

2  
3 April 1, 2015

4  
5 Meenakshi Srinivasan, Chair  
6 Landmarks Preservation Commission  
7 1 Centre Street, 9th Floor North  
8 New York, NY 1007

9  
10 Re Landmark Process

11  
12 Dear Chair Srinivasan,

13  
14 Manhattan Community Board 4 (MCB4) applauds the decision by the Landmarks Preservation  
15 Commission (LPC) to postpone the administrative action to de-calendar a number of sites,  
16 including two in the Clinton neighborhood of Manhattan Community District 4 (MCD4). While  
17 we understand the pressing need of LPC to address the large number of calendared sites, we  
18 welcome LPC's February 23, 2015, announcement that it will seek public input on the backlog.

19  
20 The two sites in MCD4 which were slated to be de-calendered were the Interborough Rapid  
21 Transit Powerhouse on West 59th Street and the Mission of the Immaculate Virgin at 448 West  
22 56th Street.

23  
24 The IRT Powerhouse, now owned by Consolidated Edison, is not only important for the design  
25 of its exterior by Sanford White but also as a monument of the history of transportation and  
26 technology in New York City. This Board has long advocated for its designation as a New York  
27 City landmark (see attached letter from October 6, 2008).

28  
29 The Mission of the Immaculate Virgin, a handsome Beaux-Arts style building completed in 1903  
30 for a Catholic charity, remains one of the most outstanding examples of the style in the Clinton  
31 community.

32  
33 It is important that these sites be brought to a public hearing, that the public be allowed to  
34 comment on their merits, to insure a clear, consistent, and transparent, designation process. We  
35 support the Borough President's plan calling for moving items to designation and providing a  
36 60-day noticing requirement to ensure transparency and public discourse.

37  
38 **Background**

39 The Landmarks Preservation Commission (LPC) has the power to designate landmarks under the  
40 1966 Landmarks Law. Landmarks include Historic Districts, Scenic Landmarks (Central Park),  
41 Individual Landmarks (Brooklyn Bridge) and Interior Landmarks (Lobby, Film Center Building).

42  
43 The first step toward designation is being placed on the calendar for a hearing. However, no  
44 hearing date actually needs to be set. There are no set timeframes or milestones in the same way  
45 ULURP has in order for an item to be officially designated.

46

47 There are approximately 100 items that have been on the calendar for five years or more, and  
48 some of these items date back to 1966. In November 2014, the LPC proposed removing these  
49 items from the calendar in an administrative action with no regard to merit.

50

51 LPC's decision in February 2015 to postpone the administrative action to de-calendar a number  
52 of sites was a welcome decision to this Board.

53

54 We look forward to a public hearing on the two items in MCD4 where we can comment on the  
55 merits of both items.

56

57 Thank you,

58

59 Christine, JD

DRAFT

2  
3 April XX, 2014

4  
5 Carl Weisbrod, Chair  
6 City Planning Commission  
7 22 Reade Street  
8 New York, NY 10007  
9

10 **Re: ULURP Application No. N 150147ZSM**  
11 **Special Permit for a 29-Space Accessory Parking Garage**  
12

13 Dear Chair Weisbrod:

14  
15 At its regularly scheduled Full Board Meeting on April 1, 2015, Manhattan Community Board 4  
16 (CB4), on the recommendation of its Chelsea Land Use Committee, voted \_\_ in favor, \_\_  
17 opposed, \_\_ abstaining and \_\_ present but not eligible to vote to recommend denial of the  
18 Application for a special permit under ZR 13-45 and ZR 13-451 for an increase in the number of  
19 parking spaces in an automated parking facility at 520 W28<sup>th</sup> Street to 29. The Board's  
20 recommendation is based on the belief that the test determining eligibility for the special permit  
21 is deeply flawed and inapplicable in this situation.  
22

23 **Background**  
24

25 The proposed development at 520 West 28<sup>th</sup> Street is an as-of-right mixed use building  
26 occupying Block 699 Lot 43 in a C6-3 district in Subarea B of the Special West Chelsea District.  
27 The development will have 40 residential units, and 11,213 square feet of commercial space on  
28 the ground floor. Under ZR 13-11(a) the site is permitted eight accessory parking spaces for the  
29 residential units and three accessory parking spaces for the commercial square footage.  
30

31 The proposed garage will be an unattended, automated facility where vehicles will be stored and  
32 retrieved by automated guided vehicles - battery-powered robotic devices - moving between the  
33 garage entry area and storage spaces in the two levels below. The garage will occupy  
34 approximately 850 sq. ft. at the ground level, including the one required reservoir space, 4,550  
35 sq. ft. at the cellar level, providing fourteen parking spaces, and 4,950 sq. ft. at the sub-cellar  
36 level, providing fifteen parking spaces.  
37

38 The applicant is seeking approval for 29 spaces in the proposed garage, all of which are intended  
39 to be accessory parking spaces used only by the tenants of the proposed development.  
40

41 **Analysis**  
42

43 The 29 parking spaces requested by the applicant represents a parking ratio of 72.5% (29/40), far  
44 in excess of the 27.5% permitted as-of-right (11/40) and the overall target of 20% for residential  
45 areas. ZR 13-45(c) sets out five required findings for the granting of a special permit for  
46 additional parking spaces. The Board believes that the applicant has shown that the project

47 complies with each of the applicable findings. ZR 13-45(d) requires compliance with the  
48 additional finding set out in ZR 13-451, that "the number of off-street parking spaces in the  
49 proposed parking facility is reasonable and not excessive in relation to recent trends in close  
50 proximity to the proposed facility..."

51  
52 The Department of City Planning (DCP) addressed the issue of reasonableness by developing  
53 methodology to calculate a "parking ratio." The calculation of the parking ratio requires  
54 consideration of new residential dwelling units and new and lost parking spaces during a ten year  
55 look-back period through the completion of the proposed facility.

56  
57 The applicant provided a study of new residential dwelling units and off-street parking spaces  
58 within one-third mile of the proposed development between 2004, the beginning of the ten year  
59 look-back period, and 2016, the anticipated completion year of the proposed development. The  
60 study found parking ratios of 20.6% without the proposed development (2,890 new dwelling  
61 units, 596 new parking spaces) and 21.3% with the proposed development (2,930 new dwelling  
62 units, 62 new parking spaces). The study also found a decrease of 1,730 DCA-licensed parking  
63 spaces, of which 521 (30%) are presumed to have been residential. Including these lost spaces  
64 results in a parking ratio of 3.5% (2,930 new residential units, 104 net new parking spaces).

65  
66 The applicant concludes that since the parking ratio of 3.5% resulting from the proposed parking  
67 facility is significantly below the target of 20%, they have met all of the required findings and  
68 should be granted the special permit. CB4 agrees that the applicant has met the required findings,  
69 including that in ZR 13-451, believes that the methodology developed by DCP for the  
70 calculation of the parking ratio is deeply flawed and cannot be properly used to justify the  
71 requested special permit in the area where the proposed development is located.

## 72 73 **Conclusions**

74  
75 At the beginning of the mandated ten year look-back period, the west Chelsea area was a  
76 manufacturing district with a large over-supply of off-street parking caused by warehousing  
77 vacant lots as parking pending favorable economic and social conditions for development of the  
78 lots. These parking spaces were not fully utilized except on special occasions, such as events at  
79 Madison Square Garden. There also were few residences within the one-third mile study area of  
80 the proposed development, and even fewer legal ones. Thus, these parking spaces largely  
81 accommodated transient users, not residential users.

82  
83 The Board believes that the presumed decrease of 521 residential parking spaces calculated as  
84 30% of the loss of 1,730 DCA-licensed spaces greatly overstates the actual loss of residential  
85 spaces, that the applicant's 3.5% parking ratio is based on an improper assumption, and that it  
86 does not accurately reflect what has happened in the west Chelsea neighborhood.

87  
88 The Board also notes the following:

- 89
- 90 • There is increasing access to public transportation in the vicinity of the proposed  
91 development. In addition to improved bus service, the final stop on the No. 7 subway line is  
92 less than a quarter mile from the proposed garage.

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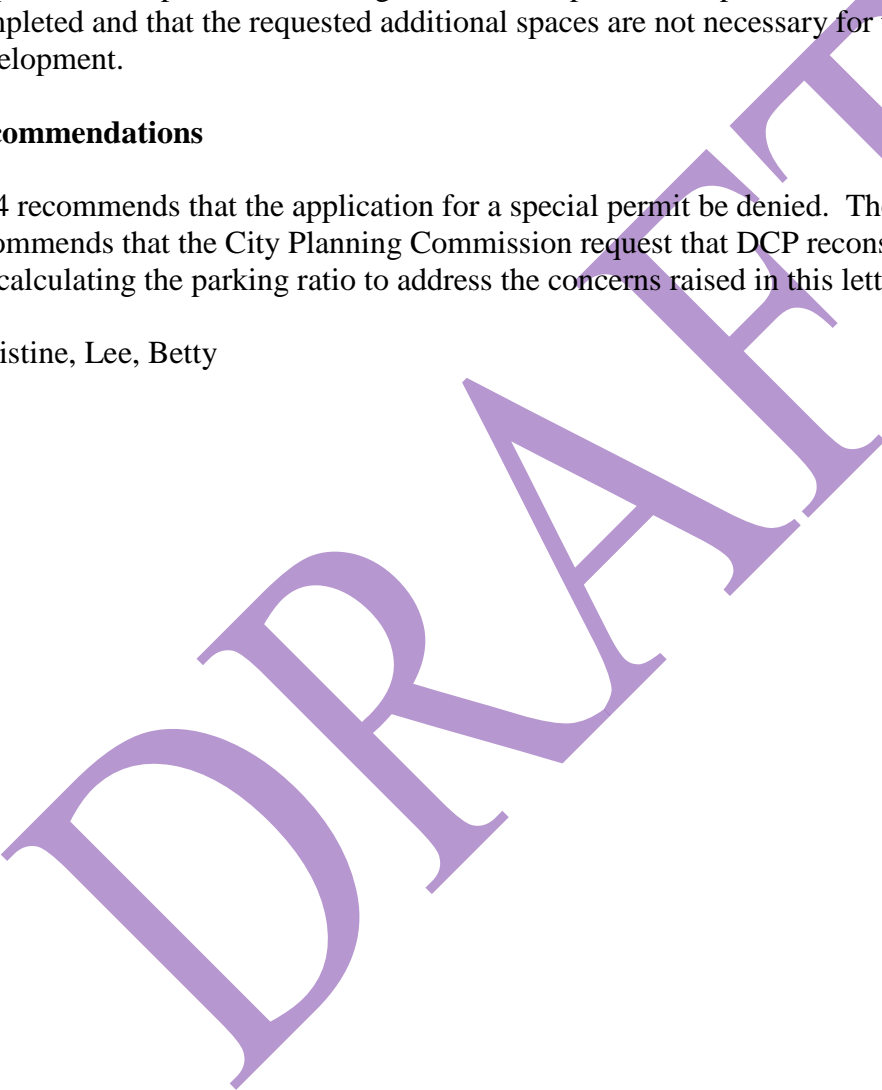
- The current marketing for the proposed development is based on eleven parking spaces, not 29, suggesting that the owners believe the property can succeed without the requested additional parking spaces.

The Board concludes that the technical justification for the additional parking spaces is flawed, that based on the development of new residential units and new parking spaces the parking ratio is greater than 20% both with and without the proposed development, that residents of the proposed development will have good access to public transportation when the building is completed and that the requested additional spaces are not necessary for the success of the development.

**Recommendations**

CB4 recommends that the application for a special permit be denied. The Board further recommends that the City Planning Commission request that DCP reconsider their methodology for calculating the parking ratio to address the concerns raised in this letter.

Christine, Lee, Betty



2  
3 April XX, 2015

4  
5 Hon. Margery Perlmutter, Chair  
6 Board of Standards and Appeals  
7 250 Broadway, 29th Floor  
8 New York, NY 10007

9  
10 **Re: BSA Cal. 183-04-BZ**  
11 **Extension of Special Permit Term, Amendment and Waiver for PCE**  
12 **206 West 23<sup>rd</sup> Street**  
13 **New York, New York**

14  
15 Dear Ms. Perlmutter:

16  
17 On the recommendation of its Chelsea Land Use Committee, following a duly noticed  
18 public hearing at the regular Board meeting on April 1, 2015, Manhattan Community  
19 Board No. 4 (CB4), by a vote of \_\_\_ in favor, \_\_\_ opposed, \_\_\_ abstaining and \_\_\_ present  
20 but not eligible to vote, voted to recommend the granting of an extension of the special  
21 permit term and related actions to allow the continued operation of the Physical Culture  
22 Establishment (PCE) H2O Spa at 206 West 23<sup>rd</sup> Street.

23  
24 This PCE is permitted in a C6-3X zoning district by a special permit pursuant to ZR  
25 Section 73-36. The H2O Spa provides a variety of massage services, waxing and body  
26 treatments on the second floor of a five-story building located at 206 West 23<sup>rd</sup> Street.  
27 The Board of Standards and Appeals (BSA) first granted a special permit for a PCE with  
28 a ten-year term at this location on October 26, 2004. CB4 recommended approval of the  
29 2004 special permit for the PCE at that time. That permit expired on October 26, 2014.

30  
31 This application seeks four approvals:

- 32
- 33 1. Amendment to previously granted special permit for a change in operation. The  
34 previous operation was “KAI 23” and offered massages, waxing, and hair and nail  
35 services. The current H2O Spa does not offer hair and nail services.
  - 36 2. Amendment to the interior layout from the previously-approved BSA plans. Minor  
37 modifications include new office space, a storage area, an enlarged massage room  
38 and a handicapped restroom.
  - 39 3. Extension of the ten-year term for the operation of a PCE at this location which  
40 would expire October 26, 2024.
  - 41 4. A waiver to permit the filing of this application after the permitted filing period.
- 42

43 The first floor of the building at 206 West 23<sup>rd</sup> Street is occupied by a restaurant and bar;  
44 the third through fifth floors are used as office space. The 1,880-square foot H2O Spa  
45 currently employs three people including a licensed massage therapist but hopes to  
46 expand staff when business improves. The hours of operation have been confirmed by the  
47 applicant to be 10:00 a.m. to 10:00 p.m. A spa would not be expected to generate noise  
48 (as a gym might), and no complaints or problems have been associated with the H2O  
49 Spa.

50

51 CB4 recommends approval of the extension of the special permit for a PCE and other  
52 related actions to allow the continued operation of the H2O Spa at 206 West 23<sup>rd</sup> Street.

53

54 Sincerely,

55

56 Christine, JLC, Betty

DRAFT

1 **Transportation Planning Committee**

Item #: 12

2  
3 April 1, 2015

4  
5 United States Postal Service  
6 *Station Manager's Name*  
7 340 W 42nd St #2  
8 New York, NY  
9 (212) 502-0421

10  
11 **Re: USPS Trucks Blocking Pedestrian Crosswalk at the intersection of 41st Street and**  
12 **Ninth Avenue**

13  
14 Dear .....

15  
16 Manhattan Community Board 4 (CB4) would like to bring to your attention a dangerous situation  
17 being created by Postal trucks from your facility. CB4 has received complaints from residents  
18 about trucks belonging to the United States Postal Service (USPS), blocking the southern, west-  
19 to-east pedestrian crosswalk at the intersection of 41st Street and Ninth Avenue. This matter is  
20 especially urgent because of the proximity of this intersection to Manhattan Plaza a Naturally  
21 Occurring Retirement Community, whose residents are especially vulnerable to traffic related  
22 injuries. CB4 requests your immediate assistance in correcting this dangerous situation.

23  
24 In addition to immediate remedy of the problem, CB4 requests the attendance of a representative  
25 from USPS at the CB4 Transportation Committee meeting on April 15, 2015 to discuss this issue  
26 and possible solutions. CB4 asks for your cooperation in resolving this matter and your  
27 assistance supporting safer streets in our community in accordance with the New York City  
28 Vision Zero initiative. With your help CB4 can improve this dangerous situation and create safer  
29 streets for the residents of our community. We urge you to correct this problem as soon as  
30 possible before someone is severely injured at this intersection.

31  
32 Thank you for your assistance and cooperation.

33  
34 cc  
35 Congressman Jerry Nadler  
36 DOT Manhattan Borough Commissioner Margaret Forgione  
37 Councilmember Cory Johnson  
38 [Families for Safe Streets](#)  
39 [Transportation Alternatives](#)  
40 Mayor's office for Community Affairs  
41 Manhattan Plaza

42  
43



1 **Transportation Planning Committee**

**Item #: 13**

2  
3 April 1, 2015

4  
5 New York Police Department  
6 Transportation Chief Thomas M. Chan  
7 1 Police Plaza,  
8 New York, NY, 10038  
9

10 **Re: NYPD Parking Blocking MTA Bus Stop at 35th Street and Ninth Avenue**

11 Dear Chief Chan,

12  
13  
14 Manhattan Community Board 4 (CB4) request your assistance with putting a stop to the practice  
15 of NYPD Midtown South officers parking their personal vehicles in the M11 MTA bus stop on  
16 the north west corner of the 35th street and 9th Avenue intersection. For months our board has  
17 received complaints from concerned residents about NYPD personal cars being parked in the bus  
18 stop blocking access by the bus, and causing passengers to be dropped off away from the curb.  
19 This is particularly troublesome for elderly and disabled passengers who depend on the buses  
20 ability to pull up to the curb. Residents have indicated they have made several attempts to  
21 address the situation directly with the precinct with no result. CB4 hopes you will assists us in  
22 correcting this problem.  
23

24 Thank you for your assistance and cooperation.

25 cc

26  
27 Congressman Jerry Nadler  
28 DOT Manhattan Borough Commissioner Margaret Forgione  
29 Councilmember Cory Johnson  
30 NYPD Midtown South  
31 Manhattan Borough President Gale Brewer  
32 MTA  
33 Assemblymember Richard Gottfried  
34 [Mayor's Office for People with Disabilities \(MOPD\)](#)  
35 Americans with Disabilities  
36 U.S. Department of Justice  
37 950 Pennsylvania Avenue, NW  
38 Civil Rights Division  
39 Disability Rights Section - NYA  
40 Washington, D.C. 20530  
41

1 **Transportation Planning Committee**

Item #: 14

2  
3 April 1, 2015

4  
5 Port Authority of New York and New Jersey  
6 Tunnels, Bridges and Terminals  
7 4 World Trade Center  
8 150 Greenwich Street, 22nd Floor  
9 New York, NY 10006

10  
11 **Re: Request for “No Turn on Red” Signs at Lincoln Tunnel Access Points**

12  
13 Dear .....

14  
15 Manhattan Community Board 4 (CB4) requests the assistance of the Port Authority of New York  
16 and New Jersey (PANYNJ) with the installation of additional “No Turn on Red Signs” at access  
17 points to and from the Lincoln Tunnel. Residents have complained about drivers around the  
18 Lincoln Tunnel making illegal left turns against the red light. CB4 believes that additional “No  
19 Turn on Red” signs will help correct this situation and improve the safety of our streets. We  
20 recommend of the installation of signage at the following intersections:

- 21
- 22 • 36th Street and Ninth Avenue
  - 23 • 35th Street and Dyer Avenue
  - 24 • 35th Street and 10th Avenue
  - 25 • 34th Street and Dyer Avenue
  - 26 • 40th Street and Dyer Avenue
  - 27 • 41st Street and Dyer Avenue
  - 28 • 41st Street and 9th Avenue
  - 29 • 42nd street and Dyer Avenue
- 30

31 In accordance with the the mission of the New York City Vision Zero initiative “death and injury  
32 on city streets is not acceptable.” Safer streets are the only way for New York City to achieve its  
33 goal of zero pedestrian fatalities or injuries, and the area around the Lincoln Tunnel has proved  
34 to be particularly dangerous. With your assistance, the installation of additional “No Turn on Red  
35 Signs” will greatly improve the safety of our streets.

36  
37 Thank you for your assistance and cooperation.

38  
39 cc

40 Congressman Jerry Nadler  
41 DOT Manhattan Borough Commissioner Margaret Forgione  
42 Councilmember Cory Johnson  
43 State Senator Brad Holyman  
44 Assemblymember Richard Gottfried  
45 Mayor's office for Community Affairs

46

2  
3 April 1, 2015

4  
5 Council Member Corey Johnson

6  
7  
8 **Re: Vision Zero High Priority Intersections**

9  
10 Thank you for speaking forcefully at the council Hearings on the Department of Transportation  
11 (DOT) FY 2106 Budget.

12  
13 Per your request, here are the four intersections we would like the DOT to address in priority  
14 based on the most dangerous intersections from 2009 to 2013, as reported in the Vision Zero  
15 Pedestrian Safety Action Plan for the Borough of Manhattan:

- 16  
17
  - W 42 Street and 8 Avenue - 5 pedestrians Killed or Seriously Injured (KSI)
  - 18 • W 40 Street and 8 Avenue - 7 pedestrians KSI
  - 19 • W 57 Street and 10 Avenue - 6 pedestrian KSI
  - 20 • 7 Avenue and W 14 Street - 4 pedestrian KSI

21  
22 **West 42<sup>nd</sup> Street and West 40<sup>th</sup> Street and 8<sup>th</sup> Avenue**

23 The two intersections at 42<sup>nd</sup> Street and 40<sup>th</sup> Street and 8<sup>th</sup> Avenue work in tandem, these high  
24 volume intersections provide pedestrian commuters access to the Port Authority. CB4 is on  
25 record for requesting the installation of a Barnes' dance pedestrian crossing system, which would  
26 stop all vehicular traffic and allow pedestrians to cross in all directions. This system would  
27 alleviate the pedestrian congestion at the corners, which causes pedestrians to step in the street.

28  
29 **West 57 Street and 10th Avenue**

30 The west 57 Street Corridor has seen an explosion in residential development that has not been  
31 matched by Transportation investments to make the corridor safer for pedestrians. The 57th  
32 street intersections at 11<sup>th</sup> Avenue, 9<sup>th</sup> Avenue, and 8<sup>th</sup> Avenue are also quite dangerous, as  
33 indicated in the Vision Zero Pedestrian Safety Action Plan for the Borough of Manhattan.

34  
35 **7th Avenue and West 14th Street**

36 A resolution supported by CB4 along with a petition by a coalition of residents recommended the  
37 conversion of the 7<sup>th</sup> Avenue corridor to a complete street. The conversion of 7<sup>th</sup> Avenue into a  
38 complete street would significantly improve the pedestrian safety environment at this dangerous  
39 intersection.

40  
41 In accordance with the Mayor's Vision Zero initiative and to help our community reach the goal  
42 of zero pedestrian fatalities or injuries, CB4 urges your office to support these traffic safety  
43 improvements, and requests your assistance in urging the Department of Transportation to  
44 implement these recommendations before another pedestrian is killed or seriously injured at one  
45 of these dangerous intersections.

46

1 Thank you again for your help in making the streets of our community a safer walking  
2 environment for all.

3

4 CC DOT

5 CC; CB5

6

DRAFT

2  
3 April 1, 2015

4  
5 Borough Commissioner Margaret Forgione  
6 Department of Transportation  
7 59 Maiden Lane, 35th Floor  
8 New York, NY 10038  
9

10 **Re: Change in Parking Regulations on the South Side of West 18<sup>th</sup> Street between 6<sup>th</sup> and**  
11 **7<sup>th</sup> Avenues.**

12  
13 Dear Commissioner Forgione:

14  
15 Manhattan Community Board 4 (CB4) requests a change to the parking regulations on the south  
16 side West 18<sup>th</sup> Street between 6<sup>th</sup> and 7<sup>th</sup> Avenues. More specifically, we request Alternate Side  
17 of the street parking from the corner going west from 6<sup>th</sup> Avenue and East from 7<sup>th</sup> Avenue for  
18 80'. We request the remainder of the block be "No Standing Except Truck Loading and  
19 Unloading 8am to 6pm M-F. Similar to existing regulations, evenings and weekends will  
20 continue to be parking for any vehicle with no time restraints.  
21

22 Like many blocks in West Chelsea, West 18<sup>th</sup> Street has a growing residential population,  
23 particularly near the Avenues at the same time many of its long-term commercial and industrial  
24 businesses are continuing to thrive. The current regulations on both the north and south side of  
25 the street is primarily 3 hour Metered Commercial parking 8am-6pm. Creating these two zones  
26 on the south side near the Avenues, which are currently primarily residential buildings, can  
27 create areas for residential vehicles, including for residents from both sides of the street  
28 interested in being able to drop off and pick up packages before parking in other parts of the  
29 neighborhood.  
30

31 We also appreciate that this solution, supported by both the residents and businesses who  
32 approached the Community Board, reflects a compromise. Residents had wanted a larger  
33 residential parking area and the retail, commercial and industrial businesses, which are feeling  
34 their growth restricted even by the existing regulations, wanted more minimal changes.  
35

36 We would like to note that both the businesses and residents who approached the Community  
37 Board had preferred a solution of metered parking for all vehicles – encouraging a turnover that  
38 was desirable for both. NYD DOT had indicated that it would not approve such a request since  
39 they have found substantial enforcement and other difficulties from such an arrangement. While  
40 we understand those concerns, we encourage the NYC DOT to more quickly utilize existing  
41 technologies and strategies that would permit metered rather than just uncharged street parking  
42 on mixed parking regulations blocks. This not only will enable to the city to better meet the  
43 needs of residents and businesses that prefer a higher turnover, but increases city revenues. It  
44 also increases the parking regulation tools available to Community Boards seeking to maintain a  
45 healthy mixed use district.  
46

1 We again appreciate the efforts of both residents and businesses on the block working together to  
2 identify a solution and the continued open dialogue provided by DOT staff in seeking to address  
3 our Community Board's street parking needs.

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10  
11  
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Sincerely,

DRAFT