

August 12, 2004

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

Re: Clinton Bulk Regulations (ULURP Application N 050030 ZRM)

Dear Chair Burden:

At the unanimous 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 on August 11, 2004, adopted the following resolution by roll call vote (30 in favor, 1 opposed, 0 abstentions and 0 present but not eligible to vote).

In response to a request by this Board to limit the height of new developments along Ninth and Tenth Avenues in the Preservation Area of the Special Clinton District (from 43rd to 56th Streets), the Department of City Planning has prepared this proposal to amend Section 96-104 (Height Regulations) of the New York City Zoning Resolution.

This proposal, which would apply within 100 feet of a wide street (Ninth and Tenth Avenues) in the Preservation Area, calls for a mandatory streetwall of 50 to 66 feet, and a maximum building height of 85 feet above a setback of 10 feet on the avenue and 15 feet on a side street. Buildings could rise to 115 feet with a special permit. (We note that the proposed zoning text fixes this maximum height at 110 feet, while throughout the application and in DCP's presentation to this Board, the special permit height limit was stated to be 115 feet. Our resolution assumes that 115 feet is the intended maximum.)

When the Gotham Organization began construction of the 18 story building now known as the Nicole, at 400 W. 55th Street, we all were reminded, to our dismay, that aggressive acquisition of development rights and the lack of special bulk regulations on the avenues could result in buildings that are wildly out of scale with the unique character of Clinton's low-rise built environment.

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The protection of the scale and character of the Special Clinton District is important to us, and we are gratified to know that it is important to you as well. We wish to commend DCP's staff, especially Jeff Mulligan and Jaime Ortiz, for their responsiveness to our request, and for the care they have taken to develop a proposal that balances the community's desire to limit building heights and maintain the streetwall with the need to allow developers to provide new buildings with commercially feasible ground-floor retail space and well-proportioned apartment layouts.

Now, Therefore, Be It Resolved that Manhattan Community Board No. 4 gratefully and enthusiastically recommends approval of this application to modify the height and setback regulations of Zoning Resolution Section 96-104.

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: Local Elected Officials
Jaime Ortiz, DCP Manhattan Office
Lee Chong, Director, Land Use, Housing & Development, MBPO
Housing Conservation Coordinators