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# **Holmes Towers**

## **Infill proposal: what we know**

11/28/2018

# In August, NYSDEC certified a Brownfield application for the building proposed on Holmes Towers



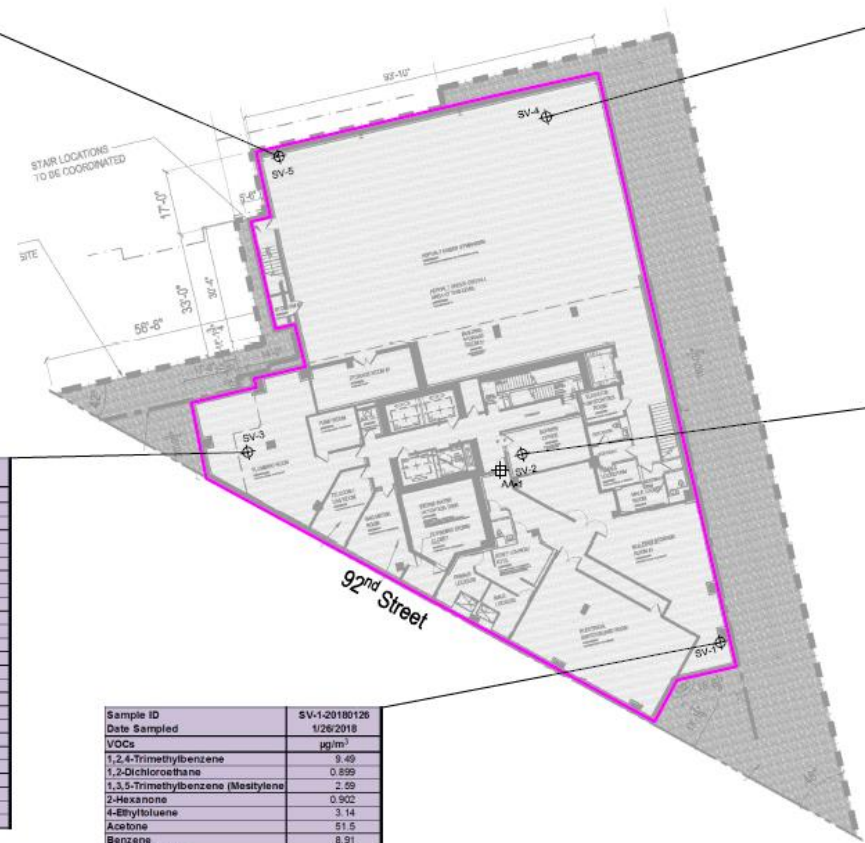
Department of Environmental Conservation

## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

| Sample ID                        | SV-5-20180126 |
|----------------------------------|---------------|
| Date Sampled                     | 1/26/2018     |
| VOCs                             | µg/m³         |
| 1,2,4-Trimethylbenzene           | 2.11          |
| 1,3-Butadiene                    | 4.38          |
| 2,2,4-Trimethylpentane           | 2.41          |
| Acetone                          | 83.1          |
| Benzene                          | 3.9           |
| Carbon Disulfide                 | 2.35          |
| Chloroform                       | 1.11          |
| Chloromethane                    | 1.01          |
| Cyclohexane                      | 0.63          |
| Dichlorodifluoromethane          | 1.66          |
| Ethylbenzene                     | 1.89          |
| M.P.Xylenes                      | 6.73          |
| Methyl Ethyl Ketone (2-Butanone) | 11.4          |
| N-Heptane                        | 2.69          |
| N-Hexane                         | 3.64          |
| O-Xylene (1,2-Dimethylbenzene)   | 2.11          |
| Tert-Butyl Alcohol               | 1.98          |
| Tetrachloroethylene (PCE)        | 2.02          |
| Toluene                          | 6.26          |
| Trichlorofluoromethane           | 1.23          |

| Sample ID                           | SV-3-20180126 |
|-------------------------------------|---------------|
| Date Sampled                        | 1/26/2018     |
| VOCs                                | µg/m³         |
| 1,2,4-Trimethylbenzene              | 5.6           |
| 1,3,5-Trimethylbenzene (Mesitylene) | 1.94          |
| 1,3-Butadiene                       | 4.48          |
| 2,2,4-Trimethylpentane              | 55.1          |
| 4-Ethyltoluene                      | 2.63          |
| Acetone                             | 108           |
| Benzene                             | 15            |
| Carbon Disulfide                    | 85            |
| Chloromethane                       | 1.94          |
| Cis-1,2-Dichloroethylene            | 0.85          |
| Cyclohexane                         | 16.7          |
| Dichlorodifluoromethane             | 2.01          |
| Ethylbenzene                        | 6.56          |
| M.P.Xylenes                         | 21.2          |
| Methyl Ethyl Ketone (2-Butanone)    | 10.1          |
| Methylene Chloride                  | 3.46          |
| N-Heptane                           | 17.3          |
| N-Hexane                            | 19.4          |
| O-Xylene (1,2-Dimethylbenzene)      | 9.56          |
| Tert-Butyl Alcohol                  | 6.37          |
| Tetrachloroethylene (PCE)           | 6.92          |
| Toluene                             | 18.5          |
| Trichloroethylene (TCE)             | 7.95          |
| Trichlorofluoromethane              | 1.18          |

| Sample ID                           | SV-1-20180126 |
|-------------------------------------|---------------|
| Date Sampled                        | 1/26/2018     |
| VOCs                                | µg/m³         |
| 1,2,4-Trimethylbenzene              | 9.49          |
| 1,2-Dichloroethane                  | 0.899         |
| 1,3,5-Trimethylbenzene (Mesitylene) | 2.59          |
| 2-Hexanone                          | 0.902         |
| 4-Ethyltoluene                      | 3.14          |
| Acetone                             | 51.5          |
| Benzene                             | 6.91          |
| Carbon Disulfide                    | 3.43          |
| Cyclohexane                         | 2.29          |
| Dichlorodifluoromethane             | 1.48          |
| Ethylbenzene                        | 5             |
| M.P.Xylenes                         | 21.5          |
| Methyl Ethyl Ketone (2-Butanone)    | 4.1           |
| N-Heptane                           | 31.3          |
| N-Hexane                            | 57.8          |
| O-Xylene (1,2-Dimethylbenzene)      | 6.69          |
| Styrene                             | 1.02          |
| Tert-Butyl Alcohol                  | 4.18          |
| Tetrachloroethylene (PCE)           | 8.61          |
| Toluene                             | 11.7          |
| Trichlorofluoromethane              | 1.62          |



**LEGEND**

BCP SITE BOUNDARY

SOIL VAPOR SAMPLE (2018)

AMBIENT AIR SAMPLE LOCATION (2018)

| Sample ID                           | SV-4-20180126 |
|-------------------------------------|---------------|
| Date Sampled                        | 1/26/2018     |
| VOCs                                | µg/m³         |
| 1,1,1-Trichloroethane               | 6.53          |
| 1,2,4-Trimethylbenzene              | 7.38          |
| 1,3,5-Trimethylbenzene (Mesitylene) | 2.09          |
| 1,3-Butadiene                       | 4.56          |
| 2-Hexanone                          | 1.17          |
| 4-Ethyltoluene                      | 2.75          |
| Acetone                             | 157           |
| Benzene                             | 2.52          |
| Carbon Disulfide                    | 1.4           |
| Cyclohexane                         | 2.86          |
| Dichlorodifluoromethane             | 1.57          |
| Ethylbenzene                        | 5.08          |
| Isopropanol                         | 1.5           |
| M.P.Xylenes                         | 19.9          |
| Methyl Ethyl Ketone (2-Butanone)    | 21.4          |
| N-Heptane                           | 25.7          |
| N-Hexane                            | 49            |
| O-Xylene (1,2-Dimethylbenzene)      | 6.47          |
| Styrene                             | 1.07          |
| Tert-Butyl Alcohol                  | 8.85          |
| Tetrachloroethylene (PCE)           | 10.9          |
| Toluene                             | 10.6          |
| Trichlorofluoromethane              | 52.4          |

| Sample ID                           | SV-2-20180126 |
|-------------------------------------|---------------|
| Date Sampled                        | 1/26/2018     |
| VOCs                                | µg/m³         |
| 1,2,4-Trimethylbenzene              | 6             |
| 1,3,5-Trimethylbenzene (Mesitylene) | 1.6           |
| 4-Ethyltoluene                      | 2             |
| Acetone                             | 57.7          |
| Benzene                             | 1.31          |
| Carbon Disulfide                    | 4.92          |
| Cyclohexane                         | 1.17          |
| Dichlorodifluoromethane             | 1.5           |
| Ethylbenzene                        | 9.03          |
| M.P.Xylenes                         | 10.6          |
| Methyl Ethyl Ketone (2-Butanone)    | 5.54          |
| N-Heptane                           | 16.1          |
| N-Hexane                            | 46.5          |
| O-Xylene (1,2-Dimethylbenzene)      | 3.32          |
| Styrene                             | 0.915         |
| Tert-Butyl Alcohol                  | 2.06          |
| Tetrachloroethylene (PCE)           | 3.63          |
| Toluene                             | 4.75          |
| Trichlorofluoromethane              | 6.69          |

| Sample ID               | AA-1-20180126 |
|-------------------------|---------------|
| Date Sampled            | 1/26/2018     |
| VOCs                    | µg/m³         |
| Acetone                 | 0.68          |
| Benzene                 | 0.757         |
| Chloromethane           | 1.08          |
| Dichlorodifluoromethane | 1.69          |
| Ethanol                 | 10.8          |
| Isopropanol             | 2.07          |
| Toluene                 | 1.32          |
| Trichlorofluoromethane  | 1.17          |



440 Park Avenue South, New York, NY 10016

Holmes Tower  
New York, New York

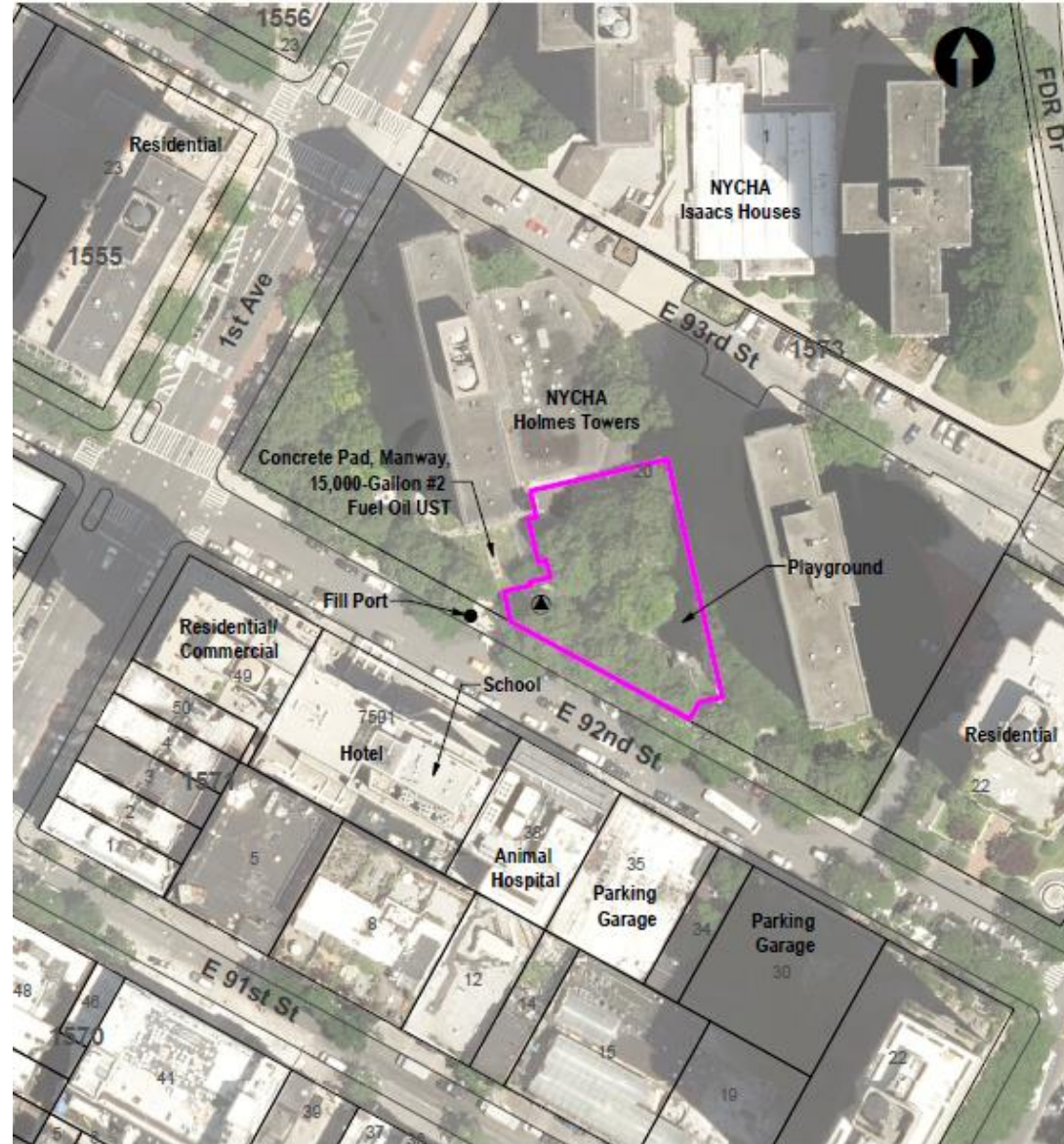
SOIL VAPOR SAMPLE CONCENTRATIONS

DATE  
6/12/2018




PROJECT NO.

At 6,400 pages, the purpose of the application is to obtain public money for clean-up of prior industrial use

But only in the outlined area

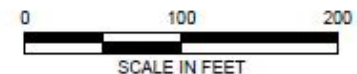


**LEGEND**

-  BCP SITE BOUNDARY
-  LOT BOUNDARY AND TAX LOT NUMBER
- 1573** BLOCK NUMBER
-  EXISTING GROUNDWATER MONITORING WELL

Map Source:  
NYCDOCP (NYC Dept. of City Planning) GIS database

Aerial Source:  
2014 New York Statewide Digital Orthoreimagery

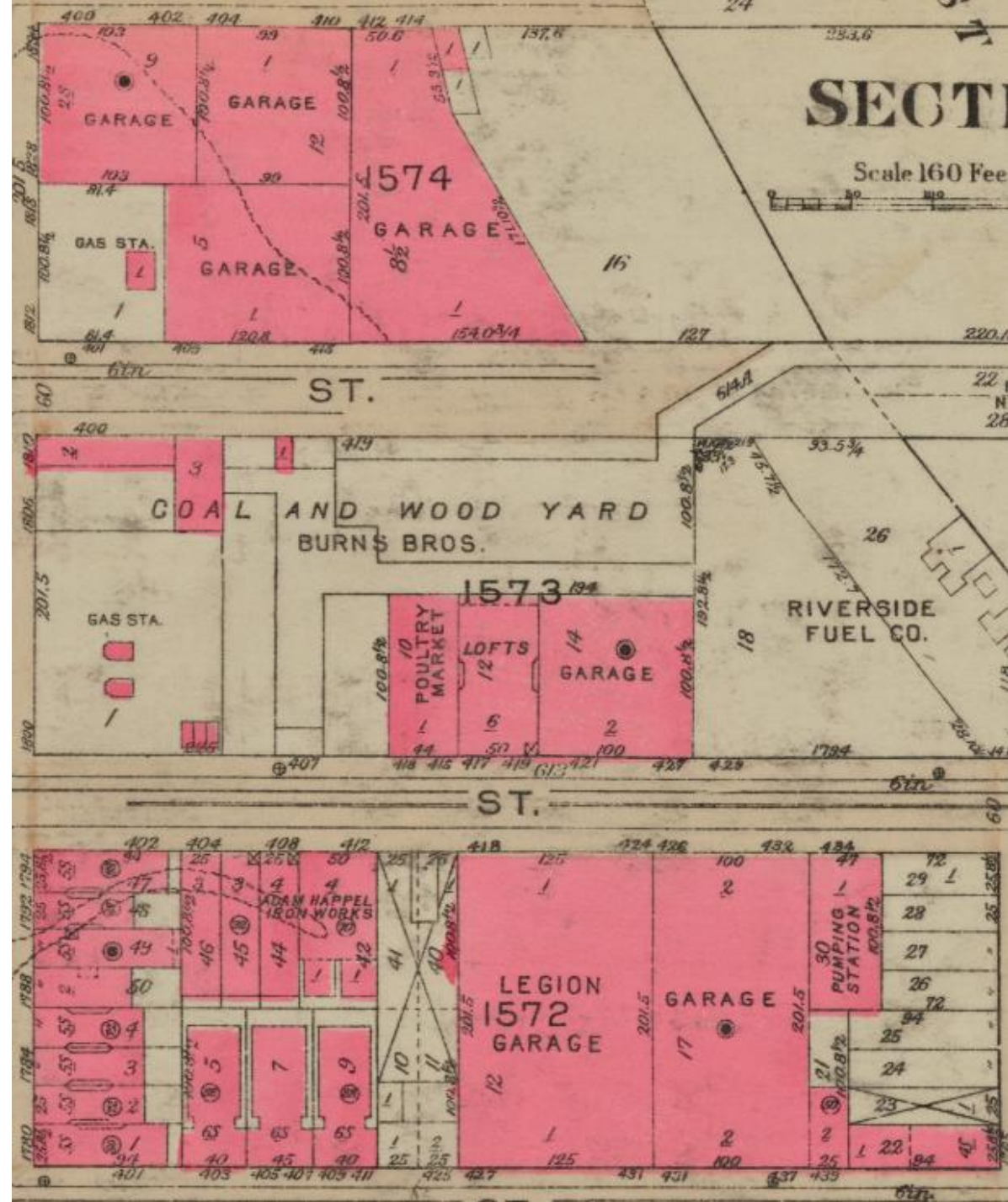




For 100 years prior to redevelopment, the waterfront was used for semi-industrial uses

Including:

- Coal yard
- Lumber yard
- Garage and filling station

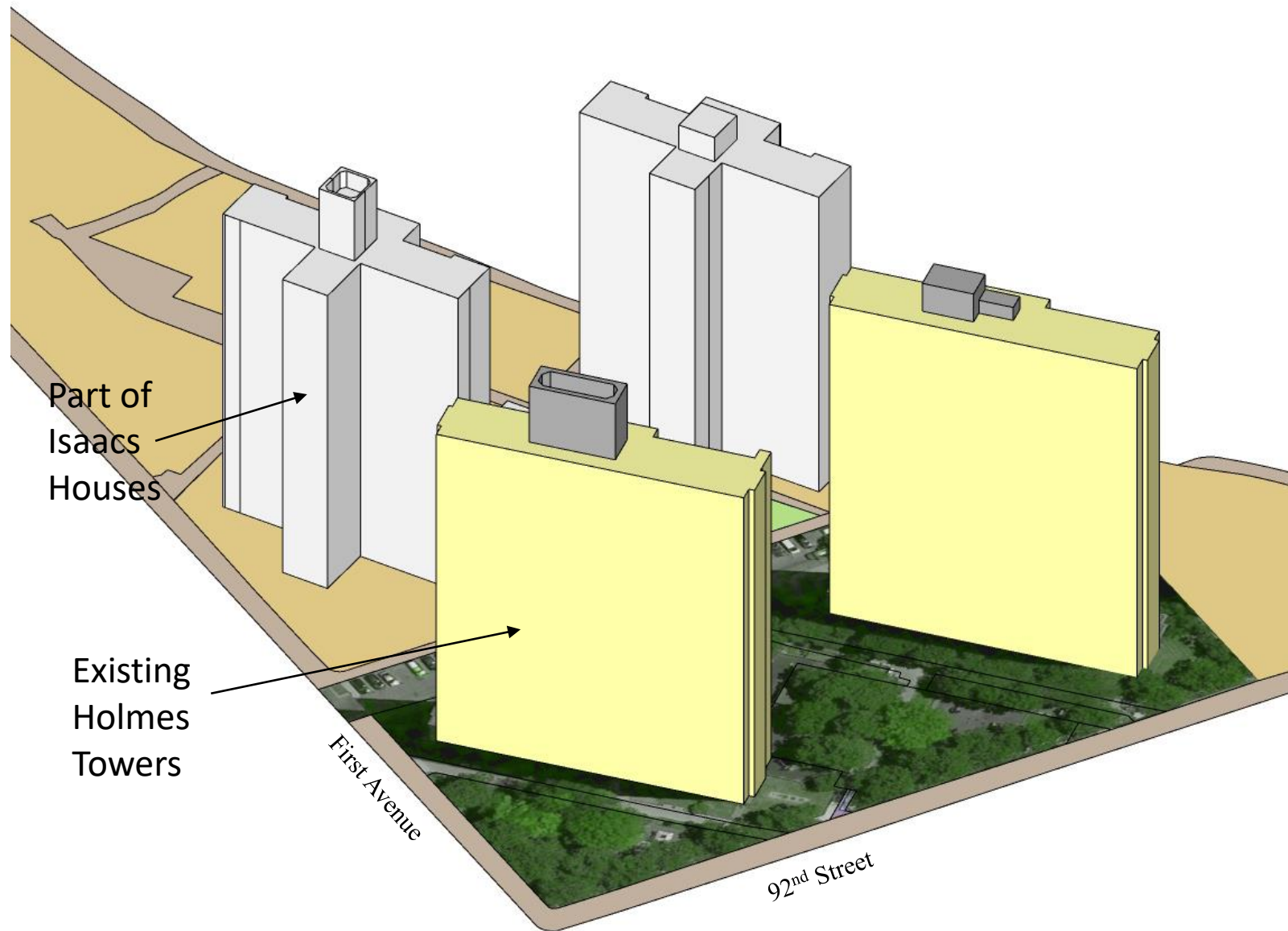


# The application finally tells us what is planned here

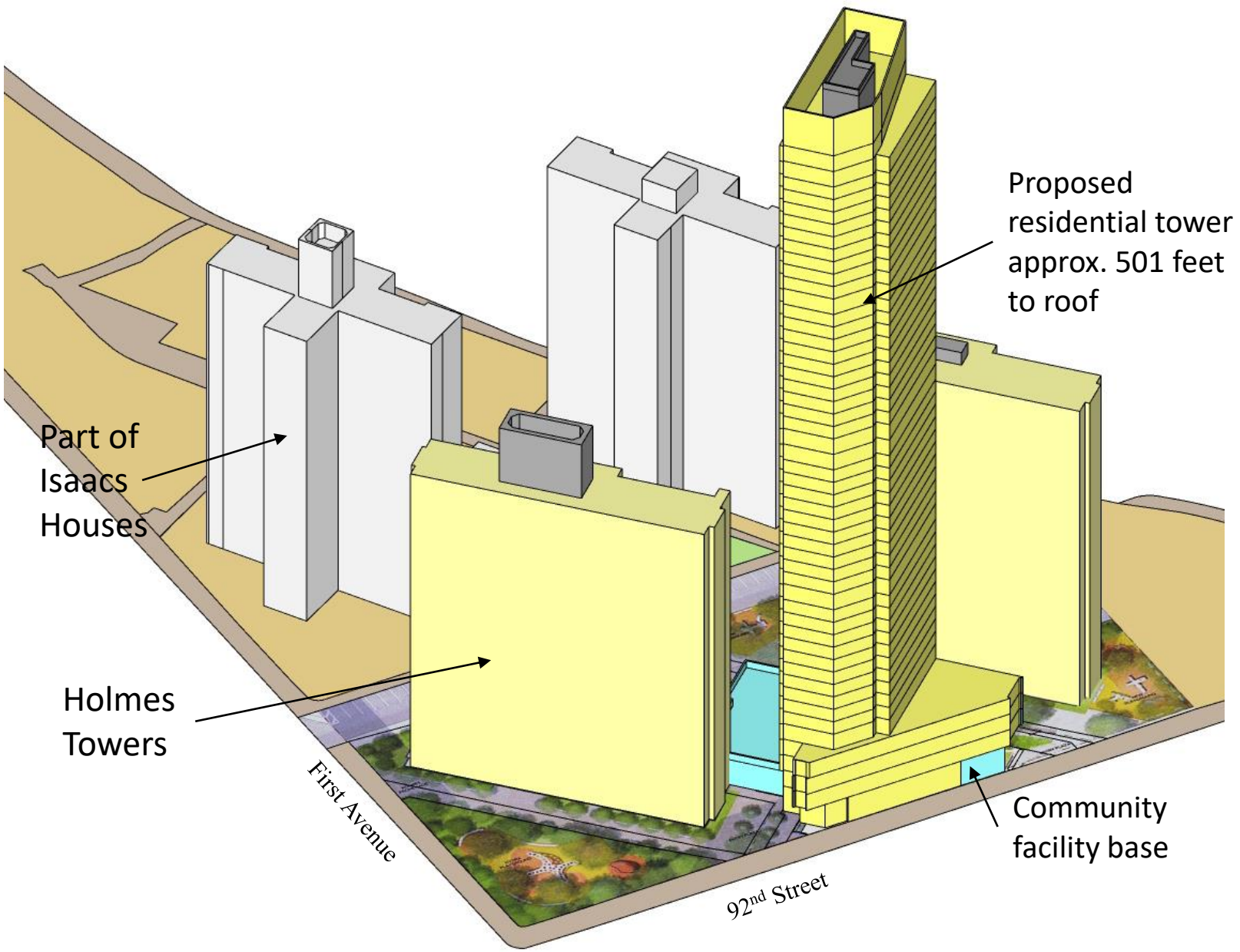
- A 50-story, 501 feet to roof, mixed-use residential and community facility
- 339 residential units, including 169 affordable units\*
- The application says that the building is “as-of-right” under the R8 zoning district
- This is incorrect: the plans submitted will not comply with the R8 zoning district

\*RFP required at least an average of 60% of AMI, eligible for subsidy, not permanently affordable

# Existing conditions

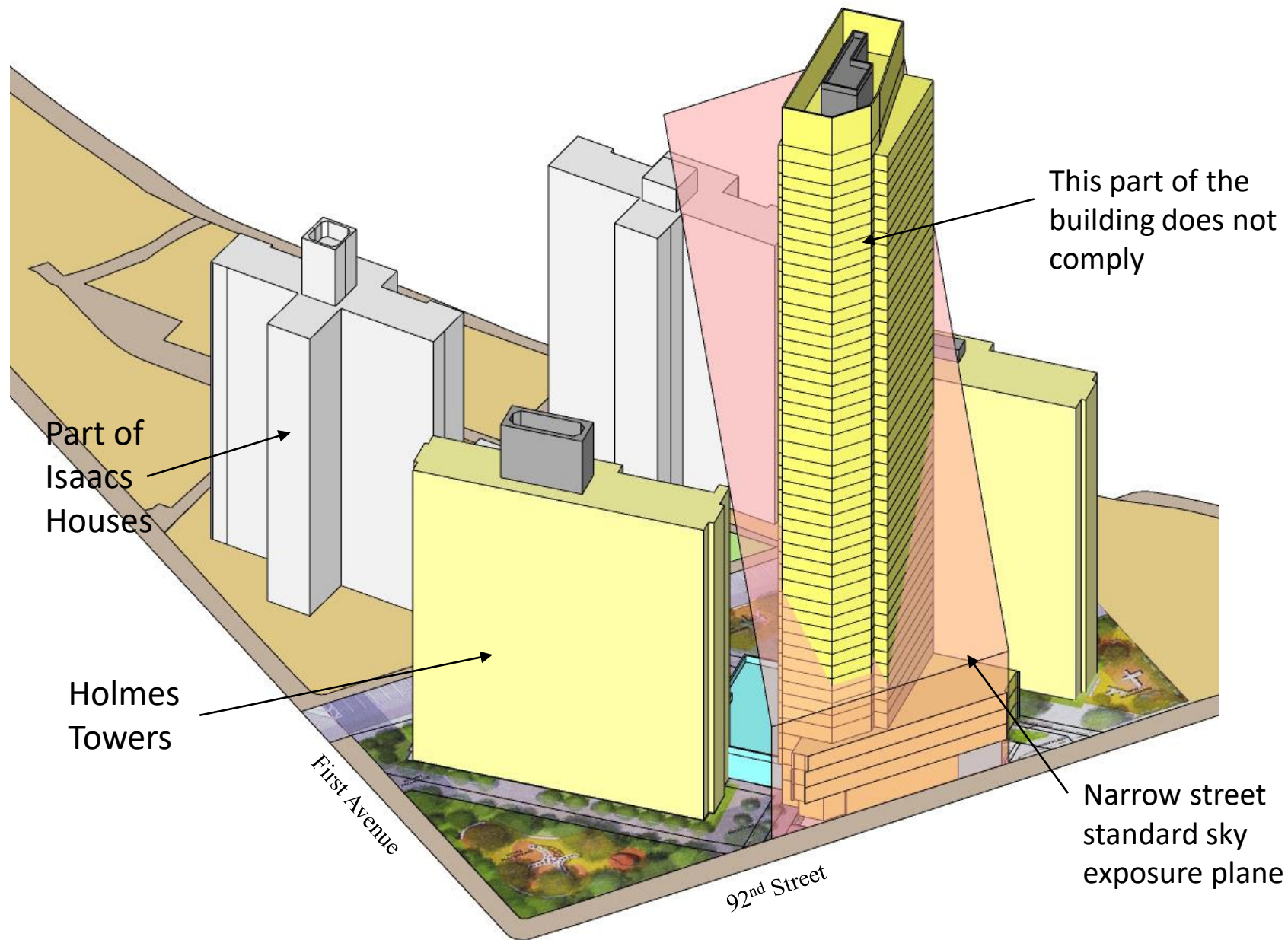


# Building as proposed





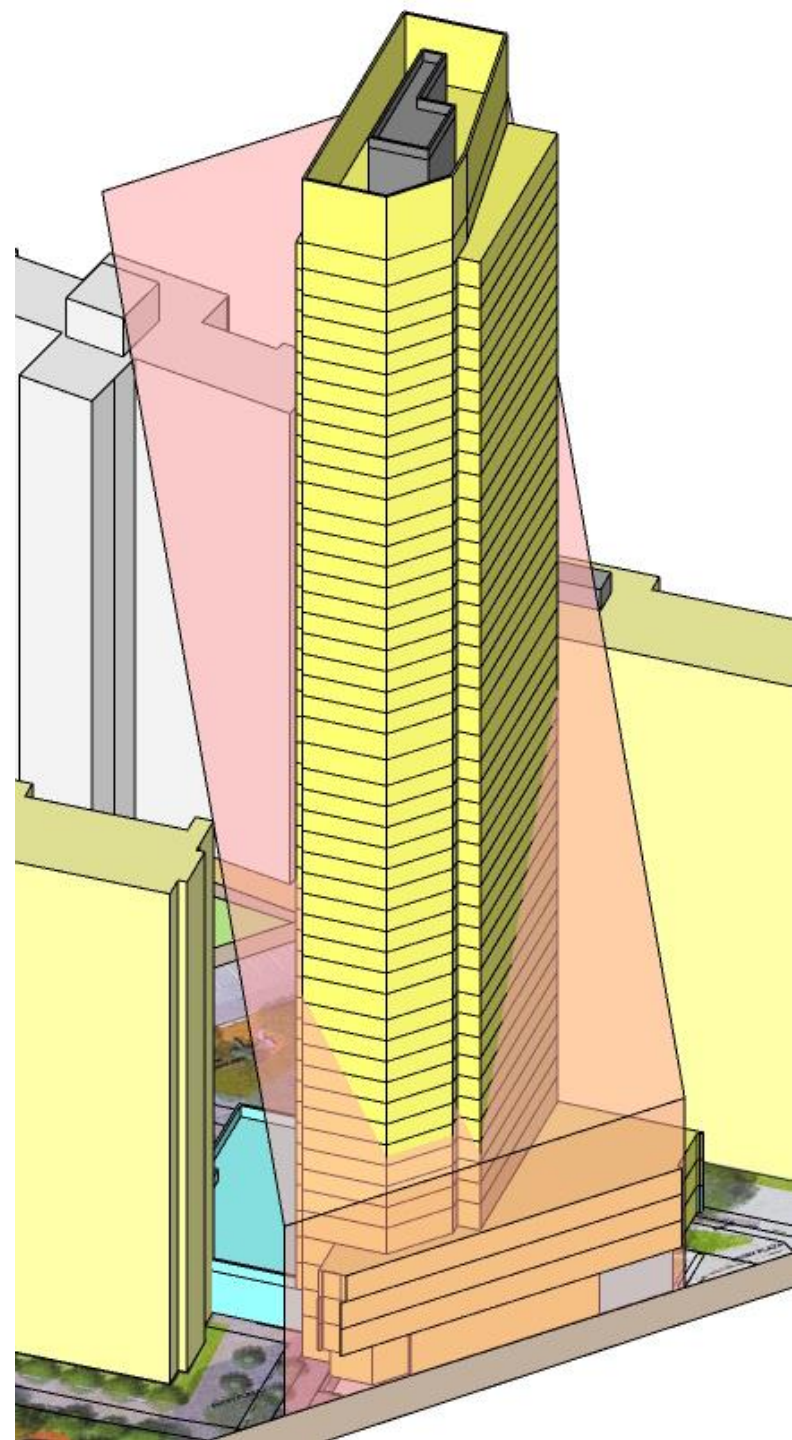
# It rises over 500 feet, just three feet from the streetline





**There is no zoning district in NYC that allows a building more than 155 feet at the streetline, let alone 500 feet**

- It grossly fails the required sky exposure plane for an R8 district
- It appears to follow other R8 zoning requirements (open space, FAR, coverage, etc.)
- The building will need a **Mayoral Zoning Override**



# What is a Mayoral Zoning Override?

- A discretionary action taken by the Mayor that allows projects with a public interest to waive zoning
- Once rare, they have historically been used for public schools. Brooklyn Navy Yard has one to waive parking requirements. Typically, they are for small things.
- Bloomberg used a Mayoral Zoning Override to allow a demonstration project with very small apartments or “micro-units”
- Requires an environmental review, but **does not require ULURP**
- This is likely the biggest Mayoral Zoning Override attempted in NYC

# So what's the big deal?

- No ULURP means the CB, BP and City Council have no say
- In 2015, the City tried to change the Zoning Resolution's building spacing rule (23-70)
  - Residential buildings on a single zoning lot must either abut or be 60 feet apart
  - The City tried to change the distance to 40 feet
  - This change would make infill on NYCHA estates MUCH easier!



# In 2015, I used Holmes to show what the change would mean for infill!

- Green areas show sites at 60 foot spacing
- Hatched areas show 40 foot spacing
- The difference is meaningful to development feasibility



In 2016, City Council rolled back the change to discourage ad hoc development on these sites

# In 2016, City Council rolled back the change to discourage ad hoc development on these sites – And that's the big deal

- Zoning is a law, passed by City Council
- The administration needs to follow the law
- Because City Council's action is recent, a mayoral override is likely more vulnerable to an Article 78 lawsuit



# Infill is an important part of NextGen NYCHA



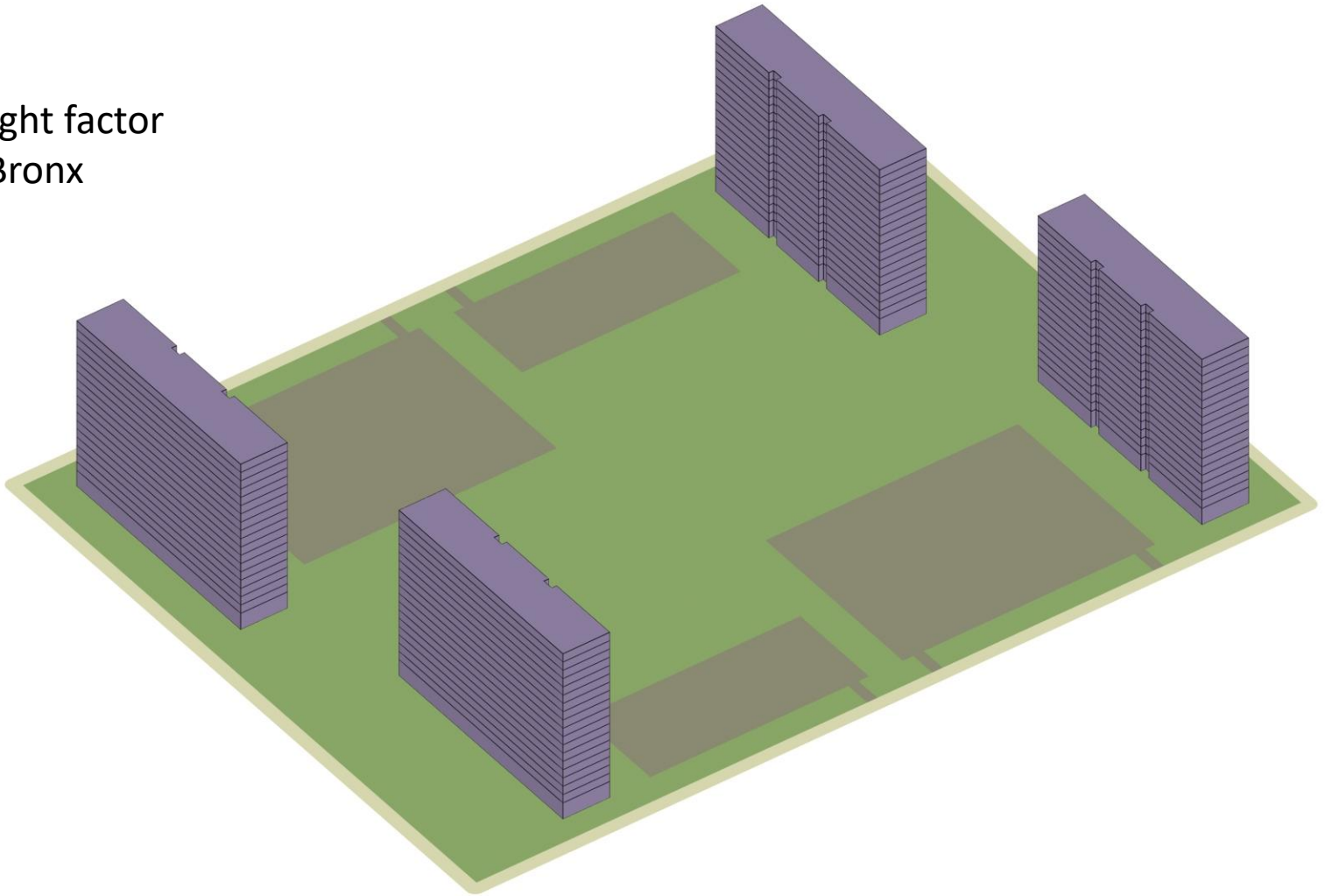


# The example in NextGen is comprehensive and excellent

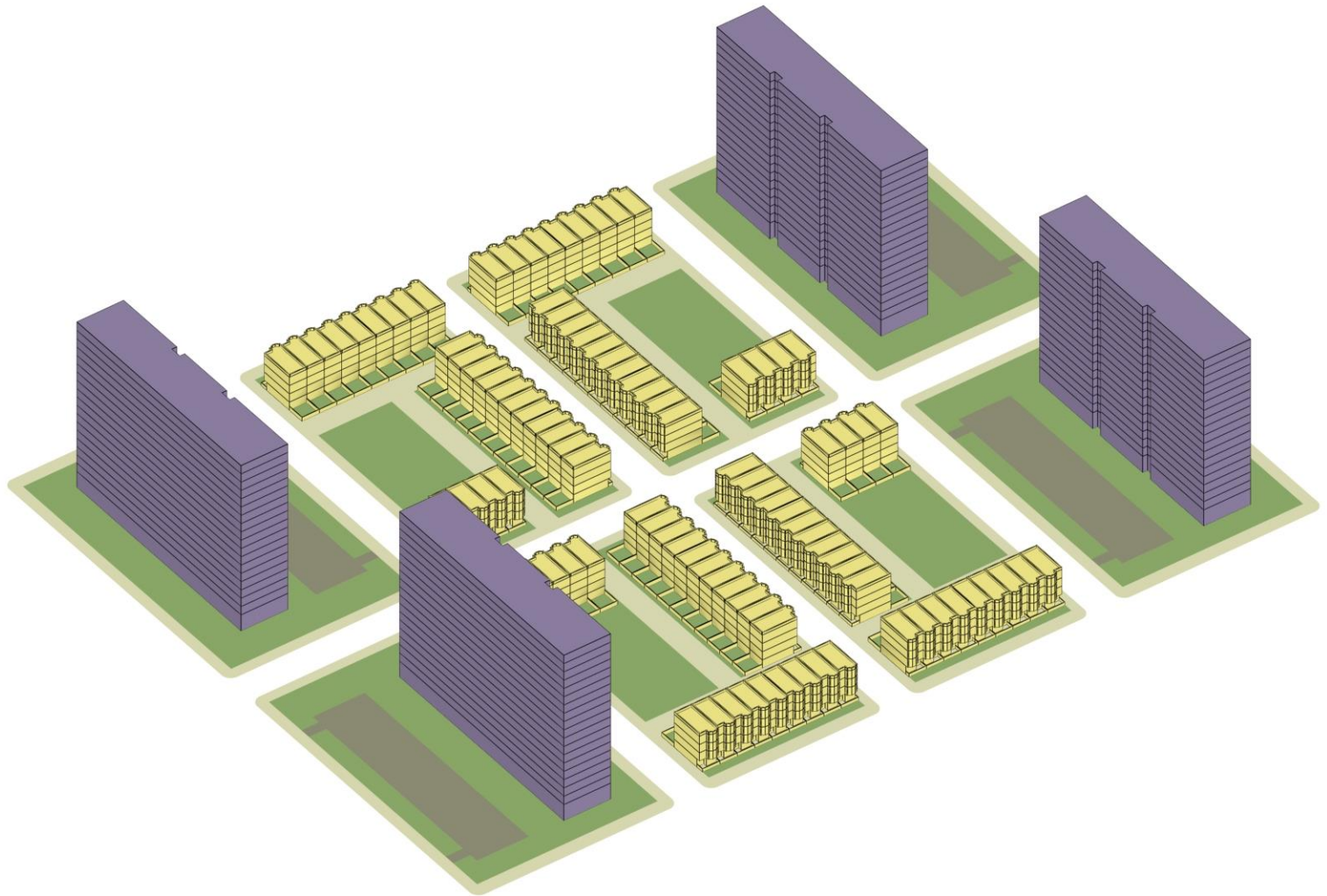


# There have been many great ideas for infill on these developments

Existing height factor  
site in the Bronx



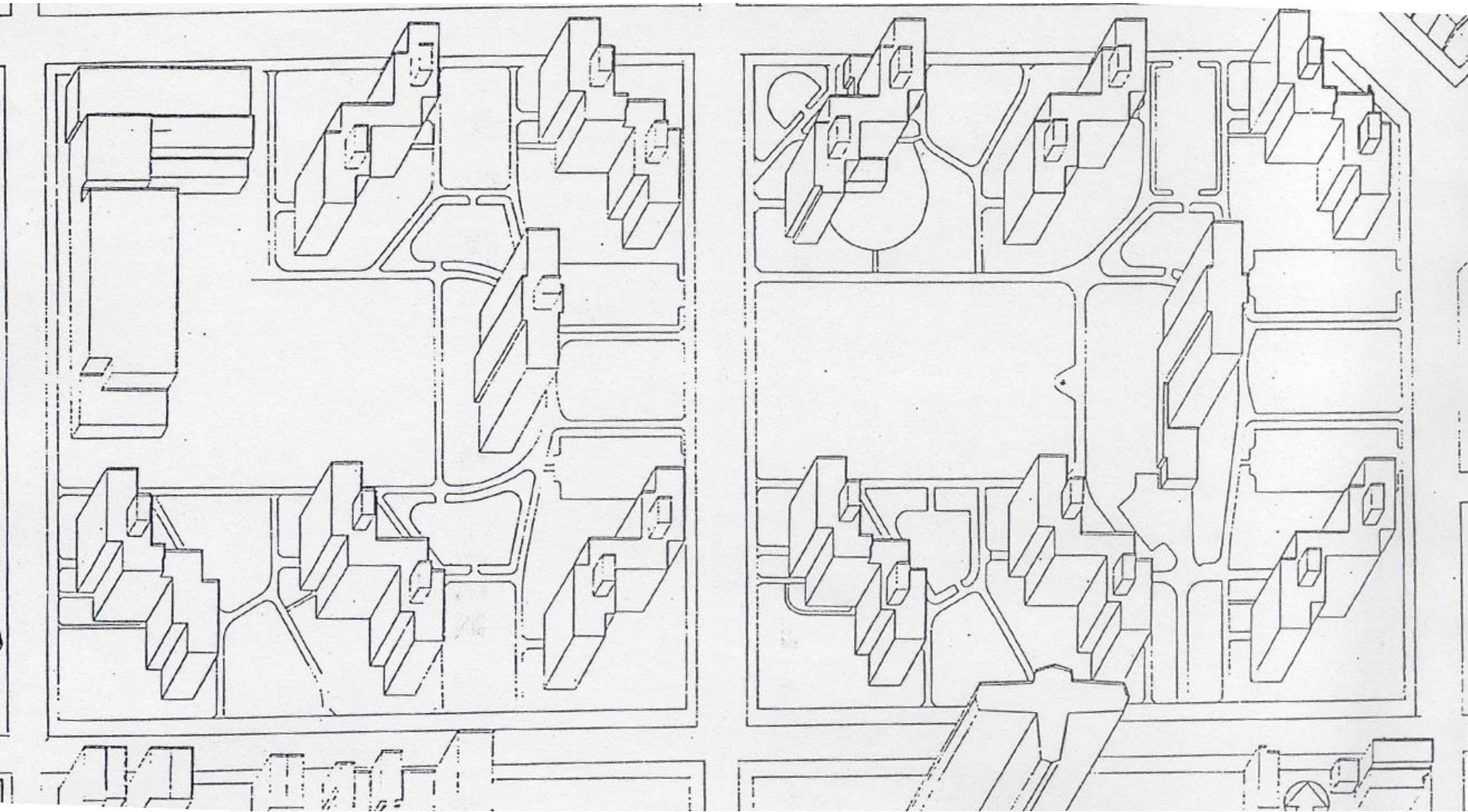
**Infill development here would improve urban design and reconnect the project to the street grid**





# Building in your Backyard: Affordable Land for Affordable Housing

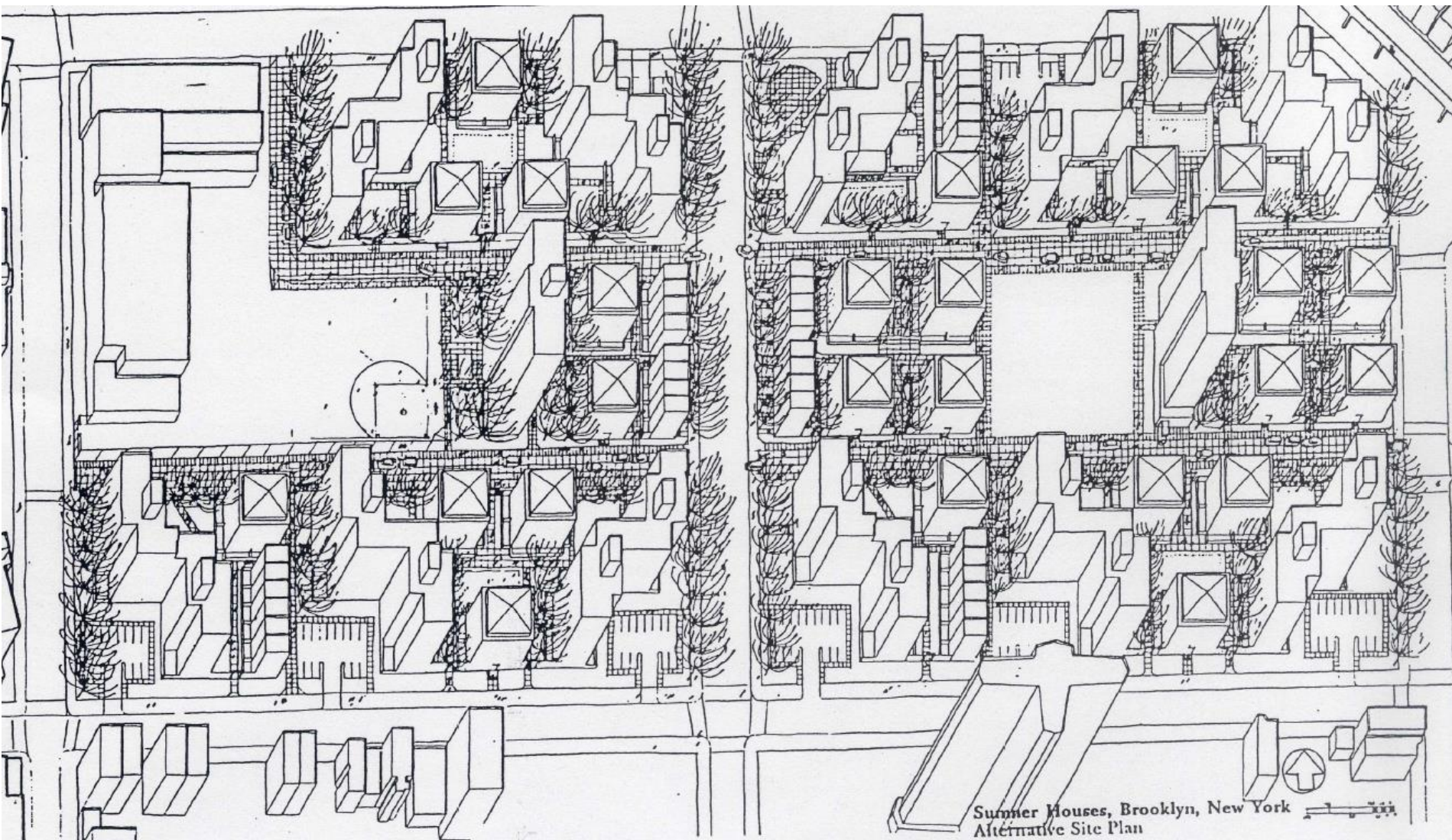
Sumner Existing





# Building in your Backyard: Affordable Land for Affordable Housing

Sumner infilled



Design by Michael Kwartler



Infill on a height factor site, Baruch Houses

Existing  
Conditions

Plan View





Infill on a height factor site, Baruch Houses

Proposed  
Conditions  
  
Plan View



Design by Frank Fish



**Infill on a height factor site, Baruch Houses**

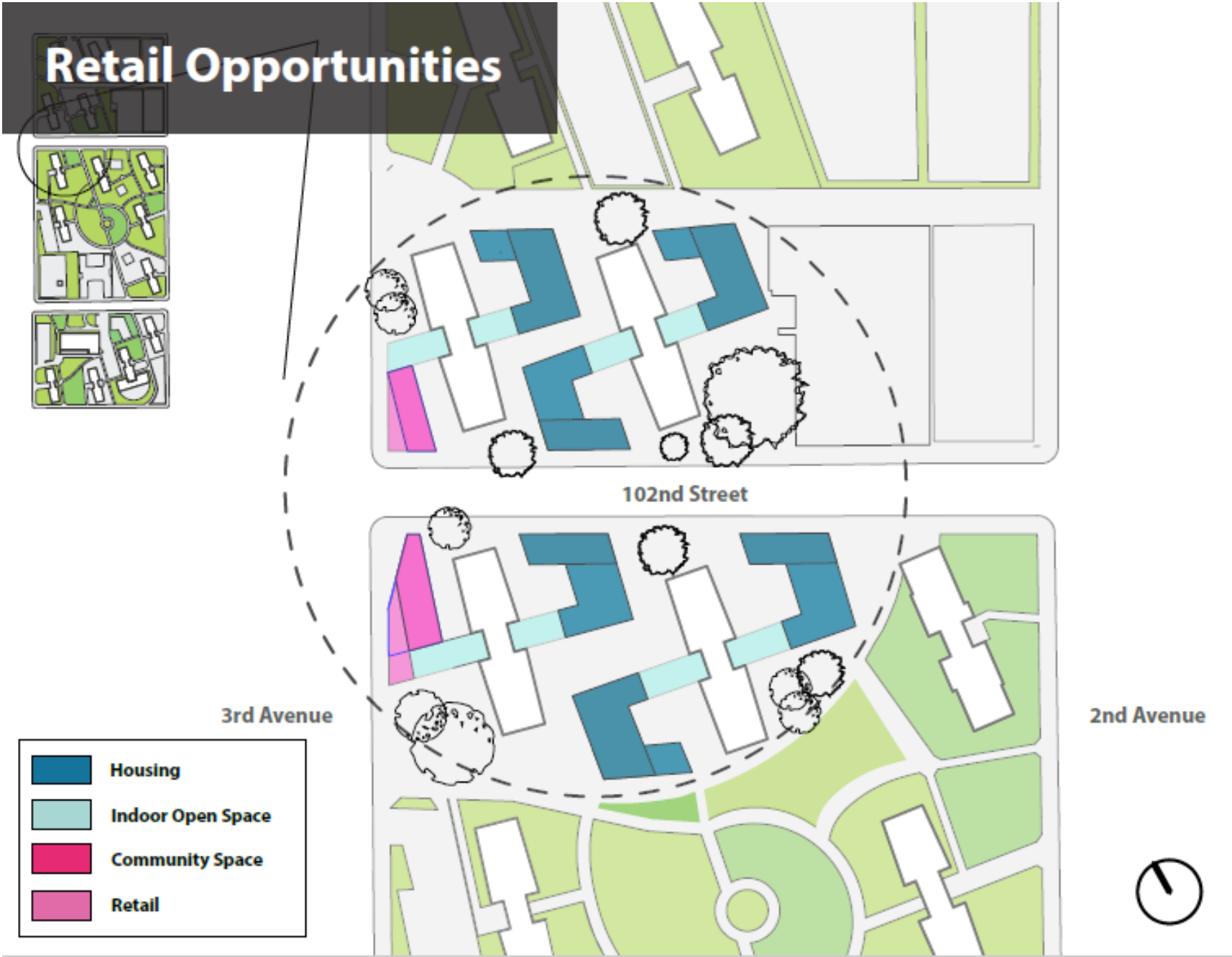


Possible  
Housing  
Typologies

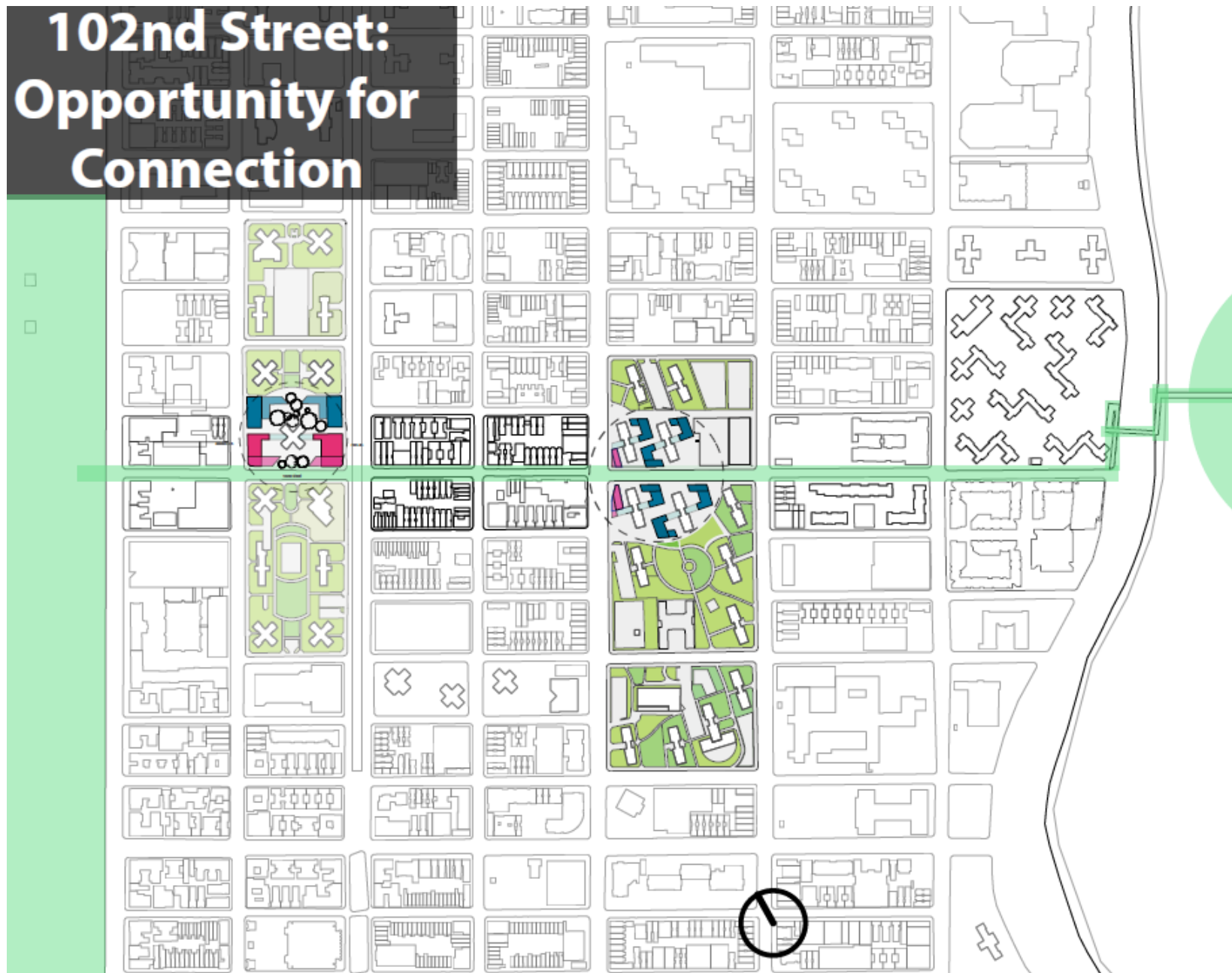
Elevations







# 102nd Street: Opportunity for Connection



## Taft Houses Scenario 1: Preserve and Infill

Gross Sqf: 53,000  
Residential Sqf: 53,000  
Commercial Sqf: 0  
Units: 62

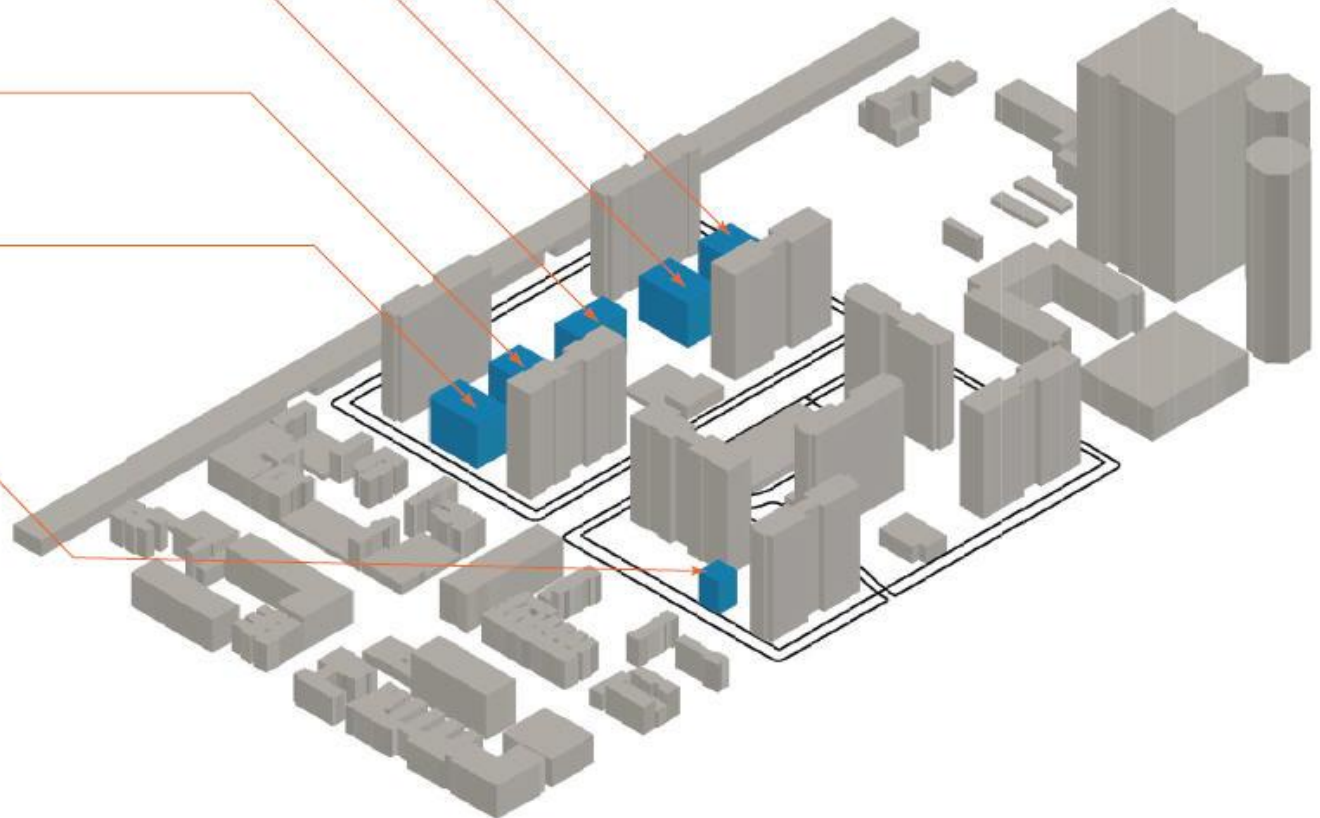
Gross Sqf: 53,000  
Residential Sqf: 53,000  
Commercial Sqf: 0  
Units: 62

Gross Sqf: 40,000  
Residential Sqf: 40,000  
Commercial Sqf: 0  
Units: 47

Gross Sqf: 53,000  
Residential Sqf: 53,000  
Commercial Sqf: 0  
Units: 62

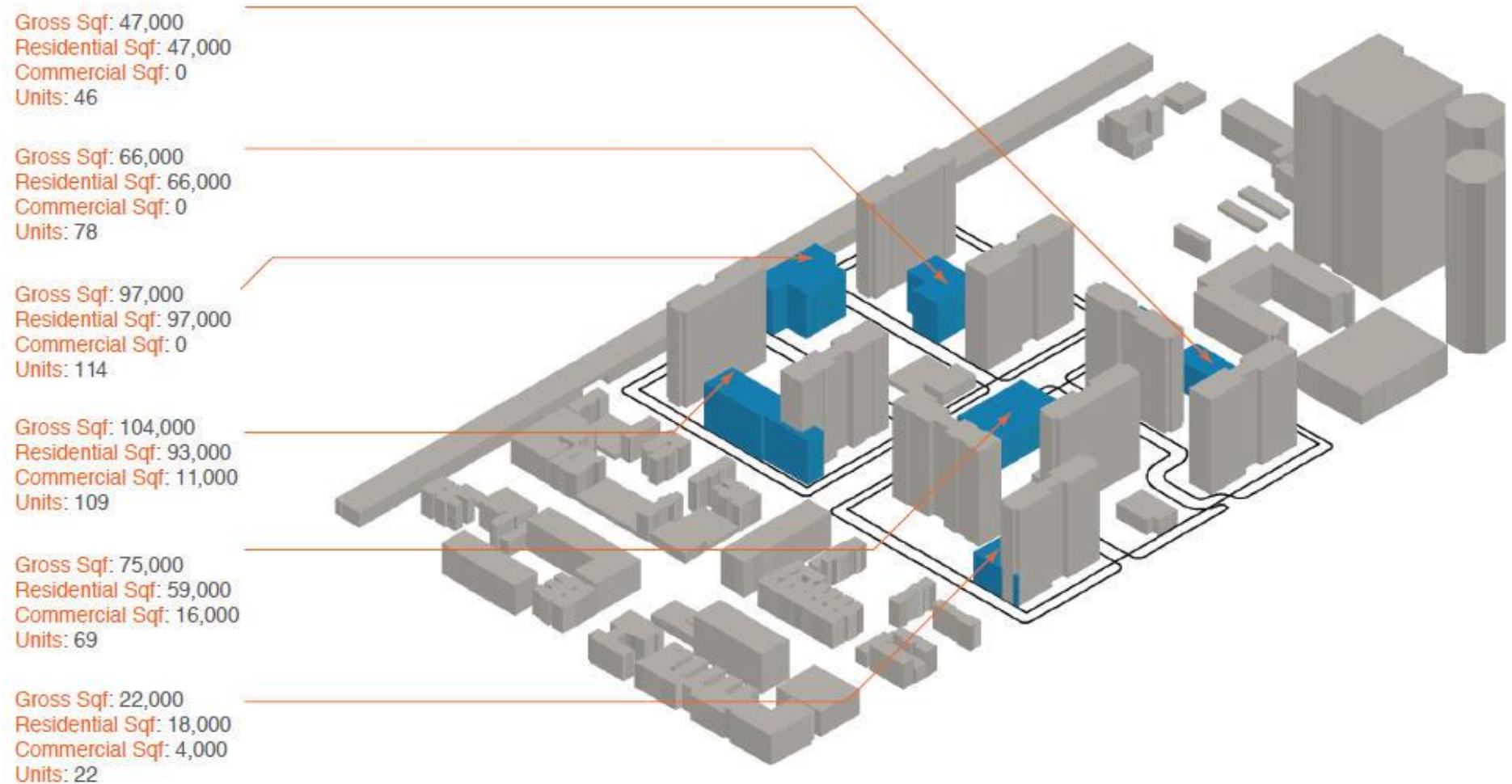
Gross Sqf: 53,000  
Residential Sqf: 53,000  
Commercial Sqf: 0  
Units: 62

Gross Sqf: 9,600  
Residential Sqf: 9,600  
Commercial Sqf: 0  
Units: 11





## Taft Houses Scenario 2: Modify and Expand



Taft Houses Scenario 3: Growth/Livability Option

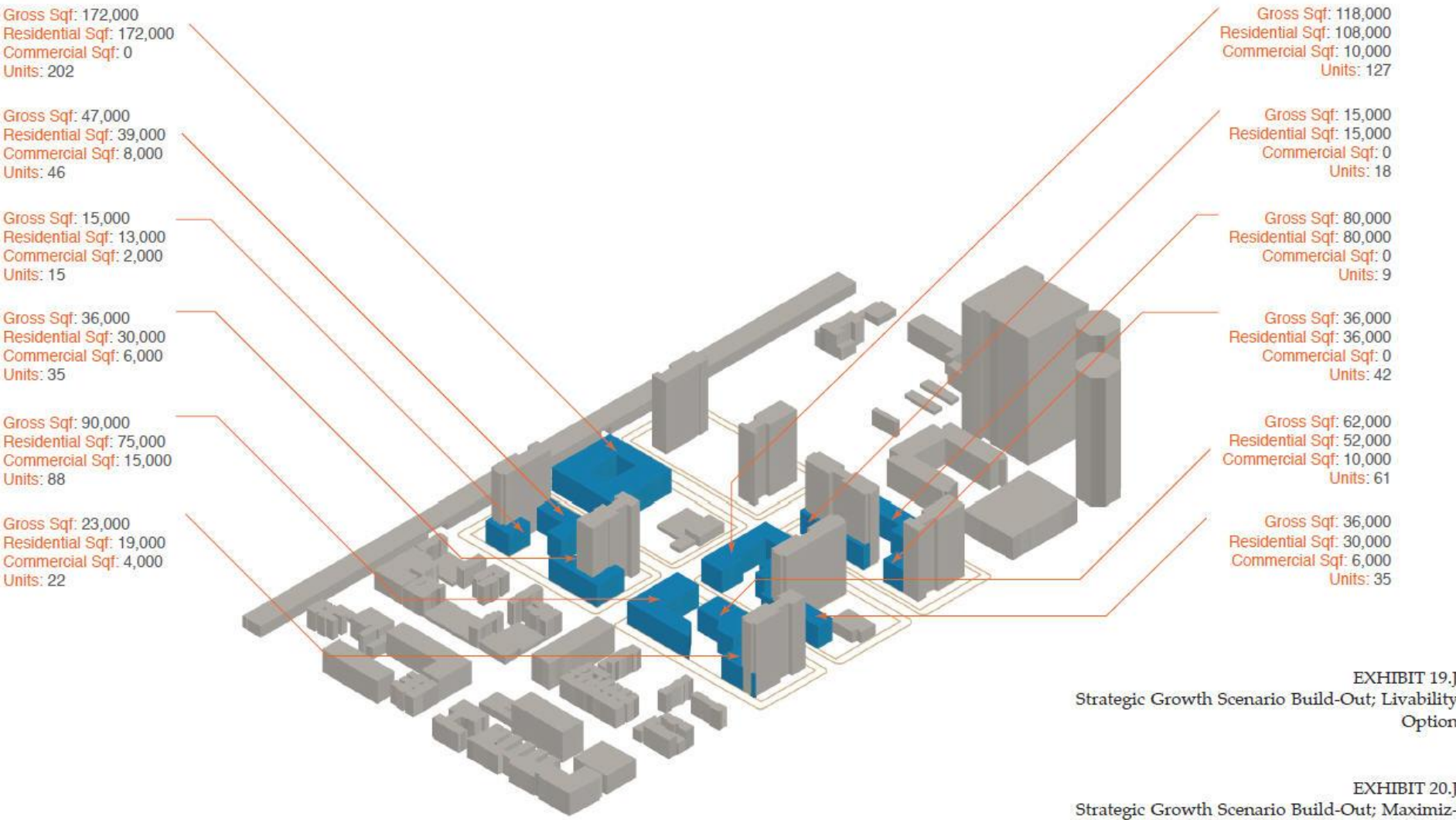


EXHIBIT 19.J  
Strategic Growth Scenario Build-Out; Livability  
Option

EXHIBIT 20.J  
Strategic Growth Scenario Build-Out; Maximiz-

# **NYCHA estates are the last great reservoir of unbuilt land in NYC**

- Most other infill designs look at not only new housing but the housing that is already there
- How can the entire development be better for NYCHA and their residents, but also the residents of the neighborhood and the new buildings?
- None treat infill here as excess real estate: Most NYCHA campuses could be better, but not by selling them off piecemeal

# Finally, there are other options

- The developer could ask the BSA for a variance
- A text amendment to allow a special permit for large scale residential development (LSRD) that can waive the sky exposure plane, coverage or open space
- A text amendment to allow the form, and a map amendment for a Mandatory Inclusionary Housing area so that the affordable housing was permanently affordable
- I believe that a real plan that considers:
  - Holmes, Isaacs, NYCHA's needs,
  - the City's affordable housing goals,
  - necessary resiliency improvements, and
  - the larger community,

is still possible and could get through ULURP





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11/28/2018