



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

1 Centre Street, 19th floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
431 West 125th Street, New York, NY 10027
(212) 531-1609 p (212) 531-4615 f
www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

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RE: ULURP Application Nos. C 170358 ZMM, N 170359 ZRM, and C 170360 HAM – East Harlem Rezoning; ULURP Application Nos. C 170361 ZMM, N 170362 ZRM, C 170363 HAM, C 170364 PQM, C 170365 ZSM, C 170366 ZSM, and C 170367 ZSM – Sendero Verde – East 111th Street

**Testimony of Manhattan Borough President
Gale A. Brewer to the City Planning Commission**

Good afternoon Chair Lago and Commissioners. I am Manhattan Borough President Gale A. Brewer and I am here to speak in opposition to the New York City Department of City Planning (“DCP”) application to rezone East Harlem and to my conditional approval of the Department of Housing Preservation and Development’s (“HPD”) application for Sendero Verde / East 111th Street.

East Harlem

On the application to rezone East Harlem, I recommended a straight no. The DCP proposal shares broader goals with the East Harlem Neighborhood Plan (“EHNP”) about the need for required affordable housing, active street walls, and concentrating new commercial use along the viaduct to better utilize that area. I am grateful for DCP and their sister agencies’ involvement in the EHNP process and their subsequent meetings with local stakeholders to discuss next steps. Therefore, I was perplexed that given the extraordinary amount of time that staff put into these efforts, their guiding purpose, which we understood to be that the community’s self-defined vision should be central to the final plans, was overlooked.

Despite our clear recommendations, the Administration is not taking the community's plan seriously. Neighborhood planning is difficult, the process of bringing disparate voices together is challenging, and requires a deep knowledge of constituencies and the building of trust.

East Harlem must have responsible growth and smart investment that also protects the neighborhood's character; the Administration's current plan calls for too much density, too much construction, and too many market-rate units while not constructing enough affordable units to offset the expected loss of rent-regulated units and the families they house. New as-of-right development continues in East Harlem under the current zoning framework and with no requirements for affordable housing. Rents continue to rise, threatening affordability and neighborhood cohesion. What is now lacking are investments in infrastructure, public realm improvements and social services that address the community's needs.

We must plan appropriately to protect the current population before we allow for new significant growth. To accomplish this, the rezoning plan must seek to preserve existing affordable housing:

- First, in the rental market where we face the greatest threat to its displacement;
- Second, through a long-term targeted financial commitment to repair and maintain existing NYCHA housing;
- Then new development must create housing that is permanently affordable to neighborhood residents; the key is to limit the kind of and location of market rate development that increases displacement.

Finally, we must, as I have always maintained, require that development respect the neighborhood's physical as well as cultural character. The A-text filed by DCP slightly reduces allowable heights that will allow for a broader look at height limits. The new tool to shape the proposal to the community's vision is a welcomed addition to the application.

In the interest of time, I will touch on a few points in which I disagree with the Administration and refer you to my official recommendation, which has more details regarding these matters.

Topics where I strongly disagree with the Administration’s proposal include:

- The narrowing of the rezoning boundaries from those proposed in the EHNP;
- A greater allowance of as-of right parking garages; and
- Mapping commercial overlays on New York City Public Housing Authority (NYCHA) Campuses without further study and development-specific discussions with public housing residents and local stakeholders.

I was also dismayed to see that the Landmarks Preservation Commission (LPC) had not provided a thorough response to the list of potential landmark sites identified by members of the EHNP. Cultural and historic preservation were strongly prioritized by the steering committee and echoed by numerous residents in public meetings. The lack of progress on this issue indicates that the City did not recognize the unique physical and cultural landmarks that make East Harlem distinct from other city neighborhoods. This stands in stark contrast to the hard work the LPC conducted in advance of certification for the Greater East Midtown rezoning efforts. Similarly, Manhattan Community Board 11 (“CB11”), acting in concert with the EHNP, recommended specific improvements to the rezoning framework, but here again, these efforts have largely been ignored.

Finally, and admittedly difficult to address, is the need for commitments on how we can achieve deeper affordability in the planned affordable housing. The EHNP called for a minimum of 20 percent of affordable units to be affordable to those earning 30 percent of AMI or less. We have barely been able to meet that target in most projects on city-owned land. If we cannot do it there, success is less likely on private development.

When I supported the Administration’s mandatory inclusionary housing program two years ago, and was the only Borough President to do so, I recognized that somewhat higher density would be required in order to build large amounts of new affordable housing. But the degree of density would have to be consistent with neighborhood context and community input. Here, the

community gave extensive, thoughtful and informed input, but the Administration could not see its way to support the most significant elements of the community's recommendations.

For these reasons, I must say no to this proposal. East Harlem needs a plan in which new construction better preserves neighborhood context, makes detailed up-front commitments to affordable housing preservation, spreads new development across a wider area, and addresses the many other needs that were identified by this community in the process that produced the East Harlem Neighborhood Plan.

Sendero Verde – East 111th Street

Regarding Sendero Verde, after careful review, I believe the proposal put forward by HPD and the proposed development team is appropriate and would contribute to a better site plan and relationship between the buildings and the wider neighborhood. However, my support for the application does come with specific concerns and conditions.

The East 111th Street site is already a location with profound importance and part of the fabric of East Harlem. 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. The applicant and the proposed developer have outlined a compelling proposal and the concept plan as presented appears to be a genuine attempt at achieving elements of the EHNP.

That said I believe more can be done to improve the project. While I applaud the proposed developer's commitment to making all the residential units income-restricted at the onset, 60% of the units are not permanently affordable. As someone who has dealt for years with the consequences of expiring affordability, as in the Mitchell-Lama program, it is disheartening to see the city repeating a recipe for future affordable housing loss and resident displacement. City-owned land represents one of the few places where we can require permanent affordability and we must not let the opportunity slip away.

Additionally CB11's recommendation calls for a mission-driven organization that is based in East Harlem to be part of the development team and asks that the Board be included in the choosing of that entity – both recommendations were ignored. I am a strong believer in working closely with mission-driven developers and community land trusts to preserve affordability in the long-term and would encourage HPD to heed these recommendations and make them standard practice so that public land continues to serve the public interest in perpetuity.

Thank you for giving me the chance to testify today.