



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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

COREY JOHNSON
Chair

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

February 19, 2013

Aileen Gribbin
Forsyth Street Advisors
588 Broadway, Suite 1208
New York, New York 10012

**Re: 301 West 46th Street
Lower Income Housing Plan Application -- Cure and Inclusionary**

Dear Ms. Gribbin:

At the November 15, 2012 meeting of Manhattan Community Board 4's (CB4) Housing, Health and Human Services (HH&HS) Committee, Forsyth Street advisors, acting as the representative for the developer, Riu Hotels, presented a Lower Income Housing Plan Application, for both Cure and Inclusionary units, for their planned project at 301 West 46th Street.

The proposed project site, 301 West 46th Street, is part of a larger development site that encompasses five building lots and the transfer of development rights from three adjacent lots, and extends almost the full length of the Eighth Avenue frontage between West 46th and West 47th Streets. A component of the project is a zoning-mandated Cure for Harassment on Lot 30.

A Cure for Harassment is required on Lot 30 because 301 West 46th Street has a documented history of severe tenant harassment. The New York City Department of Housing Preservation and Development (HPD) formally denied a Certificate of No Harassment on May 21, 2007 thereby making it subject to Section 96-110(3) of the NYC Zoning Resolution, the Harassment Cure provision of the Special Clinton District, which requires that any development on a site with a finding of harassment dedicate i) 28% of the square footage of the building as affordable housing in perpetuity, or, ii) 20% of the entire development site, whichever is greater.

Current Plan

Riu Hotels is planning to build two hotels on the larger development site, one geared to a business traveler clientele and the other to a tourist clientele. Additionally, in partnership with Settlement Housing Fund, they will be building both Cure and Inclusionary Housing on Lot 30, which will be a separate condominium. Located in one building, the housing will consist of 12 total units, 2 of which will be inclusionary. Both of the Inclusionary units will be three-bedrooms. The Cure units will consist of three 3-bedrooms, six 2-bedrooms, and 1 2-bedroom super's unit.

Preliminary Board Review

The Committee would like to thank Forsyth Street Advisors for their presentation of the project. The Committee was pleased with the presentation and raised many discussion points. While discussion of specifics was difficult due to the PDF of the plans being unreadable, CB4 subsequently received a PDF that could be clearly read. Due to the robust discussion at the meeting, the Committee asked Forsyth Street Advisors to return to the Committee with more complete information. Specifically, the Committee raised concerns about the finishes, the treatment of the façade of the residential building (it reading as commercial), whether the building systems for the residential building would be functionally separate, and having multiple curb cuts for loading on West 46th Street's Restaurant Row.

Unit Count and Distribution

Additionally, the Committee had a lengthy discussion about the proposed size and distribution of units. After a full discussion, the Committee recommended that the overall number of units in the residential building should increase. Since the building originally contained 46 units, the Committee recommended that the Cure should focus on having fewer three-bedroom units, which are difficult to tenant, and focus more on one- and two-bedroom units, which would increase the overall unit count. While CB4 appreciates the focus on family-sized units, it does not believe the ratio of three-bedroom units to total units is appropriate at this site.

Building Separation—Cure Lot

Plans for this site have been presented to CB4 in the past by various owners and CB4 is pleased that the current owner seems to be making the project a reality. However, the Board remains concerned that in the future the two hotels could be combined to function as one hotel or at least share components. As this combination of lots would trigger a need for a larger amount of Cure square footage, CB4 asks that HPD work with CB4 and the developer to implement specific provisions that would prevent this future connection.

CB4 looks forward to your return to the HH&HS Committee for further review.

Sincerely,



Corey Johnson
Chair

cc: Commissioner Mathew Wambua – HPD
NYC Council Speaker Quinn
Ruthanne Visnauskas, Miriam Colon, Alisha Ozeri, Sara Levenson – HPD
David Wrobel
Riu Hotels
Carol Lamberg – Settlement Housing Fund