

Community Board 7/Manhattan
Mel Wymore, Chair
Public Hearing on Riverside Center Project
June 3, 2010

Community Board 7 conducted a public hearing on the proposed Riverside Center project on Thursday, June 03, 2010, at the American Bible Society auditorium, 1835 Broadway, New York 10023. The meeting was chaired by Mel Wymore, Chair of CB7.

Welcome by Mel Wymore - Chair, CB7:

- Uniform Land Use Review Procedure for proposed Riverside Center development underway.
- Project was certified by the City Planning Commission on May 24, 2010; ULURP clock for CB7 begins 9 days later - hearing date is first day of ULURP .

Presentation by Extell Corporation

Gary Barnett - Extell President:

- Mr. Barnett's presentation is summarized on the PowerPoint document used for the presentation, which is available on the CB7 website cb7.org -- click on "Riverside Center Public Hearings and Information" and follow links to "Extell Proposal - June 2010 Presentation to CB7."

Architect's presentation by Steven Hill:

- Mr. Hill's presentation is summarized on the PowerPoint document used for the presentation, which is available on the CB7 website cb7.org -- click on "Riverside Center Public Hearings and Information" and follow links to "Extell Proposal - June 2010 Presentation to CB7."

Landscape architect's presentation by Sydney Nielsen.

- Ms. Nielsen's presentation is summarized on the PowerPoint document used for the presentation, which is available on the CB7 website cb7.org -- click on "Riverside Center Public Hearings and Information" and follow links to "Extell Proposal - June 2010 Presentation to CB7."
- Freedom Place marks the transition from WEA to Riverside Park South.
- Lawns for sitting/picnicking; other areas for active ball tossing
- No fencing anywhere in landscape plan.
- Physically impossible to access RSPS at 60th Street due to elevated highway.
- Clear connection by paths and curve of Building 1 angling toward connection to RSPS.
- Water scrim as a view corridor and as relief/play space.
- Landscape features change from south to north. South more of a meadow; north more formal.
- Waterfall at Riverside Boulevard at Western end of the water feature.

Landscape architect's presentation, continued, by Greg:

- Grade change from 23' at WEA down to 7' at RSB.
- Wider street/sidewalk opening at Freedom Place South – opportunities for seating along street edges – making the project area more welcoming.
- Cut-out in Building 4 makes area under it more inviting.
- Steps with seating transitioning from sidewalk to open space – responding to view of Con Ed façade. Plantings interspersed with stair seating. Green wall behind.
- Riverside Blvd grade change from 29' at 61st Street down to 7' at 59th Street – steep decline.
- 5 access points along RSB to RSPS.
- Plantings along back edge of hills along RSB with breaks to give access to open space.
- Western edge plantings include conifers to block strong winds off the River.
- Waterfall along RSB visible only from RSB, not open space. Soothing presence.
- Access to RSPS at 61st and 59th Streets.

Paul Selver – Kramer Levin Naftalis & Frankel - Extell's land use counsel:

- Summary of approvals, permits and variances needed for the project as presented.
- Summary available on the PowerPoint document used for the presentation, which is available on the CB7 website cb7.org -- click on "Riverside Center Public Hearings and Information" and follow links to "Extell Proposal - June 2010 Presentation to CB7."

Responses to Questions

- Cellar plan hard to read, but proposed school included entirely in Building 2 (NE corner of site).
- Auto showroom at grade in Building 5. Service area occupies the first below grade level.
- Buildings L, M and N no longer proposed - they were the building lots envisioned by the 1992 Restrictive Declaration, and are proposed to be superseded by Riverside Center proposal.
- Building 2 itself has not been moved east, but the tower originally planned for the western portion of that footprint will now sit in the middle of that part of the site.
- Purpose of shifting tower of Building 2 was to create air and light for adjacent Building O.
- School rooftop play areas on setbacks in Building 2. Two discrete areas for different ages.
- Project expected to be built from East to West. Buildings 2 or 5 to be built first.
- Auto showroom needed to balance economics of the project with requested community amenities.
- No infrastructure to speak of at the site - developer must link to water, sewer, gas, electricity usually found at a construction site. Increases costs of construction by hundreds of millions.
- Big box store would have been better for developer; auto showroom next best. Open to discussion.
- EIS specifies 2.5 acres of open space (without sidewalks; 3+ acres if sidewalks included).

Presentation by Community Board 7

Ethel Sheffer - Chair, Riverside Center Working Group:

- CB7 has Charter-mandated function in ULURP where special permits or discretionary requested.
- The original Riverside South project went through ULURP in 1992. Culminated in a 1992 Restrictive Declaration (92 R/D) that specifies the uses and attributes of development of each site.
- ULURP required again as Extell has proposed (a) a change in use, and (b) change in floor area.
- Some portions of RSC proposal seek to modify the specific terms of the 92 R/D.
- Density: 92 R/D permitted appx 2.4MM sq ft; Extell initially requested about 3MM sq ft. (now reduced to appx 2.9MM sq ft).
- Extell has commissioned a Supplemental Environmental Impact Statement (SEIS), now in draft.
- Scope of SEIS was subject of public comment in 2008-09; CB7 submitted extensive comments.
- CB7 advocated for study of two alternative "no-build" scenarios, including a lower density build alternative that adhered to original 2.4MM sq ft from the 92 R/D.
- Project has been certified – CB7 has until 8/7 to make recommendations to Borough President, CPC and the City Council.
- CB7 Public Hearings on 6/15 (PS 191 on 61st Street); 6/29 (tentative), and 7/6 (possible vote on a CB7 resolution relating to the proposal).
- After CB7, Borough President has 30 days, then City Planning 60 days (Public Hearing on 9/15).
- After CPC – City Council has 50 days (Mayor may veto and Council may override).

Mel Wymore, CB7 Chair:

- RSC is the largest project in CB7 since Lincoln Center.
- Summary of Mel's presentation available as a PowerPoint document on the CB7 website, cb7.org -- click on "Riverside Center Public Hearings and Information" and follow links to "June 2010 Summary, Presentation and Petition."

- Consideration of concerns raised by the community and board members led CB7 to develop "Core Principles" relating to this site.

Concerns:

- Project is designed as a private enclave sitting atop a podium. Stairs and separation from street grade level makes open space and retail uninviting and separate.
- Open space is not welcoming, accessible or useful. Cannot use for active uses – only passive.
- Relegates 59th Street to a service alley. Back doors open on 59th Street – main entrances on plaza.
- Minimizes the opportunity to repurpose the landmark-worthy Con Ed site.
- School located on busy avenue with no ground level play space.
- Affordable housing at 12% (low end of 92 R/D requirement), and only for 20 years (12% only of units, not square footage). Must be greater and more permanent.
- Auto showroom not green, not useful to the public, will increase car traffic.
- Parking reduced from original 2300 spaces to 1800, but still excessive. Impacts on traffic.
- Stress on infrastructure, transportation, sewage, etc.

- CORE PRINCIPLES [available on CB7 website along with powerpoint summary]

Givens:

- School must be built: K-8 school with 6-sections per grade, fully programmed.
- Affordable housing at 20% (by square footage), permanently affordable.
- Sustainability of building design and operation included.

Addressing the Core Principles:

- Bring entire site to grade – eliminate podium and make it part of street.
- Extend 60th Street through the site and angle to connect to RSB - a true public way to the Park.
- Remove Building 4 – many advantages:
 - creates public space that is useful;
 - reduces density to 92 R/D original 2.4MM sq ft;
 - surround buildings and open space with "real" streets onto which buildings will open;
 - reduces shadow on open space, increasing air and light.
- Optimize retail for community use:
 - reserve retail space for food and other necessities;
 - eliminate auto showroom;
 - include playground at ground level for school.
- Optimize loading/unloading below ground to make 59th less of a service alley.
- Provide for local employment during construction and in the long term.

Community Comments/Questions:

Batya Lewton – Coalition for a Livable West Side:

- SEIS should include the details of the wind study.
A: Wind study details available from DCP.
- Traffic analysis details included in an appendix to the SEIS
A: Details available at the Dep't of City Planning website: nyc.gov/planning.
A: Also, zoning map for this site is on the Dep't of City Planning site.

Olive Freund – Committee for Responsible Development:

- Density should be limited to 2.4MM sq ft per the 92 R/D.
- Buildings' designs should take into account flooding/sea changes from global warming.
- School should be built on lots J or K, since school is needed now.
A: (Steve Lowenstein of Bryan Cave): Prior developer obligated to offer land to DoE; Extell

honored option; DoE turned it down. Extell designed J and K, built J on that basis.

A: Extell has signed a letter of intent with the School Construction Authority re Building 2.

Eric Shuffler – PS 199 and CB7:

- DSEIS reveals that school planned for appx 75K sq ft, with an SCA option for another 75K.
- Need Extell to be more flexible to accomplish the school needed.

A: (Gary Barnett): Extell acting as directed by the SCA because they govern school construction.

A: Negotiated process with SCA – Extell open to building to more than the 75K needed to mitigate this site's contribution to enrollment, hence reserved 150K.

A: Appropriate interaction is with parents and SCA.

A: Parents should be concerned about getting school built sooner. If put economics of the development project under stress, it will take longer to get school built.

A: Rumors about billions in profit are counterproductive.

Miki Fiegel - CB7:

- Concern whether the project financing is in place given tight credit, construction market.

A: (Gary Barnett): Project not yet fully financed.

A: Hopeful that with staging and economic recovery, can get needed funding. No guarantees.

A: Infrastructure is several hundred millions of \$ with no incremental return. This was a good deal for original owners because they got land for next to nothing; not the case with Extell.

Mel Wymore - CB7 Chair:

- Will Extell build or sell once approved?

A: (Gary Barnett): Extell hopes to build, at least to start with the first building.

Kate Wood – Landmark West!:

- Historic Con Ed building across 59th Street from the site, built as an IRT subway power station.
- Designed by noted architects McKim Meade & White. Landmark status pending.
- Concern that 59th street curb cuts will marginalize vista and access to site.
- Extell's vision for the Con Ed Powerhouse?

A: Extell intends to use steam from Con Ed site – should remain power generating plant.

Ira Moskowitz - Riverside Boulevard neighbor:

- School should not be moved to Building 3 as it will be the last building built.
- Concern about drop-off among all the curb cuts on 59th Street.
- Proximate to garbage pier transfer station – safer to have school in Building 2.
- Public School playground – elevated terrace playground makes a lot of sense.

David Black - WEA neighbor:

- Need Extell to disclose the economics it foresees so community can make reasonable requests.
- Ballpark estimates of construction costs and sales prices suggest substantial profits - e.g. \$2.4B.

A: (Paul Selver): Real estate is a risky business, requiring investors and lenders. Economics driven by multiple factors, and it is essential to include a buffer or cushion to ensure success, especially in uncertain economic times.

A: risks greatest at the planning phase of a project.

Slava Hasen – Avery resident:

- Source of profit calculations?

A: (Mel Wymore): back of napkin estimates to illustrate the significance of the shift in use.

Debbie Schulman - VP of the PS 199 PTA:

- Fastest growing catchment in the City of New York.
- 10 new buildings in 10 years generated 22% of enrollment from these buildings, or 163 kids.
- K almost doubled from 80 to 172 from the time these buildings came on line.
- During this enrollment explosion, DoE declined option. Please do not repeat history.

- If SCA only approves 75K, would Extell cover the rest of the costs SCA does not?

A: School 75K is the size necessary to serve the project itself.

A: Extell can't build a bigger school unless DoE agrees to operate it.

Helen Rosenthal - CB7 and CEC Data Team:

- Discussions with SCA must be broader than just parents - entire community needed.

Roberta Semer - CB7:

- West 70th is a wind tunnel – affects trees and vegetation. How to mitigate?

A: (Sydney Nielsen): Landscaping uses wind-tolerant evergreens like those thriving in Hudson River Park.

A: Also, landscape design creates leeward areas to protect against the windy environment.

Marta Holdwell-Black:

- Open space should not face 59th street – no one lives in powerhouse, and it turns it back on the neighborhood to the East.
- Several buildings on WEA would relish open space facing connecting to the neighborhood.

Klari Neuwelt - CB7 (Co-Chair, Parks and Environment Committee):

- Podium is central to the developer's design, and is inimical to CB7's "core principles" and goals.

- Q: Reason for the podium? Physical, environmental, legal, economic, other reasons not at grade? A: (Steven Hill - architect): Significant grade differences across the site from East to West, and from North to South on RSB.

A: Project is at grade except at RSB and between Freedom Place and RSB on 59th Street.

A: Amtrak easement cannot be changed – must have clearance over working rail tracks.

A: Podium on RSB protects the site from wind tunnels.

A: Also podium mitigates appearance of the elevated West Side Highway, and of traffic on RSB.

- Q: If Highway were buried, aesthetic reasons for podium obviated.

A: No – traffic on RSB still a factor.

- Q: Are uses below grade economics driving podium

A: Auto dealerships fit in neighborhood. Local car repair preferable to traveling long distances.

Should not lose jobs that go with car repairs in the neighborhood. Lose sales taxes.

Mel Wymore: No engineering reason to build a podium vs building at grade.

Hope Cohen - CB7:

- Floor area below grade is not included in FAR calculation - so is "free" floor area to developer.

Dan Gutman - Neighbor and architect:

- Will below grade be built all at once, or building-by-building?

A: Decision not yet made - one of those options will be selected.

Sheldon Fine - CB7:

- CB7 has a strong commitment to affordable housing, especially when variances requested.

- How many units will be affordable?

A: 12% of market rate units actually built. Projecting 2200-3000, so 264-300 affordable.

- Distribution of sizes of affordable units?

A: Has not been designed yet. At least 50% of affordable units must have 2 or more bedrooms.

No more than 1/3 affordable units can be in any one size/format.

Terry Rosenbaum – neighbor:

- Metro North tracks - concern for safety re station or tracks.

A: Tracks currently in use by Amtrak; could be used by Metro North. Would be enclosed.

A: MTA studying 57th Street for station due to curve of tracks at this site.

Hearing Adjourned at 9:00 pm.

Present: Mel Wymore, Ethel Sheffer, Richard Asche, Hope Cohen, Page Cowley, Louis Cholden-Brown, Kenneth Coughlin, Mark Darin, Mark Diller, Miki Fiegel, Sheldon Fine, Phyllis E. Gunther, Marisa Maack, Klari Neuwelt, Nick Prigo, Helen Rosenthal, Roberta Semer, Eric Shuffler.