

BRAD HOYLMAN
27TH SENATE DISTRICT

DISTRICT OFFICE
322 EIGHTH AVENUE, SUITE 1700
NEW YORK, NEW YORK 10001
PHONE: (212) 633-8052
FAX: (212) 633-8096

ALBANY OFFICE
ROOM 413
LEGISLATIVE OFFICE BLDG.
ALBANY, NEW YORK 12247
PHONE: (518) 455-2451
FAX: (518) 426-6846

E-MAIL: HOYLMAN@NYSenate.GOV
WEBSITE: HOYLMAN.NYSenate.GOV



THE SENATE
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER:

CONSUMER PROTECTION
INVESTIGATIONS &
GOVERNMENT OPERATIONS

COMMITTEES:

CODES
CRIME VICTIMS, CRIME &
CORRECTION
CULTURAL AFFAIRS, TOURISM,
PARKS & RECREATION
JUDICIARY

TESTIMONY BY NEW YORK STATE SENATOR BRAD HOYLMAN
BEFORE THE CITY PLANNING COMMISSION OF THE CITY OF NEW YORK
REGARDING THE APPLICATION
BY THE NEW YORK CITY DEPARTMENT OF CULTURAL AFFAIRS
RELATED TO THE PROPOSED DEVELOPMENT OF THE CULTURE SHED
(Application No. N 130178 ZRM)

April 10, 2013

My name is Brad Hoylman, and I represent New York State's 27th Senate District, which includes Hudson Yards and the proposed Culture Shed, as well as the surrounding neighborhood. Thank you for the opportunity to testify regarding the application submitted by the Department of Cultural Affairs (DCA or "the Applicant"), to amend Article IX, Chapter 3 the Zoning Resolution of the City of New York, which concerns the Special Hudson Yards District (SHYD).

I appreciate that the Culture Shed, as outlined by the proposed text amendments, could serve as an exciting new cultural venue for both the local community and the greater New York City area. Certainly, it will bolster the city's cultural landscape as a vibrant backdrop for events and exhibitions. However, I urge the New York City Planning Commission (CPC or "the Commission") to deny the application unless the city provides 20,000 square feet of unencumbered publicly-accessible park space in another location in Manhattan Community District 4 (CD4). This provision would compensate for the loss of such open space on the Eastern Rail Yards (ERY) that was promised as part of the 2005 Hudson Yards rezoning after lengthy negotiations among the community, elected officials, the Metropolitan Transportation Authority and Related Companies. Further, DCA must agree to comply with the additional conditions set forth by Manhattan Community Board 4's (CB4) April 5, 2013 letter to the Commission.

As you know, the Culture Shed will feature retractable canopies that, when fully deployed, will completely enclose the otherwise open space referred to as the Culture Facility Plaza (the Plaza) and host so-called cultural activities – defined in terms that allow for a very broad range of uses – for yet-undetermined lengths of time.

By design, the proposed Culture Shed is an impressive structure that makes use of an innovative construction material, complementing the dynamic new residential and commercial community



that is rising above the Eastern and Western Rail Yards. That said, I have serious reservations about how it may undermine a hard-won provision of the SHYD that granted public open space to the community.

Frankly, the community cannot afford to lose this precious open space. As CB4 noted in its letter, CD4 is ranked 57th out of the city's 59 Community Districts in acreage of open space per person. I am very concerned, therefore, that the Applicant seeks to qualify the Plaza as publicly accessible and open to the sky, thus meeting the open space requirement codified in Section 93-71 of the Zoning Resolution. Given that the Applicant is seeking to enclose the Plaza for private events with no time limitations, the community would be denied the year-round use of the public open space previously promised to them in the creation of SHYD. The coming residential and commercial development on Hudson Yards will inevitably intensify this problem. I appreciate this creative initiative, but the community needs and deserves to be compensated with an allocation of 20,000 square feet of true open space elsewhere in the district.

I also believe that CB4 and local community members ought to have a voice in determining how the Culture Shed and the Plaza are utilized. This role should be codified with the establishment of an Eastern Rail Yards Open Space Task Force that includes CB4 representation. Further, in order that the Culture Shed truly benefit the entire surrounding community, the majority of the events held at the facility should be free and accessible to the public. CB4 called for a minimum of 80% of all events to be open to the public for free or at nominal cost; I think that is a fair number. Also, while it might not be within the purview of this hearing, I believe the Culture Shed would benefit from children's programming, as the local neighborhood is increasingly a hotspot for families.

Like CB4, I am also concerned about how the Applicant has chosen to broadly define the "ERY Culture, Festival and Exhibit Facility" use permitted on the site. I understand the Applicant's goal of maintaining flexibility with this innovative facility. However, I share CB4's position that the final text amendment should either clarify this definition or explicitly prohibit conventions and trade shows, which are inappropriate uses of public open space.

Lastly, I share CB4's opposition to the Applicant's request for authority to temporarily close roadways within the central plaza. It is critical that Hudson Yards be integrated into the city's street grid to the greatest extent possible, and not be isolated as an enclave. In addition, there is no public interest in authorizing the at-will closure of roadways by third parties. The New York City Department of Transportation manages requests for street closures throughout the city, and Hudson Yards should not be treated differently. In accordance with these concerns and others expressed in CB4's letter, I urge that the Applicant's proposed text amendments to Article IX, Chapter 3 of the City's Zoning Resolution be denied unless they are modified to reflect CB4's thoughtful and comprehensive recommendations.

Thank you for the opportunity to present testimony on this application and for your consideration of my comments.