



# BRONX COMMUNITY BOARD #1

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## ECONOMIC DEVELOPMENT-LAND USE & HOUSING

September 15, 2021

MINUTES

### SHELDON LOBEL, PC

**Mr. Richard Lobel, Sheldon Lobel, PC** said that we here to present an application which is currently at BSA for 180 East 132<sup>nd</sup> Street. If you take a look at the zoning map which is the next slide this property is zoned M1-5/RA8 for most of the property and is zoned M3-1 for a small portion of the property. So we seek a variance the entire map shows a property that is about 30 thousand square ft. The development site 25 thousand square feet is zoned mixed use M1-5/R8A and the other 5 thousand feet M3-1. This is kind of one of the reasons that we're before the Community Board you can see from the tax map the location of this property. So what are we asking from the Board, we're asking two things, number one is you see that this property is not located on a mapped street it's located on the Willis Avenue extension and so while there's access to the site, it's actually an easement area. So the first application to the BSA the minor application is ask BSA to waive requirements to allow us an easement on not a mapped street. Whether or not easements are required to give to the city they make sure that the Fire Department has sufficient access to the property. The property goes through a Fire Department review to make sure that you can get emergency trucks to the site and that's the GCL36 application and those are routinely granted and is a lesser application. The more substantial application is for a variance application so you can see here from the location of the map located as a waterfront site along the river we're located relatively close to the Willis Avenue Bridge. What happened was in 2005 this property was supposed to be rezoned so that entire district would have M1-5/R8A but because of a City Planning Report they miss-calculated the length of the properties. So City Planning instead of rezoning the entire property they rezoned 25 thousand out of 30 thousand square feet. So that's one of the reasons we're before the Board because we were asking for a waiver to use all the property for residential use. But if we're not granted this waiver there's about a 5 thousand square foot portion of the property that we can't use its zoned M3-1 and so there's no access to that property. If we're permitted to use that for mixed use residential will have the entire development site and will be able to build our building. So just so that you can see just where the misunderstanding with City Planning was there's a 370 foot number that Frank's showing with the cursor and that's the number that City Planning used they neglected to include this portion down here on the lower part which is roughly this 70 foot portion which maintains the M3-1 designation. So that's really the first hardship we're asking the Board and eventually the BSA to address.



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Beyond that this is a relatively isolated site and is a relatively long site and what that causes is while we're able to develop this property with residential use today, we can walk into the Department of Buildings file an as-of-right application we would still have to go to BSA for the site access. We wouldn't need to go for the use waiver because there is a residential development that can be built here but would have to be built on just that R8A portion and instead of what we're asking for two buildings it would be three buildings. So the waivers that we're requesting here would allow us to waive the height so instead of going to 120 feet with three buildings, we're asking to build two building that would go to 150 feet. Why are we asking for that well the extremely long nature of the site you can see it kind of looks like a pencil it's about 440 feet long and about 70 feet wide. So if you had a normal site that was 30 thousand square feet it would be maybe 300 feet by 100 feet you could do normal building heights as such and you really wouldn't have an issue, here because we've got this really long property we're unable to develop it as-of-right and in addition getting some additional height next to the Bridge would be considered favorable. So one of one of the things this enables us to do is because we're getting three extra stories on each of these two buildings instead of three buildings if we raise the height three stories we're able to pull the buildings back from the Bridge, which gives a little space from the Bridge reduces some of these environmental and other impacts that would occur it's generally considered too be good site planning. The idea in the 2005 rezoning that the City did was to develop the site with residential so the idea was to develop the site with mixed use residential which is really what we're seeking through these waivers. Going through the photographs as you can see it's basically a parking lot and then you can see the actual site which is close to the Bridge, after the 2010 reconfiguration of the Bridge it ends up being about 25 feet from the corner of the Bridge.

That would bring us to the proposed plans for the site, so this is the elevation of the site these are the two buildings we're seeking to build and they're residential units they would generate roughly 200 to 220 residential units and the only waivers we're seeking as far as the bulk waivers are concerned is that additional height which again enables us to build two buildings instead of three buildings and enables us to move back from the Bridge. The last thing is the as-of-right plan demonstrates that if we did get the GCL waiver we would be able to go to BSA get the GCL waiver and this would be when we file for as-of-right with the Department of Buildings. You can see that the buildings would be three buildings would be 11 to 12 stories in height and most importantly you can see the picture of the Bridge to the left and we'd only be about 25 to 30 feet from that Bridge given the fact that we don't have to spread the buildings across the lot. So a building like this would be considered to be as-site design, it would be harder to reach the furthest building for any emergency vehicles it would cause us to incur a lot of cost because now of course you have to build more infrastructure sewer, water, electric, heat for three buildings instead of two buildings. In short the application itself is not seeking that kind of dramatic waiver, you know we come to the Community Board for a lot of different types of waivers, this is not really a big one so to speak. We're asking to take this square footage which would up the height permitted at this site to configure in terms of these two buildings to allow them to go a little bit taller and to use the entirety of the site for residential use. The total cost of the project is \$98 million dollars.

### **Questions and Answers**



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### LAGREE BAPTIST CHURCH

**Deacon Onetha Bell, Deacon Board President** said that I'm the representative for LaGree Baptist Church. We are a church that we moved from Harlem four years ago and we're now located at 844 St. Ann's Avenue at 161<sup>st</sup> Street. We are a little church with a big heart willing to open our doors to the community. We just held our 94<sup>th</sup> church anniversary in July and we also had our second book bag giveaway for the neighborhood and this took place on August 29<sup>th</sup> and the location was on 159<sup>th</sup> Street, between St. Ann's and Brook Avenues. Also with the book bag giveaway we also had the vaccine for those who came to the book bag giveaway.

**Mr. Victor Body-Lawson, Architect** said that this is an as-of-right project and we applied to the Building Department and the project was approved and is under construction. We're here today to show you what we've done, what we're doing and what the church's intentions are.

So essentially the church approached us several years ago to look at several sites which we did and they moved from 125<sup>th</sup> Street right opposite from the 125<sup>th</sup> Street Post Office and found this site at 844 St. Ann's the building is essentially a large commercial manufacturing building that was converted prior to the church acquiring the property. The church put together a team of consultants Bill Davis is an Architect he's the Project Manager, Attorney's the Bozeman Law Firm and we also had the environmental review work done to have the project approved. So as you can see the site is on East 161<sup>st</sup> Street and St. Ann's right on the corner the building essentially occupies half of the block and it used to be used for commercial space I fact there used to be a 24-hour auto parts store there. Then the previous owner bought it to turn it into a venue for activities for things like parties but never completed it. So when the church bought it they essentially bought the entire building, it's a three story building above grade with a cellar. This is the site photographs taken before the construction what we did upon acquisition quickly renovated a space that was used for a construction office temporary space for gatherings.

So just to give you a quick project description the building is wood frame building and what we've done is completely gutted the building out and brought it to the latest Building Department Codes and essentially increasing the structural integrity of the building. The building will contain the Sanctuary and that will essentially house about 200 seats and a Fellowship Hall on the second floor which will be for about 150 tables, the ground floor will also be shared by the church retail spaces. So on the corner of 161<sup>st</sup> and St. Ann's there are going to be a few retail spaces. Then the third floor will be used as a space for community facilities or rented out to commercial Doctor's office or Daycare Center or what have you. The roof space will also be used by the church for outdoor space and there will be some commercial storage in the cellar. We have essentially not added any bulk to it, its 30 thousand plus square feet. As you can see the green are the sections that will be used by the church, the pink will be used for commercial and the yellow spaces will be used for mechanical spaces. This building has been brought up to state-of-the-arts standards. The ground floor will be shared by the church and



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commercial spaces. What you're looking at in the pink will be rented out to members of the community. There's going to be a dedicated entrance on 161<sup>st</sup> Street with its own elevator and stairs, then the third floor would be used for commercial or retail or community facilities purposes. The green portion is really where the church is going to be located and the entrance to the church is right in the middle of the site through a small vestibule into the lobby directly into the main sanctuary. Along the eastern edge there are going to be some ancillary spaces and spaces like coat rooms etc. There is going to be an elevator that will take church members from the ground floor to the cellar and all the way up to the roof, so the building will have two dedicated elevators one for commercial purposes and the other one would be used for the church. The second floor is going to be dedicated to the church entirely and the church administrative offices will be on this floor, there's also going to be a fellowship hall and a commercial kitchen that services the fellowship hall. Again, on the eastern side there's the elevators and the ancillary spaces as well. As I mentioned before the top floor will be used for rental to the community or whoever wants to rent it.

So this is what the building looked like before the renovation and this is what we intend the building will look like. We feel that this building will be a resource to the community. It used to be an eyesore the building was filled with graffiti but that will be taken off, it's being renovated to state-of-the-art with proper lighting along the street new windows that have actually been commissioned essentially be installed as we speak. So this will be a benefit to the urban context when it is done. Again, this is another rendering of the façade of the building where the four or five windows on the right are essentially where the main sanctuary will be they will have glass blocks so you get daylight coming in and at night you can actually get a glow of light onto the street. The main entrance to the building as I said earlier is in the middle on the left all of this would be commercial or retail to businesses in the community. The second floor again is for the church, the third floor will be rented out and the roof will be partly used for mechanical purposes and partly for church functions being outdoor space for the church. This is 161<sup>st</sup> Street façade, this is just a rendering of what the sanctuary will look like, this is what the lobby will look like and what we wanted to highlight in the lobby is the church's 94 year history where we would show their roots from Harlem to the Bronx. This is an image of what the fellowship hall will look like and it will be used for multi-function purposes with a dividing wall that could make it into two spaces so that it could be used for conferences, fellowship meetings and maybe even dinners. These are some recent construction photos of the sanctuary and again the sanctuary looking towards the lobby. We had to do quite a bit to reorganize the circulation throughout the building we essentially took out all the stairs and put in new fire rated exit stairs, there were no elevators in the building and the church commissioned to put in two elevators for the church and the commercial use. The building was designed for 50 lbs. per square foot we doubled that into 100 lbs. per square foot with new steel members, new steel guarders, and steel supports throughout the building. They're going to be all new floor joints throughout the building, new walls, new electrical, new plumbing, all the asbestos was abated and literally the building is going to be a new building.

The church was founded in 1927 and has been a community resource for at least 94 years, it's a small church with a big heart and they are community oriented. We started renovation on the building in 2018 with the aim of providing a community facility and retail space. LaGree is now providing several outreach programs including in this case a back to school giveaway event on Saturday, August 29<sup>th</sup> as Deacon Bell had mentioned. So that's essentially our presentation.



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### Questions and Answers

## NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

**Mr. Ted Weinstein Director of Bronx Planning** said that this is informational just to advise you of what we're thinking and looking to get your feelings and opinions on this particular location.

**Ms. Lyna Saad Senior Planner** said that we're also joined by Gail Mondero from the School Construction Authority and Jennifer Maldonado from the Department of Education. It's a site that is under DOE jurisdiction so we have them in attendance. So we're to discuss a Request for Proposal HPD is planning to release a development for affordable housing at 351 Powers. So we're here to talk about the background of the site and of the RFP. The actual process of developing an RFP as well as informing the community of community input opportunities and at the end we will turn it over to questions and answers.

So a little bit of background for the site as this committee well knows and has probably been working on for a very long time there is a significant need for affordable housing in New York City and in the Bronx. One strategy used to develop affordable housing is to develop housing on city owned land but because there has been so much development over the past two decades there's a limited number of lots that are city owned that's available for affordable housing development. So this site which is a portion of the 351 Powers Avenue site was identified as an opportunity to provide affordable housing. The city committed to issuing and RFP a Request for Proposal to develop new affordable housing at 351 Powers in a 2019 points of agreement which identifies various investments in the neighborhood surrounding the borough based jail.

So just a little bit about the site it's actually currently under Board of Education jurisdiction to the south of it is PS65 and their playgrounds, to the north of it one and two family homes, and directly behind it are five story multi-family units, it's also directly south of St. Mary's Park. It's located in an R6 district approximately 17 thousand square feet. So I mentioned that this RFP is going to target affordable housing. Just to define affordable housing, we consider housing affordable when a household spends no more than 30 percent of its gross income for rent and utilities. So for example if your annual income is \$20,000 thousand your rent should be less than \$600 dollars. We use an indicator called an Area Medium Income to set target income levels for our housing developments. The Area Medium Income is the mid-point in the New York City region income distribution meaning 50 percent of individuals who live in the New York region making less than the Area Medium Income and 50 percent make more than the Area Medium Income. This is determined by the Federal Government on a yearly basis and then the income levels vary based on the size of the household. In the Bronx most of our projects target incomes are Area Medium Levels that are below the 100 percent. The next slide shows how AMI is actually used in our projects. So again HPD uses this number as a point of reference to set requirements for housing tailored to New Yorkers and so our projects target Area Medium Income Levels between 30 percent and 80 percent and then rent levels are set to be affordable to those in those income levels.



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**Mr. Josh Saal Deputy Director HPD Predevelopment Planning Unit** said that so the Request for Proposals (RFP) is really how we develop at HPD publicly owned land for affordable housing. We use the Request for Proposals to really get competitive proposals from different developers as opposed to just Sole Sourcing it to one because this competition creates better proposals that really maximize the benefits to the community and that's what we're looking to do in the RFP Process. In terms of the general timeline especially as it applies to this project as Ted mentioned we're here for the first time giving the general overview. The Request for Proposals has not been issued yet, no Development Team has been selected we plan to issue this RFP for 351 Powers in the winter of 2021 and select a Developer or Development Team I should say because that includes not just the Developer but the Architect and community based organizations working with that team as well as other parties. We expect to select that Development Team in the second half of 2022 and at that point the project comes back to the Community Board and undergoes through a ULURP Process and where undergoes further revision and to be responsive not only to the community engagement that happened early on but also the community engagement after the selection of the development. During this period it goes through predevelopment which means to secure financing and that could take two or more years. This whole process leads to construction where at earliest probably in late 2024, late 2025 with the building occupied two to three years later depending on construction timeline. You might be asking why we're coming this early we don't have a project yet because we really believe that one of the important components is to work with the community, engage different stakeholders.

So all the submissions that are submitted by Development Teams are reviewed and scored by HPD staff that includes Planners here at HPD, Finance Specialists, Underwriters as well as Architects and Engineers and the HPD staff recommends a selection of a proposal to the Commissioner and the Mayor's Office. The RFP requirements that will be put forth in the document that the Development Teams with submission response have to comply with is that they have to have a minimum experience qualification threshold. That requires at least using one principal has completed a new construction or substantial rehabilitation project of a similarly sized project working with HPD or a similar agency. This allows unexperienced developers or contractors to create joint ventures with an experienced developer and build capacity through the process. On that note also instituted late last year the Equitable Ownership requirement and this requires that every project from new construction on public land that's by HPD has to have that 25 percent of the Development Team be MWBE or non-profit and make sure that it builds a capacity of these MWBE Developers and these non-profit Developers so that they're involvement is substantial and that they're involved in economic benefits of the project in terms of fees. Some other things I just wanted to highlight quickly are the local hiring and job opportunities as part of the submissions that Development Teams will be putting forth to the city. They have to submit a plan of how they're going to be implementing specific community job outreach for job placement, retention and training related both to construction for the construction jobs and also for permanent opportunities that might arise of building service workers or Superintendents.

Later on while we're actually reviewing them in the competitive criteria we look at all these things such as the job outreach plan, the Development Team experience but also of course what the proposal looks like the design and what the development program is for the project. We can talk a little bit about community engagement and the areas of possible input here that we're talking about as we said this

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RFP document will be informed by the community and the outreach that we do but also by what is feasible in balancing the city's need for affordable housing and the needs of the community and this is really an open conversation that we want to have with the community moving forward is which populations should be prioritized for this affordable housing development whether it's a multi-family building and that also includes seniors who might be living with grandchildren, and others but really a multi-family building is open to all applicants as opposed to a senior building which is limited to seniors. There's also other possibilities to discuss about design, massing and height and the residential amenities on the sidewalk or in the building for the residents and what they look like for the project. In terms of the next steps for this community engagement we will be working with the Community Board, the other stakeholders the Councilmember to determine when the next public meeting is to discuss the areas that we want to discuss. Really today was the first time here to introduce the project and to make you aware of the upcoming events that we will be hosting on the RFP that will be issued in the winter.

### **Questions and Answers**

**The Committee members present when the vote was cast voted no** to providing Sheldon Lobel, PC with a letter of support for their BSA Application to seek a variance to permit the development of a 15-story residential building at the Premises as well as a waiver of General City Law Section 36 to permit this development on a lot without frontage on a mapped street.

**MEETING ADJOURNED.**