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Ruben Diaz, JR.
BOROUGH PRESIDENT

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Bronx Borough President's Office - COMMENTS
Public Scoping Meeting on the Crotona Park East/West Farms Rezoning and Related Actions
March 4, 2010

The West Farms Rezoning will dramatically change the density and character of the Crotona Park East and West Farms neighborhoods. Because this proposal contains a massive increase in residential density as well as numerous land use changes, we are requesting that the developer not proceed with the Environmental Assessment process before meeting with our office to revise its application. Furthermore, we are requesting the assistance of the Department of City Planning in revising this rezoning proposal.

Specifically, we would like to work with the developer and the Department of City Planning to address the following issues:

URBAN DESIGN RECOMMENDATIONS:

1. There is a high level of home ownership in the area surrounding the West Farms development, particularly in the Crotona East neighborhood. The influx of high density housing and upzoning will create development pressure on the one and two-family homes in this neighborhood, which represent the epicenter of the revitalization of the Bronx through historically momentous home ownership programs.
    - We request that a contextual down-zoning be undertaken by City Planning for the surrounding area to complement the proposed rezoning and preserve the well-established, low-density housing and long-term municipal investment in this neighborhood.
    - We recommend that the contextual downzoning contain Longfellow, Bryant, Vyse & Hoe Avenues below East 172nd Street ; and Longfellow Avenue, Bryant Avenue and portions of Vyse and Hoe Avenues between East 172nd & 173rd Streets.
    - We recommend that the rezoning scope for the area below the Cross Bronx Expressway be bound by Southern Boulevard to the west and East 167th Street / Westchester Avenue to the south.
    - Recommended zoning is as follows:
        - No higher than R7X for West Farms Road below Cross Bronx Expressway.
        - No higher than R6A for Boone Avenue below East 174th Street.
        - R7X on Boone Avenue only in the area across from Horizons Shopping Mall.
        - R8X for the area bound by Boston Post Road, East Tremont Avenue, West Farms Road and Rodman Place only.

- No higher than R7A for the area bound by Rodman Place, West Farms Road, Longfellow Avenue and Cross Bronx Expressway.

2. Fifteen (15) stories along the Sheridan Expressway is too high and too dense. We will only advocate for this level of density if the Sheridan is decommissioned and turned into a parkway, boulevard, or block of residential development.
3. West Farms Road must contain a pedestrian-friendly streetscape design and a commercial (C2-4) overlay. It is unacceptable that West Farms Road contain a blank wall of development, as shown in the proposed plan. Instead, we request that the primary residential entrances and retail space be located on West Farms Road to create an active commercial corridor.
4. The developer must address parking and traffic concerns due to the fact that there is no direct Sheridan Expressway access below the Cross Bronx Expressway, which will result in local street traffic.
5. All east-west local streets must be preserved, rather than treated as developable space, to maintain the accessibility of the street grid for pedestrians and prevent congestion.
6. All buildings in the development must meet a minimum LEED Silver green building certification, but preferably a LEED Platinum certification.
7. We request that the development provide ample open space to meet city planning requirements, **without** the inclusion of greenspace above parking lots in its open space calculations

HOUSING AFFORDABILITY RECOMMENDATIONS:

The number of affordable housing units and the mechanism for determining affordable price ranges must be specified.

COMMUNITY INFRASTRUCTURE RECOMMENDATIONS:

1. The West Farms development will benefit from the extensive network of green space being developed along as the Bronx River Greenway. As such, we recommend that Special District be created through a zoning overlay along the Bronx River, including the West Farms site, which will establish a mechanism for new development to pay into an endowment that will provide for the development and maintenance of the Bronx River Greenway. There is precedent for the creation of this type of open space endowment in the High Line Improvement Bonus in the West Chelsea Special District zoning amendment.
2. The elimination of an M-1 district in the Bronx will have a significant effects on the local community and economy. Due diligence must be performed to ascertain how many of the 320 jobs listed in the Environmental Assessment application will be lost due to this rezoning. It is absolutely essential that a minimal number of businesses and local jobs, if any, be lost due to this process. Any businesses that are displaced must be swiftly relocated elsewhere in the Bronx.
3. Due to the fact that the schools in the surrounding neighborhood are already at high capacity and lack ample resources, we recommend that a new school be developed as part of this rezoning proposal.

COMMUNITY OUTREACH RECOMMENDATIONS:

1. We request that the developer and City Planning also work closely with the Bronx River Alliance and other local partners to appropriately revise the rezoning to meet the interests of the surrounding community.
2. Finally, we are appalled that this public hearing is being held at 4 p.m. in the afternoon on a weekday while many residents are at work, against the recommendation of our office. It is imperative that all future public hearings be held in the evening to allow for public participation.

March 15, 2010

Robert Dobruskin, AICP
Director
Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, #4E
New York, NY 10007

Re. Crotona Park East / West Farms Proposed Rezoning and Related Actions
CEQR # 10DCP1017X

Dear Mr. Dobruskin:

I am writing on behalf of the board of directors of the Bronx River Alliance, a non-profit, public-private partnership incorporated in 2001, and uniting over 80 community organizations, institutions, schools, and agencies around its mission: to serve as a coordinated voice for the river, and to work in harmonious partnership to protect, improve and restore the Bronx River corridor so that it can be a healthy ecological, recreational, educational and economic resource for the communities through which the river flows.

The proposed rezoning and related actions will enormously impact the River itself, as well as the communities in the lower watershed, who have labored tirelessly to bring about the transformative changes that have in fact catalyzed the interest of the applicant in building the project they describe. And while some of those impacts are potentially positive, others are matters of concern; we join with our community partners in asking the Department of City Planning to ensure that the environmental review, and the land use review process that will follow, are conducted in a way that will surface important concerns, promote constructive discussion among stakeholders, and enable key issues to be resolved in a satisfying and transparent way, ***before the ULURP process begins, and reduces what should be a complex and nuanced discussion to a series of up-or-down votes.***

We therefore urge the Department of City Planning to defer certification of this application until the issues outlined below have been resolved, and that resolution is incorporated into the proposed new zoning text and project documents.

Our most important concerns include:

Maintenance of the Greenway
The developer's own presentation materials make the case that this project would not be happening, but for the increase in land value and desirability of the neighborhood brought about by the activism of local people, and the $120 million investment of City, State, and federal money in the restoration of the Bronx River and the creation of the Bronx River Greenway. The nexus between the rezoning and the proposed project, and the development and maintenance of the Greenway, is undeniable. Building on the precedent established by the creation of the Highline Transfer Corridor as part of the West Chelsea Zoning Text Amendment, the West Farms Text Amendment should require a cash contribution to a Greenway Maintenance endowment. As public private partnership, the Bronx River Alliance, which has executed an agreement with the NYC Department of Parks and Recreation that delineates its responsibilities, in partnership with Parks, for maintaining new and existing parkland in the Bronx River corridor, would be the logical administrator of such a fund, and would be in a position to ensure that it is utilized to maximize benefits to the Greenway, and in accordance with the terms of any governing agreement or zoning language.

The Bronx River Alliance also has a well-established staffing structure – the Bronx River Crew – through which it recruits and hires local residents, including individuals who have been trained in ecological restoration and related skills by Sustainable South Bronx. Crew members are permanent employees, earning a living wage and benefits, and able to acquire additional skills and access opportunities for professional advancement in their field.

It is extremely important that a *required* contribution to the maintenance endowment be incorporated into the zoning text change, not only for the value contributions from this project will provide, but because this rezoning will set a precedent for future developments and rezonings in the Bronx River corridor, as well as in Hunts Point and Port Morris, as the South Bronx Greenway moves forward.

In contrast to the West Chelsea / Highline text, we are advocating for the contribution to be mandatory, not optional, and not linked to any density or other development bonuses. The mechanism for assessing and collecting the contribution might be a BID-like entity, or some other arrangement that replicates existing models and would not require legislation. The amount of the contribution must be negotiated as a part of the EIS process. Its impact on the viability of the project would be minimal, and future developers will be able to factor it in as they assess the feasibility of future projects.

Open Space
Required open space within the project is provided on elevated decks above parking garages. Such spaces do not provide the values of public access, microclimate improvement, stormwater management, and opportunity for active use, that are created by planted spaces on-grade. The project design should be modified to maximize the quantity and quality of genuine open space it provides within an already densely-built context.

Stormwater management and CSO discharge
As noted in pages 42-44 of the draft scope, the project lies within the catchment area of HP003, a Combined Sewer Overflow which discharges into the Bronx River. Because of the sensitivity of the River, the very great effort that has been devoted to its restoration, and the value that the River admittedly creates for land in the study area and in the proposed project, we very strongly recommend that the Special CSO Analysis be fully shared with local stakeholders at every phase, that stakeholder input be fully considered in developing the study methodology and evaluating its conclusions, and that certification for ULURP not be granted without a plan that ensures that CSO discharges will be substantially reduced below current levels as a part of the project.

We urge DCP to consult in-depth with the staff and the Ecology Team of the Bronx River Alliance, and with Stormwater Infrastructure Matters (SWIM) to gain the benefit of their extensive research on the application of stormwater Best Management Practices within the Bronx River watershed.

Housing Affordability, gentrification, and displacement
The draft scoping document states that the applicant (Signature Development Group) plans to make substantial numbers of units "affordable", and to use HPD and HDC programs to subsidize those units, as well as to use them to gain additional floor area under Inclusionary Zoning.

We believe that the developer is actually relying on the availability of subsidy to ensure that the project is feasible and that the units will be absorbed quickly into the local market. Because it is doubtful that this applicant, or any other developer, would move forward with an entirely market-rate project on this site, in the current economic environment, we do not believe that the use of a density bonus for affordable housing is appropriate. Rather, we urge DCP to zone the area for bulk and density that makes sense, given the area's access to transit and other services, as well as its topography, its street fabric, and other urban design considerations, and mandate***,*** rather than incentivize, levels of affordability.

The number of affordable units, and their actual relationship to local, rather than Area Median Incomes needs to be written into the application and approvals for the project, and not left to the developer's discretion as future phases are built.

Schools
The draft scoping document refers only to numbers of classroom seats that the project might require, and thus to its impact on overcrowding. Schools, however, are no less an element of local infrastructure than water supply, sewers, and power lines. The EIS needs to consider not only the simple number of classroom seats available and project's potential to increase overcrowding – it needs to consider the capacity of local schools to provide students with a quality education, and to overcome the challenges of poverty, environmentally-exacerbated health issues, poor nutrition, lack of access to healthy outdoor space, and more. Strategies by which the project can enhance that capacity, rather than straining it further, need to be included in the EIS.

Displacement of manufacturing jobs
The EIS needs to do an accurate assessment of the number and quality of blue-collar jobs that will be lost through direct displacement by Signature's project, direct displacement by future projects on projected and potential development sites within the rezoning area, and indirect displacement due to rising land uses and changes to neighborhood character. Mitigation measures, including relocation of companies, and retraining and placement of workers, need to be considered.

Removal of the Sheridan Expressway
The New York State Department of Transportation has been studying alternatives – whether to expand or to remove the Sheridan Expressway – since 1999. The resolution of that Environmental Impact Study has profound implications for this project, and for all of the communities within the lower Bronx River watershed. NYSDOT has prolonged its analysis of the alternatives beyond all reason – the most recent public presentation on its study took place in July 2008. We urge the New York City agencies most concerned – including the Department of City Planning , and the Department of Transportation, to take an active role in advancing the Bruckner Sheridan EIS, and to address the issues of land use, social, economic, and ecological

impacts of removing the Sheridan in a holistic and timely manner, so that the future condition on the Sheridan can be taken into account in considering this rezoning application and the proposed project.

Urban Design, Height, and Density

The project as proposed is excessively tall and bulky. As noted above, this is due in part to the developer's reliance on receiving an FAR (Floor Area Ratio) bonus in return for including affordable units in the project. The scoping documents state that the rezoning will open up access and views of Starlight Park and the Bronx River, but as proposed, it does the opposite, by creating a wall of buildings much higher than the current one-story industrial buildings that now occupy the area. The project as proposed will obstruct views that residents of West Farms now enjoy.

The scoping documents and the developers materials also state that the project will activate and enliven West Farms Road, but in fact, it will do the opposite. Building frontage on West Farms Road consists, in the proposal, of blank walls and garage entrances, making this street, along which students at Fannie Lou Hamer and other schools must walk, even less safe and pedestrian-friendly than it is now.

While existing cross streets will be maintained, the project fails to provide pedestrian connections through the very long existing blocks. Street frontage on Boone Avenue will be impenetrable, and pedestrians will not be able to access West Farms Road any more easily than they do now.

Due to the steep slope of the blocks nearest to the Bronx River, 174 Street becomes a viaduct, and then a bridge, moving west to east through the rezoning area. The change in grade, and the connection between surface streets and the elevated portions of 174 Street are now poorly configured, though pedestrians have implicitly accepted this configuration in the context of the area's industrial land use and street fabric. The project and the rezoning offer an opportunity to enhance connections for walkers and cyclists, at and between the at-grade and elevated levels here. The project must be redesigned to fully take advantage of that opportunity.

Parking and traffic generation

We would like to see the project designed with less parking than the application now proposes. The scoping document, and Signature's materials, both extol the area's access to transit as a reason for locating dense development there – yet the project as proposed would add over 600 new parking spaces. Recent research increasingly confirms that the availability of parking is a key driver (pun intended) of New York City residents' decisions to own and drive a car. The EIS should carefully examine the degree to which on-site parking will actually induce additional car ownership and use, and consider alternatives, particularly car-sharing schemes designed to be affordable and accessible to local residents.

In summary, we want to express our desire to work with the Department of City Planning, the applicant, and the concerned partner-member organizations of the Alliance, to advance this project in a way that fulfills the aspirations of local residents and organizations who have worked so hard to bring about the transformation of the Bronx River corridor. We look forward to continued dialogue with the Department.

Sincerely,



Joan Byron
Chairperson, Board of Directors
Bronx River Alliance
jbyron@pratt.edu
718-636-3468

Cc: Carol Samol, DCP
Linda Cox, Executive Director, Bronx River Alliance

From: DIANE MCCARTHY [DMCCART@planning.nyc.gov]
Sent: Thursday, March 04, 2010 11:37 AM
To: Wall, Gerard
Cc: hockensn@gtlaw.com; ROBERT DOBRUSKIN; VINEETA MATHUR
Subject: Crotona - Initial DSOW Hazmat comments
Gerry,

Continuing with our interagency coordination, DEP has provided us one comment in regards to the Hazardous Materials section of the Draft Scope for Crotona Park East.

- Phase I reports are valid for six months before they require updating, therefore the last clause of the sentence on the top of page 41 needs to read as: " . . . those Phase 1 reports will be updated if more than six months has transpired since they were completed."

As we previously discussed in relation to hazardous materials for the DEIS itself, all relevant backup materials – including all ESA Phase I and II conducted for the applicant's controlled properties – needs to be provided to facilitate the review for the DEIS. Electronic form (CD) for this material would be fine; please submit two sets (one for our files and one for DEP).

Thanks, Diane M

Diane M. McCarthy, AICP
NYCDCP-EARD
212-720-3417
D_Mccart@planning.nyc.gov

From: DIANE MCCARTHY [DMCCART@planning.nyc.gov]
Sent: Monday, March 08, 2010 10:39 AM
To: Wall, Gerard
Cc: hockensn@gtlaw.com; ROBERT DOBRUSKIN; VINEETA MATHUR
Subject: Crotona - Initial DSOW Historic Resources comments

Gerry,

And once again although from another of our coordinating agencies . . . LPC has provided us their comments in regards to the Historic Resources section of the Draft Scope for Crotona Park East.

- The architectural survey and review text of the EAS supplemental report needs to be included in the DEIS scope of work for historic resources (primarily the last paragraph of the applicable section).
- The materials to be provided to LPC as part of its review of the DEIS Historic Resources chapter is to include photographs of all projected and potential development sites (for architectural review purposes). The photos should be keyed to a Sanborn or other appropriate map and labeled with block/lot, address, and development site ID number. This material may be provided in electronic format on a CD.
- The proposed rezoning action includes two additional parcels not previously identified to LPC. Based on their review of archaeological sensitivity models and historic maps, LPC has no further archeological concerns for Block 3007, Lot 8. However, Block 3016, Lot 71 may have potential for the recovery of remains from 19th Century cemeteries and residential occupation. Therefore, the archaeological documentary study is to augmented to include this parcel for the purpose of clarifying these initial findings and provide the threshold for the next level of review, if such review is necessary.

Thanks, Diane M

Diane M. McCarthy, AICP
NYCDCP-EARD
212-720-3417
D_Mccart@planning.nyc.gov

From: DIANE MCCARTHY [DMCCART@planning.nyc.gov]
Sent: Thursday, March 04, 2010 11:06 AM
To: Wall, Gerard
Cc: hockensn@gtlaw.com; ROBERT DOBRUSKIN; VINEETA MATHUR
Subject: Crotona - Initial DSOW Infrastructure comments
Gerry,

As part of our interagency coordination, DEP has provided us the comments noted below in regards to the Infrastructure section of the Draft Scope for Crotona Park East. Please note that these comments are not considered "public" in the sense of having to be addressed as part of the required Response to DSOW Comments document.

- Page 43, *Special CSO Analysis*
  This subsection is simply to be called "*CSO Analysis"*; no "Special" needed.

- Page 44, bullet directly above *Water Supply*
  -- The sentence beginning with "A conceptual plan…" needs to be augmented to read as follows:
  "A conceptual plan and related information (i.e., types, locations within rezoning area and sizing requirements) for BMPs to be included as part of the proposed project (i.e., parcels under the control of the applicant) will be provided as appropriate and the mechanism for implementation will be detailed."
  -- The final sentence beginning with "For parcels outside of the control of the applicant…" is to be deleted completely.

Diane M

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City of New York
Parks & Recreation

Adrian Benepe
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The Arsenal
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Ms. Celeste Evans
Project Manager
Department of City Planning
22 Reade Street
New York, NY 10007

March 15, 2010

RE: DPR Comments on the Crotona Park East/ West Farms rezoning draft scope of work and EAS

Dear Ms. Evans,

The following comments are on the draft scope of work for the Crotona Park East/ West Farms rezoning draft scope of work and EAS, specifically on the shadows analysis. Please contact me at (212) 360-3437 with any questions regarding our comments.

Shadows
Being that special permits for modifying building height are being sought for Blocks 3013 and 3014, two blocks that may affect shadows on Starlight Park, Parks would like to understand what the shadow effects would be if the waivers were not permitted. It is not clear from the scoping document whether the analysis will include effects with the waiver vs. no waiver. Parks understands that the proposed alternatives analysis includes three options: the "no action," "with action" and "no impact" scenarios. We will look to the no impact analyses to help us gain a better understanding of how the height restrictions on the building affect the shadow impacts on the surrounding open space resources.

Sincerely,

Mitch Murdock
Senior Project Manager

WHERE COMMUNITY AND CREATIVITY CONNECT.

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Monday March 15, 2010
Public Comment
West Farms / Crotona Park East Rezoning
CEQR #: 10DCP017X

Testimony prepared by
THE POINT COMMUNITY DEVELOPMENT CORPORATION

THE POINT COMMUNITY DEVELOPMENT CORPORATION is a nonprofit organization dedicated to youth development and the cultural and economic revitalization of the Hunts Point section of the South Bronx. We believe the area's residents, their talents and aspirations, are THE POINT's greatest assets. Our mission is to encourage the arts, local enterprise, responsible ecology, and self-investment in the Hunts Point community.

THE POINT has a long history of working with our community on long-term community-based land use plans such as the South Bronx Greenway and the Brownfields Opportunity Area Program. In 2008, with the help of Council Woman Maria del Carmen Arroyo we were able to amend the Hunts Point rezoning to better reflect the desires of local residents. In our role as a community development agency, we strive to represent the voices of our neighbors and communicate the needs and solutions that will improve the overall quality of life in Hunts Point. With that in mind, we strongly urge that the West Farms rezoning application not be certified until all of the community's issues have been addressed and resolved.

Signature Development was explicit that the $120+ million dollars of taxpayer money invested in the Bronx River and its surrounding area helped draw its interest to this project. If this rezoning and development proceed as currently constructed, we may ultimately displace the very same people who have struggled for decades to reclaim their neighborhood, and thus realize our greatest fears as advocates for change in the South Bronx. In Hunts Point, the long awaited South Bronx Greenway will finally break ground this year. THE POINT is a partner on this project along with Sustainable South Bronx and New York City, and so we look to the West Farms rezoning to see what our future has in store. How the City handles this rezoning will set a precedent for decades of development in our area, for while this is the first major development seeking to cash in on the public investment in our neighborhood, it will by no means be the last. We need to know that our elected officials share our vision for the future of our neighborhoods, and will protect that vision for the people who helped shape it.

Overall, our ask is that community groups from the neighborhood get a chance to meet with the Department of City Planning, elected officials, and Signature Development before any applications are certified so that we can create the best project moving forward, and do so in an amicable instead of adversarial way. The scoping hearing for this proposal did not allow for true community participation as it was poorly publicized, took place at 4pm while most residents were at work, and was located at a place where the nearest transit option (the Whitlock 6-train) will not be in operation until next fall. Therefore, we request more dialogue

and perhaps another public meeting. We are not anti-development. We see the benefits this project can have, we just want to ensure that it is in fact the best proposal possible for local residents.

One of our major concerns is about affordability. We want full disclosure as to how many units will be affordable and at what levels, as well as where in the project they will be located. To make this truly mixed-income housing, we need to ensure that rents will be affordable to people who live here and not based on an Area Median Income of the regional demographic. These conditions should be written into a binding agreement before the project can move forward.

Also, the location of this project lies adjacent to another plan that the community has rallied behind for over a decade regarding the Sheridan Expressway. The future resolution of the Bruckner-Sheridan EIS has great implications on this West Farms proposal, and should be taken into account when considering the rezoning and proposed development. For example, the scoping documents and the developers materials state that the project will activate and enliven West Farms Road, but in fact, it will do the opposite. Building frontage on West Farms Road consists, in the proposal, of blank walls and garage entrances, making this street, along which students at Fannie Lou Hamer and other schools must walk, even less safe and pedestrian-friendly than it is now. While existing cross streets (172 and 173 Street) will be maintained, the project fails to provide pedestrian connections through the very long existing blocks. Street frontage on Boone Avenue will be impenetrable, and pedestrians will not be able to access West Farms Road any more easily than they do now. If the Sheridan is removed the banks of the Bronx River will finally be open to the neighborhood, but as currently designed this project will create a new barrier between the community and one of its greatest natural resources. The project and the rezoning offer an opportunity to enhance connections for walkers and cyclists, and thus needs to be redesigned to fully take advantage of that opportunity.

Furthermore, the required open space within the project is now provided on elevated decks above parking garages. Such spaces do not provide the values of public access, microclimate improvement, stormwater management, and opportunity for active use, that are created by planted spaces on-grade. The project design should be modified to maximize the quantity and quality of genuine open space it provides within an already densely-built context. Related to this, as noted in pages 42-44 of the draft scope, the project lies within the catchment area of HP003, a Combined Sewer Overflow which discharges into the Bronx River. Because of the sensitivity of the River, the very great effort that has been devoted to its restoration, and the value that the River admittedly creates for land in the study area and in the proposed project, we very strongly recommend that the Special CSO Analysis be fully shared with local stakeholders at every phase, that stakeholder input be fully considered in developing the study methodology and evaluating its conclusions, and that certification for ULURP not be granted without a plan that ensures that CSO discharges will be eliminated or substantially reduced as a part of the project.

Also, the EIS needs to do an accurate assessment of the number and quality of blue-collar jobs that will be lost through direct displacement by Signature's project, direct displacement by future projects on projected and potential development sites within the rezoning area, and indirect displacement due to rising land uses and changes to neighborhood character. Mitigation measures, including relocation of companies, and retraining and placement of workers, need to be considered. Our vision for the Bronx river watershed is not of a sanitized, post-industrial landscape, but of a place that offers both a high quality of life, and a broad

range of economic opportunity, to all of its residents.

Also, the draft scoping document refers only to numbers of classroom seats that the project might require, and thus to its impact on overcrowding. Schools, however, are no less an element of local infrastructure than water supply, sewers, and power lines. The EIS needs to consider not only the simple number of classroom seats available and project's potential to increase overcrowding – it needs to consider the capacity of local schools to provide students with a quality education, and to overcome the challenges of poverty, environmentally-exacerbated health issues, poor nutrition, lack of access to healthy outdoor space, and more. Strategies by which the project can enhance that capacity, rather than straining it further, need to be included in the EIS.

As mentioned earlier, the connection between the rezoning and the proposed Signature Development project, and the development and maintenance of the Bronx RiverGreenway, could not be more clear. Building on the precedent established by the creation of the Highline Transfer Corridor as part of the West Chelsea Zoning Text Amendment, the West Farms Text Amendment should require a cash contribution to a Greenway Maintenance endowment. A public-private partnership, the Bronx River Alliance, already exists, and already has an agreement with the NYC Department of Parks and Recreation that codifies its responsibility for maintaining new and existing parkland in the Bronx River corridor.

The Bronx River Alliance also has a well-established staffing structure – the Bronx River Crew – through which it recruits and hires local residents, including individuals who have been trained in ecological restoration and related skills by Sustainable South Bronx. Crew members are permanent employees, earning a living wage and benefits, and able to acquire additional skills and access opportunities for professional advancement in their field.

The establishment of a maintenance endowment funded by new development that has been stimulated by the creation of the Greenway is logical, will directly benefit local residents, and will ensure that the Greenway and the River are maintained in ways that will ensure that they will continue to contribute to the value of that development. It is extremely important that a *required* contribution to the maintenance endowment be incorporated into the zoning text change, again not only for the value contributions from this project will provide, but because of the precedent it will set for future rezonings in our area.

In contrast to the West Chelsea / Highline text, we are advocating for the contribution to be mandatory, not optional, and not linked to any density or other development bonuses. The amount of the contribution must be negotiated as a part of the EIS process.

To summarize, we urge City Planning in the strongest possible terms to work with local stakeholders and the applicant to address the issues we have identified within the EIS process, and not to certify the application for ULURP until there are written and enforceable agreements in place, or language included in the Zoning text amendment, that addresses the issues raised here. The CEQR and ULURP processes today create the potential to resolve complex planning issues, such as those raised by this project, in satisfactory ways – but these processes are also deeply flawed, and have too often played out in ways that leave communities and elected officials with the unsatisfactory choices of either accepting a bad project, or rejecting it, and foregoing the opportunities and benefits that might have been won.

We hope and believe that a different resolution is possible here, and are willing to work with all stakeholders to bring our collective vision to fruition.

Pratt Center
for Community Development

March 15, 2010

Robert Dobruskin, AICP
Director
Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, #4E
New York, NY 10007

Re. Crotona Park East / West Farms Proposed Rezoning and Related Actions
CEQR # 10DCP1017X

Dear Mr. Dobruskin:

The Pratt Center for Community Development has worked since the mid-1990s with community organizations based in the lower Bronx River watershed on a number of locally-led planning, development, and environmental initiatives. These include the formation of the Bronx River Alliance, the reclamation of the Bronx River, and the development of the Bronx River Greenway, as well as the campaign by the Southern Bronx River Watershed Alliance to remove the Sheridan Expressway, and redevelop its footprint as affordable housing, community and commercial space, as well as additional open space that will connect existing communities directly to the Bronx River and the Greenway. The proposed action will enormously impact communities along the Bronx River and their efforts to create a community that is environmentally sustainable, economically vibrant, and socially just and inclusive. If the Department of City Planning is willing to address local concerns, and integrate the already well-articulated goals of local organizations into the framing of the subject project, it has the potential to advance and support the community's own vision for its future.

But if the project moves forward without that input, opportunities to achieve these shared goals may be missed, and the worst nightmare of environmental justice advocates in the South Bronx and elsewhere – that a community's success in reclaiming its river and developing new parkland along its banks will be a catalyst for the displacement of local residents – will be realized.

To enable the kind of dialogue that needs to take place between the applicant, the Department of City Planning, and community-based organizations (including the Bronx River Alliance), we urge you in the strongest possible terms to defer certification of this application until the issues outlined below have been resolved, and that resolution is incorporated into the proposed new zoning text and project documents. We are very excited by the prospect of shaping this project in a way that will benefit all stakeholders, including the developer – but we are very concerned that once the application is certified, the constraints of the ULURP process and timetable will make such a resolution difficult, even impossible to achieve.

Since the application was put forward, we have met with representatives of the Bronx Borough President, as well as with city Council members representing the districts encompassing and adjacent to the project area. All have expressed concerns similar to ours about the project, and are, like us, hopeful that the issues we have identified can be resolved before ULURP begins. We have discussed our concerns with DCP Bronx Director Carol

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Samol, and will continue to reach out to her, in the hope that DCP can facilitate a discussion among local stakeholders and the developer that will both improve the project and enable it to move forward.

Our most important concerns include:

Maintenance of the Greenway

The developer's own presentation materials make the case that this project would not be happening, but for the increase in land value and desirability of the neighborhood brought about by the activism of local people, and the $120 million investment of City, State, and federal money in the restoration of the Bronx River and the creation of the Bronx River Greenway. The nexus between the rezoning and the proposed project, and the development and maintenance of the Greenway, could not be more clear. Building on the precedent established by the creation of the Highline Transfer Corridor as part of the West Chelsea Zoning Text Amendment, the West Farms Text Amendment should require a cash contribution to a Greenway Maintenance endowment. A public private partnership, the Bronx River Alliance, already exists, and already has an agreement with the NYC Department of Parks and Recreation that delineates its responsibilities, in partnership with Parks, for maintaining new and existing parkland in the Bronx River corridor.

The Bronx River Alliance also has a well-established staffing structure – the Bronx River Crew – through which it recruits and hires local residents, including individuals who have been trained in ecological restoration and related skills by Sustainable South Bronx. Crew members are permanent employees, earning a living wage and benefits, and able to acquire additional skills and access opportunities for professional advancement in their field.

The establishment of a maintenance endowment funded by new development that has been stimulated by the creation of the Greenway is logical, will directly benefit local residents, and will ensure that the Greenway and the River are maintained in ways that will ensure that they will continue to contribute to the value of that development.

It is extremely important that a *required* contribution to the maintenance endowment be incorporated into the zoning text change, not only for the value contributions from this project will provide, but because this rezoning will set a precedent for future developments and rezonings in the Bronx River corridor, as well as in Hunts Point and Port Morris, as the South Bronx Greenway moves forward.

In contrast to the West Chelsea / Highline text, we are advocating for the contribution to be mandatory, not optional, and not linked to any density or other development bonuses. The mechanism for assessing and collecting the contribution might be a BID-like entity, or some other arrangement that replicates existing models and would not require legislation. The amount of the contribution must be negotiated as a part of the EIS process. Its impact on the viability of the project would be minimal, and future developers will be able to factor it in as they assess the feasibility of future projects.

Housing Affordability, gentrification, and displacement

The draft scoping document states that the applicant (Signature Development Group) plans to make substantial numbers of units "affordable", and to use HPD and HDC programs to subsidize those units, as well as to use them to gain additional floor area under Inclusionary Zoning.

We believe that the developer is actually relying on the availability of subsidy to ensure that the project is feasible and that the units will be absorbed quickly into the local market. Because it is doubtful that this applicant, or any other developer, would move forward with an entirely market-rate project on this site, in the current economic environment, we do not believe that the use of a density bonus for affordable housing is appropriate. Rather, we urge DCP to zone the area for bulk and density that makes sense, given the area's access to transit and other services, as well as its topography, its street fabric, and other urban design considerations, and ***mandate,*** rather than incentivize, levels of affordability.

The number of affordable units, and their actual relationship to ***local***, rather than Area Median Incomes needs to be written into the application and approvals for the project, and not left to the developer's discretion as future phases are built.

Displacement of manufacturing jobs

The EIS needs to do an accurate assessment of the number and quality of blue-collar jobs that will be lost through direct displacement by Signature's project, direct displacement by future projects on projected and potential development sites within the rezoning area, and indirect displacement due to rising land uses and changes to neighborhood character. Mitigation measures, including relocation of companies, and retraining and placement of workers, need to be considered.

Removal of the Sheridan Expressway

The New York State Department of Transportation has been studying alternatives – whether to expand or to remove the Sheridan Expressway – since 1999. The resolution of that Environmental Impact Study has profound implications for this project, and for all of the communities within the lower Bronx River watershed. NYSDOT has delayed its analysis of the alternatives beyond all reason – the most recent public presentation on its study took place in July 2008. ***We urge the New York City agencies most concerned – including the Department of City Planning , and the Department of Transportation, to take an active role in advancing the Bruckner Sheridan EIS, and to address the issues of land use, social, economic, and ecological impacts of removing the Sheridan in a holistic and timely manner, so that the future 'build' (or, we hope, 'unbuild') condition on the Sheridan can be taken into account in considering this rezoning application and the proposed project.***

Urban Design, Height, and Density

The project as proposed is excessively tall and bulky. As noted above, this is due in part to the developer's reliance on receiving an FAR (Floor Area Ratio) bonus in return for including affordable units in the project. The scoping documents state that the rezoning will open up access and views of Starlight Park and the Bronx River, but as proposed, it does the opposite, by creating a wall of buildings much higher than the current one-story industrial buildings that now occupy the area. The project as proposed will obstruct views that residents of West Farms now enjoy.

The scoping documents and the developers materials also state that the project will activate and enliven West Farms Road, but in fact, it will do the opposite. Building frontage on West Farms Road consists, in the proposal, of blank walls and garage entrances, making this street, along which students at Fannie Lou Hamer and other schools must walk, even less safe and pedestrian-friendly than it is now.

While existing cross streets (172 and 173 Street) will be maintained, the project fails to provide pedestrian connections through the very long existing blocks. Street frontage on Boone Avenue will be impenetrable, and pedestrians will not be able to access West Farms Road any more easily than they do now.

Due to the steep slope of the blocks nearest to the Bronx River, 174 Street becomes a viaduct, and then a bridge, moving west to east through the rezoning area. The change in grade, and the connection between surface streets and the elevated portions of 174 Street are now poorly configured, though pedestrians have implicitly accepted this configuration in the context of the area's industrial land use and street fabric. ***The project and the rezoning offer an opportunity to enhance connections for walkers and cyclists, at and between the at-grade and elevated levels here. The project must be redesigned to fully take advantage of that opportunity.***

Parking and traffic generation

We would like to see the project designed with less parking than the application now proposes. The scoping document, and Signature's materials, both extol the area's access to transit as a reason for locating dense development there – yet the project as proposed would add over 600 new parking spaces. Recent research

increasingly confirms that the availability of parking is a key driver (pun intended) of New York City residents' decisions to own and drive a car. The EIS should carefully examine the degree to which on-site parking will actually induce additional car ownership and use, and consider alternatives, particularly car-sharing schemes designed to be affordable and accessible to local residents.

Open Space and Stormwater Management

In the proposed design, too much of the required open space within the project is provided on decks above parking structures. Such open space is a poor substitute for planted space on grade; it captures no stormwater, and it provides few or no benefits to local microclimate, and little or no connection to or enhancement of existing public space. In tandem with consideration of a reduction in the amount of parking, we urge that the project be redesigned to locate more of the required open space on-grade, and to configure it in ways that do more to enhance the existing streetscape.

We also urge DCP to require that the project be designed so as to contribute NO additional stormwater to the combined sewer system, and to do the utmost to reduce, rather than increase, CSO discharges into the Bronx River. We urge DCP to consult in-depth with the Bronx River Alliance, and with Stormwater Infrastructure Matters (SWIM) to gain the benefit of their extensive research in this area.

Again, we want to express our desire to work with DCP, the applicant, and local elected officials to advance this project in a way that fulfills the vision of local organizations who have worked so hard to bring about the transformation of the Bronx River corridor. We look forward to continued dialogue with the Department.

Sincerely,



Joan Byron
Director, Sustainability and Environmental Justice Initiative
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Cc: Carol Samol, DCP
Borough President Ruben Diaz, Jr.
Joel Rivera, NYC Council, 15th District
Maria del Carmen Arroyo, NYC Council, 16th District
Annabel Palma, NYC Council, 18th District
Linda Cox, Bronx River Alliance
Kellie Terry-Sepulveda, the Point CDC
Alexie Torres-Fleming, Youth Ministries for Peace and Justice
Melanie Jung, Southern Bronx River Watershed Alliance

TRI-STATE TRANSPORTATION CAMPAIGN

Mobilizing the Region

March 15, 2010

Robert Dobruskin, AICP, Director
Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, 4E
New York, New York 10007

Re: Comments on the proposed West Farms / Crotona Park Rezoning (CEQR # 10DCP017X).

Dear Mr. Dobruskin,

Tri-State Transportation Campaign offers the following comments on the proposed West Farms / Crotona Park rezoning. While we believe the proposal has merit, we have several concerns that are enumerated below. The proposed development is very likely the first of several projects in the area, thus it is imperative that the rezoning be undertaken with utmost care and caution to be fully responsive to community concerns and cognizant of the precedent set. **We ask that certification of the project by the Department of City Planning be delayed until the following issues are resolved through an open process that includes community stakeholders.**

1. Pedestrian access and street environment

The scoping documents and the developer's materials state that the project will activate and enliven West Farms Road, when in fact, it will do the opposite. In the proposal, building frontage on West Farms Road consists of blank walls and garage entrances, making this street, along which students at Fannie Lou Hamer and other schools must walk, even less safe and pedestrian-friendly than it is now.

While existing cross streets (172 and 173 Street) will be maintained, the project fails to provide pedestrian connections through the very long existing blocks. Street frontage on Boone Avenue will be impenetrable, and pedestrians will not be able to access West Farms Road any more easily than they do now. The documents claim that the rezoning will increase access to the Bronx River and Starlight Park, yet the proposed design does not appear to do so.

Due to the steep slope of the blocks nearest to the Bronx River, 174 Street becomes a viaduct, and then a bridge, moving west to east through the rezoning area. The change in grade, and the connection between surface streets and the elevated portions of 174 Street are now poorly configured, though pedestrians have implicitly accepted this configuration in the context of the area's industrial land use and street fabric. ***The project and the rezoning offer an opportunity to enhance connections for walkers and cyclists, at and between the at-grade and elevated levels here. The project must be redesigned to fully take advantage of that opportunity.***

2. Removal of the Sheridan Expressway

The Sheridan Expressway runs adjacent to the rezoning area. The New York State Department of Transportation has been studying alternatives – whether to expand or to remove the Sheridan Expressway – since 1999. The resolution

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of that Environmental Impact Study has profound implications for this rezoning and development project, and for all of the communities within the lower Bronx River watershed. There is an opportunity to adhere the two projects in a coherent and transformative vision for the area. A Sheridan removal would create public open space and river access that would clearly benefit those in the rezoning area. Likewise, the rezoning can benefit the future Sheridan lands by increasing pedestrian access, enhancing street-level design, incorporating mixed-use commercial and incorporating a funding mechanism for the Bronx Greenway (see section 4 below).

NYSDOT has delayed its analysis of the alternatives beyond all reason – the most recent public presentation on its study took place in July 2008. ***We urge the New York City agencies most concerned – including the Department of City Planning , and the Department of Transportation, to take an active role in advancing the Bruckner Sheridan EIS, and to address the issues of land use, social, economic, and ecological impacts of removing the Sheridan in a holistic and timely manner, so that the future 'build' (or, we hope, 'unbuild') condition on the Sheridan can be taken into account in considering this rezoning application and the proposed project and vice-versa.***

3. Housing Affordability, gentrification, and displacement

Though the documents submitted state that the applicant (Signature Development Group) plans to make substantial numbers of units "affordable", and to use HPD and HDC programs to subsidize those units, as well as to use them to gain additional floor area under Inclusionary Zoning), there needs to be a full discussion of how many units would be affordable at what levels (% of Area Median Income) and in what locations in the project. The community is well aware of both the need for housing affordable to actual local residents, and the desirability of a mixed-income project. So the actual mix needs to be fully disclosed, and a binding agreement by the developer needs to be a condition for approval. ***If approval of the project is not conditioned on the execution of a binding agreement on affordability, the worst fears of Environmental Justice communities throughout the city – that their successful struggles to create safe and healthy neighborhoods will trigger their own displacement – will be realized.***

4. Maintenance of the Greenway

The developer's own presentation materials make the case that this project would not be happening, but for the increase in land value and desirability of the neighborhood brought about by the activism of local people, and the $120 million investment of City, State, and federal money in the restoration of the Bronx River and the creation of the Bronx River Greenway. The nexus between the rezoning and the proposed project, and the development and maintenance of the Greenway, could not be more clear. Building on the precedent established by the creation of the Highline Transfer Corridor as part of the West Chelsea Zoning Text Amendment, the West Farms Text Amendment should require a cash contribution to a Greenway Maintenance endowment.

The establishment of a maintenance endowment funded by new development that has been stimulated by the creation of the Greenway is logical, will directly benefit local residents, and will ensure that the Greenway and the River are maintained in ways that will ensure that they will continue to contribute to the value of that development.

It is extremely important that a *required* contribution to the maintenance endowment be incorporated into the zoning text change, not only for the value contributions from this project will provide, but because this rezoning will set a precedent for future developments and rezonings in the Bronx River corridor, as well as in Hunts Point and Port Morris, as the South Bronx Greenway moves forward.

In contrast to the West Chelsea / Highline text, we are advocating for the contribution to be mandatory, not optional, and not linked to any density or other development bonuses. The amount of the contribution must be negotiated as a part of the EIS process. Its impact on the viability of the project would be minimal, and future developers will be able to factor it in as they assess the feasibility of future projects.

5. Height and density

The project as proposed is excessively tall and bulky. This is due in part to the developer's reliance on receiving an FAR (Floor Area Ratio) bonus in return for including affordable units in the project. We believe that the area should be zoned for appropriate densities, given the area's scale, topography, access to transportation, and other factors, and that affordability should be mandated as part of the approval process.

The scoping documents state that the rezoning will open up access and views of Starlight Park and the Bronx River, but as proposed, it does the opposite, by creating a wall of buildings much higher than the current one-story industrial buildings that now occupy the area. The project as proposed will eliminate views that residents of West Farms now enjoy.

6. Open Space
Required open space within the project is provided on elevated decks above parking garages. Such spaces do not provide the values of public access, microclimate improvement, stormwater management, and opportunity for active use, that are created by planted spaces on-grade. The project design should be modified to maximize the quantity and quality of genuine open space it provides within an already densely-built context.

7. Displacement of manufacturing jobs
The EIS needs to do an accurate assessment of the number and quality of blue-collar jobs that will be lost through direct displacement by Signature's project, direct displacement by future projects on projected and potential development sites within the rezoning area, and indirect displacement due to rising land uses and changes to neighborhood character. Mitigation measures, including relocation of companies, and retraining and placement of workers, need to be considered. ***Our vision for the South Bronx is not of a sanitized, post-industrial landscape, but of a place which offers both a high quality of life, and a broad range of economic opportunity, to all of its residents.***

Summary
We are not anti-development, but we are very concerned to see good development. **We urge City Planning to work with local stakeholders and the applicant to address the issues we have identified within the EIS process, and not to certify the application for ULURP until there are written and enforceable agreements in place, or language included in the Zoning text amendment, that addresses the issues raised here.**

We hope and believe that a different resolution is possible, one that will enable development to go forward in a way that strengthens the surrounding community, advances sustainability and equity, and enhances the natural treasure that is the Bronx River.

Thank you for the opportunity to comment. Please do not hesitate to contact me with any questions or comments.

Truly,

Kyle Wiswall
Staff Attorney