



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

JESSE BODINE
District Manager

November 6, 2015

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

Re: Application for modification of a special permit for existing parking garage at 340 West 31st Street

Dear Chair Weisbrod:

At its regularly scheduled full Board meeting on November 4, 2015, Manhattan Community Board 4 (CB4), on the recommendation of its Chelsea Land Use Committee, by a vote of 40 in favor, 0 opposed, 0 abstaining and 0 present but not eligible to vote, voted to recommend approval with conditions of an application for a special permit modification under ZR 13-45 and ZR 13-451 for an existing parking garage at 340 West 31st Street. The conditions include requests regarding the height of the fence, street landscaping, CB4 review of sidewalk plan, monitoring morning rush hour conditions and a ten-year term for the special permit, if approved.

Background

The existing public parking garage consists of a sub-cellar, cellar and eight stories; parking spaces are on each level and the roof. The rear yard is twenty feet deep. In 1971 the City Planning Commission (CPC) approved an application for special permits to allow 241 parking spaces with some spaces on the roof and a ten-foot portion of the garage building above 23 feet as a permitted obstruction in the rear yard. Those permits expired in 2001, and the garage was operating illegally with more than the 241 permitted spaces until 2012.

In December 2011 CB4 conditionally recommended approval of a special permit for 309 parking spaces with fifteen reservoir spaces, permitted obstruction of a ramp in the rear yard and two new 22 foot wide curb cuts. The Board was pleased with the planned changes, particularly the removal of all parking on the ground floor area other than reservoir parking, a new bicycle parking area, and an improved opening at the sidewalk that reduced the number of active lanes for entering and exiting the garage from six to four (see enclosed 2011 CB4 letter). In 2012 CPC

granted the proposed special permit. The design in the approved 2012 special permit was never implemented; the permit expires in February 2016.

The Current Application

The applicant now has an alternative proposal to the 2012 design which is to be more cost-effective and efficient. The proposed application, a minor modification of the approved 2012 special permit, would provide 249 parking spaces with twelve reservoir spaces, the use of the existing ramp instead of a new ramp in the rear yard, and one 30-foot wide curb cut and one 10-foot wide curb cut (total of 40 feet of curb cuts), located in the center of the property. The design includes fences to improve pedestrian safety on either side of the curb cuts, rising from the sidewalk to a height of three feet.

CB4 Recommendation

CB4 recommends approval with conditions of this application for a special permit modification.

CB4 is pleased that this application would reduce the number of proposed parking spaces from 309 (2011 application) to 249 spaces with twelve reservoir spaces (total of 261 spaces), and would reduce the width of the curb cuts by four feet.

The current proposed design addresses some, but not all, of the conditions CB4 set forth in 2011. CB4's 2011 recommendation for approval was conditioned on the following improvements (shown in italics):

Sidewalk-level barrier - With the reduction of the number of active lanes to four total lanes, the applicant must construct a physical barrier, such as a wall or parapet, along the front of the garage across the remainder of the garage front. Such a barrier will reinforce the new driveway limitation while providing clarity to drivers and pedestrians as to the location of the driveway.

The applicant initially proposed to build a three-foot high fence on the right and left sides of the garage front with the curb cuts in the center, but has now agreed to build a full height fence, from the sidewalk to the bottom edge of the front brick opening.

Adequate downlighting on the sidewalk - The applicant must increase the amount of light on the sidewalk to improve pedestrian visibility to drivers with through downlighting attached to the garage structure. Poor lighting on the sidewalk currently compromises the safety of pedestrians in front of the active driveway at night, particularly in contrast with the high lighting levels inside the garage.

The applicant stated that this lighting has already been installed.

Handicapped accessible sidewalk - The applicant must modify the sidewalk near the garage driveway. It must be textured to adequately alert persons who are visually impaired of the presence of the active driveway and it must be leveled for the comfort of pedestrians and to prevent the visually impaired from mistakenly angling towards the street while walking in front of the garage.

The applicant states that they are willing to install textured sidewalk in order to alert the visually impaired and will work with the Department of Transportation for approval to do so. In order to further enhance pedestrian safety, the applicant has installed chimes that ring when a vehicle is entering or exiting the garage.

Sightlines - Trees must not obstruct sightlines for drivers entering and exiting the garage. While we very much like and appreciate the proposed addition of trees to the sidewalk, they must not compromise safety.

Two sidewalk trees are included in the current proposed design on the far left and far right, in front of the proposed fence. The applicant explained that they have filed for these trees but the application has not yet been approved. There may be utilities under the sidewalk which would prevent the approval of tree pits in these two locations. In that case the applicant has agreed to install planters as long as sightlines are not compromised. If the two trees are not approved or interfere with sightlines, the applicant will donate the trees for another location in the neighborhood.

Sidewalk design review - The applicant must review plans for sidewalk changes in front of the garage with the community board before finalizing plans for construction.

The applicant said that they have repaired the sidewalk temporarily and that they fully intend to completely replace the sidewalk. The applicant has agreed to bring the sidewalk plan to CB4 for review.

Structural study - The Department of Buildings must be satisfied that the garage structure meets engineering standards that are sufficient to accommodate the increased allowable parking.

Since the current application does not increase significantly the number of cars to be parked in the structure, we are comfortable that Department of Building's normal review will be sufficient to ensure structural safety.

Limited permit term - Although we are recommending conditional approval of the present application,we recommend that if they are granted, the special permits be for a period of ten years, at which point the permits can be reevaluated in light of the operator's record of compliance and the changes to the neighborhood.

CB4 continues to request that if this special permit modification is approved, the term of the permit should be for ten years.

CB4 is concerned about the current morning rush hour backing up of vehicles onto the sidewalk and whether or not the garage has sufficient staff to move the vehicles quickly into the garage. The applicant expects that the current proposed design would provide more efficient reservoir space, allowing a constant flow of vehicles on the first floor. If necessary the garage will add more staff in the morning beyond the current nine employees.

CB4 notes that there are 32 bike racks in the garage, and encourages the applicant to provide more if possible, and to offer shorter time rates with lower prices. The current rate is \$15 for 24 hours; \$40 for one month.

In summary, CB4 recommends approval of the modification of the special permit with the following conditions:

1. The addition of a full fence (from the sidewalk to the bottom edge of the front brick opening in two locations, to the right and left of the center curb cuts) for safety and aesthetic reasons.
2. If the two proposed street trees are infeasible, the applicant should add other green landscaping such as planters and/or greenery on the fences.
3. The applicant will bring the sidewalk plan to CB4 for review.
4. The applicant will monitor the morning rush hour and add more staff if vehicles back up onto the sidewalk.
5. If this special permit modification is approved, the term should be for ten years.

Sincerely,



Christine Berthet
Chair



John Lee Compton
Co-Chair
Chelsea Land Use Committee



Betty Mackintosh
Co-Chair
Chelsea Land Use Committee