



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

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March 12, 2015

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

**Re: 565 West 23rd Street
Cure for Harassment Application
Alternate Plan**

Dear Commissioner Bean:

The Cure for Harassment (the “Application”) for Clinton Housing Development Company’s (the “Applicant”) Alternate Plan at 565 West 23rd Street (the “Alternate Plan”) was discussed at the February 19, 2015 meeting of Manhattan Community Board 4’s (“CB4”) Housing Health and Human Services (“HH&HS”) Committee. CB4 voted to recommend **approval** of the Application.

The Project: An Overview

The proposed Cure for Harassment is located on 565 West 23rd Street, also known as the Terminal Hotel. The building is currently a 4-story Single Room Occupancy (SRO) with documented tenant harassment occurring from approximately 2004-2008. The NYC Department of Housing Preservation and Development (HPD) conducted an investigation and hearing and the Office of Administrative Trials and Hearings (OATH) made a finding of numerous acts of harassment occurring during the inquiry period. Due to this harassment, HPD denied the then owner’s application for a Certificate of No Harassment on March 19, 2009. The building, located within the Special West Chelsea District, is subject to a zoning mandated Cure for Harassment under NYC Zoning Resolution § 98-70. Clinton Housing Development Company (CHDC) and Skybox/Chelsea LLC propose to substantially renovate the building as permanently affordable housing pursuant to the HPD’s Cure Program. The affordable housing will be affordable in perpetuity, impose no cost on the City of New York, create no increase in density (Floor Area Ratio) for the market-rate development, and will be owned and operated by an affiliate of CHDC.

History of the Project

CB4 has been in discussions with the Applicant over the development of the 565 West 23rd Street building since 2013 when the Board was first informed of potential renovation plans for the building.

From 2013 through 2014 the Applicant has continued to provide the HHHS Committee updates on development of the proposed renovation of the building as well as their ongoing work with the existing remaining tenants at the building for the temporary or permanent relocation to facilitate for the full renovation of the 565 West 23rd Street building.

On October 16, 2014 CB4 approved the proposed Cure application presented for 565 West 23rd Street in a letter sent to you on November 7th 2014. That application proposed a fully renovated building for 24 units including; 1-bedroom, studios and single room occupancies as well as all new services to the building including an elevator and façade restoration.

Alternate Plan Application

At the October 16th HHHS meeting, the Applicant also provided a draft presentation for an Alternate Plan should the remaining permanent tenants residing at 565 West 23rd Street choose not to relocate during renovation. CB4 understands the Applicant has worked with the permanent tenants since October 2012 and although six tenants have relocated permanently or temporarily, five tenants still remain at the location. The alternate plan presented to CB4 was for informational purposes, with the understanding a formal presentation would follow in 2015.

The Applicant again came before CB4 again on February 19, 2015 presenting the Alternate Plan for the Project which included a substantial renovation of the building while keeping the remaining permanent tenants in place.

Alternate Housing Program

The Project is being privately financed by SkyBox/Chelsea LLC and all of the residential units in the building will be permanently affordable. The Alternate Plan, submitted to the New York City Department of Housing Preservation and Development (“HPD”) by the Applicant, will create 17 new apartments which under the Cure for Harassment (administered under the Inclusionary Housing program) and made available to those at 80% of Area Median Income (“AMI”) as well as the 4 existing Single Room Occupancy’s (these SRO rooms will not be included within the required Cure square footage) for a total of 21 a permanently affordable apartments.

In the Alternate Plan, the affordable unit layouts are designed around the 4 remaining permanent tenants’ SRO rooms (1 existing tenant is going through legal action for nonpayment of rent). It provides complete renovation of the building with the addition of a penthouse floor. The affordable apartments will include 4 new SRO units, 4 existing SRO units, eight studio, two 1-bedroom, three 2-bedroom apartments

The scope of work for the Alternate Plan will include:

- Full gut renovation of the building (with the exception of the existing tenants SRO rooms)
- All new mechanical services (water, gas & electric)
- Installation an elevator providing ADA access to all floors
- New fire stair, sprinkler and fire alarm
- HVAC units in all apartments
- Full façade restoration and new windows throughout
- All new apartments will have new sheetrock wall & ceiling, new wooden kitchen cabinets, hardwood floors and ceramic tile in kitchens and baths
- Laundry & bike storage rooms
- 2 ADA fully accessible apartments (All bathrooms will meet ADA compliance)

The Alternate Plan will provide renovation to the existing tenant SRO rooms (ranging from 60 sq. ft. to 90 sq. ft.) including, (however some existing tenants have stated they may decline some renovations):

- New electrical wiring, heating and cooling
- New plumbing to relocated sinks
- New hardwood flooring
- Replacement of all sheetrock within the room
- New shared bathroom provided on each of the 3rd and 4th floors which will be ADA accessible

The Applicant talked through the flexibility of the design which allows for modifications to be made should any permanent tenant choose to relocate temporarily or permanently at any point during or after the renovation where their existing room would be absorbed into an adjacent apartment where the room would be renovated to the same standard as the apartment.

Tenant Protection Plan (TPP)

Following the presentation of the Alternate Plan the Applicant presented a detailed Tenant Protection Plan which had been prepared by Tenant Safety Consultant, Domani Consulting.

The plan includes 4 phases of construction and each of the phases was presented and clarified by the Applicant. The TPP ensures physical separation between the construction zone and tenant safety zone. It also maintains access to shared bathroom facilities on the tenants' floor (3rd and 4th) and provides two means of egress.

The highly thought out and detailed plan provides sequencing over the course of construction from commencement to completion of the Alternate Plan. The plan seeks to ensure tenants will have minimal interruptions to services and access shared bathrooms during the renovation. The existing tenants will also be provided temporary heating and electric services prior to replacing these systems included in the renovation.

During the entire course of the renovation, the Applicant will also provide a 24 hour/7 day a week front desk staff (with fire guard & fire warden certifications) on site to provide additional tenant safety.

CB4 would like to commend the Applicant for the work undertaken for the development of this comprehensive TPP. CB4 also supports the flexible design and attention to detail provided in this Application and is pleased the entire building will provide for additional 21 permanently affordable apartments in the Chelsea.

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

Sincerely,



[Signed 3/12/2015]

Christine Berthet
Chair

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

cc: Hon. Corey Johnson, City Council
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Richard N. Gottfried, NYS Assembly
Hon. Brad Hoylman, NYS Senate
Hon. Jerrold Nadler, US Congress
Louise Carroll, Assistant Commissioner, NYC HPD
Michael Lostocco, Project Manager, NYC HPD
Clinton Housing Development Company