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TESTIMONY BY NEW YORK STATE SENATOR BRAD HOYLMAN
BEFORE THE CITY PLANNING COMMISSION OF THE CITY OF NEW YORK
REGARDING THE ULURP APPLICATIONS
BY HUDSON RIVER PARK TRUST AND HUDSON EAGLE LLC
RELATED TO THE PROPOSED DEVELOPMENT AT PIER 57
(ULURP Application Nos. 130100ZMM, 130101ZSM, 130102ZSM, and 130103ZSM)

January 23, 2013

My name is Brad Hoylman, and I represent New York State's 27th Senate District, which includes Pier 57 as well as the surrounding neighborhood. Thank you for the opportunity to testify regarding the Uniform Land Use Review Procedure applications relating to the proposed redevelopment of Pier 57, submitted by Hudson River Park Trust ("HRPT") and Hudson Eagle LLC ("the Applicant").

As a longtime supporter of Hudson River Park, I urge the New York City Planning Commission ("CPC") to approve these applications, subject to the conditions set forth in Manhattan Community Board 4's ("CB4") December 18, 2012 letter to the Commission.

As you know, the Applicant seeks a number of discretionary actions for the project site (located within Hudson River Park, west of Route 9A at approximately 15th Street), including a zoning map amendment to M1-5 from M2-3, to facilitate the development of a mixed-use public marketplace and cultural center. The plan for the site includes significant retail and restaurant space, a technical arts school, a gallery space, rooftop open space, a 141-slip marina, accessory parking for a maximum of 74 vehicles and a water taxi landing. It will transform Pier 57 from a vacant pier into an innovative cultural and commercial destination while restoring and preserving its historic architectural character.

I am especially pleased by the proposed redevelopment's creation of 2.5 acres of new public open space, its restoration of an historic landmark that is listed on the State and National Registers of Historic Places, and its activation of a long under-utilized part of our waterfront. All programming on the rooftop open space, which constitutes the bulk of the proposal's total open space, would be free and open to the public. I also appreciate that the developer has committed to fostering dynamic retail and restaurant uses, partnering with Urban Space Management to create a public marketplace—modeled on existing year-round markets in London—in four levels of repurposed shipping containers retrofitted with ADA-compliant access. Crucially, according to the Draft Environmental Impact Statement, "big box" retail would be prohibited under Hudson Eagle LLC's proposed lease with HRPT. In addition, the Applicant is seeking federal tax credits from the U.S. Department of the Interior, which would require the development to adhere to the

Secretary of the Interior's Standards for Rehabilitation of Historic Properties, thereby helping to ensure its contextual appropriateness.

That said, I share CB4's concerns that the development envelope and uses that would be permitted if the discretionary actions sought by the Applicant were approved would enable as-of-right development—perhaps by a future developer—that would have significant adverse impacts on the surrounding community. For example, while the Applicant's proposal includes a floor area ratio (FAR) of just 2.23, the requested zoning map amendment to M1-5 would permit a maximum FAR of 5.0, which is far too high for this historic property in Hudson River Park. It is also of great concern that M1-5 zones allow hotel and “big box” retail uses, and while the Hudson River Park Act does not currently allow such uses, I echo CB4's stated desire for an additional measure of protection from them in the future. Likewise, while the aforementioned restriction on “big box” retailers included in the lease is a positive step, there must be an additional restriction of this use that is not predicated on occupancy of the site by the Applicant.

Certainly, I hope and anticipate that the proposed development will endure through, and perhaps beyond, the term of its lease, but its longevity cannot be guaranteed. The zoning map amendment under consideration today has no expiration date, and therefore CPC must account for all of the possibilities it would engender. However, it is my understanding that the City cannot use a restrictive declaration on this site because it is State-owned parkland. To ensure that non-contextual or otherwise undesirable development is not permitted on Pier 57, I request that CPC work with me, HRPT, CB4 and other elected officials and government agencies to craft a set of binding restrictions for the site that reflect the vision of this application. My office has already had preliminary discussions to explore the feasibility of such restrictions with liaisons at the New York State Office of Parks, Recreation & Historic Preservation, the New York City Department of City Planning, and HRPT.

Notwithstanding these concerns, I strongly support the proposed Pier 57 redevelopment and, again, urge CPC to approve these applications subject to the conditions sought by CB4. Thank you for the opportunity to present testimony on this application and for your consideration of my comments.