



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**CHRISTINE BERTHET**  
Chair

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

January 13, 2014

Ruthanne Visnauskas  
Commissioner  
NYC Dept. of Housing Preservation & Development  
100 Gold Street  
New York, NY 10038

**Re: Hudson Yards Points of Agreement  
Harborview Terrace  
Proposed Permanent Affordable Housing RFP**

Dear Commissioner Visnauskas:

At the December 19, 2013 meeting of Manhattan Community Board 4's (CB4) Housing, Health and Human Services (HH&HS) Committee, a presentation was made by the NYC Department of Housing Preservation and Development (HPD) and the New York City Housing Authority (NYCHA) on a planned Request for Proposals (RFP) for a permanently affordable housing development on the Harborview Terrace site at West 56<sup>th</sup> Street, just east of 11<sup>th</sup> Avenue. This RFP is part of the affordable housing commitments made by the Mayor to City Council and finalized in the Hudson Yards Points of Agreement (HY POA) in 2005. CB4 has been a strong advocate for this project over the years and is pleased that HPD is engaging with both CB4 and the Harborview Tenant Association to draft an RFP that is responsive to the concerns of the community.

**Background**

The project site is approximately 34,000 square feet and is currently used as a 37 car NYCHA tenant parking lot and basketball courts. The site is located through block between West 55<sup>th</sup> and West 56<sup>th</sup> Streets, between 10<sup>th</sup> and 11<sup>th</sup> Avenues, on the northern block of Harborview Terrace and is part of the former Clinton Urban Renewal Area (CURA) that was condemned for affordable housing in 1969. The site is part of a 1974 Large Scale Residential Development (LSRD) that encompasses both the north and south blocks of Harborview Terrace.

In 2005, Council and the Administration agreed to develop affordable housing on the NYCHA Harborview Site and committed that the site would generate 155 affordable units, including 63 low-income units (up to 60% of AMI), 46 moderate income units (up to 135% AMI) and 46 middle income units (up to 165% of AMI). The HY POA stated that the new building would be no taller than the existing Harborview building. The HY POA also noted that all of the units would be permanently affordable and NYCHA and HPD would lead the development of the site.

An RFP was issued according to these parameters in 2007 and Atlantic Development Group was selected as the developer. The Uniform Land Use Review Procedure (ULURP) application for the project was certified in May 2008 and was approved by Council in November 2008. CB4 did not support the original project for several reasons including:

- The inclusion of market-rate units that were never agreed to in the HY POA.
- The creation of a floor area bonus through the Inclusionary Housing Program.
- The project only generated 72 moderate and middle income units, less than the 92 moderate and middle units committed to in the HY POA.
- The majority of the proposed units were studios and one bedroom apartments that did not meet the community's need for family-size units.
- The project included a concentration of senior housing. CB4 believes that senior housing should be integrated throughout the community.

The original developer encountered legal issues and the project did not proceed.

In August of 2013 (copy of letter attached), the Council and the Administration agreed to release a new RFP for the project on or before December 31, 2013. CB4 has agreed to push that date back into 2014 in order to allow for more community input into the parameters of the RFP. The developer that is awarded the project will need to submit a new ULURP application for, at minimum, a Special Permit to build over a rail cut and modifications to the existing LSRD.

### **Community Requests and Concerns**

The December 19, 2013 HH&HS meeting was well attended by residents of the community and members of the Harborview Tenant Association as well as representatives from the office of Manhattan Borough President Gale Brewer, Assembly Member Linda Rosenthal, and Council Member Helen Rosenthal. The Board and members of the public each expressed a broad variety of concerns. At the same time, CB4 is very pleased that as part of this second round RFP, HPD and NYCHA are meeting with CB4 and the Harborview Tenant Association to develop its parameters prior to the RFPs issuance. CB4 is hopeful the concerns noted below can be addressed and resolved prior to the RFP being issued. Among the community concerns are:

- **Public Process**
  - It is critical that HPD and NYCHA engage with CB4, the Harborview Tenant Association and the community at each step along the way, from the RFP through ULURP and construction.
- **NYCHA Revenue**
  - NYCHA and HPD noted that this project is being contemplated as a ground lease and not an outright sale to a developer. NYCHA represented, and CB4 supports, structuring this deal as a ground lease with income from that ground lease going towards repairs and capital improvements at the Harborview Terrace campus.
- **Site Planning**
  - Design guidelines
    - Contextual design - Parameters must be developed for contextual design and integration of the new building(s) into the existing Harborview campus.

- Distance between buildings - The site plan must provide for adequate light and air for tenants of the existing Harborview buildings.
    - Limited height – The height of the new building(s) should be limited to provide light and air to existing buildings and spaces and to work within the context of the site.
  - Integrating existing NYCHA facilities
    - NYCHA tenant parking – NYCHA must confirm the number of NYCHA tenant parking spaces being impacted and the current number of permit holders. The RFP must provide for replacement of those spaces in an enclosed garage on the site as well as for interim parking during construction.
    - Playground – The Harborview playground cannot be diminished in size.
    - NYCHA dumpsters – Any relocation of existing NYCHA dumpsters must be integrated into the site plan.
- **Open Space**
  - Open space improvements – The RFP should provide parameters for improvements to the existing open spaces on the Harborview campus.
  - Existing trees - Approximately 11 existing trees may be impacted by the new development. The RFP should provide for one-for-one replacement of trees on the Harborview campus.
- **Building Design and Program**
  - Market Rate Units – The RFP must not allow for any market rate units to be built on the site.
  - Maximizing units – The RFP should allow for the maximum amount of permanently affordable units. Units must be distributed as follows according to the HY POA:
    - 63 low-income units (up to 60% of AMI);
    - 46 moderate income units (up to 135% AMI); and
    - 46 middle income units (up to 165% of AMI).
  - Additional Units – The RFP should include preference for additional permanently affordable units. CB4 and the Harborview Tenant Association CB4 agree that those units should be permanently affordable to low income households with maximum income up to 80% of AMI.
  - Unit Sizes – The RFP will require at least 50% two-bedroom units and should encourage some three-bedroom units.
  - Lottery Preferences:
    - The Community Preference for units during the lottery will be 50%.
    - The NYCHA preference should be increased from 20 to 25% of the units.
    - The Community District 4 NYCHA preference should be expanded to include tenants of the Amsterdam Houses.
  - Community Room – The RFP should encourage construction of a community room that is also available for the use of NYCHA residents.
  - Green building – The RFP should mandate, at minimum, compliance with the Enterprise Green Communities program.
  - Pets – The RFP should make clear that the project must allow pets.
  - Smoke-free preference – The RFP should stipulate that project be smoke free.

NYCHA and HPD have agreed to return to the January 16, 2014 meeting of CB4's HH&HS Committee as well as to conduct follow-up meetings with CB4 and the Harborview Tenant Association. CB4 looks forward to engaging with all of the stakeholders to create an RFP that meets the requirements of the HY POA and benefits both the existing Harborview tenants and the broader community.

Sincerely,



Christine Berthet  
Chair



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

[signed 1/10/14]

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

Cc: HPD - Gabrielle Amabile, Thebia Walters  
NYCHA, Olugbenga Dawodu  
President of Harborview TA, Maria Guzman  
Manhattan Borough President Gale A. Brewer  
Councilmember Corey Johnson  
Councilmember Helen Rosenthal