



Community Board 12 - Manhattan Washington Heights & Inwood

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Shahabuddeen A. Ally, Esq., Chairperson
Ebenezer Smith, District Manager

October 1, 2018

Hon. Margery Perlmutter, Chairperson
NYC Board of Standards and Appeals
250 Broadway, 29th Floor
New York, NY 10007

**Re: OPPOSING APPROVAL OF THE APPLICATION SUBMITTED TO THE BOARD OF STANDARDS AND APPEALS
REQUESTING AMENDMENTS TO THE ZONING VARIANCES PREVIOUSLY APPROVED TO FACILITATE THE
DEVELOPMENT OF THE PROPOSED FORT GEORGE HILL PROJECT**

Dear Chairperson Perlmutter:

At the General Meeting, Tuesday, September 25, 2018 Community Board 12 Manhattan, passed the following resolution with a vote of 37 in favor, 0 opposed, 0 abstention opposing the approval of the Amended Application submitted to the Board of Standards and Appeals on behalf of the South Bronx Overall Economic Development Corporation requesting amendments to the zoning variances granted by the Board of Standards and Appeals in 2014 to facilitate development of the Fort George Hill.

Whereas: In December 2013 Community Board 12-Manhattan ("CB12M") passed a resolution (the "2013 Resolution") opposing approval of an application (the "Application") submitted to the Board of Standards and Appeals ("BSA") on behalf of the South Bronx Overall Economic Development Corporation ("SoBro") requesting multiple zoning variances to facilitate development of the Fort George Hill project (the "Project"). The Project as proposed in 2013 consisted of the development of an irregularly shaped, approximately 20,000 square foot site, 1769 Fort George Hill (Block 2170 / Lots 180 and 190), located adjacent to the northbound platform of the Dyckman Street #1 IRT subway station, as a 12-story, 148,225 square foot building containing 125 units of housing, approximately 10,000 square feet of space for a Movimiento Mundial Church / Worldwide Missionary Movement, Inc. (the "Church") and 44 parking spaces. SoBro purchased the site from the Church in 2007 with the understanding that development of the site would include space for the Church; and

Whereas: The Project did not comply with zoning. The Project exceeded the maximum allowable floor area (4.0 vs. 6.76), the maximum allowable lot coverage (65% vs. 73%), the maximum allowable number of dwelling units (68 vs. 125, eventually reduced to 113), and the maximum building height (80 feet vs. 146 feet) pursuant to zoning. It also did not comply with setback regulations (a 10 foot setback required), the minimum rear yard requirement (15 feet) and the minimum number of required parking spaces, i.e.: 50% of the total number of units

- Whereas: The 2013 Resolution cited a range of concerns and objections. CB12M questioned the height, bulk and contextual relationship of the Project to nearby five- and six-story buildings on Nagle and Hillside Avenues and also the neighborhood analysis prepared for the Project, noting that it over-emphasized taller buildings in the area and under-emphasized the five- and six-story buildings that are more common in the area and does not acknowledge that the taller buildings are built as-of-right on large sites with sufficient open space to satisfy zoning provisions for buildings of their size. CB12M also questioned the size and distribution of residential units, noting the need for two- and three-bedroom units in a community primarily made up of families, and also questioned the affordability of the units to local residents, noting that the area median income in Washington Heights and Inwood is approximately 50% of the citywide area median income ("AMI"). However, nearly 60% of the Project's units are studio and one-bedroom units and 48% of the Project's units are only affordable to households that make between 100% AMI and 130% AMI, with rents for those units ranging from \$1,000 for a studio to \$2,500 for a three-bedroom unit; and
- Whereas: BSA ignored the 2013 Resolution and, in 2014, approved the Application. However, the Project did not advance, SoBro and its development partner parted ways, SoBro secured a new development partner, the Project was revised, and an amended application (the "Amended Application") was submitted to BSA requesting two amendments to BSA's 2014 approval – increasing the number of units from 113 to 133 and increasing the number of floors from 12 to 13 (the "Revised Project"). The overall height and density of the Revised Project remains unchanged due to the decrease in average unit size consistent with new HPD Design Guidelines, a slight reduction in ceiling heights, and the introduction of a mezzanine in what was previously a double-height space; and
- Whereas: The Revised Project includes 20 Studio, 61 One-Bedroom, 41 Two-Bedroom, and 11 Three-bedroom units. Only 39% of the units are family size, i.e.: two bedrooms or larger. Forty-seven of the 133 units (35% of the units) will be supportive housing to be offered to the chronically homeless, diagnosed with mental illness, as well as to adult veterans from Community District 12. Thirty-nine of the supportive housing units will be referred directly from the city shelter system; eight will be reserved for veterans and their families. The community facility / Church space is increased to approximately 11,616 square feet and includes a 517 square foot day care center. All parking spaces are eliminated pursuant to Mandatory Inclusionary Housing ("MIH") zoning text changes. The Extremely Low & Low-Income Affordability or ELLA tax-exempt bond program will be used to finance the Revised Project. Under ELLA units must be affordable to those earning 60% AMI or less. Monthly rents generally range from \$347 for a studio to \$1,182 for a three-bedroom unit; and
- Whereas: Although CB12M encourages the development of supportive housing, we question how and in collaboration with whom it was determined that mentally ill chronically homeless individuals, as opposed to youth aging out of foster care, independent adults with developmental disabilities, or assisted living for senior citizens represented the greatest need for supportive housing in Community District 12; and

- Whereas: CB12M acknowledges that the use of ELLA to fund development of the Revised Project will make the units significantly more affordable to local residents, but we are concerned that ELLA's requirement to allocate 30% of the units to the homeless reduces the number of units in any development funded through ELLA available to address the affordable housing needs of local residents and does not allow for the flexibility to accommodate the full range supportive housing constituencies such as described above; and
- Whereas: The elimination of on-site parking, supported by MIH's misguided contention that residents of affordable housing developments either do not or should not own automobiles, will exacerbate existing traffic and on-street parking issues; and
- Whereas: The reduction in average unit size and the allocation of over 60% of the units to studios and one-bedrooms does not address local needs for affordable family-size housing; and
- Whereas: The day-care facility added to the Revised Project is excessively small. Although the Amended Application states the daycare will be open to the Church and to the public depending on capacity, given its size limitations it is unlikely that the daycare center will have capacity to address the needs of community residents who are not affiliated with the Church; and
- Whereas: The Revised Project, like the original Project, fails to take advantage of the opportunity to create a ADA-compliant link, without the use of an elevator, from the sidewalk to the uptown platform of the IRT Dyckman Station – currently only the downtown platform is accessible; and
- Whereas: The Revised Project continues to retain all of the physical characteristics to which CB12M objected in 2013 and now includes modifications that further ignore community needs and environmental impacts. Now, therefore be it
- Resolved: Community Board 12-Manhattan opposes approval of the Amended Application submitted to the Board of Standards and Appeals on behalf of the South Bronx Overall Economic Development Corporation requesting amendments to the zoning variances granted by the Board of Standards and Appeals in 2014 to facilitate development of the Fort George Hill Project; and be it further
- Resolved: Community Board 12-Manhattan calls upon SoBro to materially revise its proposed development to respect and address community needs; and be it additionally
- Resolved: Community Board 12-Manhattan calls upon the elected officials who represent Community District 12 to advance and enact legislation to prevent the Board of Standards and Appeals from disregarding objections and recommendations made by community boards in the context of their review of the Board of Standards and Appeals and other related applications.

Hon. Margery Perlmutter

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Sincerely,



Shahabuddeen A. Ally, Esq.
Chairperson

cc: Hon. Bill de Blasio, Mayor
Hon. Gale Brewer, Manhattan Borough President
Hon. Letitia James, Public Advocate
Hon. Scott M. Stringer, Comptroller
Hon. Adriano Espaillat, Congressman
Hon. Brian Benjamin, State Senator

Hon. Marisol Alcantara, State Senator
Hon. Alfred Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member