

1 **LANDMARKS COMMITTEE**

Item #: 27

2  
3 July 1, 2013

**RATIFICATION**

4  
5 Hon. Robert B. Tierney,  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9<sup>th</sup> floor  
9 One Centre Street  
10 New York, NY 10007

11  
12 **Re: 465 W. 21<sup>st</sup> Street**

13  
14 Dear Chair Tierney:

15  
16 Manhattan Community Board 4 is writing in response<sup>1</sup> to an application by DIMO Engineering  
17 PC for approval of a rear yard extension and front window replacement at 465 West 21<sup>st</sup> Street in  
18 the Chelsea Historic District.

19  
20 Rear Yard Extension

21  
22 The rear yard proposal is for an additional 2 floors that goes out nine feet and has a proposed  
23 spiral staircase.

24  
25 Given that the proposed addition can be seen at certain points from the neighboring park -  
26 Clement Moore Park – we believe the addition goes too far into the yard and should be pulled  
27 back. We feel it is important to reiterate what we said in our June 20<sup>th</sup> letter re 455 W. 22<sup>nd</sup>  
28 Street and the impacts on the open space within the interior of the block with rear yard additions.  
29 We express, again, to the Commission our concern for the cumulative impact of the erosion of  
30 open space within the interior of all of our blocks in the Historic District. The loss has been  
31 gradual and decremental, but the impact is substantial and permanent.

32  
33 A few recent examples of this are: 460 West 22<sup>nd</sup> St, 353 West 20<sup>th</sup> St, 327-329 West 22<sup>nd</sup> St,  
34 438 West 20<sup>th</sup> St. Each of these rear additions encroached into the block interior by at least ten  
35 feet. This particular application is nine feet. The trend is clear, as is the result.

36  
37 In addition, spiral staircases are not indigenous to the historic housing in this district and we  
38 recommend it be dropped for a utilitarian type staircase.

39  
40 Front Windows

41  
42 The Board has no objection to this portion of the application. However, we have questions about  
43 the existing shutters. The applicant's representative was unsure if the shutter were on the house  
44 was the district was landmarked. Since LPC has pictures of the existing facades at the time of

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<sup>1</sup> Letter is subject to Full Board ratification at the July 31, 2013 meeting.

45 designation we ask that you look them over and if there were no shutters we recommend that  
46 they be removed, especially since no other building on the block has shutters. If shutters were on  
47 the building then we have no objection to their staying.

48  
49 Sincerely,

DRAFT

1 **LANDMARKS COMMITTEE**

**Item #: 28**

2

3 July 1, 2013

4

5 Hon. Robert B. Tierney, Chair

6 Landmarks Preservation Commission

7 One Centre Street, 9<sup>th</sup> floor

8 New York, NY 10007

9

10 **Re: 460 West 22<sup>nd</sup> Street**

11

12 Dear Chair Tierney:

13

14 Manhattan Community Board 4 is writing in response<sup>2</sup> to a follow-up of an application by  
15 building owner William White for approval of the redesigned front windows at 460 West 22<sup>nd</sup>  
16 Street in the Chelsea Historic District.

17

18 Upon renovation of the inside upstairs walls it was found that the wall was in bad shape and  
19 needs a total gut renovation. As a result, the applicant proposes to change the front window  
20 designs, primarily by enlarging them by 24 inches. In addition, the present cornice is to be  
21 removed but replicated, and mullions will be added.

22

23 The Board is aware this is what is referred to as a “survivor building” and accepts the proposed  
24 changes unenthusiastically.

25

26 Sincerely,

27

**RATIFICATION**

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<sup>2</sup> Letter is subject to Full Board ratification at the July 31, 2013 meeting.

1 **Waterfront, Parks and Environment Committee (WATER)**

Item #: 31

2  
3 Shanti Nagel  
4 Clinton Housing Development Company  
5 403 West 40<sup>th</sup> Street  
6 New York, NY 10018  
7

8 **Re: West 39<sup>th</sup> Street Park (former “Bird Park”)**

9  
10 Dear Ms. Nagel:

11  
12 Manhattan Community Board 4, (MCB4) at its July 31<sup>st</sup>, 2013 Full Board meeting voted to  
13 support the efforts of Clinton Housing Development Company (CHDC) and Cultivate HKNY to  
14 design a community green space at West 39<sup>th</sup> Street between Ninth and Tenth Avenues.  
15

16 On June 6, 2013 the Waterfront, Parks and Environment Committee (WATER) of MCB4 was  
17 presented with the park design by CHDC as part of the work done by Cultivate HKNY. The  
18 triangular space is owned by the Port Authority of NY/NJ. Formally known as Bird Park, this  
19 area is currently an unused lot. The design presented is both practical and thoughtful. MCB4 is  
20 pleased with the proposed design of and welcomes the promise of a much needed green space in  
21 this area.  
22

23 The proposed green space will have a tree and shrub lined parameter along a fence providing  
24 beauty, shade and privacy. The space would include wooden benches, bistro tables and a picnic  
25 table. The design also calls for the placement of an original Vera Lightstone piece. Ms.  
26 Lightstone was a long time resident of West 39<sup>th</sup> Street. The rear wall of the Park provides  
27 perfect placement for the remnant signage of the Old Slaughterhouse formally 493 Eleventh  
28 Avenue. MCB4 envisions that this little park would cater to residents and visitors of all ages.  
29 This green space will be an oasis in this park-starved part of the district.  
30

31 MCB4 is grateful to CHDC and Cultivate HKNY for taking an active role in greening Hell’s  
32 Kitchen. They have been transforming ordinary tree pits into sidewalk gardens along many  
33 blocks in the District. Cultivate HKNY has brought together residents and businesses to partner  
34 in the neighborhood beautification effort. The concept and ideas around the design for this green  
35 space comes directly from community input gathered by Cultivate HKNY. Funding for this park  
36 comes directly from the community and the eventual park construction will be a communal effort  
37 as well spearheaded by Cultivate HKNY.  
38

39 MCB4 looks forward to the revival of this space on West 39<sup>th</sup> Street.  
40

41 Sincerely,

42  
43 Corey/John/Marty

44 cc: Steve Napolitano, NY/NJ Port Authority  
45 Local Electeds

2  
3 July 31, 2013

4  
5 Amanda M. Burden, Chair  
6 City Planning Commission  
7 22 Reade Street  
8 New York, New York 10007

9  
10 **Re: Proposed Flood Resilience Text Amendment**

11 Dear Chair Burden:

12  
13  
14 Manhattan Community Board 4 (MCB4) supports the proposed Flood Resilience Text  
15 Amendment contingent on certain conditions discussed below.

16  
17 Directly following Hurricane Sandy when even the most optimistic person realized that the once  
18 in a lifetime storm is now almost a bi-yearly event, the Office of the NYC Mayor issued an  
19 Executive Order to temporarily suspend certain zoning provisions in order to enable property  
20 owners to make key decisions about rebuilding. As a result, the Department of City Planning  
21 (DCP) has proposed changes to the zoning that focus on:

- 22  
23 - enabling buildings in flood zones to be built to Federal Emergency Management Agency  
24 (FEMA) standards;  
25 - reducing vulnerability to future flooding;  
26 - protecting against future increases in flood insurance premiums;  
27 - coordinating with other planning efforts; and  
28 - giving owners more choices for ways to rebuild and support the recovery of the neighbor hood.

29  
30 We appreciate the fine work that DCP staff put into these text amendments and the principles  
31 upon which the proposed amendments were constructed. However, we often found that more  
32 consideration was paid to the developer and/or property owner and then to the surrounding  
33 community. The surrounding community is just as much a victim as the developer and/or  
34 property owner to storms like Hurricane Sandy and therefore should not be the only one  
35 compromising. Our conditions are influenced by that observation.

36  
37 **Height**

38  
39 We understand that existing FAR will be maintained. We understand that changes will apply  
40 within the 100-year flood zones on the latest FEMA flood maps and that all buildings would be  
41 measured from the Flood Resistant Construction Elevation (FRCE). This allows the building  
42 envelope to stay the same but also allows a taller building to be constructed. This is what we  
43 mean when we say one side makes all the compromises. The building can go up higher to  
44 compensate the owner but the surrounding community must then accept the extra height with  
45 nothing in return.

46

47 This outcome is especially troublesome for special districts. We insist as a condition for support  
48 that all special district rules apply at all times. The regulations in the special districts within CD4  
49 need to be maintained.

50

### 51 **Mechanical systems**

52

53 Given the reality of flooding, mechanical systems must be protected and closed off or most likely  
54 out on the roof. DCP has done a good job in thinking through where on the roof the systems can  
55 be placed but concerns remain. The rules should not be rigid. We believe these systems should  
56 be set back as far back as possible and whatever the measurements are in the end, they should  
57 not preclude the possibility of further setback depending on the building. The reasons for this  
58 concern include noise and context.

59

60 Manhattan Community Board 4 and its Quality of Life Committee deal on a daily basis with  
61 noise complaints, often from HVAC and other mechanical systems on neighboring buildings.  
62 There must be sound mitigation measures established for the issuance of permits to erect these  
63 systems and these systems must be strictly regulated. Once they are up and running, getting them  
64 moved or further muffled is a very cumbersome process for the community and expensive for the  
65 owner.

66

67 In addition, many community areas are contextual in appearance, especially in historic districts,  
68 and the increasing need to put mechanical systems on top of buildings maybe incompatible with  
69 the contextual aesthetic of the community. These systems should be enclosed in ways that helps  
70 maintain the context.

71

### 72 **Obstructions**

73

74 Certain flood protection features are presently not allowed in certain courts and other open areas.  
75 We understand that some obstructions will be permanent but the text should reflect that those  
76 obstructions that can be moved shall be moved when the flooding recedes.

77

### 78 **Loss of Usable Use**

79

80 As we previously stated, the regulation of the special districts must be complied with.  
81 Compliance with the new rules in the Building Code results in the loss of useable ground floors  
82 for existing buildings. The proposed text allows owners to add an equivalent amount of space  
83 above the FRCE within the building envelope, where the ground floor is compliant and wet-  
84 flood-proofed.

85

86 We feel that in special districts where ground floor retail is envisioned on the on avenues that dry  
87 floor proofing should be required and not just an option.

88

### 89 **Streetscape**

90

91 For new buildings where the FRCE is 10 feet or more above grade, often the ground floor will  
92 only be used for parking, storage, or access and then resulting in a blank wall facing the street.

93 This is a serious concern. In these situations, where safety becomes a concern due to less street  
94 activity we think that the planting requirements for residential buildings also should apply to the  
95 commercial building. We also insist that commercial advertising not be allowed on the blank  
96 street walls; other ways of enlivening a place can be devised other than crass commercialism.  
97

98 Thank you for your consideration in this matter.  
99

100 Sincerely,  
101

102  
103 Corey Johnson  
104 Chair

Jean- Daniel Noland  
Chair  
Clinton/ Hell's Kitchen Land Use Committee

105  
106  
107 cc: Edith Hsu-Chen, Adam Wolff, Frank Ruchala - DCP  
108 Gail Benjamin, Danielle DeCerbo – City Council Land Use Division  
109 Melanie LaRocca - NYC Council Speaker Christine Quinn  
110 Brian Cook, Michael Sandler – Manhattan Borough President Scott Stringer  
111 NYS Senator Brad Hoylman  
112 NYS Assemblyman Richard Gottfried  
113 US Congressman Jerrold Nadler  
114 Manhattan Community Boards 1-12  
115  
116  
117  
118

2  
3 July 31, 2013

4  
5 Seth W. Pinsky  
6 President  
7 New York City Economic Development Corporation  
8 110 William Street  
9 New York, NY 10038

10  
11 **Re: Lease of property to Culture Shed, Inc.**

12  
13 Dear Mr. Pinsky:

14  
15 Manhattan Community Board 4 (MCB4) supports the leasing of property to the non-profit entity  
16 Culture Shed, Inc. for 99-years for \$1 a year.

17  
18 The Culture Shed building that will be erected is on the Eastern Rail Yards ("ERY") between  
19 Tenth and Eleventh Avenues, West 30<sup>th</sup> to West 34<sup>th</sup> Streets, in SHYD Subarea A1. The  
20 proposed community facility was originally allocated 200,000 square feet of floor area but in  
21 2010, as part of the Metropolitan Transit Authority's negotiation with the designated developer  
22 for ERY, the Related Companies, the floor area of the community facility was reduced from the  
23 200,000 square feet mandated in the zoning to only 100,000 square feet. The result of that  
24 negotiation was that the MTA, not Related, retains the rights to the remaining 100,000 square  
25 feet of floor area.

26  
27 We wrote a resolution in reference to the proposed text amendments for the Culture Shed  
28 building on April 5, 2013 and our concerns have since been addressed by the City Planning  
29 Commission and the NYC City Council.

30  
31 Sincerely,

32  
33 Corey Johnson  
34 Chair

Jean-Daniel Noland  
Chair  
Clinton/Hell's Kitchen Land Use Committee

35  
36  
37 cc: NYC Council Speaker Christine Quinn  
38 Manhattan Borough President Scott Stringer  
39 Kate Levin, NYC Department of Cultural Affairs  
40 Angela Cavaluzzi, Mayor's Office of Capital Development  
41 Jeffrey Nelson, NYC Economic Development Corporation

42  
43

2  
3  
4 July 1, 2013

5  
6 Amanda M. Burden  
7 Chair  
8 City Planning Commission  
9 22 Reade Street  
10 New York, New York 10007

**RATIFICATION**

11  
12 **Re: Proposed East Midtown Re-zoning**

13  
14 Dear Chair Burden:

15  
16 Manhattan Community Board 4 (MCB4) supports the principles enunciated in the Multi-Board  
17 Task Force resolution on the application for the proposed East Midtown Rezoning as a  
18 framework for further discussion among the applicable boards and the City Planning  
19 Commission, as well as the Manhattan Borough President's Office and the NYC Council, as the  
20 proposed rezoning proceeds through the public review process. MCB4 recommends denial of the  
21 application unless those principles are addressed during the public review process.

22  
23 Of primary interest to MCB4 is the proposed effective date of the rezoning, the so called Sunrise  
24 Provision. The Sunrise Provision was crafted to ensure that the proposed East Midtown  
25 Rezoning does not conflict and compete with the development contemplated under the Hudson  
26 Yards Rezoning and the Lower Manhattan Development.

27  
28 As it relates to the Hudson Yards area, instead of setting a hard date of 2017 for the Sunrise  
29 Provision, MCB4 proposes that the trigger be based on a set of milestones in Hudson Yards  
30 development. Such milestones could include building permits issued coupled with actual  
31 construction starts and Certificates of Occupancy issued for a quantified amount of both  
32 commercial and residential square feet of development. The applicable agencies such as DOB,  
33 HPD, Parks and/or SCA would certify to CPC when these milestones had been met and, thus,  
34 trigger the Sunrise Provision of the proposed East Midtown Rezoning.

35  
36 We believe that by including such milestones the City can ensure successful and balanced  
37 development in both Hudson Yards and East Midtown.

38  
39 Furthermore, MCB4 believes such milestones must also include measurables of the promised  
40 community mitigation - affordable housing, open space, and public school construction - as  
41 embodied in both the Hudson Yards and Western Rail Yards Points of Agreements.

42  
43  
44  
45  
46

47 Thank you for your consideration in this matter.

48

49 Sincerely,



50  
51 Corey Johnson  
52 Chair



Jean-Daniel Noland  
Co-Chair,  
Clinton / Hell's Kitchen Land Use Committee

53

54

55 cc: Edith Hsu-Chen, Adam Wolff, Frank Ruchala - DCP  
56 Gail Benjamin, Danielle DeCerbo – City Council Land Use Division  
57 Melanie LaRocca, Julia Fredenburg - NYC Council Speaker Christine Quinn  
58 Brian Cook, Michael Sandler – Manhattan Borough President Scott Stringer  
59 NYS Senator Brad Hoylman  
60 NYS Assemblyman Richard Gottfried  
61 US Congressman Jerrold Nadler  
62 Manhattan Community Boards 1-12

63

64

DRAFT

1 **CLINTON/HELL'S KITCHEN LAND USE COMMITTEE**

**Item #: 36**

2  
3 July 31, 2013

4  
5 Amanda M. Burden  
6 Director  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 **Re: ULURP #N 120146 ECM**  
12 **DCA # 1415773**  
13 **MS Restaurant Owners LLC**  
14 **DBA: Morning Star Restaurant**  
15 **879 Ninth Avenue aka 401 W. 57th Street, Borough of Manhattan**  
16

17 Dear Director Burden:

18  
19 At the recommendation of its Clinton/Hell's Kitchen Land Use and Zoning Committee, Manhattan  
20 Community Board 4 recommends approval of the application by MS Restaurant Owners LLC for a "new"  
21 enclosed sidewalk café with 8 tables and 24 seats.

22  
23 This application is listed as new because the windows have been modified. However, the structure has  
24 been there for over 20 years. We recommend approval in expectation that this operation will continue to  
25 be the successful, well-run restaurant it has been since the early 1990s. In

26  
27 Our recommendation, however, does not contravene the Board's fundamental opposition to enclosed  
28 sidewalk cafes. We remain opposed for three reasons:

29  
30 One: Enclosed sidewalk cafes are permanent structures that appropriate public property for private use  
31 without providing a public benefit;

32  
33 Two: Unlike unenclosed sidewalk cafes which can add to community ambiance and create more vibrant  
34 streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the community; and,

35  
36 Three: As permanent structures, they are difficult to remove when warranted.

37  
38 Sincerely,

39  
40 Corey Johnson, Chair, Community Board 4  
41 Jean-Daniel Noland, Chair, Clinton/Hell's Kitchen Land Use and Zoning Committee

42  
43 cc: Steve Gagliano, Project Manager - DCP  
44 NYC Council Speaker Christine Quinn  
45 NYC Council Member Gale Brewer  
46 NYS Senator Brad Hoylman  
47 NYS Assemblywoman Linda Rosenthal  
48 MBP Scott Stringer  
49 MBPO – Brian Cook, Michael Sandler  
50 MS Restaurant Owners LLC

1 **CLINTON/HELL'S KITCHEN LAND USE COMMITTEE**

**Item #: 37**

2  
3 August 1, 2013

4  
5 Amanda M. Burden, Chair  
6 City Planning Commission  
7 22 Reade Street  
8 New York, New York 10007

9  
10 **Re: District Plan for the Hudson Yards Business Improvement District (N140038BDM)**

11 Dear Chair Burden,

12  
13  
14 On July 31, 2013, at its full board meeting, Manhattan Community Board 4 (MCB4) held a  
15 public hearing on the District Plan for the proposed Hudson Yards Business Improvement  
16 District (BID).

17  
18 The proposed BID District is located in Manhattan Community District 4 and bounded by West  
19 42nd Street to the north, Eleventh Avenue to the west, West 30th Street to the south, and Ninth  
20 Avenue to the east. Manhattan Community Board 4 has long identified this portion of the  
21 neighborhood as the southern part of Hell's Kitchen.

22  
23 The specific aim of the proposed BID is "to provide maintenance for the Hudson Park and  
24 Boulevard and district-wide services and improvements that enhance the quality of life of an  
25 exceptionally diverse population who live, work and visit within the district."

26  
27 The Board recommended, by a vote of \_\_\_ yes, \_\_\_ against, \_\_\_ abstain and \_\_\_ present-not-  
28 eligible, **to approve** the proposed District Plan **with the following conditions:**

- 29  
30 1. The proposed Hudson Yards BID is renamed the Hudson Yards/Hell's Kitchen Alliance;  
31  
32 2. The HY/HK Alliance work with MCB4, local elected officials, and City government to secure  
33 the development of Blocks Five and Six of Hudson Park and advocate for more open space in the  
34 neighborhood;  
35  
36 3. The sanitation and traffic safety issues, outside of the Hudson Park and Boulevard, be targeted  
37 to Ninth Avenue and to the West 34th and West 42nd Streets corridors;  
38  
39 4. The HY/HK Alliance works closely with Manhattan Community Board 4 and that regular  
40 consultations, meetings and reporting between the Alliance and MCB4 take place to ensure  
41 cooperation among the various community groups, business enterprises, and non-profits in the  
42 district;  
43  
44 5. The Alliance's Board of Directors reflects the diversity of the neighborhood;  
45

46 6. That no street flags, banners, billboards, zipper illuminated displays, or other forms of  
47 promotional marketing or advertising be permitted on the residential streets in south Hell's  
48 Kitchen and the proposed Alliance agree to limit such promotions to west of Tenth Avenue and  
49 the commercial corridors below West 34th Street;

50  
51 7. That the HY/HK Alliance work with existing stakeholders to incorporate diversity into any  
52 proposed streetscape improvement plans and agree not to promote homogenized, unvaried  
53 landscaping and work with the community to help maintain tree pits and green spaces and  
54 advocate for more open space;

55  
56 8. That the HY/KY Alliance work hand-in-glove with the residential component of the district —  
57 with especial attention paid to the long term, historic residential community of south Hell's  
58 Kitchen;

59  
60 9. That the HY/HK Alliance will incorporate in its mission the values of MCB4 in promoting  
61 affordable housing, protecting its older housing stock, and preserving a mixed-income, diverse  
62 neighborhood;

63  
64 10. The Board of the proposed HK/HY Alliance have at least four residential tenant  
65 representatives and two of whom live in affordable housing units in the district. At least one  
66 Board seat shall also be designated for a not for profit organization.

67  
68 **WHAT'S IN A NAME? EVERYTHING.**

69  
70 The proposed BID would be part of the southern portion of Hell's Kitchen, a fabled  
71 neighborhood with a strong sense of identity. Nearly all the participants in the planning process  
72 found the name "Hudson Yards BID" to be lacking in historical resonance, precision, or  
73 distinctiveness. Or, frankly, sizzle.

74  
75 At the Clinton/Hell's Kitchen Land Use and Zoning Committee meeting on July 24, 2013, it was  
76 proposed and unanimously endorsed that **as a condition of the committee approving the**  
77 **proposed plan, the Hudson Yards Business Improvement District be renamed the Hudson**  
78 **Yards/Hell's Kitchen Alliance.** Community Board 4 agrees. Heretofore, the proposed district  
79 area and plan will be referred to in this response as the HY/HK Alliance ("Alliance").

80  
81 The juxtaposition of the two district names is important. It illustrates the partnership between the  
82 established community in the existing district and the new development in the new district. It  
83 preserves the integrity of the low-rise, community's identity along it's main street, Ninth Avenue,  
84 and in the midblocks toward Tenth Avenue and broadens to include the developing high rise  
85 district along Tenth and Eleventh Avenues and in the West 34th Street corridor.

86  
87 **PROJECT BACKGROUND**

88  
89 A wide range of participants participated in the Planning Committee of the proposed BID,  
90 including members of MCB4, community organizations, and non-profits as well as residents,  
91 businesses and developers. Two community outreach meetings to describe the BID and seek

92 feedback from residents and businesses were held. At the July 24th, 2013, Clinton/Hell's Kitchen  
93 Land Use and Zoning Committee meeting, the BID proposal was presented. Speakers  
94 overwhelmingly supported the plan; many felt the name should be revised to include "Hell's  
95 Kitchen" to reflect the vibrant, historic area that the BID is located in. Similarly, at MCB4's July  
96 31, 2013, full Board meeting, many people testified in favor of the proposal.

97  
98 The proposed BID plans to be up and running by the spring of 2014, in conjunction with the  
99 planned opening of the Hudson Park and Boulevard.

100

### 101 **Growth of Hell's South Kitchen**

102 The area covered by the proposed HY/HK Alliance district includes a diverse  
103 landscape. It is part of southern Hell's Kitchen and generally recognized as part of the larger  
104 fabric of Hell's Kitchen/Clinton to the north of 42nd Street. An area in transition, its existing  
105 character is being broadened by new development and will be further impacted by development  
106 planned for the future. The key elements driving this evolution from mostly manufacturing and  
107 commercial with an historic residential tenement component into a mixed-use district are:

108

- 109 • re-zoning for mixed-use with the establishment of the Special Hudson Yards District;
- 110 • enhanced access to mass-transit with the expansion of the Number 7 Subway line;
- 111 • availability of large commercial and residential sites; and,
- 112 • creation of new public open space with the Hudson Park and Boulevard, between Tenth and  
113 Eleventh Avenues from West 33rd to West 36th Streets.

114

### 115 **Property Mix**

116 At present, the area contains a mix of many types of properties. There are underutilized  
117 properties devoted to parking, one-story warehouse buildings and a large amount of land  
118 consumed by transportation and infrastructure systems for the Penn Station trains, the Lincoln  
119 Tunnel's access (Dyer Avenue both above and below grade), and the Port Authority Bus  
120 Terminal operations.

121

122 Low-rise industrial buildings containing auto-repair and other semi-industrial warehouse uses are  
123 throughout the district. Commercial buildings containing over six million square feet of space  
124 include older loft-type buildings that have been adaptively reused for design and technology-  
125 based industries along with low rise, more contemporary buildings.

126

127 Cultural and educational organizations are also an integral part of the Hell's Kitchen  
128 neighborhood with the Baryshnikov Arts Center, Signature Theatre, Theatre Row, Playwrights  
129 Horizons, and Fashion Institute of Technology (over one thousand FIT students reside at  
130 Kaufman Hall at West 31st between Ninth Avenue and Dyer Avenue).

131

### 132 **6,000 Residential Units in 100 Buildings**

133 Residential buildings range from large, early 20th-Century apartment blocks to clusters of four  
134 and five story tenement buildings, to newly constructed residential tower and commercial base  
135 type buildings with large number of rental and condominium apartment units. The proposed  
136 Alliance area contains approximately 6,250 residential rental and condominium units in over 100  
137 buildings.

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### **Potential Development**

As a result of recent re-zonings (Special Hudson Yards District) and public sector investment in the area's infrastructure, the district is positioned to experience large scale commercial and residential development. More specifically, the rezoning provides for high density commercial development along West 33rd Street from Pennsylvania Station to the Eastern Rail yard site, and north between Tenth and Eleventh Avenues from West 33rd to West 41st Streets. Residential and low rise commercial uses are provided for to the north and east towards Ninth Avenue where much of the existing residential properties are located.

The entire Special Hudson Yards District, an area slightly larger than the proposed Alliance district, has a development potential of approximately 28 million square feet of commercial and residential development, which is expected to be achieved in future years.

The increased development makes it crucial that the commercial, institutional, and residential components of the neighborhood work together.

### **MCB4 ISSUES AND CONDITIONS FOR APPROVAL**

#### **HY/HK Alliance**

As stated earlier, the Clinton/Hell's Kitchen Land Use and Zoning Committee meeting on July 24, 2013, voted unanimously to approve the proposed Hudson Yards Business Improvement District on the condition it was renamed the **Hudson Yards/Hell's Kitchen Alliance**. The Board affirms that condition.

#### **Hudson Park and Boulevard**

The primary objective of the HY/HK Alliance is to maintain the Hudson Park and Boulevard (West 33rd to West 39th Streets, Tenth to Eleventh Avenues). Four blocks of the promised six-block park have been planned. Acquiring the remaining two blocks and developing them as park space must a priority of the Alliance.

As well, the Alliance should be an advocate for more green space in the district and an active partner in maintaining street trees and open spaces that have been created or will be created

The Alliance must push energetically for construction of Blocks Five and Six of Hudson Park as well as advocate for more public space in the district.

#### **Sanitation and Traffic Safety Issues**

The proposed plan also promises "district-wide efforts will also play a key role in enhancing the pedestrian environment, supporting local business, and addressing specific issues associated with the major transportation structures and conduits for large volumes of traffic in the form of cars, trucks and buses."

CB4 requests the sanitation and traffic safety issues outside of the Hudson Park and Boulevard to be targeted explicitly to Ninth Avenue and to the West 34th Street and West 42nd Street corridors. These efforts must be coordinated with MCB4 and with local community groups.

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**No Banners, Please. We're In Hell's Kitchen**

This Board is adamant that the residential integrity of the residential streets in Hell's Kitchen not be compromised by street flags, banners, billboards, zipper illuminated displays or other forms of promotional advertising.

The BID must agree to limit such promotions to west of Tenth and Eleventh Avenues and the commercial corridors below West 34th Street.

**Diversity Not Homogeneity**

We look forward to the large publicly-accessible multi-block Hudson Park being well-maintained, with continual funding. And we feel the proposed Alliance will enhance the Hell's Kitchen area with greening, increased sanitation clean-ups and pedestrian safety measures. But any streetscape improvements — tree planting, planters sidewalk treatments — must be varied and diverse.

Over the past 20 years, the Hell's Kitchen Neighborhood Association, Clinton Housing Development Company, Condominium Associations, HDFC Cooperatives, private building owners and Tenant Associations have planted trees, planted sidewalk gardens and improved the streetscape. The goal of future neighborhood improvements must build upon this diversity.

The HY/HK Alliance must work with existing stakeholders to incorporate such diversity into any proposed streetscape improvement plans and work with the community to maintain all green spaces and tree pits in the district and advocate for more open space.

**Partnering With CB4**

Manhattan Community Board 4 has had a keen interest in the proposed formation of the HY/HK Alliance and participated in the early planning stages and in the 12 Steering Committee meetings held over the last two years. The Board sent the chair of its Clinton/Hell's Kitchen Land Use and Zoning committee, co-chairs of its Transportation Planning Committee, Chelsea Preservation Committee, and Housing, Health, and Human Services Committee as well as its District Manager to the meetings. MCB4's participation in the planning process has been sustained and productive. The collaboration must continue.

The language of the proposal reflects CB4's input: "The Hudson Yards BID will work with the Community Board and others to achieve a level of balance and compatibility between the existing neighborhood and the new development that the "Special Hudson Yards District" rezoning is bringing to this area."

The Board also welcomes HY/HK Alliance's overarching goal of "improving the attractiveness of the location and quality of life for all, while retaining neighborhood character (emphasis added) within the Hudson Yards district, is an important element to this evolving mixed-use neighborhood."

228 CB4's paramount concern and goal is to insure that a business improvement district work hand-  
229 in-glove with the residential component of the district — with especial attention paid to the long-  
230 term historic residential community of south Hell's Kitchen.

231

### 232 **The Larger Community**

233 Decisions by the future board of directors must take into consideration the fact that the proposed  
234 HY/HK Alliance is part of the larger Hell's Kitchen community.

235

236 The values of MCB4 in promoting affordable housing, protecting its older housing stock,  
237 preserving a mixed-income, diverse neighborhood must be part of the Alliance's mission.

238

239 Regular consultations, meetings, and reporting between the Alliance and CB4 must take place to  
240 insure cooperation among the various community groups, business enterprises, and non-profits in  
241 the district.

242

### 243 **Governance: HY/HK Board of Directors**

244 The Board welcomes the Department of City Planning's recommendation that the governing  
245 board of the proposed HY/HK Alliance have at least four residential tenant representatives. The  
246 Board further proposes that at least two of those residential tenants represent tenants in  
247 affordable apartment in the district.

248

249 The Board also proposes that some of the seats going to property owners must go to pre-2005  
250 building owners. There must also be a seat at the table for a non-profit organization.

251

252 Given the mix of residential, business enterprises, and non-profit arts organizations in the  
253 district, a diverse makeup of the Board's directorship is imperative.

254

### 255 **CONCLUSION**

256

257 Integrating an older, established community with a strong identity and sense of purpose into a  
258 proposed new Business Improvement District presents a challenge and an opportunity. At both  
259 the Clinton/Hell's Kitchen Land Use and Zoning Committee meeting on July 24, 2013, and at the  
260 Full Board Meeting of CB4 on July 31, 2013, residents and business owners from the proposed  
261 district expressed support for the HY/HK Alliance with the proviso that it help improve the area  
262 without diminishing the distinctive character and flavor of a diverse and vibrant New York  
263 neighborhood. The Board echoes that support and affirms that proviso.

264

265 As this proposed BID moves through the public approval process, the Board requests the support  
266 and assistance of the City Planning Commission, the Manhattan Borough President, and City  
267 Council in incorporating MCB4's conditions in approval to reconcile these competing and  
268 worthwhile goals.

269

### 270 **SUMMARY — CONDITIONS FOR APPROVAL**

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272 **Now therefore let it be resolved that MCB4 recommends support of the draft plan for the**  
273 **proposed HY BID provided that it:**

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1. **Is renamed** the Hudson Yards/Hell's Kitchen Alliance;
2. **Works with MCB4**, local elected officials, and City government to secure the development of Blocks Five and Six of Hudson Park and advocate for more open space in the neighborhood;
3. **Targets sanitation and traffic safety issues** outside of the Hudson Park and Boulevard be targeted to Ninth Avenue and to the West 34th and West 42nd Streets corridors;
4. **Consults regularly with MCB4** and that regular consultations, meetings and reporting between the HY/HK Alliance and CB4 take place to ensure cooperation among the various community groups, business enterprises, and non-profits in the district;
5. **Reflects the diversity** of the neighborhood in the makeup of the Board of Directors ;
6. **Does not permit banners**, billboards, street flags, zipper displays or other forms of promotional marketing on the residential streets in southern Hell's Kitchen and agrees to limit such promotions to west of Tenth Avenue and the commercial corridors below West 34th Street;
7. **Works with existing stakeholders to incorporate diversity** into any proposed streetscape improvement plans and agrees not to promote homogenized, unvaried landscaping and work with the community to help maintain tree pits and green spaces and advocate for more open space;
8. **Cooperates with the residential component** of the district — with especial attention paid to the long term historic residential community of south Hell's Kitchen;
9. **Incorporates the values of MCB4** in promoting affordable housing, protecting its older housing stock, and preserving a mixed-income, diverse neighborhood;
10. **Appoints to its Board** at least four residential tenant representatives with two of those tenants residing in affordable housing units in the district and at least one representative from a not-for-profit organization.

Thank you,  
Corey/ JD

2  
3 July 31, 2013

4  
5 Hon. Meenakshe Srinivasan  
6 Chair  
7 Board of Standards and Appeals  
8 40 Rector Street, 9th Floor  
9 New York, NY 10006

10  
11 **Re: BSA Cal. No.**  
12 **604 West 42<sup>nd</sup> Street**  
13 **Physical Culture Establishment (GYM) – Special Permit**

14  
15 Dear Chair Srinivasan:

16  
17 Manhattan Community Board 4, having held a duly noticed public hearing on BSA Calendar No. ----, voted at its meeting on July 31, 2013 to recommend a conditional approval of the application for a physical culture establishment (PCE) at 605 West 42<sup>nd</sup> Street.

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20  
21 This application was filed on behalf of Monian Group, under sections 33-31 and 73-36 of the Zoning Resolution of the City of New York in order to obtain a special permit for a proposed new PCE in portions of the cellar, the first floor and the third floor of a building to be constructed at 605 West 42<sup>nd</sup> Street.

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26 **Approval with Conditions**

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28 Monian Group, the owner of the site, received public financing through the Housing Finance Agency. The building the PCE will service is an 80/20 development. Therefore the Board recommends approval of the application with two conditions:

- 29  
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31  
32 1. That the applicant institutes a pricing structure which would make membership in the PCE an affordable option for residents in the 20% affordable; and,  
33  
34  
35 2. That the applicant develop and institute community-based programming at the facility and reach out (through the CB4 office if necessary) to local community groups such as senior residences, schools, youth groups, to solicit their participation.  
36  
37  
38

39 The applicant has so far agreed to a 10% discount for affordable unit, but the Board believes given the income scale of these units that such a discount is still not sufficient given the public financing involved.  
40  
41

42 **Facts and Findings Requirement**

43  
44 In its presentation to the Clinton/Hell's Kitchen Land Use Committee on July 24, 2013, the applicant was represented by its land use counsel and by a representative of the principal of the proposed facility. From their descriptions, which are supported by the applications and the accompanying floor plans, the proposed facility is without question a legitimate PCE.  
45  
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49 This Board has reviewed the Statements of Facts and Findings in the application and agrees that the proposed facility meets the requirements under section 73-03 of the ZR for the requested special permit.  
50  
51

52 The Board therefore recommends approval of the application if our conditions are met and provided the  
53 Department of Investigation background check report required by section 73-36(c) of the ZR is received  
54 and satisfactory.

55  
56 Sincerely,

57  
58 Corey Johnson, Chair  
59 Jean-Daniel Noland, Co-Chair

60

DRAFT

1 **Chelsea Land Use Committee (CLU)**

**Item #: 39**

2  
3 Amanda M. Burden  
4 Chair  
5 City Planning Commission  
6 22 Reade Street  
7 New York, New York 10007  
8

9 **Re: Proposed Special West Chelsea District Expansion**

10  
11 Dear Chair Burden:

12  
13 Manhattan Community Board 4 (CB4) has advocated the expansion of the Special West Chelsea  
14 District (SWCD) since the original boundaries were set. As a result of an agreement between  
15 Deputy Mayor Steele and Speaker Quinn in 2012, the administration committed the Department  
16 of City Planning (DCP) to conducting a study and issuing a report on the possible expansion by  
17 June 30, 2013.

18  
19 Manhattan Community Board 4's (CB4) Chelsea Land Use committee (CLU) held several well-  
20 attended public meetings beginning in the fall of 2012 on the expansion of the SWCD, generated  
21 a set of preliminary recommendations and presented them to DCP in the spring of 2013. DCP  
22 completed their study and shared their report with CLU at its July meeting.

23  
24 CB4 wishes to thank the DCP team for the work they put into preparing the study, and in  
25 particular Karolina Hall who attended the earlier CLU meetings when the committee was  
26 preparing its recommendations. While the Board appreciates DCP's recommendation that the  
27 ULURP process be started this fall for the inclusion of one additional area in an expanded  
28 SWCD, it disagrees with the other recommendations. In this letter we compare the CLU and  
29 DCP recommendations and propose an interim step to expand the SWCD to encompass the  
30 entire study area. We look forward to continued discussions with the community and with DCP.

31  
32 **Background**

33  
34 Following more than three years of work by CB4 and DCP, the City Council approved three  
35 ULURP applications on June 23, 2005 that created the SWCD. The three adopted actions  
36 included Zoning Map and Zoning Text amendments, and Site Selection and Acquisition of the  
37 High Line elevated rail line for public open space. As created, the SWCD included nine  
38 subareas with specifically tailored zoning for each and a mechanism for transferring  
39 development rights from the High Line corridor to receiving sites throughout the district.

40  
41 [Purposes of SWCD]

42  
43 CB4's original recommendation for the area to be included in the SWCD encompassed all blocks  
44 west of Tenth Avenue between West 15<sup>th</sup> and 30<sup>th</sup> Streets, West 16<sup>th</sup> and 18<sup>th</sup> Streets between  
45 Ninth and Tenth Avenues excluding the Fulton Houses, the Chelsea Market block between West

46 15<sup>th</sup> and 16<sup>th</sup> Streets between Ninth and Tenth Avenues, and the south side of West 15<sup>th</sup> Street  
47 between Ninth and Tenth Avenues.  
48

49 The area recommended by DCP for inclusion in the SWCD and adopted by the Council excluded  
50 the blocks west of Eleventh Avenue, the two blocks west of Tenth Avenue between West 15<sup>th</sup>  
51 and 17<sup>th</sup> Streets and the blocks south of West 16<sup>th</sup> Street between Ninth and Tenth Avenues.  
52

53 CB4 believed that the areas excluded from the SWCD by DCP and the Council were important  
54 for the integrity of West Chelsea and that excluding them invited block-by-block rezoning that  
55 the SWCD rezoning in part was created to avoid. Since the fall of 2005 CB4 has advocated for  
56 the study of the excluded areas and their inclusion in an expanded SWCD.  
57

58 The 2012 inclusion of the Chelsea Market block in the SWCD accomplished one of the Board's  
59 goals, but it did so at the expense of the broader planning approach the Board advocates. DCP's  
60 current recommendation that the south side of West 15<sup>th</sup> Street be included in the SWCD would  
61 accomplish another of the Board's goals, but again in lieu of the broader planning approach we  
62 believe the excluded areas warrant. We continue to believe that the expansion of the SWCD to  
63 include all of the originally proposed areas would be the preferred approach.  
64

## 65 **CLU Recommendations - DCP Recommendations**

66

67 For their study, CB4's CLU committee divided the proposed study area into five subareas and  
68 developed preliminary recommendations for each. These recommendations are presented below  
69 for each of the five subareas along with DCP's recommendations.,.  
70

### 71 **I. Block 712 - South Side of 15<sup>th</sup> Street, Ninth - Tenth Avenues; CLU Subarea I; DCP** 72 **Area A; zoned M1-5 with no bulk controls, building heights subject to sky exposure** 73 **plane.** 74

- 75 • CLU has long been concerned that the lack of bulk controls on this block could result in  
76 inappropriately large buildings through the accumulation of development rights. It also has  
77 been concerned about the proliferation of hotels in the district; in 2008 there were  
78 proposals for four hotel developments on or adjacent to this block. CLU recommended that  
79 the zoning be changed to M2-4, which maintains the present FAR of 5 but excludes hotel  
80 uses, and that streetwalls and height limits be imposed.  
81
- 82 • DCP recommends that this block be rezoned, maintaining the current M1-5 zoning with  
83 required streetwalls between 50' and 95' and with building height limited to 135'. DCP  
84 found that there have not been an excessive number of hotels built in the area and project  
85 that none will be built in the next several years; they also believe that the proposed height  
86 limit will be sufficient to discourage future hotel development  
87

### 88 **II. Blocks 687 & 688 - West 15th-17th Streets, Tenth - Eleventh Avenues; CLU Subarea II;** 89 **DCP Area B; zoned M1-5 with FAR 5.0, currently built to FAR 12.0.** 90

- CLU is concerned that the combination of the location of these blocks on the waterfront and development pressure from a transition to an increasingly popular commercial office district could result in the full or partial demolition of the buildings and the construction of inappropriately tall buildings. CLU recommended that the zoning be changed to M2-4, which maintains the present FAR of 5 but excludes hotel use, and that building heights be limited to 165'.
- Based on the current strong demand for large-footprint office loft conversions in Chelsea and the existing tenancies in these buildings, DCP recommends no actions to amend bulk or use controls.

**III. Blocks 674 and 675 - West 28th - 30th Streets, Eleventh - Twelfth Avenues; CLU Subarea III; part of DCP Area C; zoned M2-3 and M1-6, much of it currently built to less than 25% of permitted FAR.**

- CLU believes that the proximity of these blocks to the future Western Rail Yard development and the High Line to the north, Subarea A of the SWCD to the east and the Hudson River to the west, make them prime commercial/residential development sites. CLU has had discussions with ConEd, which owns Block 674, and believes that it intends to develop the block eventually to provide power to the west side of Manhattan.

However, CB4 had an earlier experience with ConEd where they sold a lot after similar statements and believes that proactive rezoning of the block in anticipation of that possibility would protect the community were the block to be sold but would not preclude ConEd from developing the block to suit their future needs. CLU recommended that these two blocks be rezoned with zoning similar to Subarea A of the SWCD, with an affordable housing component and with special design considerations in the northwest corner of Block 675 to preserve views from the High Line.

- DCP believes that it is impractical to consider a change in the zoning of Block 674 without a firm understanding of ConEd's plans and needs, and that a future study should be undertaken of Block 675 when current legal agreements terminate in the next decade. DCP recommends that no action be taken at this time.

**IV. Blocks 671, 672 and 673 - West 25th - 28th Streets, Eleventh - Twelfth Avenues; CLU Subarea IV; part of DCP Area C; zoned M2-3 and M1-5; currently built to FAR greater than permitted.**

- CLU believes that it is unlikely that the existing buildings - B&O, Starrett-Lehigh and Terminal Stores - would be demolished, but believes that changes to form and use are possible, including partial demolition and hotel use. CLU also believes that there will be a continuing need for municipal facilities such as the Department of Sanitation Vehicle Maintenance Facility but believes that proactive rezoning is appropriate, as it is for the ConEd site on Block 674. CLU recommended that the zoning be changed to M2-4 to exclude hotel use, that building height limits be established and that language similar to

136 that developed for Hudson Square permitting ground floor retail but limiting "big box"  
137 stores.  
138

- 139 • DCP notes that the B&O, Starrett-Lehigh and Terminal Stores buildings are located in the  
140 West Chelsea Historic District and that landmark properties have access to a special permit  
141 allowing uses not permitted as-of-right, such as hotels. DCP recommends that no action be  
142 taken.  
143

144 **V. Block 670 - West 24th - 25th Streets, Eleventh - Twelfth Avenues; CLU Subarea V; part**  
145 **of DCP Area C; zoned M2-3; permitted FAR 2.0, currently built to FAR 1.79.**  
146

- 147 • CLU believes that this block, currently the site of a US Postal Service (USPS) Vehicle  
148 Maintenance Facility, is vulnerable to redevelopment. USPS is running a deficit and  
149 cutting back services, and is closing or proposing the closing of postal facilities, including  
150 James Farley, Bronx General and Old Chelsea Station. The site has unobstructed river  
151 views and is adjacent to both Hudson River Park and Chelsea Waterside Park. CLU  
152 recommended proactive rezoning to C6-3, allowing commercial and residential uses at  
153 higher FAR. Specifically CLU recommended that the frontage along 12<sup>th</sup> Avenue be  
154 rezoned to the equivalent of SWCD Subarea D, FAR 7.5, if a bonus is used, maximum  
155 building height of 250', slender buildings and an affordable housing component. CLU  
156 recommended that the remainder of the block be rezoned to the equivalent of SWCD  
157 Subarea C with a maximum building height of 110-145'.  
158
- 159 • DCP agrees with CLU that the USPS site is both vulnerable and valuable, and believes that  
160 it is prudent to begin setting a context for its future. DCP recommends that a study should  
161 be prepared in consultation with USPS to advance a framework for the development of this  
162 block in the future. They recommend that such a study should not be undertaken until the  
163 USPS informs DCP of its formal plans to relocate the facility.  
164

165 **CB4 Recommendations**  
166

167 Since the creation of the SWCD in 2005, West Chelsea has become a rich, varied, vibrant  
168 commercial and residential community, fulfilling the stated general purposes of the SWCD. The  
169 Board believes strongly, however, that the SWCD should encompass all blocks west of Tenth  
170 Avenue between West 15<sup>th</sup> and 30<sup>th</sup> Streets, and because of the High Line, the blocks between  
171 Ninth and Tenth Avenues between West 14<sup>th</sup> and 18<sup>th</sup> Streets, exclusive of the Fulton Houses.  
172 The Board is grateful for the expansion of the SWCD in 2012 to include the Chelsea Market  
173 block and the proposed expansion to include the south side of West 15<sup>th</sup> Street across from  
174 Chelsea Market, but would prefer a broader approach that considers the study area as a whole.  
175

176 CB4 is particularly concerned about potential development on Block 670 (USPS Vehicle  
177 Maintenance Facility), Block 671 (DOS Maintenance Facility), Block 674 (ConEd site) and  
178 Block 675 (West 29th - 30th Streets west of Eleventh Avenue). DCP has recommended that no  
179 current actions be taken on these blocks, but that Blocks 670 and 675 be studied to develop a  
180 framework for future zoning changes when USPS declares its intention to move its facility or  
181 when current legal obligations terminate in the next decade, respectively.

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Although the Board has proposed zoning for these blocks that we believe is appropriate in the context of the neighboring SWCD subareas, we respect DCP's desire to conduct further studies before deciding on what they believe to be the appropriate zoning. We believe, however, that there would be significant value in proceeding to include these blocks now in an expanded SWCD.

The recent revision of the Hudson River Park Act to permit the transfer of unused development rights from the park's piers to any site one block inland from the park between (9<sup>th</sup> and 59<sup>th</sup> Streets) increases the importance of considering West Chelsea within the context of the SWCD. While the specific impact of the transfer provisions are not yet known, there appear to be a limited number of potential receiving sites, including Blocks 670, 671, 674 and 675. CB4 will consider any proposed transfer of development rights from the piers to these blocks, or to any other block in CD4, when a specific proposal is made, but we would prefer to have the consideration of any transfer to a site in West Chelsea made in the context of the SWCD.

CB4 therefore recommends that the SWCD be expanded as follows:

- **Block 712 - South Side of 15<sup>th</sup> Street, Ninth - Tenth Avenues.** Include the block in the SWCD and amend the current zoning to include streetwall and building height limits as proposed by DCP. While we would prefer to exclude hotel uses, we accept DCP's analysis that the proposed limits would make hotel uses unattractive to potential developers.
- **Blocks 670-675 and Blocks 687-688.** Include these seven blocks in the SWCD without changing the current. This would permit DCP to defer decisions on final zoning until they have completed their studies while simultaneously placing the blocks under the general purposes of the SWCD. We believe that this will make it more likely that individual blocks will be rezoned within the context of the entire SWCD rather than individually, leading to better zoning for the entire community. In the case of the DOS and ConEd sites, we agree with DCP that these serve necessary functions and are unlikely to be redeveloped for other purposes, but we believe that their inclusion in the SWCD reinforces the fact that they are important components of West Chelsea.

Sincerely,

CJ/LC/BM

cc:

2  
3 July --, 2013

4  
5 Borough Commissioner Margaret Forgione  
6 Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9 **RATIFICATION**

10 **Re: Gotham Organization request for parking regulation changes**

11 Dear Commissioner Forgione:

12  
13  
14 Manhattan Community Board #4 appreciates the outreach of the Gotham Organization in  
15 devising a proposal for parking regulations along the north side of West 44<sup>th</sup> Street, the south  
16 side of West 45<sup>th</sup> Street, and the east side of 11<sup>th</sup> Avenue - the streets that border “Gotham  
17 West,” their recently completed development project that includes 1,248 apartments, 200 below  
18 ground parking spaces, and 17,000 square feet of retail space as well as the return of PS51 to an  
19 enlarged 95,000 square feet. There is no doubt that the character of the block has changed  
20 substantially as a result of these new developments and that these changes warrant re-examining  
21 parking regulations. More specifically, it warrants parking regulations that will support the  
22 increased residential uses, particularly on the South Side of West 45<sup>th</sup> Street where three  
23 entrances to larger buildings will be, and along West 44<sup>th</sup>, to support the residential uses and the  
24 school and to reduce street parking turnover to promote safety.

25  
26 Based on consultation with a local task force and with the Transportation Planning Committee of  
27 CB4, Gotham West and its Traffic Consultant Sam Schwartz Engineering drafted proposed  
28 parking regulations that we support. We are also making additional recommendations to promote  
29 pedestrian, including student, safety on these blocks.

30  
31 The first – and primary recommendation - of Gotham is to have, with one 50’ exception,  
32 alternate side of the street parking for both the south side of West 45<sup>th</sup> Street and the north side of  
33 West 44<sup>th</sup> Street. This change would create a lower turnover, more residential, feel to the block.  
34 The one exception is the 50’ on the north side of W. 44<sup>th</sup> Street just east of 11<sup>th</sup> Avenue, where  
35 the Gotham proposes a “No Standing Except Trucks Loading and Unloading, 7am – 7pm M-F”  
36 to accommodate the loading for the larger residential building (550 W. 45<sup>th</sup> Street) and ground  
37 floor retail. We support both of these changes.

38  
39 In addition, Gotham proposes overlays of other parking regulations in segments of the block.

- 40  
41 • **A total of 400’ in front of the new PS51 on West 44<sup>th</sup> Street:** Create a “Board  
42 Education Employees Only, School Days, 7am to 4pm” 8 parking space area - 4 parking  
43 spaces (100’ each) on either side of an additional 200’ drop off area at the curb in front of  
44 the school entrance. CB4 has already supported this request, which is supported by PS51  
45 staff and parents, earlier this year and reiterate that support in this letter.

46

47 CB4 requests additional measures to ensure a safe school environment. We request DOT  
48 install Street Humps (similar to street bumps, but with more gradual and lower level  
49 bumps) at both the western and the eastern ends of the street; a high visibility crosswalk  
50 on the north side West 44<sup>th</sup> across 10<sup>th</sup> Avenue; and a Leading Pedestrian Interval to  
51 create a time for pedestrians to begin crossing 10<sup>th</sup> Avenue before cars begin turning from  
52 West 44<sup>th</sup> onto 10<sup>th</sup> Avenue. In separate, but related requests, we are also asking the Hess  
53 gas station to eliminate one of its two current curb cuts next to the school along West 44<sup>th</sup>  
54 Street and to, in any case, gate and close those entrances during student commuting,  
55 school and after school program hours. We also are requested that Hess put trees and  
56 other plantings along West 44<sup>th</sup> Street that will both serve to improve the ambiance of the  
57 sidewalk and prevent cars, (including taxi's utilizing the businesses on the south side of  
58 the block) to park on the sidewalk. We are also asking the police to post crossing guards  
59 at 10<sup>th</sup> Avenue and West 44<sup>th</sup> and West 45<sup>th</sup> Streets and, given the number of students  
60 coming from West 42<sup>nd</sup> Street between 11<sup>th</sup> and 12<sup>th</sup> Avenues, at West 43<sup>rd</sup> Street.

- 61
- 62 • **Two 50' "No Standing Anytime – Access-A-Ride"** areas in front of the residential  
63 building entrances for 530 W. 45<sup>th</sup> Street and 550 West 45<sup>th</sup> Street. Given the typical need  
64 for Access-A-Ride access for larger buildings, we support this proposal.  
65
- 66 • **Two Hour Maximum Metered Parking along 11<sup>th</sup> Avenue, 10am to 10pm:** Given the  
67 need for resident visitor parking and other local parking needs, we support this request.  
68
- 69 • **Bicycle Lane Along the north side of West 44<sup>th</sup> Street:** Since there is a bicycle lane  
70 further east on West 44<sup>th</sup> Street, a bicycle lane makes sense in this location. We should  
71 mention that there should be a sign mid-block on West 44<sup>th</sup> Street (to the west of the  
72 school) for both bicyclists and drivers: "Careful – School Ahead." We also note that  
73 Gotham also proposes a bicycle lane on West 45<sup>th</sup> Street that we don't support. We feel it  
74 would be inappropriate to have a one block bicycle lane (there is no bicycle lane further  
75 east (or west) on W. 45<sup>th</sup> Street). West 45<sup>th</sup> Street does not have a pedestrian/bicycle  
76 crossing onto the Hudson River Park but West 43<sup>rd</sup> Street does.  
77

78 We also note that there will be an approximate 25' curb cut on West 45<sup>th</sup> Street for the parking  
79 garage entrance in the cellar of 550 West 45<sup>th</sup> Street. We request that Gotham install a speed  
80 bump and stop sign for exiting cars and a pedestrian warning signal on both sides of the garage  
81 entrance signaling when a car is exiting.  
82

83 Again, we greatly appreciate Gotham's extensive community outreach in devising the proposed  
84 parking and curb regulations for these streets and look forward to continuing to work with them  
85 to promote pedestrian, vehicular and bicycle safety measures for these changing blocks. We also  
86 appreciate the assistance and consideration of DOT in expeditiously implementing the above  
87 recommendations.  
88

89 Sincerely,

1 **Transportation Planning Committee**

**Item #: 41**

2  
3 July --, 2013

4  
5 Mr. Andrew Lautenbacher  
6 Hess Corporation  
7 1 Hess Plaza  
8 Woodbridge, New Jersey 07095  
9

10 **Re: Hess Station (502 W. 45<sup>th</sup> Street) & P.S. 51 - Pedestrian Safety**

11  
12 Dear Mr. Lautenberger:

13  
14 Manhattan Community Board 4 appreciates the involvement of the Hess Corporation in  
15 promoting student and pedestrian safety in Hell's Kitchen by its creativity in installing sidewalk  
16 improvements and various safety enhancing measures along the entrances/exits on Tenth Avenue  
17 and W. 44<sup>th</sup> and W. 45<sup>th</sup> Streets. Based on continued discussion with PS51 staff and parents and  
18 yourself, we would like to supplement the requests we made in put January 3, 2013 for changes  
19 to be made before the return of PS51 in September, 2013.

20  
21 When P.S. 51 returns, its new building will be adjacent to the Hess Station on the north side of  
22 W. 44<sup>th</sup> Street between Tenth and Eleventh Avenues. The students – which will double in  
23 numbers- will not use the W. 45<sup>th</sup> Street entrance any longer, but rather will use the W. 44<sup>th</sup>  
24 Street entrance. We appreciate your agreement, as per out January 3, 2013 request, prevent  
25 vehicle use of the W. 44<sup>th</sup> Street entrances/exits to the Hess Station during the hours that students  
26 arrive (7:30 a.m. to 9:30 a.m.) and leave either school or after-school activities (2:30 p.m. to 6:00  
27 p.m.).

28  
29 Additionally, based on further discussion with the staff and parents from the school, we also  
30 request that Hess reduce the number of entrances on West 44<sup>th</sup> Street to 1 entrance, instead of the  
31 current two entrances. We also request, to prevent vehicles from entering the sidewalk during  
32 school arrival and departure hours, a chain link fence and a barricade at the property line before  
33 the sidewalk and a barricade at curb cut on West 44<sup>th</sup> during these hours. We also request that  
34 you ask the police for barricades that have as narrow as possible bases to prevent the barricades  
35 from being an sidewalk side obstacle for people with visual impairments. We also request signs  
36 both just west of the bumping stations and immediately before the W. 44<sup>th</sup> Street exit(s) that this  
37 exit is closed during school hours. Beyond the treatments for the curb cuts, we request Hess  
38 place plantings near the curb on their portion of the W. 44<sup>th</sup> Street before and after the curb cut  
39 that will both improve the ambiance and prevent the current problem of cars parking on the  
40 sidewalk, a practice goes from being an inconvenience to pedestrians to a serious safety hazard  
41 as the new residents and school students begin heavily using the street. We also request three  
42 trees be planted (25 feet apart from each other) at the corner of 10<sup>th</sup> Avenue and W. 44<sup>th</sup> Street to  
43 more identify it as a primarily school and residential block.  
44

45 Additionally, we ask that a Hess security guard be placed at the W. 44<sup>th</sup> Street location during the  
46 school arrival and departure hours to prevent vehicle drivers from removing the chain link fence  
47 or moving the barricades.

48  
49 Additionally, neighboring residents have reported that vehicles have occasionally entered the gas  
50 station from 10<sup>th</sup> Avenue just south of W. 45<sup>th</sup> Street from a curb, rather than at the curb cut. This  
51 creates a very unsafe condition for pedestrians on the sidewalk. We thus request that you add two  
52 trees next to the curb along 10th Avenue near W.45<sup>th</sup> Street to avoid cars from being on the  
53 sidewalk except adjacent to marked curb cut areas.

54  
55 As always, we appreciate your assistance and involvement and look forward to working with you  
56 to ensure a safe welcome back to our P.S. 51 school children and staff.

57  
58 Sincerely,

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60  
61 cc: M Forgione – DOT  
62 Cathy , Assistant Principal, PS51  
63  
64

1 **Transportation Planning Committee**

Item #: 42

2  
3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 July 28, 2013

**RATIFICATION**

10  
11 **Re: Intercity Bus Stops in CB4**

12  
13 Dear Manhattan Borough Commissioner Forgione:

14  
15 Manhattan Community Board 4 appreciates that the newly adopted provisions 04-01 and 04-10  
16 in Section 4 of the Rules of the City of New York require Intercity Bus operators with existing  
17 DOT authorized bus stops to reapply to keep these stops and provide for a 90 Day review period,  
18 including Community Board review. We look forward to discussing those applications with you  
19 this fall.

20  
21 First we want to state that we are disappointed that the rules included a provision for  
22 Grandfathering. We feel the new rules offer an opportunity to rethink the overall site selection  
23 process and to ensure the process includes active Community Board consultation and feel the  
24 grandfathering provision violates that intent. While we are uncertain how DOT intends to  
25 implement the 90 Day review period for existing Bus Stops, we certainly hope and in any case  
26 request, that it include Community Board consultation.

27  
28 In addition, since the proliferation of Intercity bus stops in our neighborhoods has been a  
29 particular concern of CB4, we wanted to bring a few stops to your attention that we feel are  
30 inappropriate and will warrant fuller discussion and, likely, replacement stops. The first area is  
31 West 34<sup>th</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues. We appreciate the substantial effort DOT made in  
32 community outreach, including with CB4, in designing and implementing the West 34<sup>th</sup> Street  
33 SBS. Placing an Intercity Bus Stop along this route on the north side of the street, blocking the  
34 curbside placement of the “SBS bus only” lane, particularly given the extensive traffic delays  
35 typically on this block, defeats the purpose of having an SBS. In addition, the stop is adjacent to  
36 the major Hammerstein Ballroom/Manhattan Center Venue, around the corner from the New  
37 Yorker hotel, and across the street from a multiplex movie theater, all of which cause substantial  
38 pedestrian usage and overcrowding when added to the Penn Station commuter use.

39  
40 In addition, the volume of Intercity Bus stops along West 42<sup>nd</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenue  
41 has grown so significantly in recent years that it has become impassable for most pedestrians  
42 (particularly around commuting and after-theater hours) and is in many ways the cause of the  
43 frequent M42 award of the Straphanger Campaign’s “Slow Poke Award.” During evening  
44 commute and after theater, the lines for commuting passengers waiting to load on the North Side  
45 of the street typically extends from mid-block on West 42<sup>nd</sup> Street around the corner to midblock  
46 on 9<sup>th</sup> Avenue between W42nd and W43<sup>rd</sup> Streets. We thus oppose reauthorization of the Galaxy,

47 Fuji Express, New Jersey Shuttles and (drop-off only) Newark Airport Express Stops in front of  
48 330 West 42<sup>nd</sup> Street and Galaxy, Fuji and Three Aces bus stop in front of 329 West 42<sup>nd</sup> Street  
49 during the review process.

50

51 We appreciate DOT's and the City Administration's role in lobbying to pass the state legislation  
52 that enables DOT to regulate Intercity Bus stops and the implementation of these rules. We hope  
53 it enable a more rational and pedestrian and safety friendly bus stop selection process and make  
54 the above comments with the goal of working with DOT to begin that process.

55

56 Sincerely,

57

DRAFT

1 **Transportation Planning Committee**

**Item #: 43**

2  
3 July 31, 2013

4  
5 Thomas F. Prendergast  
6 Chairman and Chief Executive Officer  
7 Metropolitan Transportation Authority  
8 347 Madison Avenue  
9 New York, NY 10017-3739

10  
11 **Re: M11 bus service**

12  
13 Dear Mr. Prendergast:

14  
15 Manhattan CB4 requests the MTA monitor the performance of the M11 bus during weekdays  
16 and conduct a survey to see if increased service is mandated on the weekend. Manhattan CB4  
17 has received several complaints about the frequent delays or missed bus schedule times during  
18 weekdays and the infrequent bus service during the weekend.

19 On weekdays, the M11 is scheduled to run every 8-12 minutes starting in early morning and  
20 throughout the day and every 15 to 20 minutes in the evening. Residents have reported that the  
21 bus often doesn't come for half an hour or longer, including during rush hour. While we  
22 understand that both 9<sup>th</sup> and 10<sup>th</sup> Avenue often have substantial traffic during rush hour, the level  
23 of traffic should be predictable and bus schedules should reflect those. Substantial traffic also  
24 does not account for missed scheduled stops.

25  
26 On weekends the M11 is scheduled to run every 20 to 25 minutes both during the day and  
27 evening. The local residents inform us that the bus is often crowded, reflecting the increasing  
28 tourism popularity of the CB4 neighborhoods, especially Chelsea and its signature Highline Park  
29 and Chelsea Market. While we understand DOT monitors usage every few months to make  
30 changes to the schedule, we feel this may be an appropriate time to do such a study of the M11  
31 bus weekend usage.

32  
33 As always, we greatly appreciate your assistance and consideration.

34  
35 Sincerely

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1 **Transportation Planning Committee**

**Item #: 44**

2  
3 July 28, 2013

4  
5 Officer Michael Dugan  
6 Midtown North Precinct  
7 306 West 54<sup>th</sup> Street  
8 New York, NY 10019

9  
10 Dear Officer Dugan:

11  
12 Manhattan Community Board 4 supports the active recruitment, training and hiring of at least  
13 three security guards for the new PS51 on West 44<sup>th</sup> Street. One Guard at West 44<sup>th</sup> and Tenth  
14 Avenue, another at West 45<sup>th</sup> and Tenth Avenue and a third at West 44<sup>th</sup> and Eleventh Avenue.

15  
16 Most students are likely to come from mass transit and the neighborhood immediately to the east  
17 of the site. We thus need a crossing guard at West 44<sup>th</sup> and Tenth Avenue. This is particularly  
18 important given the high volume of cars entering the Tenth Avenue sidewalk to use the Hess  
19 Station and the number of cars turning left from West 44<sup>th</sup> Street to go onto Tenth Avenue. In  
20 addition the students coming from the neighborhood will most likely be arriving from the north  
21 and cross at West 45<sup>th</sup> Street and Tenth Avenue, another intersection made problematic by the  
22 number of vehicles entering the side walk to use the Hess Station and the large number of trucks  
23 and buses who turn from 10<sup>th</sup> Avenue onto West 45<sup>th</sup> Street to use the vehicle repair and cleaning  
24 services on the north side of the block. In addition, with the creation of over 2,000 apartments on  
25 West 42<sup>nd</sup> Street between Eleventh and Twelfth Avenues, there is also a need for a security guard  
26 at West 44<sup>th</sup> and Eleventh Avenue. Given its proximity to the Lincoln Tunnel many of the  
27 vehicles entering the area are going in each of the direction – north, south, and east, creating a  
28 substantial number of unsafe turning movements at the immediate and adjacent intersections,  
29 substantially reducing pedestrian safety. An enforcement guard is very much needed that  
30 location for the PS51 students.

31  
32 We believe the security guards should be recruited as soon as possible to enable sufficient  
33 involvement and understanding of both student and community safety needs and major  
34 transportation movement and conflicts and to become a part of the school community. The hours  
35 of employment should reflect not just arrival and departure hours, but also hours for after school  
36 programming that will likely keep student in certain areas of the school and its yard.

37  
38 We appreciate your assistance and involvement in ensuring these crossing guard positions are  
39 funded and hired before the start of the school year in September.

40  
41 Sincerely,

42  
43

1 **Transportation Planning Committee**

**Item #: 45**

2  
3 June 26, 2013

4  
5 Mr. Stanley Shor  
6 Assistant Commissioner  
7 New York City Department of Information Technology and Telecommunication  
8 2 Metrotech Center, 4th Floor  
9 Brooklyn, N.Y. 11201

10 **RATIFICATION**

11 Dear Mr. Shor:

12  
13 Manhattan Community Board 4 (CB4) appreciates meeting with DOITT, other Community  
14 Boards, and our elected officials to hear about the status of the RFP for  
15 sidewalk-based telecommunication devices. We were particularly pleased to learn that the new  
16 devices will provide a network of free Wi-Fi stations and that the RFP will be for a fewer  
17 number of stations. We are also pleased that single installations (rather than the current frequent  
18 two-phone installations) will be the new norm. However we continue to be concerned that the  
19 new station's profile will not reduce the encroachment on the pedestrian path.

20  
21 CB4 reiterates its request to significantly reduce the current saturation on 8<sup>th</sup> and 9<sup>th</sup> Avenues  
22 where there are respectively 3.68 and 2.68 installations per intersection on sidewalks unusually  
23 narrow, while the average in our district is 1.62 (see attached plan).

24  
25 To achieve a better balance we propose that 10% of installations (34) in our district be eliminated  
26 and 16% (54) relocated to underserved areas in our district that are experiencing a surge in  
27 commercial and residential traffic due to rezoning. We also request that, to the maximum degree  
28 feasible, locations be moved at least 50' from the corner to ensure vehicle drivers can focus on  
29 pedestrians crossing, rather than phone advertising. This rebalancing would maintain enough  
30 installations on 8<sup>th</sup> and 9<sup>th</sup> Avenues to establish the Wi-Fi network.

31  
32 Per your request, the attached report provides a detailed explanation of the unique circumstances  
33 of our district and the specific conditions surrounding each installation we wish relocated or  
34 removed. It also proposes a relocation plan.

35  
36 Thank you for your consideration and attention to these important CB4 requests.

37  
38 Sincerely

39  
40 CC Gail Brewer

41

1 **Transportation Planning Committee**

**Item #: 45a**

2  
3 June --, 2013

4  
5 Mr. Stanley Shor  
6 Assistant Commissioner  
7 New York City Department of Information Technology and Telecommunication  
8 2 Metrotech Center, 4th Floor  
9 Brooklyn, N.Y. 11201

10  
11 Dear Mr. Shor:

12  
13 Manhattan Community Board #4 looks forward to DOITT's release of a Request for Franchise's  
14 to install and manage the new payphone. We are excited that the newly designed payphones,  
15 which, as per the DOITT design selection competition, will include enhanced features with a  
16 slender design (and include free 311 and 911 calls), will be replacing the existing antiquated  
17 booth installations. The public comment and review process of the potential design for these  
18 installations encouraged substantial participation and we are eager to see the results. In a  
19 separate letter we outlined a plan for redistributing and reducing the number of phone  
20 installations within Community Board 4 while respecting DOITT's plans to have installations  
21 that enable a district wide Wi-Fi network (with each installation having a 200' radius of Wi-Fi  
22 capability). In this letter we want to make recommendation for payphone installation placement  
23 criteria.

24  
25 First, we want to reinforce our previous recommendation that, along with new and innovative  
26 thinking on design should come new and innovative thinking on placement. More specifically,  
27 we recommend that DOITT not grandfather existing locations and adopt placement criteria  
28 similar to other street furniture such as newsstands, including procedures for Community Board  
29 review and input. We also encourage flexibility in design and placement, including on which  
30 direction the phone and features face (perpendicular or parallel to the curb), the height and  
31 placement of advertising panels that respects the pedestrian and window level experience of the  
32 booths and avoids visual and physical clutter, and the consideration of some locations on asphalt  
33 (rather than sidewalk) adjacent to other street based uses such as bicycle share or bicycle rack or  
34 benches on converted pedestrian plaza areas.

35  
36 Second, we strongly urge DOITT to create strong incentives in the RFP for franchises to meet  
37 the design and features shown in the sample finalists in DOITT's public outreach process.  
38 Specifically, we encourage the narrower design that includes local information panels, smart  
39 phone rechargers and handicapped accessibility. We also hope DOITT will confer with  
40 Community Boards before selecting a final design and features.

41  
42 We strongly urge DOITT to review the rules adopted for Newsstands as a model for Phone  
43 Booth placement criteria. Among some of those rule criteria that we would support for phone  
44 booths include:

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46
- Ensuring a minimum nine feet and six inch clear pedestrian path

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- A minimum distance from the corner line (we suggest 25'), to avoid overcrowding and visual clutter near pedestrian crossings. This is particularly crucial given that increased pedestrian overcrowding at many corners during rush hour and the potential for driver viewing distractions while they are turning (a recent report indicated that 44% of pedestrian injuries occur while they are crossing while they have the "walk" sign).
  - Consider placements near other street furniture, such as benches or bus stops, where the Wi-Fi services can be most useful, or trees or sign poles that already create restricted pedestrian paths.
  - Trap doors, subway and Con Edison grates should be considered an obstruction to pedestrian paths when taking measurement. The reality is that many trap doors are open and used for business loading and unloading and most grates are designed in a way that cause pedestrians (particularly those in heels) to avoid them.
  - 
  - There are some streets, those that score a "D" or worse, that are already too overloaded with pedestrians to consider any additional blocking of pedestrian movement or obstructions to portions of the sidewalk and are also, thus typically too noisy and crowded with movement to be useful to any payphone user.
  - A minimum of 15' between any payphone and subway stairs (except if on the back of the subway entrance), curb cut and/or entrance to a commercial or residential building with more than 16 stories.
  - A minimum of five feet between a payphone and a tree pit, canopy, and street light
  - A two foot clearance, in any direction, from ventilation or other grills, cellar doors, manholes, access plates, adjoining building vaults or transformer vaults, street signs, parking meters, newsstands, fixed litter baskets, valve boxes, and mail boxes.
  - A one and one-half foot clearance is required from curbs, measured perpendicular to the curb-line.

80 We suggest that the newsstand approval process be adopted for the addition relocation and  
81 removal of phone booths, with the addition of

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- An exception process in case there is community opposition, to be resolved by a city council vote, as is currently the case for Sidewalk Cafés.
  - Relocations would be automatically approved, as long as the community has provided for a suitable new site within the community board boundary or as approved by another community board.

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- Removal without relocation would be automatically approved provided they do not exceed 3 % annually of the citywide inventory at the end of the preceding calendar year.

As always, we appreciate your consideration and assistance.

Sincerely



1 **EXECUTIVE COMMITTEE (EXEC)**

**Item #: 46**

2  
3 July 31, 2013

4  
5 Madelyn Wils  
6 President & CEO  
7 Hudson River Park Trust  
8 Pier 40, 2nd Fl.  
9 353 West St.  
10 NY, NY. 10014

11  
12 **Re: Hudson River Park Act revisions – transfer of development rights**

13  
14 Dear Ms. Wils:

15  
16 Thank you, and Executive Vice President Noreen Doyle, for attending the July 15, 2013 joint meeting of  
17 the Chelsea Land Use and Waterfront, Parks, and Environment Committees to discuss the recent revisions  
18 passed by the NYS Legislature to the Hudson River Park Act.

19  
20 Many of the revisions are a most welcome outcome, but as you no doubt heard there are a number of  
21 concerns, from the Heliport to the future use of Pier 76. The issue that is of the most concern for us,  
22 however, is the transfer of the development rights from the commercial piers. Outside of Pier 40 all the  
23 commercial piers within the park are within the boundaries of Community District 4.

24  
25 We understand that the transfer of development rights would be subject to existing zoning. We also  
26 understand that decisions have yet to be made on where these development rights will land. However,  
27 even though this will all go through a public process, we are concerned that discussions on where the  
28 development rights will come from and where they will land will occur with the Department of City  
29 Planning without CB4. There are few sites in CD4 available to receive air rights transfer development.  
30 Given the above factors we ask to meet, as soon as possible, with you and City Planning to discuss the  
31 potential receiver sites in CD4 that you are considering.

32  
33 Thank you for your consideration.

34  
35 Sincerely,

36  
37 Corey Johnson  
38 Chair

39  
40 cc: electeds and local community groups

41  
42

1 **New Business**

**Item #: 47**

2  
3 July 19, 2013

4  
5 Matthew Urbanski  
6 Michael Van Valkenburgh Associates, Inc.  
7 16 Court Street, 11<sup>th</sup> Floor  
8 Brooklyn, New York 11241  
9

10 **Re: Suggestions for Block 4**

11  
12 Dear Matthew:

13  
14 First of all, we wish to thank you and your colleagues for meeting with us at the HYCD office on  
15 July 10th. We were grateful for the opportunity to revisit the plans for the Hudson Boulevard  
16 Park and review preliminary plans for Block 4.

17  
18 We took your suggestion to visit the MVVA designed park in Union Square and Tear Drop Park  
19 in Battery Park City. We were impressed with what you achieved in both parks.

20  
21 In Union Square, we especially liked the "Centrifuge" as one devotee called it. He and two  
22 companions in their late teens gave us a demonstration. We grew dizzy watching them enjoy  
23 themselves getting dizzy. We want a dozen of the things. (We will take two or three). We also  
24 liked the "Dome." We would like two domes even more.

25  
26 The children's area was also admired, especially for its spaciousness.

27  
28 We thought Tear Drop Park was admirably designed for the residential buildings which surround  
29 it. While the sense of a hidden, private garden surely must satisfy the somewhat exclusive  
30 residential community it serves, we feel block 4 must be being more open, more visible, less  
31 hidden. That is: you might not know Tear Drop Park was there, unless you lived above it. We  
32 had to ask directions even though we standing almost in front of the entrance to the Park. Block  
33 4 must be inviting to the residents of the larger surrounding Hell's Kitchen community, as well as  
34 to the swells fortunate enough to live directly above it.

35  
36 We thought the use of contour and elevation gave Tear Drop Park a dynamic sense of space. We  
37 liked it. We wondered if one longer slide, instead of two short ones, might enhance, for the  
38 "slidee," that exhilarating sense of slaloming down a hill.

39  
40 At Tear Drop, we spoke with one of the gardeners from the Battery Park City Conservancy. It  
41 was instructive. The ground covers and trees, while not entirely maintenance-free, made the task  
42 of keeping the park looking spiffy easier. Fifty shades of green seem often to be the palette of  
43 choice by park management. We wondered if more color were possible for Block 4. The beds on  
44 the perimeter of Hell's Kitchen Park (Tenth Avenue between 47th and 48th Streets), for example,  
45 blooming with annuals and perennials planted and maintained entirely by community volunteers,  
46 has brought a welcome three-season display of floral beauty to the surrounding neighborhood.

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As well, a more open and visible park perimeter, like the flower beds in Hell's Kitchen Park, might help enhance the sense of inviting accessibility we want to achieve.

At the end of our tour, we came upon the small pool with water flowing over a rippled bottom like a running brook. Our senses were delighted. The gurgling sound, the light playing on the moving water, the coolness to the touch — our District Manager had to be restrained from removing his shoes and wading. We want a stream running through all six parkettes.

Our suggestions were reviewed by the Waterfront and Parks Committee and the Chelsea Preservation Committee of Manhattan Community Board 4 on July 15th. Both committees were enthusiastic about the basic design and our modest though brilliant tweaks. The suggestions will also be reviewed by the Clinton/Hell's Kitchen Land Use and Zoning Committee on July 24th.

In the meantime, we hope you will be able to review and find merit in our design suggestions. Attached is an illustration. We look forward to visiting your studio in Brooklyn on July 29th.

Sincerely,



Corey Johnson  
Chair



Jean-Daniel Noland  
Co-Chair,  
Clinton / Hell's Kitchen Land Use Committee

Attachment: CB4 Suggestions for Block 4 Illustration

1 **New Business**

**Item #: 48**

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July 10, 2013

Mathew Wambua  
Commissioner  
Dept. of Housing Preservation and Development  
100 Gold Street  
New York, NY 10007

**RATIFICATION**

**Re: Fulton Houses Project – 140001ZMM, N140002ZAM**

Dear Commissioner Wambua:

We learned yesterday afternoon that in the Fulton Houses Project, just certified by the Department of City Planning, this past Monday, July 8<sup>th</sup>, 2013, there is a proposal in it to preserve the current parking on the Fulton Houses development site by paving over two children's play areas, including a playground, sprinkler and community gardens. Apparently NYC Council Speaker Christine Quinn's Office was unaware too.

The Fulton community is extremely upset and so are we. We believe that common sense would have dictated that any such proposal should have been discussed with us and the local Council Member prior to certification of the application. Manhattan Community Board 4 was the one who first got the City to commit to developing this site and is very much in favor of affordable housing going up. We have had numerous meetings and were always under the belief that a space could be found for the cars by re-striping certain areas.

Nevertheless, we cannot and will not support the project if it means the loss of two children's play areas. This is critical to us as Manhattan Community District 4 ranks last out of Manhattan's 12 community boards when it comes to residential access within ¼ mile of a park and open space as a percent of total district square footage<sup>3</sup>.

We look forward to working with you and the other agencies and the elected representatives to find a solution to this problem so the project can move forward.

Sincerely,



Corey Johnson, Chair  
Manhattan Community Board 4



Jean-Daniel Noland, Co-Chair  
Clinton/Hell's Kitchen Land Use Committee

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<sup>3</sup> 2009 Furman Center for Real Estate & Urban Policy. State of the City's Housing & Neighborhoods Report

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J. Lee Compton, Co-Chair  
Chelsea Preservation & Planning



Betty Mackintosh, Co-Chair  
Chelsea Preservation and Planning

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

cc: All Local Electeds  
RuthAnne Visnauskas – HPD  
Beatriz de la Torre – HPD  
Thehbia Walters – HPD  
Artimus Development  
Amanda Burden – DCP  
Edith Hsu-Chen – DCP  
Karolina Grebowiec-Hall – DCP  
NYCHA

DRAFT

1 **New Business**

**Item #: 49**

2  
3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 July 31, 2013

10  
11 **Re: Pedestrian Safety - serious injury at West 43<sup>rd</sup> Street and Ninth Avenue**

12  
13 Dear Manhattan Borough Commissioner Forgione:

14  
15 Another horrific crash took place on Ninth Avenue at West 43<sup>rd</sup> Street at 7:40 a.m. on July 25,  
16 2013. Bystanders indicated that the victim, who is in serious condition, had been pinned down  
17 under the front wheel of an articulated MTA bus (M34A) making the (south) left turn from their  
18 layover location on West 43<sup>rd</sup> Street onto Ninth Avenue. The pedestrian had the walk signal.

19  
20 This issue is not new - there have been 40 injuries in recent years at this corner. Manhattan Plaza  
21 located at the intersection is a NORC (Naturally Occurring Retirement Community) with over  
22 3,000 seniors. A school is located within 500 feet. A large population of residents and seniors  
23 regularly cross Ninth Avenue at West 43<sup>rd</sup> Street to reach the subway at Eighth Avenue.

24  
25 We believe this tragedy may have been avoided: on October 2011, 21 months ago, the Hell's  
26 Kitchen traffic study recommended the installation of a split phase at this intersection. The  
27 solution has been vetted by both DOT and the MTA. Had this measure been implemented  
28 sooner, our neighbor may not be in the Intensive Care Unit today.

29  
30 We look to your help in making this crossing safe as soon as humanely feasible. This safety  
31 measure must be implemented without delay to prevent further tragedies.

32  
33 In addition, the balance of the Hell's Kitchen study's safety recommendations – including a split  
34 phase for the high-risk westbound south turning movement at West 42<sup>nd</sup> Street and Ninth Avenue  
35 - should also be fast-tracked. This crash makes it clear that every day that passes without action  
36 is putting lives at greater risk.

37  
38 Thank you for your concerns with this community's safety. We look forward to hearing from  
39 you shortly.

40  
41 Sincerely,

42 cc: Pendergast (MTA)  
43 NYPD  
44 Local electeds

45  
46

DRAFT