

**Resolution adopted July 14, 2009 for the following ULURP applications:
#C090437ZMX, #C090236MMX, #C090237MMX, and #C090438PPX**

WHEREAS, the Uniform Land Use Review Procedure (ULURP) is a standardized procedure whereby applications affecting the land use of the city are publicly reviewed; and

WHEREAS, the above listed applications were certified as complete by the Department of City Planning on Monday, May 18, 2009 and the review period for Bronx Community Board 7 (the Board) began on Wednesday, May 27, 2009 and must be completed by Monday, July 27, 2009; and

WHEREAS, the ULURP application process required the Board to conduct a public hearing, which was publicized on June 5, 2009 in local media and the City Record and held on June 24, 2009; and

WHEREAS, the New York City Economic Development Corporation and the Related Retail Armory, LLC are the applicants and seeking the approval of the Board under the ULURP processes for:

1. Application# C090437ZMX, an amendment of the Zoning Map, Section No. 3c, changing from an R6 District to a C4-4 District, the area bounded by West 195th Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue.
2. Application# C090236MMX, 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 Triangle), the adjustment of legal grades necessitated, and any acquisition or disposition of real property.
3. Application# C090237MMX, an amendment to the City Map, involving the elimination, discontinuance and closing of a portion of West 195th Street between Reservoir Avenue and Jerome Avenue, the adjustment of legal grades necessitated, and any acquisition or disposition of real property.
4. Application# C090438PPX, for the disposition of one city-owned property known as the Kingsbridge Armory, located at 29 West Kingsbridge Road, Block 3247, Lots 10 and p/o 2, by the Department of Citywide Administrative Services pursuant to zoning.

WHEREAS, the Board regards the property known as the Kingsbridge Armory as a unique city-owned community asset that has long remained dormant; and

WHEREAS, the Board believes that development should be in the best interests of all stakeholders, with the surrounding community and its residents considered the primary stakeholders; and communities should have a voice in matters affecting the usage of land within the confines of their district that will directly impact upon their livelihood, for gain or for loss, on a long-term basis; and

WHEREAS, the Board is charged with representing the various interests in the community on all issues regarding land use and the disposition of city-owned property within the district; and the Board has demonstrated due diligence in considering the needs and concerns of these interests throughout its role in the ULURP process;

WHEREAS, recommendation for approval of the aforementioned ULURP applications must unequivocally include the following:

1. Regarding Application# C090437ZMX, an amendment of the Zoning Map, changing from an R6 District to a C4-4 District, the area bounded by West 195th Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue, the Board recommends approval of the application with the condition that the city retain the development rights for any unused rights and not transfer them to the developer.
2. Regarding Application# C090236MMX, involving the elimination, discontinuance and closing of a portion of Reservoir Avenue at its intersection with West Kingsbridge Road, the Board recommends approval of the application with the condition that the NYC Parks & Recreation properties of Barnhill Triangle and the portion of Aqueduct Walk along West Kingsbridge Road are to be provided funding by the developer and be included in the public plaza design as the "Gateway to the Armory".
3. Regarding Application# C090237MMX, involving the elimination, discontinuance and closing of a portion of West 195th Street between Reservoir Avenue and Jerome Avenue, the Board recommends approval of the application with the following conditions:
 - a. A proviso that the de-mapping be delayed until the construction in the Armory is completed or until the Dept. of Education acquires the sites and commits to the building of schools.
 - b. Additionally, if the buildings used currently by the National Guard are not acquired by the School Construction Authority for the purposes of building 2 schools, that the de-mapping application be rescinded.
4. Regarding Application# C090438PPX, for the disposition of one city-owned property known as the Kingsbridge Armory, the Board recommends approval of the application with the following conditions:
 - a. A legally-binding, enforceable Community Benefits Agreement is negotiated and established.
 - b. A market survey is done at the developer's cost by an independent entity to be determined by the Community Board to ascertain the needs of the community prior to the renting of Armory space.
 - c. The "Shops at the Armory" be 100% constructed by union construction workers.
 - d. A First Source Hiring Plan is implemented for all jobs at the Armory.
 - e. Community Space is allotted and designed as per the Social Venture Mall concept proposed by the Community Board. This space would include recommendations made by the Community Board, including, but not limited to, a career and technology center. It is recommended that between 50,000 – 60,000 sq. ft of total community space be identified and allocated at a rate of \$10/sq. ft. for non-profits entities who wish to occupy the Armory space.
 - f. A "World Peace Atrium" public arts project as outlined by the Community Board is included.
 - g. Minimum LEED Silver standard for construction be implemented and include the ability to capture storm water from the roof for irrigation of the landscaping.
 - h. A youth recreation facility is built in the Armory.
 - i. Wi-Fi and broad band services are provided throughout the Armory and include the public plazas.
 - j. An advisory group is established to follow-up on the construction and implantation phases of the development.
 - k. The CB supports a supermarket committed to providing our community with a vast selection of organic food options in the Armory.

NOW, THEREFORE BE IT RESOLVED, that subject to the receipt by the Board of a written unequivocal undertaking by the applicants, on their own behalf and on behalf of any successors or assigns, prior to the final approval of the above stated applications by the city council, incorporating each of the above stated conditions, Bronx Community Board 7 recommends approval of the ULURP applications.

BRONX CB7 VOTE RECORD (28 of 35 members present, quorum established)

1. Application# C090437ZMX - Rezoning of Armory Block
 - a. 24 in favor, 4 opposed, and 0 abstention(s)
 - b. In Favor – Frank Benitez, Donna Benjamin, George Berdejo, Ozzie Brown, Socrates Caba, Carmen Plaja-Cordejo, Nelson Cruz, Gregory Faulkner, Nora Feury, Paul Foster, John Franco, Felix Gibson, Lowell Green, John Harris, Andrew Laiosa, Joseph Lee, Hector Lopez, Joyce Hernandez-Lopez, Margaret Mack, Charlesetta Rhett, Jay Shuffield, Anthony Springer, Barbara Stronczer, Enrique Vega
 - c. Opposed – Helene Hartman-Kutnowsky, Eleanor Lundeen, Yvette Page, Cynthia O’Neal-Riley
 - d. Abstention – N/A

2. Application# C090236MMX – Partial De-mapping of Reservoir Avenue
 - a. 24 in favor, 2 opposed, and 2 abstention(s)
 - b. In Favor – Frank Benitez, Donna Benjamin, George Berdejo, Ozzie Brown, Socrates Caba, Carmen Plaja-Cordejo, Nelson Cruz, Gregory Faulkner, Nora Feury, Paul Foster, John Franco, Felix Gibson, Lowell Green, John Harris, Andrew Laiosa, Hector Lopez, Margaret Mack, Yvette Page, Charlesetta Rhett, Cynthia O’Neal-Riley, Jay Shuffield, Anthony Springer, Barbara Stronczer, Enrique Vega
 - c. Opposed – Joseph Lee, Eleanor Lundeen
 - d. Abstention – Helene Hartman-Kutnowsky, Joyce Hernandez-Lopez

3. Application# C090237MMX – Partial De-mapping of West 195th Street
 - a. 27 in favor, 0 opposed, and 1 abstention(s)
 - b. In Favor – Frank Benitez, Donna Benjamin, George Berdejo, Ozzie Brown, Socrates Caba, Carmen Plaja-Cordejo, Nelson Cruz, Gregory Faulkner, Nora Feury, Paul Foster, John Franco, Felix Gibson, Lowell Green, Helene Hartman-Kutnowsky, Andrew Laiosa, Joseph Lee, Hector Lopez, Joyce Hernandez-Lopez, Eleanor Lundeen, Margaret Mack, Yvette Page, Charlesetta Rhett, Cynthia O’Neal-Riley, Jay Shuffield, Anthony Springer, Barbara Stronczer, Enrique Vega
 - c. Opposed – N/A
 - d. Abstention – John Harris

4. Application# C090438PPX – Disposition of the city-owned Kingsbridge Armory
 - a. 22 in favor, 5 opposed, and 1 abstention(s)
 - b. In Favor – Frank Benitez, Donna Benjamin, George Berdejo, Ozzie Brown, Socrates Caba, Carmen Plaja-Cordejo, Nelson Cruz, Gregory Faulkner, Nora Feury, Paul Foster, John Franco, Lowell Green, John Harris, Hector Lopez, Joyce Hernandez-Lopez, Margaret Mack, Yvette Page, Charlesetta Rhett, Jay Shuffield, Anthony Springer, Barbara Stronczer, Enrique Vega
 - c. Opposed – Helene Hartman-Kutnowsky, Andrew Laiosa, Joseph Lee, Eleanor Lundeen, Cynthia O’Neal-Riley
 - d. Abstention – Felix Gibson