



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.nyc.gov/mcb4

**LOWELL D. KERN**  
Chair

**JESSE BODINE**  
District Manager

## **Clinton/Hell's Kitchen Land Use**

### **Transcript of the City Planning Commission meeting on Establishment of the Special Clinton District**

#### **City Planning Commission**

#### **October 21, 1974 Calendar #1 CP-22758**

Amendments of the Zoning Resolution pursuant to Section 200 of the New York City Charter relating to various Sections concerning the establishment of a Special Clinton District.

The Special Clinton District, which would replace the Special Clinton Interim Preservation District, is the result of a combined effort with the community for a plan to preserve the residential core of the Clinton community - a stable, low-rise, low and moderate income neighborhood and to meet other special planning goals for the neighborhood. Also included in this proposal are text changes in the Special Theatre District which expand the choice of bonusable amenities for developers along the easterly frontage of 8th Avenue so as to permit such development to help achieve the objectives of the Special Clinton District.

On August 28, 1974 (Cal. #2) the Commission scheduled a PUBLIC HEARING on the proposed amendments. The public hearing was held on September 23, 1974 (Cal. #29) and continued to October 16, 1974 (Cal. #28).

Numerous speakers in favor of the amendments including the Councilman for the Clinton area, an Assemblyman for the Clinton area, a Councilman-at-Large for the Borough of Manhattan, the executive vice-president of the New York City Convention and Exhibition Center Corporation, the planning consultant for the Clinton study, a representative of the Citizen's Housing and Planning Council, representatives of the Clinton Steering Committee, the Clinton Neighborhood Board as well as several residents of the Clinton community.

Those in favor of the Special District expressed the opinion that this was an equitable mechanism for guiding development in the Clinton area which would help maintain the character of Clinton as a viable and stable residential neighborhood. Some residents of the Perimeter Area expressed concern that upzoning in the Western Perimeter Area would exert strong pressure for redevelopment of that area.

The speakers in opposition included representatives of the Citizens Committee for Equal Justice in Clinton, representatives of parking lot owners in the Clinton area and several

property owners in the area. Those in opposition expressed concern that the Special District regulations could thwart development in some portions of the District.

The President of the City Council appeared and expressed concern about the problems of waterfront related jobs and industry.

Representatives of Consolidated Edison were concerned about the effect of the Special District on their property within the District area. The hearing was closed.

#### CONSIDERATION

Last year the Special Clinton Interim Preservation District passed by the City Planning Commission and the Board of Estimate, imposed a series of temporary one-year controls within the Clinton area to permit the City together with the affected community to prepare a plan for the affected area and a permanent special zoning district in implementation thereof. Since that time, community and City representatives working with a planning consultant have been working to develop a community plan to bolster and strengthen the community and protect it from pressures generated by the new Convention Center slated to be built along the Hudson River between West 45th and West 47th Streets. Many of the zoning recommendations of that plan, [Clinton: A Plan for Preservation](#), are incorporated in this special zoning District.

This report as modified by the special zoning district constitutes a well considered plan for the area. The study for that plan was undertaken by the consulting firm of Weiner/Gran. For the period of the study a subcommittee composed of Weiner/Gran, representatives of the Clinton community, the City Planning Commission, the Housing and Development Administration and the Office of Midtown Planning and Development actively participated in reviewing and discussing all the ideas and information that finally appeared in the report.

This study process was made possible by a foundation grant. It is hoped that the subcommittee will continue to refine and help administer the provisions of the Special District. It is our hope that additional foundation funding will be available to permit continuance of the useful work of this group.

The study examined the existing conditions in Clinton including: land use, traffic and transportation, local economy, population, housing, community facilities and open space and assemblage. The final report contained various proposals for the future development of Clinton which included: a special zoning district, use of housing subsidies to preserve and rehabilitate housing, measures for improving the local economy, recommendations for traffic in the area, an open space program and recommendations concerning decentralization of services in the area.

According to the Weiner/Gran Study, the primary housing goal in Clinton is to rehabilitate the existing housing and retain rent levels that the current tenants can afford. Municipal loans alone are not adequate to do this, and the study recommends coupling them with either land write-downs or rent supplements. In response to deteriorating effect of speculative land assemblages on Clinton's housing, increased code enforcement by the area office is recommended. The report suggests that instead of receiving a FAR bonus for providing a plaza, developers of luxury housing and office buildings in the Perimeter Area should receive bonuses for housing rehabilitation or other community needs. The report is critical of high-rise developments and recommends that the Preservation Area be

developed only with low rise housing that conforms to the existing neighborhood scale. To facilitate this, parking requirements should be waived. The consultants stress the importance of providing new and rehabilitated housing at moderate rent levels. They also feel that tenant education and cooperative ownership should be encouraged in order to help maintain a stable community.

The information, ideas and recommendations of the Clinton Plan are reflected in the special zoning district which provides for the balanced development of Clinton.

Planning must take cognizance of the changing needs of the community. With the advent of the Convention Center, a necessary facility of city-wide importance, on the Western perimeter of Clinton, pre-existing zoning failed to protect the community from speculative development pressure. Without a Convention Center in this location a different zoning package might have been appropriate. The provisions of this Special District are meant to deal with the predictable development pressures caused by the construction of the Convention Center.

The proposed Special District preserves the bulk of the Clinton residential and manufacturing community but provides for controlled development on the perimeter of the neighborhood. It would divide Clinton into four areas.

**PRESERVATION AREA** - The Preservation area would form the core of the special district. Its boundaries are designed to include the heart of the Clinton neighborhood and the bulk of the area's sound housing.

Demolition of sound buildings containing housing in this area would be forbidden without a special permit from the City Planning Commission and Board of Estimate. To issue a demolition permit, the Commission would have to find that the building was ineligible for rehabilitation under any publicly assisted program, that tenants living in the building would be properly relocated and that the new building would contain enough apartments to replace the demolished structure.

New buildings on side streets would be limited to 66 feet or seven stories -- whichever was more restrictive. The area would be conditionally zoned R8, but building bulk would be restricted to that of R7-2 districts; this would encourage the construction of five- and six-story buildings in harmony with the rest of the neighborhood.

Major thoroughfares would be zoned for ground floor commercial uses to encourage lively neighborhood retail shopping. Portions of the area zoned for higher density commercial uses would be subject to the same bulk restrictions as the R8 areas.

It was the Commission's intention to limit residential bulk and density in the Preservation Area to the level permitted in R8 Districts. A lot area per room control was spelled out in the legislation to clarify this point. This together with the requirement that 3 1/2 rooms be the average number of rooms in a dwelling unit and that at least 20 percent of the dwelling units contain at least 4 1/2 rooms would assure apartments of the type that would meet the needs of the community.

To achieve this same end in the Mixed Use Area dwelling units in rehabilitation-type enlargements, extensions or alterations of residential buildings must have an average of 3 1/2 rooms with no increase in the number of dwelling units permitted.

Because no new residential buildings are allowed in the Mixed Use Area, a density control is necessary only for rehabilitation of existing buildings. A prohibition against increasing the number of dwelling units serves this purpose. It will avoid placing undue hardship on owners of dwelling units who wish to perform moderate rehabilitation on buildings whose present number may not comply with the lot area per room requirement of the Preservation Area. Although the control in the Mixed Use Area is therefore slightly different than in the Preservation Area, this difference relates to the underlying difference in character between the predominantly residential Preservation Area where new residential development is to be encouraged and the Mixed Use Area where a large portion of the land is in non-residential use which is not sought to be disturbed.

PERIMETER AREA - The perimeter area would be zoned to permit high density residential and commercial development. Through the provisions of the Special District, new construction in the perimeter area would be able to benefit the preservation area. Builders in the certain portions of perimeter area could receive building bulk bonuses of up to 20 percent for rehabilitating housing in the preservation area and maintaining rents in this rehabilitated housing at \$37 per room per month. Bulk bonuses could also be gained by developing and maintaining parks on land already vacant within the preservation area. Rentals from the additional space the owner would be permitted to build could help to subsidize rentals in the rehabilitated buildings or pay for park maintenance.

In portions of the perimeter which are proposed to be upzoned (the Western Perimeter), demolition of buildings involving eviction is conditioned upon the developer's meeting the requirements for a certificate of eviction under the Rent Control Law, whether or not the units are in fact rent controlled. In those portions of the Perimeter Area to be upzoned (the Eastern Perimeter), demolition of buildings containing residential uses will require certification by HDA that applicable legal requirements concerning eviction have been met