



NEW YORK STATE SENATOR

Liz Krueger

## Testimony Before the New York City Planning Commission on the MoMA/Hines West Fifty-Third Realty, LLC Application for Special Permits at 53 West 53rd Street on July 22 , 2009

LIZ KRUEGER July 15, 2010

My name is Liz Krueger and I am the State Senator representing the 26th State Senate District, which includes the MoMA/Hines West Fifth-Third Realty property located at 53 West 53rd Street. I appreciate this opportunity to comment on the proposal for the property, a project known as Tower Verre, planned as an 85-story mixed use building.

On March 13, 2008, and more recently on June 11, 2009, Community Board 5 overwhelmingly passed a resolution urging both the Landmarks Preservation Commission and the Department of City Planning to deny the transfer of 275,000 square feet of development rights from St. Thomas Church, under section 74-711 of the zoning resolution, as well as the 136,000 square feet of development rights from the University Club, under section 74-79 of the zoning resolution, to the proposed Tower Verre.

I continue to support Community Board 5's resolutions. It is my belief that neither of the preservation plans for the landmarked properties, as described in the applications, alleviates the public burden of the proposed development.

Nor does the Draft Environmental Impact Statement ("DEIS") go far enough to measure the impacts of such a structure on the city. In the end, the restorations would do little to

compensate the community or New York City for the strain on infrastructure, traffic flow, public safety, or restriction of light and air that an 85-story mid-block building would impose. Tower Verre would not relate harmoniously with the neighborhood, as required by the zoning regulations. Furthermore, the materials, design, scale and location of bulk in the proposed building would not relate to the adjacent landmark buildings.

Tower Verre, which has been described as an 85-story asymmetrical, twisting, glass, needle rising 1,250 feet in the air is to be situated mid-block in an already densely populated area. The proposed building would be taller than the Chrysler Building's 1,047 feet and just under the Empire State Building's 1,453 feet. Tower Verre would be grossly out of scale with the other buildings in the area, including the landmarked Rockefeller Apartments on West 54th Street as well as the landmarked Eero Saarinen designed CBS building on 53rd Street. As currently designed, Tower Verre would also overwhelm the area's infrastructure and services.

I would like to reiterate comments I made regarding Tower Verre in testimony delivered to the Landmarks Preservation Commission on April 8, 2008. I am not opposed to well planned, functional, urban development and I appreciate the desire of MoMA and Hines Realty to proceed with reasonable plans for the development site. MoMA and Hines Realty together have an opportunity in Tower Verre to forge a partnership to design superb, well-planned urban development if they are willing to take into consideration the legitimate concerns of the surrounding community and the comments of Community Board 5. However, if not planned carefully, this project will overwhelm the scale and services of the surrounding neighborhood. While many people think of Midtown simply as a commercial Central Business District, the area also has numerous thriving residential communities that must be protected.

The Land Use and Landmarks committees as well as the full board of Community Board 5 have given this project considerable and thorough review. I have been very impressed with the careful consideration of the Board and its deliberative process during the hearings about this project. Both committees unanimously, and the full board overwhelmingly, recommended denial of application for two Special Permits under Sections 74-79 and 74-711 of the Zoning Resolution.

As neighbors of MoMA and the Tower Verre project, the West 54-55th Street Association has tirelessly researched and documented inconsistencies in the application for the two Special Permits and the Draft Environmental Impact Statement. Their dedication to protecting one of New York City's most historically significant blocks is to be applauded.

Following are comments on several aspects of the Tower Verre project that are of particular concern and importance to my constituents.

### **Traffic & Parking**

53rd and 54th Streets, which encompass the Tower Verre project, are designated as Midtown THRU Streets due to their high traffic volumes by the New York City Department of Transportation. The capacity of both streets is already severely stretched by existing development and institutions.

Therefore, the evaluation of the likely traffic and parking impacts must be as conservative as possible. Since the DEIS was submitted, Mayor Bloomberg instituted a closure of streets around Times Square including the very busy Theater District. In addition, the traffic flow study assumes after hours deliveries of commercial linen and special delivery companies to the hotels in the area. These kinds of deliveries are known to occur only during daytime hours.

The designated entrance to Tower Verre for its residential, restaurant and hotel patrons is West 54th Street. West 54th Street already has six loading docks with a seventh anticipated to accommodate the new building. Although every proposed design alternative for the seventh loading dock has been met with reasons why they are not feasible, I am still concerned about another loading dock being added on a block already heavily taxed with delivery and through traffic.

### *Transit & Pedestrians*

After MoMA's last expansion of 40,000 square feet, attendance grew from 1.8 million to 2.5 million visitors. The proposed expansion would be of a similar size. While I am a strong supporter of MoMA, and fully understand its desire to display more of its collection, I am concerned about the ability of the surrounding streets and to handle the increased pedestrian traffic. Tower Verre will have also a steady stream of hotel and restaurant patrons, residents and tourists coming and going.

The expected increase in pedestrian traffic, and its effects on pedestrian flow and the transit systems in close proximity to the new building, must be further evaluated. Considerations should be made to mitigate the increased pedestrian traffic by widening the sidewalks and removing any existing sidewalk barriers.

The Department of City Planning should consider these issues as well as the other concerns and proposals of my constituents, Community Board 5, affected neighborhood organizations and advocacy groups, and my fellow elected officials. I strongly encourage the Department of City Planning to ensure that any and all development at 53 West 53rd Street reflects the area's character and positively contributes to the community.

Thank you for your consideration of my views.