

July 8, 2003

Elyse Kroll
ENK International
3 East 54th Street
New York City, NY 10022

Via fax: 646-273-1926

Re: Pier 94

Dear Ms. Kroll,

This letter is in response to your letter of June 3rd, as well as to the presentation of your design plans at the board's Waterfront and Parks Committee meeting on June 12th. Our letter is divided into three parts: First, waterfront access and park space (by far the most pressing concern for residents of this park-starved neighborhood), second, the bridge from DeWitt Clinton Park, and finally, issues relating to the proposed design of the facility.

Specifics on each of the points follow. However, our basic position is this: that unless you are able to modify your plans for Pier 94 to create significant public space in the north end of the headhouse and enlarge the open space at the western end of the pier, the Waterfront Committee will recommend that Manhattan Community Board No. 4 oppose your ULURP and other applications.

Waterfront access and park space.

As you are well aware from previous discussions going back over three years, the twin issues of waterfront access and park space have always been of the highest priority to this community board and the residents of Clinton. In both the plans presented to us back in 2001 and in the current plan, access to the southern side and end of Pier 94 is eliminated, a situation that we cannot accept and one that is in clear disregard of waterfront zoning, which requires full access around the perimeter of the pier. While you present reasons that make it difficult for you to provide such access, the loss of this public space is distressing to us, and we strongly feel that it is incumbent on you to provide suitable mitigation for this loss in order for us to support your plans for the pier.

Further, waterfront zoning would also require that the westernmost 25 percent of the pier be dedicated to public access. Taken as a mathematical calculation, the areas that you plan to remove from public use (the perimeter walkway along the southern side of the pier and around the western and southern ends of the southern portion of the head house) come to a total of 17,820 square feet. The loss of the westernmost end of the pier adds 19,000 square feet to this loss, making a total of 36,820 square feet.

We had previously suggested that you could consider making the north end of the headhouse a public atrium, which would also be used by your clients and conventioners. This might be achieved by moving the common entrance north, which your letter indicates is not feasible. You also rejected the notion of a café (also available to your customers) as too expensive to develop.

At the June meeting, Jeanette Rausch asked the community board to indicate just what types of uses the community might make of such additional space if it were to be available. We responded that uses such as storage or a meeting room were not what we meant by public space. A public atrium, with glass doors and/or large windows, designed in such a way that it was contiguous with the currently planned outdoor open space in Clinton Cove Park, would be desirable. (Other in-kind types of mitigation, such as scholarships, do not address the issues facing our committee, which is the loss of public open space and failure to adhere to waterfront zoning requirements.)

We strongly urge you to consider making a significant portion of the northern end of the headhouse a public space (again, one that might be shared) that connects directly to the outdoors and to the waterfront. We also urge you to reconsider the idea of a public café, which might also serve your customers, in that area. We feel certain that an affordable design for a café can be achieved, perhaps with modular units and/or portable units that might be leased rather than purchased.

Bridge landing

We thank you for providing the services of your architect at a meeting of a bridge working group last month, a concept that you endorsed in your letter. As you know, the amount of open space in the planned Clinton Cove Park is regrettably small, indeed much smaller than was initially planned by the Hudson River Park concept plan before Pier 94 and the adjacent PST piers were removed from the plan in 1997. So it is understandable that while we fully support and advocate for this bridge, we do not want any more valuable parkland to be removed for its western landing, which must and should be ADA compliant. Thus one of the concepts for a landing location that was developed at this meeting was a portion of the parking/loading area just opposite the northernmost end of the head house. This concept seems to serve both users of the parks as well as convention visitors, while minimally impacting the remaining loading area.

Design

Considering our focus on the paramount issues of public space and waterfront access mentioned above, it should not be a surprise that our opinions about the design were neither strongly positive nor negative. We understand that the intermediate length lease (considerably shorter

than the 30+ year lease being considered a few years ago) restricts your ability to completely redesign and rebuild the structure, and, in light of that, the proposed design seems more than adequate. We appreciate that you readily agreed to lower the height of the gantry/scrim structure to not exceed the current height of the roof of the headhouse as we suggested.

Our only concerns have to do with signage, and we believe that the following restrictions on signage should be incorporated into any lease between ENK and the city:

1. There should be no signage on the northern or western faces of the structure.
2. There should be no electronic signage anywhere.
3. The east side signage must be temporary and related to the current event in the pier with the exception of identifying business signage for ENK.
4. There should be no permanent signage or sponsorship on the pier, save the signage for your business.
5. Pier 94 should not be used for special events outside of the business of the Unconvention Center.

We would like to be shown examples of the temporary signage that will adorn the scrim, since the quality of the graphic design of these elements will be critical to its success.

Conclusion

On the issues of design and the potential for landing a bridge across Route 9A, we seem to be close to an agreement. We wish we could say the same about our number one issue – finding a way to substantially improve public access and park space, particularly given the loss of a significant amount of perimeter space around the southern half of the pier. We recognize your financial limitations, but we also ask you to recognize the importance of what is arguably the single most important quality-of-life issue in Clinton – the lack of public open space. We would like to work with you, even to the point of trying to identify additional sources of money to help us achieve our goals. But at the moment we are presented with a plan that falls short of one that we could endorse.

Manhattan Community Board No. 4 respectfully hopes that you will be able to respond with sufficient modifications that may lead a final conclusion that will benefit both ENK and the community.

Sincerely,



Walter Mankoff

Chair

Manhattan Community Board No. 4

This letter was passed by Executive Poll on July 7, 2003.