

July 8, 2004

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

Re: ULURP 040249 ZMM – Verizon – West 43rd Street Rezoning

Dear Chair Burden:

At the recommendation of its Clinton/Hell's Kitchen Land Use Committee, Manhattan Community Board No. 4, having held a duly noticed public hearing on ULURP application number 040249 ZMM, adopted the following resolution by roll call vote (30 in favor, 4 opposed, 1 abstention and 0 present but not eligible to vote).

Verizon New York Inc. has applied to amend the Zoning Map by rezoning its property located at the southwest corner of Eleventh Avenue and West 43rd Street (Block 1090, Lots 36 and 42) from an M2-3 manufacturing district to a C6-4 commercial district. This will make the zoning the same as the zoning for the remainder of the block.

The block was rezoned in 1997 from a manufacturing district to a C6-4 district in order to facilitate residential development along the 42nd Street corridor. Verizon's property was initially included in the 1997 zoning application, but was removed at Verizon's request to accommodate Verizon's operations at that location. Verizon now plans to relocate those operations and dispose of this property.

This Board recognizes the desirability of making the zoning of this property consistent with the zoning of the remainder of the block.

This property is also included in the Hudson Yards Rezoning and Development Program, pursuant to which it would also be rezoned to a C6-4 commercial district, with an available increase in floor area from 10 to 12 FAR via an additional zoning bonus mechanism. For commercial development, the zoning bonus would be available through payment into the District Improvement Fund; for residential development the zoning bonus would be available, as it is now elsewhere in the 42nd Street corridor (see ZR Sec. 96-21(a)), through the construction of inclusionary housing. The 42nd Street corridor should remain a primarily residential mixed-use

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corridor. In 1990, the inclusionary housing bonus became the only floor area bonus applicable in the Special Clinton District. This Board has long maintained that affordable housing should be the only bonus available to increase building densities from the base FAR of 10 to the maximum allowed FAR of 12 in the district. Verizon has indicated to the Board that it is amenable to the inclusionary housing bonus as the only bonus available on the Verizon property to be rezoned.

During its consideration of this application, the Clinton/Hell's Land Use Committee heard numerous complaints from neighborhood residents about cleanliness of the sidewalks adjacent to Verizon's property and about Verizon's habitual storage of equipment and vehicles on the 43rd Street sidewalk. Since that time, Verizon has cleaned the exterior areas of its facility and has removed gang boxes from the sidewalk. Verizon has confirmed to us in writing that it will continue to maintain this facility including removal of litter and debris and keeping gang boxes off the sidewalk.

Now, Therefore, Be It Resolved that Manhattan Community Board No. 4 recommends approval of this application for a zoning change from M2-3 to C6-4 only if the inclusionary housing bonus remains the only zoning bonus mechanism for the property to be rezoned.

Sincerely,



Walter Mankoff
Chair
Manhattan Community Board No. 4



Anna Hayes Levin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee



Simone Sindin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee

cc: City Planning Commission, Calendar Information Office
Lee Chong, Manhattan Borough President's Office
Local elected officials
Melanie Meyers, Esq.