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COMMUNITY BOARD ELEVEN

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Robert C. Lieber
Deputy Mayor for Economic Development
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Resolution regarding the East 125th Street Development ULURP

As the one of the largest City-owned sites remaining in Manhattan, the East 125th Street Development Site provided our community with a unique opportunity: to plan and develop a truly community based project that prioritizes the community's needs first and foremost. There has not been a development of this scale in our community in over a decade – its potential impact and importance cannot be overstated.

Through the outstanding efforts of the East 125th Street Development Community Taskforce we created an exemplary Request for Proposals that solicited seven outstanding proposals. As the Taskforce reviewed the proposals and narrowed them down to three finalists, the vision of the RFP was close to realization.

Our community's history is rich with culture and life, but it has also experienced a number of broken promises throughout the years and commitments that have fallen short. Community skepticism is rooted in public failures and opportunities lost. As a result, we have collectively realized the importance of securing legally binding commitments, making them enforceable, and holding those who promised them accountable.

It is with this context that Community Board 11 expressed its strong objection to proceeding with the ULURP approval for the East 125th Street Development without first designating a proposal. Throughout our ULURP review we did not receive a detailed summary of a specific project from a specific developer (as we always typically do) – we were not provided any commitments beyond the minimum requirements of the RFP. It is inappropriate to expect a community to approve a project without knowing the details of what will ultimately be developed or the developer's identity. After years of failed promises our community today requires specific concrete commitments, especially with eroding market conditions that could potentially alter the remaining proposals as subsidy becomes less available and the promise of cross-subsidization diminishes.

WHEREAS Community Board 11 has through the East 125th Street Development Community Taskforce, and through numerous public meetings, expressed a desire to select a development

team and a proposal that maximizes community benefits, including affordable housing, local business development, local job development and the creation of community focused cultural and public open spaces; and

WHEREAS Community Board 11 has not been provided a set of specific commitments from the City or a development team and has not reviewed a final proposal within our 60 day ULURP review period; and

WHEREAS the Community Board will not be able to accurately determine if the final project will meet our desired outcomes until after our review period, when the final project is actually selected, thus not providing the Community Board a fair opportunity to review this project.

THEREFORE BE IT RESOLVED that Manhattan Community Board 11 voted on May 28, 2008 to DISSAPROVE the East 125th Street Development ULURP application number C080331HAM and C080333ZMM and requests that the RFP and project be terminated unless all of the following conditions are met by the selected proposal:

1. The Church located on the southeast corner of East 127th Street and Third Avenue, as not planned as part of this project, should be removed from the rezoning area of the ULURP.
2. No more than two towers to not exceed 210 feet be located on Second Avenue or East 125th Street.
3. The project includes a minimum of 25,000 sq.ft. of at-grade landscaped/green public open space.
4. LEED Silver Certification is achieved through use of the East 125th Street Development Community Taskforce's priorities listed in a memo titled "LEED Points Requirements".
5. Proposal must include a minimum contribution of \$2.5 million for area parks and waterfront, and the designs should keep waterfront and park accessibility in mind.
6. Affordable housing must be maximized, with all units conforming to the RFP guidelines of 30% low income, 35% moderate income, and 35% middle income.
7. Middle income units must target households with incomes between 100% and 130% of AMI, instead of the 150% AMI limit in the RFP which is on the extreme fringe of the community's income distribution.
8. The Community Preference requirement for affordable housing should be limited to those CB11 residents that have maintained residency within the boundaries of CB11 for at least 5 years.
9. Both rental and homeownership units must be permanently affordable.
10. Affordability for homeownership should be preserved permanently through the use of either deed restrictions, a community land trust or a limited equity cooperative model.
11. Retail space is limited to 350,000 sq.ft. so as not to dominate the project; national retail be located on East 125th Street and/or Third Avenue between East 125th and East 126th Streets only.
12. At least 10% of the office space is set aside for local non-profits, with rent significantly reduced below market rate.
13. The development teams must provide funding to fit-out the cultural space.
14. A hotel must be included in the project.

15. The project must include a Local Development Corporation with an equity interest in addition to the existing local development partners.
16. Provide a minimum of \$10 million for the Local Investment Fund to support local businesses locating in project with start-up capital, low-interest loans, grants, etc.
17. The final proposal must commit to hiring locally for all jobs created through the development of this project and agree to the following local hiring targets:
 - a. Retail jobs – 75% locally hired
 - b. Office Managerial jobs – 25% locally hired
 - c. Office Clerical jobs – 50% locally hired
 - d. Building Maintenance jobs – 75% locally hired
 - e. Hotel related jobs – 75% locally hired
 - f. Construction jobs – 25% locally hired
18. Provide and fund a job training component that utilizes a First Source Hiring System that commits to first source new employment from the local community.
19. The Development Team must work with unions to commit upfront to utilizing local labor to help meet our local hiring targets, and work to create apprenticeship opportunities for local residents so that they may benefit and be prepared for future projects as well, and provide specific opportunities to local community residents that do not have high school diplomas.
20. As the project construction will be phased, each separate building should have a separate MWBE architect partner in the design (preferably local firms); no fewer than 3 MWBE Architectural firms must be Joint Ventured with the developer's selected Architect for this project.
21. MWBE firms, contractors and professional services are utilized totaling 30% to 40% of the total contract value of the entire project.

BE IT FURTHER RESOLVED that Community Board 11 is vehemently against the use of eminent domain under any circumstances to seize private property in the development site and has consequently voted to DISSAPROVE without condition ULURP application no. C080332HUM which would add privately owned non-blighted lots to the East Harlem Urban Renewal Area facilitating the use of eminent domain; and

BE IT FURTHER RESOLVED that the City or developer should provide funds to assist in relocating any displaced businesses currently on the site, similar to the relief provided through the 125th Street Rezoning; and

BE IT FURTHER RESOLVED we are opposed to the inclusion of an Underground Bus Depot at this site, and strongly advise against its construction, and instead urge that the State, City and MTA review and initiate a plan to renovate and expand their existing depot facility on Second Avenue between East 126th and East 127th Streets to accommodate parking and maintenance for the total number of vehicles envisioned as required for the current facilities; and

BE IT FURTHER RESOLVED Community Board 11 will continue to request the termination of this project unless all the above conditions are met and that we are again consulted in a formal manner once the final project is selected, with a full presentation by the development team before a meeting of our Full Board, with an opportunity to respond prior to the City Council vote.

Sincerely,

A handwritten signature in black ink, reading "Robert J. Rodriguez". The signature is fluid and cursive, with a long, sweeping tail on the final "y".

Robert Rodriguez
Chair

cc: Congressman Charles B. Rangel
Governor David Paterson
State Senator Jose Serrano
State Assemblyman Adam Clayton Powell
Manhattan Borough President Scott Stringer
Councilmember Melissa Mark-Viverito
Councilmember Inez Dickens
Commissioner Shaun Donovan, HPD
Seth Pinsky, President, NYC EDC
Elliot Sander, Executive Director, MTA
East 125th Street Development – Community Taskforce members