



The City of New York

# **Manhattan Community Board 1**

Catherine McVay Hughes CHAIRPERSON | Noah Pfefferblit DISTRICT MANAGER

## **City Planning Commission**

### **Public Hearing on Water Street Upgrades Text Amendment**

**N 160166 ZRM**

### **Testimony by Diana Switaj, Director of Planning & Land Use**

**22 Reade Street, Spector Hall**

**Wednesday, March 30, 2016, 10:00 am**

Good Morning. I am Diana Switaj, Director of Planning and Land Use at Manhattan Community Board 1 (CB1). Thank you for the opportunity to comment on the Water Street Upgrades Text Amendment.

The Alliance for Downtown New York (ADNY), the New York City Economic Development Corporation (NYCEDC) and the New York City Department of City Planning (DCP) are proposing a zoning text amendment to the Special Lower Manhattan District of the New York City Zoning Resolution to allow the infill of existing arcades for retail use and the improvement of existing plazas by certification and authorization along and near Water Street. The amendment is intended to enhance the pedestrian experience along a street that is characterized by limited ground floor retail and a high concentration of privately owned public spaces (POPS) lacking in amenities.

Community Board 1 (CB1) has been supportive of past initiatives and zoning text amendments to improve the pedestrian and plaza environments on Water Street.

After two months of review, CB1 adopted a resolution on March 22, 2016 supporting the Water Street Upgrades Text Amendment, provided that:

- 1) A referral mechanism is incorporated into the zoning text to require a 60-day period of Community Board review and comment, on a site-by-site basis, of any request to infill any arcade space within the Proposed Area, whether it is by certification, authorization, or by any other process or mechanism;
- 2) Because building owners/landlords are potentially realizing substantial value as a result of the repurposing of these public amenities (no matter how underutilized), the community's needs for various types of facilities located within the future infilled arcades must be considered and encouraged, including but not limited to schools (including pre-kindergarten centers), libraries, senior centers and recreational facilities;
- 3) Certifications or authorizations by the City Planning Commission (CPC) or CPC Chairperson should strongly consider the community's view that small, independent retail establishments are preferred over chain stores in any such infill spaces;

- 4) Due consideration for affordability should also be taken into account (whether through rent regulation or other appropriate means) so as to avoid vacancies;
- 5) During the Community Board review for each application for the 17 buildings with arcades, the applicant must be made responsible for explaining the specific community offset and benefit that will be provided in exchange for the arcade infill;
- 6) When an arcade infill triggers a plaza upgrade, plazas must also be built to a resiliency standard that could withstand future extreme weather events;
- 7) Owners of properties similar to 200 Water Street, where the benefit to the property owner clearly outweighs the community benefit from plaza upgrades, should be required to provide benefits in addition to the plaza upgrade, such as enhancements to surrounding sidewalks and the nearby Pearl Street Playground. CB1 requests that the arcade infill at 200 Water Street not be used just to expand the existing large box retail, and prefers retail that positively activates Fulton Street;
- 8) In cases of infill where no plazas exist on the zoning lot where the provision of an indoor public space or an off-site public space could satisfy the requirement for a compensating amenity, CB1 requests that property owners also improve their sidewalks and not use public funds to do so;
- 9) ADNY, EDC and DCP shall return to CB1 after the first three projects or the first year after the zoning amendment, whichever comes first, to report on progress and assess the success of the program (with a potential for making appropriate changes as necessary based on experience with the program to date)

In addition to these conditions, CB1 also requests that particular attention is paid to the issue of lighting on Water Street, which would enhance safety and encourage more people to visit the area. We also ask that the ADNY, EDC and DCP work together with property owners and the NYC Department of Education and NYC School Construction Authority to create suitable locations for schools and pre-kindergarten centers within the infill spaces; and that DCP include in the zoning text language requiring or encouraging the use of environmentally friendly construction methods in connection with all arcade infill development projects.

Finally, CB1 supports the letter issued by Manhattan Borough President Gale Brewer concerning the proposed zoning amendment, specifically regarding adjusting allowable commercial uses and frontage requirements.

Thank you for the opportunity to testify today.