



M1-6D

APPLICATIONS

1. DEPARTMENT OF CITY PLANNING

- ZONING TEXT AMENDMENT: CREATION OF M1-6D DISTRICT

2. 249 W. 28TH STREET PROPERTIES, LLC

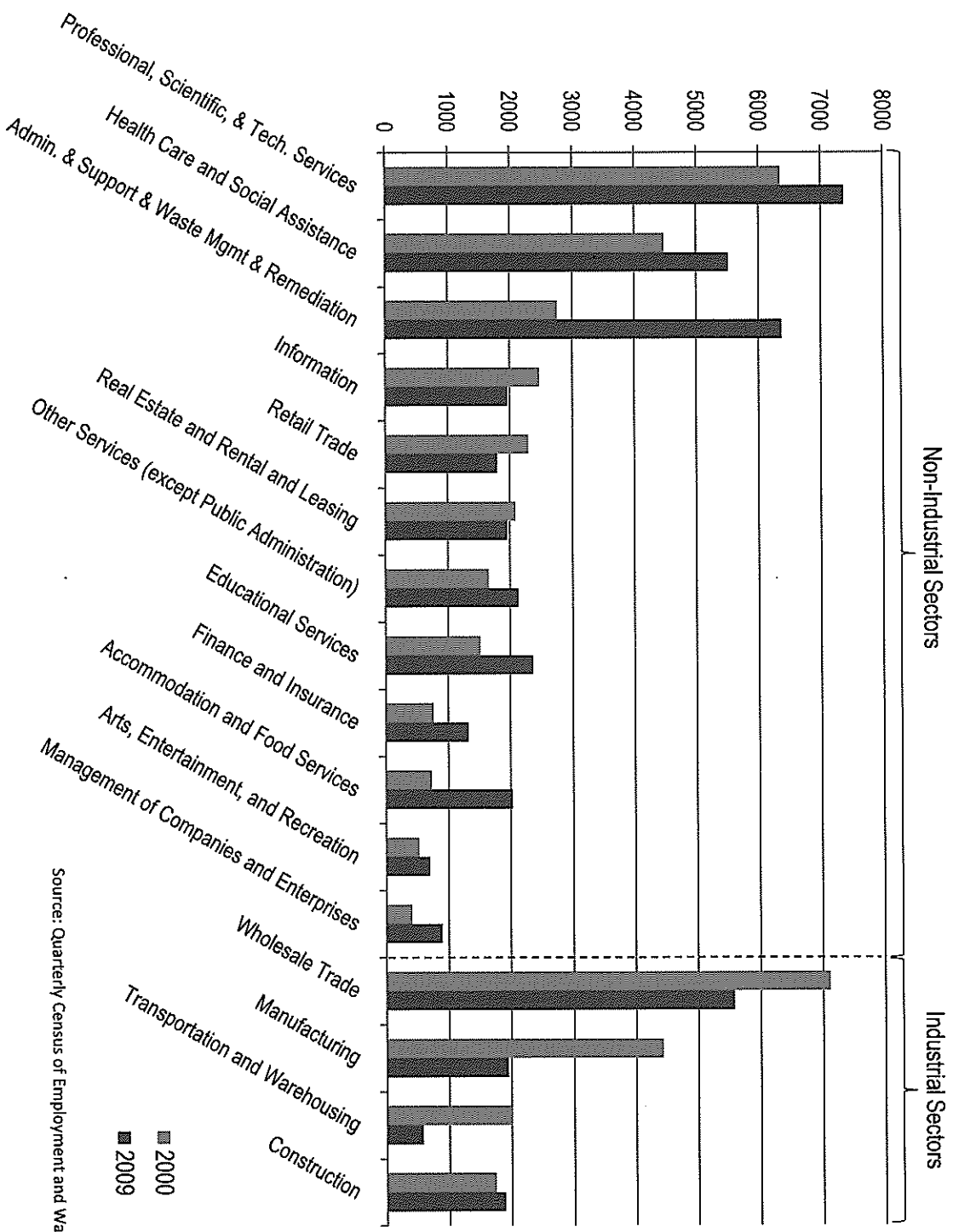
- ZONING MAP AMENDMENT: M1-5 to M1-6D
- SPECIAL PERMIT for PUBLIC PARKING GARAGE: 325 SPACES

M1-6D: BACKGROUND



M1-6D: BACKGROUND

M DISTRICTS (2000 – 2009): EMPLOYMENT



Source: Quarterly Census of Employment and Wages

M1-6D: BACKGROUND

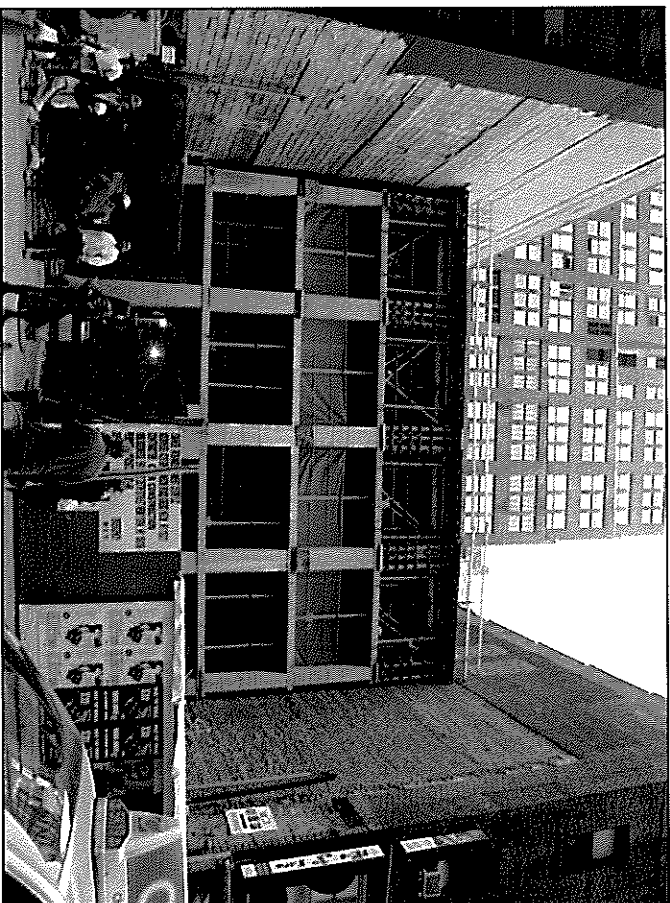


W. 29th Street b/w 7th and 8th avenues

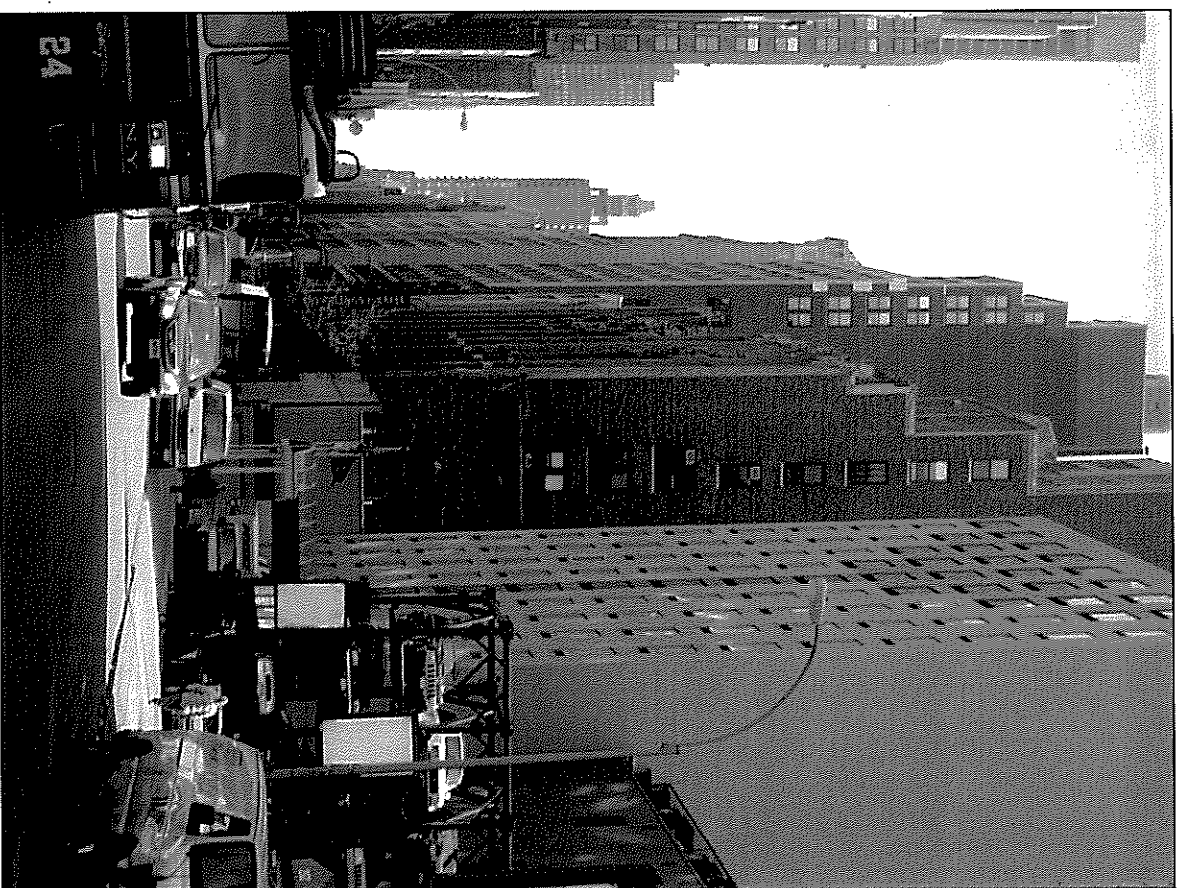


W. 29th Street b/w 7th and 8th avenues

M1-6D: BACKGROUND



W. 30th Street b/w 6th and 7th avenues

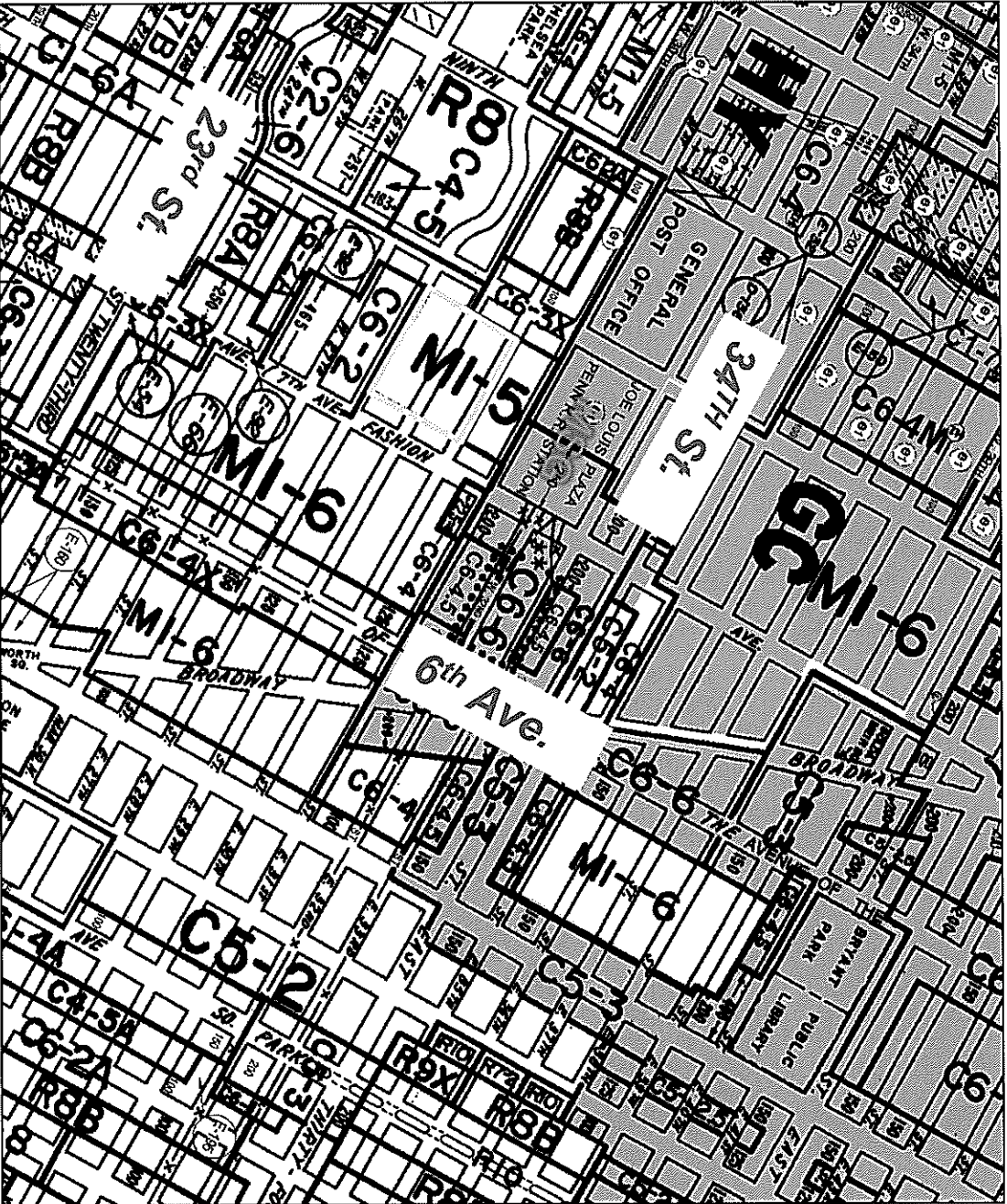


W. 29th Street b/w 7th and 8th avenues

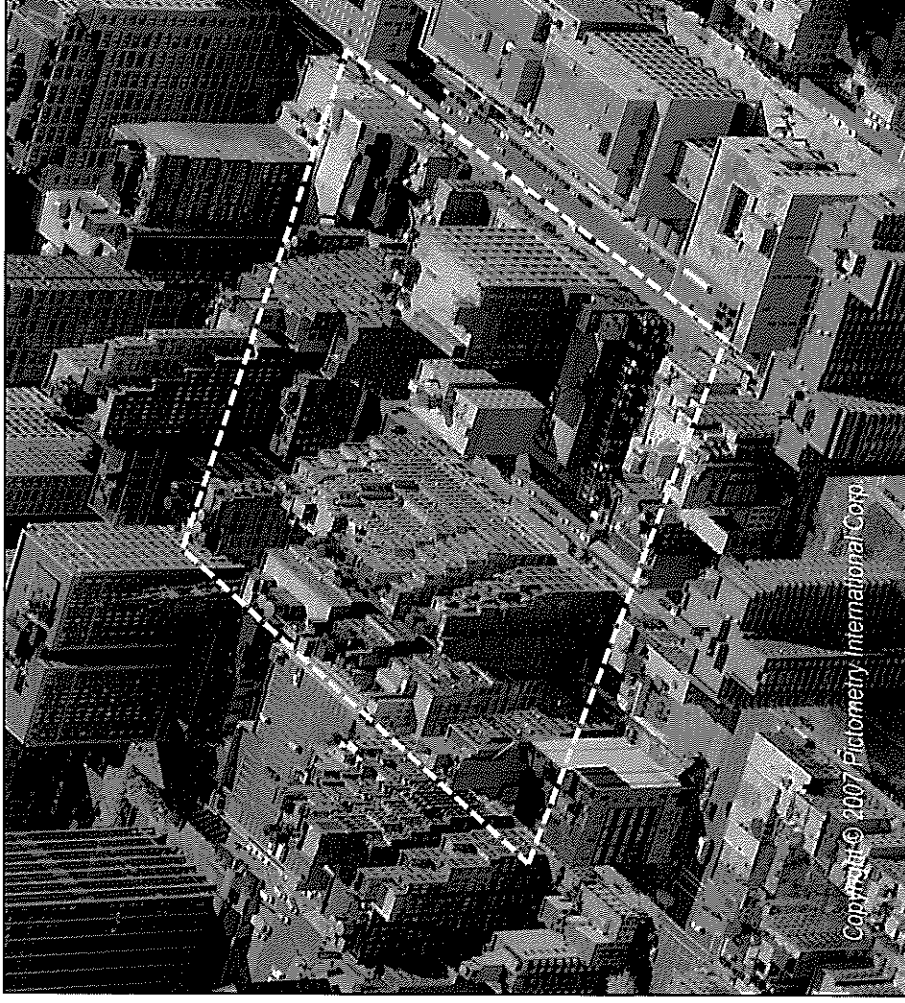
M1-6D: BACKGROUND



M1-6D: BACKGROUND



M1-6D: GOALS



- Protect concentrations of existing Class B & C office and M uses
- Encourage targeted residential development
- Promote the creation of affordable housing
- Preserve the built character
- Support the development of a vibrant mixed-use district

M1-6D: PROPOSED REGULATIONS

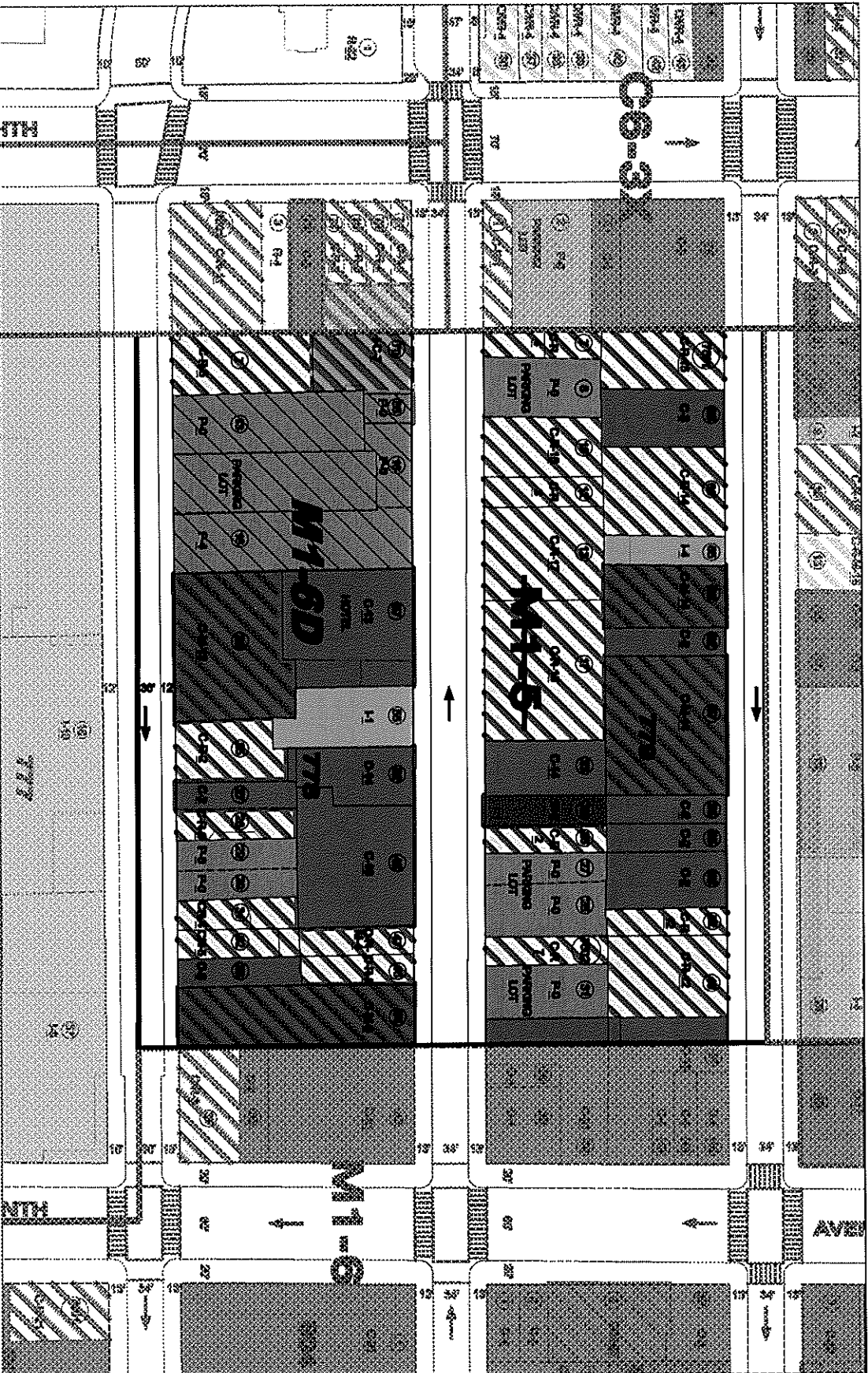
- I. PROPOSED USE REGULATIONS**
- II. PROPOSED BULK REGULATIONS**

M1-6D: PROPOSED USE REGULATIONS

- ALLOW MIX OF USES
- PROVIDE PROTECTIONS FOR EXISTING CONCENTRATIONS OF COMMERCIAL AND LIGHT INDUSTRIAL USES
- ALLOW RESIDENTIAL DEVELOPMENT
- REQUIRE GROUND FLOOR RETAIL AND TRANSPARENCY
- REQUIRE A SPECIAL PERMIT FOR LARGER HOTELS

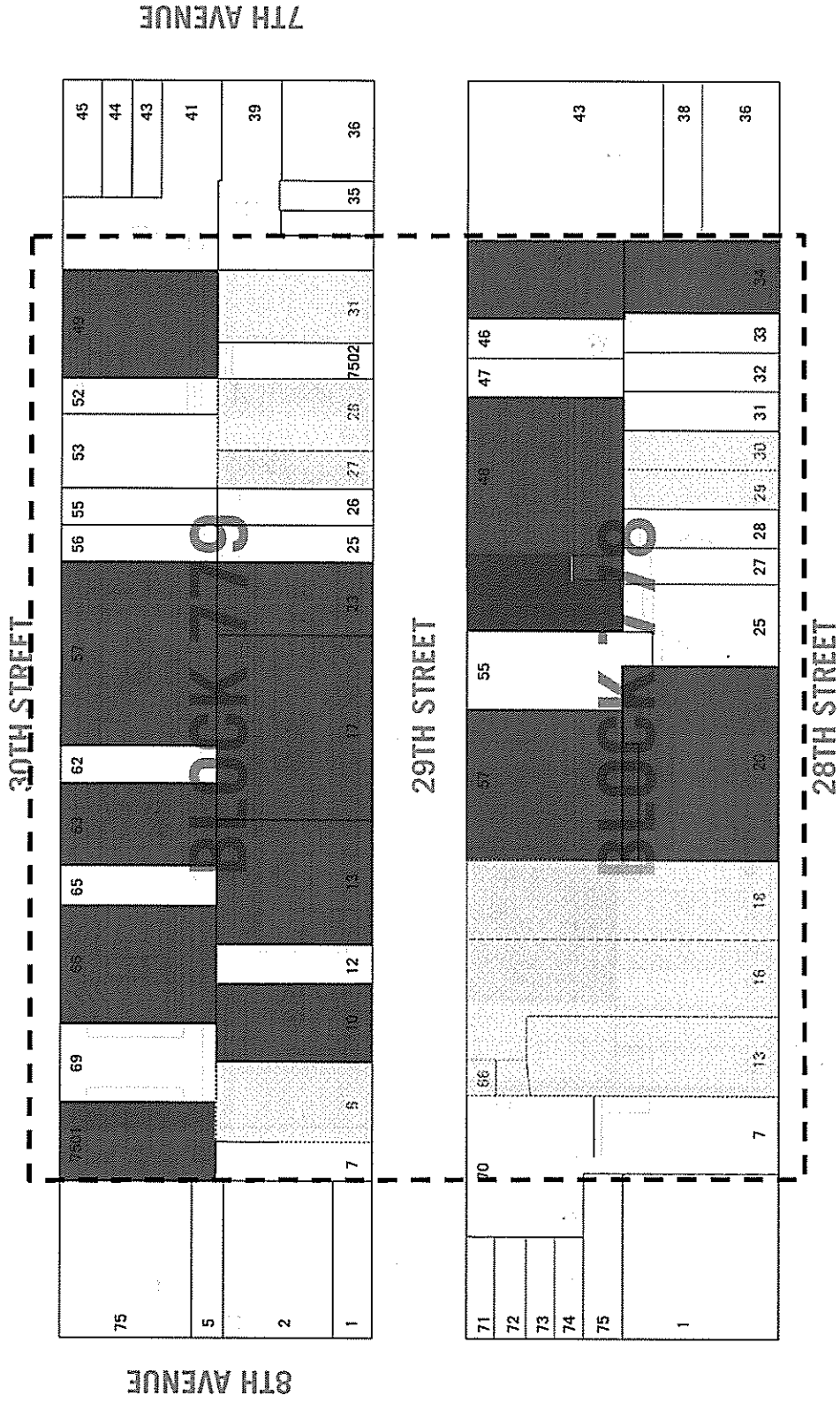
M1-6D: PROPOSED USE REGULATIONS

- ALLOW A WIDE RANGE OF USES



M1-6D: PROPOSED USE REGULATIONS

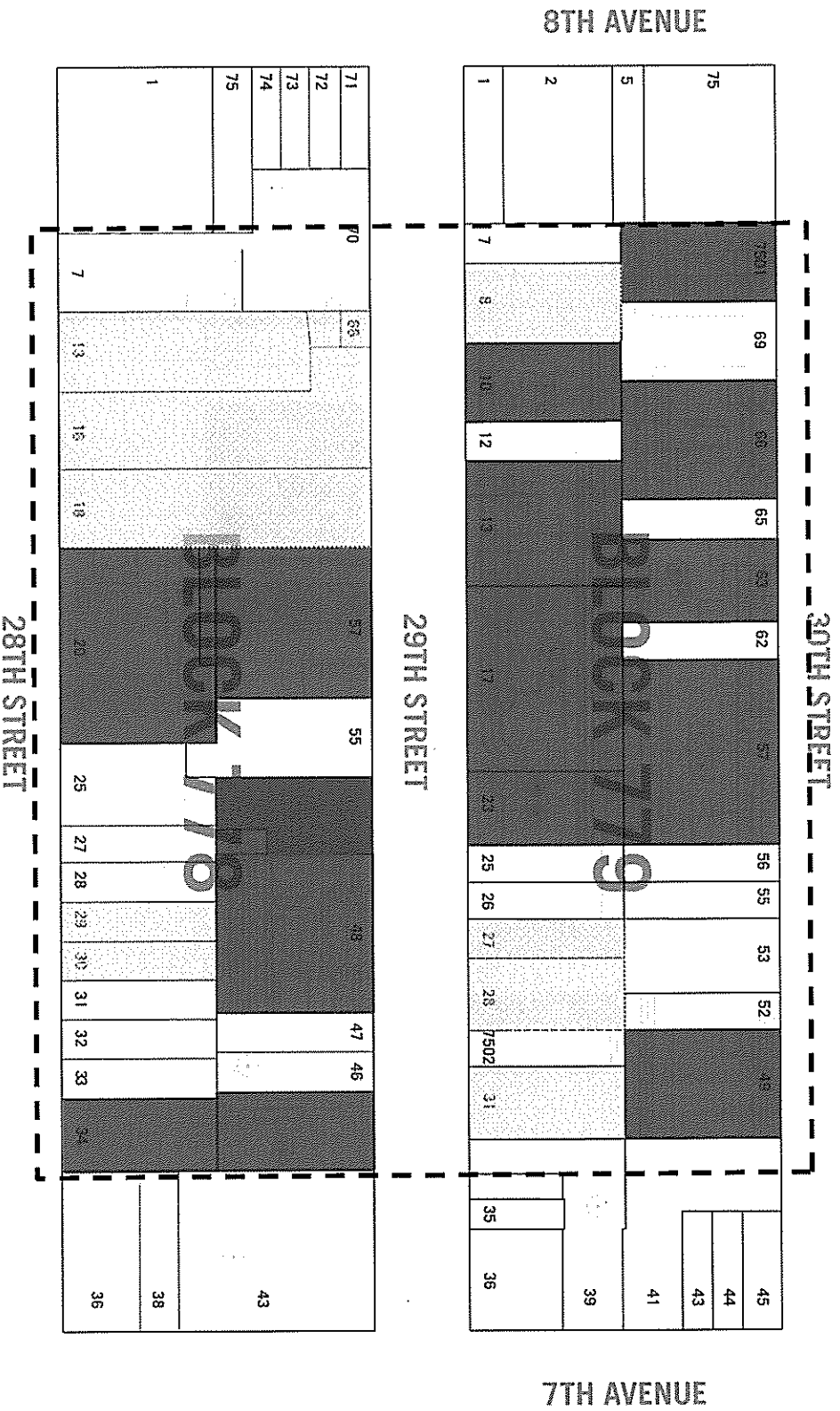
- PROTECTIONS FOR NON-RESIDENTIAL USES



■ Qualifying buildings with more than 40,000 sf of floor area

M1-6D: PROPOSED USE REGULATIONS

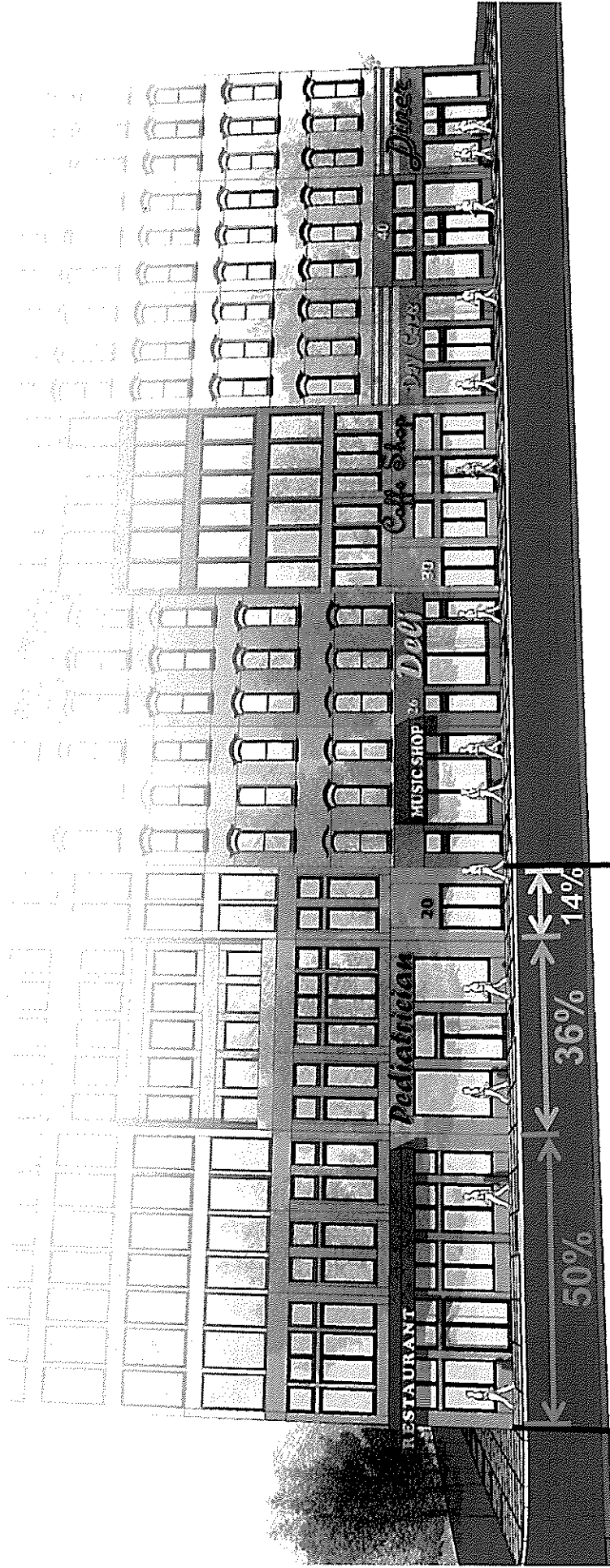
- ALLOW RESIDENTIAL USES



■ Qualifying buildings with more than 40,000 sf of floor area

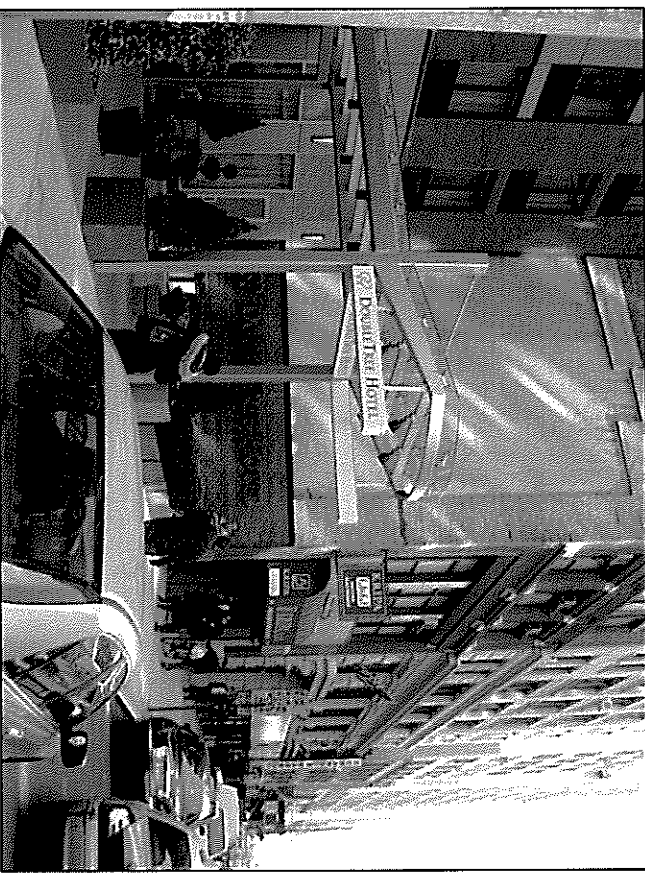
M1-6D: PROPOSED USE REGULATIONS

- REQUIRE GROUND FLOOR RETAIL AND TRANSPARENCY

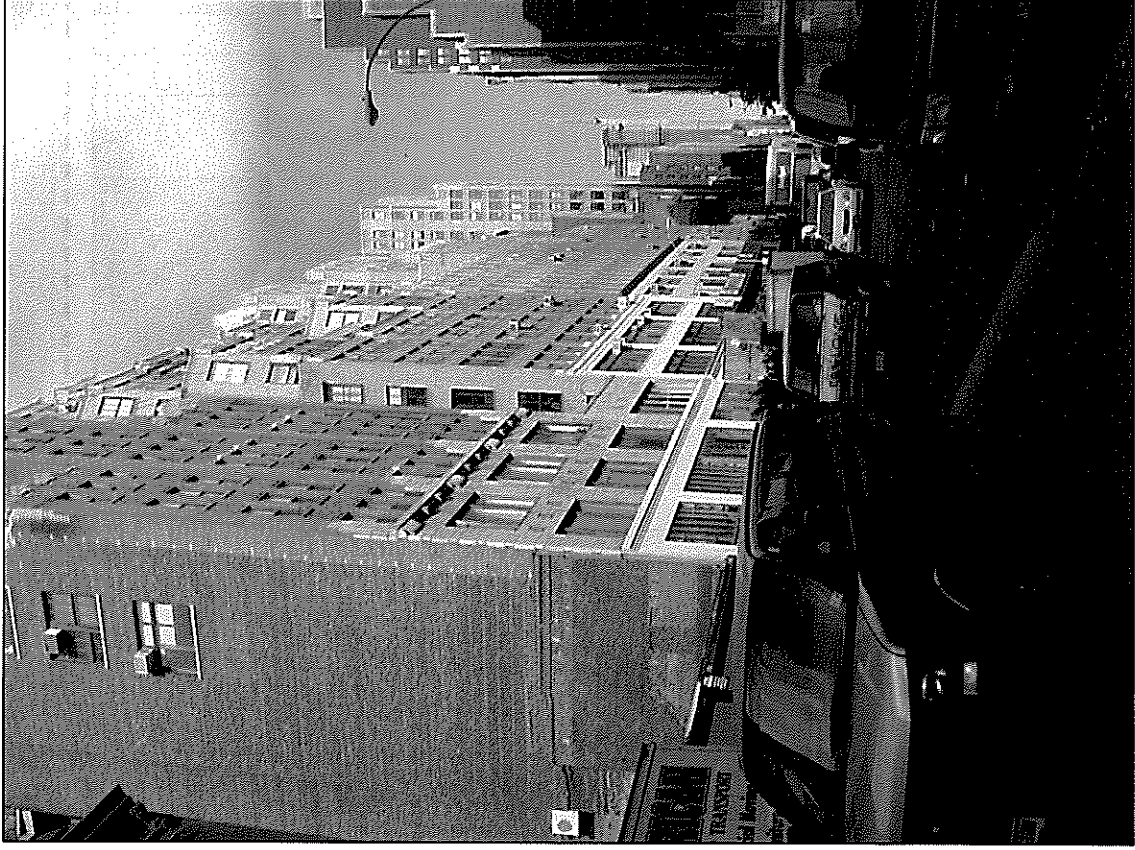


M1-6D: PROPOSED USE REGULATIONS

- SPECIAL PERMIT FOR HOTELS WITH MORE THAN 100 ROOMS



M1-6D: PROPOSED BULK REGULATIONS

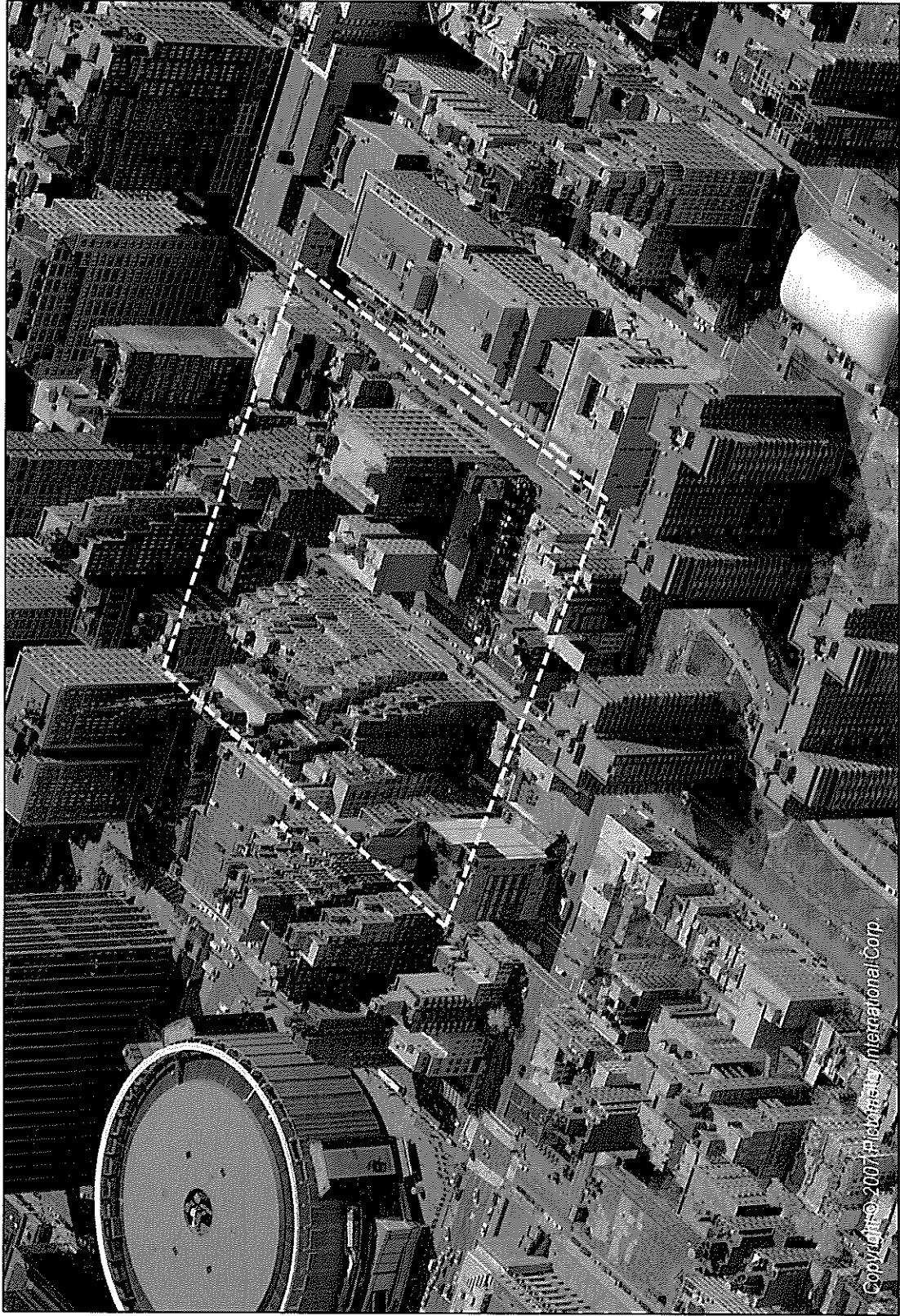


I. FAR

II. AFFORDABLE HOUSING

III. BUILDING FORM

M1-6D: CONTEXT



Copyright © 2007 PricewaterhouseCoopers International Corp.

M1-6D: FAR



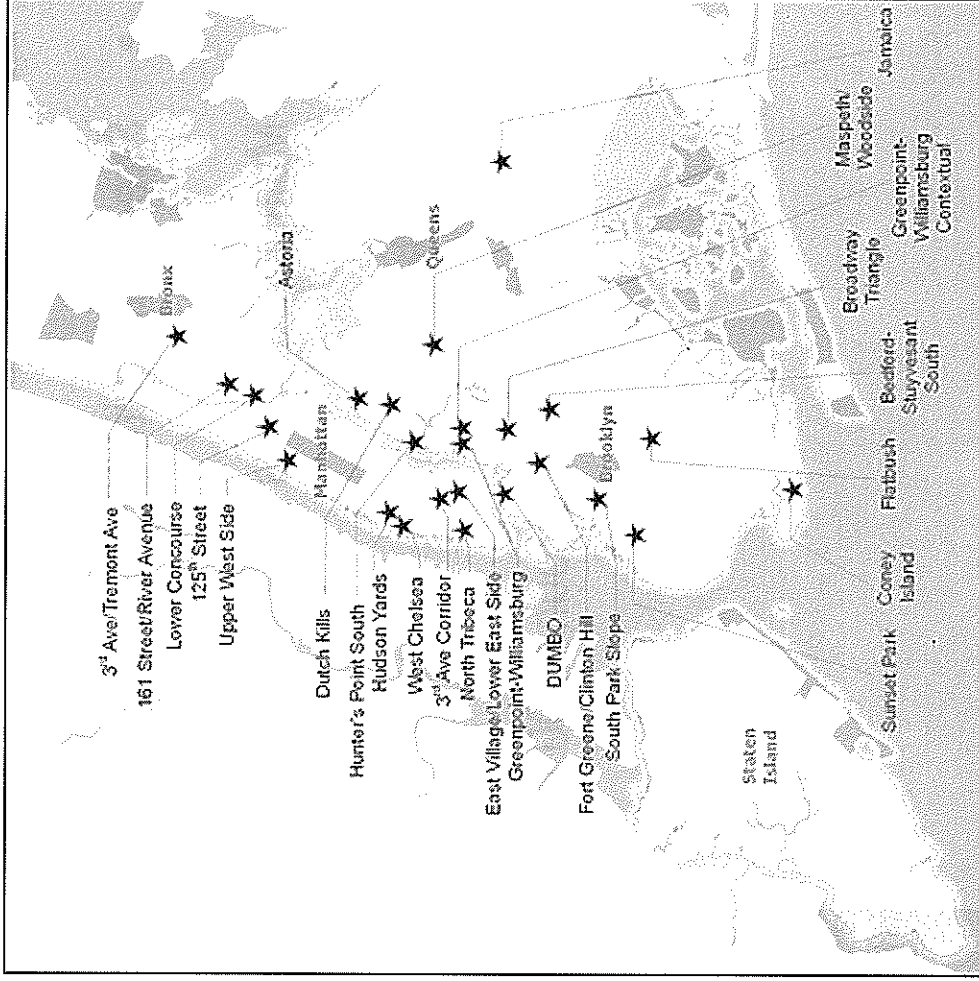
PROPOSED FAR

MANUFACTURING	10.0
COMMERCIAL	10.0
COMMUNITY FACILITY	10.0
RESIDENTIAL (IH)	9.0 BASE 12.0 BONUS

M1-6D: AFFORDABLE HOUSING

INCLUSIONARY HOUSING DESIGNATED AREA

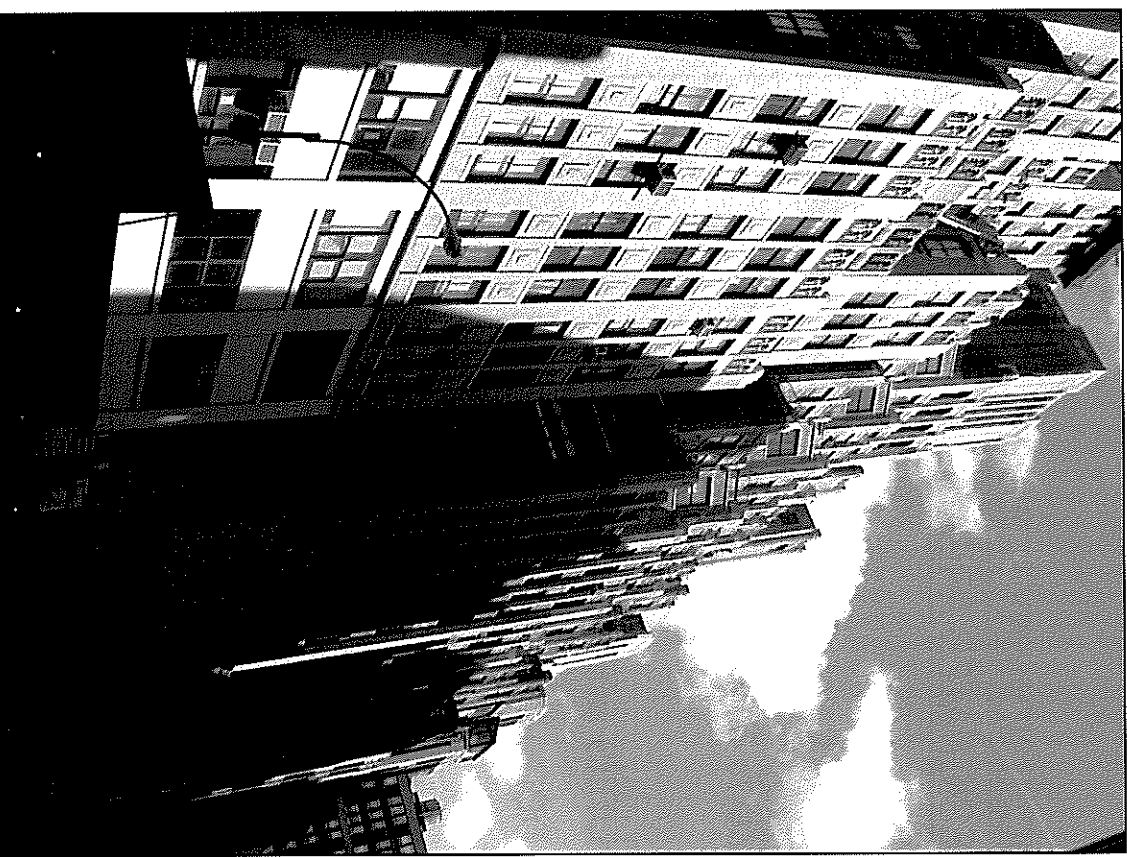
- 33% floor area bonus for providing 20% affordable housing
- Units are required to be permanently affordable
- Units can be provided:
 - On site (within the building)
 - Off site within CD 5 or 1/2 mile
 - Off site through preservation



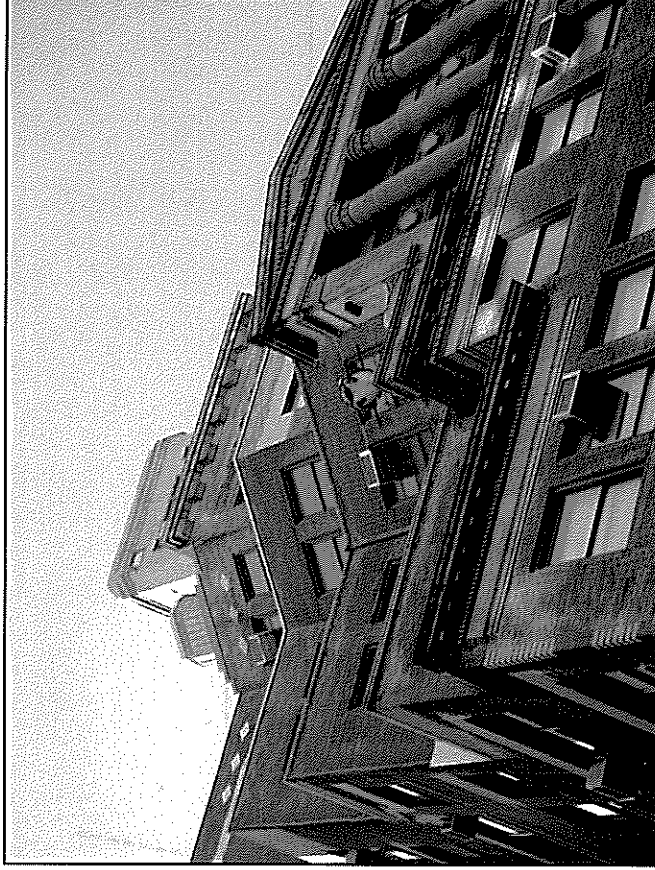
M1-6D: BUILDING FORM

BUILDING FORM

- Streetwalls with high base heights
- Multiple setbacks
- Articulated tops
- Maximum heights around 200 feet

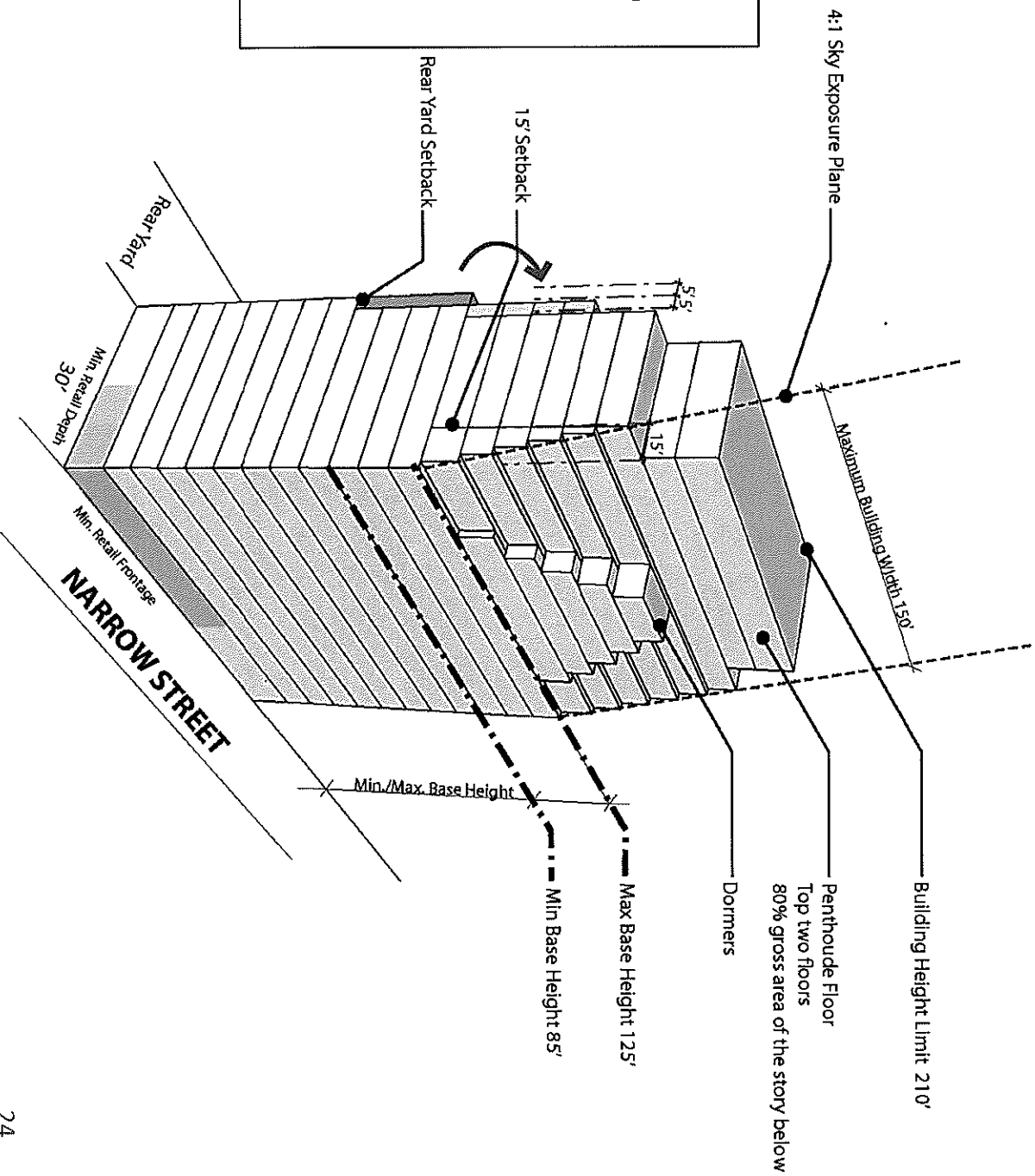


M1-6D: BUILDING FORM

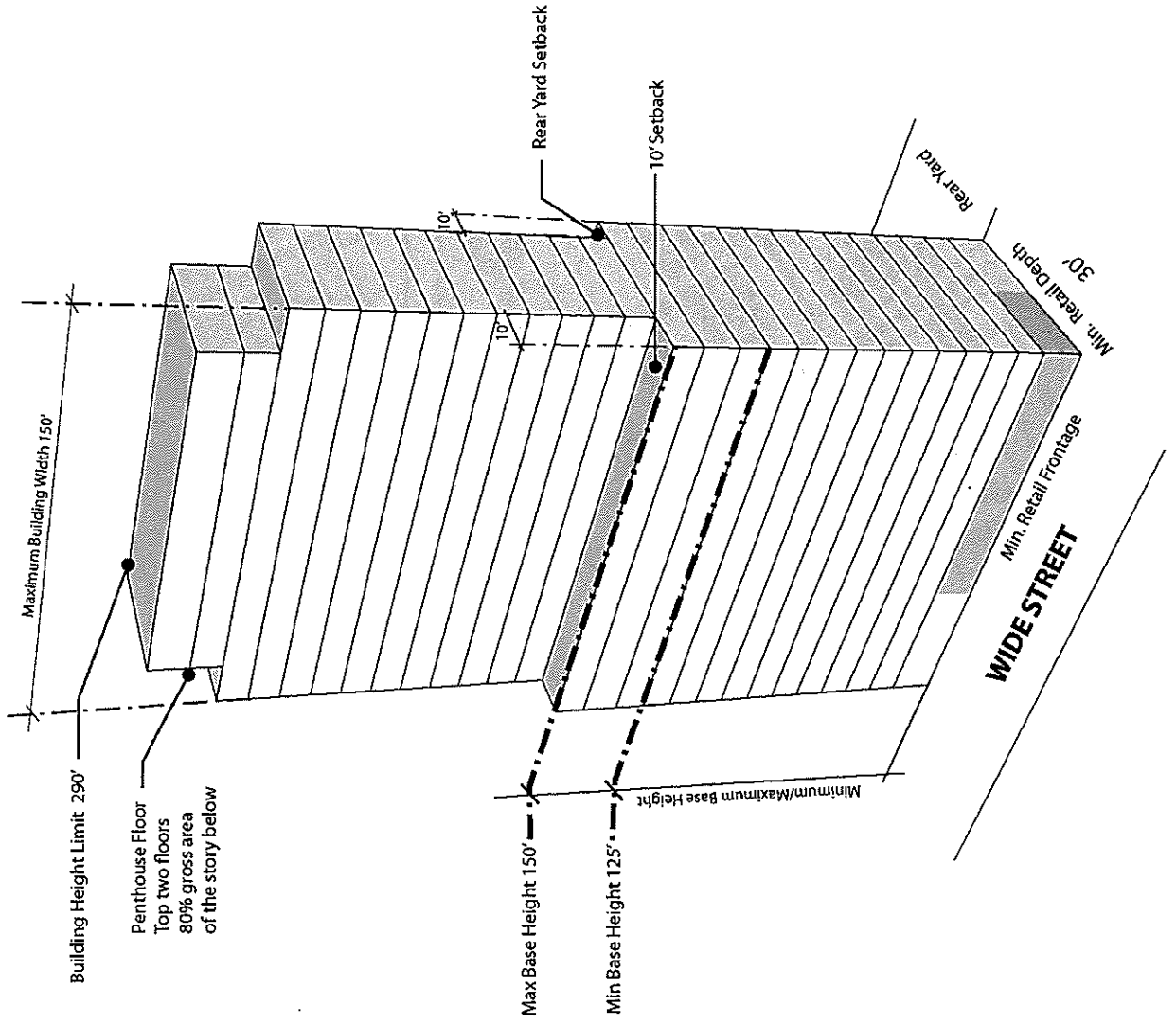


M1-6D: PROPOSED BULK REGULATIONS

- Required Streetwall
- Base Height: 85 – 125'
- 4:1 SEP (max. 15' setback)
- Penthouse Rule
- Max Height: 210'



M1-6D: PROPOSED BULK REGULATIONS

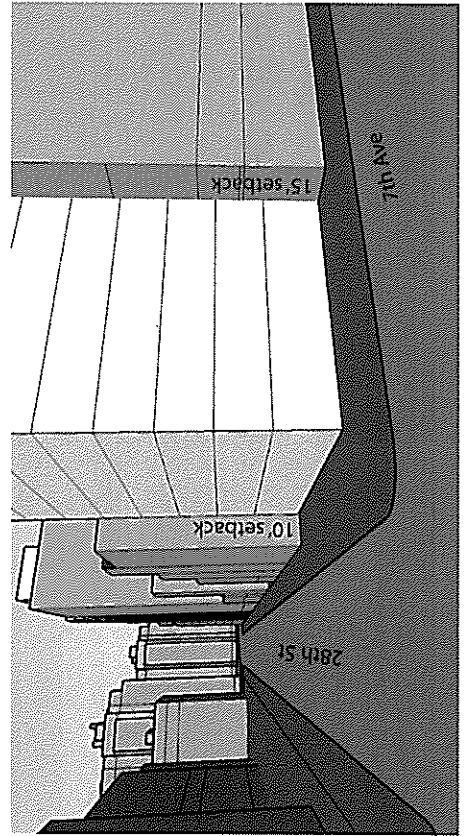
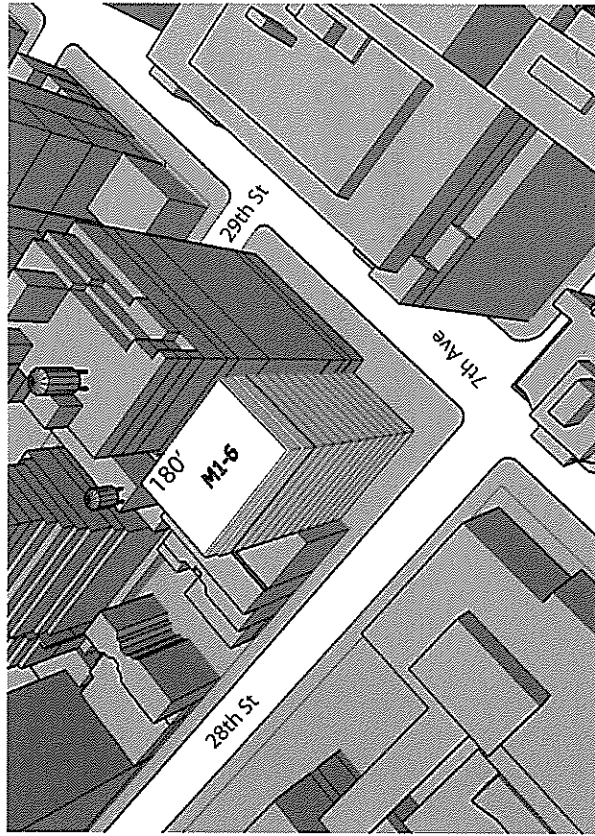


- Required Streetwall
- Base Height: 125 - 150'
- 10' Setback
- Penthouse Rule
- Max Height: 290'

M1-6: PROPOSED BULK MODIFICATION

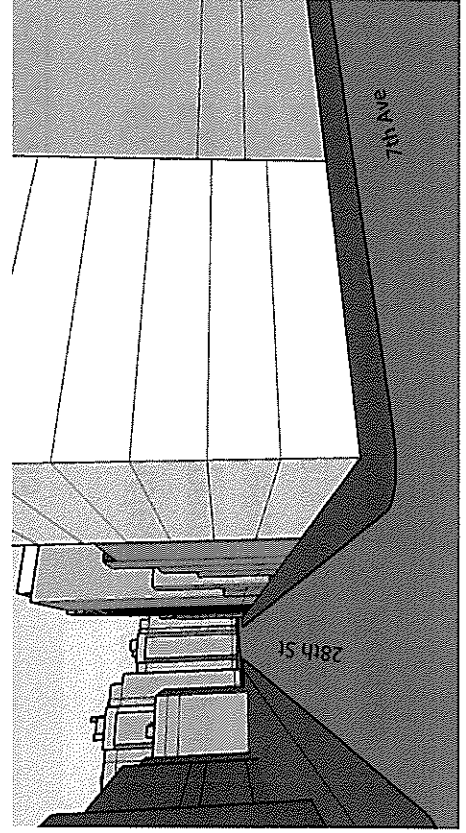
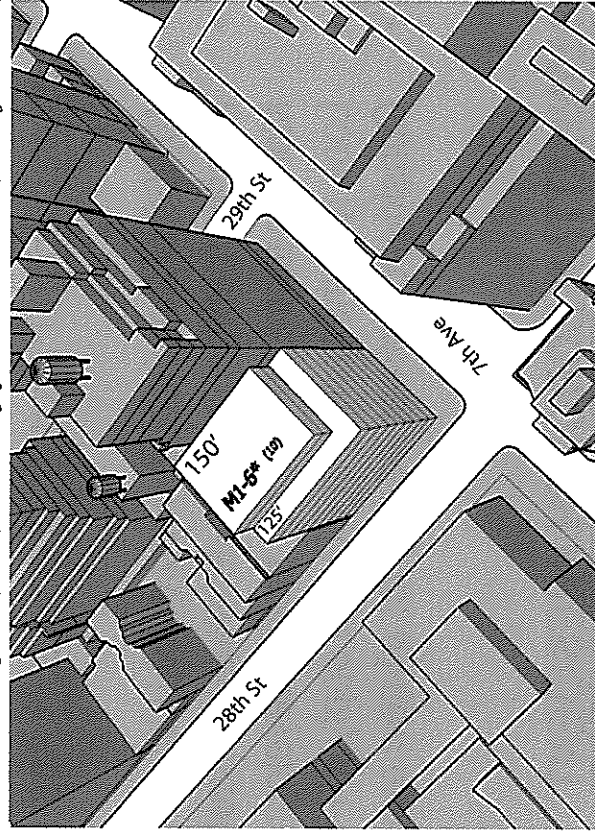
M1-6 10 FAR

(10'-15' setbacks at street, 180' tall, 15' high ground floor, 12'6" height floors above)



M1-6* 10 FAR

(min. 125'; max 150' streetwall, maxing out FAR at 150' tall, 15' high ground floor, 14' floors in base, 12'6" height floors above)



M1-6D: PUBLIC PROCESS

MANHATTAN COMMUNITY BOARD 5

Approval: 36 In Favor; 0 Opposed; 1 Abstaining

- 40,000 sf threshold instead of 50,000 sf
- Monitor methodology for determining need for schools
- Monitor future community facility development
- Look for other areas in CD 5 to apply M1-6D except Garment Center
- Consider off-street loading for all new residential development

MANHATTAN BOROUGH PRESIDENT

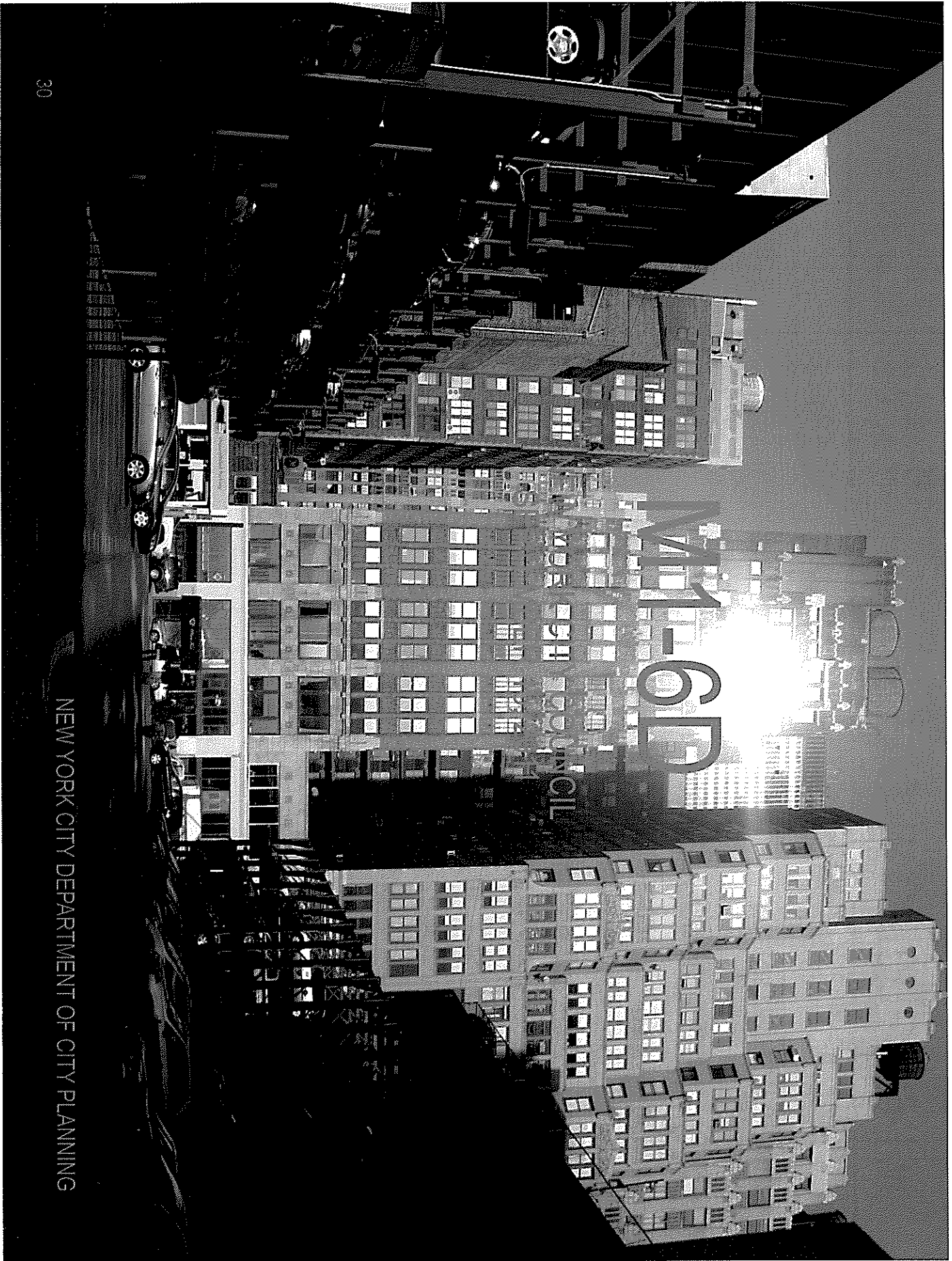
Approval with Conditions

- 40,000 sf threshold instead of 50,000 sf
- Extend hotel special permit to conversions
- Don't count existing residential units toward residential development goal
- Don't raise inclusionary base FAR for mandatory retail
- Retain plaza bonus along 7th Avenue

M1-6D: PUBLIC PROCESS

CPC MODIFICATIONS

- Change threshold from 50,000 sf to 40,000 sf
- Retain plaza bonus along 7th Avenue
- Clarify that existing IMDs don't wouldn't count toward residential development goal
- Clarify DOB's process for reviewing applications under M1-6D
- Remove duplicative text

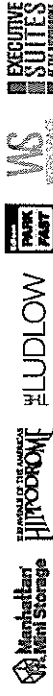


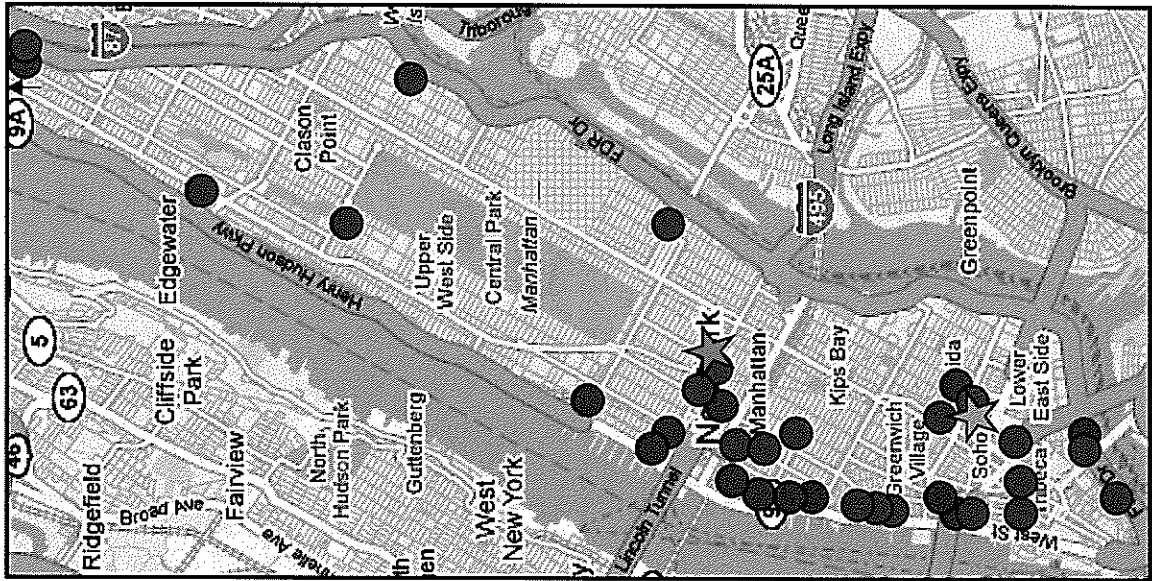
28th Street Project

*Presentation to
City Council Zoning & Franchises Sub-committee
Councilmember Mark Weprin, Chair*

September 14, 2011

EDISON PROPERTIES





Edison Properties is a 50-year-old, family-owned real estate business, which owns and operates over 50 parking lots, mini storage facilities and real estate developments in New York, New Jersey, and Baltimore.

- Edison operates its properties under several brand names, including:

Manhattan Mini Storage

● 18 Facilities in Manhattan

Edison ParkFast

● 37 Locations in NYC, NJ and MD with 18 locations in Manhattan

The Hippodrome

★ Class A Office Building at 1120 Avenue of the Americas between 43rd and 44th Streets

The Ludlow

★ 243-Unit Rental Building at 188 Ludlow Street on the Lower East Side with 75/25 low and moderate income housing

OUTREACH

Community Board 5 – Met with Kevin Finnegan, then Chair of the Land Use Committee and Wally Rubin, District Manager. Met with Land Use Committee twice and received unanimous approvals from both Land Use Committee and Full Community Board

Community Board 4 – Presented to the Chelsea Preservation Committee

Marc Jahr, President of HDC

Speaker Christine Quinn

Speaker's District Office staff and Land Use staff

Borough President Scott Stringer – Met with the Borough President, and his Land Use staff

Assembly Member Richard Gottfried and staff

State Senator Liz Krueger and staff

State Senator Thomas Duane and staff

Congressman Jerrold Nadler's staff

FIT President Joyce Brown and staff

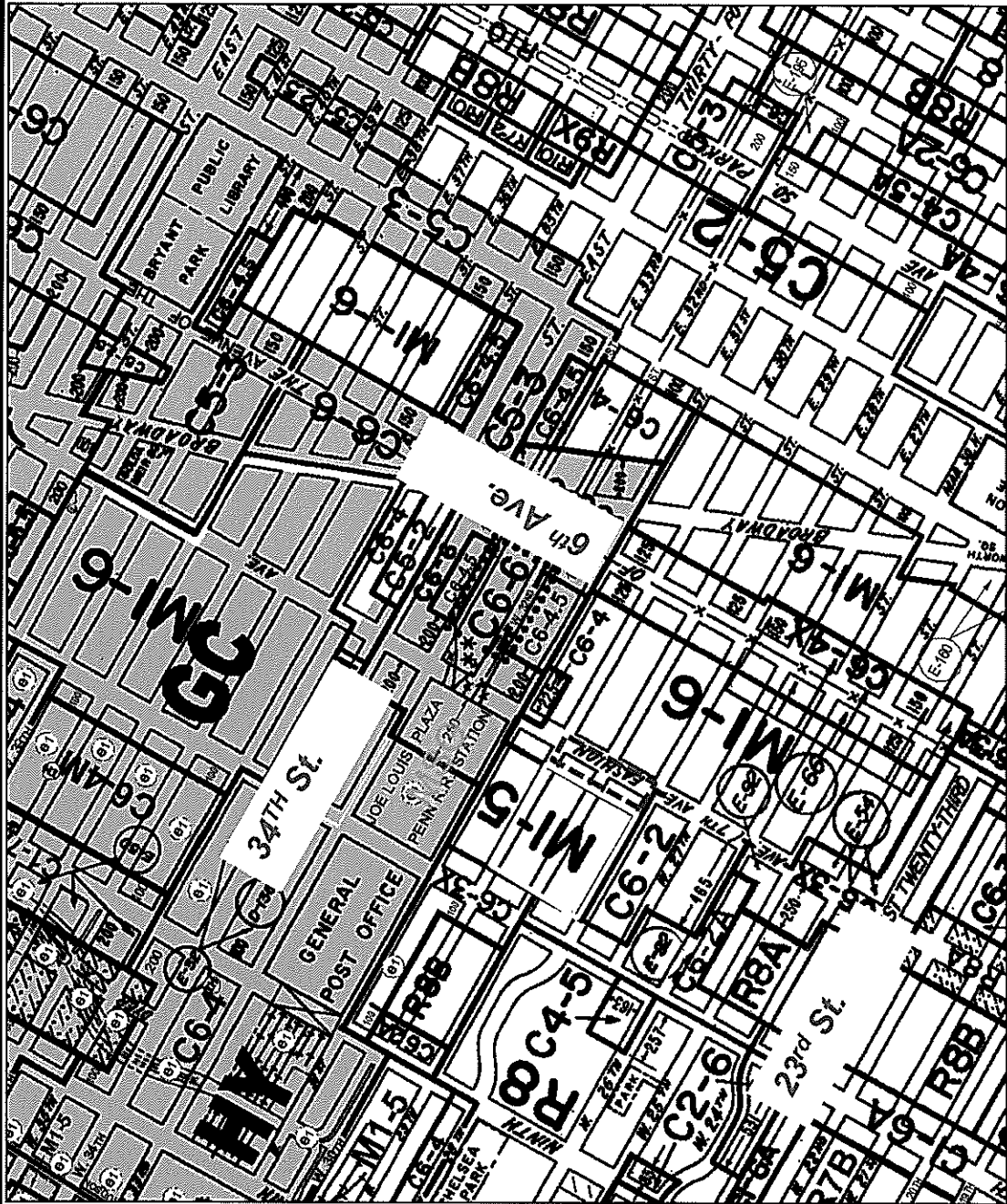
Public Advocate's staff



Aerial view showing development site (in red)



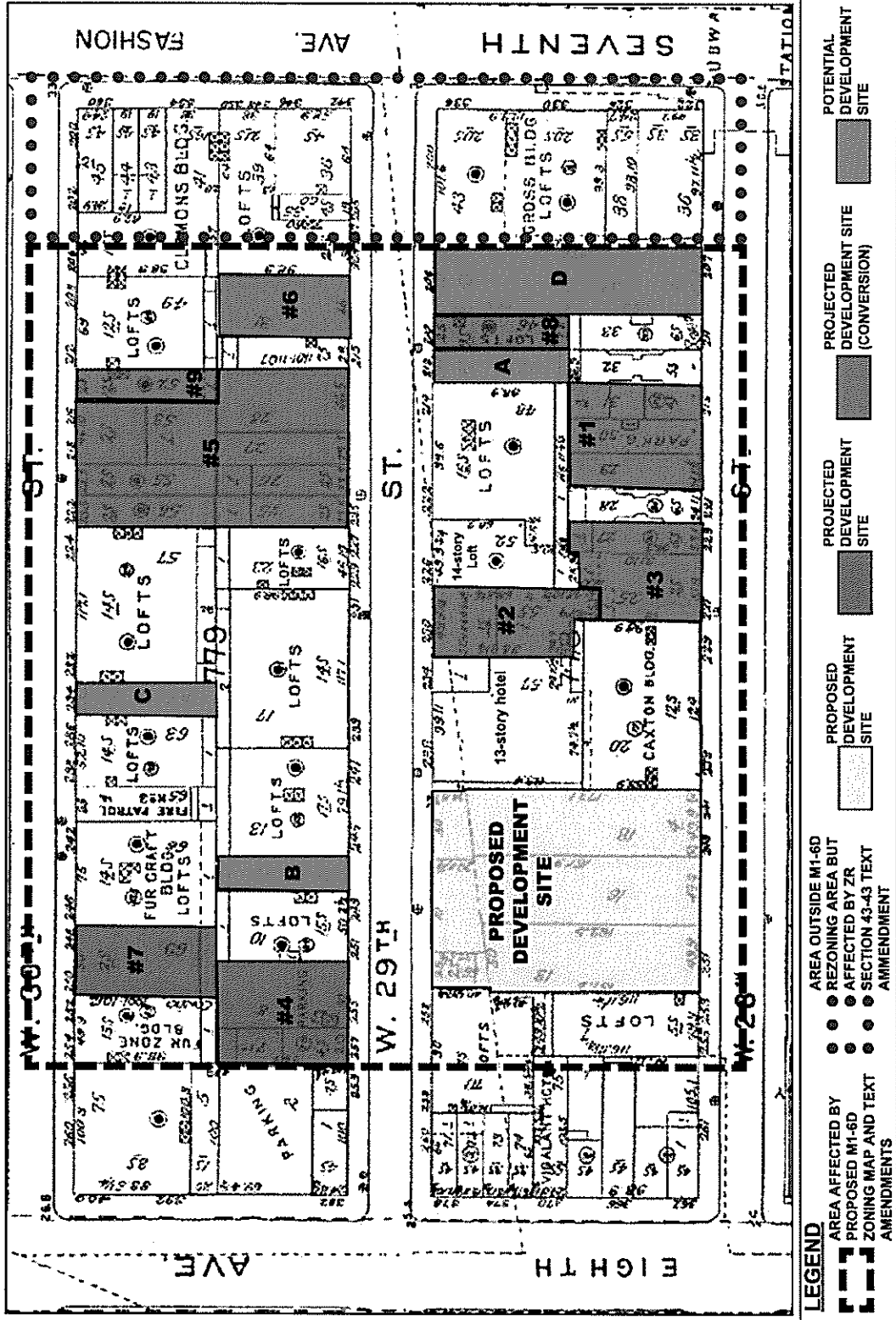
Aerial view with potential development



Preliminary Development Plan

Developer	Edison Properties
Site Area	29,373 GSF
Height	210'
Proposed Zoning	M1-6D
Apartments	407 Units (82 Affordable)
Ground Floor Retail	4,500 GSF
Ground Floor Office/Amenity	11,000 GSF
Parking	325 Spaces, Below Grade

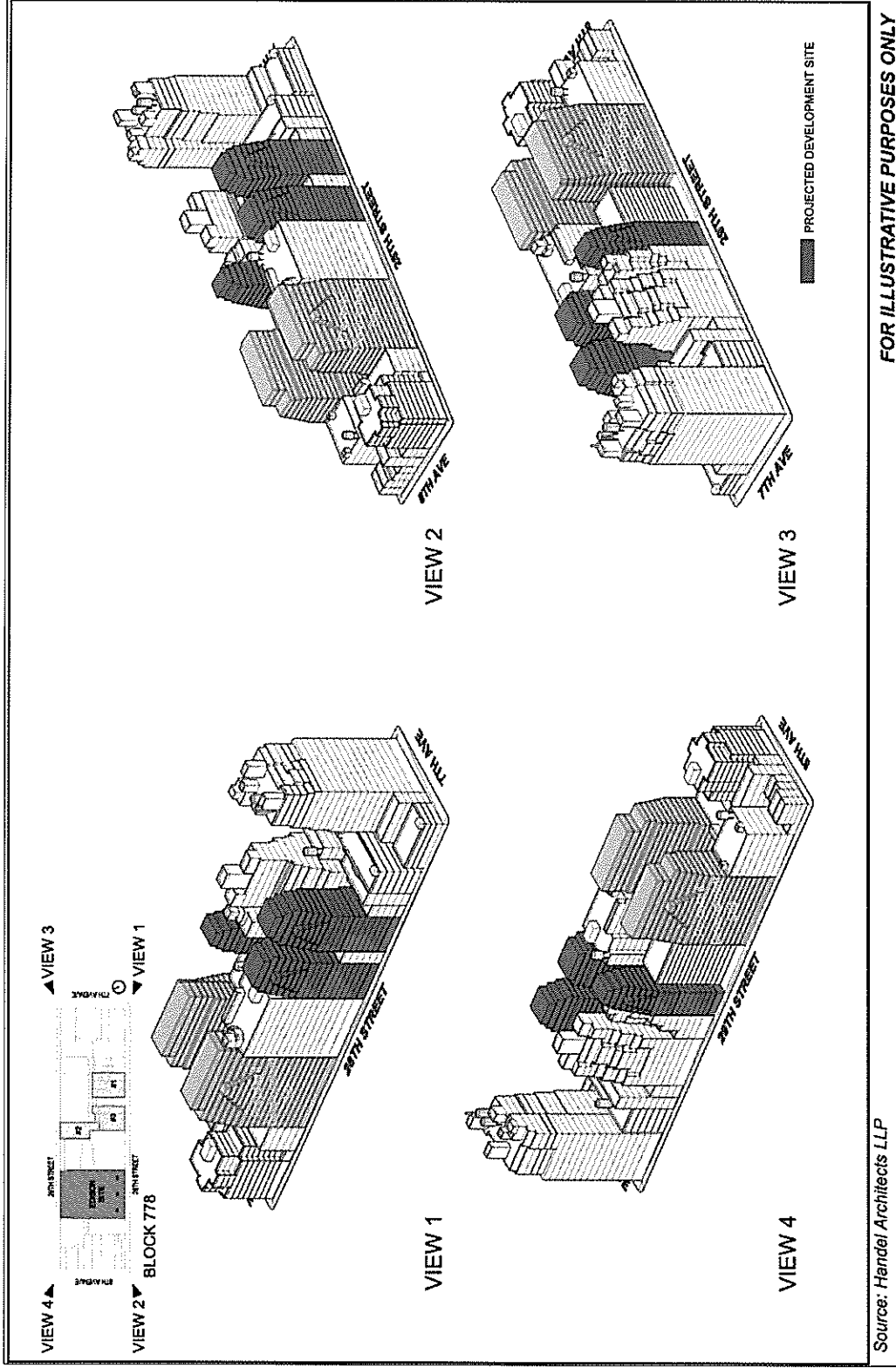
EDISON PROPERTIES, LLC



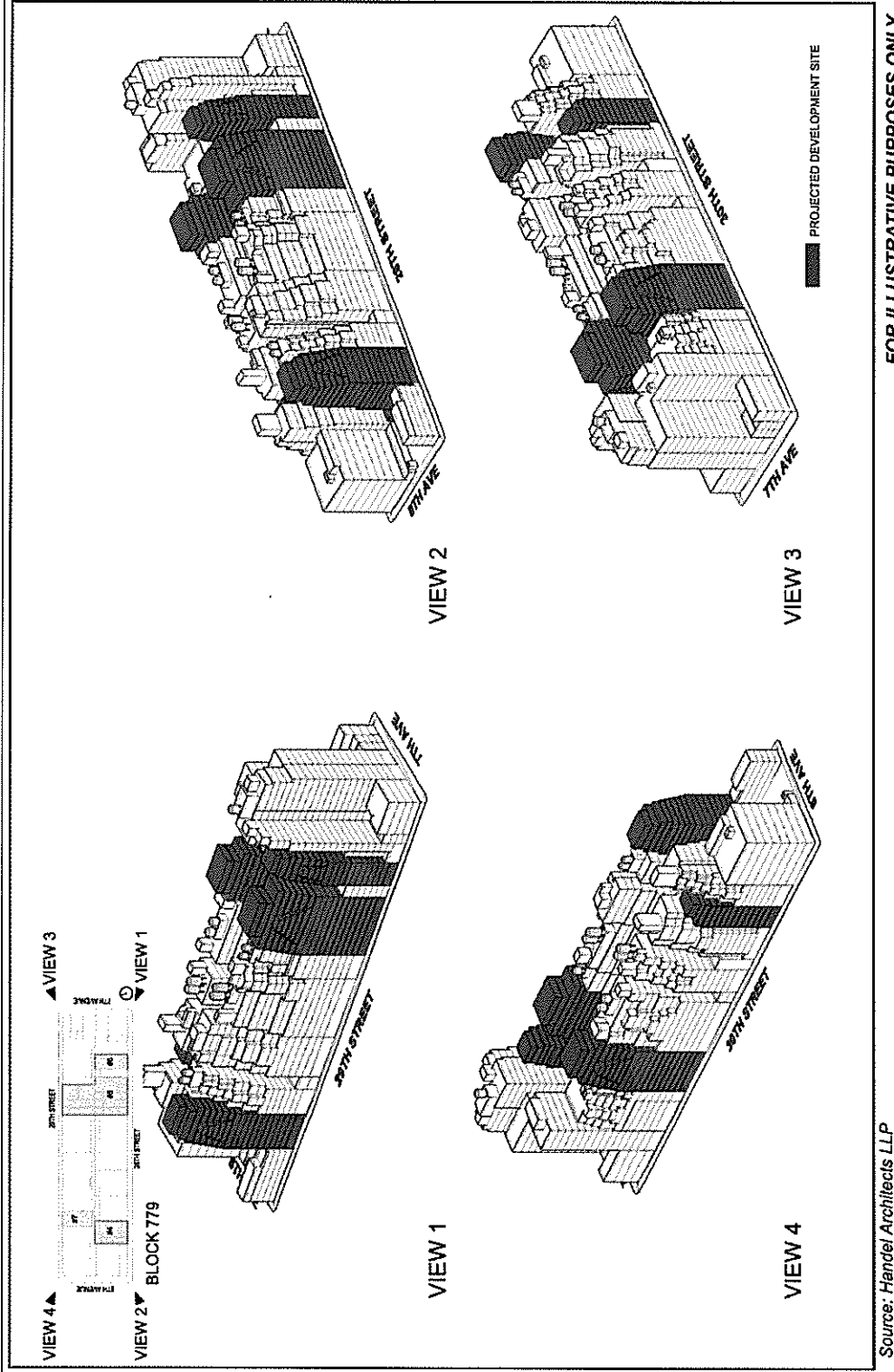
LEGEND

- AREA OUTSIDE M1-6D
- AREA AFFECTED BY REZONING AREA BUT NOT AFFECTED BY ZR
- PROPOSED M1-6D ZONING MAP AND TEXT AMENDMENTS
- PROPOSED DEVELOPMENT SITE
- PROJECTED DEVELOPMENT SITE (CONVERSION)
- POTENTIAL DEVELOPMENT SITE

West 28th Street Rezoning EAS
 Figure A-5
 Projected Development Sites



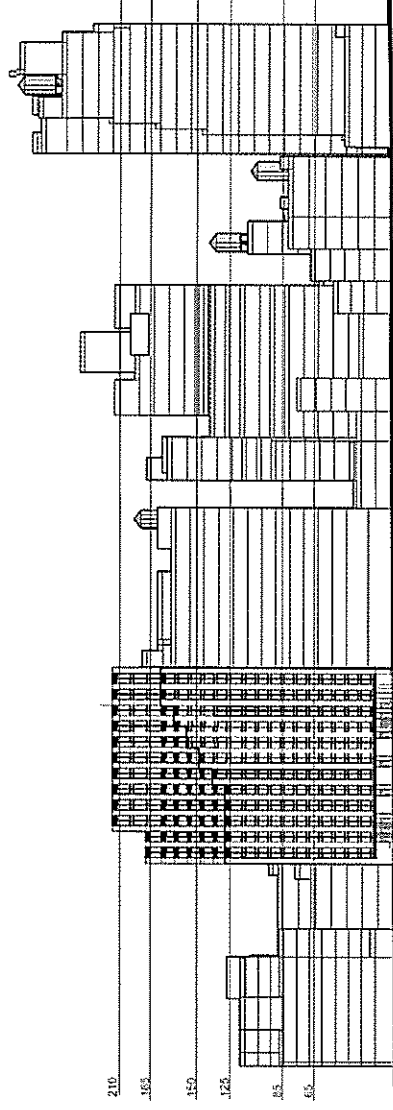
Axonometric views showing potential build-out of projected development sites on Block 778



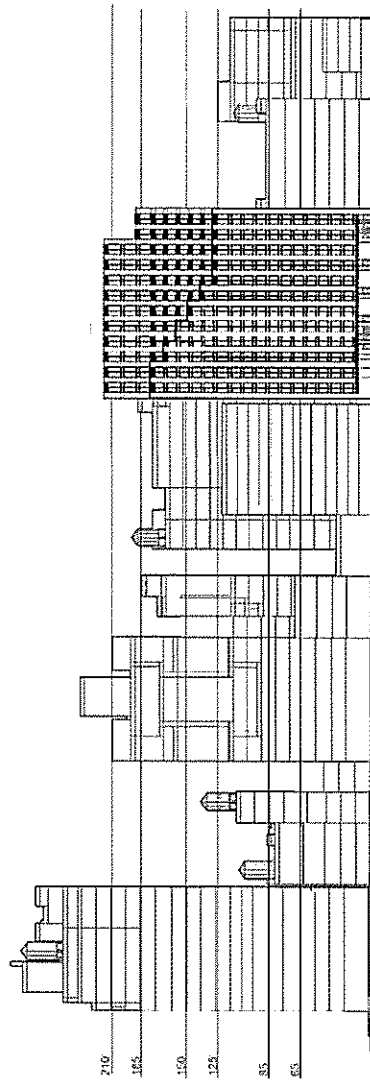
Source: Handel Architects LLP

FOR ILLUSTRATIVE PURPOSES ONLY

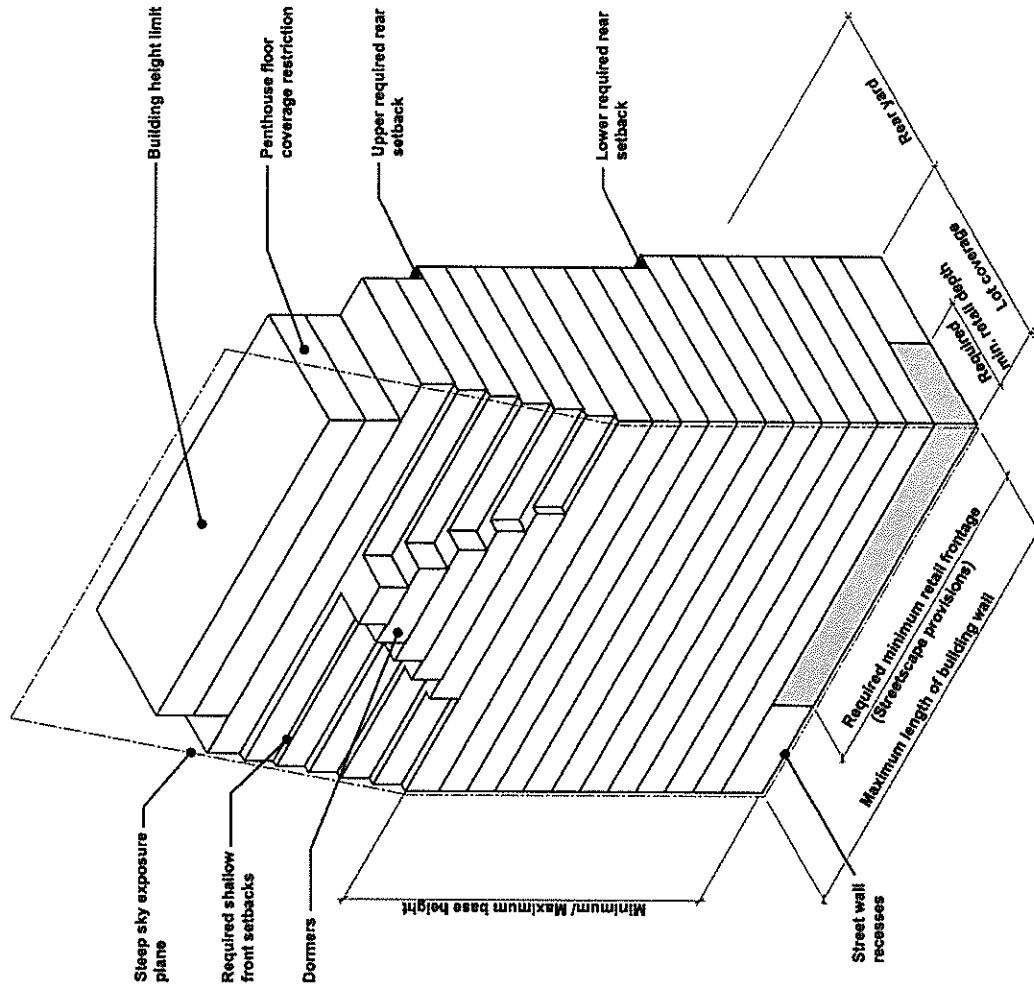
Axonometric views showing potential build-out of projected development sites on Block 779



Elevation of West 28th Street showing potential site development



Elevation of West 29th Street showing potential site development





Height and setback controls in new M1-6D zone

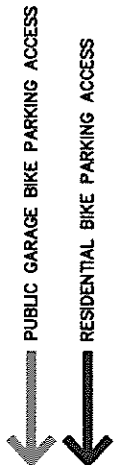
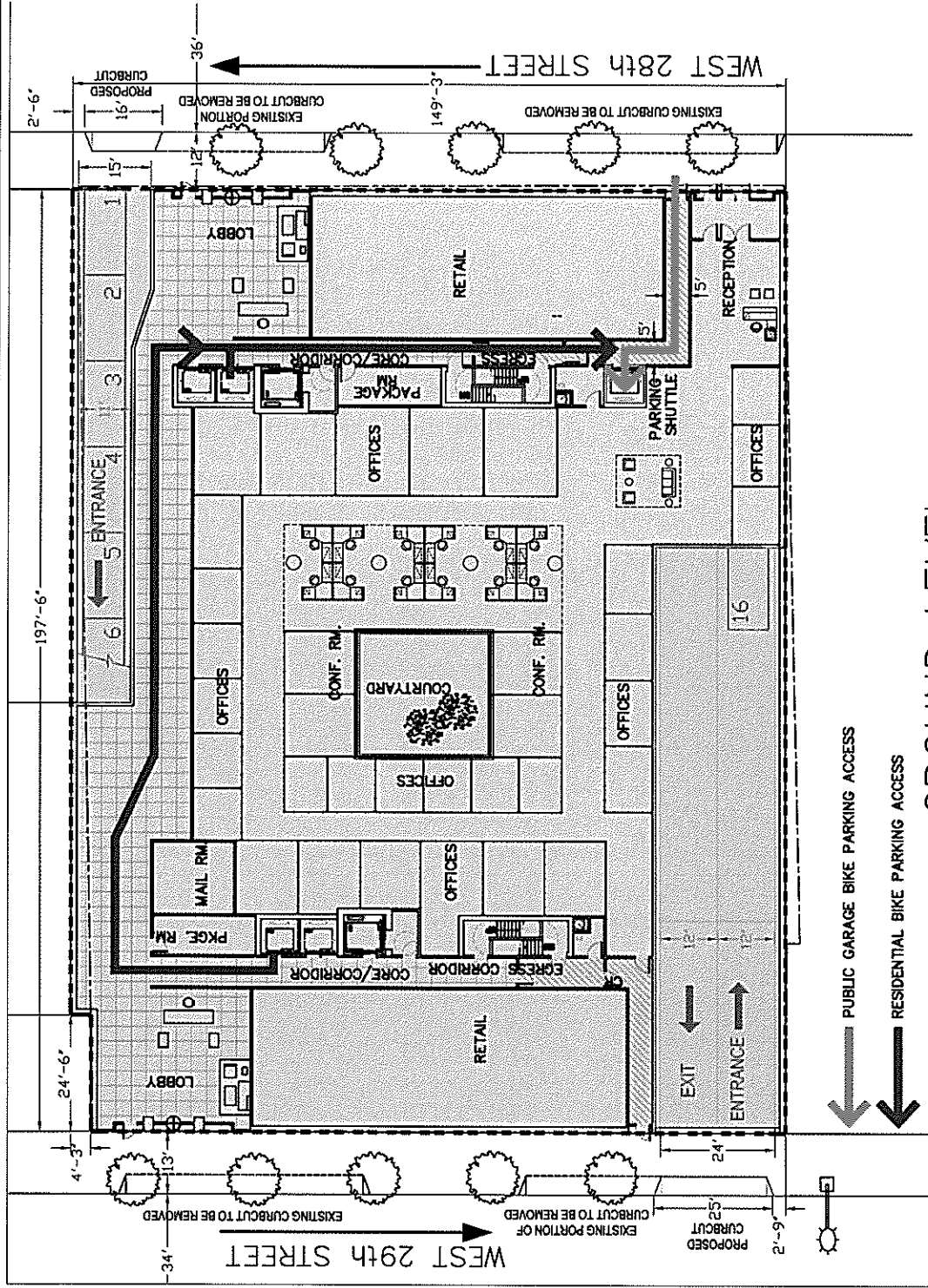
EDISON PROPERTIES, LLC



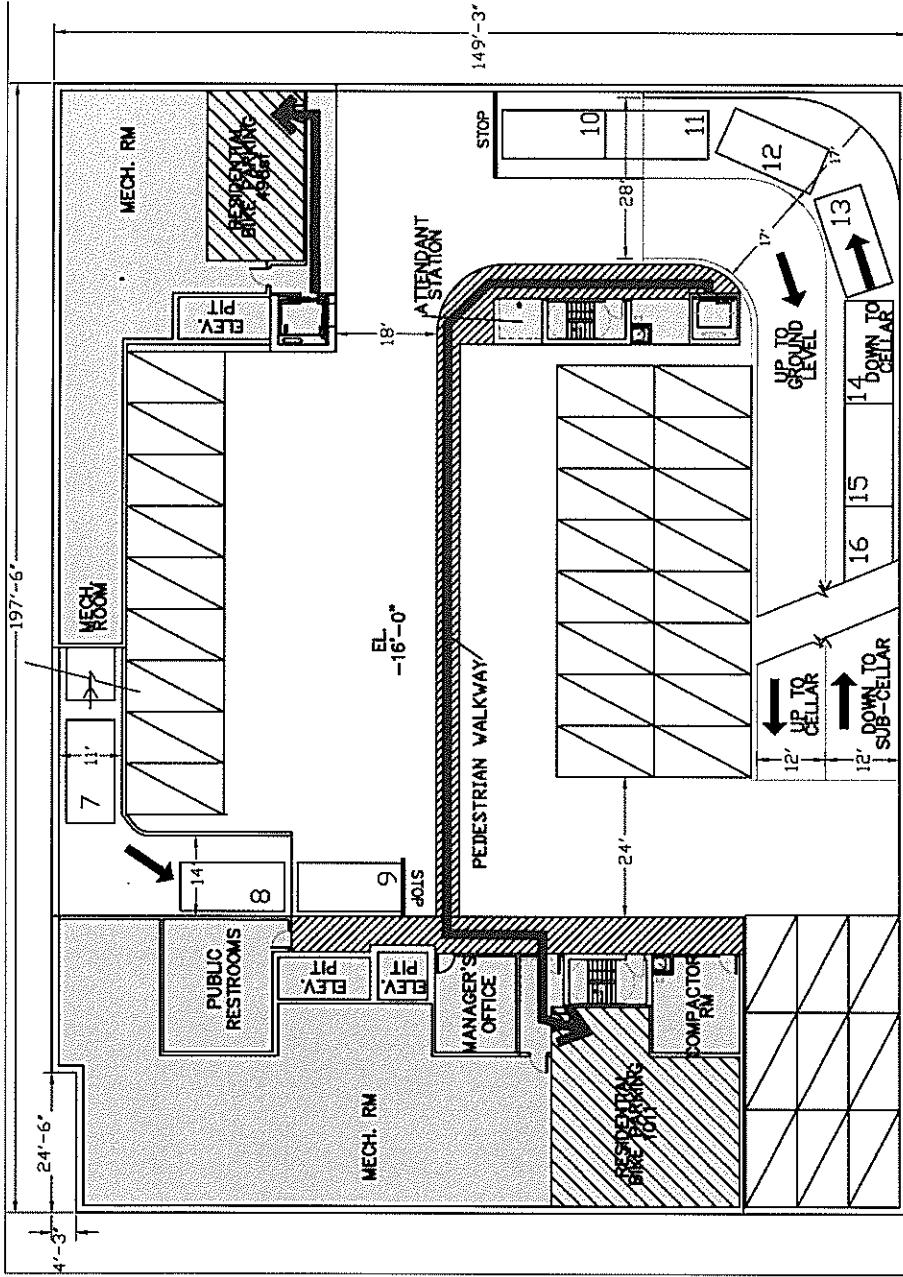
Rendering of potential ground floor retail use

CURRENT PARKING FACILITIES
<ul style="list-style-type: none">• 131-car open parking lot operated by Edison Properties• 240-car parking garage operated by Icon Parking

<p>371 Total Permitted Spaces</p>
<ul style="list-style-type: none">• Entrances and Exits on both 28th Street and 29th Street

NEW PARKING FACILITY
<ul style="list-style-type: none">• Two-story, below-grade parking garage incorporated into new development taking cars out of public view• Reduction in the number of spaces to:

<p>325 Total Permitted Spaces</p>
<ul style="list-style-type: none">• Entrances on 28th and 29th Streets and Exit on 29th Street, reduction in curb cuts from 202 linear feet to 41 linear feet (80%)

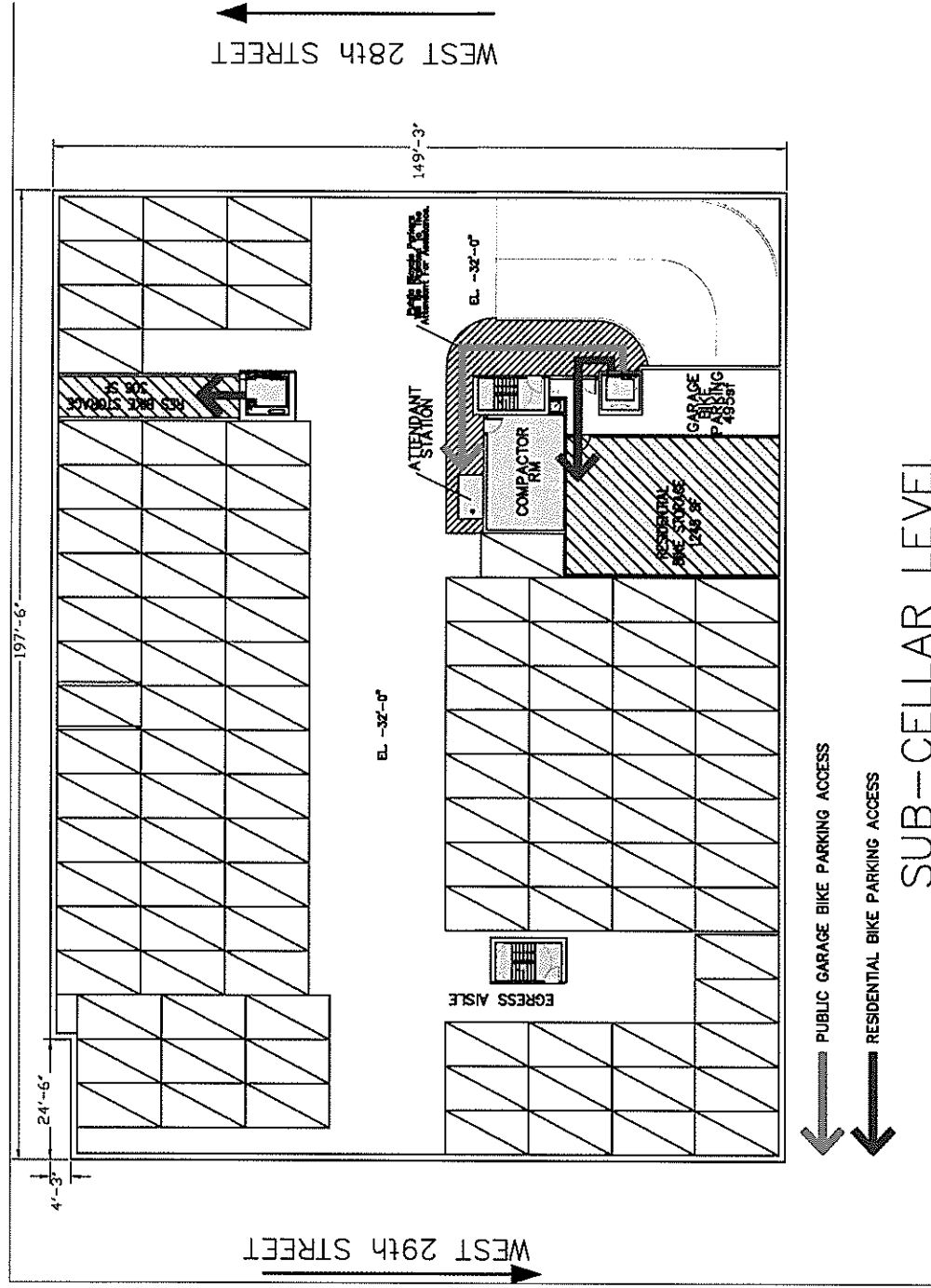


GROUND LEVEL
Ground floor plan showing retail and garage entrances/exit



CELLAR LEVEL

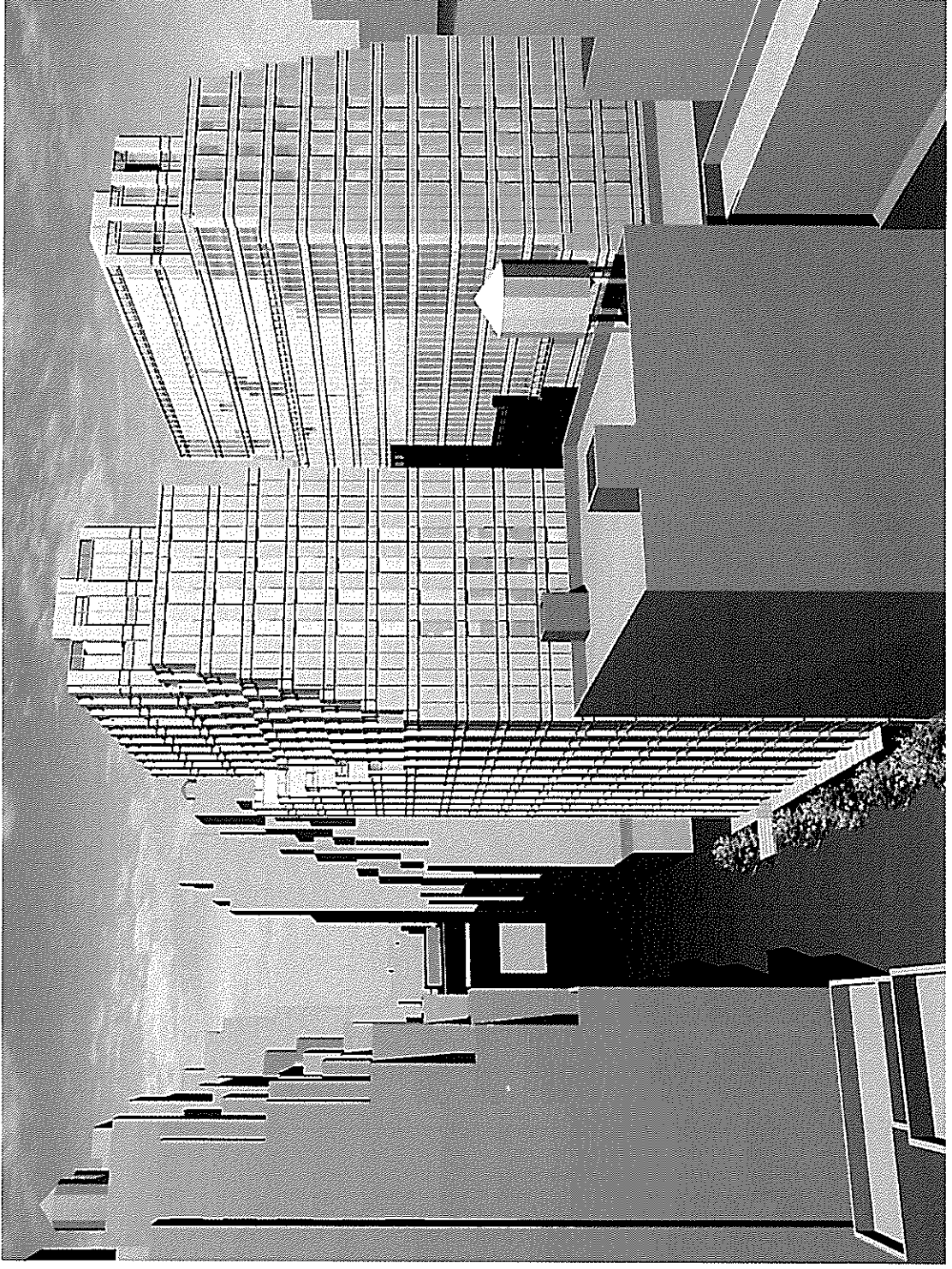
Garage plan on cellar level



SUB-CELLAR LEVEL

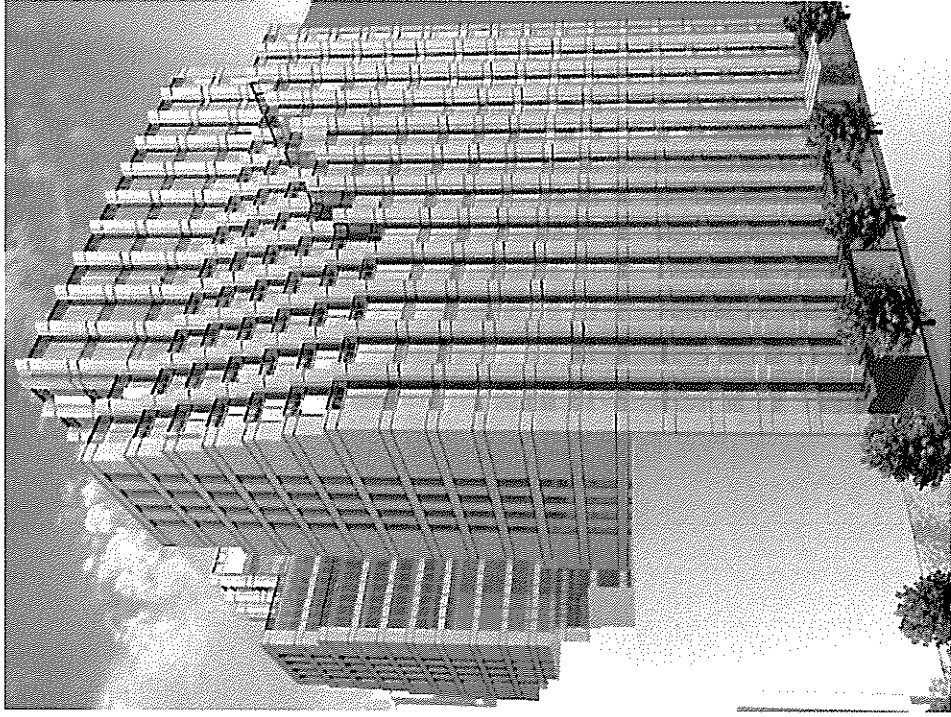
Garage plan on subcellar level

EDISON PROPERTIES, LLC

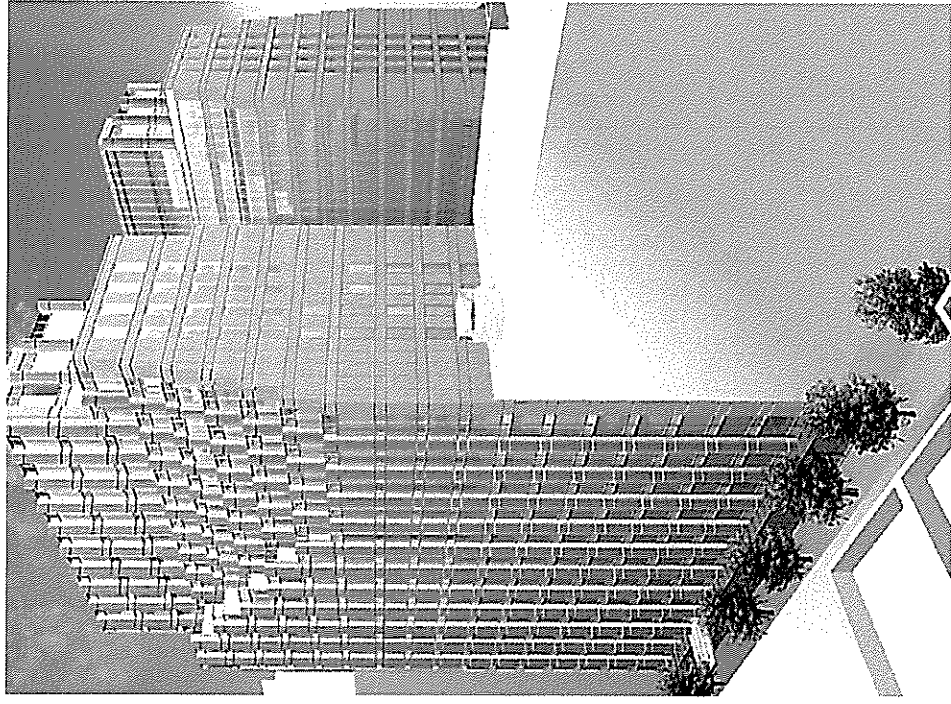


The following massing is for illustrative purposes only and does not represent actual building plans

28th Street View



29th Street View



CB5 Testimony for New York City Council Subcommittee on Zoning and Franchises
Mr. Mark Weprin, Chair
9/15/11 Public Hearing
Comments by Kate McDonough, Chair - Land Use & Zoning Committee, Community Board
Five re: LU 0475, 0476, 0477-2011

Comments by Kate McDonough

Good morning and thank you Chair Weprin for this opportunity to speak to you and the Committee Members.

I am Kate McDonough, a member of Manhattan's Community Board Five and Chair of its Land Use and Zoning Committee. I am here today to speak in support of the applications pertaining to the M1-6D rezoning in Midtown Manhattan.

At its June 9, 2011 meeting, CB5 voted unanimously to approve the three applications that are before you at this hearing. Our support is based on our long-held and long-voiced concern for the protection of Class B and C office space for the City's small, growing and creative businesses and the M1-6D district's explicit protection of these uses in buildings with more than 40,000 square feet.

We also endorse the kind of mixed-use development the M1-6D zoning district will facilitate, which we believe to be an important way to create and maintain economically vital and stable neighborhoods. Or as we often say, having the chance to turn parking lots into buildings instead of the other way around.

Recent years have seen a disturbing amount of Manhattan's Class B and C office space either replaced with new Class A office construction or converted into luxury residential development. But if small, growing and creative businesses -- businesses where residents from all five Boroughs come to work -- if they cannot find affordable office and industrial space, they will either no longer thrive or else they will leave the City.

Our small businesses fuel our city's economy and create new jobs. But we need a place to turn on the lights. And without some protection, that will be harder and harder to do. It already is.

This is why CB5 has endorsed these proposals. They strike a thoughtful balance between encouraging mixed-use and residential development, including affordable housing, while continuing to safeguard both commercial and light industrial use. It is notable, I should point out, that this zoning district will continue to have "M" status.

The new M1-6D district will also give these blocks urgently needed contextual height and setback regulations. We encourage the Department of City Planning to continue to investigate -- in close consultation with CB5 -- other areas in our District where this approach might be appropriate.

If these applications are approved, we support plans by Edison Properties to construct a new residential development with approximately 407 residential units, one that Community Board Five hopes will be constructed so as to achieve LEED Silver certification. Community Board Five also supports the provision of a below grade public parking garage in the development and applauds Edison's commitment to pursue the inclusionary housing bonus that will set aside 20% of the building's floor area for affordable housing.

Despite our support, CB5 is concerned that by enabling as-of-right residential development, new M1-6D districts will create demand for, and add to, Manhattan's already overcrowded public schools and other stressed City services.

We are particularly concerned with the larger policy issue of school overcrowding. According to the EAS, this action is projected by 2019 to increase school utilization for elementary schools to 218.4%, up from an already projected extraordinary 213.5%. While the metrics used by the EAS mean that the project's impact remains below actionable thresholds, it will still add residential development to a neighborhood where schools -- and other city services -- are seriously overburdened.

The incremental effects of multiple rezonings, even if each is small and discrete, can have the same impact as huge single projects. While there are no simple solutions, we should still try to improve the EAS process as well as find a way for the relevant City agencies to better coordinate to collectively address demands for services *before* residential units are added, not after. CB5 is eager to play a constructive role in any such effort

Thank you again for this opportunity to speak in support of these applications.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. LU0475, 476, 477 Res. No.

in favor in opposition

Date: 9/15/11

Name: Kate McDonough (PLEASE PRINT)

Address: 760 West End Ave. 12-E

I represent: Community Board 5 - Manhattan

Address: 450 7th Ave, Manhattan

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 475 Res. No.

in favor in opposition

Date: 9/15/11

Name: ADAM WOLFF (PLEASE PRINT)

Address:

I represent: DEPUTY DIRECTOR, MANHATTAN OFFICE CITY PLANNING

Address:

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 476/477 Res. No.

in favor in opposition

Date:

Name: GARY DE BODE (PLEASE PRINT)

Address: 100 WASHINGTON ST, NEWARK, NJ

I represent: EDISON PROPERTIES

Address: 100 WASHINGTON ST, Newark, NJ 07120

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 476/477 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ANDREW CANTOR

Address: 450 6th AVE, # 2E, NYC 10011

I represent: EDISON PROPERTIES LLC

Address: 100 WASHINGTON STREET, NEWARK, NJ 07102

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 469 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JOHN CLIFFORD

Address: 44 W 28th St

I represent: GREENBERG FARROW FUR T, HOOR

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: BRENDA LEVIN

Address: 301 E. 48th St

I represent: EDISON PROPERTIES 24

Address: 100 WASHINGTON ST, NEWARK, NJ 07102

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 476/477 Res. No. _____

in favor in opposition

Date: 15 Sept 2011

(PLEASE PRINT)

Name: DOUGLAS WOODWARD

Address: 520 8th Ave

I represent: Edison Properties

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 469-474 Res. No. _____

in favor in opposition

Date: 9/15/11

(PLEASE PRINT)

Name: PATRICK SMITH

Address: BJ'S WHOLESALE CLUB

I represent: APPLICANT

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 469-474 Res. No. _____

in favor in opposition

Date: 9/15/11

(PLEASE PRINT)

Name: ETHAN GOODMAN

Address: WACHTEL + MASER

I represent: APPLICANT

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 469-474 Res. No. _____

in favor in opposition

Date: 9/15/11

(PLEASE PRINT)

Name: JESSE MASER

Address: WACHTEL + MASER

I represent: APPLICANT

Address: _____

Please complete this card and return to the Sergeant-at-Arms