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170 Park Row  
New York, NY 10038

April 8, 2018

Anthony Notaro  
Chairman, Community Board 1  
1 Centre Street  
New York, NY 10007

Land Use Committee  
Community Board 1  
1 Centre Street  
New York, NY 10007

Via: email and hand delivered

Re: CEQR 18DOC001Y  
124 and 125 White Street  
Proposed Jail  
Comments and Objections to DEIS dated March 29, 2019

Dear Mr. Notaro,

I am a resident of Chatham Towers located at 170 Park Row and a member of the Park Row Alliance. I reside in the study areas of the DEIS. I am a New York State Registered Architect and respectfully submit the following comments and objections to the proposed 1,270,000 square foot jail complex at 124 and 125 White Street.

Aside from the issue of erecting a high rise jail complex in our community and the appropriateness of the scale and relationship to the neighboring Courthouse, Senior Housing and Columbus Park, I submit the following specific objections for consideration by the CB # 1 Land Use Committee.

**Zoning:**

The proposed scheme clearly violates the NYC Zoning Ordinance as stated on page 4.1-14 of the DEIS. The DEIS states that a variance will be needed to increase the allowable FAR (Floor Area Ratio) from a factor of 10 to a factor of 13.15. (or a **31.5 % increase over allowable**)

The zoning calculations are based on the creation of a super-block extending from Hogan Place to White Street (Block 167/ Lot 1) and from White Street to the rear wall of the senior housing (Block 198 / Lot 1). This will create an “over build” on White Street. The square footage is further explained as follows:

As stated in the DEIS (page 4.1-14), the zoning ordinance allows for a maximum 1,494,270 zoning square feet to be built on this combined site. (This is without mechanical space or underground space). Given the demolition of the existing 438,744 square foot jail complex and construction of the new proposed 1,270,000 (stated as “approximately” on page 4.1-13), the new jail will create a building complex of 1,965,001 square feet. ***This violates the zoning ordinance by 470,731 square feet.***

To summarize:

The proposed jail ***will be 831,256 square feet larger than the existing jail.*** (New 1,270,000 Square Foot Jail vs existing 438,744 Square Foot Jail)

***The zoning ordinance will allow for an additional new building of 799,269 square feet after demolition of the existing facility. Therefore, the 1,270,000 sf proposed building needs to be reduced by 470,731 square feet. The program for this proposal needs to be radically reduced by a factor 37%.*** To date the mayor’s office has discussed minor changes to the program (such as moving the mental health facility to a hospital), but given this zoning violation, extreme reprogramming needs to occur.

Note that page S-48 of the DEIS states: “The proposed project would not result in significant adverse impacts to land use, ***zoning*** or public policy”. Zoning is certainly adversely impacted.

Any variance application will need to go through the standard public process including a Board of Standards and Appeals Public Hearing, City Planning Commission and the City Council. As stated in the Zoning Resolution, Article VII: Administration, Chapter 2 Interpretation and Variances: “. the variance, if granted, will not alter the essential character....” If given, a variance of this magnitude will certainly radically alter the character of both the immediate neighborhood and lower Manhattan.

The community deserves a clear explanation of the zoning variance process as the Mayor’s office presents this change as a pro forma assured approval. That cannot be the case given the multiple approval authorities and community input required by law. We believe in fact that there will be no case for a “hardship” argument. This variance would certainly not be granted to a private developer. The city should not be violating its own laws.

**Design / Build Delivery Method:**

DDC has stated that this project will be a “Design / Build” delivery method. Not only has the DDC never done a Design / Build project, this method is wholly inappropriate for a sensitive public project. In Design /Build, a Construction Manager (Contractor) will lead the process and hire an Architect. The contractor is incentivized to reduce costs and deliver the basic program for the least expensive way possible. This results in significant reductions in the quality and final design of the building including changes to the shape of the building and the façade aesthetics. A traditional “Design / Bid / Build”

process with appropriate Value Engineering occurring during the design process will yield the quality expected and give the community certitude as to the final design. Without this, all of the discussions and presentations on the building form to date will be unraveled.

**Other Comments on the DEIS:**

1. Zoning is C4-6: This does not allow for a Jail function. Zoning variance should not be given.
2. DEIS does not address specific Demolition and Construction issues requiring mitigation, especially due to the adjacent senior housing. More detail needs to be contributed by the consulting construction manager.
3. DEIS is silent on a required Licensing Agreement with the senior housing to address damage during construction. A License Agreement needs to be in place.
4. Statements in the DEIS (page S-53) referring to other tall buildings in lower Manhattan as justification for this proposal (in violation of FAR) are irrelevant and frankly insulting. (see my annotations attached)
5. Statement (page S-53) that visual resources would not be effected is blatantly not true. 100 Centre Street is an historic building. This tower behind 100 Centre will ruin the profile and North façade of the historic building. It is stated that the new building will be similar in height and form to 100 Centre Street. That is an outrageous statement.
6. White Street overbuild: Quality of this space with light and air is critical. Otherwise this will be a mean dangerous tunnel.

**Text from my October 22 Letter previously submitted:**

**Lippman Commission and Other Proposals:**

The Lippman Report repeatedly states in bold italics that *“Rikers must be closed”*. It is apparent to those of us who have read it carefully that this report did not adequately analyze other options to upgrade facilities for the humane treatment of prisoners. To say that the inhumane treatment of prisoners can be solved with new towers in residential neighborhoods is ignoring the fundamentals of prison reform. Even Elias Husamudeen, President of the Corrections Officers Benevolent Association, stated at the scoping hearing on September 27, 2018 that (and this paraphrasing): *“a high-rise prison tower is not manageable. Prisons are horizontal.”*

*It is public record that construction was begun in December 2013 on a new state of the art 620,000 square feet, \$594M jail on Rikers Island. On November 18, 2016 it was suddenly announced that this construction was stopped and the plan put on “pause”. See Council Member Paul Vallone’s shocked reaction in the attached article: <https://www.villagevoice.com/2016/11/18/construction-of-new-rikers-jail-is-officially-on-pause/>*

The Lippman Commission Report in no way addressed any deleterious effect that the borough based jail system would have on local communities. On page 22 of the report states: *“And it solicited public input via community forums, design workshops, and meetings with the faith communities across New York City as well as a website”*. There was absolutely no outreach to the Chinatown community in any way, *until recently after the community objected*

Why the sudden change in plans to abandon the work under way on Rikers Island?

It must also be noted that there is great suspicion that the closure of Rikers is a Real Estate maneuver given the participation private developers and real estate attorneys on the Commission. And the proposal to expand LaGuardia referenced in the report seems to be a farfetched, given that \$8bn worth of reconstruction of the entire existing LaGuardia Airport is currently underway.

Respectfully submitted,



Stephan Freid, AIA

Attachments: Zoning Summary  
Annotated Building Section from NAC Meeting # 2 Agenda  
Annotated Zoning Analysis from NAC Meeting # 2 Agenda

cc:

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**Proposed New Jail  
124 / 125 White Street**

**Zoning Calculation**

(Square Footage is stated is Zoning Square Footage, ie:  
without Mechanical and Underground Space)

**1 Summary:**

Requested Total Square Footage	1,965,001 Square Feet
(-) Maximum Allowable Square Footage on Combined Sites	1,494,270 Square Feet
Amount Exceeding Legal Zoning	<b>470,731 Square Feet</b>

**2 Comparison of Existing Jail to Proposed Jail**

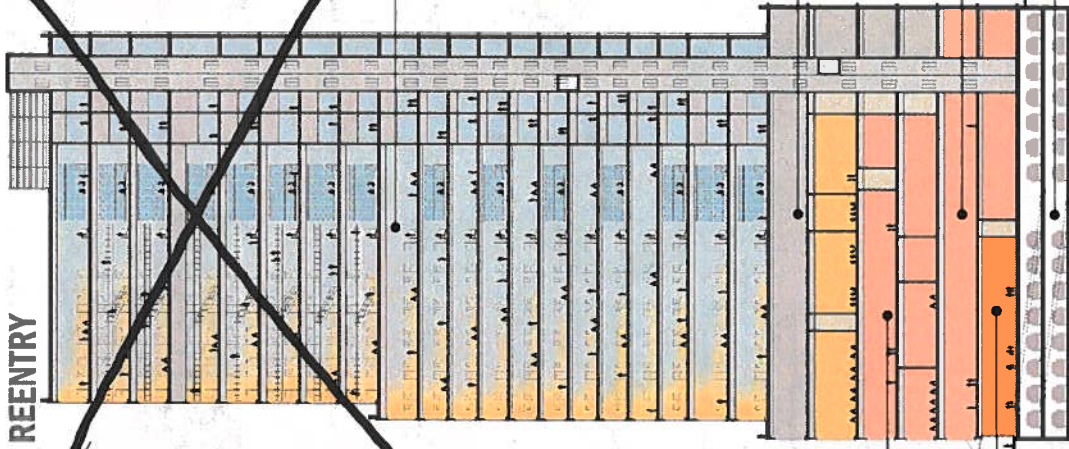
New Proposed Jail	<b>1,270,000</b> Square Feet
Existing Jail Facility Size to be demolished	438,744 Square Feet
Added Square Footage	<b>831,256</b> Square Feet
<b>% Increase in Size of Proposed Jail</b>	<b>290%</b>

**3 Maximum Allowable Size of New Jail Allowed**

New Proposed Jail	1,270,000 Square Feet
Amount Exceeding Zoning	470,731 Square Feet
<b>Maximum Size of New Jail Allowed</b>	<b>799,269</b> Square Feet
<b>% Increase of New Jail Allowed compared to Existing</b>	<b>182%</b>

# BUILDING A MODERN JAIL

PROGRAMMING TO SUPPORT SUCCESSFUL REENTRY



1,270,000 SF

ELIMINATE!  
~ 1/3 of proposal  
~ remove 470,731 SF

DETAINEE HOUSING

BUILDING SUPPORT / MECHANICAL

VISITING

PARKING

DETAINEE SERVICES

COMMUNITY SPACE



**NYC**  
Office of the Mayor

BEYOND RIKERS: TOWARDS A BOROUGH-BASED JAIL SYSTEM

# ZONING ANALYSIS

C6-4 DISTRICT

125 White Street/MDC North (**Block 198**)  
*EXIST* 226,425 ZFA  
 5.56 FAR

124 White Street/MDC South  
*EXIST* 212,319 ZFA  
 2.01 FAR

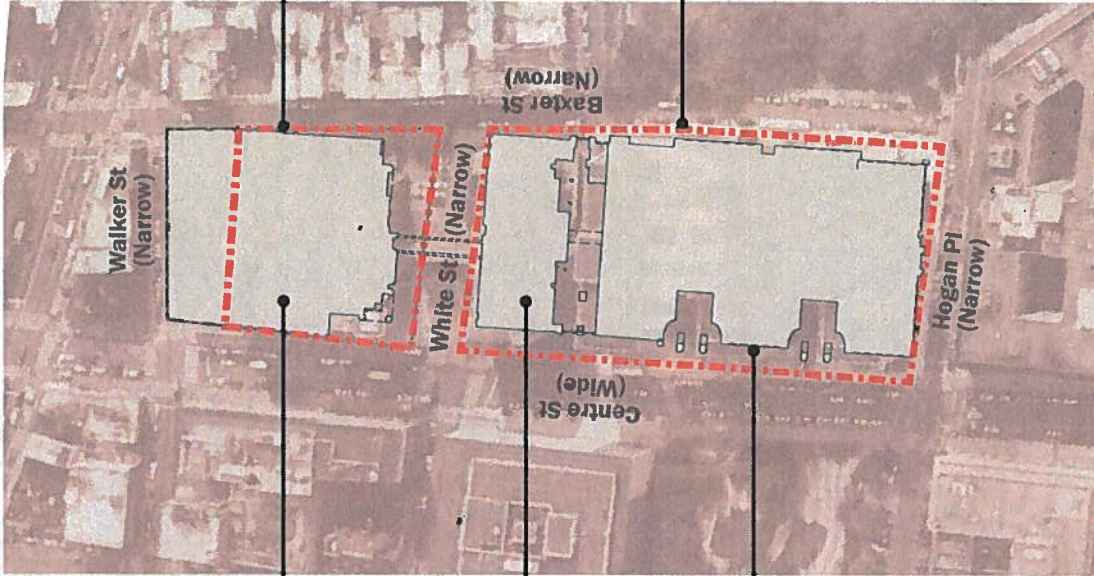
100 Centre/Criminal Court  
*EXIST* 815,011 ZFA  
 7.73 FAR

**Total (Block 167)**  
*EXIST* 1,027,330 ZFA  
 9.75 FAR

Total EXI 224,425 (Block 198)  
 1,027,330 (Block 167)

**EXISTING** 1,253,755 ZFA

BEYOND RIKERS: TOWARDS A BOROUGH-BASED JAIL SYSTEM



**Block 198 / Lot 1**  
 Lot Area 40,752 SF  
 Max ZFA 407,520 ZFA - *ALLOWED*

**Block 167 / Lot 1**  
 Lot Area 105,394 SF  
 Max ZFA 1,053,940 ZFA - *ALLOWED*

*1,461,460*  
 → *total allowed*

*page 4.11-14 says 1,494,270*  
*askings for 1,945,011 ZFA*  
**DELS**  
 → *450,741*

*EXISTING*  
*1,253,755*