Appendix 10
Written Comments Received on the Draft Scope of Work

TESTIMONY BY NEW YORK STATE SENATOR THOMAS K. DUANE
BEFORE THE NEW YORK CITY PLANNING COMMISSION
ON THE DRAFT SCOPE OF ANALYSIS FOR THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
REGARDING THE REZONING OF HUDSON SQUARE

Thursday, October 27, 2011

My name is Thomas K. Duane and I represent New York State's 29th Senate District, in which Hudson Square is located. Thank you for the opportunity to present my comments on the Draft Scope of Work for the Hudson Square Rezoning proposal before the New York City Planning Commission (CPC) today.

The zoning map and zoning text amendments requested by The Rector, Church Wardens and Vestrymen of Trinity Church (Trinity) would fundamentally alter the fabric of Hudson Square. The current M1-6 zoning for the area in question, roughly bounded by West Houston and Vandam Streets to the north, Avenue of the Americas to the east, Canal Street and Spring Street to the south and Hudson Street and Greenwich Street to the west, allows for manufacturing, business and hotel uses but not residential, educational or cultural uses. I applaud the effort to create a vibrant, mixed-use community in this sparely populated area which is dominated by large commercial spaces. However, I have concerns about the neighborhood's ability to sustain the thousands of new residents that would occupy new housing units permitted by the rezoning and I believe there are aspects of the draft scope of work for environmental review which warrant additional attention.

The project's transportation impacts must be meticulously and comprehensively studied. As we have seen in other places in our city, even small changes to a neighborhood can have huge impacts on both traffic and public transportation. Hudson Square is already overwhelmed by Holland Tunnel traffic. Moreover, subway riders heading in and out of the southern part of the district already overburden the limited IND and IRT subway access points north of Canal Street. It should also be noted that bringing residents as well as the shoppers, diners and other visitors that a mixed-use community would attract to an area where high volume vehicular traffic exists

at nearly all times of the day may place pedestrians at risk. Thus, I cannot stress enough the importance of fully analyzing the traffic, public transportation and parking impacts this development would have on the immediate area, as well as potential ripple-effects on surrounding neighborhoods.

Changing the area's composition from exclusively commercial to partially residential would also create more demand for local amenities. Specifically, individuals and families will require open space for both active and passive recreation. Lower Manhattan has a dearth of open, publicly accessible space. The scoping documents must not only examine the potential demand for open space, but also opportunities for creating additional publicly accessible open space both in and around the potentially rezoned area.

I am also concerned that adding new families to the area may negatively impact our already overcrowded school system. Even without this rezoning, the New York City Department of Education's Five-Year Capital Plan for Fiscal Years 2010-2014 identifies the need for an additional 1,301 seats to address the growth and overcrowding of existing school facilities in this subdistrict. Trinity's proposal includes space for the New York City School Construction Authority (SCA) to potentially create approximately 400 new elementary school seats. Based on the SCA's conservative projected public school ratio of students generated per new housing unit, the school as proposed would accommodate solely the area's new pre-kindergarten through fifth grade residents but would not alleviate the current community-wide overcrowding issues or the lack of seats for older students. Further, this space is contingent on the SCA being both willing and able to accept and build out a school in the space—a significant uncertainty. I recognize that Trinity, in accordance with the *CEQR Technical Manual*, intends to perform a detailed analysis of the effects of its proposed actions' on demand for schools, both with and without the prospective new public school's development. The scoping should also examine increasing the capacity of the prospective school to accommodate the rezoning area's new middle school students and/or to serve the wider community's growing school-age population.

As Manhattan Community Board 2 (CB2) noted in its testimony on this matter, the Board has had to address a number of hotel-related issues. Trinity's proposal would allow transient hotels with more than 100 rooms only by special permit from CPC until the project's residential

development goal has been met, at which point such hotel uses would be as-of-right. With the community's concerns in mind, the scoping should consider the effect of lifting the proposed expiration of the special permit requirement for hotels over 100 units so that it may remain in perpetuity. Special permitting gives the community more of a voice as to the types of construction and conversion that take place in their neighborhood. It should go without saying that a non-contextual, outsized development like the Trump SoHo Hotel must never again be allowed to encroach on our community, nor should Trump SoHo itself be allowed to convert to residential use.

I have further concerns about the ability of our water and sewer infrastructure and solid waste and sanitation services to accommodate the new residents this rezoning would attract. I agree with CB2 that our infrastructure capacities must be studied for the highest potential number of residents the proposed action might bring to the area.

I likewise agree with CB2 that the environmental review should consider the effects of increasing the proposed rezoning's size limit for residential conversions to somewhere between the proposed 50,000 square feet and 70,000 square feet of floor area. There appear to be only four additional non-residential buildings in the rezoning area that would qualify for conversion if the size limit were so lifted, but the environmental impacts of such an increase must be thoroughly studied, and, as CB2 noted, the size limit for demolitions should remain unchanged.

Finally, I share preservationists' concerns about how this proposal may impact the unprotected portions of the proposed South Village Historic District, which borders the area under consideration. I, along with other elected officials and community members, have urged the New York City Landmarks Preservation Commission to act expeditiously to ensure that the remainder of the historic South Village is protected under New York City's Landmarks Law. The proposed rezoning's generous height limits may compound pressures for residential and commercial displacement as well as non-contextual, over-sized developments in this proposed historic district.

Thank you for allowing me to testify today and for your consideration of my recommendations.

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

DEBORAH J. GLICK
Assemblymember 66TH District
New York County

CHAIR
Higher Education Committee

COMMITTEES
Environmental Conservation
Rules
Ways & Means
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Assemblymember Deborah Glick's Testimony
before the New York City Department of City Planning
Regarding the Hudson Square Rezoning

October 27, 2011

Thank you for the opportunity to testify before you today regarding the environmental impact of Trinity Real Estate's proposal to rezone around 18 blocks in the Hudson Square neighborhood of Community Board 2, Manhattan. This rezoning will dramatically change the character of the lower West Side. Upon review of the Draft Scoping Document, I would like to request additional modifications be made to the Environmental Impact Statement (EIS) so the community can better determine the benefits and consequences of such a dramatic alteration to the cityscape.

For many years, our neighborhood has been a respite from the canyons of the Upper East Side and yet it seems that this zoning change will diminish the human scale of the community. The proposed bulk and height for the entire district is too high- both on the avenues and side streets. I request that the EIS study the proposed rezoning at a reduced height and bulk allowance that is more in keeping with the neighborhoods surrounding the area.

Additionally, I request that the scoping be done without the creation of sub-districts A and B. As proposed, sub-district A would allow up to a 430-foot tower. While there is a proposal for an elementary school to go into the bottom floors of this building, it does not justify the need for such a tall building. I would like the EIS to study the rezoning without any special zoning for this sub-district. Sub-district B is a down-zoning of just a few buildings in the area. If the whole area under consideration of rezoning is evaluated at lower height and bulk allowances, a specified down zoning on these few blocks will be unnecessary.

Another factor that merits consideration is the issue of traffic. There is already a lot of traffic- pedestrian, vehicular, bike- in the surrounding area. With the addition of around 5,000 residents and a school, safety and quality of life become a great concern. The proposed traffic study area should be expanded to include all modes of transportation as well as a wider range of hours, and greater radius than is currently proposed. Currently both the Holland Tunnel is under construction, as well as ongoing construction for the Hudson Street Water Main project. The EIS should address the impact of current and planned construction on vehicular traffic as well as other modes of transportation. The study on pedestrian safety should encompass a wider geographic area, and focus especially on areas near ramps to the Holland Tunnel, wider avenues and irregular intersections to ensure pedestrian safely is thoroughly understood.

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With the increased use of the area, there will be an increased demand placed on the public transportation. Currently, the Canal Street station of the 1 train only has one point of entry and egress. The EIS should evaluate the creation of additional points of entry and exit at this station in order to safely increase capacity of this station.

Regarding energy uses, what is the current unused capacity of the existing sub-station for the area? Would the increase in residential and commercial tenants in the area require an additional sub-station?

Finally, Community Board 2 has the second lowest amount of public open space in Manhattan, less than .4 acres of open space per 1,000 residents. It is reckless for us to entertain a plan that will encourage more residents to move to this area without offering any new public open space as part of that plan. Whether it be playgrounds for kids or recreational spaces for those without children, whether they are young or old. More people living in our community will mean more pets, and therefore more neighborhood dog runs are needed. An inclusion of public open space must be addressed in the scoping.

I am not opposed to a rezoning of this area but only if it is done in a responsible and thoughtful fashion that respects the history and uniqueness of the Lower West Side. A comprehensive EIS will only strengthen the community's ability to provide informed opinions. Thank you for the opportunity to present here today.

THE PUBLIC ADVOCATE FOR THE CITY OF NEW YORK
Bill de Blasio – PUBLIC ADVOCATE

November 7, 2011

OFFICE OF THE CHAIRPERSON
NOV 14 2011
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Amanda Burden
Director, NYC Department of City Planning
22 Reade Street
New York, NY 10007

Dear Amanda Burden, AICP, Director

The goal of the Hudson Square Rezoning is to create a 24/7 vibrant mixed-use district by allowing residential, educational and community development, all while protecting the current commercial and manufacturing spaces. Yet the proposed zoning to protect these spaces may inadvertently put pressure on the same commercial spaces to be converted to hotels. The new zoning provides that that for any non-residential building above 50,000 square feet in area, any demolition or residential conversion of the building will trigger a requirement to replace all non-residential space lost at a 1:1 ratio. This text in theory protects the large commercial buildings from residential conversion but in fact profoundly increases the likelihood that protected buildings to will be converted to hotels.

The new zoning text requires hotel special permits on lots where residential uses are allowed as-of-right limiting the supply of available lots for hotels to be built. Yet the text does not require special permits for existing commercial or manufacturing buildings leaving the protected buildings vulnerable to hotel conversion. Naturally developers would elect to build on the commercial or manufacturing sites since they would not require a special permit and a hotel would maintain the commercial use escaping the clauses of replacing the non-residential uses at a 1:1 ratio. This potential scenario would negate the rezoning's goal of protecting the commercial and manufacturing space of Hudson Square and the goal of the creating a vibrant mixed-used community.

To properly account for this possibility, I ask that the environmental review should include an option that will apply the hotel special permit to all zoning lots in the area. The review should also take into account the possibility of 5 or more large-scale hotel developments on the protected commercial lots, rather than the 2 considered in the current Environmental Assessment Study. Furthermore I ask that the Hudson Square Special District hotel special permit reflect the Tribeca Mixed Use District Special Permit for Large Transient Hotels (Article XI 111-31) text requiring that all hotels above 100 units must obtain a special permit.

Sincerely,

Bill de Blasio

Bill de Blasio
Public Advocate for the City of New York

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THE CITY OF NEW YORK
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BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

Testimony at Scoping Session for Hudson Square Rezoning (Trinity Church)
Before the Department of City Planning
October 27th, 2011

I would like to thank the Department of City Planning for the opportunity to testify on the proposed scope of work for environmental review on Hudson Square Rezoning by The Rector, Church Wardens, and Vestrymen of Trinity Church in the City of New York ("Trinity"). I would also like to thank and commend the members of Community Board 2, and their chair Brad Hoylman, for their diligent work in thoughtfully and thoroughly responding to Trinity's proposals.

The proposed rezoning area is currently zoned M1-6, which lacks height limits and allows for only manufacturing and commercial uses. As a result, the zoning has allowed several out-of-scale developments such as the Trump SoHo Hotel, and has not supported the type of development that encourages a vibrant and mixed-use neighborhood. In response to that, Trinity is proposing the creation of a new Special Hudson Square District in Manhattan's Community District 2. The district would introduce height limits on narrow and wide streets; introduce a new inclusionary housing bonus for new developments; provide protections to preserve commercial uses on lots with more then 50,000 SF of manufacturing or commercial uses; create a new preservation area with lower densities; and create a new special permit for hotels greater then 100 rooms.

Today's hearing offers the public an opportunity to comment on the scope of Trinity's environmental study. Scoping hearings are essential for determining a framework that will ensure a fair disclosure of potential environmental impacts and identifying appropriate alternative development scenarios. As a participant in the ULURP process, I will not issue a formal position until the project is before me for review.

It is notable that the proposed project has received a generally positive response at public hearings held by Community Board 2. The community and the board have, however, requested several alternatives to be studied. In order to ensure policy makers retain a full range of options when considering the proposed rezoning, these modifications should be considered as part of the environmental review process. Specifically, I believe the proposed alternatives be considered as part of the public review process.

Alternatives

One of the primary goals of the proposed rezoning is to protect existing commercial space while allowing new housing opportunities. The proposal would preserve buildings of 50,000 SF. Several property owners have requested that the limit on preservation be raised to 70,000 SF in order to incorporate several buildings where residential uses may be appropriate. Additionally, some

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property owners have requested that certain uses with low employment rates, such as warehouse uses, be exempted from the preservation requirement. The impact of these proposed changes cannot be known without an analysis of the number of buildings affected and therefore a more detail study is warranted. To fully assess the potential impact of the suggested changes, they should be included as an alternative in the environmental review.

Additionally, the proposal would introduce new bulk controls. The area is marked by several uniquely narrow blocks that may prevent some property owners from creating efficient buildings with standard rear yards. This condition in conjunction with the new height limits may have the unintentional consequence of preventing property owners from achieving their full densities. As the maximum density can only be achieved through the inclusionary housing bonus, the bulk controls may result in a reduction of total affordable housing units. As providing affordable housing is an important citywide goal, modification of the height limits warrants further study. Community Board 2 has suggested the creation of a special permit that would allow for bulk modification based on specific site constraints. Such a special permit would allow for the consideration of each site's individual condition and could balance the new bulk controls while retaining the possibility for new affordable housing. It is therefore appropriate to study a bulk modification special permit as an alternative in the environmental review.

Finally, the proposed rezoning includes a preservation area that will reduce the total density along Watts, Broome and Dominick streets. The proposed rezoning reduces the total permitted density from a FAR of 10 to 5.4. Many property owners have expressed concern that these streets have significant traffic from the Holland Tunnel and that a higher density is appropriate given the streets' character. Community Board 2 has echoed this concern and asked that a more appropriate density be studied. Such a change to density may be appropriate, but could potentially alter the environmental impacts by introducing a new residential population. Any proposed change of this nature should be carefully studied as an alternative in the environmental analysis. This inclusion will allow policy makers to consider the proposed impacts of increasing the residential density and allow an appropriate balance of preservation of neighborhood character with new development.

Potential modifications to the Hotel Special Permit

The proposed rezoning includes a special permit for hotel uses. The special permit is intended to allow for the growth of the new residential community. However, the proposed special permit will only exist until 75% of the new residential units are created. The community board and community members have requested the removal of this expiration. They believe that the special permit will remain necessary to monitor hotel growth and ensure a balanced mixed-use neighborhood. In order to preserve the option to modify the text, the environmental review should analyze the potential of positive and negative impacts of removing the special permit's expiration.

Additionally, the proposed hotel special permit is currently anticipated to only apply to substantially vacant lots where residential uses are allowed as-of-right. However, hotels will be allowed in buildings that are currently intended to be preserved for commercial uses. As hotels will not be allowed on the substantially vacant lots, there may be additional pressure to locate them on zoning lots with protected commercial buildings. This pressure may increase the risk that the protected buildings will be converted to or replaced with hotels. This issue was previously raised by my office in another application earlier this year regarding the M1-6D district on West 28th Street in Community Board 5. A modification of the proposed text may be necessary to balance the goals of preserving commercial buildings, allowing new as-of-right residential uses, and monitoring large

hotel growth. Therefore, the environmental review should include an option that will apply the hotel special permit to all zoning lots in this area.

Residential Infrastructure

The proposed rezoning will increase the total number of residents in the area and a proposed development plan for the area should include appropriate residential infrastructure — such as schools and open space. Residential infrastructure is often difficult to provide in large area-wide rezonings with diverse ownership; it is, however, necessary to ensure healthy neighborhood growth. The development plan should consider ways to meet these needs, such as the open space improvements suggested by the Hudson Square Connection and Community Board 2.

As part of the proposal, Trinity has committed to providing a new 420 seat public school at its development site bordered by Canal, Watts and Varick streets. Community Board 2 has had a long history of overcrowding schools, which I have highlighted over the years. Overcrowding conditions in this area will continue to worsen without intervention. Given the area's unique overcrowding conditions, the city should work to ensure that the new proposed public school is constructed in a timely manner and is of an appropriate size to mitigate any environmental impacts.

Conclusion

I look forward to seeing the results of this Environmental Impact Statement and urge that all potential impacts be examined carefully and thoroughly. In the meantime, I will continue working closely with the community to ensure the appropriateness of future development in the area.

Thank you again for the opportunity to testify.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 27, 2011

Mr. Robert Dobruskin, AICP
Director
Environmental Assessment and Review Division
NYC Department of City Planning
22 Reade Street, Room 4E
New York, New York 10007-1216

RE: **Hudson Square**
CEQR No. 12DCP045M
Comments on Draft Scope of Work

Dear Mr. Dobruskin:

Community Board No. 2, Manhattan ("CB2"), at its October 20, 2011 Full Board meeting, voted approval of the following testimony to be submitted to the New York City Department of City Planning at its October 27, 2011, Public Scoping Hearing for the above project.

Trinity Church ("the Applicant") seeks approval from the New York City Planning Commission for a zoning text amendment and zoning map amendment to create a Special Purpose zoning district, the "Special Hudson Square District," over an underlying M1-6 District covering approximately 18 blocks of the Hudson Square area in Community Board No. 2, Manhattan ("CB 2"), generally bounded by West Houston and Vandam Streets to the north, Avenue of the Americas and approximately 100 feet east of Varick Street to the east, Canal and Spring Streets to the south, and Hudson and Greenwich Streets to the west.

The stated purpose of the proposed actions is to create a vibrant, mixed-use district by allowing uses beyond the current manufacturing and commercial, to include residential, educational and cultural. In addition there will be incentives to provide affordable housing, protections for existing concentrations of commercial and light manufacturing uses, require ground floor retail uses and transparency to enliven the streets, establish a special permit process for hotels over 100 rooms, and set height limits for future development.

We have hosted many public hearings over the past few years on a potential rezoning of Hudson Square. Our comments here are based on community input and are specifically limited to the scope of study for the Draft Environmental Impact Statement ("DEIS"), that will be prepared in advance of certification of a Uniform Land Use Review Process ("ULURP"). We begin with general comments and concerns about the actions being proposed, and then follow with specific requests for further study for potential impacts in the Project Area and beyond, as outlined in the NYC CEQR Technical Manual.

Land Use, Zoning and Public Policy:

A waiver on Bulk Rules:

Lots in CB 2 were established before the enactment of standard lot sizes. Short and narrow blocks often make it difficult to fully comply with standard bulk rules. There may be other massing that would more appropriate and might provide flexibility to produce a better design. The Community Board is familiar with this issue and would prefer to have a rational rezoning that will solve as many issues as possible so that future variances would be minimized.

CB 2 recommends consideration of the inclusion of a Special Permit Waiver that would allow, where appropriate, the adjustment of any bulk rules, including open space, setbacks, and height limits, but only to the extent these are justified based on the narrowness or shortness of the particular block or lot and would not allow increases in FAR.

Consideration of Increasing the Size of Buildings Allowed to Convert to Residential:

Local stakeholders have expressed concern that the 50,000 sf limit for conversion would leave out some buildings that might be appropriate for residential use. Our board strongly supports the concept of maintaining a mixed-use area.

CB 2 recommends consideration of an increase in the size limit for residential conversions to somewhere between the proposed 50,000 and 70,000 sf, based on an evaluation of the buildings that would be affected at different levels, however the size limit for demolitions should remain unchanged.

Reconsideration of the Proposed Downzoning on Watts, Broome, Dominick Streets:

Residential property owners on these streets have expressed concern that the proposed downzoning in these areas is far greater than the proposed downzoning on other mid block areas. CB 2 agrees it is appropriate to reduce the zoning where the use is changed from manufacturing to residential, but the proposed downzoning in the Watts, Broome, Dominick Street area is excessive. The neighborhood character is disrupted by newer buildings and vacant lots and dominated by traffic conditions related to the tunnel. Its preservation does not justify differential treatment from the rest of the zone.

CB 2 recommends consideration of the elimination of the sub-area with reduced FAR and treating it the same as the rest of the zone and leaving the merits of individual buildings to potential landmark consideration if appropriate.

Special Permit for Hotels with 100 or more Rooms:

We have received some opposition and some support for this Special Permit. The Board notes that the proposal does not ban hotels, rather, it requires that they be subject to an appropriate review process. Given the hotel related issues that have arisen in the Board, this Permit is appropriate.

CB 2 expresses support for the inclusion of a Special Permit for Hotels with 100 or more rooms and recommends consideration of a Special Permit for Hotels that does not have an expiration, similar to the Special Permit included in the recent rezoning of north Tribeca.

Consideration of Lower Height Limits:

The Height Limits in the current proposal are 320 feet on wide streets and 430 feet for Duarte Square. Given the existing built environment, the Board is concerned that these heights may be excessive for this area.

CB 2 recommends consideration of lower height limits that would be more contextual for this area.

Consideration of Community Use Facilities:

We have been recently concerned that about the negative impacts of excessive, and unanticipated, expansion of certain Community Use Facilities in other parts of our district.

CB 2 recommends consideration for eliminating dormitories, fraternity and sorority houses from this proposal.

Other Concerns

The proposed rezoning will allow for the potential development of over 3000 residential units, including affordable housing. This will be the largest increase in population in our district in many years. Because this increase will be concentrated on only 18 blocks, we are very concerned that all of the potential impacts of such significant growth be fully considered in the Environmental Impact Statement. Following are areas of specific concern:

Community Facilities and Services

Inclusion of a new, larger grade school:

Community Board #2 expresses its concern that any future residential rezoning needs to consider the impacts on our already overburdened school system. This proposal, which includes a plan for a new grade school with 420 seats, has support and the applicant has done a good job of community outreach on this issue. The new school, however, addresses only this proposal and does not address the larger problem in the downtown school system.

CB 2 expresses support for the proposed grade school with at least 420 seats and would consider a proposal for a greater number of school seats. We further recommend that City Planning establish a policy for all future rezonings that will address this important issue.

Effects on Healthcare:

There is no longer an acute care hospital or Level 1 Trauma Center in our district. The closing of St. Vincent's Hospital has left the entire lower west side with no rapid access to a facility that can both treat and admit patients.

CB 2 requests that the study include in-depth research on the effect of so many additional families and workers that the proposed actions will bring to this already healthcare-deprived area on access to health services, especially but not limited to emergency situations.

Effects on First Responders including Police and Firefighters:

New York City has undergone severe budget cuts that have placed added pressure on our first responders.

CB 2 requests study of the impact of additional families and workers on the area's existing police, firefighter and ambulance capacity, as well as the impact of increased traffic on these first responders' ability to access and egress affected locations.

Effects on Other Infrastructure:

Issues such as sanitation are magnified in densely populated areas such as Manhattan, and increased population will potentially strain the existing infrastructure.

CB 2 requests study of how new and repurposed buildings and their occupants will affect city services.

Open Space

Expansion of the Study of Open Space:
Our district is among the community boards with the least amount of open space. Additional families require additional open space with both passive and active recreation opportunities.

CB 2 recommends the expansion of this study to include other possibilities for the inclusion of additional Open Space in the Hudson Square area.

Historic and Cultural Resources

Study the Effects of Change to the Historic Manufacturing Uses:

While economics and changes in communications may have been a significant cause of manufacturing moving out of the area, some recognition of the area's manufacturing roots and some preservation of existing and future potential manufacturing should be attempted.

CB 2 recommends study of the potential for retaining some manufacturing uses as well as allowing for a potential resurgence of manufacturing if such opportunities should arise.

Natural Resources

Additional Study on Environmental Issues:

The district has several underground water sources, including feeders and tributaries from the Minetta underground stream. Both during construction and as a result of underground structures that may be built, these underground waters may be diverted and either cause flooding or structural erosion to neighboring buildings.

CB 2 recommends in-depth study of the underground water as well as the water table and potential for flooding due to new and repurposed structures that may be built as a result of Trinity Real Estate's proposed plan.

Hazardous Materials

Effect of Demolition, Construction and Repurposing:

The Hudson Square area has many buildings that existed before the ban on asbestos and other hazardous materials. Demolishing old buildings, construction of new ones on areas that may have leftover hazardous materials from their manufacturing uses, and repurposing buildings that have been used for manufacturing may disturb existing hazards.

CB 2 requests a report on how hazardous materials will be tested for and safely removed if found.

Water & Sewer Infrastructure, and Solid Waste & Sanitation

Effect of Additional Families on Infrastructure:

Water use by the expected influx of families on both water supplies and sewer capacity may affect both the buildings in the area as well as in neighboring parts of SoHo and Greenwich Village. In addition, similar pressure may be put on the greater area's solid waste and sanitation services.

CB 2 requests that water and sewer capacities be studied for the highest potential number of families that the proposed action might bring to the area. In addition, the effect of the maximum number of families on solid waste and sanitation must be studied.

Energy

Effects on energy capacity and usage:

Concerns have been expressed about the potential effect of so many additional residential units on energy usage, and whether it will strain capacity for Hudson Square, and surrounding areas such as SoHo and Greenwich Village.

CB 2 requests study on what impact will this project have on the proposed area's, neighboring locations and overall New York City steam, natural gas, and electric grid/systems? How much of these energy sources will be consumed during and after construction?

Transportation

Effects on Traffic, Parking and Public Transportation:

The Hudson Square area has significant amounts of traffic, especially around the Holland Tunnel entrances as well as elsewhere in the area. At times, traffic can back up into neighboring areas such as SoHo and the greater Greenwich Village neighborhood. In addition, there are some streets that are almost impossible for pedestrians to cross at many times of day and night. CB2 also notes that the Hudson Square area is not well served by public transportation.

CB 2 requests that the study area for traffic be greatly expanded, significantly more times, especially night time hours, and locations be studied, and the potential effects of additional residences and workers - using cars, bicycles, public and private transportation and pedestrians - on nearby neighborhoods be reported on. In addition CB 2 requests that parking locations be explored and reported upon.

CB 2 requests that existing illegal parking activates (such as placard parking) be studied, as well as their potential to continue in the future, and that mitigation approaches be incorporated to address this.

Noise

Effects of Traffic and Increased Population on Noise:

Additional cars in a high-traffic area bring honking and other noises, and additional people on the street and the retail establishments that cater to them both day and night can also affect quality of life as it relates to noise.

CB 2 requests that the minimum study of noise effects as required by CEQR be expanded to consider the ancillary effects of additional traffic – both vehicular and pedestrian – and retail serving the new population, especially including eating and drinking establishments.

Construction Impacts

Effects to Existing Residential and Commercial Establishments:

We note that expected construction activity, if the proposed actions are taken, may be massive and may have concurrent timelines. Efforts to mitigate construction noise, dirt and traffic disruptions must be planned and taken.

CB 2 requests timelines, phasing and mitigation plans for potential construction in order to minimize the effects of many concurrent projects in a small area.

Thank you for this opportunity to comment. Please note that this resolution is a recommendation for modifications of the scope to allow study of specific alternatives and does not constitute endorsement by CB 2 of a final rezoning plan or any of its elements.

Vote: Passed, with 40 Board members in favor, and 1 recusal (Bergman).

Please advise us of any decisions or actions taken in response to this resolution.

Brad Hoylman

Brad Hoylman, Chair
Community Board No. 2, Manhattan

David B. Reck

David Reck, Chair
Land Use & Business Development Committee
Community Board No. 2, Manhattan

BH/fa

cc: Hon. Christine C. Quinn, NYC Council Speaker
Hon. Scott M. Stringer, Manhattan Borough President
Hon. Jerrold L. Nadler, Member, U.S. House of Representatives
Hon. Thomas K. Duane, Member, NY State Senate
Hon. Daniel J. Squadron, Member, NY State Senate
Hon. Deborah J. Glick, Member, NY State Assembly
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Great Performances

Howard Pulchin
Edelman

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HERE Arts Center

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Community Board #2

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President

DEPT OF CITY PLANNING
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ENVIRONMENTAL REVIEW
HUDSON SQUARE CONNECTION

03 November 2011

New York City Planning Commission
Attention: Robert Dobruskin, AICP
Director EARD, NYCDCP
22 Reade Street, Room 4E
New York, New York 10007

Re: Application 12DCP045M

Dear Mr. Dobruskin:

The Hudson Square District Management Association, doing business as the Hudson Square Connection, manages the Hudson Square Business Improvement District. Our boundaries are generally concurrent with the boundaries of the proposed rezoning action. Based on extensive conversations with the commercial property owners serving a local business community consisting of approximately 600 commercial tenants and 30,000 workers, we offer the following comments on the draft scoping document:

- We support the goals of the rezoning. Achieving the goals for residential growth is critical. The lack of existing residential density has inhibited the market for the retail needed for a vibrant business district. The introduction of the proposed residential development would enhance the 24/7 character of the neighborhood and contribute to the growing vitality of Hudson Square as the home of the innovation economy.

- We strongly support the 10 FAR for commercial and 9 FAR bonusable to 12 for affordable housing for residential throughout the area and including the elimination of Sub-District B. Such density for these uses is consistent with and supportive of the predominantly commercial character of Hudson Square. We believe that any reductions to bulk would seriously compromise the goal of creating a mixed use environment.

- The EIS should study increasing the threshold for conversion/demolition restrictions for office buildings from 50,000 to 80,000 SF. This increase would not compromise the predominant commercial character of the district because it would principally affect smaller buildings which currently have limited commercial activity. Therefore, the EIS should study this change because it will further the mixed use nature of the district without undermining its central character as a creative business center.

- The east-west length of our blocks is approximately half that of typical Manhattan blocks, and we ask that City Planning give careful consideration and analysis of how this relates to the distinction between mid-block and avenue heights.

- The proposed zoning envelopes should allow for the full use of the proposed FAR. Where unique site conditions present challenges to full use of the proposed FAR, the EIS should study a mechanism for bulk waivers which should be created as part of the zoning text.

- The EIS should study the elimination of storage as a use subject to restrictions on conversion/demolition.

- The EIS should study retaining the retail uses allowable under the underlying zoning (except the language in the application as it refers to nightclubs).

- The EIS should study limiting Community Facility uses by providing an exception for "college or school dormitories and fraternity or sorority student houses."

- We support and seek the City's leadership in enhancing three areas of publicly owned open space for better utilization by the public:
    - Use of the Port Authority-owned parking lots on Dominic and Spring (and Hudson) as public open space. While we understand the PA has financial and logistical considerations, we don't believe any of these are insurmountable;
    - The Port Authority-owned Freeman Plaza. The green space in front of the Holland Tunnel entrance is currently inaccessible and can be made so easily;
    - Creation of the Spring Street connection. Hudson Square is a park-side community and access to open space would be greatly facilitated by providing at grade access to Hudson River Park at Spring Street/the north leg of Canal

Respectfully Submitted,

Ellen Baer, President

Cc: Laura Walker, President & CEO, NY Public Radio (Board Chair)
Jason Pizer, President, Trinity Real Estate (Applicant)
Steve Marvin, Executive Managing Director, Olmstead Properties (Economic Development Task Force Chair)

Chair Amanda Burden
City Planning Commission
Written Comments following Testimony at Scoping Session for Hudson Square Rezoning (Trinity Church)

OFFICE OF THE
CHAIRPERSON
NOV 7 - 2011
23807

October 27th, 2011

By: Anthony Barrett (Owner 315 Spring St,)

Thank you for the opportunity to testify on the proposed rezoning:

I represent the above building in the district

315 Spring St is located on the North East corner of Greenwich and Spring St, and is currently a commercial building with retail tenant. The total SF of the 5-story building is aprox. 59,000 SF.

In reviewing the EIS (specifically Table 3,page 11), showing projected development sites, my site is included in development site #9. The EIS draft has combined my building together with 525 Greenwich, my adjacent neighbor, to form a combined development site of 18,687SF lot area) buildable to 167,000 SF of residential space (equivalent to 203 residential units). Currently our neighbor's site is being developed as a hotel and will not be part of a combined development with our lot. Their demolition is completed and foundation will commence shortly.

The net result is that this development site will not be built as projected in the EIS summary. As this is one of the larger "private" or not "Trinity" sites the 203 residential units will not happen.

Due to the proposed 50,000SF commercial replacement requirement any new development on our site will be economically unfeasible for residential development.

As a result I am strongly arguing to increase the commercial replacement limitation to at least 70,000 sf. After studying the impact this will have on the district only four properties would be impacted. 145 6th Ave is already a defacto residential building, and the other two impacted would be 183 Varick and 537 Greenwich. Both of these would in the long run be ideal residential conversions.

My building at 315 Spring St is functionally obsolete and the vacancy rate over the last 15 years has averaged more than 20%. The building has wood floors and columns, low ceilings, little light, noise issues, no basement and structurally could not be altered to accommodate additional residential. This is an ideal ground up residential development that would continue the existing residential "corridor" running up Greenwich St.

These "smaller " size residential projects are the ones more likely to proceed given the current capital and lending issues on the market.

I also request that the impact of the new sanitation facility on West Street, specifically the height that it will be built to and how it will effect the adjacent residential development be studied.

Views of the Hudson River and NJ will be a driving reason for any successful residential development in the neighborhood. The height limitation for both wide and narrow streets should be viewed in relation to this huge structure and the bulk and height of existing buildings in the neighborhood.

The narrow blocks in this district present the perfect argument for a uniform height allowance closer to the 320'.

Thank you for your time

ANTHONY BARRETT

-Im a unit owner at 145 6th avenue representing the board of directors and our entire building in expressing our support for the rezoning as long as the cap on square footage for allowable residential conversions is raised to 70,000 square feet so we can continue to live and work in the neighborhood we've helped to build and thrive.

-We are an eclectic group of talented Culture/Art related individuals: Creative / Artisanal + Art
PHOTOGRAPHERS
INDEPENDENT FILM MAKERS
ARTESIAN MOVIE MAKERS
CLOTHING DESIGNERS
PAINTERS

-In our building we organize fun events such as art openings, Movie screenings, Castings & Fashion show and presentations. We involve our neighbors as well as invite guests from ll areas on the city and the world.

-My neighbors and I at 145 6th Avenue live our neighborhood to the fullest.

-We support and nurture the small businesses, we know all the businesses in our neighborhood. Thru Human networking.
Through the exchange of referrals, ideas and resources we support one another in the area of business and professional growth. We keep the park adjacent to our building clean and safe, we clean up and take care of the neighborhood.

-I myself was a fashion designer: making my own line of dresses when i moved in, Today I am fashion director at a major American Masthead.

-I am very involved in the fashion aspect of our neighborhood, the young designer showrooms & stores.
PR CONSULTING: high end designer pr agency On Hudson
KRUPP GRP On VARICK to unknown fashion designers at a showroom such as Opening Ceremony.
To ART PARTNERS Photo Agency next door to us on 6th avenue.
To SPLASH LIGHT PHOTO STUDIO on Varick.
ALOHA RAG on Greenwich street hi end Boutique.
I will not take credit with them moving to the neighborhood but in my small business looking for the next neighborhood it Vital. Potential

-I support them editorially for my magazine as well as nurture and grow their talent and businesses.

-My neighbors and I share a common desire to give back to and contribute to our community.

-We have made this our home.

-We make up the tapestry of what trinity envisions this neighborhood to be in a few years.

-And,in order for us to continue to live and work in our community, we need the city to help us by raising the cap on square footage for residential conversions to 70,000 square feet.

Visitor

Gloria S Baume

10/27/11

GT GreenbergTraurig

Deirdre A. Carson
(212) 801-6855

January 9, 2012

VIA E-MAIL & HAND DELIVERY

Mr. Robert Dobruskin, AICP
Director EARD, NYCDCP
New York City Planning Commission
22 Reade Street, Room 4E
New York, New York 10007

Re: Draft Scope of Work for an Environmental Impact State ("Draft Scope of Work")
Hudson Square Rezoning
CEQR No.: 12DCP045M

Dear Mr. Dobruskin:

We represent the owner of the properties identified in the Draft Scope of Work as "Projected 5" (Block 477, Lots 35, 42, 44 & 76) ("100 Varick"). For the reasons set forth below, we respectfully request that the Environmental Impact Statement (EIS) study a planning alternative that modifies the boundaries of one of the two small subdistricts (Subdistrict B) within the proposed Special Hudson Square District (the "Special District") to remove the zoning lots that front on Varick Street (a 100' wide street).

As I explained to you over the telephone, we anticipate filing a variance application with the BSA to facilitate the construction of a 14-story, 10 FAR mixed-use building on 100 Varick that would be generally consistent with the use and bulk parameters contemplated by the general Special District regulations, but exceed those contemplated by the Subdistrict B regulations.[1] 100 Varick is a 9,585 SF,[2] vacant lot on the east side of Varick Street between Watts and Broome Streets. It is zoned M1-6, which allows up to 10 FAR for commercial and light industrial uses (up to 12 FAR is allowed with as of right bonuses) and contains no restriction on building height.[3]

As currently proposed, the general rules for the Special District would allow 10 FAR for non-residential uses and 9 FAR for residential uses (up to 12 FAR residential would be allowed pursuant to the Inclusionary Housing Program); building heights would be capped at 320 feet on

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[1] The parameters established by the Subdistrict A regulations, which only apply to Block 227, are more favorable than those established by the Special District.

[2] All of the numerical data used in this letter has been taken from Table 1 of the Draft Scope of Work.

[3] A portion of 100 Varick was previously subject to a private covenant that established an absolute height limit (the "Restricted Portion"). The BSA previously granted a variance (Calendar No. 151-05-BZ) for the Restricted Portion that allows the construction of an 8-story, 7.97 FAR residential building (only 78'9" in total building height). The owner of the Restricted Portion subsequently acquired two adjacent lots to form 100 Varick and paid $3 million to remove the height restriction. The variance cannot be used to develop the enlarged lot.

wide streets and 185 feet on narrow streets. Within Subdistrict B, which currently includes 100 Varick, a significant downzoning is proposed; development would be limited to a basic maximum FAR of 5.4 (which could be increased to 7.2 pursuant the Inclusionary Housing Program) and building heights would be capped at 120 feet.

Subdistrict B extends roughly ½ block east and west of Varick Street between Watts and Dominick Streets with three exceptions: (i) a 12-story, 11.81 FAR office building (Block 578, Lot 67), (ii) a 12,116 SF parking lot owned by Trinity Church (Block 491, Lot 3 a/ka/ "Projected 2" in the Draft Scope of Work) and (iii) a 6-story, 8.43 FAR community facility building (Block 477, Lot 7501).

We believe that the downzoning contemplated in Subdistrict B is ill-advised in that its stated goal — to preserve certain existing small properties (a function usually performed by the Landmarks Preservation Commission) — is inapplicable to 100 Varick and that the downzoning would be contrary to established planning principles customarily followed throughout the City. We note that Community Board 2 in its July 25, 2011 resolution (Exhibit A) recommended against the downzoning.

According to the Draft Scope of Work, the proposed Subdistrict B "would serve to discourage demolition of existing buildings and preserve the lower scale of the existing built context."[4] However, this preservation rationale does not apply to 100 Varick, which, like Projected 2, is currently vacant and therefore contains no buildings that can be preserved. Further, Subdistrict B is contrary to the planning principles employed in neighborhoods throughout the City in which higher density is programmed on wide streets and lower density on the midblock of narrow streets. The proposed subdistrict perverts this general rule and results in the loss of an opportunity to create more housing on a site for which it is clearly appropriate from a planning perspective.

Accordingly, the EIS should study an alternative that, at a minimum, preserves the high density generally applicable in the Special District by moving the boundaries of Subdistrict B to, for example, a line 65 feet east of Varick Street and a line 90 feet west of Varick Street. This would allow Varick Street to be developed with higher density residential uses, increasing the likelihood that the neighborhood can sustain an active street life and retail uses, while allowing for lower density on the midblock side streets.

We believe that the City should not pass on this opportunity to provide additional housing in this area, which is well-serviced by mass transit with two major subway lines nearby. Based on the

[4] Draft Scope of Work at 9.

foregoing, we respectfully request that the EIS study an alternative in which either the proposed Subdistrict B is removed included or, at a minimum, the zoning lots that front on Varick Street are removed from Subdistrict B.

Very truly yours,

Deirdre A. Carson

Enclosures

cc: Edith Hsu-Chen
Arthur Huh
John R. Sore

EXHIBIT A

Follows immediately

WHEREAS, The Applicant has agreed that the ground floor retail space in the Building will not be occupied by an eating and drinking establishment use (Use Group 6), And,

WHEREAS, No bulk modifications are being requested as part of the Application, And,

WHEREAS, This proposal will have few, if any, adverse impacts on the surrounding area;

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends approval of this Department of City Planning Commission Special Permit Application pursuant to Section 74-711 to modify the provisions of Section 42-00 to allow he Building's ground floor lobby and floors 2 through 4 to be occupied for residential use (Use Group 2); and the recently constructed envelope for the fifth floor and mezzanine additions to the Building to be occupied for residential use in a 5-story building located in an MI-5A Zoning District and in the Soho Cast Iron District

Vote: Unanimous, with 44 Board members in favor.

2. Hudson Square Rezoning, Community Board #2 recommendations based on input from local stakeholders on the proposed rezoning of the M1-6 Zoning District.

WHEREAS, CB#2, Man. conducted a Public Hearing on July 14, 2011 to request input from local stakeholders on the proposed rezoning of the M1-6 Zoning District, And,

WHEREAS, There has been strong support over the last several years for the basic concepts and general goals of the proposed rezoning. While the basic proposal has had broad support, local stakeholders have expressed concern for the details and have requested that the Board consider other options.

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends that City Planning consider the inclusion of the following modifications:

1.) A waiver on bulk rules:
Lots in CB#2, Man. were established before the enactment of standard lot sizes. Short and narrow blocks often make it difficult to fully comply with standard bulk rules. There may be other massing that would more appropriate and might provide flexibility to produce a better design. The Community Board is familiar with this issue and would prefer to have a rational rezoning that will solve as many issues as possible so that future variances would be minimized.

- CB#2, Man. recommends the inclusion of a Special Permit Waiver that would allow, where appropriate, the adjustment of any bulk rules, including open space, setbacks, and height limits, , but only to the extent these are justified based on the narrowness or shortness of the particular block, and would not allow increases in FAR."

2.) Consideration for increasing the size of buildings allowed to convert to Residential.
Local stakeholders have expressed concern that the 50,000 Sq Ft. limit for conversion would leave out some buildings that would be appropriate for residential use. It appears this modification would only affect a few buildings, several of which are recently constructed hotels. While CB#2, Man. supports the concept of maintaining a mixed-use area, the Board recognizes that the smaller foot print buildings are more appropriate for residential conversion.

- CB#2, Man. recommends an increase in the size limit for residential conversions to somewhere between the proposed 50,000 and 80,000 based on an evaluation of the buildings that would be affected at different levels, however the size limit for demolitions should remain unchanged.

3.) Reconsideration of the proposed down zoning on Watts, Broome, Dominick Streets
Residential property owners on these streets have expressed concern that the proposed down zoning in these areas is far greater than the proposed down zoning on other mid block areas. CB#2, Man. agrees it is appropriate to reduce the zoning where the use is changed from manufacturing to residential, but the proposed down zoning in the Watts, Broome, Dominick Street area is excessive. The neighborhood character is disrupted by newer buildings and vacant lots and dominated by traffic conditions related to the tunnel. Its preservation does not justify differentiated treatment from the rest of the zone.

- CB#2, Man. recommends elimination of the sub-area with reduced FAR and treating it the same as the rest of the zone and leaving the merits of individual buildings to potential landmark consideration if appropriate.

4.) Special Permit for Hotels with 100 or more rooms.
CB#2, Man. has received some opposition and some support for this Special Permit. The Board notes that the proposal does not ban hotels, rather, it requires that they be subject to an appropriate review process.
Given the hotel related issues that have arisen in the Board, this Permit is appropriate.

- CB#2, Man. expresses support for the inclusion of a Special Permit for Hotels with 100 or more rooms.

5.) Inclusion of a new grade school.
CB#2, Man. expresses its concern that any future residential rezoning needs to consider the impacts on our already overburdened school system. This proposal, which includes a plan for a new grade school with 420 seats, has support and the applicant has done a good job of community outreach on this issue. The new school, however, addresses only this proposal and does not address the larger problem in the downtown school system.

- CB#2, Man. expresses support for the proposed grade school with at least 420 seats and recommends that City Planning establish a policy for all future rezoning that will address this important issue.

Vote: Unanimous, with 44 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

App. To DOITT for revocable consents for Public Pay Phone

1. 431 Canal Street – between Varick St. and Hudson St. – double installation

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and Patrick Fergus of DOITT was present, and

Whereas, emails were received from two CB2 Board members opposing this installation as unneeded due to low pedestrian volume and that this was desired merely as an advertising platform, and

Whereas, while these phones were presented as replacements for phones recently removed further east on Canal St, the committee felt that given the low pedestrian traffic they would not serve as a meaningful communication replacement for those phones, but would have the same potential to draw undesired and illegal activity, and

Whereas, the committee agrees that this proposal is strictly about the advertising space and the small amount of income the city would receive from this installation does not justify the cluttering of another sidewalk,

EDISON PROPERTIES, LLC

Manhattan Mini Storage | Edison PARK FAST | WORK SPACE | 1120 AVENUE OF THE AMERICAS HIPPODROME

October 27, 2011

Robert Dobruskin
Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street
New York, NY 10007

Re: Draft Scope of Work for an Environmental Impact Statement for the Hudson Square Rezoning Proposed by Trinity Church (CEQR No. 12DCP045M)

Dear Mr. Dobruskin:

Thank you for the opportunity to present our comments on the Draft Scope of Work for the Environmental Impact Statement (EIS) that will accompany Trinity Church's application for new zoning in the Hudson Square neighborhood.

As you are aware, Edison owns three properties in the proposed rezoning area – two loft buildings containing approximately 485,000 square feet, and an unbuilt lot with an area of approximately 16,250 square feet.[1] The redevelopment of these properties can represent a significant means of achieving the stated goals of Trinity's zoning plan, while addressing the larger community's neighborhood planning needs.

During the development of its zoning proposal over the years, Trinity has made known to the community its general intentions for creating a special district. However, many important basic details of the proposed district, such as a map showing subdistrict boundaries and anticipated future development sites, were not released to the public until very recently. Because Trinity's proposal would change zoning on 21 city blocks, involve diverse stakeholders, and has numerous local and citywide policy implications, it is important that the scope of the environmental study be broad enough to allow further modification of Trinity's application as the public comes to understand the full details of the proposal and the full range of potential impacts that may arise.

The Draft Scope of Work reflects a plan that still does not adequately address a number of problems previously raised by Edison and other local stakeholders. Perhaps most important, the new zoning will not permit the residential growth and new open space that are so critical for creating a dynamic mixed use district.

[1] Block 580, Lot 22 – 197,000 SF loft building at 157 Varick Street (aka 47-55, 57-59 Vandam Street); Block 579, Lot 30 – 287,374 SF loft building at 260 Spring Street (aka 131 Varick Street); Block 579, Lot 35 – parking lot at 272-76 Spring Street (aka 31-37 Dominick Street).

100 Washington Street · Newark, NJ · 07102 · 973-643-7700 · 212-631-5995 · fax 973-643-2256

While the Draft Scope of Work indicates that the rezoning will result in more than 3 million square feet of residential development, we believe the rezoning's height, setback and conversion limitations will prevent the full development of this residential space, will constrain developers ability to include affordable housing, will result in inefficient and poorly-designed buildings, and will result in insufficient open space, as follows:

- The currently proposed bulk controls – particularly height limits of 185' – overly constrain the shape of new residential development on several sites[2], leading to inefficient and poor quality designs, with deep and dark apartments in buildings separated by minimal rear yards;

- The height limits for midblock sites prevent the use of the entire 12 FAR through the Inclusionary Housing Program, thereby incenting minimal or no affordable housing and undermining the "critical mass" residential goals of the zoning plan;

- The requirement to build to the streetline throughout the district prevents the development of any additional public open space to mitigate significant adverse open space impacts that may result from new residential development; and

- The application of residential conversion/redevelopment limitations to sites containing self-storage buildings substantially reduces the district's ability to meet its residential goals, yet does not contribute to the preservation of area's employment base or its the essential character.

We believe these are significant shortcomings in the rezoning as currently proposed and identified in the Draft Scope of Work. In order to retain the possibility for decision makers to modify the zoning before certification or at a later stage in the process, **the EIS should include an alternative analysis** – either within the body of the EIS or in a separate "alternatives" chapter – that considers an alternate massing solution for midblock development sites as well as the residential conversion or redevelopment of sites containing primarily self-storage buildings.

The alternative should consider, for midblock development sites on through-lots, a "single-building-plus-open-space" scenario which would provide for massing flexibility and allow for the construction of the maximum permitted 12 FAR of development. For midblock through-lot development sites, as well as midblock interior-lots, the alternative should consider some provision allowing for higher building heights, up to at least 290 feet, to allow for the construction of the maximum permitted 12 FAR of development.

Such an alternative would allow the rezoning to be crafted with flexibility to permit, provided certain findings are made, taller, well-designed and more efficient residential buildings. The alternative would also allow for the development of a substantial amount of privately-owned public open space and the much-needed critical mass of residential space. To help convey the potential benefits of this alternative, we have prepared the enclosed illustrative concept plan with rendered perspectives of new public open space that could be created on Dominick Street through a "single-building-plus-open-space" approach.

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[2] The Draft Scope of Work shows that on at least two Projected Development Sites the proposed FAR would not be achieved (sites 6 and 12). In addition, the owner of Projected Development Site 8 testified at the Land Use and Business Development Committee meeting on the October 13, 2011 that achieving new construction at the proposed FAR would be difficult. It is likely that further detailed analysis would identify other sites with similar problems.

As the Department of City Planning considers comments on the Draft Scope of Work, I hope that it will find Edison's recommendations helpful and reasonable. Not only are these recommendations in keeping with the goals of the zoning proposal, but they also represent an important means of achieving those goals.

Thank you for your consideration.

Sincerely,

Anthony Borelli
Vice President, Planning and Real Estate
Edison Properties, LLC

cc: Trinity Real Estate

encl.

PROGRAM BRIEF

The new publicly-accessible open space on Dominick Street will create a welcome respite in the dense Hudson Square district. The program and design will capitalize on the inherent qualities of the site to serve the neighborhood public. The south-facing plaza has midday sun exposure year-round because of lower historic buildings directly opposite and the Holland Tunnel approach plaza two blocks south. Dominick Street, a quiet neighborhood street separate from the tunnel traffic pattern, is well-suited for a passive public space that engages the sidewalk. The space will be accessible, green and inviting. Designed in accordance with the NYC Planning Plaza Design Guidelines, the plaza will provide a variety of seating that will comfortably serve the weekday lunchtime crowds of office workers as well as more intimate weekend gatherings of neighbors. Good sightlines, lush plantings, and artwork will contribute to make a place that is comfortable and visually engaging.

DRAFT ANALYSIS OF PROGRAMMATIC REQUIREMENTS	
Plaza (sf)	7366
Building Frontage (lf)	112.14
Minimum Lobby (lf)	20.00
Retail with Min. Lobby (lf)	46.07
Max Lobby (lf)	44.85
Retail with Max Lobby (lf)	33.64
LF of seating required (required / provided)	246 / 305
Types of seating (number of types required)	3
Street frontage (lf)	100
Required unobstructed space (without café/with café)	60% / 50%
Required planting areas (sf) (required / provided)	1473 (20%) / 2803 (38%)
Required trees (@ 4 caliper inches) (required / provided)	5 / 8
Required litter receptacles	5
Required bicycle parking (bicycles)	2
Required drinking fountains	1

sf - Square Feet
lf - Linear Feet

Must also include ONE of the following: artwork, food service, movable seating, water feature, children's play area, game tables

STARR WHITEHOUSE
Landscape Architects
and Planners PLLC

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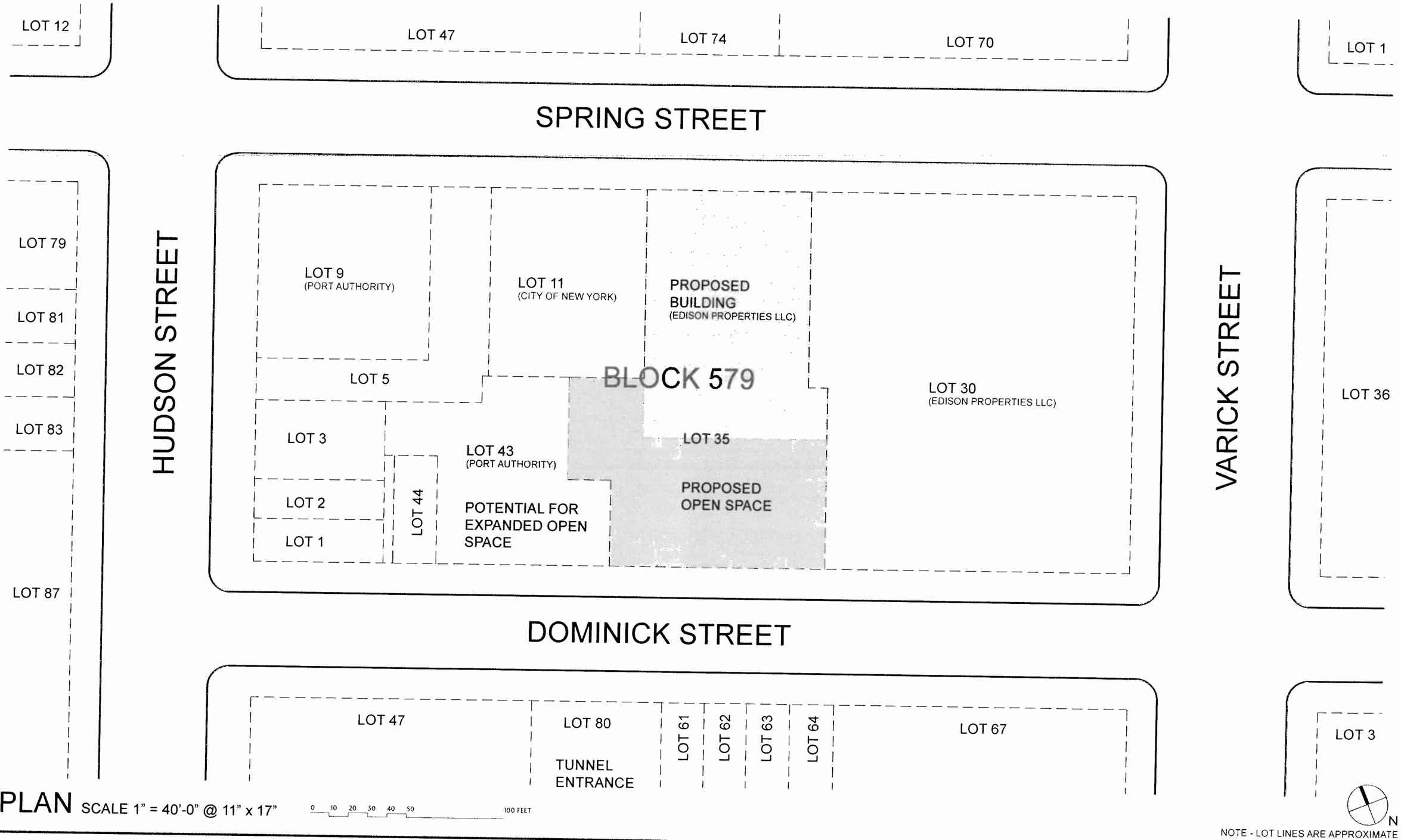

PLAN SCALE 1" = 40'-0" @ 11" x 17"

0 10 20 30 40 50 100 FEET

NOTE - LOT LINES ARE APPROXIMATE

DOMINICK STREET PARK - LOT CONTEXT

EDISON PROPERTIES LLC

11012 PAGE 2
ISSUE [B]
2011-10-27

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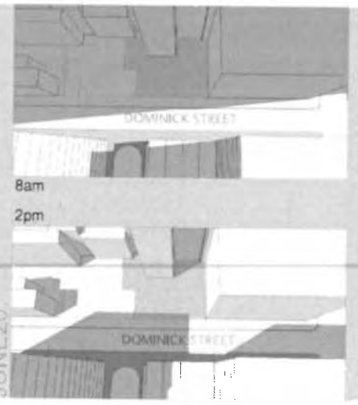
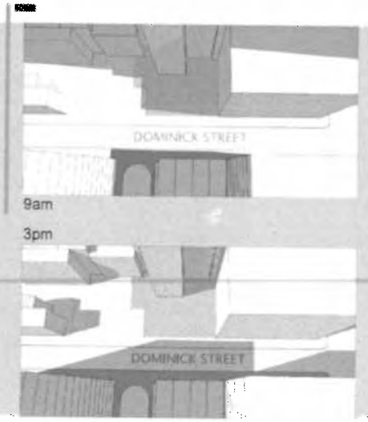
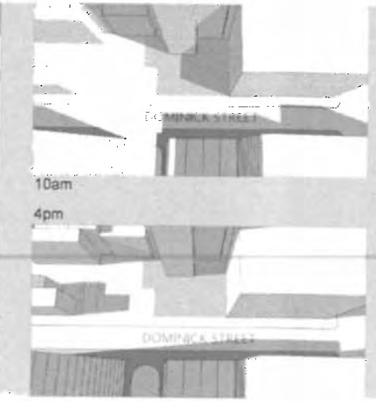
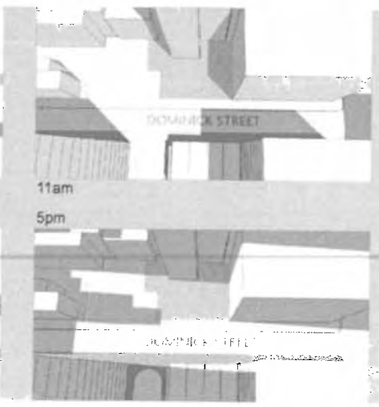
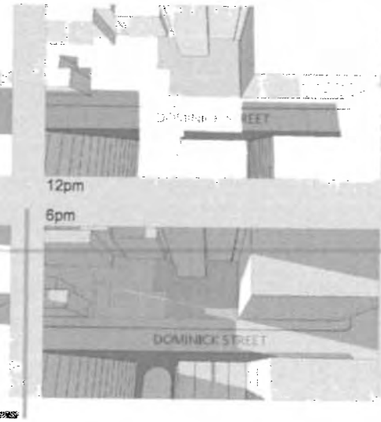
SUMMER SOLSTICE
JUNE20

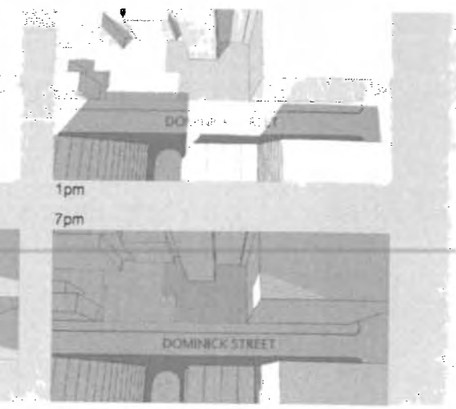




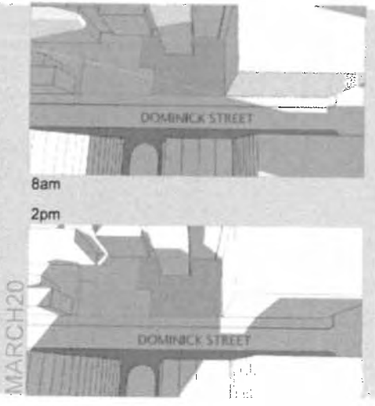


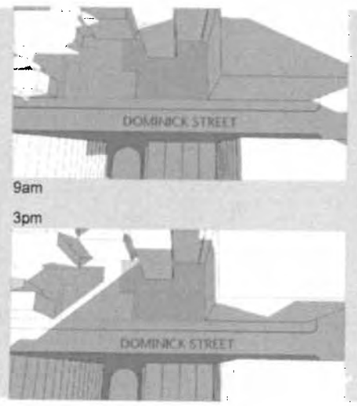


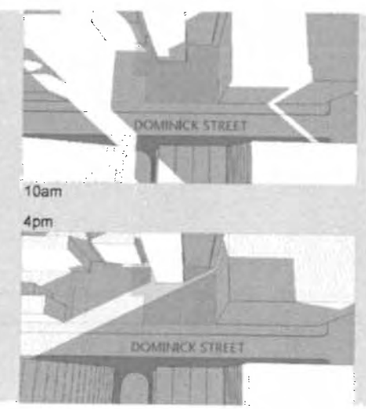


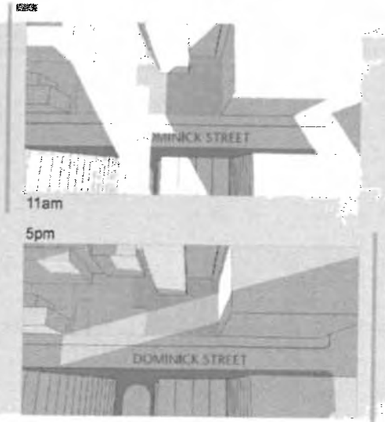


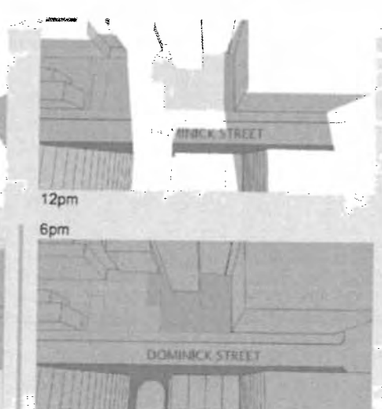
SPRING / FALL EQUINOX
MARCH20

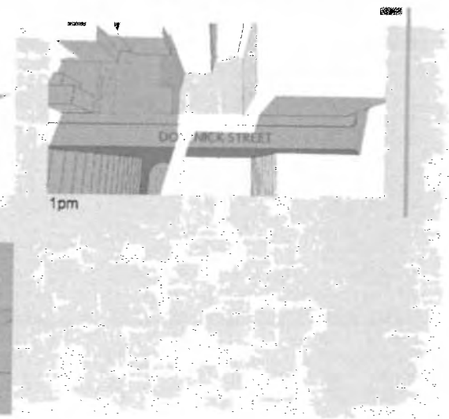




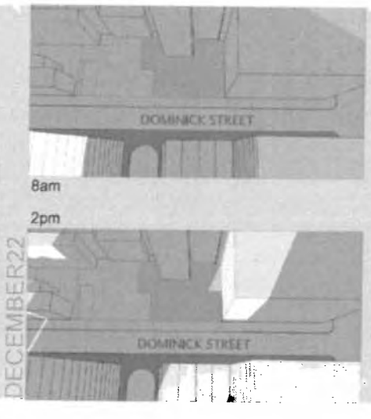


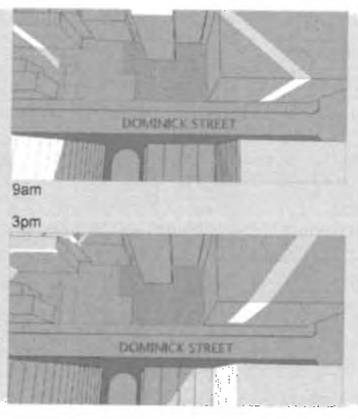


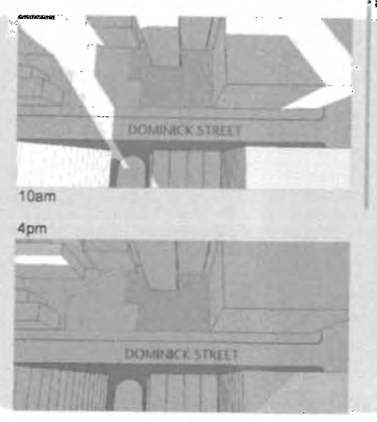


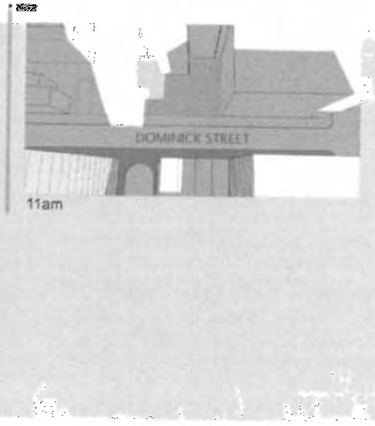


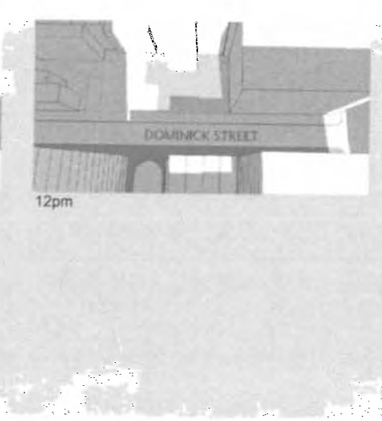
WINTER SOLSTICE
DECEMBER22

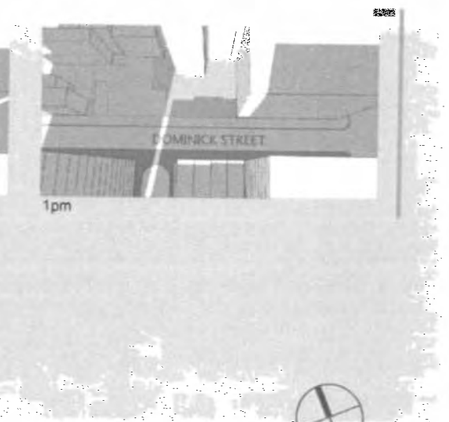












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DOMINICK STREET PARK - SOLAR STUDY

EDISON PROPERTIES LLC

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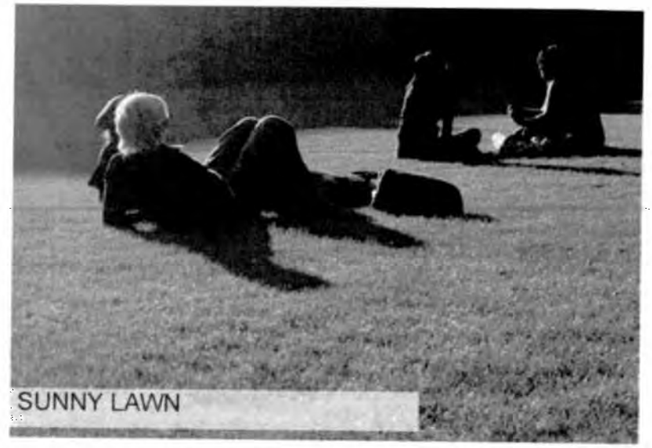
EXPERIENCE


LIGHTS AT NIGHT


DAPPLED LIGHT

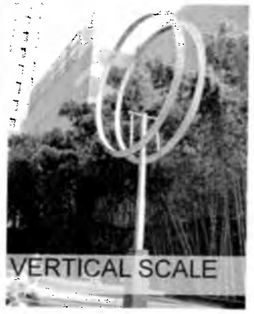

RELAXING


SUNNY LAWN

WELCOMING


NTEGRATED


GREEN


VERTICAL SCALE


OPEN AND SUN FILLED



ACTIVE USE

PUBLIC SPCAE


INTERACTION


ATTRACTION


PEACEFUL


COMFORTABLE


INFORMAL

DOMINICK STREET PARK - LANDSCAPE PRECEDENT

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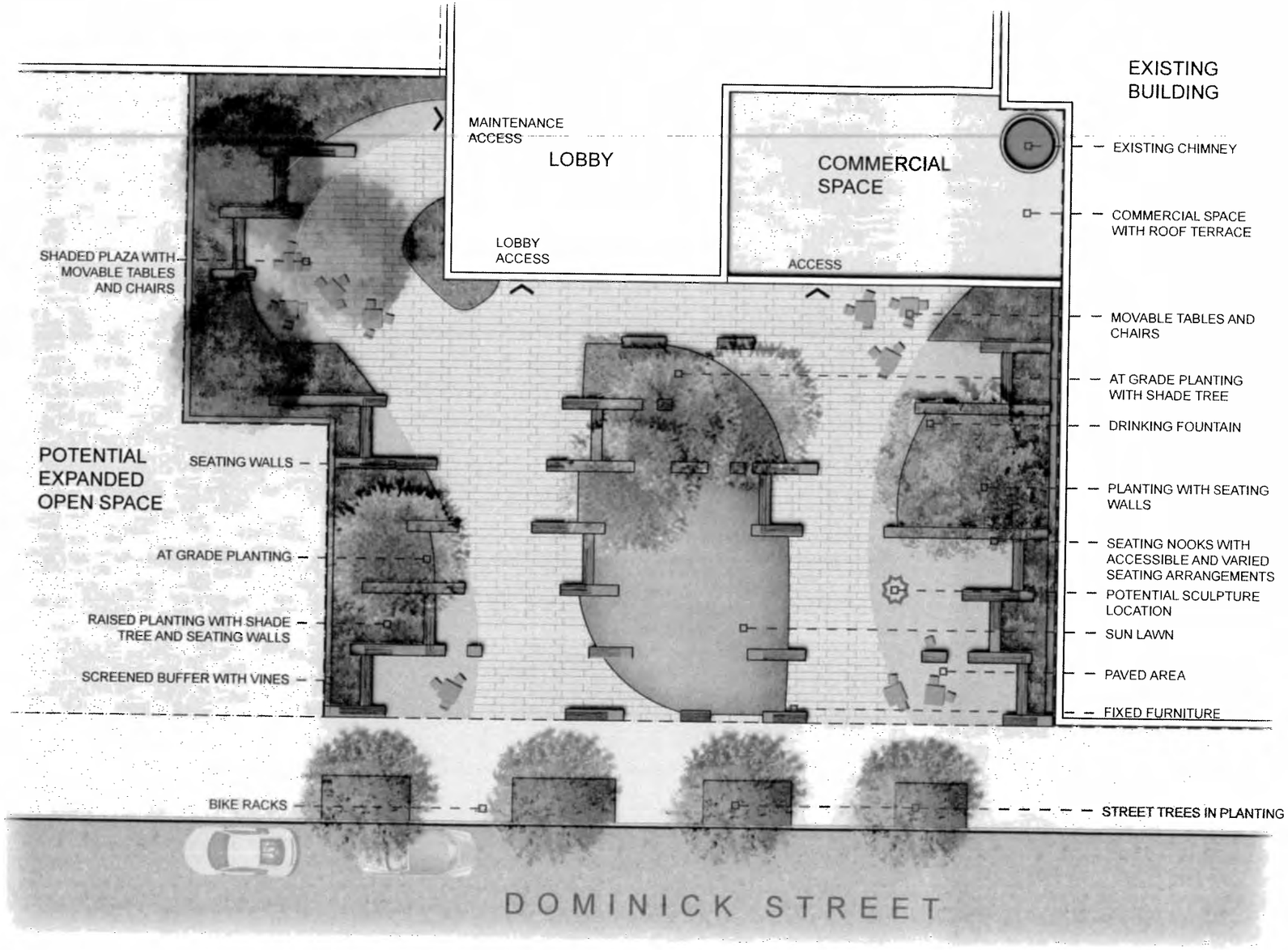

PLAN SCALE 1/16" = 1'-0" @ 11" x 17"

0 5 10 15 20 25 50 FEET

N

DESIGN INTENT

The landscape concept for Dominick Street Park uses a system of low walls to shape planting areas, create seating areas, and set a visual rhythm that moves through the space. The walls are mainly at seat height and some of them support seat backs as required by the plaza zoning. The niches of the irregular edge provide a social seating arrangement favored by City Planning. The planting areas are either raised to the level of the seat wall, or sloped down to pavement level, yielding a variety of hard and soft edges to the space. The central planting area features a small accessible lawn area. In refining this scheme further we would be looking closely at the central planting area, looking to make its form more sculptural to anchor the overall composition of the space.

NOTE - FOR ILLUSTRATIVE PURPOSES ONLY

DOMINICK STREET PARK - LANDSCAPE CONCEPT

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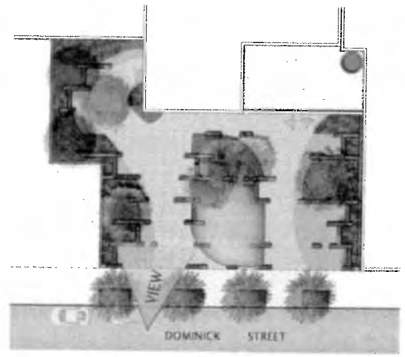
PERSPECTIVE 01



KEY

NOTE - FOR ILLUSTRATIVE PURPOSES ONLY

DOMINICK STREET PARK - PERSPECTIVE VIEW

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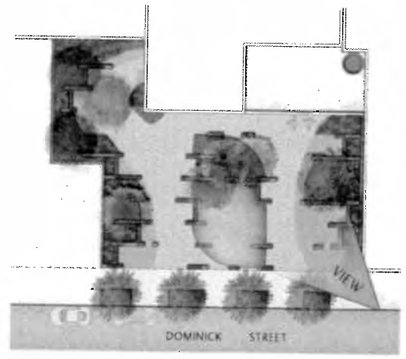
PERSPECTIVE 02



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FURNITURE


SIT
smooth-form prefabricated concrete with timber sitting surface


UNIQUE
comfortable seating with warm illumination


SIT
bright movable furniture


DRINK


BIKE

PAVEMENT


GRANITE
gray pink granite unit pavers


GRANITE
blue grey granite unit pavers

TREES

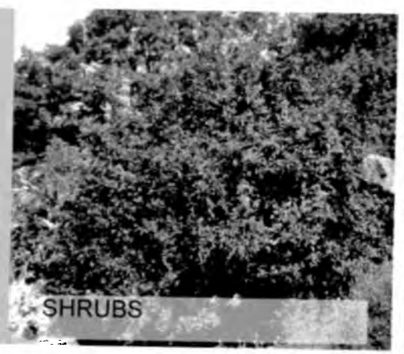

TAXODIUM
bald cyprus


ACER RUBRUM
red maple


BETULA
river birch


LIQUIDAMBAR
sweet gum

PLANTING


SHRUBS


FERNS




LAWN


VINES



DOMINICK STREET PARK - MATERIALS AND PLANTING PALETTE

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FAX 212-715-8231
PSELVER@KRAMERLEVIN.COM

November 7, 2011

By Email and U.S. Mail

Robert Dobruskin
Director, Environmental Assessment and Review
Department of City Planning
22 Reade Street, Room 4E
New York, NY 10007-1216

Re: Trinity Rezoning

Dear Mr. Dobruskin

We represent Extell Development Company/Charlton Soho, LLC, the ground lessee of property at 68-70 Charlton Street (the "Charlton Street Site") in the "Hudson Square" area of Manhattan, which property would be affected by the proposal by Trinity Real Estate ("Trinity") to rezone the M1-6 portion of the Hudson Square neighborhood[1] to a new special district. We have reviewed the recently released draft EIS Scope for this rezoning. Based on that review, we are concerned that, in its current form, the draft EIS Scope would not accommodate amendments to the proposed rezoning and new special district that would provide the flexibility needed to ensure that residential development in the midblock occurs and that would allow projects conceived under the current zoning controls sufficient time to complete pre-development activity and vest their rights. We are specifically concerned that the failure to address these issues in the final EIS Scope will foreclose opportunities during the public review process to ensure that rezoning achieves its goals.

[1] The rezoning area or Hudson Square means the area ("Hudson Square") that is the subject of the proposed Draft Scope of Work for an Environmental Impact Statement, Hudson Square Rezoning, CEQR No. 12DCP045M (the "EIS Scope").

The proposal to allow, in the midblocks, a base residential floor area ratio ("FAR") of 9 and a maximum residential FAR of 12 (where inclusionary housing is provided) will be frustrated by the 185-foot height limit and the lack of flexibility in the bulk controls generally. At a maximum height of 185 feet, it will be impossible to utilize the full 12 FAR if a residential building is developed using generally accepted – and marketable - design standards for residential development. Moreover, putting new residential construction in the straightjacket of the proposed bulk controls will inhibit efficient building design, a critical predicate to rental projects and 80/20 developments with tight budget constraints. The combination of the inability to develop a building at a 12 FAR using current market standards, and the inability to develop an efficient building, will foreclose the full realization of the goals of the rezoning – in particular, maximizing the number of affordable housing units and creating a vital, 24-hour mixed use community.

There are today no bulk controls on residential uses within the rezoning area because residential use is not permitted. With only the one, proposed set of residential bulk controls included in the draft EIS Scope, the issue of whether any alternative bulk controls would be out-of-scope (and therefore unable to be considered in connection with the rezoning) is a real and serious one.

We also have concerns about the lack of flexibility that is apparent in the draft EIS Scope with respect to existing projects. Due to the recent downturn in the economy, projects in the rezoning area may have been started but were then unable to proceed. An example is the Charlton Street Site, on which Extell has had a ground lease for several years. In anticipation of development under the current regulations, Extell proposed to construct a new non-residential building at a 12 FAR with a plaza and obtained a plaza certification from the Chair of the City Planning Commission. This plaza would provide sorely needed open space in this neighborhood, and the building would be a source of new and enhanced job opportunities.

Developments such as these in the Hudson Square area have been stalled for the past few years because of the downturn in the local and national economies. It would be unfortunate if, now that these projects are once again becoming viable and new investment in the area is becoming a reality, the public benefits that would flow from these developments, and from the investment associated with them, would be frustrated by the rezoning. Yet this outcome is a real possibility because of the lack of flexibility in the vesting rules that would apply, and the inability, as in the case of the bulk regulations, to incorporate appropriate changes after the public review process has begun. If the EIS Scope does not anticipate the consideration of such alternatives, including providing for treatment of these sites in the no-build conditions in the final EIS Scope, they cannot be considered.

This is an important rezoning affecting a large area of Lower Manhattan and, if properly handled, can bring with it important public benefits to its neighborhood. However, these benefits can be realized only if the EIS Scope is modified to provide for consideration of both alternative

bulk regulations for the development of the midblocks and changes to the vesting standards or a grace period for projects that have obtained some approval from the Department of City Planning or other city agency under the current zoning controls. We urge you to make the necessary changes to the draft EIS Scope before it is put into final form.

Thank you for your attention to our request.

Very truly yours

Paul D. Selver /RAK

Paul D. Selver

cc: (via email)
Edith Hsu Chen
David Karnovsky, Esq.

New York Hotel and Motel Trades Council, AFL-CIO • 707 Eighth Avenue, New York, NY 10036 • Telephone: (212) 245-8100 • Fax: (212) 977-5714

November 1, 2011

Mr. Robert Dobruskin, AICP
Director, Environmental Assessment and Review Division
NYC Department of City Planning
22 Reade Street, Room 4E
New York, New York 10007-1216

RE: **Hudson Square**
CEQR No. 12DCP045M
Comments on Draft Scope of Work

Dear Mr. Dobruskin:

I am writing to urge you to expand the current draft scope of work for CEQR No. 12DCP045M, the Hudson Square rezoning.

Trinity Church ("the Applicant") seeks approval from the New York City Planning Commission for a zoning text amendment and zoning map amendment to create a Special Purpose zoning district, the "Special Hudson Square District," over an underlying M1-6 District covering approximately 18 blocks of the Hudson Square area in Community Board No. 2, Manhattan ("CB 2"), generally bounded by West Houston and Vandam Streets to the north, Avenue of the Americas and approximately 100 feet east of Varick Street to the east, Canal and Spring Streets to the south, and Hudson and Greenwich Streets to the west.

The stated purpose of the proposed actions is to create a vibrant, mixed-use district by allowing uses beyond the current manufacturing and commercial, to include residential, educational and cultural—while still preserving the current industrial character of the area. We are concerned, however, that the current language may not do that and, in fact, may incentivize the elimination of current office and manufacturing uses in the area.

The proposed hotel special permit is currently anticipated to only apply to substantially vacant lots where residential uses are allowed as-of-right, and not to apply to zoning lots with protected commercial buildings. Coupled with the commercial protection language, this would put increased pressure on certain large commercial lots to be developed as hotels. First, since protected commercial buildings (larger than 50,000 square feet) would be unlikely to convert to residential, given the 1-to-1-replacement requirement, hotel development would be a natural commercial use.

Second, since special permits would be required at non-protected sites, developers would instead seek out the larger protected sites, making their protection useless. A modification of the proposed text is necessary to preserve commercial buildings and monitor large hotel growth. **Therefore, the environmental review should include an option that will apply the hotel special permit to all zoning lots in this area. Furthermore, the review should take into account the possibility of 5, or more, large-scale hotel developments on the protected commercial lots.**

In addition, the special permit is deactivated when 75% of the new dwelling units in the draft scope's "Future-With-Action" scenario have been built—the residential development goal. Once that goal has been met, hotels will be able to build anywhere in the new special district, thus continuing to threaten the district's mixed-use character and preventing

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the community from monitoring hotel growth. We are concerned about the deactivation of the special permit. **The environmental review should analyze the potential of positive and negative impacts of removing the special permit's expiration.**

Finally, the residential development goal may be too low. Each new residential unit is counted towards the goal when it receives a certificate of occupancy. However, many of the buildings in the area that currently contain residential units may have been built before the City required certificates of occupancy, and others may be illegally used. Because these units may now be permitted to have residential uses, as they apply for certificate of occupancy, the residential development goal would be reached more quickly. **As such, the residential development goal should be raised by 335 units to account for those that are already in the area.**

Thank you for your consideration of these matters.

Sincerely,

Joshua Gold
Director of Political & Strategic Affairs
New York Hotel Trades Council

Mindy Goodfriend

Subject: FW: thanks

Justin Lapatine [mailto:jlapatine@globalstrategygroup.com]
Sent: Monday, October 24, 2011 10:39 PM
To: Mindy Goodfriend

It's called Spector Hall. Also, I was wondering if you wouldn't mind raising one other issue in your comments, which is there are these massive billboards throughout the neighborhood that are not really befitting a more mixed-use residential neighborhood. How would you feel about suggesting a prohibition against mega-billboards?

From: Mindy Goodfriend [mailto:mindy@coolanduseful.com]
Sent: Monday, October 24, 2011 6:09 PM
To: Justin Lapatine
Subject: RE: thanks

Would you please LMK where to go at 22 Reade, or is it obvious?

Mindy Goodfriend
212.851.6650
Mindy@WhitewaterAdvisors.com

From: Justin Lapatine [mailto:jlapatine@globalstrategygroup.com]
Sent: Monday, October 24, 2011 5:30 PM

Great. I'll sign you in advance

From: Mindy Goodfriend [mailto:mindy@coolanduseful.com]
Sent: Monday, October 24, 2011 5:28 PM

On Oct 24, 2011 4:55 PM, "Justin Lapatine" <jlapatine@globalstrategygroup.com> wrote:

Hey Mindy, so as you know we have our formal scoping meeting Thursday morning at 10am at City Planning. Any chance you could come and speak for a couple of minutes. It's very important for City Planning to hear from small building owners that their buildings no longer work for commercial and would be much more viable as residential. The meeting is at 22 Reade Street. I can sign you up in advance so you get to be one of the first speakers. Sorry to inconvenience you but would be huge help!

Justin Lapatine

Direct: 212.260.3687

Main: 212.260.8813

Fax: 212.260.9058

Mobile: 917.533.6543

www.globalstrategygroup.com

guidelines 1 - commercial no g: Res. more viable
change nature of neighborhood such as
2 billboards - regulation
- prohibition to create
3 Open space

1 - small blocks not longer viable for commercial typical of prior industrial character

OTHER CONSIDERATIONS

2 - changing neighborhood suggests revisions to other features to reflect new character - such as billboards

3 - in general flexibility in reflection to the non-typical characteristics

particularly issues such as block size

one goal to be optimal creation of open space

23805

Fax

To: NYC Dept Of City Planning **From:** Greenwich Village Community Task Force

Fax: 212 720 3219 **Date:** 11/7/2011

Phone: **Pages:**

Re: **CC:**

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply**

Notes:

Greenwich Village Community Task Force
119 Morton Street, #GA
New York, New York 10014

Hon. Amanda Burden, Chair
City Planning Commission
City Planning Commission
22 Reade Street
New York, NY 10007

November 7, 2011

"Hudson Square" Rezoning CEQR 12DCP045M

Dear Chair Burden

Enclosed please find a copy of the comments the Greenwich Village Community Task Force in response to the Draft Scope of Work for an Environmental Impact Statement submitted for the "Hudson Square" Rezoning proposal. We hope that these comments from the community will help the Commission in its deliberations.

The Far West Village community is opposed to this zoning proposal for well-considered reasons. We are available to meet with you, the commissioners, or members of the City Planning Department to discuss these matters in detail.

As you are well aware, the Greenwich Village Community Task Force was formed in 1998 to address land-use issues on Greenwich Village's western and southern edges. The Task Force consists of representatives of local civic organizations, block associations and tenant groups. Our primary concern is to preserve the historic character of the entire West Village community. We are extremely pleased that our group's work has led to an increase in landmarks protections and a more appropriate zoning envelope in large parts of our community.

Thank you,

Katy Bordonaro Zack Winestine (CB6)

Sincerely yours,
Katy Bordonaro
212 579 1390 x 170

Zack Winestine

Bordo119@aol.com

Hudson Square Rezoning
November 2011
Greenwich Village Community Task Force Concerns

CEQR No. 12DCP045M

The community directly to the north of this proposed rezoning area has grave concerns about the effect of this rezoning on the area under consideration and on the neighboring areas. For years, we have asked to work with our elected officials and appropriate agencies to examine our neighborhood and come up with planning solutions to long-standing problems and issues. For these reasons we request that this proposal not move forward at this time.

Responses to the Scoping Comments

Developer Driven Plan. This rezoning is coming from a developer, Trinity Church, not the community or the municipality. It is designed to serve the needs of a particular owner not the needs of the general public or the needs of the community. In recent years, Trinity Church requested significant changes in the Duarte Square vicinity to accommodate an increased commercial building in an area zoned one way. This was a developer-driven request. In this proposal, those changes are reaffirmed but that building site is now being proposed as a residential development site. An earlier change was granted but has morphed into with far different planning implications.

Spot Zoning. Moreover, the way in which the rezoning plan has been written, the Subdistrict A which encompasses this proposed residential building at Duarte Square, looks like spot zoning. This zoning covers only one block out of a total of eighteen in the proposal.

Affordable Housing. While the inclusion of provisions for 568 units of affordable housing is laudable, nowhere does the scoping document analyze the effects of the pressure of 2200 additional market-rate units on existing affordable housing. Affordability is defined as housing that costs no more than 30% of annual income. What income levels are assumed for these 568 new units? How will this plan protect housing that is now affordable to a variety of income levels but will be at risk for becoming unaffordable to the people who now live in the neighborhood?

First, inside the scoping area there are at least seventy units of rent-regulated housing in the buildings identified as projected or potential development sites. These units will be under pressure to convert to market rents as the neighborhood becomes a luxury housing area. Instead of a net gain of 568 unit of affordable housing, over time, it will be a net gain of 498, less than the 20% promised.

Second, new affordable housing usually has a time-limited span of existence. What is the timeframe for this affordability? Is it 568, or 498 as we have shown, new units for twenty years? What happens to those residents after twenty years? What happens to the City's housing stock if these new units disappear? Where will the necessary workers live? Will they be able to live close enough to workplaces like the schools, police stations, fire stations so that they can provide these essential services in a productive manner? The Comments themselves reveal that Trinity has no definitive proposal for this provision.

Third, affordablility's sliding nature causes concern in the neighborhood for residents not in rent-regulated housing. In the neighborhood directly north of the proposed development area, there are legal residents who have already felt the pressure of mounting real estate taxes as newer more luxurious developments, like One Morton Square, have increased general property taxes in the area. This phenomenon will also pressure West Village Houses as time goes on. West Village Houses was an initiative which contributed to reaching the goals

of preserving affordable housing under the Mayor's New Housing Marketplace Plan. The 420 families of WVH live in the area which will be pressured by these changes to the south.

Fourthly, the study specifically excludes buildings that are assumed to be "rent-stabilized and difficult to legally demolish due to tenant-relocation." This assumption flies in the face of reality. Landlords are legally raising the rents on rent-stabilized tenants and then using the vacancy decontrol provisions of the law to de-stabilize the units. These buildings have to be put back into the study and analyzed as potential losses of affordable housing.

Narrow Streets. The proposal to allow buildings of 185 feet on the narrow side streets is overwhelming. These heights are much larger than those in the surrounding neighborhoods and out-of-scale with the general area. These heights will put pressure on these surrounding areas to increase allowable heights, in total contrast to the historic, human-scale of the area.

Jobs. The Scoping Comments say that "Commercial Vacancy rates have historically been persistently high." According to a Sept. 25, 2011 article in *Crain's*, Trinity "boasts" that the occupancy rate in their Hudson Square portfolio has surged 7% to 91% over the last three years. In addition, Trinity has been able to raise rents twice in the last three years at the rate of 10% each time. The Scoping Comments are not reliable in the matter of jobs.

Since 2003 the Task Force has been arguing that job loss is a grave concern for the current proposed area and the area just north of it. The EIS of 2003 predicted the loss of businesses and jobs. The greatest loss of jobs was forecast for the northern rezoning, the area north of Houston Street. In light of our current economic crisis and in light of Speaker Quinn's October 2011 jobs proposals, this negative impact on jobs is a crucial factor against the proposal.

Needs of Trinity Church. Trinity cites its philanthropic work around the globe and throughout the impoverished communities of the five boroughs as a reason for granting this zoning change. All New Yorkers and all humankind should rightfully be grateful for this philanthropy.

But, Trinity also should demonstrate stewardship to the area in which these changes are to occur. They could put forth concrete affordable housing plans, they could advocate for greater park space in a neighborhood which has among the city's lowest portion of open space, they could address the terrible flooding issues in the area, they could support the landmarking initiatives which the community has called for for decades. They could show that they are good neighbors to the surrounding area which they will use to generate income for their larger mission. Charity starts at home.

Neighborhood Character. Trinity says the purpose of the proposed rezoning is to improve the neighborhood while preserving its essential character. The neighbors to the north know that their essential character will be changed.

Trinity says it wants to promote local retail as a way of creating a lively streetscape. Jane Jacobs, a famous West Villager, observed that a lively streetscape came from human-scale development which is not being proposed here. Also, retail is undergoing a massive change because of the internet. Trinity has not provided an analysis or description of the proposed retail development.

Community Concerns

If this were a community-driven plan, other issues would be prominent. Here is a list of things that the area to the north and east of the proposed rezoning area are most concerned about.

Greenwich Village Community Task Force Concerns

- Affordable Housing Impacts. Based on experience, the community expects a negative impact on existing affordable housing in the proposed rezoning area and in adjacent areas.
- The rezoning will create pressure on the areas to the north and west to change from manufacturing to residential. The current residents to the north and west are opposed to such a change. The rezoning will result in job loss both inside the rezoning area and in the neighboring areas. The EIS of 2003 predicted the loss of businesses and jobs. The greatest loss of jobs was forecast for the northern rezoning, the area north of Houston Street.
- The neighboring area has long called for solutions to local problems. The most important issue, which cannot be emphasized enough, is that any zoning changes in our neighborhood should be part of an overall planning process based on the current conditions. For example: public transportation, flooding, parks (the Hudson River Park is not an adequate answer), lack of gas service on some streets, school seats for all ages (not just elementary years). We want to work with our government to address these troubles.
- **Community Character.** The loss of the human-scale nature and long-standing mixed-use characteristic of the Far West Village is a continuing concern, and must be part of the planning process.
- The current proposal does not include landmarking protections for this area. The local community has long called for more landmarking in the proposed zoning area and the adjacent areas.
- **Hurricanes.** Recent mailings from the City show that the area for rezoning is in a hurricane evacuation zone. Introducing more residents without proper planning seems counter-productive.
- **Pier 40.** How do these plans affect the development of Pier 40.
- **Larger Social Good.** There is a significant social loss associated with this proposal—loss of jobs, loss of community character. What is the compensating civic gain?

Greenwich
Village
Society for
Historic
Preservation

232 East 11th Street
New York, New York 10003

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George Vellonakis
Vicki Weiner
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TESTIMONY OF THE GREENWICH VILLAGE SOCIETY FOR HISTORIC PRESERVATION REGARDING THE DRAFT SCOPE OF WORK FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED HUDSON SQAURE REZONING CEQR No: 12DCP045M October 27, 2011

The Greenwich Village Society for Historic Preservation has long called for a rezoning of the M1-6 zone of Hudson Square, which currently allows and encourages out-of-scale and inappropriate development in this neighborhood.

However, we do have some concerns with the current proposed rezoning, and believe that the Environmental Impact Statement should be amended to reflect these concerns.

1) The proposed height limit of 320 feet for development on most of the wider streets in the area is very high. While more restrictive than the current regulations for height in the district, which provide no absolute limit and are only governed by the sky exposure plane, this is still considerably higher than almost every existing building in the district. We believe that a much lower alternative, such as the 180 feet also proposed for some narrower streets, should be studied.
2) Similarly, the proposed height limit of 430 feet for the block bounded by Sixth Avenue and Canal, Varick, and Grand Streets is completely out-of-scale for this area. We believe that a much lower height limit should be studied as an alternative for this site, and see no necessity for a significantly different height limit for this site as compared to others on major streets in the district.
3) We understand the concern which has been raised about the differing treatment proposed for small property owners on streets like Dominick and Watts as compared to the larger property owners in other parts of the district. At the same time, we do believe that it is appropriate to consider more restrictive bulk and height limits for areas with a smaller scale of existing development and on smaller streets. To address this, the Community Board has suggested that the limits for streets like Dominick and Watts should be raised to the same levels as the larger streets in the neighborhood. If there is a belief that there is an

inequality of treatment which must be addressed, we would instead suggest that an alternative be studied which would bring the height and bulk limits for the larger streets down from the very generous 320 and 430 foot height limits and 9 to 12 FAR currently being proposed.

4) We believe that an alternative should be studied which would require, rather than allow (as the current wording suggests) rooftop additions to be set back from existing buildings, and we believe that the required setback should be at least 15 feet, rather than the 10 currently suggested in some cases. Hudson Square has a very distinctive built environment which such a requirement would help reinforce and preserve.
5) Finally, we believe that the proposed rezoning, with its stated purpose of expanding allowable development in Hudson Square and turning the area into a more desirable destination, would have a large impact on the adjacent low-rise South Village by increasing development pressure. The South Village has been determined eligible for the State and National Registers of Historic Places, but thus far lacks landmark protections from the City of New York, in spite of years of effort by GVSHP and community groups and promises by the City to consider it. We therefore believe that the EIS must study the impact of increased development pressure on the South Village to the widest scope possible, at least a radius of 1000 feet from the boundaries of the proposed rezoning, and recommend mitigation to protect the historic resources of this neighborhood such as historic district designation.

Thank you.

ANDERSON KILL & OLICK, P.C.

Attorneys and Counsellors at Law

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TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733
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Robert S. Cook, Jr., Esq.
Rcook@andersonkill.com
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January 11, 2012

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

DEPT OF CITY PLANNING
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2012 JAN 18 AM 9:02
ENVIRONMENTAL REVIEW DIV.

Dear Director Burden:

We are the attorneys for 92-94 Vandam Building Corporation, the owner of the building at 92 Vandam Street (Block 597, Lot 10) which is within the proposed Special Hudson Square district sought by Trinity Church. We are submitting our comments in connection with the proposed scope of the CEQR review associated with the Hudson Square zoning proposal.

The Department of City Planning should be commended for addressing the changing nature of the Hudson Square area by considering a proposal that seeks to preserve the character of the area while permitting the introduction of appropriate uses and development that will complement but not supplant the existing uses. Stated objectives of the rezoning include "...supporting the growth of a mixed residential, commercial and industrial neighborhood by permitted expansion and new development of residential... uses," and encouraging "...the development of affordable housing."

But it appears that the zoning as currently proposed may be self- limiting in encouraging the objective of expanding residential use because it is unlikely to stimulate the development of affordable housing in midblock locations and may result in inefficient building forms. As will be explained, we suggest that another alternative, described below, be considered in the environmental review.

The zoning proposal caps the height of buildings in the midblocks at 185 feet. This height limit so severely limits a building's FAR that it effectively precludes use of much of the Inclusionary Housing bonus. Bulk studies of our client's property indicate that a 185 foot building will accommodate 9 or, with low ceiling heights 10, but not 12, FAR, thus undermining the proposal's residential goals. In other words, the restrictive height limit discourages the production of affordable units at this location and other midblock locations. The overall effect of the height limit will be to discourage mixed-income residential development. The restrictive midblock building envelope also

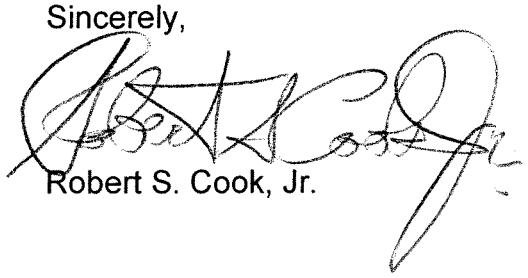
discourages transfers of development rights between midblock sites because it leaves no room for vertical enlargements using those development rights.

On the other hand, raising the height limit to 320 feet, as proposed for the wide street frontages, will accommodate buildings of 12 FAR, thus accomplishing the stated objective of generating affordable housing within the Special Hudson Square District and generally encouraging the development of residential use.

The proposed restrictive height limit in the mid-block has another negative consequence: Many of the blocks in Hudson Square are unusually short (as little as 350 feet, much shorter than typical block lengths elsewhere) and are characterized by large, high coverage buildings that extend well into the middle of the blocks, limiting light and air to the rear yards of midblock buildings. Thus, any new midblock residential developments are likely to have less light and air than comparable sites in other parts of the city. Allowing buildings to rise higher in the midblock would help to make Hudson Square a more desirable place to live by permitting taller buildings with less lot coverage, thus opening up space to provide light and air to the rear of those buildings and enhancing the quality of life for future residents. Furthermore, restricting the midblock heights does not reinforce an existing development pattern.

For the foregoing reasons, we urge that an alternative which includes a 320 foot height limit for midblock buildings be included in the environmental review for the Hudson Square proposal

Sincerely,



Robert S. Cook, Jr.

RSC:pjr

cc: Mr. Robert Dobruskin, Director, EARD
92-94 Vandam Building Corporation
Jason Pizer, President, Trinity Real Estate

92-94 VANDAM BUILDING CORPORATION

92 VANDAM STREET NEW YORK, NEW YORK 10013 212 620-0693

November 3, 2011

Department of City Planning
Environmental Assessment and Review Division
Amanda M. Burden, FAICP, Director
Department of City Planning

Robert Dobruskin, AICP, Director
Celeste Evans, Deputy Director
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3420
FAX (212) 720-3495
rdobrus@planning.nyc.gov

Rezoning of Hudson Square
Summary of concerns

This is a reiteration of my concerns presented at the October 27 Public Scoping Meeting.

We all welcome the opportunity of the rezoning. The proposed rezoning asks us to introduce a height restriction that currently does not exist. It also asks for a 9 FAR for residential development. This is a good trade-off for the welcome prospect of residential development. However, the proposed height limit of 185' for a mid-block property on a narrow street would be substantially lower than the height limit for a wide street. This difference in height would be unfair to owners of mid-block properties, such as myself. The 185' height limit does not permit the efficient use of the FAR floor area. Such a restriction would require a very deep floor plan, which would severely cut back light and air for residential use.

Let's face it, the existing look of the area, with its massive, fully built commercial buildings, may be intimidating even to the best-intentioned residential pioneer. It is laudable to preserve the existing commercial use of these large buildings. But once you exclude them from residential conversion, the burden of residential development would be left mostly to mid-block properties like mine. In our short blocks of Hudson square, I am the only mid-block property on the north side of the street, which is also true of similar blocks in the area. If the 185' height limit for mid-block properties is kept unfairly lower than that for wide streets, we won't stand a chance of producing even a modest residential presence.

What we need are more relaxed limits that would enable the inspired urbanist architect to produce compelling designs, with a vision toward excitement and unity for the entire area. Juxtaposing the new designs with the existing buildings would enhance the char-

acter of each. Ideally, a master plan would call for the creation of new landmarks and identifiable symbols for the area -- whether we call on world class architects or provide incentives for offering a wealth of balconies and pensile gardens to compensate for the lack of available parkland and greenery. This initial vision would be realized by creating safe, exciting new developments of quality including doorman properties. Such new buildings must become the envy of the already successful surrounding neighborhoods. I have studied the fabric of our close neighborhoods of Battery Park, Chelsea and Tribeca. I am keenly aware of the competition. To attract new residents we have no choice but to offer novelty and value superior to those of our competitors. Give us a chance to achieve that.

Sandro La Ferla, President
92-94 Vandam Building Corp
92 Vandam Street
New York, NY 10013
Tel 212 620-069 Email: sandro@sandrolaferla.com
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92-94 VANDAM BUILDING CORPORATION

92 VANDAM STREET NEW YORK, NEW YORK 10013 212 620-0693

October 27, 2011
New York City Department of City Planning
Hudson Square Rezoning

My name is Sandro La Ferla. I am the owner of the 15,000 sf commercial loft building located at 92 Vandam Street, between Hudson and Greenwich Streets, Block 597, Lot 10.

I purchased my property in 1988 and devoted great effort to turning the building from vacant to operative again. In the building I run my own backdrops painting business. My tenants also include photographers, film editors and designers. I welcome the opportunity of continuing to improve our area with the much anticipated rezoning for residential as well as commercial uses.

The proposed 9 FAR for Residential (with a bonus to 12 FAR for Inclusionary Housing), and 10 for Commercial is entirely appropriate. This FAR is commensurate with the history of the neighborhood, proximity to transit, the currently allowed FAR, and the goals of the rezoning proposal.

However, I have been studying some architectural calculations on how to apply the FAR within the building envelope. The results have been discouraging due to the height limitation proposed for my property, located on Vandam, a narrow street just barely 100' from Greenwich, a wide street. I have consulted an architect, and our calculations have shown the difficulty of using the FAR efficiently. I could find no way to design a building with an efficient footprint while remaining under the height limit of 185'. Because of the height limit, any new building would have poor light, poor ventilation and unattractive residences.

Additionally, a new building could benefit by having parking for up to 20% of the new residential units. Often, space used for accessory parking is exempt from FAR calculations. So, in order to accommodate as-of-right accessory parking, additional FAR – and affordable housing – would be lost under the proposed 185' height limit.

I propose that the height limit of 185' be raised to the same level as Greenwich Street. This height would allow flexibility that would make for an efficient use of the FAR, creating a space that is desirable and attractive to new residents. The typical Manhattan block is 800' in length. My block, like most blocks in Hudson Square, is just 350' long. Consequently, this traditional disparity in height is neither applicable to the short blocks of Hudson Square nor productive to the development of the block. This difference in height would create unnecessary competition between adjacent properties for light and air, the most important prerequisites for residential development. I believe each property on the block should have the same rights and zoning benefits.

In fact, the mid-block property could be the most important vehicle for the rezoning in Hudson Square. A map of the rezoning of Hudson Square shows that the properties available or likely to develop are mostly mid-block properties rather than the typical, fully built commercial buildings. How is a residential presence to flourish if mid-block properties are curtailed in height? Even if the zoning specifications are not being immediately finalized, an alternative should be added to the EIS that studies taller mid-block buildings, one that would permit the efficient use of floor areas. It is my belief that the key to attracting residential customers is to leave adequate room for the ingenuity of the New York developer and architect to erect tall, slender, attractive buildings on both narrow and wide streets, alongside or in between the existing large buildings, the old and the new, juxtaposed and enhancing one another.

We live in a fast-changing technological time. When I purchased my property 23 years ago, the area was all klickety-klackety with printers. Ten years later those printers were gone. Why should any building or business be confined by excessive restrictions of height, size, and use when, to survive, they may need to quickly adapt to alternative uses and markets. To maximize the residential potential and attractiveness of the entire district, we need inspired architectural design with fewer limits than proposed. Our neighborhood is characterized by fully built, massive structures, probably intimidating to the prospective residential tenant. Additionally, we will be competing with the charming and diverse neighborhoods of the West Village, Soho, Chelsea, Tribeca and Battery Park. We need the latitude to offer the new families beauty, functionality, and breadth of architectural design.

The applicant's proposed exception to erect a 430' high building while restricting the opportunities of others, seems unfair. I am in favor of creating comparable and equitable height, size and use standards for all of Hudson Square, with no subdistricts A and B exceptions. We need to raise the 185' narrow street height to the same level as wide streets. We need to increase the 50,000sf limit for residential conversion. This will ensure the same zoning benefits to everyone, and the same chances of success.

Thank You,

Sandro La Ferla, President
92-94 Vandam Building Corporation
92 Vandam Street New York, NY 10013
Tel 212 620-0693 Email sandro@sandrolaferla.com

KRISTIN

HERE is one of NYC's premiere performing arts spaces and serves 40000 people in the community each year. We have been at 145 6th avenue since 1993 – when we first moved in, we had to work really hard to attract audiences from further afield as few people were in the habit of crossing to the west side of 6th avenue at night and there were very few restaurants or businesses open in the evenings.

We believe that our presence and energy in the neighborhood has helped attract more residential people which has in turn created a greater sense of community. We've worked with the BID and others to make the community safe over the years - cleaning up the park in front of our building, and working on other initiatives.

For an organization like ours, it is really important to have a base of supporters/attendees right in the neighborhood, particularly in tough economic times.

The idea of allowing residential development in Hudson Square is great. It will create more vibrancy in the neighborhood. Our building is already a vibrant example of what the Hudson square rezoning is looking to achieve throughout the neighborhood -- a mix of residential and commercial uses. But we need the rezoning to include allowing residential up to 70,000 square feet, which, from our understanding, would have a limited overall impact, wouldn't significantly affect the goals of the overall rezoning, and would allow our building to continue to be a vital part of the neighborhood. I like that the proposed plan will protect the vast majority of buildings in Hudson Square, which give the neighborhood its character.

This rezoning will help HERE and other cultural institutions and businesses flourish, just as cultural organizations and businesses flourished in Lower Manhattan once residential development was introduced. We are invested in this community and we want to make sure it's a vital 24/7 community that keeps its local flavor - removed from the hustle and bustle and mallification of Soho.

Packer Lack Joint Venture, LLC
59 Emerald Lane · Stamford, CT, 06905

November 4, 2011

Robert Dobruskin
New York City Department of City Planning
22 Reade Street
New York, NY 10007

Dear Mr. Dobruskin:

Please accept these comments on the Hudson Square Rezoning Draft Scope of Work.

My family and two other families own the midblock property located at 82 King Street, between Hudson and Varick Streets, within the area proposed to be rezoned by Trinity Church. Our property is identified as "Projected Development Site 6" in the Draft Scope of Work. Our property extends from King Street through the block to Charlton Street, where a 2-story garage now stands. I am the managing member representing the three families. We have owned this site since 1968.

I have been told that this rezoning has been in the works for years; unfortunately I have only recently heard about it. While I support the concept of rezoning the area to allow residential uses, I'm not sure the zoning provisions in the scope will allow that to happen very effectively or efficiently on our property and on others like it. From what I understand, the proposed zoning allows new development at 12 FAR on my lot, as long as I include commercial on the first floor and affordable housing. However, the "Reasonable Worst-Case Development Scenario 1" shows new development at only 10.8 FAR. And, the "Reasonable Worst-Case Development Scenario 2" shows only 10 FAR.

While I certainly want to see a wider range of permitted uses in the neighborhood and on my site, I think the Draft Scope of Work and the proposed rezoning needs to consider another scenario: one where I can actually build the entire 12 FAR on my site. The new zoning should allow greater design flexibility for new development on midblock sites – such as increased height limits. It seems counterintuitive to design zoning in a way that prevents the important elements you are trying to spur: affordable housing and retail. So, the Draft Scope of Work should include an alternative that allows me the full development of my property.

Thank you for considering my comments.

Sincerely,

Jon D. Packer
Member
Packer Lack Joint Venture, LLC
jondpacker@aol.com
203-822-9800

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2011 NOV 22 PM 12:56
ENVIRONMENTAL REVIEW DIV.

November 4, 2011

Robert Dobruskin, AICP
Director, Environmental Review and Assessment Division
NYC Department of City Planning
22 Reade Street, Room 4E
New York, NY 10007-1216

Re: Hudson Square Rezoning Scope of Environmental Review

Dear Mr. Dobruskin:

I urge that the following changes be made to the proposed scope of the Environmental Review for the proposed Hudson Square Rezoning:

1. An alternative be studied which would reduce the maximum allowable height on wide streets from the much too high 320 feet to 180 to 200 feet, as currently proposed for narrower streets
2. Am alternative be studied which would significantly reduce the maximum allowable height on the Canal/Sixth Avenue/Varick/Grand Street block from the much too high 420 feet
3. An alternative be studied which would require any setbacks to existing building to be set back at least 15 feet
4. As the proposed rezoning of Hudson Square would increase development pressure upon the adjacent South Village neighborhood to the east, that the full impact of the proposed rezoning upon this low-rise area be studied, to a maximum distance of at least 1000 feet from the rezoning boundary

Sincerely,

James Cottrell

Address: 19 Van Dam St
#4H #4H 10013

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November 4, 2011

Robert Dobruskin, AICP
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Sincerely,

Address:

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ENVIRONMENTAL REVIEW DIV.

November 4, 2011

Robert Dobruskin, AICP
Director, Environmental Review and Assessment Division
NYC Department of City Planning
22 Reade Street, Room 4E
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Sincerely,

Candace Worth

Address: 19 Jordan Street
NYC 10013

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ENVIRONMENTAL REVIEW DIV.

November 4, 2011

Robert Dobruskin, AICP
Director, Environmental Review and Assessment Division
NYC Department of City Planning
22 Reade Street, Room 4E
New York, NY 10007-1216

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Sincerely,

Address:
RICHARD TUTTLE
29 VANDAM
NYC 10013

DATE: 10/27/11

TO: ALL MEMBERS OF THE N.Y.C. DEPT. OF CITY PLANNING

CC: The Honorable Christine C. Quinn

All Members of Community Board #2

RE: Hudson Square Rezoning Proposal by Trinity Real-Estate

We, the undersigned, are owners of three separate properties located on Watts Street, N.Y.C. for almost 30 years, since the early 1980s.

Throughout, we have endured potholes, floods, sanitation strikes, noise, traffic jams and Holland Tunnel traffic, not to mention property tax increases and other similar normal N.Y.C. events.

Although in general we support Trinity's proposal, **we specifically OPPOSE THE SUB-DISTRICT B, because it is UNFAIR AND BIASED AGAINST SMALL PROPERTY OWNERS.**

Trinity has unilaterally concluded that the handful of little buildings on Watts Street (and Broome Street) should not have the same rights and privileges as Trinity and other property owners. **There is absolutely no reason to single out these two streets (Watts and Broome), and designate them with an F.A.R. of 5.4 and height cap of 120 feet, while all other similar streets have been assigned an F.A.R. of 10 and a height cap of 185 feet.**

As you may know, our properties are located less than 80 feet from the mouth of the Holland Tunnel. We and our tenants on Watts Street suffer from damaging toxic gas fumes emanating from the buses and vehicles that continually parade in front of our homes. Because of this incessant, non-stop impact of Tunnel traffic, the four small buildings on Watts Street do not, in any shape, manner or form, contribute to any substantial neighborhood character whatsoever. In fact, precisely because of this assault of continual traffic, these old buildings have been perpetually shaken over decades and decades, and their structural integrity has been compromised due to the passage of trucks, buses and cars, morning-noon-and-night, thereby diminishing their useful life expectancy.

Further, there already exists three huge new neighboring buildings that tower over our properties, depriving us of the sunlight that we enjoyed when our properties were first purchased approximately 30 years ago.

Therefore, we respectfully request that you add to the scope of this proposal an alternative that eliminates SUB-DISTRICT B and allows the same height, bulk and F.A.R. in this sub-district as is allowed elsewhere in the district.

For too long in this city and elsewhere in our country, powerful and wealthy special interest groups have obtained special privileges at the expense of smaller, less affluent and less influential groups.

Please do not allow this unfairness and inequity to occur. We simply ask that you remedy this situation by treating **ALL** of the groups and sub-districts (specifically on Watts Street) fairly and equitably.

Thank you for your consideration.

Respectfully submitted:

Marc Chalom - 62 Watts Street

Esther Mizicovsky – 60 Watts Street

Elie Chalom - 60 Watts Street

Dan Aquilante – 64 Watts Street

Kathy Aquilante – 64 Watts Street