



**KIPS BAY DEVELOPMENT LP**  
352 PARK AVENUE SO., NEW YORK, NEW YORK 10010

PHONE (212) 689-0639  
FAX (212) 689-1432

March 19, 2013

Mr. Andrew Wiley-Schwartz  
Assistant Commissioner for Public Space  
New York City Department of Transportation  
55 Water Street, 9<sup>th</sup> Floor  
New York, NY 10041

RE: Kips Bay Plaza

Dear Andy:

Thanks again for taking the time to come meet with us last week. As you are aware, we have spent several months having conversations with members of your team in regard to the proposed public plaza on the 2<sup>nd</sup> Avenue service road. However, having you present allowed for much improved communication free of the usual posturing and negotiation.

While we are believers in this administration's agenda of increasing public space, we are staunchly opposed to the usage of the 2<sup>nd</sup> Avenue service road for the creation of a public plaza. After careful consideration of the impacts of the proposed plaza on our retail center and after conferring with the two largest impacted tenants (who, as you are aware, share our position), we simply cannot endorse this plan.

It is our position that the public plaza will cause an unwarranted strain on the businesses in our development. Furthermore, we lack any confidence in the sponsoring entity's (KBNA) ability to effectively raise the required funds or the ability to professionally manage a large public plaza. And as the only direct party adjacent to the street closure, it is our belief that the inevitable burden to finance and manage the plaza will fall to both ourselves and our tenancy.

It is our hope that this letter concisely expresses our opposition to this matter and the proposed street closure and subsequent public plaza is not approved.

Very truly yours,

KIPS BAY DEVELOPMENT LP

A handwritten signature in black ink, appearing to read "Evan Stein", written over a circular stamp or seal.

Evan Stein  
Managing Member