



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

September 30, 2008

Arden Sokolow
Director, Inclusionary Housing
NYC Department of Housing and Preservation
100 Gold Street
New York, NY 10007

**Re: 439 West 53rd Street
Proposed Inclusionary Housing, Special Clinton Zoning District**

Dear Ms. Sokolow,

Manhattan Community Board 4 recommends disapproval of the above referenced project as currently proposed based upon the following:

- The use of Inclusionary Housing should not supplant or replace existing public funding programs that serve special needs populations
- The current proposal is for social service supported housing limited to formerly homeless special needs population, not the general population.
- The units will be rented only to formerly homeless mentally ill individuals currently living in Ivan Shapiro House, not accessible to community residents or the general population.
- While the proposed building is consistent with the scale and character of the surrounding blocks, the unit distribution is weighted toward studios, not family housing.
- The units will be restricted to income eligible persons making less than 60% of the Area Median Income, not 80% of the Area Median Income, due to the developer using Tax Exempt Financing for construction.
- The proposed Administering Agent and Fee Owner after completion, Urban Pathways, presented the building as a residence not permanent rent stabilized housing

The Proposed Project

The Arker Companies propose to construct a new building with 10 apartments comprising 8 studios and two 2 bedrooms. The proposed Fee Owner after construction would be Urban Pathways, a social service organization which works with homeless individuals. The building

would be built by Arker and deeded to Urban Pathways, for no consideration. Arker would retain the development rights for sale to the private market.

Urban Pathways would tenant the building, not through a lottery with community preference, but only through referrals from its residence on West 46th Street, Ivan Shapiro House. The two 2 bedroom units would not be occupied by families by shared by two referred clients. Urban Pathways would operate a social service office on the ground floor and apply to the NYS Office of Mental Health for an program funds to pay both rent for its clients and provide support services.

The Board's Policy Concerns

- The Board's long held policy on R10 Inclusionary Housing is to target such housing for families and individuals earning 80% of Area Median Income (AMI). That is a population for which very few housing development programs exist. Further, the majority of Inclusionary Housing in the Board area has been built as part of 80/20 projects with Tax Exempt Financing which mandates income of at or below 50% AMI. This project by using that same financing excludes the income ranges from 50% to 80% of AMI.
- Inclusionary Housing should available to the general population and not restricted to a single special needs population. The Board has and will continue to welcome housing for lowest income New Yorkers with a variety of social service needs. However, multiple affordable housing funding programs exist to serve those populations, while Inclusionary Housing must serve the general low income population.
- The developer acquired the site for \$390 per square foot, high even for the Clinton private real estate market. The use of Inclusionary Housing coupled with a social service component should not serve to subsidize a high purchase price.

The Board therefore requests the following from the developer and Urban Pathways:

- The developer return to the Board with a plan for family housing at 80% of AMI, with fewer larger family sized units; and
- Urban Pathways work with the Board to identify a site, to be funded by a combination of State and City funds, to construct permanent supportive housing to meet the long-term housing needs of it residents at Ivan Shapiro House.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan Community
Board No. 4

[signed 09/30/08]

Sarah Desmond
Co-Chair
Housing, Health & Human
Services Committee



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