



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

July 20, 2007

Amanda Burden, Chair
City Planning Commission
22 Reade Street, Room 2E
New York, NY 10007

Re: N 070497 ZRY
Proposed Privately Owned Public Plaza text amendment

Dear Chair Burden:

At the recommendation of its Chelsea Planning and Preservation Committee and Clinton/Hell's Kitchen Land Use Committee, Manhattan Community Board No. 4 submits the following comments on this application. In order to meet DCP's July 20 deadline, this letter has been approved by the Board's Executive Committee and is subject to ratification by the Board at its meeting on July 25, 2007.

The Application. The Department of City Planning is proposing extensive text amendments that would revise and update the design and operational standards for privately owned public plazas. The application is apparently the fruition of DCP's efforts over many months – maybe even years – to tighten and improve the requirements for these plazas. We were therefore taken by surprise when we received the application on June 13, 2007, without any preliminary explanation, presentation or visual materials, and with comments required by July 20, 2007. We are puzzled as to why DCP would want to keep this important work so “under the radar.”

Nonetheless, we are grateful to DCP staff members Edith Hsu-Chen and Erika Sellke who made themselves available on very short notice to discuss the application with our two committees. The proposed text changes will clarify and simplify the plaza requirements in many important respects, and we are pleased to recommend their approval, subject to the following comments.

Though Community District 4 has relatively few privately owned public plazas created under the portion of the Zoning Resolution that is the subject of this application, or sites where they may be developed in the future, we have a number of other sites where public open space may be created, including sites in the Special Hudson Yards District and the Special West Chelsea District. The plaza requirements will also apply to those sites to varying degrees and, in any

event, will serve as a template for their design. We have considered the proposed text changes with that expectation.

Our Comments.

1. One size doesn't quite fit all. One of the biggest changes proposed in this application is to replace all existing plaza types – residential plazas, urban plazas, sunken plazas, elevated plazas and plazas developed pursuant to the 1961 Zoning Resolution – with a new public plaza type called the “public plaza,” and to modify the existing urban and residential plaza standards to apply to this new plaza type. While we agree that it is a good idea to establish a single set of plaza standards, we believe that those standards must address the different needs of residential users and office workers. In general, plazas associated with residential buildings should be more “park like,” with abundant green lawns and landscaping, and places for quiet contemplation and recreation. Plazas associated with commercial buildings require more space for pedestrian circulation and seated activities such as eating lunch, taking a break or private conversations. Many of our comments below are intended to allow for those differences.
2. Ten foot circulation paths may be too wide in some locations. Section 37-717 would require through-block public plazas to have circulation paths at least 10 feet in width connecting the two streets on which the public plaza fronts. A path this wide is essentially a sidewalk encouraging traffic through the plaza rather than into the plaza. Such a wide path and use pattern may be appropriate for a plaza associated with a commercial building, but could be inappropriate for a plaza where most of the users will be residents. The minimum path width should be reduced to 8 feet.
3. Hours of access. We are pleased that the amendment would allow new public plazas to be closed at night if significant safety issues can be documented. (Section 37-727.) This reverses DCP's previous policy that all plazas must have been open for a year before a nighttime closing will be authorized, and is consistent with Section 27-113 which currently allows most residential plazas to be closed between 8 pm and 8 am. Section 27-113 should continue to apply to plazas associated with residential buildings, and no documentation of safety issues should be required.
4. Too much seating in some places. Section 37-741 properly seeks to provide “abundant, comfortable, and accessible seating” throughout public plazas. However, the requirement of a minimum of one linear foot of seating for each 30 square feet of public plaza area may be too generous for some locations. For example, for the 25,000 square foot Hudson Mews open space that was recently considered by this Board, this requirement would amount to 833 linear feet of seating – a tremendous amount for a residential park.
5. The more green the better. Section 37-742 would require a number of trees that seems appropriate (a minimum of 4 and one additional tree for every 1,000 square feet of public plaza above 6,000 square feet) and additional planting that, to simplify, would amount to only 15% of the public plaza area. Particularly with PlaNYC's open space initiative of “greening the cityscape,” we believe that the additional planting requirement should be

higher – 25% for plazas associated with commercial buildings and 40% for plazas associated with residential buildings. In all cases, four-season plantings should be encouraged; landscaping that remains green throughout the year

6. Lighting. The lighting requirements in Section 37-743 should include the requirement, now in Section 27-117, that lighting adjacent to residential buildings must be shielded.
7. More bicycle parking. Section 37-745 would require parking for only two bicycles, or four bicycles in public plazas greater than 10,000 square feet. This strikes us as far too little, especially with PlaNYC's transportation initiative to promote cycling. Bicycle parking takes up very little space, and providing bike parking in public plazas will also help to keep city sidewalks clear. The bike parking requirement should be increased to space six bikes, or ten in public plazas greater than 10,000 square feet.
8. Avoiding "café creep." Section 37-77(b) properly would require that open air cafes be confined within designated areas. This section should also require that the boundaries of the space authorized to be occupied by the café be marked on the pavement so that encroachments can be avoided or prevented. This is now required by the Department of Consumer Affairs for sidewalk cafes, and has proven to be a useful enforcement tool. (See the Rules of the City of New York promulgated by the Department of Consumer Affairs in Title 6, Section 2-55(d).)
9. Let community boards help monitor compliance. A new Section 37-78(b) would require compliance reporting every 3 years. This is an excellent new requirement. A copy of each report should be sent simultaneously to the local community board, since the community board is more closely familiar with conditions on the ground and can assist DCP in monitoring compliance.

Thank you for considering these comments.

Sincerely,

[Signed on 7/20/07]

Jean-Daniel Noland

Chair

Manhattan Community Board 4



Anna Hayes Levin

Chair

Clinton/Hell's Kitchen Land Use



Walter Mankoff

Chair

Chelsea Preservation and Planning

[Signed on 7/20/07]

Lynn Kotler

Chair

Chelsea Preservation and Planning

Cc: Calendar Information Office
Edith Hsu-Chen, Deputy Director, Manhattan Office
Erik Botsford, Manhattan Office
Electeds

