



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS

Chair

ROBERT J. BENFATTO, JR., ESQ.

District Manager

April 16, 2010

Edith Hsu-Chen
Manhattan Director
Department of City Planning
40 Reade Street
New York, NY 10038

**Re: Affordable Housing Site at NYCHA Elliott-Chelsea Houses
Proposed Zoning Text Amendments N 100262 ZRM and N 100263 ZAM**

Dear Director Hsu-Chen,

At its normally scheduled meeting on April 7, 2010, Manhattan Community Board 4 voted to approve the following comments regarding the proposed Zoning Text Amendments N 100262 ZRM and N 100263 ZAM. These comments are intended to facilitate the Elliot-Chelsea Affordable Housing development as it currently stands, but this letter is not to be construed as Manhattan Community Board 4's New York City Charter-required response to the proposed Zoning Text Amendments.

At that meeting, CB4 also voted to approve a resolution delegating to the Board's Executive Committee the authority to determine whether the issues set forth in this letter have been resolved satisfactorily, and if it finds that they have been resolved, to draft and submit on behalf of the Board a formal response to the actions as required under the New York City Charter.

The Board is frustrated with the last minute nature in which important information regarding the proposed Zoning Text Amendment and the project was transmitted from NYCHA and the Department of City Planning. This late submission of information has been coupled with requests for both quick turnaround for review and approval by the Board of this project.

Given the Zoning Text Amendment and related information was received by the Board on 3/30/10, with the Board's Chelsea Preservation and Planning & Housing Committees reviewing the proposal on 4/5/10, the Board has simply not had sufficient time to resolve the open issues regarding both the proposed project and the proposed Zoning Text Amendment. The Board reminds the City agencies involved and the private applicant that the Board has requested the draft of this proposed Zoning Text Amendments since late

summer of 2009, when it was first informed such an action would be necessary to effectuate this important project.

Notwithstanding, the Board desires to make clear its deep and long support for this affordable housing development. This development is an integral part of the affordable housing commitments reached as part of the West Chelsea Rezoning in 2005 and embodied in West Chelsea Point of Agreement between the Mayor and the City Council. This Board actually identified this NYCHA site for affordable housing during the West Chelsea zoning negotiations. The selected developer has been responsive to community concerns and requests. The project has undergone many changes from inception and the Board has been very flexible in agreeing to changes in the affordable income band to assure the project's success.

The Proposed Text Amendment creates an Authorization by the City Planning Commission to waive height, setback and parking regulations for sites in Community District 4 with following limitations:

- The underlying zoning must be R8
- The site must be larger than 1.5 acres
- The development must include residences which include public funding

In concept the Board supports this type of Proposed Text Amendment which will allow for contextual infill buildings on large sites. However, the Board raises two major issues regarding the Proposed Zoning Text Amendment:

- The application of the Proposed Text Amendment to entirety of Community District #4 is too broad.

The Board has reviewed the zoning map for applicability of the proposed Text Amendment provided by DCP on 4/5/10. The underlying zoning of much of the Special Clinton District and the Clinton Urban Renewal Area is R8. The large Penn South Cooperative Houses development is also R8. The area to apply the proposed authorization should be further limited to a smaller area of Community District #4.

- The language regarding public funding needs to be clarified.

The Board appreciates the changes DCP has already made in the language of the proposed text to include the defined zoning term, #public funding#, instead of the non-defined term, “publicly assisted”. However, the language that such #public funding# “is committed to be provided” is vague at best. Manhattan CB4 requests that DCP work with Board to resolve this language.

Until the above issues are resolved, along with project issues noted in our companion letter to HPD and NYCHA requesting written commitments from HPD, NYCHA, and

Artimus Construction (the Developer), Manhattan CB4 cannot approve the proposed development of the Elliott-Chelsea NYCHA site nor officially comment on the proposed Zoning Text Amendment. With prompt, meaningful attention from HPD, NYCHA, DCP, and Artimus, the Board is optimistic we will soon be able to approve this important affordable housing development with conditions.

Sincerely,



John Weis
Chair
MCB4



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

[signed 4/16/10]

Dave Hanzel
Co- Chair, Housing, Health
& Human Services Committee



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

[signed 4/16/10]

Corey Johnson, Co-Chair
Chelsea Preservation and Planning

Cc: Amanda Burden, Chair, City Planning Commission
John Rhea, Chairman, New York City Housing Authority
Rafeal Cestero, Commissioner, Department of Housing Preservation and Development
Manhattan Borough President Scott Stringer
MBPO – Anthony Borelli, Deborah Morris
NYC Council Speaker Christine Quinn
NYC Council Speaker Quinn's Office – Kate Seeley-Kirk, Melanie Larocca
NYC Council Land Use Division – Danielle DeCerbo
NYS Senator Thomas K. Duane
NYS Assemblyman Richard Gottfried
Congressman Jerrold Nadler
Rafeal Cestero, Commissioner, Department of Housing Preservation and Development
Holly Leicht, Department of Housing Preservation and Development
Meilan. Chiu, Department of Housing Preservation and Development
Raju Mann, Department of City Planning
Ilene Popkin, New York City Housing Authority
Louis Ramos, New York City Housing Authority
Burt Leon, New York City Housing Authority
Robert Ezrapour, Artimus Construction
Phyllis Gonzalez, Elliot-Chelsea TA
Jane Halsey, Heywood Owners Assoc.