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COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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February 29, 2012

Amanda Burden, *Chair*
City Planning Commission
22 Reade Street
New York, New York 10007

Amy Jedlicka
General Counsel
Trinity Real Estate
75 Varick Street
New York, New York 10013

Dear Chair Burden and Ms. Jedlicka:

CB2 has recently focused on the importance of adding opportunities for new public open space in the rezoning plan for Hudson Square. Open space is a required residential resource for a mixed use neighborhood in an old industrial zone that has almost none.

We think the minimally developed mid-block area between Varick and Hudson Streets, from Dominick to King, may offer an unusual chance to encourage developers to provide public open space without FAR bonuses. As the resolution adopted at our Full Board meeting on February 23, 2012 (and copied below) states, a strong case can be made that the proposed height limit of 320 feet on wide streets is out of character for the area and unnecessary for the maximum 12 FAR, but given the narrowness of the lots on the mid-block, a height somewhat higher than 185 feet could be allowed. If the height limit were to be substantially lowered and made applicable to all areas on wide and narrow streets, opportunities for needed public open space could be created by allowing special permits for higher buildings when private land is made available to create new parks.

We are requesting this be studied as an alternative that we believe would have little impact on the quantity of development.

A resolution favoring modifications to the Draft Scope for an Environmental Impact Study for the Special Hudson Square Rezoning District to encourage creation of needed open space.

Whereas:

1. Trinity Real Estate has submitted an application requesting modifications of the zoning map and zoning text pertaining to 18 block of Hudson Square currently zoned M1-6 whereby a special mixed-use zone would be created for this area; and
2. CB2 has previously commented on the draft scope for an EIS, but the Department of City Planning has not yet certified the application; and
3. The application proposes a Special Hudson Square Zoning district allowing mixed use development with certain restrictions; and
4. The height limits for buildings in most of the district would be established at 320 feet on wide streets and 185 feet on narrow streets 100 feet from intersections; and
5. The draft scope anticipates an eventual increase in residential development in the area from 331,000 sf (being 3 percent of total development) to 3.13 million sf, (being 32 percent of total development), and
6. This growth of residential use is based on development in 21 sites, including five sites owned by Trinity, with 15 new buildings, one conversion, and five enlargements; and
7. The draft scope states that additional growth of residential use is possible at 16 additional sites with two new buildings, two conversions, and twelve enlargements; and
8. CB2 included the following statement in its comments to the draft scope: “Community Board #2 recommends the expansion of this study to include other possibilities for the inclusion of additional Open Space in the Hudson Square area”, and
9. The application projects one scenario under which new development in the zone will include 3210 units of new housing with 5770 new residents, 200,000 sf of new retail, 703,000 sf new commercial uses, a 75,000 sf public school, and 678 accessory parking spaces; and
10. The area, as a result of its industrial past and current commercial use, already has severe shortages of school seats and has almost no public open space, and the need for these essential residential infrastructure will increase; and
11. This rezoning provides an opportunity to create the framework for the development and successful use of the area for generations to come and should take full advantage of this to improve the quality of residential and work life for these generations; and
12. This rezoning should take full advantage of the rare opportunity to improve the quality of residential and work life for these generations; and
13. With fluctuations of the demand for residential development citywide, viability of residential development in this area will depend upon the quality of life it offers including the availability of public open space; and
14. Public open space also improves the quality of a neighborhood for businesses and workers; and
15. Currently open space in the area is concentrated at the perimeter of the area; and
16. CB2, with a steadily growing population including many families with children, has among the worst ratios of residents to acres of parkland in the city; and
17. Additional residents will place a new burdens on existing parks in adjacent areas, worsening the already substandard ratio of residents to acres of parks in these areas; and
18. Commendably, the proposal includes the construction of a new public school to meet the needs of the new residential population; but
19. The new school will create additional burdens on public open space within the district and specifically on Duarte Park; and
20. The application includes no commitments for new open space or provisions or incentives for its creation; and
21. CB2 has a long history of prioritizing the importance of its parks so impacts that will worsen this ratio will make it difficult or impossible to garner support for the rezoning proposal; and
22. There is a water tunnel shaft construction site nearby that DEP has agreed to transfer to the Parks Department for open space use in the future but has not agreed to fund construction of a park; and

23. Hudson Square to Hudson River Park represents a significant potential resource for the area but there is no direct access from the area to the park and efforts of the CB2, Hudson Square Connection, Friends of Hudson River Park, and elected officials to establish a crosswalk at Spring Street have not succeeded; and
24. Hudson Square Connection has explored opportunities for creating new open space on Port Authority land but has not succeeded in obtaining commitments for such use, and has also not yet achieved approval for a proposal for access to Hudson River Park at Spring Street; and
25. The mid-block lots of four streets between Varick Street and Hudson Street are minimally developed and represent an important opportunity for new parks in the center of the area; and
26. Open space is particularly important given the dominance of Holland Tunnel traffic in the area, and the mid-block location offers a better location for parks than the busy avenues; and
27. A large number of additional trees that new open spaces could support would help clear pollution related to Holland Tunnel traffic from the air; and
28. Opportunities for development of parks in these areas should not be squandered, but CB2 does not support zoning provisions that offer only publicly accessible plaza-like sitting areas without a public feel and public involvement in development in design and use; and
29. Ideally a line of parks would be created on the entire existing development gap in the mid-blocks between Varick and Hudson Streets from Dominick Street to King Street, a concept that proponents have called “the Gapline”, but separate parks on portions of each block would also provide centrally located open space and special character; and
30. These mid-block sites are owned by four property owners, including Trinity Real Estate; and
31. The rezoning proposal establishes the same height limit for developments with FAR 9, 10, and 12, which may in some cases reduce the incentive for development of affordable housing; and
32. The 320 foot height limit proposed for developments on wide streets is more than what is needed for the proposed FARs; and
33. The 320 foot height limit is not characteristic of the area where the Trump Soho is the only building exceeding 270 feet and only two existing characteristic buildings exceed 220 feet; and
34. The 185 foot mid-block height limit will make it difficult or impossible to develop to the FAR required to achieve the affordable housing incentives, reducing the opportunities for affordable housing in the zone; and
35. The 400-foot block length reduces the viability of the midblock areas, especially because some of the blocks have existing taller buildings that extend well past 100 feet from the corners so the lower height will pertain to a narrow area; and
36. Extensive work should not be required to study an alternative that provides for open space opportunities if the changes do not substantially increase the total projected development; and
37. Establishing a range of height limits that is the same on wide and narrow streets but strictly limited to what is reasonably required to provide the project FAR would increase the incentives for affordable housing and create opportunities for new open space; and
38. The best opportunity for creation of new parks in Hudson Square may be through zoning provisions affecting mid-block properties between Hudson Street and Varick Street to allow and encourage new parks as part of their development; and
39. CB2 has no position of specific proposals to create additional open space but considers it essential that at least one alternative that will create opportunities for new open space be considered as part of an upcoming ULURP for this project.

Therefore it is resolved that CB2 encourages Trinity Real Estate to work with the owners of the other affected properties, the Department of City Planning, and CB2, to develop provisions that will accomplish the open space goals stated herein; and

It is further resolved that CB2 requests modification of the scope of work to include an alternative with a single reduced height limit and a provision for special permits in connection with creation of certain quantities and qualities of public open space in specific areas:

- a. to modify height and setback regulations on lots where public open space is provided;
- b. to modify street wall requirements to allow for public open space; and
- c. to transfer air rights to specified locations within the zone.

Vote: unanimous, with 40 Board members in favor

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

Sincerely,



Brad Hoylman, Chair
Community Board #2, Manhattan



Tobi Bergman, Chair
Parks, Recreation & Open Space Committee
Community Board #2, Manhattan

BH/gh

- c: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott Stringer, Manhattan Borough President
Hon. Christine C. Quinn, Council Speaker
Adrian Benepe, Commissioner, NYC Dept. of Parks & Recreation
Pauline Yu, Community Assistance Unit