

CB3 Guidelines for Seward Park Sites Redevelopment

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

I. INTRODUCTION

A. Guiding Principles

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

B. Community Oversight

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

II. LAND USE AND PROGRAM

A. Mixed-Use Development

- 1) The mixed-use, mixed-income character of the neighborhood must be reflected in the development plan for the sites.
- 2) Each phase of development must reflect the mixed-use, mixed-income guidelines indicated herein, except if federal regulations require senior housing to be separated from other uses and thus built as an independent phase or project element.

B. Commercial Development

- 1) Full opportunity should be provided for economic development and local employment and entrepreneurship. Fifty percent of all on-site employment opportunities must at all times be filled by CB 3 residents; employers must make diligent efforts to advertise job openings locally. All employment opportunities should offer wages that take into consideration the cost of living in New York City, rather than the statewide minimum wage.
- 2) Retail should be maximized in street-level building frontages along major streets (i.e., Delancey Street west of Clinton Street and Essex Street).
- 3) Local service and convenience retail uses should predominate in street-level building frontages along side streets (i.e., Broome Street, Grand Street, Ludlow Street, Norfolk Street and/or Suffolk Street).
- 4) Mid-box retail should be encouraged to locate predominantly on the second floors of buildings along major streets (i.e., Delancey Street and/or Essex Street). "Mid-box" retail is defined as stores equal to 10,000 to 30,000 square feet (sf).
- 5) With the exception of a possible supermarket, no single retail tenant should exceed 30,000 sf in size. In addition, no more than three new liquor licenses within 500 feet of each other should be issued to establishments on the side streets, and no licenses can be established within 200 feet of any school or religious institution.
- 6) There is a strong preference that the existing Essex Street Market remain on its current site. However, if the Market is to be relocated, it must remain public and be moved to a superior site on a major street to accommodate a larger market with more goods and services. The existing Essex Street Market must not be closed or demolished before the new, larger market is open. Every effort should be made to retain the then current tenants of the Essex Street Market during the change in location and facility. Such efforts should include providing special consideration as to rents (e.g., rent increases should be comparable to existing contracts), assisting tenants with moving and relocation costs (e.g., through the creation of a fund or by way of a requirement in the RFP), and assuring that the new market space is move-in ready before tenants are relocated.
- 7) Every phase of retail development must provide a diversity of goods, services and price points.
- 8) Non-retail, commercial development – including office, hotel and/or a movie theater – should be provided. A movie theater is a priority; this use could be a component of a multi-purpose performance space, including one in connection with civic uses (see #II.D). The final commercial uses and their floor areas will depend on market conditions at the time of development, as well as satisfactory proposals by development or operating entities.

C. Housing

- 1) The sites should be developed to optimize their aggregate residential potential. At least 800 and preferably more than 1,000 housing units must be provided. (This range should be refined following community engagement in connection with anticipated urban design analyses for the site.) However, the overall housing component should not comprise less than 60 percent of the total floor area of all sites, excluding floor area devoted to below-grade parking.
- 2) The mixed-income character of the neighborhood must be reflected in the development plan for the sites. Accordingly:
 - a. Approximately 50 percent of all units should be available at market-rate values (i.e., for households with no income restrictions). ("Approximately" is defined as give or take one or two percent.)
 - b. Approximately 10 percent of all units must be reserved for middle-income households.
 - c. Approximately 10 percent of all units must be reserved for moderate-income households.
 - d. Approximately 20 percent of all units must be reserved for low-income households.
 - e. Approximately 10 percent of all units must be reserved for low-income seniors.
 - f. Supportive housing for low-income individuals and/or families is permitted under any of the above allocations (see #II.C.2).

g. The household income definitions are as follows:

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

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

- h. Units should be affordable to a multitude of incomes within the above ranges (see #II.C.2.g), rather than to just the upper limits of each.
- 3) Every effort should be made to secure Federal, State and other outside funding to achieve the quantities of non-market-rate housing set forth above. The ability of respondent

developers to maximize the number of non-market-rate units should be a major criterion of the RFP and in the selection of developers.

- 4) Developers must be encouraged to consider affordable homeownership and variant models (such as mutual housing).
- 5) In mixed-income buildings, the non-market-rate units should be integrated with the market-rate housing and be indistinguishable from the exterior in terms of material and design quality. Further, the non-market-rate component should have at least the same proportion of two- and three-bedroom apartments as the market-rate component; however, in all cases, at least 40 percent of all non-market-rate units should be two-bedrooms or larger. All non-market-rate units must comply with the NYC Department of Housing Preservation and Development (HPD) "Design Guidelines for New Construction," which includes standards for unit size and layout.
- 6) At least 50 percent of the non-market-rate housing units should be prioritized (in the following order) for residents who may be relocated as a result of planned development, Tenants at Title Vesting – the former site tenants – and qualifying residents of Community District 3. There should be a robust procedure for notifying Tenants at Title Vesting about their right to return, such as described in the Appendix (see below).
- 7) All non-market-rate units must remain affordable in perpetuity.

D. Civic Uses

- 1) The site development must include community, cultural and/or institutional ("civic") uses and amenities that benefit residents of all ages.
- 2) Full opportunity should be provided for civic uses and amenities. It is understood that such use(s) for each site will depend on project feasibility as well as a satisfactory proposal by a development or operating entity. Civic use is broadly defined to include a possible non- or limited-profit retail component and/or non-profit offices.
- 3) The civic use obligation may in large measure but not entirely be satisfied by any one such use.
- 4) Sufficient land and building capacity should be set aside for a public primary or secondary school. Ideally, students from both School Districts 1 and 2 should be allowed to attend the school, regardless of which district it is ultimately located in. (This will result in either new flexible district boundaries – as already exists at 14th Street – or a redistricting of the area to include the entire Seward Park development in District 1) The siting of the school should allow it to be oriented to a side street.
- 5) An assisted living/nursing home is a preferred community facility use.

- 6) Parks and open space must be a major feature of the final development program. A side street orientation is preferred for local neighborhood open space, such as a playground.
- 7) Every effort should be made to include a non- or limited-profit retail or other commercial component in the final program. This use may substitute for either local service and convenience retail (see #II.B.3). It is understood that this use will depend on project feasibility as well as a satisfactory proposal by a development or operating entity.

III. SITE LAYOUT AND DEVELOPMENT

A. Site-Specific Concerns

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

B. Commercial Overlay

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

C. Urban Design

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

D. Parking

The development should include approximately the same amount of public parking as currently exists for cars (i.e., excluding commercial vehicles and trucks) that will be displaced as a result of development.

IV. APPENDIX

Model language/procedure for contacting former site tenants:

"Upon the initiation of the Environmental Impact Review, the City must mail a letter to all former site tenants and to all children of former site tenants apprising them of the planning process and assuring them that all former site tenants and all children of former site tenants will have first priority for all non-market units once housing is built on the site. Upon the award of the RFP(s), the City must mail a binding document to all former site tenants and all children of former site tenants informing them of their first priority for all non-market units on the site. In this same mailing, the City must also enclose a pre-application for this housing to guide the later tenant selection process."

Site Overview – Jurisdiction

