



CITY OF NEW YORK

**GALE A. BREWER**  
MANHATTAN BOROUGH PRESIDENT  
1 CENTRE STREET, 19<sup>TH</sup> FLOOR  
NEW YORK, NY 10007

**MARGARET S. CHIN**  
COUNCIL MEMBER, DISTRICT 1  
NEW YORK CITY COUNCIL  
250 BROADWAY, SUITE 1882  
NEW YORK, NY 10007

August 19, 2015

Alicia Glen  
Deputy Mayor for Housing and Economic Development  
City Hall  
New York, NY 10007

Dear Deputy Mayor Glen:

We write to express concern and seek clarification regarding the ongoing process of programming cultural and other activities throughout the South Street Seaport specifically in its public spaces, and the impact that this could have on the future of the South Street Seaport Museum. While we agree with the need to enliven the Seaport, this is an effort that should be undertaken by the community, local businesses and the museum; we would like to see a process that incorporates broader input beyond what has currently been the case.

Specifically, we would like to understand how the Brooklyn Bridge Southeast Urban Renewal Plan (URP), which is in effect until 2068, affects what is permissible in terms of programming in that space. Map 3 clearly delineates the areas approved for the location of open air cafes, canopies and mobile vending units. Moreover, controls in the URP contemplate that these types of street establishments be under common management with adjoining businesses and protect pedestrian access. Finally, the URP states that any substantial modification of the areas in which these units are located should be considered a major modification to the URP.

To our knowledge, the permissible areas and activities do not extend to the entirety of Fulton and Front streets, only portions immediately adjacent to some of the commercial properties, but we are aware of programming by Howard Hughes Corporation (HHC) in many of the public spaces in the Seaport that seems to conflict with certain provisions in the URP. We have observed, for example, essentially all of designated pedestrian way of Fulton Street between Front and South streets and the public space on Front Street between Beekman Street and Fulton Street taken up by Smorgasburg, a food operation brought in by HHC that appears to compete with many of the food establishments nearby. We are unaware of the existence of any approval that has modified these provisions of the URP. We would like to gain a better understanding of programming in the area allowed under the URP, and what the city regards as an appropriate framework for coordination of programming that significantly incorporates the input of a broader spectrum of local stakeholders.

In addition, we have received a copy of some promotional material on HHC's "Culture District." While we appreciate HHC's effort to enliven empty stores and understand the need to

maintain and enhance vitality in the Seaport District, we are concerned by the absence of the Seaport Museum and other local entities in this endeavor and in the programming of the public spaces in general. As an example please note that one of their Culture District events is scheduled to occur on Cannon's Walk, a public space off of Front Street. This space was the subject of an exchange in October - November 2014 between the Manhattan Borough President Office and EDC over the very same concern -- the privatization of this public space. While obviously with proper permits events can be held in public spaces, we would like to see public space usage that incorporates local businesses and the major cultural anchor of the area, the South Street Seaport Museum.

The South Street Seaport Museum is supposed to serve as the cultural anchor of the South Street Seaport. In fact, the provisions of section 91-00(e) for the Special Lower Manhattan District, of the City of New York Zoning Resolution, states that the purpose of the Special District is

e) restore, preserve and assure the use of the South Street Seaport Subdistrict as an area of small historic and restored buildings, open to the waterfront and having a high proportion of public spaces and amenities, including a **South Street Seaport Environmental Museum, with associated cultural, recreational and retail activities** [emphasis added]....

The current Seaport Museum lease was negotiated thirty years ago and was formulated in the context of a complementary market lease that entailed financial obligations toward the museum by the Rouse Corporation, HHC's predecessor. However, since then, the market lease was renegotiated in a manner that excluded financial support for the museum, while the Seaport Museum lease has retained its original restrictions. This therefore places the museum in an unfair and impossible financial situation: it is limited by its city lease from competing with Howard Hughes Corporation and other local entities when it comes to retail activity for purposes other than those directly related to the functions of the museum, but still can face competition in the cultural programming arena by independent efforts to organize cultural activities without museum input or meaningful collaboration.

We would appreciate a meeting as soon as possible to discuss the programming of public space in the South Street Seaport area as well as how we can assist the museum in achieving and maintaining its given role as the cultural anchor of the area, specifically given the terms of the Seaport Museum lease and how those, if a hindrance, should change.

We thank you for your attention to this important matter.

Sincerely,



Gale A. Brewer  
Manhattan Borough President



Margaret S. Chin  
Council Member, District 1  
New York City Council

encl:

Exhibit A: Brooklyn Bridge Southeast Urban Renewal Plan, Map 3 with site photos

October 23, 2014 letter to EDC re: Cannon's Walk

November 10, 2014 letter to MBP re: Cannon's Walk

cc:

Hon. Jerrold Nadler, United States House of Representatives

Hon. Daniel Squadron, New York State Senate

Hon. Sheldon Silver, New York State Assembly

Catherine McVay Hughes, Chair, Manhattan Community Board 1

Maria Torres-Springer, President, Economic Development Corporation

Carl Weisbrod, Chair, NYC Planning Commission

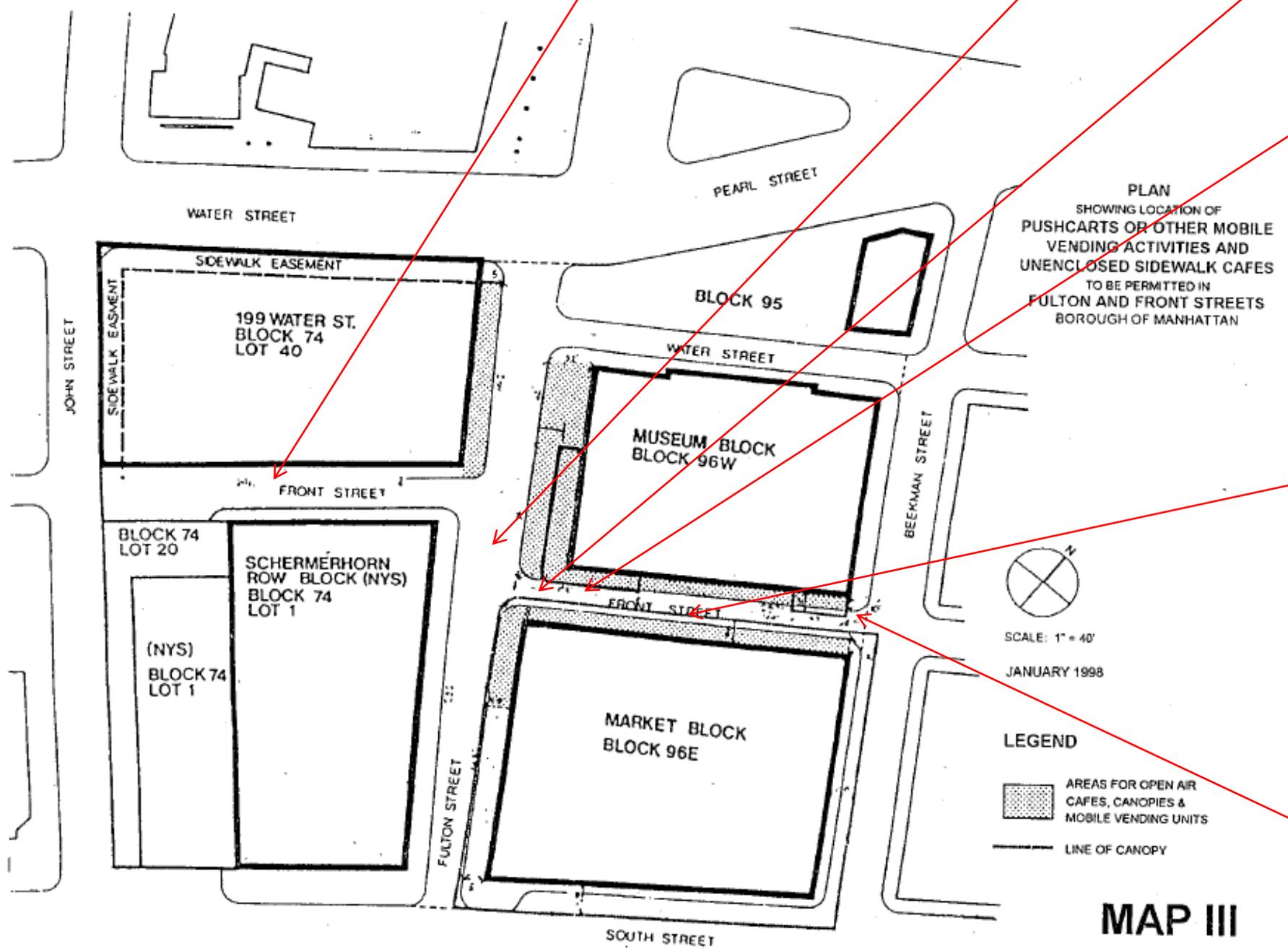
Tom Finkelpearl, Commissioner, NYC Department of Cultural Affairs

Photos show the multiple locations where encroachment exists past areas designated, per the Urban Renewal Plan, for the permitted use of open air cafes, canopies, and mobile vending units.

Photos taken on August 10, 2015.



**EIGHTH AMENDED BROOKLYN BRIDGE SOUTHEAST URBAN RENEWAL PLAN**





OFFICE OF THE PRESIDENT  
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THE CITY OF NEW YORK

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Gale A. Brewer, Borough President

October 23, 2014

Kyle Kimball, President  
New York City Economic Development Corporation  
110 William Street  
New York, NY 10038

Dear President Kimball:

I write in regard to Cannon's Walk in the South Street Seaport, a portion of Front Street between Beekman Street and Fulton Street. As you know, this gem was opened in 1983 to commemorate the history of the seaport area and is named for John Cannon, who filled in this area in 1721 to build a wharf. It has been open to the public ever since its 1983 opening.

I was dismayed to learn that this very space is available for sub-lease by Howard Hughes Corporation and that its only open-air access point is proposed to be privatized for use as an outdoor café. While I believe the addition of tables and chairs may be appropriate to encourage public use of the space, I cannot condone its commercialization.

What you may not be aware of is that this same area, as a portion of historic Front Street, is designated as a public pedestrian way in Section 91-68 (Designated Pedestrian Ways) in the City of New York Zoning Resolution, and as such is governed by the definition of a street as defined in Section 91-62(b). This section explicitly states that these ways are intended for general pedestrian circulation and should be treated as a street in all manners. So while chairs and tables are permitted obstructions, a commercial entity most certainly is not. Cannon's Walk should not be a privatized space.

I request that you look into this matter immediately and ensure that the space is both compliant with zoning and with the intent of this space as an area of free public enjoyment.

Sincerely,

  
Gale A. Brewer



New York City Economic Development Corporation

November 10, 2014

Borough President Gale A. Brewer  
Office of the Manhattan Borough President  
1 Centre Street, 19<sup>th</sup> Floor  
New York, NY 10007

Dear Borough President Brewer:

On behalf of the New York City Economic Development Corporation, thank you for your letter regarding Cannon's Walk in the South Street Seaport. We appreciate your concern that this historic area remains publicly accessible open space.

I would like to assure you that there are no concessions or plans for concessions, such as an outdoor café, in this space. Open access to the space as well as the seating will continue to be available to all members of the public to enjoy. We understand the importance of this open space and we are pleased the community is able to benefit from this outdoor amenity. Furthermore, as you referenced, the use of the space as a public plaza with tables and chairs is compliant with zoning.

We appreciate your ongoing commitment to South Street Seaport. Please let me know if you have any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Lusheena Warner".

Lusheena Warner  
Assistant Vice President, Government and Community Relations