

BRONX BOROUGH PRESIDENT'S RECOMMENDATION  
ULURP APPLICATION NOS:  
C 090236 MMX C 090237 MMX C 090437 ZMX C 090438 PPX  
KINGSBRIDGE ARMORY  
9/4/09

DOCKET DESCRIPTION

CD 7-ULURP APPLICATION NO: C 090236 MMX-IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and Related Retail Armory, LLC pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- The elimination, discontinuance and closing of a portion of Reservoir Avenue at its intersection with West Kingsbridge Road;
- The establishment of a Park (Barnhill Square);
- The adjustment of legal grades necessitated thereby; and
- Any acquisition or disposition of real property related thereto,

Community District 7, Borough of The Bronx, in accordance with Map No. 13126, dated May 11, 2009, and signed by the Borough President.

CD 7-ULURP APPLICATION NO: C 090237 MMX-IN THE MATTER OF an application submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- The elimination, discontinuance and closing of a portion of West 195<sup>th</sup> Street between Reservoir Avenue and Jerome Avenue;
- The adjustment of legal grades necessitated thereby; and
- Any acquisition or disposition of real property related thereto,

Community District 7, Borough of The Bronx, in accordance with Map No. 13127, dated May 11, 2009, and signed by the Borough President.

CD 7-ULURP APPLICATION NO: C 090437 ZMX-IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and Related Retail Armory, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3c: changing from an R6 District to a C4-4 District property bounded by West 195<sup>th</sup> Street, Jerome Avenue, West Kingsbridge Road, Reservoir Avenue, Borough of the Bronx, Community District 7, as shown in a diagram (for illustrative purposes only) dated May 18, 2009.

CD 7-ULURP APPLICATION NO: C 090438 PPX-IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS)

pursuant to Section 197-c of the New York City Charter, for the disposition of one city owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o 2), pursuant to zoning.

## BACKGROUND

These applications are being submitted by Related Armory LLC and the New York City Economic Development Corporation to facilitate the redevelopment of the 588,765 square-foot Kingsbridge Armory into a regional retail and community facility. The proposed project would induce four actions:

1. Demap and discontinue a portion Reservoir Avenue
2. Demap and discontinue a 20-foot wide portion of West 195<sup>th</sup> Street
3. Rezone property from R6 to C4-4
4. Disposition of the Armory to Related Armory LLC

The proposed project would transform the Armory into a 605,370 square-foot facility containing 345,675 square feet of retail space, a 57,485 square-foot cinema, a 33,240 square-foot fitness center, 31,560 square-feet of restaurant space with the balance occupied by common areas. There will also be a 164,285 square-foot garage with space for up to 400 vehicles, and 128,205 square feet of mechanical and loading space.

## ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to SEQRA and CEQR. An Environmental Assessment Statement was prepared for this application and designated as a Type I action with a positive declaration on September 2<sup>nd</sup>, 2008. This prompted an Environmental Impact Statement. The City Planning Commission certified this application as complete on May 18<sup>th</sup>, 2009.

## COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board 7 held a public hearing on June 24<sup>th</sup>, 2009 and voted on the actions with specified conditions for each, as follows:

- C 090437 ZMX: 24 in favor, 4 opposed, 0 abstaining
- C 090236 MMX: 24 in favor, 2 opposed, 2 abstaining
- C 090237 MMX: 27 in favor, 0 opposed, 1 abstaining
- C 090438 PPX: 22 in favor, 5 opposed, 1 abstaining

## BRONX BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President held a public hearing on this application on July 27<sup>th</sup>, 2009. The applicants were present. Sixty-five members of the public testified, including Community Board 7. Additionally, my office received significant correspondence subsequent to the hearing. Most areas of concern were based around the guarantee of a negotiated Community Benefits Agreement that includes promises of living wage pay and benefits, additional community facility and recreation space, and prevention of large, "big-box" stores in the Armory. Two notable testimonies including Lehman College requesting space to help alleviate their overburdened campus, and the suggestion of performing arts space located within the Armory.

## BRONX BOROUGH PRESIDENT'S RECOMMENDATION

This exquisite, landmarked structure has been an unfortunate blight on the Kingsbridge Heights and Northwest Bronx communities for too long. The \$30 million restoration of the roof was an important first step in reclaiming this historically significant building. This is a unique opportunity to create a beacon and a destination for generations to come. The Amory needs to enhance not only the Kingsbridge Road commercial corridor, but also Fordham Road, which is our borough's largest and premier shopping district. Additionally, this project needs to have minimal negative impact on the adjoining areas, particularly in the realms of traffic and business, while pledging such positive impacts as economic, recreational and educational opportunities. As chief elected official of Bronx County, it is my primary responsibility to assure that development of City-owned property and use of government subsidies benefit surrounding communities on whose patronage the financial feasibility of this project will depend.

### **In reviewing the DEIS, I have the following concerns:**

#### **Socioeconomics and Business**

- There is no mention of a viable market study. The DEIS actually states "it is not possible to know exactly who is spending money in the area". This is especially disturbing to me, as companies around the country spend thousands of dollars to accurately determine their customer base and proper uses, yet it is suggested infeasible in The Bronx. This is critical in terms of determining the best uses for the community and the impact on the surrounding area. This includes the impact of a proposed 60,000 square-foot supermarket will have on the surrounding communities, which have a number of viable supermarkets and grocery stores.
- Impact on River Plaza is missing entirely. This key shopping destination includes Target, Marshall's and Applebees, and is located 3/4-mile from the Armory almost where West Kingsbridge Road becomes West 225<sup>th</sup> Street. It is crucial to know if this major investment will be affected by the proposed uses at the Armory.
- Impact on Fordham Road and its major chain stores is not clear.

## **Traffic and Parking**

- There are three unmitigated intersections during peak hours:
  - West Fordham Road-Major Deegan Expressway Northbound Ramp
  - West Fordham Road-Major Deegan Expressway Southbound Ramp
    - These two intersections are already immitigable. The Northbound Ramp also connects at Cedar Avenue and Landing Road, which provide additional northbound and southbound traffic. The Southbound Ramp intersects with the University Heights Bridge to Manhattan. There is also additional development anticipated along Landing Road, which will increase traffic.
  - West Kingsbridge Road-University Avenue
    - The DEIS predicts that the southbound and westbound lanes of this intersection will triple in terms of traffic delays. This is a wide intersection with a steady traffic flow. I find it troubling that this will not only become a problem intersection, but it is anticipated there is nothing DOT can do about it.
  
- There are no traffic studies done for Van Cortlandt Park South at the intersections of the Major Deegan Expressway (Deegan), Bailey and Sedgwick Avenues. The Van Cortlandt Park South exit off the Deegan provides a viable travel alternative given the connection to Goulden Avenue, which is an extremely long stretch of street with only two traffic lights that feeds into the Armory garage.
  
- It is estimated that 135 vehicles will be traveling to and from the Armory weekdays between 3-4 PM. Students will still be exiting school at this time. How will this impact student pedestrian flow?
  
- The proposal for spillover parking to be mitigated by on-street parking in the community is unacceptable. The anticipated worst-case scenario is that 330 vehicles will need to find on-street parking spaces within the community on Saturday afternoons. One recommendation includes parking on Bedford Park Boulevard, which would cause people to walk 2/3-mile to one mile along train yards to the Armory.
  
- Although on-street parking is suggested as a mitigable option for the Saturday parking overflow, “No Standing” is proposed at the same time from 11AM-2PM for West Kingsbridge Road and Jerome Avenue, thus cancelling some proposed on-street parking options, as well as directly impacting community parking.
  
- Traffic comparisons to Willets Point and Plaza at the HUB are inappropriate. Willets Point is an entirely different community that is isolated by highways, parks and the East River, while Plaza at the HUB has no anticipated start date and was developed in a different economic environment.

## **Transit and Pedestrians**

- There is no analysis of the BX1 and BX2 bus lines. These are heavily-used buses located three blocks from the site.

- The DEIS analyzes weekend service to the Armory for the BX22. The BX22 does not serve the Armory on the weekends, terminating at either East Fordham Road-Valentine Avenue or Boston Road-Pelham Parkway.
- There is no suggested service increase on the BX9, which connects Fordham Road, Riverdale, Kingsbridge and West Farms. Ridership will undoubtedly increase with the advent of the Armory. Also, location of the current BX9 stop on the eastern side of Jerome Avenue will cause traffic delays due to bunching and increased ridership. This should have been considered in the DEIS.
- Install decorative street lighting, particularly along Jerome Avenue, which is heavily shadowed by the elevated train.
- Install bump outs or neck outs at the northwest corner of Jerome Avenue and West Kingsbridge Road to provide more space for people waiting for area buses, and assure proper traffic flow.

**Based on these and other concerns, I do not recommend approval of this application for the following reasons:**

#### **Community Benefits Agreement**

The developer has not agreed to a socially equitable Community Benefits Agreement. I cannot understand why the developer would not act in good faith with The Bronx and the City as a whole, by not considering the needs of the community. The provisions in the proposed Community Benefits Agreement are both fair and negotiable. Among the most important disagreements with the developer is their refusal to assure living wage provisions, defined by Local Law 38 adopted in 2002, as \$10 per hour with health benefits. EDC made it clear in the site RFP that it would favorably view development plans that maximize the number of jobs meeting the City's living wage and health benefit standards. All the community wishes to do is to be a participant in what could be its greatest socioeconomic investment for generations to come.

#### **Socioeconomics and Business**

- No market study analyzing commercial patronization, impact on local businesses, and best possible uses.
- The community does not need a 60,000 square-foot supermarket, when there are a number of viable, successful, union supermarkets within ½ mile of the Armory.
- No promise that the Armory will have living wage, full-time jobs, although it is identified in the RFP that projects with living wage and benefit provisions would be given priority.
- There is no or inadequate socioeconomic analysis for River Plaza and Fordham Road.

### **Schools and Community Facilities**

- Lack of assurance from the Department of Education (DOE) that citing of at least two schools occurs.
- No commitment to develop a community facility adjacent to a school along West 195<sup>th</sup> Street to assure street life after school hours.
- No identification as to how the City plans to use the \$5 million acquisition price or annual taxes, which I feel should go towards the development and maintenance of the community facility, and not to the General Fund.
- No identification for non-DOE educational facilities within the Armory, such as space for Lehman College, or practice, rehearsal and performance space for performing arts, as desired by the community.

### **Design**

- No identification as to whether internal design components would reflect the Romanesque architectural characteristics and former use of the building.
- No provision of transparency for the archway facing the elevated train along Jerome Avenue, similar to the fenestration along Reservoir Avenue, which would provide visual access from the elevated train.
- No provision of transparency guarantees for all entrances without historically significant elements.
- No provision of identifiable street lighting surrounding the perimeter of the Armory, which both the community and I wish to be decorative to reflect the character of the structure.
- No transparent landscape plan for Reservoir Avenue and Barnhill Square that the community can comment on, to assure the newly landscaped area is aesthetically pleasing and appropriate.

### **Traffic and Parking**

- Disagreement with the analysis and immitigable conclusion for West Kingsbridge Road and University Avenue.
- Lack of a traffic study for Van Cortlandt Park South at the intersections of the Major Deegan Expressway, Bailey and Sedgwick Avenues.
- No promise to allow only school-related vehicles, including teacher and school administrative vehicles, along West 195<sup>th</sup> Street between 2-4 PM on weekdays.
- The impact of overflow parking mitigation on the community.
- The inappropriate use of Willets Point and Plaza at the HUB in determining trip generation/modal split analysis.
- No commitment to restrict truck access to the ramp leading from West 195<sup>th</sup> Street to the Armory, particularly during school hours.

- No commitment that parking fees for the garage are eliminated or patrons have the option to validate parking.

### **Transit and Pedestrians**

- No impact analysis on BX1 and BX2 bus service.
- Disagreement with the analysis for BX9 bus service in both directions, which would provide better connections to Fordham Road.
- No analysis to relocate the BX9 bus stop to the western side of Jerome Avenue to prevent traffic delays between Jerome and Morris Avenues.

While the redevelopment of the Kingsbridge Armory is both necessary and long overdue, I will not let the community be strong-armed into agreeing to a proposal that sacrifices basic elements of a successfully integrated project.

I, again, do not recommend approval of this application.