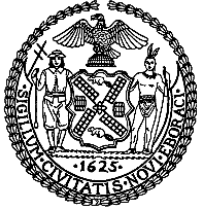


CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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Burt Lazarin
Chair

Jesse Bodine
District Manager

August 7, 2018

Maria Torres-Springer
Commissioner
NYC Department of Housing Preservation & Development
100 Gold Street
New York, NY 10038

**Re: Clinton/Hell's Kitchen RFP
DEP (705 Tenth Avenue) and MTA (806 Ninth Avenue)
Affordable Housing Sites**

Dear Commissioner Torres-Springer,

At its July 11, 2018 meeting, the Clinton/Hell's Kitchen Land Use Committee of Manhattan Community Board 4 (MCB4) discussed the addendums issued to the Clinton/Hell's Kitchen RFP. The RFP was released by the Department of Housing Preservation and Development (HPD) on April 9, 2018, and outlines the requirements for creating affordable housing on publicly-owned sites. The first site is a Metropolitan Transportation Authority site at 806 Ninth Avenue between West 53rd and West 54th Streets ("MTA Site"). The second site is the Department of Environmental Protection site at 705 Tenth Avenue between West 48th and West 49th Streets ("DEP Site"). The City committed to developing both sites as affordable housing as part of the Western Rail Yards Points of Agreement (WRY POA) on December 10, 2009.

On July 25, 2018, following the counsel of its Clinton/Hell's Kitchen Land Use Committee, Manhattan Community Board 4 by 28 in favor, 0 opposed, 0 abstaining, and 1 present but not eligible, voted to recommend that HPD work with RFP respondents to produce a development plan that will reflect the information outlined below.

Background

The MTA Site, located at 806 Ninth Avenue between West 53rd Street and West 54th Street, was formerly a bus depot built in 1906. It was demolished in 1996. The site is currently a vacant lot.

The DEP site, at 705 Tenth Avenue, between West 48th Street and West 49th Street, is a Third Water Tunnel Access Shaft site. As of October 2016, the site has been vacated. DEP is now working with the City to allow for the development of affordable housing by HPD and public open space to be designed and maintained by the New York City Department of Parks and Recreation on the site.

Both sites are located within the Special Clinton District — a special district “created to preserve and strengthen the residential character of a community bordering Midtown, maintain a broad mix of incomes, and insure the community is not adversely affected by new development”¹. The community and MCB4 have long worked toward the goal of preserving affordability through restrictions on residential demolitions as well as planning for the development of new affordable units.

The RFP was released on April 9, 2018 and has had three addendums issued to date:

- Addendum 1 – issued May 30, 2018
- Addendum 2 – issued June 12, 2018
- Addendum 3 – issued July 5, 2018

The addendums are intended to assemble the most frequently asked questions about the RFP and provide clear answers so all respondents have the same information. However, upon reviewing the addendums, MCB4 found several issues, including inconsistencies with the Western Rail Yards Points of Agreement and other commitments previously made by HPD.

Responses to the RFP were due on July 13, 2018.

Single Developer

In its first Addendum, HPD stated that it is “open to selecting one development team for both sites,” adding that “[i]f different teams have the top proposal for each site, HPD may select more than one development team.

The Board has consistently stated its preference for a single developer. This requirement will make the construction management and engagement with the community more efficient from the community’s prespective.

No Supportive Housing in Either Site

In Question 11 in Addendum 1, HPD suggested that supportive sites could be included in either site.

MCB4 requests that no supportive housing be included in these sites. The Community District has a great degree of supportive housing in the area. These buildings total 1,860 units².

¹ [Department of City Planning](#)

² See Attachment A: Supportive Housing in MCD4

The Board welcomes supportive housing in our community. However, these sites have long been envisioned as providers of affordable apartments for families at 80% to 165% of the Area Median Income.

Project Costs for MTA Site – 806 Ninth Avenue

HPD has set forth the following requirements for the MTA Site:

- Walls separating the MTA garage from other uses must be blast resistant
- Walls separating MTA office space from other uses must be blast resistant
- All MTA uses, with the exception of parking, must be above grade
- Separate egress must be provided to the MTA office space
- Separate egress must be provided to the MTA garage
- MTA must have separate mechanical systems, with a preference for a separate entrance for MTA

Collectively, these requirements will result in a cost burden for the project. The Board requests that HPD work to develop economical solutions to ensure that MTA's needs are met and that the development of affordable housing on the site is not hindered by these requirements.

Lot line windows at DEP Site

In its first Addendum, Question 49 provides a link to a DOB bulletin regarding lot line openings in lieu of stating that the windows on the eastern side of the DEP Site will not be considered lot line windows due to the required open space to the east.

MCB4 requests that HPD clarify with all potential developers that the windows on the eastern portion of the site are not lot line windows.

Parking at DEP Site

In Question 51 in Addendum 1, HPD stated that parking can be included in the DEP Site.

The Board requests that the site not include parking, especially since there will be a minimal cellar and FAR should be used for residential space.

Streetwall

In Question 40 in Addendum 1, HPD noted that the louvers for the MTA site must be approximately 40 feet above grade.

MCB4 would like to note that the proposed building will be required to have a height of 85 feet along the Ninth Avenue frontage and of 99 feet on West 54th Street, beginning 50 feet east of Ninth Avenue and through the midblock. Per Section 96-332 of the Zoning Resolution, the streetwall on the eastern portion of the site must be a minimum of 50 feet. A design for the louvers will have to take these requirements into consideration.

Other Issues

HPD must make it clear that any specifications outlined in the WRY POA are further conditions to the zoning requirements. Although Adendum 2 does state that this is the case with respect to bulk regulations, HPD should continue to make it clear to potential developers that *all* of the details in the WRY POA must be complied with.

Conclusion

MCB4 thanks HPD for its long and productive engagement with MCB4 on these important affordable housing developments. We look forward to working with HPD and with the developer to ensure that these projects honor the commitments made in the Western Rail Yards Points of Agreement.

Sincerely,



Burt Lazarin
Chair
Manhattan Community Board 4



Jean-Daniel Noland
Chair
Clinton/Hell's Kitchen Land Use Committee

Enclosure

Cc: Hon. Jerry Nadler, U.S. Congress
Hon. Brad Hoylman, New York State Senate
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Richard Gottfried, New York State Assembly
Hon. Linda Rosenthal, New York State Assembly
Hon. Corey Johnson, Speaker, New York City Council
Hon. Helen Rosenthal, City Council
Kevin Parris, Housing Preservation and Development
Zlata Kobzantsev, Housing Preservation and Development
Eunice Suh, Housing Preservation and Development
Lacey Tauber, Housing Preservation and Development
Annie White, Department of City Planning

ATTACHMENT A
Supportive Housing in MCD4

Street Address	Street Name	Development Name	Developer	Current # of Units
105	West 17th St.			18
226	West 20th	Volunteers of America		52
527	West 22nd St.	Flemister House		50
300	West 46th St.		CHDC	70
327	West 43rd St.		Project Return	6
347	West 37th St.		Fountain House	30
424	West 47th St.		Fountain House	15
441	West 47th St.		Fountain House	19
454	West 35th St.		CHDC	55
552	West 53rd St.		CHDC	53
351	West 42nd St.	Holland House	Project Renewal	300
155	West 22nd St.	St. Francis II	Franciscans	115
148	8th Ave.	St. Francis III	Franciscans	80
448	West 48th St.		Project Renewal	41
427	West 52nd St.	Covenant House		21
255	West 43rd St.	Times Square Hotel	Common Ground	652
516	West 50th St.	Postgraduate Center Community Residence I		21
521	West 49th St.	Clinton Family Inn	Homes for the Homeless	18
475	West 57th St.	The Aurora	Common Ground & The Actors Fund of America	178
502	West 42nd St.		CHDC	66

1,860