



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

Delores Rubin
Chair

Jesse R. Bodine
District Manager

April 12, 2017

City Planning Commission
Calendar Information Office
120 Broadway, 31st Floor
New York, NY 10271

**Re: Application for Renewal of 3 Special Permits for Piers 92 and 94 located at Route 9A between West 52nd and West 55th Streets
Application Nos. N 160107 CMM, N160108 CMM, and N 160109 CMM**

Manhattan Community Board 4 (MCB4) recommends denial of the proposed application for renewal of 3 special permits sought by MMPI Piers LLC, an affiliate of Vornado Realty, L.P. (the “Developer”) in connection with the proposed development of Piers 92 and 94, unless the conditions set forth below are met. The initial letter sent on March 20, 2017 to meet the administration deadline. This letter was ratified by the Full Board on April 5, 2017.

MCB4 has previously expressed its strong feelings that commercial use of waterfront piers does not serve the community in a letter dated April 7, 2009 (attached). In our 2009 letter we stated:

CB4 has never endorsed the idea of a non-water dependent use for these piers, and does not support the use of the piers as a convention center. However, the City has made clear to us that a midsize convention center needed to be cited somewhere in mid-Manhattan and this was the only site that could be found. Thus we reluctantly accept this conclusion, and this proposed use, provided that the development mitigates this non-Park compatible and non-water dependent use in several ways, many of which have been proposed by the developer.

Eight years later work on this development has not even begun. Eight years later the public access portion proposed for Pier 94 has not been constructed. For eight years, the public has not had use of facilities that were promised. To this, we express our continued displeasure.

In 2009, the Developer signed a commitment letter promising to meet certain conditions, which were deemed to be essential by MCB4 (see enclosed). These conditions are restated below, and are still required by MCB4. Additional bracketed language after a number of the requests represents updates based on the March 9, 2017 meeting (the “March 9 meeting”) of the Waterfront, Parks and Environment Committee of MCB4 (the “Committee”):

1. The traffic flow plan as presented will be implemented, including the reduced number of vehicle/pedestrian/bikeway conflicts and a new exit at the south end of Pier 94. [At the March 9 meeting, the Developer agreed that traffic mitigation measures should start immediately. However, despite repeated requests from MCB4, the Developer has not agreed to provide staff at every event to be held at the piers at the bike lanes in front of Piers 92 and 94 to promote pedestrian and bike safety. This item is closely associated with number 4 below. MCB4 believes this should be required of the Developer.]
2. The proposed plan to load and unload trucks inside the body of Pier 92 will be maintained. [The Developer indicated that they do this in their current operation.]
3. An empty-crate storage capability inside Pier 92 will be provided and will reduce truck round trips required during all but the largest of shows.
4. Pedestrian crossing safety measures will be installed as recommended by MCB4 including stop signs and other signage and control signals.
5. The use of shuttle busses will be encouraged and supported by the Developer, with the understanding that the shuttle busses will actually be provided by the show tenants, not the Developer, and that very small shows may not support the use of shuttle busses. [The Developer stated that they now actively encourage shuttle busses.]
6. The Developer will agree to provide space for one or more MTA buses to load and unload in front of the facility, and will support MCB4's efforts to seek the requested route changes from the MTA.
7. A landing for a future pedestrian bridge, including an elevator, will be provided.
8. The capability of Pier 92 to serve as a docking location for ships, including passenger ship overflow as well as special events such as Fleet Week, OpSail and other tall ship events and the

like, will be retained. [The Developer stated that Pier 92 currently serves this function up to 12 days per year.]

9. The Developer will agree to certain signage limitations, regarding both the maximum total square footage of signage as well as the height, as follows:

- a. Maximum total square footage of signs will be limited to 4200 square feet.
- b. Signs will not be hung higher than 55 feet from the floor of the hall.
- c. No more than 7 of the panels would be used for signage at any one time.

10. The pavilion will be provided for a minimum of 30 days a year free for community groups, to be selected from a pool of dates during periods when it is not planned to be used for trade show or other commercial activities. The open dates from which the 30 days may be selected will be provided to MCB4 at least one year in advance. MCB4 will oversee the selection of qualified users, which will be drawn from local groups, including schools, block associations and not-for-profits, city wide groups of a similar nature, the Hudson River Park Trust and the Friends of Hudson River Park.

11. The Developer will provide a reasonable quantity of chairs and tables from its existing stock if requested by the user at no charge, as well as use of a room-wide sound system and general lighting.

12. The Developer will provide public open space on an enlarged esplanade just west of the pavilion with seating and some shade, as well as public open space along the north side of the pier connecting to a large public area at the end of the pier, also with seating and some shade, including a projection of the roof over the end of the pier for shade purposes. Further, the Developer agrees to create these spaces using the design palette created by the Trust in the adjacent Clinton Cove Park, including pavers, railings and furniture so as to provide a nearly seamless interface.

13. The developer will provide for exclusive public use of a smaller public space amenity, within the envelope of the larger pavilion, in the north-east corner, which will include public restrooms and a seating area roughly equivalent to a small classroom. Such space will be no less than 1850 square feet, including a storage closet for park related paraphernalia. The space will include wide doors to both the outside as well as to the pavilion inside. The developer will build and set up this space in consultation with the Trust, which will take over the management of the space, including cleaning and security, as part of Clinton Cove Park.

The following are the committee's new requests, due to the Developer's delay in completing this project:

1. The extensive, unreasonable delay in creating public space around Pier 94 is of great concern to MCB4. This delay makes MCB4 reluctant to agree to any extension of time for the commencement of this project. At the March 9 meeting and in previous discussions, the Committee pressed the Developer for a clear timeline for this proposed project. As part of our agreement to have this project move forward under the conditions stated in this letter, MCB4 strongly urges the Developer to provide a specific timeline covering this project, including clear start and end dates.

2. The Developer has an additional opportunity at the end of its first renewal term in 2018 to request a further extension of time to complete this project. If the project is not completed by 2021, the Developer will lose its right to develop this property. In light of the Developer already having set funds aside to create public space around Pier 94, and in the spirit of maintaining good community relations, it is hoped that the Developer will donate such funds to the Hudson River Park Trust for the upkeep and further development of Clinton Cove Park, regardless of whether the Developer completes the project.

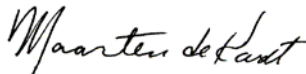
3. The Developer will, to the greatest extent possible, hire staff who reside in Community District 4 and will post job announcements on the MCB4 web page.

MCB4 appreciates the applicant's recommitment to the original conditions and strongly urges a similar commitment in writing of the three new conditions.

Sincerely,



Delores Rubin
Chair



Maarten de Kadt
Co-chair
Waterfront, Parks &
Environment Committee



Lowell Kern,
Co-chair
Waterfront, Parks &
Environment Committee

Enclosure

cc: Hon. Jerrold Nadler, Congressman
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Marisol Alcantara, State Senator
Hon. Linda B. Rosenthal, Assemblymember
Hon. Corey Johnson, City Council