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July 22, 2016

Carl Weisbrod, Chairman
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Mr. Weisbrod:

At its Full Board meeting on July 21, 2016, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

550 Washington Street (Manhattan Block 596, Lot 1) and Pier 40 (Manhattan Block 656, Lot 1) N160309ZMM, 160310ZSM, 160311ZSM, 160312ZSM, 160313ZSM, N160314ZAM, N160315ZAM, N160316ZAM, N160317ZCM

This is a ULURP action including two land use applications to the City Planning Commission as follows:

- (1) a zoning map amendment (a) to rezone a property at 550 Washington Street consisting of a single zoning lot from an M1-5 and M2-4 district to a C6-4, C6-3, and M1-5 district, and (b) to map the property and Pier 40, located at West Houston Street in Hudson River Park, as part of the proposed Special Hudson River Park District, which Special District is proposed to be created by an application for a Zoning Text Amendment (N 160308 ZRM) filed separately by the Department of City Planning;
- (2) a special permit pursuant to proposed Zoning Resolution Section 89-21 to allow the transfer of floor area from Pier 40 to 550 Washington Street, and to allow certain bulk waivers for the proposed development at 550 Washington Street;
- (3) three special permits pursuant to Zoning Resolution Section 13-45 and 13-451 for accessory parking garages;
- (4) three authorizations pursuant to Zoning Resolution Section 13-441 for curb cuts on a wide street; and
- (5) a Chairperson's certification pursuant to proposed Zoning Resolution Section 89- 21(d).

Resolved that CB2, Man. hereby approves the following report with recommendations regarding the ULURP for 550 Washington Street and Pier 40 described above.

ZONING MAP CHANGES

The aggregate FAR of 8.7 for the proposed project, including zoning changes and development rights transfers, supports over 1.711 million zoning square feet of development plus additional use of exempt

below grade space. This is by far the largest development in the history of the district, although the average density is less than the allowed density in the Hudson Square Special District.

→ If the project plan is improved so that the area can be reintegrated into the neighborhood fabric, and if actions are taken to protect nearby areas from development pressures as stated herein, Community Board 2 does not object to rezoning the North, Center, and South sites as proposed, except as follows:

North Site: The C6-4 zone is acceptable but CB2 does not agree with statements in the application that the north end of the site is appropriate for the tallest buildings. In fact, the built scale and the zoning north of the project area is less dense than the built scale and zoning in Hudson Square Special District to the east. The application also seeks to justify the tall buildings in the North Site with the irrelevant statement that an even taller as-of-right hotel could be built in the North Site under current zoning.

The excessive North Site heights are produced by denser zoning in combination with locating a disproportionate amount of the total transferred development rights there. The result yields a plan that violates the requirement that transfer of development rights yields structures that relate well to the surrounding streets and open areas. Locating the tallest buildings in the North Site creates an abrupt wall with extreme height disparity with the neighborhood north of Clarkson Street. At 430 feet, the tallest building here is the same height as the tallest building allowed in the Hudson Square Special District, but that building was justified by the inclusion of a school and because it will stand free facing three wide streets. While CB2 appreciates the architectural value of varying building sizes, the impact of locating the tallest buildings at the North Site is if anything exacerbated by the gradual height reductions proposed for the Center and South sites.

→ CB2 favors a shift of height and density from the North Site to the Center Site and favors a maximum building height of 405 feet, but the site plan issues discussed herein are more significant than building height and distribution.

North, Center, and South Sites: CB2 opposes location of destination retail, including “Big Box” and other large footprint stores, anywhere within the Hudson River Park Special District. Because of the lack of nearby subways, destination retail stores will be accessed primarily by means of private cars and taxis, leading to increased congestion in an area already burdened by traffic conditions detrimental to public safety and health and to a pleasant residential and business environment. Given the large below grade areas available on all three sites, restrictions on retail sizes need to include all indoor area, not just zoning floor area. In addition, including destination retail on the site will lessen the value of the rezoning to neighboring residential and business areas because smaller stores help knit the fabric of the a new development to surrounding areas.

→ For all three sites, CB2 opposes including retail stores in any use group, except the proposed supermarket, with selling floors exceeding 10,000 square feet, including any below grade areas.

Even with the above restrictions, the major retail presence of the site will have a significant impact, negative and positive, on the surrounding areas. Restaurants and cafes may bring desirable foot traffic to the area, but restricting their size is essential.

→ The maximum size of any eating and drinking establishment, including below grade areas, should not exceed 5,000 square feet.

OFF-STREET PARKING SPECIAL PERMITS

The requested Special Permits for off-street parking on all three sites totals 772 spaces. This will create the potential for underutilized residential parking which will in turn encourage destination retail. Although residential tenants of the project ostensibly have first rights to parking, the residential growth

analysis supporting the special permit applications is not limited to project residents, and building operators would be able adjust pricing of monthly parking to create availability of spaces to attract destination retail.

As stated in the 2013 DCP report on parking in the Manhattan Core, “the development of auto-oriented shopping destinations are generally inappropriate for the Manhattan Core built environment.” Even 10,000 square foot stores are likely to focus on destination shopping if off-street parking is available. The 2013 amendment to the Manhattan Core off-street parking regulations reduced the site maximum for the as-of-right retail parking to ten spaces, “in order to discourage auto-oriented retail development in the Manhattan Core.” However, the same amendment removed restrictions on the use of residential accessory parking, allowing excess spaces to be available for “public parking”, enabling building operators to reserve spaces for retail use.

The 2013 amendment to Manhattan Core parking regulations sought to balance more relaxed use regulations by expanding the range of land use considerations considered for special permits to exceed as-of-right parking ratios. The applications for three special permits offer only cursory findings regarding impacts on traffic congestion and pedestrian flow. The application includes an alternative proposing to replace 372 spaces in the Center Site cellar with 100,000 square feet of large format retail. *This is an admission by the applicant that there can be no finding, as required, that “any exempted floor area used for parking is needed in order to prevent excessive on-street parking demand and relieve traffic congestion”.*

In general, the application findings take a narrow approach focused on the immediate access routes to the proposed garage entrances. They fail to adequately consider the impact of encouraging vehicle access to the site on the increasingly untenable traffic baseline conditions related to the Holland Tunnel and lower Manhattan growth. For example, while West Street does have high capacity, many of the cars will also need to use Clarkson, Washington, and Houston Streets, all of which are regularly congested, harming air quality and quality of residential life in the area.

The project as proposed would require approval of three special permits increasing the total allowed parking spaces from 225 to 772, an increase of 343% to a total equaling almost one space for every two residential units. As stated in the application:

“The Proposed Project overall will thus contain 1,586 residential units, which would be permitted 317 parking spaces on an as-of-right basis, based on 20% of the dwelling units, limited to 200 spaces in one parking facility. The South Site building would be permitted 52 spaces as-of-right for a hotel use or 55 spaces as-of-right for an office use. The retail uses would generate 10 additional spaces as-of-right. The program therefore generates 265 parking spaces when considered on an aggregate basis; however, as a single zoning lot with a mix of uses, the total number of spaces permitted is 225. The three parking facilities in the Proposed Project will exceed this as-of-right amount, and so will require special permits.”

The request for 772 spaces is excessive and harmful. In combination with the 160,000 square feet of retail space, any excess spaces will encourage inappropriate destination retail, especially at the North Site where it would increase congestion in the Holland Tunnel Impact Area. Also, because of the proximity of the Holland Tunnel, excess spaces are likely to result in an increase of detrimental commuter use. The DEIS and the special permit application fail to consider the impact of the proposed parking garages based on these unintended but likely uses. Finally, the excess parking availability will create competitive pressure reducing income from parking at Pier 40 to the Hudson River Park Trust.

The community has generally favored the relatively low impact parking uses at Pier 40 and loss of income from parking might encourage less compatible commercial uses at the pier.

The 2013 amendment to the Manhattan Core parking regulations were based on a finding that since 1982 commuter use of parking facilities in Manhattan had declined while car ownership among affluent residents had increased. But 25% of the units in this project are specifically intended only for non-

affluent residents, and a similar proportion is likely to apply for residential growth in the nearby Hudson Square Special District. The need for parking for the senior affordable housing will be negligible.

Nevertheless, the project will generate a need for residential parking, and the large mixed use site results in potentially problematic reductions in the number of spaces allowed.

→ Community Board 2 opposes the proposed permits for off-street parking modifications. The number of spaces allowed should not exceed the total of 381 spaces, based on 317 residential spaces (20% of 1586 units), 52 spaces for a hotel (or 54 spaces for office use), and 10 spaces for retail.

There are potential uses of the below grade spaces that would contribute substantially to the value of the project to the community and its integration into the neighborhood such as rehearsal space, indoor recreation, and bicycle parking exceeding required amounts. While indoor recreation developed to mitigate adverse impacts of the project cannot be an income source for the project, there is substantial demand for commercial recreation facilities as well.

SITE PLAN AND PROJECT DESIGN

In the words of the New York City Department of City Planning, “Zoning is the language of the physical city. It aims to promote an orderly pattern of development and to separate incompatible land uses, such as industrial uses and homes, and to ensure a pleasant environment.” Rezoning is therefore justified when allowed uses are antiquated and not compatible with uses in the area, but new uses and increased density are not justified unless they contribute to the successful use and development of the surrounding area.

550 Washington Street, a former freight train terminal with a huge footprint, is a challenging site for residential development. Manufacturing in the broader area has been largely replaced by residential and commercial office uses, but the project shares a super block with a municipal sanitation garage to the south with another superblock to the east solely occupied by a United Parcel Service distribution facility. To the west is West Street, functionally more like an arterial highway than a New York City street. *It will be difficult to successfully integrate the site with nearby residential and office uses, but if the challenges cannot be met, the rezoning is not justified.*

The proposed site plan and project design run away from the challenges. Most of the proposed site is isolated and non-contributing with respect to surrounding areas. It remains inaccessible to pedestrians, offering no reason for non-residents to enter or pass through.

Significantly, the site plan exposes the essential UPS facility to pressures created by new uses. The proposal to narrow the street bed of Washington Street will increase the traffic disruptions that occur when trucks are entering and leaving the UPS site. Widening the sidewalks to the east will move them into an unpleasant and unsafe conflict zone with the trucking facility, rendering the trucking use disruptive to the proposed residential uses on the site. While the sidewalk needs to be widened, this can and must be accomplished by moving the street wall of the new buildings west which will also allow the addition of an important planted buffer to create a pleasant and protected pedestrian environment in the context of a preexisting and still essential industrial use.

The project design misses the one-time opportunity to reestablish a human scale street grid that was eliminated by necessity when the terminal building was constructed. It is true that King Street and Charlton Streets cannot be reestablished as true through streets as long as the UPS building stands, but with the mixed use development trend in the area likely to continue, this is a one-time opportunity that must not be missed to create a chance in the future to truly reintegrate the two superblocks into the fabric of the neighborhood. An opening at King Street, in particular, combined with widening Washington Street, to create a pleasant urban retail environment with building transparency at grade, will allow for an inviting and convenient route for pedestrians and vehicles into and through the site.

The project proposal includes 160,000 square feet of retail, but it is located so it fails to contribute to a lively urban streetscape. Houston Street remains largely covered by bridges connecting the North and Center Sites, creating second level open areas. These areas are unlikely to attract public use but they are created at the expense of the possibility of opening the street below to light and air as should be required for compliance with the Hudson River Park Special District.

The result is the sense of a monolithic and forbidding inward facing structure with 800-foot long street walls broken only by the marginally enhanced Houston Street “tunnel” and a private driveway serving as a primary site access that is a 345-foot walk away along a choice of two unwelcoming streets.

A large internal space between the east and west buildings on the Center Site is walled off from the public to provide “silence” for the apartments above, wasting an important opportunity to create public open space and site access at grade level.

→ The following changes to the site plan will create accessible structures and pleasant streets and will integrate the project with the adjacent community as required to justify the rezoning:

- 1. Reopening King Street**
- 2. If possible, reopening Charlton Street**
- 3. Opening Houston Street to the sky by removing all structure above except one platform.**
- 4. Widening Washington Street by moving the east street wall of the North and Center Site structures 12 feet to the west and adding an attractive green buffer.**
- 5. Welcoming public use of the open area between east and west buildings in the Center Site.**

Note: The applicant provided a large format 80-page book in response to criticisms of the proposed site plan and project design discussed at public hearings. The presentation is not convincing and confirms the need for major revisions to the proposal.

First, the presentation seeks to make the case that the plan is consistent with mixed-use, high density, and large scale development in the area. But these were not the characteristics of the plan that are criticized herein. Three buildings are referenced as examples of nearby structures with high street walls and full lot coverage, but all have transparency at grade and face a wide street with short blocks and a strong mix of retail activity and pedestrian destinations in all directions, nothing like the narrow Washington Street where a special effort will be needed to attract foot traffic. The presentation also looks to West Street for “immediate urban context”, but backing up to West Street only amplifies the need to transform Washington Street. Finally, the presentation points to the context of long buildings at Pier 40, the Sanitation garage, UPS, and other nearby buildings. But Pier 40 is in a park and not experienced as neighborhood context, and the sizes of the garage and UPS are appropriate to their uses, not for a new residential project in the Manhattan Core. The other buildings noted all have shorter street walls facing attractive wide streets in the center of successful mixed-use areas.

Second, the presentation seeks to reestablish the false first impression that the project design effectively breaks up the superblock. In fact, this is precisely where the design fails. The opportunity to break off the North Site is missed because Houston Street remains substantially covered. The High Line reference makes a pretty picture, but the space above has none of the special charms of the long and narrow High Line, and none of its sincere historic reference and repurposing. Instead, it creates a secondary public area of dubious value at the expense of an opportunity to create a real break in the street wall that invites passage into and through the site on Houston Street. Forgetting there is nothing pleasant about the underside of the High Line, it dominates the Houston Street environment with not one, but three old train track beds. The location chosen for a driveway is 346 feet south of Houston Street, ignoring the pre-super block grid that is the best opportunity to recreate an accessible urban scale. Pedestrians seeking to enter the site at the driveway will have two long and unpleasant choices: the arterial highway environment on West Street or the narrow one-sided route dominated by UPS. Again, the slides create

false impressions. For example, Washington Street is made to look like a normal street showing parked cars blocking the UPS truck bays, a buffer that would not exist, and showing no parked cars in the parking lane on the west side creating a false impression of a second travel lane. The driveway looks quaint and calm with people strolling on impractical Belgian block paving. In fact, it will be the primary entrance to large vehicle-accessed residential and commercial buildings, frequently dominated by cars and taxis. The curb cut style entrances reinforce the unwelcoming private way appearance, a look and feel of being someplace other than New York City.

Finally, numerous slides are presented as “view studies” of alternative alignments for a break in the long street wall. The King Street alignment is clearly the best, providing the most pedestrian-friendly approach to the project structures. The challenges do not go away, but they become manageable, even if a second break at Charlton Street turns out to be impossible. The map provided to illustrate the pedestrian experience of the project as proposed again demonstrates the failure of the plan. Clarkson Street, with no subway access, becomes the prominent east-west corridor, taking people as far from the site as possible, with no pleasant north-south corridors provided. Even on paper, and even with no cars in sight, Houston Street still looks dark and forbidding. The color diagrams of the ground floor plan offer a friendly feel, but only by making the Houston Street coverage invisible, and showing the “landscaped roof/courtyard as though it would be experienced that way by the public

The table of contents of the presentation references “several urban design challenges” of opening King Street, but these are not addressed in any of the 80 slides. The challenges are in fact made simpler by the recognition in the site plan as proposed of the desirability of opening a King Street view corridor. A real discussion of ideas presented in criticisms of the plan would be welcomed, but the presentation is unpersuasive and non-responsive. It ignores ideas about how to open the site to respond to the needs of the surrounding neighborhood, needs that must be supported to justify proposed zoning changes.

HUDSON RIVER PARK SPECIAL DISTRICT

The Hudson River Park Act was amended in 2013 to generate income for the park by allowing the transfer of development rights from the Hudson River Park to receiving sites within one block east of West Street. The amendment provides an opportunity for the park to benefit from development rights without burdening the park with development that is harmful to the adjacent community and incompatible with park uses.

The proposed Hudson River Park Special District would amend the Zoning Resolution and map and regulate transfers of 200,000 square feet of rights from Pier 40 to the 550 Washington Street site. The related \$100 million income to Hudson River Park would fund the restoration of the deteriorating piles and thereby sustain the viability of Pier 40 as a local and regional recreation resource and as an essential source of income for the entire park.

However, based on prior reports from Hudson River Park Trust, there is reason for concern that to remain open until a redevelopment plan is in place, Pier 40 may urgently require substantial additional repair work. Because the emergency conditions at Pier 40 were the impetus for legislation allowing transfer of development rights, assurance of funding to the short term needs of the pier to keep it open for current uses is essential as part of any agreement to transfer air rights. There is no justification for the transfer unless the future of Pier 40 is secured.

Neighbors, and representatives of the Greenwich Village Society for Historic Preservation, spoke at CB2 public hearings and submitted written testimony to express credible concern about increasing development pressures in the South Village and the potential harmful impacts of future transfers of development rights from Hudson River Park sites to receiving sites between Houston Street and 14th Street. The community expressed concerns about a wide variety of negative impacts from the development of the St. John’s site: The mammoth scale of the proposal in relation to the neighborhood, the enormous value of the development rights that the developer is receiving, the degradation of per capita

active space available in the community with the addition of so many new residents, the potential loss of affordable parking on Pier 40, the long distance of the project from the nearest subway, and the fear that the development will produce pressure to curtail access to free boating from Pier 40. Moreover, the need to provide ongoing, predictable financial support for Pier 40 is clear. Community members commented on their desire to have the park supported by taxpayer funds. The Central Park Conservancy receives a sizeable percentage of its funds from the city according to the terms of an agreement which covers a 10-year term. Moving towards a similar agreement for the Hudson River Park would address this community concern and would provide predictable funding for the park and reduce the need for incompatible commercial development within the park.

CB2, Man. urges the City and the applicant to work with our Board to consider ways to apply planning principles such as those suggested to us by Terreform Center for Advanced Urban Research to improve the compatibility of the new uses with the adjacent neighborhoods.

At the same time, CB2, Man. recognizes that the viability of Hudson River Park, as provided for in the Hudson River Park Act, depends on income generated within the park, and specifically within CB2 from commercial development at Pier 40. CB2 strongly opposed past proposals for developments at Pier 40 that would have harmed the Park and the adjacent neighborhoods.

There is an opportunity in connection with the current ULURP to assure the availability of some of the remaining development rights to assure essential long term income for the park while also protecting the park and the community from undesirable development at Pier 40 and at nearby sites within CB2.

→ CB2, Man. supports the transfer of 200,000 square feet of development rights from Pier 40 for the purpose of repairing the Pier 40 piles if \$50 million of City and State funding is committed over a five-year period to complete other urgent repairs at the pier and assure the pier remains open for its current uses. CB2 supports the transfer exclusively to 550 Washington Street and also supports future redevelopment of Pier 40 if the development pressures on nearby neighborhoods are mitigated as follows:

- 1. The final phase of South Village Historic District is implemented concurrently during the ULURP process;**
- 2. No additional development rights will be transferred from the Park to any area in CB2, whether from Pier 40 or from any other potential granting site at any time in the future.**

To help facilitate an agreement whereby Hudson River Park Trust will agree to permanently restrict development rights transfer to sites in CB2 beyond the 200,000 proposed here, in September, 2016, CB2, Man. will hold a public hearing to consider criteria for redevelopment of Pier 40 based on the following draft framework.

DRAFT FRAMEWORK FOR PIER 40 REDEVELOPMENT CRITERIA (FOR FUTURE REVIEW)

1. Future development at the pier may include new structure that includes floor area not exceeding xxx,000 square feet.
2. At grade open space in the park will be considered open space for public recreation only if it is used exclusively for free or nominally free recreational use. Outdoor space used entirely or partially for boarding commercially operated vessels, marinas, cafes, etc will not be considered to be open space for public recreation; and no indoor space will be considered open space.
3. In any redevelopment of Pier 40, there will be no increase in total footprint of the structures on the pier, and if there is a decrease of footprint, at least 50% of new unbuilt area will be public open space for recreation.
4. Uses may include current commercial uses with floor area as currently allocated except as listed below.

5. Uses may include commercial office uses and very low impact small manufacturing uses with combined floor area not exceeding xxx,000 square feet.
6. Uses may include eating and drinking establishments individually not exceeding x,000 sf and in combination not exceeding xx,000 sf.
7. The tonnage of commercially operated boats docking at the pier, including party boats, will not exceed xx% of the current use.
8. At least xx% of commercial development of the pier will be developed and operated based on a model designed to fulfill community needs for such uses as a priority over maximizing revenue to the park, and dedicated to the following park and community enhancing uses: indoor recreation, low cost rehearsal space, art studio and gallery space; performance spaces individually not exceeding xxx seats; and community-based water uses including free access to human-powered boats.
9. The site design for development at the pier will give highest consideration to providing safe access for all to the pier and the park and minimizing conflicts between vehicles and park users, and such access will include pedestrian bridges to the extent needed to assure the safest possible access to and use of the pier and the park. The site design for development at the pier will also give high priority to creating and preserving openness, views, compatibility with park uses, and community access to the water.
10. The development plan will provide for incremental or phased development to assure continuous and substantially undiminished recreational use of the pier during construction.

PUBLIC OPEN SPACE

The residential study area for the DEIS has a total open space ratio of 1.15 acres per 1000 residents. There are only .42 acres of active open space per 1000 residents compared to the goal of 2.0 acres. Because the portions of the community district located in the study area have comparatively more open space than the rest of the district, the condition is much worse for the district as a whole. The DEIS identifies a significant adverse open space impact based on a 5.66% decrease in the total open space ratio including a 6.96% decrease in the active open space ratio. No specific mitigations are proposed as part of the application.

No outdoor space suitable for active recreation will be available on the project site. However, because indoor sports facilities provide year-around opportunities, it is appropriate to provide indoor space to mitigate the adverse impact on open space for active recreation.

→ CB2 cannot support a project that fails to mitigate a significant adverse impact on active open space. Unless suitable outdoor space within the study area is identified and secured, qualified and adequate indoor space within the study area, such as new gyms and swimming pool within the project sites, will be the only sufficient way to mitigate significant adverse impacts of the project on active open space opportunities in the district.

There are other opportunities to create new public open space within the district, but these are not suitable for active recreation so they would not mitigate the significant adverse impact of the proposed project. For example, CB2 supports the creation of a permanent park at Elizabeth Street Garden as its highest open space priority. CB2 also continues to support new open space at two sites where DEP has completed construction of water distribution projects on East 4th Street and at the corner of Grand and Lafayette Streets. At the large DEP site at 388 Hudson Street CB2 supports building affordable housing, but more than 9000 square feet of the site where DEP retains an easement could still be available for passive open space use.

→ CB2 opposes the proposal for passive public open space on the old railroad track beds above Houston Street because these should be removed to open Houston Street to the sky. Instead, a much larger public open space should be created with at grade access in the area between the buildings on the Center Site of the project. Designed as a garden with plantings and seating, the public

use would not conflict with the residential uses, and a broad path from Houston Street would increase pedestrian access through the project.

As part of the ULURP agreement for the St. Vincent's Hospital site, the Greenwich Lane development built the public park across the street and pays for its maintenance in perpetuity through assessments on condominium. This model should be implemented, including charges to all property owners on the site, so this project can provide ongoing support for Hudson River Park.

AFFORDABLE HOUSING

The district has experienced a significant loss of stabilized housing, and remaining stabilized units are at risk. CB2 recognizes the negative impact of loss of diversity on the vitality of the neighborhood, the need to place new affordable housing in high value areas, and the importance of creating "aging in place" opportunities for district seniors. CB2 therefore appreciates and supports the significant number of affordable units that will be provided as part of this project, but requests concurrent development of additional affordable housing in the district.

CB2 is deeply concerned that HPD has failed to respond to our requests to evaluate the nearby opportunity for new affordable housing at the water tunnel shaft construction site at 388 Hudson Street, and instead continues to pursue an unpopular plan at Elizabeth Street Garden, a location that offers minimal housing opportunities at the expense of losing a treasured public open space in the most park-starved part of our district.

→ CB2 recommends that HPD and DCP begin work, concurrently with the 550 Washington Street application, to expand the Hudson Square Special District to include the 388 Hudson Street site.

→ CB2 rejects the idea that housing and open space priorities in the district should be selected on the basis of the council district location and once again requests that HPD work with CB2 to develop a plan for the district that builds as much new affordable housing as possible without undue harm to our neighborhood character and open space.

The mixed income affordable units at 550 Washington Street are proposed as a combination of 60% AMI and 130% AMI. The single AMI band for the "workforce" housing may make them difficult to market with a potential reduction of participation of district residents in the 50% preference program.

→ CB2 recommends that 20% of the floor area planned for 130% AMI be set at 100% AMI so that units can be marketed in the wider 100% to 165% AMI range.

During public hearings, neighbors expressed concern about the small size of the senior affordable housing units. The small size is likely to make the units difficult to market to district seniors, many consisting of healthy couples, and even moving into studios will be very difficult for many seniors. Given the size of the project, increasing the proportion of larger units should be possible without reducing the number of units. There was also concern expressed that the single AMI band of 80% is too narrow, and that a broader range would make the units more marketable, especially to seniors currently living in walk-up units in the district.

→ Of the 178 units for seniors, CB2 recommends that no more than 70 be studios, and also recommends that up to 50% of the units be offered at 100% AMI.

TRAFFIC & TRANSPORTATION

The proposed special zoning changes and transfer of air rights to 550 Washington will bring thousands of new residents and workers to the area and will significantly exacerbate traffic and transportation issues in the community. This development would also follow on the heels of a major zoning change at Hudson Square and precede further development at Pier 40, all aggravating already declining conditions.

Therefore, the development should not proceed unless a comprehensive approach is taken to improve traffic and transportation conditions in the area.

Baseline traffic in the area has been increasingly untenable because of congestion leading to the Holland Tunnel. Long queues on Varick, Canal, West, and Spring Streets contribute to frequent gridlock conditions causing long delays. This disrupts business and creates unsafe conditions for pedestrians and cyclists. It increases response times of emergency vehicles and causes localized air quality problems. As Hudson Square develops as a commercial office and residential area, large numbers of pedestrians sift through blocked crosswalks and crowd into inadequate public transport. With cars and trucks crossing Manhattan to avoid Verrazano tolls, the flow capacity of the tunnel and the “storage” capacity of the traffic lanes fail on a regular basis. 550 Washington will now add a further burden.

Although the DEIS recognizes adverse impacts at 18 intersections, it says all but two can be “fully mitigated with standard mitigation methods” such as restriping, signal timing, and “daylighting”. Some of the proposed mitigations consist of changing signal times by as little as one second. By looking exclusively at the incremental changes created by the proposed project versus as-of-right development at the site, the DEIS misses the already unsustainable baseline conditions in the area, and fails to recognize the harm that will be caused if the development proceeds without a commitment to extensive improvement by the city administration.

While NYC DOT recognizes the problems, it has applied piecemeal remedies at individual intersections that don’t function together holistically. However, given the severity of the current conditions and the impact on safety, health, and quality of work and residential life, the omission of a coordinated plan to mitigate adverse impacts at all intersections of concern is unacceptable. Recent experience with localized improvements focusing on pedestrian safety at a number of complex intersections shows that meaningful change is possible. The current ULURP represents a unique opportunity to develop a comprehensive response to the area’s ever-increasing growth.

→ For this project to proceed responsibly, NYC DOT needs to complete, concurrently with this ULURP, a comprehensive study providing recommendations for improving baseline conditions prior to the start of work on the proposed project. The City administration needs to commit to improving through traffic and pedestrian safety conditions by drawing upon a full toolkit of improvements including permanent lane separations, neck downs and other curb extensions, medians, turning changes, parking changes, and special signage. Particular attention should focus on Varick Street below Bleecker Street, Houston Street, and Spring Street.

Varick Street is the major Holland Tunnel access route through the community district. Designated tunnel access lanes fail during the evening rush hour because vehicles enter these lanes from multiple side streets, often blocking intersections and impeding local and through traffic. Hudson Square Connection has suggested a redesign for Varick Street including a permanent median divider and more restricted access to the tunnel lanes.

Houston Street is an important westbound connector to West Street, north and south. When the intersection at Varick Street is blocked, westbound traffic on Houston Street impacts a wide residential and commercial area. Improving this intersection is a high priority, but cannot be accomplished without looking at the full length of Varick Street. Also, to relieve congestion at West Street and improve safety at the pedestrian crossing there, consideration should be given to moving northbound West Street traffic onto Leroy Street.

Spring Street, at the south end of the two super blocks, is an important pedestrian connector. During water main replacement work, tunnel traffic from downtown was diverted onto Spring Street, harming the character of the street and further slowing tunnel lanes on Varick Street. The water main work is complete and the use of Spring Street for Holland Tunnel traffic should be curtailed.

In all of these efforts, the Hudson Square Connection should be engaged as an important resource.

Bus and Subway Transportation

CB2 welcomes the proposal to provide affordable housing units for seniors, but the current public transit system does not support this use with the nearest wheelchair access to subways more than a half-mile away. Currently, there is no viable connection to the #1 subway, and the trip from Washington Street to the subway on Sixth Avenue takes passengers through the heart of Holland Tunnel traffic on Spring Street. Without improvements to bus routes and service, the location will isolate seniors and other residents from other residential and commercial areas.

The M21 route should be reevaluated to provide better service to the new development area and its frequency increased. The M8 route must continue to operate as well and at frequent intervals to keep providing the important access that its many users depend upon, while serving seniors and other residents. At least one of these routes should be extended to cross West Street and provide safe and convenient access to Pier 40 and increase ridership.

→ In general, mass transit needs to be improved so that the proposed project is less car-dependent and more appropriate for the Manhattan Core. Dependency on vehicular access will be detrimental to the project and to the neighborhood.

Pedestrian Safety and Access to Hudson River Park

The largest contributor to public open space in the community district is Hudson River Park, but access across West Street is dangerous and isolates the park from the community. The crossing at Houston Street, the main area access point for pedestrians and cyclists has become increasingly hazardous as park use grows. Many vehicles turn north onto West Street from Houston Street and from Pier 40, creating a confusing and dangerous 8-lane crossing terminating on the west side at a busy bike lane.

As pedestrian traffic in the area grows, it is essential that safe at-grade passage is provided across West Street. A pedestrian bridge would be the only *completely* safe crossing, and has been considered to connect the second level at the 550 Washington Street site to Pier 40. But it would be costly to build, and the grade crossing would remain the more-used route for most pedestrians and cyclists, especially those without a second level destination at Pier 40. Bridges also may encourage faster traffic on the street and for that reason were discouraged as part of the Route 9A plan. If office uses are developed at Pier 40 in the future, such a bridge might be essential and therefore this project should include a second level connection point for such bridge and a commitment to provide and maintain public access including elevators, as promised by the applicant.

→ The following measures can provide safer access across West Street and thereby substantially improve access to active and passive open space resources:

1. Add a West Street crossing at King Street where there would be no conflict with turning vehicles.
2. Add a West Street crossing at Spring Street serving residents in the southern portion of the district.
3. Use signs at various locations to eroute traffic turning northbound onto West Street from Houston Street to Leroy Street to reduce the number of vehicles turning through the Houston Street crosswalk.
4. Adjust signal time and phasing to maximize pedestrian crossing times and safety at Houston Street, Clarkson Street, and other West Street crossings.
5. Remove ramps where the crosswalks pass through the West Street medians.
6. Widen West Street crosswalks, install stop line signs at curbs where buildings extend past stop lines, and where possible install bulb outs to shorten crossings.
7. Redesign the Pier 40 driveway with an additional entry to distribute vehicle access away from Houston Street.

Bicycle Transportation

Given the access challenges of the site, the failure to welcome bike transportation is a missed opportunity. While mandatory bike parking would be included in the indoor car parking lots, these primarily serve project residents and do not provide the convenience of at-grade free bike stands. The developer has committed to providing more bike parking than required, but should provide NYC DOT CityRacks at several convenient locations and designate a location for CitiBikes centrally in the project.

FLOOD PROTECTION

More planning is needed in the area to protect vulnerable areas as the climate changes. While waterfront development proceeds apace, actual infrastructure to protect west side areas has stalled.

Resiliency

The Greenwich Village Waterfront is highly vulnerable to storm surges as experienced during Superstorm Sandy in 2012. In response, New York City has committed to protecting the built environment with the Big U project. As part of the redevelopment of the St. John's Terminal, CB #2 must receive time certain assurances of the extension of the Big U from Canal Street to West 14th Street. This system will provide long-term protections for existing residences between Washington and West Streets in our community. The Big U is a protective system around Manhattan, driven by the needs and concerns of its communities. Stretching from West 57th street south to The Battery and up to East 42th street, the Big U protects 10 continuous miles of low-lying geography that comprise an incredibly dense, vibrant, and vulnerable urban area. The proposed system not only shields the city against floods and storm water; it provides social and environmental benefits to the community, and an improved public realm.

Sewers and Storm Drains

While the St. John's redevelopment project has considerable on-site retention and detention measures to protect their property during heavy rainstorms, the surrounding community struggles with ongoing sewer back-ups and flooding during such storms. The problems are documented as far east as Hudson Street and along the entire waterfront. CB2 appreciates the commitment made by the project architect to work with neighbors to address longstanding failure of the area sewers. Approval of this application should include a commitment by the City to take urgent action to address these longstanding problems, including rerouting sewer lines, enhancements to tidal gates, local actions required to increase sewer capacities of residential buildings in the area, and a community process for monitoring progress.

SCHOOLS

The project will have a significant adverse impact on public elementary school utilization. Given the current crowding in existing schools and expected residential growth in the area, the residential growth proposed in this project is unsustainable unless other active opportunities for new elementary schools are developed prior to opening of the residential buildings.

Flawed DEIS Analysis

The DEIS analysis is flawed because it includes 100% of the PS 340 capacity, even though most of the PS 340 zone is not in Sub-district 2, the study area for schools analysis. Without this flaw, the projected change in utilization would be greater than 5% and the DEIS analysis would demonstrate an adverse impact on elementary school seats. In the rezoning for Hudson Square, the applicant agreed to fund the

core and shell of a 75,000 square foot elementary school as a result of a 5% change in elementary school utilization.¹

Furthermore, a very small change in other assumptions also would result in a significant adverse impact to both elementary school and intermediate school seats while the impact on intermediate school seats likely will be greater than the forecast.

Planning for area school utilization in connection with this project is complicated by the following considerations:

Additional Considerations

The formula for calculating the change in utilization is: Students Introduced by the Proposed Project / Capacity in the Study Area = Change in Utilization.²

As the population in the study area expands and more school capacity is built, the threshold for any residential project to impact utilization increases. Meanwhile, the cost to build new school seats continues to rise.

Based on the NYC Department of Education's FY 2015-2019 Proposed Five Year Capital Plan, new school construction in District 2 for schools fully funded by the DOE ranges from \$120,000 to \$174,000 per seat.³ As a result, it will cost NYC taxpayers \$20 to \$29 million to build new school capacity for the 169 elementary school students that the Project will generate, based on a CEQR multiplier of 0.12. In Greenwich Village, the historical CEQR multiplier is 0.16⁴ and as a result, CB 2 projects that the Project will produce 225 additional elementary school students for a cost to taxpayers of \$27 - \$39 million.

As yet unfulfilled opportunities for new schools were created by agreements in connection with ULURPs for Hudson Square Rezoning and the NYU 2031 Plan. 550 Washington Street and Pier 40 are not ideal locations for a new elementary school, but either could provide a good location to relocate one of the two high schools in the area which could then be reconfigured. Unless commitments are made prior to approval of this application, sufficient space at an appropriate location within the project should be allocated for a new school or funding should be provided to increase capacity at schools in CB2, such as the Bleecker School.

¹ Hudson Square Final Environmental Impact Statement, Chapter 4, Community Facilities and Services, Table 4-6, page 4-11, http://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/hudson_square/04_feis.pdf.

² Formula Simplified

Utilization with Action – Utilization No Action = % Change in Utilization
[(Future + Project) / Capacity] – [(Future/Capacity)] = % Change in Utilization
[(Future + Project – Future) / Capacity] = % Change in Utilization
Project / Capacity = % Change in Utilization

Variables

Future = Total Future Enrollment in 2024
Project = Students Introduced by the Proposed Project
Capacity = Public School Capacity in the Study Area

³ FY 2015-2019 Proposed Five Year Capital Plan, Amendment, NYC Department of Education, January 2016, p. C-7, http://www.nycsca.org/Community/CapitalPlanManagementReportsData/CapPlan/01212016_15_19_CapitalPlan.pdf.

⁴ In 2014, CB 2 published reports on population projections and demographic analysis for the Bleecker School in Greenwich Village and the actual CEQR multiplier was 0.16 from 2002 through 2013, based on actual change in enrollment divided by the actual change in residential units. The change in enrollment was from the *DOE Utilization Profiles: Enrollment, Capacity and Utilization* and the change in residential units from PLUTO. For the Bleecker School analysis, the study area was the elementary school zones for PS 3, PS 41, PS 11, PS 130 and PS 340. Visit <http://www.nyc.gov/html/mancb2/html/newpublicschools/bleeckerschool.shtml>.

550 WASHINGTON STREET PROJECT: DEIS vs. CB 2 ANALYSIS OF IMPACT ON PUBLIC SCHOOL SEATS

Flawed Assumptions Create Significant Adverse Impact on Elementary School Seats

ELEMENTARY SCHOOL ANALYSIS

DEIS ANALYSIS (1)				CB 2 ANALYSIS		
2014-15 STUDY AREA	ENROLLMENT	DEIS CAPACITY	UTILIZATION	% AGE 5-10 POP IN SUB-DISTR. 2 (2)	REVISED CAPACITY	REVISED UTILIZATION
PS 3 (2)	809	712	113.6%	91%	648	113.6%
PS 41 (2)	757	645	117.4%	91%	587	117.4%
PS 89	442	340	130.0%	100%	340	130.0%
PS 234	581	490	118.6%	100%	490	118.6%
PS 234	148	87	170.1%	100%	87	170.1%
BPC	612	526	116.3%	100%	526	116.3%
PS 150	184	124	148.4%	100%	124	148.4%
PS 340 (2)	81	551	14.7%	30%	165	14.7%
Total '14-15	3,614	3,475	104.0%		2,967	115.1%

CHANGE IN ELEMENTARY SCHOOL UTILIZATION	NO ACTION	ACTION	REVISED
Capacity	3,475	3,475	2,967
Students from Project with CEQR of 0.12		169	169
Change in Utilization		4.86%	5.69%
Students from Project with CEQR of 0.16		225	225
Change in Utilization		6.48%	7.59%

BREAKEVEN ANALYSIS FOR 5% CHANGE IN ELEM. SCHOOL UTILIZATION	
Additional CEQR Multiplier	0.0034 (3)
Additional Students	4.79 (4)
Additional Units	39.92 (5)
% of PS 340 Students in Sub-District	83% (6)
Decline in Elementary School Capacity	95.80 (7)

Notes

- (1) DOE Utilization Profiles: Enrollment/Capacity/Utilization, 2014-2015 and 2010 Census Data by block and age.
- (2) PS 340 is located in Sub-District 3, but serves some students in Sub-District 2. Using 2014-15 elementary school zones and 2010 census block data for the population age 5 to 10, only 30% of the PS 340 population resides in the Sub-district 2. However, the DEIS analysis uses 100% of the PS 340 capacity. Similarly, 91% of the PS 3 / 41 zone is inside Sub-district 2.
- (3) Change in CEQR = $[(5\% * \text{DEIS Capacity}) / (\text{Total Residential Units for School Analysis})] - (\text{Elem. CEQR})$
- (4) Change in Students = $[5\% * (\text{DEIS Capacity})] - [(\text{Elem. CEQR}) * (\text{Total Residential Units for School Analysis})]$
- (5) Change in Resid. Units = $[5\% * \text{DEIS Capacity}] / (\text{Elem. CEQR}) - [(\text{Total Residential Units for School Analysis})]$
- (6) % of PS 340 Students in Sub-District = $[(\text{Elem. CEQR}) * (\text{Total Residential Units for School Analysis}) - (\text{DEIS Capacity Excluding PS 340})] / (\text{PS 340 Capacity})$
- (7) Decline in Elementary School Capacity = $(\text{DEIS Capacity}) - [(\text{Elem. CEQR}) * (\text{Total Residential Units for School Analysis}) / 5\%]$
- (8) Cost per school seat for new District 2 schools fully funded by DOE, FY 2015-2019 Proposed Five Year Capital Plan, Amendment, NYC Department of Education, January 2016, p. C-7, http://www.nycsca.org/Community/CapitalPlanManagementReportsData/CapPlan/01212016_15_19_CapitalPlan.pdf.

ASSUMPTIONS

HOUSING	DEIS ANALYSIS (1)	CB 2 ANALYSIS
Total Residential Units	1,586	
Less: Senior Units	178	
Units for School Analysis	1,408	
ELEMENTARY SCHOOL SEATS		
Elem. School CEQR Multiplier	0.12	0.16
Elementary School Seats	169	225
Cost Per Seat (8)	\$120,000	\$20.28 mm
	\$174,000	\$29.40 mm
		\$27.03 mm
		\$39.20 mm
% of PS 340 Zone in Sub-district 2 (2)		30%
% of PS 3/41 Zone in Sub-district 2 (2)		91%
INTERMEDIATE SCHOOL SEATS		
Inter. School CEQR Multiplier	0.04	n/a
Inter. School Seats	56	n/a
Cost Per Seat (8)	\$120,000	\$6.76 mm
	\$174,000	\$9.80 mm
		n/a
		n/a
PROJECTED ENROLLMENT CHANGES '14-'24 ARE HIGHER FOR ELEMENTARY		
Elementary School	6.83%	n/a
Middle School	(16.28%)	n/a

SUMMARY

1. **CB2, Man. recommends approval of the zoning map amendment, the text amendment and the transfer of Pier 40 development rights with the conditions listed herein pertaining to site plan, project design, the South Village historic district, restrictions on future development rights transfers, retail store size, full mitigation of adverse open space impacts, traffic improvements in the Holland Tunnel impact area, pedestrian safety, provision of needed school seats, and flooding and resiliency.**
2. **CB2, Man. recommends denial of the applications for special permits for accessory parking garages unless the total number of parking spaces is no more than 387.**
3. **CB2, Man. recommends approval of the curb cut modifications.**

Vote: Passed, with 36 Board members in favor, and 1 abstention (D. Diether).

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Tobi Bergman, Chair
Community Board #2, Manhattan



Anita Brandt, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

TB/fa

- c: Hon. Jerrold L. Nadler, Congressman
Hon. Brad Hoylman, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Alice Cancel, Assembly Member
Hon. Gale A. Brewer, Man. Borough President
Hon. Corey Johnson, Council Member
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member