



**IN THE MATTER OF** an application submitted by 21E12 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 187 spaces on portions of the ground floor, cellar and sub-cellar of a proposed mixed use building on property located at 21 East 12<sup>th</sup> Street (Block 570, Lots 1101 & 1102), in C1-7 and C6-1 Districts, Borough of Manhattan, Community District 2.\*

\*197-d(b)(2) eligible

This application for a special permit was filed by 21E12 LLC on October 4, 2017 to permit 187 public parking spaces within a new mixed-use development at 21 East 12th Street in the Union Square South neighborhood of Manhattan, Community District 2.

## **BACKGROUND**

The project site is located at the northwest corner of University Place and East 12th Street in the Union Square South neighborhood. It is an irregularly-shaped, 19,085-square-foot lot (Block 570, Lots 1101 & 1102) that had been developed with a four-story building which contained the Bowlmor Lanes bowling alley on the two upper floors, retail on the ground floor, and a 200-space parking garage on the ground and second floors. The building was demolished in 2014 in anticipation of a new as-of-right mixed-use building that is currently under construction. The proposed public parking garage would replace the parking spaces in the garage that had previously occupied the site, and serve the residents of the building and the surrounding neighborhood. The project site has two existing curb cuts which served the previous garage, one on University Place, and one on East 12th Street.

The project site is located largely in a C1-7 district and partially in a C6-1 district. The C1-7 district extends along University Place, from East 8th Street to north of East 13th Street. It allows a commercial FAR of 2.0 and has the residential equivalent of an R8 district, which permits residential, community facility, and retail and commercial uses in Use Groups 5 and 6, up to a total FAR of 6.5. C1-7 districts allow commercial uses on the lower levels and residential development

above. The C6-1 district has a residential equivalent of an R7 district and allows a residential FAR of 3.44, a commercial FAR of 6.0 and a community facility FAR of 6.5. C6-1 districts are also mapped on the midblocks of East 10th, East 11th, and East 12th Streets between University Place and Broadway, as well as along Broadway and extending east to Fourth Avenue between East 10th and East 13th Streets. The project site is also close to the Special Union Square District.

The neighborhood surrounding the project site is characterized by low- to mid-rise buildings and a variety of land uses, including residential, commercial and institutional. Both Fifth Avenue and the east side of University Place are lined with 10- to 12-story apartment buildings and commercial lofts with high street walls, while buildings fronting on the west side of University Place are generally two- to six-story apartment buildings with ground-floor retail uses. Ground floor uses on these blocks include eating and drinking establishments, retail stores and entertainment uses. The neighborhood has seen significant residential growth and increased density in recent years due to new construction, enlargements and conversions, including residential conversions of former parking garages. There are two DCA-licensed parking facilities within 600 feet of the project site, including a 32-space accessory parking garage on the cellar level of a 19-story residential building on Fifth Avenue between 14th and 15th Streets, and a 112-space accessory parking garage on the cellar level of a 21-story residential building located on 14th Street between Fifth Avenue and Union Square West.

Currently, an as-of-right 21-story mixed-use building is under construction on the project site. As proposed, the development will contain 108,655 square feet of residential floor area (53 market-rate units), 12,770 square feet of commercial retail floor area, approximately 1,030 square feet of community facility floor area, and a proposed 187-space attended off-street public parking facility subject to the special permit. The proposed parking facility would occupy portions of the ground, cellar and sub-cellar levels of the mixed-use building. Absent the grant of the requested special permit, the space would instead be occupied by as-of-right uses, including retail, storage and up to 13 parking spaces.

The applicant is seeking to increase the available parking from 13 as-of-right spaces to 187 spaces. The proposed 24,150 square-foot garage would include 134 parking spaces on the cellar and sub-

cellar levels of the building and 53 additional parking spaces on trays. Vehicles would enter the garage from East 12th Street via a two-way ramp with an 18.5-foot-wide curb cut (20.5 feet including splays) located approximately 83 feet west of University Place. The inbound lane and ramp would provide the required 10 reservoir parking spaces. Upon arriving at the terminus of the ramp at the cellar level, vehicles would be handed over to the parking attendant. Garage patrons would exit the garage using an elevator to street level or, for residents, to the building's lobby. The attendant booth, car drop-off and pick-up areas, and pedestrian waiting areas would be designed to ensure patron security and safety en-route to and at these locations by rationalizing vehicular and pedestrian circulation. A one-foot-wide speed bump with a minimum height of two inches would be installed in the exit lane, and a stop sign would be posted at the exit at a location clearly visible to exiting drivers, in compliance with the zoning regulations. The speed bump would be located four feet from the street line.

#### **ENVIRONMENTAL REVIEW**

This application (C 180069 ZSM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 17DCP132M. The lead is the City Planning Commission.

After a study of the potential impacts of the proposed actions in the Environmental Assessment Statement (EAS) issued on March 3, 2017, a Negative Declaration was issued on October 30, 2017.

#### **UNIFORM LAND USE REVIEW PROCEDURE (ULURP)**

This application (C 180069 ZSM) was certified as complete by the Department of City Planning on October 30, 2017, and was duly referred to Community Board 2 and the Borough President in accordance Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 2 held a public hearing on this application (C 180069 ZSM) on December 14, 2017, and on December 21, 2017, by a vote of 30 in favor, 4 opposed and no abstentions, adopted a resolution recommending disapproval of the application. In its resolution, Community Board 2 also recommends that should the City Planning Commission consider adding any additional spaces above the permitted number of parking spaces, the maximum number of spaces should not exceed the number of dwelling units in the building, which is 53, and will be for residents only or for a combination of residents and car share parking spaces, along with at least 38 permanent bike stations for monthly rental.

### **Borough President Recommendation**

This application (C 180069 ZSM) was considered by the Borough President, who issued a recommendation on January 24, 2018 disapproving the application.

### **City Planning Commission Public Hearing**

On January 17, 2018 (Calendar No. 7), the City Planning Commission scheduled January 31, 2018 for a public hearing on this application (C 180069 ZSM). The hearing was duly held on January 31, 2018 (Calendar No. 19). Three speakers testified in favor of the application and two in opposition.

The applicant's land use attorney described the proposed development and the parking facility's operations, and stated that the proposed increase in the number parking spaces met the conditions and findings of the special permit. A representative of the proposed garage operator, who also managed the public garage previously occupying the site, spoke in favor, stating that the former public parking garage served local residents, and that with fewer parking spaces available in the neighborhood, the proposed garage would continue to serve local residential parking needs. The owner spoke in favor of the application, noting that the as-of-right option absent the grant of the special permit would be a large retail store in the cellar of the building, which would be less consistent with the existing neighborhood character.

A representative of the Manhattan Borough President reiterated the Borough President's recommendation, stating that the proposed number of parking spaces is inappropriate because of the proposed size of the garage and its proximity to a major transit hub at Union Square. A representative of Community Board 2 spoke in opposition of the application, suggesting that the proposed parking garage would contribute to increased transient parking and traffic congestion.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a special permit (C 180069 ZSM) pursuant to Sections 13-45 and 13-451 of the Zoning Resolution is appropriate.

The requested special permit would allow the applicant to increase the capacity of the proposed attended public parking facility from 13 to a total of 187 parking spaces.

The entrance and exit to the parking facility on East 12th Street will be located midblock, an ample distance away from nearby street intersections. Compared to the former garage previously occupying the site, the proposed garage provides a single point of entry on East 12th Street and eliminates an existing curb cut on University Place. East 12th Street is not a designated bus or truck route. The direction of traffic on East 12th Street is one-way, and thus vehicles will not cross oncoming traffic when entering or exiting the parking facility. Additionally, there will be pedestrian safety elements at the entrance to the garage driveway to alert pedestrians and cyclists when a vehicle is entering and exiting. The Commission therefore believes that the location of the vehicular entrance and exit to the parking facility will not unduly interrupt the flow of pedestrian traffic, result in undue conflict between pedestrian and vehicular movements, or interfere with the efficient functioning of streets.

The Commission notes that the access ramp will provide 10 reservoir spaces that would effectively reduce queuing on the street. Moreover, because the parking garage requested by the special permit application is intended for use by residential occupants of the building as well as other local residents, vehicles will less frequently access the garage than they would if the garage were for

transient users. The Commission also notes that 90 percent of the spaces in the former 200-space public parking garage were rented by monthly users, and that the garage operator intends to manage the proposed garage similarly while also allocating spaces for car share vehicles and providing charging stations for electric vehicles. Additionally, the Commission understands that there had been a parking garage in operation on the project site since the 1920s, which, according to statements provided at the public hearing, did not seem to have caused severe traffic congestion on East 12th Street or University Place; with the loss of two nearby longstanding garages that have been slated for residential conversions, there is an unmet parking need by local car owners. The Commission therefore believes that the configuration and operation of the proposed parking garage will allow for efficient movement of vehicles off the street, and that the use of the parking facility will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow.

The Commission notes that the development has an as-of-right curb cut, and also observes that other curb cuts, loading and parking entrances currently exist near the development site along East 12th Street. The Commission additionally observes that the proposed garage would eliminate an existing curb cut on University Place. The Commission therefore believes that the location of the entrance and exit would not be inconsistent with the character of the existing streetscape.

The applicant documented the new and eliminated residential units and off-street parking spaces within one-third of a mile from the development site between 2006 and 2018 (the project's expected build year) to demonstrate that the request for 187 residential parking spaces is reasonable and not excessive in regards to recent trends in residential development and the provision of parking. Using data from the Department of Buildings, the Department of Consumer Affairs, and additional research undertaken by the applicant, the study found that between 2006 and 2018, the ratio of the change in off-street parking spaces to the change in residential units without the proposed parking facility is negative 92 percent. With the addition of the proposed 187 parking spaces and 53 residential units, the residential parking growth ratio would increase to negative 64 percent, well below the residential growth parking ratio maximum, which is 20 percent for Manhattan Community District 2. The Commission therefore believes that the ratio of new off-street parking spaces to new residential units with the proposed project demonstrates that the

request for 187 public parking spaces is reasonable and not excessive in regard to recent trends in residential development and the provision of parking.

## **FINDINGS**

The City Planning Commission hereby makes the following findings pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) of the Zoning Resolution:

- (1) the location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;
- (3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;
- (4) [This finding is inapplicable; no public parking garages is being proposed]; and
- (5) such parking facility will not be inconsistent with the character of the existing streetscape.

The City Planning Commission hereby makes the following findings pursuant to Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution:

- (a) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:
  - (1) the increase in the number of #dwelling units#; and
  - (2) the number of both public and #accessory# off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the reduction, if any, in the number of such spaces in existing parking facilities. In making this determination, the Commission may take into account off-street parking facilities for which building permits have been granted, or which have obtained City Planning Commission special permits pursuant to Section 13-45.

**RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by 21E12 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 187 spaces on portions of the ground floor, cellar and sub-cellar of a proposed mixed use building on property located at 21 East 12th Street (Block 570, Lots 1101 & 1102), in C1-7/C6-1 Districts, Borough of Manhattan, Community District 2, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 180069 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Philip E. Habib, LPE, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
1 of 2	Ground Floor/Site Plan	9/29/17
2 of 2	Cellar & Subcellar Parking Plan	9/29/17

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.



3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 180069 ZSM), duly adopted by the City Planning Commission on February 28, 2018 (Calendar No. 17), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

**RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE DE LA UZ,  
JOSEPH DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,  
HOPE KNIGHT, ORLANDO MARIN, LARISA ORTIZ, *Commissioners***

**ANNA HAYES LEVIN, *Commissioner*, abstained**

Terri Cude, *Chair*  
Dan Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

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December 22, 2017

Marisa Lago, *Chair*  
City Planning Commission  
22 Reade Street  
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on December 21, 2017, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

**21 E. 12 Street** (at University Place) DEP # 180069ZSM is an application for a special permit pursuant to ZR Sections 13-45 (Special Permits for Additional Parking Spaces) and 13-451 (Additional parking spaces for residential growth) to permit 187 space public parking garage in a mixed-use development.

### Whereas:

1. This is an application for a special permit pursuant to ZR Section 13-45 (Special Permits for Additional Parking Spaces) and ZR Section 13-451(a) (Additional parking spaces for residential growth, for an attended public parking facility with a maximum capacity of 187 spaces.
2. The mixed use, 23-story building currently being developed on University Place from 12<sup>th</sup> Street to 13<sup>th</sup> Street will include 53 luxury condominiums and 12,770 square feet of retail would be permitted 13 accessory parking spaces as of right so the proposed action would increase the number of spaces by 174.
3. The Manhattan Core Parking regulations which for 30 years had contributed to a reduction of car commuting into Manhattan, were amended in 2013, allowing developers to apply for special permits to increase parking spaces in new developments based on residential growth in the area and also allowing accessory residential spaces to be used for public parking.
4. As stated in the NYC Zoning Handbook published by the City Planning Commission: "...in almost all new developments in Community Districts 1 to 8 in Manhattan and in Downtown Brooklyn, commercial, manufacturing, and most community facility uses are exempt from parking requirements because public transit is easily available. Experience has shown that if such parking were available it would increase traffic congestion by attracting more cars into the heart of the city...."

5. CB2, Man. opposed the 2013 amendments because they enable an increase of car commuting into the Manhattan Core (below 96<sup>th</sup> Street), and CB2 specifically recommended restrictions that would prevent use of new residential spaces to increase availability for commuters. CB2, Man. also recommended a limit of 50 cars at any new development.
6. There is nothing in the parking regulations preventing an operator from increasing monthly residential parking prices to create spaces for daily or hourly parking or monthly parking for employees.
7. CB2, Man. also has a position opposing inappropriate development along the University Place/4<sup>th</sup> Avenue corridor below 14<sup>th</sup> Street where neighborhood character is threatened by massive new office and residential development, including the 269-foot tall building where this large new garage would be located.
8. Increasing parking availability will also encourage new development and is likely to increase car use by commuters and shoppers coming to the area.
9. The application requires a finding that the new use “will not create or contribute to serious traffic congestion and will not unduly inhibit traffic and pedestrian flow,” without specifying the area where this may occur. Any additional commuter parking will inevitably contribute to serious traffic congestion at tunnel access points, including at the Holland Tunnel within CB2.
10. The traffic study focused on an 600-foot radius from the site; therefore, the study was insufficient and the application should have required a study that showed that the facility will not increase car commuting into the Manhattan Core.
11. Unlike other areas within CB2, the Central Village has many large apartment buildings that were constructed in the automobile era.
12. CB2's Traffic and Transportation Committee conducted an informal survey of indoor parking garages within the study area, finding a plentiful supply of available monthly parking, for example, Stewart House at 70 E. 10th St. has 45 spaces open; The Brevoort at 11 5th Ave. has 12; Randall House at 63 E. 9th St. has 20, 7 E. 14th St. has 20, to name just a few in the immediate vicinity. Icon, which runs at least 7 garages with 1,000s of spaces within a 6-block area, stated that they have 100s of available spaces for monthly parking.
13. CB2's T&T Committee also spoke to the VP of a large parking company, who said demand for monthly spaces was "way down," that millennials don't buy cars, and that Uber was hurting business.
14. SpotHero, a website and App to find convenient parking locations, shows 33 garages (other than those already cited) near 21 E. 12th St. with monthly parking spaces available, average monthly cost in the \$500 range. All of them, save three, offer hourly parking as well, along with 12 other garages. This is unlike SpotHero in the West Village, which shows few garages with monthly parking available and prices about twice as high as in the 21 E. 12th vicinity.
15. There was no public testimony favoring the application or expressing the need for additional spaces to serve residents in the area.
16. With the location of college dorms in the area and with the increased intensity of office and hotel development south of 14th St., sidewalks are packed with pedestrian traffic, which is in frequent conflict with vehicular traffic.
17. Sufficient monthly off-street parking appears to be available without the addition of 174 long-term spaces. In the absence of long-term parking demand, short-term parking could easily be substituted for those additional spaces, attracting more commuter and retail vehicular traffic.
18. This application is coming to CB2, Man. after work on the structural work including the parking facility space and ramp was completed.
19. The applicant stated their original plan called for storage space in that structure, and there also are many other potential uses that would better attract monthly renters and better serve the community than parking spaces, which can generate traffic and unwanted congestion.

**Therefore, it is resolved that CB2, Man.:**

Recommends **denial** of a special permit for additional parking spaces for residential growth at 21 East 12<sup>th</sup> Street;

Recommends that should the City Planning Commission consider adding any additional spaces, the maximum number of spaces should not exceed the number of dwelling units in the building, which is 53, and will be for residential customers only or for a combination of residential customers and car share spaces, along with at least 38 permanent bike stations for monthly rental.

Vote: Passed, with 30 Board members in favor, and 4 in opposition (A. Brandt, T. Connor, R. Rothstein, R. Sanz).

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Terri Cude, Chair  
Community Board #2, Manhattan



Anita Brandt, Chair  
Land Use & Business Development Committee  
Community Board #2, Manhattan



Frederica Sigel, Co-Chair  
Land Use & Business Development Committee  
Community Board #2, Manhattan

TC/fa

c: Hon. Jerrold L. Nadler, Congressman  
Hon. Brad Hoylman, NY State Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Gale A. Brewer, Manhattan Borough President  
Hon. Rosie Mendez, Council Member  
Sylvia Li, Dept. of City Planning



OFFICE OF THE PRESIDENT  
BOROUGH OF MANHATTAN  
THE CITY OF NEW YORK

1 Centre Street, 19th floor, New York, NY 10007  
(212) 669-8300 p (212) 669-4306 f  
431 West 125th Street, New York, NY 10027  
(212) 531-1609 p (212) 531-4615 f  
[www.manhattanbp.nyc.gov](http://www.manhattanbp.nyc.gov)

**Gale A. Brewer, Borough President**

**January 24, 2018**

**Recommendation on ULURP Application C 180069 ZSM – 21 East 12<sup>th</sup> Street  
By 21E12, LLC.**

**PROPOSED ACTION**

Broome 21E12, LLC<sup>1</sup> (“the applicant”) seeks a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution (“ZR”) to allow an attended public parking garage with a maximum capacity of 187 spaces on portions of the ground floor, cellar and subcellar of a proposed mixed-use building located at 21 East 12<sup>th</sup> Street (Block 570, Lots 1101 and 1102), partially within a C1-7 and a C6-1 zoning district in Community Board 2, Manhattan.

Pursuant to ZR § 13-45, the City Planning Commission (“CPC”) must find that:

- 1) The location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with uses or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- 2) The location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of streets, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;
- 3) Such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;
- 4) For public parking garages, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion; and
- 5) Such parking facility will not be inconsistent with the character of the existing streetscape.

Pursuant to § 13-451, the CPC may permit a parking facility listed in Section 13-45(a), where such parking facility serves the parking needs of a predominately residential development or enlargement, provided that, in addition to the conditions and findings set forth in Section 13-45, the Commission shall find that:

The number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:

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<sup>1</sup> 21E12 LLC was established in 2015 and is represented by William Macklowe of the William Macklowe Company.

- 1) The increase in the number of dwelling units; and
- 2) The numbers of both public and accessory off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the reduction, if any, in the number of such spaces in existing parking facilities. In making this determination, the Commission may take into account off-street parking facilities for which building permits have been granted, or which have obtained CPC special permits pursuant to Section 13-45; ...

The CPC may also prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area under the special permit.

## **PROJECT DESCRIPTION**

The applicant seeks a special permit pursuant to ZR § 13-45 and 13-451 to increase the permitted capacity of an attended parking facility from 13 accessory parking spaces to 187 public parking spaces. The project site's lot area is 19,085 square feet in area with 176 square feet of frontage along University Place and 108 square feet of frontage on East 12<sup>th</sup> Street.

### **Background**

The development site was formerly occupied by a four-story building operated by Bowlmor Lanes, one of the city's oldest bowling alleys on the upper floors, with retail use on the ground floor and a 200-space parking garage licensed by the New York City Department of Consumer Affairs. The applicant purchased the building in 2012 and demolished the building in 2014. The site is currently under construction.

### **Proposed Development**

The applicant is currently constructing an as-of-right 23-story mixed-use building consisting of 122,465 square feet of floor area. The building will contain 53 residential units, 12,770 square feet of retail floor area, 1,030 square feet of community facility floor area, and 24,150 square feet of parking surface on the sub cellar and cellar levels of the building for total of 187 spaces permitted by special permit only. The parking facility would contain 134 surface parking spaces and 53 parking spaces provided on trays.

The proposed parking facility entrance would be accessible by an 18.5 foot wide curb cut located on East 12<sup>th</sup> Street and approximately 83 feet west of University Place. As proposed, the parking facility has a two-way vehicular ramp; the inbound lane and ramp would consist of 10 reservoir parking spaces where upon arrival at the cellar level, garage patrons would leave their vehicles with a parking attendant. From there, the garage patrons would take the elevator to the building's lobby if they are residents or to the street level if they are members of the public or going to the street. The exit ramp would have a one-foot wide, two inches tall speed bump and a stop sign located four feet from the street line.

### **Area Context**

The project site is located partially within a C1-7 and partially within a C6-1 zoning district in the Greenwich Village neighborhood. The majority of the project site falls within the C1-7 zoning district which permits Use Groups (UG) 1 through 6 and UG 14. The C1-7 zoning

district is an R8 equivalent and permits Floor Area Ratio (FAR) for residential use of 3.44 and 2.0 FAR for commercial floor area use. The C6-1 zoning district has an R7-2 district equivalent, permits UG 6-12 and permits a commercial FAR of 6.0 and a residential FAR of 2.0. This zoning district covers the site's mid-block, west of the project site. The C1-6 zoning district extends south of the site and to the east side of University Place.

The project site is located just two blocks south of the Union Square Special District, which was established in 1985 to promote a revitalized mixed-use area around Union Square Park by providing ground floor retail space and improved access, visibility and security at the park. The site is surrounded by low-rise and mid-rise buildings with several commercial uses: restaurants, bars, fitness facilities and small shops. There are also several institutional uses: The New School, Parsons School of Design, First Presbyterian Church, Cardozo School of Law and New York University School of Professional Studies.

The project site is well served by mass transit. Two blocks north of the site is access to the 14<sup>th</sup> Street Union Square station – the fourth busiest subway stop in the city serving over 100,000 riders daily – which is serviced by the N/Q/ R/W, L, and Nos. 4/5/6 subway lines. The area is also served by the PATH train west of the project site at Sixth Avenue at both 9<sup>th</sup> Street and 14<sup>th</sup> Street. There are also several bus lines north of the project site at East 14<sup>th</sup> Street including the M14A and M14D; the X1, X10, X10B, and X17 bus lines can be accessed one block east of the site along Broadway. Just west of the site at Fifth Avenue is access to the M1, M2, M3 and M55 bus lines. There are also four Citibike stations located within a one block radius of the site.

### **Proposed Actions**

The applicant seeks a Parking Special Permit pursuant to ZR § 13-45 and 13-451 to allow additional accessory parking spaces for residential growth in order to construct a 187-space attended public parking garage. Only 13 accessory spaces are permitted as-of-right for the building and the permit would allow for 174 additional parking spaces.

### **COMMUNITY BOARD RECOMMENDATION**

At its Full Board meeting on December 21, 2017, Manhattan Community Board 2 (CB2) voted by a vote of 30 in the affirmative, 4 in the negative, in favor of a resolution recommending denial of the application. The resolution states the Board opposed the 2013 Manhattan Core Amendment and at that time, recommended a limit of 50 parking spaces in any new residential development parking garage. In the resolution, CB2 raises further concerns including that parking prices could increase for monthly parking spaces to create spaces for daily, hourly, or monthly parking for employees; opposition to all massive new office and residential development along the University Place and 4<sup>th</sup> Avenue corridor including this building; that the parking facility will encourage more commuters and shoppers to the area and contribute adversely to traffic and pedestrian flow; that the traffic study radius was insufficient in capturing the number of potential vehicles commuting into the area. CB2's Traffic and Transportation Committee performed their own survey and found monthly parking spots available in the vicinity of the site and stated that during a conversation with a Vice President of a large parking company, they were told that parking occupancy is low because millennials do not own cars and instead use Uber. The Board also surveyed the area with a mobile app and determined there are

33 parking garages in the neighborhood and project site vicinity that provide monthly space for \$500 and a few with hourly. The Board resolution also states there is sufficient off-street monthly parking in the area and expressed a concern over the possibility of short-term commuter and retail parking in the garage. The resolution further stipulates that if the City Planning Commission considers more parking spaces than currently permitted, that the capacity should not exceed the 53 dwelling unit count and should be used exclusively for the residents or a combination of residents and car share spaces in addition to 38 permanent bike stations for monthly rental use.

### **BOROUGH PRESIDENT'S COMMENTS**

Recommendations from this office on prior parking special permits have requested that the Department of City Planning and the City Planning Commission consider a more robust set of factors aside from the existing parking methodology analysis. These factors include the absolute availability of parking, the supply of parking prior to the ten-year look-back and the current capacity and utilization rate of parking facilities in the neighborhood, as well as access to mass transit. These factors should be considered where applicable.

The applicant is proposing a 187-space public parking garage for a new mixed-use luxury residential building. Thirteen of these spaces are as-of-right. The applicant team stated they would encourage monthly users from the neighborhood by offering a discount for the first year and would provide a 30-day notice for transient users in favor of locals. Although the applicant argues that the net loss of parking during the ten-year look back exceeds 750 parking spaces on this project block site alone, the absence of new large parking facilities in newly constructed residential buildings in the neighborhood leads my office to believe goals of the Manhattan Core text is working in this neighborhood.

In previous applications seeking an increase to the number of parking spaces allowed as-of-right, we begrudgingly recommended approval for minimal parking at a one to one ratio for residential use only. However, because of the proposed size of this facility and proximity to a major transit hub at Union Square, my office finds only the permitted number of parking spaces appropriate at this site.

### **BOROUGH PRESIDENT'S RECOMMENDATION**

**Therefore, the Manhattan Borough President recommends denial of the ULURP application C 180069 ZSM for a parking special permit for 187 spaces.**



Gale A. Brewer  
Manhattan Borough President