

# Clinton/Hell's Kitchen RFP

806 9<sup>th</sup> Avenue & 705 10<sup>th</sup> Avenue

Permanent Affordable Housing & Open Space



Manhattan Community Board 4

# Clinton/Hell's Kitchen RFP

The Clinton/Hell's Kitchen RFP is comprised of two permanent affordable housing sites:

- MTA Site – located at 806 9<sup>th</sup> Avenue
- DEP Site – located at 705 10<sup>th</sup> Avenue

Both sites were commitments in the Western Rail Yards Points of Agreement, an agreement between the New York City Council and the Mayor's Office regarding the Hudson Railyards rezoning, which was executed on December 10, 2009.

# Western Rail Yards Points of Agreement

## **POINTS OF AGREEMENT**

**Western Rail Yard Rezoning  
December 10, 2009**

### **3. AFFORDABLE HOUSING OFF-SITE COMMITMENTS**

- (a) The Department of Housing Preservation and Development ("HPD") commits to issuing Requests for Proposals ("RFPs") for the development of affordable housing on the City-owned sites at West 54<sup>th</sup> Street and 9<sup>th</sup> Avenue, which is under the leasehold control of the Metropolitan Transportation Authority ("MTA"), and West 48<sup>th</sup> Street and 10<sup>th</sup> Avenue, currently occupied by the Department of Environmental Protection ("DEP") in connection with the construction of Water Tunnel No. 3. The City reiterates its commitment to propose, and Council Member Quinn reiterates her commitment to support, the provision in the City capital budget of the sum of \$40 million to construct or otherwise create new affordable housing units off-site.

HPD's RFPs will contain the following requirements:

- (i) A height cap restriction that the local Council Member and Community Board 4 ("CB4") understand will result in the creation of an estimated 267 units. Without the height cap restrictions, these sites would generate 312 units. The height on the DEP site will not exceed 77 feet. The height on the MTA site will not exceed 85 feet on 9<sup>th</sup> Avenue, and 99 feet on the midblock;
  - (ii) An AMI mix of 165% or under;
  - (iii) 50% two or more bedroom units; and,
  - (iv) Permanent affordability.
- (b) HPD will share the program overview with CB4 before releasing the RFPs for the off-site housing developments.
- (c) The Administration agrees that the MTA and DEP sites will not generate an Inclusionary Zoning bonus under NYC Zoning Resolution Section 23-90, and

## Western Rail Yards Points of Agreement

### Requirements for RFP

- Height cap of 77 feet for the DEP site and 85 feet on 9<sup>th</sup> Avenue and 99 feet on the midblock for the MTA site
- 267 permanently affordable units
- An AMI mix of 165% or under
- 50% two or more bedroom units

### Process

- HPD to share program overview with MCB4 before releasing RFPs

# MCB4 Revised Approval Conditions—June 2017

## MTA Site

### Height, Bulk, and Use

- Setting a height limit of 85 feet along the 9<sup>th</sup> Avenue frontage and of 99 feet on West 54<sup>th</sup> Street, beginning 50 feet east of 9<sup>th</sup> Avenue and through the midblock backing against the existing MTA Control Center.

### Affordability Bands

- A restrictive declaration that 20% of units will be affordable at 80% AMI; 40% will be affordable at 125% AMI, and 40% will be affordable at 165% AMI
- At least 50% of the residential units contain two bedrooms or more

### MTA Use

- The elimination of the 30,000 square feet reserved for the MTA office/training space
- The elimination the 15 MTA parking spaces planned for the site
- The RFPs to select a developer for this site must be developed in consultation with MCB4

### Other Considerations

- A restrictive declaration that the site cannot generate an Inclusionary Housing bonus or be used to satisfy the SCD District Harassment Cure requirements pursuant to ZR § 96-110

# MCB4 Revised Approval Conditions—June 2017

## DEP Site

### **Height, Bulk, and Use**

- Setting the height limit for the site at 77 feet
- No retail and/or commercial use allowed on the West 49<sup>th</sup> Street portion of the DEP site, as such an addition would exacerbate the problems of bars and clubs on residential blocks

### **Affordability Bands**

- A restrictive declaration that 20% of units will be affordable at 80% AMI; 40% will be affordable at 125% AMI, and 40% will be affordable at 165% AMI
- At least 50% of the residential units contain two bedrooms or more

### **Relationship to DEP/Parks Open Space**

- A permanent easement for unobstructed light and air from the DEP water access tunnel site to the east
- Comfort stations for public use in conjunction with the DEP open space must be included in the affordable housing development
- Parks Department has agreed to a landscape architect to design the open space

### **Other Considerations**

- The RFPs to select a developer for this site must be developed in consultation with MCB4
- A restrictive declaration that the site cannot generate an Inclusionary Housing bonus or be used to satisfy the SCD District Harassment Cure requirements pursuant to ZR § 96-110

# MTA Site – 806 9<sup>th</sup> Avenue



 Residential

# MTA Site – 806 9<sup>th</sup> Avenue



# DEP Site – 705 10<sup>th</sup> Avenue



- Residential
- Open Space

# DEP Site – 705 10<sup>th</sup> Avenue



View from 10<sup>th</sup> Avenue facing west

# MCB4 Approval Conditions– MTA Site

## March 7, 2018

### Building Design & Program

- Height not to exceed 85 feet on 9<sup>th</sup> Avenue and 99 feet in the midblock (50 feet east of 9<sup>th</sup> Avenue)
- Façade to be predominantly brick and masonry with punched windows
- Architecture should relate to surrounding context of 4 to 6 story brick and masonry tenements
- Landscaped tenant open space to be developed at roof and setback levels
- Commercial space to be a supermarket for the community
- MCB4 will continue to work with MTA to relieve project of burden to create 30,000 square feet of MTA office space

# Neighborhood Context – MTA Site



# MCB4 Approval Conditions – DEP Site

## March 7, 2018

### Building Design & Program

- Height not to exceed 77 feet
- Façade to include predominantly brick and masonry with punched windows
- Architecture should relate to surrounding context of 4 and 5 story brick and masonry tenements
- Building to have windows facing south, north, and east
- No commercial space at first floor<sup>1</sup>
- HPD Design Guidelines be modified to create both a lower ground floor and slightly lower floor to floor heights to create another floor within height limit
- With an additional floor, the unit count can be increased
- Landscaped tenant open space to be developed at roof and setback levels

<sup>1</sup> Current zoning includes C1-5 commercial overlay at first floor. However, midblock commercial use is not compatible with context of block

# MCB4 Approval Conditions – DEP Site

## March 7, 2018

### Building's Relation to Open Space

- Public open space to include an ADA Accessible public restroom and support space for Park staff
- Building design to relate to open space on 10<sup>th</sup> Avenue but also provide privacy to ground floor apartments along east façade facing open space

# Neighborhood Context – DEP Site



# MCB4 Unit Affordability and Size Approval Conditions

## Clinton/Hell's Kitchen RFP

### AMI Distribution

AMI	Percent
80% AMI	20%
125% AMI	40%
165% AMI	40%

### Affordability Mix

- Production of between 200 and 230 permanently affordable apartments
- AMI mix of 80 %, 125% & 165% with no income eligibility gaps
- The HPD M<sup>2</sup> program funding be used to achieve community desired AMI mix

### Apartment Distribution

- 50% of the units to be two or more bedroom units

### WRYP OA Commitments

- Neither site to generate an Inclusionary Housing bonus
- Neither site to satisfy a Cure for Harassment

# Appendix

## MCB4 Documents Pertaining to MTA & DEP Sites

MCB4 requests that all respondents to the Clinton/Hell's Kitchen RFP, in order to better understand background, context, and project sites, please review the following documents and MCB4 letters:

- [Western Rail Yards Points of Agreement. \*December 10, 2009\*](#)
- [MCB4 Letter re: ULURP Nos. 090422HAM, N090429ZRM, 090423HAM and 090430ZMM. \*July 27, 2009.\*](#)
- [MCB4 Letter re: Affordable Housing RFPs. \*October 7, 2015.\*](#)
- [MCB4 Letter re: Affordable Housing RFPs. \*February 8, 2017.\*](#)
- [MCB4 Letter re: Affordable Housing RFPs. \*June 7, 2017.\*](#)
- [MCB4 Letter re: Affordable Housing RFPs. \*March 15, 2018.\*](#)