

June 12, 2002

Hon. Amanda M. Burden  
Chair  
City Planning Commission  
22 Reade Street  
New York, NY 10007

**Re: Encore West Residence – 755-765 Tenth Avenue between 51<sup>st</sup> and 52<sup>nd</sup> Streets - Block 1080, part of lot 25 - Clinton Urban Renewal Area Site 9C – Application by the Department of Housing Preservation and Development (ULURP No. 020547)**

Dear Chair Burden:

At its regularly scheduled monthly full board meeting held on June 5, 2002, Manhattan Community Board No. 4 held a duly-noticed public hearing on the captioned application and, having considered the report of its Clinton Land Use and Zoning Committee, voted to **recommend approval** of this application by adopting the following resolution (40 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible to vote).

**Whereas**, the New York City Department of Housing Preservation and Development (HPD) proposes to dispose of city-owned property in the eastern portion of Site 9C in the Clinton Urban Renewal Area to facilitate construction of an eight story building known as Encore West Residence, with 84 units of housing for elderly persons of low income to be developed by Encore Community Services under the federal Section 202 Supportive Housing for the Elderly Program; and

**Whereas**, the site is within a C6-3 zoning district, which permits a residential FAR (R9 equivalent) of 7.52; the proposed Encore West Residence has an FAR of 5.06, and lot coverage and height that are considerably less than the maxima permitted by zoning; and

**Whereas**, Encore Community Services has met repeatedly with this Board's Clinton Land Use and Zoning Committee since the inception of its plans for this site, to ensure that the community remained informed about the project and that community concerns regarding the project were taken into account; and

**Whereas**, this Board has consistently supported the proposed project, because it helps to realize two of the key principles of a community plan for the Clinton Urban Renewal Area, which are to create more low income housing and to encourage low-rise development on the frontage of the west side of Tenth Avenue to match the low-rise character of the east side on Tenth Avenue; and

**Whereas**, this Board recognizes that federal regulations place significant financial and program limitations on the project (notably, the prohibition on ground floor commercial space, which would have enlivened the street wall and provided additional financial support for the project), and commends Encore Community Services and its architects for the efforts they have made, despite those limitations, to respond to community concerns regarding design of the building's entry and the importance of façade treatments that are consistent with and complementary to the façades of neighboring buildings; and

**Whereas**, the site now consists of three vacant residential buildings and a vacant lot that is being used as a Green Thumb community garden known as Oasis I; and

**Whereas**, the Oasis I Garden is subject to a temporary restraining order (the TRO) entered in a lawsuit brought by the State of New York against the City of New York in a dispute over the sale or transfer by the City of certain properties containing Green Thumb community gardens; the TRO prohibits the City from physically altering or selling City-owned Green Thumb community gardens pending resolution of the dispute; and

**Whereas**, the Oasis I gardeners have participated in the Clinton Land Use and Zoning Committee's consideration of this project from the outset; space for a larger "replacement" community garden will be made available to them around the corner on 52<sup>nd</sup> Street, as part of the redevelopment of CURA Sites 8 and 9C for which HPD is now reviewing proposals; and the Oasis I gardeners have expressed their satisfaction with the arrangement and their willingness to vacate the site and are supporting the proposal for the Encore West Residence; and

**Whereas**, HPD has advised Encore Community Services that it believes that the community garden lawsuit can be resolved in a timeframe that will not delay the Encore West Residence project; and

**Whereas**, the Board wishes to commend all parties involved in the proposed projects, including in particular HPD, for their efforts at last to make such significant progress toward realizing the goals established for the Clinton Urban Renewal Area many years ago.

**Therefore, Be It Resolved**, that Manhattan Community Board No. 4 enthusiastically recommends approval of this ULURP application; and be it

**Further Resolved**, that Manhattan Community Board No. 4 vigorously encourages the State and the City to resolve the community garden lawsuit in a manner that will not delay the Encore

**Hon. Burden**  
**June 12, 2002**  
**Page 3 of 3**

West Residence project or, should such a resolution not be possible, to release the Oasis I Garden from the TRO so that this opportunity to develop scarce and vital senior housing is not lost.

Sincerely,



Simone Sindin  
Chair  
Manhattan Community Board No. 4

Anna Hayes Levin  
Chair  
Clinton Land Use & Zoning Committee

This letter was passed at Manhattan Community Board No. 4's June 5, 2002 full board meeting.

cc: Hon. Michael Bloomberg, Mayor  
Hon. C. Virginia Fields, Manhattan Borough President  
Hon. Jerrold Nadler, United States Representative  
Hon. Eric Schneiderman, State Senator  
Hon. Richard Gottfried, State Assemblymember  
Hon. Scott Stringer, State Assemblymember  
Hon. Gale Brewer, City Councilmember  
Hon. Christine Quinn, City Councilmember  
Hon Jeryline Perine, HPD  
Michael Polo, HPD  
Sr. Elizabeth Hasselt