB11's approval is contingent on the following commitments:

- All housing on the project should be 100 percent permanently affordable;
- Local hiring commitment for the project should include a guaranteed minimum of 10%, with a CB11 target of 35 percent pre-construction, 35 percent during construction and 100 percent post-construction, with all community partners be subject to same hiring requirements;
- The percentage of total units currently set at 130 percent of AMI is reduced from 25 percent to 20 percent. The remaining 5 percent shall be a set at under 60 percent of AMI;
- All buildings should contain each of the income tiers;
- The final agreement should state that the open space will remain accessible to the public into perpetuity;
- A management plan for the premises should be provided prior to the vote of the Office of the Manhattan Borough President and the Council Member;
- The hours and availability of amenities shall be set forth clearly, and there shall be signage on the premise clearly conveying to the public that the public space may be used by the public;

- CB11 should have final approval on the selection of any community partners selected for the premises and such partners shall be from the East Harlem Community;
- There should be compliance with ADA requirements throughout the entire project;
- There should be additional safety training beyond OSHA training and an on-site security monitor during construction and pre-apprenticeship and apprenticeship training;
- The development team and anchor tenants should come before the community board quarterly as the project progresses and after the project, as well as coming before the Manhattan Borough President, NYC Council, DCP;

BOROUGH PRESIDENT PUBLIC HEARING

On July 13, 2017, the Manhattan Borough President conducted a public hearing on both this application and a related application by the Department of City Planning (DCP) to rezone 96 blocks of East Harlem (Nos. C 170358 ZMM et al), an area that also includes the proposed development site. Approximately 135 people attended and 25 people presented testimony. Additional testimony from 13 people and organizations were submitted prior to and after the public hearing.

From both the written and oral testimony collected, only one speaker spoke to the subject application directly. This speaker offered an alternative scenario that would result in less housing, commercial and community facility use, consolidate the community gardens into one entity but also preserve the baseball field located in the middle of the full block. However, the other speakers' comments which were directed toward the larger rezoning did address issues raised by this application, including the possibility that calculations related to environmental and quality of life impacts by development were underestimated in the EIS, that proposed development lacked representation from local nonprofit developers and that there was need for more units at lower levels of affordability.

BOROUGH PRESIDENT'S COMMENTS

Since taking office, making affordable housing accessible to working people and vulnerable communities has been one of my top priorities. Along with other elected officials and community partners, this Office has introduced legislation that strengthens enforcement against code violations and seeks to stem the turnover of previously income-restricted units. On the ground, we have worked with legal aid attorneys and organizers to knock on doors, investigate the conditions of overleveraged building portfolios and help make tenants aware of their rights while empowering them to advocate together for better standards as tenant associations.

Alongside these efforts, we have tried to maximize our role in the land use process to create opportunities for affordable housing that counter the loss of income-restricted apartments, a phenomenon that is having a destabilizing impact and undermines the diverse communities that make up our city. Communities that once reflected a cross section of different backgrounds, cultures and occupations, are under threat because of the increasing cost of living and rising

rents, which contribute to displacing long-time residents and small businesses. Deregulation of residential units, due to porous state laws and expiring regulatory agreements, have stripped hundreds of thousands of tenants of their basic protections and placed them at the mercy of market forces.

We have been told that there are limitations on what we could demand of the private sector to create the kind of housing the majority of New Yorkers can really afford. With that in mind, we have only our city-owned sites as places we can guarantee that government shape the conditions and requirements so we are sure the housing that is built is more affordable and permanent than options provided by the private sector. Public site development is our best hope for building the housing we need for middle and moderate-income families as well as our most vulnerable communities.

Block 1617 or the East 111th Street site is already a location with profound importance and part of the fabric of East Harlem. As home to several of the City's oldest and most popular community gardens, it has attracted the attention of locals and other horticulture enthusiasts as an example of how community-driven green spaces can thrive. In addition, East Harlem Little League, that used and maintained the ball field, remains a source of pride for a community that values outlets that help young people explore their potential. Based on our conversations, I understand that HPD has always planned to develop affordable housing for this site, and given the depth of the housing crisis, especially in CB11, I believe affordable housing is an appropriate use. However, an acceptable proposal would have to address those housing needs and continue the site's role as a convening space for residents throughout the district. A proposal, such as this one, that incorporates those objectives would be a fitting next use for this city-owned parcel.

The applicant and the proposed developer have outlined a compelling proposal for the future of Block 1617. The concept plan as presented appears to be a genuine attempt at achieving elements of the EHNP. The proposed developer has sought to provide a range of neighborhood assets and presented creative strategies for managing the relationship between the community gardens and open space to the layout of the other site elements. The proposal also furthers the use of Passive House Design, a set of design principles used to attain a quantifiable and rigorous level of energy efficiency, which I have worked to make the standard for new development in Manhattan. Finally, the most important piece of this plan that we need to examine is the commitment to affordable housing, the centerpiece of this application.

Open Space

The application maintains significant space for the community gardens. However, according to our conversation with the gardeners, the proposed design and site assignments for the community gardens are smaller than what they currently use. I understand that the parameters in the RFP for the gardens was based on the original license agreements and that the proposed developers are trying to provide more than the minimum areas, but I believe we can do better. I would like to see a more thorough plan for how these gardens would thrive under the site arrangement proposed by the developer. Additionally, because the gardens are such a community asset, links between the gardens and the community facility partners to enhance the benefits available to the

community should be explored. The question of how the gardens and community facilities could work together came up after the proposed developer was announced, but has not been adequately explored.

We need to formalize the specifics concerning the maintenance and operation of the interior courtyard space. Issues such as how the space will be maintained, who will decide and be responsible for sharing information related to the hours of operation, access and the permitted activities must be spelled out. Though we have received verbal assurances from the applicant that the conveyance of this land will be accompanied with a disposition agreement outlining this information, it is worrying to have some of these important questions still unanswered as I consider the appropriateness of the application.

Affordable Housing

Public sites are our best opportunity to create housing for those making at or under 30 percent of AMI. The lowest income tiers for housing under the MIH program are largely out of reach for these working New Yorkers. While the application provides that 20 percent of the affordable housing provided will be available to persons with incomes no greater than 30 percent of AMI, I urge the applicant to consider if there is more that can be done. 37 percent of residents of East Harlem earn less than 30 percent of AMI and we know that private developments rarely have more than 20 percent of affordable housing set aside at this income level. Therefore if we are to reach the goal of the EHNP of making 20 percent of the affordable housing at the level of 30 percent of AMI or lower, we must make up for “lost ground” in public projects such as this.

While I applaud the proposed developer’s commitment to making all the residential units income-restricted at the onset, 60% of those units are not permanent. The restriction of those units is based on a regulatory agreement with a fixed timeline. Recently my office was told that a nonprofit partner was going to be included on the development team. While encouraging, we have yet to get more specifics about what their role will be and what level of equity they will have in the project. Additionally we understand that the nonprofit developer is based in the Bronx. CB11’s recommendation had called for a mission-driven organization that is based in East Harlem and to be included in the choosing of that entity – both of which did not happen. In discussions with the proposed development team, they have explained that the available finance mechanisms limit what their commitment to long-term permanence can be. As the City moves to shrink its portfolio of unused or underutilized land, it must do so with the intention of preserving the value of that same land to the residents of the city in perpetuity. Where requirements for permanent affordability of all units in a project built on formerly city-owned land are not possible, the City must explore mechanisms to achieve “practical permanence” as a tool for future development of projects where the City has contributed land. MIH requirements are an effective way to assure permanent affordability in private projects, but developments that use City land must be held to a higher standard. All dispositions of city-owned land have the option of attaching a restrictive covenant to the deed that establishes additional requirements to the property owner.

The City must take the concept of “practical permanence” beyond balloon payments and establish a public process that occurs at or near the expiration of the public financing and regulatory agreement to ensure true and permanent oversight of our city assets. This would go far toward justifying the permanent disposition of city land. If this is not an option for for-profit developers when city-owned land is involved, then we should consider prioritizing mission-driven nonprofit developers and/or community land trusts to act as the steward to help achieve the permanence we seek. These are not new concerns nor are they ideas I raise here for the first time, and I urge progress on developing such mechanisms.

Density and Neighborhood Character

The increase in density from R7-2 to R9 is appropriate at this location since two wide streets bound the site, and the scale of the project will allow for a greater number of permanently affordable units through MIH. Based on the East Harlem Neighborhood Plan and previous Community Board 11 land use decisions, upzonings paired with site planning that strives to minimize the impact of additional density have been supported where proposals maximize the amount of permanently affordable housing. In contrast with the East Harlem Rezoning proposal (C- 170358 ZMM), a separate application running concurrently in ULURP where I have serious concerns that the additional density outweighs the benefits of the additional affordable housing, the Sendero Verde project provides a level of detail and specific site planning that make me confident that this project can be a substantial benefit to the community.

This application also smartly uses the design tools via bulk, height and setback modifications available when using a LSGD to relate the building mass and placement of open and garden space to the surrounding area in an appropriate manner. The site plan calls for the tallest of the three buildings (Building A) to be adjacent to the frontage that is most appropriate for the density (two wide streets) and in proximity to similar tower-in-the-park developments located to the north of the lot. Buildings B and C, significantly shorter, are aligned with the mid-rise developments found along the remaining frontages. Several modifications among the proposed actions would mitigate light and air issues for the open space, the gardens and the surrounding area in comparison to several as-of-right scenarios.

In addition, the argument for waiving required accessory parking to support maximizing the amount of affordable units or contributing to driving down the AMI tiers for a percentage of units was thoughtful and in line with the policy of this office.

After careful review, I believe the modifications and permits requested by the applicant are appropriate and would contribute to a better site plan and relationship between the buildings, and the wider neighborhood.

BOROUGH PRESIDENT’S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of Application Nos. C 170361 ZMM, N 170362 ZRM, C 170363 HAM, C170364 PQM, C 170365 ZSM, C 170365 ZSM, C 170366 ZSM, C 170367 ZSM, and N 170368 ZCM on the following conditions:

1. That the applicant and the proposed developer work with our office, Community Board 11, the local Council Member, and the City to reach deeper levels of affordability below 30 percent AMI on the income-restricted units and increase the percentage of units at 30 percent AMI and below;
2. That the proposed developer include a locally-based mission-driven nonprofit developer and/or community land trust as an equity partner with sufficient leverage to ensure that the extension of the non-permanent units as income-restricted units is made a priority;
3. That the applicant commits to and provides a timeline for completing a study of how to enact “practical permanence” by using restrictive covenants on the deed to compel owners to extend the duration of affordability and regulatory requirements;
4. That the proposed developer develop a tower design that demonstrates an integrated and well-designed façade, taking into account factors such as street wall articulation and amounts of fenestration, that will result in a prominent and distinctive building which complements the character of the surrounding area; and
5. That the applicant and the proposed developer commit to providing regular updates to the Board and demonstrate ways they have incorporated both the Board’s and my recommendations prior to the CPC vote.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, flowing style.

Gale A. Brewer
Manhattan Borough President