

COMMUNITY BOARD FOUR CONDITIONAL APPROVAL OF BRONX LEASE SEVERANCE 384(B) LEASE TERMS ("BALANCE LEASE" & "SEVERANCE LEASE")

Community District Four is comprised of the neighborhoods of *Mt. Eden, Highbridge, West Concourse, East Concourse, Morrisania and Concourse Village*. Community Board Four ("CB4") is proud to represent the residents of the district and always strives to keep the best interests and needs of our neighbors in mind for any decision or vote to be made, in particular when it comes to real estate development. We want our neighborhoods to flourish and thrive and believe that real estate development is actually community development. Community Development should be holistic and encompass the varying needs of current residents and businesses and consider future stakeholders. The communities represented by CB4, as many others in the Bronx, have historically been under-resourced, undermined and ignored. Our goal and mission as a Board is to amplify those voices that are often not heard and provide all residents a seat at the table as it relates to how our district is configured.

Community Board 4 takes its role as an advocate and active participant in matters which affect its neighborhoods very seriously. The board expects to be engaged in a dialogue from the outset, transparency in all communications, serious respectful discussion and first and foremost-consideration of the gains of the community.

YANKEE STADIUM REDEVELOPMENT PROJECT

The 2006 Yankee Stadium Redevelopment Project included the construction of a new Yankee Stadium one block to the north of the old stadium, construction of four new parking garages (subsequently reduced to three new garages in 2007), and the construction of new and replacement park facilities in the area around the new stadium. The Uniform Land Use Review Process ("ULURP") actions required to permit the 2006 Redevelopment Project included disposition of City-owned property in the form of long-term leases (including the Bronx Parking Development Corporation "BPDC" Lease); acquisitions by the City of interests in the new Yankee Stadium and garage sites; mapping actions to map new parks and demap portions of East 161st Street, Macombs Dam Bridge Approach, and Jerome Avenue; administrative actions to de-map portions of East 162nd Street and Ruppert Place as well as a volume of space located above East 151st Street; approval of a major concession to operate tennis courts; a special permit for a public parking garage (not located on parkland) and to allow modification of rear yard requirements for that garage; and State and City funding for the non-stadium portions of the Redevelopment Project.

BRONX PARKING DEVELOPMENT CORPORATION

In 2007, the City entered into a 99-year lease with BPDC for the parking system and \$237 million in tax-exempt bonds were issued through the New York City Industrial Development Agency ("IDA") to finance the construction of three new parking garages and renovation of some of these parking lots and garages for the new Yankee Stadium Parking System ("YSPS"). The bonds, which were issued on behalf of BPDC, were expected to be paid from parking revenues. However, since the completion of the new garages in 2010, parking revenues generated by the YSPS have been insufficient to pay debt service on the bonds since April 1, 2011. As of January 2021, \$46 million in rent, \$67 million in Payment in Lieu of Property Taxes (PILOT) and sales taxes (PILOST), and \$43 million in interest on such accrued rent and PILOT, for a total of approximately \$156 million, has accrued under the BPDC Lease. We should note that neither the community-at-large or Community Board Four were involved in any way as it relates to the 99-year lease, creation of the Bronx Parking Development Corporation and issuance of the bonds.

Furthermore, the Board voted against the Yankee Stadium Redevelopment Project. The BPDC Lease provides that substantially all of the parking at the YSPS facilities will be available during stadium events for Yankee Stadium patrons. The Yankees have third party beneficiary rights under the BPDC Lease to enforce these requirements. Any potential change in use of the YSPS facilities during Stadium events would require the approval of Yankees. Any change in the parking use of the YSPS facilities would also require ULURP approval.

As early as 2018, the developer MADDD Equities approached the City and the New York City Economic Development Corporation ("EDC") with a proposal to resolve the bond default by buying a portion of the BPDC Lease, with the intention of operating the sites as parking while exploring potential future uses with the City and community. It should be noted that neither Community Board Four nor the community stakeholders were involved in the negotiations of the proposed lease severance, the parcels involved or terms of the new agreements. In January of 2021 the Board was informed that MADDD and the Yankees had come to an agreement. However, in order to decouple the lease to create the "Balance Lease" and the "Severance Lease" the Board has been asked to must first provide a resolution in support in advance of a vote by which would allow the 384(b)(4) Borough Board process to commence and allow for approval of the major business terms to be modified from those set forth in the existing BPDC Lease and included in the Balance and the Severance Leases.

As early as February 2021 and in subsequent conversations the Community Board Four Executive Committee laid out a strategy to engage the full Board and the community to

culminate in a Board vote in October 2021. Until April 29, 2021 the Board was diligently working toward that goal until we were informed that a memo had been sent to EDC by the Yankees demanding that a Board vote happen by May 31, 2021 otherwise, they would walk away from the lease severance proposal.

BOARD VOTE & CONDITIONAL APPROVAL

We understand that the Bronx Lease Severance Proposal and the 384(b) lease process only seeks to change the terms of the existing Bronx Parking Development Corporation (BPDC) Lease pursuant to a severance of that lease into the Balance Lease and Severance Lease without any change in use of the parking garages and lots currently in the Yankee Stadium Parking System ("YSPS") (See Exhibit X for reference). We also understand that any change of use on the aforementioned properties would require public review through the City's ULURP process and an extensive community engagement process prior to that. However, given the complexity, controversy and long history associated with BPDC we feel that it is important as part of our approval to move forward that we articulate a vision for the future of our neighborhood if and when MADDD Equities and the City see fit to propose a change of use on the lots in question.

While the action before the Board is transactional in nature, its future ramifications extend far beyond a simple real estate transaction, but in effect are a catalyst to significantly change the landscape of the district for decades. The future of Community District Four and its long-term sustainability and growth hinge on strategic investments in key resources not just related to real estate development (bricks and mortar) but more importantly human capital. That being said, the said the following enumerates a number of key requests related to capital investments, programming, and services that we feel would need to be an integral part of any comprehensive plan to redevelop the lots that are currently part of the Bronx Parking Development Corporation. It should be noted that this document is not exhaustive, and we reserve the right to add or edit items in the future. In addition, the hope is that there will be extensive community engagement to help inform future use of the parcels.

TRANSPORTATION

153rd Street Bridge

In 2006 funding was in place for the construction of the 153rd Street Bridge. In an instant and without warning the funding was rescinded. It should be noted that at the time only a handful of development projects were considered as the rationale to support the development of the Bridge. Projects that were NOT part of the original scope include *Bronx Point*, *the Bronx Children's Museum* and more than 4,000 units of affordable housing. As we continue to grapple with traffic congestion both here in Bronx District Four and District One, a new the Bridge at 153rd Street has the capacity to not only transform the gateway to the south Bronx but simultaneously employ hundreds if not thousands of area residents. We stand firm in our support for development of this bridge, which would alleviate traffic congestion along 149th and 161st Streets and local streets in the neighborhood. The proposed bridge would be a single tower cable-stayed bridge, located over the Old Mott Haven Rail yard, connecting Concourse Village West at the west end and Park Avenue at the east end.

Residential Parking Permit Program

The City should establish a resident parking district for Community District Four. Currently there is an overabundance of parking garages and lots in and around Yankee Stadium with very low utilization by stadium attendees. Reducing the number of spaces, the Yankees deem adequate to accommodate fans on game days does not alleviate the main issue which is the use of local streets by game day patrons. Fans who do not find free on-street parking options sometimes double park. There as so many fans doing this during stadium events that it overwhelms the NYPD's ability to enforce rules. Community Board Four recommends the implementation of a residential parking permit program similar to programs implemented at other stadiums located in residential neighborhoods. Permit holders would need to be a resident and their vehicle insurance would need to be registered at the same address to qualify. This would be incorporated into the "Traffic Plan" and local streets would be blocked off and patrolled by the Yankee detail who would only permit eligible vehicles to enter the restricted areas. This program should be implemented and up and running prior to the start of the 2022 baseball season (Spring 2022).

Affordable Parking for Area Residents

The garages and lots that are currently part of the Yankee Stadium Parking System are largely unavailable to local residents. YSPS should allocate 1,000 spaces to local residents at an affordable monthly rate. Currently these garages are not generating any revenue other than on game days, therefore any additional revenue is a bonus. For example, if YSPS charged \$75 monthly for 1,000 spaces they would generate \$900,000 annually. These spaces could be made available via a lottery system. Eligible registrants would need a qualifying Community District Four residence and the vehicle would need to be registered at the same address.

Establish a 161 BXM Express Bus Stop at Rupert Plaza Garage

161 BXM Stop: Establish an express bus stop for: BXM1, BXM2, BXM3 and BXM18 at Rupert Plaza Garage. Buses could exit immediately to Rupert Plaza Garage and return to the Major Deegan on the service road. Akin to the ferry argument, we need to mitigate the additional traffic caused by the stadium as required by environmental review. The BXM stop is about 5 mins / a quarter mile closer to Highbridge residents than the subway station (a walk from Ogden or Anderson to the subway is about 10-15 depending on location). The BxM service would also provide access to jobs in Riverdale, further up the BXM route and closer to 5th Avenue on the east side where there is limited subway service, but lots of service jobs on Madison. See conceptual map attached.

Establish a Traffic Plan for Stadium Events

The current plan in consideration for the area around the stadium which entails the elimination of the 153rd St exit which will exit may exacerbate traffic conditions at 161st St and cause further congestion on local streets. The City & State cannot move forward with a plan that perpetuates or exacerbates already extremely congested traffic conditions without fully studying the potential impacts and identifying appropriate mitigation strategies if there is a significant impact. Community Board Four requests that any environmental analyses related to traffic impacts be proactively shared and discussed with area residents well in advance of a typical notification and publication timeline. Area residents have a tremendous wealth of experience in how stadium events impact local traffic. This plan should be proactively made publicly available to residents and businesses for review and comment and should be posted in prominent locations in and around the stadium. This plan would include demarcation of local streets available ONLY to residents via permit, a method to prominently notify approaching drivers of street closures, dedicated bus lanes, and designated areas for tour buses.

Reconstruction of 161st Street

The entire 161st Street corridor roadbed and sidewalks should be reconstructed and are in need of major underlying improvements. Correctly fixing the roadbed requires the removal of underlying brick and metal rail, which has been resurfaced unsuccessfully many times. Additionally, the sidewalk approaches to the stadium are incredibly unsafe and pose a significant tripping hazard and limit accessibility.

HOUSING & LAND USE

Over the last several years, Community Board 4 has articulated a broad vision of how to best address the pressing housing needs of the surrounding area through countless meetings and public engagement, as well as convening a panel of urban planning professionals with the Urban Land Institute to develop proposals related to future development of these parcels.

Some of the priorities include the following:

- Home ownership opportunities for area residents, including co-ops and condominiums
- Affordable housing with a wide range and mix of incomes
- Open space & public plazas
- Community facilities with programming serving needs of community
- Walkable, transit-oriented development
- Retail spaces geared towards small businesses and local entrepreneurs
- Education facilities, including school campuses and training centers for labor force

RELOCATION OF THE COMMUNITY BOARD OFFICE AND MEETING SPACE FOR BOARD MEETINGS AND COMMITTEE MEETINGS.

Community Board Four has requested that DCAS facilitate the relocation of its office to better serve the needs of the Community District for decades. This request has been denied on several occasions. Community Boards are the most local form of government, and as such, we should be more accessible to the public at large. Currently the office does not allow for such engagement, as mandated by the NYC Charter. We are currently located on the 11th floor of a residential building that was converted into

office space for BronxCare. It is extremely inconvenient for constituents to access our office and services. From a technological standpoint the space is not outfitted with 21st century technology tools and has limited security for a high volume "office building." In addition, our bathrooms are not handicap accessible. It should be noted that COVID-19 only further highlights the issue as there are limitations to the number of people who can access the elevators and staff and Board members are at risk of contracting not only COVID-19 but any number of other illnesses as the building also includes (2) clinics.

Community District Four suffers from high levels of unemployment, a large percentage of area residents live at or below poverty level, we suffer from some of the worst health indicators in the city and are in the top (10) precincts as it relates to gun violence. It is imperative that our office is located in a geographically desirable location to serve the wide range of challenges experienced by local residents.

We conduct monthly meetings with service agencies as well as meet with non-profits groups and area residents.

This request has been listed in the District Needs Statement for the last 8 years. As the city turns over (7) parcels of valuable land that has been mismanaged and misappropriated, we respectfully request that the City provide the funding necessary to facilitate the relocation of the Board office to include a conference room for committee meetings and a larger lecture hall type meeting space for Board meetings that would also be available for local groups upon request.

WORKFORCE DEVELOPMENT

Unemployment nationally is 5.5% while the Bronx is 17.5%. Unemployment in the District is closer to 25%. COVID-19 wreaked havoc on small businesses forcing thousands to close permanently while others are barely surviving. In a District where many people are struggling on a day-to-day basis, we need to invest and allocate more resources to job training/development and job creation to provide a robust employment network for area residents. Any plans for redevelopment must include a workforce development plan that includes training and educational opportunities for area residents. In addition, construction and any other trades or businesses utilized for new development or capital projects must include Bronx-based businesses and priority should be given to local businesses for ground floor commercial and retail space. All of these initiatives should be paired with funding to support and sustain them over the course of several years.

YOUTH & EDUCATION

Truly holistic “community development” includes provisions for education, training, and enrichment opportunities for its youngest citizens. One of the pillars of a prosperous community is the assurance of a strong educational foundation, which will nurture and cultivate future leaders and a thriving workforce within our own neighborhoods.

In order to be a true supporter of the upliftment of Community District 4 through the redevelopment of the BPDC parcels, the following items as it relates to youth and education should be highly considered by MADD Equities:

- The district is currently underfunded when it comes to the number of school seats, making space for a school a necessary commodity. This need will inevitably increase with the number of housing developments coming down the pike, creating more of a demand for additional school seats.
- Access to high-speed internet, software, and hardware. As evidenced during the pandemic, access to this resource for school-aged children in our district and around the city proved to be a necessity, but also a financial burden to many. Setting up an infrastructure for a widely available wi-fi network or access to low-cost internet access would be ideal.
- Allotment of space for a community center that would house an array of free or low-cost activities and services for residents, with an emphasis on youth programming (i.e., sports, educational enrichment, arts, etc.). The more our youth are engaged in enriching activities, the less the likelihood of their participation in gangs and other illicit activities, which affects the quality of life for all.
- Unemployment continues to skyrocket and more pathways to employment for our young people need to be created. Support of businesses and organizations that will bring job and training/apprenticeship opportunities to our youth is imperative.
- Designation of a portion of the development to an additional library for the community. Libraries play a multi-faceted role including providing internet access, community programming, community space, research tools, etc.
- Allocation of a multi-use space for an early childhood learning/day care center. Affordable, reliable, and quality childcare not only enables working parents to go to work and contribute to the community, but also provides an educational foundation for our youngest learners.

This list only highlights some of the needs related to youth and education in Community Board 4. This process needs to include continuous active engagement of the community to prioritize these and any additional youth and education needs identified.

OPEN SPACE & RECREATION

New York City annexed Morrisania, Highbridge, Concourse and other neighborhoods in Community Board Four in 1874. The City placed those lands, known as the Annex District, under the administration of Parks department with a goal to expand access to greenspace. This led to the development of the neighborhoods within Community Board Four which include over 100 park properties.

Community Board Four cherishes our legacy of greenspace. At every turn, we seek to protect our parks and to ensure that our neighborhood continues to be verdant and vibrant for future generations. Our community has been ahead of many others in recognizing the benefit of parks as a source of fresh air, exercise, means to control stormwater runoff, provide shade, beauty, and other benefits. We continue to advocate for a forward-thinking approach to parks. The development of public parking lots into more beneficial uses provides the opportunity to address how future development impacts our parks and how that development may be leveraged to build a better park network.

Our community asks that any new development become part of that legacy and to commit to the following:

- **Access to and between parks.** Wherever possible, a sidewalk should be expanded, a pedestrian bridge or egress should be maintained to connect one park to another and the waterfront.
- **Expansion of Parks.** The community seeks to see new developments that include publicly accessible open space in the design. Particularly, the community maintains a longstanding wish for an uninterrupted waterfront esplanade.
- **Complimentary development.** Projects should consider proximity to parks, and plant street trees, facilitate public bike parking, provide additional trash cans, and provide other facilitates.
- **Coordination and Advocacy.** The community, routinely, welcomes new neighbors with an expectation that new partners will work with the community to solve problems in parks and advocate for resources to maintain the quality of park facilities.
- **Recreation.** Some of our most important park users are children. The community hopes that any new development brings new resources to provide activities for kids and young adults.

Community Board Four looks forward to continued conversation on how the affected parking lots may become community assets that complement our existing parks, create new parks and park-like spaces, and provide a better quality of life for everyone.

HEALTH & WELLNESS

The Bronx is the least healthy county in New York State. It's a refrain Bronxites are tired of hearing, but our borough has been ranked 62nd out of 62 counties in New York State for at least the last 10 years, and any development in The Bronx must contribute to lifting The Bronx out of that unacceptable position. The primary factor contributing to this unfortunate designation is poverty. Congressional District 15 in the South Bronx has been the poorest congressional district in the United States for decades, a distinction made even more striking and intolerable by its location directly adjacent to the wealthiest congressional district in the country. This cycle of enduring poverty in the borough, particularly in the South Bronx, has had an undeniable effect on the poor health outcomes our residents have suffered throughout the decades.

Our hope of rising out of poverty and into good health can be realized only if new opportunities for health and prosperity are made accessible to our residents. The development of severely underutilized land in our community presents the right moment to create those opportunities for our neighbors. The major considerations should include:

- Job creation and workforce training programs, as well as business incubators to support creation of new small businesses within our community.
- Open spaces to be used for fitness, recreation, socialization, the arts, and to enhance the development of community amongst residents. Such spaces contribute to improved mental health.
- Recreation facilities for youth and adults, both to promote physical activity and as a means of generating economic activity in the area.
- Creative spaces for urban agriculture to develop a culture of healthy eating and ownership of one's health and consumption.

- Fully accessible spaces with accessible facilities for all to enjoy regardless of physical ability.
- Infrastructure for community-friendly health services to be delivered in a culturally competent manner.

Community Board 4 commits to maintaining the health and best interests of our residents at the forefront of all we do as this process moves forward.

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