

COMMUNITY BOARD 12 – MANHATTAN

LAND USE COMMITTEE – MEETING MINUTES

Wednesday, March 4, 2020

Committee Members Present

Wayne Benjamin, Chair  
Christopher Ventura, Assistant Chair  
James Berlin  
Domingo Estevez  
Steve Simon  
Omar Tejada

Committee Members Absent

Carolina Charles  
Naysha Diaz  
Rosie Perez

Board Members Present

Osi Kaminer  
Ayisha Oglivie

Public Members Present

Vivian Ducat

Public Members Absent

Staff: Shinelle Paniagua, Community Associate

Guests: Ned Klein, Spencer Williams, Stephen Albanesi, Kendrick Ou, Joe Ienuso, Fred Jenell, Amanda Morgan, Dana Hockenbury, John Rumely, Ari Sherizen, Nelia Rodriguez, Katherine Pichardo, Paul J Hintersteiner

- 1) The meeting of the Land Use Committee (“Land Use” or the “Committee”) of Community Board 12 Manhattan (“CB12M”, or the “Board”) was called to order with one member missing for quorum at 7:05 PM. Chair Benjamin greeted guests and welcomed Committee members. Committee members introduced themselves. Chair Benjamin also acknowledged the recent passing of former CB12M Chair Richard Lewis, and that the venue of the LU meeting was relocated due to restricted access to NYPH-CUMC buildings because of a coronavirus-related matter.

2) **Municipal Art Society Presentation: Bright Ideas – NYC’s Fight for Light**

Spencer Williams, Director of Advocacy for the Municipal Art Society (“MAS”), and Stephen Albanesi, Senior Project of Planning, presented MAS’ Bright Ideas – NYC’s Fight for Light (“Fight for Light”). Fight for Light is a citywide campaign to highlight how New York City can advocate to protect sunlight for energy needs and to maintain healthy active uses in public spaces throughout the year and winter months. In early 2019, the Municipal Art Society of New York (“MAS”), and New Yorkers for Parks (“NY4P”) joined together to build a broad advocacy campaign called Fight for Light, highlighting the access to sunlight as an essential part of a vibrant city, and the health and happiness of its residents. MAS is committed to ensuring that all New Yorkers have access to sunlight within the public realm through protections, incentives, regulations, design quality and coordinated planning.

Fight for Light gets its start from the Greenacre Foundation’s effort to protect Greenacre Park, a historic pocket park on East 51st Street that is filled dawn to dusk with neighbors and office workers enjoying a respite in one of the densest neighborhoods in New York. Situated just outside the Greater East Midtown Rezoning area, this intimate park is expected to be cast completely in shadow during peak summer days as a result of new development. This outcome received little attention during the City’s planning process, despite the best efforts of MAS, NY4P and other organizations. The campaign is an initiative to get the City to think of ways of incorporating access to sunlight into city planning and development.

MAS framed this issue by highlighting the City’s response in 1916 to the construction of the Equitable Building in Lower Manhattan with the initiation of the New York City Zoning Resolution. Through the Zoning Resolution the City sought to address and balance public health issues and real estate development issues. This period was the turning point in which the City started thinking of sky view and the sky exposure plane. The Special Midtown District of 1982 was the first time an American city incorporated daylight evaluation into height and setback rezoning regulations to maximize sunlight in the public realm by developing the Waldrum Diagram, a descriptive tool to guide and design buildings. In 2017, the East Midtown Rezoning gave new life to the conversation regarding the City’s zoning and shadow impacts on publicly owned spaces. Through advocacy, MAS & partners began studying the nature of the Public Realm Development Fund, which was established to understand shadow impact, allowing money to be invested back into the public realm. The issues identified are that although planning isn’t happening in the front end, investment must take precedent for the engagement process to take place. MAS has engaged with industry professionals, i.e. architects, builders, etc., to establish the narrative around the context of light, the overall right to light and strategies that deal with waterfronts, parks, sidewalks and everything in between.

Steven Albanesi discussed proactive ideas for protecting sunlight access in the public realm, based on further research, conversations with experts in other cities, both domestic and abroad. MAS points out that NYC has no existing master agency to oversee the public realm, such as the systems in place in Boston for example, and that current zoning regulations do not define sunlight. The City’s Comprehensive Plan identifies incentives such as awards for additional FAR and fast tracking the building’s permitting process, which are based on criteria for preserving sunlight. In addition, there is a forthcoming NYC law

that will require letter grades on large-scale buildings in order to depict energy efficiency – exercisable under certain guidelines. MAS has made the following recommendations for the Comprehensive Plan: (i) advocacy for director of the Public Realm position; (ii) the requirement to conduct baseline assessments to better understand sunlight availability; (iii) a vulnerability analysis to identify underrepresented communities, such as low income to high health and for whom protection of sunlight access can be especially critical; (iv) refining a list of policy recommendations based on further research and in partnership with the community, elected officials and industry experts as it relates to feasibility. MAS believes that sunlight protection is not at odds with development but rather in line with development and affordable housing production.

In response to the Committee’s question, MAS recommends that the Director of the Public Realm be located either independent and resourced or integrated with a municipal agency in collaboration with the Mayor’s Office, with enforcement power being a critical consideration. MAS will be incorporating the Fight for Light initiative into the upcoming Jane’s Walk. A 2017 resolution in reference to the right of sunlight passed by the CB12 Land Use Committee and the full board will be forwarded to MAS for reference. Additionally, the Committee recommended that MAS also present to the Parks & Cultural Affairs and Health & Environment committees.

**3) NYPH Presentation on new mixed-use development project**

Joe Ienuso, Senior Vice President of Facilities in Real Estate at New York-Presbyterian Hospital (NYPH), presented the planned new mixed-use development on Broadway at West 169<sup>th</sup> and West 170<sup>th</sup> Streets, which is currently in the design phase.

The primary purpose for the as-of-right development project (the “Project”) is to supply more housing for NYPH staff; the building will contain a total of 131 one- and two-bedroom units. In addition to housing, the Project will include a guest facility of approximately 90 rooms to serve patients and their families. The Project’s second floor will be dedicated to an early childhood center, operating as an innovative center for children ages 0 to 5 and their caregivers. The overall building will be two hundred and thirty thousand (230,000) square feet, thirteen (13) stories, one hundred eighty-five (185) feet tall. The site is proximate to two subway entrances, both of which will be retained. NYPH is in discussion with the MTA concerning improvements to the entrances. The Project will also include fifty-two (52) parking spaces for residents and guests.

Per schematic designs, the retail spaces on grade measure a total of eight thousand (8,000) square feet, which is still undergoing planning and design. The building’s three primary uses - early childhood hub, guest facility, residential component - all have dedicated entrances. The multiple entrances to the building have been incorporated in the design to account for elevation changes and setbacks throughout the project. Additionally, in reference to massing and materiality, the building will incorporate a limestone finish. Open spaces will be provided for building occupants.

The early childhood hub has been in development for over a year and has been driven by members of the clinical team, including physicians who practice pediatrics in the community. The early childhood hub’s intent is to serve the immediate community at no additional costs. NYPH has engaged community-based organizations to identify the needs of children and caregivers. The design of the space incorporates different programmatic elements: (i) reception and lounge, (ii) play space, (iii) reading nook, (iv) multi-purpose room, (v) a teaching kitchen and (vi) outdoor terrace – all spaces provided a variety of different functions. NYPH has engaged an interior designer, who has a track record in designing childcare facilities, to aid in the design process of the hub. NYPH is having ongoing planning discussions with CBOs such as Dominican Women’s Development Center, People’s Theatre Project and NOMAA. The Land Use Committee suggested that NYPH also meet with the Youth and Education Committee.

In respect to the architect for the building itself, NYPH has hired Architectonica, a Miami-based firm with offices in New York, Los Angeles and worldwide. In reference to the “hotel” component of the development, NYPH has incorporated guest suites as a response to an ongoing demand to accommodate patients’ families and friends. Currently the only nearby hotel facility that is available to serve this demand is the 54-room Edge Hotel. NYPH will engage restaurants and grocery stores for the retail aspect of the project. The selection process will undergo an RFP process to recruit qualified retail tenants. LU has suggested that NYPH work with SBS to market the retail opportunities to a wide range of operators and coordinate with the Business Development Committee. NYPH has reconfirmed that the two existing buildings on the development site are vacant. NYPH will abide by all DOB requirements when developing the building. AECOM/Tishman has been hired as the general contractor for the building. LU urged NYPH to charge its general contractor with responsibility for MWBE and local business and resident inclusion in the construction process.

**4) Old Business - none**

**5) New Business - none**

The meeting was adjourned at 9:15 PM.

Submitted by Chris Ventura