

Chair Riley and Members of the Subcommittee:

I am Deirdre Carson of Greenberg Traurig.

My colleague, Mr. Egers, has shown you that HAP Investments' request for special permits for additional parking spaces meets the findings of Section 13-451 of the Zoning Resolution. Really, there is no dispute about that fact.

As we have proceeded through ULURP, however, it has been apparent that opposition to these applications is premised, not on a failure to satisfy the findings, but on a general community view that, because the applicant's property is located near a transit hub and the community as a whole has a low car ownership ratio, the application should be denied. These considerations, which would be appropriate if this body were being asked to revise the Zoning Resolution to eliminate the special permit, are not relevant to the issues before you.

In fact, the proposed additional parking is entirely consistent with the public policies enunciated by the City Planning Commission in its Manhattan Core Public Parking Study in 2011, the study on which the revision of Article I, Chapter 3 of the Zoning Resolution in 2013 was based.

In that study, City Planning made the following findings:

1. The Manhattan Core parking regulations had been successful in reducing automobile traffic into Manhattan;
2. The supply of off-street parking in the Core had declined by one fifth since 1982 (and, as our study shows, has markedly further declined in the area of the applicant's

project over just the past ten years), as parking lots and old garages are redeveloped for other uses.

3. Most new parking facilities in the Manhattan Core operate as “public” garages, largely because they accommodate residential monthly parking by residents in buildings that do not provide parking – sometimes up to 70% of all parkers.
4. Automobile use as a primary means of travel to work declined after 1982 despite the increased number and share of households owning vehicles.
5. Limited amounts of new parking would still be needed, because people will continue to own cars, even if they don’t drive to work. Residents will use off-street parking to store their vehicles, not for local commuting.
6. Rates of car ownership are substantially higher in households with children, in households with higher incomes, in households in newer buildings and in owner-occupied housing – all of which are characteristics of parts or all of the applicant’s projects.

None of the essential facts upon which City Planning relied in enacting the Manhattan Core parking regulations has changed according to the American Community Survey for 2020.

The number of parking spaces in the area continues to decline, automobile ownership in the borough remains steady or has increased, people in this neighborhood are not using their cars to drive to work - only about 4.5% of car-owners use them to commute – and auto ownership in higher income households, owner-occupied housing, new housing and households with children is higher than in the population as a whole.

In light of these facts, the conclusion of the Department of City Planning in 2011 remains entirely valid today: the Article I, Chapter 3 parking regulations that authorize the special permits sought by the applicant “strike a balance” between discouraging auto commuting in a highly traffic-congested part of the city where transit access and walkability are excellent **“while recognizing that the need for off-street parking remains even when auto commuting is restrained.”**

The proposed parking in the applicant’s two garages will address that need; accordingly, the special permits should be granted.

## Jeff:

- Good Morning, my name is Jeff Reuben, I'm a planner with Philip Habib and Associates.
- Next slide please. [**Show Growth Analysis / Sites Map**]:The fifth and most important finding for granting the special permit is that the number of parking spaces proposed is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to (1) the increase in the number of dwelling units and (2) the change in the number of public and accessory off-street parking spaces, taking into account the construction of new off-street parking facilities and the reduction in the number of such spaces in existing parking facilities.
- The Department of City Planning has formulated guidelines for analyzing the reasonableness of parking. They require a 10-year lookback at

development within a one-third mile of the project. The parking proposed is deemed reasonable if the ratio of change in residential parking spaces to change in residential units does not exceed 20%.

- Next slide please. [**Show Parking Study Finding**]: The ratio here is far less than 20%:
- We found that 1,683 housing units have been created.
- 299 residential parking spaces were eliminated and 173 were created, for a net loss of 126 residential parking spaces.
- This is a ratio of negative 7.5%.
- The proposed 33 additional spaces do not even replace the net 126 spaces lost over the last 10 years.
- The ratio produced with our project is negative 3%. Again, the standard is positive 20%, so we

are far below the standard and meet this finding easily.

- Secondly, Community Board 5 cited this census tract's low rate of car ownership, 17%, as evidence that parking is not needed. However, the most recent American Community Survey Census data from 2020 shows that 31.4% of owner-occupied units in Census tracts within a third of a mile of the project site have one or more vehicles. In addition, when accounting for households with more than one vehicle, for owner-occupied units in these same Census tracts the rate of total vehicles to households is 37.8 percent. Thank you.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: 24 JAN '23

Name: JEFF REUBEN (PLEASE PRINT)

Address: 432 P.A.S N.Y.N.Y.

I represent: APPLICANT

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

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in favor     in opposition

Date: \_\_\_\_\_

Name: Toku Saito (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: 215-225 W. 28<sup>th</sup> St. LLC

Address: 215-225 W. 28<sup>th</sup> St.

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 in favor  in opposition

Date: 1-24-23

(PLEASE PRINT)

Name: Eran Polack

Address: \_\_\_\_\_

I represent: HAP (The Maverick)

Address: 215-225 West 28th Street

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I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Deirdre Carson

Address: One Vanderbilt Avenue

I represent: 215<sup>215</sup> W. 28<sup>th</sup> St. LLC

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