



CICELY HARRIS
Chairperson

SHATIC MITCHELL
District Manager

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 10
215 West 125th Street, 4th Floor
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HOUSING

Committee Meeting Minutes

Thursday December 27, 2021 6:30PM

Hon. Karen Dixon, Chair

WELCOME & INTRODUCTIONS (5 minutes)

- A.** CB10 Land Use Committee Members – Hon. K. Dixon, C. Harris, M. Harrison, C. Powell, D. Glover, S. Gleaton, L. Downing, G. Harrell, K. Bitterman
- B.** CB10 Board Members – K. Horry, D. Gilliard, J. Clennon, V. Diggs, B. Nelson, D. Brown-Blackmon, D. Gill, S. Washington, S. Brannon, D. Boyce, D. Perkinson, M. Wilson, M. Franklin, S. Ramos, T. Wisdom, K. Giscombe, S. Settle

Hon. Charles Powell opened the meeting explaining that the Housing Committee meeting has been changed to a Public Hearing for the Land Use Committee. After brief remarks from the Hon. Cicely Harris, Chair of Manhattan Community Board 10, the meeting was turned over to Karen Dixon, Chair of the Land Use Committee.

Chair Dixon acknowledged Land Use Committee and other board members, and thanked the district office staff for the diligence and hard-work. Councilwoman-elect Jordan was acknowledged and asked if she wanted to make comments. Councilwoman-elect Jordan stated that the project is very much on her radar as she is concerned about displacement it may cause. She stated that she was here to listen to the proposed development, and to hear the feedback from community members.

PUBLIC HEARING #2 - ONE54/MUSEUM OF CIVIL RIGHTS

One45 Lenox LLC development group is seeking approval of a Uniform Land Use Review Procedure (*hereafter known as "ULURP"*) application for C220134-ZMM, N220135-ZRM, C220136-ZSM, C220137-ZSM, C220142-ZSM, N220138-ZCM, N220139-ZCM, and N220143-ZCM for a zoning map and zoning text amendments, special permits, and NYC City Planning Commission certifications to facilitate the development of a mixed-use building in Manhattan Community District 10 hereafter known as One45/Museum of Civil Rights.

Presenters

Tristan Nadal – Lead Development Partner

Robert Otero, SHoP Architects

Valerie Campbell – Kramer Levin

Others Available to Answer Questions

Bruce Teitelbaum – Owner

Riley MacPhee- SHoP Architect

Linh Do, Senior Vice President Environment & Land Use Planning - AKRF

Paul Selver – Kramer Levin

Melissa Rosenberg – Associate Vice President, Kasirer NYC

Jennifer Morris

Mike Walters – REDI (Greene Energy)

Michael Hardy – Executive Vice President, National Action Network (NAN)

Michael Cox – Museum of Civil Rights

OVERVIEW:

Valerie Campbell reviewed all of the proposed actions for this ULURP:

- A zoning map amendment; the existing zoning is **C8-3 and R7-2/C1-4**, the **developer is seeking a C4-6**. Ms. Campbell explained that the existing zoning is most often used to develop self-storage facilities. The residential zoning currently in place does not require the provision of affordable housing;
- A special permit pursuant to Zoning Resolution Section (“ZR”) 74-74 – height and setback regulations;
- A special permit pursuant to ZR 74-533 – parking special permit to reduce the number of required spaces from 40% (260-280) of market units to 20% (130 – 141 spaces);
- A special permit for the event space located above the residential units. There will be a restrictive declaration that will require the site to be developed in accordance with the special permits;
- A City Planning Commission (“CPC”) certification pursuant to ZR 32-435;
- A CPC certification pursuant to ZR 26-15; and
- A zoning text amendment to Appendix F of the ZR mapping a Mandatory Inclusionary Housing (“MIH”) area. According to Ms. Campbell, this project would result in the creation of 207 to 282 units of permanently affordable housing
- Finally, while not included in the application, the developer will request a signage waiver in order to give the museum a more significant and identifiable presence on the street.

The specific design was outlined by Roberto Otero, Associate Partner at SHoP Architects:

- Provided an overview of existing conditions that included several one-story buildings, some storefront retail, the Timbuktu Islamic Center, a gas station, a vacant gas station, and the location of the National Action Network (*hereafter known as “NAN”*)
- Shared the older design from two years prior for an “as of right” development of a 519 ft. tower
- After community input the design was changed to two towers that were 363 ft., with the Museum for Civil Rights in the middle. Two mural walls will be included.
- An event space will be located on the top of one building.



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- There will be retail spaces.
- Parking entrance will be on 144th street
- National Action Network will be tenants.

Since the last public hearing, the developer provided a breakdown of the AMI in the two buildings.

- There will be 850 residential units, of which 220 (25%) will be permanently affordable.
- 21% (179) of the units will be studio, 52% (442) will be one-bedrooms, and 27% (229) will be two and three-bedrooms.
- The same ratios will be applied to the permanently affordable units resulting 46 studios, 114 one-bedrooms, and 60 two and three-bedroom apartments.
- Permanently Affordable Units - 85 units will be at 40% AMI and 135 units will be an average 60% AMI.

Tristan Nadal presented the community benefits:

- Project creates 850 new apartments of which approximately 220 will be permanently affordable.
- Creating a mural utilizing the two walls between the buildings.
- Dedicated community spaces.
- Economic opportunity for community residents by creating 1100 jobs, of which 550 would be permanent.
- Job training and development.
- Opportunities to empower youth that includes a youth mentorship program.
- Utilizing green technology in the Turning Harlem Green program to include green jobs and internships, while creating the first green energy district in Central Harlem.
- Working with local organizations such as the Mission Society to expand a program that exposes youth to new professions and career paths.
- Working with Positive Workforce to implement a comprehensive local and MWBE hiring plan.

The developer reported meeting with several community members and elected officials to discuss the project viability and to secure feedback.

DISCUSSION:

CB 10 Board Members

- Dixon – Chair Dixon reviewed the breakdown of apartments indicating that 73% of the units would be studios and one-bedroom units, thereby not for families. The permanently affordable units have 160 of its units in the aforementioned categories. Chair Dixon also acknowledged that the addition of units at the 40% was an improvement but stated that there were no units designated for homeless individuals and families, further urging the developers to reconsider the affordability levels. Chair Dixon also reviewed the transportation concerns and noted that the Citywide Zoning for Accessibility Text Amendment is not applicable for the 145th street subway station. Additionally, the CPC certification request for curb cuts on the 144th Street for the entrance to the parking garage and loading dock is a concern as this street is often used as an alternative to 145th street. ***T. Nadal clarified the number of units outlined above in the overview. He also stated that they are proposing to have two loading docks to limit as much congestion as possible. He reiterated that they will continue to work with the MTA, and City Planning to address the concerns.***
- Clennon – Stated that the Chair should not have to breakdown the information as the board requested this information in the first public hearing. Board member Clennon expressed concern regarding project ambiguity and the lack of clear commitments.
- Glover – Questioned the number of units at 40% AMI that will be studio, one-bedroom, and two and three-bedrooms. ***T. Nadal stated the same ratio previously indicated of 21%, 52%, and 27%.*** Board member Glover stated that this was unacceptable and that the levels are not appropriate for the community.
- Horry – Comment made by Tristan that the community mindset was narrow was very offensive. Additionally, proposing this development in a low-income community was unrealistic. Board member Horry also asked what preparations or preference would be given to existing residents of the community. ***T. Nadal apologized for his comments and clarified that he meant that the community was too narrowly focused on one issue as opposed to all of the issues. The developer will work with local organizations and nonprofits to market the program in the district. Affordable units would be on Housing Connect for the lottery.***
- Washington – Questioned whether there will be condos or co-ops, identified that Steve Newman is listed as the owner of the property but has not been a part of any meeting, and wanted to know how they purchased three other properties at a zero-purchase price. Board member Washington stated that the developer paid \$6.05m for one part of the property and \$95k in outstanding property taxes. She also wanted to know if the developer intended to apply for tax credits, as they would receive exemptions lasting 25 years while still making a significant profit from the rental income. The developers were asked why they were not willing to reduce their profit margin, in order to increase the number of affordable units and have deeper affordability. Additionally, would the museum still be built if the project was not approved by the City Council. ***T. Nadal stated that there will be no condos or co-ops. He questioned the amount paid to purchase the property stating that it was bought at market rates.***



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- Board member Washington stated that according to the public record, the purchase price is the amount that she quoted. ***Regarding the museum, without the rezoning, they cannot build on the property.*** Board member Washington stated that the affordability levels were not realistic for the community and wanted to know the names of all the elected officials and community representatives they met with. Additionally, she suggested that the community board schedule a meeting with elected officials and the community so that we could see who was supporting this project.
- Dixon – Chair Dixon stated that we would defer to the Chair of Community Board 10 to make that decision but reminded everyone that we were in the ULURP process and obligated to meet the timeframes established.
- Glover – stated that when developers are meeting with elected officials, community members should be present.
- Gill – Asked what would the developer build as of right. ***T. Nadal stated that the current zoning does not allow for much residential use but is more for storage facilities and similar type structures. A small portion that is residential zoning would yield 20-30 fair market apartments near 144th Street and Malcolm X. Blvd.***
- S. Ramos – Expressed concerns regarding the houses of worship and public safety related to traffic congestion. She also added that concrete youth services are needed in the community in order to keep them safe. Board member Ramos strongly recommended that the community be involved in the development and implementation of programs in order to secure buy-in.
- Clennon – asked the businesses in the meeting to indicate the amount of their existing space and what assurances have been provided that they will actually return. ***M. Hardy of NAN stated that they have 1000 sq.ft.***

Elected Officials/Representatives

- Assemblymember Al Taylor - Stated that he is concerned with how this project impacts the community. He stated that there are 600 – 700k homeless New Yorkers so unless we are developing solely for them it will not make a significant impact. He added that he is aware of what the community is saying and would like more conversations with B. Teitelbaum and other residents. He also expressed concerns with the transportation system. He further reiterated that he learned about the project in a public announcement several months ago,

Community Members

- J. Maiga – Owner and operator of Sweet Mama’s Restaurant located on 144th Street & Malcom X. Blvd. since 2013. Expressed love of the community and the desire to remain in the neighborhood. They have met with the owner and believe that the project will benefit the community by providing more economic opportunities for residents. She believes that the community deserves better looking commercial spaces like other neighborhoods throughout the city. ***Chair Dixon asked where would they go during construction.*** Ms. Maiga stated the owners understood their commitment to the community and informed them that they would invite them to return once construction was completed.
- R. Perez – Workforce Development Director at Positive Workforce and a long-time resident of Harlem. Positive Workforce is a nonprofit workforce development organization based in Harlem. They have placed members in more than 20,000 jobs in their construction training, referral and job placement program. He supports this project as it will bring hundreds of construction jobs to the community.
- A. Smith – Agrees with the statements made by Board members and recommends that the board vote no. She expressed concerns regarding the houses of worship, the limited parking, and the impact on transportation hubs. Ms. Smith also stated that the community should not have to accept 900 apartments in exchange for a civil rights museum.
- D. Blackwell – Expressed concerns regarding the environment as she resides close to the proposed project. She believes the project will benefit the community because it will improve the streetscape, will create internships and jobs, and will feature green energy systems.
- Drew Hamilton Tenants Association – Interested in the project citing that the development team has reached out to them and other community residents to discuss the proposed project. He is excited to see 145th Street beautified, having lived in the community for years, and witnessing the decline in the area. He is also happy that the project includes jobs and internships for the residents of the community.
- S. Washington – Former Vice President of LTE, Lenox Terrace Tenants Association, urges the board to vote no to this project based on the proposed rezoning, impact to transportation, and the addition of 630 fair market apartments. She reminded the board and the community of the Olnick ULURP application that was successfully defeated.
- N. Yearwood – Questioned the square footage of each of the apartment units and requested floor plans. She wants the developers to provide quality, well thought out designs in the units. ***T. Nadal stated that the development team is committed to achieving this goal.*** Board member Franklin also requested that design layouts include location of closets and air conditioning units.
- Mo – Expressed dissatisfaction with the storage facility. Stated that there is a difference between affordable and low-income housing. Asked whether the apartments would be on Housing Connect for really low-income families and questioned whether the construction jobs would be unionized. He added that it is important to create and support programs for youth. ***T. Nadal stated that the 220 units of permanently affordable housing would be***
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listed on Housing Connect. The development team has already started discussion regarding the creation of youth programs and mentorships.

- G. Baggett – Started by stating that no developer will build as of right. Asked three questions: Why do they need the rezoning and what would it allow them to do beyond the rezoning? How much undeveloped land use potential will the developer have after the project is completed? Have they devised a method to preserve Harlem’s African American plurality that is protected by federal law? Mr. Baggett provided further explanation of the last question. He also asked Councilwoman-elect Jordan if she had any idea how the new City Council would address Council deference because in the past it was honored. ***The development team stated that the rezoning allows them to build the two buildings and the museum with the proposed project utilizing all of the floor area ratio. There are no untapped development land use potentials once the project is completed. V. Campbell, lawyer for the developer, stated that she was not familiar with the law and the impact but would explore it further.***
- Gisele – Encouraged the board to vote no. Outlined concerns regarding affordability, transportation and congestion, and community benefits. ***T. Nadal stated this was their first project in the community.***
- D. White – Concerned that the two buildings are not commensurate with the surrounding community. ***V. Campbell stated that there is a discussion of shadows in the Environmental Impact Statement.***

At the end of the discussion, Chair Dixon thanked the presenters, the board, and the community for their participation. All participants were advised that only board members, elected officials, and presenters would remain as panelists. All others would be moved to the Attendee section as the board was going to deliberate.

VOTING ITEM

Chair Dixon stated that all board members were eligible to vote unless they are recusing themselves. For those members that will recuse, they can participate in the discussion. they must provide the reason for recusal, and must vote recused.

Chair Dixon indicated that several documents were provided to them for consideration that included two documents from One45 Lenox LLC, a letter from a Community Resident, and an Overview of the One45/Museum of Civil Rights. The latter document outlines the ULURP process, details the proposed actions, and lists the four voting options for the board.

Board member Glover made a motion to vote no on the project. The motion was seconded by Board member Harrison.

During the discussion, the board raised the following concerns:

- Several questions not answered or adequately addressed by the development team.
- Unwillingness to provide deeper affordability and more affordable units.
- Lack of information to vote to approve a project with so many unanswered questions.
- Lack of respect for the board by failing to be responsive to requests for follow up information.
- Increased density and transportation issues not addressed.
- Community Benefit Agreement not in place thus reaffirming the community's perspective that the developer may not implement if the project was approved and completed.

Therefore, based on the aforementioned reason, the board voted **23 Yes, 0 No, 0 Abstention, and 3 Recusals** to accept the motion not to support the ULURP.

The draft resolution will be prepared for the Executive Committee meeting on 12/29/21 at 6:30pm.

OLD BUSINESS

None

NEW BUSINESS

None

ANNOUNCEMENT

The district office has COVID-19 test kits for distribution. An email will be sent to notify the community. Individuals requesting a test must contact the office to schedule pick up. Supply is limited. They are also avail to pick up at the Department of Health and Mental Hygiene Center located at 158 East 115th Street.

ADJOURNED

Meeting adjourned at 9:11 pm.