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Don't Accommodate Union Square Park Commercialization; Build the Playground Now

Testimony by Assembly Member Richard N. Gottfried
Before the Art Commission of the City of New York
Monday, May 15, 2006

My name is Richard N. Gottfried. I represent the 75th Assembly District in Manhattan, including the neighborhoods of Chelsea, Clinton, Midtown, Murray Hill, and part of the Upper West Side. My district borders Union Square Park to the north and west. I thank Art Commission President Joyce Menschel for the opportunity to testify today. Unfortunately, the legislative session in Albany prevents me from testifying in person.

Union Square Park and the north plaza of Union Square are highly valued public spaces that serve many constituencies, including local residents, businesses, park visitors, playground users, the Green Market, and many others.

Unfortunately, the process surrounding the reconstruction of these parts of Union Square has been marred by controversy, particularly relating to the Department's restaurant plan.

The Playground

The Union Square Partnership and the Parks Department have revised their design, to increase the space allotted for the playground by an additional 3,775 square feet. This is a significant victory for the community. The Parks Department should consider incorporating more handicap accessible playground elements. In any event, the construction of the playground should go forward immediately and not be held up by the restaurant controversy. The Parks Department's claim that this is not possible is unconvincing.

North Plaza

Union Square is a State Historic Site and a National Landmark and must retain its historical use as a place of public gathering and protest. While the Parks Department says that the majority of rallies occur in the south end of the park, it is the North Plaza that is the historic site of the country's first Labor Day rally held on September 5, 1882.

If the North Plaza is to include seating for the restaurant, that seating should also be available to the public, whether or not they are patronizing the restaurant, the same as many public plazas.

The Pavilion

The Parks Department says that its plan for a private restaurant in the Pavilion is essential to raising the revenue to pay for the restoration of that building. The increasing privatization of our parkland is an abdication of the City's responsibility to maintain and improve the utility and

beauty of our parks and to actively prevent the negative effects that commercialization brings to our parks. It is troubling that the public is being asked to accept trade-offs like this in exchange for park improvements.

The City is treating its parks like a burden, something that must be made to pull its own weight. Instead, we should regard our parks as creators of value, resources in which the City should be eager to invest.

In addition to my concern about privatizing park space, I believe it is important the space be used in a way that best serves the Union Square area. This area is replete with restaurants; another high-end restaurant in the Pavilion is not needed.

There are many other possible and preferable uses that have been suggested, such as a public staging area, children's pavilion, a facility for programs and activities, a snack bar, or simply expanding the capacity of the Pavilion to accommodate increased seating and picnicking space. The Parks Department has said that the Pavilion is ill-suited to other uses because it has "columns, railings, and limited sightlines." The Parks Department cannot adequately gauge the interest that there might be for these other uses when it has yet to solicit proposals.

The Parks Department should pursue funding from elected officials, the State, and alternate sources in lieu of a seasonal café. The RFP for the Pavilion should be open to other proposals. It is important that the RFP be publicly reviewed by the local Community Board before it is released, to be sure that it adequately addresses the needs and interests of the local community, as the Parks Department has promised.

The Comfort Station

The City Parks Department has maintained that a new restroom area is essential to the park. While I agree that public restrooms are needed, the proposed facility is physically out of character with its surrounding environment. The Pavilion structure is neo-classical and the proposed comfort station is a "minimalist" design, essentially a glass and steel box.

The existing bathrooms in the Pavilion are under-utilized partly because the public is not aware they exist due to lack of signage and accessibility and mostly because the Parks Department has not adequately maintained them.

No new structure would be necessary if the Parks Department properly renovated and maintained these existing restrooms and made them more accessible to the general public. Unfortunately, the Parks Department plans to make the existing restrooms available only to restaurant customers. The new comfort station is needed only to enable the proposed restaurant to have exclusive use of the existing restrooms. It should not be regarded as a park improvement. It should be regarded as an element of the commercial intrusion in the park.

Since the comfort station is being built to accommodate a commercial development, City taxpayers should not have to pay it. It is wrong to use public dollars to finance a project that is only being planned because of the take-over of public amenities by a private business. If the comfort station is to be built, these costs should be borne by the restaurant operator.

Thank you again for the opportunity to testify.