

March 24, 2003

Amanda M. Burden
Director

Vishaan Chakrabarti
Director, Manhattan Office

Department of City Planning
22 Reade Street
New York, New York 10007

Re: DCP's "Preferred Direction" for Hell's Kitchen/Hudson Yards

Dear Directors Burden and Chakrabarti:

Thank you for your public presentations of The Department of City Planning's "Preferred Direction" for Hell's Kitchen/Hudson Yards on February 10, 2003 at the Javits Center, and on February 20, 2003 at Metro Baptist Church at the meeting organized by Housing Conservation Coordinators, Hell's Kitchen Neighborhood Association, Clinton Housing Developing Company and this Board.

We are grateful for the time you have taken to involve our community in substantive planning discussions while your plans are still being developed, and we are pleased to see that many of the goals and recommendations of this Board's Preliminary Response dated August 7, 2002 (the "August Letter") are reflected in the Preferred Direction (the .pdf file dated February 10, 2003 and captioned "Preferred Plan" that was displayed at the public presentations).

While we await the design and financial presentations and the zoning proposal you have indicated you will be making in the coming months, we want to provide you with a response to some of the elements reflected in the Preferred Direction. This response is based on our review of the Preferred Direction and the comments made by members of the community at the two public presentations.

All of the Board's recommendations of the August Letter remain valid. Our comments and recommendations concerning the Preferred Direction, which are generally organized following the categories used in DCP's presentations, are as follows:

OVERALL COMMENTS

- **Environmental Impact Statement (EIS) Process** – The community must be involved early in the EIS scoping process, be an invited partner in the scoping sessions of the EIS, and have impact in recommending the alternatives studied.
- **Affordable Housing** – A partnership with government agencies must be developed to devise and implement affordable housing strategies as an integral part of this plan. Zoning requirements, production mechanisms, identification of publicly owned sites, multi-year City and State targeted budgeted appropriations and other opportunities must be reflected in a written affordable housing plan that is an integral part of the overall plan.
- **Public Infrastructure** – There is a broad public concern about how the public infrastructure called for by the Preferred Direction will be financed. That infrastructure must include, in addition to the elements specifically identified in the Preferred Direction, utilities, sanitation, enforcement, security, schools and all the other services required for a viable and livable community. Financing should not isolate the area within the City’s revenue structure, nor cede authority over the area to the Empire State Development Corporation or any similar authority.

NEW ZONING FOR APPROPRIATE DENSITIES AND USES

Many elements of the Preferred Direction’s initial zoning proposal are consistent with the August Letter; however, the Board notes the key items below which must now be addressed in the details of the plan:

Proposed Special Zoning District

- *Identity and nomenclature* – DCP has recognized that the area is composed of mixed districts. The nomenclature should reflect those diverse identities. The Board seeks to reconcile the historic identity of Hell’s Kitchen – a recognizable name long associated with the City of New York – and Hudson Yards – a descriptive but placeless term in City nomenclature. So, in an effort to bridge the 19th century to the 21st, the Board requests that any special zoning district be named the “Special Hell’s Kitchen / Hudson Yards District.”
- *Preservation of existing residential buildings and protection of existing residents* – The Special Clinton District regulations concerning alteration or demolition of residential buildings in the Preservation Area (ZR, Sec. 96) needs to be incorporated or referenced in the proposed special district text.
- *Building Form and Design Guidelines* – Use design guidelines to ensure that new development responds to the diverse building forms and needs in the area, e.g. sky exposure planes between Eighth and Ninth Avenues that are in keeping with the loft building context instead of tower forms; high environmental standards and sustainable practices. In particular, the community would welcome an aggressive green-roof and sustainable design, and energy conservation initiative.

- *Height Limits* – Establish height limits from Ninth Avenue to Tenth Avenue to control height and manage possible transfers of development rights and to avoid tower forms inconsistent with the proposed and existing neighborhood context of each sub-area.
- *Protection of the Special Clinton District* – We have previously expressed our concern to you about development in the Preservation Area of the Special Clinton District that is out of scale with the existing urban context and a threat to the integrity of the Special Clinton District, and requested a zoning text amendment to clarify and restrict building heights on avenues within the Preservation Area (see our letter to you dated January 9, 2003, and your reply dated February 4, 2003). The planning activity associated with the Preferred Direction will only increase the development pressure on the Special Clinton District. Protection of the Special Clinton District must be an immediate priority.

Ninth Avenue Corridor

- *Main Street* – The Preferred Direction recognizes the Ninth Avenue Corridor as the area's Main Street, which is consistent with the Board's recommendations. The other recommendations of the August Letter concerning the Ninth Avenue Corridor remain valid.
- *Mixed uses* – Zone to encourage real mixed-use east of Ninth Avenue, with residential uses preferred closer to Ninth Avenue, and mixed use commercial and garment production uses preferred closer to Eighth Avenue.

Tenth Avenue Corridor

- *Residential corridor* – The Board agrees with the Preferred Direction, which establishes much of Tenth Avenue corridor as a residential district, as recommended in the August Letter. Zone the block frontage on the western side of Tenth Avenue between 35th and 36th Streets for residential use to complete the corridor and tie into the residential uses to the east in the South Hell's Kitchen core neighborhood.
- *Contextual zoning* – Map a contextual district along Tenth Avenue. The built character of this new residential corridor should be mid-rise and with high lot coverage and be bracketed by tower forms at the southern end on 34th Street and at the northern end from 40th to 42nd Streets.

34th and 42nd Street Corridors

- *Residential uses* – Reinforce residential uses in both of these corridors from Ninth Avenue to Tenth Avenue. Key development sites along 42nd Street – especially those at the two southern corners at Ninth Avenue, and the southeast corner at Tenth Avenue – should be redeveloped as residential to reinforce residential connections to the north and south of 42nd Street. Likewise, new development on 34th street between Ninth and Tenth Avenues, should be restricted to residential use. The introduction of new commercial office development in

these crucial areas would severely undermine the strengths of the existing residential communities.

- *Bulk limitation* – Limit allowable bulk of new development to 10 FAR, bonusable to 12 FAR.

Eleventh Avenue

- *Bulk limitation and redistribution* – While zoning to allow for high-rise, dense commercial buildings is appropriate in the Eleventh Avenue corridor, allowable bulk of new development should be limited to 10 FAR, bonusable to 12 FAR; shift the additional density proposed in the Preferred Direction from this corridor south to the Rail Yards.

28th to 30th Street

West Chelsea Planning – The Board adopted at its meeting on March 5th a Preliminary Planning Report for West Chelsea North between 24th and 30th Streets. This report develops and refines the concepts concerning this area in the August Letter. The following paragraphs are based on proposals in this report as they are applicable in response to the Preferred Direction.

- *Proposed Special District* – Most of West Chelsea south of 30th Street should be included in a special zoning district with provisions similar to those of the special district proposed for Hells Kitchen/Hudson Yards. Include similar regulations concerning alteration or demolition of existing residential buildings. Establish appropriate design guidelines including building form, streetwall, setbacks, and building height.
- *Provisions special to the area* – To support the art gallery district and maintain area diversity frame provisions for mixed-use buildings with arts and artisanal manufacturing uses on the lower floors. Protect significant existing buildings. Prohibit incompatible and limit undesirable uses.
- *Affordable housing* – Provisions to support affordable and mixed-income housing should be put in place in areas where allowable bulk is significantly increased in order to encourage residential development.
- *Tenth Avenue corridor* – Development on the west side of Tenth Avenue should be residential above one floor level above the High Line and light manufacturing/commercial on the floors below. These floors on both sides of the High Line should have appropriately high floor heights. In this portion of the corridor establish a maximum height of 120 feet with setbacks reflecting the lower heights of the existing tenements.
- *Midblocks between the High Line and Eleventh Avenue* – The bulk proposed by City Planning here is too great to represent a real transition to Chelsea. The area to be zoned for loft-style buildings should be extended to the southern limit of the underdeveloped area at 27th Street. Distributing the bulk more widely would allow lowering the height to close to 70 feet and applying provisions to encourage retention of significant buildings. Permitted uses

should be light manufacturing and commercial with residential uses also allowed on the upper floors.

- *From the Eleventh Avenue corridor to the river* – Residential uses should be allowed in the upper floors of buildings throughout the area, with light manufacturing/commercial uses on the lower floors. Establish a maximum height of 120 feet with no setbacks to reflect the historic industrial context.
- *Special blocks* – In the western blocks north of 27th Street allowing residential uses west as well as east of Eleventh Avenue would be especially appropriate if there were no stadium. It would support the Hudson River Park. Allowing residential uses here would help enable residential bulk elsewhere to be brought into more appropriate scale. Excess bulk allowances should not lead to destroying existing diversity such as that on 29th Street between Tenth and Eleventh Avenues.

Sidewalk Widening

- Comprehensive sidewalk widening should be limited to Eleventh Avenue and the Rail Yards area.

PUBLIC BUILDINGS

Jacob Javits Convention Center

- *Expansion* – To keep the Javits Center nationally competitive, expansion of the convention center both to the north and to the south is acceptable, so long as both 34th Street and 39th Street remain public streets open to the sky.
- *Truck Parking* – Provide off-street loading areas for all trucks.
- *Eleventh Avenue frontage* – Redesign the Eleventh Avenue frontage to include a street wall, amenities and activities that will enliven the pedestrian environment.
- *Twelfth Avenue frontage* – Redesign the Twelfth Avenue frontage so that it becomes a better neighbor to Hudson River Park.
- *39th Street pedestrian corridor* – While the Board is not opposed to a north expansion of the Javits Convention Center, 39th Street should remain mapped as a street open to the sky. The pedestrian corridor proposed in the Preferred Direction may allow pedestrian access to the river at 39th Street, but does not provide adequate street access to Hudson River Park and the 39th street Ferry Terminal. To allow the convention center to expand to an uninterrupted eight blocks along Eleventh Avenue creates a physical and visual barrier between the neighborhood and the waterfront, which defies sound urban design principles.

Rail Yards Development

- *Stadium* – Whatever its name, the proposed stadium defies sound planning principles and is incompatible with responsible development in the area. Simply put, this Board believes a permanent stadium is bad for a good West Side. The back-up site in Queens proposed by NYC 2012 is a better location for a new permanent Olympic stadium. EDC should also explore the option of a temporary stadium structure at the western Rail Yards site.
- *Bulk redistribution* – The Rail Yards sites provide opportunities to shift density away from sensitive areas such as the Tenth Avenue and Eleventh Avenue corridors, and could effectively be used for a mix of uses: south expansion of the convention center between 30th and 34th streets, Eleventh to Twelfth avenues, as well as new high density office and/or residential buildings, hotels and community uses. The proximity to regional transportation at the new Penn Station and the proposed subway stop at 33rd and 11th Avenue, make the Rail Yards sites between 30th and 34th Streets a more feasible extension of the Midtown Central Business District.

Transit Center

- *Location* – The location on 11th between 33rd and 34th Streets is appropriate.
- *Density absorber* – The space above the transit center should be used to absorb some of the commercial density proposed for the Eleventh Avenue corridor.
- *Pedestrian access* – Provide below-grade pedestrian access from the transit center to development on Rail Yards sites.

Madison Square Garden

- *Existing site* – The site of the existing MSG would be better used for high-density office development, which would be consistent with uses and scale in the surrounding area as well as with its direct access to the existing mass transit network.
- *Relocation site* – The Rail Yards site on the western frontage of Ninth Avenue opposite the Farley Building/New Penn Station provides the most appropriate relocation site for MSG; development here should not be higher than 200 feet to provide for an appropriate transition between the scales of Ninth Avenue to the north and south.

OPEN SPACE NETWORK

New Open Space

The Preferred Direction displays an impressive and welcomed amount and variety of open space. DCP and its planners are to be commended for recognizing the importance of open space to the area's future, and for creative use of open space to address some of the area's existing and future challenges.

- *Roadway median spaces* – The new boulevard’s median green spaces (over the Amtrak cut) should be designed as urban squares with diverse uses that are complementary with surrounding uses and community activities.
- *Park Block 675* – The proposed new park covering the entire block between 29th and 30th and Eleventh and Twelfth Avenues should provide for active recreation serving the enlarged residential areas to the north and south. The Board requests clarification of possible underground parking or other uses, particularly as they may affect the design or character of the park.
- *Pier 76* – Transferring the tow pound off Pier 76 will enable the planning of the park half of the pier to proceed ahead of schedule. The Board requests the opportunity to review and comment on possible commercial uses proposed for the balance of the pier. In addition, the City should establish a design process that includes community participation.
- *Mapping of parkland* – Map all proposed open spaces as public parkland as a companion action to the ULURP for rezoning in order to define boundaries clearly and to prevent unplanned development from interfering with DCP’s open space plans.
- *Immediate actions* – Take various actions to secure and demonstrate the Administration’s commitment to neighborhood open space:
 1. Plant street trees during Fall 2003. In addition to expediting existing requests for street trees, the Board recommends planting in the following locations:
 - Ninth Avenue, between 35th to 42nd Streets
 - 35th to 40th Streets, between Ninth and Tenth Avenues
 - 35th to 42nd Streets, between Ninth Avenue and 150 feet east of Ninth Avenue
 - 34th Street, between Ninth and Tenth Avenues
 2. Use DPR’s Greenstreets Program to provide open space improvements to Dyer Avenue between 34th to 36th Streets. To implement the neighborhood’s plan during Fall 2003,
 - work with the Port Authority to transfer ramp reconstruction staging to 39th Street,
 - work with Police Department to convert to parallel parking on 36th between Ninth and Dyer Avenues, and
 - work with DOT to institute police parking on 37th between Ninth and Tenth Avenues.
 3. Transfer jurisdiction of the small parks currently leased to Hell’s Kitchen Neighborhood Association (39th Street Bird Park, Hell’s Kitchen Community Garden and Dog Run and the 40th Street Slope) and the 34th Street Community Garden from the Port Authority to DPR and provide for minimal improvements.

4. Study, design and construct a pedestrian bridge to provide safe pedestrian access to the 40th Street Slope.
5. Transfer jurisdiction of the triangular bus parking lot on 39th Street adjacent to 408 West 39th Street from the Port Authority to DPR for new parkland. In fiscal year 2005 provide interim improvements (fencing and minimal landscaping), while working with the Board to create a permanent design. Agree to fund construction through the DPR in fiscal year 2006.
6. Acquire parking lot at 451 West 35th (through to 36th Street) for new parkland in fiscal year 2006. Fund design in fiscal year 2007 and construction in fiscal year 2008.

TRANSPORTATION and MASS TRANSIT INFRASTRUCTURE IMPROVEMENTS

No. 7 line and other mass transit improvements

- Recommendations concerning the No. 7 Subwayline in August letter remain valid: preferred is west and south
- *M11 bus line* – Increase service and the number of stops on the M11 bus line on Ninth and Tenth Avenues.
- *New Eleventh Avenue bus line* – Study and institute a new bus line on Eleventh Avenue that is tied to the timetable for area development; the line should run from at least 23rd Street to 72nd Street.

Regional transit

- DCP, EDC and MTA should provide a comprehensive transit plan that integrates regional rail, bus, subway and other means of mass transit as well as vehicular modes of transportation.

Port Authority Bus Terminal Garage

- *Phasing* – The proposed PABT garage at 39th Street east of Tenth Avenue will provide welcomed relief to the area's traffic problems by keeping buses entering and exiting the Bus Terminal off city streets. This garage must be built in the early years of the plan in order to bring immediate improvement to the neighborhood's excessive traffic congestion, to mitigate the new traffic problems that construction in the area will bring, and to free Port Authority-owned land for park development.
- *Layover space* – The PABT garage must provide layover space for commuter vans, commuter buses and charter buses. As noted in the August letter, removal of commuter and charter vehicles from the area's streets is essential to improve the area's habitability and marketability for residential and office use.

- *Design* – Along 39th Street, the PABT garage should be designed to incorporate at street level, an arcade or shallow retail spaces to reinforce the Hell’s Kitchen Market (the relocation of the Sixth Avenue Flea Market to 39th Street is currently underway). Providing such space would enliven the streetscape and better integrate the facility into the neighborhood. The garage should also be built to exacting environmental standards, and should serve as a model of sustainable construction and building design.

Tow Pound and Sanitation Garage

- *Relocation to the Rail Yards* – Removing the tow pound from Pier 76 was requested in the August Letter, and this Board has long supported removing the sanitation trucks from Gansevoort and under the High Line. The Board is very appreciative of DCP’s proposal to accomplish these objectives. Though the Board opposes the proposed stadium (discussed above), the tow pound and the sanitation garage could nonetheless still be accommodated as proposed, tucked underneath whatever type of development is built over the Rail Yards.

Ferry Terminals

- *Proposed ferry terminal at 34th Street* – The Board opposes a second ferry terminal at 34th Street. It would remove much-needed and already scarce parkland from a particularly narrow portion of the Hudson River Park. The expanded 39th Street ferry terminal about to be built should be sufficient to serve the area.

Traffic and Parking

- *Traffic reduction* – The presentations largely ignored the area’s overwhelming traffic problems. Aggressive and effective traffic reduction measures must be established.
- *Parking requirements* – Parking requirements in new commercial buildings should be as minimal as necessary to satisfy the requirements of the Environmental Impact Statement.

Lincoln Tunnel Entrances and Exits

The existing agglomeration of entrances and exits for the Lincoln Tunnel was designed and built when a 34th or 30th Street crosstown expressway was on the Interstate Highway maps. Interstate 495 (the Long Island Expressway) is still marked on the New Jersey side in the Lincoln Tunnel approaches and continues through into Manhattan in the form of Dyer Avenue. Thankfully, Robert Moses was never able to build the elevated crosstown link. Consequently, the Lincoln Tunnel spills out to a series of city streets never meant to absorb such capacity.

- *Review and re-design* –The Board recommends a comprehensive review of Lincoln Tunnel roadways and suggests three general approaches to entry and exit redesign:
 1. Redesign ramps and sidewalks for pedestrian safety – change roadway curves into corners by minimizing street corner radii, provide pedestrian signals at all intersections, lay out crosswalks at all intersections, and provide standard and visible signage to create

an environment with physical and visual cues that signal to drivers and pedestrians they are on the City's grid, not an expressway.

2. Reroute entry traffic south of the proposed commercial area – Ramp C (at 36th Street) often backs up to the high West 40's. As a result, traffic exiting the Lincoln Tunnel is often blocked at West 40th and 9th Avenue. By closing Dyer Avenue entry points along 9th Avenue above 34th Street and rerouting Tunnel-bound traffic further south to 30th to 33rd Streets, the Tunnel entry queue would be shifted away from the residential area and away from Tunnel exit points.
3. The Board recommends that all of the traffic approaches be reviewed and re-designed to meet the needs created by the proposed new development.

CONCLUSION

This Board recognizes that implementation of a plan will require coordination with a host of city and state agencies. Toward that end, we reiterate our request that a working group be assembled to ensure a regular consultative process involving this Board and other community representatives. We look forward to continued discussions as part of that group.

Sincerely,



Simone Sindin

Chair

Manhattan Community Board No. 4



Anna Hayes Levin

Chair

Clinton Land Use & Zoning Committee

This letter was passed at Manhattan Community Board No. 4's March 5, 2002 full board meeting.

cc: Hon. Michael Bloomberg, Mayor
Hon. C. Virginia Fields, Manhattan Borough President
Local Elected Officials
City agencies and offices

DPR

Deputy Mayor Doctoroff

EDC – Ann Weisbrod

EDC – Hardy Adasko

EDC – Michael Meola

Mayor's Office – Laurel Blatchford

Port Authority – Terri Benzik (Sp?)

Port Authority – Sandra Dixon (Sp?)

HPD – William Traylor 212-863-6400

MTA

MTA – NYC Transit

DOT – Margaret Forgione

DCP – Jeff Mulligan

DCP – William Haas

DCP – Aron Kirsch

Cooper-Robertson – Alex Cooper

Manhattan Community Board No. 5

Fashion Center BID

Mayor's Midtown Citizens Committee, Gerry Shoenfeld (sp?)

HCC – Sarah Desmond

HKNA – Leni Swhendinger

NYC2012 – Jay Kreigal (Sp?)

NY Jets – Jay Cross, President