



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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BURT LAZARIN
Chair

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District Manager

February 5th, 2018

Marisa Lago, Chair
New York City Planning Commission
120 Broadway
31st Floor
New York, NY 10271

re: 180127 ZMM; N 180128 ZRM; 180129 ZSM – 601-613 West 29th Street, 391-315 Eleventh Avenue and 600-602 West 30th Street – Block 675 Lots 12, 29 and 36

Dear Chair Lago:

On the recommendation of its Chelsea Land Use Committee, the Executive Committee of Manhattan Community Board 4 (CB4) voted to recommend denial of the cited applications for a proposed development at 601-613 West 29th Street, 391-315 Eleventh Avenue and 600-602 West 30th Street – Block 675, Lots 12, 29 and 36 - unless the conditions and recommendations in Section XII below are met. This letter is subject to ratification by the full board at its February 7, 2018 meeting.

I. Background

Block 675 lies in the northwest corner of Chelsea, bounded by West 29th and 30th Streets and by Eleventh and Twelfth Avenues. Over the years, proposals for Block 675 have evolved from a park with an underground Department of Sanitation facility to being a gateway for an Olympic/Jets stadium to a coveted development site adjacent to the Hudson River, the High Line and the Western Rail Yards.

In 2013 CB4 prepared a study of Block 675 and the five blocks to the south, recommending to the Department of City Planning (DCP) that these blocks be studied for inclusion in an expanded Special West Chelsea District (SWCD). We specifically recommended that Block 675 be rezoned from M1-6 and M2-3 to C6-4 with building height and bulk regulations similar to those in SWCD Subarea A.

Later in 2013 DCP released “Study for the Potential Expansion of the Special West Chelsea District.” The study recommended that a planning framework to guide zoning decisions should be prepared for Block 675 when future uses were clearer. In 2017 the City Planning Commission (CPC) approved a Planning Framework for Block 675 that recommended C-6 districts with an “appropriate massing response to a transitioning context.” The Framework also recommended “active uses on frontages facing the High Line and transparency at and above the High Line level.”

II. Description of Project

The applicant proposes to build a 740,615 square foot mixed use building at 601-613 West 29th Street, 391-315 Eleventh Avenue and 600-602 West 30th Street, Block 675 Lots 12, 29 and 36. The proposed development is L-shaped with 525' of frontage on West 29th Street, 197.5' on Eleventh Avenue and 100' on West 30th Street. It consists of a 660' tall, 62 story tower on Eleventh Avenue with its north side facing the High Line, and an attached 399' tall, 36 story tower extending west along West 29th Street. The two towers sit on a common 85' tall base that extends 110' westward from the smaller tower. A 43' tall building extends another 183.75' westward from the base. A 23' tall building extends from the Eleventh Avenue base along the north side of the site, creating a 30' deep elevated rear yard.

The building would be a mix of commercial/retail and residential space with up to 990 residential units, of which 230 would be affordable pursuant to the Mandatory Inclusionary Housing Option 1, and up to 198 accessory parking spaces. The applicant details three scenarios for ground floor space along West 29th Street with different allocations of residential and commercial floor area: retail; reconfigured and expanded parking for 198 accessory parking spaces; and a potential lease of space for an Emergency Medical Services (EMS) station on the western end of the site. The site would be rezoned from the current M2-3 to C4-6X, increasing the FAR from two to ten, and the applicant would purchase an additional 2 FAR, 123,438 sf of floor area, from the Hudson River Park Trust pursuant to ZR 89-00 *et seq.*

The western end of Block 675 is the site of the proposed Gateway Tunnel project. Preliminary plans call for part of the western portion of the applicant's proposed development site to be used for staging during tunnel construction. Both the timing and the extent of the tunnel project's staging needs are currently unknown.

III. Proposed Actions

The application includes the following proposed actions:

- A Text Amendment to ZR 89-00, *et seq.* to modify the provisions of the Special Hudson River Park District (SHRPD), designating Piers 59, 60 and 61, and the Headhouse, Block 662 Lots 11, 16 and 19, as the granting site and the development site as the receiving site for the transfer of development rights; and to modify bulk regulations applicable in a C6-4X district to accommodate the project's design;
- A Text Amendment to ZR Appendix F to map a Mandatory Inclusionary Housing (MIH) area on the Development Site;
- A Map Amendment to Zoning Map 8b to rezone the development site from M2-3 to C6-4X and to map the SHRPD over the granting site and the receiving site; and
- A Special Permit pursuant to ZR 89-21, as amended by the SHRPD Text Amendment, to permit the transfer of 123,437.5 sf of floor area from the granting site to the receiving site, and to permit height, setback, tower lot coverage and street wall location waivers.

IV. Building Height

The proposed height of 660' for the Eleventh Avenue building is excessive. The proposed project should be constrained by, and step down from, the 450' height of Special West Chelsea District Subarea A immediately to the east and the 642' heights of Hudson Yards Sites 6A and 6B (residential buildings

flanking a school on the north side of West 30th Street on the eastern end of the block between Eleventh and Twelfth Avenues) of the Western Rail Yards immediately to the north.

The context for the development of Block 675 has been set by the two major westside rezonings approved in 2005. The West Chelsea rezoning creating the SWCD established a broad U-shaped profile, with a relatively low central area stepping up to greater building heights in the north and in the south. The Hudson Yards rezoning creating the Special Hudson Yards District established a building height profile that decreases from Tenth Avenue west to the Hudson River, as well as from West 33rd Street south to West 30th Street. Each of these rezonings was designed in part specifically to protect the Hudson Riverfront from overdevelopment, recognizing it as a valuable feature to be preserved for the enjoyment of all rather than only for those fortunate enough to live next to it.

In our 2013 study, we recommended that building bulk regulations for Block 675 should be similar to those of the adjacent SWCD Subarea A, and CPC’s 2017 Planning Framework for Block 675 recommended C-6 districts with an “appropriate massing response to a transitioning context.” However, the inclusion of the development site within the area designated to receive development rights from the Hudson River Park (HRP) has led us to revisit our analysis. The addition of 2 FAR from the park to the 10 FAR in the proposed C6-4X district is a 20 percent increase. We therefore have concluded that a corresponding 20 percent increase in permitted building height, from 450’ to 550’, is appropriate for the Eleventh Avenue building. Our long-standing preference for lower heights in the mid-blocks, as well as our agreement with the decrease in height moving westward towards the Hudson River, means that this should be the tallest building on the block.

V. Affordable Housing

The proposed project will be mapped within a Mandatory Inclusionary Housing (MIH) designated area and is subject to the requirements of the MIH program which has two options. The applicant has chosen Option #1 which requires 25 percent of the total residential floor area be devoted to affordable housing. The income eligibility bands for Option #1 are as follows:

Percent of residential floor area	Percent of AMI* residents must have	Example of income for two-person family	Example of income for four-person family
10%	40%	\$30,560	\$38,160
10%	60%	\$45,840	\$57,240
5%	100%	\$76,400	\$95,400

*AMI: Area Median Income. The AMI for the greater New York area for 2017 is \$85,900 for a three-person family; \$95,400 for a four-person family. Each development may have specific income requirements.

The proposed project would have 230 to 247 units of permanently affordable housing.

CB4 believes that socioeconomic diversity and integration are essential to keeping our neighborhoods vital and thriving, and has a long-standing policy for mixed income buildings designed to ensure equality between affordable and market rate apartments:

- CB4 recommends that the affordable apartments should be distributed throughout the entire building. We have found that developers have successfully located affordable apartments on 80 percent of the floors, exceeding the 65 percent requirement of MIH program.

- All apartment finishes, flooring, tile, plumbing and light fixtures, kitchen cabinets, countertops and appliances should be the same for affordable and market-rate apartments.
- Building amenities such as courtyards should be equally available to all building residents regardless of income. Amenities with fees for residents' use such as fitness facilities should be available to Inclusionary Housing tenants at a reduced fee. We prefer a sliding scale amenity fee such as a reduction of 25 percent for middle-income tenants and 50 percent for low-income tenants.

VI. Building Design, Services and Other Concerns

CB4 requests that the proposed project include building design elements that ensure a high quality of life for new residents, those who live and work nearby, and for people who frequent the neighborhood.

Building Design and Services

- Sidewalks adjacent to the proposed project should be kept clean and free of garbage. Building garbage compactors and dumpsters should be kept inside until time for curbside pickup. Commercial tenants in both developments should use the same carting company. Loading docks should also be inside buildings. Interior space for unloading of the many residential deliveries (such as Amazon, USPS packages) should be provided.
- Parking garages should accommodate environmentally-friendly cars such as Zip cars and electric vehicles which help to decrease traffic and emissions.
- Exterior lighting should be modest and not intrusive.
- CD4 is fortunate to have a whole host of artists in Chelsea and Hell's Kitchen. CB4 encourages both applicants to display local art in building lobbies.

Other Concerns

- Street trees should be planted on sidewalks around new buildings wherever possible, with full size trees planted in tree pits with complete landscaping. If Con Ed vaults prevent in-ground planting, the applicants should obtain revocable consents for the use of tree planters.
- The applicant should coordinate construction schedules with the developer of 606 West 30th Street and maintain regular communication with them and with CB4 about construction progress and schedule changes.
- CB4 urges the applicant to rent retail spaces to local businesses.
- CB4 requests that the applicant support a Community Jobs Project that would include holding periodic job fairs, posting all job openings on the CB4 jobs website, reaching out to community-based organizations, and working with the Board to hire employees who are CD4 residents.
- CB4 also requests that the applicant pay its workers family-sustaining wages with affordable health care and retirement benefits to help create a strong community and a robust local economy. Training should be provided so workers have an opportunity to advance in their careers. The

applicant should prioritize the safety of construction workers, particularly in light of recent deaths and injuries at construction sites.

- CB4 is seriously concerned about the safety of pedestrians and bicyclists crossing to and from Hudson River Park at intersections with vehicles. In the last seven years, there have been twelve fatalities in the park and its access streets. As the population increases near Hudson River Park with the construction of new developments such as the proposed Block 675 project, we fear that more pedestrian and bike accidents may occur unless additional safety measures are provided at intersections. We urge that the New York State Department of Transportation (which has jurisdiction over these locations) work with city agencies and CB4 to implement critical safety measures. These enhancements certainly should be installed at the sections of Hudson River Park that are improved or constructed.

VII. Mitigation of Environmental Impacts

The applicants for the proposed project and for an adjacent one at 606 West 30th Street cooperated on a joint Draft Environmental Impact Statement (DEIS). We appreciate that the DEIS considered the cumulative impacts of these projects rather than separately as has been the norm. The DEIS identified potentially significant adverse impacts for several topics and recommended possible mitigations. Potential mitigation measures are being explored by CB4, the applicants, lead agencies and DCP, and will be refined between the DEIS and the Final Environmental Impact Statement (FEIS).

Publicly Funded Child Care

The DEIS found that both projects together would result in low income families with approximately 29 children under the age of six who would be eligible for publicly funded child care programs. This increased demand cannot be accommodated by facilities in the two-mile study area. The required mitigation would be for 19 childcare seats, the number generated by the project that exceeds the five percent utilization rate.

The DEIS recommends as a mitigation suitable child care space affordable to ACS (Administration for Children's Services) providers on-site or within a reasonable distance or funding for program or physical improvements to support additional capacity at existing facilities.

Hudson Guild, located at West 26th Street between Ninth and Tenth Avenues, is a highly valued member of our community serving a low/moderate income population. They are seeking to expand their Early Childhood Education Program and are looking for suitable space. The demand for services for under-three-year-old children is particularly high and has resulted in a long waiting list. CB4 is exploring with Hudson Guild opportunities in buildings in Chelsea that could provide space for this program. Potential options include:

1. The building at 429 West 18th Street/Fulton Houses, located between Ninth and Tenth Avenues, is currently under construction, scheduled to be completed in 2019. It will have 157 affordable units and approximately 4,000 square feet for a community facility use. Since a childcare center would not need all of this space another community facility could be accommodated as well. A working group comprised of representatives from the developer, CB4, the Fulton Tenants Association and local elected officials will develop recommended uses.

2. There may be churches in Chelsea that have underutilized space such as St. Columba Church on 343 West 25th Street (between Eighth and Ninth Avenues) or Manor Church on 350 West 26th Street (between Eighth and Ninth Avenues).

Open Space

The DEIS analysis showed that the proposed actions would result in a small adverse open space impact due to the increased user population. Although the decrease in the open space ratio due to the proposed development is small, open space in the residential study area already is below the City's guideline ratios of 2.5 acres (total) and 2.0 acres (active) per 1,000 residents.

The DEIS lists potential mitigation measures for open space impacts, which include, but are not limited to, creating new open space with the study area; funding for improvements, renovation, or maintenance at existing local parks and/or playgrounds; or improving open spaces to increase their utility or capacity to meet open spaces needs in the area.

The New York City Department of Parks and Recreation (DPR) has identified two parks in Chelsea that need renovation:

1. Penn South Park, located on West 26th Street between Eighth and Ninth Avenues, opened in 1961. This heavily used 0.60 acre neighborhood park was reconstructed in 1996. The elementary school age play equipment and basketball courts have deteriorated. DPR recommends reconstruction of the playground, including replacement of the play equipment, new paving, fencing, landscaping, lighting, seating and safety surfacing; and reconstruction of the basketball courts, including new fencing, back stops, paving and surface sealing.
2. Chelsea Park, located on West 28th Street between 9th and 10th Avenues, a large, widely used park, includes basketball courts, baseball diamonds, handball courts, a playground, and a fitness area. The western portion of the park has been reconstructed. DPR recommends the renovation of the eastern portion which includes the basketball courts, the fitness area and the asphalt multi-purpose play area.

Shadows – Portion of High Line in spring and fall

The area on the High Line opposite the Project Area would be impacted with new shadows in the spring and fall. The recommended mitigation would be to monitor and replace sunlight sensitive vegetation with shade tolerant vegetation.

Traffic, Pedestrians and Noise

The DEIS recommends standard measures to mitigate traffic impacts at two intersections; pedestrian flow issues at two crosswalks; temporary noise due to Hudson River Tunnel construction; construction traffic at one intersection; two crosswalks for pedestrians during construction; construction noise on nearby residential buildings and the High Line. Four measures would require New York City Department of Traffic (DOT) approval.

The standard mitigation measures such as signal timing changes, widened crosswalks, window-wall attenuation, quieter equipment and noise barriers are reasonable potential mitigation measures. CB4 also recommends that pedestrian safety enhancements be added at West 29th and West 30th Streets where vehicles enter the Hudson River Park. Locations where mitigations are needed such as West 33rd Street

and Eleventh Avenue, neck downs should be installed to provide more space for pedestrians. If any of these mitigation measures are not successful, then the applicants will need to work with CB4 to find other solutions. Excellent communication between the developers and CB4 is essential.

VIII. EMS Station

The DEIS analyses three possible scenarios for ground floor uses along West 29th Street including a 12,000 square foot Emergency Medical Services (EMS) facility, which was studied solely for the purposes of the environmental analysis as the EMS facility is intended to replace the existing EMS facility on West 23rd Street, which occupies an approximately 5,000 square foot site.

Fire Department of New York (FDNY) Emergency Medical Service (EMS) Station 7 has been temporarily located at 512 West 23rd Street, under the High Line Park since 2011 when St. Vincent's Hospital closed. The current unenclosed facility is unsuitable for a residential block with noise from sirens and exhaust from idling vehicles disturbing nearby residents. The FDNY cannot make substantial improvements such as enclosing the facility to address neighborhood impacts or enlarging it to provide additional services for the growing neighborhoods in Chelsea, Hell's Kitchen and Hudson Yards. CB4 identified the applicant's site as a potential location for the relocation of Station 7 and has strongly advocated for FDNY and the applicant to begin negotiations since 2015.

FDNY has said they need approximately 21,000 square feet for the replacement for Station 7. Although the 12,000 sf (analyzed in the DEIS for impact purposes) is inadequate for FDNY's needs, we believe the development site on West 29th Street would be ideal. It is one block from the Westside Highway, which would provide quick north and south access to the west side, would provide more space for vehicles and would allow for expansion of services.

The catchment area for EMS Station 7 extends far past the boundaries of Community District 4 and therefore is a significant borough wide public safety need. FDNY, the New York City Department of Citywide Services (DCAS) and other city agencies should work with the applicant toward an enclosed state-of-the art EMS facility that would also be flood resilient. CB4 is encouraged that the Department of City Planning is currently exploring zoning approaches to facilitate the siting of Station 7 on the development site.

The Port Authority of New York and New Jersey (PANYNJ) has identified Block 675 Lot 1 and part of Lot 12 for the temporary construction staging area for the Hudson Tunnel Project. Since the applicant has proposed the EMS site on the part of Lot 12 designated for tunnel construction staging, discussions with PANYNJ will be required to resolve this conflict.

IX. Price of Special Hudson River Park District Development Rights

The proposed project includes the purchase of 123,438 sq. ft. of development rights from the Hudson River Park Trust. The Trust commissioned an independent entity, Appraisers and Planners, Inc. (API), to determine the value of the rights on the development site. Based on API's conclusion, the applicant has entered into a contract with the Trust to pay \$300/sq. ft., \$37 million, for the development rights. While the Trust accepted API's appraisal, CB4 and others have questioned whether \$300/sq. ft. is adequate compensation to the Trust.

API followed the following process in determining their valuation of the rights:

Comparable Sales. API examined the sales of seven comparable properties. Sale prices ranged from \$459-540/sq. ft. with an average of \$489/sq. ft. API weighted two sales in nearby West Chelsea

more heavily to conclude that \$490/sq. ft. was the proper number and thus valued the proposed project at \$361 million.

Discounted Cash Flow. API examined 15 comparables in order to determine the expected cash flows from the proposed project as programmed and concluded that it would be valued at \$295.4 million.

Blended Valuation. API weighted the sales comparison value more heavily, stating that it is the most reliable when there is an active market. They concluded that the appropriate valuation was \$342 million, or \$462/sq. ft.

Development Rights Ratio. API examined seven comparable sales of air rights. The ratio of the value of the air rights to the value of the underlying land ranged from 50-87%. They assigned the greatest weight to the two most similar sales and concluded that the appropriate ratio was 65%.

Final Valuation. API concluded that the appropriate value of the 123,438 sq. ft. to be purchased from the Trust was 65% of \$462/sq. ft., or \$300/sq. ft., a total of \$37 million.

API states that the highest and best use for the development site is for condo sales. However, since the state law precludes condos on leased land, they have used market rate rentals as an alternative. API values the difference between the two uses at \$75/sq. ft. by stipulating that the applicant would pay the Trust that amount should the rental units ever be sold as condos. This amounts to a public subsidy to the applicant and the land owner of \$9.25 million. We recommend that API should reevaluate their appraisal to reflect a valuation based on a highest and best use closer to condo sales than to market rate rentals.

The applicant is positioning the proposed development as benefiting from being across the street from the High Line and the vibrant Western Rail Yards. To the extent this is true the development rights from the park are more valuable than rights for other developments that do not benefit from this favorable location. We recommend that API should reevaluate their appraisal to reflect this by considering increasing the 65% development rights ratio.

The applicant has entered into a good faith contract with the Trust to buy development rights at a price determined by API, the Trust's independent appraiser. We recommend that DCP seek a review of API's report by someone with more relevant experience than we have. We specifically recommend the review of two fundamental assumptions, that regarding the value of the highest and best use being market rate rentals rather being than closer to condo sales, and the setting of the development rights ratio at 65% when the ratio for comparable sales ranges up to 87%.

We also request that this review take into consideration the price paid to the Trust for the development rights from Pier 40, as well as the price CPC is considering for development rights to complete the build-out of the SWCD.

X. CB4 Priorities for Hudson River Park Site Improvements

CB4 looks forward to improvements to a number of HRP sites within CD4 which will be funded by monies from the sale of development rights from the Chelsea Piers area (Piers 59, 60 and 61 and the headhouse) to the development site. Currently, the sale is expected to provide \$37 million, 80 percent of which will be allocated to capital improvements and 20 percent to capital maintenance for the HRP within CD4.

CB4 conducted a robust public discussion to select priorities for HRP sites, aided by the Hudson River Park Trust which provided information, preliminary design ideas, and cost estimates for eight sites in CD4 that need varying levels of improvement. The Board’s Waterfront, Parks and Environment Committee led these deliberations and developed a priority list reflecting the committee’s unanimous vote. The Board’s Chelsea Land Use Committee and the full Board support these priorities. If State funding is committed to one or more sites on the list, then other sites will “rise” in priority.

1. **Pier 97 Recreation Pier.** Located at West 57th Street. Design and construction of pier landscape, playground, open space, utilities and finishes to create a public recreation pier.
2. **Chelsea Waterside Park.** Located at West 23rd Street. Redesign and reconstruction of south side of park, including addition of permanent picnic area, rest room facilities and expansion of dog run with separate areas for big and small dogs.
3. **Pier 97 Upland Area.** Located at West 57th Street. Construction of esplanade and bike path, bulkhead repairs, landscaping and utilities, and a small utility building/bathroom.
4. **Gateway/Hudson River Tunnel Project Area.** This site is closest to Block 675. The Hudson River Tunnel Project path runs across HRP between West 29th and West 30th Streets. Design funding for that area plus the section from West 30th Street to West 34th Street: new esplanade, bike path and landscaping. Short term and long term proposals.
5. **Pier 66a Float Bridge.** Located at West 26th Street. Restoration of historic Baltimore & Ohio Railroad transfer float bridge.
6. **Piers 98 to 99 Upland Area.** Located at between West 58th and West 59th Streets. Construction of over-water pedestrian platform, associated utilities, pavement and railings; and construction of bikeway and walkway connection to Riverside Park South to improve circulation and safety.
7. **Area South of Pier 76.** Located from West 34th Street to the southern edge of Pier 76. Construction of new esplanade, landscaping, and beach providing public access to the Hudson River.
8. **Piers 79 – 84 Upland Area.** Located between West 39th and West 43rd Streets. Redesign and construction of walkway, bikeway and driveway to improve pedestrian and cyclists’ safety and traffic flow.

XI. Inclusion in the Special West Chelsea District

Beginning in 2003, with the original planning for West Chelsea, CB4 has requested multiple times that Block 675 be included in the SWCD. Since the creation of the SWCD in 2005, it has been expanded twice to include the Chelsea Market Block (between Ninth and Tenth Avenues, West 15th and 16th Streets – 2012) and the south side of West 15th Street between Ninth and Tenth Avenues (2015), but DCP has consistently declined to recommend the inclusion of Block 675 in the district.

One significant advantage to inclusion in the SWCD is the flexibility to address unique conditions and situations to improve the community. We propose the inclusion of the development site in the SWCD.

We recommend that the City commit to the preparation of a zoning text amendment that would include the development site in the SWCD and would exempt the floor space necessary for the EMS facility from the calculation of the site's floor area.

XII. Recommendations/Conditions

At the January 16, 2018 meeting of the Board's Chelsea Land Use Committee, and in a subsequent letter, the applicant agreed to some of the recommendations made by the committee; these points are noted in the appropriate sections below. The applicant will submit a final commitment letter to all stakeholders before the application is voted on by the City Council Land Use Committee.

CB4 appreciates the applicant's willing engagement to attempt to resolve numerous issues over an extended period. The application itself reflects several changes made by the applicant in response to our concerns, and the subsequent commitment letter reflects further discussions. CB4 nonetheless recommends denial of the application unless the following recommendations and conditions are met in the final approved application.

- **Maximum Building Height.** We recommend that the maximum height of the proposed project be limited to 550 feet. This limit incorporates a 20% increase in height from the maximum of 450 feet in the adjacent Subarea A of the SWCD immediately to the east and is a reasonable step down from the 642' heights of Hudson Yards Sites 6A and 6B in the Western Railyards to the north. **(Section IV)**
- **Mandatory Inclusionary Housing.**
 - We strongly recommend that affordable units be distributed throughout at least 80% of the proposed project's floors, that all finishes and fittings be the same in affordable and market-rate units, and that fee-based amenities be discounted for tenants in affordable units. **(Section V)**
 - The applicant has agreed that market rate and affordable units will be built with identical finishes and provided with identical appliances, including washers and dryers. They plan to offer certain amenities, such as a children's play room, without fee, and commit to discounting access fees for residents of the affordable units for other amenities.
- **Building Services and Other Issues.**
 - We recommend that loading docks, trash compactors and dumpsters be located inside buildings except during trash and recycling pickup. The applicant states that garbage will be compacted internally and stored in refrigerated receptacles until scheduled pick-up by the Department of Sanitation
 - We recommend that the parking garage accommodate environmentally-friendly vehicles such as Zip cars or similar and electric vehicles. The applicant states that they will provide space in the garage to ZipCars or other car-sharing companies if there is interest, and electric charging stations for electric vehicles.
 - We recommend that to the extent possible full size trees and complete landscaping be planted in sidewalk tree pits, and in tree planters where precluded by ConEd vaults. The applicant states that they will endeavor to maximize the number of street trees around the project subject to feasibility and site constraints, and will apply for revocable consents to use planters in locations where street trees are precluded because ConEd vaults or other infrastructure.

- We recommend that the applicant pay workers living wages with benefits, support a Community Jobs Project and rent retail spaces to local businesses. The applicant agrees to provide job postings to the Board and if possible rent ground floor retail space to locally-owned businesses as they have in the Ohm across Eleventh Avenue.
- The applicant also agrees to coordinating logistical issues such as construction deliveries and temporary street closings with the adjacent development site.
- **Mitigation of Adverse Environmental Impacts.** We recommend the following as mitigations for the adverse environmental impacts identified in the DEIS:
 - The provision of space for publicly-funded child care;
 - Reconstruction and renovation of a Chelsea recreation park;
 - And standard measures such as signal timing changes, widened crosswalks, window-wall attenuation, quieter equipment and noise barriers for traffic impacts at two intersections, pedestrian flow issues at two crosswalks and construction congestion and noise on nearby residential buildings. **(Section VII)**
- **EMS Facility.** We recommend that the city relocate the West 23rd Street EMS facility to enclosed space in the proposed project. The applicant is participating in active discussions to attempt to accommodate the Board’s request for the relocation of the EMS facility to the development site. **(Section VIII)**
- **Hudson River Park Development Rights Price.** We recommend that someone with more experience than we have review the conclusions of the HRPT’s appraisers, and in particular the highest and best use and the development rights ratio. **(Section IX)**
- **HRP Project Priorities.** We recommend that capital funds provided to HRP through the sale of development rights be allocated to the following projects listed in their ranked order.
 1. **Pier 97 Recreation Pier.** Located at West 57th Street. Design and construction of pier landscape, playground, open space, utilities and finishes to create a public recreation pier.
 2. **Chelsea Waterside Park.** Located at West 23rd Street. Redesign and reconstruction of south side of park, including addition of permanent picnic area, rest room facilities and expansion of dog run with separate areas for big and small dogs.
 3. **Pier 97 Upland Area.** Located at West 57th Street. Construction of esplanade and bike path, bulkhead repairs, landscaping and utilities, and a small utility building/bathroom.
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6. **Piers 98 to 99 Upland Area.** Located at between West 58th and West 59th Streets. Construction of over-water pedestrian platform, associated utilities, pavement and railings; and construction of bikeway and walkway connection to Riverside Park South to improve circulation and safety.
 7. **Area South of Pier 76.** Located from West 34th Street to the southern edge of Pier 76. Construction of new esplanade, landscaping, and beach providing public access to the Hudson River.
 8. **Piers 79 – 84 Upland Area.** Located between West 39th and West 43rd Streets. Redesign and construction of walkway, bikeway and driveway to improve pedestrian and cyclists’ safety and traffic flow.
- **Inclusion of the Development Site in the SWCD.** We recommend that the development site be included in the SWCD in order to implement the floor area exemption enabling the relocation of the EMS facility. The applicant agrees not to oppose the inclusion of the development site in the SWCD as long as doing so does not impact their ability to develop the site according to their plans and does not restrict their ability to rebuild or repair the building in the future. **(Section XI)**

We wish to conclude by reiterating our appreciation for the applicant’s willingness to work with the Board towards a project that benefits both the applicant and the community, and that will be an important addition to West Chelsea. We look forward to further favorable revisions as the application proceeds through the approval process.

Sincerely,



Burt Lazarin
Chair
Manhattan Community Board 4



John Lee Compton, Co-Chair
Chelsea Land Use Committee



Betty Mackintosh, Co-Chair
Chelsea Land Use Committee

- cc:
- Hon. Corey Johnson, City Council
 - Hon. Helen Rosenthal, City Council
 - Hon. Jerry Nadler, U.S. Congress
 - Hon. Brad Hoylman, New York State Senate
 - Hon. Richard Gottfried, New York State Assembly
 - Maria Torres-Springer, Commissioner, NYC HPD
 - Daniel A. Nigro, Commissioner, NYC FDNY
 - Lisette Camilo, Commissioner, NYC DCAS