

MANHATTAN COMMUNITY BOARD NO. 4



Statement of District Needs

Fiscal Year 2014
(July 1, 2013 – June 30, 2014)



Chelsea

Clinton/Hell's Kitchen

COREY JOHNSON

Chair

ROBERT J. BENFATTO, JR., ESQ.

District Manager

RAUL LARIOS and BURT LAZARIN

Co-Chairs, Budget Task Force

August 3, 2012

Table of Contents

I. District Overview and Priorities	4-5
II. Land Use Planning Needs	5
Hell’s Kitchen/Hudson Yards Follow Up	5
Eastern and Western Rail Yards.....	5
Special West Chelsea District – Follow Up	6
Clinton Urban Renewal Area	7
Special Clinton District – Preservation Area.....	8
III. Housing Needs	8
Preservation of Existing Affordable Units	8
Creation of New Affordable Housing	9
Department of Housing Preservation and Development (HPD)	10
General Code Enforcement	11
Single Room Occupancy (SRO) Housing	11
New York City Housing Authority (NYCHA)	12
IV. Parkland/Open Space Needs	12
Clement Clark Moore.....	12
Dewitt Clinton	12
New Parkland	12
Street Trees/Green Streets	13
V. Waterfront Needs.....	13
Piers 54 and 57	13
Piers 76 and 97	14
Chelsea Waterside Park.....	14
VI. Landmarks Needs.....	14
VII. Transportation Planning Needs.....	14
Pedestrian and Bicycle Safety	15
Trucks, Vans and Buses	15
Parking.....	15

Mass Transit – Improving Service	16
VIII. Public Safety Needs	16
Police Departments	16
Office of Special Enforcement	17
IX. Environmental Needs	17
Air Quality	17
Noise and Sanitation	18
X. Cultural Needs	18
Cultural Affairs	18
Cultural Usage at Hudson Yards Development	19
Community Facility Usage Data Base	19
Visual Arts	20
XI. Education Needs	20
Schools	20
Department of Education (DOE) Transparency with the Community	20
Better Planning to Address the Increased Number of School Age Children	20
Libraries	21
XII. Human Services Needs	21
Youth Services	21
Senior Services	22
Homelessness	22
Accessibility	22
XIII. Health Care Needs	22
HIV/AIDS	22
Hospitals	23
Substance Abuse	23
Other Health Concerns	23



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

COREY JOHNSON
Chair

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

OVERVIEW

Manhattan Community District 4 (CD4) is comprised of two West Side neighborhoods: Chelsea to the south and Clinton/Hell's Kitchen to the north. CD4 spans the area from W. 14th to W. 59th Streets (from west of Eighth Avenue to the Hudson River north of W. 26th Street, and west of Sixth Avenue to the Hudson River south of W. 26th Street). CD4 shares borders with Greenwich Village, the Flatiron, the Upper West Side and the Midtown central business district.

Portions of several other well-known areas exist within CD4's boundaries:

- Garment District,
- Flower District,
- Gansevoort Meat Packing District,
- Ladies' Mile Shopping District, and
- Theater District.

Other notable sites in CD4 include:

- Restaurant Row,
- The High Line,
- Columbus Circle,
- Maritime Piers 56 - 99,
- Farley Building/Moynihan Station,
- Lincoln Tunnel
- Port Authority Bus Terminal, and
- Northern half of Hudson River Park.

The total population of CD4 has grown from approximately 87,000 in 2000 to over 104,000 according to the 2010 Census. This represents a 19% growth overall, much of it concentrated in the rezoned areas.

As a result of recent rezonings, significant new commercial and residential development is now possible in formerly industrial districts. The Community Board has strived for balance between the redevelopment of these areas with the preservation and expansion of the district's residential neighborhoods. A major priority is ensuring that new development helps produce more permanent affordable housing.

Development of large scale proposals - for the corridor between W. 30th and W. 35th Streets; – development above the MTA; West Side Yard; Amtrak’s Gateway Tunnel proposal; the conversion of the Farley Post Office into the new Moynihan Train Station; and the possible expansion of the Jacob K. Javits Convention Center - will similarly require an approach that balances local and regional needs.

PRIORITIES

CB4's priorities (all of equal weight, and shown here in no particular order) are:

- Creating additional green spaces; schools; educational, community and cultural facility spaces; and a better balance in street usage between pedestrians, bicycles and vehicles,
- Attracting development that makes available more affordable housing that is permanent and enhances diversity and positive neighborhood relations among disparate groups,
- Maintaining neighborhood character and stability,
- Preventing displacement and eviction, and
- Improving environmental quality of air, water, and land.

LAND USE PLANNING NEEDS

Hell's Kitchen/Hudson Yards Follow-Up

A number of items that were agreed to by the Administration and the City Council in connection with the 2005 Hudson Yards Rezoning await completion, and need the commitment of staff and other resources from the Department of City Planning (DCP), Housing Preservation and Development (HPD), and other relevant agencies to bring them to completion. For the most part, the need is for increased planning resources and capital commitments in future years. The most important items awaiting completion are:

- Development on "Site M" located on the west side of Tenth Avenue between W. 40th and W. 41st Streets of 150 affordable housing units as detailed in the letter agreement between the Administration and the City Council. If development is not possible on Site M itself, then a comparable site in size and units developed must be identified.
- Development on the parking lot at the NYCHA Harborview Terrace site (W. 56th Street between Tenth and Eleventh Avenues) has 155 units of affordable housing; and
- Development of a minimum of 16,000 sq. ft. of cultural facility spaces to be integrated throughout the Western Rail Yards (WRY) plan.

Eastern and Western Rail Yards

Similarly, additional commitments were agreed to by the Administration, the developer, and the City Council in connection with the 2009 WRY. The most important items awaiting completion are:

- Development of affordable housing on publicly owned sites, namely, the Department of Environmental Protection (DEP) site of 151 units at Tenth Avenue between W. 48th-49th

Streets; the Metropolitan Transportation Authority (MTA) site of 116 units at W. 54th Street and Ninth Avenue; and the Department of Sanitation (DOS) site of 75 units at 136-140 W. 20th Street;

- Extension of Section 8 subsidies at French Apartments (330 West 30th Street) for an additional 40 years;
- Preservation of 150 units of endangered SRO housing;
- Extend affordability restrictions on projects developed with tax-exempt bond financing: Under the WRY rezoning, the City committed to develop a program to permanently extend affordability restrictions to two projects, the Westport at 500 W. 56th Street (74 units) and the Tate at 535 West 23rd Street (63 units), that were constructed under the NYS Housing Finance Agency's 80/20 program; and
- Development of 431 units of permanently affordable units of housing on-site in the Western and Eastern Rail Yards.

The following items are also awaiting resources from the Department of Transportation (DOT) and the Parks Department to bring them to completion. For the most part, the need is for capital commitment in the up-coming Fiscal Year:

- Complete the enlargement and greening of the "Canoe" at W. 36th Street and Ninth Avenue,
- Installation of pedestrian ramps missing on Dyer Avenue and W. 34th Street. This area is heavily travelled by visitors to the Javits convention center, but remains in non-compliance with Federal ADA requirements.

Special West Chelsea Follow-up

Seven years after its creation, the general purposes for which the Special West Chelsea District was created are being fulfilled. West Chelsea is a dynamic, mixed-use neighborhood. Residential development is vibrant, the arts community is flourishing and the second section of the High Line has opened. It is now time for the City to follow through with promises made during the creation of the SWCD, and to examine the unforeseen problems that have arisen.

- We again ask for completion of the study discussed at the time of the SWCD's creation, "Study by the Department of City Planning (DCP) of areas west and south of the rezoning area (SWCD) with an eye to future actions appropriate for the neighborhood." As proposed, the study would examine areas between Eleventh and Twelfth Avenues north of W. 22nd Street and other areas near the High Line farther south with the goal of including them in the SWCD, and making other appropriate changes designed to preserve neighborhood character in this portion of West Chelsea, including the important area near the Gansevoort Market.
- We are especially concerned about W. 15th Street between Ninth and Tenth Avenues, where there has been a history of proposals for variances and a building permit was recently granted for a building we believe is out of context from neighboring blocks. As always, the Board would prefer to consider this area as a whole, rather than as a series of individual variances, and would like to see it incorporated into the SWCD with zoning appropriate for the block. Unfortunately, a proposal for the rezoning of the Chelsea

Market building is going through ULURP process. We are disappointed that this block was considered in isolation from the neighboring blocks.

- The Board wishes to remind DCP again of its long-delayed commitment to study rezoning at an appropriate scale of the blocks of W. 14th Street between Seventh and Ninth Avenues on the basis of the proposals in the original Chelsea 197-a Plan. The glorious old brownstones and the buildings once housing the center of the first Latino community in the city are at risk of being lost. Loss of the historic character of this area would affect as well the character of the Gansevoort Market nearby. A rezoning at an appropriate scale to preserve the area would address this threat.

Several provisions contained within the Special West Chelsea District zoning, listed as “Points of Agreement” in a letter from the Office of the Mayor, support the creation and preservation of affordable housing. It is essential that these be carried through to completion:

- Implementation of the proposal for creating affordable housing on the Fulton Houses on W. 18th Street between Ninth and Tenth Avenues. Residents and other affected community members must continue to be kept abreast of developments;
- Construction of affordable housing on the former Department of Sanitation lot on W. 20th Street between Sixth and Seventh Avenues;
- Permitting City, State, and Federal programs in the inclusionary programs in order to provide greater incentives and ensure permanent affordability of the housing produced;
- Tiering of inclusionary bonuses to include higher income levels;
- Creating a West Chelsea Affordable Housing Fund to produce more affordable housing in Community District 4. Provisions must be found to ensure this Fund is actually funded and produces affordable housing in the West Chelsea area;
- Ensuring a community preference of 50% for the affordable housing created;
- Introducing provisions for an Inclusionary Housing Bonus for conversions mirroring those for new construction.

The number and complexity of these provisions and the pressure for immediate development will require long-term monitoring, first to ensure they are promptly finalized and adopted, and then to ensure their effective use over time. The official position of the Community Board and the expertise of its membership and staff indicate that it is the appropriate body to take the leading role in this process.

The Board also is concerned that most of the proposals for development in West Chelsea, as in many other areas, are planned to produce luxury condominiums for sale rather than the rental units on which the provisions for affordable housing are based. This appears likely to reduce the number of affordable units actually produced. Future development in the area needs to be monitored to see if revisions will be required to produce the projected number of affordable units.

Clinton Urban Renewal Area

The Clinton Urban Renewal Area (CURA) has long been the focus of the Board's land use efforts in Clinton/Hell's Kitchen. Recent, substantial progress toward completion of

redevelopment in the CURA leaves only a dwindling number of City-owned sites awaiting redevelopment: 540 W. 53rd Street, the undeveloped portions of Site 9A (including Captain Post at 560 W. 52nd Street), and Site 9C (500-508 W. 52nd Street). Development plans are moving forward for each of these sites. We look forward to continued cooperation by the City, the Board and the Coordinating Committee to redevelop these sites without delay.

Consistent with the Board's past positions, we maintain that all city-owned property developed in the CURA should maximize the number of units dedicated to affordable housing. Other CURA principles adopted by the Board include a new mixed-use zone to accommodate existing commercial, light manufacturing, cultural and non-profit institutions on site; urban design controls to reconcile the community's need for more housing with the preservation tradition and limits of the Special Clinton District; and the maintenance and development of only low-rise buildings on the west side of Tenth Avenue to match the low-rise character of the District to the east. Any action by HPD to facilitate development in the CURA must reflect these principles.

Special Clinton District

Continued attention must be paid to enforcement of the protective provisions of the Preservation Area of the Special Clinton District, which is the neighborhood's residential core. Building permit applications should be reviewed by the Department of Building (DOB) plan examiners because self-certification has been abused in too many recent cases. The proper training and assignment of inspectors with detailed local knowledge is also a must. Without adequate and informed enforcement, the district goals will not be fulfilled.

In addition, it is the priority of CB4 that the tenant protections against harassment and no demolition restrictions (zoning resolution sections 96-108, 96-109 and 96-110), which now end 150 feet east of Eleventh Avenue, be extended to the Twelfth Avenue boundary of the Other Areas the Special Clinton District.

HOUSING NEEDS

Community Board 4 is committed to the preservation and expansion of new permanent affordable housing within our district. It is the Board's policy that 30% of all units in new residential developments be affordable to a range of low, moderate and middle income households. Those units developed must be affordable to a range of incomes. Specifically, 20% should be allocated to those earning up to 80% Area Median Income (AMI), 50% for up to 125% AMI and 30% for up to 165% AMI to meet the current needs of our diverse population.

Preservation of Existing Affordable Units

CD4 is primarily a rental community that relies heavily on rent regulations, government subsidies and public housing to maintain its affordable housing stock. To date, rent regulations have played a large role in maintaining our economic diversity. However, changes over the years in the rent regulations enacted by the NYS legislature have led to widespread deregulation of previously affordable units and a significant loss of our affordable housing stock. In CD4, units that now become vacant are inevitably decontrolled and no longer are affordable.

CD4 also stands to lose a significant amount of affordable housing due to expiring uses in the immediate future. Section 8 contracts, if renewed, are only renewed for short periods of time. Furthermore, the 20% affordable component in many 80-20 (80% market-rate-20% affordable) developments will soon approach expiration, and those apartments will revert to market-rate. In the short term, the City must ensure that rental subsidies (Section 8 Certificates or other programs) are in place to meet the needs of those tenants faced with displacement by their inability to afford increased rent due to opt outs. The City must work to achieve a permanent solution to prevent expiring uses, adopt significant reforms to the 421-a program, and develop a long term strategy to prevent the displacement of these households.

The loss of rent-regulated units to illegal use persists as an escalating problem. For example, residential units are often leased to corporations; bed and breakfast operations are created in long-term residential units; residential apartments are used for commercial use; others are illegally subdivided for multiple occupancy; SRO units are now used for tourist occupancy and other short term rentals. Such uses are prevalent in rent regulated housing and in buildings receiving tax abatements through the 421-a and J-51 programs for residential use. The City must continue to work with stakeholders to achieve a permanent solution to this growing problem.

The Board supports increasing the annual income limits for both the Senior and Disabled Rent Increase Exemption programs (SCRIE and DRIE). Recent annual adjustments, while appreciated, are not adequate to meet escalating costs. Seniors who receive both social security and pensions are often unable to afford their rents.

Creation of New Affordable Housing

The Board believes significant government attention and creative investment are required to ensure that new permanently affordable (low, moderate, and middle-income) housing is built in our community.

Little, if any, new affordable housing has been constructed in recent years outside of the 421a (80-20 program) and Inclusionary Housing Programs. Those programs, as currently used, do not adequately address the needs of CD4. The 80-20 program, in which the affordable component is time-limited, offers no long term benefit to the community and does not respond to the need for permanent housing affordable to a range of low, moderate and middle-income residents. We strongly believe that this program is not the best use of public funds.

In addition, the affordable component of an 80-20 development must mirror the market-rate units in both unit size and distribution. The current demand for studios and 1-bedroom units in market-rate developments means that an equally disproportionate number of affordable units produced are smaller-sized units and not appropriate for family use. Changes are needed to the 421-a program to base the affordable component on square footage, with the distribution of the affordable units in unit-sizes that best meets the needs of each particular community. Finally, most units produced through the Inclusionary Housing Program are weighted to those earning less than 50% AMI and fail to balance our community's need for affordable housing for those earning between 60%-165% of AMI.

While CD4 applauds the development of supportive or special needs housing and encourages the placement of well-run programs in our district, the units produced through the “cure” provisions of the Special Clinton District should be available to the general population and should not replace or supplant public programs that fund and operate special needs housing. The cure units should enhance our limited affordable housing stock for all residents with limited incomes.

Since the long-ago demise of the Mitchell-Lama Program, most government funding opportunities have not addressed the needs of middle-income housing. New means of creating and encouraging affordable housing on privately-owned property must also be considered. Text and map modifications of the Zoning Resolution, new funding mechanisms, and innovations in housing type/construction must be explored.

Department of Housing Preservation & Development (HPD)

The Board continues to support HPD programs that fund the rehabilitation of buildings, prevent evictions, and improve the living conditions of those who live there. However, few changes have been incorporated into these programs since their inception many years ago. The significant change that our district has seen requires new creative approaches. The current needs of our District, including the significant loss of privately-owned affordable rental housing and the increasing need for permanent housing that is affordable to a range of incomes (low, middle and moderate) are not fully met by existing programs.

Over the last ten years, most city-owned residential property within CD4 has been transferred to non-profit and tenant-ownership programs that have provided opportunities for preserving and increasing the supply of decent, affordable housing.

Since not-for-profit rental buildings are a long-term stabilizing force in our neighborhood, the Board would like to see more of HPD’s capital programs prioritize the selection of qualified not-for-profits as their development partners.

The Board also supports the continued use of the Supportive Housing Program to preserve and expand the supply of affordable SRO housing for homeless persons and community residents. This housing, with on-site supportive services for tenants, has been a successful model in housing very low-income persons. It is the only HPD program that provides funds for acquisition of privately-owned property for conversion to affordable housing, and provides a means to expand the supply beyond currently publicly owned land. Our community-based groups have utilized these programs to restore deteriorated buildings to excellent, long-term affordable housing and the rights of tenants have been protected.

The Board strongly supports the creation and expansion of service programs to help preserve our existing affordable housing. These programs should be expanded city-wide.

New legal services programs to provide eviction prevention services for low and moderate income households must be developed. Most legal service programs are targeted solely to families on public assistance, and low-income working households are not eligible. Programs

which serve the vulnerable low income individuals and families – both those who work or receive public assistance, - must be thoughtfully developed.

General Code Enforcement

Residents of Chelsea and Clinton/Hell's Kitchen continue to experience the negative impact of insufficient government response to conditions that threaten life, health and safety. The Board requests that HPD, DOB, and Corporation Counsel pursue with due diligence the collection of outstanding fines owed by repeat violators, ensuring better enforcement and creating badly needed income for the City.

DOB and HPD inspectors and those assigned to the Mayor's Office of Special Enforcement (OME) do essential work in our area. Their work is particularly important within CD4's Special Districts, including the Special Clinton, West Chelsea and Hudson Yards Districts, where we depend on their skills to enforce arcane, but essential provisions preventing the demolition of sound residential housing and protecting tenants from harassment. The Board continues to see cases where owners have made renovations in buildings without first applying for a required Certificate of No Harassment. This has only worsened since self-certification has been permitted; close monitoring of the effect of self-certification is essential.

Regulations are only as effective as the system in place to enforce them. We therefore request that DOB, HPD and the OME dedicate specific inspectors to concentrate on special district enforcement and illegal use violations. It is crucial that an on-going procedure be implemented by DOB to meet regularly with the Board and the community regarding these issues.

Single Room Occupancy (SRO) Housing

A large number of SROs (including rooming houses, SRO hotels, and converted tenements) exist in our District. However, SROs continue to disappear from the neighborhood at an alarming rate, due to either legal and illegal conversions to transient hotels or other uses. SROs have become the single most important source of affordable housing for single adults and an important resource for the prevention of homelessness. Affordable housing within our District is critical to house the diverse population of artists, students, minimum wage earners and those on fixed incomes. This mixed population includes the backbone of the service and cultural economy of the city, as well as many of the most frail and isolated members of our community.

The largest concentration of SRO housing in our community lies between Eighth and Ninth avenues from W. 42nd Street to W. 57th Street. In that area, there are 62 buildings that contain nearly 2,200 SRO units. The majority of those units are found on W. 51st Street where twelve buildings contain 574 units. W. 46th Street is home to the largest concentration of SRO buildings, with 21 buildings housing 289 units.

CB4 supports the acquisition, renovation and new construction of sensitively-sited supportive housing developments to preserve and expand the SRO housing stock. The OME and HPD must strengthen the SRO anti-harassment laws and enforce them to protect this valuable and essential community resource.

New York City Housing Authority (NYCHA): Fulton, Elliott-Chelsea, and Harborview Houses

Some capital needs are:

- Grounds: Outdoor lighting, black top, playgrounds, sprinkler systems, some fencing, and benches, and
- Buildings: replacement tiles in the hallways, additional cameras in the stairways and roof landings, roof doors, new terrace doors, roof tank housing, pointing low rises, stair hall door low rises.

Finally, security and enforcement are issues facing all property owners in the city. In particular, the Board is concerned about security concerns at its three NYCHA developments. We encourage NYCHA to work with CD4 to help coordinate solutions using a community-wide strategy instead of isolating developments and the people living within from the resources that surround them.

PARKLAND/OPEN SPACE NEEDS

The Board strongly urges that the administration make a greater commitment to open space in our community by restoring the DPR budget. In particular, several areas need special attention:

- Each park in our district should have a full-time, on-site park keeper to address constituents' concerns, provide security and perform routine maintenance of that park alone;
- Funding must be dedicated to support Green Thumb Community Gardens and pruning for street trees;
- Funding must be directed towards full-time gardeners, maintenance workers, PEP officers, as well as seasonal aides and playground associates for the summer;

Clement Clark Moore Park

Maintenance is an issue at Clement Clark Moore Park. The park needs a horticultural master plan and the park's trees desperately need pruning. One corner of the park near a gate that is permanently padlocked should be reused. Finally, the community has requested that the W. 22nd Street gate be permanently locked so small children cannot get out that way.

Dewitt Clinton Park

The Board believes that play areas, fully functioning restrooms, the steps at the western end of the park, and seating areas are in need of renovation.

New Parkland

A review of CD4 shows 84 lots of vacant land with nearly three times the acreage of current parks. Considering the lack of parkland, we urge the Parks Department to convert these lots into interim or permanent parks as feasible.

In particular in East Chelsea, in the 20s, there is strong demand for parks and playground. The conversion of schoolyards into playgrounds or a street closure would be a welcome accommodation to the growing need of families there, until an appropriate site for a park can be identified.

The Board continues to pursue potential sites for new parkland including W. 49th Street and Tenth Avenue. Furthermore, Hell's Kitchen Park South, shown in the City's Hudson Yards Plan, must be created with a combination of public and private funds for land acquisition and long-term development strategies.

Street Trees/Green Streets

We are pleased that the implementation of a “Green Street” on W. 36th Street between Ninth and Dyer Avenues is in the advance stages of study. DPR's Green Streets program should be used on other Port Authority marginal land adjacent to Dyer Avenue and the Lincoln Tunnel approaches.

More resources need to be applied to maintain the City’s green assets: replace the trees, remove the stumps, water the trees and prune the trees.

We are pleased that Parks has undertaken a program to install tree guards for certain streets. A number of tree pits have been identified as dangerous for pedestrians and for low vision individuals in particular. More tree guards should be used to resolve this problem, which presents a real danger to low-vision pedestrians.

WATERFRONT NEEDS

Hudson River Park remains the one bright star on the horizon - but for many parts of the park it has been far too long on the horizon. Significant portions of the park (Pier 76 and Gansevoort) are still being used for municipal purposes despite the terms of the Hudson River Park Act.

Pier 54

Pier 54 is planned for park use, including historic vessel berthing, but lacks funding. This is an important part of the Hudson River Park plan and monies to build this pier from a combination of City and State sources need to be identified as soon as possible.

Pier 57

Pier 57 is being developed by Young Woo with an innovative design using shipping containers for small shops & boutiques, food service & education, a home for the Tribeca Film Festival and a marina. However the traffic impact of this use must be carefully studied and traffic mitigation measures must be incorporated into the design and operational plan

Pier 76

The tow pound at Pier 76 must be relocated as soon as possible so that this pier can be developed with 50% allocated to new park space. The fact that the Mounted Unit has been relocated there on a temporary basis must not slow down this effort. A permanent home for the tow pound must be identified so that this pier can be developed as called for by the Hudson River Park Act.

Pier 97

We are heartened that work has now begun on this pier, destined for recreational use as well as historic ship berthing. However work on the surface features still needs to be funded as current funds only cover piles and the deck.

Chelsea Waterside Park

The planned comfort station and café building in Chelsea Waterside Park has never been built. Funds to accomplish this should be allocated as soon as possible.

LANDMARKS NEEDS

The Board is deeply concerned that the current return of pressures for redevelopment in CD4 is threatening significant historic resources both in recently rezoned areas and in existing areas where the zoning was originally designed to be protective. The Board has already carried out a preliminary survey of historic resources throughout Chelsea and Clinton, and would be glad to discuss with the Commission and its staff both individual buildings and significant areas it believes worthy of further study and possible designation.

Areas of particular concern to the Board are:

- The surroundings of the recently upzoned Western Rail Yards, where the Board identified in its response several individual buildings worthy of designation;
- The area in CD4 just west and south of the existing boundary of the Ladies' Mile Historic District about which the Board recently expressed its concerns to the Commission; and
- The waterfront, which is the location of significant structures associated with the period when the western edge of CD4 was the center of the greatest port in the world.

The Board has requested that LPC landmark several individual buildings that were identified during the Western Rail Yards re-zoning. We are still waiting for LPC to act.

TRANSPORTATION PLANNING NEEDS

More and more vehicles crowd our streets and avenues each year. Trucks and buses are an increasing presence on residential streets, off-street facilities for all types of buses and commuter vans are inadequate, and environmental pollution is a constant quality of life complaint and threat to public health.

These problems are a condition of the overwhelming presence of the Lincoln Tunnel and Port Authority Bus Terminal in our midst, whose transient traffic disregards neighborhood needs in using our public space.

Pedestrian and Bicycle Safety

From W. 14th Street to W. 59th Street, Ninth Avenue is the neighborhood-serving commercial center for residents and thus an important pedestrian corridor. However, increased development, traffic, and overall congestion are diminishing the neighborhood and pedestrian. In May 2009, the DOT concluded a study of the 20 most dangerous intersections for pedestrians in New York City. The first two most dangerous are located in CD4. As result, a number of safety enhancements, particularly along Ninth Avenue between W. 34th Street and W. 45th Street, should be implemented immediately.

As the primary entry/exit route of the Lincoln Tunnel, Dyer Avenue receives heavy traffic and requires special attention to ensure pedestrian safety. Basic safety concerns should be addressed in this area.

In addition, we urge DOT to improve the pedestrian experience in several parts of the district. The Board has made several recommendations to improve the situation, only a few of which have been acted upon to date. Others needed are: reconstructing pedestrian crossings, widening the west side of the Eighth Avenue sidewalk between W. 30th and W. 38th Streets by six feet, and moving all bicycle racks off the sidewalk.

Trucks, Vans and Buses

Parking

There is a pressing need for additional off-street parking sites for tourist and commuter buses and vans. The parking and standing of these vehicles on our residential streets from W. 50th to W. 55th Streets between Ninth and Eleventh Avenues, and around Port Authority and Penn Station, causes serious delays in MTA bus service. A comprehensive plan for off-street parking for buses, van services, and waiting "black cars" should be devised - and intelligent parking technology deployed - to reduce the miles travelled while searching for parking space.

We support the Port Authority plan to build a new bus garage in the area. However, to be effective this garage must be located at Gavin Plaza on Eleventh Avenue and be large enough to accommodate charter buses. A plan for commuter vans still must be designed, and we hope the DOT study under way will address this issue as well.

Routes

Considering the large volume of buses and trucks in the neighborhood, DOT should consider funneling these vehicles on certain truck routes to give them priority in the Lincoln Tunnel and to limit the risks they pose to pedestrians. In addition, we urge DOT to improve signage, convert Eleventh Avenue to one-way, and expand the banning of bus access to side streets.

Mass Transit - Improving service

Much of CD4's population uses mass transit. Keeping the City's system operating at an optimal level is therefore a continuing basic need. In addition to efficient movement of surface traffic, the easy accessibility to bus stops and subway stations contribute materially to the usability of public transit.

We applaud the 34th Street Transit Way Project and the transit and pedestrian improvements it will bring to the residents, as well as improvements in curbside access for residents who currently do not have any curb access.

We note that new development along the waterfront and in the far west reaches of the district has created new demands for bus service in those areas, especially on Eleventh Avenue. Each of the new buildings has now implemented some form of private shuttle that crowds residential streets. Implementation of a new bus route is required to avoid the privatization of transportation.

- Consider Eleventh Avenue for the next round of Select Bus service, where more than 5,000 new residents and businesses now live and work on this route.
- The Board continues to advocate the need for a second #7 Line train station and stop on Tenth Avenue and W. 40th Street.

We urge the MTA to continue to work with Community Boards before implementation of permanent changes in types of equipment used, schedule modifications, and bus stop relocations.

PUBLIC SAFETY NEEDS

NYPD: Midtown North, Midtown South, 10th Precinct, 13th Precinct, and Traffic

Effective community policing strategies, close attention to the problems in CD4, and cooperation with this Board and our precinct councils have had a major impact on the decrease in crime. We commend the NYPD for this achievement. With this decrease, a more intense focus on safety and quality of life issues in our community is possible.

Traffic enforcement: Running red lights, riding against the flow and not yielding to pedestrians by both cars and bicycles are the most common offenses contributing to severe injuries and fatalities in our neighborhood. Spillbacks that block crossings also endanger pedestrians by putting them in the way of incoming traffic. It is critical that traffic laws be enforced.

Bicycles are expected to follow the same rules as cars. Regulations prohibiting bicycle riding on sidewalks, going the wrong way, and running red lights must all be enforced. We applaud our precincts' increased focus on these issues, especially Midtown North's on illegal bicycle riding. At the same time, regulations designed to protect cyclists, such as forbidding vehicles to park in bike lanes, must be enforced as well.

Traffic Crashes Investigations: Too many people are killed or severely injured by careless drivers in our heavily-trafficked district. More resources should be directed to investigating crash sites. It is imperative that complete investigations be performed, responsibilities assigned and commensurate punishments meted out to guilty drivers.

Idling: Regulations prohibiting illegal parking, standing, and idling — a continual irritant in our community — must be enforced.

Staffing: Midtown South, Midtown North, the 13th Precinct and the 10th Precinct are responsible for a vital part of the City's residential, commercial, tourist and entertainment areas. It is critical that staffing levels at these commands be brought up to full strength. The 10th Precinct, in particular, must have sufficient capability to manage the thousands of patrons, both pedestrian and vehicular, that flock to the clubs that have proliferated in the West Chelsea section of CD4

Office of Special Enforcement

This Board has consistently requested support for OSE. It is the one agency that can best deal with the range of complex issues which arise particularly in our district, from the proliferation of Adult DVD stores in Clinton/Hell's Kitchen to the storage in or next to residential building of the gas containers for food carts to problem clubs in Chelsea. The Board strongly urges that OSE be given more personnel and its budget increased.

ENVIRONMENTAL NEEDS

Air Quality

Air quality is directly and negatively affected by emissions from motor vehicles, especially from diesel engines in trucks and buses. As both the Lincoln Tunnel and the Port Authority Bus Terminal lie in our District, we are concerned about our air quality and the proven health risks associated with these emissions.

Enforcement of idling laws, which carry substantial penalties, must be given more resources and be a priority. Plans to move vehicles through or around our district are needed as vehicles idling in traffic are an important source of air pollution.

Another major cause of air pollution in CD4 is carbon emissions from buildings still using “dirty boilers” that burn heating oil #4 and #6. In an effort to meet the City's 2030 zero carbon goals, all buildings will be required to convert their #6 boilers by 2015 and #4 boilers by 2030. However, many of the buildings using these dirty boilers are rent-regulated and cannot (or will not) pay for the cost of converting to cleaner alternatives. The Department of Environmental Protection (DEP) should work with the New York State Energy Research and Development Authority (NYSERDA) and the Energy Efficiency Corporation to develop specialized financing solutions to this problem. In addition, state legislation should be passed to prohibit Major Capital Improvement rent increases to rent-regulated tenants if the building owner has received any government-backed, boiler conversion-related assistance.

As plants are a great resource for converting CO2 to oxygen, employing use of plant material in the form of green roofs in the dense urban areas should be made mandatory for all new construction and phasing in the old structures. The Board will be stressing the inclusion of green roofs. This raised urban space can be developed to become urban farms.

To reduce energy use, another item under consideration could be energy conservation. Encouraging the building owners to use more efficient fixtures for façade lighting, common way lighting, air conditioning, and energy use in general (finding alternate energy sources such as solar power) is a Board priority.

Noise

The main sources of noise are from clubs and lounges (sound equipment and revelers in the wee hours leaving), construction equipment, mechanical/air handling equipment (typically on roof tops), truck traffic (especially private sanitation trucks making pick-ups in the middle of night), emergency vehicles, and late night use of motorcycles.

Noise complaints from CD4 consistently rank among the highest registered by DEP and are rising in the Board area, especially at night. We are still hopeful that a couple of critical components of the Revised Code which were left out, including the consideration of the human voice at full cry — shouting, yelling, and braying — will be considered for future inclusion.

We note, with appreciation, that DEP has been consistently responsive about inspecting HVAC systems, nightclubs, and other sources of commercial noise. It is critical that these resources be maintained, given the level of relevant business development in this area. We'd ask that consideration be given to supplementary funding for additional initiatives in the area of sound mitigation, perhaps through a study of best practices or an effort to develop strengthened regulations.

Sanitation

The Board is concerned about illegal household dumping, restaurant garbage on the sidewalks, and the accumulation of construction debris. We feel that the Department of Sanitation needs to do more to educate individuals and businesses about sanitation regulations.

The reduction in the number of sanitation police officers has had a direct and negative impact on our community. Given the large number of restaurants in CD4 and the increasing commercial and residential development, we believe that, at the very least, one officer should be assigned solely to our District.

CULTURAL NEEDS

Cultural Affairs

The Board is still concerned about funding for small to mid-sized theatrical and other non-profit performance and visual art organizations within our community.

The majority of NYC small-to-mid-sized performing arts groups have their offices and creative spaces in CD4. According to a study conducted by Innovative Theater Foundation and Columbia University, close to 30% of performance spaces have closed within CD4 in the last few years due to development pressures. We believe this performance venue closure rate has significantly increased since the completion of the study. The creation of a subsidy program, as part of the overall budget of the Department of Cultural Affairs, that could ensure permanent locations for existing and displaced nonprofit arts entities is an ongoing need for this community.

In addition, support services for theater and other artistic services within CD4 in the areas of rental storage space for art, costumes, scenery, lighting, and rehearsal studios have long been located throughout Chelsea and Clinton/Hell's Kitchen. The Board is also concerned with the loss of artists' studios and the displacement of working artists.

Cultural Usage at Hudson Yards Development

Specifically, as it relates to the Hudson Yards Redevelopment project (and the Western Rail Yards site in particular), a minimum of 16,000 square feet of to-be-developed space in at least two locations has been dedicated to serve the cultural community of our District.

Integration of smaller cultural organizations in the WRY development will optimize overall planning for the entire site and presents a perfect opportunity to mitigate the ongoing displacement of neighborhood arts organizations. It is a priority for this Board that the planning, site finding and management of these dedicated Arts spaces are made with the direct and ongoing participation of the Board.

Community Facility Usage Data Base:

Regarding community facility space, CB4 strongly recommends that in conjunction with the Department of City Planning and the Department of Buildings, that a publically accessible Community Facilities data base be created that would index information contained in the Certificate of Occupancy of every building located within MCD4. This database could contain information such as:

- Community Facility space available in a particular building;
- If that space is being utilized; and if so, by whom and for what purpose;
- The length of current lease in place for said space and contact information for owner/landlord or managing agent; and
- The physical dimensions and layout of said space, including all exits and entrances and HVAC information, if installed.

Additional FAR bonuses given to commercial developers for the inclusion of Community Facility Space in new development is an undeniable inducement to build. At the same time it is an unsatisfactory reality that there is no practical way for our elected officials, businesses, citizens, and this Community Board to gain an accurate understanding of what Community Facility space is available and how it is being utilized, if at all.

Visual Arts

The Board recommends the increased involvement of NYC Economic Development Corporation (NYCEDC) in art affairs relating to art businesses and artists. The Board further recommends continuing cooperation with the High Line for permanent and temporary public art projects, and exploring innovative cooperation between landlords and building owners in the district to promote pop-up galleries and outdoor artwork, rather than maintaining lifeless, vacant space; and advertising on exterior walls.

The Board also encourages NYEDC and the Parks Department to do more to advocate for artists and art businesses in the district. NYEDC initiatives could mirror those taken in the internet, film and fashion industries, promoting artist incubators with physical loft and/or studio space where artists are vetted by a panel of community leaders and leading arts organizations.

Education Needs

Schools

It is the Board's responsibility to protect and support quality public education for all students. Our Board's work includes engagement and information sharing to community members and education stakeholders when there are any significant proposed changes to schools. The Board will work with the Department of Education (DOE) to help alert the community in any way possible to ensure that decisions are made on behalf of our district's students with full community participation and involvement.

In recent years, there has been a tremendous amount of development of new residences within CD4; this inevitably leads to many new residents. Plus, there are plans for further development of residences; especially in the West Side Rail Yards. However, there have been no new schools built or opened in a district that already has a shortage of space. We need better planning to address this need.

In regard to the schools' challenge to recruit and retain qualified teachers, this Board supports efforts to increase teachers' salaries to levels in parity with the surrounding suburban areas.

Department of Education (DOE) Transparency with the Community

CB4 wants the DOE to be more communicative with District 2 as parents whose children's lives (and quality of education) will be affected by changes in policy. Changes in policy can range from (but are not limited to) the number of pupils in a classroom, resource availability for teachers, and the ability to place multiple schools in individual buildings (co-locations).

Better Planning to Address the Increased Number of School Age Children and Public Schools

The Board wants better measures to assess and project the number of additional residents living in CD4 with particular emphasis on the number of school age children and the number of public schools that can accommodate this population.

We must revise Chapter 6 of the City Environmental Quality Review, which grossly and unfairly under counts needed school seats in our community. The problem is worst in Manhattan; as each residential "unit" is calculated to yield three times more 4-17 year olds in the Bronx [.74] as in Manhattan [.22].

Libraries

The Board supports increasing branch library funding to bridge the "digital divide" through free computer training and broad access to the Internet. Ninety-eight percent of all free public access computers in the City are in public libraries. We strongly urge the City to maintain funding so our libraries remain open on Saturdays for those residents who are unable to use them during the week.

The Board also believes that library funding for expanded hours and technology training and services should be increased. This Board seeks funding for building and technology infrastructure, which would serve to protect the investment that the City has made in computers and electronic information resources while ensuring well-maintained and secure libraries.

HUMAN SERVICES NEEDS

Youth Services

Despite what aggregate statistics might suggest, this is a district with a large low-income population - especially concentrated in several local public housing developments, quite a few severely underperforming schools, and significant social needs, as evidenced by measures such as substance abuse and child abuse and neglect. In neighborhoods such as ours, which include many low-income working families, quality, publicly-funded day care - including school-age child care - is a primary concern.

While we are encouraged by the City's increased attention to workforce development and employment initiatives, we continue to be distressed by the decline in funding for the Youth Employment Program (YEP) overall. Across the City, an overwhelming number of older youth are not prepared to finish high school or to enter the workforce. Through YEP, these young people gain valuable vocational and soft skills, discipline and leadership. We feel strongly that funds should be restored to the level available as of five years ago.

In May of 2004, the Chelsea Recreation Center opened in our district. While this facility is available to all ages, over half of its summer members are under the age of 21. The Center is in need of additional staffing, specifically playground assistants and other youth workers, to coordinate youth activities.

With regard to other youth needs, we urge that housing for homeless and run-away youth be maintained and expanded, and that alternative to violence and creative justice programs, as well as job training and placement programs, be maintained and expanded.

Senior Services

According to the US Bureau of the Census and additional survey data collected by the Actors Fund (a human service organization for the performing arts with many constituents living in CD4), the Visiting Nurse Service of New York and the Rodney Kirk Center of Manhattan Plaza (a 1700 unit Section 8 building for the performing arts with over 1000 seniors) -- there are 16,972 individuals (12.1%) over 65 years of age living in the Chelsea/Clinton Neighborhoods. The majority of them (52.3%) live alone, which is important because there is greater incidence of disability onset among the elderly who live alone.

Thus, a comprehensive range of services, including community centers, in-home supports, transportation, supportive housing, and preventive health and social services, are essential to assuring that they can live out their lives with dignity within their home communities.

Over the last 10 years, HIV rates in the Chelsea/Clinton area were 50% higher than NYC. People over 50 years old comprised 19% of all AIDS diagnosis, 29% of those of those living with AIDS and 35% of deaths of persons with AIDS.

Homelessness

Street homelessness remains a very visible problem in our district - actually increasing over the past few years. Large public facilities located within our district, such as the Port Authority Bus Terminal, are also a natural gathering place for people without homes. Many homeless people need social services, in particular drug treatment and/or mental health services. Inclusion of these services is essential to any effort to address New York's homelessness situation.

Community Boards must be given an opportunity to assess any proposal for facilities in terms of the needs for specific facilities, the adequacy of the plan, and the quality of the provider. The City should work with the community to determine the size, site and design of each facility. Any facility must provide adequate and essential social services as well as access to health services and other necessary support services.

Accessibility

We call upon the City to increase funding for the Human Rights Commission for more inspectors to investigate and enforce disabled accessibility building code compliance. We continue to receive complaints about deficiencies in various aspects of the paratransit system, including serious limitations in Access-a-Ride service.

HEALTH CARE NEEDS

HIV / AIDS

New York City continues to account for a major proportion of the nation's AIDS cases; CD4 is home to the nation's largest percentage of people with AIDS. In order to slow and hopefully stop the spread of this disease, we actively support educational programs, condom distribution and

needle exchanges. For our neighbors who are stricken with this disease, we welcome community-based care facilities, supportive housing and other programs geared towards people with AIDS. HIV/AIDS infection rates have long been increasing especially within communities of color, and among women and youth. Yet, funding for prevention and services to these communities has not kept pace.

Hospitals

The closing of St. Vincent's Hospital (located on Seventh Avenue and 12th Street) has caused serious concerns, especially given the closure of the Emergency Room and other outpatient services. We support strengthening alternative services, i.e., Roosevelt Hospital on Tenth Avenue between W. 58th and 59th Streets or Beth Israel, but so far most are inadequate given the enormous problem of being able to quickly access either due to the serious traffic problems in our neighborhood.

Our board is opposed to any cuts to health care service in the district and/or the imposition of increased co-pay requirements for these patients.

Substance Abuse

The Board is concerned about reports that the use of crystal methamphetamine is gaining a foothold in our community. In addition to other health and mental health dangers, use of this drug has been associated with increased use of other illicit drugs, as well as sexual practices that enhance the chances of contracting HIV and other sexually transmitted diseases. The Board feels strongly that the Department of Health and Mental Hygiene needs to increase funding for education, prevention, treatment and rehabilitation programs to address the growing use of crystal meth.

Other Health Concerns

Residents of Clinton/Hell's Kitchen and Chelsea are faced with a variety of other health and environmental concerns. We continue to be concerned about the need for adequate pest control and urge maintenance of funding for this critical service.

August 2012



Corey Johnson
Chair
Manhattan Community Board 4



Robert J. Benfatto, Jr.
District Manager
Manhattan Community Board 4