SEWARD PARK

FINDINGS AND PLANNING RECOMMENDATIONS REGARDING THE SPURA SITES AND THE SURROUNDING STUDY AREA

Prepared by:
Steve Herrick, Cooper Square Committee
March, 2010

Introduction:

The Seward Park Urban Renewal Area:

The Seward Park Urban Renewal Area (SPURA) consists of 10 city-owned sites comprising about 7 acres of land (see Map 1), the largest vacant tracts of city-owned land in Manhattan below 125th Street. 6 of the 10 sites are on the south side of Delancey Street, and 4 are north of Delancey Street.

Sites 1 – 6 are largely vacant lots used for parking, and they have capacity for 510 cars. They consist of 224,726 sq. ft. of land, or more than 5.5 acres of undeveloped land. As such, they comprise the largest amount of vacant city-owned land in Manhattan south of 96th Street. They are managed by the NYC Dept. of Housing Preservation and Development (HPD). Sites 1 and 2, facing onto Essex Street have C6-1 zoning and sites 3 – 6 have R8 zoning.

The 4 sites on the north side were rezoned in 2008, and have C4-4 zoning (see Map 2). These sites all have buildings on them. Site 7 is a parking garage located on the west side of Essex Street, between Delancey and Rivington Street. It is managed by the NYC Dept. of Transportation (DOT) and holds several hundred cars. Sites 8 – 10 are on the east side of Essex Street. Site 9 is the Essex Street market, which is an active wholesale and retail market employing dozens of people. It is managed by the NYC Economic Development Corporation (EDC). Sites 8 and 10 are vacant, and could either be renovated, or more likely demolished to build to optimize use of the zoning.

The following report is a brief analysis of the SPURA sites and the surrounding study area. It aims to inform discussion about potential development options for the SPURA sites by analyzing the demographics, housing and economic characteristics of the surrounding study area, and the range of community services available to residents currently.

Chapter 1 is an overview of 2000 Census Data regarding 13 census tracts surrounding the Seward Park Urban Renewal Area (SPURA), which is in Census Tract 14.02. The study area is bounded by Houston Street on the north side, Division Street and Pike Street on the southern border, the Bowery on the west side and the East River on the east side. The census tracts in the study area are all about 1/3rd of a mile from the boundaries of the SPURA sites (see Map 3). The data analyzed includes the race, income, unemployment rates, homeownership rates, the types of industries people are employed in within the study area, the age cohorts of the population, the amount of parkland, the enrollment at schools, the number of children in Head Start and Day Care programs, the cultural and recreational programs, and the number of senior housing and nursing home beds serving the Study Area.

While the 2000 Census data is now 10 years old, and there have been many changes in the Study Area, much of the data is more recent, such as school enrollment, day care enrollment, parkland acreage, etc… Some of the Census data should be evaluated cautiously given the changes in the study area, but some of it is still quite accurate. For example, homeownership rates have not changed dramatically, given that co-op conversions have been virtually non-existent in the past decade, and new construction has been primarily rental housing.

Chapter 2 looks at the current zoning of the sites, and examines several alternative rezoning scenarios in order to determine how that could shape development of the site in terms of residential or commercial uses, use groups, bulk, density and scale. The 4 sites on the north side of Delancey

Street have contextual C4-4 zoning. The sites on the south side of Delancey Street are not contextually zoned, and so building heights are not subject to any limits other than the allowable floor area ratio multiplied by the substantial square footage of each site. This study concludes that contextual rezoning would be preferable to maintaining the existing outmoded zoning on the sites south of Delancey Street.

This report aims to supplement the SPURA Matters report and to support the CB 3 planning principles (See Attachment 1). SPURA Matters conducted a year long visioning process, and prepared an excellent document called "Community Voices and the Future of the Seward Park Urban Renewal Area" in 2009, which summarizes the community's aspirations for the SPURA sites. The key themes that emerged from the visioning process and community surveys are as follows:

1) The community strongly supports housing for low and moderate income households. 60% of survey respondents support low to moderate income housing on the sites. Another 32% support a mix of low/moderate income housing with market rate housing.
2) There is strong support (74% of survey respondents) for including some market rate housing if that is what is needed to cross-subsidize the affordable housing.
3) 61% support a mix of home ownership and rental housing, while 26% want rental housing only and 13% want home ownership units (co-ops/condos) only.
4) 35% don't care about the height of the new buildings while 26% want them to be similar to the 20 story Seward Park co-ops.
5) There is strong community support for a mix of uses – retail, theaters and open space. 86% of survey respondents believed that new space for retail/commercial activity is either very or somewhat important.
6) There's a strong need for community facilities such as day care, and recreational, cultural and educational activities for seniors and young people. There's also a strong interest in creating more open space. These ranked 2nd and 3rd out of 10 priorities when workshop participants were asked to prioritize allocating financial resources on the site.

Based on the Cooper Square Committee's own research of land use data related to the Seward Park site and surrounding study area, we arrived at the following recommendations:

Sites 1 – 6 Recommendations:

Zoning:

1) We support contextual rezoning of sites 1 – 6 (upzoning) to maximize affordable housing on the 6 sites south of Delancey Street to get at least 1,180 housing units and as much as 1,790 housing units.

Housing:

1) We support mixed income (low, moderate and middle income housing) on the SPURA sites. The ultimate income mix that can be financially feasible will be based on many factors (cost of the land, construction costs, availability of federal, state and city subsidies, and various trade-offs including open space, cultural and community space that may be included in the plan), and we call for a transparent, good faith planning process in achieving a diverse income mix.
2) We support 250 or more units of senior housing on one of the two smaller sites. Sites 1 or 6 are ideally suited for this amount of housing;
3) If new construction programs (ie., 80/20, Low Income Tax Credits) only support very low income housing at less than 60% of median income, but don't provide for adequate low income

housing (between 60 – 80% of median) on site, we want a commitment by the City to fund additional off-site low income housing utilizing NYC capital funds and LMDC funds.

Commercial Development:

1) We support ground floor and some 2nd floor retail, over 200,000 sq. ft.;
2) We support a diverse mix of retail tenants, and potentially office space to accommodate the major employment sectors in our community-- over 1/3rd of local jobs are in the non-profit sector, and 17.8% are in light manufacturing and construction, and 17.1% are in the arts, entertainment and food industries. The zoning and development of some of the sites must support these use groups.
3) We are willing to support an office building on one site if it can be demonstrated that there is a market for office space in Seward Park, BUT ONLY IF it can cross-subsidize a higher percentage of low/moderate income housing.

Open Space:

1) We support a ½ acre park.

Sites 7 – 10 Recommendations:

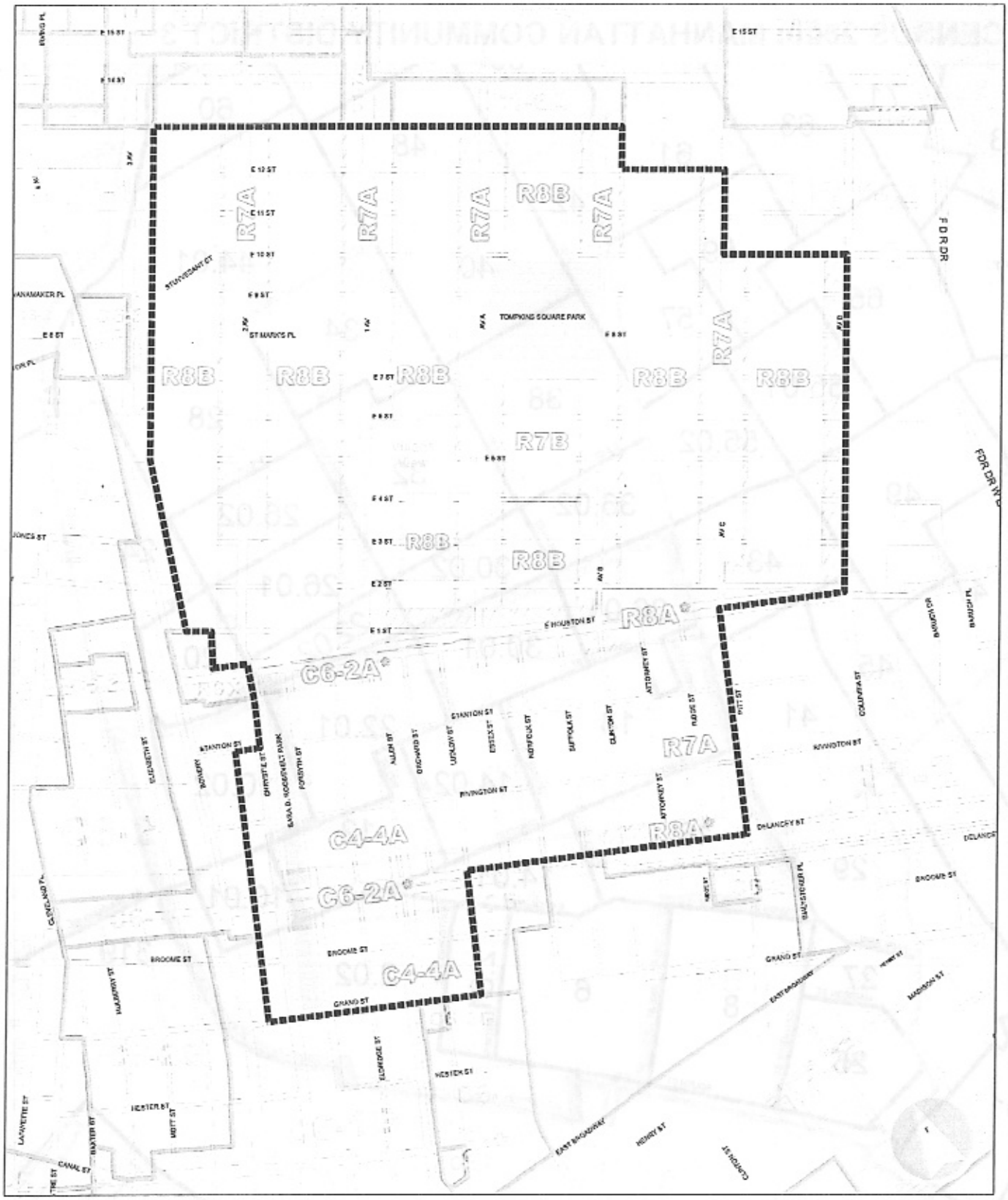
CSC supports the preservation of the parking garage north of Delancey St. (site 7), and the active Essex Street Market (Site 9), and development of community/cultural spaces on the other 2 sites north of Delancey St. (Sites 8 and 10), since they are not as suitable for housing development.

This report is intended to facilitate the planning process, and to substantiate arguments in support of various proposed land uses. It is not intended as a definitive plan for the SPURA sites.

Map 1.

Seward Park Area

SPURA Boundaries

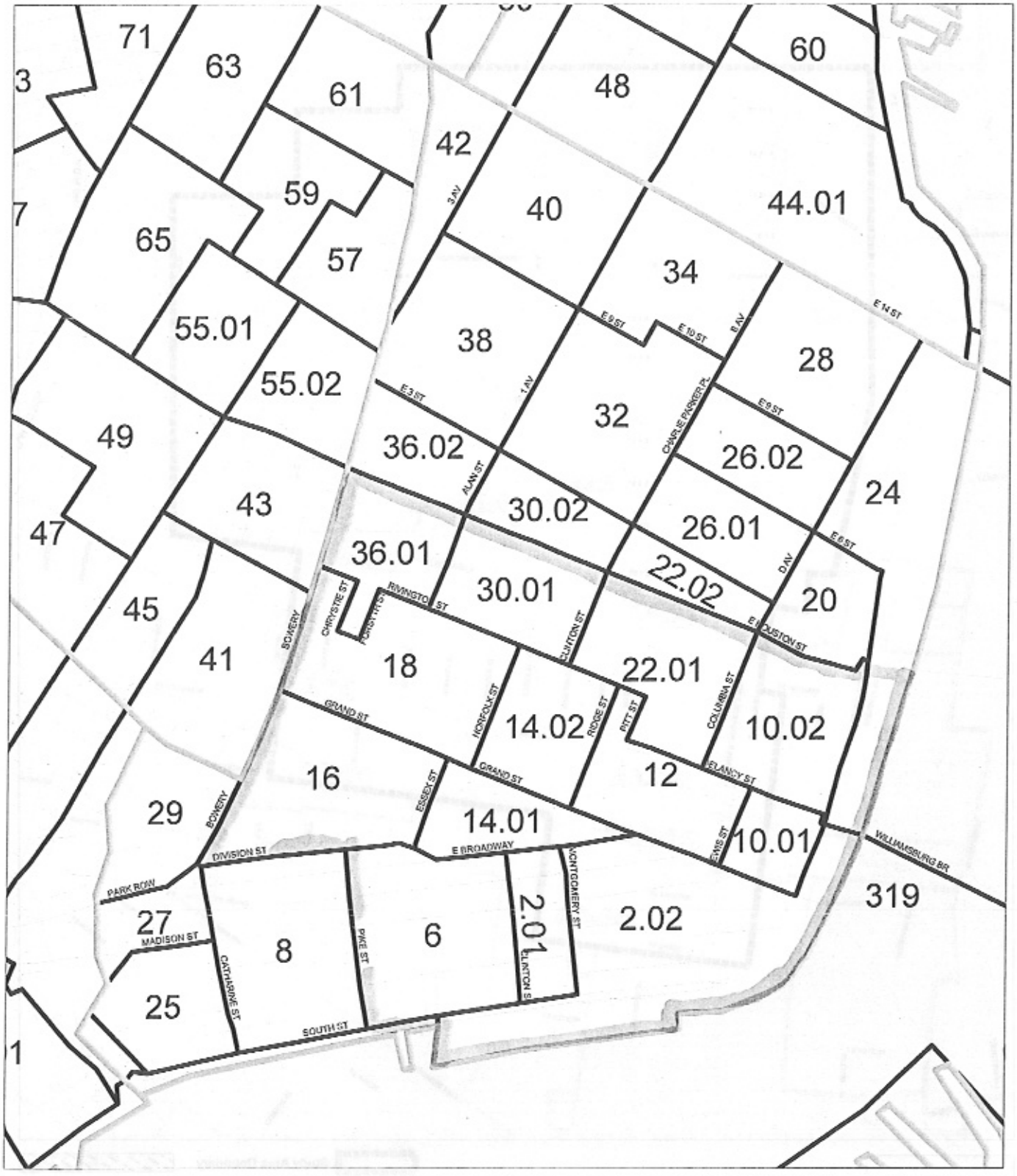


East Village/Lower East Side Rezoning

DEPARTMENT OF CITY PLANNING — New York City — MANHATTAN OFFICE

Base Map: DCP Tax Block/Lot Release 08B, May 2005 *Map Generated: May 2008*

CENSUS 2000: MANHATTAN COMMUNITY DISTRICT 3



LEGEND

4 CENSUS TRACT NUMBER

CENSUS TRACT BOUNDARY

STREET

READE ST. STREET NAME

COMMUNITY DISTRICT BOUNDARY

Department of City Planning, New York City

Executive Summary:

I. Analysis of the Seward Park Study Area:

A. The Population as of 2000:

Findings:

In the year 2000, there were 73,939 people in the SPURA study area, a 1.2% decline in population from 1990. The population decline was due to a decline in the average household size. Overall, the average household size was 2.80 people in the 26,439 occupied units, with the average family size being 3.5 people, and the average household of unrelated members being 2.65 people.

The SPURA study area population in 2000 was 43.6% Asian, 30.3% Latino, 16.7% White, 6.9% Black, and 2.4% Other races (See Table 1). The study area population represents 45% of the overall CB3 population of 164,407 people as of 2000. The Furman Center estimated the population of CB3 at 172,408 in 2007.

Income and Education:

Findings:

The median household income in the SPURA Study Area was $23,619 as of 2000 (See Table 2). It ranges from a low of $14,519 in census tract 10.02 to a high of $41,932 in Census Tract 10.01. The proximity of middle income tracts immediately adjacent to very low income tracts has complicated planning efforts for the SPURA site. Today, the median income in the Study Area is likely to be about $32,038 based on more recent survey samples by the Furman Center (2008)

Over 40% of study area residents age 25 and over were high school graduates, and 14.8% were college graduates. The percent of high school graduates varied significantly with 4 census tracts having high school graduation rates of more than 60% (two with rates over 85%), and four tracts having high school graduation rates of less than 40%. High school graduation rates were lowest in the tracts with substantial public housing along the East River and in the heavily Chinese American tracts.

B. School Age Population:

Findings:

As of 2000, 15,203 residents (20.3%) were under 18 years of age. 3,618 (4.9%) were under 5 years old, 3,875 (5.2%) were 5 – 9, 4,529 (6.1%) were 10 – 14 and 2,952 (4.0%) were 15 – 17. (See Table 3).

Of the 8,404 youths between ages 5 – 14, 7,695 were enrolled in public and private pre-K through 8th grade schools in the study area, roughly 51% of the students enrolled in pre- through 8th grade in CB3 (See Tables 4 – 5). This suggests that 709 youths between 5 – 14 years of age in the study area were attending schools outside the study area. Whether this is due to a lack of school capacity, parental or student preferences is not clear based on the data.

3,936 youths were attending high schools (grades 9 – 12) located in the study area (Table 6). Again its not clear whether there is sufficient capacity in the various high schools in the study area, but the High Schools in the study area account for over 75% of the 5,290 students enrolled in High Schools in CB3. (See Map 4 for locations of all schools in CB3).

7,685 people ages 18 – 24 lived in the study area in 2000 (10.4% of the population). Given that few of them were heads of household, it can be assumed they were living with a parent who was supporting them financially while they attended school or were working an entry level job, assuming they were employed.

Recommendations:

The schools in the study area should be outreached to find out if they are at or near full capacity. The presence of over 15,000 youths 17 and under in the 26,439 housing units in the study area (0.6 youths per unit) suggests that, for example, if 1,500 housing units are developed in SPURA, at least 900 school age youths will enroll in local schools. An assessment should be made as to whether the elementary, middle and high schools have adequate capacity to absorb additional students.

If a new school is needed, Site 8 (Essex St. between Rivington St. and Stanton St.), which is currently a vacant building, is on an 11,163 sq. ft. site, and could accommodate a new school for K – 8 grade, which is the age group most likely to face a lack of school capacity.

C. Employment:

Findings:

The median unemployment rate in the 13 census tracts in the study area as of the 2000 Census was 9.3% but is likely to be considerably higher now in the midst of the national recession.

Education levels did not necessarily correlate with unemployment rates, because even though formal education levels tended to be lower in Chinatown, unemployment rates in a couple of heavily Chinese American tracts (for example, 6 and 16) were about the same as or lower than the study area as a whole.

29,490 people 16 and over in the SPURA study area were employed in the year 2000 (Table 7). 25.5% of SPURA area residents worked in service occupations, the most common profession. 21.7% worked in sales and office occupations. 19.8% worked in productions, transportation or material moving occupations. 19.5% worked in professional and related occupations. 9.3% worked in management, business or financial services. 4.3% worked in construction or maintenance occupations.

When we looked at jobs based in the Study area (Table 8), we found that 20,075 people were employed in jobs situated in the SPURA study area. The most common occupation for people working within the SPURA study area was education, health and social services (34.3%), followed by people working in construction, manufacturing, transportation, warehouses and utilities (17.8%). Among these, light manufacturing is certainly the main source of income. 17.1% of people work in arts, entertainment, recreation and food service. Relative to other zip codes in NY

State, 10002 is within the top 3% of zip codes employing people working in the arts and entertainment.

Given the proliferation of bars and restaurants on the Lower East Side, it is likely that a growing percentage of people are working in food services as well. 14.0% of people work in wholesale and retail jobs. 8.4% work in the F.I.R.E. industries, rental or leasing. This percentage has likely declined during the current recession. 4.7% work in professional, scientific, management, and administrative jobs.

Recommendations:

1) CB3 should promote mixed use and commercial development on the sites. While mixed use development is the optimal use of the sites, Site 2, which is on the east side of Essex Street and Broome is the one site that is most well suited for use as an office building with ground floor retail. Below ground parking should also be provided to replace some surface parking spaces that will be lost by developing the site. Site 2 is 43,206 sq. ft., one of the larger SPURA sites below Delancey Street. Under its current zoning, it could accommodate about 135 housing units, or it could accommodate a 259,236 sq. ft. office building with ground floor retail. The Chinatown Working Group had identified a strong demand for dental offices, as well as by accounting and legal professionals. The Lower East Side/East Village has many graphic designers, visual artists and other creative professionals who do light manufacturing. The location of this site (1 block from the F train) makes it a viable location for office space.

The other SPURA sites below Delancey Street (Sites 1, 3, 4, 5 and 6) consist of 181,520 sq. ft. of space, roughly 4.5 acres. Setting aside between ½ an acre to 1 acre of land for open space, there's still between 140,000 - 160,000 sq. ft. of land available for mixed use development.

By building on 80% of lots 1, 3, 4, 5 and 6 in accordance with zoning, the amount of ground floor retail that can be developed is at least 112,000 sq. ft. If CB3 decides to promote greater commercial development on the site, 2nd story retail or professional office space can be developed as well on some of the sites. Ground floor retail, 2nd floor retail in buildings with Delancey St. frontage, and possibly below ground multiplex movie theater space (similar to the Angelika Film Center) on Site 2 should be strongly considered.

By developing mixed use buildings on sites 1, 3 - 6, and one office building on site 2, the sites could accommodate over 200,000 sq. ft. of retail space and over 200,000 sq. ft. of office space. CSC recommends development of some office space in order to cross-subsidize a significant amount of below market rate housing on the sites.

D Housing:

Findings:

The SPURA study area contains 27,847 housing units as of the 2000 Census, of which 26,439 were occupied (Table 9.A.). According to the Furman Center, the median rent as of 2007 was $682. The vacancy rate was 5.1%. 45.9% of the housing stock in the Lower East Side is rent stabilized, most of it tenement housing. 26% of the SPURA study area is public housing (7,069 units). The NYCHA buildings include the Laguardia Houses, Vladeck 1 and II, Baruch Houses, Gompers Houses, Rutgers Houses, Seward Park Extension, Lower East Side Infill and Hernandez

Houses. There are over 3,890 co-op units, most of it in the Seward Park, Hillman and East River Housing Cooperatives (clustered in Census tracts 2.02, 10.01, 12 and 14.01). 14.8% of the housing stock is owner-occupied. These cooperatives were sponsored, sponsored, organized and built by trade unitions, the Amalgamated Clothing Workers of America and International Ladies' Garment Workers' Union, as well as the United Housing Foundation, a development organization set up by the unions in 1951.

According to a 2009 survey of 4,000 housing units on the Lower East Side by the Cooper Square Committee, the housing stock south of Houston Street has 1.3 code violations per unit, more than twice the number of violations per unit than the housing north of Houston Street (0.62 violations per unit).

The median income of the Lower East Side is $32,038 according to a 2007 survey by the Furman Center. The Furman Center found that 34% of households on the Lower East Side earn under $18,302 per year, 21% earn between $18,302 and $38,536. 17% earn between $38,536 and $63,041; 15% earn between $63,041 and $103,814 and 14% earn over $103,814 per year. The typical tenant pays 28.9% of their income towards rent.

Setting aside the long and contentious history of the SPURA sites, the demographic data makes a compelling case that there's a severe need for low and moderate income housing (less than 60% of the MSA median income), and more senior housing (there are 474 units in the study area – See Table 9.B.). Based on the income data, it's clear that the Seward Park sites can also attract middle and upper income households to market rate housing given the shortage of quality, new housing in the community.

Recommendations:

1) CSC recommends that at least 1/3rd of the new housing should be affordable to low income households (< 60% of median) given that 34% of SPURA households earn under $18,302 per year.

2) Middle income households who exceed low income eligibility requirements households, yet don't earn enough to afford rents of over $2,000 per month (which requires a household income of at least $80,000 per year) should be afforded housing opportunities in any plan for Seward Park. Given that at least 25% of the SPURA study area earns between 80% - 160% of the MSMA median income, a minimum of 20% of housing should address the housing needs of this income group.

3) Given that no new construction housing program specifically sets aside housing for households earning between 60% - 80% of median (the 80/20 program and low income tax credit programs cap low income at 60% of median), a plan for SPURA should include a provision for off site housing preservation for households earning less than 80% of median income. The City should commit substantial funding for the Lower East Side/Chinatown Building Acquisition Program so that non-profit housing companies can acquire privately owned buildings from private landlords in order to manage and preserve it as permanently affordable housing.

4) A plan for the SPURA study area should acknowledge the nearly 15% home ownership rate in the SPURA study area, and give favorable consideration to proposals that include 15% - 20% home ownership mix, either by requiring it as part of the overall development plan or by setting

aside one site specifically for new mixed-income condominiums, and bidding it out separately. A mechanism (ie., a community land trust) would need to be created to ensure that the low income homeowner units remain affordable to future generations of low income people.

5) Housing for special needs populations should be considered as part of a plan for the SPURA study area. 15.8% of the area population are senior citizens (65 or over), compared to 12% for NYC as a whole as of the 2000 Census. Setting aside a building for senior housing or nursing home care is worth considering as a way of meeting the housing needs of a sizeable portion of the area's low income population.

6) The RFP developed by HPD should score developers' bids using criteria that gives higher scores to bidders who maximize low, moderate and middle income housing above the minimum requirement.

E. Day Care and Head Start Programs:

Findings: 1,961 pre-schoolers in the study area (54%) were enrolled in Day Care or Head Start programs in the study area. Nearly 60% of all such programs in CB3 were in the study area (Tables 10 – 11). There were 1,205 children in public day care centers in CB3 in 2007, 747 of them, 62.5%, based in the SPURA study area. 534 children were in public head start programs, 56.6% of CB 3's total. 680 children were in private group day care, 55.6% of the total in CB 3. (See Map 5.)

Recommendation: New residential development on the SPURA sites will have minimal impact on the number of pre-school children in day care and head start programs. Even if it increases it by 2 - 3%, the private market will absorb them while the publicly funded day care and head start programs may need to fund a few dozen more Agency for Child Development slots in the SPURA study area.

F. Parks and Open Space:

Finding: There's about 124.4 acres of parkland in Community Board 3, of which more than 67.7 acres (or 54.4%) are in the SPURA area (See Table 12). There's about 0.88 acres of parkland (active and passive open spaces) for every 1,100 people in the SPURA area, a higher ratio than CB 3 as a whole. This is comparable to the NYC average of 0.9 acres per 1,000 residents but well below the 1.5 acres per 1,000 people that is recommended by the City's planning standards.

Recommendations: Assuming that over 1,000 units of housing are developed in SPURA, about 2,500 people will move to the new housing on the SPURA sites. It is advisable to provide some open space to the area to accommodate the added population, even if it's a ½ acre park.

Given that Sites 4 and 5 are contiguous, and given that the street (Broome Street) between them has been demapped, it could provide an opportunity to create a ½ acre park in the center between them, reconfiguring the road bed. Since the street dead ends 2 blocks east of the sites at Pitt Street, it is not a heavily trafficked street, and it would not create a big traffic flow problem to reroute traffic around the park. The park would also add value to the buildings facing on them.

Regardless of where a new park is located, it would be a welcome addition to the Lower East Side which is underserved by open space.

Regardless of where a new park is located, it would be a welcome addition to the Lower East Side which is underserved by open space.

II. The Seward Park Sites – Rezoning Options:

A. Current Use of Sites 1 - 6:

Sites 1 – 6 are currently used for public parking, primarily for shoppers in the Delancey Street area. They hold 510 parking spaces, 125 of which are truck parking. There are 350 additional parking spaces in the parking garage on Essex Street (Site 8).

Current Zoning of Sites 1 - 6:

The current zoning for Sites 1 – 6 on the south side of Delancey Street allow up to 1,192,548 sq. ft. of residential development or up to 709,412 sq. ft. of commercial development (See Table 13). Sites 1 and 2 are zoned C6-1, and sites 3 – 6 are zoned R8. C6-1 zones provide a 3.44 residential FAR, a 6.0 commercial FAR as well as a 6.5 community facility zoning. Sites 3 – 6 provide a 6.02 residential FAR, a 2.0 commercial overlay, and a 6.5 community facility zoning.

Given that one of Community Board 3's planning principles is a preference for mixed-use development on the sites, the current zoning would allow for residential buildings with ground floor retail covering up to 80% of the lots. Assuming each building occupied 80% of these lots, the amount of ground floor retail would be about 135,000 sq. ft. With no height limits, the buildings could easily exceed 20 stories if a developer built towers in the park with smaller building foot prints. Since one of Community Board 3's planning principles is a preference for creating street walls by building to the lot line, towers in the park are not a likely development scenario.

<u>If no rezoning recommendation is adopted, the sites can hold about 995 – 1,130 units of new housing with roughly 135,000 sq. ft. of ground floor retail</u>. The income mix of the new housing in any development scenario will depend on 1) City, State and Federal subsidies; 2) cross-subsidies generated by market rate retail and office space development. Setting aside part or all of any of the ites for a park and/or development of 1 office building would reduce the amount of housing, but more retail development could make it possible to build more affordable housing even if less overall housing units are developed. Table 13 projects that a 259,236 sq. ft. office building, including a multiplex theater, on Site 2 (the most suitable location) and over 130,000 sq. ft. of retail, along with a ½ acre park on one of the sites would reduce the amount of housing to about 995 units. However, if Community Board 3 recommends rezoning for the sites, as is likely, there are a range of zoning options that can be considered. The SPURA visioning sessions found an openness to rezoning on the part of the majority of the hundreds of stakeholders who participated in the visioning process. Here's a brief analysis of several rezoning options:

Rezoning Option A: C6-2A

Community Board 3 wants to maximize the development potential of the site. There is also an interest in balancing development with the surrounding character of the community. While the north side of Delancey Street is mainly 5 and 6 story buildings, there are also larger public housing complexes, and several out of scale buildings such as the Blue Building and the Rivington Hotel. The north side of Delancey Street was rezoned to C6-2A in 2008, with a 120 foot building height

limit. The Seward Park sites on the south side of Delancey Street are surrounded by mainly large 15 – 20 story cooperatives.

If the 6 sites south of Delancey Street are rezoned to C6-2A (with a residential FAR of 7.2, and a commercial FAR of 6.0, and a community facility FAR of 4.0), they can hold up to 1,675,135 sq. ft. of residential development or up to 1,420,256 sq. ft. of commercial development. (See Table 14). Assuming that 1 unit of housing can be built for each 900 sq. ft. of residential zoning, the sites can hold up to 1,480 units of housing, with between 130,000 – 175,000 sq. ft. of ground floor and some 2nd floor retail, depending on the square footage of the building footprints. Building an office building on Site 2 and a ½ acre park would generate up to 421,127 sq. ft. of commercial space and an estimated 1,195 units of housing.

Rezoning Option B: C6-3A

Rezoning sites 1 – 6 to C6-3A would create a residential FAR of 7.5, and a commercial FAR of 6.0. It would create contextual zoning with a maximum building height of 145 feet. The amount of buildable residential square footage would be 1,740,285 and the maximum commercial square footage would be 1,420,256 sq. ft. (See Table 15).

It would be possible to develop about 1,540 housing units, with between 130,000 – 175,000 sq. ft. of ground floor and some 2nd floor retail, depending on the the square footage of the building footprints. Including an office building on Site 2, and a ½ acre park would result in about 1,241 housing units, and roughly 427,000 sq. ft. of commercial space. This relatively small increase in units may not justify the trade-off of 145 foot tall buildings.

Rezoning Option C: C6-3X

Rezoning sites 1 – 6 to C6-3X would create a residential FAR of 9.0, and a commercial FAR of 7.5. It is also contextual zoning, and would create a maximum building height of 170 feet. The maximum residential square footage would be 2,041,604 and the maximum commercial square footage would be 1,420,256. (Table 16).

If all 6 sites were rezoned to C6-3X, and mixed-use buildings were developed (residential buildings with ground floor retail), it would be possible to develop about 1,790 housing units, with between 130,000 – 175,000 sq. ft. of ground floor retail, depending on the square footage of the building footprints. Including an office building on Site 2, and a ½ acre park would result in up to 455,087 sq. ft. of commercial space (office & retail), and about 1,433 housing units.

Rezoning Option D: Combination of the Above Zonings

The optimum plan should rezone site 1 to C6-2A with a 120 foot height limit since it is surrounded by smaller buildings. Sites 2 – 5 should be rezoned to C6-3X. Site 6 could retain its current zoning and senior housing could be developed using the 6.5 FAR allowed under community facility zoning. If mixed use buildings are developed on all the sites, and a ½ acre park is created, roughly 1,533 housing units could be developed. Another option is setting aside one building on Site 2 for office space and retail, which would result in about 1,396 housing units and 456,331 sq. ft. of commercial space. (Table 17).

Site 1: The zoning could be changed to C6-2A, allowing for a 120 foot tall building with an FAR of 7.2. This would allow for a 145 unit mixed income building, instead of a 180 unit building in a C6-3X zone. The lower height may be more acceptable to the community.

Site 2: The zoning for Site 2 could be kept as is (C6-1), and it could be developed solely as a commercial office building totaling 130,704 sq. ft. with a ground floor multiplex theater. Situated less than 1 block from the subway station, it would attract a daytime population to the Lower East Side, which would help new businesses formed on the Seward Park sites and existing businesses in the surrounding community. Even though C6-1 zoning does not impose a height limit, the RFP could require that the building not exceed 120 feet in height.

Site 3, 4, and 5: Since the goal of the plan should be to maximize housing with ground floor retail, these four sites should be rezoned to C6-3X. The 4.5 acres of land these sites comprise total 181,810 sq. ft. The 9.0 residential FAR under this zoning would generate a significant amount of housing with ground floor retail space.

Integrating open space into the plan, a ½ acre park could be built at the center of these sites to create a stronger sense of place, and add value to the residential units. After subtracting a half acre park, there would be about 160,000 sq. ft. of land that could be developed, or 1.44 million sq. ft. of housing with a 9.0 FAR. About 988 housing units could be built on these sites, with a 170 foot height limit. If a 1 acre park were built, there would be 140,000 sq. ft. of land remaining, and this could generate 1.26 million sq. ft. of residential development, or nearly 800 housing units. Given that there is strong support for open space as well as strong support for housing, these planning goals can both be accommodated if there is willingness to upzone these 4 sites.

Site 6: This site is currently zoned R8. If low income senior housing is built on this site, the zoning could remain as is, and take advantage of the 6.5 FAR for community facilities. This is the smallest site, totaling 21,132 sq. ft. Under the current zoning, a community facility could be built with up to 137,357 sq. ft. of senior housing or combination of nursing home and senior housing. Cabrini has expressed an interest in a site of about this size to replace their 240 unit facility on East 5th Street which is an obsolete building which they lease and cannot renovate. The SPURA area has a large senior population, and this would certainly be an appropriate use, meeting the needs of low income seniors. Even though the R8 zoning does not impose a height limit, the RFP could limit this new building to 120 feet or 145 feet in height.

Sites 7 – 10:

The Essex Street market (Site 9) directly employs dozens of people and should be preserved. The parking garage (Site 7) holds 350 cars, and should be preserved as well. Sites 8 and 10 are smaller sites, with less than ideal lot sizes. Thus, they are more difficult sites to redevelop.

The development cost per sq. ft. will be higher to demolish and rebuild on these sites than on the vacant sites, and as is the case with any infill development, there is the risk of undermining the foundation of adjacent structures as been demonstrated repeatedly on the Lower East Side. These sites would be better suited for smaller buildings of 5 or fewer stories. They should be considered for community amenities such as a new school, if necessary, and community/cultural space. Site 8 (11,163 sq. ft.) could be considered for a public parking garage to accommodate some of the cars that will be displaced from Sites 1 – 6, since below ground parking will not completely offset the loss of 510 surface level parking spaces.

Conclusions Regarding Rezoning:

The Cooper Square Committee believes that CB 3 should rezone sites 1, 3, 4 and 5, at the very least, in order to maximize the residential and commercial development potential of these sites. The sites are situated in a prime location, along a major commercial avenue, close to mass transit, and a short commute to downtown and midtown business districts.

The optimum development plan should take into account the data in this report, and other research, studies and reports about the SPURA sites and SPURA study area. Area stakeholders are strongly in support of mixed income housing, commercial development and the creation of open space and other amenities as part of any large scale development plan.

Trade offs will be necessary to meet the range of uses envisioned by the community. Open space can and should be set aside as part of this plan, but upzoning should be carried out in order to offset any loss of housing units that a new park would necessitate.

Advocates of affordable housing should support significant commercial development to cross-subsidize more low/moderate income housing units. Planners should study various financing mechanisms, models and commercial/residential combinations to optimize low/moderate and middle income housing on sites 1 - 6.

In any of these rezoning scenarios, increasing the amount of open space from ½ an acre to 1 acre would take away some housing and retail space. The amount of housing lost by a ½ acre of parkland would range from about 135 units to 200 units depending on the zoning, and the amount of retail that would be lost would range from between 25,000 sq. ft. and 50,000 sq. ft. depending on whether the retail was limited to the 1st floor or if it was on the 1st and 2nd floor.

Displacement and Relocation Issues:

New development will displace about 510 surface parking spaces on Sites 1 – 6. Below ground parking can be created in most of the new buildings. The City should look for nearby off-site opportunities to create parking garages. There is an adjacent site on the southwest corner of Broome St. and Suffolk St. that currently contains 32 parking spaces. A parking garage here could create over 150 parking spaces.

Site 1:

Parking lot between Essex St. and Ludlow St., below Delancey St. – cars will be displaced.

Site 2:

Essex St. between Delancey and Broome St. There is a vacant structure on the site, so there's no relocation issue involved on the site.

Site 3:

Parking lot on Delancey St. between Norfolk & Suffolk St. Cars will be displaced.

Site 4:

Parking lot on Delancey St. between Suffolk & Clinton St. Cars will be displaced.

Site 5:

Broome St., between Suffolk & Clinton St. Vacant 2 story building. It can be demolished, no relocation issues.

400 Grand Street, between Suffolk & Clinton St. Occupied 20 unit building. If it is demolished, the tenants need to be relocated elsewhere in low income housing on one of the other sites.

402 Grand Street, between Suffolk & Clinton St. 1 story building with a shoe repair store. It could be relocated on one of the other sites.

Site 6:

Parking lot on Delancey St. between Clinton & Attorney St.

Site 7:

Parking garage on Essex St. between Delancey & Rivington St. Preserve it.

Site 8:

1 story Essex St. market between Rivington & Stanton St. Magician bar needs to be relocated or given a buyout.

Site 9:

Essex St. market between Delancey & Rivington St. Active market, preserve it.

Site 10:

Essex St. between Delancey & Rivington St. & Stanton St. It is vacant. No relocation issues.