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COMMUNITY BOARD NO. 2, MANHATTAN

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Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

January 27, 2014

Liam Kavanaugh, Acting Commissioner
NYC Department of Parks
Arsenal West, 24 West 61st Street, 5th Floor
New York, NY 10023

RuthAnne Visnauskas
NYC Department of Housing Preservation
& Development
100 Gold Street
New York, NY 10038

Dear Commissioners Kavanaugh and Visnauskas:

At its Full Board Committee meeting on January 23, 2014, Community Board #2, Manhattan adopted the following resolution:

Elizabeth Street Garden (a through lot from Elizabeth Street to Mott Street between Spring and Prince Streets). A request from a group of residents and business owners asking CB2 to support efforts to preserve a garden and establish its official status as a public green open space.

A resolution urging the City to transfer this site to the Parks Department and committing CB2 to work with the City and elected officials to support preservation and creation of affordable housing in the district.

Whereas

1. A public hearing was held on November 4, 2013, at PS 130;
2. Presentations were made by a group of neighbors supporting preservation of the garden and by the Department of Housing Preservation and Development;
3. HPD considers the site to be viable for an affordable housing development of 60 or 70 units;
4. HPD would encourage community input for a Request for Proposals, but many details of the project would emerge based on proposals submitted by private developers;
5. During the first “rent-up”, 50 percent of the units would be reserved for qualified applicants from within CB2;
6. Elizabeth Street Garden is a 20,000 square foot plot of city-owned land on a through lot from Elizabeth Street to Mott Street, between Spring and Prince Streets;
7. In the mid-1970’s, Primary School 21 was demolished and in 1981 part of the lot on which it stood was sold to LIRA Apartments Co. for the construction of 152 units of Section 8 affordable housing now known as 21 Spring Street;

8. The agreement called for development and maintenance by LIRA of a public “recreation area” on the remaining portion of the school site, which remained city-owned, but for unknown reasons this never occurred creating a derelict condition on the site where the garden is now;
9. In April, 1990, CB2 Manhattan recommended in favor of a proposal to lease this debris and weed covered lot to Allan Reiver for use by his company, Elizabeth Street Gallery;
10. Beginning February 1, 1991, the lot was leased on a month-to-month basis for \$4,000 per month to Mr. Reiver, who kept the promise he made to CB2 and cleaned the lot, planted it with trees, shrubs, and lawns, and maintained it for almost a quarter-century as a unique and attractive location where artifacts are displayed in a park-like setting, some being permanently installed and some placed on display and offered for sale;
11. The city rolled over the lease continuously with no rent increase and the public ownership of the land faded from public attention;
12. Since 2005, when Mr. Reiver purchased the adjacent building where he now lives and operates the Gallery, he voluntarily allowed public access to the garden, albeit on an inconsistent basis and with access through the private gallery;
13. On June 1, 2013, at a neighborhood “It’s My Park Day” event in DeSalvio Playground when local families discussed moving their focus to promoting public access to the garden, they learned for the first time that it was on city-owned land and had been designated as a site for affordable housing in conjunction with the SPURA rezoning in September 2012;
14. This group of park advocates has joined with local business owners to form a volunteer initiative to preserve the garden as public green open space;
15. Since then, with the cooperation of the Gallery owner, the volunteers opened the garden daily from noon to 6 PM, with direct public access through the Elizabeth Street gates on Wednesdays and weekends;
16. The group has also organized free community events including movie nights, poetry readings, children’s art programs, the planting of 2,000 daffodil bulbs and a Harvest Festival attended by 1500 people;
17. They have organized volunteers to staff, clean, garden, program events, apply for grants, expand outreach to the local community and launched the elizabethstreetgarden.org website in English and Chinese;
18. The November 4 public hearing, was attended by 157 guests, mostly nearby neighbors;
19. Attendees at the hearing demonstrated overwhelming and passionate support for the preservation of the garden, while only four people spoke in favor of affordable housing at the site and one expressed concern about the safety of current sculpture installations;
20. Responding to follow-up questions from the Land Use Committee, the Elizabeth Street Garden volunteers committed to form an independent non-profit organization to preserve the Garden, either under the NYC Parks Green Thumb community garden program or other City jurisdiction;
21. Also responding to follow-up questions, the gallery owner stated his support for creating a public open space at the site;
22. The Elizabeth Street Garden volunteers have a convincing case for a public garden, a clear mission, and significant local support as demonstrated by attendance at the Harvest Festival and the November CB 2 Land Use hearing;
23. The group needs CB2’s support to continue their civic contribution and move forward with a permanent structure that takes the garden beyond its current status as a privately controlled site;
24. Little Italy and SoHo, with almost a quarter of the CB2 population, have only three percent of its parkland, virtually all of which is paved;
25. Much of CB2’s open space is concentrated in Hudson River Park and Washington Square Park, 1.2 miles and 0.9 miles respectively from the Garden, and this part of our district is characterized by long blocks with narrow streets, small apartments that depend on air shafts for light and air, and none of the small neighborhood squares and green spaces that provide respite in other parts of the district;

26. The Elizabeth Street Garden provides a much-loved urban oasis to the least green part of CB2, the only place where grass grows in the densely built blocks from Canal Street to Houston Street, from the Bowery to West Street;

27. Open space once built on can never be retrieved, and this space is no less precious than others in the district such as LaGuardia Corner Gardens or Jefferson Market Garden;

28. The area around the garden includes the affordable housing at 21 Spring Street, the rehabilitation project for a low-income co-op at 244 Elizabeth Street, and a significant stock of rent-stabilized apartments, many of which are at risk as property owners seeking to take advantage of high market rate rental values are able to terminate the stabilized status, often but not always using legal means;

29. Although this area is densely built, contains few vacant lots, and new construction is limited by the Special Little Italy District, there are significant opportunities to build and preserve affordable housing in our district, including the new Hudson Square Special District, which offers a zoning bonus for new affordable units, as part of future rezoning proposals and other new development, and through greater efforts to preserve the existing affordable housing stock.

Therefore it is resolved that CB#2, Man.

1. Supports the permanent preservation of the Elizabeth Street Garden in its entirety as a public open, green space and urges the City to transfer jurisdiction over this lot to the Parks Department;

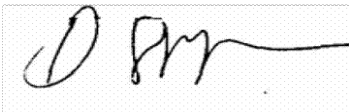
2. Supports the efforts of the Elizabeth Street Garden volunteers to form an independent non-profit group dedicated to improving the garden, guaranteeing open public access, and providing programming, community events, and opportunities for volunteers;

3. Commits to an ongoing strategic and activist effort alongside our elected officials and government agencies to expand and preserve affordable housing in the district.

Vote: Passed, with 31 Board members in favor, and 5 in opposition (S. Aaron, D. Ballen, W. Bray, M. Derr, R. Sanz)

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

Sincerely,



David Gruber, Chair
Community Board #2, Manhattan



Tobi Bergman, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

DG/fa

- c:
- Hon. Jerrold L. Nadler, Congressman
 - Hon. Sheldon Silver, Assembly Speaker
 - Hon. Deborah Glick, Assembly Member
 - Hon. Daniel Squadron, NY State Senator
 - Hon. Brad Hoylman, NY State Senator
 - Hon. Gale A. Brewer, Manhattan Borough President
 - Hon. Margaret Chin, Council Member
 - Hon. Corey Johnson, Council Member
 - Hon. Rosie Mendez, Council Member