



IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS), Division of Real Estate Services, pursuant to Section 197-c of New York City Charter, for the disposition of five city-owned properties located on Block 2356, Lots 2 and 72; Block 2539, Lots 1 and a p/o lots 2 and 3 and the demapped portion of the former East 150th Street between Exterior Street and the pierhead and bulkhead line, pursuant to zoning, Borough of the Bronx, Community District 4.

This application (C 170314 PPX) for the disposition of City-owned property was filed by the Department of Citywide Administrative Services (DCAS) on March 15, 2017, in conjunction with several related actions. The proposed actions would facilitate a mixed-use development anticipated to include affordable housing, ground-floor retail space, office space, community facility space, and publicly accessible open space along the Harlem River waterfront in Bronx Community District 4.

RELATED ACTIONS

In addition to the disposition of City-owned property that is the subject of this report (C 170314 PPX), implementation of the proposed development also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

C 170311 ZMX	Zoning map amendment to change an M2-1 district to an R7-2/C2-5 district and establish a Special Harlem River Waterfront subdistrict
N 170312 ZRX	Zoning text amendment to modify use, bulk, parking, streetscape, open space, and waterfront access regulations and to designate a Mandatory Inclusionary Housing (MIH) area
C 170315 ZSR	Special permit to reduce parking requirements

BACKGROUND

The applicants, New York City Economic Development Corporation (NYC EDC) and DCAS, propose a zoning map amendment, a zoning text amendment, disposition and special permit to facilitate a mixed-use development anticipated to include affordable housing, ground-floor retail space, office space, community facility space, and publicly accessible open space along the Harlem River waterfront (Block 2356, Lots 2 and 72; Block 2539, Lot 1, and portions of Lots 2 and 3).

In 2009, the Lower Concourse Rezoning (C 090303 ZMX) mapped 30 blocks of the South Bronx with new residential and mixed-use districts. The rezoning created new mixed-use and special use districts, mapped a new Inclusionary Housing area and new waterfront parkland, established the Special Harlem River Waterfront District (HRW) and the Harlem River Waterfront Access Plan, and instituted related actions in order to encourage new investment opportunities and open space. The goals of the HRW are to ensure that development maintains a human scale, guarantee a variety of building types, create a varied skyline, maximize waterfront views, facilitate a strong streetscape, ensure a range of uses on the waterfront, and encourage people to use waterfront open spaces.

In 2015, the Mayor of New York, as part of his State of the City address, committed \$194 million in capital investment to the Lower Concourse neighborhood to capitalize on the area's assets and strengthen the existing infrastructure in order to create jobs and support the development of affordable housing. Specifically, the City is committed to upgrading neighborhood infrastructure and improving high-traffic streets to make intersections and sidewalks safer and more accessible, expanding existing parks and creating new waterfront open spaces along the Harlem River, building affordable housing on City-owned land, creating jobs in the existing industrial areas, and providing new opportunities for permanent employment.

The Lower Concourse North site is located in Bronx Community District 4. The surrounding area is generally characterized by under-utilized manufacturing and industrial uses and several large

institutions. The project area is three blocks from the 2, 4, and 5 subway lines at 149th Street and Grand Concourse and accessible to the 3 line across the 145th Street Bridge at Malcolm X Boulevard in Manhattan. Major bus routes include the Bx13 and Bx19. The Major Deegan Expressway, which is adjacent to the project area, provides access to the regional interstate highway system. East 149th Street south of the project area is a significant east-west corridor that provides access to Hostos Community College, Lincoln Hospital, the Bronx Hub commercial district and express subway and bus service. To the northeast of the project area, across Exterior Street, is the Bronx Terminal Market shopping center with more than one million square feet of retail space. It contains over 2,300 parking spaces. Immediately north of the project area is Mill Pond Park, a 10-acre waterfront open space that opened in 2009.

Commercial buildings to the northeast of the project area at Bronx Terminal Market generally rise to a height of 100 feet. Across River Avenue to the east of Bronx Terminal Market, industrial buildings such as American Self Storage are lower, ranging from 25 to 35 feet. Residential buildings along Walton Avenue north of 149th Street are generally three-story rowhouses rising up to 46 feet. New residential and hotel construction currently planned to the south of the project area within the HRW will consist of 10- to 13-story towers.

The project area is a large, vacant, irregularly-shaped, approximately five-acre waterfront site and is generally bounded by coterminous pierhead/bulkhead lines to the west, East 149th Street to the south, Exterior Street and the elevated Major Deegan Expressway to the east, and Mill Pond Park to the north. Exterior Street measures 60 feet wide and East 149th Street is a narrow 22-foot-wide street adjacent to the 145th Street Bridge entrance. There is a permanent aerial easement of the Major Deegan Expressway on the eastern portion of the project area. Additionally, there is a relieving platform on the waterfront, along with some minor vegetation and revetment along the remainder of the shoreline. There is also a permanent railroad easement within the Harlem River for the Full Freight Access CSX rail line adjacent to the site. The project area is currently located within an M2-1 manufacturing district, which allows a maximum floor area ratio (FAR) of 2.0

exclusively for manufacturing and commercial uses. Residential uses are not permitted. A small portion of the project area that is mapped with a C4-4 district, will not be rezoned.

To facilitate the development of the project area as well as further understand the market for the site, NYC EDC issued Request for Expression of Interest (“RFEI”) in July 2016 for a developer or developers to provide proposals for the future development of the project area.

The proposed actions will set parameters for the project area within which a specific development will be achieved through the designation of a developer(s) in the RFEI/RFP process. NYC EDC will select a developer(s) to execute the project, pursuant to the ULURP approvals. The project would be designated an MIH area. Options 1 and 2 would be selected.

The specific development would comply with one of the MIH options to achieve the affordable housing goals of the project. It is hoped that the proposed actions would help facilitate the development of mixed-use towers that contain up to 1045 housing units, up to 500 of which could be affordable. A single tower in location A would be permitted and could have a maximum height of 400 feet and must be located within 100 feet of the property line along East 149th Street. Towers in location B could have a maximum height of 260 feet. The rezoning to an R7-2 district with a C2-5 overlay would allow for a fully mixed-use development that includes residential, commercial, and community facility uses. A shore public walkway would be required, with required width of at least 40 feet. It would also be required to provide landscaping, seating and lighting amenities to be controlled by a future Chair’s waterfront certification. It is contemplated that the development would include community facilities, retail, commercial and residential uses. The base of the building would be limited to 85 feet in height before setting back to the aforementioned permitted towers. Along the shore public walkway, a minimum of the 20 percent of the base could be no higher than 65 feet to allow more light and air on the waterfront.

Residential parking requirements would be waived through a special permit from the City Planning Commission pursuant to ZR Section 74-533 (reduction of parking spaces to facilitate

affordable housing). According to the applicant, the reduction of required residential off-street parking spaces would allow the project to meet the goals of maximizing on-site affordable housing while facilitating the financial feasibility of the construction of the affordable housing. Commercial and community facility parking would not be required under the proposed C2-5 overlay.

A number of land use actions, as described below, are needed to facilitate this development.

Zoning Map Amendment (C 170311 ZMX)

The proposed zoning map amendment would change the zoning on the Lower Concourse North project area from an M2-1 manufacturing district to an R7-2 residential district with a C2-5 commercial overlay. The zoning map amendment would also establish the HRW North Subdistrict in the project area. The underlying R7-2/C2-5 zoning controls would be modified by the HRW North Subdistrict by allowing a maximum FAR of 4.6. The R7-2 district with a C2-5 overlay would permit Use Groups 1-9 and 14. The new HRW North Subdistrict, like the existing HRW, would provide bulk controls as described below, require a shore public walkway as part of a Waterfront Access Plan particular to this project area. Thus, the maximum allowable zoning floor area available at the Lower Concourse North project area would be approximately 1,085,250 square feet, based on a zoning lot area of approximately 235,924 square feet. The underlying and waterfront regulations would apply, except as amended by the Special Harlem River Waterfront North Subdistrict.

Zoning Text Amendment (C 170312 ZMX)

The zoning text amendment would establish the North Subdistrict within the HRW. It would modify waterfront zoning to encourage a site plan that takes into account the site constraints and minimizes the impact of the development on the nearby publicly accessible sites. The extension of the Waterfront Access Plan from the existing HRW would ensure that the waterfront remains publicly accessible. Proposed modifications to the Waterfront Access Plan would include a

minimum 40-foot Shore Public Walkway (SPW), the exact location of which would be contingent on on-site shoreline improvements.

The zoning text amendment would create special use regulations to modify the underlying commercial use location restrictions for C2 districts to allow commercial uses to be located anywhere in a building as long as they are not directly above a residential use.

The zoning text amendment creates special bulk regulations that would modify the underlying bulk regulations of the non-contextual R7 zoning district, through the new HRW provisions. An 85-foot maximum base height along the SPW would be required. However, a maximum base height of 65 feet for 20 percent of that frontage would also be required. An 85-foot maximum base height would be required elsewhere. The text amendment would also reduce the underlying initial setback requirement along the SPW from 30 feet to 15 feet.

The text amendment would allow towers on the site in two locations: Location A and Location B. There could be only one tower in Location A, at a maximum height of 400 feet with a maximum floor plate of 10,000 square feet. It must be located within 100 feet of the property line along East 149th Street. Tower top articulation rules would apply after 260 feet. Towers in location B would be permitted to rise to a maximum height of 260 feet with a maximum floor plate of 10,000 square feet. Towers in Location B could be located anywhere on the site not closer than 60 feet to Tower A. Tower top articulation rules would apply after 200 feet. Additionally, the aggregate width of towers facing the shoreline and that are within 100 feet of the SPW could not exceed 185 feet in width. The aggregate width of street walls of towers facing the northernmost visual corridor could not exceed 150 feet.

The text amendment would also extend the HRW Waterfront Access Plan BX-1. The extension of the Waterfront Access Plan would ensure that the waterfront remains publicly accessible. The Waterfront Access Plan would require upland connections between the public right-of-way and the SPW. As there is not yet a development plan for the project, the design for the proposed

waterfront open space has not been completed. The modifications to the Waterfront Access Plan would include a minimum 40-foot SPW, the exact location of which would be contingent on on-site shoreline improvements. The northern portion of the site would be used to fulfill the supplemental public access area and contribute toward the 20 percent waterfront public access requirement, allowing users to easily move from Mill Pond Park to the new publicly accessible open space. A visual corridor and upland connection will be required along the former East 150th Street.

The text amendment would also create special parking and streetscape regulations. Parking would be wrapped by floor area for locations along designated retail streets. Elsewhere, parking must be wrapped or screened. A minimum of 30 percent of the street wall would require active frontage where the streetwall is 50 feet or greater in length. Minimum transparency along active frontage would be 50 percent. Where permitted, all parking and service areas would be required to be screened, except for entrance areas not wider than 40 feet.

Finally, the text amendment establishes would the project area as an MIH area. The MIH area would be coterminous with the SHRWD North Subdistrict. These units would be permanently protected as affordable. Options 1 and 2 would be selected. Option 1 requires that 25 percent of residential floor area must be for affordable housing units for residents with household incomes averaging 60 percent Area Median Income (AMI), with a minimum of 10 percent of housing to be affordable for households at 40 percent AMI. Option 2 requires that 30 percent of residential floor area must be for affordable housing units for residents with household incomes averaging 80 percent AMI.

Special Permit (ZR Section 74-533) (C 170313 ZSX)

A special permit from the CPC pursuant to ZR Section 74-533 (reduction of parking spaces to facilitate affordable housing) would waive the required off-street residential accessory parking. The CPC may permit a waiver of, or a reduction in, the number of required accessory off-street

parking spaces for dwelling units in a development with at least 20 percent of all dwelling units reserved as affordable housing in a transit zone, provided that the waiver or reduction: (1) would facilitate such development; (2) would not cause traffic congestion; and (3) would not have undue adverse effects on residents, business or community facilities in the surrounding area, as applicable, including the availability of parking spaces for such uses.

The project area is located in a transit zone. According to the applicant, the waiver would ensure the financial feasibility of the proposed project without causing traffic congestion or affecting the availability of parking in the area. The proposed special permit to reduce the parking requirements for units affordable to households above 80 percent of AMI is intended to maximize affordable housing. The Final Environmental Impact Statement (FEIS) assumed a program of up to 1045 units, of which 50 percent were assumed to be above 80 percent of AMI. With an existing requirement that 50 percent of such units require parking, the special permit would waive 262 residential off-street parking spaces. The applicant also states that the high water level would make underground parking prohibitively expensive and negatively impact the proposed development program.

The surrounding area contains existing parking structures and available on-street parking options. The applicant's survey of nearby parking inventory identified the parking facility located across the street from the Lower Concourse North site (BTM Parking Garage) as having capacity. It has a capacity of 2,332 parking spaces and according to the survey is approximately 16 percent occupied during the weekday AM peak period, 40 percent occupied during the weekday midday peak period, 46 percent occupied during the weekday PM peak period, and 47 percent occupied during the Saturday peak period.

Disposition of City-Owned Property (C 170314 PPX)

DCAS is seeking disposition approval for the project area. Once disposition is approved, DCAS anticipates disposing of the property to the New York City Land Development Corporation, which

will dispose of the property to NYC EDC for subsequent disposition to the future developer or developers. NYC EDC intends to dispose of the project area by sale or ground lease by the City of New York for private development. It is expected that the open space would be designed and constructed by the City of New York and maintained by the future developer or the City's Department of Parks and Recreation (DPR), and that the City would continue to retain ownership of the waterfront open space.

ENVIRONMENTAL REVIEW

This application (C 170314 PPX), in conjunction with the applications for the related actions (N 170312 ZRX), (C 170315 ZSX), and (C 170311 ZMX) was 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 designated CEQR number is 16DME012X. The lead is the Office of the Deputy Mayor for Housing and Economic Development.

It was determined that the proposed actions may have a significant effect on the environment, and that an environmental impact statement would be required. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on November 3, 2016. A public scoping meeting was held on December 7, 2016, and the Final Scope of Work was issued on March 15, 2017.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on March 16, 2017. Following the publication of the DGEIS, a calculation error of the width increment threshold (WIT) for the subway station analysis was discovered. Accordingly, on June 9, 2017, a Technical Memorandum (TM001) was issued to consider whether the calculation error would result in any new or different significant adverse environmental impacts that were not already identified in the DGEIS.

Pursuant to the SEQRA regulations and the CEQR procedures, a joint public hearing was held on the DEIS and TM001 on Wednesday, July 12, 2017, in conjunction with the public hearing on the application (C 170314 PPX) and the applications for the related actions (N 170312 ZRX), (C 170315 ZSX), and (C 170311 ZMX).

An FEIS reflecting the comments made during the public hearing was completed, and a Notice of Completion of the FEIS was issued on August 11, 2017.

Significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designations (E-418) mapped as part of the proposed project as specified in Exhibit A attached hereto.

The Proposed Action as analyzed in the FEIS identified significant adverse impacts with respect to transportation (traffic and transit) and community facilities (schools).

The identified significant adverse impacts and proposed mitigation measures under the Proposed Action are summarized in Exhibit A attached hereto.

UNIFORM LAND USE REVIEW

This application (C 170314 PPX), and the applications for the related actions (C 170315 ZSX and C 170311 ZMX), was certified as complete by the Department of City Planning on March 20, 2017 and was duly referred to Bronx Community Board 4 and the Bronx Borough President in accordance with Title 62 of the rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 170312 ZRX), which was referred for information and review in accordance with the procedures for non-ULURP actions.

Community Board Public Hearing

Bronx Community Board 4 held a public hearing on this application (C 170314 PPX) on May 30, 2017, and on that date, by a vote of 19 in favor, seven opposed, and with five abstentions, recommended approval of the application with conditions.

The conditions included a desire for 100 percent affordability with an affordability range between 30 percent to 120 percent of AMI, that the tower heights should be limited to 300 feet, and that the City should fund community-based organizations to provide training for local residents and engage with developers to establish job preferences for CB 4 residents.

The Board also recommended that the future developer be responsible for maintaining all of Mill Pond Park, the extension and the shore public walkway, and that safe access to the river be provided for boating, canoeing and ecology. They stated that the development should include a comfort station as part of the expansion of Mill Pond Park. They recommended extensive public engagement for any plans to redevelop surrounding City-owned lots, that the developer reduce the number of units or fully mitigate school impacts, that all mitigation measures be presented in full detail to the community prior to construction, that parking spaces should be allocated at lower rates for CB 4 residents at local parking garages, and that the City work with the Metropolitan Transportation Authority (MTA) to create affordable options for mass transit for families and individuals.

The Board asked that the City allocate 10 percent of the \$200 million earmarked for infrastructure to fund the construction of the 153rd Street Bridge. The Board also requested that a community or youth center be located in the project area, and that an assessment of the health centers in the area be done to determine if capacity is sufficient after the increase in population. Finally, the Board stated that there should be community engagement by the City throughout the entire implementation process by a newly established Lower Concourse North Steering Committee.

Borough President Recommendation

This application (C 170314 PPX) was considered by the Bronx Borough President, who issued a recommendation approving the application with conditions on June 29, 2017. The conditions included that a minimum of three acres be dedicated for open space, that open space along the waterfront should exceed the 40-foot minimum width, that retail transparency should exceed 50 percent, that there be more tower setbacks on the taller tower and that the design should pay

homage to the existing character of the area, specifically Art Deco elements. The Borough President also recommended that the affordability range from 30 percent to 130 percent of AMI, that 40 percent of units should be constructed as two- and three-bedroom apartments, and that unit size should be no less than 600 square feet. The Borough President also recommended that retail in the development appeal to families within the development and the surrounding area, and that any community facility use should celebrate Bronx culture and be inviting for night-time use. The Borough President also recommended that DOT and NYC EDC create a comprehensive lighting plan, with design consideration to areas facing and under the Major Deegan, and that there be a comprehensive redesign and construction of surrounding streets. Finally, the Borough President recommended that public access must be constructed according to the HRW access plan and that it include street trees and street furniture in final design.

City Planning Commission Public Hearing

On June 21, 2017 (Calendar No. 8), the City Planning Commission scheduled July 12, 2017 for a public hearing on this application (C 170314 PPX) and the applications for the related actions. The hearing was duly held on July 12, 2017 (Calendar No. 25). There were a total of nine speakers at the hearing, six in favor of the application and three in opposition.

A representative of NYC EDC spoke in favor of the project by recognizing it as a new large scale investment in the area. She stated that the project is a critical part of the Lower Concourse improvement strategy, which includes new mixed income housing, new parkland and open space, and rebuilding streets and other critical infrastructure.

A representative of DPR also spoke in favor of the project. She stated that the department is committed to expanding parks in the Lower Concourse area, as well as creating seamless connections between the project's open space and Mill Pond Park to the north. She also stated that while this site was assigned to DPR, it was never mapped or established as parkland.

A spokesperson for Community Board 4 also spoke in favor of the project. He noted the AMI and restated the Board's recommendation that a broad range of affordable options be included in the

project. The spokesperson also reiterated the Board's recommendations that the developer be responsible for the open space and Mill Pond Park, and that there be future community engagement by the City throughout the entire implementation process by a newly established Lower Concourse North Steering Committee.

A spokesperson for a local employment non-profit spoke in favor of the application. He spoke about the effectiveness of his organization and how the addition of jobs from the commercial uses from this project would be a great benefit to the community. A spokesperson for a non-profit business improvement area spoke in favor of the application. He stated that the project would create new open space and affordable housing, and described how the addition of jobs from the project would be helpful to the community. A representative for a local development company also spoke in favor of the application. His firm and others have identified the Bronx as an emerging market, and he said that this development would be significant catalyst.

A member of the community spoke against the application. He spoke about the 25-year effort to create accessibility to the Harlem River Waterfront. He said that the open space being provided can happen without the rest of the development and that there was no access to the river anywhere in the proposed development.

A representative of an environmental non-profit spoke against the application. She stated that this project would go against the plans to make this area parkland. She said the housing being proposed at the site is not in balance with the amount of open space being proposed with the development. Another representative from the environmental non-profit spoke against the application. He said the area had been promised as parkland.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 170314 PPX), in conjunction with the applications for the related actions, was reviewed by the Department of City Planning for consistency with the policies of the New

York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.) The designated WRP number is WRP# 16-094.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this application for a disposition of City-owned property (C 170314 PPX), in conjunction with the related applications for a zoning map amendment (C 170311 ZMX), zoning text amendment (N 170312 ZRX) and special permit (C 170315 ZSX), is appropriate. Collectively, the requested actions would facilitate the development of a mixed-use development that is anticipated to include up to 1045 units of affordable housing, retail space, office space, community facility space, and publicly accessible open space along the Harlem River waterfront in Bronx Community District 4.

Proposed Disposition of City-Owned Property

The Commission believes that the proposed disposition of City-owned property is appropriate. The Commission believes that the disposition of underutilized City-owned land will be part of a citywide effort to create the capacity to build new affordable housing for a mix of incomes which is crucial in addressing the pressing demand for more accessible housing opportunities. The Commission also recognizes that the disposition will help meet the City's need for publicly accessible open space. The Commission notes that the entirety of site was never promised as city parkland. The area proposed for disposition is bounded by Mill Pond Park to the north, Exterior Street and the elevated Major Deegan Expressway to the east, East 149th Street to the south, and the pierhead and bulkhead line to the west.

Zoning Map Amendment

The Commission believes that the proposed zoning map amendment is appropriate. The zoning map amendment would rezone the development area to an R7-2 residential district with a C2-5 commercial overlay. Under the existing M1-1 manufacturing district, the site has been vacant for many years. It is unlikely that manufacturing uses will locate in the Harlem River waterfront in the future, and the site will continue to lie fallow. The zoning map amendment would also establish the HRW in the project area. The underlying R7-2/C2-5 zoning controls would be modified by the HRW North Subdistrict by allowing a maximum FAR of 4.6. The R7-2 district with a C2-5 overlay would permit commercial, community facility, and residential uses, while the new HRW North Subdistrict would be consistent with the current zoning within the remainder of the HRW district. The Commission notes the zoning map amendment is being coordinated with a zoning text change to create an extension of HRW that would enact bulk controls on the site consistent with those elsewhere in the special district. The establishment of the HRW in the project area would require future development to comply with the HRW waterfront access plan.

Zoning Text Amendment

The Commission believes that the requested zoning text amendment is appropriate. It complements the related requested actions and ensures that the proposed project would expand and provide additional affordable housing and publicly accessible open space. The Commission believes that the proposed MIH area is appropriately balanced and facilitates housing for low-, moderate- and middle-income households in order to support economic diversity in the area. The Commission believes that the establishment of a HRW subdistrict in this area would encourage a site plan that takes into account the site constraints and minimizes the impact of the development on the nearby publicly accessible sites. The Commission understands that the extension of the WAP from the existing HRW would ensure that the waterfront remains publicly accessible for all residents and visitors to the neighborhood, as well as provide design controls for the waterfront that include an SPW with urban design requirements, controls on tower height, controls on the location of towers, required active frontage, glazing and parking screening. The

Commission notes that the maximum permitted base and building heights would be adjusted by the proposed Special District to help blend new development into the existing neighborhood's fabric and the existing HWR district's permitted envelopes, while unlocking the development potential of the project area.

Zoning Special Permit

The Commission believes that the requested zoning special permit pursuant to ZR Section 74-533 (reduction of parking spaces to facilitate affordable housing) is appropriate. The special permit would waive the required off-street residential accessory parking, which the Commission believes would maximize affordable housing on the project area. The Commission notes that the project area is located in a transit zone, and many mass transit options are available. The Commission believes that the waiver would ensure the financial feasibility of the project without causing traffic congestion or affecting the availability of parking in the area. The FEIS assumed a program of up to 1045 units, of which 50 percent were assumed to be affordable to households above 80 percent of AMI. With an existing requirement that 50 percent of such units require parking, the special permit would waive 262 residential off-street parking spaces. The Commission also notes that the high water level would make underground parking prohibitively expensive and therefore negatively affect the proposed development program. The Commission also recognizes that the surrounding area contains existing parking structures and available on-street parking options. A facility is located across the street from the Lower Concourse North project area (BTM Parking Garage), which has a capacity of 2,332 parking spaces and is approximately 16 percent occupied during the weekday AM peak period, 40 percent occupied during the weekday midday peak period, 46 percent occupied during the weekday PM peak period, and 47 percent occupied during the Saturday peak period.

The Commission acknowledges the recommendations of Community Board 4 and the Borough President, and the testimony from the Commission's public hearing. The Commission recognizes the Board's recommendations for broadening local participation and maximizing employment opportunities and hiring thresholds for area residents. The Commission notes that the President

of the NYC EDC wrote a letter to the Board dated May 23rd, 2017 that committed the NYC EDC to forming a working group that would meet regularly with the Board and the community to address questions about the implementation of the project. The NYC EDC stated in the letter an intent to maximize affordable housing on the site by continuing the conversation about affordability ranges. The NYC EDC also committed to include very-low, low middle, and moderate income units. The Board also recommended that tower heights be limited to 300 feet. The existing HRW district also allows 400-foot tower heights, but the proposed actions would limit the location of the 400-foot tower is adjacent to the 149th Street Bridge and away from the public open space. The Commission notes that the additional height would be in context with the permitted heights of the adjacent HRW district. The action would also facilitate affordable housing production and that on the remainder of the site, towers would be limited to 260 feet with significant restrictions on the location and width of towers that could face Mill Pond Park and the SPW. Finally, the Commission notes that the height limit of buildings on the site would be 85 feet when no towers are contemplated. The Board also recommended that no school impacts be unmitigated. The Commission understands that the FEIS calls for full mitigation of school impacts. The New York City Department of Education (DOE) will closely monitor enrollment in Community School District (CSD) 7, Sub-district 3, taking into account enrollment projections for the district, which are updated annually, as well as an annual assessment of new residential construction in the district. If the DOE identifies need for additional capacity, the DOE will evaluate the appropriate timing and mix of measures to address increased school enrollment.

The Commission acknowledges the Borough President's recommendation that DOT and the NYC EDC create a comprehensive lighting plan, with design consideration given to areas facing and under the Major Deegan, that there be a comprehensive redesign and construction of surrounding streets, and that public access be constructed according to the HRW access plan and that it include street trees and street furniture in final design. The Commission notes that the Mayor has committed \$194 million to infrastructure improvements in the Lower Concourse area, including reconstruction of streets and other infrastructure. The Commission also notes that any

development in the newly established HRW North subdistrict would be subject to the Waterfront Access Plan and would have to be built according to the design regulations of the district thorough the existing CPC Chair's Waterfront Certification.

The Community Board also made additional recommendations. While many of these issues are outside the scope of the requested actions, the Commission urges the NYC EDC to continue meeting with the Community Board, the Borough President and local elected officials to address these concerns to the greatest extent practicable. The Commission notes that at the public hearing, the NYC EDC testified that as part of the post-ULURP process it will continue to engage with the community.

The Commission acknowledges the testimony regarding the need for new and improved open space in the area. The Commission notes that this project would provide 2.5 acres of publicly accessible open space. This would include a 40-foot public waterfront walkway, and a large supplemental area that transitions seamlessly into Mill Pond Park. The Commission also notes that the City is purchasing property for a new mapped park several blocks south of the project area as part of the existing HRW plan. The Commission also notes that the President of the NYC EDC in the letter dated May 23rd 2017 to the Board committed to hosting a public design process for the project's open spaces.

Because a developer and project were not chosen prior to ULURP, the Commission is concerned about the lack of the opportunity it is typically afforded during review of such dispositions to engage the selected developer and propose changes to the design or development program of the project, especially since the proposed site's location adjacent to the Harlem River and transportation infrastructure makes its design a particularly sensitive concern.

Accordingly, the Commission believes that it is appropriate to establish a mechanism to ensure that its expressed concerns are addressed regarding the project's proposed design, primarily with respect to the massing of the development, relationship of the on-site open space to Mill Pond

Park, and the specific locations of required non-residential ground floor uses. Accordingly, DCP and NYC EDC have agreed that there shall be a post-ULURP review certification by the Chair of the Commission to ensure that the project's design and development program remains consistent with the Commission's overall goals for the area.

The Commission believes that the proposed project would expand opportunities for mixed income affordable housing, publicly accessible open space, retail use and community space. Moreover, the proposed project would rejuvenate the Lower Concourse area and complement the new residential developments proposed for neighboring blocks. Accordingly, the Commission believes that the requested disposition of City-owned property, in conjunction with the requested actions, is appropriate.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on August 11, 2017, with respect to this application (CEQR No. 16DME012X) and the Technical Memorandum, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met, and that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and hereby determines that this proposed action is consistent with WRP policies and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project

components related to the environment and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes 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, that the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the 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 on Block 2356, Lots 2 and 72; Block 2539, Lots 1 and a p/o lots 2 and 3 and the demapped portion of the former East 150th Street between Exterior Street and the pierhead and bulkhead line, pursuant to zoning, Borough of the Bronx, Community District 4, is approved; and be it further

RESOLVED, that there shall be a future review protocol that shall require, as a condition of the issuance of a building permit, that the Chair, after consultation with the Commission, shall have certified that the Commission's concerns with respect to urban design, primarily with respect to the massing of the development, the relationship of the on-site open space to Mill Pond Park, and the specific locations of required non-residential ground floor uses, have been adequately addressed. Notwithstanding the foregoing, in the event the Chair has not issued a certification by the date of preliminary design approval by the Public Design Commission, the certification shall be deemed to have been issued.

The above resolution (C 170314 PPX), duly adopted by the City Planning Commission on August 23, 2017 (Calendar No. 8), 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice Chair*

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, CHERYL COHEN EFFRON,
HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, *Commissioners***

Application #: **C 170311 ZMX**

CEQR Number: 16DME012X

Project Name: **Lower Concourse North Rezoning**

Borough(s): Bronx

Community District Number(s): 4

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 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, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 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 NYC Economic Development Corporation pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

- changing a M2-1 District to an R7-2 District property bounded by the U.S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway, and East 149th Street;
- establishing within the proposed R7-2 District a C2-5 District bounded by the U.S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway, and East 149th Street; and
- establishing a Special Harlem River Waterfront District bounded by the U.S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway, and East 149th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated March 20, 2017.

Applicant(s): NYC Economic Development Corporation 110 Williams Street New York, NY 10038		Applicant's Representative: Robert Holbrook, Senior Vice President NYC Economic Development Corporation 110 William Street New York, NY 10038
Recommendation submitted by: BRONX COMMUNITY BOARD 4		
Date of public hearing: MAY 23, 2017		Location: BRONX MUSEUM OF THE ARTS 1040 GRAND CONCOURSE, BRONX, NY 10456
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
Date of Vote: MAY 23, 2017		Location: BRONX MUSEUM OF THE ARTS 1040 GRAND CONCOURSE BRONX, NY 10456
RECOMMENDATION <input type="checkbox"/> Approve <input checked="" 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.		
Voting # In Favor: 19 # Against: 7 # Abstaining: 5 Total members appointed to the board: 35		
Name of CB/BB officer completing this form PAUL A. PHILPS	Title DISTRICT MANAGER	Date MAY 30, 2017

Application #: **C 170315 ZSX**

CEQR Number: 16DME012X

Project Name: **Lower Concourse North Rezoning**

Borough(s): Bronx

Community District Number(s): 4

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 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, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 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 NYC Economic Development Corporation pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to allow a waiver of the required number of accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, on property located on the westerly side of Gateway Center Boulevard, northerly of East 149th Street (Block 2356, Lots 2 & 72, Block 2539, Lot 1 & p/o Lot 2, and the bed of demapped East 150th Street), in an R7-2 District*, with the Special Harlem River Waterfront District*, Borough of the Bronx, Community District 4.

* Note: The site is proposed to be rezoned by changing an M2-1 District to an R7-2 District, by establishing a C2-5 District within the proposed R7-2 District, and by establishing a Special Harlem River Waterfront District, under a concurrent related application for a Zoning Map change (C 170311 ZMX).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

Applicant(s): NYC Economic Development Corporation 110 Williams Street New York, NY 10038		Applicant's Representative: Robert Holbrook, Senior Vice President NYC Economic Development Corporation 110 William Street New York, NY 10038
Recommendation submitted by: BRONX COMMUNITY BOARD 4		
Date of public hearing: MAY 23, 2017	Location: BRONX MUSEUM OF THE ARTS 1040 GRAND CONCOURSE BRONX, NY 10456	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote: MAY 23, 2017	Location: BRONX MUSEUM OF THE ARTS 1040 GRAND CONCOURSE BRONX, NY 10456	
RECOMMENDATION <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove </div> <div> <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove With Modifications/Conditions </div> </div> <p>Please attach any further explanation of the recommendation on additional sheets, as necessary.</p>		
Voting # In Favor: 19 # Against: 7 # Abstaining: 5 Total members appointed to the board: 35		
Name of CB/BB officer completing this form PAUL A. PHILPS	Title DISTRICT MANAGER	Date MAY 30, 2017

Application #: **C 170314 PPX**

CEQR Number: 16DME012X

Project Name: **Lower Concourse North Rezoning**

Borough(s): Bronx

Community District Number(s): 4

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

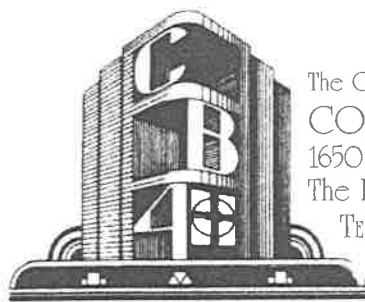
SUBMISSION INSTRUCTIONS

- 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 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, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 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:

N THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS), Division of Real Estate Services, pursuant to Section 197-c of New York City Charter, for the disposition of five city-owned properties located on Block 2356, Lots 2 and 72; Block 2539, Lots 1 and a p/o lots 2 and 3 and the demapped portion of the former East 150th Street between Exterior Street and the pierhead and bulkhead line, pursuant to zoning.

Applicant(s): NYC Department of Citywide Administrative Services 1 Centre Street, 20th Floor New York, NY 10007		Applicant's Representative: Randal Fong, Assistant Commissioner NYC Department of Citywide Administrative Services 1 Centre Street, 20th Floor New York, NY 10007	
Recommendation submitted by: Bronx Community Board 4			
Date of public hearing: MAY 23, 2017		Location: BX. MUSEUM OF THE ARTS 1040 GRAND CONCOURSE, BX., NY 10456	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote: MAY 23, 2017		Location: BRONX MUSEUM OF THE ARTS 1040 GRAND CONCOURSE, BRONX, NY 10456	
RECOMMENDATION <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions <u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>			
Voting # In Favor: 19 # Against: 7 # Abstaining: 5 Total members appointed to the board: 35			
Name of CB/BB officer completing this form PAUL A. PHILPS		Title DISTRICT MANAGER	Date MAY 30, 2017



The City of New York
COMMUNITY BOARD 4
1650 Selwyn Avenue, Suite 11A
The Bronx, New York 10457
Tel: 718-299-0800 Fax: 718-294-7870
Email: bx04@cb.nyc.gov

HONORABLE RUBEN DIAZ, JR.
Bronx Borough President

Ms. KATHLEEN SAUNDERS
Board Chair

MR. PAUL A. PHILPS
District Manager

May 30, 2017

Resolution adopted by the General Board for the following

ULURP applications: Nos. 170311 ZMX, N 170312 ZRX, 170314 PPX, 170315 ZSX

WHEREAS, the Uniform Land Use Review Procedure (ULURP) is a standardized procedure whereby applications affecting the land use of the city are publicly reviewed; and

WHEREAS, the above listed applications were certified as complete by the Department of City Planning on Monday, March 21, 2017 and the review period for Bronx Community Board 4 (the Board) began on Wednesday, March 29, 2017 and must be completed by Tuesday, May 30, 2017; and

WHEREAS, the New York City Economic Development Corporation is the applicant and seeking the approval of the Board on the following applications:

N 170311 ZMX, an amendment to Zoning Map, Section No. 6a:

- a) Changing a M2-1 District to an R7-2 District property bounded by the U. S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway and East 149th Street;
- b) Establishing within the proposed R7-2 District bounded by the U.S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway and East 149th Street; and
- c) Establishing A Special Harlem River Waterfront District Bounded by the U. S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway, and East 149th Street

N 170312 ZRX- Zoning text amendments to:

- a) Create a new subdistrict ("Harlem River Waterfront North Subdistrict" or "HRW North Subdistrict") to the SHRWD coterminous with the Project Area and to modify portions of the waterfront regulations for this subdistrict;
- b) Extended the Harlem River Waterfront Access Plan to include the Project Area; and
- c) Establish a Mandatory Inclusionary Housing Area (MIHA) coterminous with the HRW North Subdistrict

170314 PPX-Disposition of 5 city-owned properties located on Block 2356, Lots 2; Block 2539, Lots 1 and p/o lots 2 and 3 and the demapped portion of the former East 150th Street between Exterior Street and the pierhead and bulkhead line, pursuant to zoning.

C 170315 ZSX-Special permit to allow a waiver of the required number of accessory off-street parking spaces for dwelling units in a development within the Transit Zone, that includes at least 20 percent of all dwelling units as income restricted housing units on property located on the westerly side of Gateway Center Boulevard, northerly of East 149th Street (Block 2356, Lots 2 & 72, Block 2359, Lot 1 & p/o Lot 2, and the bed of demapped East 150th Street), in an R7-2 District with the Special Harlem River Waterfront District

WHEREAS, the intent of the application is to create a mixed-use development which would include new housing, ground floor retail space, office space, community facility space and publicly accessible open space along the Harlem River waterfront

WHEREAS, consistent with Community Board Four's policies related to new housing development the project include a range of incomes

WHEREAS, the Board believes that as a city-sponsored project the residents of Community District Four should be the beneficiaries of this project; and

THEREFORE BE IT RESOLVED, the aforementioned applications are approved by Community Board Four, subject to the conditions that follow.

Bronx CB4 Vote Record (31 of 35 member's present, quorum established)

19 in favor, 7 opposed, 5 abstentions.

Conditions of Approval

Affordable Housing

All housing developed as part of the Lower Concourse North should be affordable. The DGEIS analyzed 50% of the units below 80% Area Median Income (AMI) and 50% above 80% AMI. It should be noted that the AMI for Community District Four is ~\$26,000 which is equal to 30%-40% AMI. That being said, roughly 25% of households earn more than \$50,000 a year roughly 60%-70% of AMI for a family of three.

This clearly illustrates that there is a need for affordable housing at a range of income bands including low, moderate and middle-income. In terms of the new housing that will be built as a result of the redevelopment of the Lower Concourse North, CB4 requests that the 1,045 units be allocated as follows:

- Approximately 10 percent of the units must be affordable for households between 100% and 120% of the Area Median Income (AMI)
- Approximately, 30 percent of the units must be affordable for households between 80% and 100% of the Area Median Income (AMI)
- Approximately, 20 percent of the units must be affordable for households between 60% and 80% of the Area Median Income (AMI)
- Approximately, 20 percent of the units must be affordable for households between 40% and 50% of the Area Median Income (AMI)
- Approximately, 20 percent of the units must be affordable for households between 30% and 40% of the Area Median Income (AMI)
- Approximately 20 percent of the total units be dedicated specifically to senior citizens at income levels appropriate for those on a fixed income.

NOTE: Any formerly homeless families or individuals that are moved into permanent housing must be accompanied with the appropriate social services and job training/job skills development necessary to ensure that they can remain financially independent.

Building Heights

The DGEIS analyzes buildings with a maximum tower height of 400 feet. We recognize that this represents the “*worst case scenario*” on the site, we are concerned that a building of that height could replicate similar existing developments in the Borough that are wrought with issues related to safety and security. For that reason we request that the maximum building height on the site be lowered to 300 feet and that the design of the residential building(s) pay particular attention to views and access points related to safety and security.

Employment Opportunities

Community District Four benefits from the regional draw of the 161st Street/Capital District area which includes the Bronx County Court, Bronx Supreme Court, the 161st Street BID, waterfront access, Bronx Terminal Market which includes a million square feet of retail and Yankee Stadium which draws more than 3.5 million visitors per year. Major employers include *Bronx Lebanon Hospital*, the *New York Yankees* and *Hostos Community College*.

Unemployment plays a key role in the socio-economic status of local residents. While unemployment both nationally and in the Bronx has hit record lows (4.4% and 5.7%) respectively, the residents of Community Districts Four are still contending with this issue. Unemployment in Community District Four is roughly 7 percent, nonetheless underscoring the need to create jobs and economic opportunities for area residents. It should also be noted these numbers do not account for the tens of thousands of residents who are underemployed.

In order to increase the income levels and improve the socio-economic status of local residents there must be significant investments in job training, job placement, skills assessment and business development. The redevelopment of the Lower Concourse North represents a significant opportunity to employ the residents of Community District Four and the Bronx both before, during and after construction. In order to ensure that the residents of Community District Four and the Bronx are the main beneficiaries of the tremendous economic development opportunities available as a result of this project, Community Board Four requests the following:

- The City should fund community-based organizations to develop a network and hire a local coordinator to engage with developers in the neighborhood, providing trainings for local residents, screening candidates for available positions in emerging projects as well as make referrals where necessary. This would be similar to the Lower East Side Employment Network.
- Requirement that preference for all jobs related to the project, for all phases (union and non-union) be given to residents of Community District Four and secondarily to residents of the Borough of the Bronx. The developer will work with Community Board Four, the Bronx Borough President’s Office and local organizations to advertise for all jobs and upon selection of a general contractor will provide a quarterly report on employment related to the project and all marketing and recruitment efforts through all phases of construction.

- Allocate funding to enable community-based organizations and educational institutions to provide sector-based training. There should be a focus on the construction industry and related trades as well as growing industries such as technology and the medical field which yield higher wages and benefits.

Open Space

Community District Four has the largest number of parks properties (101) in the Borough which includes *Mill Pond Park*, one of the busiest parks in the district. The DGEIS indicates that the proposed project would include 2.96 acres of public open space including 0.68-acre extension of Mill Pond Park, a 0.68-acre shore public walkway along the Harlem River, and a 1.6-acre upland connection and programmed plaza space to the north and east of the proposed building along the former East 150th Street and Exterior Street. The project site is city-owned property and as such should be utilized in a manner that maximizes public benefit. We have made several requests for an expense line items to be added to the city budget to allow the Bronx NYC Parks Department to hire additional staff specifically for maintenance and Park Enforcement Patrol (PEP) Officers.

Given the site's proximity to the new Bronx Children's Museum, the Bronx Terminal Market, Yankee Stadium and its current high utilization, we propose that the future developer be responsible for maintaining **ALL** of Mill Pond Park in its entirety (existing and extension), the SPWW and the proposed plaza. It is inefficient to propose that the developer maintain a portion of a publicly accessible open space resource. Furthermore, this arrangement would alleviate some of the burden on the already understaffed Bronx Parks Department. Alternatively, if that is not feasible then the developer and/or the City should provide funding to increase the headcount at the Bronx NYC Parks Department in order to hire additional maintenance staff and PEP officers to properly maintain Mill Pond Park and all new open associated with the redevelopment of this site.

Additionally:

- All of the aforementioned open space **MUST** be publicly accessible.
- There must be safe and feasible public access to the Harlem River on the site for recreational uses such as canoeing, boating as well as education purposes related to ecology.
- The redevelopment of the site should include a comfort station as part of the expansion of Mill Pond Park. This could be combined with concessions/retail on the site and could be accommodated in the area proposed for the public plaza.

Schools

The DGEIS identifies a projected increase in CSD 7, Sub-district 3 of elementary and intermediate school students (408 and 167 respectively) that would be generated by the proposed project that would result in significant adverse impacts. To avoid these impacts the number of dwelling units would have to be reduced by 439 to eliminate the impact in elementary school seats and 249 intermediate school seats. Alternatively, an additional 165 elementary school seats and 37 intermediate school seats would need to be provided within CSD 7, sub district 3 to reduce the increase in the utilization rate to less than the 5 percent threshold impact outlined in the CEQR Technical Manual.

It should be noted that according to the SCA FY 2015-2019 Proposed Five Year Capital Plan Amendment, CSD 7 currently has 456 funded seats and 572 unfunded seats. These numbers do not take into account the impacts from the city-sponsored Jerome Avenue Neighborhood Study or the Lower Concourse North.

The Lower Concourse DGEIS outlines (3) potential mitigation measures as it relates to school seats:

1. Restructure or reprogram existing school space under the New York City Department of Education (DOE) control in order to make available more capacity in existing school buildings located within CSD 7, Sub-district 3
2. Relocate administrative functions at existing schools to another site, thereby freeing up space for classrooms;
3. Create additional capacity in the area by constructing a new school(s), building additional capacity at existing schools, or leasing additional school space constructed as part of the proposed project. These preliminary mitigation options will continue to be explored between the

Under no circumstances will Community Board Four accept any unmitigated impacts. First and foremost, Community District Four ranked 54 out of 59 community districts in English, language arts proficiency and 58 out of 59 in math proficiency¹. Educational attainment plays an important role in an individual's employment profile and their ability for career advancement. While the CEQR process does not assess the quality of education, the physical condition and location of educational facilities, can play a critical role in addressing educational deficiencies. It can address issues of overcrowding and infuse state of the art facilities which in turn can have a positive impact on how our children learn and develop. While we acknowledge that housing at levels affordable for are residents is desperately needed, we cannot ignore the other resources that are sorely needed in order for the constituents of Community District Four to succeed. We respectfully request that as part of this analysis and mitigation the city identify a site or sites, commit the appropriate funding upfront for the aforementioned funded and unfunded seats in addition to the 575 seats identified as part of this analysis.

This is a city-sponsored project on city-owned land and as such there is great deal of leverage on this site than if it were privately owned. There are a number of city-owned sites in the general vicinity that are currently used for parking only for Yankee games and events, but otherwise sit vacant. These include:

- Block 2354: Lots 20, 65
- Block 2357 Lots 32, 70, 100
- Block 2354: Lot 74
- Block 2482L Lot 6
- Block 2485: Lot 1
- Block 2486: Lot 1

While not part of this proposal or analysis Community Board Four requests that any plans to redevelop any of the aforementioned city-owned parcels (Yankee Parking lots) include extensive public engagement, dialogue and consensus before **ANY** decisions are made as to how those parcels should be used moving forward.

¹ State of New York City's Housing and Neighborhoods in 2015, NYU Furman Center

Transportation

The DEGIS identified the following impacts related to transportation:

1. Of the eight intersections analyzed, the proposed project would result in significant adverse traffic impacts at three intersections during the weekday AM peak hour, four intersections during the midday and PM peak hours, and six intersections during the Saturday peak hour.
2. The proposed project would result in significant transit impact at the S3 stairway during the weekday PM peak hour and the R260 fare control area during the weekday AM and PM peak hours.
3. Of the 31 pedestrian elements analyzed, the proposed project would result in significant adverse impacts at four pedestrian elements during the weekday AM peak hour, eight pedestrian elements during the weekday midday peak hour, ten pedestrian elements during the weekday PM peak hour, and eight pedestrian elements during the Saturday peak hour.

The DGEIS states *“Most of the proposed project’s traffic impacts could be mitigated with readily implementable traffic improvement measures—including signal timing and phasing changes, parking regulation changes and lane restriping or would not be impacted at all —while three locations could not be mitigated. Most of the pedestrian impacts would be unmitigated; crosswalk widening and expansion of corner reservoir areas were identified to mitigate impacts at other locations. Transit impacts could be mitigated by widening subway stairways and reconfiguring the fare control area.”*

Unmitigated impacts are unacceptable. This district and the surrounding area continues to grow without the proper level of attention and care related to infrastructure. While we acknowledge the housing crisis we also acknowledge the lack of investment and attention this district has received during the 1970’s and 1980’s. If we are to approve a development of this magnitude in our district we respectfully requests that all mitigation measures be presented in full detail to the community prior to the commencement of construction. Furthermore, we requests that the City commit to funding and implementing all measures prior to approval by the City Council.

Parking

This ULURP actions include a special permit to waive the required accessory off-street parking spaces. Parking in and around the project site continues to be a major quality of life issue for area residents. Community Board Four requests that the city make parking available for all units developed above 80% AMI as part of this project. The city should negotiate with existing parking lot garage and parking lot operators (Related Companies, Bronx Parking Development) to allocate a certain number of spaces at considerably lower rates to residents of Community District Four. Those spaces should first be offered to the residents of the new development and if they are not filled offered via lottery to area residents at those same discount rates. Anyone who is allocated a space must provide proof of residency in Community District Four and their car must be registered in Community District Four.

Public Transportation

If residents who live in “transit zones” are expected to utilize mass transit, the City should work with the MTA to create truly affordable options for individuals and families. There should be a focus on low-income areas where additional densities and new developments are being proposed. As previously noted the AMI in CD4 is ~\$26,640. A pilot project could be developed and tested as part of the Lower Concourse North and if successful deployed in similar neighborhoods throughout the City.

East 153rd Street Bridge

For nearly two decades, Community Board Four, advocated for the reconstruction of the E. 153rd Street Bridge overlooking the MTA Metro-North Commuter Railroad tracks between Park and Morris avenues and Concourse Village West and Grand Concourse. The original two-lane bridge was demolished in 1992 due to structural issues. Subsequently, several projects in the early 2000's accounted for the development of the bridge to mitigate traffic congestion, improve pedestrian safety and to accommodate additional growth, including Yankee Stadium and Bronx Terminal Market. While we acknowledge that sewer upgrades, etc. are necessary infrastructure investments, we are now being asked to shoulder another 1,045 units of housing which roughly would net another 3,000+ residents in the district. In addition, the DGEIS identifies another 2,165 units that could be constructed by the 2023 build year for the project. This number excludes (2) other residential projects (Concourse Village West and 810 River Avenue) just north of the project site which would add another 400+ units of housing in close proximity to the project site. Few of the aforementioned projects if any were contemplated when the 153rd Street Bridge was close to becoming a reality. It should also be noted that when the Yankee Stadium project was approved in 2005 there was no mention of soccer (NYCFC), hockey or football. We request that the City (Mayor) allocate 10 percent of the \$200 million earmarked for infrastructure as seed money to fund the construction of the East 153rd Street Bridge. The construction of the bridge would be a game changer in terms of traffic improvements, pedestrian safety, job creation and economic development.

Community Space

We would like to request that consideration be given to a community/youth center on the proposed development site, which could provide programs and services for young people of the District. The Community Board Four District Needs Statement includes a request for this type of facility and the proposed project site would be an ideal location and could provide youth programming and community meeting spaces and serve as a community anchor.

Community Board Four has been exploring the possibility of relocation of the Community Board office to a location that is more accessible and more conducive to serving community needs. We request that new office space for the Community Board Four Office be considered as part of the Lower Concourse North development project.

Health & Wellness

The proposed project has the potential to add close to 3,000 new residents to the area. An assessment of the capacity of existing health centers and hospitals to continue to provide adequate service should be studied by the city.

Community Engagement

The Lower Concourse North represents one of the last large city-owned parcels in the borough. It is extremely important that the community at-large be actively and substantively engaged in a dialogue around the redevelopment of this parcel. Community Board Four requests that the City commit to convene public meetings and workshops throughout the design, pre-construction, construction and post construction of the site specifically but not limited to: site design including the *housing, commercial and community facility and office spaces as well as open space and the plaza, site programming, job training and affordability*.

Community Board Four also respectfully requests that a *Lower Concourse North Steering Committee* be established to guide the outreach and planning process as well as provide oversight on the numerous commitments and conditions agreed upon as approval of the land use actions related to the ULURP application.

The Lower Concourse North Steering Committee should be led by NYCEDC and should include (3) members of Community Board Four to be appointed by the Board Chair, a representative from the City Council District represented (CD4 section), as well as (1) representative from each CDOT and DPR and (2) representatives from local stakeholder groups and (2) community members not affiliated with any group organization.

The Steering Committee would meet quarterly to chart project progress, discuss capital commitments, programming, outreach and timelines. EDC will generate a report that summarizes each meeting and next steps. The reports and minutes from each quarterly meeting would be made available to the public.

**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 # C 170311 ZMX, C 170314 PPX, C 170315 ZSX-Lower Concourse North Rezoning

DOCKET DESCRPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 4

BOROUGH: BRONX

RECOMMENDATION

☐

APPROVE



APPROVE WITH MODIFICATIONS/CONDITIONS (List below)

☐

DISAPPROVE

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary): PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT


DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NUMBERS
C 170311 ZMX, C 170314 PPX, C 170315 ZSX
LOWER CONCOURSE NORTH REZONING**

DOCKET DESCRIPTIONS

C 170311 ZMX

IN THE MATTER OF AN APPLICATION submitted by the New York City Economic Development Corporation (EDC) pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

1. Changing a M2-1 District to an R7-2 District property bounded by the U.S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the norther street line of former East 150th Street, Major Deegan Expressway, and East 149th Street;
2. Establishing within the proposed R7-2 District a C2-5 District bounded by the U.S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway, and East 149th Street; and
3. Establishing a Special Harlem River Waterfront District bounded by the U.S. Pierhead and Bulkhead Line, a line 600 feet northerly of East 149th Street, a line 145 feet westerly of Major Deegan Expressway, the northerly street line of former East 150th Street, Major Deegan Expressway; and East 149th Street;

Borough of The Bronx, Community District #4, as shown a diagram (for illustrative purposes only) dated March 27, 2017.

C 170314 PPX

IN THE MATTER OF AN APPLICATION submitted by the New York City Department of Citywide Administrative Services (DCAS), Division of Real Estate Services, pursuant to Sections 197-c and 201 of the New York City Charter, for the disposition of five city-owned properties located on Block 2356, Lots 2 and 72, Block 2539, Lots 1 and p/o lots 2 and 3 and the demapped portion of the former East 150th Street between Exterior Street and the pierhead and bulkhead line pursuant to zoning.

C 170315 ZSX

IN THE MATTER OF AN APPLICATION submitted by the New York City Economic Development Corporation (EDC) pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to allow a waiver of the required number of accessory off-street parking spaces for dwelling units

in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, on property located on the westerly side of Gateway Center Boulevard, northerly of East 149th Street (Block 2356, Lots 2 & 72, Block 2539, Lot 1 & p/o Lot 2, and the bed of demped East 150th Street), in an R7-2 District*, with the Special Harlem River Waterfront District*, Borough of The Bronx, Community District #4.

*Note: The site is proposed to be rezoned by changing an M2-1 District to an R7-2 District to an R7-2 District, by establishing a C2-5 District within the proposed R7-2 District, and by establishing a Special Harlem River Waterfront District, under a concurrent related application for Zoning Map change (C 170311 ZMX).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

BACKGROUND

The project area, which is the subject of these applications includes a vacant parcel of property located on the north side of East 149th Street, (Block 2356, lot 2; Block 2356 Lot 72; Block 2539, Lot 1; portions of Block 2539, Lots 2 and 3) and the demapped portion of the former East 150th Street (tentative Block 2356, tentative Lot 102). This site is bounded by the Harlem River on the west, East 149th Street on the south, Gateway Center Boulevard and the Major Deegan Expressway on the east, and Mill Pond Park on the north. This site approximates 229,885 square feet of property (approximately five acres) and is located within the city's Lower Concourse Infrastructure Investment Strategy Plan. As announced in 2015, this plan commits \$194 million to improve much of the surrounding community's infrastructure.

This site is situated adjacent to the 145th Street Bridge which enters The Bronx from Manhattan at East 149th Street. Historically and colloquially, this site has been referred to as "Pier 5."

Approving these applications will facilitate:

- Application # C 170311 ZMX-Within the Project Area: Eliminate an M2-1 manufacturing district; establish a R7-2 residential district, establish a C2-5 commercial overlay, and add the Project Area to the Special Harlem River Waterfront District (SHRWD).
- Application # C 170314 PPX-Disposition of five city-owned properties pursuant to zoning
- Application # C 170315 ZSX-Grant of a special permit to allow a waiver of the required number of accessory off-street parking spaces for dwelling units in a development within a Transit Zone.

The project area is one of the largest unimproved city-owned sites located in The Bronx. As it is located adjacent to both the Major Deegan Expressway and the 145th Street Bridge, it is situated in a high profile location. Subway access to the 2, 3, 4, and 5 trains is available within a five block radius of the project area. Bus transportation via the BX 1, BX 2, BX 13 and BX 19 are accessible. Metro North commuter rail transportation via the Hudson Division is also within a ½ mile of the project site. Mill Pond Park, Bronx Terminal Market, the future Bronx Post Place and Hostos Community College define much of the surrounding area's current development.

Whereas the current M2-1 District prohibits residential development approving these applications will:

- Facilitate residential development pursuant to an R7-2 District.
 - 4.6 Floor Area Ratio (FAR)
- Retail and commercial uses pursuant to an R7-2/C2-5 District.
 - Commercial and community facility uses
- Access to the waterfront pursuant to the Special Harlem River Waterfront Access Plan (SHRWD).
 - Inclusion of a 40-foot shore public walkway linking the project site to Mill Pond Park.

The potential development of the project site will also satisfy numerous goals, including:

- Development of affordable housing accommodating a range of incomes from 30 percent of Area Median Income, to 130 percent of Area Median Income (AMI)
- This location's development potential of constructing approximately 1,000 units of affordable housing;
- Commercial development yielding employment opportunities
- Improved access to the Harlem River waterfront and Mill Pond Park
- Improvements made to the intersection of Exterior Street at East 149th Street in order to reduce pedestrian-vehicular conflicts
- Improvements made to existing and/or new infrastructure including water and sewer services, street lighting, additional street tree plantings, installation of street furniture; (benches, litter baskets, etc.)
- Approximately 2.5 acres of open space to be included within the site's development
- Inclusion of commercial grade broadband access as part of the Lower Concourse Investment Strategy plan.
- Design and construct a newly mapped 2.5 acre park located on Exterior Street at East 144th Street.

Existing development of the surrounding community includes a retail shopping complex known as the Gateway Center, which can be accessed from Gateway Center Boulevard. This complex approximates one million square feet and includes off-street parking for 2,300 vehicles. Retail offerings at this center include among other options, Home Depot, Target; Bed, Bath and Beyond; Michael's Art Supply and Applebee's. Additional retail activity is situated on East

149th Street. Residential development is typified by mid-rise residential buildings and two family homes located on Gerard Avenue and Walton Avenue. Numerous high rise residences are under construction, all of which are situated south of East 149th Street. Anticipated construction of a 28-story residence is planned for the former site of P.S.31, which is located on the Grand Concourse at East 144th Street. Hostos Community College occupies numerous buildings, all of which are located within a four block radius of this project site.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

These applications have been reviewed pursuant to CEQR and SEQR and received a Positive Declaration. The City Planning Commission certified these applications are complete on March 20, 2017.

BRONX COMMUNITY BOARD PUBLIC HEARING

A public hearing was held by Bronx Community District #4 on May 23, 2017. An identical vote recommending approval of the three applications with modifications was 19 in favor, seven opposed and five abstaining.

BOROUGH PRSIDENT'S PUBLIC HEARING

A public hearing was convened by the Bronx Borough President on June 1, 2017. Representatives of the applicant spoke in favor of these applications. A representative of Assembly Member Latoya Joyner submitted a written statement, a copy of which is included herein. Additional written statements were submitted and are also included here. All those members of the public who registered to speak expressed their opposition to these applications. There were no comments made by those in attendance that expressed support. Comments made expressing opposition to this project include:

- The public's understanding that this site was identified for a park to be made part of Mill Pond Park;
- The community's need for additional open space and access to the Harlem River waterfront;
- The anticipated impact this development will have on the existing public schools in the area;
- The anticipated increase in vehicular traffic development of this site will cause;
- The anticipated waiver being sought to eliminate required off-street parking associated with future development;

Recognizing that additional written comments might be forthcoming, the hearing was declared to remain open until June 20, 2017.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Known to many of my constituents as Pier 5 this site, approximating five acres, has remained entirely undeveloped for over two decades despite its prime location. Within walking distance one can access the IRT 2, 3, 4 and 5 trains as well as the Hudson Division of Metro North Commuter Railroad. Bus service via the BX19 transports passengers into upper Manhattan via 145th Street. The BX13 to the Highbridge and University Heights communities of The Bronx is also accessible, as are the BX 1 and BX2 operating on the Grand Concourse. Vehicular transport is also well served by the Major Deegan Expressway and the numerous Harlem River bridges connecting Manhattan to The Bronx. Pier 5 is within walking distance of Bronx Terminal Market, a shopping complex offering over one million square feet of retail options, Hostos Community College, Lincoln Hospital, Pregones Theater and what will soon be an entirely new destination now under construction within the former Bronx General Post Office building. Mill Pond Park, Franz Sigel Park, Garrison Playground and what will eventually become an entirely new public park located on Exterior Street at East 144th Street, all can be reached within a 10 minute stroll. Given these facts it is clear to me that the potential for this site is perhaps unprecedented.

I would be remiss if I failed to acknowledge that Pier 5 has a very real history. When the City of New York was being considered as a host city for the Olympic Games, it was proposed that a temporary velodrome be constructed at this location. So too, when Mill Pond Park was being planned one vision was to extend this park south to 149th Street and thereby include Pier 5 as part of the park. More recently, a private sector developer sought to construct permanent velodrome at this location. Whether it be for the lack of financing or the significant cost necessary to bring the specific proposal to fruition, each of these visions failed.

Of all proposals considered, it is the expansion of Mill Pond Park south to include the Pier 5 site that has garnered strong local support. As such, I have given this matter very serious consideration and understand the reasoning being advanced by those who support this plan. What is clear is that at no time was Pier 5 ever officially mapped as parkland. Likewise, at no time was any capital funding provided by the City of New York to design and construct a park on this site. Consequently, the decision to rezone Pier 5 from M2-1 to the proposed R7-2/C2-5 is, in my opinion, an appropriate proposal.

This being said, I am very insistent that whatever is to be constructed on Pier 5, that it must include the following features:

1. A minimum of three acres should be set aside and designed as open space
2. Open space along the waterfront should exceed the minimum standard of 40 feet.
3. Retail transparency should exceed 50 percent.
4. Building design should pay homage to the character of the surrounding area, particularly Art Deco elements.
5. The taller tower should have additional setbacks other than just the required top four-floors. The proposed allowable 165 foot building width in SHRWD turns towers into large "dominos" that impede view corridors, giving a horizontal wall "feel" instead of a soaring open tower.

6. The residential development provide accommodations ranging from 30 percent of Area Median Income (AMI) to 130 percent of AMI, with half servicing at or below 60 percent of AMI and half at or above 80 percent of AMI.
7. Of the total number of units to be constructed, a combined minimum of 40 percent be two and three bedroom units.
8. Unit size should approximate no less than 600 gross square feet for one-bedroom units, 850 square feet for two-bedroom units, 1,075 square feet for three-bedroom units.
9. Retail activity should appeal to families both living within the specific development and beyond into the surrounding neighborhoods
10. Any community use facility should be akin to a museum or institution celebrating Bronx culture and/or those who have devoted themselves to improving the knowledge and understanding of our borough's history and its potential for the future.
11. The nighttime profile of this development must be one that invites participation both by the residents of this new neighborhood as well as by those who would visit.
12. Special attention should be given to the designing of those spaces that are impacted by the Major Deegan Expressway. This should be done to minimize traffic noise and the "dark space" caused by the expressway's viaduct within the new community.
13. The State Department of Transportation, in consultation with the City's Department of Transportation and Economic Development Corporation, must design and ultimately install a comprehensive lighting plan for the underbelly of the Major Deegan Expressway viaduct. This viaduct must not present itself as a "barrier" or "safety threat."
14. Public access to the Harlem River, pursuant to the Special Harlem River Waterfront Access Plan, must be constructed.
15. A full and comprehensive redesign and construction of the street network at East 149th Street, Exterior Street and where the Major Deegan Expressway exits at this location must be undertaken.
16. Street trees and street furniture must be incorporated into the final design.

Development of the Pier 5 site is represents one of numerous residential projects that are either planned or in construction within a five block radius of the Grand Concourse at East 149th Street. It is therefore entirely unacceptable that, as over 1,500 units of additional housing is likely to go on line within the next five years, that no formal attention has been given to where the hundreds of elementary age children will attend school. It is therefore imperative that before the Pier 5 plans are finalized, the Department of Education identify a centrally located site for an additional grade-school and build it.

Of comparable urgency is the ever increasing need this community has for a new bridge to be constructed at East 153rd Street, between the Grand Concourse and Morris Avenue. This span, which has been mapped for over a century, remains unbuilt since the 1980's; this despite its being the top priority for my administration as well that of both of my predecessors, Adolfo Carrion, Jr. and Fernando Ferrer. It also remains a top priority for both Bronx Community Districts #1 and #4. This matter takes on even greater urgency given the recently completed Mott Haven Campus located on Concourse Village West at East 153rd Street, along with the many new high-rise buildings that have been constructed within the past decade along Morris

Avenue. Now, three new high-rise residential structures are about to commence construction, all of which are to be within a three block radius of East 153rd Street. Additionally, the 28-story residence being constructed on the Grand Concourse at East 144th Street will prompt even more vehicular activity, as will numerous other residential projects being constructed west of the Grand Concourse and south of East 149th Street. A replacement bridge at East 153rd Street is now a matter of genuine urgency at must not be delayed any longer.

As I have heretofore noted, the Pier 5 site offers exceptional access to rail transit options. It is my understanding that the Transit Authority's current capital plan includes installation of ADA compliant elevator services for the 149th Street-Grand Concourse subway station. This multi-level facility provides access to the 2, 4 and 5 trains, but to date is not ADA compliant. I am therefore insisting that the installation of the necessary elevators proceed and that the Economic Development Corporation (EDC) work with both my office and the Transit Authority to make certain this project is not "sidetracked." I acknowledged that this station did sustain a \$19 million facelift within the past decade. It remains, however, a dank and uninviting space. This is especially so on the lower level platform which was constructed as part of the Inter-Borough Rapid Transit Company's initial construction phase of 1904.

I am acutely aware of the need this community has for access to the Harlem River shore and additional open space. That is why I have insisted that three acres of this five acre site be designed as open space and that all those wishing to stroll along the Harlem River bank be able to safely do so. I reject the suggestion that by allowing development to occur on Pier 5 this means we are precluding access to open space. In fact we can realize both; affordable housing development as well as additional parkland. Furthermore, given how Pier 5 was used for much of the 20th century and its current site condition, it makes it difficult to consider that the Department of Parks and Recreation would be willing to design, construct and maintain this five acre site.

It is abundantly clear to me that Pier 5 holds profound potential for not only those who would call it home, but for the thousands of us that pass this location each day. It is therefore imperative that the final development plan for this location be considered a "landmark;" one that is both functional and architecturally unique. Using modern technology that includes LED lighting, large illuminated windows, along with public spaces perhaps featuring a fountain and plazas for strolling, this project will transform an entire community. I challenge the developers to pursue these options while taking their inspiration from the many notable buildings lining the Grand Concourse

With my modifications and recommendations included, I recommend approval of these applications.