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Citizens Housing and Planning Council

Statement to City Council on the Hudson Yards Redevelopment Program

December 13, 2004

The Hudson Yards Redevelopment Program represents one of the most ambitious planning efforts New York City has undertaken in many years. If the plans are realized, the Far West Side of Manhattan will be entirely recreated as home to 30,000 new residents and 200,000 new workers. If done correctly, it could help to ensure the future vitality of Midtown Manhattan as well as the continued economic preeminence of the New York metropolitan area. CHPC recognizes both the local and regional importance of the Hudson Yards Redevelopment Program and congratulates the Department of City Planning and the MTA for their bold vision and imaginative planning efforts.

Over the past six months, as the project has wended its way through the ULURP process, many important changes have been made to the original plan. The Inclusionary Zoning Program, originally only a small component within the plan, has been significantly expanded and will assist in the creation of 2,600 affordable housing units. These 2,600 affordable units represent nearly 20% of the total number of residential units that are anticipated, an increase from the original 14% that were envisioned. Despite the progress that has been made on the affordability issue, however, the proposed rezoning and land use plan is still inherently inflexible. This rigidity, unfortunately, represents a threat to the entire Hudson Yards Redevelopment Program. Along with housing and zoning issues, the plan also has significant shortcomings in regard to transportation and design issues.

Housing

Development of new housing is one of the critical components of the Hudson Yards Redevelopment Program, and will contribute to making the Far West Side a lively and integral part of Manhattan. The new housing will help to satisfy the substantial demand for housing in the City, and will help offset some of the increased housing demand that will result from the

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planned commercial development. However, CHPC believes that the Hudson Yards Redevelopment Program should include a more explicit plan for providing mixed income housing through zoning bonuses, tax incentives, and direct subsidies. We believe that by enabling approximately 33%, rather than the current 20%, of the new housing units to be affordable to individuals or families who will not otherwise be able to obtain new market rate housing, the Hudson Yards can be made into a more interesting, cohesive, and successful neighborhood.

As noted above, the latest iteration of the plan incorporates inclusionary housing density bonuses as a central feature of zoning regulations in the district. We believe that inclusionary housing is a technique that can be used more widely throughout the city, and the provision for it in the Hudson Yards Redevelopment Program importantly symbolizes New York's commitment to fostering mixed-income communities. Moreover, the city should take this opportunity to address a number of shortcomings in the current Inclusionary Zoning Program, including the absence of an on-site inclusionary option for condominium development.

We do not believe that inclusionary zoning alone will be sufficient to achieve the optimal income mix in a new Hudson Yards neighborhood. We are somewhat concerned that the city has not yet committed to extending the 421-a exclusion zone to cover the majority of the potential residential sites in the area, thereby encouraging 80-20 mixed-income developments. Furthermore, CHPC has long maintained that more flexibility should be built into the 421-a program, and the Hudson Yards would be an ideal context in which to consider that. For example, a 70-30 option, or a 20-20-60 option, to encourage the creation of middle- as well as low-income housing, would be desirable. In addition, we urge the relevant agencies to immediately identify publicly owned sites in the area that can be reserved for future affordable housing development, to specify what form of affordable housing would best be built on them, and to begin the process of disposing of them to appropriate for-profit or not-for-profit developers. We believe that approximately \$200 million over the next ten years will be needed to subsidize affordable housing in the Hudson Yards area. While we recognize that long-term earmarking of significant housing subsidies for one particular neighborhood may not be good housing or budgetary policy, it would also be important sign of the city's resolve to make the Hudson Yards a truly diverse community.

Zoning

CHPC strongly believes that flexibility within the zoning and land use portion of the plan is critical to its long-term success. We are sympathetic to the city's goal of preserving some sites in the area for future commercial development, but are nevertheless concerned that there is no time limit on those protections. Consequently, CHPC recommends a statutory seven-year sunset on all residential restrictions within commercial zones of the plan. After a period of seven years from the passage of the proposed zoning text, the restrictions on residential development in specially designated commercial zones would need to be renewed by the Planning Commission and City Council, or else would revert to a standard variant of the corresponding commercial zones. Three primary arguments support the inclusion of sunset provisions in the Hudson Yards Redevelopment Program. First, the absence of such provisions signals a reluctance to accommodate changing market conditions. Second, when this text is passed, major components of the plan will still be outstanding, creating the possibility of even greater planning error. And finally, it is generally agreed that many of the land use regulations in the City's Zoning Resolutions need periodic revision.

First, it is important to highlight some of the restrictions embedded within the proposed zoning text. For example, in Subareas A-2 (Four Corners) and A-3 (Northern Blocks), which straddle the Hudson Boulevard between Tenth and Eleventh Avenues, proposed C6-4 zoning allows 6.0 residential FAR only when such development is accompanied by the development of at least 18.0 commercial FAR. On sites over 69,000 square feet, residential development will only be allowed to precede commercial development providing 50,000 square feet of lot space is reserved for commercial development and the required commercial FAR is still attainable on the same site. In Subarea A-1 (Eastern Rail Yard), the proposed special C6-4 zone allows a residential FAR of only 1.0 with a commercial FAR of 9.0. Such restrictions represent a significant departure from the city's usual zoning policy for commercial districts.

If sufficient demand for commercial space fails to materialize, residential uses will be eliminated from the Hudson Boulevard as well. The absence of residential uses along the proposed pedestrian boulevard would undermine the entire plan. Without the presence of a 24-hour residential population, the mid-block boulevard would be at risk of becoming a desolate and isolated canyon after dark. A worst-case scenario could result in the absence of any new development, as was the case with the initial Battery Park City master plan. That plan was considered nonviable because of its "excessively rigid large-scale format, which prevented gradual development of the site.[1]" Not only will sunset provisions prevent such a scenario from being repeated, but they will also signal to potential investors that the end result will be responsive to evolving market conditions.

In addition to the unpredictability of demand, there are still major components of the Hudson Yards Redevelopment Program yet to be resolved. One centerpiece of the plan is the redevelopment and expansion of the Javits Convention Center and an adjoining stadium for the New York Jets, which would be constructed over the Western Railyards. The State Legislature has recently approved the \$1.4 billion expansion of the Convention Center, which will include a 1,500-room hotel at its northern end, but conspicuously refused to link the Convention Center's expansion with the construction of the stadium. Despite the Bloomberg Administration's determination to see the stadium built, we believe that there are still political and legal obstacles to its construction. The extension of the No. 7 Subway line represents another major infrastructure undertaking which we believe would be highly desirable. Nevertheless, the extension of the No. 7 line from its current terminus at Seventh Avenue and 42nd Street to a new terminus at Eleventh Avenue and 34th Street will be funded entirely by the City and the MTA. With the MTA operating under deteriorating revenue conditions, such an expansion cannot be taken for granted. A divergence from the currently proposed plan, especially in regards to the subway expansion, could diminish the viability of office space in the Hudson Yards area and make the current plan inoperable. Locking in rigid zoning uses, without a requirement for review in light of how other elements of the plan unfold risks, we believe, perpetuating the underdevelopment of the area.

Finally, the rigidity in the current proposed zoning text is indicative of much larger problems than just those within the Hudson Yards Redevelopment Program. It is generally agreed that the City's Zoning Use Regulations are outdated and in need of revision. The current residential, commercial, manufacturing, community facility division of use is over 40 years old. Such outdated use divisions have stymied development in the Hudson Yards and across the City. With a 30-year build out, it is imperative that the Hudson Yards Redevelopment Program accommodate 21st century uses, whatever they may turn out to be.

The first crucial task in transforming what is now a moribund manufacturing district into a thriving, mixed-use extension of the nation's largest central business district is to establish zoning codes that effectively regulate use and design. CHPC believes that, for the most part, the Plan does that with creativity and ambition. A seven-year sunset on residential restrictions will pose no threat to the realization of the Plan, providing its other elements proceed as intended. It would, however, help to ensure that other desirable outcomes could occur if events warrant.

Transportation

As noted above, transportation improvements are a centerpiece of the Hudson Yards Redevelopment Program. CHPC endorses the planned extension of the No. 7 Subway Line and its proposed route, which will maximize access to the large-scale development with the Hudson Yards district. We also support the construction of a new station at Tenth Avenue and 41st Street; although, we have misgivings about the proposed timetable. There has been considerable discussion about the timing for construction of the station at 41st Street and Tenth Avenue. As currently planned, the station will be constructed in 2015 when sufficient development in the northwest quadrant of the Hudson Yards district materializes. CHPC strongly questions this strategy and urges the City to move aggressively to establish all of the necessary transportation infrastructure.

While extension of the No. 7 Subway Line is a necessary and needed improvement, it will not be enough to handle expected flows of residents, visitors, and workers at full build-out. By 2030, the Hudson Yards district will generate approximately 65,000 additional daily commuter trips into the city. At least 25 percent of those commuters will come from west of the Hudson River. With current rail capacity under the Hudson River expected to reach capacity by 2009, it is essential that trans-Hudson commuter capacity be expanded. It is troubling that the Hudson Yards Plan has been virtually silent on the issue.

One major initiative to do this is "Access to the Region's Core." The initiative is a joint Port Authority/New Jersey Transit project to increase commuter rail capacity, possibly including the construction of a new rail tunnel under the Hudson River. Such a connection will increase development potential and must be considered in conjunction with the Hudson Yards Redevelopment Program. A second major undertaking currently underway is the construction of the West Midtown Ferry Terminal at 39th Street on the Hudson River. Ferry service represents a quick and inexpensive supplement to trans-Hudson service. Making access to the new West Midtown Ferry Terminal more convenient for pedestrians and creating better linkages between the service and the existing transportation system is essential. CHPC urges the City to integrate both of these transportation initiatives into the Hudson Yards Redevelopment Program.

Combined, the extension of the No. 7 Subway Line and increased commuter capacity under the Hudson River will make transportation to and from the Hudson Yards district viable. This increase in traffic to the Far West Side of Manhattan, however, will significantly burden other parts of the transportation system. For this reason, CHPC believes the City should continue to move forward aggressively on other transit initiatives. Included among these, but not limited to them, are initiatives to bring Metro-North rail service into Penn Station via the Empire Line and to extend LIRR service into Grand Central and Lower Manhattan. These measures will help mitigate vehicular traffic at surface level and also ensure the continued viability of the region's

transit system. Residents, visitors, and workers alike will benefit if future transportation needs are planned for in a comprehensive, coordinated, and coherent manner.

Design

CHPC has two principal concerns regarding the urban design components of the Hudson Yards Redevelopment Program. The first concern is in regards to waterfront access, or the lack thereof. As the plan is currently laid out, significant impediments to the waterfront access exist. In the past twenty years, New York City has been diligent in its desire to reclaim its urban waterfront. By the time the Hudson Yards district is completely built, Manhattan will be ringed by parkland, trails, and other public spaces on its waterfront. Unfortunately, the current plan does not maximize waterfront access. A combined Sports and Convention Center would occupy twelve city blocks between Eleventh and Twelfth Avenues with only one throughway to the waterfront, at 34th Street. Because of security concerns it is questionable whether 34th Street will even be open during major events, further limiting access. This lack of waterfront access will be a deterrent to residents, workers and tourists, as well as to commuters trying to access the West Midtown Ferry Terminal.

Our second major concern involves the streetscape on Eleventh Avenue. As currently planned, there will be no retail uses on Eleventh Avenue. With commercial street walls soaring in excess of 100 feet on the east side of Eleventh Avenue and the Javits Convention Center lining the west side of the street, a sterile and glazed canyon will be created. Even if it is anticipated that convention-goers will access retail uses along Hudson Boulevard, there will still be a need to make Eleventh Avenue more inviting. A minimum 50% retail requirement would allow for the possibility of small-scale theatres, museums, eating establishments, or other uses beneficial to convention-goers and/or convention workers. In addition, by encouraging street traffic, it will add support for a successful convention center and prevent an inhospitable Eleventh Avenue from detracting from the entire district and support a successful Convention Center.

Conclusion

While CHPC strongly supports the redevelopment of the Far West Side of Manhattan, each of the four aspects of the Hudson Yards Redevelopment Program discussed above should be taken under advisement by the City Council. In each of these four areas—housing, zoning, transportation, and design—CHPC has a long and unique history of bringing together public and private sector interests to encourage sound economic development strategies, livable communities, and equitable planning outcomes. With the incorporation of a statutory seven-year sunset provision, an emphasis on regional transportation issues, and greater sensitivity to waterfront planning, it is our sincere belief that all of these objectives can be met in the Hudson Yards Redevelopment Program. We would like to thank the City Council for their time and consideration of our comments.

[1] Gill, B., *The sky line: Battery Park City*, in *New Yorker*. 1990. p. 99-106.