

IN THE MATTER OF a zoning change, pursuant to Section 197-c and 200 of the New York City Charter, involving amendments of the Zoning Map, Section 12c, (A) from an existing C6-1 to C6-4 District on property bounded by E. 17th Street, a line 100 feet east of Union Square East, E. 15th Street, Irving Place and its southerly prolongation, a line midway between E. 13th and E. 14th Streets, a line 100 feet west of Union Square West, a line 100 feet west of Broadway, a line midway between E. 17th and E. 18th Streets and line 100 feet west of Park Avenue South, (B) establishing of a Special Union Square District on property bounded by a line 100 feet east of Park Avenue South and Union Square East, E. 15th Street, Irving Place and its southerly prolongation, a line midway between E. 13th and E. 14th Streets, a line 100 feet west of Union Square West, a line 100 feet west of Broadway and a line midway between E. 17th and E. 18th Streets, Borough of Manhattan, Community Boards 2, 3 and 5, as shown on a diagram dated June 18, 1984, which may be seen in Room 1514, 2 Lafayette, New York, New York

This proposed amendment, in conjunction with related zoning text amendments will enable the creation of the Special Union Square District to encourage appropriate new development and establish guidelines for the Union Square area.

RELATED AND CONCURRENT APPLICATIONS

In addition to the amendment of the Zoning Map which is the subject of this report (C 841005 ZMM), in order to establish the special district, the City Planning Commission must act favorably on application N 841006 ZRM, amendment of the Zoning Resolution, establishing a new Union Square special zoning district and amending various other sections of the zoning resolution relating to Union Square.

An application for special permits for a new residential/commercial mixed use building within the district (C 850001 ZSM) is being considered concurrently by the Commission. It should be noted that the special district is independent of that special permit request, was certified prior to that application, and is being considered separately.

BACKGROUND

Union Square is situated at the juncture of a number of major streets, including Broadway, Park Avenue South, Fourteenth Street and Fourth Avenue, three major subway lines, four community boards, and touches on the periphery of areas as diverse as Midtown South, Gramercy Park, the Lower East Side, and Greenwich Village. Union Square Park, the centerpiece of the eight acre City Square, is surrounded by traffic arteries and parking areas and is elevated

above the surrounding sidewalks to accommodate the subway mezzanine below. General land uses consist of union headquarters, publishers, secondary office users and ground floor retail. Only three residential buildings are on the Square.

Commercial structures with masonry or brick facades such as the Lincoln Building or the Bank of the Metropolis, which were erected between 1890 and 1920, give the Square its architectural character. Typically these buildings are streetwall buildings, rising from the property line to a height of 85 feet to 150 feet with several buildings reaching higher than 200 feet. Richly detailed facades enhance and contribute to the Square's scale and ambience.

This context is interrupted in several places. The parking lot on Union Square West forms an empty void adjacent to the Square. There are also several lower commercial "taxpayer" structures. Intended originally to cover the cost of holding a site for future development, these buildings contribute little to the Square's image.

There is an important concentration of retail uses on 14th Street including Mays Department Store. Retail continuity is strong but is occasionally broken up by vacant sites such as the former S. Klein Department Store or by non-retail uses such as the New School further to the West.

The Union Square subway station complex, one of the most important components of the area's infrastructure, consists of three subway lines interconnected by a system of mezzanine and passageways. The physical configuration of the station complex is confusing and uncomfortable for subway users. Its maze-like structure, the result of gradual and piecemeal development contains circuitous and unsafe passageways. At street level, the station entrances are undistinguished, clutter the sidewalk and, in some cases, the entrance locations create vehicular and pedestrian conflicts.

The area immediately surrounding Union Square has declined over many years. Its blighted image is reinforced by a high level of vacancies and a number of underutilized sites. The subway station complex, which contributed importantly to the area's growth, is also part of the current problems.

Because of difficult access and a proliferation of drug selling, the park in the center of the square has been generally regarded as unsafe and unattractive.

In response to these problems, the Department of City Planning released a draft proposal in November 1983 calling for the creation of a Union Square Special zoning district which would promote and guide appropriate development in the area of the square. The district is intended to reinforce the mixed use character of the area around the Square, to reinforce the form and function of the Park which is being reconstructed, to encourage the built form of new development to reflect the existing context, and to improve the Union Square subway station's functioning.

The history of this effort can be traced to the 1975 closing of the S. Klein Department Store when Union Square became the subject of great concern by both the public and private sectors. The conditions of the Square proper, which indicated neglect and lack of investment interest, led to several studies which recommended various strategies for intervention.

In 1976, the Department of City Planning in cooperation with a community steering committee which represented business and community leaders, published a report titled Union Square/Street Revitalization. The report recommended ways to solve pedestrian/vehicular conflicts in the streets, to improve the Park and the subway station, and to encourage mixed use development around the Square. The Department of City Planning committed itself at that time to a zoning study.

In 1980, the 14th Street Local Development Corporation (LDC) issued the third draft of its Union Square Zoning Study which recommended a Special Zoning District acknowledging the Square's unique character, historic importance and pre-eminent location. The study recommended an upzoning to stimulate new development around the Square.

In 1982, the Department of City Planning initiated a zoning study to assess the appropriateness of the existing C6-1 zone around the square. An active dialogue evolved among Department of City Planning staff and community groups in more than 70 public meetings with the affected Community Boards and other civic groups. The special district proposal which is the subject

of this report evolved from the wide variety of opinions that were expressed during this process.

In order to achieve the objectives discussed in the Department report, the Special District proposal addresses four aspects of the physical setting:

- o An increase in density combined with special bulk distribution regulations to encourage development, especially residential, which is compatible with the existing context and is built to a scale which is sympathetic to Union Square.
- o Groundfloor use regulations and streetscape regulations to ensure that new development reinforces the existing retail functions and retail continuity along 14th Street. Groundfloor retail uses will continue to be permitted along Union Square which will contribute to its revitalization as a public space.
- o Signage controls around the Square to ensure that new business signs are complementary to the quality and character of this urban space.
- o Developments on sites immediately adjacent to the Union Square subway station will be mandated to construct new subway entrances within their property line and will, through a special permit, be able to achieve bonus floor area for the implementation of specific functional improvements to the adjacent subway station.

In addition to the proposed special district, a series of public and privately initiated improvement activities are currently planned or under way which indicate an increased commitment to the revitalization of the area.

- o The City's Department of Parks began reconstructing Union Square Park in Spring of 1984. The parkland south of 16th Street is being repaved and relandscaped and made more visible and accessible. A second phase will expand the parkland on Union Square West and to the north to include the parking areas.

The Departments of Parks and Highways have established traffic patterns and locations which will allow for easier pedestrian access to the park as well as more efficient traffic flow.

- o In a plan approved by the City Planning Commission and the Board of Estimate the 14th Street LDC established a Business Improvement District (BID) which allows for special assessment of real property within the district. This additional tax levy will be utilized to stabilize and improve business conditions on 14th Street.
- o The Department of Traffic included the resurfacing of 14th Street in its 4 year program. Construction is scheduled for FY'86.
- o The IRT Division of the Union Square station has been included in the MTA's Station Modernization program for improvements to the platform level. Construction is scheduled in 1986.

ENVIRONMENTAL REVIEW

The application was reviewed by the Department of Environmental Protection and the Department of City Planning pursuant to the New York State Environmental Quality Review (S.E.Q.R.) set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.000 et. seq. (6 N.Y.C.R.R. 617.00) and the New York City Environmental Quality Review (C.E.Q.E.) regulations set forth in Mayoral Executive Order No. 91 of 1977. A Draft Environmental Impact Statement (DEIS) was prepared and a Notice of Completion for the DEIS was issued on June 15, 1984.

A public hearing on the Draft EIS was held on October 17, 1984 to coincide with the City Planning Commission Public Hearing pursuant to the Uniform Land Use Review Procedure (ULURP).

The major issues that the Commission considered in reviewing the EIS were the following:

- o The proposal would lead to a substantial change in the use and intensity of use of land. A 25 percent growth in building space projected to occur over a 10-year period would be manifested in

the appearance of new commercial and residential development and the rehabilitation and upgrading of vacant or underutilized sites. Phase one development and upgrading would, by 1987, result in approximately 1,020,000 square feet of newly constructed and upgraded building area. The total for Phase Two, by 1994, would be approximately 950,000 square feet. Of the total projected development, between 694,500 and 1,494,200 square feet, are expected to be residential, representing 770 to 1,660 dwelling units. Similarly, commercial land use changes are projected to range from 175,000 to 975,000 square feet within the proposed District.

- o A number of historically or architecturally significant buildings within the District are not New York City Landmarks and are not listed on the National Register of historic places. Some of these properties may experience added development pressures due to the District changes. Their vulnerability lies in the fact that these properties do not have a substantial existing Floor Area Ratio (FAR).
- o The proposal is expected to result in the development of approximately 103,000 to 486,000 square feet of retail, office, and other commercial space by the completion of Phase One (1987) along with additional 75,000 square feet of rehabilitated space. 72,000 to 290,000 square feet of new commercial space along with 225,000 square feet of rehabilitated spaces are expected by the end of Phase Two (1994).

Should these projections be realized, physical redevelopment of sites and the changes induced by an increasing demand for higher income bracket shopping would result in some displacement of existing retail establishments and their replacement with new ones. The most vulnerable area for any displacement is the potential development site on 14th Street between Broadway and Fourth Avenue. The displacement of other smaller retail establishments might also occur. This type of displacement is expected to be localized and largely confined

to the 14th Street portion of the Special District and immediately adjacent areas.

- o The incremental traffic associated with new development resulting from the proposal would increase volumes throughout the impact area network. A number of links would reach or exceed capacity under the 1987 and 1994 Build conditions. Critical links are located along much of Third Avenue northbound, particularly at Broadway; and along Union Square East northbound to 16th and 17th Streets.

A number of mitigation measures are disclosed which when applied singly or in combination would reduce impacts to at least the Future No-Build condition. These measures include Union Square East Reconstruction now planned as the second phase reconstruction of Union Square Park. The plan includes a major rechannelization and rebuilding of the traffic route around the Park. Other measures include signal retimings, day-lighting (creating space at an intersection upstream of a turn), no standing/no parking regulations and traffic enforcement agents.

These mitigation techniques, in order to reduce traffic impacts to the No-Build condition at significantly impacted intersections, are grouped into two sets depending on the severity and nature of the identified problems. The first set of measures includes:

- o Reconstruct Union Square East to provide three free-moving lanes along Union Square East, eliminate on-street parking, and improve traffic operations at the intersection of 14th Street and Union Square East (see previous discussion on mitigation of traffic impacts).
- o Signal retiming.
- o Daylighting.

The second set of measures includes:

- o No standing/no parking regulations along Third Avenue and 14th Street.

- o The measures included in the first set above, except for elimination of the daylighting measures along Third Avenue and 14th Street due to implementation of the no standing/no parking regulations.
- o The use of traffic enforcement agents (TEAS) during the morning peak-traffic period, at the intersections of 18th Street and Park Avenue, and Third Avenue at 19th Street.
- o Afternoon peak traffic periods require TEAS at Broadway and 17th Street, 20th Street and Park Avenue South and Third Avenue at 19th Street.
- o The existing S. Klein site includes a nearly fully occupied, 24-unit single room occupancy (SRO) hotel at One Irving Place, on the northwest corner of Irving Place and 14th Street. The proposed development of this site includes acquisition and demolition of the SRO building. Therefore, a resulting impact would be displacement of the 22 occupants of the hotel. In light of the general shortage of similar or replacement rental housing for lower income individuals, such displacement would adversely affect the residents of the hotel. The developer of the S. Klein site is evaluating alternative ways to mitigate the impacts of any displacement from the building. Should the S. Klein proposal not be approved or proposed mitigation measures for that proposal not be implemented, it is likely that the SRO structure would nevertheless be displaced. A potential mitigation measure available to the City would be to provide for the relocation of the existing tenants to comparable space.
- o In 1987, the proposed zoning creates a violation of the 8-hour Carbon Monoxide (CO) National Ambient Air Quality Standard (NAAQS) on Broadway between 17th and 18th Streets. In 1994, the proposed zoning creates CO violations at 2 locations, Broadway and 14th Street, 3rd Avenue between 16th and 17th Streets.

Additionally, significant air quality impacts occur at five locations in 1987; Broadway and 14th Street, Union Square East and 17th Street,

3rd Avenue between 16th and 17th Streets, Park Avenue South between 18th and 19th Street and 3rd Avenue between 17th and 18th Street and at one location in 1994; Union Square East and 17th Street. In 1987, these increases in CO result in exacerbations of existing Air Quality violations. In 1994, this impact results in a significant deterioration in air quality but does not result in or exacerbate the NAAQS for CO.

Without mitigation, the proposal would be inconsistent with the goals of the New York State Air Quality Implementation plan (SIP) for New York City.

Mitigation measures (STEP I and STEP II) disclosed in the traffic section would result in the elimination of all significant impacts caused by the proposal. In addition, in 1987 the full mitigation program would result in a significant improvement of air quality over the future conditions without the project. It would in fact eliminate the predicated violations of the NAAQS.

- o In order to achieve acceptable indoor noise level (Ldn of 45 dbA), as recommended by the U.S. Environmental Protection Agency, all new residential uses in the district would be required to incorporate double-glazed windows and alternate means of ventilation.

Beneficial Impacts

If the goals of the Special Zoning District are achieved, the following beneficial impacts would be realized:

- o Improvement of the physical appearance of the streets by establishing streetscape requirements and signage controls.
- o Improvement of the 14th Street - Union Square Subway station access, visibility and pedestrian circulation on the mezzanine.
- o Encourage active utilization of Union Square Park.
- o Increase the economic viability of 14th Street and other streets around the square by encouraging retail activity.

- o Increase the real estate taxes and payments accruing to the City from the increased development in the area. It is estimated that full value of real estate payments after development would be approximately \$11.6 to \$12.8 million. Additional tax revenues would include increased sales tax, corporate, commercial occupancy, and related taxes, and personal income taxes.
- o Provide a total of \$105 to \$115 million in wages and salaries, and approximately \$65 to \$71 million in goods and services.
- o Provide 750 to 3,950 permanent jobs.
- o Provide residences for approximately 460 to 1,270 residents.

A Notice of Completion of the Final EIS was issued on November 9, 1984.

UNIFORM LAND USE REVIEW PROCEDURE

On June 18, 1984, the City Planning Commission certified this application as complete and duly notified Manhattan Community Boards No. 2, 3, and 5 and the Borough Board. In addition, the Commission informally referred the application to Community Board 6, which is adjacent to the Special District.

Community Board Public Hearings

On July 12, 1984, Community Board No. 5 held a public hearing on the matter and voted in favor of the proposal.

On September 13, 1984 Community Board 5 passed a resolution requesting that no demolition be permitted within the special district for 6 months or until the Landmarks Preservation Commission had been able to assess the cultural, architectural or historic significance of Union Square and certain buildings on the Square. The resolution, including the list is attached as Appendix A.

On July 9, 1984 Community Board No. 2 held a public hearing on the matter and voted on July 19, 1984. A copy of the resolution is attached as Appendix B.

In summary, Board 2 favored portions of the Special District which regulated ground floor use (119-11). Sign regulations (119-2), regulations prohibiting plazas (119-30), entrance location regulations (119-40) and mandating relocation of subway stairs. Community Board No. 2 opposed the proposed 10 FAR for residential and community facility uses on the south side of 14th Street and recommended a residential and community facility use FAR of 4 with a total, including commercial use, not exceeding FAR of 6.

On July 23, 1984, Community Board No. 3 held a public hearing on the matter and voted against the proposal. The vote was 1 in favor, 6 opposed and 1 abstention, a copy of their resolution is attached in Appendix C.

Although not an official review under ULURP, Community Board 6 also held a public hearing on the matter and passed a resolution, a copy of which is attached in Appendix D. In summary, CB 6 favored the concept of a Special District but opposed a number of aspects of the application. The board resolution proposed maximum FAR of 7.52 with no floor area bonuses permitted. CB 6 proposed that the Special District boundaries be expanded and that a temporary moratorium on demolition be imposed for the Special District until the Landmarks Preservation Commission acts to designate individual landmarks or an historic district.

Borough Board Public Hearing

On September 10, 1984 the Borough Board of Manhattan held a public hearing on the matter and voted against the proposal, with recommendations substantially similar to the CB 6 resolution.

CITY PLANNING COMMISSION PUBLIC HEARING

On September 19, 1984 (Calendar Nos. 12, 13, and 14), the City Planning Commission scheduled a combined public hearing on the following items:

- a. C 841005 ZMM - An amendment of the Zoning Map, Section 12c, changing a C6-1 District to C6-4 District and establishing the Special Union Square District.
- b. N 841006 ZRM - An amendment of the Zoning Resolution, establishing new Chapter 118 and amending various other sections concerning the Special Union Square District.

- c. C 850001 ZSM - Applications for Special Permits (as described below) involving a new residential/commercial mixed use building on the block bounded by Union Square East, Irving Place E. 14th Street, E. 15th Streets, commonly known as the S. Klein Department Store site. A Special Permit to grant residential floor area bonuses for development which provide improvements to the 14th/Street Union Square Subway Station in accordance with Section 118-70 and Section 74-634; and a Special Permit to permit modification of Height and Setback regulations in accordance with Section 74-721.

The hearing was duly held on October 17, 1984 (Calendar No. 25, 26, 27). There were 67 appearances, 29 in favor and 38 opposed to the actions. In addition the Commission received written comments from 22 individuals and organizations. Eighteen wrote in favor of the actions, 2 in opposition and 2 made comments regarding specific aspects of the district.

In this report, comments regarding the Special Union Square District are summarized below. Statements in favor of the Special Union Square District were varied and can be summarized as follows:

An officer from Community Board 5 presented the Board's position in favor at the application. Economic, social and community needs must be coordinated to resolve the problems of Union Square. The Special District is one component and will assist in arresting deterioration and attract investment. The representative also expressed concern that positive aspects of the neighborhood be preserved and presented a resolution to the Landmarks Preservation Commission asking them to ensure protection of several landmark quality buildings facing Union Square.

A number of residents and university students who lived in or attended school in this area spoke of their perception of the Union Square neighborhood as being unsafe. This perception was caused by the presence of vacant buildings, a dirty and circuitous subway station and criminal activity in the Park and streets. Some mentioned that the problem was more severe during the evening hours. Attracting new development and active uses was seen as a way of improving the area's image and sense of security.

A representative of a corporation having headquarters and 1,200 employees at Union Square also mentioned the area's poor image. Employees were reluctant to stay at work after dark and use the subway stations at other than peak times. Recruitment of new employees was difficult. While rezoning and development would not solve all social problems, subway improvements and new construction were essential to the area's revitalization.

A representative from an area university estimated that one quarter of its 30,000 students use Union Square as a "gateway" to its campus. The DCP proposal was an important beginning to bring about positive changes to the area.

A representative from a Local Development Corporation endorsed the Special District. The Special District was seen as part of a combined public/private strategy to improve this area. Other efforts to revitalize Fourteenth Street include Park reconstruction, Commercial Revitalization Programs, street and traffic improvements, subway station modernization and a Business Improvement District. The LDC supported the Special District and the proposed density because the Square is a major transportation hub and a regional shopping resource with adequate open space to support new economic, cultural, and residential activity. The Special District contains controls which minimize height, eliminate towers and plazas, and protect light and air. The bulk controls will ensure that new developments will appropriately frame the park. The LDC also stated that 10 FAR, bonusable to 12 on certain sites is an economic necessity to encourage new development.

A representative of a local Business Association representing merchants testified that businesses in the Union Square area had declined, that there had been no new construction in twenty years and that businesses were leaving. The Special Zoning District represents progress and an impetus for attracting development, retailing and new residents.

A theatre organization in the area supported the Special District, expressing concerns about the quality of life in Union Square and security of staff and subscribers. The Special District was seen as a way of materially improving the neighborhood.

A representative for a state senator testified in favor of creation of the Special District and most of the provisions in the proposal. The representative expressed the senator's concerns about the proposed density and urged that measures be taken to ensure that buildings of architectural merit be protected. He testified in favor of elimination of plaza bonuses, and the requirement for a unified streetwall, and in favor of retail and streetscape regulations.

Several Citywide planning civic organizations submitted testimony supporting the Special District as a method of attracting mixed use development by private investment which would stabilize the neighborhood and enhance the 14th Street retail corridor. One organization testified that the Special District would allow the development of much-needed housing in a chronically scarce market. The height and setback regulations would result in greater visual coherence around the Square.

Those appearing in opposition, included a number of elected officials or their representatives, officers of Community Boards No. 2, 3 and 6, local civic organizations and residents of the area.

The elected officials who appeared in opposition supported the general purposes of the proposed Special District but opposed the proposed density of 10 to 12 FAR for residential development. Furthermore the elected officials were opposed to floor area bonuses for subway improvements. Concerns raised by the officials included loss of sunlight on Union Square Park, potential demolition of

architecturally significant buildings, subway improvements that would be "cosmetic", overcrowding of the streets and subway, displacement of low and moderate income housing and single room occupancy hotels, and displacement of commercial and manufacturing firms.

A number of area residents spoke in opposition to the proposal for a variety of reasons:

One concern was the potential loss of architecturally significant buildings caused by demolition for redevelopment. Several recommended that a "no demolition clause" and Landmarks designation completed with a lower FAR than proposed, would effectively preserve significantly buildings.

Another concern was that rezoning would allow development which would block sunlight and air to Union Square Park. Shadows would make the park less desirable and attractive to potential new users.

Other residents were opposed to the proposal to allow floor area bonuses for subway improvements. The potential subway improvements were considered "cosmetic" or would not address the major outstanding problems of the station. Added bulk, as a result of a proposed improvement would block sunlight to the Park.

Representatives of several social service organizations expressed concern about the potential displacement of occupants of SROs within as well as outside of the special district.

A speaker expressed concern that the development of Union Square could displace commercial photographers who have studios in Manhattan. The speaker claimed real estate speculation in this area has decreased the availability of affordable studio space.

An area resident submitted a petition which contained several pages of signatures stating the following:

As a community resident surrounding and adjacent to Union Square, I am for reasonable development of the Klein's Site but AGAINST HIGHER ZONING

ON ALL OTHER SITES fronting on Union Square Park.

The hearing was closed.

CONSIDERATION

The Commission has considered the Union Square special zoning district in light of several important directions which have been taken in recent years.

The first of these is the Commission's direction to review zoning designations on an area-wide or neighborhood scale and to use as an important basis of that zoning review the scale and character of the existing built environment. This approach is important because it recognizes both the value of existing context and the need to assure that any new development is compatible with that context. In many areas of the City zoning designations which date from 1961 may not be in a form which assures compatible new development. The Commission has placed a priority on reviewing those 1961 zoning designations for areas that are likely to experience new construction activity in the future, with the firm conviction that such planning should precede development, and thereby guide its form.

This approach has led the Commission, in the recent past, to prohibit so-called "sliver" buildings, and to re-zone a large portion of the Upper West Side. It has now led the Commission to propose rezoning the immediate area of Union Square. Whereas the first two examples generally reduced density and the third example, Union Square, increases permitted density, the Commission's consideration and action on these items is consistent. The analysis of both the existing context and the capacity for growth, and the tools for assuring the compatible form of that growth have been consistently applied. The Commission believes it is important to emphasize that the consistent application of its principles and analysis will, in some cases, lead to what is simplistically called a "down zoning" and in other cases, to what is simplistically called an "upzoning". Each area's context and capacity may vary; the Commission's approach will not.

Two other broad directions are part of the background of the Commission's consideration of the Union Square zoning. One is the City's desperate need for additional housing for all income groups. With the severe cutbacks in Federal housing assistance for low and moderate income housing, the production of new housing units has been left with the private sector, and that production has been woefully small. The Commission recognizes that the private development of market-rate housing does not answer the housing needs of low and moderate income citizens. However if the City fails to encourage private housing development where it is appropriate and feasible, we will only exacerbate the overall critical housing shortage. These considerations have helped shape the Commission's action on Union Square, where the introduction of a residential presence to the edges of this Park is important to the immediate area, as well as being a small part of a City wide housing strategy.

Finally the Commission has been concerned with the clarity and simplicity of the Zoning Resolution. It is understandable that a City as complex and varied as New York would have so lengthy a zoning resolution. But it is important that additions to that Zoning Resolution be clear, straight-forward and consistent with existing provisions. The Commission has applied these standards to new zoning text, and especially to the creation of any new special zoning districts. In the case of Union Square, most of the provisions of the district from existing parts of the Zoning Resolution, but are assembled in a format that is appropriate for the unique needs of Union Square. These provisions are ones that are understandable, realistic and enforceable and have been tested through experience.

The Union Square special district proposal grew out of the recognition that an area suffering from a poor image and neglect was further burdened by an inappropriate zoning designation. Many factors were seen to contribute to this negative image: a subway station with functional inadequacies, a park known as a major center of illegal drug use, and vacant land unbuilt upon and empty buildings not repaired and rented. It was further recognized that Fourteenth Street and Union Square proper have benefited little from

the development trends and upgrading in the broader area which has concentrated on the midblocks and the adjacent avenues. The last significant new construction around the square occurred more than 20 years ago during the grace period of the 1961 Zoning Resolution when a residential building located on the southeast corner of Fourth Avenue and 14th Street was built at an FAR of 9. Under the current C6-1 zoning, that building would not be allowed.

The Union Square Special zoning district is intended to promote and guide appropriate development in the area of the square. The main goals of the zoning change are to encourage new development which is primarily residential so as to revitalize and re-inforce the mixed use character of the area around the Square, to re-inforce the form and function of the Park which is being reconstructed, to encourage the built form of new development to be compatible with the existing context, and to improve the subway station's functioning. The Commission believes that the proposed Union Square special zoning district provides a balanced and reasonable approach to meeting these goals.

The Commission's intention in proposing new zoning prior to any specific development proposals was to guide development so as to achieve the goals of the district rather than responding in an ad hoc fashion to proposals for specific sites. The concurrent application for a mixed use residential and commercial building (C 850001 ZSM) was submitted after the special district zoning was certified and over seven months after the zoning proposal was presented in a series of public forums. The special district proposal is being considered on its own merits independently of the special permit application.

The proposed zoning changes are the result of over two years of study of the Union Square-area with the benefit of comments from a wide variety of interested citizens and organizations. The study included an examination of land use and density, transportation and urban design. The study was circulated in November 1983 as part of the department's draft proposal.

The special nature of the park as an urban open space was seen as particularly important. Specific controls were developed which would assure the visual quality of the space as well as encouraging active street activity which would in turn enhance the park's use. The focus on the park is reflected in the special district boundary lines which are drawn tightly around Union Square to include only those sites that either front on the park or are adjacent to the subway station.

To deal with the visual quality of an urban design, a methodology was created which took the existing buildings around the park and the relationship of those buildings to the park as its starting point. The Planning Department identified as significant those buildings surrounding the Park which give Union Square a positive character. Bulk studies were done of specific infill sites surrounding the Park, where new construction could be expected, and building envelopes were drawn that would be compatible with the character and scale of significant buildings. Special bulk regulations and floor area ratios were established that would fill out those building envelopes. The analysis revealed that the majority of the buildings that establish the architectural quality and character of the Square are built to the property line and rise between approximately 85 feet and reach above 200 feet. In order to insure that any new development will be compatible to this context, no plazas or other ground floor setbacks will be allowed in new development. In addition, the streetwall (the facade on the Square) will be mandated to be a minimum of 85 feet, and is allowed to be built up to a maximum of 125 feet. This range will permit architectural diversity and recognizes that no rigid cornice line height presently exists.

Based on this study of existing buildings and compatible building envelopes for infill sites, a density of 10 FAR was proposed. Such a density corresponds most closely to a C6-4 zone which is proposed to be mapped as the underlying zoning designation. However, unlike standard C6-4 districts, bonused amenities such as plazas, arcades, or covered pedestrian spaces are not desired or allowed anywhere in the Special District. The resulting 10 FAR, further

controlled by bulk regulations, will allow on the vacant or underutilized sites high coverage, low rise buildings compatible with the existing significant buildings. Most or all of the allowable floor area will be utilized within the streetwall configuration. Any floor area that may be used above the streetwall will be further controlled by mandated setbacks under a sky exposure plane to ensure adequate light and air to the street and the park.

In addition to encouraging a positive visual relationship between the buildings and the Park, the zoning also encourages a positive active relationship between the uses. The district is intended to achieve this by increasing residential FAR and regulating ground floor uses.

The proposed C6-4 zone will allow the residential FAR to increase to 10 and with a subway improvement bonus on eligible sites will enable a floor area increase up to 20% of its basic maximum FAR, for a total of 12 FAR. The Commercial FAR is limited to 6 by provision of the Special Union Square District. These density controls encourage mixed use development and increased residential presence in the Union Square area. The Commission believes that this increase in density will promote an active residential presence around the Square which will in turn enhance the Park's use.

Ground floor use regulations will ensure that new development reinforces the existing retail and service activities of 14th Street and around the Union Square area. The requirement to locate main entrances on streets facing Union Square and the requirement to have at least 50% of the Ground floor street wall transparent encourages the enrichment of the street life of the area and thereby contributes to the revitalization of Union Square Park as a public space and encourages its active use. The architectural character of Union Square area is further enhanced by street scape requirements and signage controls.

The subway station, where three major subway lines converge, is one of the most important elements of the public infrastructure. In order to improve the functioning of the subway station, the special district extends to the Union Square station a provision in the zoning text, already in place in other 10 FAR zones, which is intended to improve pedestrian circulation. This text mandates that developments or enlargements relocate existing subway entrances from the street onto the zoning lot. Under a special permit, bonuses of up to 20% of additional floor area may be granted for subway station improvements which improve access, visibility, security and pedestrian circulation in and around the 14th Street/Union Square station. Only those sites immediately adjacent to the subway station may apply for the special permit bonus. The Commission believes that the subway is a critical element of the retail functioning of 14th Street and that such improvements will further strengthen residential and commercial viability.

The proposal which was ultimately certified for public review was shaped by over 70 public meetings held with the affected Community Boards and other civic groups. In response to concerns raised at these meetings, significant changes and refinements to the special district proposal were made during the two years of planning and discussion which preceded the initiation of ULURP.

During the public review a number of comments were made that the Commission has reviewed closely. Some of the comments deal with matters which the Commission believes to be of critical importance to achieving the goals of the district. Other issues concern areas that could benefit from further thought and refinement.

One of the most frequently made comments concerned the proposed FAR. A range of alternative FARs was proposed by community boards from a downzoning to 6 FAR, to approval of the proposed 10 to 12 FAR. Another often cited number was 7.52. The Commission is aware of the concerns expressed with regard to density, and has reviewed the proposed FAR both in light of the

goals of the special district as well as the context of consistency with its citywide zoning actions. The general planning criteria for a 10 FAR district are amply met in Union square. The infrastructure of Union Square has the capacity for higher densities in that three major subway lines converge there as well as major avenues and crosstown streets. The significant amount of open spaces which includes the park as well as the wide streets is another criteria for higher density. In addition, the Manhattan pattern consistently mapped in the upper east and west side residential districts is higher density on wide streets and lower density on midblocks. The Commission furthermore believes that increased density will bring greater positive uses to enhance the activity of the streets around the square and will enhance the positive uses of the park itself.

However, density in and of itself is not the issue. The FAR being proposed is controlled by very specific bulk regulations, discussed above, which are designed to produce compatible buildings around the square. This too is consistent with recent Commission actions which established contextual districts on the upper west side, Lexington Avenue, and the West Village.

Another aspect of the special district plan, the subway bonus provision which extends an existing text to the Union Square station was opposed by some community boards. The objection is based on the subway bonus in general rather than its specific extension to the Union Square station. The Commission has spent a great deal of time examining the subway improvement text. This provision is consistent with previous Commission actions in the Midtown Special District. Granting of a bonus requires a special permit and a full ULURP review of each proposal and incorporates findings that assure that improvements are functionally beneficial and not cosmetic. The standards for reviewing specific subway improvement proposals have been followed in recent Commission approvals. Subway improvements provided pursuant to this provision of the zoning resolution represent an opportunity to provide physical improvements on private property and in existing stations that are possible only at the

time of new construction of properties adjacent to the stations. The Commission strongly believes that this provision provides a significant opportunity to upgrade one of the most important elements of New York's infrastructure.

A number of other comments made during the public review were in the nature of recommendations which go beyond the scope of the action as originally advertised and heard by the Commission. In order to consider such changes, new advertising and subsequent public hearing would be required.

One recommendation concerned water towers, elevator bulkheads and other obstructions which, under existing zoning, are permitted to pierce the sky exposure plane. In order to impose a restriction on obstructions, a further ULURP action would be required. The Commission has asked staff to examine this issue and determine if text should be drafted. Related to this proposal was a suggestion that balconies be banned from the special district so as to protect the street wall characteristic of the district. Such a ban is unnecessary because the district text already prohibits balconies.

A second recommendation was to remove all nonaccessory building signs so as to reinforce the goals of the district. One method would be to require the removal within a specified period of years of all such non-complying signs. The Commission has asked staff to assess the feasibility of such an action.

A third area of recommendations concerned the split lots created by the zoning action. One aspect relates to the transfer of bulk across the district line. The proposal as originally heard prevents any bulk from being moved from the midblock portion of zoning lots to the portion inside the special district. However, existing zoning enables a small portion of the allowable bulk to be moved from the portion of the zoning lot in the higher FAR district, in this case the special district, to the other portion of the zoning lot through an averaging formula. The Commission has asked staff to examine the possibility of eliminating all transfers across district lines.

Another aspect of the split lot issue is the question of the appropriateness of the midblock zoning. Careful design consideration has been given to buildings facing the park. This has resulted in the controls in the special district which mandate high-coverage street wall buildings. The midblocks however continue a C6-1 zone which encourages plazas and potentially inappropriate development. The Commission has asked staff to give equally close attention to design issues related to sites immediately adjacent to the Special District, and to explore the appropriateness of contextual zones for the midblocks adjacent to the special district.

A final recommendation was for a proposed "no-demolition clause" to temporarily protect architecturally significant buildings from demolition while the Landmarks Preservation Commission determines whether or not to designate them as landmarks. Bulk Regulations for the special district were designed so that most buildings which contribute significantly to the positive qualities of the square are close to or exceed the proposed FAR. The department's study used a survey from the Landmarks Preservation Commission to determine buildings of significance so that the plan is supportive of any designation the Landmarks Preservation Commission may make. The Commission notes additionally that the sites which have been identified in the department's study as being most likely for development do not contain significant buildings. The Commission would be pleased to see those buildings which meet the Landmarks Preservation Commission criteria be designated as landmarks.

In summary, the Commission believes that the rezoning of Union Square is necessary to assure that any new development has a mixture of uses, and a scale, character, and activity that is supportive of the Park and 14th Street, and that the new development that is likely to occur will be an important element in the revitalization of the Square which has suffered from blight

and neglect. Furthermore the Commission's actions here are consistent with its past actions to review area-wide zoning in neighborhoods where new construction is likely to take place so that planning and zoning policy will guide that development in an appropriate manner.

ENVIRONMENTAL FINDINGS

The following conditions are required mitigation measures described in the FEIS that must be implemented as part of this action:

- o Reconstruct Union Square East to provide three free-moving lanes along Union Square East, eliminate on-street parking, and improve traffic operations at the intersection of 14th Street and Union Square East. This work is included in the City's capital budget for 1987 as part of the Union Square Park reconstruction.

In addition, the following measures, to be provided by the Department of Transportation, are also to be implemented:

- o Signal retiming.
- o No standing/no parking regulations along Third Avenue and 14th Street.
- o The use of traffic enforcement agents (TEAS) during the morning peak-traffic period, at the intersections of 18th Street and Park Avenue, and Third Avenue at 19th Street.
- o Afternoon peak traffic periods require TEAS at Broadway and 17th Street, 20th Street and Park Avenue South and Third Avenue at 19th Street.

Having considered the FEIS, the City Planning Commission finds that, consistent with social, economic and other essential considerations:

1. from among the reasonable alternatives thereto, the actions to be approved are ones that minimize or avoid adverse environmental effects to the maximum extent practicable; and
2. to the maximum extent practicable; the adverse environmental impacts revealed in the environmental impact statement process will be minimized

or avoided by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

This report, together with the FEIS, shall constitute the written statement of facts supporting the decision and indicating the social, economic, and other factors and standards that form the basis of the decision, pursuant to 6 NYCRR 617.9(c) (3).

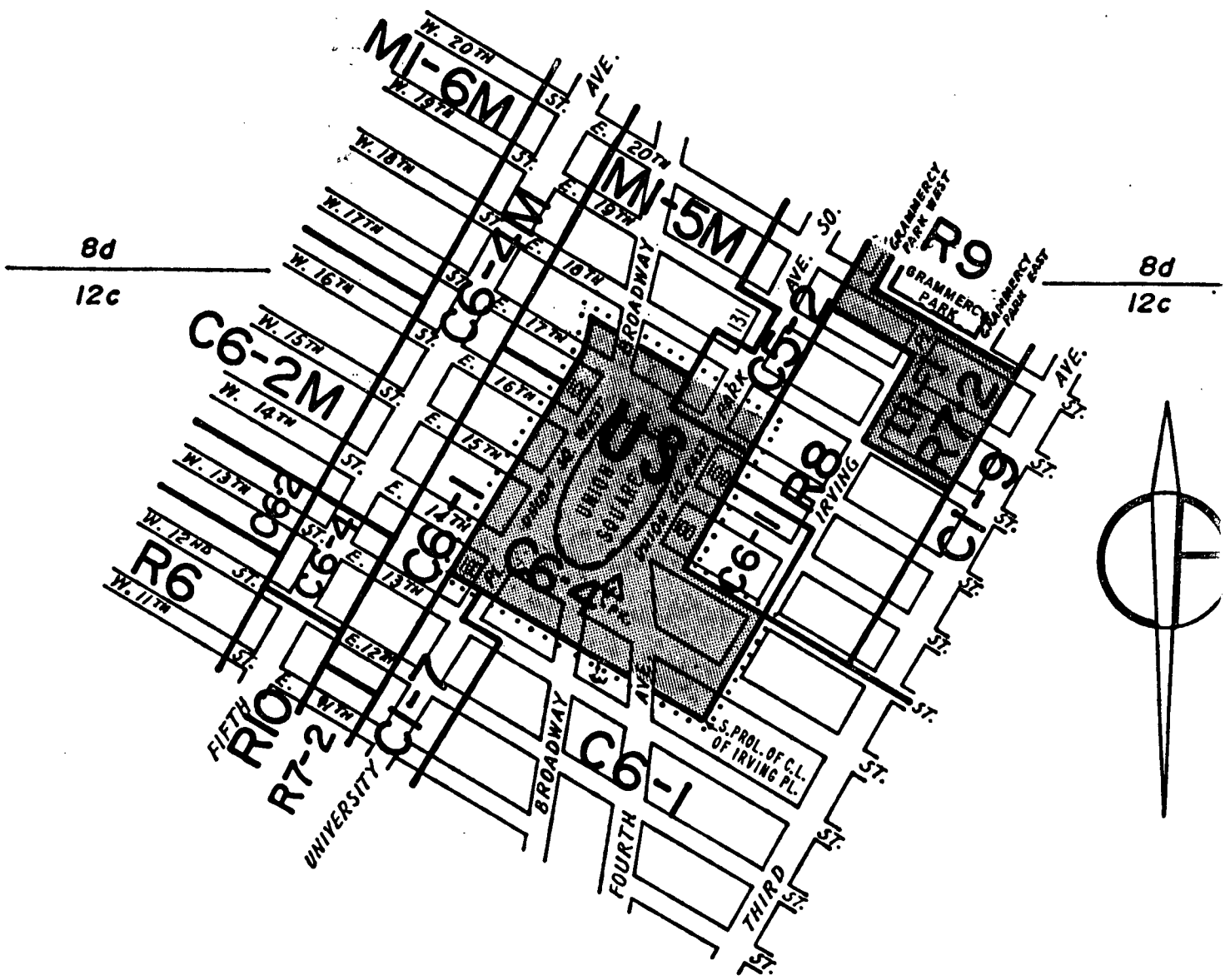
RESOLUTION

The City Planning Commission therefore considers the proposed rezoning and the establishing of the Special Union Square District appropriate and adopted the following resolution on November 26, 1984 (Calendar No. 3) which is herewith filed with the Secretary of the Board of Estimate, in accordance with the requirements of Sections 197-c and 200 of the New York City Charter.

RESOLVED, by the City Planning Commission, pursuant to Section 197-c and 200 of the New York City Charter that the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 12c by

- A. from an existing C6-1 to C6-4 District on property bounded by E. 17th Street, a line 100 feet east of Union Square East, E. 15th Street, Irving Place and its southerly prolongation, a line midway between E. 13th and E. 14th Streets, a line 100 feet west of Union Square West, a line 100 feet west of Broadway, a line midway between E. 17th and E. 18th Streets and a line 100 feet west of Park Avenue South,
- B. establishing of a Special Union Square District on property bounded by a line 100 feet east of Park Avenue South and Union Square East, E. 15th Street, Irving Place and its southerly prolongation, a line midway between E. 13th and E. 14th Streets, a line 100 feet west of Union Square West, a line 100 feet west of Broadway and a line midway between E. 17th and E. 18th Streets, Borough of Manhattan, Community Boards 2, 3 and 5, as shown on a diagram dated June 18, 1984.

HERBERT STURZ, Chairman
MAX BOND, JOHN P. GULINO,
R. SUSAN MOTLEY, DENISE M. SCHEINBERG,
THEODORE E. TEAH, Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK

**DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAPS
8d & 12c
BOROUGH OF
MANHATTAN**

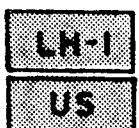
New York, Certification Date
June 18, 1984

Esther Voyages
Director of Technical Review
Julius Specter P.E.
Chief Engineer



NOTE:

- indicates Zoning District boundary.
- The area enclosed by the fine dotted line is proposed to be changed from a C6-1 District to a C6-4 District, and by establishing a Special Union Square District.



indicates a Limited Height District.
indicates a Special Union Square District.



COMMUNITY BOARD #5, MANHATTAN

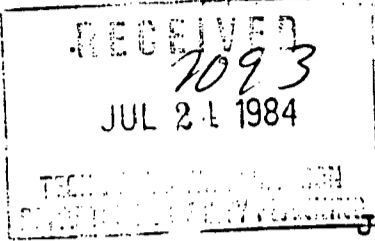
200 Park Avenue
Room 367 - East
New York, New York 10166
867-4780

14 JUL 24 AM 1:19

Ray / Lisa

377

Irene Zelnick
Chairman



Joan E. Ramer
District Manager

July 17, 1984

*Larry Peres
Cory Hesse
Sam Joyaga*

Hon. Herbert Sturz
Chairman
City Planning Commission
2 Lafayette Street
New York, New York 10007

Re: C841005ZMM - Union Square
Special Zoning District

Dear Chairman Sturz:

At the regularly scheduled monthly meeting of Community Board #5 held on July 12, 1984, the Board adopted the following resolution by a vote of 17 in favor; 16 opposed; 0 abstentions:

RESOLVED that Community Board #5 supports the City Planning Commission's Revised June 1984 Proposal for the Union Square Special Zoning District.

There was some discussion of instituting stronger signage control, but this item was not voted upon.

Thank you for your attention to this matter.

Very truly yours,

Irene Zelnick
Chairman

IZ: kb



COMMUNITY BOARD #5, MANHATTAN
CITY OF NEW YORK

Room 367
200 Park Avenue
New York, New York 10166
867-4780

Irene Zelnick
Chairman

JOAN E. RAMER
DISTRICT MANAGER

September 21, 1984

Hon. Gene Norman
Landmarks Preservation Commission
20 Vesey Street
New York, New York 10007

Dear Commissioner Norman:

At a meeting of Community Board #5 held on Thursday,
September 13, 1984 the following resolution was passed unanimously:

RESOLVED, that Community Board #5 requests a six
month moratorium on demolition for the attached
list of buildings until the New York City Landmarks
Preservation Commission has been able to assess the
cultural, architectural and historic significance
of the Union Square area and some 12 buildings in
that area which appear to be of landmark quality
and might be eligible for landmark designation;
that such temporary moratorium be written into and
be a part of the Union Square Special Zoning District
proposal to be effective immediately.

Very truly yours,


Irene Zelnick
Chairman

IZ/gc
Enclosure

cc: Lenore Norman
Herbert Sturz
Con Howe



Irene Zelnick
Chairman

COMMUNITY BOARD #5, MANHATTAN

200 Park Avenue
Room 367 - East
New York, New York 10166
867-4780

Joan E. Ramer
District Manager

UNION SQUARE SPECIAL ZONING DISTRICT MORATORIUM BUILDINGS

1. Bank of the Metropolis
31 Union Square West
2. Union Building
33 Union Square West
3. American Drapery Building
33-37 East 17 Street
4. Guardian Life Insurance Company Building
201 Park Avenue South
5. Lincoln Building
1-3 Union Square West
6. Spingler Building
5-9 Union Square West
7. 19 Union Square West
8. American Savings Bank (United Mutual Savings Bank)
20 Union Square East
9. Commercial Trader's Building
32 Union Square East
10. Tammany Hall (ILGWU and Roosevelt Auditorium) ILGWU Headquarters/
100 East 17 Street Roosevelt Auditorium
11. Butler Brothers Building
27-29 East 17 Street (860 Broadway)
12. Everett Building
200 Park Avenue South

Appendix A

8410052mm

Reference #

Note: Please use the reference number on all correspondence concerning this application

CITY PLANNING COMMISSION
2 LAFAYETTE STREET
NEW YORK, NEW YORK 10007

Orig. Liao
cc. Con Howl
L. Edwards

COMMUNITY/BOROUGH BOARD RECOMMENDATION

INSTRUCTIONS

1. Return this completed form to the Calendar Information Office, City Planning Commission, Room 1614A at the above address.
2. Send one copy to the applicant, one copy to the Borough President, and one copy to the Borough Board when necessary.
3. If a docket description of the subject application does not appear below, please copy the docket description exactly as it appears on the Notice of Certification for the subject proposal.

DOCKET DESCRIPTION AND STATEMENT OF PROPOSAL:

*Union Square Special District
CPC #C8410052ZMM*

COMMUNITY BOARD ²
OR
BOROUGH BOARD OF *Manhattan*

BOROUGH: *Manhattan*

LOCATION, DATE AND TIME OF PUBLIC HEARING *Monday, July 9th 1984
7 PM, NYU, Main Bldg. 100 Washington Sq. East*

LOCATION, DATE AND TIME OF VOTE ADOPTING RECOMMENDATION
Thursday, July 19, 1984, 7 PM-NYU, Main Bldg, 100 Washington Sq. East, Room 703

WAS QUORUM PRESENT? XX YES _____ NO

RECOMMENDATION (ATTACH ADDITIONAL SHEETS IF NECESSARY).

*See attached 8 pages
Votes are noted below each resolution*

JUL 24 1984 2:30

VOTING IN FAVOR _____ VOTING AGAINST _____ ABSTAINING _____

TOTAL MEMBERS APPOINTED TO BOARD 46

IF A ROLL CALL VOTE WAS TAKEN ATTACH NAMES OF MEMBERS VOTING IN EACH CATEGORY

SIGNATURE OF COMMUNITY/BOARD OFFICER

DATE

Anthony Dapolito

UNION SQUARE SPECIAL DISTRICT: CPC # CS41005 ZMM

RE: Timing of ULURP

Timing of ULURP

Whereas the proposal for the Special Union-Square District has been in the planning and studying stage for a considerable period of time, and
 Whereas the Final Draft of the text as revised was only completed in June 1984, and
 Whereas the Community Boards did not receive copies of this text until late June or early July, and
 Whereas the Draft Environmental Impact Statement, an important adjunct to the zoning text and proposal, was not received by Community Board #2 until July 9, the same day as the scheduled Public Hearing on this matter, although it was dated June 15,
 Therefore Community Board #2 strongly protests the Certification of this important proposal on June 27, which requires the concerned Community Boards to evaluate and take action on the proposal during the summer months when the Boards are not working at full strength due to vacations and are not even mandated to meet.

VOICE: 23 For; 0 vs.; 1 abstention

C.B.#2

Appendix B

UNION SQUARE SPECIAL DISTRICT: CPC # C841005 ZMM

RE: Commercial

Commercial

Whereas the Union Square area is in a state of transition at the present time, and

Whereas the City proposes to establish a Special Union Square District and
Whereas, among the purposes for this District, the City has included:

- a. To promote a revitalized mixed-use area around Union Square by encouraging controlled development on vacant and underutilized sites within the District, and
- d. To enhance the retail and service nature and economic vitality of 14th Street by mandating appropriate retail and service activities, and
- g. To promote the most desirable use of land in this area and thus conserve the value of land and buildings and thereby protect the City's tax revenues, and

Commercial

Whereas the City has proposed, in line with these purposes, to mandate ground floor retail uses along 14th Street which is within the Community Board #2 area, and specified the retail uses which will be permitted in these stores, and

Whereas the City has proposed to mandate that all ground floor uses on 14th Street shall be entered directly from 14th Street, thus insuring that the street continues to be an active commercial area, and

Whereas the City has further proposed to mandate that at least 50% of the street wall of any development or enlargement on 14th Street shall be transparent, also to ensure active commercial use of such spaces, and

Whereas the City also proposed sign regulations providing no flashing signs or signs more than 25' above curb level on 14th Street and Special Urban Design Streetscape Guidelines for signs on the side streets to control visual clutter, and

Whereas the City has proposed to mandate that new developments or enlargements are either at the street line or not further from the street line than the adjoining properties to provide a continuous building line for the store fronts,

Therefore Community Board #2 recommends approval of the provisions in the new Special Union Square District as set forth in Sections 119-11, Ground Floor Uses; 119-12, Sign Regulations; 119-41, Entrances on 14th Street; 119-43, Street Wall Transparency; and 119-30 as it applies to location of Street Wall.

VOTE: 18 for; 3 vs.; 2 abstentions

Appendix B

UNION SQUARE SPECIAL DISTRICT: CPC # C841005ZMM

RE: Proposed bulk and density

Proposed Bulk Density

Whereas the City Planning Commission has proposed for the new Union Square Special District a residential and community facility floor area ratio of 10, and a commercial floor area ratio of 6, and

Whereas the present floor area ratio for this C6-1 District is 6 to 7.2 for commercial and community facility uses and 2.88 to 3.4 for residential uses, and

Whereas the proposed floor area ratio clearly favors residential over commercial use in the Union Square area, and

Whereas this bulk, appropriate perhaps in some areas, is not appropriate on the south side of 14th Street where it will create overbuilding and

Whereas the proposed increase in population of between 770 and 1660 dwelling units with a possible 2900 new residents within a 10 year period is too sizeable a group for this area to absorb, and

Whereas Census Tract 61 which covers the area from 10th Street to 14th St. between 4th and 5th Avenues has grown at a steady pace since the 1950 census with an increase in dwelling units as follows: 1950 - 971; 1960 - 1495; 1970 - 1890; and 1980 - 2279, and

Whereas there has been a recent resurgence in the northern part of Community Board #2, with four new buildings planned or contemplated for the area between 12th Street and 14th Street, without special incentives but by the variance method, and

Whereas this indicates that development in the 14th Street area may not need such a massive boost in order to interest investors, and

Whereas the Draft Environmental Impact Statement and the CEQR response already indicate a shortage of active and passive recreation space for the present residents and an air quality problem caused by excessive traffic, which would both be impacted by additional increases in residential units with additional automobiles, and

Whereas the increased density on the properties within 100' of the Square could be averaged over the whole building plot, which might also increase the height on the 13th St. side of the blocks, and

Whereas 13th Street and the blocks south of there are in the Greenwich Village area which the Draft Environmental Impact Statement characterized as notable for its low-rise buildings, and

Whereas tall buildings on the south side of the park would cast shadows on the park decreasing its desirability, and

Whereas traditionally the south side of a park is kept lower to ensure more sunlight to the park, and

Whereas when Union Square was conceived, there were no elevator buildings so the maximum height of the buildings would have been five stories, Therefore Community Board #2 opposes the proposed floor area ratios of 10 for residential and community facility buildings on the south side of 14th Street.

VOTE: 18 for; 4 vs.; 3 abstentions

Appendix B

UNION SQUARE SPECIAL DISTRICT: CPC # C841005ZMM

RE: Alternate

Alternate

Whereas the south side of 14th Street is the northern boundary of the Greenwich Village area, and

Whereas any new development on 14th Street will impact on the buildings to the south on 13th and 12th Streets, and

Whereas Community Board #2 believes it is possible to make additional residential construction feasible while still favoring commercial uses, and

Whereas 14th Street is predominantly a commercial retail street and should remain so, and

Whereas there is a strong commercial area south of 14th Street with antique dealers and commercial photographic labs, which interacts with the commercial and retail area of 14th Street, and

Whereas no new zoning in the area should increase to a substantial degree the pressure to evict or displace the existing retail uses to make way for new buildings,

Therefore Community Board #2 recommends a zoning for the south side of 14th Street similar to a commercial equivalent of the R8B zoning recently enacted, with a commercial floor area ratio of 6, and a floor area ratio for residential and community facility uses of 4, with no bonuses for plazas or arcades, and with a total permitted floor area ratio for mixed buildings of 6, and with first floor retail use mandated.

VOTE. 18 for; 3 vs.; 3 abstentions

Appendix B

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Monday, July 23, 1984
Village View Houses
175 East 4th Street
New York City
7:00 P.M.

PRESENT:

Lisa Kaplan, Chair, Economic Development Committee, (CB#3)	Philip La Lumia
Vicki Amter	Jack T. Linn
Rick Carman	Philip Wachtel
Marion Fox	Marie Enzerillo
Frances Goldin	Mark Stein
Herman F.R. Hewitt	
Joseph Van-Es, Borough President's office	
Con Howe, Bob Paley, City Planning Commission	

Approximately 30 guests attended.

ULURP HEARING

APPLICATION #C841005 ZMM

[Zoning map change from an existing C6-1 District to C6-4 District and the mapping of a Special Union Square District in and around the Union Square area].

In the matter of a zoning change, pursuant to Section 197-c and 200 of the New York City Charter, involving amendments of the Zoning Map, Section 12-c, (A) from an existing C6-1 to C6-4 District on property bounded by East 17th Street, a line 100 feet east of Union Square east, East 15th Street, Irving Place and its southerly prolongation, a line midway between East 13th and East 14th Streets, a line 100 feet west of Union Square West, a line 100 feet west of Broadway, a line midway between East 17th and East 18th Streets, and a line 100 feet west of Park Avenue South, (B) establishing of a Special Union Square District on property bounded by a line 100 feet east of Park Avenue South and Union Square East, East 15th Street, Irving Place and its southerly prolongation, a line midway East 13th and East 14th Streets, a line 100 feet west of Union Square west of Broadway and a line midway between East 17th and East 18th Streets, Borough of Manhattan, Community Boards 2,3,5, as shown shown on a diagram dated June 18, 1984, which may be seen in Room 1514, 2 Lafayette Street, New York City.

PUBLIC SESSION

Mr. Con Howe of City Planning Commission made a presentation of the revised plans for the proposed Union Square Special District; Mr. Bob Paley also participated in the discussion. Questions were asked and answered by Mr. Howe.

In public session, the following spoke in opposition to the proposed plan: Steve Matza, Susan Leelike, Jennifer Savary, Jack Taylor, Karl Rosenberg, Evelyn Strouse, Dean Corren.

Appendix C

RE: Streetwall

Streetwall

Whereas the City Planning Commission has proposed a mandatory street wall for new developments of a minimum of 85' and a maximum of 125' before setbacks, and

Whereas this height would impact adversely on the Greenwich Village low-rise area to the south of 14th Street, and

Whereas this high a street wall would cause shadows on the park, which would decrease its desirability for passive recreational use, and

Whereas this street wall height would be incompatible with other buildings on the south side of 14th Street, and

Whereas there is presently only one building in the proposed Special District in Community Board #2's area which exceeds 85' in height, and

Whereas a street wall of 125' along the south side of 14th Street would isolate 14th Street and Union Square Park from the Village, and

Whereas the C6-2A zoning which the City Planning Commission found appropriate for other areas of the Village permits a street wall with a minimum height of 60' and a maximum height of 85', and

Whereas these heights are more in keeping with this northern edge of the Village, both as to existing buildings and as to the surrounding buildings to the south of 14th Street,

Therefore Community Board #2 recommends that the street wall heights for new buildings on the south side of 14th Street be changed from 85' and 125' to 60' minimum and 85' maximum.

VOTE: 20 for; 4 vs.; 3 abstentions

UNION SQUARE SPECIAL DISTRICT: CPC # C841005 ZMM

RE: Klein's

Klein's

Whereas the City Planning Commission has included the Klein's site in this proposal with a permissible floor area ratio of 10 and the possibility of a bonus of 20%, thereby allowing a new building on this large site with a floor area of 12 times the lot area, and

Whereas this site, although not in Community Boary #2's area, if built to that bulk would impact detrimentally on the south side of 14th Street also, and

Whereas this density seems too high for this particular site immediately adjacent to Union Square Park, and

Whereas it is not clear that such permissible density is necessary in order to encourage development of this site,

Therefore Community Board #2 ~~opposes the proposal~~ for this important and large site.

VOTE: 13 for; 6 vs; 5 abstentions

UNION SQUARE SPECIAL DISTRICT: CPC # C841005 ZMM

RE: Subway Bonus

Resolution 1: Vote: 14 for; 4 vs; 4 abstentions

WHEREAS the City Planning Commission has incorporated certain subway provisions into the text for the new Special Union Square District, and

WHEREAS one of these proposals would mandate that entrances to subways must be relocated within the building line of any new building built adjacent to a subway entrance, and

WHEREAS the relocation of subway entrances off the public sidewalk and onto the adjacent private property would increase the sidewalk space available to pedestrians, and

THEFORE Community Board #2 recommends approval of the provision for mandatory relocation of subway entrances off-street.

Resolution 2: Vote: 15 for; 2 vs; 4 abstentions

WHEREAS another provision would allow a 20% bonus to a developer who provides a major improvement to the subway station which would be by a Special Permit of the City Planning Commission and a ULUPP matter, and

WHEREAS at the various meetings and at the Public Hearing, there was unanimous opposition to the proposal for a 20% bonus for subway improvements by a developer, and

WHEREAS the bonus provisions and the mechanism for handling such bonuses was vague, and

WHEREAS no clear picture emerged as to what subway improvements would be provided, the necessity for these improvements, their suitability, and most important, what the relationship was between the improvements provided and the benefit to the developer of the bonus, and

WHEREAS the location of the subway is, in itself, a bonus to a developer of property in close proximity to it,

Therefore Community Board #2 opposes the provisions dealing with the bonus to developers for subway station improvements.

Appendix B

C841005ZMM

UNION SQUARE SPECIAL DISTRICT: CPC # C841005 ZMM

RE: Historic Preservation

Historic - Preservation

Whereas the CEQR Notice of Completion of the Draft Environmental Impact Statement makes note of the identification of a number of historically or architecturally significant buildings within the District which are not New York City Landmarks and are not listed on the National Register of Historic Places, and

Whereas the Report also states that at least three of these may be impacted by the District changes, since "these properties do not have a substantial existing Floor Area Ratio," ie, they are small buildings, and

Whereas applications have been filed with the N.Y.C. Landmarks Commission to designate some of these buildings, and

Whereas there is also a proposal to create a Union Square Historic District, Therefore Community Board #2 recommends that the City Planning Commission incorporate in the new legislation some provision for protecting historically or architecturally significant buildings within the new Special Union Square District.

Vote: 21 for; 0 vs.; 1 abstention

Appendix B



COMMUNITY BOARD NO. 3 MANHATTAN

137 SECOND AVENUE • 3rd FLOOR • NEW YORK, N. Y. 10003 • TEL. 533-5300

August 13, 1984

Ms. Lory R. Alcalá, Secretary
City Planning Commission
2 Lafayette Street
New York, New York 10007

Re: Special Union Square District

Dear Ms. Alcalá:

Since the full Board will not meet until September 18, 1984, this matter was raised at the Executive Committee meeting on August 8, 1984.

The recommendation of the Economic Development Committee, held on July 23, 1984, was to reject the application. The recommendation of the Economic Committee, to reject the application, was adopted by the Executive Committee, as follows:

In Favor	6
Opposed	1
Abstentions	1

Sincerely,

ALFRED J. MARSTON, CHAIRMAN
COMMUNITY BOARD #3

Chair Lisa Kaplan summarized the plan; discussion followed.

ULURP Public Hearing Union Square

1. Motion to reject the Special District as proposed by the Department of City Planning for Union Square was made by Rick Carman and Seconded by Marion Fox.

The vote was 5 in favor
1 opposed
1 abstention

Consensus that if the Executive Committee overturns the decision of those present at this hearing - there should be an open meeting of the full Community Board before response is made to the ULURP application.

2. Marion Fox moved and Rick Carman seconded a motion that we should attach a statement with the other reasons why we oppose the special district. The reasons are:
 1. The current economic vitality of the areas needs no stimulation.
 2. The stated goals and objectives of the proposed district are contradicted in the provisions of the plan.
 3. The Lower East Side, to date, has not found the special district zoning tool to aid in the preservation and protection of our community. In each case, so far, it has been proposed as a method to speed up gentrification.
 4. Increases in the allowable density of an area creates de-stabilization of the area, and upzoning in the Union Square area will have a particularly harmful effect on Third Avenue and other parts of Community Board #3.
 5. Bonuses are very dangerous and unnecessary. The amenities provided in exchange usually do not accomplish their stated purposes, yet, they do result in a higher density.
 6. Redevelopment of the Klein's site can be accomplished without a Special District being established for the entire area.
 7. The streetwall requirements of the proposed district are too high and do not conform to the character of the area.
 8. The 600 luxury units proposed on the Klein's site will put tremendous de-stabilizing pressure on the area and that large number of new residents will overburden existing facilities.

Economic Development Committee Report

Monday, July 23, 1984

- - - Page 3 - - -

9. The retail establishments proposed for the Klein's site will put pressure on the discount shopping now available on the 14th Street commercial strip and eventually will cause it to disappear. This shopping area is very important to the lower income, Lower East Side residents, and must be preserved.
10. The proposal threatens the existence of several buildings with acknowledged historic character and architectural significance.
11. The subway improvements that are encouraged to gain bonuses will not be sufficient to improve the structural inadequacy of the 14th Street station.

A statement will be attached to the vote which expresses our displeasure that this ULURP action was initiated during the summer when Community Boards do not function at full capacity.

The vote was: 5 in favor
1 opposed
1 abstention.

Motion carried to support Easyride. It was moved, seconded and passed to approve the proposal by Easyride to expand business to 60 East First Street.

RESPECTFULLY SUBMITTED BY LISA KAPLAN, CHAIR - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE

Appendix C

COMMUNITY BOARD #6

RESOLUTION RE: UNION SQUARE SPECIAL DISTRICT

WHEREAS, in July of 1982, the Department of City Planning proposed a special district for Union Square to Community Board 6, and suggested a change in the existing zoning from C6-1 (R7) to C6-2 (R8) or from FAR 3.4 residential to FAR 6:02; and

WHEREAS, the CB6 Ad Hoc Union Square Committee Report of September 14, 1983, identified in detail issues and objectives which it deemed essential ingredients of a Union Square Special District; and

WHEREAS, that report was transmitted to the City Planning Commission and Manhattan office of the Department of City Planning and recommended an R9 residential overlay with a maximum FAR of 7.52, which, after careful deliberation, was felt to be both economically feasible and appropriate to the existing scale and ambiance at Union Square; and

WHEREAS, the Draft Union Square Special Zoning District Proposal Rev. June, 1984 has proposed an FAR for 10 with a twenty percent bonus for subway improvements at sites adjacent to subway entrances; and

WHEREAS, CB6 has opposed the extension of subway improvement bonuses beyond the special midtown district until their impact in the midtown area can be evaluated; and

WHEREAS, the CB6 Ad Hoc Union Square Committee Report of September 14, 1983 recommended that any subway improvements be made a nonbonused condition of the special district; and

WHEREAS, the Department of City Planning proposed special district generally incorporates all sites facing Union Square Park to a depth of 100 feet with the exception of the southeast corner of the Square extending eastward to Irving Place between 14th St. and 15th St., part of which contained the Klein Department Store; and

WHEREAS, CB6 recommended extending the special district to 125 feet east of Third Avenue, and 125 feet west of Fifth Avenue thereby incorporating a greater portion of the retail component of 14th Street, which is an integral part of the Union Square "neighborhood"; and

WHEREAS, the proposed district has a rich history as an eminent pre-civil war residential neighborhood and the epicenter of New York's political, mercantile and social life in the late 19th century, and many significant structures and an overall ambience remain from this period. The preservation community, including the Landmarks Preservation Commission, is presently studying individual landmark and/or historic district designation for the area; and

WHEREAS, the Department of City Planning proposal did not develop a meaningful strategy for preserving the significant architectural and historic buildings at Union Square (see addendum #1), and by proposing an FAR of 10 may in fact jeopardize many significant buildings at Union Square; and

WHEREAS, concerned members of CB6 attended many community meetings, and conducted two public hearings on the proposed special district, and found the overwhelming community sentiment of public speakers was a near unanimous appeal to limit the increase in FAR to no greater than 7.52; and

WHEREAS, the intangible ambiance and prevailing architectural character of Union Square is generally of a lower scale character and perception, with due consideration of the large buildings already existing around Union Square; and

WHEREAS, the Department of City Planning proposal sets the maximum streetwall height at 125 feet, it fails to take into consideration that the buildings at Union Square will be viewed from across Union Square Park, and therefore the perceived height of the buildings will include the building setbacks, roof structures including elevator bulkheads, stair bulkheads, and water towers; and

WHEREAS, the Department of City Planning proposal does not limit zoning lot mergers within the special district, and can result in specific sites being built to a larger bulk than FAR 10-12; and

WHEREAS, the Department of City Planning proposal does not prevent the transfer of air rights outside the special district, which would violate the intent of the proposed special district and its limited concurrent upzoning; and

WHEREAS, the Department of City Planning proposal does not adequately address the traffic flow problems around Union Square Park; and

WHEREAS, the Department of City Planning proposal does not adequately address pedestrian access to Union Square Park; and

WHEREAS, the Department of City Planning proposal does not adequately address the signage problem which is a very sensitive issue and should be carefully studied and controlled, and

WHEREAS, the Department of City Planning proposal does not adequately restrict theater entrances and size (CB6 recommends no more than two theaters per zoning lot; and

WHEREAS, the Department of City Planning proposal does not adequately address balconies (CB6 recommends that no balconies protrude beyond the face of the building); and

WHEREAS, the Klein Site parcel, although included in the special district in its entirety, does not have mandated controls for the portions of the site along most of E. 15th St. and Irving Place, with regard to streetwalls and setback requirements; and

WHEREAS, the Draft Environmental Impact Statement analysis of the proposed Klein site development at FAR 12 will result in a 945,000 sq. ft. mixed use building with the following adverse impacts: A) added traffic congestion, B) air quality violations, C) added noise; and

WHEREAS, the D.E.I.S. is based on the assumption that no development will occur on the Klein site at FAR 7.52 bulk; and

WHEREAS, the aforesaid assumption is untenable because it is inconceivable that a vacant lot (Klein Site) with a floor area potential of 592,000 sq. ft. at FAR 7.52, as of right, and located on a large park/open space currently being rehabilitated, and adjacent to Greenwich Village and Gramercy Park, as well as a major transportation hub, cannot be developed, highlights a serious bias in the D.E.I.S. towards the Department of City Planning proposal; and

WHEREAS, one of the stated objectives of the Department of City Planning Draft Proposal was to "promote a revitalized mixed use area around Union Square with minimum public intervention; and

WHEREAS, all of the Department of City Planning Proposal's stated "general purposes" can be successfully achieved at a bulk of FAR 7.52 with none of the negative impacts of an FAR 10-12

THEREFORE, BE IT RESOLVED

That CB6, Manhattan:

1) encourages the establishment of a special district at Union Square to achieve all the beneficial effects as outlined in the Department of City Planning statement of general purposes, but

2) does not believe the means to that end can be sensitively achieved with an FAR of 10-12, and furthermore believes that such an FAR unnecessarily increases the size of buildings facing the park and will adversely affect attempts to preserve significant buildings, and the lower scale visual diversity and historic character of Union Square and therefore recommends a maximum FAR of 7.52 with no FAR bonus for subway improvements, and furthermore urges that a temporary moratorium on demolition or a demolition-by-special-permit-only provision be imposed for the entire zoning district, in effect until the Landmarks Preservation Commission decides on individual and/or historic district designation, and

3) therefore cannot support the Union Square Special District as proposed, and furthermore, considering the complexity of the special district objects to:

A) the certification of the special district during the summer months and

B) the failure of the City Planning Commission to delay certification of the proposed special district upon CB6 request so that adequate public notice and review of the draft environmental impact statement could be made.

CARRIED: 26 in favor, 0 against, 1 abstention for cause.

Significant Buildings at Union Square
-- Architectural and Historic

Key to the symbols

A = Cited as having "merit" by the staff of the Landmarks Preservation Commission

B = Cited as being "significant" by the Department of City Planning

C = Cited as contributing to the "historic or aesthetic character of the Square" by the New York Landmarks Conservancy

D = Cited as contributing to the "unique architectural and historic character of the Square" by the Greenwich Village Trust for Historic Preservation.

Note: The Municipal Art Society, in its current Newsletter, states that it is "concerned that every effort be made to protect thge dozen or so architecturally significant buildings that surround the Park." A listing of the buildings that the Society recommends for protection will be made public shortly.

The buildings

ABCD -- 1 Union Square West (Lincoln Building). Listed on the National Register of Historic Places

ABCD -- 5-9 Union Square West (Spingler Building)

ABCD -- 19 Union Square West

ABCD -- 31 Union Square West (Bank of the Metropolis/Bank of the Manhattan Company)

ABCD -- 33 Union Square West (Union Square Building). Identified in the Draft Environmental Impact Statement as being "vulnerable" for lack of a "substantial existing FAR."

BCD -- 41 Union Square West (Hartford Building).

D -- 857 Broadway

BD -- 860 Broadway (a.k.a. 27 East 17th Street)(Butler Brothers Building)

ABCD-- 33-37 East 17th Street (Century Building/American Drapery & Carpet Company Building). Identified in

Draft Environmental Impact Statement as being "vulnerable" for lack of a "substantial existing FAR."

BCD -- 200 Park Avenue South (Everett Building).

ABD -- 201 Park Avenue South (Guardian Life Insurance Company Building).

ABCD -- 100 East 17th Street (Tammany Hall/I.L.G.W.U. headquarters/Roosevelt Auditorium). A 1928 low-rise neo-Federal building. Being remodeled and renovated for use as a public-subscription not-for-profit legitimate professional "live" repertory theatre by the Roundabout Theatre Company, which has a seven year lease on the auditorium.

ABCD -- 32 Union Square East (Commercial Traders Building).

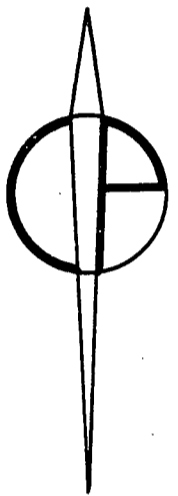
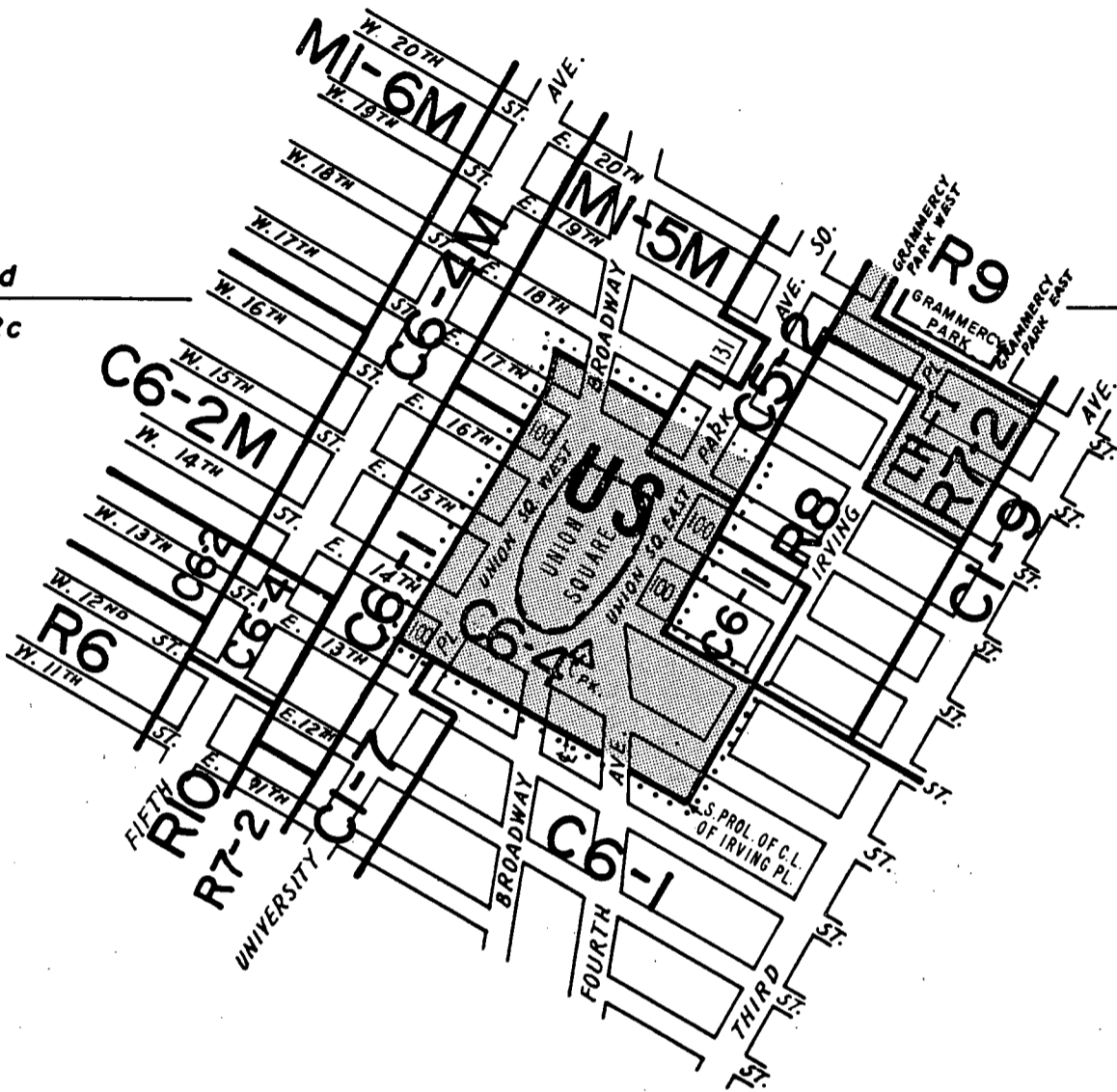
ABCD -- 20 Union Square East (Union Square Savings Bank/American Savings Bank). Identified in the Draft Environmental Impact Statement as being "vulnerable" for lack of a "substantial existing FAR."

110 East 14th Street (formerly Luchow's Restaurant). Built in 1882. Interior was a candidate for landmark designation until numerous features were removed. Exterior will be vouched for shortly by qualified sources.

145 Fourth Avenue. Built in 1965. Characterized by Paul Goldberger, architecture critic of The New York Times, as "good urbanism" and a "rare piece of thoughtful postwar apartment design."

8d
12c

8d
12c



CITY PLANNING COMMISSION
CITY OF NEW YORK

**DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAPS
8d & 12c
BOROUGH OF
MANHATTAN**

New York, Certification Date
June 18, 1984

Sethior Voyager
Director of Technical Review
Julius Specter P.E.
Chief Engineer



NOTE:

- indicates Zoning District boundary.
-** The area enclosed by the fine dotted line is proposed to be changed from a C6-1 District to a C6-4 District, and by establishing a Special Union Square District.



indicates a Limited Height District.



indicates a Special Union Square District.