

Community Board 12
Land Use Committee
Wednesday, September 5, 2018 Meeting Minutes

Committee Members Present

Wayne Benjamin, Chair
James Berlin
Osi Kaminer
Nicholas Martinez
Steve Simon
Christopher Ventura
Curtis Young

Committee Members Absent

Jay Mazur (Excused)

Public Members

Vivian Ducat

Staff

Ely, Silvestre, Community Assistant

Audience

Paul Hintersteiner
Javanna James- Apex/Skline
Lee Brathwaite- Apex/Skyline
Robert Horsford- Apex/Skyline
Jeffrey Chester- Attorney for Apex
Victor Body-Lawson - Architect
???? - SoBro
Mark Rud
Andrew P.
Rekha Shenanigan

Meeting called to order at 7:04pm

Wayne calls welcomes everyone back to the community board, lets the group that Andrea has resigned, and welcomes new members, Curtis and Nicholas, to the Committee.

Other members, Vivian and Jim, introduce themselves.

There is a review of agenda items.

SoBro Application

Wayne Benjamin introduces 1769 Fort George Hill

The first item on the agenda is the re-introduction of the BSA application for the proposed real estate development project located at 1769 Fort George Hill.

- The site is located on Fort George Hill ("Snake Hill"). The street is a one-way (north to south) traffic street that elevates from the intersection of Dyckman Street and Nagle Avenue to St. Nicholas Avenue.
- The Community Board did not vote in support of the original BSA application.
- The building height was the main issue with the original project presentation.
- It was an interesting design, but the height bulk was higher than what was considered appropriate for the site.

Jeffrey Chester is the first to speak on behalf of the project. He is the attorney on the project. Mr. Chester explains that the project as originally presented had a key investor leave the project after stalls in construction.

- The developer, SoBro, is a non-profit organization that will now partner with a for-profit developer, ApexSkyline Development LLC (an affiliate of Apex Construction).

- The project, as presented, is amended from a previous variance from 2013
- The variance in the new presentation is related to lot coverage, floor, zoning, and building height
- The site map shows that the building project is oddly shaped on either side. There is a steep drop in the backside of the building. It also drops steeply into the IRT 1 Train Subway Station at Dyckman Street
- SoBro went into a discussion with HPD about what the needs for the project once the revisions to Mixed Income Housing (MIH) and Extremely Low & Low-Income Affordability (ELLA) programs.
- As such, the project is now 100% Affordable. The building technically is smaller now.
- There is a change in the unit mix, as well as a change in overall square footage and building height.
- The previous parking requirement has now been eliminated with new HPD guidelines related to MIH and ELLA.
- The number of units at the property have grown 113 to 133 with the following breakdown:
 - Studios from 0 to 20
 - 1-BR from 50 to 61
 - 2-BR unchanged from 41 to 41
 - 3-BR from 22 to 11

Victor Body-Lawson, the architect of record, is next to speak and presents a slide deck with renderings of the project as originally approved and proposed.

- Building is technically smaller than it was planned in the past.
- Change in the community facility use.
- Small daycare will be provided.
- MIH was passed and part of that, there was an elimination of parking requirements.
- The main objective, after the adoption of MIH, was to maximize the number of affordable housing units to help satisfy the Mayor's objective of creating or preserving 200,000 affordable units across the city.
- In order to conform to new requirements, Mr. Body-Lawson has redrawn the project with a focus on mitigating the impact of the project as originally proposed.
- The building will now be 13 stories as opposed to 12 stories, but the overall building height will be 3 feet shorter. The reasoning behind this is the elimination of the two underground parking levels that are no longer required
- The MIH requirements have also allowed for units to be built to code at a smaller square footage. As such, the new rendering includes 20 additional units, with an increase in studio and 1-BR units, but a drop 3-BR units. The number of 2-BR units is unchanged.
- The community facility at the project will now include a daycare center
- Zoning versus approved versus proposed.
- An in-depth analysis of the site map.
- Site Plan gives the survey as the site is a sliver of 400 feet. It's a narrow building. Corridor is in the back, which mitigates the noise from the tracks.
- A significant change is that there is no parking.
- The change includes the change of apartments and an overall smaller footprint.
- There are now twenty-nine units for a Social Services population. These units can be formerly homeless individuals, veterans, or the population aging out of foster care.

- Supportive services will be provided on-site
- Church/Social Services program
- Explanation of mandates related to supportive services.
- Separation of the floors between the social services.
- Explanation of ELLA in Washington Heights and Inwood.
- Sewer Line mentioned.
- Daycare component- explained later as being available for the church and the remaining spots as open to the rest of the community.
- Explanation of Recreation Spaces- The rec room will now be on the roof.
- The design of the building is much more energy efficient by way of passive design.
- Sight lines for the project are updated with new entrances and roof space.
- The back of the building and what it would look like
- There is a question as to what the materials used to build are.
- The renderings and elevations are black and white.
- Pause for switching out at the moment.
- Paul keeps talking.
- The new picture looks like there is an amount of dynamism with the new building.
- The rear of the building would have panels that are orange.
- The back of the building has a long corridor that connects one side of the property to another.

Wayne Benjamin begins with questions related to access to the subway platform on the 1 Train line. The downtown platform is accessible because of the elevator building. Could there be an easement of design for the uptown platform to be accessible through the building and onto a ramp connection to Fort George Hill?

- Architect does not answer the question.

Wayne asks where is the point where the penetration can be made? Advocacy for the wheelchair accessible to the uptown side of the development.

- The revision has not considered this. The train line is already burdened with limited space behind the building. The limited space behind the building made it very difficult to design, especially with the slope of the site. There has to be a modification of the station by the MTA in order to make the station ADA accessible.

Wayne asks if whether this was considered part of the design conversation?
Yes, development cannot do it.

Wayne has two more comments/questions:

With the elimination of the Parking requirement, what is being done related to the parking crunch that will come from the development of this project?

Wayne continues that the Community Board has been consistent about the difficulty of the development of the site. The question now is does it fit into context? Making more units and much smaller. The units are too small. Is this for smaller dwellers? Who was this for? There was once a rendering for a project made during the Bloomberg administration that had characters that did not reflect the diversity of the neighborhood.

Mr. Chester: The answer to the question of more units and smaller units. The greater number of units are the more bang for your buck. There is a mandate from the mayor and the city to work within the context of the rules they have created. It's difficult to build larger units and still have a large number of units.

Jim Berlin makes a comment from the Community Board related to looking to what the way the process was written versus what is needed is made. Mayor's office doesn't have to listen to the particular needs of the neighborhood with a blanket plan.

Mr. Chester continues: The concept of parking with this project and how difficult it is to make these possible types of projects possible.

Apex gives an explanation as to how this would look in terms of underwriting and design constraints. They, as the developers, are working on the affordable housing components, within standards of affordability, as outlined by City policy as mandated by the Mayor and City agencies. SoBro has worked extensively in order to keep this affordable. Themes to questions on policy debate. Issues related to parking are also as-of-right. The developers are only following the directive as dictated by the MIH and ELLA Programs to maximize the number of affordable units at a transit-oriented location.

Nicholas Martinez asks a long-winded question related to whether or not there will be a separation of populations in design. Either key fobs or sound proofing for the mix of families and special services needed and provided for the Supportive Services units.

Mr. Body-Lawson responds with no, but it is something that can be looked into.

Jim, in response to the question of key fobs, mentions that it is our responsibility as the community board to not recreate de facto segregated housing. All you veterans have to live there, as well as other supportive service populations without being separated.

Osi Kaminer comments that less studio units and more multi-bedroom units are needed.

Mr. Chester responds that the mandate of studios was from MIH and the ELLA program.

Osi responds that the community board gives points and directives as to what is need in the neighborhood. But after explaining what is needed in the neighborhood, the developer has not reflected what the community has asked for.

Osi continues questions related to site lines for the development. The last presentation showed shading at the park. That is not presented in this amended version. She would also like clarification related to the daycare in order to make sure it is open to all and not just church members.

Wayne would like to ask a few more questions about the supportive housing, specifically, how it was determined that the supportive housing component should be limited to chronically homeless, mentally ill tenants.

Mr. Lester responds that the ELLA program speaks to the populations that will be served.

Wayne follows up with a question about subsidy for whom and what is required by ELLA. Non-profits would build directly for community. With this you must do “X”. There are a range of things that can be satisfied. Although the directive in the policy says one thing, the neighborhood needs something else.

Wayne finishes his comment by recommending that at this juncture, the community board recommends that the BSA **puts the approval on hold**.

Public Comments

Paul would like to comment on traffic. Where is the parking going to be? Now that they took the parking away? Do you know if this is a Brownfield site?

Mr. Lester Speaks to the process of Brownfield designation by way of Phase I and Phase II ESAs. It’s always been a difficult site. The development itself, the project did not pay attention to those concerns.

Wayne presents a resolution that is summarized as follows:

- Committee is against smaller units, change in unit mix, and unit size
- Committee supports the original plan of indoor parking
- Committee does not support the unit sizes, elimination of parking, and unit population
- Committee would also like to have more information related to noise bouncing off the building

Considerations of resolution. Resolution from the board presented and approved:

- 8 Approved. 0 Opposed. 1 Public Member Approved

Charter Revision

Term Limits discussion as presented by letters signed by four borough presidents. The Mayor is proposing, on the ballot in November, an initiative that will limit the terms of CB members to certain committee positions.

CB12 makes the comment that there may be issues related to low-turn over. Out of the 50 people, there were a handful of people who have been on the board for longer than a certain amount of time.

Term Limiting CB members with expertise in particular committees will have a harmful “brain drain” impact. Inwood Rezoning as an example:

- It takes experience in order to figure out what is needed for technical assistance
- The Mayors plan will have consultants and commissions assist to address the issue of lack of expertise. One question that remains is who decides what expertise is needed? You’re given this commission a tremendous amount of power

What do we think, what should we do?

The community board believes this is a cynical attempt to damage community boards and the responsibilities of the borough presidents. The amount of knowledge is drained.

Seems to undermine the process of the community boards in general. This also feels like this is a way to limit public participation.

Public comment from Paul: No experience to come in and screw the company off. Adding new folks will incorporate a brain-drain. This is a bit more egregious as it is in the public sector. The reason we are bringing this is up is to make sure to make our public position on the issue.

This is related to the civic engagement committee as to who the responsibility falls to. Who needs an urban planner? Who gets to decide who it will be?

A resolution is proposed by **Wayne** as is summarized as follows:

- We do not support the Mayor's Charter Commission Position and we urge residents not to vote in favor of the proposal from the Mayor's Office.
- We need to know what the wording will be on the ballot. "What will it say?"

Those in favor of the resolution:

8 Members Approved

1 Member outside of LU Approved

2 Public Members Approved

Future Discussions with Land Use

Inwood Rezoning

- Study done at CUNY director of Land Use
- Presentation of Rocky Point Part II

Motion to adjourn is confirmed and approved at 9:16 pm.