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FOR IMMEDIATE RELEASE

CITY CERTIFIES MANHATTAN RESIDENTS’ COALITION ZONING APPLICATION TO STOP SUPER-TALL TOWERS AND BRING AFFORDABLE HOUSING TO EAST RIVER FIFTIES

East River Fifties Alliance Proposal is Cleared by City Planning Commission for Public Review

New York, June 6, 2017 – A Manhattan residents’ coalition announced today that its unprecedented application to the City of New York for a zoning change to prevent the construction of supertall residential towers in the East River Fifties area and encourage community diversity has been officially certified by the City Planning Commission.

The certification clears the way for a formal public review similar to the City’s Uniform Land Use Review Procedure (ULURP), and is a significant procedural milestone in the application by the non-profit East River Fifties Alliance (ERFA) and its co-applicants Manhattan Borough President Gale A. Brewer, Councilmember Daniel Garodnick, Councilmember Ben Kallos, and State Senator Liz Krueger.

Alan Kersh, ERFA President, said, “We are delighted that our proposal, which we have been working on with the Department of City Planning for more than 18 months, has cleared this hurdle. We are now prepared to enter a formal public review.”

The East River Fifties – roughly the area between 52nd and 58th/59th Streets east of First Avenue -- is the only residential neighborhood in New York City zoned R10 (the City’s highest-density zoning category) without any type of contextual protection for its residential side streets. For this reason, it is uniquely vulnerable to the development of supertall towers, a building form that was neither contemplated nor feasible when the local zoning district was created in 1961.

Senator Krueger said, "The certification of ERFA’s zoning proposal is an important step toward rational, community-based planning for the East Side. This ‘people’s’ proposal is a truly grassroots effort that makes clear that the East Side wants thoughtful development and affordable housing, not super towers filled with empty apartments. I commend ERFA and my elected colleagues for their groundbreaking work on this issue, and look forward to continuing to support the proposal through the public review process."

Ms. Brewer said, “My first priority as Borough President has been giving communities a real seat at the table in zoning and neighborhood development, which is why I’ve supported this plan. The East River Fifties Alliance has crafted a community-driven plan that safeguards their neighborhood against

ultraluxury supertowers but also includes affordable housing incentives. I look forward to this plan getting the consideration it deserves.”

"The community has won a major victory with the certification of our rezoning proposal to stop the march of super-scrappers and build more affordable housing in residential neighborhoods. While I am disappointed with how long it took to certify, it is better late than never," said Council Member Ben Kallos.

He added, "Thank you to residents of 45 buildings and over 2,000 individual supporters from the neighborhood who have brought the first of its kind grassroots community rezoning to be certified that I am proud to support. Now the rezoning can go to Community Board 6 for a quick approval since they had sought this rezoning to begin with. Then it's back to City Planning for what we hope will be a vote in favor of protecting residential neighborhoods from super-scrappers, protecting seniors like Herndon Werth and Charles Fernandez living in rent stabilized housing from displacement for billionaires and to actually building affordable housing in the East 50s."

Mr. Kersh said, "This vulnerability is more than theoretical. A large merged zoning lot has been assembled on East 58th Street and has been marketed as the future site of an 850 to 1,000-foot-tall tower, more than four times the height of the predominant built context. And assemblages in other locations within the proposed rezoning area are a real risk."

The ERFA coalition's specific goal is to rezone the East River Fifties area to establish a contextual residential zone for this area and to advance the City's affordable housing goals by increasing the number of affordable units required of developers seeking bonus floor area for new developments in the district.

"Today's certification brings us one step closer to correcting a quirk of the zoning code while delivering contextual protection and greater levels of affordable housing for the East Fifties. I look forward to supporting this application through the ULURP process," said Council Member Dan Garodnick.

ERFA, founded in 2015 by residents of the East River Fifties community, has seen a steady growth of widespread interest and support for its goals, which now comes from individuals residing in 279 buildings, including buildings within or near the proposed rezoning area as well as many other city neighborhoods. Its allied civic groups include the Municipal Art Society, Friends of Upper East Side Historic Districts, CIVITAS, and New Yorkers for a Human Scale City.

Certification by the Commission allows the proposal to enter a months-long review and decision process involving Community Board 6, the Borough President, the City Planning Commission and the City Council. Approvals by the City Planning Commission and City Council are necessary for the re-zoning to take effect.

Robert Shepler, Co-chair of the ERFA Leadership Committee, said, "It's also important to note that developers in this neighborhood are not required to contribute in any meaningful way to the City's affordable housing goals. Nor do supertalls do much to address the City's need for additional market rate units because they produce fewer apartments -- often for absentee owners -- than more modestly scaled buildings with comparable square footage."

The coalition's proposal offers solutions to these challenges. It embraces the City's goals of planned growth, increased affordability and contextual protection for residential neighborhoods. It is among the first, if not the first, proposal from a neighborhood coalition to combine these goals.

In the ERFA proposal, new building heights in the East River Fifties would be capped at 260 feet. The height of more than 86% of the existing buildings in the proposed Rezoning Area is equal to or less than the proposed 260-foot maximum limit, a statistic that has supported contextual rezoning approved by the Commission for other neighborhoods. (To be sure, there are taller existing buildings in the area, but they are largely located on or close to the wide commercial corridors of First Avenue or 59th Street, which are expressly excluded from the proposal in keeping with the City's practice of allowing more height and density on such corridors.)

The ERFA proposal is expected to generate 823 units of new housing, almost as many as projected under the existing R10 zoning (888 units) using the Planning Commission's required assumptions. If the 888-unit projection is adjusted to reflect the ACTUAL plan filed by the developer for the 58th St. site (which provides for luxury-sized apartments), only 708 units would be projected for the Rezoning Area under the existing zoning – which is actually LESS than the amount projected under ERFA's proposal.

“Supertall” luxury buildings typically provide fewer (and larger) units than more modestly scaled buildings with similar floor area.

Mr. Kersh said, “There were concerns from the Department of City Planning that our affordable housing requirement was structured in such a way that developers would conclude they would be financially better off by foregoing the use of bonus Floor Area Ratio (FAR) and not build any affordable housing at all. We disagreed with that assertion, but we chose to revise our proposal anyway to remove that obstacle to certification.”

He added, “Our proposal previously would have required developers to build 20% affordable housing in exchange for receiving bonus FAR and now requires them to build only 13% affordable housing in exchange for receiving bonus FAR. But even with that change, full implementation of our plan would still more than double the amount of affordable housing in new developments in our neighborhood.”

About ERFA

ERFA is a nonprofit corporation which represents 45 member buildings, numerous civic groups, and more than 2,000 individual supporters residing in 279 buildings within and beyond the proposed rezoning area -- all dedicated to preserving community character and affordable housing. Manhattan Borough President Gale Brewer, Councilman Dan Garodnick, Councilman Ben Kallos and N.Y.S. Senator Liz Krueger have provided, and continue to provide, guidance and leadership to the rezoning effort.

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