



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

June 9, 2008

Hon. Amanda M. Burden, Director
New York City Department of City Planning
22 Reade Street
New York, NY 10007-1216

Re: ULURP Application No. C 070261 ZSM – Application for a special permit for a Public Parking Garage at 133-145 West 22nd Street

Dear Director Burden:

After presentations at the Chelsea Preservation and Planning Committee and at a duly noticed public hearing at the regular board meeting on June 4, 2008, Manhattan Community Board 4 voted by roll call to recommend denial of the application for a special permit for a Public Parking Garage at 133-145 West 22nd Street unless the applicant reduces the number of spaces to 20% of the number of dwelling units, reserves a majority of those for monthly parkers living in the community and eliminates stackers. The vote was unanimous.

The applicant is building a 13 story residential building with 99 dwelling units and ground floor retail on the north midblock of West 22nd Street between Sixth and Seventh Avenues. The midblock including the site is zoned C6-3A, which permits residential uses as of right. The applicant wishes to include a 137-car Public Parking Garage in the building, consisting of 47 parking places and 45 two-tier stackers, all serviced by two elevators. On an operating note, we question whether the two elevators located at the far end of the proposed garage would be capable of handling heavy transient business.

A Public Parking Garage is not a permitted use in a residential district, but is allowed in a commercial district by special permit. Despite the C6-3A zoning, there is no doubt that this is a residential building. Therefore, although technically permitted by the Zoning Resolution, we believe that this application is not consistent with the basic policy of protecting residential districts from public parking garages and should be rejected.

CB4 recommends denial of the special permit for two reasons:

- i) the applicant does not meet three of the findings required by Section 74-52 of the Zoning Resolution: a) the use is incompatible with vital and essential functions,

- c) it will draw traffic to surrounding residential areas and e) the streets are inadequate for the additional traffic; we further note that Section 74-31(d) of the Zoning Resolution requires DCP to refer the application to the Department of Traffic for its report with respect to anticipated traffic congestion;
- ii) the application is inconsistent with the broad goals of the city to reduce traffic in Manhattan below 110th Street, as stated in Section 13-00 of the Zoning Resolution as well as in PlaNYC and other forward-looking statements of city policy.

Special Permit Findings Under ZR 74-52

- (a) “That such use will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located;”

The 1999 rezoning of this part of Chelsea through the community’s 197a Chelsea Plan has resulted in significant residential development of former manufacturing zones. The vital and essential functions of this area are rapidly becoming residential uses, which are incompatible with the traffic generated by a public parking garage.

- (c) “that such use is so located to draw a minimum of vehicular traffic to and through local streets in nearby residential areas;”

The proposed facility is located midblock on a narrow street that is becoming predominantly residential. Although the area is zoned commercial rather than residential, it is not possible to reach the proposed facility without passing along a local residential street. This is especially true for a motorist approaching from the west of Seventh Avenue along West 22nd Street.

- (e) “that the streets providing access to such use will be adequate to handle the traffic generated thereby;”

The street on which the proposed facility is located is narrow and is becoming increasingly congested. In addition, according to the applicant traffic will arrive via 23rd Street and Seventh Avenue and leave via Sixth Avenue, all of which are congested.

We believe that one of the principal shortcomings of the current method of analyzing the appropriateness of applications for special permits such as this one is the failure to take into account the cumulative effects of parking facilities currently in the area or made possible by rezoning, as is the case here. We believe a better approach than sequential approval of multiple applications would be establishment of a maximum parking density based on traffic studies and then the distribution of parking facilities throughout the area.

Manhattan Traffic

New York City has established a broad policy of reducing vehicle traffic in Manhattan below 110th Street. The means to achieve this range from the established prohibition on Public Parking Garages in residential neighborhoods to proposals for congestion pricing. With the Lincoln Tunnel, Port Authority Bus Terminal, the passenger ship terminal and the Javits Convention Center within its boundaries, Community District 4 struggles daily with severe traffic congestion and enthusiastically supports efforts to reduce it.

We expect nearly 25,000 additional residential units in the next few years from our two recent rezonings and the proposal for the Western Railyards, as well as continued residential development in the vicinity of Sixth Avenue resulting from the 1999 implementation of the community's Chelsea Plan. We believe that emphasis must be placed on making public transportation more effective and private vehicles less attractive.

We urge DCP to deny this application for a special permit for a Public Parking Garage unless the number of spaces is reduced to 20% of the number of dwelling units, a majority of those are reserved for monthly parkers living in the community and stackers are eliminated.

Sincerely,



Jean-Daniel Noland
Chair



J. Lee Compton
Chair, Chelsea Preservation and Planning

Cc: Marvin B. Mitzner, Esq., Blank Rome (Applicant's Representative)
NYC Council Speaker Christine Quinn
Manhattan Borough President Scott Stringer
NYS Senator Tom Duane
NYS Assemblyman Richard Gottfried