



Mayor

Carmen Fariña Chancellor





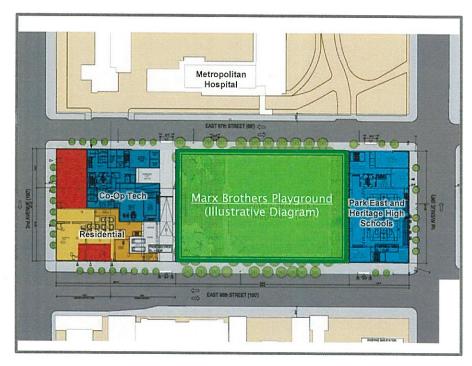
ExistingSite Aerial



Existing Site

- Co-Op Tech
- Marx Brothers Playground (JOP)
- MTA Staging for 2nd Ave Subway (part of JOP)

ProposedGround Level



Proposed Program

- Three New Public School Facilities
- Reconstruction of Marx Brothers Playground
- Residential w/ 30% Permanent Affordable Housing







The Educational Construction Fund (ECF)

- A NYS Public Benefit Corporation
- Builds new NYC Department of Education (DOE) public schools through mixed-use development projects, without the use of DOE capital funding
- ECF works with the DOE and the New York City School Construction Authority (SCA) to identify schools and communities that need improved school facilities and/or increased seats.
- ECF floats bonds for the construction of the schools, which are repaid by the developer in rental income and tax equivalency payments







The Educational Construction Fund (ECF)

▶ ECF has developed 18 projects since the 1970's – most recently PS 59/High School of Art and Design at East 57th and Second Avenue and M114 East Side Middle School on East 91st Street.









ECF and the COOP Tech project

- Over the last several years, ECF has met with Speaker Mark-Viverito and Borough President staff, other elected officials, NYC agencies and community stakeholders to address the community's specific requests for any proposed project:
 - New East Harlem Schools
 - Significant Permanent Affordable Housing
 - Economic Development
 - Job Training and Employment Opportunities
 - Improved open Space for East Harlem residents





NYC



Current School Constraints

- Co-Op Tech lacks available space for growth and high student achievement geared toward jobs in today's economy
 - Cramped learning environment
 - Additional shop space for popular trades (welding, carpentry, automotive, culinary) cannot be accommodated in current space
 - · Inadequate and outdated electrical, ventilation and telecommunication systems

The Heritage School – 1680 Lexington Ave

- Lack of appropriate cafeteria, gym and private counseling space
- Limited growth at Julia de Burgos
 Cultural Center

Park East High School – 230 E. 105th Street

- Confined spaces narrow halls and classrooms
- Gym serves as both gym and auditorium
- Cafeteria doubles as art room.
- Not fully ADA-accessible







Project Program of Uses

- Total of approximately 1.3M gross square feet (GSF)
 - Two School buildings = ~270,000 GSF
 - I: Co-Op Tech = ~135,000 GSF
 - II: The Heritage High School & Park East High School = ~135,000 GSF
 - 60% increase in total classroom space
 - Residential = ~1.0M GSF
 - 63 stories with approx. 1,000 to 1,100 apartments (all rental)
 - Retail = ~20,000 GSF
- Permanent Affordable Housing a \$192 million investment in East Harlem
- Reconstruction and upgrade of Marx Brothers Playground = 64,380 SF
- The density of market rate residential program is required to support this unique combination of schools, open space and housing public benefits







Marx Brothers Playground

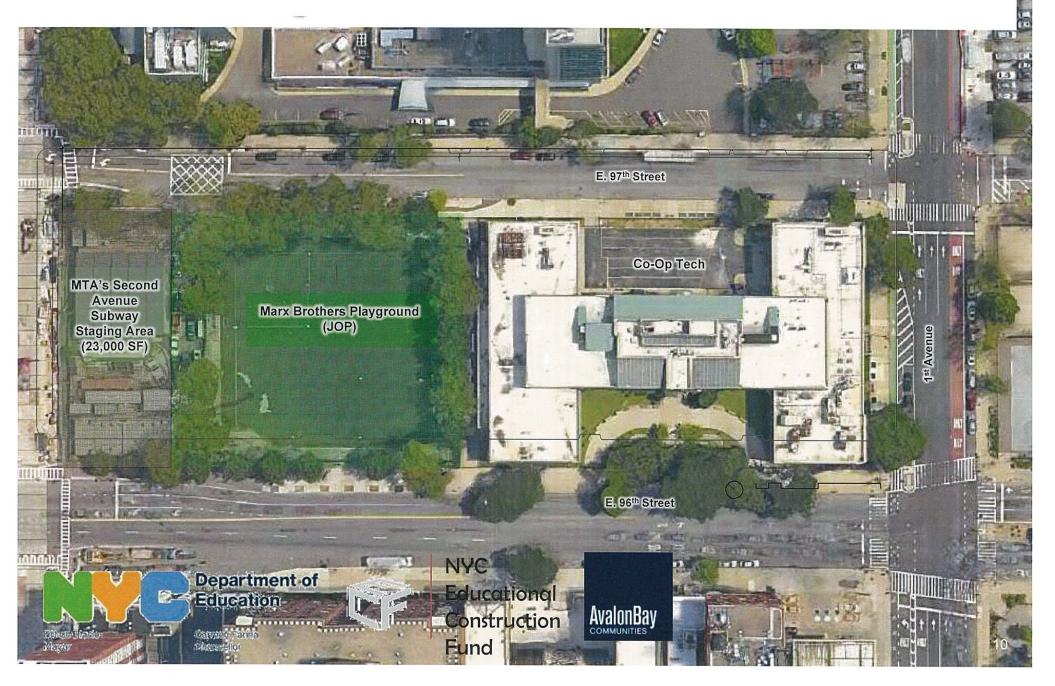
- Project will completely rehab existing playground, while keeping its original size, with continued input from CB11, and local community on design
- Since 1941, has been a Jointly Operated Playground (JOP) for use by the schools and community.
- In 2004, while not required for a JOP, the MTA obtained State legislation to allow a portion to be used the 2nd Ave subway staging.
- In 2017, legislation authorized the transfer of existing playground to ECF on condition that the City dedicate an amount equal to the FMV of the playground for other parkland and recreational facilities in Manhattan.
- As a JOP, the playground has always been located within a designated zoning district and has generated zoning floor area.



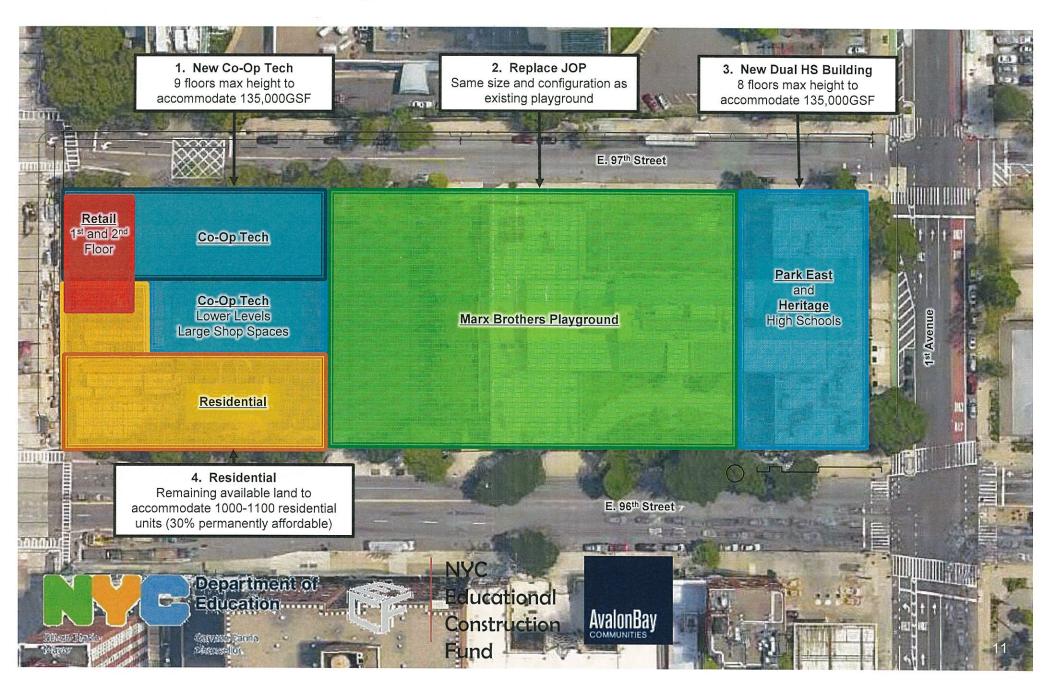




Existing East 96th Street Aerial



Program Site Constraints



Aerial Rendering of Project









Corner of 96th Street and 2nd Avenue





Bill de Blasio

Mayor

Carmen Fariña Chancellor





East 97th and 2nd Avenue





Mayor

Carmen Fariña Chancellor





Marx Brothers Playground





Chancellor

Mayor





Financing the Project

- Approx. \$950 million total development costs
 - Approx. \$300 million schools construction
 - Approx. \$8 million playground reconstruction
 - Approx. \$192 million permanent affordable housing
 - Approx. \$450 million other residential and retail construction
- ECF uses lease payments and/or tax equivalency payments from the non-school portion of the project to finance the construction of school facilities and pay debt service on the school facility bonds with a term of up to forty years
- No NYC Capital Funding is used for this project.
- Any reduction in income from residential portion will impact the ability to provide the schools, playground and affordable housing.







Community Feedback: Height and Density

Public Benefits Through Private Investment

- All \$500 million of public benefits (new schools, affordable apartments, new playground)
 will be achieved by leveraging private investment.
- The project does not qualify for HPD housing subsidies and does not utilize any NYC capital funding.
- To make the project economically feasible, the development is anticipated to comprise over 1,000 apartments, with 30% (300+ units) set aside as permanently affordable.
- With new school buildings and the 1.5 acre playground, site configuration only allows residential construction on the southwest corner (E 96th Street & 2nd Avenue). Therefore, the apartments must be constructed vertically.
- Alternative "stacked" designs at reduced heights were studied and deemed incompatible with school building program requirements and would have greater shadow and other impacts on the neighborhood.







Community Feedback: Permanent Affordable Housing

- 30% of total units (300+ affordable units), ranging from studios to 3 bedroom rental apartments
- Overall affordable to households averaging 60% of area median income
- One third of the affordable units will be targeted to households earning not more than 40% of area median income (approximately 110 apartments ranging from \$629 to \$938 per month)
- Affordable mix balances the deep need for affordable units with what is realistically achievable
- Collaborations with existing community-based affordable housing non-profit organizations to target zip codes in East Harlem to increase the number of local applicants applying for the affordable housing and to provide credit counseling

AMI		40%		60%		110%
# of Apts	110 apartments		165 apartments		55 apartments	
	Rent	Max Income	Rent	Max Income	Rent	Max Income
Studio	\$629	\$25,400	\$963	\$38,050	\$1,837	\$69,800
1BR	\$676	\$27,200	\$1,034	\$40,775	\$1,969	\$74,775
2BR	\$818	\$32,650	\$1,248	\$48,950	\$2,362	\$89,700
3BR	\$938	\$37,700	\$1,471	\$56,525	\$2,729	\$103,650







Community Feedback: Maximize Local Employment

- Maximizing local hiring through HireNYC
 - Utilize existing NYC EDC infrastructure to connect job seekers with hiring resources
 - Work with local partners to market opportunities to East Harlem residents
- Partnership with a community-based labor organizations to develop, fund and implement a local workforce hiring plan, including outreach events and training opportunities
 - 1,000+ Construction jobs Goal of 20%
 - Prevailing wage jobs (both union and non-union) providing a range of local hiring opportunities
 - Identify hiring needs and facilitate recruitment in coordination with construction team
 - Customize skills training and certifications (OSHA, DOT, FDNY, Scaffold rigging, other TBD)
 - Possible partners: East Harlem Talent Network, Positive Workforce, STRIVE, Youth Action/Youthbuild
 - ~30 Permanent Property Maintenance Jobs within the AvalonBay housing Goal of 33%
 - Union 32BJ jobs
- MWLBE contracting Goal of 20%, consistent with SCA requirements
- Student Internships in construction, with Metropolitan Hospital, and with East Harlem businesses
- Community-serving Retail with the goal of providing space for local businesses to expand







Project Benefits

- Construction of a new, bigger and better-equipped school facility for COOP Tech
- Creation of a modern new school to house Heritage High School and Park East High School
- 300+ units of Permanent Affordable Housing
- Reconstruction and Revitalization of the Marx Brothers Playground
- 30+ internships for COOP Tech students with developer and contractors
- Quality job creation
- ~ 20,000 square feet of new neighborhood-serving retail
- Allows for expansion of cultural resources in East Harlem at Julia De Burgos
- Project is funded by ECF and Developer there is no City Capital Funding









SERVICE EMPLOYEES INTERNATIONAL UNION CTW. CLC Testimony re. ECF 96th Street application (C 170226 ZMM)
Delivered before the City Council Subcommittee on Zoning and Franchises
July 17, 2017

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Capital Area District

JOHN THACKER

Washington 202.387.3211 Baltimore 410.244.5970

Virginia

703.845.7760

Connecticut District

Hartford 860.560.8674 Stamford 203.602.6615

District 1201 215.923.5488

Florida District 305.672.7071

Hudson Valley District 914.328.3492

Mid-Atlantic District 215.226.3600

National Conference of Firemen and Oilers 606 324 3445

New England District 615 617.523.6150

New Jersey District 973.824.3225

Western Pennsylvania District 412,471,0690

www.seiu32bj.org

Good morning Chair Richards and members of the Committee,

I am here on behalf of the 70,000 building service workers represented by 32BJ in New York City, including over 1,200 32BJ members who live in East Harlem and over 700 members who work in the neighborhood. 32BJ members clean, maintain and provide concierge and security services in school, office and residential buildings throughout the City, including at projects like the proposed mixed-use development at East 96th Street.

We are here today because this is an important project that will bring much needed benefits to the community. Among those benefits are good jobs for local residents.

The East 96th Street project will generate approximately 40 permanent building service jobs in the residential portion alone. These jobs will provide family-sustaining wages and benefits to residents of East Harlem recruited through a local hire program. AvalonBay has made a firm commitment that these will be good jobs that meet area standards.

Thank you very much for your time.

SEIU 32BJ



AARP New York

Testimony of Chris Widelo, Associate State Director AARP New York

New York City Council Subcommittee on Zoning and Franchises

LU 0697-20174

July 17, 2017

City Hall New York, New York

Contact: Chris Widelo (212) 407-3737 | cwidelo@aarp.org

Good morning, Chairman Richards and members of the Subcommittee on Zoning and Franchises. My name is Chris Widelo, and I am AARP's Associate State Director for New York City. AARP is a social mission organization with over 38 million members nationwide. On behalf of our 800,000 members age 50 and older in New York City I want to thank you for the opportunity to testify today.

I decided that AARP New York should testify today to once again stress the urgent need for affordable housing in the Bronx and across the city. In particular I wanted to highlight the need for affordable senior housing.

Many older New Yorkers are having trouble paying their rent as their incomes are outpaced by the rising cost of housing across the city. A 2014 AARP survey of New York City voters aged 50+ shows that affordable housing is a major concern for 54% of respondents, far surpassing other community concerns like traffic, crime and personal safety or public transportation. In communities of color, this number is even higher—59% of Black voters and 67% of Hispanic voters identify housing as a major concern.

Last year, AARP commissioned another survey of NYC voters, this time expanding the survey pool to include the Gen X and Boomer generations. Again, affordability was cited as a top concern, with 62% of Boomers and Gen X respondents expressing anxiety over their ability to afford housing in the future. This continues to be a concern for communities of color, with over 70% of Boomer and Gen X African-Americans and Hispanics citing worry over their ability to pay their rent or mortgage in the coming years. These concerns have a potentially devastating effect for the City's population and economic growth, as 61% of Gen X and Boomer voters said they are considering leaving New York State to retire somewhere else because of the lack of affordability.

In our 2014 survey of registered voters 50+ in NYC, over 90% responded that it is important to be able to stay in their homes as and communities as they age. In that same survey 73% of respondents noted that it should be a top priority for public officials

to create age friendly communities. At the center of those age friendly communities is affordable senior housing that has the appropriate services to allow people to age successfully at home.

LiveOn NY conducted a research study in 2016 which found that an estimated 200,000 seniors are on wait lists for senior housing throughout the city. In Council Member Kings' district 2,170 seniors were on waiting lists for housing, as shown in the report. At a total survey response rate of 46%, this number is likely more like 4,300. Further, seniors are vital members of the community who deserve to be supported, contributing through civic engagement, volunteerism, economic capital, and other means.

Let's keep in mind that in December of 2014, the last of the Baby Boomers turned 50, representing a massive demographic shift. Thirty-one percent, or about 2.6 million, of all NYC residents are 50 years of age or older, 13% are 65+ and the 65+ population is expected to increase to 16% by 2030. Across the country, every day, 10,000 people 65 years old. This has been happening for over 10 years and will continue to happen for the next 10 years.

Simply put, NYC is aging quickly. We need to make sure that the Bronx and the rest of NYC has affordable, appropriate, senior housing that is part of an age friendly community where older NYC residents can age successfully in place.

CONCLUSION

Chairman Richards and members of the Committee, I thank you for the opportunity to speak today and we hope that these findings are taken into consideration by your Committee and the Council when opportunities to furnish affordable senior housing come before you.

Comments Made Before the Subcommittee on Zoning and Franchises

July 17, 2017

Gerard Soffian, P.E.

Good morning Chairperson Richards and the Honorable members of the Subcommittee on Zoning and Franchises. I am here to present testimony on those calendar items related to the submissions by Gun Hill Square.

My name is Gerard Soffian; I am a licensed professional engineer in the State of New York. I am principal of GSoffian Engineering PLLC and an adjunct professor in the Department of Civil and Urban Engineering at the NYU Tandon School of Engineering. Previously I served at the New York City Department of Transportation for twenty-seven years culminating in position of Deputy Commissioner for Traffic Operations in the period 2009 through 2012.

I have been engaged by the ownership of Bay Plaza Mall and Shopping Center to serve as an independent reviewer of the information contained in the Environmental Impact Statement for Baychester Square, "The Project". I am here today to offer comments that I believe warrant careful consideration before the Subcommittee advances the Project.

Based on my review of data provided to me by the Bay Plaza Shopping Center and Sam Schwartz Engineering D.P.C., which had completed a detailed review of the EIS, it is evident to me that the critical impacts of the project have been substantially underestimated. The effect of this shortcoming would be the likely adverse consequences on existing retail facilities in the Project's study area.

Correctly defining the Primary Trade Area for the Project is a critical step in determining from where sales would originate and the potential retail purchasing power of the area. The trade area assumed in the EIS is based on identifying the location of those shoppers who could drive up to 10-12 minutes to reach the Project site. Unfortunately,

the EIS assumed that greater travel distances could be achieved within the 10 to 12 minute time period under current conditions of traffic congestion. A more reasonable Primary Trade Area would be smaller and thus likely exclude portions of the communities of Mt. Vernon, Pelham and New Rochelle in Westchester and other outlying areas assumed in the EIS. A smaller Primary Trade Area would reduce the overall "capture rate" to determine whether the Primary Trade Area is currently saturated with retail uses and would more accurately disclose the extent to which any new retail facilities would challenge existing facilities for customers.

The business climate in the Primary Trade Area for existing retail is more dire than portrayed in the EIS. Vacancy rate at the Bay Plaza Complex in actuality is 10%, compared to the 4% used in the EIS. The Project thus would bring added pressure on those remaining retailers.

Compounding these problems is competition in retail sales at traditional "brick-and-mortar" stores from the intense pressure exerted by fast growing e-commerce. Online shopping has grown substantially but unfortunately the *CEQR Technical Manual* does not explicitly require consideration of this emerging disruptive force in retailing.

The large Primary Trade Area considered in the EIS might have "over-distributed" vehicle trips. A geographically smaller area would concentrate Project-generated traffic, which might result in increased traffic congestion at some locations beyond that identified in the EIS.

In summary, the Project could jeopardize the viability of existing retail activity in the Baychester neighborhood.

I am submitting technical background information for your consideration and am available to respond to any questions. Thank you for your attention.

NEW YORK CITY COUNCIL SUBCOMMITTEE ON ZONING AND FRANCHISES July 17, 2017

Testimony of Richard Bass

Good morning. I am Richard Bass, Senior Planning & Development Consultant with Akerman LLP. I represent the ownership of Bay Plaza Mall and Shopping Center (together, "Bay Plaza") and I am speaking on their behalf in opposition to Land Use Items 0694-2017 through 0699-2017. These actions would facilitate the project known as Baychester Square at the MTA site at 1769-1771 East Gun Hill Road. This site is located just 300 feet away from Bay Plaza, directly across I-95. In 40 years of practice, I have rarely opposed a proposed development, but we are concerned that Baychester Square will irreparably harm Bay Plaza, which has struggled to survive and grow over the last three decades.

The owners of Bay Plaza substantially invested in the Northeast Bronx at a time when no one else would, starting with the construction of the Bay Plaza Shopping Center in 1988. Just 3 years ago, in 2014, they completed construction of the Mall at Bay Plaza, the first ground-up indoor mall built in New York City in over 40 years. The Mall attracted tenants that had never before located in the Bronx - H&M and Michael Kors, to name just a few - and added 2,000 more jobs and nearly 800,000 square feet of retail to the area.

Currently, Bay Plaza is the source of over 5,000 jobs, generates over \$63 million in annual real estate and sales taxes, and provides a valuable community resource. Despite its hard earned success, Bay Plaza still maintains a 12% vacancy rate (over 200,000 square feet), which includes a 10% retail vacancy rate (nearly 150,000 square feet). As you probably know, brick and mortar retail stores are struggling nationwide – this has been widely reported in newspapers and business publications. It is clear that the Baychester Square project can only succeed at the expense of Bay Plaza, particularly if it is marketed as or contains outlets. Given this, we could have opposed any retail use at the MTA site, arguing that the retail market is limited in this area of the Bronx and that adding more retail would not increase retail sales, but would merely redistribute the existing retail sales.

However, Bay Plaza is not looking to restrict fair competition or prevent redevelopment of the MTA site with a project that would actually benefit the Northeast Bronx. Therefore, our request to the Subcommittee is focused: (i) require that language be inserted in EDC's contract with the developer that mandates recordation of a restrictive declaration against the site that contains the following restrictions, to be included on any Certificate of Occupancy: that no outlet stores shall be permitted, that no retail uses at the site shall be marketed or advertised as outlets, and that all leases include such prohibition; (ii) require that proposed signage on the site comply with existing height and size regulations and prohibit the use of the word "outlet" in all signage; and (iii) require that the permitted floor area ratio ("FAR") at the site be restricted to 1.0 FAR. This FAR restriction is the same restriction that binds Bay Plaza, which we note was imposed due to traffic concerns.

We understand that one of the goals of the proposed project is to generate needed revenue for the MTA, which is a valid policy consideration. It is, however, bad public policy to allow development at an unfair advantage that will harm existing businesses, eliminate existing jobs and result in lower sales and real estate tax revenues.

WRITTEN STATEMENT TO THE SUBCOMMITTEE ON ZONING AND FRANCHISES

Gerard Soffian, Principal of Gerard Soffian Engineering PLLC, at the request of the ownership of Bay Plaza Mall and Shopping Center, has reviewed the January 13, 2017 Draft Environmental Impact Statement (DEIS) and June 9, 2017 Final Environmental Impact Statement (FEIS) for the Baychester Square Project, including responses to comments provided on the DEIS and offers the following comments:

1. The Primary Trade Area used in the DEIS and FEIS is too large and potentially underestimates the impact of the proposed actions on indirect retail business displacement. As defined in the DEIS and FEIS, the Primary Trade Area is the geographic area from which possible customers could travel to the Baychester Square Project within a ten to twelve-minute average travel time. Based on this average travel time, a Primary Trade Area was defined that included all of Bronx CDs 9, 10, and 11, the majority of CD 12, and a portion of southern Westchester County, including Pelham and portions of Mount Vernon and New Rochelle.

Independent estimates of travel times within this Primary Trade Area based on "real-time" travel time estimates using GPS applications, indicate that average travel times would be substantially greater than ten to twelve minutes from locations along the perimeter of this Primary Trade Area: approximately eleven to nineteen minutes during the AM, ten to seventeen minutes during the Midday, and eleven to 20 minutes during the PM peak periods. Depending on the level of congestion on local streets, travel times would be even greater than these averages.

Consequently, the Primary Trade Area (the geographic area within a ten to twelve-minute average travel time) is substantially smaller than what was used to estimate the impact of the proposed actions on indirect business displacement. Based on the methodologies used in the DEIS and FEIS, a smaller Primary Trade Area may demonstrate an increased impact by the proposed actions on retail market saturation and the potential for significant indirect business displacement.

2. The vacancy rate for the Bay Plaza Mall and Bay Plaza Complex are much higher than the vacancy rates stated in the DEIS and FEIS. As summarized in the attached table, the current vacancy rate for the Bay Plaza retail space is 10.2%, and 11.7% when anticipated closings of struggling retail tenants are included. The FEIS incorrectly identified some of the retail space as office and incorrectly stated that 45,000 square feet of retail space was currently under construction and therefore should not be included in the overall vacancy rate when, in fact, it has been marketed since 2014 and was completed six months ago but has remained vacant since it was completed. As such, the currently available retail space within the Bay Plaza Complex is much greater than 20,393 square feet stated in the FEIS. Of the 1,473,360 square feet of retail floor area at the Bay Plaza Complex, 149,841 square feet is vacant (10.2%). Inclusion of struggling retail tenants about to close operations would result in another 22,234 square feet of vacant space. Total retail floor area that is either vacant or struggling to remain open would be over 172,000 square feet. When vacant office space is included, total vacant space at the Bay Plaza Complex is nearly 222,000 square feet, equivalent to 13.81% of 1,607,794 sf combined retail and office floor area.

Lastly, examining a static vacancy rate does not provide the full picture to understand long-term trends of unleased retail space in the area. To fully grasp whether there is a trend towards increasing retail floor area, vacancy rates should be analyzed over time. Vacancies should be calculated as a measure of vacant floor area, not vacant storefronts, as was done in the field survey of retail concentration for the FEIS.

3. The assessment of potential indirect retail displacement does not account for the combined impact of proposed actions and increased on-line retail sales on retail businesses in the Primary Trade Area. CEQR Technical Manual guidance does not require an assessment of the effect e-commerce on indirect retail displacement. Consequently, it was not included in the assessment of the impact of the proposed actions on the Bay Plaza Complex or other retail businesses in the Primary Trade Area. However, the impact of internet sales on brick-and-mortar retail outlets is well documented and should have been considered in the assessment of indirect retail displacement impacts. For example, as reported in the October 21, 2016 edition of Business Trader, "E-commerce doubled its share of the retail pie from the end of 2009 to this (2016) July, and while overall sales have risen a cumulative 31%, department store sales have plunged 17%, according to the Commerce Department data. Locally, the increase in e-commerce sales has resulted in recent closings of mall outlets throughout the region, including the recent closure of a Macy's outlet in Douglaston, Queens.

As documented in the *U.S. Census Bureau News* dated May 16, 2017, "U.S. retail e-commerce sales for the first quarter of 2017, adjusted for seasonal variation, but not for price changes, was \$105.7 billion, an increase of 4.1 percent (plus or minus 0.7 percent) from the fourth quarter of 2016. Total retail sales for the first quarter of 2017 were estimated at \$1,250.0 billion, an increase of 1.0 percent (plus or minus 0.4 percent) from the fourth quarter of 2016. The first quarter 2017 e-commerce estimate increased 14.7 percent (plus or minus 1.9 percent) from the first quarter of 2016 while total retail sales increased 5.1 percent (plus or minus 0.5 percent) in the same period. E-commerce sales in the first quarter of 2017 accounted for 8.5 percent of total sales." The same publication indicated U.S. retail e-commerce sales increased from approximately 3.5 percent in the first quarter of 2007 to its current level of 8.5 percent, a dramatic 242.9 percent increase. Consumer spending is shifting from brick and mortar retail sales to e-commerce retail sales.

The DEIS and FEIS failed to consider this growth in the share of online sales in the assessment of indirect business displacement. Thus, the capture rate for retail demand estimated in the environmental documents is too low, and fails to disclose the extent of the combined impact of proposed action and online sales on the Bay Plaza Complex and other retail outlets in the Primary Trade Area. This failure is exacerbated since the basis of the retail demand analysis is based on 2007 ICSC data prior to the 2008 "Great Recession" and dramatic increase in online sales and declining retail activity in "brick and mortar" outlets.

4. Traffic impacts of the proposed action are likely greater than those stated in the FEIS due to the reduced size of the Primary Trade Area and the potential underestimation of the number of motor vehicle trips generated by the proposed project. As summarized in Comment 1., the FEIS overestimated the size of the Primary Trade Area. The use of the more realistic smaller Primary Trade Area would potentially result in a greater number of trips and traffic impacts on the local street network. In addition, the development site is located on the east side of East Gun Hill Road, which would require most residents surrounding the project site to cross this major street with limited pedestrian crossings, as most residential uses are located west of East Gun Hill Road. Due to the crossing of this street and the distance between the proposed project and surrounding residential uses, it is unlikely that the walk mode share used in the FEIS would be as high as 15.9% during weekday or 10% on Saturdays. Similarly, the three city bus routes that best serve the development site are located at least 0.25 miles from the site, and it is unlikely that the bus mode share would as high as the 5.4% share on weekdays, and 3.4% share on Saturdays stated in the FEIS. Use of more realistic modal share estimates would potentially result in greater traffic impacts on the local street network.

Bay Plaza Complex Vacancy Report

Bay	Plaza	Retail	Vacancy
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F	Unit#	Store	Area	
WZ	340	Vacant (2-level retail)	45,000	
СВ	351	Vacant	9,600	
c	148	Vacant	3,750	
.	122	Vacant	630	
.	116 & 112	Vacant	1,361	
c	280D	Vacant	2,632	
ا د		Vacant	2,494	
c	164	Vacant (2nd level retail)	26,000	
c	274	Vacant	2,420	
M	******	Vacant	4,854	
_M		Vacant	1,530	
м	137	Vacant	9,680	
М	143B	Vacant	2,761	
M		Vacant	2,690	
M		Vacant	705	
Nt.	207A-B	Vacant	7,652	
M	213 B	Vacant	2,026	
M	212 A	Vacant	2,518	
м	214	Vacant	10,580	
м	303	Vacant	500	
м	304	Vacant	2,844	'
м	305B	Vacant	1,539	
м	310	Vacant	4,578	
м	3118	Vacant	1,082	
М	311D	Vacant	489	
			440.045	40.00/
		Total Retail 1,473,360	149,915	10.2%

Struggling	Retail '	Tenante	About to	n Close	Operations
Strugging	Ketali	renants	ADOUL	いいいかに	Operations

Ī	Unit#	Store	Area	
М	101	******	8,872	
m	104		1,500	
	103		500	
	146		3,148	
'''	129A		1,476	
m	212		980	
m	306	<u> </u>	1,158	·
<u>"</u>	302A		500	
"	260		3,600	
•	Total Ret	ail 1,473,360	21,734	1.48%

Retail Vacancy Percentage & Struggling Tenants as Percentage

11.65%

Bay Plaza Office Vacancy

	Unit#	Store	Area	
-	310	Vacant	41,608	
اءًا		Vacant	3,832	
		Vacant	2,346	
		Vacant	2,125	
		Total Office 134,434	49,911	3.10%

		
Total Bay Plaza Vacancy & Tenants About to Close		
Total Retail & Office 1.607.794	221,560	13.78%

^{*} This figure does not include 25,000 sf of currently vacant Saks Off 5th estimated to open in the fall

Bay Plaza Complex Vacancy Report

Bay Plaza Retail Vacancy

	Unit#	Store	Area	
W2	340	Vacant (2-level retail)	45,000	
C8	351	Vacant	9,600	
c	148	Vacant	3,750	
e	122	Vacant	630	
c	116 & 112	Vacant	1,361	
c	280D	Vacant	2,632	
c		Vacant	2,494	
ا د ا	164	Vacant (2nd level retail)	26,000	
	274	Vacant	2,420	
м	140-141	Vacant	4,854	
M	150	Vacant	1,530	
м	137	Vacant	9,680	
M	143B	Vacant	2,761	
м [208B	Vacant	2,690	
м	206A	Vacant	705	
M	207A-B	Vacant	7,652	
м	213 8	Vacant	2,026	
м	212 A	Vacant	2,518	
м	214	Vacant	10,580	
м	303	Vacant	500	
м	304	Vacant	2,844	•
M	305B	Vacant	1,539	
M.	310	Vacant	4,578	
м	311B	Vacant	1,082	
м	311D	Vacant	489	
1		Total Retail 1,473,360	149,915	10.2%

Struggling Retail Tenants About to Close Operations

ŀ	Unit#	Store	Area	
м	101		8,872	
м	104		1,500	
M	103		500	
м	146		3,148	
м	129A	· · · · · · · · · · · · · · · · · · ·	1,476	
м	212		980	
м	306		1,158	
м	302A		500	
c	260		3,600	
	Total Ret	ail 1,473,360	21,734	1.48%

Retail Vacancy Percentage & Struggling Tenants as Percentage

11.65%

Bay Plaza Office Vacancy

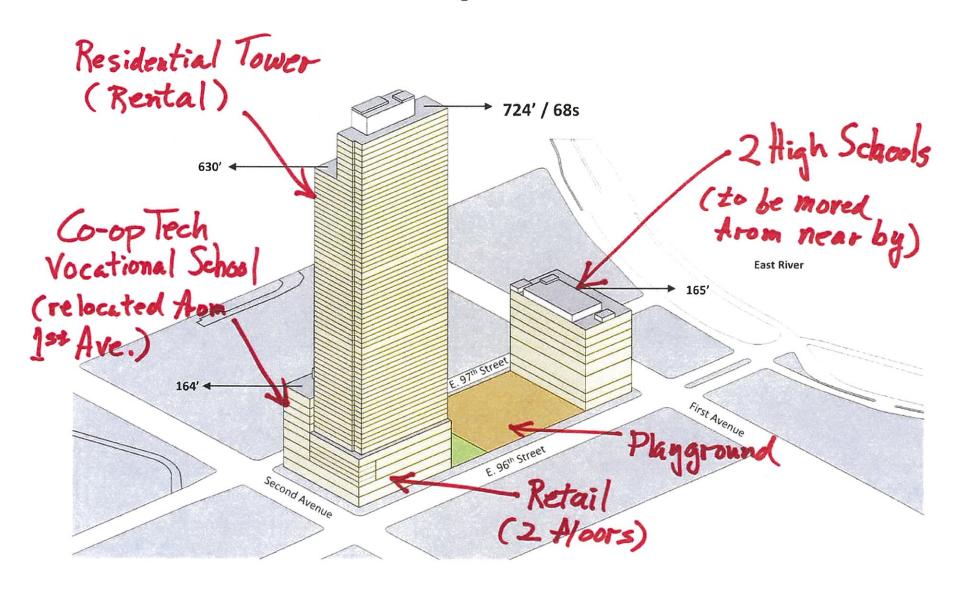
	Unit#	Store	Area	
С	310	Vacant	41,608	
c	311	Vacant	3,832	
c	208 A	Vacant	2,346	
c	227 B	Vacant	2,125	
		Total Office 134,434	49,911	3.10%

Total Bay Plaza Vacancy & Tenants About to Close	
Total Retail & Office 1,607,794 221,560	13.78%

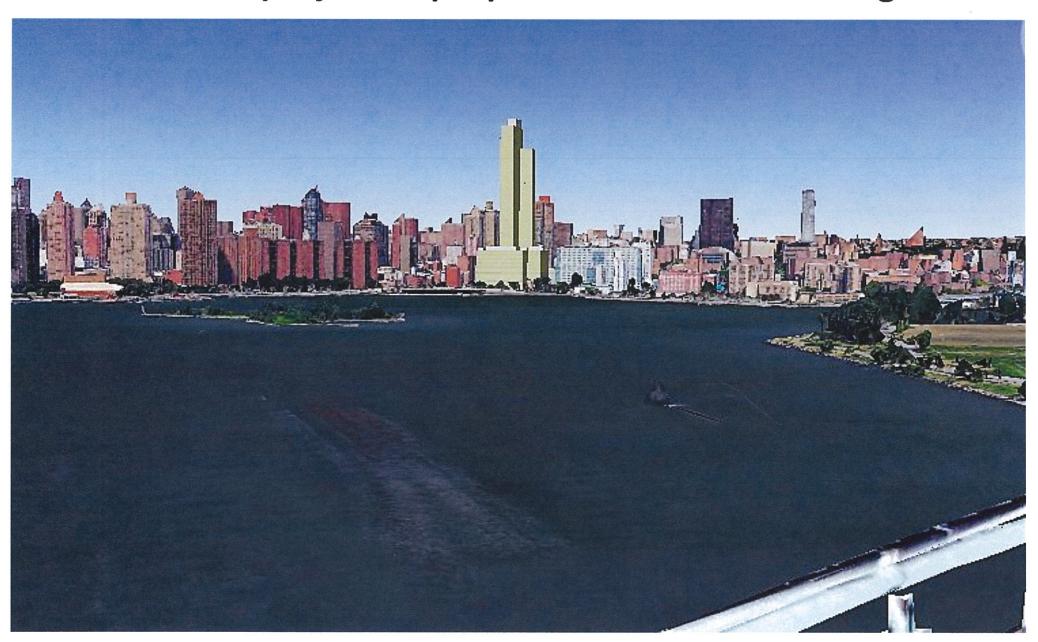
^{*} This figure does not include 25,000 sf of currently vacant Saks Off 5th estimated to open in the fall

FCF East 9624 Street Project Project as proposed by ECF

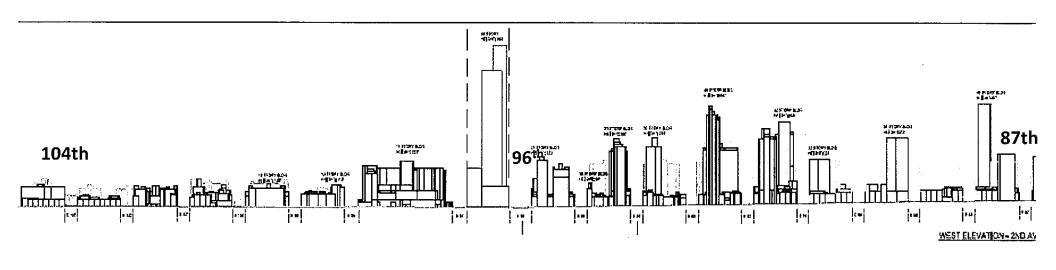
Looking Northeast



View of project as proposed from Triboro Bridge

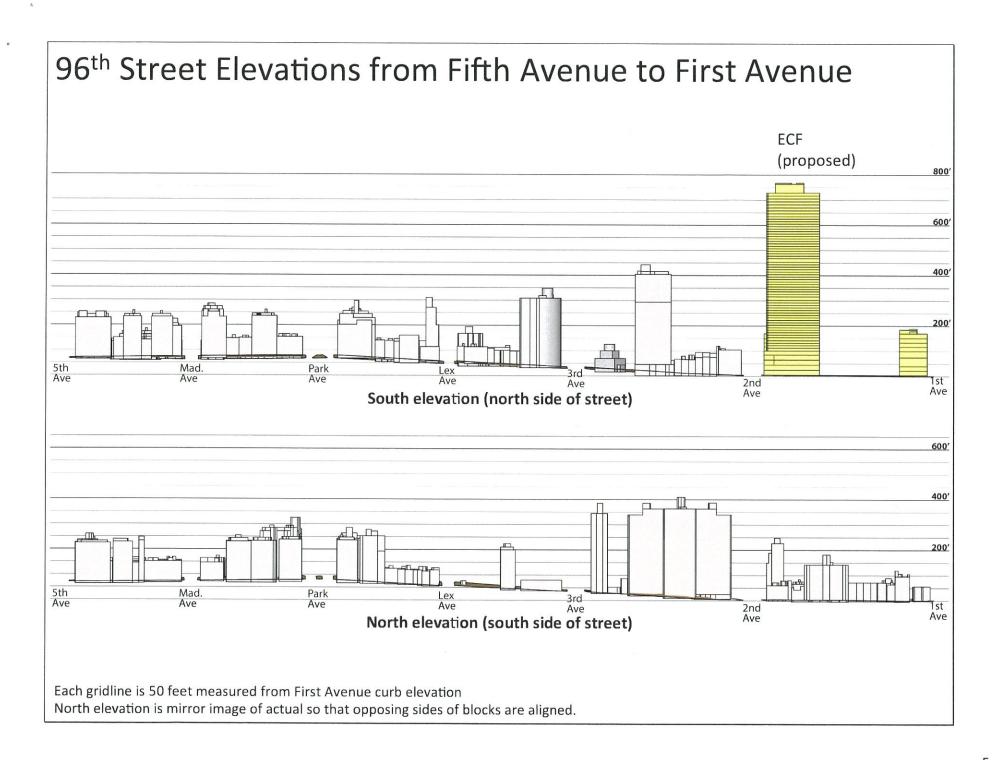


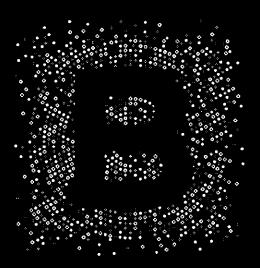
Second Avenue elevation with project from 104th to 87th



← East Harlem

Upper East Side →

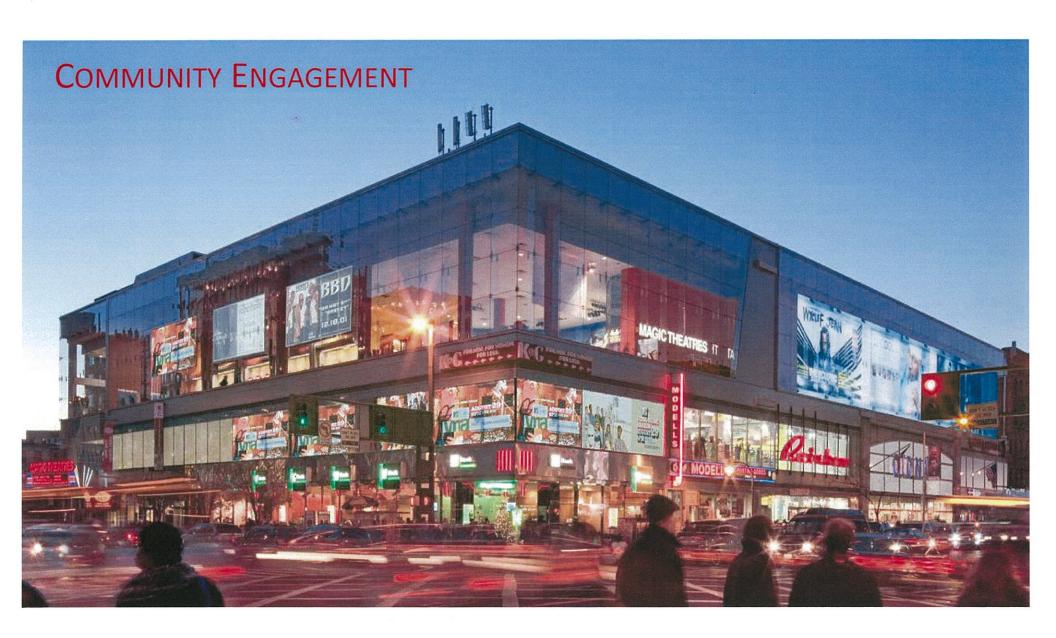




BAYCHESTER SQUARE BRONX USA BUILDING NEW EXPERIENCES

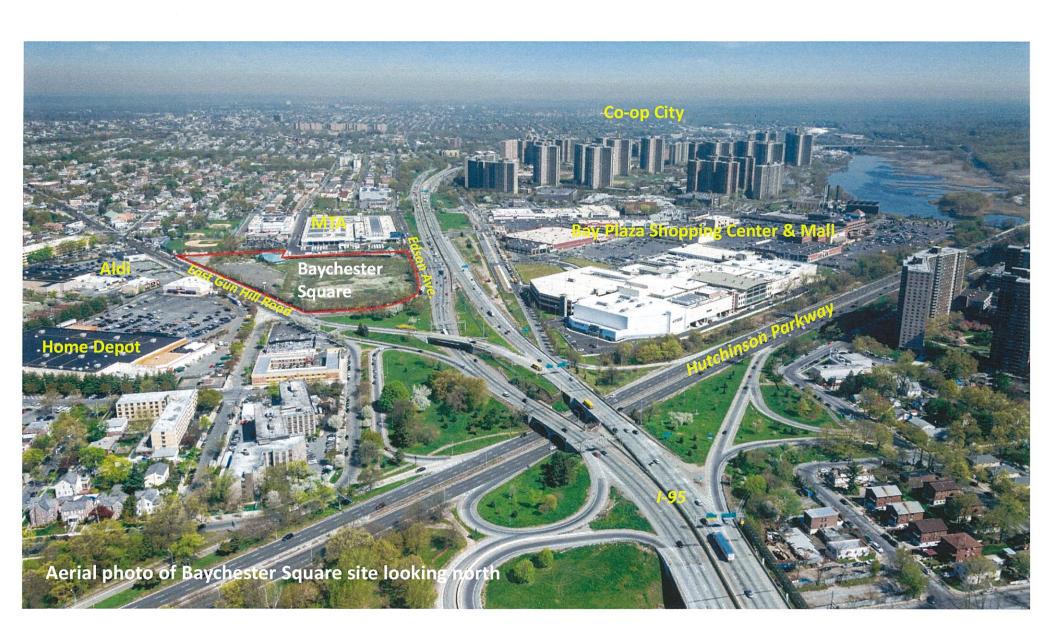
City Council Land Use Committee
Public Hearing 7-17-17

DEVELOPMENT TEAM





THE SITE



PLANNING PROCESS AND PROJECT COMPONENTS

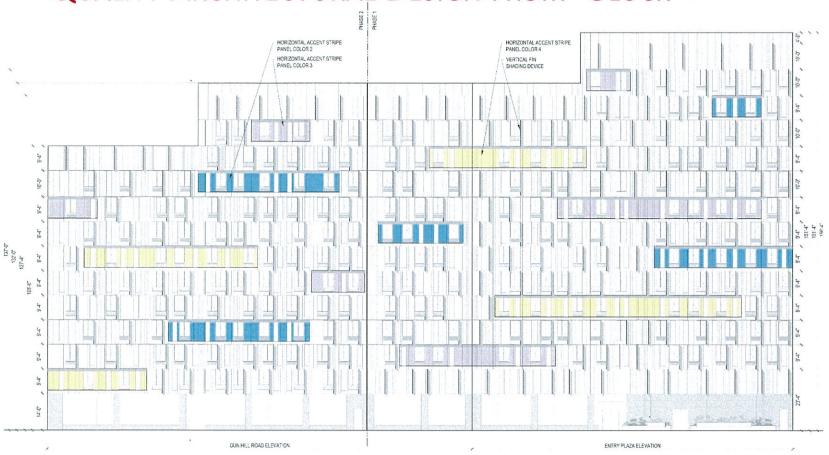


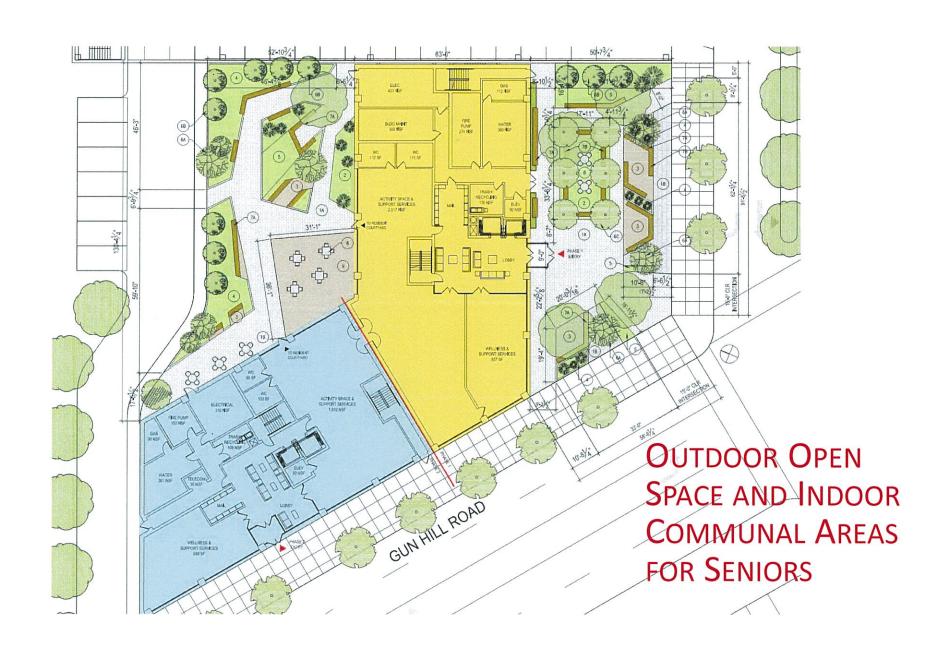






QUALITY ARCHITECTURAL DESIGN FROM GLUCK +





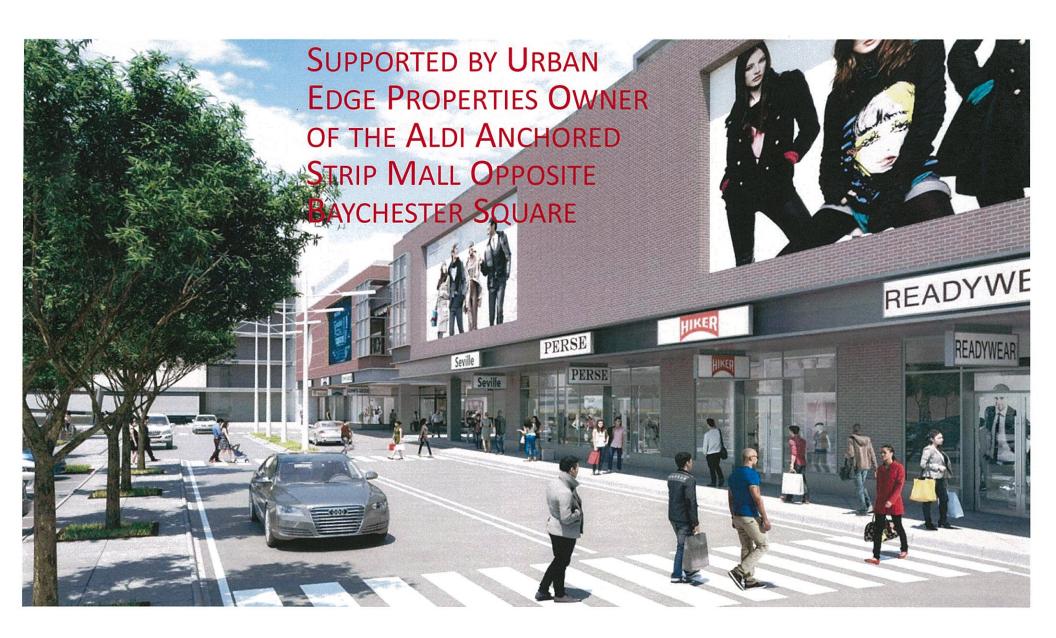














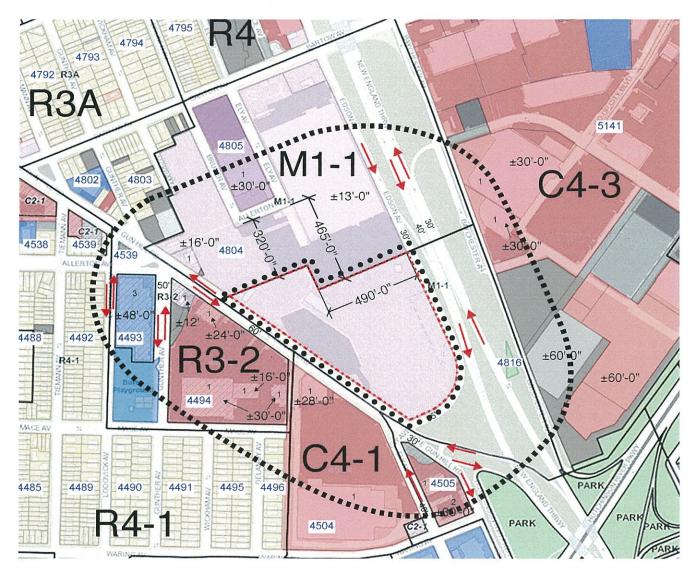
BUSINESS RESOURCE LAB

- FACILITY TO CONTAIN EXHIBIT SPACE, PRESENTATION AREAS AND A MEDIA LAB.
- OFFERING CROSS GENERATIONAL BUSINESS SKILLS AND ENTREPRENEURIAL PROGRAMMING FOR LOCAL RESIDENTS AND SMALL BUSINESSES.
- NETWORKING OPPORTUNITIES.
- COLLABORATION WITH LOCAL BUSINESSES, EDUCATIONAL INSTITUTIONS AND HEALTH CARE FACILITIES.
- OPPORTUNITIES FOR NEIGHBORHOOD RETIREES TO MENTOR YOUNG PEOPLE.
- JOB TRAINING AND PLACEMENT PROGRAMS FOR LOCAL RESIDENTS.



Zoning Actions

- Zoning map change from M 1-1 to C 4-3 to match the retail zoning of Bay Plaza. C4-3 allows residential while expanding the types and sizes of retail tenants permitted. Restrictive Declaration limits floor area.
- Text amendments under Large-Scale General Development (LSGD) to allow a fitness center and to include the site in the Mandatory Inclusionary Housing Program.
- LSGD Special Permits to waive height and setback and rear yard regulations for senior housing; modify use regulations to permit a fitness center; modify signage regulations to permit greater height and surface area for accessory retail signage; and a waiver to allow an accessory group parking facility with more than the prescribed maximum number of spaces and rooftop parking.



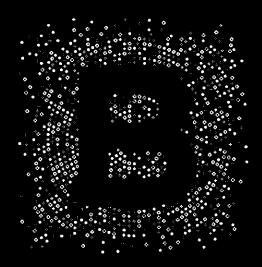
AREA MAP/LAND USE

Area Map Baychester Square









BAYCHESTER SQUARE BRONX USA

WWW.BAYCHESTERSQUARE.COM

New York City Transit

July 17, 2017

Honorable Donavan Richards New York City Council 31st District 250 Broadway, 17th Floor, Suite 1731 New York, NY 10007

Re: Baychester Square Uniform Land Use Review Procedure

Dear Councilmember Richards:

I write in favor of the Baychester Square Uniform Land Use Review Procedure (ULURP) No. C170218ZMX, submitted by the Department of Citywide Administrative Services pursuant to Sections 197-c of the New York City Charter, for the disposition of one city-owned property located on Block 4804, p/o Lot 100, Borough of the Bronx, Community Board 12, Council District 12.

The proposed Baychester Square project, with approximately 350,000 square feet of rentable commercial space, 180-units of affordable senior housing, a 40,000 square foot fitness center, 2.4 acres of open, walkable space, a 4,000 square foot Business Resource Center with a media lab, and approximately 1,160 parking spaces (the "Project"), is before the subcommittee on Zoning and Franchises today.

The Project site, owned by the City of New York ("City") and leased to New York City Transit ("NYCT") under a Master Lease, is a former golf driving range adjacent to NYCT's Gun Hill Bus Depot facility in the Bronx that closed its doors for business at the height of the 2010 financial recession. The Project is the result of a long term collaboration between the City and the Metropolitan Transportation Authority (the "MTA"), and the culmination of efforts by the public sector to invest in the all-important transportation infrastructure system.

As you know well, the MTA provides essential mass transit services to the City and the New York Metropolitan Region. MTA operates, maintains and invests in the transportation system without which the City and the region cannot function and compete economically and effectively with other major cities across the globe.

However, coming up with the necessary funding for MTA's capital investments and improvements has always been an ongoing challenge.

Seven years ago, in 2010, having been repeatedly encouraged by elected officials who asked that MTA seek to maximize the value of its surplus properties, MTA began a collaboration with the City, through the NYC Department of Citywide Administrative Services, the NYC Economic

Honorable Donovan Richards Baychester Square Uniform Land Review Procedure July 17, 2017 Page 2

Development Corporation ("NYCEDC"), and the NYC Dept. of City Planning to evaluate MTA's entire portfolio of real estate assets owned by the City but operated by NYCT, the Master Lease properties, to determine which properties would be available to help fund the MTA's capital investment program.

After an extensive search, only seven properties (7) were identified as surplus and made available for sale through the NYCEDC. Out of the 7 properties (4 are deactivated substations) only 2 were expected to be of high value. Baychester Square is one such high value property given its 12-acres size, its location on East Gun Hill Road close to the I-95 and Hutchinson Parkway, and its proximity to the Bay Plaza Shopping Center on the other side of the interstate.

Five years ago, in March of 2012, NYCEDC released a request for proposals ("RFP") soliciting for submission of proposals for the Baychester Square site. The RFP generated a robust response and balanced between MTA goals and City goals, as follows:

- 1. The MTA's goals of the disposition are to reduce costs associated with and derive maximum financial value from the property, with the sale proceeds to be contributed by the City to the MTA's capital program; and
- 2. The City's goals are to restore the property to the City's tax rolls; reactivate underutilized properties by fostering redevelopment; generate construction and permanent jobs; and otherwise further the City's economic development objectives.

MTA worked closely with NYCEDC to ensure that the RFP process complied with and adhered to the requirements of the City's disposition rules and land use regulations, and the selection criteria of the RFP. Gun Hill Square, LLC, the proposer of the Baychester Square project, was selected because its proposal furthers the goals and objectives, and met the criteria, as set forth in the NYCEDC RFP, which will contribute positively to the City, the MTA and the Baychester community of the Bronx:

- 1. The Baychester Square site will return the underutilized property back to the City's tax rolls and result in productive economic use with a private investment of over \$300 million;
- 2. The Project will foster redevelopment and revitalize an important section of the Bronx, generate approximately 830 construction jobs and approximately 1,200 permanent jobs, and otherwise further the City's economic development objectives and goals;
- 3. The local community will have 180-units of new, affordable senior housing, creation of permanent jobs, business assistance and job training/job placement programs from the Business Resource Center and media lab; and

Honorable Donovan Richards Baychester Square Uniform Land Review Procedure July 17, 2017 Page 3

4. The MTA will benefit financially from the sale of the property, <u>\$30.5 million</u>, to continue its vitally important transportation investments for the future of all New Yorkers.

An example of the use of the funds is the transit improvements that the MTA is undertaking, such as the \$226.2 million signal upgrade at the Dyre Avenue station in the current 2010-2014 capital program, and the \$42 million ADA elevator project at the Gun Hill Road/Dyre Avenue 5 train station in the 2015-2019 capital program in the Bronx, among countless other critically essential improvements throughout the transit system in the city.

After a long seven years' germination, currently the Project is at the City Council review stop of ULURP. If for whatever reason the Project cannot be rezoned for the intended mixed-use from its current manufacturing zoning, the MTA will have no choice but to revert the Project site back to NYCT usage, in keeping with the original reason for the acquisition of the Project site by the City on MTA's behalf in the late 1980s.

Therefore, MTA encourages the City Council to approve the Baychester Square application since it was at the urging of elected officials long ago that MTA started on the path of disposition of underutilized or surplus Master Lease properties to assist in the funding of its capital program.

Darryl Irick

Sincerely.

Acting President

cc: Jeffrey Rosen Craig Cipriano Robert Marino

Tim Ellis

Honorable Donovan Richards Baychester Square Uniform Land Review Procedure July 17, 2017 Page 4

bcc:

Robert Paley
Joseph C. Chan
Jaqueline Carter
Cate Contino



July 17, 2017

To the City Planning Commissioners:

I am Barbara Askins and I serve as the President and CEO for the 125^{th} Street Business Improvement District.

I am here today to speak about the relationship of the 125th Street BID and its relationship with Grid Properties.

Drew Greenwald, principal, reached out to the BID immediately after the Harlem USA project was completed in his quest to understand the role of community groups and the roles that they played in community building. After that initial meeting, he immediately became an active member of the board of directors.

His company has been immensely supportive through leadership, visioning, providing additional resources above the BID taxes and more importantly patient and understanding that community building is a long time commitment. Over the years and along with Scott Auster, they have served in leadership roles as officers, head of streetscape and real estate development committees, and is a driving force of big picture items for the BID.

It was Grid Properties that was in the forefront of pushing the BID not to settle for any street light fixture, but to work closely with the City and make sure we got what was needed for 125th Street. It took 17 years, but the results was 125th Street receiving the first LED Lights in a commercial district in New York City.

It was Grid Properties that recognized that housing was a need with the rezoning of 125th Street, but an equal or more important role was for culture to have a prominent position in shaping the future of 125th Street. He also understood that the City had to meet the developer half way so that a real offer was available to create opportunities for those in the arts in the business district on 125th Street. Through numerous meetings with the BID's consultant, property owners, community groups, and the City Planning Department – birth was given to the first cultural bonus for economic growth in New York City.

It was Grid Properties that recognized that an oversight had occurred with the 2007 zoning. The zoning did not addressed the use of new technology that is being used worldwide in new development projects on the façade of buildings. This oversight prevented the BID from showcasing Harlem's cultural assets in the physical realm, allowing the BID to help small businesses, and more importantly make the arts and cultural destination that resulted from the zoning a realty from the physical realm. Once again, working with the BID and putting resources into studying the issue, a proposal was developed and today even though it has run into some challenges, the dedication to making it happen still remains.



It was Grid Properties that gave the BID permission to install a pedestrian footfall counter on the roof of their building so that we could have accurate footfall counts for 125th Street. Although other owners refused with concerns of liability, Grid became a working partner and 125th Street became the 3rd Business Improvement District in the country to have real data in real time for our 125th Street.

On a basic operational level, it was Grid Properties that came to the rescue of the BID when the State no longer allowed the BID to house it sanitation crew in the basement of their building. For over 6 months until a better space was found, Grid supported the BID so there was no disruption in our work. Where many property owners are somewhat reluctant to allow organizations to use vacant storefronts for special programs and activities, -- once again Grid Properties have provided space for the BID's holiday lighting and banner programs.

It was Grid Properties that saw the value in a proposal for a Hip Hop Culture Center with just one phone call. He took great interest in the project and it flourished for several years heightening the awareness of the positive role that the arts could play in a retail mix.

These are just a few examples of the results that can be achieved when working with a partner like Grid Properties. Through their commitment to building great communities, their willingness to get right into the mix of things, and their great knowledge of urban planning, I see the Baychester Square Project as a plus.

Barters / sains

I reside in Community board Il district.

I ask the City Council to disapprove this application because of insufficient public review and input.

Neither Community board 10 nor 11 had input in the UniForm Land Use Review Procedures. No public hearing on this application was held in Community board 10 or 11. Both boards borden the Site of this project.

This application for a new Mall next to I-95 (one of the Top 10 congested roadways in the nation) impacts beyond the Interstate. It will turn our residential streets into speedways for Shortcuts around this already Congested highway.

The bay plaza mall already brught alst or local traffic and air/noise pollution into our Community board to and Il districts.

Please disapprove this application because.

Of insufficient public Review and input.

13. th Community board to and 11 that

borders the site of this proposed project

should be part of the Land Use Review

Process. Thank you Roxanne Delgado

Process. Thank you Roxanne Delgado

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I represent: BAY PLAZA MALL
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Address: 343 FOURTH AVENUE APT 76 BK11219
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Name: AMCIA HAM JOJ WHOSON		
Address: 3836 Bronk Blad 154 11/10467		
I represent: 6 m M d n T Y		
Address:		
THE COUNCIL		
THE CITY OF NEW YORK		
THE CITY OF NEW YORK		
Appearance Card		
I intend to appear and speak on Int. No Res. No		
in favor in opposition		
Date:		
(PLEASE PRINT)		
Name: Kererend CAROL HAMILTON		
Address: 525 Rosedale Ave Bx Nyb473		
I represent geak up for a better Bronx		
Address:		
Please complete this card and return to the Sergeant-at-Arms		
1 seuse comptete man and and and and and and and and and a		

	Appearance Card	20694/698	
I intend to appear and	speak on Int. No.	Res No - 1/7/	
	in favor in oppositi	on Res. 110.7	
		117/17	
7	(PLEASE PRINT)		
Name: la lia	Lopez		
Address: 1525	Mace Ave,	THE Brown NY 1046.	
I represent: Peop	le of the Brown	r	
Address:	MUNIX.		
	THE COUNCIL		
THE		A HOUT	
THE	CITY OF NEW Y	UKN	
	Appearance Card	44694-69	
I intend to appear and s	peak on Int. No.	The same of the sa	
i i	n favor in opposition	nes. No.	
	Date:	7/17/2017	
M.	(PLEASE PRINT)		
Name: ////////////////////////////////////	A LAKHLEY		
Address: 750 E	7959. Blonx	NY 10457.	
I represent: Speak	Up In a Reti	tel Runx.	
Address:	NX	Divin	
	THE COUNCIL		
THE CITY OF NEW YORK			
1 3	4	1.10//	
/ L	Appearance Card	20699/697	
	eak on Int. No.		
in in	favor in opposition	1 1.7/2 -	
3	Date:	11/1/2017	
CLAN	(PLEASE PRINT)		
Name:	411) 11/10		
Address: 750/	1/7 St Drong	2 10457	
I represent:	of up for A	Mettar ronx	
Address: Bloky	·		
Please complete this card and return to the Sergeant-at-Arms			