



CITY PLANNING COMMISSION

September 30, 2013/Calendar No. 4

N140038 BDM

IN THE MATTER of an application submitted by the Department of Small Business Services on behalf of the Hudson Yards Business Improvement District pursuant to Section 25-405(a) of the Administrative Code of the City of New York, as amended, concerning the formation of the Hudson Yards Business Improvement District, Borough of Manhattan, Community District 4.

On July 15, 2013, Mayor Michael R. Bloomberg authorized the preparation of a district plan for the Hudson Yards Business Improvement District (BID). On July 19, 2013, on behalf of the Hudson Yards Development Corporation (HYDC), the Department of Small Business Services (DSBS) submitted the district plan for the BID, located in Community District 4 in the Borough of Manhattan.

BACKGROUND

The proposed Hudson Yards BID is located in the Borough of Manhattan and is generally bounded by West 42nd Street to the north, Eleventh Avenue to the west, Ninth Avenue to the east, and West 30th Street to the south. The proposed BID includes a section of 42nd Street beyond Ninth Avenue, and generally includes both sides of Ninth Avenue between 42nd Street and 35th Street. Below 35th Street, Hudson Yards BID's eastern border is Tenth Avenue. The BID is largely within Hudson Yards Special District.

The proposed BID borders the Fashion Center and 34th Street Partnership BIDs to the east. The Fashion Center BID is generally located east of Ninth Avenue and above 35th Street, and the 34th Street Partnership BID is generally located east of 10th Avenue and below 35th Street. The 34th Street Partnership BID stretches to the east of Fifth Avenue to reach Park Avenue. The Hudson

Yards BID's eastern border makes many non-linear turns to accommodate property already within adjacent BID districts. With the addition of the proposed Hudson Yards BID, Business Improvement Districts will cover the vast majority of tax blocks between Eleventh Avenue and Fifth Avenue from 42nd Street to 30th Street.

Hudson Yards BID represents the continuation of a number of initiatives designed to support the revitalization of Manhattan's Far West Side. In 2005, several land use actions, including zoning map and text amendments (C040499(A)ZMM submitted by the Department of City Planning and N040500 ZRM) were adopted by the City Planning Commission. These actions permitted a greater range of uses and densities to accommodate space for significant commercial and residential development, facilitated site acquisition on behalf of the city, established aerial easements for pedestrian circulation, disposed of city-owned property, and established mapped parkland. The City Planning Commission undertook the rezoning and related actions to transform the Far West Side from a historically underutilized area into a major transit-oriented urban center. Historically, the area contained a number of manufacturing and industrial uses. In recent history, many vacant lots and parking facilities dotted the area. The rezoning and related actions will permit the development of medium and high density Class-A buildings with a mix of uses, including commercial, residential, open space, as well as new cultural, convention, and entertainment facilities.

The 2005 rezoning established a climate that, to-date, dramatically changed the area. Over the past seven years, the area has become more of a mixed-use district. The proposed BID area has no less than 25 active construction projects or projects completed within the last two years

including the construction of the extensions of the number 7 IRT subway, with a station at 34th Street between Tenth and Eleventh Avenues in the middle of the proposed BID. Large new development projects at the Eastern and Western Rail Yards are in progress or are expected to begin in the near future. The proposed BID represents portions of 26 blocks, and has 1164 tax lots. There are about 150 ground-level retail tenants, approximately 300 upper floor commercial tenants, and 6,336 residential units of which 836 are individual residential condominiums. The area also contains five buildings with 975 hotel rooms.

The creation of a major park and Boulevard is a significant initiative stemming from the 2005 Plan. Hudson Yards BID will be a critical stakeholder in the future as it will be the entity responsible for maintaining the newly created Hudson Park under a contract with the Department of Parks and Recreation. In addition to this critical function, the BID's proposed services will include providing sanitation, marketing, promotion, beautification, and streetscaping with a focus on the Ninth Avenue retail corridor.

The first year budget is projected to be \$1,200,000. The budget may rise after that with a cap of \$3,000,000 per year after the fifth year. The first year budget will allocate \$445,000 to Hudson Park maintenance and public safety. District-wide, the BID proposes to allocate \$430,000 for Open Space and Greening outside of Hudson Park and Boulevard; a "Think Local, Buy Local" awareness marketing campaign; traffic, transportation, and pedestrian safety; capital and technical assistance programs; and targeted sanitation services where needed. About \$325,000 will be allocated for advocacy and administration.

The BID will work with the Department of Transportation (DOT) and other responsible agencies to address the backlog of busses that line avenues at rush hour as these buses attempt to access the Lincoln Tunnel and Port Authority Bus Terminal. The BID also intends to advocate for the funding and construction of all park blocks within Hudson Yards Park and Boulevard that are not currently under development. In general, the BID will be an advocate for improved services for the area within its boundaries.

The BID projects in its first year that wholly commercial property would pay the full BID assessment. This is a combined formula of about 14 cents per hundred dollars of assessed value and 10.73 cents per square foot. Mixed-use residential and commercial property would pay a rate of 80% of the commercial rate, except for properties constructed prior to 2005 where only the commercial property would be assessed at 100 percent of the commercial rate. This mix use rate is projected to be about 11 cents per hundred dollars of assessed value and 8.59 cents per square foot. Vacant land will pay a rate of 95% of the commercial rate. Not-For profit- and individual residential condominiums and wholly residential tax lots would pay \$1 per year. There is a single tax lot represented by multiple condo units which would be assessed at 80% of the commercial rate. The full block of the Eastern Rail Yards would pay a rate of 50% of the commercial rate once 4 million square feet of commercial development is completed and a temporary certificate of occupancy is granted. All non-profit uses, residential properties built before 2005, and rent stabilized developments will pay \$1 per year for the BID.

There is a wide range of annual BID payments for the \$1.2 million budget. The highest payment would be \$178,800 per year for an 866,000 square foot post-2005 rezoning mixed-use property

with \$83 million of assessed value. The lowest payment is \$94 for a vacant parcel of 550 sq. ft. and \$28,000 assessed value. The average annual BID payment for the 228 properties would be approximately \$5,259 per year.

The BID sponsors did extensive outreach to assess support for the BID. Property owners representing approximately 55% of the assessed values or 59% of tax lots in the district signed ballots in support. Approximately 4% of assessed value or 19% of tax lots signed ballots in opposition. Outreach efforts to the property and business owners as well as merchants included six informational meetings, two informational mailings, one district needs survey, two formal public hearings, two public events publicizing the proposed BID and a variety of print and television news items.

ENVIRONMENTAL REVIEW

The district plan was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York State Code of Rules and Regulations, Section 617.00 et seq., and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 13SBS005M. The lead agency is the Department of Small Business Services.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on July 3, 2013.

LAND USE REVIEW

On July 19, 2013 the Department of Small Business Services submitted the district plan for the Hudson Yards Business Improvement District (BID) to the Department of City Planning. The plan was then transmitted for review to the Office of the Mayor, Office of the Manhattan Borough President, City Council Speaker, City Council Member of Council District 3 and Manhattan Community Board 4.

Community Board Public Hearing

On July 31, 2013, Community Board 4 adopted a resolution recommending approval, with conditions, of this application (N140038 BDM), by a unanimous vote. The Community Board recommended that the BID be renamed Hudson Yards/Hell's Kitchen Alliance. Other conditions were that planting, signage, and treatments within the district highlight the diversity of subareas and differences within the districts corridors, and that the community be well-represented on the BID's board.

City Planning Commission Public Hearing

On August 21, 2013, (Calendar No. 3), the Commission scheduled September 11, 2013 for a public hearing on the district plan. On September 11, 2013 (Calendar No. 36), the hearing was duly held. There were eight speakers in favor of the proposal and none in opposition.

Those who testified in favor included two residents, one commercial property owner, one retail business owner, three members or staff from Community Board 4, the BID consultant and a

union representative. Both residents and the commercial property owner approved of the BID as proposed. One resident described the existing condition of his block and how it has changed through the years. He described the development of the Hudson Yards BID as a benefit to the neighborhood. He stated that the BID will address long standing issues stemming from pedestrian safety to neighborhood sanitation. He believed that the BID would provide necessary quality of life improvements for residents as well as businesses.

The community board members stated that the BID should be renamed Hudson Yards/Hell's Kitchen Alliance, that there be diverse street signage and treatments, and that the proposed full six blocks of Hudson Park and Boulevard should be built. The community was in favor of the BID, but believes the existing Hell's Kitchen neighborhood character should be acknowledged and its identity supported. The retail owner advocated primarily for the re-naming of the BID as Hudson Yards/Hell's Kitchen Alliance.

Other speakers included the BID sponsor's consultant and a union representative. The BID Sponsor Consultant spoke affirmatively about addressing the concerns of the community board, should the BID be approved by the Commission and the City Council, and clarified how the formula for the BID assessment was formulated. The union representative appeared in favor of the proposal.

At the request of the Commission, an additional speaker from the Hudson Yards Development Corporation (who did not advocate for the BID) addressed questions regarding the development of Hudson Park and Boulevard. She explained that the Hudson Yards Development Corporation

(HYDC) will cease to exist at the end of 2013. She further explained that the Economic Development Corporation (EDC) is currently managing the construction of Hudson Park and that HYDC plays an advisory role. It is anticipated that the proposed BID be established before the transfer of Hudson Yard Park from EDC to the Parks Department in the summer of 2014. The Commission expressed concern that there might be a gap between the establishment of the BID and the end of HYDC. The HYDC representative stated that all functions of HYDC will continue through assigned staff and by contract, until the first phases of the Park and Boulevard are completed and the BID is established.

In response to concerns raised about three additional park blocks proposed by the 2005 Plan which are not yet under construction the HYDC representative stated that, in addition to segments of the Park already under construction, there is a fourth park block slated to be developed. However, there are issues surrounding the acquisition and development of park blocks five and six, specifically, that a platform over an Amtrak right-of-way would need to be constructed for park block six.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposal to establish the Hudson Yards Business Improvement District in Manhattan is appropriate.

The Hudson Yards BID area has a very diverse landscape and its success will be measured by

the advocacy and support given to all neighborhoods within this unique community. Portions of the BID area are in transition from manufacturing and vehicle storage into a new mixed-use neighborhood. Others parts remain as the historic mixed-use Hell's Kitchen neighborhood. The BID intends to support the historically mixed-use character of Hell's Kitchen and provide services to address long standing concerns, and the new neighborhood which is being created by the 2005 Hudson Yards Plan. The Commission is pleased to see that the BID contemplates serving the many distinct facets of the neighborhood.

Recognizing the unique character of the community as outlined above, the Commission supports the recommendation by Community Board 4 and other stakeholders to rename the district "Hudson Yards/Hell's Kitchen Alliance". The name change acknowledges the existing Hell's Kitchen community, the emerging community at Hudson Yards, and the common cause that unites them—the betterment of the neighborhood along and west of Ninth Avenue.

Hudson Park and Boulevard will establish important new open space and infrastructure improvements. Three blocks of the Hudson Park and Boulevard are under construction and will begin to open in the summer of 2014. It is anticipated that the BID be operational when then these open spaces are completed and be able to begin maintenance of the park areas. The Commission is pleased that plans are moving forward to create the fourth block of the park and Boulevard. The Commission remains concerned, however, that blocks five and six of the park and boulevard are neither funded nor designed and that without their completion, the Hudson Yards project will remain incomplete. A critical function of the BID therefore is to advocate for the realization of the entire Hudson Park and Boulevard plan.

The BID would assess commercial property and select residential properties. The assessed residential properties will be units constructed after 2005 and will include no affordable rental units. BID Boards are organized by statute to include a majority of property owners. As proposed, the statute only requires the inclusion of one residential tenant and one commercial tenant on BID Boards. As a result of concerns expressed by City Planning and Community Board 4, the Commission is pleased that the BID has agreed to include at least four residential tenants on its Board. This will help ensure that the concerns of area residents are fully considered by the BID Board.

The BID proposes to only fully assess rental residential property constructed after the 2005 adoption of the Hudson Yards Plan. Individual residential condos and pre-2005 residential property will pay \$1 per year. Only rental property constructed after 2005 will pay an assessment. All rental residential properties constructed after 2005 are rent stabilized and rent stabilization does not permit the pass through of BID assessments to tenants. All BID assessments on residentially occupied post-2005 rental property will be paid by the property owner.

The Commission believes that efforts to promote Ninth Avenue as a local shopping destination to the nearby community will also ensure local commercial services are maintained for the entire neighborhood. In addition, proposed improvements to traffic and pedestrian safety, as well as planning for the accommodation of commuter buses, will serve both the neighborhood and City's interest in having safe and well managed streets. The Commission believes that the BID's plans

to green the neighborhood and provide supplemental sanitation services will make the neighborhood more successful. The Hudson Yards Plan called for the establishment of a major new and mixed-use urban center in the Hell's Kitchen neighborhood. Historically, issues around pedestrian safety, sanitation, and a lack of park space affected the quality of life in Hell's Kitchen. The infusion of office space without addressing those long standing issues would exacerbate these issues. The BID will exist as a conduit to address the long standing issues as well as elevate the quality of life for existing residents and the new users entering the neighborhood.

The Commission further acknowledges the concerns of Community Board 4 and shares its concerns that the BID serve both the emerging residential and commercial neighborhood along with the interests of the long established Hell's Kitchen neighborhood. Changing the name of the district to reflect the broader neighborhood is a good start. However, the BID must, going forward, consult with the Community Board and neighborhood groups on its services, proposals and plans. Additionally, having at least four residents on the BID board will help the BID to be responsive to, and inclusive of, neighborhood services and constituent needs.

The Commission has seen the documents that the BID sponsor submitted regarding notification of stakeholders about the proposed BID. It believes that these outreach efforts for the BID were satisfactory.

Establishing the Hudson Yards BID is important because it complements the City's efforts to improve neighborhood services, promotes economic development and enhances the provision of

and maintenance of a significant open space resource within the Hudson Yards Special Zoning District. These efforts will be a significant component in promoting the goals of the Hudson Yards Plan and the Hell's Kitchen community.

RESOLUTION

The Commission supports the proposed BID plan and has adopted the following resolution:

RESOLVED, that the City Planning Commission certifies its unqualified approval of the district plan for the Hudson Yards Business Improvement District.

The above resolution duly adopted by the City Planning Commission on September 30, 2013 (Calendar No.4) is filed with the City Council and the City Clerk pursuant to Section 25-405 of the Administrative Code of the City of New York.

AMANDA M. BURDEN, FAICP, Chair
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Chair

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CITY OF NEW YORK

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August 6, 2013

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

Re: District Plan for the Hudson Yards Business Improvement District (N140038BDM)

Dear Chair Burden:

On July 31, 2013, at its full board meeting, Manhattan Community Board 4 (MCB4) held a public hearing on the District Plan for the proposed Hudson Yards Business Improvement District (BID).

The proposed BID District is located in Manhattan Community District 4 and bounded by West 42nd Street to the north, Eleventh Avenue to the west, West 30th Street to the south, and Ninth Avenue to the east. MCB4 has long identified this portion of the neighborhood as the southern part of Hell's Kitchen.

The specific aim of the proposed BID is "to provide maintenance for the Hudson Park and Boulevard and district-wide services and improvements that enhance the quality of life of an exceptionally diverse population who live, work and visit within the district."

The Board unanimously recommended **approving** the proposed District Plan **with the following conditions**:

1. The proposed Hudson Yards BID is renamed the Hudson Yards/Hell's Kitchen Alliance;
2. The HY/HK Alliance work with MCB4, local elected officials, and City government to secure the development of Blocks Five and Six of Hudson Park and advocate for more open space in the neighborhood;
3. The sanitation and traffic safety issues, outside of the Hudson Park and Boulevard, are targeted to Ninth Avenue and to the West 34th and West 42nd Streets corridors;
4. The HY/HK Alliance works closely with MCB4 and that regular consultations, meetings and reporting between the Alliance and MCB4 take place to ensure cooperation among the various community groups, business enterprises, and non-profits in the district; and in the first two years

of operation the HK/HY Alliance agrees, if requested, to meet quarterly with MCB4's Clinton/Hell's Kitchen Land Use Committee (C/HKLU) to report and present its proposals for services and district improvements;

5. The Alliance's Board of Directors reflects the diversity of the neighborhood;

6. That no street flags, banners, billboards, zipper illuminated displays, or other forms of promotional marketing or advertising be permitted on the residential streets in south Hell's Kitchen and the proposed Alliance agree to limit such promotions to west of Tenth Avenue and the commercial corridors below West 34th Street;

7. That the HY/HK Alliance work with existing stakeholders to incorporate diversity into any proposed streetscape improvement plans and agree not to promote homogenized, unvaried landscaping and work with the community to help maintain tree pits and green spaces and advocate for more open space;

8. That the HY/KY Alliance work hand-in-glove with the residential component of the district — with especial attention paid to the long term, historic residential community of south Hell's Kitchen;

9. That the HY/HK Alliance will incorporate in its mission the values of MCB4 in promoting affordable housing, protecting its older housing stock, and preserving a mixed-income, diverse neighborhood;

10. The Board of the proposed HK/HY Alliance have at least four residential tenant representatives and two of whom live in affordable housing units in the district. At least one Board seat shall also be designated for a not for profit organization.

WHAT'S IN A NAME? EVERYTHING.

The proposed BID would be part of the southern portion of Hell's Kitchen, a fabled neighborhood with a strong sense of identity. Nearly all the participants in the planning process found the name "Hudson Yards BID" to be lacking in historical resonance, precision, or distinctiveness. Or, frankly, sizzle.

At the C/HKLU meeting on July 24, 2013, it was proposed and unanimously endorsed that **as a condition of the committee approving the proposed plan, the Hudson Yards Business Improvement District be renamed the Hudson Yards/Hell's Kitchen Alliance. MCB4 agrees.** Heretofore, the proposed district area and plan will be referred to in this response as the HY/HK Alliance ("Alliance").

The juxtaposition of the two district names is important. It illustrates the partnership between the established community in the existing district and the new development in the new district. It preserves the integrity of the low-rise, community's identity along its main street, Ninth Avenue, and in the mid-blocks toward Tenth Avenue and broadens to include the developing high rise district along Tenth and Eleventh Avenues and in the West 34th Street corridor.

PROJECT BACKGROUND

A wide range of participants participated in the Planning Committee of the proposed BID, including members of MCB4, community organizations, and non-profits as well as residents, businesses and developers. Two community outreach meetings to describe the BID and seek feedback from residents and businesses were held. At the July 24th, 2013, C/HKLU meeting, the BID proposal was presented. Speakers overwhelmingly supported the plan; many felt the name should be revised to include “Hell’s Kitchen” to reflect the vibrant, historic area that the BID is located in. Similarly, at MCB4's July 31, 2013, full Board meeting, many people testified in favor of the proposal.

The proposed BID plans to be up and running by the spring of 2014, in conjunction with the planned opening of the Hudson Park and Boulevard.

Growth of South Hell's Kitchen

The area covered by the proposed HY/HK Alliance district includes a diverse landscape. It is part of southern Hell's Kitchen and generally recognized as part of the larger fabric of Hell's Kitchen/Clinton to the north of West 42nd Street. An area in transition, its existing character is being broadened by new development and will be further impacted by development planned for the future. The key elements driving this evolution from mostly manufacturing and commercial with an historic residential tenement component into a mixed-use district are:

- re-zoning for mixed-use with the establishment of the Special Hudson Yards District;
- enhanced access to mass-transit with the expansion of the Number 7 Subway line;
- availability of large commercial and residential sites; and
- creation of new public open space with the Hudson Park and Boulevard, between Tenth and Eleventh Avenues from West 33rd to West 36th Streets.

Property Mix

At present, the area contains a mix of many types of properties. There are underutilized properties devoted to parking, one-story warehouse buildings and a large amount of land consumed by transportation and infrastructure systems for the Penn Station trains, the Lincoln Tunnel’s access (Dyer Avenue both above and below grade), and the Port Authority Bus Terminal operations.

Low-rise industrial buildings containing auto-repair and other semi-industrial warehouse uses are throughout the district. Commercial buildings containing over six million square feet of space include older loft-type buildings that have been adaptively reused for design and technology-based industries along with low rise, more contemporary buildings.

Cultural and educational organizations are also an integral part of the Hell's Kitchen neighborhood with the Baryshnikov Arts Center, Signature Theatre, Theatre Row, Playwrights Horizons, and Fashion Institute of Technology (over one thousand FIT students reside at Kaufman Hall at West 31st between Ninth Avenue and Dyer Avenue).

6,000 Residential Units in 100 Buildings

Residential buildings range from large, early 20th-Century apartment blocks to clusters of four and five story tenement buildings, to newly constructed residential tower and commercial base type buildings with large number of rental and condominium apartment units. The proposed Alliance area contains approximately 6,250 residential rental and condominium units in over 100 buildings.

Potential Development

As a result of recent re-zonings (Special Hudson Yards District) and public sector investment in the area's infrastructure, the district is positioned to experience large scale commercial and residential development. More specifically, the rezoning provides for high density commercial development along West 33rd Street from Pennsylvania Station to the Eastern Rail yard site, and north between Tenth and Eleventh Avenues from West 33rd to West 41st Streets. Residential and low rise commercial uses are provided for to the north and east towards Ninth Avenue where much of the existing residential properties are located.

The entire Special Hudson Yards District, an area slightly larger than the proposed Alliance district, has a development potential of approximately 28 million square feet of commercial and residential development, which is expected to be achieved in future years.

The increased development makes it crucial that the commercial, institutional, and residential components of the neighborhood work together.

MCB4 ISSUES AND CONDITIONS FOR APPROVAL

HY/HK Alliance

As stated earlier, the Clinton/Hell's Kitchen Land Use and Zoning Committee meeting on July 24, 2013, voted unanimously to approve the proposed Hudson Yards Business Improvement District on the condition it was renamed the **Hudson Yards/Hell's Kitchen Alliance**. The Board affirms that condition.

Hudson Park and Boulevard

The primary objective of the HY/HK Alliance is to maintain the Hudson Park and Boulevard (West 33rd to West 39th Streets, Tenth to Eleventh Avenues). Four blocks of the promised six-block park have been planned. Acquiring the remaining two blocks and developing them as park space must remain a priority of the Alliance.

As well, the Alliance should be an advocate for more green space in the district and an active partner in maintaining street trees and open spaces that have been created or will be created

The Alliance must push energetically for construction of Blocks Five and Six of Hudson Park as well as advocate for more public space in the district.

Sanitation and Traffic Safety Issues

The proposed plan also promises "district-wide efforts will also play a key role in enhancing the pedestrian environment, supporting local business, and addressing specific issues associated with

the major transportation structures and conduits for large volumes of traffic in the form of cars, trucks and buses."

The Alliance should also advocate for a subway stop on the proposed extension of the #7 subway line through the district.

CB4 requests the sanitation and traffic safety issues outside of the Hudson Park and Boulevard to be targeted explicitly to Ninth Avenue and to the West 34th Street and West 42nd Street corridors. These efforts must be coordinated with MCB4 and with local community groups.

No Banners, Please. We're In Hell's Kitchen

This Board is adamant that the residential integrity of the residential streets in Hell's Kitchen not be compromised by street flags, banners, billboards, zipper illuminated displays or other forms of promotional advertising.

The BID must agree to limit such promotions to west of Tenth and Eleventh Avenues and the commercial corridors below West 34th Street.

Diversity Not Homogeneity

We look forward to the large publicly-accessible multi-block Hudson Park being well-maintained, with continual funding. And we feel the proposed Alliance will enhance the Hell's Kitchen area with greening, increased sanitation clean-ups and pedestrian safety measures. But any streetscape improvements — tree plantings, planters, sidewalk treatments — must be varied and diverse.

Over the past 20 years, the Hell's Kitchen Neighborhood Association, Clinton Housing Development Company, CHEKPEDS, Condominium Associations, HDFC Cooperatives, private building owners and Tenant Associations have planted trees, planted sidewalk gardens and improved the streetscape. The goal of future neighborhood improvements must build upon this diversity.

The HY/HK Alliance must work with existing stakeholders to incorporate such diversity into any proposed streetscape improvement plans and work with the community to maintain all green spaces and tree pits in the district and advocate for more open space.

Partnering With MCB4

MCB4 has had a keen interest in the proposed formation of the HY/HK Alliance and participated in the early planning stages and in the 12 Steering Committee meetings held over the last two years. The Board sent the chair of C/HKLU, co-chairs of its Transportation Planning Committee, Chelsea Preservation Committee, and Housing, Health, and Human Services Committee as well as its District Manager to the meetings. MCB4's participation in the planning process has been sustained and productive. The collaboration must continue.

The language of the proposal reflects MCB4's input: "The Hudson Yards BID will work with the Community Board and others to achieve a level of balance and compatibility between the existing neighborhood and the new development that the "Special Hudson Yards District" re-

zoning is bringing to this area."

The Board also welcomes HY/HK Alliance's overarching goal of "improving the attractiveness of the location and quality of life for all, while retaining neighborhood character (emphasis added) within the Hudson Yards district, is an important element to this evolving mixed-use neighborhood."

CB4's paramount concern and goal is to insure that a business improvement district work hand-in-glove with the residential component of the district — with especial attention paid to the long-term historic residential community of south Hell's Kitchen.

The Larger Community

Decisions by the future board of directors must take into consideration the fact that the proposed HY/HK Alliance is part of the larger Hell's Kitchen community.

The values of MCB4 in promoting affordable housing, protecting its older housing stock, preserving a mixed-income, diverse neighborhood must be part of the Alliance's mission.

Regular consultations, meetings, and reporting between the Alliance and CB4 must take place to insure cooperation among the various community groups, business enterprises, and non-profits in the district. To ensure cooperation and communication, especially during its first two years of operation, the HK/HY Alliance agrees, if requested, to meet quarterly with CB4's Clinton/Hell's Kitchen Land Use and Zoning Committee to report and present its proposals for services and district improvements.

Governance: HY/HK Board of Directors

The Board welcomes the Department of City Planning's recommendation that the governing board of the proposed HY/HK Alliance have at least four residential tenant representatives. The Board further proposes that at least two of those residential tenants represent tenants in affordable apartment in the district.

The Board also proposes that some of the seats going to property owners must go to pre-2005 building owners. There must also be a seat at the table for a non-profit organization.

Given the mix of residential, business enterprises, and non-profit arts organizations in the district, a diverse makeup of the Board's directorship is imperative.

Conclusion

Integrating an older, established community with a strong identity and sense of purpose into a proposed new Business Improvement District presents a challenge and an opportunity. At both the Clinton/Hell's Kitchen Land Use and Zoning Committee meeting on July 24, 2013, and at the Full Board Meeting of CB4 on July 31, 2013, residents and business owners from the proposed district expressed support for the HY/HK Alliance with the proviso that it help improve the area without diminishing the distinctive character and flavor of a diverse and vibrant New York neighborhood. The Board echoes that support and affirms that proviso.

As this proposed BID moves through the public approval process, the Board requests the support and assistance of the City Planning Commission, the Manhattan Borough President, and City Council in incorporating MCB4's conditions in approval to reconcile these competing and worthwhile goals.

SUMMARY — CONDITIONS FOR APPROVAL

Now therefore let it be resolved that MCB4 recommends support of the draft plan for the proposed HY BID provided that it:

1. **Is renamed** the Hudson Yards/Hell's Kitchen Alliance;
2. **Works with MCB4**, local elected officials, and City government to secure the development of Blocks Five and Six of Hudson Park and advocate for more open space in the neighborhood;
3. **Target sanitation and traffic safety issues** (outside of the Hudson Park and Boulevard) to Ninth Avenue and the West 34th and West 42nd Streets corridors; and advocates for a subway stop on the proposed extension of the #7 subway line.
4. **Consults regularly with MCB4** and that regular consultations, meetings and reporting between the HY/HK Alliance and CB4 take place to ensure cooperation among the various community groups, business enterprises, and non-profits in the district; and in the first two years of operation the HK/HY Alliance agrees, if requested, to meet quarterly with CB4's C/HKLU to report and present its proposals for services and district improvements;
5. **Reflects the diversity** of the neighborhood in the makeup of the Board of Directors;
6. **Does not permit banners**, billboards, street flags, zipper displays or other forms of promotional marketing on the residential streets in southern Hell's Kitchen and agrees to limit such promotions to west of Tenth Avenue and the commercial corridors below West 34th Street;
7. **Works with existing stakeholders to incorporate diversity** into any proposed streetscape improvement plans and agrees not to promote homogenized, unvaried landscaping and work with the community to help maintain tree pits and green spaces and advocate for more open space;
8. **Cooperates with the residential component of the district** — with especial attention paid to the long term historic residential community of south Hell's Kitchen;
9. **Incorporates the values of MCB4** in promoting affordable housing, protecting its older housing stock, and preserving a mixed-income, diverse neighborhood;
10. **Appoints to its Board** at least four residential tenant representatives with two of those tenants residing in affordable housing units in the district and at least one representative from a not-for-profit organization.

Sincerely,



Corey Johnson
Chair



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

cc: Barry Dinerstein, Edith Hsu-Chen, Karolina Hall – Department of City Planning
Elizabeth DeLeon, James Mettham, Eddy Eng - Department of Small Business Services
Gail Benjamin, Danielle DeCerbo – City Council Land Use Division
Melanie LaRocca, Harriet Sedgwick - NYC Council Speaker Christine Quinn
Brian Cook, Michael Sandler – Manhattan Borough President Scott Stringer
NYS Senator Brad Hoylman
NYS Assemblyman Richard Gottfried
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