

Comments of Community Board 7/Manhattan
To Application No. P2013M0272
To the City Planning Commission by
The Collegiate School and Hudson Waterfront Associates L.P.
July 21, 2014

Site: Riverside South Parcel K-2 (Manhattan Block 1171, Lot 151)

Community Board 7/Manhattan submits the following comments to the Department of City Planning in connection with the above-referenced application for modification of the previously approved Riverside South Special Permit, subject to the conditions of the 1992 Restrictive Declaration pursuant to C920358ZSM (the "Riverside South Restrictive Declaration").

CB7's comments concern two aspects of the modifications sought in connection with this application: (1) changes in the urban design controls to facilitate the change in proposed use of the site from mixed residential/retail to community facility; and (2) the relocation of affordable housing required to be included in the Riverside South Special Permit area.

At the outset, CB7 notes that it holds the Collegiate School in high regard and would like to approve of this project unreservedly. The School has designed a building which, but for the features objected to below, represents a great deal of thoughtful planning. It is our hope that the City Planning Commission will direct the school to address these few remaining issues prior to approval, so that the School can have a new home that works for the school as well as the surrounding community.

(1) *Urban Design Controls.*

Collegiate is seeking to convert a site slated for residential development with mandated ground floor retail use on Freedom Place into a community facility use with no mandatory retail. In doing so, the School has apparently designed the building from the inside out, with a view to maximizing the interior space in conformity with the school's academic program. Unlike the uses provided for in the 1992 Riverside South Restrictive Declaration governing this portion of the Riverside South area, the use of the site as a school and the absence of retail would tend to discourage street life after school hours and on weekends, and create a dead space around the school. Exacerbating this problem is the school's proposed solution to a slight change in grade on Freedom Place South, the erection of a solid wall at the base of the building rising to nine feet at Freedom Place South and West 61st Street. Also problematic is the school's proposal of a 60 foot gap on 62d street (not currently permitted under the restrictive declaration) as a play area for students, which will require a five foot high wall surrounding the play area on West 62nd Street and between the play area and the building being constructed on site K-1 immediately to the west of the proposed school site.

CB7 urges the City Planning Commission not to approve the proposed modification (which we do not view as "minor"), unless and until the school has provided revised plans for the proposed building which eliminates the nine foot and the five foot walls, or which would provide compensating amenities to enliven the street level and transparency of the building and encourage an active street life compatible with a residential-retail neighborhood. Some examples of treatments which would serve to enhance the street-friendliness of the building include lowering the wall at West 61st street, reorienting the building entrance closer to West 61st street, significant planting or other attractive screens, use of some transparent material for the five foot wall surrounding the play area, and street lighting, including lighting embedded in the sidewalk. The treatments should accomplish the goals of improving the aesthetics of the building, enhancing pedestrian circulation and assuring the safety of those passing on the sidewalks either along Freedom Place South or on the intersecting side streets.

CB7 would, as always, be available to discuss or review any proposed revisions to the plan.

CB7 has no objection to the remaining aspects of the school's proposed modification or the proposed design which we understand will entail a height restriction to slightly more than 193 feet; the use of zinc spandrels, and alternating opaque and clear glass, with at least 35% of the face to be clear glass; the use of a stone wall at street level, a recessed area at the entrance, horizontal and vertical elements compatible with the surrounding architecture and highlighting of the exterior view of special instructional areas; and the elimination of the need to design distinct base, mid-level and tower sections of the façade using contrasting materials and configurations to conform to the surrounding residential towers; all as reflected in drawings shown to CB7 by the School. The Restrictive Declaration for the site should be worded in such a way as to ensure substantial compliance with the major design elements and the selection and appearance of the materials contained in the drawings.

(2) *Relocation of Affordable Housing.*

The 1992 Restrictive Declaration contains requirements that affordable housing be included in the Riverside South Large Scale Residential District and defines the nature and characteristics of the affordable housing that would satisfy these requirements.

The Applicants have represented that to meet the affordable housing requirements applicable to the Riverside South development (excluding for these purposes the portion of the Special Permit area known as Riverside Center, West 59th-61st Streets between West End Avenue and Riverside Boulevard), an additional 55 units of affordable housing remain to be constructed (the "Required Units"). The Applicants have indicated that these Required Units previously were expected to be built in Riverside South on Site K2, but such construction would not be feasible if Collegiate School were to build its new facility there.

Among the approvals sought in this application is the option to locate the Required Units outside the perimeter of the portion of the Riverside South Special Permit area that includes the subject site. The Applicants have advised CB7 that one potential location for the Required Units is in the Riverside Center area, which is subject to a separate Restrictive Declaration as a result of a 2010 ULURP that prescribes its own affordable housing requirements that differ from the requirements

under the Riverside South Restrictive Declaration. The Applicant indicated that, while not preferred, another option would be to locate the Required Units in Riverside South by converting existing market-rate units to become affordable units on terms that conform to the Riverside South Restrictive Declaration.

CB7 urges the City Planning Commission not to approve the proposed modifications unless such approval is subject to a condition that no temporary or permanent certificate of occupancy be granted for the building at the subject site unless and until the following terms concerning the Required Units are satisfied, and such conditions are made a part of the Riverside South Restrictive Declaration or otherwise are ensured of compliance by the Applicants and any successors in interest to the site:

(a) That at least a temporary certificate of occupancy is granted for the full complement of Required Units prior to a temporary certificate of occupancy for the proposed school building at the subject site.

(b) That the Required Units at a minimum conform to the nature and characteristics of the affordable housing required under the Riverside South Restrictive Declaration, although CB7 strongly urges the Applicants and all related parties to make those units permanently affordable under an HPD-sanctioned inclusionary housing program.

(c) That to the extent that any of the Required Units are located in Riverside Center or any other location outside the Riverside South Special Permit area, that the Required Units not be deemed to satisfy any affordable housing requirement other than that imposed by the Riverside South Restrictive Declaration. For example, if the Required Units are located in Riverside Center, such Required Units not be included in the number of affordable housing units required to be built or the number required to be located on that site under the Riverside Center 2010 ULURP restrictive declaration.