



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**Delores Rubin**  
Chair

**Jesse Bodine**  
District Manager

Maria Torres-Springer  
Commissioner  
NYC Dept. of Housing Preservation & Development  
100 Gold Street  
New York, NY 10038

Rick Chandler  
Commissioner  
NYC Department of Buildings  
280 Broadway  
New York, NY 10007

Marisa Lago  
Chair  
City Planning Commission  
120 Broadway  
31<sup>st</sup> Floor  
New York, New York 10007

March 30, 2017

**Re: 317-319 West 35<sup>th</sup> Street  
Proposed Hotel**

Dear Commissioner Torres-Springer, Commissioner Chandler, and Chair Lago:

At its February 8, 2017 meeting, the Clinton/Hell's Kitchen Land Use Committee received a presentation from the owner of 317-319 West 35<sup>th</sup> Street regarding a proposed hotel on the site. In June 2016, MCB4 wrote to the Department of Buildings (DOB) urging for a Stop Work Order on the buildings due to the Owner's attempt to illegally demolish the two structures.

However, since that time, the owner come to understand the requirements of the zoning and has worked with MCB4 to modify its development plan to meet the requirements of the Special District Zoning Text. By a vote of 37 in favor, 0 opposed, 0 abstaining and 0 present but not eligible to vote, MCB4 voted to support the concept proposed by the owner to allow the hotel development while meeting the requirements of the Special District Zoning text, which protects residential buildings.

## **Background**

317 and 319 West 35<sup>th</sup> Street are both 5 story tenement buildings in the Special Garment Center District. 317 West 35<sup>th</sup> Street contains 18 units, and 319 West 35<sup>th</sup> Street contains 10 units. On May 31, 2016, MCB4 received a notice from a demolition contractor stating that these buildings were going to be demolished<sup>1</sup>. These buildings are located in Sub Area P-2 of the Garment Center Special District, where residential buildings cannot be demolished. DOB did not approve the demolition plans<sup>3</sup>. On June 21, 2016, MCB4 sent a letter to DOB requesting a Stop Work order for the two buildings.

The owner approached the Board in late November to propose changes to the development program. From December 2016 through February 2017, the owner and Board met several times to arrive at a zoning compliant plan to develop both hotel use and affordable residential housing.

## **Proposed Building**

The owner of 317-319 West 35<sup>th</sup> Street proposes to alter the existing buildings with a 20 story addition. The proposed development will include 135 hotel rooms and 25 affordable housing units. Since the zoning resolution does not allow residential use below commercial use, the owner proposes to relocate the residential units on the top 5 floors of the building for permanently affordable housing. The current plans contain 25 affordable units, all of which are studio apartments. The residential and hotel portions of the building will have separate entrances but will share building services, including elevators.

The owner also proposes to include an art gallery/event space on the ground floor of the building. The art gallery/event space will be used for hotel events, and will also be available as a community resource.

## **Affordable Housing Unit Distribution**

The owner has proposed to provide 25 affordable housing units—all studios. MCB4 proposes to, while keeping the residential square footage the same, reduce the number of apartments to include 2-bedroom units. MCB4 has discussed this matter with HPD and received a favorable response.

## **Art Gallery/ Event Space**

The Board requests that community use of the art gallery/event space be included in the HPD regulatory agreement for the affordable housing.

## **Access—Residential Units**

MCB4 understands that the building will have three elevators and is concerned about the security of residential units in light of the proposed hotel use. The Board requests the elevator use be restricted to ensure the security of the residential floors.

## **Conclusion**

MCB4 has seen demolition applications filed and/or approved for 13 buildings encompassing 104 residential units in our district. Owners of these locations have sought to evade the zoning

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<sup>1</sup> See Appendix A: Notice of Demolition, dated May 25, 2016

<sup>3</sup> The demolition filing, DOB job # [122659097](#) was withdrawn by the owner on February 7, 2017

requirements of each of our four Special Zoning Districts that are meant to preserve affordable rent stabilized housing. In some of these cases, owners have sought other methods to demolish this housing.

317-319 West 35<sup>th</sup> Street is among those sites. In this case, however, MCB4 and the owner worked together to develop an innovative solution that both preserves the housing and allows development to proceed. MCB4 respects and appreciates the owner's willingness and efforts to work with the Board to resolve this matter to the satisfaction of both parties.

MCB4 looks forward to meeting with city agencies to implement this innovative plan, which not only presents a solution for this site, but also provides a model for allowing development to proceed in a balanced manner on other restricted residential demolition sites.

Sincerely,



Delores Rubin  
Board Chair



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

cc: Hon. Gale Brewer, Manhattan Borough President's Office  
Hon. Jerrold Nadler, Congressman  
Hon. Brad Holyman, Senator  
Hon. Richard Gottfried, Assembly member  
Hon. Corey Johnson, Council member