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Gale A. Brewer, Borough President

May 31, 2016

**Recommendation on ULURP Application No. C 160145 ZSM -
70 Vestry Street Accessory Garage
By Bridge Land Vestry LLC**

PROPOSED ACTION

Bridge Land Vestry, LLC (“the applicant”), an affiliate of The Related Companies, seeks a special permit pursuant to Sections 13-45 and 13-451 of the New York City Zoning Resolution (“ZR”) to allow for an accessory off-street parking facility on-site with 42 accessory off-street parking spaces (the “proposed garage”) in the cellar and sub-cellar level of a new as-of-right residential building currently under construction at 70 Vestry Street. The proposed garage would be located on a portion of a larger zoning lot bounded by Desbrosses Street to the north, Vestry Street to the south, Washington Street to the east and West Street to the west (Block 223, Lots 3, 13 and 20)¹. The development is located on a zoning lot divided between Area A4 and Area A5 of the Special Tribeca Mixed Use District (TMU) in Community District 1, Manhattan with a C6-3A and C6-2A zoning district, respectively.

The special permit requires that all of the applicable conditions of ZR § 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES) be met and that the findings of §13-45 and 13-451 have been met. These findings are as follows:

- (1) the location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with uses or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of streets, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;
- (3) such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;

¹ The development site is located on Lot 3, formerly lots 3, 5, 7,9,11 12 and 112 and parts of former lots 13 and 15. The remainder of the zoning lot includes Lots 20 and 13, part of former lots 13 and 15; there is remaining floor area allocated to this portion.

- (4) for public parking garages, that where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion;
- (5) such parking facility will not be inconsistent with the character of the existing streetscape; and
- (6) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:
 - (a) the increase in the number of dwelling units; and
 - (b) the number of both public and accessory off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the reduction, if any, in the number of such spaces in existing parking facilities.

PROJECT DESCRIPTION

The proposed garage is being developed in relationship to a new as-of-right residential development on 70 Vestry Street. The residential development will reach 140 feet tall and will be segmented into 12 stories with a rooftop penthouse. The building will be comprised of 47 market-rate dwelling units totaling 186,358 gross sq. ft. and an additional 829 gross sq. ft. of community facility / commercial space. Street wall heights and setbacks will meet the upper restrictions of the respective C6-3A and C6-2A zoning districts that govern site.

The proposed garage will be run by an automated parking system operated by the Park Plus *ParkTronic* AGV System (“Parktronic System”) created by Park Plus, Inc. The proposed garage will consist of 42 parking spaces with spaces divided evenly between the cellar and sub-cellar floors of the development. The Entry Bay/VRC of the proposed garage is located on the northeastern edge of the development site. The 24.5’ deep, 16’ wide Entry Bay/VRC will be outfitted with a vehicle elevator lift and pursuant to ZR 13-25 (a)(1) there will be two reservoir spaces for queuing vehicles waiting for access to the vehicle elevator lift. The developer has identified the Entry Bay/VRC and the southeastern bend of the courtyard’s circular driveway as the two required reservoir spaces.

Access to the garage is limited to two unidirectional 15’ wide curb cuts, one from Desbrosses Street and one located on Vestry Street. Vehicles will enter the development by driving west on Desbrosses Street and using the curb cut approximately 97’ east of West Street. The vehicle will travel along a 10’ wide parking access lane south until it comes to the bend on the southwestern edge of the circular vehicle path. At that point the driver will reach the first reservoir spot and the indicators on the Entry Bay will signal the driver to approach, at which point the vehicle will continue into the bay. The Parktronic System’s process for how the AGV will proceed from that point is laid out in the applicant’s certification packet. All other vehicle traffic due to drop off or pick up from the building entrance is diverted at the point of entry into a separate 10’ foot lane west of the parking access lane.

The objective of seeking the special permit, and for the proposed garage being considered, is to provide parking access for residents for the as-of-right development given the applicant's statements that the need for spaces will be beyond the maximum ceiling of permitted spaces. As we understand it, residents of the development will have priority status for claiming a space in the proposed garage but if the demand does not meet their expectation they are then prepared to offer the spaces to the public for monthly use only.

Site Description

The proposed development site, including the proposed garage, is located at 70 Vestry Street in Manhattan Community Board 1, Manhattan. The site includes Block 223, Lot 3 (f/k/a Lots 3, 5, 7, 9, 11, 12, 112 and p/o former Lots 13 and 15) and is associated with several addresses including 62-74 Vestry Street, 264-270 West Street and 31-39 Desbrosses Street. The development site is an irregular shaped lot with frontages approximately 140 feet long on Desbrosses Street, 176 feet long on West Street and 133 feet long on Vestry Street. The surrounding streets include three narrow streets (Washington Street, with north bound traffic, is 60 feet in width and Vestry Street and Desbrosses Street, running west and east, respectively, are 65 feet in width) and one wide street (West Street, running north and south, is 120 feet in width).

The development is located on a zoning lot divided between Area A4, mapped a C6-3A, and Area A5, mapped C6-2A, of the Special Tribeca Mixed Use District (TMU). The maximum floor area ratio (FAR) permitted on a zoning lot in A4/ C6-3A and A5/ C6-2A is 6.5 and 5.5., respectively.

In 2015 the applicant moved to demolish the existing buildings and is constructing their new development. According to records from the Department of Buildings 6 buildings existed on the lot prior to their demolition. Those buildings included (4) 2-story commercial buildings and (2) 5-story commercial buildings, one of which was primarily used for storage. This block was also home to one of Tribeca's first restaurants, F. Illi Ponte Ristorante, which opened its doors at 39 Desbrosses Street in 1967 and served the area for nearly five decades before closing their doors in 2013.

Area Context

The proposed development is located on the western edge of Northern Tribeca. Today the area hosts a range of diverse uses including parkland, different intensities of manufacturing, parking facilities, and mixed and stand-alone residential and commercial. The proposed development neighbors the Tribeca North Historic District, one of 4 districts that overlap with Tribeca. North and south of the proposed development building heights range from structures that are 5 to 15 stories on average; and to the east there are structures that are 1 to 5 stories.

West of the proposed development is West Street which serves as the service road for the West Side Highway, a six-to-eight lane boulevard that runs from the southern tip of Manhattan up to West 72nd Street along the Hudson River. Beyond the boulevard is Hudson River Park, a 550 acre, 4.5 mile park that makes up a pivotal portion of the Manhattan Waterfront Greenway.

There are a number of transportation options accessible to the proposed development site. There is subway access to the 1 train at Canal Street and the A, C, and E Trains, which are .4 miles and .5 miles away from the proposed development site, respectively. The M20 bus provides northbound service via Hudson Street and southbound service via Varick Street within a quarter mile of the site. In addition, within a .7 mile radius there is access to the M5 bus line.

Additionally Citi bike is available to users in North Tribeca. Citi bike has three bike stations installed near the proposed development site, all approximately within a quarter mile radius of the site. Those bike stations are located at the intersections of Laight Street and Hudson Street, Watts Street and Greenwich Street, and Greenwich Street and North Moore Street. Bike lanes have been established for riders both northbound and southbound along the West Side Highway Bike Path / Greenway and a southbound stripped lane north of the proposed development starting at the intersection of Canal Street and Washington Street.

BACKGROUND

The earliest development of the area goes back to the Dongan Charter of 1686. The Dongan Charter encouraged owners with parcels on Greenwich Street to privately invest in adding infill to the low-water mark in an effort to build additional wharves. In exchange, the city allowed for this to be a profitable venture for those investors. Landfill was extended even further out in 1730 with the signing of the Montgomery Charter. Those efforts led to establishing present day Washington and West Streets.

Picking up briskly after the turn of the 19th Century, the community was a focal point for food-related warehousing and distribution operators. Among the most important anchors for this activity was the Washington Market, a major satellite in the constellation of the city's thriving city market scene and at its peak in 1900, the largest market in North America. But in the second half of the 20th century those businesses started to experience decline due to changing practices in how food distributors connected with their customer bases and the relocation of lower Manhattan's city markets to Hunts Point Cooperative Market in the Bronx. A growing interest in repurposing underutilized manufacturing land for residential use led to the creation of the Special Tribeca Mixed Use District (TMU) in 1976. The TMU envisioned protections for light manufacturing and warehousing with careful management of residential growth. Over time property owners showed a preference for residential development in the area, and drove additional modifications of the TMU with a 2006 four block rezoning of a M1-5 district into a split C6-2A and C6-3A district referred to as the Tribeca North Rezoning. Soon after, the City Planning Commission moved forward with a broader North Tribeca Rezoning in 2010.

The move to make residential construction as-of-right was facilitated by the aforementioned rezoning and changes to off-street parking rules for the Manhattan Core, last amended in May 2013. These modifications led to a dramatic decrease in DCA-licensed off-street parking spaces in this community. Beside the 180-space parking facility at 450 Washington Street, parking space capacity is being displaced for residential use. One example is the 283 unit residential

building attached to the aforementioned garage immediately north of the proposed development site. Another recent example is from summer 2014 when Ponte Equities and Barone Management pulled permits to demolish a 1-story Chad-Erik EZ Park garage (22-28 Desbrosses, 445 Washington, 449 Washington, 454-456 Greenwich Street) to allow for the construction of an as-of-right 11-story, 110 ft. tall hotel and dining establishment.

The applicant's residential growth parking study analysis is attached with their certification packet documents, and it shows the decrease in overall parking capacity for the neighborhood.

COMMUNITY BOARD RECOMMENDATION

The Tribeca Committee of Manhattan Community Board 1 ("CB1") voted on April 13, 2016 to approve the 70 Vestry Street Garage Application with 7 in favor, 0 opposed, 0 abstained and 0 recused. At its full board meeting on April 26, 2016, CB1 recommended an approval with no conditions of this application with 36 in favor, 1 opposed, 0 abstained, and 1 recused. The resolution concluded that the proposed garage as planned imposes no safety risks for the community and would not have adverse effects on traffic congestion or the character of the immediate neighborhood. The Tribeca Committee did request that the applicant consider the provision of appropriate local amenities for the surrounding rapidly growing residential community.

BOROUGH PRESIDENT'S COMMENTS

The requirement of a special permit in and of itself has likely greatly reduced the number of new parking spaces in the past two years, a primary goal of the Manhattan Core Parking Text, and this itself should be viewed as an achievement. However, it is clear that this requirement is not eliminating the desire for additional spaces as residential units continue to be constructed at the higher stratosphere of market price and the expectation with such price is that parking shall be provided on site. In the heavily congested Manhattan Core, where access to public transit is the most prevalent in the city, every effort should be made to reduce car trips. In Manhattan, where public space is limited and valuable, reduction of private vehicular trips allows roadway to be reclaimed by other public purposes like plazas, expanded sidewalks, or increased vegetation. It is through this lens that applications for additional parking, which makes car trips easier and more likely, should be evaluated.

The review process needs to be comprehensive enough to fully evaluate new parking. Recommendations from the Borough President on prior parking special permits have continued to call on the Department of City Planning and the City Planning Commission to consider a more robust set of factors aside from the parking methodology analysis, including the absolute availability of parking, the supply of parking prior to the ten-year look-back and the current capacity and utilization rate of parking facilities in the neighborhood, access to mass transit and distance from arterial roadways; and, finally, to evaluate the garage design and its interface with the pedestrian realm.

The application for additional parking spaces at 70 Vestry Street has met all relevant findings for the special permit pursuant to §13-45 and 13-451 of the ZR by completing the methodology framework and is appropriate for this particular neighborhood. Even when applying the more robust criteria this office has employed over the last two years, this garage application would still be considered appropriate given its immediate proximity to West Street and the West Side Highway. As stated above, there is a loss of parking capacity in the neighborhood, and measures have been proposed to enhance the pedestrian realm. The pedestrian realm could further be strengthened if the applicant adheres to the recommendation from the Community Board to prioritize appropriate local amenities on the ground floor.

The applicant has worked with their transportation engineers at Philip Habib & Associates to plan out a thoughtful vehicle and pedestrian circulation plan with signage throughout the development site. The applicant has indicated that any potential conflict areas for vehicles and pedestrians will be covered by multiple warning devices. Additionally a stop sign and a speed bump have been installed on the Vestry Street exit to strengthen pedestrian safety for those who travel along the northern side. Finally, the circular pathway design creates multiple reservoir spaces beyond what is required; therefore there is a very low probability that there will be a queuing issue on Desbrosses Street. As required by the ZR, the applicant is also making available 24 bicycle spaces that given the location of the development site to established multi-directional bike lanes, will encourage that use over vehicle transportation.

The multiple layers of safety are a welcomed precaution, and given the moderate number of vehicles that will be utilizing this proposed garage the safety plan appears sufficient. The applicant should still be encouraged to add additional visual signage specifically on both sides of the area between the exit of the Entry Bay/VAC and the opposite-facing walking path that leads to the entrance of the building, given the proximity to crosswalks and entrances to Hudson River Park.

The design of the interior drive-thru, provision of reservoir spaces, and automated system will prevent the garage from adding congestion to the local street system. Lastly, given the current structure of the special permit and adherence to the recommended methodology set forth by the Department of City Planning, it is believed that the applicant has completed due diligence in proving this proposal meets the findings for additional parking spaces at this location.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 160145 ZSM.



Gale A. Brewer
Manhattan Borough President