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**Assemblymember Deborah Glick's Testimony
Before the NYC Council Subcommittee on Zoning and Franchises
Regarding Special Hudson Square Rezoning and Text Amendment**

February 12, 2013

Thank you for the opportunity to testify before you today regarding Trinity Real Estate's proposal to rezone a significant section of the Hudson Square neighborhood. This rezoning will dramatically reconfigure the character of the lower West Side and I cannot support it in its current form. Dramatic mitigations must be made to this proposal before approval should be granted. The height and bulk of the proposal must be decreased, the lack of open space must be addressed, affordable housing must be clearly articulated, the South Village Historic District must be created in order to protect against the pressure future development, and mitigations must be taken to reconcile the marked increase of traffic this rezoning will bring to the neighborhood, a neighborhood that is already seriously impacted by Holland Tunnel traffic backup. Only once all of these issues are mitigated fully, should this zoning be approved.

Background

The application presented by Trinity Real Estate to rezone Hudson Square is an area bounded by West Houston Street on the North, Canal Street on the South, 6th Avenue on the East and Greenwich Street on the West. The area is mostly zoned as a M1-6 manufacturing zone. The proposal is to create a mix-used residential, commercial and manufacturing neighborhood comprised of several zones, including C6-2A (R8A equivalent) M1-5/R7X and M1-6. The height proposed for side streets is 185 feet, 2 Hudson Square is proposed to be 430 feet, and after concessions at City Planning Commission, the height on wide streets is proposed to be 290 feet. Sub-District B has been removed during the City Planning review. The increase of at least 5,000 new residents, also triggers the creation of a new elementary school, which Trinity will build at 2 Hudson Square.

Height and Bulk

The inappropriate height and bulk of this rezoning has been repeatedly raised at hearings held by Community Board 2. While I appreciate that a modest decrease of the height of buildings on wide streets was made, 290 feet, as currently approved, will overwhelm the neighborhood and will permanently alter the face of the community. The average height of this neighborhood is closer to 250 feet. I could support new buildings rising as high as 250 feet but only if they included inclusionary zoning for affordable housing. I believe that this height would still allow for buildings

that would generate a significant amount of income without destroying the existing feel of the neighborhood. The one exception I would make is in Sub-District A, which is the site of the proposed school. I echo Community Board 2's suggestion that a building with a school could extend beyond 250 feet, but the proposed 420 feet is excessive, and frankly outrageous. On side streets I believe that the height limit of 185 feet is out of character for the neighborhood, however I might be willing to accept buildings at such a height, if and only if, affordable housing is incorporated into any development.

Open Space

I, along with the community, have significant concerns about the lack of open space in this rezoning. This proposal will bring more than 5,000 new residents to the District without adding any significant open space. By the City Environmental Quality Review's (CEQR) own definition, the applicant's proposal is 12 acres short on open space than what is *legally permissible*. The applicant has made no real effort to ameliorate this situation, other than suggesting tiny pocket parks, one of which is proposed to be directly adjacent to the Holland Tunnel, a proposition that is difficult to fathom. Sitting among the fumes of car exhaust is hardly a mitigation for open space. Adding amenities through a financial contribution to the Dapolito Recreation Center, a City owned recreation center, while laudable, does not come close to a mitigation of open space in the District. At most, it partially mitigates the requirement for active open space.

In order to meet the open space requirements I think at least two steps must be taken. First, a community center should be constructed adjacent to the proposed school or on another Trinity owned site in the area, that is at least 50,000 square feet and that would be operated by a non-profit. This action would be a demonstration of Trinity's commitment to creating a livable neighborhood. Considering the applicant's failure to meet a basic requirement seems to be a fair solution.

The second step should be a large one-time, or smaller annual financial contribution to the Hudson River Park (HRP), as this will be the main park that new residents will use. Trinity has openly acknowledged this fact in their concerted efforts to create an access point to the Hudson River Park at Spring Street as part of this rezoning. However, Trinity has also claimed that the location of Hudson River Park, directly adjacent to the rezoning, had no impact on their decision to seek a rezoning, which I find hard to believe. Trinity argues that HRP is outside of the rezoning and therefore it is unreasonable to be asked to make a donation. Yet, the contribution to Dapolito Recreation Center was deemed appropriate, even though that is also outside of the zoning district. Seeing no other passive recreation remediation immediately within the blocks of the rezoning, I find ignoring this option to be disingenuous and runs counter to Mayor Bloomberg's PlaNYC, which seeks to make New York a more livable city while adding population.

This is especially true in view of the likelihood that real estate developers and sales people will point to the park in their presentations as a neighborhood amenity, thereby profiting directly from the park's existence.

Traffic and Transportation

The stated goal of this rezoning is the creation of a livable mixed use area that will increase the residential population significantly. It is impossible to ignore that an impediment to this goal is the existence of the Holland Tunnel and the intense traffic that it brings to the neighborhood. Any mitigation offered by the applicant must consist of creative approaches that will improve both current and future traffic conditions. Traffic is overwhelming now but will only be exacerbated as thousands of new residents move into the District.

According to the Environmental Impact Statement (EIS), 17 out of 22 intersections in the rezoning would suffer a significant adverse impact as a result of this proposed action. I am especially concerned with what might happen to historic streets like Charlton, King, and Vandam as they are overwhelmed with additional vehicles thereby threatening the nature of these blocks. We can also expect additional traffic as there will be a net loss of more than 165 parking spaces, as individuals will have to spend more time in their vehicles looking for places to park.

School

The creation of a school on Canal and Sixth Avenue will be a welcome addition to the neighborhood but obviously presents serious concerns regarding children navigating a block that has such a heavy flow of traffic. The need for this school is triggered by this rezoning. It should not be the sole responsibility of the School Construction Authority and the Department Of Education to figure out how best to protect students and parents as they commute to class. Trinity must be part of the logistical and financial solution to making this a safe place for children to attend school.

Underground Access

I also support an increased utilization of the underground passage way that already exists as a part of the Canal Street subway station as originally proposed in the Canal Area Transportation Study. Refurbishing this passageway to become more of a public space with amenities such as a newspaper stand and a florist, could help reduce the risk pedestrians' face when they cross Canal Street above ground. I would also recommend the addition of clear signage and markings that could inform the public that such an option exists.

Additional Mitigations

Mitigating the impact of this rezoning on traffic will not be easy and I have serious concerns that any actions the applicant takes will have any tangible impact. However, I do support the mitigations proposed by Community Board 2, including the creation of protected bike lanes on Hudson and Varick Streets, a planted median on Varick Street, and private traffic managers dispersed throughout the rezoning area to address especially problematic intersections. I would also recommend studying the possibility of more intensive measures at Houston and Canal Streets such as red light cameras, pedestrian only-green light phase, block the box striping, fines for honking and an increased presence by the New York Police Department.

South Village Historic District

No rezoning occurs in a vacuum. As Hudson Square grows and prospers, development pressure will mount in adjacent neighborhoods to take advantage of the new restaurants and stores that will hopefully start to flourish. Unfortunately, this puts the South Village directly at risk. This is a neighborhood that has been slated to be designated as a Landmarked District but has not been deemed as such because of the limited resources of the Landmarks Preservation Commission. It would be extremely short sighted not to realize that time is running out. The draft EIS stated that this rezoning will have a “significant adverse impact” on the South Village Historic District and the only appropriate mitigation is a swift designation of the South Village Historic District. This must be done.

Previous rezoning efforts in Brooklyn and in Manhattan have been accompanied by Landmarking designations, so there is precedent for such an action. If this rezoning is allowed without a coordinated Landmarking of the South Village Historic District, the outcome will be disastrous.

Conclusion

The current zoning of the Hudson Square area has led to vastly inappropriate developments such as the Trump SoHo. However, that does not mean that any rezoning offered by the applicant should be rubber stamped. Replacing inadequate zoning with an inappropriate plan will not leave a livable city in its wake.

The current application should not be approved as it stands today. The proposed buildings will be too tall and will not guarantee affordable housing, there are pressing questions regarding plans for open space, there is no clear plan to mitigate traffic, and it will put the South Village Historic District at grave risk.

This rezoning will create hundreds of millions of dollars in revenue for developers while severely impacting the current residents of the neighborhood. While Trinity has claimed that it only has 40% of the properties affected, and therefore can't address much of the necessary mitigations, they are experienced real estate players who chose to be the applicant. I certainly believe other developers can and should be included in providing the resources necessary for mitigations, as they, too, will profit greatly. The mitigations I have outlined must be put in place, in order for this rezoning to have a net positive impact on the neighborhood.