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**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition, by means of ground leases, of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning, Borough of the Bronx, Community District 2.

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This application for the disposition of City-owned property was filed by the Department of Citywide Administrative Services (DCAS) on October 23, 2017. The applicant is proposing to dispose of four city-owned properties by means of ground leases. This application, in conjunction with the applications for related actions filed by the New York City Economic Development Corporation (EDC) and the Peninsula JV, LLC (C 180121 ZMX, N 180122 ZRX, C 180123 ZSX, C 180124 ZSX, and N 180125 ZAX), would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Community District 2 in the Bronx.

**RELATED ACTIONS**

In addition to the disposition (C 180126 PPX) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following applications, which is being considered concurrently with this application:

- C 180121 ZMX**      Zoning map amendment to change a portion of the development site from an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17
  
- N 180122 ZRX**      Zoning text amendment to establish a Special Mixed Use District; designate a Mandatory Inclusionary Housing (MIH) area; and create a special permit to waive loading berth requirements in large-scale general developments (LSGDs)
  
- C 180123 ZSX**      Special permit to modify bulk regulations within an LSGD

**C 180124 ZSX** Special permit to modify loading berth requirements within an LSGD

**N 180125 ZAX** Zoning authorization to modify curb cut requirements

## **BACKGROUND**

DCAS and EDC are proposing a number of actions to facilitate the redevelopment of City-owned property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29 and portions of Lots 1 and 2) in the Hunts Point neighborhood of Bronx Community District 2. The site was formerly used as a juvenile detention center, which was built in the 1950s and, after decades of community activism against the facility's poor conditions, closed in 2011. The applicants propose to redevelop the site with a mixed-use live-work project, including residential, light industrial, commercial, and community facility uses and publicly-accessible open spaces.

The project site, located within the Hunts Point peninsula, is home to about 12,000 people and is also New York City's food distribution hub. The Hunts Point Food Distribution Center, located along the Bronx River, includes the Hunts Point Terminal Produce Market, the Cooperative Meat Market, and the New Fulton Fish Market. Over time, the City has adopted several land use changes in support of these businesses.

In 2008, the Special Hunts Point District was established over a 70-block area to provide "buffer" zones that prohibit most new heavy industrial uses, regardless of performance standards, unless such uses are compatible with food-industry businesses. The Special Hunts Point District is predominately within an M1-2 district, which permits an FAR of 2.0. Within the Special Hunts Point District's Residential Buffer Subdistrict, the FAR and height regulations of the underlying zoning district apply.

In September 2013, EDC ratified the boundaries of the Hunts Point Industrial Business Zone (IBZ). The Hunts Point IBZ, like other IBZs, provides expanded business services to industrial and manufacturing businesses. The boundaries of the IBZ do not include the residential core

located at the center of the Hunts Point area. The remainder of Hunts Point, outside of the residential core, is zoned to permit manufacturing and industrial uses.

The project site is located within the Hunts Point residential core, a quiet residential area of approximately 12,000 residents located in the center of the Hunts Point peninsula, bounded generally by Garrison Avenue, Longfellow Avenue, Randall Avenue, and Tiffany Street. Hunts Point Avenue, a tree-lined “complete street” with bike lanes, runs through the center of this area and contains most of the commercial and retail establishments in the area including a supermarket, bodegas, restaurants, and barbershops. The surrounding streets are mostly residential containing lower to mid-density housing, including single-family rowhomes and apartment buildings.

The Hunts Point peninsula does not contain a large amount of open space. The residential core includes a few green and recreational spaces, including the Julio Carballo Baseball Fields and the Hunts Point Recreation Center, both operated by the New York City Department of Parks and Recreation (DPR) and located at Lafayette Avenue and Manida Street. Hunts Point Playground, located at Hunts Point and Spofford avenues, is owned by the New York City Department of Education (DOE) and is adjacent to Public School 48 (P.S. 48). Besides these amenities, there are not a lot of large outdoor spaces for the community to congregate within the residential core. However, Barretto Point Park, on the East River waterfront about a half-mile from the project site, was opened by DPR in 2006. Hunts Point Riverside Park, located on the Bronx River about a half-mile from the project site, opened in 2007 as part of the Bronx River Greenway.

The project site is located two blocks south of the Bruckner Expressway. The closest subway stations are the Hunts Point Avenue and Longwood Avenue stations for the 6 train, which are each approximately half a mile from the project site. The area is also served by several bus lines, including the regular and express BX6 lines; the BX46, which connects to the Prospect Avenue 2 and 5 subway lines; and the BX19. A new Metro-North station at Hunts Point Avenue and Bruckner Boulevard is slated to open in 2022, providing service to midtown Manhattan, the northeastern Bronx, upstate New York, and Connecticut.

The residential core is currently mapped with an R6 zoning district and several C1-4 commercial overlays mapped along Hunts Point Avenue. R6 districts permit medium-density residential and community facility uses as-of-right. Residential buildings in R6 districts can be developed under height factor regulations or under the Quality Housing Program. Under height factor regulations, R6 districts permit a maximum residential floor area ratio (FAR) ranging from 0.78 to 2.43 and a maximum community facility FAR of 4.80. C1-4 districts allow local retail uses up to a commercial FAR of 2.0.

The remainder of Hunts Point is zoned to permit manufacturing and industrial uses. The surrounding area is located in an M1-2 district within the Special Hunts Point District, which permits an FAR of 2.0. Within the Special Hunts Point District's Residential Buffer Subdistrict, the FAR and height regulations of the underlying zoning district apply. The project site is surrounded by, but not within, the Special Hunts Point District.

The project site sits on the western edge of the residential core of Hunts Point. The site comprises approximately 207,000 square feet (4.75 acres) and is generally situated on the southern end of the block bounded by Spofford Avenue to the south; Tiffany Street to the west; the Corpus Christi Monastery, Julio Carballo Fields, and the Hunts Point Recreation Center to the north; and Manida Street to the east. To the west and south of the project site, across Tiffany Street, are food distribution establishments, auto body repair shops, and factories. Five- to six-story residential buildings are located on the south side of Spofford Avenue. Directly north of the project site, across Lafayette Avenue, is the American Bank Note Company Printing Plant, designated an individual landmark by the Landmarks Preservation Commission in 2008. It currently houses offices for the Human Resources Administration, schools, community organizations, and small businesses. The area east of the project site is predominantly residential, with commercial uses located on Hunts Point Avenue, approximately two blocks to the east of the project site.

The project site itself consists of all or portions of four adjacent City-owned tax lots (Block 2738, Lot 35; Block 2763, Lot 29 and portions of Lots 1 and 2), all of which are currently under the jurisdiction of the New York City Administration for Children's Services (ACS). Block 2738, Lot

35 is approximately 164,748 square feet in area and is occupied by the vacant, seven-story Spofford Juvenile Detention Facility. The portion of Lot 2 on Block 2763 comprises approximately 12,600 square feet of lot area, which was previously occupied by the bed of Barretto Street (between Spofford and Lafayette avenues), which was demapped in 1954 and is currently a vacant paved lot. Block 2763, Lot 29 is approximately 30,929 square feet in area and is occupied currently by a 1.5-story, 12,120-square-foot Head Start facility with a capacity of 123 students. The portion of Lot 1 on Block 2763 that is part of the project site comprises approximately 2,910 square feet and is currently occupied by a paved recreation area used by the adjacent Head Start facility operated by ACS.

The site's topography changes dramatically rising from Tiffany Street to Manida Street, gaining 50 feet in elevation. In addition, the site is also situated below the walls of the Corpus Christi Monastery and the Hunts Point Recreation Center.

The vacant Spofford Juvenile Detention Center (Block 2738, Lot 35) is an approximately 170,000-square-foot multi-story facility. It consists of several buildings surrounded by brick walls, chain-link fencing, and razor wire. Since the facility was closed in 2011, the site has become a vacant eyesore in the community except for the active Head Start facility.

In June 2015, in partnership with the New York City Department of Housing Preservation and Development (HPD), EDC released a Request for Expressions of Interest on behalf of the City to redevelop the site. The winning proposal chosen by EDC was a joint venture between Gilbane Development Company, The Hudson Companies, Inc., and Mutual Housing Association of New York (MHANY) called the Peninsula JV, LLC.

Throughout 2017, the applicant team worked closely with the New York City Department of City Planning (DCP) and the New York City Public Design Commission (PDC) to develop a site design that maximized open space. As the site will remain City-owned, the final plans will be subject to PDC review.

In addition, the applicant team engaged the local community throughout the development of its proposal, including multiple updates with Community Board 2. It also held public meetings in Hunts Point and Community District 2 about the development proposal and about applying for the housing lottery process. Outside of the Community Board meetings and the required meetings as part of the Uniform Land Use Review Procedure (ULURP) and the environmental review process, the applicant team held six meetings throughout 2017, with hundreds in attendance from the community.

The development would consist of five buildings (referred to as Buildings 1A, 1B, 2A, 2B, and 3) and would contain a total of 738,400 square feet of floor area. It would contain approximately 740 affordable dwelling units (comprising 637,900 square feet of floor area), 53,000 square feet of commercial and retail uses, 26,200 square feet of community facility uses, and 21,300 square feet of light industrial uses. The proposed development would also include 260 below-grade parking spaces and no less than 52,000 square feet of publicly-accessible open space. Most of the buildings would be 13 to 16 stories high, with the exception of Building 1A, a two-story light industrial building that would be located at the corner of Tiffany Street and Spofford Avenue.

Building 1A is proposed to be a two-story, 42,300-square-foot mixed light industrial and commercial building located at the intersection of Tiffany Street and Spofford Avenue. It would contain 21,300 square feet of light industrial uses, 16,900 square feet of television studio use, and 4,100 square feet of retail space associated with the proposed food production tenants. Building 1A would rise to a maximum height of 53.6 feet (two stories). It is anticipated that Building 1A would contain five to seven tenants with entrances on Spofford Avenue and Tiffany Street. Loading access would be on Tiffany Street.

Building 1B is proposed to be a 14-story, 158,405-square-foot mixed commercial, community facility, and residential building located on Tiffany Street, at the northwest corner of the site. It would contain approximately 208 residential dwelling units. The first and second floors would be used for retail (approximately 4,800 square feet), non-profit operated artists' workspaces (5,000 square feet), and a 7,000-square-foot, 115-seat performance theater. As proposed, the building

would contain 141,605 square feet of residential floor area and 16,800 square feet of commercial floor area. Building 1B would rise to a maximum height of 168.3 feet along Tiffany Street, stepping down to 119.3 feet adjacent to Building 1A.

Building 2A is proposed to be a 13-story, 204,160-square-foot building containing a two-story space for the existing Head Start facility, which would relocate here. Approximately 217 residential dwelling units would be located on the upper floors. The building would comprise 201,160 square feet of residential floor area and approximately 15,000 square feet of community facility floor area for the relocated Head Start facility. An approximately 3,922-square-foot open playground space would be provided exclusively for use by the Head Start facility. Building 2A would rise to a maximum height of 153.4 feet, with frontage on a 60-foot-wide interior courtyard between Buildings 2A and 2B.

Building 2B is proposed to be a 16-story, 133,250-square-foot building containing community facility, commercial, and residential uses. It would contain 5,200 square feet of non-profit artist workspace on the first floor, 5,200 square feet of flexible office space on the first and second floors, and approximately 122 residential dwelling units on the upper floors, comprising 122,850 square feet of floor area. It would rise to a maximum height of 191.9 feet, without setback, on Spofford Avenue. One of the two below-grade parking garages would be located below Building 2B and a portion of the central courtyard. This garage, accessible via a private driveway extending northward from Spofford Avenue between Building 2B and Building 3, would include 203 accessory parking spaces.

Building 3 is proposed to be a 13-story, 200,285-square-foot mixed commercial, community facility and residential building located on the corner of Spofford Avenue and Manida Street. The building would comprise 172,285 square feet of residential floor area (totaling approximately 193 dwelling units), 10,000 square feet of commercial floor area (16,000 gross square feet of gross commercial area), and 18,000 square feet of community facility floor area. It would rise to a maximum height of 157.9 feet along Spofford Avenue, stepping down to a maximum height of 103.2 feet along Manida Street. Tenants are anticipated to be a grocery store and an Urban Health

Plan health and wellness center in the community facility space. The second accessory parking garage would be located below grade in Building 3. This garage, accessible via a private driveway extending northward from Spofford Avenue between Building 2B and Building 3, would include 57 accessory parking spaces.

The proposed development would be built in three phases. Buildings 1A and 1B would be built during the first phase, Buildings 2A and 2B would be built during the second, and Building 3 would be built in the third and final phase of construction. This construction phasing would allow the job-generating light industrial building to be constructed first. It also would allow the Head Start facility, which currently sits in the future Phase 3 area of the project site, to remain operational until it could relocate seamlessly to a new and improved space in Phase 2 of the project. Once it relocates, the current Head Start facility building could be demolished and Phase 3 of construction could commence. Temporary parking for Phase 1 would also be located within the Phase 3 area of the site until the underground parking is completed with Phase 2.

Although some potential tenants have been identified, the developer is actively engaging with local commercial and industrial businesses, as well as community facility operators, to identify potential tenants for the non-residential spaces of the proposed development. These include a brewery, a bank, a catering company, a media and television production studio, a performing arts organization, an arts community organization, health care provider, grocery store, and others.

The applicant team is also partnering with local organizations in the Bronx to provide workforce development opportunities to residents of the project and the surrounding area. The proposed project also has a target of hiring 35 percent Minority and Women-owned Enterprise (MWBE) contractors.

Due to the unique superblock condition of the site, with 720 feet of frontage along Spofford Avenue and the dramatic elevation change between Tiffany and Manida streets, the site is not well-connected presently to the surrounding street network. In addition, while there are some open space and parks in the vicinity, the area does not have a great deal of public open spaces. The

development proposal would reestablish linkages with the existing street network, with approximately 52,000 square feet of publicly accessible open space throughout the site, anchored by an approximately 30,000-square-foot publicly accessible central plaza. The central plaza would connect to the surrounding street network, with an east-west pedestrian corridor from Manida Street to Tiffany Street, a 105-foot-wide pedestrian connection to Casanova Street and Spofford Avenue, and a private driveway with pedestrian connection to Barretto Street and Spofford Avenue. The entrance to the development via the east-west pedestrian connection from Tiffany Street would be an approximately 35-foot wide step street, and the entrance from Manida Street would be approximately 40-feet wide. The development would achieve universal Americans with Disabilities Act (ADA) access through extensive use of terraces and ramps to navigate the changing topography of the site. The ramps, in combination with steps, stadium seating, and planting areas throughout the open spaces, define the pedestrian corridors, all of which link to the surrounding street network.

A Restrictive Declaration recorded against the development site would require that no less than 52,000 square feet of publicly-accessible open space be provided with pedestrian connections among Manida Street, Tiffany Street, and Spofford Avenue. The agreement between EDC and The Peninsula JV, LLC also stipulates that no less than 52,000 square feet of publicly-accessible open space be provided.

In addition, the entire Tiffany Street side of the development, including Buildings 1A and 1B, would be set back 12 feet from the existing sidewalk, creating an approximately 22-foot wide sidewalk that would create a more inviting and welcoming pedestrian environment.

The development would include more open space than the 52,000 square foot publicly-accessible open space. The additional open space would include an approximately 4,300 square foot playground proposed for the relocated Head Start facility, outdoor terraces in the residential buildings, and an outdoor café adjacent to the central plaza, which would be used as accessory space to the future users of Building 1A.

The development would also improve approximately 3,000 square feet of publicly-accessible open space located mostly offsite and adjacent to the Hunts Point Recreation Center, programmed and landscaped to integrate seamlessly with the new development. A portion of the development site is located in this area and it would be transferred to DPR at a later date.

The proposed development would be linked to the surrounding street network by a private vehicular cul-de-sac driveway located on the north side of Spofford Avenue. This driveway, which would provide vehicular access to Building 2A, would also provide access to the two underground proposed parking garages. The driveway would be positioned to align with the existing intersection of Spofford Avenue and Barretto Street, providing vehicular access from three directions: east- and westbound traffic from Spofford Avenue, and northbound traffic from Barretto Street.

All of the approximately 740 housing units are proposed to be affordable for households earning between 30 percent and 90 percent of the area median income (“AMI”). Pursuant to Option 1 of the MIH program, 25 percent of the residential floor area in the proposed development would be required to be set aside for housing units affordable to residents with household incomes averaging 60 percent of AMI. Within that 25 percent, at least 10 percent of the square footage must be used for units affordable for households at 40 percent of AMI, with no income band above 130 percent of AMI. As proposed, the project would provide 185 permanently affordable housing units.

The applicants also plan to comply with HPD’s Extremely Low and Low-Income Affordability (ELLA) program, which requires that 70 percent of units be affordable to households with incomes below 60 percent of AMI and 30 percent be affordable to households with incomes below 100 percent of AMI. In the proposed project, 74 units would be available for formerly homeless families, 74 at 30 percent of AMI, 74 at 40 percent of AMI, 75 at 50 percent of AMI, 292 at 60 percent of AMI, 74 at 80 percent of AMI, and 73 at 90 percent of AMI. The applicants are currently proposing 123 studio, 81 one-bedroom, 210 two-bedroom, 119 three-bedroom, and five four-bedroom apartments spread throughout the proposed residential buildings.

## **Actions Necessary to Facilitate the Project**

### *Disposition of City-Owned Property*

Once disposition is approved, DCAS intends to dispose of the property, via multiple ground leases, to the New York City Land Development Corporation (NYCLDC). NYCLDC would then dispose of the property to EDC, which would in turn dispose of the property to the developer, The Peninsula JV LLC, for a period of 49 years, with an option to renew up to 99 years.

### *Zoning Map Amendment*

EDC and the developer request a zoning map amendment to rezone a portion of the development site from an R6 district to an R7-2/M1-2 Special Mixed-Use District (MX-17). The portions of the project site not to be rezoned include Block 2763, portions of both Lots 1 and 2. These portions not to be rezoned include the future DPR property and a small triangle that normalizes the zoning line.

The R7-2/M1-2 district would allow for residential, community facility, commercial, and light industrial uses. It would allow a residential FAR up to 3.6 beyond 100 feet of a wide street and up to 4.6 within 100 feet of a wide street. The district would allow for a 6.5 community facility FAR, 2.0 commercial FAR, and 2.0 manufacturing FAR. The maximum base height permitted would be 60 feet and maximum building height would be 135 feet.

This zoning change from the current R6 zoning district would allow for increased height and density not permitted on the site today, which would produce more residential units, job-creating commercial and light industrial space, and community facility space than is currently allowed. The mapping of the MX-17 Special Mixed-Use District would allow for the mix of uses proposed that would permit light industrial and residential units to exist on the same zoning lot. This would be in keeping with the food production and light industrial area to the west of the project site as well as the residential areas to the north, east, and west of the site today.

### *Zoning Text Amendment*

EDC and the Peninsula JV, LLC are proposing to amend Section 123-90 of the Zoning Resolution to establish a Special Mixed Use District (MX-17) on a portion of the development site, coterminous with the rezoning area. This new text would create the mix of uses proposed in the future development, including allowing the light industrial spaces and residential uses to exist on the same zoning lot.

The applicants are also seeking to modify the text of Section 74-74 of the Zoning Resolution (ZR) to enable the City Planning Commission (the Commission) to permit a waiver of the required number of accessory off-street loading berths for the proposed development. The proposed modification of ZR 74-745(b) would allow the Commission to permit a waiver of the required number of accessory off-street loading berths in large-scale general developments in Special Mixed Use Districts located in Bronx Community District 2. This is similar to a waiver created in the Borough of Brooklyn, Community District 1 to waive out of loading berth requirements.

The ZR currently requires four accessory off-street loading berths for the development. However, the proposal includes two accessory off-street loading berths that would adequately meet the needs of the proposed non-residential uses of buildings 1A, 1B, 2A, and 2B buildings.

Finally, the applicants propose to amend Appendix F of the ZR to designate an MIH area coterminous with the rezoning area that would apply the requirements of Option 1. This would ensure that 25 percent or 185 of the proposed units remain permanently affordable. This would be consistent with the City's goals of creating new permanently affordable housing.

### *Special Permit to Modify Bulk Regulations within a Large-Scale General Development*

The proposed development requires modifications of applicable provisions of the ZR related to height and setback, minimum distance between buildings, and rear yard regulations.

These modifications would facilitate a site plan and project design that maximize publicly-accessible open spaces at grade; provide a large amount of new, permanently affordable housing;

and break up the superblock condition of the project site. The proposed development offers an opportunity to establish new links to the existing street grid via a new access drive and publicly-accessible open spaces, create view corridors within these linkages that provide views of the East River; and provide programmed passive and active public open space. The requested modifications would result in a better site plan than that permitted as-of-right, and a better relationship both among buildings within the LSGD, and also between buildings in the LSGD and buildings in the surrounding area.

The requested modifications maximize the amount of space within the project site that could be devoted to open spaces by permitting additional bulk to be placed closer to street lines, and at greater heights than would be permitted by the current or proposed zoning districts. These open spaces, in turn, would break apart the project site's superblock character and add additional pedestrian routes to the existing street network.

#### Height and Setback Waivers

ZR Section 23-662(a)(1) requires the height of a building located within 10 feet of a wide street or 15 feet of a narrow street not to exceed a maximum base height of 60 feet. Beyond 10 feet of a wide street or 15 feet of a narrow street, the building may not exceed a maximum building height of 135 feet in MX districts.

As proposed, Building 1B, Building 2A, Building 2B, and Building 3 would each require this waiver. Building 1B would rise to 168.3 feet. A waiver would be required to allow Building 1B to exceed the maximum permitted building height by approximately 33 feet.

Building 2A would rise to 153.8 feet. A waiver would be required to allow Building 2A to exceed the maximum permitted building height by approximately 19 feet. Building 2B would rise without setback to 191.9 feet. Building 2B's street wall would exceed the permitted 60-foot base height within 10 feet of a wide street, and the maximum permitted building height. A waiver would be required to allow a portion of Building 2B within the 10-foot setback area required from the

Spofford Avenue street line, and to exceed the maximum permitted building height by approximately 57 feet.

Building 3 has street wall frontage on both Manida Street (a narrow street with a 60-foot right-of-way) and Spofford Avenue (a wide street with a 100-foot right-of-way). Building 3's Manida Street street wall is located at the street line, and rises without setback to a maximum height of 103.2 feet. Therefore, Building 3's Manida Street street wall exceeds the permitted 60-foot base height within 15 feet of a narrow street. A waiver would be required to allow a portion of Building 3 within the 15-foot setback area required from the Manida Street street line. Building 3's Spofford Avenue street wall is located at the Spofford Avenue street line, where it rises without setback to a maximum building height of 157.9 feet above base plane. Therefore, Building 3's Spofford Avenue street wall exceeds the permitted 60-foot base height within 10 feet of a wide street, as well as the maximum permitted building height. A waiver would be required to allow a portion of Building 3 within the 10 foot setback area required from the Spofford Avenue street line, and to exceed the maximum permitted building height by approximately 23 feet.

While four out of the five proposed buildings would be taller than the existing 5- to 6-story buildings lining Spofford Avenue, the massing would allow the street walls of the proposed development to rise without setback, replicating the street walls of Spofford Avenue's existing pre-war multi-family residential apartment buildings. Additionally, the proposed development has been designed with shorter buildings at the corners of Manida Street and Spofford Avenue and Tiffany Street and Spofford Avenue, before stepping up toward the midblock. The proposed height would be in context with the new eight-story building proposed at the north-east corner of Manida Street and Spofford Avenue, directly across from the proposed Building 3.

#### Minimum Distance Between Buildings on Single Zoning Lot Waiver

The proposed development requires a waiver of Section 23-711, which requires a minimum distance between the portion of a building containing dwelling units and any other building on the same zoning lot. Buildings on the same zoning lot that together have an average height above base plane exceeding 50 feet must be separated by at least 50 feet of clearance where the building walls

of one building include legally required windows, and the building walls of the other building do not include legally required windows.

The proposed distance between Building 1A and Building 1B would require this waiver. The north-facing building wall of Building 1A would not include legally-required windows, and the south-facing building wall of Building 1B would include legally-required windows. These buildings have an average height exceeding 50 feet and require a minimum distance of 50 feet between them. The applicants are proposing that these two buildings have building walls that are 35 feet apart and would require a waiver of 15 feet.

Because the two lowest stories of Building 1B would be occupied by non-residential uses, and Building 1A would be limited to approximately 53.6 feet in height, the requested minimum distance between buildings modification would be minimal. Only the two lowest residential stories of Building 1B would be located within the waiver area and those stories would receive more light and air than in an as-of-right scenario where Building 1A would be built to a full height of 135 feet.

#### Required Rear Yard Waiver

The proposed development would also require a waiver of Section 23-47, which governs required residential rear yards. It requires the provision of a 30-foot rear yard for residential buildings. The applicants are seeking this waiver for a portion of Building 2A to be used as residential amenity space, as it would be located immediately adjacent to the development site's rear lot line, waiving the entire 30-foot rear yard for a portion of this building.

The portion of Building 2A requiring a rear yard waiver measures 24.5 feet in height. Due to the site's unique grade change, this building portion would only appear to be one story (approximately 15 feet in height) above the adjoining grade. This minimal rear yard modification would allow for a superior site plan, as it would fully enclose the proposed development's vehicular cul-de-sac at ground level.

*Special Permit to Modify Loading Berth Requirements within a Large-Scale General Development*

The proposed development would require a waiver of Section 44-52 of the Zoning Resolution, which governs required off-street accessory loading berths. The proposed development includes two accessory off-street loading berths, both located in Building 1A and accessed by a single curb cut located on Tiffany Street. The proposed development would require four accessory off-street loading berths, but is seeking a waiver of two loading berths.

The ZR currently requires four accessory off-street loading berths for the development. However, the proposal includes two accessory off-street loading berths that would adequately meet the needs of the proposed non-residential uses of buildings 1A, 1B, 2A, and 2B buildings. Locating loading berths in Building 3, which is proposed to contain a grocery store, would not be feasible due to the narrowness of Manida Street, the steep grade change of the site, and the anticipated busy pedestrian sidewalk that the development would create on Manida Street. Further, because of the large openings that the loading berths create, placing a loading berth in Building 3 would reduce the relationship between the street walls of the building, the adjacent sidewalk, and surrounding area. Therefore, curbside delivery would be used for Building 3, which would not create traffic or pedestrian issues nor interfere with surrounding uses.

*Zoning Authorization*

The proposed development requires a waiver of ZR 25-631(e), which limits the width of curb cuts accessing group parking facilities on a zoning lot to 22 feet, including splays. The proposed development's required and permitted off-street accessory parking spaces would be provided in group parking facilities in Buildings 2B and 3, accessed by a single 30 foot-wide curb cut on Spofford Avenue. Therefore, the applicant seeks to permit a curb cut eight feet wider than otherwise permitted.

The proposed curb cut would be located in the bed of the formerly mapped Barretto Street. This former street bed currently has a 34-foot-wide curb cut and the waiver would allow this existing condition to be more closely maintained and line up directly with the existing Barretto Street, south of Spofford Avenue. This would enforce the existing character of the surrounding street network.

## **ENVIRONMENTAL REVIEW**

This application (C 180126 PPX), in conjunction with the applications for the relation actions (C 180121 ZMX, N 180122 ZRX, C 180123 ZSX, C 180124 ZSX, and N 180125 ZAX), 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 lead agency is the Office of the Deputy Mayor for Housing and Economic Development. The designated CEQR number is 17DME001X.

It was determined that the proposed actions may have a significant effect on the environment, and that an environmental impact statement would be required. A Positive Declaration was issued on May 23, 2017, and distributed, published, and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on May 23, 2017. A public scoping meeting was held on the Draft Scope of Work on June 26, 2017.

A Final Scope of Work, reflecting the comments made during the scoping, was issued on October 20, 2017.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on October 20, 2017. Pursuant to SEQRA regulations and CEQR procedures, a joint public hearing was held on the DEIS on January 3, 2018, in conjunction with the public hearing on the related applications (C 180121 ZMX, N 180122 ZRX, C 180123 ZSX, C 180124 ZSX, and N 180125 ZAX).

A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public hearing was completed and a Notice of Completion for the FEIS was issued on February 2, 2018. The FEIS includes an (E) designation (E-451) related to hazardous materials, air quality and noise to avoid the potential for significant adverse impacts. The (E) designation requirements related to hazardous materials, air quality and noise would apply to Bronx, Block 2738, Lot 35 and Block 2763, Lots 1 (partial), 2 (partial) and 29.

The (E) designation requirement for hazardous materials is as follows:

A written report with findings and a summary of the data must be submitted to New York City Office of Environmental Remediation (NYCOER) after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by NYCOER if the results indicate that remediation is necessary. If NYCOER determines that no remediation is necessary, written notice shall be given by NYCOER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to NYCOER for review and approval. The applicant must complete such remediation as determined necessary by NYCOER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan and community air monitoring plan should be submitted to NYCOER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to NYCOER prior to implementation.

The (E) designation requirement for air quality is as follows:

*Fuel Type (All Buildings):*

Any new development on the above-referenced property must ensure that fossil fuel-fired combustion systems for heat, hot water, cogeneration, and food use processes utilize only natural gas. If natural gas-fired cogeneration is included, systems would be 35 kW microturbines or smaller.

*Setbacks and System Requirements:*

Building 1A

*Brewing System Combustion Exhaust:* Any new development on the above-referenced property must ensure that the exhaust vent(s) for all combustion sources (e.g., brew kettles, grain dryers) are located at least 45 feet away from any from any operable windows or air intakes on the nearest façade of Building 1B.

*Cooking and Oven Ventilation Exhaust:* Any new development on the above-referenced property must ensure that the cooking and oven exhaust vent(s) are located at least 96 feet away from any operable windows or air intakes on the nearest façade of Building 1B.

*Heating and Hot Water System Exhaust:* Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are located at least 96 feet away from any operable windows or air intakes on the nearest façade of Building 1B and must be fitted with low NOx burners with a maximum NOx emission concentration of 30 ppm.

Building 1B

*Exhaust Stack:* Any new development on the above-referenced property must ensure that fossil fuel-fired cogeneration system and/or heating and hot water equipment exhaust stack(s) are located at least 166 feet above grade, and at least 195 feet away from any operable windows or air intakes on the upper levels of the nearest façade of Building 2B.

Building 2A

*Exhaust Stack:* Any new development on the above-referenced property must ensure that fossil fuel-fired cogeneration system and/or heating and hot water equipment exhaust stack(s) are located at least 152 feet above grade, and at least 121 feet away from any operable windows or air intakes on the upper levels of the nearest façade of Building 2B.

*Heating and Hot Water System Emissions:* The fossil fuel-fired equipment must be fitted with low NOx burners with a maximum NOx emission concentration of 25 ppm.

### Building 3

*Exhaust Stack:* Any new development on the above-referenced property must ensure that fossil fuel-fired cogeneration system and/or heating and hot water equipment exhaust stack(s) are located at least 156 feet above grade, and at least 129 feet away from any operable windows or air intakes on the upper levels of the nearest façade of Building 2B.

*Heating and Hot Water System Emissions:* The fossil fuel-fired equipment must be fitted with low NOx burners with a maximum emission concentration of 30 ppm.

The (E) designation requirement for noise is as follows:

Any new residential/community facility, and/or commercial development on the project site (Block 2738, Lot 35; Block 2763, Lots 1 (p/o), 2 (p/o), 29) must ensure that the proposed building facades would be designed to meet minimum composite OITC ratings. Any new residential/community facility uses with frontage on Tiffany Street (western façade) must provide a minimum composite OITC rating of 33 dBA on the base 100 feet and 31 dBA for elevations of 100 to 200 feet. Any new residential/community facility uses with frontage on Spofford Avenue (southern façade) or Manida Street (eastern façade) must provide a minimum composite OITC rating of 28 dBA on the base\100 feet. Any new residential/community facility uses with frontage on the proposed play area must provide a minimum composite OITC rating of 35 dBA on the base 100 feet and 31 dBA for elevations of 100 to 200 feet. To maintain a closed-window condition, an alternate means of ventilation must also be provided. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Additionally, to further avoid the potential for significant adverse hazardous materials impacts on the western portion of the site (Block 2738, Lot 35), development on Lot 35

would proceed in accordance with a Brownfield Cleanup Agreement under the New York State Department of Environmental Conservation Brownfield Cleanup Program.

The FEIS identified significant adverse impacts with respect to Transportation (Traffic and Transit - Bus) and Construction (Noise). The identified significant adverse impacts and proposed mitigation measures are summarized below.

#### Transportation – Traffic

The proposed development would result in the potential for significant adverse impacts at eight analyzed intersections during one or more analyzed peak hours. Specifically, significant adverse impacts were identified at 10 lane groups at eight intersections during the weekday AM peak hour, nine lane groups at six intersections in the weekday midday peak hour, nine lane groups at seven intersections in the weekday PM peak hour, and three lane groups at three intersections during the Saturday midday peak hour. Implementation of traffic engineering improvements, such as signal timing changes, modifications to curbside parking regulations, and modifications to roadway striping, would provide mitigation for most of the anticipated traffic impacts. The identified significant adverse impacts would be fully mitigated at all but two lane groups at one intersection (Bruckner Boulevard at Hunts Point Avenue) during the weekday AM peak hour, and one lane group at one intersection (Spofford Avenue at Manida Street) during the weekday PM peak hour. No measures could be implemented to fully mitigate these lane groups without resulting in new impacts at one or more other lane groups and/or resulting in extensive vehicle queuing at the intersections. Consequentially, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the proposed development.

#### Transportation – Transit (Bus)

Incremental demand from the proposed development would result in significant adverse impacts on two bus routes. Specifically, significant adverse impacts would result on the northbound Bx6 and the northbound and southbound Bx46 in the weekday AM peak hour and the northbound Bx46 in the weekday PM peak hour.

Bus route impacts are typically mitigated by adding buses to the routes where feasible. To meet demand, the northbound Bx6 would require one additional bus, for a total of 17 buses on the route during the weekday AM peak hour. The northbound Bx46 would require four additional buses for totals of six and eight buses on the route in the weekday AM and PM peak hours respectively. The southbound Bx46 would require one additional bus for a total of five buses on the route in the weekday AM peak hour. The general policy of New York City Transit is to provide additional bus service where demand warrants, taking into account financial and operational constraints.

### Construction – Noise

To determine the significance of construction noise impacts, 15 sites near the proposed development were analyzed. At four of the 15 analyzed receptor locations, the magnitude and duration of construction noise levels associated with the proposed development would constitute significant adverse impacts. Affected locations include approximately eight existing residential buildings to the south of the project site along Spofford Avenue between Tiffany and Manida streets, and approximately 16 residential buildings to the east of the project site along Manida Street between Spofford Avenue and Lafayette Avenue. The identified significant adverse noise impacts could be partially mitigated with the measures described below.

Under the *New York City Noise Control Code*, noise barriers constructed from plywood or other materials are required to be provided at a height of eight feet. In order to reduce the level of construction noise at nearby receptors, the Project Sponsor would commit to constructing a 12 foot high perimeter noise wall around each construction area. The wall would be lined with quilted fiberglass to improve sound absorption and reduce construction noise levels at surrounding residential properties. For receptors that are shielded by the higher perimeter noise barrier (i.e., those at or below the height of the barrier), the additional height and treatment to the barrier would be expected to provide up to approximately five dBA of additional shielding from at-grade or below-grade sources of construction noise.

Additionally, the developer would commit to providing an on-site acoustical enclosure for concrete mixing trucks. Concrete mixer trucks on the site would be enclosed on three sides (with the open

side facing north into the construction work area) during concrete mixing and pouring as well as wash-down. The enclosures would be constructed either from plywood with quilted fiberglass on the inner faces or from an approved alternate material (e.g., Soundseal BBC-13-2 mass loaded vinyl with quilted fiberglass curtain). These enclosures would be expected to provide up to approximately 10 dBA of additional shielding of concrete truck noise at all nearby noise receptors.

## **UNIFORM LAND USE REVIEW**

This application (C 180126 PPX), in conjunction with the related applications for a zoning map amendment and special permits (C 180121 ZMX, C 180123 ZSX, and C 180124 ZSX), was certified as complete by the DCP on October 30, 2017, and was duly referred to Bronx Community Board 2 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 applications for a zoning text amendment and authorization (N 180122 ZRX and N 180125 ZAX), which were duly referred to Bronx Community Board 2 and the Bronx Borough President in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Bronx Community Board 2 held a public hearing on this application (C 180126 PPX) on November 13, 2017. On November 15, 2017, by a vote of 23 in favor, three against, and three abstaining, the Community Board adopted a recommendation to approve the application with conditions.

Those conditions included: commit to the breakdown of units as proposed, a transparent HPD lottery process, and a 50 percent Bronx Community District 2 community preference; conduct a traffic study; provide a 30-day recording history of video surveillance accessible by NYPD 41<sup>st</sup> precinct and provide lighting throughout; provide exterior space for murals; explore hiring unionized workers and/or paying fair wages; address gentrification concerns; provide quality on-site management; engage in a Community Benefits Agreement; explore creating a shared-use commercial kitchen food incubator; keep the current Head Start program operator, La Peninsula; monitor leases of light manufacturing businesses; explore incorporating senior housing and senior services into project; and explore hiring and setting aside housing for veterans.

### **Borough President Recommendation**

The Bronx Borough President held a public hearing on this application (C 180126 PPX) on December 12, 2017, and on December 19, 2017 issued a recommendation approving the application.

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

On December 13, 2017 (Calendar No. 11), the City Planning Commission scheduled January 3, 2018 for a public hearing on this application (C 180126 PPX) and the related applications (C180121 ZMX, N 180122 ZRX, C 180123 ZSX, and C 180124 ZSX). The hearing was duly held on January 3, 2018 (Calendar No. 24). Eight speakers from the applicant team and three others testified in favor of the application.

Two representatives from the applicant team described details of the proposed project, including the proposed open space, wayfinding and signage, and the planned 24-hour video surveillance system. The representatives stated that they were consulting with a lighting specialist to design a detailed lighting plan. They explained that the joint venture (JV) would work with residents and surrounding community organizations to provide programming in the public space. The representatives stated that there is a distinction between the adjacent future DPR property and the applicant team's property, but that they intended to have the two spaces interplay. They described proposed safety precautions, including how the proposed development was designed to activate the existing street and new open spaces. They explained that the pedestrian entrance from Tiffany Street would be 35 feet wide and from Spofford Avenue and Casanova Street 105 feet wide, creating open connections to the central plaza. They also explained that the residential entrances would front onto the surrounding streets and that one would enter the industrial spaces from the street with secondary entrances opening up into the publicly-accessible open space.

The applicant team also described the ownership structure, where MHANY would have a joint interest with the other two owners but would be the majority owner of Building 1A. The joint venture would own the other buildings and MHANY would act as the property manager for the entire development. They explained that the term of the leases would be 49 years with the option to renew for up to 99 years. The team stated that they planned to offer retail leases for 10 years

with five-year renewals up to 20 years, but would consider longer leases. They described the five ground leases, whereby each lease would contain one building with a portion of the open space. The team said that they would apply for New Market Tax Credits for Building 1A and that the residential buildings would use HPD term sheet financing under the ELLA program and the federal Low-Income Housing tax credit program. A representative also described the construction phasing of the project, with Building 1A to be completed in 2019, Building 1B by 2020, Buildings 2A and 2B by 2021, and Building 3 by 2024.

A representative from the applicant team described the sustainable features proposed for the development, including solar panels, cogeneration, resilient features that allow future users to shelter in place during extreme weather events, rainwater harvesting, and a heating, ventilation, and air conditioning (HVAC) system that is quieter and easier to maintain. They stated their commitment to green development and bringing green jobs to the Bronx, and said that broadband internet access would be available in the common areas of the residential buildings.

They also acknowledged that the Borough President had raised concerns about the size of units in a letter attached to his recommendation and the applicant representative explained that unit sizes followed the guidelines set forth by HPD.

A representative of The Point Community Development Corporation (CDC) spoke in favor of the project, citing the opportunity that it would give local food manufacturers, the 100 percent affordable units, the engagement of local community partners, and the outreach to the community as benefits. The representative also explained that The Point CDC would be using 5,000 square feet in Phase II of the new development for art space.

A representative from Urban Health Plan spoke in favor of the project and described the 16,000-square-foot health and wellness center that the organization would occupy in the future development. The center would also have a Mercado, providing access to healthy food choices and cooking classes to local residents.

The environmental consultant spoke in favor of the project and provided details about the analysis.

A representative from the design firm for the project, spoke in favor of the project and described the challenging topography of the site and that the majority of the parking proposed for the site would be for residential use. He also explained that the development team was working to achieve larger unit sizes. The representative also clarified that there would be two loading docks within Building 1A, accessed from Tiffany Street. The representative explained the design choice to balance brick with other materials, and that the design process with PDC made the design more pedestrianized and reduced the size of the access drive.

A representative from MHANY, part of the applicant team, spoke in favor of the project and described the eight-story residential building that MHANY is planning across from the site, at Spofford Avenue and Manida Street. As the future property manager, the representative described the other properties that MHANY manages and that it would be working with police and residents to ensure safety at the new development. The representative also spoke about programming the open space and working with the community to program the space year round.

A representative from ACS spoke in favor of the project, providing details about the existing Head Start facility's operator and its possibility to continue in the new space.

A representative of Community Board 2 spoke in favor of the project and explained that the Community Board was requesting that the applicant team enter into a community benefits agreement with the Hunts Point Recreation Center and the Hunts Point Slave Burial Ground. The representative also spoke of the Community Board's conditions to include a commercial kitchen and food incubator. He stated that the applicant team had exceeded expectations on community outreach and that the Community Board was happy with the amount of three- and four-bedroom units. The representative also addressed concerns about lighting and safety at the site.

A representative from the Mayor's Office of Environmental Coordination spoke in favor of the project and addressed questions about the EIS and how potential social issues like prostitution, which are not within the purview of the EIS might be mitigated.

A representative from EDC spoke in favor of the project and described the off-site open space. The representative also explained that all of the buildings on the site would be demolished except the Head Start facility, which would not be demolished until its new space was open upon completion of Phase II. The representative stated that the developer would fund the installation of new traffic signals in the surrounding area in accordance with the findings of the FEIS. He also described the space that would be transferred to DPR, which DPR would determine how to use, and that the design of all of the open space would be under jurisdiction of the PDC.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this application for the disposition of City-owned property (C 180 126 PPX), in conjunction with the related applications (C180121 ZMX, N 180122 ZRX, C 180123 ZSX, and C 180124 ZSX) is appropriate.

The disposition, through multiple ground leases for a period of 49 years with possible extensions up to 99 years, will allow the applicant team to construct a mixed-use development that will yield approximately 740 affordable housing units, 53,000 square feet of commercial uses, 26,200 square feet of community facility uses, 21,300 square feet of light industrial uses, and 52,000 square feet of publicly-accessible open space. The proposal will transform a unique City-owned site, formerly associated with uses perceived as negative by many in the Hunts Point community, into an open, welcoming mixed-use campus with much-needed affordable housing, amenities, jobs, and public open space.

The project site is situated on the border of the residential, R6 zoned area of Hunts Point and the low-scale manufacturing M1-2 zoned area of the peninsula. The proposed zoning map amendment

from R6 to R7-2/M1-2, MX-17 (C 180121 ZMX) will encourage an appropriate mix of both of these uses, contexts, and scales. The mixed-use zoning district will allow for the expansion of food production manufacturing uses that are indigenous to the Hunts Point peninsula. At the same time, the zoning district will allow for commercial and retail uses, like a bank and supermarket, that would augment the commercial spaces on Hunts Point Avenue and provide more options to existing and future residents of the area. Community facilities like the proposed health care and wellness facility, will create additional services for existing and future residents of Hunts Point. A new and improved space for the Head Start facility, including a dedicated outdoor play area, will benefit the children of Hunts Point. The Commission recognizes and encourages the variety of uses proposed with this project, including proposed space for local arts organizations.

The site is currently mapped with an R6 zoning district that permits medium-density residential and community facility uses with a maximum residential FAR of up to 2.43 and a maximum community facility FAR of 4.80. The proposed R7-2/M1-2 district will allow for a greater mix of uses, including residential, community facility, commercial, and light industrial. It will allow a higher residential FAR of up to 3.6 beyond 100 feet of a wide street and of up to 4.6 within 100 feet of a wide street. The district would allow for a 6.5 community facility FAR, 2.0 commercial FAR, and 2.0 manufacturing FAR. The maximum height allowed in the proposed district is 135 feet.

The increased height and density permitted by the increased zoning district will produce more residential units, job-creating commercial and light industrial space, and community facility space than is currently allowed. The increased density will permit both a large amount and a wide variety of uses on the site that will be able to transform and activate the site from a vacant, underused, and negative site today into a vibrant live, work, learn, shop, and play development. The Commission notes that this proposal is in keeping with the food production and light industrial area to the west of the project site, as well as the residential areas to the north, east, and west of the site today and that mapping the Special Mixed-Use District (MX-17) is appropriate as it allows for the mix of uses that permits light industrial spaces and residential units to exist on the same zoning lot.

Transit, including the proximate 2, 5, and 6 subway lines and multiple bus routes, is an asset and opportunity for this site. Future users of the development, including residents, employees, customers, and guests, will have multiple transportation options. The Commission also recognizes the opportunity presented by the proposed Metro North station at Hunts Point Avenue, which will provide easy access to Manhattan, the Northeast Bronx, Upstate New York, and Connecticut. This additional transit option will help to accommodate the new residents and activity that this development will spur. Given the access to transit in the area, the Commission believes that this site is appropriate for the higher residential density that the zoning map amendment creates.

The proposed zoning text amendment (N 180122 ZRX) is appropriate.

The zoning text amendment will designate an MIH area coterminous with the rezoning area, requiring permanent affordability for a portion of the units on the site. While the development that the requested actions would facilitate is proposed to be 100 percent income-restricted, with units ranging between 30 and 90 percent of AMI, mapping an MIH area with Option 1 on the site would create 25 percent of the units, or 185 units, as permanently affordable to household incomes under 60 percent AMI. In the proposed project, 74 units would be available for formerly homeless families, 74 at 30 percent of AMI, 74 at 40 percent of AMI, 75 at 50 percent of AMI, 292 at 60 percent of AMI, 74 at 80 percent of AMI, and 73 at 90 percent of AMI. The Commission believes that the project will help to address the need for more affordable housing in the Bronx and in the City overall, and will be consistent with the City's objectives for housing production and affordability.

The zoning text amendment also establishes a new Special Mixed Use District, MX-17, which will facilitate the mix of light industrial, commercial, community facility, and residential uses. The Special Mixed-Use District allows light industrial spaces and residential uses to exist on the same zoning lot by mapping a residential and a manufacturing district together. The Commission recognizes the dual opportunity that this Special Mixed Use District will create, addressing the need for more job-creating light industrial space while also creating more affordable housing.

The zoning text amendment also creates a special permit to waive or reduce the number of required loading berths in LSGDs in the Bronx, Community District 2. The Commission notes that this request is consistent with other developments in the City where the loading berth requirements have exceeded the needs of commercial and industrial uses.

The proposed special permit to modify bulk regulations within an LSGD is appropriate (C 180123 ZSX). These modifications will facilitate a superior site plan and project design that maximize publicly-accessible open spaces at grade, break up the superblock condition of the project site, and provide a large amount of new affordable housing. The proposed development will establish new links to the existing street grid via a new access drive and publicly-accessible open spaces, create view corridors within these linkages that provide views of the East River and Manhattan, and provide programmed passive and active public open space.

The requested modifications maximize the amount of space within the project site that can be devoted to open spaces by permitting additional bulk to be placed closer to street lines, and at greater heights than would be permitted by zoning. These open spaces, in turn, break apart the project site's superblock character and add additional pedestrian routes to the public realm. The Commission recognizes the importance of creating these large open spaces that are welcoming and connect to the surrounding streets and neighborhood.

The height and setback waivers are appropriate. Because of the superblock condition of the development site, additional height and density are appropriate and allow for a new pedestrian grid with connections to Tiffany Street, Manida Street, and Spofford Avenue centered by a large publicly-accessible plaza that breaks up the site. In addition, the development works with the topography of the site, creating access from each side, and placing the height toward the center of the site. The Commission notes that the height of Building 3 will step down to meet the context of the future condition at the corner of Manida Street and Spofford Avenue, where MHANY will be constructing an eight-story affordable housing building. Buildings 1A and 1B on Tiffany Street are set back 10 feet where the sidewalk will be enlarged, which will be a benefit to the community and the future users of the businesses that open onto Tiffany Street.

The waiver to the minimum distance between buildings is also appropriate. The distance between Buildings 1A and 1B is 35 feet, requiring a waiver of 15 feet. However, because the two lowest stories of Building 1B will be occupied by non-residential uses, and Building 1A will rise to only 53.6 feet in height, the requested minimum distance between buildings modification is minimal.

The Commission finds that the request for a rear yard waiver is appropriate, as it will provide additional residential amenities and will be partially masked by the topography of the adjacent lot containing the Hunts Point Recreation Center.

The proposed special permit to modify loading berth requirements within an LSGD is appropriate (C 180124 ZSX). The proposal will contain two loading berths instead of the required four, requiring a waiver of two berths. The Commission notes that the two proposed loading berths would meet the needs of the non-residential uses in Buildings 1A, 1B, 2A, and 2B, and that the curbside delivery for Building 3 is appropriate given the unique topographical challenges, and the desire to create a more pedestrian friendly sidewalk adjacent to the new development.

The development will create a large amount of publicly accessible open space that will allow for new community gathering spaces. The Commission is encouraged that the applicant team is working with local community partners on determining year-round programming for those spaces. The eastern edge of the site that serves as a pedestrian connection to Manida Street is adjacent to the Hunts Point Recreation Center, and the Commission notes that it will be important for the applicant team to continue working with DPR to ensure that that area is integrated into the existing parkland. The Commission applauds the proposal for ensuring that the development and open spaces are ADA accessible, especially considering the challenging topography. The Commission is also encouraged by the open space that will be available to residents on building terraces and the new outdoor playground facility for the Head Start facility. The Commission notes the importance of activating the edges and open space of the development with programming, lighting, and on-site staff.

In a letter dated January 29, 2018, the applicant team explained the Joint Venture's organizational structure and responsibilities. The letter explained that MHANY will be responsible for the day-to-day property management responsibilities of the development, as well as providing on-site staffing. The management team of MHANY and Gilbane Development Company will be in charge of the upkeep and maintenance of the exterior common areas. The Commission notes the importance of understanding these responsibilities for the ongoing future success of the project.

The Commission commends the commitment by the applicant team to include green infrastructure into the development, including solar panels, rain water harvesting, cogeneration, and a quieter and easier to maintain HVAC system. The Commission recognizes the project's resiliency features, including ensuring that future residents are able to shelter in place during extreme weather events, and notes its consistency with the City's resiliency goals.

The proposed development would include 123 studio, 81 one-bedroom, 210 two-bedroom, 119 three-bedroom, and five four-bedroom apartments. The Commission applauds the applicant team's range of residential unit types proposed for the development, especially the three-and four-bedroom apartments. The Commission notes that this is consistent with the testimony heard at the Public Hearing.

The Commission notes the positive public support for this project and commends the applicant team for the amount of community outreach that was conducted outside of the ULURP process. In a letter to the Commission dated December 29, 2017, the applicant team stated their commitment to ongoing meetings in the community, including additional housing information sessions, housing lottery workshops, and employment and MWBE focused sessions. The Commission applauds this level of engagement by an applicant in the community before, during, and after the formal ULURP process.

The Commission is encouraged by the outreach to local businesses and organizations interesting in locating at the future site including local community organizations, arts organizations, and health care facilities. In materials provided to the Commission by the applicant team at the Public

Hearing on January 3, 2018, the applicants stated their commitment to working with a MWBE and a local hiring coordinator to facilitate communications between local hires and contractors, maintaining lists of MWBEs and individuals to share with contractors, tracking the hiring process, and producing reports on MWBE and hiring goals. The Commission applauds the applicant team's 35 percent target of MWBE contractors.

The Commission acknowledges recommendations by Community Board 2, including regarding the breakdown of units as proposed to the Community Board, a transparent HPD lottery process, and a 50 percent Bronx Community District 2 community preference; conducting a traffic study; providing 30-day recording history of video surveillance accessible by NYPD 41st precinct and providing lighting throughout; providing exterior space for murals; exploring hiring unionized workers and/or paying fair wages; addressing gentrification concerns; providing quality on-site management; engaging in a Community Benefits Agreement; exploring creating a shared-use commercial kitchens food incubator; keeping the current Head Start program operator, La Peninsula; monitoring leases of light manufacturing businesses; exploring incorporating senior housing and senior services into the project; and exploring hiring veterans and setting aside housing for veterans. While these requests extend beyond the ambit of this application, the Commission notes that at the public hearing and in a letter addressed to the Commission dated December 29, 2017, the applicant team indicated a willingness to work with the community to address many of the Community Board's requests. The Commission encourages the applicant team to pursue such discussions.

### **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on February 2, 2018, with respect to this application (CEQR No. 17DME001M), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives 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 New York City Charter, for the disposition, by means of ground leases, of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning, Borough of the Bronx, Community District 2, is approved.

The above resolution (C 180126 PPX), duly adopted by the City Planning Commission on February 14, 2018 (Calendar No. 9), 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*

**RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,  
JOSEPH I. DOUEK, CHERYL COHEN EFFRON, RICHARD EADDY, HOPE KNIGHT,  
ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ** *Commissioners*

Application #: **C180126PPX**

CEQR Number: 17DME0001X

Project Name: **Spofford Campus Redevelopment Plan**

Borough(s): Bronx

Community District Number(s): 2

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

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> 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 the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition, by means of ground leases, of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning.

|   |  |  |                           |
|---|--|--|---------------------------|
| <b>Applicant(s):</b><br>Department of Citywide Administrative Services<br>1 Centre Street, 20th Floor<br>New York, NY 10007 |  | <b>Applicant's Representative:</b><br>Robert Holbrook<br>NYC Economic Development Corporation<br>110 William Street<br>New York, NY, 10038 |                           |
| <b>Recommendation submitted by:</b><br>Bronx                      Community Board 2   |  |  |                           |
| <b>Date of public hearing:</b> November 13, 2017  |  | <b>Location:</b> 765 Manida Street Bronx NY 10474  |                           |
| <b>Was a quorum present?</b> 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>     |                           |
| <b>Date of Vote:</b> November 15, 2017  |  | <b>Location:</b> 1054 Simpson Street Bronx NY 10459  |                           |
| <b>RECOMMENDATION</b>   |  |  |                           |
| <input type="checkbox"/> Approve  |  | <input checked="" type="checkbox"/> Approve With Modifications/Conditions  |                           |
| <input type="checkbox"/> Disapprove   |  | <input type="checkbox"/> Disapprove With Modifications/Conditions  |                           |
| <b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>                      |  |  |                           |
| <b>Voting</b>   |  |  |                           |
| # In Favor:    23   |  | # Against:    3  |                           |
| # Abstaining:    3  |  | Total members appointed to the board:    37  |                           |
| <b>Name of CB/BB officer completing this form</b><br>Rafael Acevedo   |  | <b>Title</b><br>District Manager   | <b>Date</b><br>11/20/2017 |

# Bronx Community Board #2

Borough President Ruben Diaz, Jr.  
1029 East 163<sup>rd</sup> St.  
Bronx, NY 10459  
718-328-9125 • 718-991-4974 Fax  
E-mail: [brxcb2@optonline.net](mailto:brxcb2@optonline.net)



Roberto Crespo  
Chairperson



Ralph Acevedo  
District Manager

November 16<sup>th</sup> 2017

Marisa Lago, Chairwoman  
City Planning Commission  
22 Reade Street  
New York NY 10007

**RE: ULURP Applications C 180121ZMX, C180123ZSX, C180124ZSX, C180126PPX**  
**The Peninsula Rezoning - CERQ#17DME001M**

Dear Chair Lago:

On November 15<sup>th</sup> 2017, Bronx Community Board 2 (CB2) reviewed the Uniform Land Use Review Procedure (ULURP) applications C180121ZMX, C180123ZSX, C180124ZSX and C180126PPX for the rezoning of The Peninsula JV LLC on Spofford Avenue between Tiffany and Manida Streets, Bronx NY. The application relates to a proposal by The New York City Economic Development Corporation and The Peninsula JV, LLC (applicant) to construct a Housing Development with manufacture and commercial retail space (the proposed project). On November 13<sup>th</sup> 2017, CB2 held a public hearing on the application.

At its regularly scheduled Full Board Meeting on November 15<sup>th</sup> 2017, CB2, on the recommendation of its Board Members, and following a duly noticed public hearing, voted by roll call **23** for, **3** against, **1** abstaining, **2** recused and **8** not present eligible to approve with Modifications/Conditions. CB2 recommends the following stipulations and conditions enumerated below:

- The applicant will commit to the breakdown of apartments and the Area Medium Income (AMI), remain as proposed. We would also like to see the Set Aside units selection go to former residents of the Community Board District 2:

Total Units per Building

|            | Studio     | 1 BR       | 2 BR       | 3 BR       | 4 BR     | Total      |
|------------|------------|------------|------------|------------|----------|------------|
| 1A         | 0          | 0          | 0          | 0          | 0        | <b>0</b>   |
| 1B         | 36         | 63         | 60         | 24         | 0        | <b>183</b> |
| 2A         | 53         | 84         | 43         | 43         | 0        | <b>223</b> |
| 2B         | 34         | 36         | 42         | 22         | 6        | <b>140</b> |
| 3          | 40         | 53         | 70         | 31         | 0        | <b>194</b> |
| Site Total | <b>163</b> | <b>236</b> | <b>215</b> | <b>120</b> | <b>6</b> | <b>740</b> |

Total Units per AMI

|              | Formerly Homeless | 30% AMI   | 40% AMI   | 50% AMI   | 60% AMI    | 80% AMI   | 90% AMI   | Total      |
|--------------|-------------------|-----------|-----------|-----------|------------|-----------|-----------|------------|
| Studio       | 18                | 18        | 18        | 18        | 55         | 18        | 18        | <b>163</b> |
| 1 BR         | 22                | 21        | 22        | 21        | 108        | 21        | 21        | <b>236</b> |
| 2 BR         | 22                | 22        | 21        | 22        | 81         | 21        | 22        | <b>211</b> |
| 3 BR         | 12                | 12        | 12        | 12        | 48         | 12        | 12        | <b>120</b> |
| 4 BR         | 0                 | 1         | 1         | 1         | 2          | 1         | 0         | <b>6</b>   |
| <b>Total</b> | <b>74</b>         | <b>74</b> | <b>74</b> | <b>74</b> | <b>294</b> | <b>73</b> | <b>73</b> | <b>736</b> |

Set Aside for Formerly Homeless

|              | Studio    | 1BR       | 2 BR      | 3 BR      | Total     |
|--------------|-----------|-----------|-----------|-----------|-----------|
| 1A           | 0         | 0         | 0         | 0         | <b>0</b>  |
| 1B           | 4         | 6         | 6         | 3         | <b>19</b> |
| 2A           | 6         | 8         | 5         | 4         | <b>23</b> |
| 2B           | 4         | 3         | 4         | 2         | <b>13</b> |
| 3            | 4         | 5         | 7         | 3         | <b>19</b> |
| <b>Total</b> | <b>18</b> | <b>22</b> | <b>22</b> | <b>12</b> | <b>74</b> |

- The applicant will commit to New York City Housing and Preservation Development (HPD) and Housing Development Corporation (HDC) lottery process transparency and will guarantee a minimum of 50% of the units reserved for CB2. A recommendation is to have the applicant report to CB2 once the lottery selection is completed.
- The applicant will notified CB2 once the lottery process begins and will provide a redacted report of residents of addresses in zip codes 10474, 10459 and 10455 being consider for the selection process. The Applicant will work with a Community Sponsor for the purpose of transparency in the Housing Connect process and to ensure a timely manner of the selection process through time of move in. The applicant will also create a housing forum and workshops to assist resident in navigating the Housing Connect website. Any community unit that becomes vacant will be filled back with a community resident.
- The applicant will conduct a traffic study along Spofford Avenue and Tiffany Street to minimize the amount of traffic congestion during construction phases. The study should include minimizing construction-related vehicle delay through the proposed project and enforcement of delay threshold on Spofford Avenue and Tiffany Street and developing and implementing traffic management plans for the overall of Spofford Avenue and Tiffany Street. It's extremely important for this study since the construction timeline will coincide with the redesign of the Sheridan Expressway, which is in the vicinity to the proposed project and will have a direct impact on the surrounding community.
- The applicant will have a 30 day recording history of its video surveillance system, which will include surveillance of its parking garage. The surveillance system will also be accessible to the local New York Police Department 41<sup>st</sup> Precinct. The Applicant will also install a Stop sign upon exiting the parking garage. The applicant will ensure lighting throughout their property.
- The applicant will create space along its exterior wall for a new mural created by the existing mural artists. The new mural(s) will capture the essence of the existing neighborhood while incorporating the proposed project.
- The applicant will explore hiring Unionize workers and/or will employ under the Fair Wages for New Yorkers Act. Also, the applicant will explore hiring local. This will ensure that tax dollars are invested back to the community, reduces the environmental impact of commuting, foster

more community involvement and preserves local employment opportunities in demolishing and construction. The applicant will utilize the District's local Workforce1 for recruitment.

- The applicant will address gentrification with the surrounding community, both business and residents. The proposed project will create benefits for the city in the form of additional tax revenue and the creation of temporary and permanent jobs, and for the applicant in the form of rent and an increase in property value. For the surrounding community, however, the proposed project will increase foot and vehicle congestion and a demand on public space; it will accelerate gentrification with its accompany effects on socioeconomic conditions, community character and indirect displacement of current businesses.
- The applicant will have quality on-site property management to ensure the buildings are maintained to preserve assets and protect the building tenants. This will assist in keeping tenants long-term and will invest in timely building maintenance and repairs. Periodic inspections and maintenance of the roof, walls, gutters, drains, and foundation is an investment in controlling interior conditions as well as in preserving the building itself. A regular schedule for maintenance of the exterior and interior of the buildings should be created and maintained with an ongoing log of issues and resolutions.
- The applicant will engage in a public Community Benefit Agreement (CBA) which came as a result of community participation and feedback. CB2 strongly encourages the applicant communicates with the Hunts Point Recreational Center and the Organization for the Preservation of the Hunts Point Slave Burial Ground, which is in close proximity to the proposed project and offer revitalization, workshops, resources and services for the community. This will be requested to our local elected officials to ensure that the community benefit commitments are in fact implemented. The ability to enforce legal commitments is especially important in this context since community support at time of approval is needed.
- The applicant will explore creating a shared-use and commercial kitchens food incubator for the proposed project. This accelerator will assist to nurture homegrown food ventures and fuel their growth.
- The applicant will honor the community by keeping the current Head Start program as part of the proposed project. The Peninsula Head Start has long been an institution in the community and understanding that the their current contract expiring has many residents in fear of losing this valuable service. The applicant will explore with both Administration of Children Services (ACS) and the Department of education (DOE) in creating a new long term contract for the Peninsula head start. Also, the applicant will explore expanding the head start program capacity. In creating new housing, this will certainly increase the number of families who can benefit from head start services and this influx of residents can possibly mean a burden on the current proposed project. The applicant will explore creating more seating in local schools to accommodate the increase of residents by the proposed project.
- The applicant will monitor the leases for the light manufacturing businesses. The community feels it's very important to include these businesses, but remains skeptical that they will be priced out once leases renewal take place. This will have an impact on the jobs created.
- The applicant will explore incorporating Senior housing and Senior services into the proposed project. The community can benefit from this as we are identifying an increase in the number of Seniors in the district.
- The applicant will explore hiring Veterans labor along with setting aside housing for Veterans.

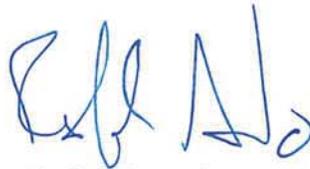
**NOW, THEREFORE, BE IT RESOLVED** that:

Bronx Community Board 2 recommends approval of ULURP applications C180121ZMX, C180123ZSX, C180124ZSX and C180126PPX if the proposed project adheres to the conditions set forth above.

Sincerely,



Roberto Crespo  
Chairman



Rafael Acevedo  
District Manager

cc: DCP Carol Samol  
Bronx Borough President Ruben Diaz Jr.  
NYC Councilmember Rafael Salamanca  
Congressman Jose E. Serrano  
NYS Senator Rev. Ruben Diaz Sr.  
NYS Assembly Member Carmen E. Arroyo  
Robert Holbrook – Applicant Representative

**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.

**APPLICATIONS NOS: C 180121 ZMX, C 180123 ZMX, C 180124 ZSX, C 180126 PPX  
Spofford Campus Redevelopment**

**DOCKET DESCRIPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION**

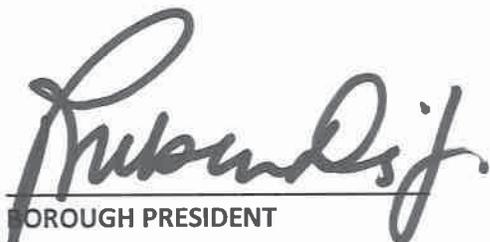
**COMMUNITY BOARD NO. #2**

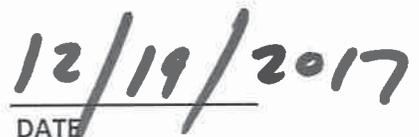
**BOROUGH: BRONX**

**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 NOS:  
C 180123 ZSX, C 180124 ZSX, C 180126 PPX  
Spofford Campus Redevelopment**

**DOCKET DESCRIPTION**

**C 180121 ZMX**

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

1. Changing from an R6 District to an M1-2/R7-2 District property bounded by a line 340 feet northerly of Spofford Avenue, a line 475 feet easterly of Tiffany Street, a line 155 feet northerly of Spofford Avenue, Manida Street, Spofford Avenue, and Tiffany Street; and
2. Establishing a Special Mixed Use District (MX-17) bounded a line 340 feet northerly of Spofford Avenue, a line 475 feet northerly of Tiffany Street, a line 155 feet northerly of Spofford Avenue, Manida Street, Spofford Avenue, and Tiffany Street;

Borough of The Bronx, Community District #2, as shown on a diagram (for illustrative purposes only) dated October 30, 2017.

**C 180123 ZSX**

**IN THE MATTER OF AN APPLICATION** submitted by New York City Economic Development Corporation (EDC), Department of Citywide Administrative Services (DCAS) and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the rear yard requirements of Section 23-47 (Minimum Required Rear Yards), the distance between buildings requirements of Section 23-711 (Standard Minimum Distance Between Buildings) and the height and setback requirements of Section 123-66 (Height and Set back Regulations), in connection with a proposed mixed use development, within a large-scale general development, on property located at 1201-1241 Spofford Avenue ( Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2\* District, within a Special Mixed Use District, MX-17)\*, Borough of The Bronx, Community District #2.

\*Note: The site is proposed to be rezoned by changing an existing R6 District to an M1-2/R7-2 District and by establishing a Special Mixed Use District (MX-17) under a concurrent related application for Zoning Map change (C180121 ZMX).

## **C 180124 ZSX**

**IN THE MATTER OF AN APPLICATION** submitted by New York City Economic Development Corporation, Department of Citywide Administrative Services (DCAS) and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745 (b)\* of the Zoning Resolution to allow a reduction of loading berth requirements of Section 44-52 (Required Accessory Off-street Loading Berths), in connection with a proposed mixed use development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35 and Block 2763 and p/o Lots 1 and 2), in an M1-2/R7-2\*\* District, within a Special Mixed Use District (MX-17) \*\*, Borough of The Bronx, Community District #2.

\*Note: A zoning text amendment is proposed to Section 74-745 (Modifications of Parking and Loading Regulations), under a concurrent related application N 180122 ZRX.

\*\*Note: The site is proposed to be rezoned by changing an existing R6 District to an M1-2/R7-2 District and by establishing a Special Mixed Use District (MX17) under a concurrent related application for a Zoning Map change (C 180121 ZMX).

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

## **C 180126 PPX**

**IN THE MATTER OF AN APPLICATION** submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition, by means of ground leases of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35, Block 2763, Lots 29 and p/o Lots 1 and 2), pursuant to zoning.

## **BACKGROUND**

Approving these applications will facilitate a “large scale development” on a site composed of 206,000 square feet of property, or approximately 4.73 acres. The development site is located at 1201-1231 Spofford Avenue, (Block 2738, Lot 35 and on Block 2763, p/o Lots 1 and 2). This site is bounded by Spofford Avenue on the south, Manida Street on the east and Tiffany Street on the west. The northern boundary of this site is defined by a retaining wall, beyond which is a multi-acre Corpus Christi Monastery, which fronts on Lafayette Avenue. The topography of this property rises approximately forty feet from Tiffany Street-Spofford Avenue intersection to the Manida Street, Spofford Avenue intersection. The site is currently zoned R6 and is located in Bronx Community District #2.

Existing development on this site includes a vacant juvenile detention center known as “Spofford.” This multi-building facility has not been in active use for over a decade and is in a deteriorated condition. Complete demolition of this facility will occur prior to completion of any new construction.

The Peninsula JV, LLC. (the applicant) is proposing a comprehensive, large scale development, on property offering frontage on the east side of Spofford Avenue approximating 720 feet. The scope of development includes:

- Construction of five buildings
  - Buildings 1A &1B
  - Buildings 2A &2B
  - Building 3
- A grand total of 740 residential units of affordable housing
- A below-grade, off-street parking facility offering 260 spaces
- A “light industrial” building composed of 50,000 square feet
- Publically accessible open space approximating 52,000 square feet (1.5 acres)
- Commercial/retail space approximating 15,000 square feet
- Community facility space offering 53,500 square feet
- A total development cost approximating \$300 million
- A target goal of 35% for MWBE

The full build-out of this project is composed of three phases, with demolition of the existing buildings on the site scheduled to commence in 2018. It is expected that the final phase will be completed in 2024, (6 years). The applicant also anticipates that when complete, this comprehensive project will prompt creation of approximately 200 full-time jobs.

This project’s complete buildout will offer 100 percent affordability, ranging from formally homeless, and from 30% of Area Median Income (AMI), to 90% AMI. This unit/AMI ratio includes:

|  |  |
|--|--|
| <p><b>163-Studios:</b><br/>           18 units: formally homeless,<br/>           18 units: 30% AMI<br/>           18 units: 40% AMI<br/>           18 units: 50% AMI<br/>           55 units: 60% AMI<br/>           18 units: 80% AMI<br/>           18 units: 90% AMI</p> | <p><b>236-1 Bedroom</b><br/>           22 units: formally homeless<br/>           21 units: 30% AMI<br/>           22 units: 40% AMI<br/>           21 units: 50% AMI<br/>           108 units 60%AMI<br/>           21 units: 80% AMI<br/>           21 units: 90% AMI</p>  |
| <p><b>211-2 Bedrooms</b><br/>           22 units: formally homeless<br/>           22 units: 30% AMI<br/>           21 units: 40% AMI<br/>           22 units: 50% AMI<br/>           81 units: 60% AMI<br/>           21 units: 80% AMI<br/>           21 units: 90%AMI</p> | <p><b>120-3 Bedrooms</b><br/>           12 units: formally homeless<br/>           12 units: 30% AMI<br/>           12 units: 40% AMI<br/>           12 units: 50% AMI<br/>           48 units: 60% AMI<br/>           12 units: 80% AMI<br/>           12 units: 90%AMI</p> |
| <p><b>6-4 Bedrooms</b></p>   |  |
| <p>0 units: formally homeless<br/>           1 unit: 30% AMI<br/>           1 unit: 40% AMI<br/>           1 unit: 50% AMI</p>   | <p>2 units: 60% AMI<br/>           1 unit: 80% AMI<br/>           0 units: 90% AMI</p>   |

Features to be included in all residential buildings include:

- Air conditioning/heating services controllable in each unit
- Wi-fi services in all common areas of each building
- Full service laundry facilities
- Access to an exterior terrace for passive recreation available in each building
- Solar panels to offset energy consumption in every building
- Bicycle storage in every building
- Refuse rooms
- A full service gym in each building

### Phase 1: 183 Residential Units

**Building 1A:** A light industrial building composed of 50,000 square feet. This new facility will be located on southeast corner of the Spofford Avenue-Tiffany Street intersection. A loading dock area composed of two accessory docks will be provided via Tiffany Street. Rising approximately 53.6 feet, this building will accommodate:

- Food production/retail
  - LL Forno Bakery: 9,500 square feet
  - Bascom Catering: 5,700 square feet
  - To be determined: 4,100 square feet
- Beverage production/retail
  - Hunts Point Brewing: 8,600 square feet
- Media Production
  - Lightbox NY film studio; 17,000 square feet

Letters of intent have been signed by the above noted businesses. It is also anticipated that deliveries to this facility will occur throughout the day.

**Building 1B:** Rising 14-stories, (168.3 feet) this building will front onto Tiffany Street, at the northwest corner of the site. Building 1B will offer approximately 141,605 square feet of residential floor area and approximately 16,800 square feet of commercial floor area. It will include 183 residential units, including:

|             |   |
|-------------|---|
| Studios:    | 36 units, approximating 396 square feet |
| 1-Bedroom:  | 63 units, approximating 507 square feet |
| 2-Bedrooms: | 60 units, approximating 725 square feet |
| 3-Bedrooms: | 24 units, approximating 928 square feet |

This building will also offer:

- Community/Artist workspace
  - Space Works: 7,000 square feet
  - Bronx Academy of Arts & Dance: 5,900 square feet
- Commercial
  - Spring Bank: 4,500 square feet

Construction of Phase 1 will be complete in 2020. Upon completion of Phase 1, Phase 2 construction will commence.

**Phase 2: 363 Residential Units**

**Building 2A:** Rising 13-stories (153.8 feet) this building will be situated on the northeast corner of the construction site, fronting on a 60-foot wide interior courtyard. Pedestrian/vehicular access are found on the north side of Spofford Avenue, directly across from the Spofford Avenue-Barretto Street intersection. Building 2A will include 201,160 square feet of residential floor area, plus 15,000 square feet allocated for a daycare facility (ACS-Headstart). This facility will also have access to an exterior garden/recreation area composed of 5,000 square feet. A total of 223 residential units are to be offered, including:

- Studios: 53 units, approximating 396 square feet
- 1-Bedroom: 84 units, approximating 507 square feet
- 2-Bedrooms: 43 units, approximating 725 square feet
- 3-Bedrooms: 43 units, approximating 928 square feet

**Building 2B:** Rising 16-stories (191.9 feet), this building will be situated on the north side of Spofford Avenue, offering pedestrian access from Spofford Avenue. Building 2B will include approximately 122,850 square feet of residential floor area. An underground parking facility will be situated in Building 2B offering 203 spaces. Access to this garage will be via a private driveway extending northward from Spofford Avenue, opposite the Barretto Street-Spofford Avenue intersection. Non-residential space includes 5,000 square feet for non-profit (The Point) institutional use, 5,000 square feet of flexible office space on the first and second floors of this building. A total of 140 residential units are to be offered, including:

- Studios: 34 units, approximating 396 square feet
- 1-Bedroom: 36 units, approximating 507 square feet
- 2-Bedrooms: 42 units, approximating 725 square feet
- 3-Bedrooms: 22 units, approximating 928 square feet

Construction of Phase 2 will be complete in 2021.

**Phase 3: 194 Residential Units (+6 units offering 4 bedroom accommodation)\***

**Building 3:** Rising 13-stories (157.9 feet on Spofford Avenue & 103.2 feet on Manida Street) this building will be situated on the northwest corner of the Spofford Avenue-Manida Street intersection. Building 3 will include approximately 172,285 square feet of residential floor area. It will also offer approximately 16,000 gross square feet of commercial floor area and 18,000 square feet of community facility space floor area. An underground parking facility offering 57 spaces is to be included in Building 3. Access to this garage will be via the private driveway extending northward from Spofford Avenue, opposite the Barretto Street-Spofford Avenue intersection. This is the same “drive” that provides vehicular access to Building 2B. Unique to this building will also be inclusion of 6-units offering 4-bedroom accommodations. Residential accommodations include:

|             |  |
|-------------|--|
| Studios:    | 40 units, approximating 396 square feet  |
| 1-Bedroom:  | 53 units, approximating 507 square feet  |
| 2-Bedrooms: | 70 units, approximating 725 square feet  |
| 3-Bedrooms: | 31 units, approximating 928 square feet  |
| 4-Bedrooms: | 6 units, approximating 1,400 square feet |

\*Note: The inclusion of 4-bedroom units is not finalized.

It is anticipated that Building 3 will include:

Super-Fi Grocery  
Urban Health Plan

Construction of Phase 3 will commence in 2022 and conclude in 2024.

A major component of this project includes a shared landscaped garden and outdoor recreational space for both passive and active use. This area, composed of a minimum of 52,000 square feet (1.5 acres) will be open to the public, but will be fully maintained by the applicant. Features include garden areas that separate the various buildings, a running track and a water feature for summer time “cool-downs.” While this open space will accommodate “a game of catch,” no softball or basketball facilities are designed or designated.

Development of the surrounding community includes mid-rise and high-rise residential buildings. The Corpus Christi Monastery is located beyond the site’s northern property line. The Julio Carballo Fields offers softball venues and is situated on Manida Street, sharing the same northern boundary as does the monastery. Commercial activity is located on Longwood Avenue approximately two blocks from the site. Much of the non-residential development in this area is also defined by low-rise industrial buildings that cater to auto-related functions. The Southern Boulevard shopping district is approximately ½ mile from this proposed development. Here too is access via the Hunts Point Avenue station to the #6 Lexington Avenue subway. Access to the #6 train is also available at Longwood Avenue on Southern Boulevard. Bus

transportation via the BX 6, SBS6 and the BX 46 are available within a four block radius of this site.

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

These applications were reviewed pursuant to SEQR and CEQR and received a Negative Declaration. The City Planning Commission certified these applications as complete on October 3, 2017.

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

Bronx Community Board #2 held public hearing on these applications on November 15, 2017. A vote recommending approval of these applications with modifications was 23 in favor, three against, one abstaining and two recused.

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

The Borough President convened a public hearing on these applications on December 12, 2017. Representatives of the applicant were present and spoke in favor of this application. Two members of the public spoke in favor of these applications. No other attendees offered testimony and the hearing was closed.

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

Since the 1950's the name "Spofford" has been associated with youth who find themselves "on the wrong side of the law." The Spofford Juvenile detention Center, or simply "Spofford," symbolized all that is failing our young men; our schools, our neighborhoods, our religious institutions, perhaps even our families. Now, however, a profound change for this location is envisioned, one that will celebrate all that is good, hopeful and productive. Indeed, I believe the major development approving these applications will facilitate is emblematic of a new approach to affordable housing. I am therefore most enthusiastic as to what the potential for this development means, not only for the Hunts Point Community, but for the future of affordable housing development.

I am especially enthusiastic about the on-site "light manufacturing" building that is a key component of this entire project. I look forward to this becoming a destination for those seeking employment, but also for the products to be sold to all who wish to buy. I am pleased to understand that both a bakery and catering service are likely tenants. So too, as the applicant has indicated, this "new Spofford" will offer employment opportunities in the fields of film, arts and dance, beverage production, and banking.

Highlighting other features of this project is the promise made to the community that the existing daycare facility and Head Start program will not be interrupted during construction and will ultimately relocate to a state-of-the-art facility within this development. Also, The Point CDC, which has been a leader in the Hunts Point community for decades, will have a new venue for the many functions this group offers, while maintaining their presence on Garrison Avenue.

As for the 740 units of affordable housing that this project envisions, my support for such housing is clear, but once again, tempered by the fact that the unit-sizes presented at my public hearing fail to satisfy my square-foot minimums. As I have noted in previous recommendations, an average size of 950 square feet for a 3-bedroom apartment offers virtually no opportunity for either privacy or space for family gatherings. More specifically, for an apartment to be a home, young people require space for socializing. Absent this space, they will opt for locations elsewhere. I look forward to working with the applicant as the feasibility of larger units can be considered and included in the final design.

Of comparable importance to me is the impact a project of this magnitude will have on the public schools serving the Hunts Point community. The finding that a capacity-review pursuant to the Environmental Impact Statement (EIS) shows no shortage of seats district-wide is not sufficient. The more relevant unanswered question is the impact this new development will have on the specific schools that will serve the Spofford Avenue Campus. I call upon the School Construction Authority (SCA) and the Department of Education (DOE) to join me and Bronx Community Board #2, as potential sites can be identified.

At my public hearing the applicant noted that deliveries via truck, both to and from this site, may have to occur 24/7. If this is necessary, I recommend that every effort by the applicant be made to encourage this activity when it will have minimal impact on the broader neighborhood. I would propose that within the new light industrial building, recharging accommodations for electric powered vehicles be provided. By so including this option, it is conceivable that electric trucks could become the “standard” for those leasing industrial space at this new complex.

I conclude by thanking all those associated with this proposal and for their vision that will make the Spofford Campus Redevelopment a reality in Hunts Point. I am confident that the observations I offer and the numerous recommendations made by Bronx Community Board #2 will serve to make this project even better.

I recommend approval of these applications.