



April 1, 2013

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Chairman John Rhea
New York City Housing Authority
250 Broadway
New York, NY 10007

Dear Mayor Bloomberg and Chairman Rhea:

Thank you Mayor Bloomberg for your letter dated March 15, 2013, responding to our previous letter of February 20th regarding the New York City Housing Authority's (NYCHA) proposal to allow 14 market-rate, high-rise residential towers to be constructed on the grounds of eight of its Manhattan developments (the "Infill Plan"), and thank you Chairman Rhea for your ongoing engagement with us on this important topic.

Based on the March 15th letter, and recent meetings and public hearings, we have many concerns regarding the request for proposals (RFPs), the consultation schedule, and the proposed program—concerns that we believe need to be resolved prior to any RFP being issued. Our offices are scheduled to meet with Chairman Rhea and City Hall staff to discuss the proposal and our concerns on Tuesday, April 2nd.

While we look forward to what we hope will be a fruitful dialogue at that meeting, we write today to urge that NYCHA follow the Uniform Land Use Review Procedure (ULURP) in considering the disposition of the properties included in the Infill Plan, and determining how to proceed. As you know, this is the review process that city agencies generally must adhere to when redeveloping public land, but right now technicalities in city and state law allow NYCHA to sidestep these requirements. We believe this is not in the best interest of NYCHA, the many diverse communities in which the new buildings are proposed to be built, or the city and state as a whole.

Outreach to Date

To date, NYCHA's outreach regarding the Infill Plan has been rushed and broken, and has thus far failed to adequately engage the affected communities and created wide spread confusion. For example, at a recent meeting at Frederick Douglass Houses,

NYCHA provided a briefing in a room that was too small to accommodate hundreds of concerned residents and neighbors who turned out. At Baruch Houses, NYCHA waited until the last minute to provide notice of the meeting and seems to have failed to distribute flyers to some parts of the complex; and signs were placed by an unknown party that erroneously told residents that the meeting had been cancelled. At Smith Houses, the meeting was set up on a night when resident leaders could not attend due to scheduling conflicts and many residents boycotted the meeting in solidarity. Moreover, in most cases, notices have failed even to indicate that NYCHA proposes to permit construction of a large new building in the residents' midst, substantially defeating the purpose of the meetings.

At these meetings and at recent public hearings, residents and advocates have raised numerous concerns and we are unclear if or how they will be addressed. Some examples include: how residents can be assured that they will see the upfront capital improvements, ongoing increase in maintenance, and any of the other benefits promised if the Plan goes forward; the proposed level of affordability; environmental impacts; potential economic benefits; quality-of-life issues during construction; and the potential that existing public services will be overwhelmed, such as local schools that might see 500 additional children enroll.

Both NYCHA residents and Community Boards have expressed frustration at the absence of a mechanism for discussing alternatives to either the program or the proposed site plans.

Consultation Required Under Section 18

While Section 18 of the federal Housing Act of 1937 requires consultation with residents prior to any land disposition or infill development, this process appears to have been inadequate as executed by NYCHA with respect to previous infill development projects, and has left NYCHA residents and the surrounding communities frustrated. As noted above, NYCHA is off to a poor start in engaging residents on the current Infill Plan as well, and none of the meetings held so far would appear to satisfy the requirements of Section 18.

We believe that NYCHA has an obligation to develop a true plan for resident consultation in order to comply with the intent of the federal law. Consultation by definition requires not only presenting plans and listening to comments, but also modifying plans and demonstrating responsiveness.

However, even with a robust Section 18 process, we believe that ULURP is essential. Development of the proposed Infill Plan sites and as-of-right development of many other sites that NYCHA may contemplate in the future, would raise site planning concerns, and pose environmental and community impacts that would affect many community residents and other stakeholders beyond the grounds of NYCHA. The Section 18 process, while crucial, is not set up to examine these concerns, includes only a limited role for local elected officials and Community Boards, and does not require a thorough environmental

review process. A true Section 18 process can serve as a positive compliment to, but not a substitute for, the ULURP process.

Site Planning Concerns

NYCHA communities were planned according to “tower-in-the-park” urban design principles with residential towers surrounded by generous open spaces and low-rise community facilities and commercial buildings at the edges. In perhaps the most significant public contribution to these planned communities, the city de-mapped streets to create large “superblocks” that were necessary to create the desired balance of open space and towers.

The Zoning Resolution determines development potential on a site by multiplying the site’s lot area by a given floor area ratio (FAR). Because superblocks sit apart from the city’s street grid and have unusually large lot areas, they have significant untapped development potential under existing zoning, even at low FARs.

The city’s expressly stated purpose in de-mapping streets to create superblocks was to allow for significant amounts of shared open space, light and air, and other amenities necessary for safe, healthy, high-quality affordable housing. Ironically, by adding to the size of the superblock sites, those de-mapped streets have in effect increased the potential development that might be permitted on the sites and could in turn enable developers to eliminate precious open space, remove public amenities such as playgrounds or community centers, introduce new impacts on neighborhood amenities, and undo positive site planning elements. New buildings in inappropriate places would violate the very design principles that were said to necessitate the creation of superblocks in the first place.

While planning principles have certainly evolved considerably since the creation of the superblocks and the site plans of NYCHA’s complexes, and new development could result in site planning improvements, as well as other benefits to NYCHA residents and the surrounding community, it is equally possible that as-of-right development will have a negative impact. As such, a review process to consider site planning is necessary and appropriate.

Benefits of ULURP

As discussed above, given the fact that these developments originally received significant public financing to be developed and the city granted land to NYCHA through the demapping of public streets, ULURP is essential to monitoring the city’s interest in these properties. As you know, ULURP allows developments to move forward only after a public review that includes the Community Board, Borough President, City Planning Commission and City Council. The process includes an environmental review to consider potential impacts on the community and a chance for public dialogue and larger public policy considerations. Finally, as the process has a clear time line, decisions on whether development can move forward are made in a reasonable amount of time, which provides predictability to both the agency and the developer.

Further, by committing to a ULURP process, NYCHA would signal to residents a commitment to a true public process. While ULURP does not guarantee that every concern can be addressed, it does provide the necessary oversight, public hearings and structure to ensure public dialogue. Of course, NYCHA could continue to engage with specific tenant associations and residents prior to, during and after a ULURP process, and meet its obligations under Section 18.

Finally, ULURP should be required given the potential scale of these developments. While NYCHA is currently pursuing 14 developments, nearly every NYCHA site in the city has available density. There are potentially 30 million square feet available for development on NYCHA properties in Manhattan alone. The cumulative impact of this development could be enormous and needs to be regulated.

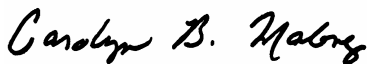
There is precedent for regulating development on superblocks, such as the Special Planned Preservation District, which requires a special permit for every new development on select superblock sites in New York City. Further, there are multiple legislative routes that can be undertaken to require ULURP including changing the Zoning Resolution, state law, or the New York City Charter. It is our hope we can work with you on this issue to ensure the right public process.

Thank you for your consideration and, again, we look forward to discussing this proposal and the many issues the Infill Plan raises at our upcoming meeting at City Hall on April 2nd.

Sincerely,



Scott Stringer
Manhattan Borough President



Carolyn B. Maloney
Congress Member-District 12



Brad Hoylman
State Senator-District 27



Bill Perkins
State Senator- District 30



Jose Serrano
State Senator-District 15



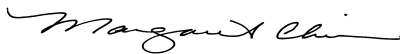
Daniel Squadron
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Brian Kavanagh
Assembly Member-District 74



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