

BRONX COMMUNITY BOARD NO. 8

MINUTES OF THE LAND USE COMMITTEE MEETING HELD ON OCTOBER 14, 2015, AT IN-TECH ACADEMY 2975 TIBBETT AVENUE

PRESENT

Community Board No. 8:

C. Moerdler, Chair, Land Use Committee, S. Alexander B. Bender, A. Creaney, L. Croft, L. Daub, M. Donato, R. Fanuzzi, N. Friedman, P. Friedman, D. Gellman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh, O. Murray, J. O'Brien, D. Padernacht, K. Pesce, R. Press, J. Rather, J. Reyes, A. J. Robateau, G. Santiago, L. Spalter, M. Wolpoff, M. Yamagata, H. Young

Staff

P. Manning – District Manager

Elected Officials/ Representatives

J. Dinowitz – Assemblyman, A. Cohen – Councilmember, C. Samol – Department of City Planning, J. Horstman - Department of City Planning C. Lang – Office of Senator J. Klein, K. Theobald, A. Sandler, D. Johnson - Office of Councilmember A. Cohen

Community/Public Attendance

List on file in Board Office

Committee Chair Moerdler convened the meeting at 7:40 PM.

1. Department of City Planning Land Use Review Application

No. N 160051 ZRY, Mandatory Inclusionary Housing Text Amendment -

2. Proposed text amendment would require permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning square feet within MIH areas or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 square feet.
3. Chair Moerdler informed that a presentation would be made on the Mandatory Inclusionary Housing proposal at this meeting, and on October 28th a presentation would be made on the Zoning and Quality for Affordable Housing Text Amendment. Further, on November 9th, there would be a public hearing on the matters. He explained that this meeting is for purpose of educating the members of the community board.
4. Chair Moerdler called upon Carol Samol, Director, Bronx Department of City Planning to present.

C. Samol proceeded to present on the five borough Housing New York Mandatory Inclusionary Housing (MIH) proposal as follows:

- Rents are increasing while income is not going up at same level
 - Create more affordable housing and prevent displacement
 - Create 80,000 units
 - Working with community to plan growth
- What is Affordable Housing?
 - Housing considered affordable when household spends more than one-third of its income on rent and utilities.
 - Existing Inclusionary Housing plan was created in 1987 which include 20% floor area for permanently affordable units
- Goals of the MIH
 - Promote vibrant diverse neighborhoods.
 - Ensure affordable housing in areas in which growth is planned
 - Meet needs of a range of low-income and moderate
- Financial Feasibility Assessment
 - Conclusions. Trade of between the percentage of affordable housing and reaching lower income levels
 - Strongest housing can generally support a requirement 20/30 affordable housing
- Proposed Options
 - Option 1 – 25% of housing units at an average of 60% AMI (\$46,420 per year for a family of three
 - Option 2 – 30% of housing units at an average of 80% AMI (\$62,150 per year for a family of three
 - Workforce Option – 30% of housing units at an average of 120% AMI (\$93,240 per year for a family of three) without direct subsidies
- All units will be new and permanently affordable units
 - Will be in same building and same entrance. Can be off-site, different zoning lot located within same community district or one-half mile
 - Proposed program would be most rigorous of any major U.S. City
 - Existing Zoning
 - Option 1 was proposed for East New York. It provides a little more height
5. Timetable for Review: The Department of City Planning introduced the MIH proposal for public review September 21, 2015. The proposal has been referred to all Community Boards, Borough Presidents, and Borough Boards for the 60 days review period. The application will be subject to review and votes at the City Planning Commission and City Council. Every land use action to apply MIH to a specific area would also go through a full public land-use review process, with final approval resting with the City Council.
6. Chair Moerdler stated that he is a member of HDC, which has assisted through its bonding and insurance authority in the construction or preservation of thousands of units of affordable over recent years and only recently authorized the dedication of some \$200 million for those purposes. All of these actions implicated the services of private developers or non-profit sponsors working without mandate but as part of a cooperative effort with hospitable and

inclusion of government entities. There appear to be a goodly number of developers, sponsors and not for profit entities willing and able to build affordable housing on this basis and without mandatory zoning. He questioned the need for plan, since developers are lined up to build affordable housing. He questioned why program is being forced as affordable housing can be funded As-Of-Right. Chair Moerdler continued, stating other means to build affordable housing without going into public coffer. Chairman Moerdler inquired about the Department of City Planning conducting its own Environmental Assessment Statement being a conflict of interest. Also, he asked about the EAS with regard to East New York, if whether or not DCP considered the possibility of gentrification and where this information could be found in the study. C. Samol will check where to find data.

7. R. Press stated that this year's goal for 20,000 new affordable housing units had already been reached, and to that end, he asked about the necessity of the plan if that number can be reached every year. T. Weinstein, Housing Preservation Development explained that the Mayor's number is 200,000 units over the next 10 years.
8. R. Fanuzzi asked for clarification regarding Community Board 8's MIH inclusion for the Workforce Option. C. Samol informed that the proposal is overall; however Board 8 is not being zoned in MIH.
9. B. Bender referred to Chair Moerdler's earlier point regarding the question of need for the program. C. Samol stated need to maintain diversity.
10. T. Weinstein explained concept for affordable housing.
11. C. Samol informed that there is no proposal to apply MIH proposal in CB 8.
12. Board Chair Padernacht asked about rent regulations in the Zoning text. C. Samol responded the rent would be under rent stabilization and that the units can never go market rate.
13. R. Ginty asked about density, and she asked for charts. C. Samol advised that this will apply to R-6 and above. R. Ginty asked about the language in the text regarding reference to distribution of senior housing throughout the building. She asked for Charts for: Zones affected by MIH, current FAR for each, MIH FAR for each.
14. D. Gellman asked for zoning maps.
15. R. Spalter asked if whether or not DCP expect an avalanche of Board of Standards & Appeals permits to comply with the new proposed zoning.
16. Chair Moerdler referred to Section 7221 of Zoning Resolution and questioned the absence of finding in the EAS that relates to "Changes with Character of the Neighborhood." C. Samol will research and advise.
17. L. Daub asked about size of senior units. C. Samol responded that there is less living space but more social space.

18. M. Wolpoff asked where to find information on study related to “Financial Feasibility” – Strongest housing can generally support a requirement 20/30 affordable housing. C. Samol directed to DCP website.
19. M. Goodman inquired about provision of schools in proposal. C. Samol advised this will be considered in planning.
20. R. Ginty followed up on the zoning text absence of affect of “Changes with Character of the Neighborhood.”
21. Chair Moerdler stated that when Character of Neighborhood is not considered, that is frightening.
22. Board of Standards and Appeals Calendar No. 231-15-BZ – Proposed construction at 5278 Post Road 9-story, 120 unit multiple dwelling with cellar community facility (doctors, 6074 sq. ft.) and sub-cellar retail pharmacy (Use Group 6, 5332 sq. ft.)

Chair Moerdler asked if neighbor notification had been done as required by BSA regulations. Mr. Ross responded in the negative. Chair Moerdler asked that he conduct notification. He proceeded to present plans. However, due to shortness of time and need to leave the venue by 10:00PM, Chair asked for motion to lay-over. Motion was carried unanimously in favor.

Meeting adjourned 9:55PM.

Respectfully submitted by

Patricia Manning
District Manager