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Press Release

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*For Immediate Release*

**JUDGE RULES THAT NEW YORK CITY  
CAN PROCEED  
WITH RENOVATION AND REHABILITATION  
OF UNION SQUARE PARK**

***PLANS INCLUDE ALLOWING FOR A RESTAURANT IN THE PARK'S PAVILION***

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New York, March 30, 2009 – Today, the New York Supreme Court dismissed all claims in a lawsuit seeking to prevent the City and the Parks Department from moving forward with plans to renovate and rehabilitate Union Square Park and to allow for the operation of a restaurant in the park's pavilion.

Justice Jane Solomon determined that the operation of an eating establishment in the park is consistent with public purposes and with the prior operation of a restaurant concession in the park. She also recognized that a reason for situating a restaurant concession in the pavilion is that the area outside the pavilion is being converted for use as an expanded playground.

The proposed renovations to Union Square Park are part of an ongoing comprehensive program for the restoration and enhancement of the City's park resources. The project is supported by a partnership with the Union Square Alliance and the local Business Improvement District, which is providing part of the funds. The Parks Department has sought and received public comment on the project, which has been approved by the art Commission and supported by the local community board. The principal purposes are to rehabilitate physically deteriorated features of the park and to maximize its accessibility and usability. Specifically, the project will:

- Restore the historic pavilion
- Rebuild the north plaza and provide the Greenmarket with access to electricity and water
- Construct a new Americans with Disabilities Act (ADA)-compliant comfort station next to the pavilion
- Convert existing bathrooms in the pavilion to be ADA compliant
- Remove 15 trees (10 small, 5 mature) and replace them with 53 new trees in the park, many of which will be planted in the playground area
- Build a new, state-of-the-art playground, triple the size of the old playground (from 5,000 sq. ft to 15,000 sq. ft.), and create access to a comfort station from the playground

City officials and lawyers praised the decision.

"We are gratified by the court's decision to allow us to continue the restoration of Union Square Park's historic pavilion with public space and a seasonal concession," said Parks Commissioner Adrian Benepe. "The pavilion is part of the Union Square Park's north end renovation, which includes an enlarged

playground, a restored plaza, and many more trees.”

"We are gratified by the court's decision. Just this month, the North End Project reached a major milestone at 50 percent completion, and park visitors and area residents can now see the amazing positive changes that have unfolded as construction continues to move forward," said Jennifer Falk, executive director, Union Square Partnership. "We can't wait for the west plaza to be completed in the next few weeks just in time for the Greenmarket's busiest season of the year, and for the playground to open later this summer."

Ramin Pejan, the Law Department's attorney who argued the case before Justice Jane Solomon said, "We are very pleased with Judge Solomon's decision. The City will continue to move forward with the rehabilitation and renovation of Union Square Park, which will restore the Park's historic pavilion, triple the playground space, plant more trees, improve the public restrooms, and better support the Greenmarket. We are also happy that the Court has allowed the Parks Department to move ahead with its plans to allow for the operation of a restaurant concession in Union Square Park and that the Court has recognized that a restaurant concession would be consistent with public purposes."

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