

LAND USE COMMITTEE – MEETING MINUTES

May 1, 2019

Committee Members Present

Wayne Benjamin, Chair
James Berlin
Osi Kaminer
Nicholas Martinez
Jay Mazur
Christopher Ventura
Steve Simon

Committee Members Absent

Curtis Young

Board Members Present

Liz Ritter

Public Members Present

Vivian Ducat

Public Members Absent

Andrea Kornbluth

Staff: Ebenezer Smith

Guests: Paul Hintersteiner, Nancy Preston, Pat Courtney, Robert Feinstein, Tamara Rivera, Karla Fisk, Cliff Elkind, Eli Weiss, Katherine Savaste, Jorge Madruga, William Bellinger, Joel Mint, Nora Martins, Alison Duncan, John Butz, Lavine Cobian-Cohen, Jacqueline Baum, Graham Ciraulo, Allegra LeGrande

- 1) The meeting of the Land Use Committee (“Land Use” or the “Committee”) of Community Board 12 Manhattan (“CB12M”, or the “Board”) was called to order with quorum present at 7:09 PM. Chair Benjamin greeted guests and Committee members introduced themselves. Liz Ritter, Chair of the Parks and Cultural Affairs Committee also attended the meeting. Wayne announced that last month the City Council approved the designation of the Park Terrace West - West 217th Street historic district designation.
- 2) **MADDD Equities presentation on the application to the Public Design Commission for the West 207th Street and Exterior Street Waterfront Development**
Representatives of MADDD Equities presented the waterfront landscape and streetscape waterfront development (the “Waterfront Development”) associated with the West 207th Street residential development project (the “Development Project”). The Public Design Commission (“PDC”) must review and approve components of the Waterfront Development that are on public land. The Development Project is not subject to PDC review, but was also discussed. John Butz, a landscape architect led the presentation on the Waterfront Development. He was joined in the presentation by Eli Weiss of MADDD Equities and Nora Martins, a land use and zoning attorney.

The project site is a 71,500 square foot lot located at West 207th and 208th Streets between Ninth Avenue and Exterior Street; 75% of Exterior Street is underwater. The site is currently used as a parking lot for trucks and a small parking lot for the MTA. The portion of the site facing the waterfront is covered in small and large stones and has no trees. The site is located in a flood zone with that has a flood elevation of 10 feet; therefore the first floor of the Development Project must be at least 11 feet above sea-level. There was discussion of increasing the elevation the ground floor to further protect against flooding. Re-grading the site to further elevating the building’s ground floor must carefully consider the site’s slope and not compromise ADA compliance.

The design for the site’s landscape and streetscape development includes both public and private property. Everything north of the West 207th Street property line and west of the Exterior Street property line is private property. NYC DEP requires a 30 foot set-back 40 feet from the high water line fronting Exterior Street; the building will be set back an additional 40 feet from the required 30 foot setback. The set-back areas will be landscaped as part of the waterfront promenade.

There will be an amenity strip along the West 207th Street that includes wider sidewalks, walkways, benches, plants, bike racks, trash receptacles and signage. The Residential Development will include 100,000 square feet of first and second floor commercial and community facility space that will also front onto West 207th Street, Ninth Avenue and Exterior Street. Bollards will be placed at the edge of West 207th Street to restrict car access. A cul-de-sac will be created at the eastern end of 207th Street.

The public will have access to exterior spaces on both public and private property as well as a waterfront promenade that will include increased planting and public benches. The area would have both permeable and impermeable surfaces and a connecting path to the North Cove. The North Cove is not part of this waterfront development project; it is public property that will be designed in the future by NYC Parks and remain under its jurisdiction. The waterfront promenade will be ADA accessible and will include a 10-foot wide primary path.

Standard and non-standard street lights will be used on Ninth Avenue, West 207th Street and throughout the waterfront promenade. There will also be signs that express that the area and seating is open to the public. There will be changes to the gradation of 6 inches at the site of the amenity strip, eight feet away from the building. Seven trees will be removed and 11 new trees will be added. The new strip on the north side of 207th Street east of Ninth Avenue will be closed to all vehicles, except emergency vehicles, and will be built out with amenities such as seating, and will serve as a connection to the waterfront promenade. DOT will continue to maintain West 207th Street.

The Residential Development will contain a total of 614 units. 75% of the units will be affordable for 50 years; 25% of the units will be permanently affordable. The average size of the two-bedroom units will be 680 square feet, based on current design guidelines for city-funded affordable housing developments. The income bands will be dispersed throughout the building, so as to not concentrate certain income bands in particular areas. There will be two buildings at the site and the city will decide the final breakdown of units between the two buildings.

The HPD/HDC “Mix and Match” program used to finance the Residential Development defines affordability using NYC’s area median income, which is \$106,000 for a family of four. The project was underwritten to include as many income bands as possible ranging from a low of 27% area median income to a maximum of 120% area median income. 50% of the units will be reserved for families that are considered low-income, i.e.: at or below 80% area median income. There will be a 50% Community Preference for current residents of Community District 12 – Washington Heights and Inwood.

The taller of the two buildings will be 28 stories. 24% of the units will be studios, 44% of the units will be one-bedroom units, and 32% of the units will be two-bedrooms. No three-bedroom units are included. The buildings will not have basements.

Chair Wayne Benjamin took the lead in the question session by the Committee. He asked whether the building’s rent tiers take into account the neighborhood’s affordability demographics. Eli answered that while neighborhood affordability is taken into account the city’s affordable housing programs allow for income tiers up to 120% of area median income, lower the rents for the units more subsidies from the city, and it is necessary to balance lower and higher income tiers to make the building financially feasible. He further stated that 70% of the units will fall between the 30% AMI and 100% AMI income bands. Committee member, Nicholas Martinez asked which subsidy programs are utilized for the project, Eli responded that the city will be provided financing through its Mix-and-Match Program with 4% low income housing tax credits.

A question was asked about the cantilevering of the building over the northwest corner of the property at Ninth Avenue next to what will eventually be the entrance to the North Cove. The presenters stated that the cantilever design was used to allow for more open pedestrian access to the North Cove, once it is developed, without reducing the size of the residential floor plate and to allow for the construction of all the planned apartments. They further stated that the cantilever design would not obstruct public views or access to the North Cove, would not limit how the North Cove is developed by NYC Parks as a public park, and suggested that the waterfront promenade, as opposed to Ninth Avenue, would serve as the primary entrance to the North Cove Park.

PCA Chair Liz Ritter asked a question related to the overflow of rain water from the property into the river. The presenters answered that the excess rainwater will be drained off the side of the buildings and into the sewage system.

Committee member, Osi Kaminer asked a question related to the need for kiosks or a concession stand in order to make pedestrians feel safer at night. The presenters responded by saying there will be small businesses operating on the south side of the site.

Dr. Allegra LeGrande, a member of the public and an expert in climate change and sea level changes, made salient points related to her concern about the sea level changes coming to the city. The presenters answered her questions saying that their plans were up to city code when it comes to raising the property 10 feet above sea level. Dr. LeGrande reiterated that rising sea levels resulting from the climate change makes it prudent to design to higher standards than currently required by code.

Paul Hintersteiner asked a question related to on-site parking. The Development Project includes 106 parking spots located on the first and second floors of the building.

Karla Fisk accused the proposed general contractor, Joy Construction, of withholding wages in the past. The presenters defended their history with Joy Construction and affirmed that the accusations Ms. Fisk made were false. Chair Benjamin asked Ms. Fisk to follow up with specific information to substantiate her claims.

Nancy Preston noted that the project had originally been presented as being 15 stories high. The presenters responded that the project was initially presented to CB12M before the Inwood Rezoning was approved and that city government is advocating for maximizing the site's development potential.

There was a follow-up question about the use of 32B/J workers to do maintenance on the building. The presenters mentioned that they would welcome a conversation around using 32B/J.

A question was asked concerning the construction material. The building will be poured concrete.

A question was asked concerning the use of union labor to build the project. At present the project will be built with non-union labor, which Mr. Weiss said was necessary to keep costs down and make sure the project would be affordable.

A question was asked whether there will be a green roof at the building that will allow for community amenity space. The presenters said the architectural design does not currently include a green roof but considered can be given to revising the design. They also stated that the project has been designed to LEED Silver or its equivalent.

A follow-up question was asked about the sizes of the commercial spaces in the development. The presenters responded that the commercial unit sizes will vary and that they have not finalized numbers yet. They said that one large space is being considered for a supermarket, but there may be difficulty renting all the retail spaces therefore community facility tenants may also be considered. Discussions are underway with the School Construction Authority about the possible location of a school within the building.

There was a question related to the acreage of the site. The site is 1.6 acres.

A concern was raised with respect to the impact of the Development Project on traffic and congestion as it will add more than 600 units to the site. A resolution may need to be considered related to traffic impacts and resulting issues.

PDC is scheduled to review the Waterfront Development on May 20th. Chair Benjamin stated that he would ask District Manager Ebenezer Smith to contact PDC and request that it make no final determination until CB12M has had the opportunity to provide comments which will come in June via a resolution from one or more committees of CB12M adopted by either the full Board or the Executive Committee depending on the scheduling of PDC's June meeting. This presentation was originally to be scheduled for the April LU and PCA meetings but was rescheduled at the request of the presenters until May. There is insufficient time to fully digest the information presented this evening, LU is not yet ready to draft a resolution, and may want to partner with PCA on a joint resolution.

3) **New Business**

- a) Job vacancy: CB12M is looking to hire a new Community Associate.

A motion to adjourn was made by Wayne Benjamin, and the meeting was adjourned at 9:01 PM.

Submitted by Nicholas Martinez