



COMMUNITY BOARD ELEVEN

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Nilsa Orama
Chair

Angel D. Mescaín
District Manager

July 19, 2021

Marisa Lago
Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Recommendation on Land Use Application # N 210380 ZRY- FRESH Update Text Amendment

Dear Director Lago,

Community Board 11 (CB11) appreciates the opportunity to review and comment on the Department of City Planning's proposed FRESH Update Text Amendment.

The New York City Department of City Planning (DCP) proposes to amend the Zoning Resolution to modify and expand the existing Food Retail Expansion to Support Health (FRESH) program under ZR 63-00 for neighborhood grocery stores in Use Group 6 throughout the City

Description of the Proposed Action

The proposed zoning text amendment, FRESH II, would update the existing program under the NYC ZR 63-00 that provides incentives for neighborhood grocery stores to locate in underserved neighborhoods in the City. FRESH II would include an expansion of the program boundary as well as updates to all eligible areas, including a mechanism to prevent saturation of FRESH supermarkets, modification to the glazing requirement for conversions, changes to parking regulations, as well as zoning text clarifications.

Expansion of FRESH Boundary. DCP is proposing a zoning text amendment to expand applicability of the FRESH program to ten additional neighborhoods in the Bronx, Brooklyn, Queens, and Staten Island. The extension of the FRESH program to a broader range of underserved neighborhoods would encourage the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables, and other perishable goods, in addition to a full range of grocery products. Furthermore, an increase in the number and variety of neighborhood food stores would create a greater diversity of shopping options, improving the accessibility and affordability of food available to local residents. Consequently, the increased convenience and availability of fresh foods can provide options for healthier choices.

Mechanism to Prevent Concentration of FRESH Supermarkets. The proposed text amendment's provisions to prevent oversaturation would ensure more even distribution of FRESH food stores throughout neighborhoods of high need. To prevent a saturation of FRESH supermarkets, DCP proposes that within a 0.5-mile radius of a proposed project tax lot, the sum of additional residential floor areas resulting from the FRESH program to be capped at 40,000 square feet.

Other Updates. To improve the program based on assessments from various stakeholders, the text amendment would waive the glazing requirement for conversion projects, which is consistent with transparency requirements for retail conversions in other parts of the Zoning Resolution; add parking relief in lower density residential districts; remove onerous requirements for deed restrictions when reallocated residential floor area is not requested as part of the FRESH project; and, lastly, the text amendment responds to requests to clarify particular sections of the zoning text and eliminate potential confusion in interpretations.

Community Board Recommendation

Community Board 11 met on July 13, 2021 and voted to recommend that this application be approved.

Full Board Vote: In Favor: 29; Opposed: 0; Abstentions: 0; Present not Voting: 0

If you have any questions regarding our recommendation, please contact Angel Mescaín, District Manager, at 212-831-8929 or amescain@cb11m.org.

Sincerely,



Nilsa Orama
Chair

cc: Hon. Gale A. Brewer, Manhattan Borough President (via email)
Hon. Diana Ayala, New York City Council (via email)
Hon. Bill Perkins, New York City Council (via email)
Hon. Ben Kallos, New York City Council (via email)
Hon. Keith Powers, New York City Council (via email)
Hon. Brian Benjamin, New York State Senate (via email)
Hon. Jose M. Serrano, New York State Senate (via email)
Hon. Robert J. Rodriguez, New York State Assembly (via email)
Hon. Inez Dickens, New York State Assembly (via email)
Elsie Encarnacion, Community Board 11 (via email)
Judith Febbraro, Community Board 11 (via email)