CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

October 15, 2019

Hon. Howard Zemsky, Chair
Empire State Development Corporation
633 Third Avenue, 37th Floor
New York, NY 10017

RE: Comments on the Bronx Psychiatric Center Land Use Improvement Project

Dear Chair Zemsky,

The City Planning Commission (the "Commission") has reviewed the General Project Plan (the "Plan") for the Bronx Psychiatric Center Land Use Improvement Project (the "Project") dated August 15, 2019. The project proposes an override of the Zoning Resolution and other local law with respect to the existing M1-1 and R5 zoning on the site today. The goal of the Project, as noted in the DEIS, is to maximize economic impact; create recreational and community facilities; create programs and activities that promote and encourage public health and physical fitness; and incorporate sustainable building practices into the design.

This memo serves as a response to the Empire State Development Corporation's ("ESD") request for a letter of recommendation from the City Planning Commission in relation to the proposed Project. The Commission conveys the below comments to the project team.

The Commission acknowledges the collaboration between the project team and City Planning staff. Over the last few years, the project team has shown thoughtful progress towards addressing the Department of City Planning's concerns. Specifically, the Commission recognizes improvements to pedestrian safety at the intersection of Marconi Avenue and the project drive which will provide direct access to the future Metro-North station from the project

Marisa Lago, Chair
City Planning Commission
120 Broadway, 31st Fl. - New York, N.Y. 10271
(212) 720-3200
www.nyc.gov/planning

site. Additionally, the Commission notes efforts to reduce potential pedestrian–vehicular conflicts throughout the site through the relocation of garage entrances.
The latest round of agreed changes, as expressed in the memo submitted to the Commission dated September 17, 2019, will no doubt foster a yet safer and more attractive pedestrian realm and we look forward to their incorporation into the final site plan. Among these changes the Commission acknowledges:

- Alignment of the north-site pedestrian/bicycle connections to create a continuous and safe path for those walking or biking.

- Inclusion of active frontages along south edge of new retail building to be located at the northeastern corner of Marconi St. and the east–west project drive.

- Relocation of sculpture park to the west of the east-west project drive, thereby bringing it closer to pedestrian flows.

There remain, however, a few key points on which the Commission requests further changes or assurances:

- Housing

The Commission understands and lauds the goals of the proposal but encourages ESD and the development team to incorporate residential uses into the project, including affordable housing options. The Commission believes a mix of uses would create an improved, more sustainable development that would help meet the dire need for housing as it creates jobs.

- North–South Project drive

While the Commission notes again their appreciation for the agreed continuous alignment for pedestrians traveling from the north of the site to the Parker building at the south end of the site, as noted above, the Commission suggests shifting this pathway to the west side of the north–south project drive. This would bring pedestrians and cyclists closer to planned developments on the site, while also reducing the number of potential pedestrian–vehicular conflicts owing to the reduction of the number of crossings for those walking and cycling, while also placing these paths closer to the edge of planned public space and development.

- Open Space

While the Commission lauds the relocation of the planned sculpture park to the west side of the north–south project drive, there remain concerns about the short-term and long-term conditions for that portion of the project site immediately to the west of the project drive, identified in GPP

materials as "Parking Garage 3." The project team has indicated that that space will temporarily be occupied by a surface parking lot until such a time that parking demand justifies the construction of the planned garage.

The Commission suggests instead locating temporary open space within the footprint of the planned "Parking Garage 3." This would provide for active use in that space until such a time as when the development team would choose to construct that parking, if ever. This would also drastically improve the pedestrian condition to and from planned Metro-North service, retail located at the Metro Center Atrium, and pedestrian passage over to the west side of the rail line. Additionally, regarding the eventual construction of the planned garage, the Commission suggests including active ground-floor uses in the future parking garage, with active frontages concentrated along the north and east edges of the structure to contribute to the quality of the pedestrian condition along the south side of the east–west project drive, as well as the edge of the planned sculpture park.

The Commission also recommends that for the entirety of the site, especially along the East-West project drive, diverse and active landscape design strategies are incorporated. These may include, but are not limited to, pedestrian paths, retaining ponds and bio-swales, passive areas, active programming, varied seating, and diverse plant/tree types. All these strategies will ensure that these spaces contribute to an active and lively public realm.

- Location of retail entrances

The Commission recommends including active retail frontages at the southwest corner of the planned retail building (building M) to complement planned Metro-North service and to provide an active frontage at this location. Access should not be provided only internally facing the project drive.

- Parking

At over 4,000 planned parking spaces, the Commission believes the quantity of parking to be excessive and that it risks undermining the pedestrian condition of the planned development and its proximity to new planned Metro-North service. As noted above, the Commission suggests thinking strategically about the phasing of parking and about where additional open space or retail may be accommodated to the benefit of pedestrian comfort, safety, and convenience.

- Preservation of existing character

The Commission recommends preserving the existing smoke stack located next to building L. Except for the Thompson and Parker buildings — both of which would be re-clad with new

materials and would thus loose some of their existing character — the smoke stack is the only reminder of the area's industrial past and as such could serve both as a symbol of that past and as an important visual wayfinding element for future visitors to the development.

- Quality and Variety of Built Environment

The Commission recommends introducing greater variety into the architecture. While the Commission understands the desire for a unified look across both this site and other projects owned and operated by the development team, the Commission encourages the team to explore a greater variety of articulation strategies, material and colors. The Commission believes that thoughtful use of articulation strategies, materials and color could both improve the aesthetic character and visual variety of the development and also contribute to better wayfinding across the site.

We look forward to ESD's response to these comments and to continued collaboration as we seek to ensure that future development on the site is consonant with the agency's vision of a walkable, urban and transit-oriented future for the communities around the planned Metro-North station at Morris Park.

Very truly yours,

Marisa Lago

cc: C.Samol D. DeCerbo S. Amron R. Singer
S. Brede M. Kavalar

NEW YORK STATE OF OPPORTUNITY | Empire State Development

Office of the Chairperson

AUG 20 2019

No # 51959
cc
Carol Samol
Shawn Brede
Oscar Oliver-Didier
Laurance Fauconnet
Taylor Wolfson

August 5, 2019

Ms. Marisa Lago, Chair
NYC Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

RE: Bronx Kreate Space Capital Project, Public Hearing

Dear Ms. Largo:

I am hereby transmitting, for your information, the General Project Plan of the New York State Urban Development Corporation ("UDC"), doing business as Empire State Development (the "Corporation"), for the Bronx Kreate Space Capital Project in Bronx County.

A public hearing, which is required by the UDC Act, will be held by the Corporation at the Mott Haven Library, 321 East 140th Street-3rd Floor, Bronx, NY 10454 on August 15, 2019 from 2:30pm to 3:30pm to consider this General Project Plan. You are welcome to attend this hearing and make a statement about the project if you wish. Attendance is not mandatory.

Sincerely,

Cecilia Thomas
Loans & Grants Department

Enclosure

NEW YORK STATE OF OPPORTUNITY. | Empire State Development

FOR CONSIDERATION
August 15, 2019

TO: The Directors

FROM: Howard A. Zemsky

SUBJECT: New York City (Bronx County) – Bronx Psychiatric Center Land Use Improvement Project (the "**Project**")

REQUEST FOR: Land Use Improvement Project Findings Pursuant to Section 10 of the UDC Act; Authorization to Adopt the Proposed General Project Plan ("**GPP**"); Authorization to Hold a Public Hearing on the GPP Pursuant to the UDC Act and Other Applicable Law; Authorization to Accept the Draft Environmental Impact Statement ("**DEIS**") as Satisfactory with Respect to its Scope, Content and Adequacy under the State Environmental Quality Review Act ("**SEQRA**") and for Publication, Circulation and Filing; Authorization to Hold a Public Hearing on the DEIS pursuant to SEQRA and Other Applicable Law; Authorization to Acquire and Dispose of Real Property in accordance with Applicable Provisions of the Public Authorities Law; and Authorization to Take Related Actions

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I. Project Summary

Developer ("**Developer**"):	1500 Waters Place LLC
Developer Contact:	Joseph Simone Simone Development Companies 1250 Waters Place, Penthouse 1 Bronx, New York 10461
Empire State Development ("**ESD**") Investment:	No ESD financing or grants. Developer will pay all ESD third party costs associated with the Project.
Project Location:	1500 Waters Place Bronx, New York a/k/a Bronx County Block 4226, Portions of Lots 30 and 35

Project ("Project"):	The redevelopment of a 33-acre parcel located in the Morris Park neighborhood of the Bronx comprising a portion of the former New York State Office of Mental Health Bronx Psychiatric Center campus and an adjacent .37-acre parcel (together, the "**Development Site**"). The Project will create nearly two million square feet[1] in buildings accommodating medical offices, college/trade school space, accessory use (residential), retail space, and a hotel. Dedicated community facility space, 8.7 acres of open space, and parking will also be part of the Project. Two existing buildings on the campus will be renovated and expanded with new additions. The Project also includes six new buildings for commercial and medical offices, accessory use, retail uses, and parking. The Project includes the removal of the four existing baseball fields currently located on the Development Site and the construction of two new baseball diamonds, publicly accessible walking and biking paths, and other new open space amenities. New roads will also be constructed to provide circulation within the Development Site and connections to the existing street network.
Project Type:	Land Use Improvement Project
Anticipated Completion:	Phase I: 2023 Phase II (if applicable): 2028
Employment:	Existing: None Project Construction: 1,900 jobs Permanent: 8,000 jobs
Project Team:	Real Estate: Alyson Beha Environmental: Soo Kang Design & Construction: Phil McGuire Legal: Jensen Ambachen and Jonathan Beyer

[1] Does not include parking.

II. Estimated Project Cost

Total development cost is estimated to be $920,050,100. For additional details on sources and uses of funding, see the GPP, attached hereto, at Section V.

III. Background

In November 2013, Empire State Development ("**ESD**") issued a Request for Proposals ("**RFP**") to redevelop an approximately 33-acre portion of the Bronx Psychiatric Center (the "**BPC**"), an approximately 73-acre campus comprising Bronx Tax Block 4226, Lot 30 (the "**Current BPC Campus**"), that is operated by the New York State Office of Mental Health ("**OMH**") and owned by the Dormitory Authority of the State of New York ("**DASNY**"). In recognition that much of the campus was currently underutilized, DASNY constructed the Bronx Mental Health Redevelopment Project (the "**OMH Consolidation Project**") on behalf of OMH on approximately 40 acres of the Current BPC Campus (the "**Consolidated BPC Campus**"). The OMH Consolidation Project optimizes provision of OMH services by consolidating facilities within the Consolidated BPC Campus site, leaving 33 acres of vacant land on the northern portion of the BPC Campus Site for redevelopment (the "**RFP Site**").

IV. Essential Terms of the Transaction

In addition to conducting the RFP process, ESD will acquire substantially all of the Development Site from DASNY in accordance with applicable law. ESD will make statutory findings for a land use project, zoning override, and enter into a restrictive declaration with the Developer to ensure the Project is completed as detailed in the GPP. ESD will convey a fee simple interest in the RFP Site to the Developer for an all cash, non-contingent payment of $14,959,154.92 ("**Purchase Price**"), which proceeds shall be utilized by DASNY to satisfy a portion of the outstanding bonds that financed improvements on the RFP Site. ESD will also acquire from and transfer an adjacent 0.37-acre parcel to the Developer to be incorporated in and facilitate the Project. The Developer is funding all out-of-pocket, third-party expenses incurred by ESD in connection with the Project, including counsel and environmental consultant expenses. Further financial terms are set forth in Section X of the GPP.

V. Project Schedule

Construction of the Project will occur in two phases. Phase I includes commercial office space, medical offices, bio-tech research, hotel, accessory use, educational, community facility space, retail, parking, and open space. Phase II will include additional commercial, medical office, retail, and accessory use space. The anticipated completion date for Phase I is 2023, and if commenced, the completion date for Phase II is 2028.

VI. Land Use Improvement Project Findings

ESD staff recommends that the Directors find that the Project is consistent with the requirements of the UDC Act for land use improvement projects, and satisfies the findings required under the UDC Act as follows:

Section 10(c) of the UDC Act requires that for a land use improvement project the Corporation make a finding:

1. That the area in which the Project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
2. That the Project consists of a plan or undertaking for the clearance, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto; and
3. That the plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.

The Development Site is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of New York City. DASNY does not have the need, interest or resources to improve the Development Site; OMH does not have the need to improve parcels and has in fact formally abandoned its use on those portions of the BPC. Accordingly, without the Project, the Development Site would be in danger of becoming an abandoned, substandard area which would impair the sound growth and development of New York City.

The Project will clear, reconstruct and rehabilitate the Development Site with positive economic development and will maximize the participation of the Developer, who will be responsible for purchasing the Development Site, planning, designing, building, renting and operating the Project, and paying all costs associated with the Project.

VII. Design Guidelines and Zoning

The Development Site is zoned M1-1 and R5 under the New York City Zoning Resolution ("ZR"), which allow for light manufacturing and commercial, and medium density residential, respectively. To effectuate the Project, ESD will override zoning pursuant to the UDC Act, to allow development that is contextual with the allowable uses in the surrounding zoning districts (primarily C4-2 and M1-1), including commercial and medical office, hotel, retail and community facility uses.

ESD has established Design Guidelines (the "**Design Guidelines**") for the Project that address, among other things, use, bulk, and dimensional parameters to be applied in lieu of zoning. The Project will be required to comply with the Design Guidelines in the transaction documents. The City of New York has been consulted, pursuant to UDC Act Section 16(1).

VIII. Environmental Review and Required Hearing

ESD, acting as lead agency pursuant to the requirements of SEQRA and the implementing regulations of the New York State Department of Environmental Conservation, determined that a Draft Environmental Impact Statement ("**DEIS**") was necessary to be prepared for the Project. The DEIS for the Project is a comprehensive document that includes extensive technical analyses of potential impacts on the environment and proposes measures to mitigate identified potential significant adverse impacts of the proposed Project.

The DEIS was prepared by environmental consultants AKRF, Inc. and has been reviewed by ESD staff and outside environmental counsel. Upon acceptance of the DEIS by ESD Directors, staff will undertake to circulate and file the DEIS as required by SEQRA. Circulation of the DEIS affords an opportunity for the public and involved and interested parties to review and comment on the document. All substantive comments received by ESD on the DEIS shall be addressed in the Final EIS. Pursuant to SEQRA, a duly noticed public hearing will be held on the DEIS.

IX. Requested Actions

The Directors are being asked to: (a) adopt Land Use Improvement Project Findings pursuant to Section 10 of the UDC Act; (b) issue a Notice of Completion of the DEIS, thus accepting it as satisfactory with respect to its scope, content and adequacy under SEQRA and authorizing its publication, circulation and filing; (c) adopt the General Project Plan; (d) authorize a public hearing(s); (e) acquire and dispose of property; and (f) authorize all related actions.

X. Recommendation

Based on the foregoing, ESD staff recommends approval of the requested actions.

XI. ATTACHMENTS

Resolutions
General Project Plan
Exhibit A – Development Site Location Map
Exhibit B – Conceptual Illustration of Project
Exhibit C – Site Plan
Draft Design Guidelines
Draft Environmental Impact Statement – Provided to Directors Under Separate Cover

August 15, 2019

NEW YORK (BRONX COUNTY)-BRONX PSYCHIATRIC CENTER LAND USE IMPROVEMENT PROJECT – Adoption of Land Use Improvement Project Findings pursuant to Section 10 of the UDC Act; Authorization to Adopt the Proposed General Project Plan ("GPP"); Authorization to Hold a Public Hearing on the GPP pursuant to the UDC Act and Other Applicable Law; Authorization to Accept the Draft Environmental Impact Statement ("DEIS") as Satisfactory with Respect to its Scope, Content and Adequacy under the New York State Environmental Quality Review Act and its Implementing Regulations (collectively "SEQRA") and for Publication, Circulation and Filing; Authorization to Hold a Public Hearing on the DEIS pursuant to SEQRA and Other Applicable Law; Authorization to Acquire and Dispose of Real Property in accordance with Applicable Provisions of the Public Authorities Law; and Authorization to Take Related Actions

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RESOLVED, that, on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"), relating to the Bronx Psychiatric Center Land Use Improvement Project (the "Project"), the Corporation hereby finds pursuant to Section 10(c) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"):

That the area in which the Project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;

That the Project consists of a plan or undertaking for the clearance, re-planning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto; and

That the plan, defined below, or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole;

and be it further

RESOLVED, that on the basis of the Materials relating to the Project, indicating that there are no families or individuals to be displaced from the Project area, the Corporation hereby finds that the requirements of Section 10(g) of the Act are satisfied; and be it further

RESOLVED, that on the basis of the Materials, and substantially on the terms and conditions described in the Materials, the Corporation does hereby adopt, subject to and pursuant to, and for the purposes of a public hearing required by, Section 16 of the UDC Act, and as may be appropriate pursuant to other applicable laws:

(1) the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the Chairman and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the record of the Corporation; and

(2) the Corporation is authorized to acquire and dispose of real property as set forth in the Plan as may be needed by the execution and delivery of a deed to or from the Developer or the State as applicable;

and be it further

RESOLVED, that the Plan shall not be final until action is taken by the Directors as provided in the UDC Act and until such time as all requirements of the UDC Act and other applicable law in connection therewith have been satisfied; and be it further

RESOLVED, that the Chairman and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized in the name of and on behalf of the Corporation to take such actions as may be considered necessary or appropriate in connection with the holding of the public hearing required pursuant to Section 16 of the UDC Act and other applicable law (which hearing may held simultaneously with one or more hearings which may be held pursuant to other applicable law), including without limitation, the providing, filing or making available of copies of the Plan or a digest thereof and the findings required by Section 10 of the UDC Act relating to the Project, the fixing of a date for such hearing, the publication of a notice relating to the Plan and such hearing in accordance with the UDC Act, other applicable law, and the procedures heretofore approved by the Corporation with respect to similar hearing, and the making of a report or reports to the Directors on such hearing, written comments received, and any local governmental recommendations respecting the Plan; and be it further

RESOLVED, that the Draft Environmental Impact Statement ("DEIS") for the Project, as presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation relating to the Project, is satisfactory with respect to its scope, content and adequacy for purposes of the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations of the New York State Department of Environmental Conservation, and is hereby accepted by the Corporation; and be it further

RESOLVED, that the Corporation is hereby authorized to publish, circulate, and file the accepted DEIS in the manner required under SEQRA and the implementing regulations of the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the Chairman and Chief Executive Officer or his designee(s) be, and each of them hereby is, authorized in the name of and on behalf of the Corporation to take such actions as may be considered necessary or appropriate to comply with the requirements of SEQRA, including, without limitation, the holding of a public hearing under SEQRA and other applicable

law (which hearing may be held simultaneously with one or more hearings which may be held pursuant to other applicable law), providing, filing or making available copies of the DEIS or the summary thereof, the fixing of a date for such hearing, the publication of a notice relating to the DEIS and such hearing in accordance with SEQRA, the implementing regulations of the New York State Department of Environmental Conservation, other applicable law, and the procedures heretofore approved by the Corporation, with respect to similar hearings, and the making of a report or reports to the Directors on such hearing and written comments received; and be it further

RESOLVED, that the Chairman and Chief Executive Officer, or his designee, be, and each of them hereby is, authorized in the name of and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as may be considered necessary or appropriate in connection with carrying out the public hearing(s), to effectuate the Plan and to effectuate the foregoing resolutions. Any and all actions taken prior to the date of this resolution in furtherance of the Plan are hereby ratified.

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