



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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Chair

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District Manager

November 10, 2014

Ms. Vicki Been
Commissioner
Dept. of Housing Preservation and Development
100 Gold Street
New York, NY 10007

**Re: 401 West 31st Street, New York, New York
Inclusionary Housing—Low Income Housing Plan Application**

Dear Commissioner Been:

The Low Income Housing Plan Application (the “Application”) for BOP MW Residential LLC (the “Applicant”) development at 401 West 31st Street aka Manhattan West Residential (the “Project”) was discussed at the September 23, 2014 meeting of Manhattan Community Board 4’s (CB4) Housing Health and Human Services (HH&HS) Committee. CB4 voted to recommend **approval** of the Application **with conditions**.

The Project: An Overview

The project will be a newly constructed 62 story, 844 unit building at 31st Street and Dyer Avenue, which is currently designated as Block 729, Lot 50 on the Tax Map of the City of New York (the “Site”) The Site consists of approximately 67,600 square foot area which is made up of a parcel of land and a platform that is currently being constructed over an existing rail yard. The project is located on the north side of 31st Street between 9th and Dyer Avenue in New York.

The Project will consist of 844 residential units. 169 of the units will be for families earning no more than 60% of AMI. These Inclusionary Housing units will consist of 53 studios, 89 one bedroom apartments, 25 two bedroom apartments and 2 three bedroom apartments. CB4 commends the Applicant for voluntarily providing Inclusionary Housing on a site which does not mandate it.

Housing Program

The Project is an 80/20 rental building financed with both taxable and tax-exempt bonds from the New York State Housing Finance Agency with the Project also expecting to receive a 20 year 421A partial real estate tax exemption benefit. The 80/20 Program requires that 20% of the apartments, 169 units, be affordable to low income individuals and families. Those same 20% low income units are made permanently affordable through a deed restriction under the New

York City Inclusionary Housing Program. The Application, submitted to the New York City Department of Housing Preservation and Development (HPD) by the Applicant will govern the 169 apartments which will be created under the Inclusionary Housing program and made available to those at or below 60% of Area Median Income (AMI). The Inclusionary units will be subject to a 50% community preference.

NOW, therefore, be it resolved that Manhattan Community Board 4 recommends approval of the Application for **401 West 31st Street, New York, New York, *provided the following conditions, which have been agreed to by the Applicant, are included in the Lower Income Housing Plan executed by HPD:***

Amenities

The Project amenities

- For all tenants at no charge:
 - Ground floor -- lounge & bike repair room
 - 2nd floor – Child’s playroom
 - 3rd floor – lounge, library, game room and “crash pad”
 - 4th floor – laundry
- For affordable tenants at a 50% discount
 - Bike storage room
- For affordable tenants at 20% discount
 - Health club, including climbing wall, basketball courts
 - 62nd floor – Dining room, lounge, outdoor space and outdoor grills

While the Board understands that a fee may be appropriate for an indoor dining room, ***any outdoor space***, in an 80-20/Inclusionary Housing building should be ***free of charge*** for all tenants irrespective of income.

Apartment Distribution

Among Floors

- Affordable units shall be distributed throughout 71% of the floors with at least one unit on each floor and no more than 34% of the total units on each floor being affordable. CB4 acknowledges that HPD only requires apartment distribution throughout 65% of the floors and appreciates that the Applicant has exceeded that minimum.
- However, given the scale of the project, with 800,000 s.f. and 844 apartments, in a complex that includes two office towers with over 4,000,000 s.f. of commercial space, CB4 is disappointed that Brookfield is unwilling to meet CB’s request that the units be distributed to at least 80% of the floors.

The Board reiterates its longstanding policy that the developer should integrate the affordable units among 100% of the floors.

Within Floors

- The Applicant stated at the HH&HS Committee Meeting that the units will be distributed amongst all of the building exposures. CB4 requests that the Applicant confirm this in writing.

Apartment Finishes

- CB4 is pleased that the Applicant has agreed to provide the same finishes in the affordable units as is in the market-rate units, which include:
 - Kitchen -- all appliances, including refrigerator, stove and dishwasher (additionally there is a washer/dryer in all units); white matte Thermofoil, cabinets, and granite countertops, wood flooring
 - Bathrooms – white/light blue penny tile, Porcelain floor tile, glossy white Thermofoil vanity, wall mounted Tecla Nameek sink; Kohler integral apron
 - Flooring in living room and bedrooms – Stained engineered wood flooring

Thank you for the opportunity to provide comments and submit recommendations on this important application.

Sincerely,

[signed 11/9/2014]

Barbara Davis, Co-Chair
Housing, Health &
Human Services Committee



Joe Restuccia, Co-Chair
Housing, Health &
Human Services Committee



Christine Berthet
Chair
Community Board 4

CC:

Brad Hoylman, NYS Senator
Richard Gottfried, NYS Assemblymember
Linda Rosenthal, NYS Assemblymember
Jerrod Nadler, Congressman
Gale Brewer, Manhattan Borough President
Corey Johnson, NYC Councilmember
Helen Rosenthal, NYC Councilmember
Thehbia Walters, NYC Dept. of Housing Preservation and Development