



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**CHRISTINE BERTHET**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

August 13, 2014

Vicki Bean  
Commissioner  
NYC Dept. of Housing Preservation and Development  
100 Gold Street  
New York, NY 10007

**Re: 540 West 53<sup>rd</sup> Street – CURA Site 7  
Inclusionary Housing—Lower Income Housing Plan Application**

Dear Commissioner Bean:

The Lower Income Housing Plan Application (the “Application”) for Clinton Housing Development Company’s (the “Applicant”) project at 540 West 53<sup>rd</sup> Street (the “Project”) was discussed at the June 19, 2014 meeting of Manhattan Community Board 4’s (“CB4”) Housing Health and Human Services (“HH&HS”) Committee. CB4 voted to recommend **approval** of the Application subject to the following conditions which have already been agreed to by the Applicant (see attached letter dated July 17, 2014).<sup>1</sup>

**The Project: An Overview**

The Project is located on the south side of West 53<sup>rd</sup> Street between Tenth and Eleventh Avenues on Site 7 of the former Clinton Urban Renewal Area (“CURA”). On June 26, 2014 the Project received Uniform Land Use Review Procedure (“ULURP”) approval for a rezoning for M1-5 to R9 and the creation of a Large Scale General Development (“LSGD”). That rezoning also overlaid the Project site as an Inclusionary Housing Designated Area with bonuses allowed for the creation of low-, middle- and moderate-income housing, not just low-income. With Inclusionary Housing, the site is eligible to bonus from a base FAR of 6.0 to an FAR of 8.0 via the provision of 20% of the residential units in the building as permanently affordable housing. The Applicant has elected to pursue this Inclusionary Housing bonus.

The Project will be a 12-story building with retail on the cellar and ground floors in order to accommodate vested CURA tenants, Cybert Tire and LeNoble Lumber. The Project includes 103 residential units all of which will be permanently affordable to low-, moderate- and middle-

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<sup>1</sup> Joe Restuccia, a member of CB4 who serves on the Clinton/Hell's Kitchen Land Use Committee, is Executive Director of Clinton Housing Development Company. Mr. Restuccia openly acknowledged his interest and recused himself from voting.

income families and individuals. These 103 units include 11 studios, 39 one-bedrooms, 49 two-bedrooms, and 4 three-bedrooms.

## **Housing Program**

The Project is being financed by a combination of equity from the sale of excess development rights and inclusionary development rights to the adjacent development project at 525 West 52<sup>nd</sup> Street, the New York City Employee Retirement System (“NYCERS”) Taxable Mortgage Initiative and subsidy from the New York City Department of Housing Preservation and Development (“HPD”). All of the residential units in the building are made permanently affordable through a deed restriction under the New York City Inclusionary Housing Program. The Application, submitted to the New York City Department of Housing Preservation and Development (“HPD”) by the Applicant, will govern the 103 apartments which will be created under the Inclusionary Housing program and made available to those at or below 80%, 100%, 125%, and 165% of Area Median Income (“AMI”). CB4 is pleased that all of the Inclusionary units for the Project will be developed on-site and are available to individuals and families at a range of incomes. CB4 believes this Project truly celebrates and reinforces the socioeconomic diversity of the neighborhood.

**NOW, therefore, be it resolved** that Manhattan Community Board 4 recommends approval of the Application for 540 West 53<sup>rd</sup> Street, ***provided the following conditions, which have been agreed to by the Applicant, are included in the Lower Income Housing Plan executed by HPD:***

### **Amenities**

- The Project features amenities including a small gym, landscaped gardens, and a children’s play room. All amenity space will be available to all tenants of the building at no charge.

### **Finishes**

- All of the units in the building will have the same finishes in the kitchens, bathrooms, bedrooms, and living areas.

### **Permanent Affordability**

- A Restrictive Declaration be filed that requires development of 103 units of housing in the Project, affordable *in perpetuity*, to those earning at or below 80%, 100%, 125%, and 165% of AMI.

### **Marketing**

- The Inclusionary units will be subject to a 50% community preference.

## Jobs

- Applicant will apprise CB4 of job opportunities the can be filled by community residents so that CB4 may post those opportunities on its website.

## Apartment Distribution

- Apartments at every income band are distributed throughout 100% of the floors.

Thank you for the opportunity to provide comments and submit recommendations on this important Application.

Sincerely,



Christine Berthet  
Chair  
Community Board 4

[signed 8/12/2014]

Barbara Davis  
Co-Chair  
Housing, Health & Human Services Committee

CC:

Adriano Espaillat, NYS Senator  
Brad Hoylman, NYS Senator  
Linda Rosenthal, NYS Assemblymember  
Jerrold Nadler, Congressman  
Gale Brewer, Manhattan Borough President  
Corey Johnson, NYC Councilmember  
Gabriella Amabile – HPD  
Thehbia Walters – HPD  
Sara Levenson - HPD  
Clinton Housing Development Company