

1 Quality of Life Committee

Item#: 10

2

3 April ??, 2016

4

5 Street Activity Permit Office

6 100 Gold Street, 2nd Floor

7 New York, NY 10038

8

9 Re: Street Activity Permit Renewal Application 2016

10

11 Applicant: Folsom Street East

12 Location: W. 27th Street (10th -11th Avenue)

13 Date: _____

14 Time: _____

15 Appl. _____

16

17 Manhattan Community Board 4 recommends denial of the renewal application for a street fair
18 located at _____ on W. 27th Street between 10th and 11th Avenue, to be operated
19 by Folsom Street East, unless the following provisions are agreed to by the operators:

20

- 21 • Hours of operation are 11 a.m. to 6 p.m. w/set up starting at 9 a.m. and clean-up being
22 finished by 7:00 p.m.
- 23 • To reach out to all residences and businesses on 27th St. between 10th and 11th Avenues
24 to alert them to the event, its ticket policy, and to give contact information for the
25 operators in case residents/businesses have questions or concerns;
- 26 • Work with the Police Department to procure barricades to line the sidewalks to give easy
27 access for residents and businesses to get on and off the block;
- 28 • Best efforts be made to ensure that the live performance space be angled in such a way so
29 that a physical view of the stage from the apartment building located at 537 West 27th is
30 not possible.
- 31 • Provide adequate security to manage the expected large crowds and to make information
32 regarding the event and the charities to be awarded funding from it freely available to any
33 interested parties.
- 34 • Make sure that residents and business personnel of the block have no issues gaining
35 admittance to and from their residences and businesses on the day of the event (and that
36 all New Yorkers be made to feel welcome to traverse the block in question using the
37 sidewalks).
- 38 • Amplified Sound/music will be permitted for a four-hour window during the event from
39 1-5 p.m. Such sound will be monitored carefully by the operators and will not be unduly
40 loud. All Residents and businesses will be given a contact phone number for the
41 operators of the event in order to register concerns and/or complaints about the sound
42 levels.

43 Sincerely,

44

45

46 Delores Rubin, David M. Pincus, and Tina

47 cc.: _____

48

1 Quality of Life Committee
2 March 28, 2016

3
4 Maribel Liberti, Director
5 The Ninth Avenue Association
6 60 Ninth Avenue, #208a
7 New York, NY 10036
8

9 **Re: STREET ACTIVITY PERMIT APPLICATION**

10
11 **Applicant:** Ninth Avenue International Food Festival
12 **Location:** Ninth Avenue between 42nd and 57th Streets
13 **Date:** May 15 and 16, 2016
14 **Time:** 10:00 a.m. to 6:00 p.m.
15

16 Dear Ms. Liberti:

17
18 The Quality of Life Committee (“QOL”) of Manhattan Community Board 4 (“CB4”) appreciates your
19 attendance at its March 7, 2016 meeting to discuss the Ninth Avenue International Food Festival’s (“Food
20 Festival”) Street Activity Permit application for renewal. As you know, QOL has voted to recommend
21 that the application be accepted by the Full Board at its April 6th, 2016 meeting. However, the committee
22 has a few requests for information, to which we would like a written response within ten days of receipt
23 of this letter.
24

25 Firstly, please confirm the Food Festival’s acceptance of all prior stipulations it has agreed to in the past.
26

27 Secondly, during your presentation, you informed us that the Food Festival generates approximately
28 \$250,000 per year in revenue, of which \$50,000 is given to charities. The committee had certain
29 questions regarding how this revenue is distributed among non-profit grantees. We are, therefore,
30 specifically interested in receiving:
31

- 32 1) a list of grantees that have been funded over the past five years, a short description of their
33 missions, and links to their websites;
- 34 2) information about the amount smaller organizations within CB4’s boundaries have been granted
35 during this period, especially in comparison to larger grantee organizations;
- 36 3) and, a brief outline describing the process by which charities are selected for grants, and, written
37 grant application, as well as agreement, between grantor and grantee, that is if they exist.
38

39 Given the long-standing presence of this well-attended street activity, the MCB4 Full Board voted to
40 support the committee’s recommendation to approve this application on the condition that you agree to
41 the following additional stipulations for all future festivals:
42

- 43 • The applicant must keep the bike lanes 100% clear in their designated locations.
- 44 • The applicant must keep the sidewalks 100% clear.
- 45 • The applicant will consider donating additional profits to Community Board 4 organizations.
46

47 Finally, the Quality of Life Committee asks that the Ninth Avenue Association Board of Directors meet
48 with the CB4 in the upcoming month to discuss the above.

49 Sincerely
50 Delores
51 Tina
52 David

53 **[Add Signature Block]**

1 Quality of Life Committee

Item#: 12

2
3 April XX , 2016

4
5 To: Street Activity Permit Office

6
7
8 RE: Street Activity Permit

9 Applicant: Clearview Productions

10 Location: 9th Avenue, between 14th & 15th Streets

11 Date: May , 2016

12 Time:

13
14 Dear,

15
16 At a Quality of Life Committee Meeting of Community Board 4 held on March 7,2016, the
17 committee recommended approval of the street activity permit for a Clearview Festival
18 Productions' Pop Up Block Event to be held on May 21st, 2016 on Ninth Avenues between 14th
19 and 15th Streets. The event is intended to benefit the Community Council of the 10th Precinct.
20 The promoters have agreed to continue prior stipulations and have instituted additional
21 conditions to be adhered to by the vendors.

22
23 In attendance for Clearview Productions: Robert Ashe, Evan Berman and Todd Berman,
24 Detective Michael Petrillo for the Community Council of the 10th Precinct who expressed the
25 need for CB4's support, Mr. Miguel Acevedo, who spoke positively on behalf of the residents of
26 Fulton Houses (a NYCHA housing development situated at West 16th-19th Streets, between 9th-
27 10th Avenues.

28
29 Mr. Stanley Bulbach, Chair of the West 15th Street 100 & 200 Block Association, who was not
30 present, sent a letter expressing the Association's concerns noting:

- 31 1) the lack of traffic control at each end of West 15th Street;
32 2) the use of amplified music that exceeds New York City noise codes and regulations;
33 3) and noisy diesel generators and grills that emit smoke and fumes.

34
35 Presenters from Clearview Productions explained that the proposed event is their "Premium"
36 Event Production which they introduced last year with great success.

37 Aspects of Premium Event and new stipulations:

- 38 a) no amplified music;
39 b) Greater vetting of vendors;
40 c) ensuring all vendors use specific Honda low noise low fume generators;
41 d) Different food service that does not produce the smoke from traditional grills;
42 e) Sidewalks not to be used as staging areas;
43 f) Staff a prominently placed information booth;
44 g) And use marshalls to monitor and check vendor licenses.

45
46 Clearview Productions, in conjunction with the 10th Precinct agreed to:

- 1 h) Post auxiliary officers to improve traffic control at both ends of West 15th Street;
- 2 i) Additional police officers for security;
- 3 j) Bike lane to be closed between 14th & 15th streets for safety concerns.

4
5 Detective Petrillo stressed that because the annual block event has been curtailed from three (3)
6 days to a one (1) day event, income derived from the events has been reduced by 60%, thereby
7 diminishing the CC 10's ability to provide the same level of community programming as it has
8 been able to in past years.

9 The current policy of the New York City Street Activity Permit Office ("SAPO") is to restrict
10 issuing permits to applicants who have not been consistently submitting applications. The
11 Quality of Life Committee requests a meeting with SAPO to discuss the disadvantages of these
12 restrictions on the city's residents, and to urge SAPO to reinstitute the three (3) day event.

13
14
15 Very truly yours,

DRAFT

2
3 April XX, 2016

4
5 Madelyn Wils
6 Hudson River Park Trust
7 Pier 40, 2nd Floor
8 353 West Street
9 New York , NY 10014

10
11 **Re Funding for Security Updates on Hudson River Park**

12
13 Dear Ms. Wils:

14
15 The Waterfront, Parks and Environment Committee (the “Committee”) of Manhattan
16 Community Board 4 thanks you for your presentation to the Committee on behalf of the
17 Hudson River Park Trust (the “Trust”) outlining the funding request to increase security
18 in the Park made by the Trust to the office of Manhattan Borough President Gail Brewer.
19 The Committee enthusiastically supports your application for increased funding.

20
21 The Committee believes that improved lighting, better signage and the deployment of
22 additional personnel will make the Hudson River Park a safer place for all visitors. We
23 would like to see more use of the 3-wheeled patrol vehicles now in use. We also agree
24 with the Trust that an increased use of technology, whether the expansion of the camera
25 system now in use at Pier 40 to other areas of the Park or through using variable
26 electronic message boards will also accomplish this goal.

27
28 The Committee also urges the Trust to investigate placing an increased emphasis on
29 water safety. This should include an increase in the availability of water rescue
30 equipment throughout the Park and the placement of ladders (made of a non-corrosive
31 material) at certain key points where egress from the river may be required in an
32 emergency situation.

33
34 Obviously, all of these improvements will cost money, but the Committee believes these
35 improvements are necessary. By copy of this letter to Borough President Brewer, we
36 urge her office to approve the Trust’s funding request in the amount of \$200,000.

37
38 Sincerely,

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40
41 Cc: Gail Brewer
42
43

2
3 April XX, 2016

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5 Nicole Dooskin
6 Hudson River Park Trust
7 Pier 40, 2nd Floor
8 353 West Street
9 New York, NY 10014

10
11 **Re Pier 76 RFP**

12
13 Dear Ms. Dooskin:

14
15 The Waterfront, Parks and Environment Committee (the “Committee”) of Manhattan
16 Community Board 4 thanks you for your presentation to the Committee on behalf of the
17 Hudson River Park Trust (the “Trust”) introducing the proposed tenant for the south end
18 of Pier 76, The Classic Car Club of Manhattan (“CCC”). The Committee shares the
19 Trust’s view that CCC’s vision of this space at Pier 76 would provide a benefit to the
20 public.

21
22 As you explained, CCC submitted one of three proposals in response to the Trust’s RFP
23 for the use of this space on Pier 76, which was vacated by the New York Police
24 Department’s Mounted Unit. The Committee shares your view that CCC’s stated goals
25 of providing educational opportunities and a museum-like attraction will make good use
26 of this space.

27
28 CCC has promised to make its collection of classic cars open to the public for viewing, as
29 they do at their current location. They have also promised to provide a number of
30 educational opportunities for the community related to automobiles and automobile
31 maintenance. These amenities are central to the Committee’s support of this project, and
32 we expect that any lease signed between the Trust and CCC will incorporate these uses of
33 the space.

34
35 The Committee also expressed concern about the traffic that may be caused by cars
36 leaving and entering CCC’s facility. While we understand that this traffic may be limited
37 to certain times of the week, and certain times of the year, we ask that the Trust preserve
38 a right in the lease with CCC to require modifications if traffic becomes an issue and to
39 monitor the traffic situation around Pier 76 on a regular basis.

40
41 The Committee would appreciate receiving updates as further progress is made on this
42 project.

2
3 April XX 2016

4
5 Manhattan Borough Commissioner Margaret Forgione
6 Department of Transportation
7 59 Maiden Lane, 35th Floor
8 New York, NY 10038
9

10 **RE: Proposed 11th Avenue Safety Improvements**

11
12 Dear Commissioner Forgione,

13
14 Manhattan Community Board 4 is pleased with the overall proposed phased
15 implementation plan for converting 11th Avenue to two ways south of 42nd Street and one
16 way north of 42nd Street. This proposal is in response to a CB4 request based on a
17 recommendation of the Hell's Kitchen Traffic Study that calls for better balancing the
18 traffic between 9th, 10th and 11th Avenues. Based on the details presented, we support the
19 proposal, but we'd like to see a number of suggestions incorporated in the plan to
20 improve safety and help drivers navigate the new configuration.
21

22 11th Avenue currently allows for two-way traffic south of 24th Street, southbound one-
23 way 24th to 37th Streets, two-way between 37th and 42th Streets, southbound one-way
24 between 42nd and 44th Streets and two-way north of 44th Street.
25

26 The plan proposes to expand the two way segment from 42nd Street all the way south to
27 route 9A in two phases:

28 The segment from 37 to 34th street that used to be two-way before the avenue
29 re-paving, will be returned to two-way in July 2016.

30 The segment from 34 to 24th Street will be converted to two-way at a later date,
31 when the construction of the Hudson Yards sites is closer to completion.

32 The plan further proposes to expand the one-way segment from 44th to 53rd Street in
33 September 2016.
34

35 In addition the plan includes many pedestrian safety improvements at various
36 intersections along the corridor, increases loading and unloading space and provides for
37 turn lanes.
38

39 **Phase 1- Changes to 11th Avenue from 34th to 42nd Street**

40
41 Restore the two-way traffic between 34th and 37th Streets.

- 42 • We welcome this change, which will allow Lincoln Tunnel bound traffic to use
43 11th Avenue as well as 10th – currently overloaded.

44 We note that this area could use flexible cones or other separation to clearly show
45 vehicles that the segment is two-way.
46

47 Improve pedestrian safety:

- 48 • High visibility markings: A convention visitor was recently killed in the crossing
49 of 11th Avenue at 37th Street. These east-west pedestrian crossings are heavily
50 used by out of town visitors to the Javits Center but they are currently poorly
51 marked. We request that all pedestrian crossings between south 34th Street and
52 north 42nd street be equipped with high visibility markings to put the vehicles on
53 notice that many pedestrians do cross there.
54
- 55 • 34th Street and 11th Avenue – Split phases: We are pleased that the eastbound 34th
56 Street will be equipped with a turn lane to turn north onto 11th Avenue.
57 Considering the volume of Javits visitors, discount buses travelers and Highline
58 visitors, most them from out to town, it would be beneficial to install split phases
59 signals for all turn lanes, so that all turns from 34th street happen in a single phase
60 and do not conflict with pedestrian crossings.
61
- 62
- 63 • 41st Street and 11th Avenue- pedestrian crossing phase: We are also pleased that
64 DOT will make the intersection of 40th street and 11th avenue safer for
65 pedestrians: with two major vehicular feeds converging toward the Lincoln tunnel
66 entrance, the east side crossing of 41st street was banned to pedestrians, not a
67 sustainable solution in a part of the district that is becoming residential. Three
68 options were presented to address this intersection. Two of them would limit the
69 eastbound movements of vehicular traffic, and thus conflict with the Javits
70 Convention center plan for its trucks to access the Lincoln tunnel directly from
71 the new marshaling yards entrance on 40th Street. We recommend Option 3,
72 which would create a third phase for pedestrians to cross. Such a phase need not
73 delay the Lincoln Tunnel flow (although there is virtually no flow at peak hours),
74 but instead would take time away from the through traffic phase on 40th Street.
75
- 76 • 42nd Street and 11th Avenue - Split Phase: This intersection is one of the priority
77 intersections in the DOT Vision Zero Pedestrian Safety Action Plan for
78 Manhattan¹. Thousands of new residents in this area rely heavily on walking for
79 their transportation needs. We request that DOT study the crashes at that location,
80 report their finding to CB4 and install proper signals to protect the dangerous
81 crossings.
82

83 **Phase 2- Changes to 11th Avenue from 44th to 53rd Street**

84
85 Convert 11th Avenue from two-way to one way southbound between 44th and 47th Street.

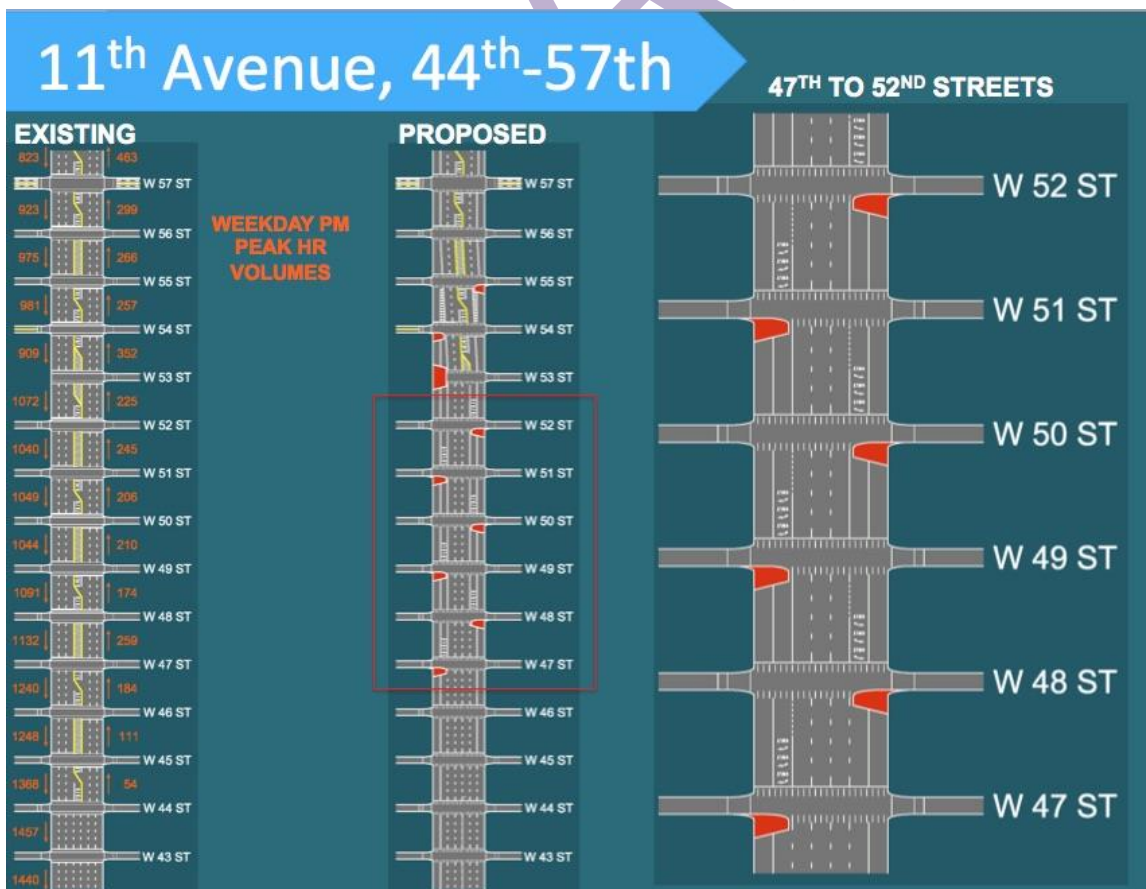
- 86 • CB4 is on record for supporting such a change in order to reduce the congestion
87 on 11th avenue and prevent drivers from going the wrong way between 44th and
88 45th streets. There will be no change to the number of moving lanes or parking
89 regulations.
90

¹ <http://www.nyc.gov/html/dot/downloads/pdf/ped-safety-action-plan-manhattan.pdf>

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- In order to facilitate local flow on the west side of the avenue we recommend that the lane separation between tunnel and local traffic be extended up to the 46th street intersection.
- We also recommend that proper signage be installed overhead starting at 47th Street to direct tunnel traffic to the three eastern lane of the avenue, and local traffic to the western lanes. While remaining at a city scale, signage should be large enough (larger than 9th Avenue bus lane) to be clearly visible.
- Pedestrian safety: Tunnel bound travellers often forget that they are on city streets. We request that all pedestrian crossings on this segment be equipped with high visibility markings.

Convert 11th Avenue from two-way to one-way southbound between 47th and 53rd Street. The current avenue with four traffic lanes, a turning lane and two parking lanes, will be reconfigured with three moving lanes in the center, two parking lanes on one side and a parking lane plus a one turning lane on the other. A two-lane wide sidewalk extension will reduce the crossing length for pedestrian on each of the south crossings. Planters and greenery will be installed on them and maintained by a local maintenance partner. We are very pleased with the proposed configuration, which provides meaningful space to pedestrians and calms the traffic.



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- CB4 is on record for supporting such a change. We are disappointed that the change is limited to 53rd Street to the north. Our request was that the changed configuration starts at a major intersection, 57th Street, which would be less confusing to drivers. We heard from residents that 53rd Street is problematic and would not be the best choice for a boundary. While trying to make 11th Avenue easier to navigate, by creating this new segment DOT adds back unnecessary complexity. We urge DOT to reconsider this decision and recommend they extend the change to 57th Street.
- Pedestrian safety: 53rd Street is already a very dangerous intersection used by park goers, convention attendees and an increasing number of residents. We request that the southbound turn from 53rd to 11th Avenue be equipped with a split phase signal to make this intersection safer.

We appreciate DOT's presentation and its efforts to respond to our requests. We encourage the DOT to review our suggestions and come back to present a final design to the community board before implementation.

DRAFT

2
3 April 6, 2016

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

9
10 **Re: Change in Parking Regulations on West 16th Street Between Sixth and Seventh**
11 **Avenues**

12
13 Dear Commissioner Forgione,

14
15 Manhattan Community Board 4 (CB4) does not support a change in parking regulation in front
16 of 161 West 16th Street from residential to commercial loading. We ask the Department of
17 Transportation to keep the residential signage at this location.

18
19 Barney’s recently opened a store facing 7th Avenue with frontage on 16th Street, on a very
20 residential block. Its management is requesting the parking regulation in front of 161 West 16th
21 Street on the north side of West 16th Street between Seventh and Sixth Avenues to be changed
22 from “No Parking 8:30AM to 10AM Monday and Thursday” to a regulation that would allow for
23 commercial loading Monday to Saturday 6AM to 8AM. CB4 Recommends that the parking
24 regulation at this location remain unchanged.

25
26 At the March 16, 2016 meeting of the CB4 Transportation Committee, Barney’s Inc. made a
27 presentation proposing the parking regulation change: the delivery access is located on 16th
28 street and Barney’s is concerned about potential robberies when pricey goods are delivered on
29 7th Avenue and brought in by dollies on the sidewalk from 7th Avenue.

30
31 This request was met with vigorous opposition from the residents based on the following
32 observations:

- 33
34
- 35 ● Prior to the return of Barney’s, Loehmann's operated at the same location for two decades
36 without the use of a loading zone on 16th Street. Barney’s is concerned that deliveries
37 coming through the 7th Avenue foyer could possibly damage the new marble floor.
 - 38 ● Agreements between Barney’s Inc. and residents, reached when Barney’s obtained a
39 Liquor License, states that all deliveries will be received on Seventh Avenue and not on
40 16th Street.
 - 41 ● 16th Street is a “No Thru Truck” street and the presence of the truck used to make
42 deliveries to Barney’s would be disruptive to the residential block. For example, 16th
43 Street has two speed humps for pedestrian safety and trucks driving over the humps are
44 very noisy.
 - 45 ● There is a bike lane on the north side of 16th Street. A parked truck will encroach on the
46 bike lane.

47 CB4 agrees with the residents' observations that this residential street is not appropriate for a
48 loading zone or truck use in general. Over the years, DOT, Elected officials and CB4 have spent
49 numerous hours ensuring that truck traffic does not use this street. We are further concerned that
50 many more trucks than anticipated will use the loading facility at all hours of the day and night,
51 since Barney's now has a liquor license and will host parties and events. Using the 7th Avenue
52 entrance, like Barney's predecessor did successfully for two decades, seems a reasonable and
53 viable option.

54
55 Manhattan Community Board 4 (CB4) does not support a change in parking regulation in front
56 of 161 West 16th Street from residential to commercial loading. We ask the Department of
57 Transportation to keep the residential signage at this location.
58
59

DRAFT

1 **Transportation Planning Committee**

2
3 April 6, 2016

4
5 Margaret Forgione
6 Manhattan Borough Commissioner
7 NYC Department of Transportation
8 59 Maiden Lane, 37th Floor
9 New York, NY 10038

10
11 **Re: Parking Signage Change Request at 645 Tenth Avenue**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) requests a change to the parking regulation on the west
16 side of Tenth Avenue between West 45th Street and West 46th Street in front of the Ryan
17 Chelsea Clinton Community Health Center located at 645 Tenth Avenue. We request the current
18 curbside regulation of “No Standing 8AM to 7PM except Sunday” be changed to an Ambulance
19 Only sign “No Standing Any Time Except Ambulance Vehicles.” CB4 makes this request on
20 behalf of the Ryan Chelsea Clinton Community Health Center and we believe this change will
21 improve access to the clinic for patients who arrive by ambulance or Access-A-Ride.

22
23 Thank you very much for your consideration and assistance.

24
25 cc
26 Ryan Chelsea Community Health Center

2
3 April XX 2016

4
5 Polly Trottenberg
6 Transportation Commissioner
7 NYC Department of Transportation
8 59 Maiden Lane, 37th Floor
9 New York, NY 10038

10
11 **Re: DDC Water Main Project Night Construction Concern**

12
13 Dear Commissioner Trottenberg:

14
15 Manhattan Community Board 4 requests the assistance of the Department of Transportation
16 (DOT) in minimizing the negative impact the upcoming New York City Department of Design
17 and Construction (DDC) Accelerated Water Main Replacement and Sewer Rehabilitation project
18 will have on our community by ensuring that night construction will not be permitted.

19
20 At the March 16, 2016 meeting of the CB4 Transportation Committee, DDC made a presentation
21 about the ongoing water main construction project happening in Manhattan Community District
22 4 (MCD4). In their presentation they informed us that the next part of the project would move to
23 the following locations:

- 24
25
- 26 ● West 43rd Street Between Tenth Avenue and Twelfth Avenue
 - 27 ● Tenth Avenue between West 43rd Street and West 44th Street
 - 28 ● Eleventh Avenue between West 43rd Street and West 44th Street
 - 29 ● West 35th / West 36th / West 37th / West 38th Streets between Eighth Avenue and Tenth Avenue
 - 30 ● Eighth / Ninth / Tenth Avenues between West 35th Street and West 38th Street.
- 31

32 This construction project is expected to take at least 12 months and while we understand the
33 importance of this project we know it will have a significant impact on the quality of life for
34 residents in our community. We are particularly concerned about night construction during this
35 project which if allowed would be extremely disruptive for the thousands of residents in the area.

36
37 This DDC project is one of many ongoing construction projects in our neighborhood which
38 greatly disrupt our resident's quality of life. From the massive construction taking place over
39 years on W. 54th Street between Eleventh and Twelfth Avenues, to the rezoning of Eleventh
40 Avenue, to the proposed rezoning in Clinton's Special Urban Renewal Area (CURA), to the
41 ongoing development at Hudson Yards, West Chelsea and its surrounding neighborhoods,

42 MCD4 residents have been exposed to years of quality of life abuses due to the construction
43 noise and the issuance of After Hours Work Variances that have been previously granted, and is
44 also facing a minimum of ten to fifteen more years of massive and constant new construction in
45 the midst of its residential neighborhoods.

46
47 CB4 therefore requests that DOT ensure that the DDC project will not be granted permits for
48 night construction in these residential areas. CB4 believes that this project can be completed
49 while maintaining the flow of traffic and limiting construction to hours that will not negatively
50 impact residents. CB4 previously expressed our concern about night construction in regards to
51 the DOT's overnight repaving projects in a letter dated July 28, 2014, and we hope that our
52 concerns expressed then will also be considered in this matter.

53
54 We urge the DOT to seriously consider our request and make these reasonable accommodations
55 to preserve the quality of life for MCD4's residents.

56
57 Sincerely,

58
59 cc:
60 electeds
61 DDC

62

DRAFT

2
3 April XX, 2016

4
5 Commissioner Howard Zemsky
6 Empire State Development
7 633 Third Avenue
8 New York, NY 10017

9
10 **Re: Javits Marshaling Yard**

11
12 Dear Commissioner Zemsky,

13
14 Manhattan Community Board 4 (MCB4) has long requested the creation of a bus garage
15 for the more than 300 Tour and Charter¹ buses that park curbside in our district. We are
16 asking you to dedicate a small portion of the state property located between 33rd and 34th
17 Streets, Eleventh to Twelfth Avenues in Manhattan, to accommodate such a garage.
18 This garage is critical to support the growth of New York State's travel, entertainment
19 and tourism industries, and equally important, to improving the air quality in our district.

20
21 In 2005, the City of New York rezoned the western section of mid-Manhattan (Hudson
22 Yards and Western Rail Yards) from manufacturing to mixed use, with the MTA
23 contributing large properties to the plan. The findings of the Final Generic Environmental
24 Impact Statement (FGEIS) were based on the assumption that a bus garage to
25 accommodate all buses in the district would be built by 2025.²

26
27 This was a critical assumption because buses parked on many of the parcels in the area,
28 in addition to curbside. As these parcels are developed, bus parking disappears, but new
29 buildings on the site of former parking lots no longer accommodate curbside parking for
30 buses. Between 2010 and 2015, 50% of bus curbside parking disappeared in our district.³
31 Farther north, in the vicinity of 57th Street, many parcels were rezoned in 2010-2014 for
32 residential development and what used to be a resource for bus parking is no longer
33 available.

34
35 At the same time the bus industry has grown rapidly and is poised to grow by 30-50% in
36 the next 30 years. New long distance services like Megabus and Bolt Bus- with over 300
37 arrival/departures per day- have established curb side terminals, all adjacent to future

¹ <http://chekped.com/wp-content/uploads/2011/01/12-13-2010-MMCCBusSubcommittee-Report-Final1.pdf>

² <https://www.dropbox.com/s/9bb1hhjk24se7dm/Hudson%20Yards%20rezoning%202005%20%E2%80%93%20FGEIS%20%E2%80%93%20Bus%20parking%20garage%20.pdf?dl=0>

³ <https://www.dropbox.com/s/8dwbcbbq4sy1t6f/Bus%20City%20planning%20presentation.pdf?dl=0>

38 residential and commercial towers and conflicting with the High Line elevated park, an
39 internationally renowned tourist attraction.⁴

40
41 The result is an ever-higher concentration of buses that circle the blocks or idle for hours
42 in illegal parking spaces. Not surprisingly, in Clinton and Chelsea, levels of PM2.5, the
43 most harmful air pollutant, are the third highest in the city at 11.4 micrograms per cubic
44 meter.⁵ Air pollution, including fine particles (PM2.5), causes health problems,
45 particularly among the very young, seniors and those with preexisting health conditions.
46 These conditions are no longer tolerable in a district with a massive influx of residents
47 and families with children.

48
49 It was our understanding that the Port Authority would be building such a garage.
50 However, all of the plans discussed to date are focused on accommodating New Jersey
51 commuter buses, which have also seen their numbers explode in recent years, a trend that
52 is expected to continue, if not accelerate.

53
54 Locating tour and charter buses in New Jersey is not a viable or sustainable option.
55 Customers expect to pick up long distance buses in New York City at a location served
56 by the subway. For tour and charter buses operators to pick up their customers at
57 Broadway shows or at touristic attractions, they must return to the city during peak hour
58 traffic when there is an eleven-mile long queue of buses waiting to reach the city and the
59 Port Authority, making it impossible for an operator to reliably schedule a pick up.

60
61 Governor Cuomo announced last month the expansion of the Jacob Javits Convention
62 Center and relocation of the truck marshaling yard - presently located at 33/34, between
63 Eleventh and Twelfth Avenues - to the north of the property. We anticipate that this
64 parcel will be re-developed once the current yard has been relocated.

65
66 With all parcels in the west side of mid-Manhattan already accounted for and no
67 remaining alternatives, we urge you to include a bus garage in your plans for the
68 redevelopment of the current Marshaling Yard. The garage would use underground
69 floors leaving the great majority of the FAR available for residential and commercial
70 development. Since bus operators are accustomed to pay for parking in other cities, such
71 a parking garage could generate significant revenue. Eliminating authorized curbside
72 parking would guarantee full utilization of the new garage.

73
74 The location is adjacent to the west side highway and close to the Lincoln Tunnel
75 entrance, thus minimizing bus traffic in the streets. It also is close to the New # 7
76 Subway Station, convenient for long distance bus travellers. Finally, it would provide a
77 convenient bus connection from the major airports to the Jacob Javits Convention Center.

78

⁴ https://www.dropbox.com/s/iuq55oxgw7wj6ma/PABT-%20bus%20garage_final_v2.pdf?dl=0

⁵ <http://www.nyc.gov/html/doh/downloads/pdf/data/2015chp-mn4.pdf>

79 We look forward to engaging in a constructive dialog on this urgent matter of
80 infrastructure, which is critical to our district residents' health, and to the Travel and
81 Tourism Industry in New York.

82

83

84

85

86 Cc Javits Development Corporation

87 CCHYDC

88 CC Governor Cuomo

89 Cc Head of State DOT

90 CC City planning

91 CC DOT

92 Elected

93

DRAFT

1 Cheslea Land Use Committee

Item#: 21

2
3
4 April __, 2016

5
6 Hon. Margery Perlmutter, Chair
7 Board of Standards and Appeals
8 250 Broadway, 29th Floor
9 New York, NY 10007

10
11 **Re: BSA Cal. #**
12 **Special Permit Application for PCE at 269 West 23rd Street**

13
14 Dear Ms. Perlmutter:

15
16 On the recommendation of its Chelsea Land Use Committee, Manhattan Community
17 Board No. 4 (CB4), following a duly noticed public hearing at its regularly scheduled
18 meeting on April 6, 2016, voted, by a vote of __ in favor, __ opposed, __ abstaining and
19 __ present but not eligible to vote, to recommend the approval of a Board of Standards
20 and Appeals (BSA) special permit for a Physical Culture Establishment (PCE) at 296
21 West 23rd Street. This vote reflects the recommendation of the CB4 Chelsea Land Use
22 Committee.

23
24 Pursuant to 73-36 of the Zoning Resolution, a 2,465 square foot PCE called Row House,
25 located mid-block on West 23rd Street between 7th and 8th Avenues, is proposed. The site
26 is in a C2-7A zoning district and complies with applicable bulk regulations. The gym
27 opened in November 2015 and is on the second floor of a two story building.

28
29 Row House has one classroom with rowing machines and holds classes of approximately
30 20 to 30 people who primarily use the rowing machines, with brief intervals of other
31 exercises with small hand weights: seven days a week, 5 a.m. to 10 p.m. Monday through
32 Friday, 6 a.m. to 7 p.m. Saturday and Sunday, averaging 10 to 15 classes per day. The
33 facility does not use treadmills, ellipticals, universal weight machines or heavy free
34 weights. An outdoor space houses the facility's HVAC system and is off-limits to
35 patrons. Plans filed with BSA are marked as such. This is the third Row House in
36 Manhattan; the others are at Columbus Circle and on the upper east side.

37
38 To minimize sound and vibrations traveling to other parts of the building, the facility is
39 constructed with a box in a box, with sound-proofing materials. There are no residential
40 uses in the Row House building or the buildings immediately adjacent. A store is below
41 Row House. The two-story building on the east side has a restaurant on the ground floor
42 and a massage parlor on the second floor. On the west side is a commercial building with
43 a bar on the ground floor and a martial arts studio on the second floor. According to the

44 applicant, there have been no complaints about Row House. If any complaints should
45 arise, the applicant has committed to solving the problem as quickly as possible, and if
46 necessary, working with CB4 for a resolution.

47

48 CB4 believes that this PCE will be a well-run operation with minimal or no disturbance
49 to the neighborhood and recommends approval of the proposed special permit.

50

51 Sincerely,

52

53 Delores, JLC, Betty

DRAFT

1 Chelsea Land Use Committee
2
3 April XX, 2016
4
5 Hon. Meenakshi Srinivasan, Chair
6 Landmarks Preservation Commission
7 Municipal Building, 9th Floor
8 One Centre Street, New York, NY 10007
9

10 **Re: 440 West 20th Street**

11
12 Dear Chair Srinivasan:

13
14 On the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.
15 4 (CB4), at its regularly scheduled meeting on April 6, 2016, voted, by a vote of XX in favor,
16 XX opposed, XX abstaining and XX present but not eligible to vote, to recommend denial of an
17 application to the Landmarks Preservation Commission (LPC) for alterations to 440 West
18 20th Street in the Chelsea Historic District unless certain conditions are met.
19

20 **Background**

21
22 440 West 20th Street is a four-story residential building with a cellar located across the
23 street from the General Theological Seminary in the heart of the Chelsea Historic District.
24 The owner proposes to make the following changes to the building:
25

- 26 • Extend the rear façade 18 inches into the rear yard from the cellar to the third floor,
27 rebuilding it with a brick façade;
- 28
- 29 • Restore the cornice and brick on the fourth floor to their original condition; and
30
- 31 • Add a fifth floor covering approximately half the area of the lower floors, a slanted
32 bulkhead to provide access to a rear deck on the roof of the fifth floor and a solid brick
33 wall facing the block's interior green "doughnut."
34

35 **Analysis and Recommendations**

36
37 The Board notes that the proposed alterations increase the bulk of the building
38 significantly. The addition is artfully designed not to be visible from West 20th Street, and
39 minimally from other vantage points, and thus to conform to LPC requirements. It is,
40 however, quite visible from other houses bordering the block's interior. The bulkhead for
41 an interior stair to access the deck on the roof of the proposed fifth floor and a 5'3" solid
42 brick parapet on the deck's south side create essentially a sixth floor on the block's interior,
43 blocking light and air to neighboring buildings and rear yards.
44

1 We believe that a relatively unobtrusive open staircase to access the roof deck would be
2 greatly preferable to the enclosed bulkhead. We also believe that a transparent fence with
3 planters in place of the brick parapet would suffice for privacy and be far less intrusive.

4
5
6
7 CB4 therefore recommends denial of this application unless the over-sized bulkhead is
8 replaced with an open staircase and the brick rear parapet is replaced with a more suitable
9 wall. We look forward to seeing revised drawings addressing our concerns.

10
11 Sincerely,

12
13
14
15
16


2
3 April XX, 2016

4
5 Hon. Meenakshi Srinivasan, Chair
6 Landmarks Preservation Commission
7 Municipal Building, 9th floor
8 One Centre Street New York, NY 10007

9
10 **Re: 404 West 20th Street**

11 Dear Chair Srinivasan:

12
13
14 On the recommendation of its Chelsea Land Use Committee, following a duly noticed public
15 hearing at the committee's meeting on March 21, 2016, Manhattan Community Board No. 4
16 (CB4), at its regularly scheduled meeting on April 6, 2016, voted, by a vote of XX in favor, XX
17 opposed, XX abstaining and XX present but not eligible to vote, to recommend denial of an
18 application to the Landmarks Preservation Commission (LPC) for alterations to 404 West 20th
19 Street in the Chelsea Historic District.

20
21 The Board believes that the proposed alterations are contrary to the purpose of historic districts
22 in general and to the Chelsea Historic District in particular. The proposed alterations to 404
23 West 20th Street, the oldest house in Chelsea, would demolish the entire house except for its
24 street facade and do further violence to this house and to the most historically sensitive and
25 architecturally distinguished block in Chelsea. CB4 strongly opposes this application.

26
27 **Background**

28
29 The Chelsea Historic District Designation Report, published September 15, 1970, Calendar No.
30 1, PL-0666, states:

31
32 No. 404, the oldest house in the Chelsea Historic District, was built in 1829-30 for Hugh
33 Walker on land leased from Clement Clarke Moore for forty dollars per year. The lease
34 stated that if, during the first seven years, a good and substantial house was erected, being
35 two stories or more, constructed of brick or stone, or having a brick or stone front, the
36 lessor would pay the full value of the house at the end of the lease. Walker's Federal style
37 house with brick front wall, laid in Flemish bond, was unusual in Chelsea. The original
38 clapboard of one sidewall is still visible on the east side of the house. These materials and
39 the general proportions are all that remain of the original Federal style.

40
41 The Report goes on to cite later changes to the house made in the Greek Revival and Italianate
42 styles which would characterize other development within the District. Its brick front and
43 clapboard siding, however, speak of its creation in the very first days of the Chelsea
44 neighborhood when Clement Clarke Moore subdivided his estate, Chelsea, into building lots and
45 personally participated in its planning. The front gardens of the house and of its neighbors to the
46 west were meant by Moore to complement the open grounds of the General Theological

47 Seminary on the full block across West 20th Street, land he sold the Episcopal Church for one
48 dollar with the intention that it would be the centerpiece of his land development. This focal role
49 is reflected in the block's historic name of Chelsea Square. Not only is 404 West 20th Street
50 distinguished among other houses in the historic district as the oldest, but the block on which it
51 stands is the most historically sensitive and architecturally distinguished in Chelsea.

52
53 404 West 20th Street stood as a freestanding house for a decade, until construction of the Greek
54 Revival Cushman Row of houses immediately to its west. Cushman Row is widely viewed,
55 along with the row on the north side of Washington Square, as one of the two best preserved
56 rows of Greek Revival houses in New York, adding to the importance of the Seminary Block.
57 Ever since the construction of Cushman Row, 404 West 20th Street has remained open on its
58 wood-sided east face, where its narrow side yard provided access to former wood-frame back
59 buildings.

61 **Proposal**

62
63 The current proposal would demolish the entire house except for its brick street façade. It would
64 claim the side yard space to add area and street frontage for a new house, closing the yard off
65 from the street with brick infill recessed from the historic brick façade by two feet. The resulting
66 shallow façade niche would be clad on its west surface with wood siding as a miniscule reference
67 to the historic clapboards highlighted in the Chelsea Historic District Designation Report.
68 Further, the ground under the existing house would be excavated down one story below the
69 existing basement level for nearly the entire footprint of the building lot to create a cellar floor lit
70 by rear yard skylights, adding living space not counted as floor area for zoning purposes. The
71 new house would further enlarge upon the existing one by adding two upper stories and
72 encroaching twenty-five feet farther south into the rear yard.

74 **Community Board 4 Conclusions and Conditions to its Recommendation**

75
76 CB4 finds the proposed alterations contrary to the very purpose of historic districts. The proposal
77 amounts to façadism, a strategy long discredited as a developer's superficial preservation
78 compromise. CB4 reminds the Commission of its core mission, dating from the demolition of
79 Pennsylvania Station, to protect our shared historic legacy from destructive market forces of the
80 kind now at a fever pitch in Chelsea and blatantly on display in the current proposal. CB4 is
81 concerned that the proposed demolition of the oldest house in the Chelsea Historic District will
82 set a precedent for the gutting of other rowhouses in the District including Cushman Row,
83 reducing the District's blocks to a false front of historic facades.

84
85 We view with deep skepticism the claims of the owner's architect that the house is too
86 deteriorated to save; it was continuously lived in by the same family for decades until its recent
87 sale, and many CB4 members and elected officials have visited it as guests in recent years. The
88 house retains period details which would be of great value to an appreciative owner and which
89 carry great resale value. The cost of structurally stabilizing the house would be a tiny fraction of
90 that for the current proposal's structural work, including as it does creation of an entire below-
91 ground floor immediately adjacent to and below the basement level of the historic Cushman
92 Row, which would require extensive shoring and protection. Similarly, the architect's claims that

93 the existing wood side wall is a fire hazard are at odds with his plans to introduce lot-line
94 windows in the proposed new construction; these windows will require fire protection
95 accommodations of a sort which could just as easily be applied to the historic side wall.

96
97 We note that the new house's south elevation would be fundamentally different in character and
98 scale from that of the existing house and Chelsea Historic District rowhouses generally. Its
99 height and rear extension would detract from the historic character and light and air of its block's
100 interior open space, particularly blocking low morning sunlight from a large area of it. The new
101 house's rear façade and roof would be visible from the public way on both West 19th Street and
102 Ninth Avenue, across New York City Housing Authority open space, including a corner
103 playground.

104
105 CB4 does not view the current proposal as one that can be made appropriate or acceptable
106 through modification. The Board recommends that LPC reject this proposal and request that the
107 applicant prepare and submit an entirely different design for alterations to 404 West 20th Street,
108 one that:

- 109 • Retains to a meaningful extent the substance – not just the façade – of the house;
- 110 • Retains the open side yard for the full height of the house and the full depth of the lot,
111 preserving the historic extent of the house's clapboard sidewall, reclaiming existing
112 siding as far as possible and otherwise replacing it in kind;
- 113 • Makes only appropriate changes to the rear and roof of the house with particular
114 sensitivity to public views and maintaining the scale and modest character of the house.

115
116
117 Sincerely,

2
3 April XX, 2016

4
5 Hon. Margery Perlmutter, Chair
6 Board of Standards and Appeals
7 250 Broadway, 29th Floor
8 New York, NY 10007

9
10 **Re: Application for Special Permit for 515-519 West 26th Street to Permit a School**
11 **in M1-5 District**

12
13 Dear Ms. Perlmutter:

14
15 On the recommendation of its Chelsea Land Use Committee, Manhattan Community
16 Board No. 4 (CB4), following a duly noticed public hearing at its regularly scheduled
17 meeting on April 6, 2016, voted, by a vote of ___ in favor, ___ opposed, ___ abstaining and
18 ___ present but not eligible to vote, recommended approval, with one condition, of an
19 application to the Board of Standards and Appeals (BSA) for a special permit to allow the
20 operation of six classrooms for Avenues School on the fourth floor of 519 West 26th
21 Street, which is located in an M1-5 zoning district. The Board's condition is that the term
22 of the special permit be limited to two years.

23
24 **Background**

25
26 Avenues School (the "School") is a for-profit school offering pre-K through high school.
27 It opened in 2012 at 259 Tenth Avenue and occupies the entire western block front of
28 Tenth Avenue between West 25th and West 26th Streets. Faced with rapid growth, in 2015
29 the School sought a special permit (BSA CAL No. 61-15 BZ, September 18, 2015 -
30 Deferred) to locate classrooms in space leased from a new building being constructed at
31 540 West 26th Street, located in an M1-5 zone. With the current application the School
32 seeks a special permit for temporary classroom space in 519 West 26th Street, in the same
33 M1-5 zone, until the new building is ready for occupancy. On March 4, 2016, the
34 Department of Buildings issued an objection to the proposed use stating that the proposed
35 Use Group 3A is not permitted as-of-right in an M1-5 zone per ZR 42-12 and ZR 42-14.

36
37 The School has entered into a ten year lease for the fourth floor of 519 West 26th Street.
38 It plans to use the space for classrooms until the beginning of the 2017-2018 school year,
39 and for administrative offices thereafter. The office use is as-of-right in an M1-5 zone
40 and does not require a special permit. On the advice of counsel the School is seeking a
41 special permit to allow school use in the M1-5 district for two years rather than for the
42 one year of anticipated need.

1 **Findings and Recommendations**

2
3 BSA may grant the special permit if the application meets the general findings of ZR 73-
4 01 and ZR 73-03, and the specific findings of ZR 73-19. The Board has reviewed the
5 application and believes that the applicant has satisfied each of the required findings. In
6 particular, the applicant has presented plans to safeguard students crossing West 26th
7 Street at Tenth Avenue as required under ZR 73-19(d), as well as measures to control and
8 monitor access to the building, its elevator and the fourth floor where the classrooms will
9 be located.

10
11 While the Board supported the expansion of Avenues School to the new building at 540
12 West 26th Street, we are concerned about the potential site-by-site spread of the School's
13 classrooms throughout West Chelsea's northern M1-5 zone adjacent to the School's main
14 building. We support the School's need for temporary space until its new building is
15 ready, but we do not support its continued use as school space. We therefore recommend
16 approval of the current application on the condition that the special permit for school use
17 at 519 West 26th Street be granted for a maximum term of two years.

18
19 Sincerely,

20
21 Delores, JLC, Betty

2
3 John Degnan
4 Chair
5 Port Authority Of New York And New Jersey

6
7 April 6, 2016

8
9 **Re PABT International Design + Deliverability Competition**

10
11 Dear Chair Degnan,

12
13 Manhattan Community Board 4 (MCB4) welcomes the statement that the final choice of a new bus
14 terminal from the Port Authority Bus Terminal's (PABT) International Design + Deliverability
15 Competition ("Competition") "will be informed," by among others factors, input from "neighbors
16 of the bus terminal."

17
18 As neighbors, we look forward to informing you.

19
20 We also welcome the Port Authority's "promise to continue to solicit public input and keep the
21 public informed throughout the competition process" — though with some puzzlement since the
22 Port Authority has neither solicited public input nor keep the public informed about the content or
23 the release date of the Competition despite repeated requests by the Clinton/Hell's Kitchen
24 community, this Board, and our elected state and city representatives to be so informed.

25
26 Therefore we were especially appreciative of Port Authority Director Pat Foye's statement about
27 the importance of any plan for a new bus terminal "minimizing impacts on the community" since
28 nowhere among the "key agency objectives" in Port Authority's press release do we find
29 "preserving neighborhood homes, businesses, houses of worship, and community institutions."
30 Surely their obliteration would constitute major —if not terminal— "impacts on the Clinton/Hell's
31 Kitchen community."

32
33 **FIRST DO NO HARM**

34
35 A primary key objective which should inform participants in the Competition is that the affected
36 Hell's Kitchen South neighborhood is the home of many people, businesses, and important
37 community organizations and the area immediately west of the existing bus terminal is an essential
38 part of the larger Hell's Kitchen neighborhood. *It must not be demolished.*

39
40 This Hell's Kitchen South area ("Core Area" – see map) is bounded by West 41st Street on the
41 north, West 35th Street on the south, Tenth Avenue on the west, and Ninth Avenue on the east. The
42 Port Authority has preliminarily identified part of this area for the Bus Terminal expansion *even*
43 *though this area is governed by the Special Hudson Yards District and its Hell's Kitchen*
44 *Subdistrict has specific restrictions against demolition.*

46 Parts of four blocks on the northeast corner of Ninth Avenue and 40th Street, the eastern and
47 western frontages between West 39th and West 40th Streets on Ninth Avenue and a small
48 midblock portion on the southern side of West 39th Street between Ninth and Tenth Avenues (the
49 "Target Area" within the Core Area) are shown in the Port Authority's September 2015 "Midtown
50 Bus Master Plan" for the site of a new or interim bus terminal and ramps. Properties in the Target
51 Area would have to be condemned by the Port Authority for the new or interim bus terminal,
52 resulting in the destruction of residences, businesses and community facilities, or, as the
53 Competition guidelines has it, "the acquisition of private real estate."

54
55 Participants in the Competition should be apprised of the fact that homes, businesses, houses of
56 worship, and social service organizations are more than "private real estate." They are the essential
57 components of the Hell's Kitchen South neighborhood. Any plan to improve the current Port
58 Authority Bus Terminal should assume the preservation of homes and businesses in the affected
59 area.

60

61 **THE HISTORIC CORE OF HELL'S KITCHEN SOUTH**

62

63 The core of historic Hell's Kitchen ran from West 30th to West 42nd Streets, and from Ninth
64 Avenue to Eleventh Avenue, comprising Hell's Kitchen South. Over the past 110 years, it is this
65 portion of Hell's Kitchen that has been impacted the most by the largest transportation
66 infrastructure projects in the City of New York. Projects have included:

67

- 68 • The construction of Penn Station and its adjacent rail yards (1906);
- 69 • The construction of the Lincoln Tunnel (1938);
- 70 • The West Side Improvement creating a rail cut between Tenth and Eleventh Avenues
71 (193X);
- 72 • The extension of the Lincoln Tunnel Dyer Avenue approaches (195XX and 197XX); and,
- 73 • The construction of the Port Authority Bus Terminal.

74

75 Each successive improvement required the demolition of hundreds of apartments and the
76 displacement of hundreds of neighborhood families. Also displaced were community institutions.

77

78 The Core Area is a busy, vibrant neighborhood, part of the larger Hell's Kitchen area that stretches
79 from West 59th Street to West 34th Street, Eight Avenue to the Hudson River.

80 The area includes:

81

82 **Residences**

83 There are 1,430 housing apartments in the Core Area, 283 units in the smaller Target Area. Many
84 of these apartments are affordable, rent regulated homes occupied by long-term low and moderate
85 income residents. This long-term population would be extremely hard-pressed to find affordable
86 housing elsewhere. Many families have lived for generations in this neighborhood and have
87 extended families nearby.

88

89 Approximately 84 percent of the buildings in the Core Area were built in or before 1879. The
90 Ninth Avenue main street and blocks west of Ninth represent the remnant of the most historic part

91 of Hell's Kitchen. A row of nine buildings in the Target Area, constructed prior to 1885, at
92 523-539 Ninth Avenue, are eligible for State National Register designation. A row of nine
93 buildings in the Target area, constructed prior to 1885, at 523-539 Ninth Avenue, are eligible for
94 State National Register designation.

95

96 **Businesses**

97 Ninth Avenue, running through the Core Area, is the “Main Street” of Hell’s Kitchen. It is a
98 bustling retail corridor which offers a wide variety of services, primarily in ground floor small
99 stores with residential units above. In the Target Area alone there are 28 businesses, including 15
100 restaurants and eight stores.

101

102 **Community Institutions**

103 *Metropolitan Community Church and MCC Charities*

104 The Metropolitan Community Church (MCCNY) at 446 West 36th Street offers a spiritual home
105 for all people, particularly LGBTQI people. Separate services are given in English and in Spanish.
106 MCCNY provides social services through MCCNY Charities, an independent 501c 3
107 comprehensive social service organization. MCCNY Charities:

- 108 • Operates an emergency shelter'
- 109 • Provides services to over 1,000 homeless LGBTQ youth per year;
- 110 • Operates a food pantry providing \$50 bag lunches and 250 bags of groceries per week'
- 111 • Offers employment opportunities, including a skill-building workshop, joy training, and job
112 placement.

113

114 *The Global Justice Institute*

115 The Global Justice Institute (GJI) is an independent 501(c)3 and is housed at MCC. It is an
116 umbrella organization coordinating justice centers around the world. GJI allows for quick
117 responses to events coordinated by people on the ground, and provides a place for spiritual
118 activists from around the world for retreats, trainings and meetings.

119

120 **THE IMPACTED AREA**

121 As well as people's homes and businesses, there are also important community facilities in the
122 Target Area. Most of these facilities provide services for not only local people but also for
123 individuals from other parts of Manhattan. They include:

124

125 *Metro Baptist Church/RMM*

126 At the heart of the Hell’s Kitchen South neighborhood is the Metro Baptist Church at 410 West
127 40th Street. The building was built at the turn of the 20th Century and originally housed the St.
128 Clemens Polish-Catholic Church. The building still maintains many beautiful historic features; the
129 sanctuary has ceiling murals and windows reflecting its Polish-Catholic origin.

130

131 The service arm of Metro Baptist Church, Rauschenbusch Ministries (RMM), provides essential
132 services and programs for the wider Hell’s Kitchen neighborhood and mid-town Manhattan. RMM
133 has become a lifeline for thousands of the most vulnerable people in the city. RMM services
134 include after school programs, a food pantry, a rooftop farm, and empowerment programs for
135 abused women and military veterans.

136
137 *Hudson Guild's* Head Start and Early Learning classes that are housed in the Metro Baptist Church
138 serve 40 families. This low-cost program with multicultural and bi-lingual staff includes school
139 readiness educational instruction and a focus on social/emotional development.

140
141 *Clinton Housing Development Company (CHDC)*

142 The non-profit Clinton Housing Development Company (CHDC), located at 403 West 40th Street,
143 is also in the Impacted Area. Founded in 1973, CHDC initially focused on protecting the historic
144 Hell's Kitchen community and stabilizing the neighborhood. CHDC expanded to providing
145 permanent affordable housing and housing services. Many of its developments were converted
146 from vacant or poorly managed properties into quality low-and-moderate income housing.

147
148 In 1991 CHDC entered into partnerships with social service organizations to create new housing
149 for special needs and homeless populations.

150
151 A total of 75 buildings are owned or leased by CHDC in Clinton/Hell's Kitchen and Chelsea, from
152 West 53rd Street to West 17th Streets. Of these, 22 are owned by CHDC subsidiaries; 17 are
153 managed by CHDC. Within the Hell's Kitchen South from West 35th Street to West 40th Street,
154 CHDC owns or leases 14 buildings with 100 affordable apartments. The Impacted Area
155 encompasses 401 West 40th Street, a 7 building affordable housing complex, owned and managed
156 by CHDC and houses 38 low-income families.

157
158 *The Dwelling Place*

159 The Dwelling Place at 409 West 40th Street, founded in 1977 by the Franciscan Sisters of
160 Allegeny, New York provides food and shelter for homeless women in a nurturing environment. A
161 team of five full-time workers assists women at this transitional residence with emotional support
162 and help finding treatment and affordable permanent housing.

163
164 *The Uprising*

165 The Mark Fisher Fitness (MFF) business at 411 West 39th Street created a 501(c)3 non-profit
166 called The Uprising which provides opportunities for MFF members to donate their time to one of
167 three programs:

- 168 • LevelUp Academy: Mentors provide day-long sessions for high school students and teenagers in
169 personal development, creative expression, fitness and nutrition.
- 170 • SWARMS: Volunteers upgrade spaces that teenagers use such as schools, playgrounds and
171 community centers.
- 172 • Uprising Connect: Volunteers work on meaningful projects around the city with organizations
173 such as Ali Forney Center and Story Pirates.

174
175 *The Damayan Migrant Workers Association*

176 The Damayan is a grassroots non-profit organization for Filipino migrant workers, particularly
177 domestic workers. Launched in 2000, Damayan seeks to educate and mobilize Filipino workers to
178 uphold their rights. Services include educational programs, free/low-cost legal and health services,
179 and job and leadership training. Damayan has over 8,000 dues-paying members.

180

181 **CONCLUSION**

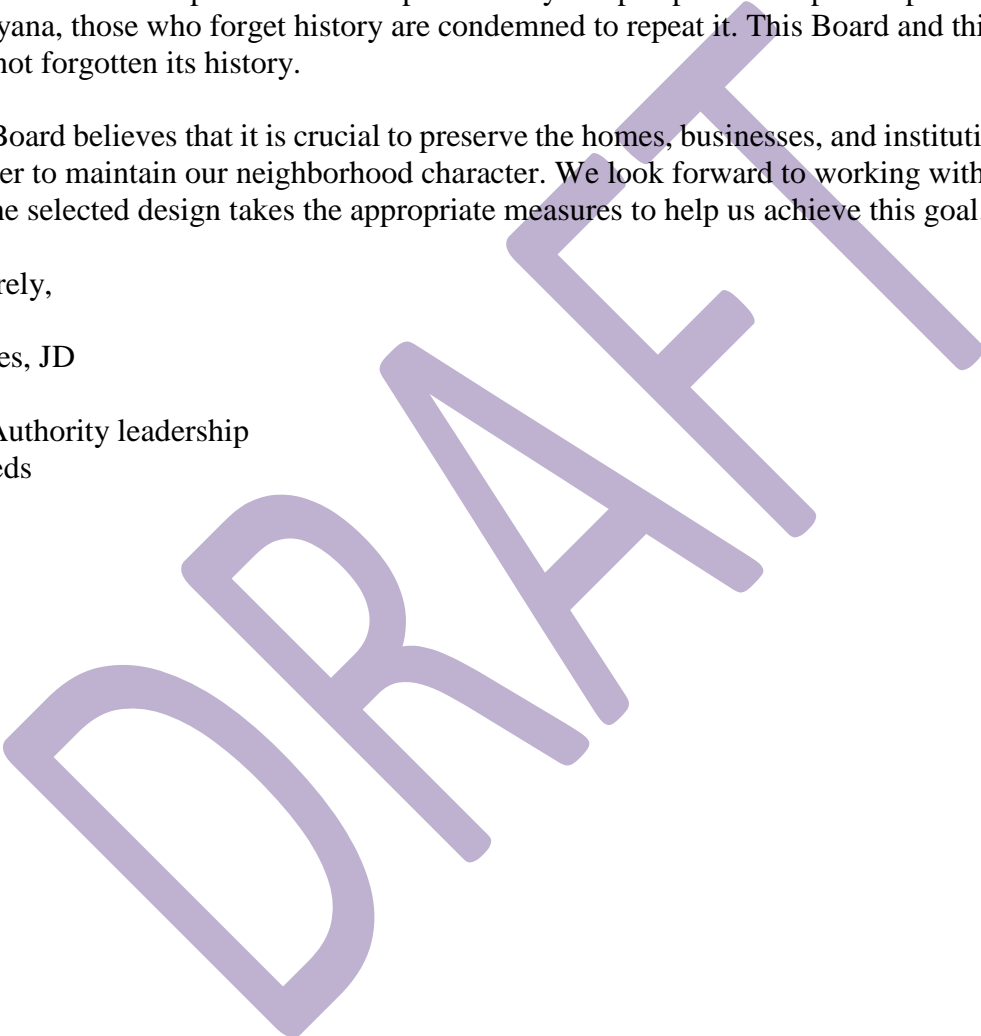
182
183 MCB4 believes that the convenience of commuters should not come at the price of this
184 neighborhood’s homes, businesses, community institutions, and houses of worship. And we
185 question how the congestion in midtown from commuter bus traffic and the continuing unhealthy
186 emission of particulate pollution from diesel engines will be ameliorated by the construction of a
187 new bus terminal. MCB4 values this portion of Hell’s Kitchen, particularly in light of all of the
188 historically and dramatically altering infrastructure improvements that this part of the
189 neighborhood has experienced in the past century. To paraphrase the philosopher George
190 Santayana, those who forget history are condemned to repeat it. This Board and this community
191 have not forgotten its history.

192
193 This Board believes that it is crucial to preserve the homes, businesses, and institutions in this area
194 in order to maintain our neighborhood character. We look forward to working with you to ensure
195 that the selected design takes the appropriate measures to help us achieve this goal.

196
197 Sincerely,
198
199 Delores, JD

200
201 Port Authority leadership
202 Electeds

203
204
205
206



1 **Clinton/Hell's Kitchen Land Use Committee**

Item #28

2
3 April 6, 2016

4
5 Meenakshi Srinivasan
6 Chair
7 New York City Landmarks Preservation Commission
8 1 Centre Street
9 9th Floor North
10 New York, New York 10001

11
12 **Re: IRT Powerhouse (LP-2374), 850 12th Avenue, now Consolidated Edison Powerhouse**

13
14 Dear Chair Srinivasan,

15
16 Manhattan Community Board 4 (MCB4) thanks and supports the Landmarks Preservation
17 Commission (LPC) for prioritizing the Interborough Rapid Transit (IRT) Powerhouse/ Con-Ed
18 Powerhouse (LP-2374) for Landmark Designation.

19
20 Since the IRT Powerhouse was first calendared in 1979, there has been much support and
21 written testimony on behalf of its historical and architectural significance from our Board as well
22 as the community, elected officials, art and academic institutions, historians, architects, artists,
23 municipal societies, and preservationists. Aside from the beauty, grandeur, and scale of McKim,
24 Mead, and White's design, the IRT Powerhouse played an integral role in shaping and enabling
25 the growth of the city we live in today. There is no question that this structure more than satisfies
26 the criteria for Landmark Designation.

27
28 Designation of the IRT Powerhouse is even more critical now as the city and surrounding
29 neighborhood continues to evolve and land values rise. Con-Ed is a private-investor owned
30 company. As needs change, it is conceivable that market forces may compel Con-Ed to sell the
31 site for future development without regard or consideration to the fate of the Powerhouse.

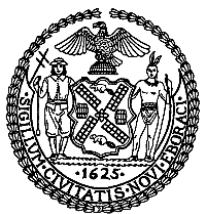
32
33 The Landmark Preservation Act rose out of the debris of Mckim, Mead, and White's demolished
34 Penn Station. It was created to protect structures such as the IRT Powerhouse and prevent further
35 shortsighted irreplaceable loses. Without protection and oversight from the LPC, our city risks
36 losing one of its last remaining grand powerhouses.

37
38 As such, MCB4 strongly supports the long overdue designation of the IRT/ Con-Ed Powerhouse
39 as an individual Landmark.

40
41 Sincerely,

42
43 Delores, JD

44
45 Electeds



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
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DELORES RUBIN
Chair

5
Jesse Bodine
6
District Manager

7

8 **Clinton\Hell's Kitchen Land Use Committee**

Item#: 29

9

10 April XX, 2016

11

12 Carl Weisbrod

13 Chair

14 City Planning Commission

15 40 Reade Street

16 New York, New York 10007

17

18 Martin Rebholz

19 Manhattan Borough Commissioner

20 NYC Dept. of Buildings

21 280 Broadway

22 New York, New York 10007

23

24 **Re: Street Wall Requirements**
25 **Non-Compliant Hotel Developments**
26 **in Garment Center Special District—Subarea P-2**

27

28 Dear Chair Weisbrod and Borough Commissioner Rebholz:

29

30 Manhattan Community Board 4 (MCB4) has received your March 2, 2016 letter responding to
31 our concerns regarding the construction of hotels with screen walls in the Garment Center
32 Special District (SGCD), Subarea P-2 (between West 40th and West 35th, 8th to 9th Avenues) as
33 well as the Special Hudson Yards District (SHYD). The Board appreciates your careful
34 consideration and response to our letter regarding hotels with proposed non-zoning compliant
35 street walls.

36

37 Since 2004, MCB4 has worked closely with the Department of City Planning (DCP) to ensure
38 that our neighborhood zoning enables development while also protecting and reinforcing
39 neighborhood character. This Board has taken thoughtful positions on zoning and planning
40 matters and has maintained an ongoing relationship with DCP, for which it is grateful.
41 Furthermore, the Department of Buildings' (DOB) Borough Commissioner has been helpful in
42 resolving matters of zoning compliance and quickly responding to MCB4's concerns.

43

44 Since the Board's letter of January 12, 2016, we discovered that an additional hotel with a non-
45 zoning compliant screen wall is being constructed at 320 West 36th Street. MCB4 requests that

46 the Zoning Resolution Determination under Application No. 121185056, for the construction of
47 this hotel, be revoked.

48

49 **320 West 36th—Screen Wall Hotel Development**

50 320 West 36th Street is a 29-story hotel in construction located in the SGCD Preservation Area
51 P-2 and as such is subject to ZR 121-32(a) which states that the street wall must rise to a height
52 between 80 and 90 feet with exceptions made for projects adjacent to certain buildings not
53 complying with the requirements. The enclosed building section shows a structural frame
54 attached to the building’s superstructure to create a street wall that according to the Architect “is
55 connected back to the main building”.¹

56

57 On September 8, 2014 a Zoning Resolution Determination was approved by David Aigner,
58 Senior Zoning Specialist.²

59

60 ***Proposed Screen Wall’s Non-compliance with ZR 121-32(a)***

61 The Zoning Determination states:

62

63 “The portion of the proposed building wall located at, and within 15-inches of the
64 street line visually reads as a consistent wall surface, having cross bracing
65 structure that meets the street line and a series of smaller muntins within the
66 recessed glass the visually break-up the recessed glass;”

67

68 The proposed street wall consists of metal panels surrounding a 3-foot thick structural steel
69 frame.³ The metal panels, which are 10 feet and 7 inches wide on the sides and top of the
70 northern facade, create discontinuity in the street wall. The Zoning Determination states that
71 45.1% on the screen wall will comprise of glazing recessed 15 inches from the property line. A
72 street wall that is recessed to such a high degree in nearly half of its elevation does not constitute
73 a street wall.

74

75 The architect stated that the configuration of steel and glass “does not constitute a recess and [is]
76 no different than a window set into a wall”. However, there is no building within the P-2
77 Preservation Zone of GCSD in which a façade contains a portal of recesses to this magnitude.
78 The intent of ZR 121-32(a) is “to ensure consistency with the Garment Center’s distinctive built
79 form of high street wall loft buildings”⁴. The proposed street wall does not conform to the
80 GCSD’s distinctive built form.

81

82 **Previous Examples**

83 The Zoning Determination also states:

84

85 “Department practice is to permit screen walls and other alternative building wall
86 designs to meet a single-location street wall requirement on the condition that
87 such walls are a minimum of 50 percent opaque surface in total.”

¹ See Appendix A - 320 West 36th Street Building Section submitted to DOB

² See Appendix B - 320 West 36th Street Zoning Resolution Determination

³ See Appendix C – 320 West 36th Street North Façade Rendering

⁴ Zoning Text Amendment N040500(A) ZRM <http://www.nyc.gov/html/dcp/pdf/cpc/040500a.pdf> P. 13

88
89
90 However, the Zoning Resolution Determinations for the following proposed hotels have been
91 revoked:

- 92 • 326 West 37th Street
- 93 • 310 West 40th Street
- 94 • 350 West 40th Street

95 All of the Zoning Resolution Determinations for these projects contain substantially similar
96 language written by the same Zoning Specialist, David Aigner, in their issuance of approval.⁵
97 Therefore, the Zoning Resolution Determination for 320 West 36th Street should be revoked as
98 well.

99
100 **Conclusion**

101 MCB4 thanks DCP and DOB for taking swift action on proposed developments which sought to
102 evade the street wall requirements in SGCD and the SHYD. The Board requests the revocation
103 of the zoning resolution determinations for 320 West 36th Street's application No. 121185056.

104
105 The Board would like to note that none of the hotels for which the determinations have been
106 revoked have completed construction. Given that the proposed screen walls will now have to be
107 actual streetwalls, with a portion of the building behind them constituting floor area, MCB4
108 would like to know how the following compliance issues will be addressed by DOB:

- 109
110 • With the additional floor area, how will buildings remain in compliance with maximum
111 FAR requirements?
- 112 • How will light and air requirements for guest rooms that will now be behind an actual
113 building street wall be provided?

114 This Board is confident that DOB will work with developers to resolve these issues, but requests
115 to be apprised of the compliance solution. Further, MCB4 understands that DOB intended to
116 issue Stop Work Orders for these sites, yet some developers have not been given such orders
117 while they resolve issues. MCB4 remains concerned that the required compliance should not be
118 compromised, by a fait accompli situation.

119
120 Furthermore, the Board would like to note that it has been in contact with **XX** and **XX**, both of
121 whom are constructing hotels at **XX** West 38th Street and **XX** West 39th Street, respectively.
122 MCB4 has notified these two developers of DOB's policy on screen walls and looks forward to
123 ensuring that these new buildings preserve the character of our neighborhood.

124
125 Sincerely,

126
127
128
129 Delores Rubin

Jean Daniel Noland

⁵ See Appendix D - Revoked Zoning Resolution Determinations (Sections highlighted by MCB4)

130 Board Chair
131

Chair, Clinton/Hell's Kitchen Land
Use Committee



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DELORES RUBIN
Chair

Jesse Bodine
District Manager

7 Executive Committee

Item#: 30

8

9 March XX, 2016

10

11 Hon. Margery Perlmutter

12 Chair

13 NYC Board of Standards & Appeals

14 250 Broadway, 29th Floor

15 New York, NY 10007

16

17 **Re: 432-434 West 31st Street**
18 **Proposed BSA Variance**
19 **Block 728, Lots 50 and 55**

20

21 Dear Chair Perlmutter:

22

23 Manhattan Community Board 4 (MCB4) is writing regarding the proposed BSA Variance
24 submitted by the owner of 432-434 West 31st Street for the construction of a new hotel. After
25 reviewing the plans for the proposed new building at that address, the Board has determined that
26 the owner meets the requirements set forth in Section 72-21 of the Zoning Resolution, and as
27 such **recommends the approval of the BSA application for a variance with conditions.**

28

29 **Existing Site**

30

31 432 West 31st Street (Block 728, lot 55) is a 4 story building and open storage lot located
32 between Dyer and 9th Avenues. The building contains a ground floor commercial space and 3
33 dwelling units on the remaining floors. The owner has filed and received DOB approval for the
34 demolition of this building.¹ The open lot is used for the storage of non-motorized vehicles. 434
35 West 31st Street (Block 728, lot 50) is currently undeveloped land. Directly to the east of the site
36 are a 16 story dormitory and one story garage which are owned by the Fashion Institute of
37 Technology (FIT). The site is located in Subdistrict B of the Special Hudson Yards District and
38 has a Floor-to-Area ratio (FAR) of 19.

39

40 **As-of-Right Building**

41

42 Under the current height and setback and lot coverage requirements set forth in the Zoning
43 Resolution, the building that could be constructed as-of-right on the site would have a base

¹ See DOB Application No. 122665464, filed on March 14, 2016. <http://a810-bisweb.nyc.gov/bisweb/JobsQueryByNumberServlet?requestid=6&passjobnumber=122665464&passdocnumber=0>

44 height of 134 feet and 4 inches, or 13 stories, with its overall height reaching 471 feet and 2
45 inches, or 47 stories.²

46
47 The owner of the site filed for a Zoning Resolution Determination. That determination states, in
48 part:³

49
50 “With respect to (1), the portion of Dyer Avenue, that bounds the subject site to
51 the west, connects two mapped streets (West 30th and West 31st Streets) and based
52 on evidence submitted, was established as a public way prior to 12/15/61 and
53 therefore is a “street” as defined by ZR 12-10(D)”

54
55 Further, the same Zoning Resolution Determination states that the portion of the Lincoln Tunnel
56 Approach leading to Dyer Avenue and West 30th Street are collectively considered a wide street.
57 The building would therefore be set back 15 feet from the wide street, along West 30th Street and
58 20 feet back along both Dyer Avenue and West 31st Street at the narrow streets. The resulting
59 floorplates would be the following:

- 60
- 61 • Floors 1 through 10 would be 4,252 square feet
 - 62 • Floors 11 and 12, would be 4,252 and 1,859 square feet, respectively.
 - 63 • Floors 13 through 42 would be 1,859 square feet.

64 **Proposed Building with BSA Variance**

65
66 The narrow lot, which is created by unique circumstances of the midblock Dyer Avenue Lincoln
67 Tunnel Approach, allows a narrow building that would rise to 47 stories to use all of its FAR.
68 This building would contain 199 hotel rooms. The owner has instead proposed the construction
69 of a 27 story building with 220 hotel rooms. The proposed building would have no setback for its
70 entire height and for the floors that contain hotel rooms (floors 3-22), the floorplate would be
71 4,252 square feet

72
73 The currently proposed design does not meet the following provisions set forth in the Zoning
74 Resolution:

- 75
- 76 **1. *Base height and setback requirements defined in Section 93-42 (a) and (b)***
77 Per Section 93-42, the maximum base height for the building would be 138 feet and 6
78 inches. The setback floors would have to be set back 15 feet along West 30th Street and
79 20 feet back along both Dyer Avenue and West 31st Street. However, the proposed design
80 does not include any setbacks for any of its 27 stories.
81
 - 82 **2. *Lot coverage requirements defined in Section 94-32(c)***
83 The Owner has requested to have the lot coverage requirements waived. Because the
84 building will be taller than 150 feet and contain only commercial uses, the Zoning
85 Resolution requires that the building limit lot coverage for all floors above 150 feet to

² For purposes of easy comparison, MCB4 is using a standard 10-foot floor height to describe the number of stories. Actual number of stories may differ.

³ Per Zoning Resolution Determination Dated November 14, 2012

86 70% of the overall lot area. However, under the proposed building design, all of the
87 floors above this height would constitute about 84.2% of the lot area.
88

89 The as-of-right building would be a sliver building, whereas the one proposed by the owner has a
90 high streetwall of 277 feet, which is much more comparable to the adjacent FIT building.
91 Brookfield, a 70 story development located directly across the site, has a streetwall of 700 feet.
92

93 **Waivers Requested by Owner**

94
95 The proposed design of the hotel would require two waivers for applicable provisions of the New
96 York City Zoning Resolution. **MCB4 believes the owner meets the requirements to be**
97 **considered for these waivers.**
98

99 **1. Base Height and Setback**

100 The proposed building is required to be set back from its property line per Section 93-42
101 of the Zoning Resolution. However, among its unique circumstances are that the lot abuts
102 three streets, and as such it must be set back from all of these. This requirement is a
103 burden that few other buildings in the Special Hudson Yards District have to face and it
104 presents, as will be demonstrated below, significant difficulties in making the proposed
105 building financially feasible.
106

107 **2. Lot Coverage**

108 The site in question faces a series of limitations that would make the 70% or lower lot
109 coverage requirement a hardship on the owner. The lot itself is inherently small, making
110 all of the zoning-compliant floors above 150 feet so small that floors 14 through 38
111 would each contain 4 guest rooms, as opposed to the 11 guest rooms in floors 3 through
112 22 currently proposed by the owner. The building would have to rise to 47 stories to use
113 all of its available floor area. This layout would result in more expensive construction
114 with a lesser number of income-producing hotel rooms.
115

116 **Findings to Support Waivers**

117 Under Section 72-21 of the Zoning Resolution, an owner must meet the following five findings
118 in order to be eligible for a variance:⁴
119

120 **1. Unique Physical Conditions**

121 It is important to note that the unique circumstances presented by the Zoning Resolution
122 requirements are not due to the requirements themselves, but rather the fact that the lot
123 faces a unique set of circumstances that make it difficult to adhere to the Zoning
124 Resolution. Firstly, it is a small and narrow lot that abuts 3 streets and is nonetheless
125 required to set back from all three streets. At 42 feet wide, it is the second narrowest lot
126 in Subarea B2 of the Special Hudson Yards District. Lot 15R on Block 729 has a 25 foot
127 width, but it is part of the two block Brookfield development site to the north. The
128 setback portion of the building would be 22 feet wide and have a floorplate of about
129 1,859 square feet. With a floorplate of that size, in order to use all of the floor area that is
130 available to the site, the building would rise to 47 stories.

⁴ See Appendix XX, Zoning Resolution 72-21

131
132 Additionally, because a large portion of the 1,859 square foot floor plate would be
133 dedicated to fire stairs and elevators, only 4 hotel rooms would be created on each
134 setback floor. The resulting guestroom total under the Zoning-compliant 47 story
135 building would be 199. The Owner's proposed design presents a more efficient floorplan
136 which results in 220 rooms contained within 27 stories.
137

138 **2. Reasonable Return**

139 *Section to be drafted by Bob Benfatto*

140 This height difference also presents a discrepancy in construction costs, with the 47 story
141 building requiring \$6,318,000 in hard costs and \$1,052,000 in soft costs compared to the
142 owner's proposed 27 story building.
143

144 **3. Essential Character of Neighborhood**

145 The site is near the large-scale developments of Hudson Yards, which will include
146 several hotels, as well as large commercial and residential buildings. Manhattan West, a
147 large scale mixed use project that is currently in development across the street from the
148 site, will contain no setbacks. Two buildings facing the site will rise to 700 feet.
149 Additionally, the FIT dormitory located on the lot directly to the east of the proposed
150 building is 175 feet tall and contains no setbacks. Therefore, the proposed building would
151 not have a great impact on the pedestrian experience.
152

153 **4. Self-Created Practical Difficulties**

154 The unique circumstances are practical difficulties that are solely attributable to the
155 unique site conditions under which the owner is attempting to develop the lots. The
156 Owner in fact tried to ameliorate these circumstances by purchasing the adjacent lot in
157 order to allow for a larger floorplate. However, the site is still limited by its small size
158 and the fact that it faces three streets.
159

160 **5. Minimum Variance Necessary**

161 *Section to be drafted by Bob Benfatto*
162

163 **Conditions of Approval**

164 MCB4 recommends approval of the variance is based on the following conditions, all of which
165 have been agreed to by the developer:⁵

- 166 • No curb cuts will be located along West 31st Street
- 167 • Developer will plant at least 2 street trees with 5 feet by 10 feet tree pits that include
168 planted shrubs and perennials along West 31st Street in front of proposed development
- 169 • Developer agrees to work with MCB4 and the Port Authority to gain the Port Authority's
170 permission to build a sidewalk in the roadway along the Dyer Ave and West 30th Street
171 frontages. Pending agreement with the Port Authority, the developer will fund the
172 construction of such a sidewalk.

⁵ See Attachment XX, Letter dated XX

- 173 • Developer will construct the building in accordance with façade elevations dated
174 September 11th, 2015⁶
- 175 • Developer will execute license agreements for Support of Excavation (SOE) with
176 adjacent landowners, FIT and the Port Authority.
- 177 • There will be no illuminated signage at the top of the building
- 178 • The owner will not apply for a liquor license or have amplified music in the southern
179 outdoor terrace adjacent to the 25th floor.
- 180 • Developer will coordinate construction deliveries with its eastern neighbor, the Fashion
181 Institute of Technology
- 182 • Owner will coordinate with FIT'S Office of Communications and External Relations
183 regarding move-in and move-out days, which take place in XX and XX, respectively.
- 184 • The developer will not apply for any after-hours variances during the construction of the
185 building.
- 186 • Developer will coordinate with the construction manager of the Manhattan West Project.
- 187 • The developer will (standard construction language to be provided by Jesse Bodine)
- 188

189 Additionally, MCB4 will support the lane closure in front of the property during construction
190 and work with DOT to establish hotel loading and unloading zone after construction is
191 complete.

192 **Conclusion**

193 Since 2004, MCB4 has put ongoing and serious effort into collaborating with the Department of
194 City Planning in order to establish and maintain the Special Hudson Yards District. This Board
195 holds neighborhood preservation as one of its highest priorities and has used zoning as a tool to
196 ensure that new development in our district maintains the character of these west side
197 neighborhoods. MCB4 does not usually support requests for a variance from zoning, especially
198 in a special zoning district such as Hudson Yards. However, given the facts and conditions faced
199 by 432-434 West 31st Street, the Board arrived at the conclusion that a variance is warranted to
200 waive both base height and setback and lot coverage requirements. The proposed variance to
201 waive both base height and setback and lot coverage actually creates a building that is more in
202 character with both its existing and future surroundings.
203

204
205 MCB4 would like to thank you for the opportunity to respond to this proposed variance. We look
206 forward to working with you to arrive at a solution that enables the development of the site.
207

208 Sincerely,

209
210
211
212 Delores Rubin
213 Board Chair

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

214
215
216 cc: Hon. G. Brewer, Manhattan Borough President

⁶ See Attachment XX, Proposed Conditions Plans

217 C. Johnson, Councilmember
218 E. Hsu-Chen, Department of City Planning
219 C. Holme, Department of City Planning
220 M. Rebholz, Department of Buildings
221 M. Lipkis, Arisa Realty Co X LLC
222

DRAFT