



## CITY PLANNING COMMISSION

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November 6, 2013, Calendar No. 21

N 140034 ZRX

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**IN THE MATTER OF** an application submitted by KNIC partners, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) to allow by a special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements in Community District 7, in the Borough of the Bronx.

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This application for an amendment to the Zoning Resolution pursuant to Section 201 of the New York City Charter relating to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) was filed by KNIC Partners LLC on July 17, 2013. The zoning text amendment, along with the related actions, would facilitate approximately 794,900 square feet of new uses, including nine ice rinks (274,400 square feet); approximately 64,300 square feet of related program space, including a wellness/off-ice training center, curling rinks, and lockers/equipment storage; approximately 58,100 square feet of related food and beverage, concession, and retail space; and approximately 50,000 square feet of community facility space and an accessory parking garage containing approximately 457 spaces development. The proposal is known as the Kingsbridge National Ice Center (KNIC)

### **RELATED ACTIONS**

In addition to the proposed text amendment which is the subject of this report (N 140034 ZRX), implementation of the applicant's proposal also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

C 140033 ZMX      A proposed amendment to the Zoning Map, Section No. 3c, changing from an R6 to a C4-4 District.

C 140035 ZSX Special Permit pursuant to ZR 74-41 (b) to allow an indoor arena with a maximum capacity of 5,800 seats and to modify the sign provisions of Sections 32-64 and 32-655 and the loading requirements of Section 36-62.

C 140036 PPX The disposition of two (2) City-owned properties (Block 3247, Lot 10 and p/o Lot 2) restricted to the approval of the Special Permit.

## **BACKGROUND**

KNIC Partners, LLC proposes several land use actions to facilitate the rehabilitation, redevelopment and reuse of the Kingsbridge Armory Building, located on the north side of West Kingsbridge Road between Reservoir and Jerome Avenues (Block 3247, Lot 10 and p/o Lot 2) to facilitate the Kingsbridge Armory National Ice Center (KNIC).

The Kingsbridge National Ice Center is located on the north side of West Kingsbridge Road on a block bounded by West 195<sup>th</sup> Street to the north, Jerome Avenue to the east and Reservoir Avenue to the west. The project site consists of two city-owned lots (Block 3247, Lot 10 and p/o Lot 2) with a combined area of approximately 245,128 square feet. The site is located within an R6 zoning district, which permits medium-density residential development. The Armory Building is a New York City Landmark (“NYCL”) and is also listed on the State and National Registers of Historic Places (“S/NR”). The building contains approximately 588,765 square feet in floor area, and stands 130 feet tall and 600 feet wide. The drill hall floor occupies 180,000 square feet of floor area. The Armory Building is substantially vacant apart from the storage of graffiti removal trucks by the Mayor’s Office’s “Graffiti Free NYC” program. Located to the

north of the Armory on the same zoning lot are two buildings currently utilized by the National Guard. These buildings are controlled by the State of New York and are not a part of the proposed project. In addition to the Armory Building, the project site includes small, landscaped areas to the north, south, and west of the Armory Building.

The building was designed to resemble a Romanesque fortress, and includes a 600-foot-long by 300-foot-wide drill hall and a headhouse opening from the south façade that fronts onto West Kingsbridge Road. The building's primary entrance is from the headhouse, and is flanked by two tall round towers with conical metal roofs. The drill hall has a vaulted roof with a clerestory window at the ridge. The roof reaches a height of approximately 120 feet and the headhouse towers are approximately 130 feet tall.

The proposed ice center will include approximately 794,900 square feet of new uses, including nine ice rinks (274,400 square feet); approximately 64,300 square feet of related program space, including a wellness/off-ice training center, curling rinks, and lockers/equipment storage; approximately 58,100 square feet of related food and beverage, concession, and retail space; and approximately 50,000 square feet of community facility space and an accessory parking garage containing approximately 457 spaces.

The ice center will be comprised of a center main rink with seating for approximately 5,000 visitors. The remaining eight rinks would be located to the east and west of the main rink, with four rinks on each side, two rinks on each side of the main level and two rinks on each side of the

mezzanine level. These smaller rinks would have approximately 100 bleacher type seats. In addition to the ice rinks, the Armory Building would contain other ice related uses and spaces, including a curling center, off-rink shooting practice area, strength training rooms, lockers and showers. The proposed ice rinks are intended for use by neighborhood students and residents, high school and college leagues, open skating times, instructional training, adult professional (minor league) and non-professional hockey games, figure skating and speed skating, and other ice events.

The food and beverage, retail and concession space in the Armory Building is intended to primarily serve the users and visitors of the ice center, and would include food and beverage stands, cafes, seating areas and ice skating/hockey related sporting goods and apparel retailers and rental establishments.

Approximately 50,000 square feet of community facility space would be provided to accommodate a multitude of programs and uses including fitness and recreation facilities, multipurpose rooms, child care, and meeting rooms for the local community. Access to the community facility space would be provided along the east side of the Armory Building.

A new accessory parking garage with approximately 457 spaces would be created within the basement and sub-basement levels. The spaces provided in the garage would be accessory to the new commercial and community facility uses, reserved for use by Armory Building users, visitors, and employees. Entrance ramps to the parking garage would be constructed on the west

and north sides of the project site, providing access from Reservoir Avenue and West 195<sup>th</sup> Street, respectively. There would be approximately 30 reservoir spaces and the parking garage would be an unattended, self-parking facility controlled through automated gates.

The new facility will be served by three loading docks. Truck access to the loading docks is intended to be provided on the western side of the Armory Building through the new entrance/exit for the parking garage providing direct access to the loading dock. This driveway provides access to the loading dock area, which is separate from the proposed parking garage. Two docks would be dedicated to servicing and other operational needs and one would be used primarily, but not exclusively, for trash removal.

In addition to the loading docks described above, the proposed project would provide two parking locations for media and event trucks on the north side of the Armory Building, directly to the east of the proposed entrance/exit ramp to the parking garage and between the two National Guard buildings. In addition, the south side of West 195<sup>th</sup> Street is anticipated to be utilized for school and event bus drop-off and pickup, as well as temporary parking for other vehicles during special events.

Pedestrian access to the site would be served primarily by the main entrances on West Kingsbridge Road and on Reservoir Avenue and new secondary means of egress on West 195<sup>th</sup> Street. The community facility space would be accessed through new pedestrian entrances on Jerome Avenue.

The proposed project would introduce new signage to the interior of the Armory that would be visible from certain nearby vantage points. Illuminated signs would be added within the Armory at the east and west interior facades of the drill hall (facing Jerome Avenue and Reservoir Avenue, respectively). The signs would be approximately 10 feet tall and 190 feet wide and would be set back from the interior facades by at least 18 inches, as required by the Landmarks Preservation Commission. The eastern sign, facing Jerome Avenue, would comprise an LED display sign band. The sign on the western façade would be comprised of individually cut letters that read “Kingsbridge National Ice Center”.

Additionally, two free-standing signs, approximately 10 feet tall and 50 feet wide are proposed at the ground level, one facing West Kingsbridge Road and the other facing Reservoir Avenue. Finally, banners identifying the Armory Building as an ice center are proposed on the south facade of the Armory Building at the existing historic turrets. The banners would be illuminated through lighting sources mounted at ground level. The total signs area of all signs proposed at the project site would exceed the maximum sign area and height requirements under Section 32-641 of the Zoning Resolution and the larger interior signs would exceed the maximum height requirement under Section 32-655.

Certain areas outside of the Armory Building would be landscaped with trees, shrubs and grass as part of the proposed project. In addition, paved open space areas with seating and other amenities would be provided inside a fenced area. This area would become an open space amenity for the surrounding area and also serve as meeting and gathering space for users of and

visitors to the Armory Building. This area would be made accessible to the public gates in the existing fence that encloses the existing landscape area on the project site, subject to approval by LPC and SHPO. The applicant would create openings with gates such that the paved areas can be made open to the public during prescribed hours.

The surrounding area is characterized by a mix of commercial and residential uses. Local retail and services are concentrated in two areas: Kingsbridge Road south of the project site, from Sedgwick Avenue to the Grand Concourse in an area zoned R6 with a C1-3 overlay and along Jerome Avenue east of the project site, in an area zoned R6 with a C2-3 overlay. The remainder of the surrounding area is predominately residential, with a mixture of two- to three- story detached homes and five- to six- story apartment buildings located in R6 and R8 zoning districts. Area institutions include Lehman College and the Bronx Education campus, which consists of three public primary and secondary schools—P.S. 86, P.S. 340, and Walton High School all located immediately north of the proposed development site. Saint James Park is located one block south of the Armory.

The area is well served by mass transit. The #4 elevated train runs along Jerome Avenue, adjacent to the east façade of the Armory with a stop located on the southeast corner of the project site. Other transit lines include the B/D subway with a stop three blocks to the east, and the BX 3, 9, 22, 28 and 32 bus routes, which all stop within one block of the Armory.

## **REQUIRED ACTIONS**

### **Zoning Text Amendment (N 140034 ZRX)**

The proposed actions include a zoning text amendment to section 74-41 of the Zoning Resolution that would facilitate the proposed project by permitting (a) an indoor arena (the central ice rink) with a capacity of over 2,500 seats but not greater than 6,000 seats to be located within 200 feet of a residential district if certain conditions and findings are satisfied (b) waiver of certain signage requirements and (c) waiver or reduction of loading requirements.

### **Zoning Map Amendment (C 140033 ZMX)**

The applicant, KNIC Partners LLC is requesting a zoning change for the entire block (3247) from the existing R6 to C4-4. This area includes the Armory site as well as the state-owned property that is not a part of the proposed project. The R6 is a medium-density residential district which permits residential and community facility uses, but does not allow for commercial development unless mapped with a commercial overlay. The maximum allowable Floor Area Ratio (FAR) in an R6 district is 2.43 for residential and 4.8 for community facilities.

To allow for the proposed commercial uses at the proposed densities, the applicants seek a rezoning to a C4-4 district. The proposed C4-4 district permits commercial, community facility, and residential development. Commercial uses are categorized as 'general commercial', which includes such uses as department stores, and must fall within Use Group categories 5, 6, 8-10, and 12. The maximum FAR permitted is 3.4 for commercial, 6.5 for community facilities, and

3.44 for residential. The Residential District Equivalent for a C4-4 district is R7-2. The proposed commercial FAR is 1.96; the proposed community facility FAR is 0.14. As a NYCL the Armory is eligible for transfer of development rights under ZR 74-79. This action increases the amount of development rights on the zoning lot.

### **Special Permit (C 140035 ZSX)**

Pursuant to Section 32-21 of the Zoning Resolution, only arenas with a rated capacity of not more than 2,500 persons are permitted as-of-right in the C4-4 district. Section 74-41 of the Zoning Resolution, as amended by the proposed zoning text amendment, would permit an indoor arena with a maximum capacity of 6,000 persons. The applicant is seeking this special permit to allow nine ice rinks with a combined maximum capacity of approximately 5,800 seats in the Armory Building. Additionally, the applicant is seeking a modification of the signage and loading regulations under the proposed Section 74-41. Pursuant to zoning five loading berths would be required, and signage cannot exceed more than 500 square feet on any frontage. The applicant is proposing three loading berths and 1,800 square feet of signage along West Kingsbridge Road, 2,350 square feet of signage along Reservoir Avenue and 1,600 square feet of signage along Jerome Avenue.

### **Disposition of City owned Property (C 140036 PPX)**

The project site (Block 3247, Lot 10 and p/o Lot 2) known as 29 West Kingsbridge Road, Bronx, NY, is currently owned by the City. In order to facilitate the proposed project, the project site

must be disposed to the applicant. The New York City Department of Citywide Administrative Services is the applicant for this action. This disposition will involve a long-term ground lease between DCAS, for and on behalf of the City, and the New York City Land Development Corporation, which would then be subsequently assigned to the applicant.

## **ENVIRONMENTAL REVIEW**

This application (N 140034 ZRX), in conjunction with the related applications (C 140033 ZMX, C 140035 ZSX, C 140036 PPX), were reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Office of the Deputy Mayor for Economic Development (ODMED). The designated CEQR number is 13DME013X.

It was determined that the proposed actions may have a significant effect on the environment. A Positive Declaration was issued on April 23, 2013, and distributed, published and filed, and the applicant was asked to prepare a Draft Environmental Impact Statement (DEIS). Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on April 23, 2013. A public scoping meeting was held on the Draft Scope of Work on May 23, 2013, and comments were accepted by the lead agency through June 3, 2013. A final Scope of Work for the DEIS, reflecting comments made during the scoping, was issued on July 15, 2013.

The Draft Environmental Impact Statement was prepared and the lead agency issued a Notice of Completion for the DEIS on July 17, 2013. Pursuant to SEQRA and CEQR procedures, a public hearing was held on the DEIS on October 9, 2013. A Final Environmental Impact Statement (FEIS) was completed and a Notice of Completion for the FEIS was issued on October 25, 2013. The FEIS identified significant adverse impacts with regard to traffic, pedestrian and noise. Details on these impacts and measures to minimize or eliminate these impacts, where feasible and practicable, are described in the Executive Summary to the FEIS, a copy of which is annexed hereto and incorporated herein as Exhibit A.

#### **UNIFORM LAND USE REVIEW**

This application (N 140034 ZRX), in conjunction with related applications (C 140033 ZMX, C 140035 ZSX, C 140036 PPX), were certified as complete by the Department of City Planning on July 22, 2013, and was duly referred to Community Board 7 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02 (b).

#### **Community Board Public Hearing**

Community Board 7 held a public hearing on this application (N 140034 ZRX) on September 17, 2013 and, on that day, by a vote of 20 in favor, 5 against, and 0 abstentions, adopted a resolution recommending approval of this application.

#### **Borough President Recommendation**

This application (N 140034 ZRX) was considered by the Borough President, who issued a recommendation approving this application on September 24, 2013.

### **City Planning Commission Public Hearing**

On September 23, 2013, Cal. No. 5, the City Planning Commission scheduled October 9, 2013, for a public hearing on this application (N 140034 ZRX). The hearing was duly held on October 9, 2013 (Calendar No. 16). There were 7 speakers in favor of the application and 1 in opposition. The Bronx Borough President spoke in favor of the project. He stated his belief that the Kingsbridge National Ice Center is an outstanding project which has been put together through a participatory process between the development team, the local community, local elected officials and the City of New York. He noted that the project will invest \$300 million in restoration of the landmark Armory building. He further stated that the project will create living wage jobs including 170 full time jobs, 885 construction jobs and 2,700 off-site jobs created as a result of the project. At least 580,000 visitors are expected to visit the facility annually, generating \$42 million in economic activity. He expressed his support for the Community Benefits Agreement which sets a high standard for future projects that rely on the disposition and use of public sector assets. He reiterated the key components of the Community Benefits Agreement which includes the commitment from the developer that fifty-one percent of the full time jobs will be given to Bronx residents and twenty-five percent of the funds spent on employees performing construction will be awarded to minority and women owned Bronx businesses. The Bronx Borough President commended the project for aiming to be environmentally sustainable and achieve LEED Silver designation. He urged the Commission to unanimously vote to approve the project.

The Council Person representing New York City Council District 11 related his personal experience with the lack of an ice-rink within an easy distance of the Bronx and New York metropolitan area. He echoed the support of the Borough President regarding the benefits relating to jobs, recreation, sports training, restoration of a historic building and a boost to the neighborhood that this project will engender. He noted that while the facility will attract large groups of visitors, the attendance will be much less than at other recreational facilities in the city such as Yankee Stadium and Madison Square Garden. The speaker further noted that this development will occur through private investment whereas other facilities such as Yankee Stadium required funding from the City.

The attorney for the project, speaking in favor noted that the project will include the rehabilitation of the vacant historic Armory building with multiple new uses including nine ice hockey rinks and related programming space, commercial space, community facility space and an accessory parking garage. He described the four actions before the Commission including the disposition, rezoning, Special Permit and zoning text amendment. He described the text amendment and Special Permit actions emphasizing the unique nature of the project and appropriateness of these two actions including the need for modification to the signage and loading berth requirements. The speaker stated that a majority of the visitors would arrive at the facility via public transit and would support the businesses in the surrounding commercial corridor.

A co-founder of the Kingsbridge National Ice Center, LLC, spoke in favor addressing the shortage of ice hockey rinks in New York City one of the motivations behind the proposal. He noted that while it is difficult to site an ice arena in New York City due to constraints of providing parking and generating reasonable returns, the Armory provided an opportunity to utilize an existing historic building with close proximity to transit. He described the Armory building and noted that it provided a unique opportunity to create an arena of its size. The speaker outlined the goals of the development team, which include iconic transformation, community development, economic development and sustainable development. He also described the wide range of users of the facility. He noted that the ice center will enroll students in the Ed Snider Youth Hockey Program similar to the one in Philadelphia which helps local students from economically challenged backgrounds receive ice hockey training. Other users would include professional players including National Hockey League athletes. Activities would include ice hockey, figure skating, speed skating, synchronized skating and curling.

The project architect spoke in favor, stating his opinion that the ice arena use is a perfect fit for the Armory building. He extolled the engineering and architectural features and grandeur of the Armory building and described how the project will maximize the use of the large interior. The architect also described how the design of the facility strived to retain the historic features of the building including the exterior façade and the entrance gates while still creating a fire safe building.

Two representatives from the Kingsbridge Armory Redevelopment Association (KARA), a

signatory to the Community Benefits Agreement (CBA), spoke in favor, noting the lack of good jobs in the community and high unemployment in the Borough. One speaker described the issues that guided the Community Benefits Agreement including the future of the local children, jobs, training opportunities, recreation, sustainability, business preservation and development. She noted that the negotiations focused on long term benefits for the community and the Armory building. The other speaker stated her belief that the KNIC will benefit the children of the community and increase their chances of achieving success. She cited the program in Philadelphia which helped inner city children achieve higher matriculation rates while providing training in ice hockey.

There was one speaker in opposition. He noted that he knew very few people in the Bronx who ice skate or play ice hockey and large segments of the community are on public assistance and have little disposable income. He emphasized that children in the community need more math and science education rather than training in ice hockey. The speaker expressed skepticism regarding the long-term viability of the ice arena and the unpredictable future use of the Armory if the ice rinks are not utilized.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the applications for a zoning text amendment (N 140034 ZRX), special permit (C 140035 ZSX), zoning map amendment (C 140033 ZMX), and disposition

(C 140036 PPX), are appropriate.

The proposed actions will facilitate the redevelopment and reuse of a vacant State and City landmark on city-owned property to be disposed of to NYCLDC and leased to the applicant. The Kingsbridge Armory has been vacant since the City acquired the property in 1996. The proposed use of the building as an ice-arena will facilitate the use of the building by the public and serve to restore a historic landmark.

The Kingsbridge Armory National Ice Center (KNIC) will contain approximately 794,900 square feet of new uses, including nine ice rinks (274,400 square feet); approximately 64,300 square feet of related program space, including a wellness/off-ice training center, curling rinks, and lockers/equipment storage; approximately 58,100 square feet of related food and beverage, concession, and retail space; and approximately 50,000 square feet of community facility space and an accessory parking garage containing approximately 457 spaces. Built in 1914 to house the National Guard's Eighth Artillery Regiment, The Armory Building was designated a New York City Landmark in 1974 and is listed on the State/National Register of Historic Places. After the Eighth Regiment left the building in 1994 to occupy two smaller buildings on the same lot, the Armory was ceded to the City of New York in 1996. There have been several attempts to redevelop the site in recent years none of which were successful. Currently, the Armory Building is substantially vacant apart from the storage of graffiti removal trucks by the Mayor's Office's "Graffiti Free NYC" program. The proposed development project would bring a long underutilized historic building back to productive use and facilitate new economic development

opportunities.

The Commission has considered the testimony made by the Bronx Borough President during the public hearing. The Commission shares the Borough President's optimism regarding the transformative effect the proposed facility could have on the surrounding community, the Bronx and the City as a whole. While the Community Benefits Agreement is beyond the purview of the Commission and has no influence on its land use decisions, the Commission is pleased that the development team has collaborated with local groups and stakeholders in formulating the proposal. The Commission supports the Borough President's recommendations that the applicant work with NYC DOT to enroll the mapped street adjacent to the building's open space in DOT's Plaza program, explores additional transit options with the local bus services and develops a lighting plan which highlights the architectural features of the building.

The Commission acknowledges the testimony of the City Council representative for Council District 11 who spoke in favor of the project and agrees that the KNIC project will not only restore a historic building but also fill a gap in the ice hockey field by permitting an arena in New York City which has few options for recreational and professional ice rinks.

The Commission also heard testimony in opposition of the application which questioned the appropriateness of an ice arena in a low income neighborhood. The Commission notes that the development teams has attested to the demand of ice arena use in the community and nationwide and have also stated their intent to include the Ed Snider program in the proposed arena. This

program for low income children currently operating in Philadelphia provides training in ice hockey while also facilitating better educational outcomes for school students.

**Zoning Text Amendment (N 140034 ZRX)**

The Commission believes that the proposal to amend the Zoning Resolution to allow by Special Permit an arena with a maximum seating capacity of 5,800 seats to locate within 200 feet of a residence district and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 is appropriate.

The text amendment would provide a mechanism to facilitate the adaptive reuse of a vacant city owned landmark site as an indoor hockey arena. The proposed text amendment to 74-41 (b) allow by Special Permit an arena use within 200 feet of a residence district is limited to indoor arenas that must meet certain findings which ensure the compatibility of the use with nearby residences, and is only applicable within Community District 7, Borough of the Bronx.

The Commission notes that the proposed zoning text requires that several findings be met for a project to qualify for the Special Permit. The first finding, which relates to open space, would ensure that the design of the open space around an arena pays particular attention to efficient pedestrian circulation and accommodate the crowds using an arena. The second finding relates to noise attenuation. The finding ensures that where an arena up to 6,000 seats is located within 200 feet of a residence district, any potential noise pollution from the arena use is addressed via noise

attenuation measures. The third finding ensures that modifications to the signage requirements allowed via this Special Permit are supported by a signage plan. This signage plan would include rationale for a sign which is larger than one permitted as of right or is located higher than the maximum permitted height. The plan would also show that the modification of the signage requirements do not have a negative effect on the surrounding residences. The last finding relates to modification of loading requirements. When a modification of the loading requirements is requested, a loading plan must be submitted to the Commission which outlines the justifications for the proposed modification and satisfactorily proves that these modifications would sufficiently meet the loading needs of the proposed facility.

#### **Zoning Map Amendment (C 140033 ZMX)**

The Commission believes that the proposal to rezone the R6 district to a C4-4 district is appropriate. The Commission understands that the R6 zoning district regulations applicable to the Armory precludes commercial use in the building. The proposed C4-4 district allows for adaptive reuse of the Armory as an arena use by Special Permit, as proposed by the applicant. The Commission recognizes the importance of the Armory's location in relation to the Kingsbridge Road commercial corridor. While a rezoning from a residential to a commercial district is necessary to facilitate this project, the proposed use will support the existing surrounding retail uses by attracting additional foot traffic to the area. The facility is located near mass transit, with two subway stops located within ¼ mile of the Armory and several public bus routes stopping at intersections adjacent to the building. The plan meets accessory parking requirements as required by zoning. The Commission also notes that the development would be

built entirely within an existing structure, which in turn would limit development bulk to a level below the maximum allowed in a C4-4 zoning district.

**Special Permit (C 140035 ZSX)**

The Commission believes that the Special Permit to allow an indoor arena with a seating capacity of greater than 2,500 seats but not more than 6000 seats to be located within 200 feet of a Residence District, and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 (Required Off-Street Loading Berths) is appropriate.

The Commission believes that the principal vehicular access to the proposed arena is not located on a local street but on an arterial street (Reservoir Avenue) and the use is located to minimize traffic through local streets in nearby residential areas. The project site is located on a block bound by arterial streets including Reservoir Avenue, Kingsbridge Road, Jerome Avenue and 195<sup>th</sup> Street.

The Commission believes that upon implementation of the standard measures by DOT to mitigate the impacts upon intersections resulting from the proposed project identified in the Final Environmental Impact Statement for this proposal that the arena has adequate reservoir spaces at the vehicular entrance, and sufficient vehicular entrances and exits to prevent traffic congestion in the area.

The Commission notes that that vehicular entrances and exits for such #use# are provided separately and are located not less than 100 feet apart and the area is served by ample transit options including the Kingsbridge Rd station on the #4 train line at the southeast corner of the site and the Kingsbridge Rd station on the B/D train line three blocks east of the site. The area is also served by several bus lines.

The Commission notes that the ice arena proposed by the applicant is a unique use which does not conflict with businesses in the surrounding community or in the Bronx. The arena is expected to serve as a destination for the local community, visitors from other areas of New York City and sports enthusiasts visiting New York City.

The Commission believes that the arena will not adversely affect the surrounding residences through noise pollution. The Commission notes that the project is designed to include noise attention features and measures which serve to reduce area-related noise in the surrounding areas to the extent possible. The Commission understands the constraints to noise attenuation options due to the landmark status of the existing structure. As described in the Final Environmental Impact Statement for this proposal, while the proposed project would cause an increase in noise levels on adjacent streets during limited hours of the day or nighttime periods during high attendance events at the Armory, the noise levels would be considered marginally acceptable according to CEQR criteria, a condition not unusual for residential areas in New York City. To ensure that noise levels resulting from the proposed project are addressed the FEIS sets forth that

the upon post construction a monitoring program will be implemented and in locations where noise levels increase significantly the applicant will provide double glazed windows and alternative ventilation.

The Commission believes that the open space surrounding the arena will be located and arranged to provide adequate pedestrian areas to minimize disruption to the surrounding areas. The Commission notes that the proposed publicly accessible open space located at the southeast corner of the project site will serve multiple purposes including a gathering space for large crowds, a waiting space for children awaiting pickup and a passive recreation space for the surrounding community. The open space includes ample social seating, plantings, trees and pathways and can be accessed via five openings in the existing chain link fence. These openings will have retractable gates hence allowing free flow of users in and out of the space fostering ease of access and safety.

The Commission believes the loading plan submitted in connection with the arena addresses the operational needs of all servicers of the arena and that such loading is adequate to address the loading demand generated by the arena use. The Commission notes that the reduction in the loading berth requirements for the proposed arena is supported by the loading plan submitted by the applicant. The Commission agrees with the applicant that the ice arena is a unique use and unlike regional retail/commercial uses also allowed in the C4-4 district, the proposed arena use will not generate a significant demand for loading. The Commission believes the three loading berths proposed by the applicant will sufficiently meet the loading needs of the arena use and the

accessory commercial uses such as sports equipment shop and food and beverage establishments. The segregation of truck and car traffic via signage and traffic management as proposed in the loading plan will allow for safe movement of traffic in and out of the arena.

**Disposition (C 140036 PPX)**

The Commission believes that the disposition of two city owned properties (Block 3247, Lot 10 and p/o Lot 2) restricted to the approval of the Special Permit is appropriate. This disposition will involve a long-term ground lease between DCAS, for and on behalf of the City, and the New York City Land Development Corporation, which would then be subsequently assigned to the applicant.

**RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 25, 2013, with respect to this application (CEQR No. 13DME013X), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations, have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with the environmental commitment letter, dated October 29, 2013, from the Deputy Mayor for Economic Development, those project components related to the environment and mitigation measures that were identified as practicable.

This report of the City Planning Commission, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961 and as subsequently modified, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

## **74-41**

### **Arenas, Auditoriums, Stadiums or Trade Expositions**

(a) In C4, C6, C7 or C8 Districts or any #Manufacturing District#, the City Planning

Commission may permit arenas, auditoriums or stadiums with a capacity in excess of 2,500 seats, or trade expositions with a rated capacity in excess of 2,500 persons, provided that the following findings are made:

- ~~(a)~~(1) that the principal vehicular access for such #use# is not located on a local #street# but is located on an arterial highway, a major #street# or a secondary #street# within one-quarter mile of an arterial highway or major #street#;
  - ~~(b)~~(2) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;
  - ~~(c)~~(3) that such #use# is not located within 200 feet of a #Residence District#;
  - ~~(d)~~(4) that adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exits, are provided to prevent traffic congestion;
  - ~~(e)~~(5) that vehicular entrances and exits for such #use# are provided separately and are located not less than 100 feet apart; and
  - ~~(f)~~(6) that due consideration has been given to the proximity of bus and rapid transit facilities to serve such #use#.
- (b.) In C4, C6, C7 or C8 Districts or any #Manufacturing District# in the Community Districts listed below, the City Planning Commission may permit an indoor arena with a maximum seating capacity of 6,000 within 200 feet of a #Residence District#, and in conjunction with such arena, permit modifications of the provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-655 (Height of Signs in all other Commercial Districts), and 36-62 (Required Accessory Off-street Loading Berths), provided that the following findings are made:

- (1) findings (1), (2), (4), (5) and (6) of paragraph (a) of this Section are met;
- (2) that open space surrounding such arena will be located and arranged to provide adequate pedestrian gathering areas to minimize disruption to the surrounding areas;
- (3) the arena includes noise attenuation features and measures which serve to reduce arena-related noise in the surrounding area, including at nearby #residences#,
- (4) where Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts) are modified, a #signage# plan has been submitted showing the location, size, height and illumination of all #signs# on the #zoning lot#, and the Commission finds that all such #signs# and any illumination from or directed upon such #signs# are located and arranged so as to minimize any negative effects from the arena #use# on nearby #residences#, and
- (5) where Section 36-62 (Required Accessory Off-street Loading Berths) is modified, a loading plan has been submitted that addresses the operational needs of all servicers of the arena and shows the number, location and arrangement of all loading berths on the #zoning lot#, and the Commission finds that such loading plan is adequate to address the loading demand generated by the arena #use# and has received assurances that the arena operator will implement such plan in accordance with its terms .
  - (i) Community District 7 in the Borough of the Bronx

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for soundproofing of arenas or auditoriums, shielding of floodlights,

screening of open #uses# or surfacing all access roads or driveways.

\* \* \*

The above resolution (N 140034 ZRX), duly adopted by the City Planning Commission on November 6, 2013 (Calendar No. 21), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, FAICP, Chair**

**KENNETH J. KNUCKLES, Esq., Vice-Chairman**

**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**

**ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE R. DE LA UZ,**

**MARIA M. DEL TORO, JOSEPH I. DOUEK, RICHARD W. EADDY,**

**ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners**



Application #: **C 140033 ZMX**

Project Name: **Kingsbridge National Ice Center**

CEQR Number: 13DME013X

Borough(s): Bronx  
Community District Number(s): 7

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

**IN THE MATTER OF** an application submitted by submitted by KNIC Partners, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3c, changing from an R6 District to a C4-4 District property bounded by West 195<sup>th</sup> Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue, Borough of the Bronx, Community District 7, as shown on a diagram (for illustrative purposes only) dated July 22, 2013.

Applicant(s): KNIC Partners, LLC 250 Park Avenue New York, NY 10177		Applicant's Representative: Ross R. Moskowitz, Esq. Stroock & Stroock & Lavan LLP 180 Maiden Lane New York, NY 10038	
Recommendation submitted by: Bronx Community Board 7			
Date of public hearing: 9/17/13		Location: Lehman College 6x, NY 250 Bedford Park Blvd W 10468	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 9/17/13		Location: Lehman College - Lovinger Theatre 250 Bedford Park Blvd W Bx 10468	
<b>RECOMMENDATION</b>			
<input checked="" type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
<b>Voting</b>			
# In Favor:	# Against:	# Abstaining:	Total members appointed to the board: 33
20	5	0	
Name of CB/BB officer completing this form Adeline Walker Landry		Title Community Board 7 Chair	Date 9/18/13

Application #: **C 140036 PPX**

Project Name: **Kingsbridge National Ice Center**

CEQR Number: 13DME013X

Borough(s): The Bronx

Community District Number(s): 07

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2), Borough of the Bronx, Community District 7, restricted to the conditions pursuant to NYC Zoning Resolution (ZR) Section 74-41(b) Special Permit.

Applicant(s): NYC Dept. of Citywide Administrative Services One Centre Street, 20th Fl. North New York, NY 10007		Applicant's Representative: Randal Fong, Assistant Commissioner NYC Dept. of Citywide Administrative Services One Centre Street, 20th Fl. North New York, NY 10007	
Recommendation submitted by: Bronx Community Board 7			
Date of public hearing: 9/17/13		Location: Lehman College 250 Bedford Park Blvd W	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 9/17/13		Location: Lehman College - Louinger Theatre 250 Bedford Park Blvd W	
<b>RECOMMENDATION</b>			
<input checked="" type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>			
<b>Voting</b>			
# In Favor: 20	# Against: 5	# Abstaining: 0	Total members appointed to the board: 33
Name of CB/BB officer completing this form <i>Adaline Platten Sandeago</i>		Title Community Board Chair #	Date 9/18/13

**BOROUGH PRESIDENT  
RECOMMENDATION**

**CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
Fax # (212)720-3356**

**INSTRUCTIONS**

- 1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
- 2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

**APPLICATION NOS: C 140033 ZMX, N 140034 ZRX, C 140035 ZSX, C 140036 PPX**

**DOCKET DESCRIPTION**

**PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION**

**COMMUNITY BOARD NO. 7 BOROUGH: THE BRONX**

**RECOMMENDATION**

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

**EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)**

**PLEASE SEE ATTACHMENT FOR BOROUGH PRESIDENT'S RECOMMENDATION**

  
**BOROUGH PRESIDENT**

**9/24/2013**  
 DATE

**BRONX BOROUGH PRESIDENT  
RUBEN DIAZ JR.'S RECOMMENDATION  
ULURP APPLICATION NOS:  
C140033 ZMX, N 140034 ZRX, C 140035 ZSX C 140036 PPX  
KINGSBRIDGE NATIONAL ICE CENTER  
COMMUNITY DISTRICT #7  
SEPTEMBER 2013**

**DOCKET DESCRIPTION**

**C 140033 ZMX-IN THE MATTER OF** an application submitted by KNIC Partners, LLC, pursuant to sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3c, changing from an R6 District to a C4-4 District, property bounded by West 195<sup>th</sup> Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue, Borough of the Bronx, Community District #7, as shown on a diagram (for illustrative purposes only) dated July 22, 2013.

**N 140034 ZRX- IN THE MATTER OF** an application submitted by KNIC partners, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) to allow by a special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements in Community District #7, in the Borough of the Bronx.

**C 140035 ZSX-IN THE MATTER OF** an application submitted by an application submitted by KNIC Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant to a special permit pursuant to Section 74-41(b)\* of the Zoning Resolution to allow an indoor arena with a maximum seating capacity of 5,800 seats located within 200 feet of a Residence District, and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 (Required Off-Street Loading Berths), in connection with the conversion of an existing building (Kingsbridge Armory, on property located at 29 West Kingsbridge Road, (Block 3247, Lot 10 and p/o Lot 2) in a C4-4 District\*\*, Borough of the Bronx, Community District #7.

\*Note: A zoning text amendment to modify Section 74-41 is proposed under a concurrent related application N 140034 ZRX.

\*\*Note: A zoning map amendment to change an R6 District to a C4-4 District is proposed under a concurrent related application C 140022 ZMX.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**C 140036 PPX-IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2), Borough of the Bronx, Community District #7, restricted to the conditions pursuant to NYC Zoning Resolution (ZR) Section 74-41 (b) Special Permit.

## **BACKGROUND**

### **An Informative History**

The Kingsbridge Armory, which is also known as the Eighth Regiment Armory, is an imposing Romanesque structure built during the 1910's and completed in 1917. Lewis Pilcher was the architect. Rising to a height of approximately 120 feet (12 stories), it is perhaps the largest building of its kind in the world, occupying approximately five acres of property in the Kingsbridge Heights section of the Bronx. The interior features, among other functions, a drill hall consisting of 180,000 square feet, a 400 foot shooting range, an auditorium accommodating 800 seats, a full size basketball court, rooms for lectures, fitness facilities and two cellar levels for the parking of vehicles and other storage.

The exterior of the Kingsbridge Armory conveys a message of power, strength, intimidation and security. The edifice is comprised of red brick which is overtaken by a massive sloping metal roof of steel, copper and glass. On the Kingsbridge Road frontage two cylindrical towers, each 130 feet in height, are comprised of red brick, rise above the structure's roof line and are each topped by a conical roofs. The metal work associated with this structure includes heavy iron gates and paneled doors.

The initial purpose this structure was to accommodate the Eighth Regiment, which at the time of the Kingsbridge Armory's construction was located at the Park Avenue Armory in Manhattan. During World War II as many as 10,000 troops were accommodated by the Bronx building. Among other functions, the Kingsbridge Armory was also offered to the United Nations General Assembly for their temporary use.

In 1957 the Kingsbridge Armory was expanded, with the construction two additional buildings known as annexes. In 1974 the Landmarks Preservation Commission designated the structure a New York City Landmark. In 1982 the Kingsbridge Armory was placed on the National Register of Historic Places.

During the final 30 years of the 20<sup>th</sup> century the military's need for this mammoth structure, coupled with increasing costs associated with maintenance and routine operations, lead to the Armory's neglect. During the 1990's the ownership of the Kingsbridge Armory was transferred to the City of New York. Shortly thereafter the dire condition of the Kingsbridge Armory forced the city to consider immediate remediation to prevent further deterioration. Among the most pressing of these matters was replacing the building's roof and making other structural repairs, costing the city \$31 million.

The building's transfer to the city also facilitated a process whereby a new use could be identified. Numerous proposals were advanced, ranging in purpose from a comprehensive sport venue, to an amateur athletic center or, more recently, a shopping mall. Throughout this process however, community groups vocalized their interest in seeing much of the Armory used for educational purposes and/or for purposes that did not compete with established neighboring businesses.

In January 2012, two final proposals for the building were presented by the New York City Economic Development Corporation. With the endorsement of Bronx Borough President Ruben Diaz Jr., the proposal selected was that offered by a consortium of interests including a bank, hockey legends and Olympic stars. Known as the Kingsbridge National Ice Center (KNIC), the Kingsbridge Armory would become the home of one of the largest ice skating facilities in the world, the highlight of which would be the inclusion of nine ice skating rinks set in an arena able to accommodate 5,000 spectators. In April 2013 this proposal was endorsed by the Bloomberg administration.

Prior to the January 2012 selection and subsequent endorsement by Mayor Bloomberg, in 2007 the Economic Development Corporation and Bloomberg administration endorsed the use of the Armory for a comprehensive shopping mall. This proposal was subject to the Uniform Land Use Review Procedure (ULURP) and included the following actions:

- C 090438 PPX-Disposition of City-Owned Property
- C 090437 ZMX-Amendment of the Zoning Map
- C 090236 MMX-Amendment of the City Map
- C 090237 MMX-Amendment of the City Map

Following the required review pursuant to ULURP, these matters were ultimately disapproved by the City Council in December 2009.

#### **Approving the Current Applications**

- C 140033 ZMX-Amendment of the Zoning Map**
- N 140034 ZRX-Zoning Text Amendment**
- C 140035 ZSX-Grant of a Special Permit**
- C 140036 PPX-Disposition of City-Owned Property**

Approval of these applications will facilitate the renovation and redevelopment of the Kingsbridge Armory, located at 29 West Kingsbridge Road (Block 3247, Lot 10 and part of Lot 2). This armory building is a designated New York City Landmark and listed on the State and National Registers of Historic Places. The Kingsbridge Armory is situated on the north side of West Kingsbridge Road. It is bounded by Jerome Avenue on the east, Reservoir Avenue on the west and West 195<sup>th</sup> Street to the north. The *overall site* includes 309,100 square feet of lot area. This includes the armory building plus two United States National Guard buildings fronting on West 195<sup>th</sup> Street, occupying the northern portion of Lot 2. These two buildings are excluded from the development site, are not part of the Disposition and Special Permit this

matter is considering but are included in the Zoning Map Amendment. The development site approximates 245,128 square feet of lot area, in an R6 zone, Bronx Community District #7.

These applications are being submitted by the Department of Citywide Administrative Services (DCAS) and/or Kingsbridge National Ice Center (KNIC),” the Developer.” KNIC is proposing to construct a world-class, recreational and educational ice center, making the Kingsbridge Armory the site of the first of its kind in New York City, if not the entire nation. Highlights include the installation of nine ice rinks, as well as related program space, a community facility, food and beverage areas, retail locations, and accessory off-street parking to be installed in the Armory’s cellar levels. As proposed, new uses will approximate 794,900 gross square feet. This entire facility will, among other objectives, provide ice skating options for students, residents, high school and college leagues, instructional training, professional and non-professional hockey games, as well as venues for figure and speed skating events.

Features of the proposed project include nine ice rinks occupying 274,400 gross square feet. The main rink will feature a spectator gallery offering seating for 5,000 patrons. The remaining eight rinks will each offer seating for 100 spectators. They will be located east and west of the main rink on two levels of the center; four on the main level and four on the mezzanine level. Consequently, seating for a grand total of 5,800 people is to be provided. Additional features of this project include:

- 64,300 gross square feet of program space (wellness center, curling lanes, locker rooms)
- 58,100 gross square feet for food and beverage service and retail space.
- 50,000 gross square feet for community facility use (i.e. multipurpose rooms, child care facility, meeting rooms for community functions). Entry via Jerome Avenue.
- 153,300 gross square feet for off-street, subterranean parking including 457 spaces.
- 194,800 gross square feet for the machine and mechanical operations plant.

**TOTAL: 794,900 Gross Square Feet**

The entrances to this facility will be provided on West Kingsbridge Road, Reservoir Avenue and Jerome Avenue. The new underground parking garage offering 457 spaces will be located on the basement and subbasement level of the Armory building. Access will be provided on Reservoir Avenue and on West 195<sup>th</sup> Street. The garage will be unattended. Loading births for the facility will also be located on the basement level and accessible at Reservoir Avenue. Construction of both the garage and loading births will require excavation and new building foundations in the vicinity of Reservoir Avenue and on West 195<sup>th</sup> Street.

As proposed, three loading docks will be constructed adjacent to the accessory parking garage. Based on the overall square footage of the proposed development however, the current Zoning Resolution mandates five such docks. The applicant is therefore seeking approval of a Special Permit, to allow among other objectives, a reduction in the number of such docks from five to the proposed three. Noting that the proposed use of the Armory building includes nine ice skating rinks approximating 247,620 square feet, the applicant claims this function minimizes the need for the two additional loading docks.

Additional features to be included as part of this project include:

- An exterior landscaped plaza for public use.
- Illuminated signage specifically designed to not intrude on nearby residences.
- Replacing fiberglass walls now in place on the east and west facades with clear glass to improve natural lighting by day (saving energy) while accentuating the Armory's profile by night as interior lights illuminate the glass.

### **Amending the Zoning Map**

#### **C 140033 ZMX**

Currently the Kingsbridge Armory, located on Block 3247, Lots 2 and 10 (Project Area), is zoned R6. This district does not permit commercial uses. Therefore to facilitate construction of the proposed project, the applicant seeks to amend the Zoning Map, eliminating the R6 designation, establishing a C4-4 designation. This designation would allow for the redevelopment of the Armory building at a Floor Area Ratio (FAR) of a maximum of 3.4, although, as proposed by the applicant, the site will be developed at an FAR of 2.22. The C4-4 designation also allows for numerous Use Groups that are being proposed for the Kingsbridge Armory site. This proposed amendment will apply only to the project area and would not facilitate new development in the surrounding area.

### **Zoning Text Amendment**

#### **N 140034 ZRX**

#### **74-41-(as currently in place)**

#### **Arenas, Auditoriums, Stadiums or Trade Expositions**

(a) In C4, C6, C7 or C8 Districts or any Manufacturing District, the City Planning Commission may permit arenas, auditoriums, or stadiums with a capacity in excess of 2,500 seats, or trade expositions with a rated capacity in excess of 2,500 persons, provided that the following findings are made:

- 1) that the principal vehicular access for such use is not located on a local street but is located on an arterial highway, a major street or secondary street within one-quarter mile of an arterial highway or major street;
- 2) that such use is so located to draw a minimum of vehicular traffic to an through local streets in nearby residential areas;
- 3) that such use is not located within 200 feet of a Residence District,

- 4) that adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exists are provided to prevent traffic congestion,
- 5) that vehicular entrances and exists for such use are provided separately and are located no less than 100 feet apart; and
- 6) that due consideration has been given to the proximity of bus and rapid transit facilities to serve such use.

**To facilitate construction of the Kingsbridge Armory project as being now proposed, the above noted provision would be amended thusly: (*bold notes the amended text*)**

*(b) In C4, C6, C7, or C8 Districts or any Manufacturing District in the Community Districts listed below, the City Planning Commission may permit an indoor arena with a maximum seating capacity of 6,000 within 200 feet of a Residence District, and in conjunction with such arena, permit modifications of the provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-655 (Height of Signs in all other Commercial Districts), and 36-62 (Required Accessory Off-street Loading Berths, provided that the following findings are made:*

- (1) findings (1), (2), (4), (5) and (6) of paragraph (a) of this Section are met;*
  - (2) that open space surrounding such arena will be located and arranged to provide adequate pedestrian gathering areas to minimize disruption to the surrounding areas;*
  - (3) the arena include noise attenuation features and measures which serve to reduce arena related noise in the surrounding area, including at nearby residences,*
  - 4) where Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts) are modified, a signage plan has been submitted showing the location, size, height and illumination of all signs on the zoning lot, and the Commission finds that all such signs and any illumination from or directed upon such signs are located and arranged so as to minimize any negative effects from the arena use on nearby residences, and*
  - 5) where Section 36-62 (Required Off-street Loading Berths) is modified, a loading plan has been submitted that addresses the operational needs of all servicers of the arena and shows the number, location and arrangement of all loading berths on the zoning lot, and the Commission finds that such a loading plan is adequate to address the loading demand generated by the arena use and has received assurances that the arena operator will implement such plan in accordance with its terms*
- (i) Community District #7 in the Borough of the Bronx*

This proposed zoning text amendment applies only to a small geographic area in Bronx Community District #7.

**Special Permit Pursuant to Section 74-41 (b)**

**C 140035 ZSX**

As-of right development of an arena located in a C4-4 District may not accommodate more than 2,500 persons. The applicant is proposing an ice rink facility that would accommodate 5,000 persons, plus an additional 800 persons when the additional eight rinks to be included on site are in use. The rationale for the 5,000 seating capacity includes:

- 1) A review of seating capacity venues across the City of New York indicates a shortage of arenas providing for 5,000 spectators.
- 2) Arenas offering a minimum of 5,000 seats are able to attract events that venues with fewer seats would not be able to realize. Such events may include shows similar to "Disneyworld on Ice," "Ice-capades." Likewise, the Kingsbridge Armory may be sited for use by a pro-hockey farm-team, and/or offer locations for collegiate hockey events.

As a result, a Special Permit pursuant to the new subsection 74-41 (b) of the Zoning Resolution is required for the proposed project. Additionally, the applicant is requesting modifications of the signage and loading berth requirements. Highlights of these modifications include:

- o **Signage**-Sections 32-641 and 32-642, the surface area of all signage cannot exceed the lesser of five times the street frontage or 500 square feet for each frontage. Signs are not permitted to exceed a height of 40 feet above curb level (Section 32-655). Proposed is the installation of signs that exceed these mandates, as signs measuring 1,800 square feet are proposed for the West Kingsbridge Road frontage, 2,100 square feet on Reservoir Avenue, 1,600 square feet on Jerome Avenue, totaling 5,500 square feet of signage. Interior signs and banners would also exceed the maximum height limitation of 40 feet.
- o **Loading Docks**-Current requirements pursuant to Section 36-62 stipulate five loading docks be provided. The applicant proposes three such facilities given that a substantial amount of available square feet on site will be occupied by ice skating rinks, locker rooms a wellness center and mechanical service rooms, all of which do not require routine deliveries of stock, merchandize or supplies warranting the need for five loading docks.

**Disposition of City-owned Property****C 140036 PPX**

The Kingsbridge Armory facility is located at 29 West Kingsbridge Road, (Block 3247, Lot 10 and p/o Lot 2) which is currently owned by the City of New York, and under the jurisdiction of the Department of Citywide Administrative Services (DCAS). Approving this application will facilitate the disposition of this property to the developer of the Kingsbridge Armory (KNIC) pursuant to a 99-year, long-term ground lease between DCAS (on behalf of the City of New York) and the developer (KNIC). As vehicular and pedestrian access will be made available at the Armory's north façade via West 195<sup>th</sup> Street, and that a portion of Lot 2 is not part of the development site and remains under the ownership of the State of New York, an easement or similar agreement will be required from the New York State Division of Naval and Military Affairs.

**Open Space Plaza & Landscaping**

The Borough President joins with the Department of City Planning in asking that the Department of Transportation (DOT) to include significant portion of a mapped street located at the northeast corner of Reservoir Avenue and West Kingsbridge Road, in the DOT's Plaza Program. Benches, trees, shrubs and lawn area and other amenities will define this space for passive relaxation as well as one of several locations for meeting prior to entering the armory building. Similar landscaping treatments are to be included on the Kingsbridge Armory property, most notably on West Kingsbridge Road.

**Truck Deliveries & Media Vehicles**

Truck access will be provided on the western side of the Armory building, (Reservoir Avenue). A 30-foot wide curb cut and driveway will also be provided at this location. However, the trucking dock area will be entirely separated from the parking garage. Trucks up to nine feet in width, 12 feet high and 30 feet in length will be accommodated. Two of the three loading docks will be routinely available, while the third facility will be made available when necessary or in case of an emergency.

Hours of operation are based on a five day week, commencing at 6:00 a.m. and concluding at 5:30 p.m. Hours of operation on Saturday will commence at 9:30 a.m. and conclude at 5:00 p.m. No hours of operation are scheduled for Sundays.

No on-street truck parking or idling will occur.

Media vehicles will be accommodated on the north side of the Armory at an at-grade, drive-in parking area accessible via West 195<sup>th</sup> Street. This area will be prepared to accommodate two media trucks up to 55 feet in length.

### **Renewable Technologies**

Not subject to ULURP, but nonetheless relevant to the applicant's proposed development of the Kingsbridge Armory, is to satisfy a LEED Silver rating. This rating will be achieved through the installation and/or use of:

- Installation of Solar Panels
- Glass to maximize natural interior lighting
- Grey water reclamation systems
- Low-flow plumbing fixtures & lighting control systems
- Heat recovery systems
- Condensing boilers
- Noise remediation systems
- Installation of extensive plantings, (street trees, shrubs)

### **The Surrounding Community**

Existing residential development of the community surrounding the Kingsbridge Armory is typified by five- and six-story residential buildings located to the south, west and east of the site. An R6 zone is located to the west, north and south of the Kingsbridge Armory. East of Jerome Avenue an R8 Zoning District is in place. Active retail activity is found on Kingsbridge Road and on Jerome Avenue. Commercial overlays include C1-3 on Kingsbridge Road. Blocks adjacent to Jerome Avenue offer commercial overlays that include C2-3 and C2-4. A C4-4 District is in place on East Fordham Road at the Grand Concourse. Development north of the armory includes Walton High School and the multi-acre campus of Lehman College.

Subway service via the Lexington Avenue-Jerome Avenue 4 train is available adjacent to the Kingsbridge Armory at the intersection of Kingsbridge Road and Jerome Avenue. Additional subway service via the 6<sup>th</sup> Avenue-Concourse Line is located on the Grand Concourse at East Kingsbridge Road, approximately four blocks east of the Kingsbridge Armory. Bus services also operate on Kingsbridge Road, on Jerome Avenue and on the Grand Concourse.

Access to the Major Deegan Expressway (Interstate 87) is available approximately four blocks west of the Armory.

Beyond the surrounding community, destinations within a two mile radius of the Kingsbridge Armory building include:

- Bronx Community College
- Monroe College
- Fordham University
- Bronx High School of Science
- Dewitt Clinton High School
- Roosevelt High School

- Fordham Road Business Improvement District
- Roberto Clemente State Park

#### **Associated Actions**

Pursuant to the applicant's proposal to include a wellness center (health club) in the proposed Armory, an application to the New York City Board of Standards and Appeals is necessary. The calendar number is **223-13-BZ**.

#### **ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION**

The applications submitted pursuant to the Kingsbridge Armory proposal were reviewed pursuant to SEQR and CEQR and received a Positive Declaration, requiring an Environmental Impact Statement. These applications were certified as complete by the City Planning Commission on July 22, 2013.

#### **COMMUNITY BOARD PUBLIC HEARING**

These applications were reviewed by Bronx Community Board #7 at a public hearing called on September 17, 2013. A vote recommending approval of these applications was rendered at the hearing by a tally of 20 in favor, five opposed, and zero abstaining.

#### **BRONX BOROUGH PRESIDENT'S PUBLIC HEARING**

A public hearing was convened by the Bronx Borough President on September 20, 2013. The applicant spoke in favor of approving all relevant applications. A total of 53 members of the public were present. Of those in attendance 25 offered testimony, and that testimony was unanimous in favor of the applications. There being no further speakers present the hearing was closed.

#### **BOROUGH PRESIDENT'S RECOMMENDATION**

It is said that good things happen to those who wait. The people of the Bronx have waited 30 years for a good thing to happen at the Kingsbridge Armory. I am therefore thrilled to announce that our collective wait is over and that something absolutely grand is now being proposed for this very iconic building and historic site.

#### **A Historic Project for a Historic Site**

Key to the anticipated success of this entire project is that it represents the culmination of a comprehensive participatory process that included all those who have an interest in the future of the Kingsbridge Armory. These parties include representatives of the surrounding community, the borough's elected officials, the Mayor's Office and the Economic Development Corporation of the City of New York, as well as those associated with Kingsbridge National Ice Center's development team (KNIC). As a consequence, I have no hesitation in stating that what will be constructed in the Kingsbridge Armory will be of great benefit to the Bronx, financially

successful, offer living wage employment, and will provide local businesses with contractual opportunities while offering a venue for educational and professional ice sports related recreational events heretofore not possible in our great city.

For nearly two generations, this noble building has remained dormant. Indeed, since the 1980's it could be argued that the Kingsbridge Armory has been more of a liability than an asset. You might say this gargantuan historic structure, a tribute to our military during the first half of the 20<sup>th</sup> century, has been MIA (missing in action) for the past 30 years. Now, this is about to change.

Some may argue against devoting this entire complex to ice related sporting activities. However, I am convinced that because no comparable venue is to be found anywhere, the demand for this facility will be so great as to require the full compliment of the nine rinks now envisioned.

I am also certain that, as increasing numbers of our young people are offered the chance to learn and participate in supervised ice related activities, such participation will spark their interest and serve to broaden the spectrum of career options they may consider in the future. This observation is based on my visit to Philadelphia where I was introduced to Ed Snider's Youth Hockey Program. Here, over 2,500 at-risk youngsters, ages, 5-19 are taught life-lessons utilizing the sport of hockey as the primary means of instruction.

### **Money Well Invested**

Prior to the proposal now under consideration, numerous proposals for the Kingsbridge Armory were presented. While all well intended, each recommendation failed to gain the necessary support from the surrounding community or was unable to satisfy the required funding for implementation. Today's proposal is a bold step beyond this history. Here are some supporting figures:

- \$275-\$320 Million to restore, renovate and create the ice rinks and associated facilities which entails the reconstruction of the entire drill floor
- 170 full time equivalent permanent positions at the Armory
- 885 construction related jobs on site, plus a total of 2,700 off-site jobs created because of this project's development
- The minimum wage paid will be a living wage; \$11.75 per hour without benefits, \$10.00 per hour with benefits.
- The monetary benefit the City of New York will realize will approximate \$370 Million as a consequence of all the additional construction related jobs created

- It is anticipated that once this facility is operating, its function will create 380 permanent jobs in both the neighboring community and across Bronx County.
- The operations associated with the Kingsbridge National Ice Center facility will generate new economic activity approximating \$42 million annually across the Bronx.
- Due to the fact that this facility will be only one of its kind in New York City, it is estimated that the Kingsbridge National Ice Center will generate \$88 Million for the city economy annually.
- The Kingsbridge National Ice Center will attract 580,000 annual visits to the facility from across the region and 130,000 new visitors annually to New York City for special events held at the Armory.
- The Kingsbridge National Ice Center will generate \$46 Million in new spending by first time visitors annually.

#### **A Benchmark Benefit for the Community**

My enthusiasm for the KNIC proposal and what it will offer the Bronx and our city is only surpassed by my support for the Community Benefit Agreement that has been rendered. This agreement is historic, as it sets to paper benefits that I believe establish a gold standard for all future projects that rely on the disposition and use of public sector assets. Key components of this agreement include:

- KNIC (the developer) shall pay all of its employees, be they full time, part time, temporary or regular, a living wage. The minimum hourly rate this wage represents is \$11.75 with no health or benefits provided, or \$10.00 with health benefits included.
- The developer will identify and train qualified employees from the Bronx, giving priority to local residents (Bronx Community District #7).
- The developer agrees to make all diligent efforts to establish a sports management curriculum and program partner with local colleges (Lehman College, Bronx Community College, Monroe College).
- During construction employers will make all diligent efforts to employ at least 25 percent of its workers from the Bronx.
- When in operation, the Ice Center will employ 51 percent of its employees from the Bronx.

- Employers also shall award 25 percent of the funds spent on employees performing construction, to M/WBE businesses located in The Bronx.
- KNIC shall make efforts with local businesses to supply healthy food options and discourage the sale of sugary drinks, fried foods and highly processed foods.
- The developer will achieve a LEED-Silver for major renovation of the Armory building.
- The developer shall prohibit alcohol and tobacco sponsorships and advertisements.

**Beyond these points, KNIC also has pledged to provide an initial contribution of \$8 Million for:**

- Developing and building out 50,000 square feet of community space for an annual rent of \$1.00 for the duration of the 99-year lease.
- \$1 million worth of ice time will be provided annually to local schools and community organizations.
- Creating an annual \$10,000 renewable energy scholarship for residents of the Northwest Bronx for the purpose of learning and being licensed to operate the geothermal and/or solar power systems.
- Providing \$250,000 for capital improvements of properties of local businesses.

#### **Priority Access to the Project and the Ice Rinks**

- The Developer has agreed to offer an after-school skating and tutoring program.
- The Developer shall provide Bronx public school students and their families priority access. Priority will be given to Bronx Title 1 schools, and not-for-profit, 501(c)(3) tax exempt after-school programs. First priority shall be given to such programs located in the Bronx at discounted rates, if any, the cost of which shall be deducted from the annual run-rate contribution to one or more ice rinks during peak weekday time and off-peak weekday time.

#### **Revenue Sharing**

Pursuant to the Community Benefits Agreement and the revenue sharing formula as put forth in the agreement, KNIC is agreeing to the following:

- One percent of profit realized up to \$25 million
- Two percent of profit realized for more than \$25 million

#### **A Green Development**

My administration is committed to projects that respect the surrounding community and our shared environment. To this end I am therefore very pleased to acknowledge that the applicant is

committed to achieving a LEED-Silver designation for the development of the Kingsbridge Armory.

I am also satisfied that because this project offers direct access to both subway and bus transportation, this fact minimizes the potential of traffic congestion. The availability of on-site parking, coupled with a well designed off-street lot for truck and media vehicles, diminishes the likelihood of persistent congestion on the neighborhood's street network.

With further regard to vehicular traffic, it remains my conviction that unlike retail centers that attract people with cars in order that they may more easily purchase large quantities of merchandise, those bound for a sport event at the proposed ice center would be more inclined to rely on mass transit. Our experience with this issue at the new Yankee Stadium confirms that people may in fact prefer the mass transit option. Indeed, since the recent opening of Metro North Railroad's Yankee-153<sup>rd</sup> Street station, an average of 5,000 people take advantage of the railroad option whenever a game is being played. At the same time, garages that serve the stadium are operating at 31 percent of capacity, leaving approximately 6,000 spaces vacant.

Reviewing traffic figures associated with the previous retail proposal for the Armory showed that during peak hours a retail use would generate twice the vehicular trips than those anticipated by the KNIC project; 1,400 vehicular trips, vs. 700 vehicular trips. On Saturdays, the retail use would prompt 1,307 vehicular trips, as compared with the ice center hosting a major event, the vehicular trip number is 860. As to the observation that a sport event discharges fans within a specific amount of time thereby prompting traffic congestion, again, with appropriate congestion management and if necessary the use of traffic control agents, I am certain any congestion would be minimal and short in duration.

Similarly, retail centers require voluminous truck deliveries. Conversely, vehicular traffic prompted by the KNIC proposal is characterized by automobiles. Deliveries of supportive goods to the ice center will be manageable and can be scheduled to reflect the traffic patterns and associated demands on the local street network. Simply stated, any productive use of the Armory will prompt an increase in vehicular and pedestrian activity. Therefore, I would propose we continue to explore ways by which such activity can be best managed, as for example extending existing bus routes to the Armory.

#### **Suggestions for Consideration**

Given the extensive research and community consultations made by KNIC, I have only three proposals for consideration:

- 1) KNIC reach out to bus-service providers such as New York City Transit and Westchester County's BEE Line to explore the possibility of offering transportation to the Kingsbridge Armory or including a specific stop as part of an existing route.
- 2) Lighting specifically designed to highlight the exterior of the Kingsbridge Armory be included so as to enhance the building's unique architecture.

3) We encourage the Department of Transportation to work with KNIC to enroll a portion of a mapped street located at the northeast corner of the intersection of Reservoir Avenue at West Kingsbridge Road in the agency's Public Plaza Program.

### Summary

Consider the following facts:

- The residential demographic of the Kingsbridge community shows it to be one of the city's youngest (27 percent are below the age of 18 in Bronx CD #7).
- Within a two-mile radius six institutions for high school and/or college age students are in place and lack any ice related sport facilities.
- This use poses no competition for any existing business in Bronx County.
- This proposal is consistent with sustainable goals due to its proximity to subway, railroad and bus operations.
- Expanding the availability of active recreational activities for Bronx residents will serve to mitigate high rates of obesity and related illnesses.
- The applicant has committed to the community an unprecedented series of benefits that no other potential developer was willing to offer, most importantly a living wage for all employees.

To be sure, my administration is very proud of what this entire proposal represents; a project that broadens the profile of the Bronx as a place where new ideas can become reality, where new approaches can bring about better results, and where everyone wins. The importance of what I am suggesting here must not be under appreciated. I therefore enthusiastically recommend approval of these applications, and by so doing endorse the development of the Kingsbridge Armory by the Kingsbridge National Ice Center (KNIC) consortium.