



BRONX COMMUNITY BOARD #1

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CHAIRPERSON

CEDRIC L. LOFTIN
DISTRICT MANAGER

FULL BOARD

November 19, 2020

MINUTES

The Chairperson opened the meeting with a prayer.

PUBLIC SESSION

NEW YORK PUBLIC LIBRARY

Ms. Sydney Renwick, Associate Director Government & Community Affairs said that I'm here just to deliver our Phase 2 which unfortunately to the rising COVID rates we did have to roll back but we will continue to do our Phase 1 Grab and Go in many of our branches. Our Phase 2 that we did start on November 9th included additional services that there were timed sessions for patrons to use computers because we know and have heard from many of our Elected Officials, patrons and community members that the need to use technology is paramount and we wanted to make sure to offer that in our Phase 2 and so that is what we did in the 15 locations that are currently opened. We also have browsing up to 30 minutes folks can actually browse the stacks because we also heard that it was kind of limiting to use our service, so it was added to Phase 2. You can request books online and then go pick them up in the branches, some branches are open for use so you can do that as well. Our virtual offerings are still plentiful and we do offer then to a variety of age groups so if you'd like to avail yourself, you certainly keep you updated and when we do go back into Phase 2 expanded service we will definitely update you on what we're offering.

Questions and Answers

BELVIS NEW YORK CITY GOTHAM

Ms. Maria Vega said that I'm with Belvis and Cheryl Jones wanted me to introduce you to the Gotham Centers all around the City. We're actually doing small businesses and offering services for families and workers that don't have any health insurance or cannot afford health insurance so we give NYC Care. Plus for the people that don't have any insurance they actually can come and get their COVID19 testing for free. So we don't worry about any documentation we just want them to come in and get tested. They can come into any NYC Gotham Clinic testing site and just say that they don't have any insurance and you can't come in without a mask, and 6 feet distance. We want then to actually stay safe and working with a lot of businesses telling them to come in and even without insurance we're ready to provide them

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with a Primary Care Doctor for everybody that walks in, we just want the community to be safe.

Questions and Answers

The roll was called.

Motion made to approve the Agenda as presented. Motion duly seconded. Motion called and passed.

CHAIRMAN AND DISTRICT MANAGER'S REPORT

PUBLIC HEARING

The District Manager said that the item tonight was reviewed by the Economic Development-Land Use & Housing Committee of the Board earlier this month. So after the Board received notification from City under the purview under the New York City Charter that the Board deals with items related to Land Use specifically as it relates to city owned property. This particular property has come before the Board for the second time the first time as I said was in the Committee meeting. The development met with the Committee and there was a vigorous discussion related to the project after that meeting and receiving documents from City Planning the Board will move on as prescribed in the City Charter we will have this Public Hearing that will open shortly.

The presenters will be able to present the item as they did at the Committee level. After that particular time the floor will be opened by the Chair of the Economic Development-Land Use & Housing Committee for questions. After that discussion the Public Hearing will be closed. The outcome from this process will be sent down to the Borough President's Office who will then have a hearing on the item under the city's ULURP process for review. So this is the first step in the process and it starts with us and it's a very important item. Everyone needs to realize that all the Land Use items that come before our Community Board are different from the ones that come from a lot of Community Boards particularly because our Board used to have a lot of public land we do not have anymore our last large parcel in the Melrose Common area and south of that area have now been disposed of and you see a lot of them have been developed. The last one is a property off of Brook Avenue so what you have now are small sites that the city is putting forth under various programs. The item has been reviewed by the Department of City Planning and initially reviewed by HPD that's the disposition of property.

Some of you went through this process last week at the Borough President's Office. This is a very important process because when you dispose of land it's disposed permanently and after you make a decision on that land every decision that you make also reflects on the community long term long after we've stopped being engaged in this process. So this is very important and everyone has to make sure that they ask appropriate questions and there is not a question that you cannot ask the Development Team. This Board and the community is going to be impacted by this project. So I'm now going to turn it over to the Chair of the Economic Development-Land Use & Housing Committee.

Ms. Arline Parks Chairperson Economic Development-Land Use & Housing said that I will begin by giving a report on the project and just for a point of clarification this is privately owned not city

Owned that is being funded by tax payer dollars from HPD under the Ella program and low income tax credits. So to start we had just one project that was presented to the Board and a Mr. Frank St. Jacques from the law firm of Akerman LLP presented this project on behalf of the lot owner Nisan Cohen under the name of his corporate entity First Concord Realty LLC. Now what they're proposing to do on the lot at 431 Concord Avenue is to redevelop two lots there that requires rezoning. The proposed actions are to change the zoning from M1-2 to R7 on the lots owned by the proposed Developer, on block 2575 that consists of lots 15, 16 and 18. The second part of the zoning would be to establish that area as Mandatory Inclusionary Housing and the development sites are lots 16 and 18 for Mandatory Inclusionary Housing. Now these actions would allow for the development of an 11-story residential building consisting of 92-units of housing which includes 23 permanently restricted units under the Mandatory Inclusionary Housing program. The distribution is 16-studios, 42-one-bedrooms, 23-two-bedrooms, 10-three-bedrooms and 1-unit that would be designated for the Superintendent. The representation was further made that at least 15 percent of the units would be set aside for formerly homeless. Under this project they're funding 29 parking spaces in the rear of the building. There would be no stores on the ground level of the building and the project is to incorporate the Enterprise Green Communities. The estimated cost of this project under the ELLA program with low income tax credits is about \$40 million dollars.

The Committee after presentation from the Developer and the Law Firm from Frank St. Jacques and after hearing from the residents testimonies of what their experience has been living in the community next to the property being owned by the Developer the committee voted not to support the project because they also failed to provide documents that were required for review by the Committee and still to my knowledge there wasn't any real outreach to the residents from a representative of or the Developer regarding the plans for development of a project of this scale. Most of the housing in that neighborhood is homeowners the scale of this project is larger than anything in that neighborhood. Then finally what was really compelling was the representation from neighborhood residents to the applicant really failing to be a responsible owner and not maintaining the lot there for three years and the other thing that was compelling is it appears that the City Planning Commission certified that project without it coming to the Board which really sets a very bad precedent here. It shows how an applicant can go to the city and get projects approved before they even come before the Community Board. It just sets a very bad precedent. On the basis of the Developer representations that were made and the community that would be impacted the Committee is recommending to the Board not to approve or grant the project a Letter of Support.

The District Manager said that the project Development Team for 431 Concord Avenue rezoning project had the floor.

Mr. Frank St. Jacques said that Joshua Cohen from the Development Team is going to speak briefly about the project and available to answer questions afterwards.

Mr. Joshua Cohen said that I'm part of the Development Team and here with my father Nisan Cohen and my brother Nathan Cohen we're the owners of the proposed land and First Concord Realty LLC. We are a family immigrant operated and owned small business. My father has been in the real estate business specifically in the Bronx over the last 35 years. He has been focused and working tirelessly to develop affordable income housing. He has a proven track record of well-maintained properties really trying to develop and bring great housing to the Bronx. A little bit about myself I am a first generation American my father immigrated to America looking for a better life and opportunity. He's always trying to give

others the opportunity that he had coming to the States. Again, as mentioned before many of the neighbors had a few complaints that we would like to address and acknowledge. So, we acquired the site in 2017 our intentions were to always to build affordable housing. We acknowledge the complaints raised by the community and the neighbors, we understand the mistakes that we've done although we can't change the past, we're ready to move forward and commit to better maintenance, have a better relationship with our neighbors. We've scheduled routine maintenance a few days a week for somebody to go by and ensure the site is completely clean. We've also heard the concerns of from neighbors and the Community Board regarding Wavecrest Management you know we've heard your concerns and are interested in working with you to get someone that everyone is happy with and try to find someone that works for everybody. I'm going to pass it off to Frank now to deliver the presentation and look forward to hearing your feedback.

Mr. Frank St. Jacques said that I'm going to share my screen and walk you through the details of the project. Madam Chair thank you for your introduction. This is a longer presentation then what we provided to the Committee last week. I will provide the details and again will be happy to answer any questions. In addition to the owners the Cohen's we're also joined by the project Architect and our Affordable Housing Consultant. So, for more specific questions the Project Team is here to answer those.

So, we're here to present an application for two actions a Zoning Map Amendment ending an existing M1-2 district to an R7 district into the Zoning Tax Amendment an Inclusionary Housing Program known as MIH in this rezoning area. The Zoning Map and Tax Amendment for the rezoning of an underutilized site 11-story 100 percent affordable residential building with 92 units. Under MIH approximately 23 of these units will be permanently income restricted. The rezoning area is located at the end of an M1-2 shown on the Zoning Map. The rezoning area is outside the Port Morris Industrial Zone which ends at East 144th Street rezoning area. The adjacent zoning district is an R7-1 district where residential use is permitted, the rear 10 ft. portion of the site is within the R7-1 district. Because the district boundary runs through the center of the block in contrast to the M1-2 district the R7-1 district is a medium residential that would allow up to a 14-story building. Land use in the surrounding area on this map yellow represents residential plus community facility, gray is vacant land and purple is industrial. Here is an aerial view of the site area the rezoning area is shaded in red located again at the corner of Concord Avenue East 145th Street. You can see St. Mary's Park on the left side of the slide, the 6 train is just a few blocks away on 143rd and Southern Blvd. The rezoning area consists of the north-eastern portion of the block, this is block 2578 it contains three tax lots, that's part of lot 15 on the corner 441 Concord Avenue, lot 16 which is 439 Concord Avenue, and lot 18 at the southern end that's 431 Concord Avenue. There are vacant buildings on lot 16, lot 18 has been unimproved and vacant for about 30 years. The development site consists of lots 16 and 18 which is owned by the applicant where the proposed development would be located. It's about 13,700 sq. ft. and has 125 ft. of Concord Avenue and the site is about 110 ft. deep and 10 ft. of the site is within that R7 district. The proposed rezoning is the red shaded portion of the zoning map and the rezoning facilitates the development of an 11-story residential building with the quality housing regulations with approximately 92 units.

The proposed development consists of 76 thousand feet of floor area, it rises to 11-floors after a setback along the 9-story base and approximately a 42 ft. yard is provided. The first floor of the building will contain the residential lobby and a mechanical room. As it's been proposed it will contain 29 off street accessory parking spaces. There were further concerns from the community of not wanting that parking and we're speaking with the Architect with potential removing those spaces which would probably make HPD more amenable to this application, so we're looking into that. The proposed rezoning would allow

for the production of new housing in Community District 1 which is currently not permitted at the site an M1-2 district. The proposed zoning change from an M1-2 district to an R7 residential district is great because it's located right next to the R7-1 zoning district which has comparable bulk provision and also includes public transportation subway and bus service. Two of the features are that the project would have sustainability features as part of Enterprise Green Communities project and the unit distribution is about 18 percent studios, 46 percent one-bedrooms, 25 percent two-bedrooms and 11 percent three-bedrooms accommodating families as well as having studios and one-bedrooms.

The applicant wants to develop the building with HPD's ELLA program which requires 80 percent of the units at below 80 percent AMI, 15 percent set aside for formerly homeless. One thing to note is that MIH the Mandatory Inclusionary Housing area will be mapped in the rezoning area formerly affordable units must be increased by 15 percent, so that's an increase of 14 units to be permanently affordable from 23 to 37. A note that the median household income in district 1 in 2018 was just over \$26,000 60 percent less than the citywide median household income which is about \$65,000. The poverty rate in Community District 1 was about 28 percent in 2018 compared to 17 percent citywide. The overall rental vacancy rate in Community District 1 was 1.6 percent. Finally, according to the Census Bureau about 50 percent of households in Bronx District 1 spend more than 35 percent or more of their income on rent which is 44.2 percent citywide. Showing here a 2020 New York area AMI Chart and New York City affordable monthly rents which would be provided in this 100 percent affordable development.

As I mentioned the applicant is working with HPD to develop the building under the ELLA term sheet. Its different façade materials including color brick to create visual and breakup the massing. Outdoor space will be provided with balconies and there's a 25 sq. ft roof recreation area. I'm just going to quickly run through the floor plan for the building. The site plan shows the building being built along the lot line on Concord Avenue and then above the 9th floor the building is setback before rising to the 11-story height and the 42 ft. rear yard. The ground floor contains the residential lobby, building mechanical room, bicycle parking and two passenger elevators and accessory parking and as I mentioned the Development Team is working with the Architect and with HPD on that parking issue to decrease or eliminate that parking. So the floor plan for the 2nd through 9th floors and the unit mix with studios, 1, 2 and 3 bedrooms on each floor and similarly the floor plans for the 10th and 11th floors shows the unit mix on these floors and finally the roof would contain 25 ft. landscaped recreation area. I started to mention the back of the building would contain sustainability features complying with the city regarding green roofs, carbon reduction and efficiency and all building requirements with respect to building efficiency would be met. The building would also comply with the Enterprise Green Communities. That's the conclusion of the presentation and as I mentioned a number of the Project Team are here and happy to answer any questions.

Mr. Ted Weinstein HPD said that this Development Team only recently contacted HPD seeking the financing under our ELLA Program. They choose to work through City Planning to prepare their ULURP Application. So we can't say that HPD supports the project because the review particularly of the underwriting just started. In fact I think just this afternoon they forwarded some comments to the team and that's common with a lot of back and forth. So it shouldn't be said that HPD has approved this project because it's just so early in the process.

The Board Members, Elected Official and neighborhood residents asked questions, voiced concerns and issues related to the site.

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Mr. Cedric L. Loftin District Manager said that related to the ULUP project 431 Concord Avenue with a negative vote from the Committee is now moving forward for a vote from the Full Board. We're now in the voting portion of this process.

Ms. Arline Parks Chairperson Economic Development Land Use and Housing said that we're now opening up the floor for a motion regarding this project. The Committee made a motion not to support this project. Now the floor is open and can I have a motion from the floor to support the Committee's recommendation or not.

Motion made not to support the project. Motion duly seconded. The roll was called and motion unanimously passed not to support the project.

COMMITTEE REPORTS

Mr. Hakiem Yahmadi Chairman Municipal Services said he had two voting items.

- Greater Eternal Baptist Church's request to rename Elton Avenue to Rev. Dr. Henry Bolden Blvd.

Motion made to approve a letter of support to rename Elton Avenue to Dr. Henry Bolden Blvd. Motion duly seconded. Motion called and passed.

- The Mayor's Fund to Advance New York City's request to install a Soccer Pitch at PS1 335 East 152nd Street.

Motion made to approve a letter of support to install a Soccer Pitch at PS1 335 East 152nd Street. Motion duly seconded. Motion called and passed.

OLD BUSINESS

NONE

NEW BUSINESS

NONE

Motion made to adjourn. Motion duly seconded. Motion called and passed.

MEETING ADJOURNED