

RIVERSIDE SOUTH – PARCELS LMN
“RIVERSIDE CENTER”

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Form LR Item 3 - Description of the Proposal

I. BACKGROUND FACTS

A. INTRODUCTION

This application (“Application”) by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP (“Applicant”) is for approval by the City Planning Commission (“Commission” or “CPC”) of land use actions required to effectuate the development of Block 1171, Lots 155 and 165 in Community District 7, Manhattan (“Parcel L/M/N or the “LMN Site”).

The development of the LMN Site (“Riverside Center”) would consist of a general large-scale development (“GLSD”) containing approximately 2,500 housing units, 1,800 public parking spaces, elementary/middle school, local retail and service uses, automotive showroom and service, hotel, and cinema uses. In addition, Riverside Center will provide approximately 2.75 acres of extensively landscaped privately owned public open space (“Open Space” or “Open Space PAE”). Additional public access will be effectuated by means of the prolongation of Freedom Place and West 60th Street through the LMN Site as public access easements (“PAEs”), which would be designed to function as high quality city streets.

The following actions are required to effectuate the Riverside Center project and will be described in greater detail in the Description of Project and Statement of Findings:

- Zoning Text Changes:

N 100294 ZRM –An application for a Zoning Text Amendment to Section 74-743 of the Zoning Resolution to allow the City Planning Commission to permit, within a

general large-scale development, modification of Section 12-10 (Court, outer) to allow any open area surrounded on three sides by building walls to be treated as an “outer court”; and

N 100295 ZRM – An application for a Zoning Text Amendment to Section 74-744(a) of the Zoning Resolution to allow the City Planning Commission to permit automotive sales and service establishments (UG 16) within a “general large-scale development” in a C4 District in Manhattan Community District 7 provided certain findings are met.

- Special Permits:

C 100296 ZSM – An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Sections:

(i) 74-743(a)(2) to permit location of buildings without regard for applicable:

(a) “court” regulations found in ZR Section 23-84, and 23-851, to modify the minimum dimensions and areas of outer courts and inner courts and allow up to 5% of an inner court to be covered;

(b) distance between “buildings” regulations found in ZR Sections 23-711 to permit less than the required distance; and

(c) height and setback (including tower) regulations found in ZR Sections 23-634, 33-433, and 33-451 to allow the location of buildings without regard to street wall location requirements, maximum street wall height, initial setback distance and tower regulations; and

(ii) 74-743(a)(7), as amended, to modify Section 12-10 (Court, outer) to allow the open areas surrounded on three sides by building walls as designated on Drawing Z-111 to be treated as “outer courts”;

C 100297 ZSM - An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Section 74-744 (a) (2), as amended, to allow automobile sales and service uses (Use Group 16B) without regard for the Use provision found in 32-00;

C 100287 ZSM - An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Section:

(i) 74-681(a)(1) to allow that portion of a railroad or transit right-of-way to be completely covered over by a permanent platform to be included in the “lot area” for the “development”;

(ii) 74-681(a)(2) to allow the portion of the yard where railroad use has been permanently discontinued to be included in the “lot area” for the development; and

(iii) 74-681(c)(4), to establish appropriate level (elevation + 24 above Manhattan Datum) instead of “curb level” as the reference plane for the development plus additional curb levels for streetscape purposes (26-00 and 37-30);

C100288 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” with a maximum of 1,800 public parking spaces;

C 100289 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 1 with a maximum of 460 public parking spaces;

C 100290 ZSM – An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 2 with a maximum of 230 public parking spaces;

C 100291 ZSM – An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 3 with a maximum of 290 public parking spaces;

C 100292 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 4 with a maximum of 370 public parking spaces; and

C 100293 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 5 with a maximum of 450 public parking spaces.

- **Authorization: N 100298 ZAM** – An application for an Authorization, pursuant to Section 13-553, from the City Planning Commission, to permit a curb cut on West End Avenue (a wide street) to facilitate the extension of West 60 Street westward through a portion of the project site as a public access easement.

- **Certifications:**

N 100299 ZCM – An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area,” to allow more than one curb cut on West 59th Street (a narrow street).

N 100286 ZCM – An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area,” to allow more than one curb cut on West 61st Street (a narrow street).

N 100300 ZCM – An application for a Certification, pursuant to Section 26-17, from the City Planning Commission to modify the provisions of:

(i) 37-35 to modify the requirement that 50 percent of a front building wall fronting on a wide street shall be occupied by commercial uses; and

(ii) 37-36 to permit signs to be located in a horizontal band not higher than three feet, the base of which is located not higher than 17 feet above curb level (established level); and

(iii) 37-37 to modify the requirement that 50 percent of the total surface area of any building wall of a “development” between curb level and 12 feet above curb level (established level) or ground floor ceiling height shall be transparent.

- **Modification: M 920358 D ZSM** - An application for the Fourth Modification of the previously approved “general large-scale development” special permit and restrictive declaration to reflect the current proposal.

B. BACKGROUND AND HISTORY

In 1992, the CPC and the City Council approved land use actions (collectively, the “Land Use Approvals”) that were required for the construction and operation of the Riverside South Development GLSD bounded generally by West 72nd Street on the north, Riverside Boulevard (also known as Riverside Drive South) to the west, West 59th Street to the south, West End Avenue between West 59th Street to West 66th Street and Freedom Place from West 66th to West 70th Street to the east in Manhattan. The Land Use Approvals consisted of a change in the city map (C 920230 MMM); a zoning map change (C 920357 ZMM); the grant of certain special permits (C 920358 ZSM) as modified pursuant to ULURP Nos. M 920358(A) ZSM, 920358(B) ZSM, and 920358(C) ZSM; and a certification pursuant to Section 26-07 (N 930002 ZCM) of the Zoning Resolution of the City of New York (“Zoning Resolution” or “ZR”). The Land Use approvals also included the facilitation of the creation of Riverside Park South through a mapping action, which was not included within the GLSD.

The Land Use Approvals were granted by the Commission on October 26, 1992, and modified and approved by the City Council on December 17, 1992. They included: (a) changes to the City Map to discontinue and close various streets, to establish a new street system and to map parkland; (b) changes to the zoning map; (c) modifications of the Zoning Resolution pursuant to (i) special permits set forth in Sections 74-74, 74-681, 13-462, 74-52 (collectively, the “Special Permit,” as further described below); (d) extension of the lapse provision of Section 74-99(a)(1)

for the aforementioned special permits pursuant to Section 74-99(c); and (e) a certification pursuant to Section 26-07 to allow curb cuts on wide streets. The Special Permit permitted modification of the underlying regulations of the Zoning Resolution:

- Section 74-743(a)(1), to allow the distribution of total allowable floor area and dwelling units without regard for zoning lot lines or district boundaries;
- Section 74-743(a)(3), to allow the location of buildings without regard for the applicable yard, distance between buildings and height and setback regulations including the front wall recess requirements of Section 23-151;
- Section 74-681, to allow developments within or over a railroad or transit right-of-way or yard;
- Section 74-681(a)(3)(ii), to permit nine (9) public parking garages (A, B, C, D, E/F, G/H, I, J and K) with a total capacity of 2,757 spaces; and
- Sections 13-462 and 74-52 to permit three (3) public parking garages (L, M, and N) with a total capacity of 743 spaces.

The Commission granted the Land Use Approvals subject to terms and conditions, including, in pertinent part, that the Riverside South Development be developed substantially in accordance with the Plans and with the provisions of the Declaration.

The Special Permit and Declaration limit the Riverside South Development to a total maximum floor area of 7,889,951 square feet consisting of no more than 5,700 dwelling units with up to 6,075,151 square feet of residential use, up to 336,400 square feet of community facility use, up to 163,400 square feet of Use Group (“UG”) 6B use, up to 137,800 square feet of local retail and UG 8A theater and certain UG 9A uses, and up to 1,800,000 square feet of studio use to be located only on Parcel N.

The Land Use Approvals provide for the creation of approximately 25 acres of publicly accessible open space including a 21.5 acre mapped waterfront park, Riverside Park South. The approved plans included two alternatives for the waterfront park that depended upon whether the

elevated portion of the Miller Highway between 59th Street and 72nd Street was relocated to an inbound, below-grade location. Under the alternative in which the highway was relocated underground, the park would contain approximately 21.5 acres of mapped parkland adjoining the Hudson River. Under the alternative in which the highway was not relocated, the park would contain approximately 17 acres of parkland. The park and other open space were to be built in seven phases tied to the occupancy of specific amounts of floor area.

As approved by the Commission, the approved development program for the LMN Site consisted of the following principal components:

- Parcel N (bounded by West End Avenue, West 61st Street, West 59th Street and Freedom Place) contained a studio¹ of up to 1.8 million square feet with an 8-story base and two 30-story towers along West End Avenue;
- Parcels L & M (bounded by Freedom Place, Riverside Boulevard, West 59th Street and West 61st Street) contained up to 572 residential units in two buildings and approximately 20,400 zsf of professional office space, built to the street line along Riverside Boulevard, with heights of 216 feet and 271 feet, respectively;
- Three public parking garages with a total of 743 spaces; and
- A 100,000 square foot cinema located below grade.

The City Council modified the Land Use Approvals relating to the LMN Site to require that future development on Parcel N would require the submission of revised plans and supplementary environmental analysis and that such a revision would be deemed a major modification requiring new review under the City's Uniform Land Use Review Procedure ("ULURP").

¹ Use Group 10A (limited to photographic or motion picture production studios or radio or television studios); 10B and 10C.

All of the sites in the Riverside South Development north of West 63rd Street and the site fronting on West End Avenue between West 61st Street and West 62nd Street have now been developed (Parcels A through I and Parcel O). Parcel J is under construction with an estimated completion date of third quarter of 2010 and Parcel K is being planned². On these sites, 4,492 residential units have been developed, are now under construction or will be under construction shortly. This includes 583 affordable residential units, in compliance with the commitment that 12 percent of the residential units be affordable.

Of the approximately 21.5 acres of open space currently planned as Riverside Park South, approximately 12.93 acres have been developed to date. Completed parkland comprises Phases 1 through 4, which are the waterfront phases of the public park (located between West 59th and 72nd Streets to the west of the Miller Highway) and a children's play area in Phase 5. The remainder of Phase 5 is currently in design. The remainder of the parkland east of the Miller Highway, between West 68th Street and West 59th Streets, is not yet constructed. Riverside Boulevard has been created, extending from West 72nd Street south to West 63rd Street. West 64th, West 66th, West 68th and West 70th Streets have been constructed and opened. West 63rd Street will be completed and opened by the end of 2010. West 61st Street will be constructed as part of the development of Riverside Center.

This Application seeks approvals to permit the development of Riverside Center with a site plan and mix of uses different from those originally approved (the "New LMN Plan"). The LMN Site is referred to in the Restrictive Declaration dated as of December 17, 1992, which was executed

² Table 1-1 of the Supplemental Environmental Impact Statement ("DSEIS") provides detailed information on how each parcel has been or will be developed in comparison to the program anticipated in the FEIS.

and recorded in connection with the Land Use Approvals (as the same has been amended, the “Declaration”) and on the plans for the Riverside South Development (the “Plans”) as Parcel L/M/N. The goal of the New LMN Plan is to extend the existing mixed use neighborhoods that are located to the east and north by creating a new neighborhood community and town center that will provide the amenities and services that are needed to support both the new development and the existing Riverside South neighborhood and the growing residential neighborhoods to the east. Riverside Center would serve as a transitional “hinge,” organized along the axis created by West 60th Street, extending this pedestrian link from Columbus Circle through the LMN site, connecting to Riverside Boulevard, and thereby linking to the waterfront park and Hudson River to the west and the Riverside South neighborhood to the north.

C. AREA DESCRIPTION

LMN Site

The LMN Site comprises the block bounded by West 61st Street on the north, West End Avenue on the east, West 59th Street on the south, and Riverside Boulevard to the west. It comprises the southernmost block of the Riverside South Development GLSD, approved by the CPC in 1992, which is bounded by West 72nd Street to the north, West 59th Street to the south, generally West End Avenue and Freedom Place to the east, and Riverside Boulevard to the west.

The LMN Site consists of one zoning lot, which is 356,282 square feet in area (approximately 8.18 acres). Most of the LMN Site is currently occupied by a surface automobile and truck parking lot with a capacity of 1,850 spaces. On the south side of the LMN Site is a 537-space capacity parking garage within the building facing on West 59th Street. Thus the total parking capacity of the Site is currently 2,387 vehicles. The United States Postal Service (USPS) stores postal vehicles at a lot in the southwest corner of the LMN Site. An Amtrak rail line is located

within a sub-grade culvert, passing through the northeast corner of the LMN Site. Adjacent to the west side of the rail line and running its entire length through the Riverside Center site is a 15-foot wide light rail easement. No development may occur either within the Amtrak right of way or the light rail easement.

The LMN Site is mapped within a C4-7 general commercial district, which allows residential, community facility, and a wide range of commercial uses including automobile showrooms as a matter of right. Manufacturing, warehouse and UG 16 automotive service uses are not permitted. The maximum permitted base commercial and residential floor area ratio (“FAR”) is 10.0. A 2.0 FAR bonus is permitted with the provision of affordable housing pursuant to the inclusionary housing program (ZR Section 23-90). C4-7 districts also allow community facility buildings with a maximum FAR of 10.0 (or 12 FAR if a public plaza or arcade is provided).

Surrounding Neighborhood

The area between West 71st Street to the north, Central Park to the east, West 49th Street to the south, and the Hudson River to the west comprises Riverside Center’s larger neighborhood context. Overall, this transitional area is characterized by a diverse mix of land uses, including residential, commercial, utility, industrial, transportation, institutional and open space uses. In general, residential and institutional uses are concentrated to the north and east, while commercial, industrial, and utility uses are more prevalent in the south.

The blocks surrounding the LMN Site contain a mix of land uses and changing land use patterns. Several development projects are under construction or planned for adjacent vacant parcels. Reflecting this wide range of uses, the surrounding neighborhood is mapped within a wide range of residential, commercial, and manufacturing districts.

The surrounding neighborhood contains a wide range of building types, heights, and densities. Residential uses are predominantly high-density, owing to the recent vintage of most residential construction in the study area, although lower-density townhouses and walk-up buildings are common along the mid-blocks to the east and north. Ground-floor retail is the predominant commercial use, although there are also medium-density automotive-related uses to the southwest and higher-density office uses to the east, Midtown West, Columbus Circle, and the Time Warner Center. The area is significantly characterized by large institutional uses that are located to the east and include Lincoln Center, Fordham University, John Jay College, and St. Luke's Roosevelt Hospital Center. The larger neighborhood is mapped extensively within C4-7, R8, R8B, M1-5 and C2-7 districts. Higher density districts are mapped at the eastern edge of the neighborhood, such as the C6-6 district mapped at Columbus Circle.

The area immediately west of the LMN Site includes transportation, utility and open space uses. The Miller Highway, which is elevated in this area, runs along the western edge of the LMN Site and above the Hudson River bikeway. The waterfront portions of Riverside Park South—the mapped park created as part of the original Riverside South project—are now complete and stretch along the Hudson River from West 59th Street to West 72nd Street, where it connects to Riverside Park. West of the park and the highway is the West 59th Street Marine Transfer Station (MTS) on Pier 99. The MTS is currently operated as a recyclable paper transfer station, but the City has announced plans to convert it to a transfer facility for commercial construction and demolition debris. This area is also mapped within the C4-7 district.

The block immediately north of the LMN Site—formed by the extension of West 61st and West 62nd Streets, West End Avenue, and Route 9A—includes Riverside South Parcels K and O, the West End Towers residential complex, and open spaces. Riverside South Parcel O and the West

End Towers complex are developed with high-density residential uses with ground-floor retail. Riverside South Parcel K is currently vacant with development planned in accordance with the 1992 Plans. Open space uses include a small park located east of Parcel O near West 62nd Street, the Hudson River bikeway below Route 9A, and a recently completed phase of Riverside Park South along the Hudson River.

An R10 district is mapped along Riverside Boulevard west of Freedom Place between West 61st and West 72nd Streets, reflecting the Riverside South development area. R10 districts permit residential and community facility development to 10.0 FAR (12.0 FAR residential with inclusionary housing bonus). The district was mapped as a result of the Lincoln West project in 1982, and was expanded by the Riverside South project in 1992. The blocks between Freedom Place and West End Avenue north to West 66th Street are mapped as C4-7 and C4-2 F districts. The C4-2F district allows commercial uses to a maximum FAR of 3.4 and residential uses up to 6.02 FAR. The C4-2F district allows development only by CPC special permit.

The blocks immediately east of the LMN Site – bounded by West 61st Street, West 59th Street, West End Avenue, and Amsterdam Avenue – contain a mix of automotive, residential, and institutional uses, but are dominated by several residential high-density development sites that are either recently completed or currently under construction, including the 35-story Concerto and the 33-story Roosevelt Hospital Staff Residence, The Element, 10 West End Avenue, The Hudson, Sessanta, and the Adagio 60. Limited areas of ground floor local retail uses are located within this area, constrained by the presence of large institutional facilities and large-scale developments such as Amsterdam Houses and Lincoln Towers. Community facilities include: the Heschel School, a private high school located on the northeast corner of West End Avenue and West 60th Street; the Amsterdam School (P.S.191), and a public elementary school on

Amsterdam Avenue between West 60th and West 61st Streets. The P.S. 191 playground and the Samuel Bennerson Park at West 64th Street and Amsterdam Avenue are local open space resources. The New York City Department of Parks and Recreation (“DPR”) 59th Street Recreation Center, a public recreation center with an indoor pool and other amenities, is located in the midblock between West 59th and West 60th Streets. Further to the east are large institutional uses including Lincoln Center, the Lincoln Center campus of Fordham University, John Jay College of Criminal Justice and St. Luke’s Roosevelt Hospital.

The western portions of these blocks are mapped within the C4-7 district along West End Avenue; a C6-2 district is mapped in the middle of the block, and an R8 residential district is mapped on the eastern portions of the blocks. C6-2 districts permit a commercial FAR of 6.0 (7.2 with a plaza bonus) and an R8 equivalent residential FAR of 6.02. R8 is a general residence district with a maximum residential FAR of 6.02 and a maximum community facility FAR of 6.5

The entire block south of the LMN Site is occupied by the Consolidated Edison power generating station (“Con Ed Power House”). The power station provides steam heat to much of the west side of Manhattan. This block is mapped in an M3-2 low-performance industrial district, which allows manufacturing and limited commercial uses at a maximum FAR of 2.0.

To the south of the Con Ed Power House south of 59th Street along Eleventh Avenue are traditionally industrial areas, which all had been mapped M1-5 and M1-6 light industrial districts. A C4-7 district recently replaced the M1-5 on the block bounded by 57th and 58th Streets and Eleventh and Twelfth Avenues to allow construction of the Helena, a high rise residential tower. An M1-4 light industrial district is mapped on the east side of West End Avenue between West 65th and West 66th Streets. M1-4 districts permit manufacturing and commercial uses up to 2.0 FAR and community facility uses up to 6.5 FAR. M1-5 districts

permit manufacturing and commercial uses up to 5.0 FAR and a limited range of community facility uses up to 6.5 FAR. M1-5 districts are located east and west of Eleventh Avenue south of West 59th Street. An M1-6 district is located on the east side of Eleventh Avenue between West 57th and West 58th Streets. M1-6 districts permit a maximum 10.0 FAR (with a bonusable maximum FAR of 12.0) for manufacturing, commercial, and community facilities uses.

The LMN Site is adjacent to, but not mapped within, three special districts: the Special Lincoln Square District covers much of the area around the Lincoln Center for the Performing Arts; the Special Clinton District comprises much of the west side of Manhattan south of West 59th Street, north of 42nd Street and west of Eighth Avenue; and the northwest corner of the Special Midtown District, which encompasses Columbus Circle.

D. RIVERSIDE CENTER: DESCRIPTION OF PROPOSED PROJECT

The Application proposes to develop the LMN Site as one integrated project with five mixed-use buildings. The LMN Site would be divided by an extension of the Freedom Place roadway (Freedom Place South) as a PAE, which would cut through the site from West 61st Street to West 59th Street. Buildings 1, 3, and 4 would be located to the west of this roadway extension. West 60th Street would also be extended by means of a PAE through the site to the new Freedom Place South PAE, creating two smaller blocks on the eastern portion of the site. Building 2 would be located on the northern block, and Building 5 would be located on the southern block. The buildings would be constructed on a platform that would provide the foundation for all structures. The platform would be set at 24 feet above Manhattan datum, which is the approximate elevation of the West End Avenue grade, providing for a seamless integration to the existing mixed use neighborhoods located to the east and north. The platform will mitigate for

the extreme grade change on the site and allow the development over an extremely sloped terrain in a manner that provides for a maximum amount of public space and accessibility.

As proposed by this Application, Riverside Center would be developed with a maximum total floor area of 2,882,829 zoning square feet (“zsf” or “zoning floor area”) in the five buildings, except that this amount may be exceeded (up to a maximum of 3,014,829 zsf) with the inclusion of school use. Of this total, there would be approximately 2,399,787 zsf of residential use (approximately 2,500 units, of which 12 percent would be affordable units), approximately 132,000 zsf of community facility use (anticipated to be developed as a public elementary and intermediate school located in Building 2), approximately 135,000 zsf of above-grade retail use³ (which may include a 36,000 zsf cinema and an approximately 19,595 zsf auto showroom), approximately 239,678 zsf of hotel use (estimated as 250 keys) and approximately 101,000 zsf of office use. There would be three below-grade levels with approximately 181,677 gross square feet (“gsf”) of automotive service use on the cellar level (which is related to the above-ground auto showroom and sales facility) and below which would be two levels of public parking for 1,800 parking cars.

To provide some flexibility in accommodating market conditions, the application would permit Building 5, proposed as a mix of transient hotel and residential uses, to be developed as either an almost entirely residential building or a transient hotel.

At Riverside Center, the buildings will front on and engage with the perimeter streets and frame the central open space. The organization, programming, and character of the Riverside Center

³ “Big Box” retail establishments (i.e., warehouse clubs or discount department stores) will not be permitted either below or above grade.

landscape were designed to respond to the surrounding urban context. The overall master plan design is centered upon the West 60th Street corridor and consciously transitions this important civic corridor (which originates at Columbus Circle) from an intense urban condition through the Riverside Center site to the parklands bordering the Hudson River. The open space will commence with an enhanced urban streetscape between West End Avenue and Freedom Place South PAE and then sequence to a central urban plaza just west of the Freedom Place PAE. This will transition to a less formal open flowering rolling meadow to the west. The emphasis on West 60th Street will provide an important circulation and urban design element to the larger neighborhood, which is characterized by superblocks, such as Lincoln Center, Fordham University, Lincoln Towers, and Amsterdam Houses, which all reflect 1960's urban renewal practice. Public access easements will provide for sidewalk widenings of two feet along West 61st Street, two feet along Riverside Boulevard, and six feet along the north side of West 59th Street, in order to provide 15-foot wide sidewalks that will be enhanced with cobble paving, benches, street trees and plantings. The PAEs will also provide for 15-foot wide sidewalks within the site. These improvements will encourage pedestrian traffic and help to link the existing and the proposed new communities into an enhanced urban experience.

Vehicular circulation to and from the LMN Site would be by means of West 59th and West 61st Streets, which are both two-way streets. West End Avenue is a major two-way arterial that is 70 feet in width and provides three lanes in each direction plus a center left-turning lane. The West 60th Street PAE will be an eastbound one-way street, as is West 60th Street east of West End Avenue. Three parking garage entrances will be located on the Freedom Place South PAE and two will be located on West 59th Street. Two loading berths will be located on West 61st Street in Building 1 and a truck entrance with two truck elevators to access seven below-grade loading

berths will be located on West 59th Street in Building 5. The below-grade loading berths and elevators will permit trucks to turn below grade and thus enter and exit head first. The entrance to the below-grade automotive service center will be located in Building 3 on West 59th Street.

The design of Riverside Center enlarges the public realm with the 60th Street PAE and the landscaped open space to its west, linking West End Avenue to Riverside Boulevard. The design prioritizes pedestrian access and circulation, preservation of view corridors and additionally provides a number of design features that invite the public. The Freedom Place PAE and West 60th Street PAE utilize pavement and street tree details consistent with the New York City street design vocabulary. Seating and plantings define the sidewalk areas at a width consistent with a typical city sidewalk and clearly define those private outdoor dining areas adjacent to commercial space that will further serve to enliven the street.

The open space plan contains a total of approximately 2.75 acres of privately owned, publicly accessible open space. Public accessibility to the LMN open space would be ensured by the grant of public access easements (“Open Space PAE”) as illustrated on Z-176. The Open Space PAE areas to the west of the Freedom Place South PAE will be accessible to the public daily between 7 AM and 11 PM. The Street PAEs, including the sidewalks, plus the sidewalk widenings and other easement areas adjacent to the sidewalks, will be accessible to the public at all times.

At the intersection of the West 60th Street PAE and the Freedom Place South Street PAE, a 1.2-acre Plaza (“Plaza”) would serve as the heart of the public open space. The Plaza would be surrounded by restaurants and other active uses and will provide views to West 60th Street, Riverside South to the north, the Con Ed Power House to the south, and Riverside Park South to

the west. Within the Plaza, there will be dynamic fountains with interactive water jets to encourage play and a grove of honey locust trees to create shaded areas where the public will be able to relax at movable tables and chairs. West of the Plaza, a shallow, ¼-inch layer of water (known as a “Scrim”), which is intended as a prolongation of West 60th Street and will be generally the same width, will visually extend the West 60th Street PAE, reinforcing the site’s axial relationship to the New York City grid. When the Scrim does not contain water (for example, during portions of the winter or high wind conditions), its paved surface will allow for unimpeded pedestrian accessibility. Trees and benches would line both sides of the Scrim and diagonal paths would create a pedestrian network linking the large central open space to sidewalks at the edge of the site. To the north of the Scrim, lawns would slope down between Building 1 and the Scrim. The southern side of the Scrim would lead to a rolling wildflower meadow. Seating would be located to take advantage of the views and will be provided throughout the open space, with concentrations in “landscape rooms” that will be created at the intersections of the pedestrian paths.

The western edge of the Open Space PAE would be defined by a dense landscape of coniferous and deciduous trees, which would provide filtered views and a visual buffer to the Miller Highway. This dense planting of trees would also serve as a natural windbreak against winds coming off the Hudson River. The Scrim will terminate in a six-foot high cascade to sidewalk level at Riverside Boulevard.

Connections would be made throughout the open space to adjacent streets. A major pedestrian path passing the south and west sides of Building 1, would link the Riverside Park South access staircase and ramp at West 61st Street to the Plaza and the West 60th Street PAE. Four other pedestrian connections (including a ramp) would link the open space to Riverside Boulevard, and

a fifth connection would create an access point from West 59th Street to the open space via a staircase and seating steps. In addition, on West End Avenue, where Building 5 is required to step back from the street due to the location of an Amtrak tunnel and light rail easement below, a large planter with seating will be provided. This planter defines the public sidewalk and accommodates a small grade transition to the retail terrace fronting Building 5. Similarly, along Building 2, fronting on the West 60th Street PAE, a planter will define the sidewalk, provide extensive seating, and accommodate an approximately 20-foot-deep retail and restaurant terrace that will also be enhanced with extensive planting. Between Buildings 3 and 4 on the north side of West 59th Street, the transition in grade from the central open space to the mapped street will be accommodated with step seating and planters.

In summary, the privately owned publicly accessible open space is intended to function as the community center. It will provide a varied environment that would compliment and serve the surrounding neighborhood.

Atelier Christian de Portzamparc, the architect and site planner, has shaped the buildings and located them in accordance with its understanding of how buildings in an urban setting are experienced by pedestrians. Thus, building forms are conceptually distinguished as small, medium, large forms and as towers. The architects have broken down the massing of each building into complex forms, with lower and midrise structures wrapping the towers of between 23 and 44 stories. This reduces the visual impact of the buildings on pedestrians and recreates the city streetscape in a modern vernacular. At their highest points, the distinctive towers will add to the NYC skyline.

The towers and upper floors of the buildings will be treated with glass facades, which will have slight variations in texture and hue taken from a palette of colors and textures that will further break down the building massing. Glass walls will have different levels of opacity and some of the glass will contain frit. The bases of buildings along the perimeter of this Site will be a not-yet-selected stone which will relate to the surrounding built context. Although not fully designed, the design intent is to use different materials to signify different aspects of the buildings and to relate to the nearby built environment. Within the site, in addition to breaking down the building masses into elements of different heights, the facades will tend to be lighter and more transparent. The use of the building massing and façade materials is intended to bring light and air into the center of the Site.

Two unusual architectural elements will be located within the interior of the Site, enlivening and illuminating the center and serving to announce this unique public place to the neighborhood. The 11-story Red Box, which will be a cube extending out over the approximately 20-foot deep raised café terrace on the south side of Building 2, is located close to the Site's eastern perimeter at West End Avenue; and the Jewel Box, an 11-story glass structure that will provide ground floor retail uses on the north side of Building 4, which will serve as an urban lantern to draw the public into the Plaza. Both are integral to the Site's master plan. In addition, the Winter Garden, a two-story glass garden, will be located at the southwestern corner of Building 5 and will create a welcome entry from West 59th Street.

The proposed program for each of the five buildings in Riverside Center is described below.

Building 1: Building 1 will be located at the northwest corner of the Site on West 61st Street at Riverside Boulevard. Its building footprint will be approximately 52,698 square feet. Building 1 will be 38 stories, or approximately 463 feet, at its highest point. Building 1 will contain a floor area of 918,733 zsf. The building will include

approximately 774,196 zsf of residential, approximately 101,390 zsf of office, and approximately 41,003 zsf of neighborhood retail on the ground and second floors. The residential lobby will be located on West 61st Street and at the Open Space PAE. Access to the below grade garage will be from a curb cut on the west side of the Freedom Place South PAE⁴. Retail uses will front on West 61st Street and the Open Space PAE. A loading bay to serve two trucks is located on West 61st Street.

Building 2: Building 2 will be located at the northeast corner of the LMN Site on West 61st Street and West End Avenue. Its building footprint would be 53,285 square feet. Building 2 will be 43 stories, or approximately 502 feet tall, at its highest point. Building 2 will contain a floor area of 628,623 zsf. The building will contain approximately 479,237 zsf of residential, about 132,000 of community facility for a public elementary and intermediate school (with outdoor play areas) on the first through fourth levels, and approximately 15,180 zsf of local retail. A minimum of four retail establishments will be located along the West 60th Street PAE, providing a local shopping street experience and further linking the LMN Site into the surrounding community. The residential lobby will be located on the Freedom Place South PAE. The proposed school entrance will also be located on West 61st Street. Access to the below-grade garage would be from a curb cut on east side of the Freedom Place South PAE.

Building 3: Building 3 will be located at the southwest corner of the Site on West 59th Street near Riverside Boulevard. Its building footprint would be 10,564 square feet. The building would be 34 stories or approximately 433 feet tall at its highest point. Building 3 would contain a floor area of approximately 369,417 zsf. The building will contain approximately 362,669 zsf of residential and 6,748 zsf of retail use. A driveway from the Freedom Place South PAE will lead under Building 4 to a vehicular drop-off area shared by Buildings 3 and 4. The residential entrance will be located on the shared driveway. Access to the below-grade garage will be provided from West 59th Street. The entrance to the below grade automobile service center will also be provided on West 59th Street.

Building 4: Building 4 will be located east of Building 3 on West 59th Street at the Freedom Place South PAE. Its building footprint will be 10,715 square feet. The building will be 31 stories or approximately 369 feet in height at its highest point. Building 4 will contain a floor area of 361,884 zsf. This building will contain approximately 348,516 zsf of residential and 13,369 zsf of retail uses. Retail uses would be located along the open space frontage. The building's residential entrance will be located at the shared driveway. Access to the below-grade garage will be provided from the drop-off driveway located between Buildings 3 and 4.

Building 5: Building 5 will be located at the southeast corner of the site, with frontages on West End Avenue, Freedom Place South PAE, West 59th Street and the West 60th

⁴ An alternate garage scenario, in which 1,800 spaces are provided in five separate garages but served by entrance and exit ramps in the same locations, is part of the Application. The alternate option is detailed below and discussed in the Statement of Findings.

Street PAE. Its building footprint would be 45,673 square feet. It will be 44 stories in height or approximately 511 feet tall at its highest point. Building 5 would contain a floor area of 736,173 zsf. It will contain approximately 435,170 zsf of residential, approximately 239,678 zsf of transient hotel (with 250 keys)⁵, approximately 35,632 zsf of a cinema, approximately 4,559 zsf of retail and an auto showroom of approximately 19,595 zsf. Commercial uses will front on West End Avenue and the West 60th Street PAE and extend to the second and third levels. The hotel main entrance will be located on Freedom Place South between West 59th Street and the West 60th Street PAE. The residential entrance would be located just north of the hotel main entrance. As previously noted, the Application proposes that this building could be developed entirely as a hotel or entirely for residential uses.

The five buildings would be interconnected below the surface of the platform that will cover the entire site. This below-grade space would have three levels: on the cellar or highest level (“Cellar”) will be an 181,677 gsf automotive service facility, which will comprise a service center, parking and automobile storage, parts storage, parts loading area, and a delivery bay. It will also include a large service queuing section, so that customers of the service center will not queue on the street or ramp. The automotive service center will not provide painting or body work on the site. On the two levels below the automotive service center will be an 1,800 space public parking garage comprising approximately 482,400 square feet on two levels, and seven below-grade loading bays that are accessed by two truck elevators from an entrance under Building 5 on West 59th Street, which will allow head-in, head-out truck movements.⁶

The garage would be accessed by five entry ramps, each located at the ground floor level of one of the five buildings. Buildings 1 and 2 will each have a garage entrance from the Freedom Place South PAE; Building 3 will have an entrance from West 59th Street, Building 4 from

⁵Two alternate scenarios for Building 5 are also being considered. Both would include the same zoning floor area for neighborhood retail and cinema use as described above. However, one would utilize the remaining approximately zoning floor area as hotel use only (with up to 1,200 keys) instead of a mix of both hotel and residential, while the other would utilize the remaining zoning floor area feet entirely for residential use.

⁶ One additional loading bay may be provided in Building 1 and accessed at grade from the West 61st Street PAE if the commercial uses in the building require it

Freedom Place South PAE, and Building 5 from West 59th Street. The ramps would go past the first below-grade level Cellar level, which will be used for the automotive service center, to the parking provided on the two lower levels (“Subcellar 1” or “SC1” and “Subcellar 2” or “SC2”). The garage would provide for 1,101 attended spaces and 699 self parking spaces. Attended parking will be located at the SC1 level and self parking will be located on the SC2 level. The required 50 reservoir spaces (the maximum required for any one parking garage) would be provided as follows: 15 reservoir spaces under Building 1; 10 under Building 3; 20 combined under Building 2 and Building 5; and 5 under Building 4. Bicycle parking will be located at the base of every ramp at the SC1 level (see Application drawings Z-140, Z-141, Z-142, Z-143).

An alternative public parking garage scenario is also provided in this Application, which would permit five individual and separate public parking garages associated with and located under each building. The location and dimension of garage ingress and egress would be the same as those for the single garage. Each individual garage will provide attended parking only on the SC1 and SC2 levels. Garage B-1 would be located under and be associated with Building 1. It will be entered from Freedom Place South PAE. It will provide 460 attended spaces, 23 reservoir spaces, and 46 bicycle spaces (see Z-144, Z-145). Garage B-2 would be located under and be associated with Building 2. It will be entered from the east side of Freedom Place South PAE. It will provide 230 attended spaces, 12 reservoir spaces, and 23 bicycle spaces (see Z-146, Z-147). Garage B-3 would be located under and be associated with Building 3. It will be entered from West 59th Street. It will provide 290 attended spaces, 15 reservoir spaces, and 29 bicycle spaces (see Z-148, Z-149). Garage B-4 would be located under and be associated with Building 4. It will be entered from the west side of the Freedom Place South PAE. It will provide 290 attended spaces, 15 reservoir spaces, and 29 bicycle spaces (see Z-150 and Z-151). Garage B-5

would be located under and be associated with Building 5. It will be entered from West 59th Street. It will provide 370 attended spaces, 19 reservoir spaces, and 37 bicycle spaces (see Z-152, Z-153). In total, the 5 individual garages would provide 1,800 attended parking spaces and 84 reservoir spaces.

The special permit for one garage containing 1,800 spaces (C100288 ZSM) reflects the first parking garage option. The second parking garage option is reflected by the five individual garage permits (C100289 ZSM through C100293 ZSM).

The proposed Riverside Center would increase the maximum total zoning floor area on Parcel L/M/N from that approved in 1992. The maximum total floor area would increase from 2,372,192 zsf (6.6 FAR) of studio, professional office, retail, community facility and residential uses to 3,014,829 zsf (or 8.46 FAR). The net increase in zoning floor area would be 642,637 zoning square feet, with an increase of 1,928 dwelling units and 1,057 parking spaces.

Riverside Center has been subdivided into five individual parcels – one for each of its five buildings – in order to facilitate its development. The boundaries between the parcels were drawn so as to ensure that each building had as an associated construction obligation a PAE or related improvement that was either necessary for its successful operation, associated with the construction of the portion of the platform used for the building's below-grade services and parking, or both.

The subdivision plan is shown on Z-40 (Public Access Easement and Parcelization). While for the most part the construction of each part of the PAEs is associated with a designated building, there are two important exceptions. The first is the West 60th Street PAE, which is included within Parcels 2 and 5 and is required to be constructed by the earlier of the two parcels to be

developed. The other is the scrim, which is included within Parcels 1, 3 and 4 and is required to be built in its entirety by the earliest of the three to be developed. The construction sequence anticipated today has either Parcel 2 or Parcel 5 as the first to be developed, followed by one of Parcels 1, 4 or 3.⁷

⁷ Parcel 1, which is associated with Building 1, will have an area of 94,421 square feet. Parcel 2, which is associated with Building 2, will have an area of 60,367 square feet. Parcel 3, which is associated with Building 3, will have an area of 50,539 square feet. Parcel 4, which is associated with Building 4, will have an area of 58,779 square feet. Parcel 5, which is associated with Building 5, will have an area of 92,214 square feet.

E. ACTIONS REQUESTED TO FACILITATE THE PROPOSAL

Development of Riverside Center will require City approval of certain actions, including zoning text amendments, special permits, authorization, certifications, and an amendment to the previously approved special permit. The requested actions are listed below:

1. **Zoning Text Changes:**

N 100294 ZRM –An application for a Zoning Text Amendment to Section 74-743 of the Zoning Resolution to allow the City Planning Commission to permit, within a general large-scale development, modification of Section 12-10 (Court, outer) to allow any open area surrounded on three sides by building walls to be treated as an “outer court”; and

N 100295 ZRM – An application for a Zoning Text Amendment to Section 74-744 of the Zoning Resolution to allow the City Planning Commission to permit automotive sales and service establishments (UG 16) within a “general large-scale development” in a C4 District, in Manhattan Community District 7 provided certain findings are met.

Two text amendments are requested in this Application. The first is related to 74-743 (a) and the second is related to ZR Section ZR Section 74-744 (a). These text amendments are requested so as to allow the development of the site as proposed.

The modification to Section 74-743 would allow the construction of the proposed buildings, which are designed with multifaceted shapes. These complex building envelopes create spaces between portions of buildings that are not provided for light and air purposes, but rather, in order to create visual interest and a crystalline sculptural quality to the structures.

The spaces created by the building walls, while they meet the generally understood definition of outer courts, do not meet the technical definition of outer courts. Therefore, the proposed text would allow them to be treated as courts for the purpose of determining whether waivers are appropriate. This text change would allow the Applicant to apply to the Commission for

the waivers needed in order to facilitate the distinct massing and building articulation of the proposed buildings.

The proposed amendment to the text of Section 74-744 would be to allow, by special permit, the location of a Use Group 16A automobile showroom with Use Group 16B accessory space for the repair and preparation for delivery of automobiles pursuant to defined and controlled criteria. Such use could only be permitted by GLSD special permit in very specific appropriate locations and upon making certain findings.

The proposed addition to the text of Section 74-743 is as follows (proposed new text is underlined):

74-743
Special provisions for bulk modification

(a) For a *general large-scale development*, the City Planning Commission may permit:

(7) modification of the definition of #outer court# in Section 12-10 (DEFINITIONS) and the provisions of Section 23-84 (Outer Court Regulations) to include any open area that is bounded on all sides but one by building walls and is not otherwise a #yard# or an #inner court#, provided that:

(i) such modifications are permitted only for #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7; and

(ii) the minimum distance between a #legally required window# facing onto such #outer court# and a building wall shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to such window for the full width of the rough window opening;

The proposed amendment to Section 74-743 (a) of the Zoning Resolution would authorize, by special permit, the modification of the provisions of Sections 12-10 [Court, outer] and 23-84 in order to treat as an outer court any open area that is surrounded on three sides by building walls and is not an inner court. This text amendment will facilitate more architecturally distinct massing and articulation for buildings than those that use more standard orthogonal building angles and forms. The proposed buildings are broken down into separate elements, with lower and medium height structures wrapping around towers that are faceted and narrow as they rise. The facades are designed to create an interplay of surfaces and depths, all designed to break up the massing of the buildings and to recreate the best sense of an urban setting.

The proposed amendment to Section 74-744(a) of the Zoning Resolution would allow for Use Group 16 automobile showrooms with accessory space for the repair and preparation for delivery of automobiles under defined and carefully controlled conditions. The proposed addition to the text of Section 74-744(a) is as follows (proposed new text is underlined):

74-744
Modification of use regulations

(a) Use modifications

(2) Automotive sales and service #uses#

For #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7, the City Planning Commission may modify applicable district regulations to allow automotive sales and service establishments that include repair services and preparation for delivery, provided the Commission shall find that:

- (i) the portion of the establishment used for the servicing and preparation of automobiles is located entirely in a #cellar# level and below established

curb level, and the ground floor level of such establishment is used only for showrooms and sales;

- (ii) sufficient indoor space for storage of vehicles for sale or service has been provided; and
- (iii) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic or adversely affect pedestrian movement.

This text amendment would facilitate the provision of new space for the sales and servicing of automobiles in the Eleventh Avenue corridor. Since the mid-20th century, this area has been where Manhattan's automobile dealers were concentrated, a concentration now under redevelopment pressure. Maintaining space for these businesses in Manhattan is more than a matter of convenience for the borough's residents. Automobile sales and service are important to the City's economy, with sales generating significant tax revenues and service facilities offering skilled, high paying jobs for people with a high school education.

The text amendment contains protections both for residents of the zoning lot on which the facility would be located and for the neighbors. It will be permitted only in a high density commercial zoning district that already permits a wide range of uses, including automobile showrooms without service facilities. Its applicability will be limited to establishments with below-grade service facilities so that noise and fumes from the facility can be controlled so as not to impact adversely on residents of either the zoning lot or the neighborhood. The facility will have to be designed with both sufficient space for the storage of automobiles awaiting service or pickup and sufficient reservoir space at its entrance, and it will have to be located so as not to create or contribute to serious traffic congestion or inhibit the flow of

pedestrians. In addition, because it is a special permit, the City Planning Commission will have the authority to impose conditions on its construction and operation that are needed to insure that its impacts on other uses are minimized.

2. **Special Permits:**

C 100296 ZSM – An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Sections:

- (i) 74-743(a)(2) to permit location of buildings without regard for applicable:
 - (a) “court” regulations found in ZR Section 23-84 and 23-851, to modify the minimum dimensions and areas of outer courts and inner courts and allow up to 5 percent of an inner court to be covered;
 - (b) distance between “buildings” regulations found in ZR Sections 23-711 to permit less than the required distance; and
 - (c) height and setback (including tower) regulations found in ZR Sections 23-634, 33-433, and 33-451 to allow the location of buildings without regard to street wall location requirements, maximum street wall height, initial setback distance and tower regulations; and
- (ii) 74-743(a)(7), as amended, to modify Section 12-10 (Court, outer) to allow the open areas surrounded on three sides by building walls as designated on Drawing Z-113 to be treated as “outer courts”;

The modifications for inner and outer courts, minimum distance between buildings and height and setback regulations will permit a better and more interesting site plan than what could be built as a matter of right pursuant to the underlying C4-7 district regulations or pursuant to the 1992 Land Use Approvals. The requested waivers are also consistent with and will not affect the GLSD findings under which the Riverside South Development was approved in 1992.

Outer Courts: Pursuant to 23-84, if an outer court is less than 30 feet in width, the width must be at least 1.33 times the depth of the outer court; if the width is 30 feet or more, the depth must be at least equal to the outer court, but is not required to be greater than 60 feet.

The width of any outer court recess must be at least twice the depth of the recess. The outer courts on the five proposed buildings will not, due to their irregular bulk and massing, strictly comply with these requirements. Therefore, outer court waiver zones are proposed and dimensioned within which outer courts may be located (see Z-113). Building 1 has two outer court waiver zones, Building 2 has two outer court waiver zones, Building 3 has two outer court waiver zones, Building 4 has five outer court waiver zones, and Building 5 has five outer court waiver zones. In addition, minimum dimensions for width and depth are set for recesses in Building 5.

Inner Courts: Pursuant to Section 23-851, the minimum area of an inner court is 1,200 square feet and the minimum dimension of an inner court is 30 feet. Due to the building's unusual massing, certain inner courts will not comply with these requirements. For these inner court conditions, inner court waiver zones are proposed. All windows required for light and air will be 30 feet from an opposite wall. These location and dimensions of these waiver zones are shown on Z-114. Building 1 has one inner court waiver zone, Building 2 has two inner court waiver zones, Building 3 and 4 are complying and require no waivers, and Building 5 has three inner court waiver zones. In addition, the location and minimum width and maximum depth of a portion of an inner court located under an overhang in Building 1 is also delineated on Z-114.

Distance between buildings: Section 23-711 sets forth required distances between windows and walls. Pursuant to Section 23-711, the minimum distance for buildings over 50 feet in height is 40 feet between two walls, 50 feet between a wall and a window, and 60 feet between two windows. Due to vertical notches that are an integral part of the proposed architectural treatment, there are a number of locations at which the relevant distance

requirements will not be met. These locations are dimensioned and located on Z-115. There are two locations on Building 1, four locations on Building 2, one location on Building 3, two locations on Building 4, and two locations on Building 5. Notwithstanding these waivers, all windows providing light and air pursuant to relevant regulations will provide a minimum of 30 feet to the opposite wall.

Height and Setback: The five buildings do not comply with either the encroachment limitations of 1,875 zsf for mixed use towers as set forth in Section 33-45 or the required setbacks from the project's perimeter streets. The encroachment non-compliance arises in part out of the extreme length of the project's street frontages (731 feet and 800 feet), which exceed the standard lengths for which this provision of the Zoning Resolution was drafted. The proposed encroachment on West 59th Street would be 17,706 zsf and the proposed encroachment on West 61st Street would be 19,030 zsf.

Pursuant to Sections 23-634 and 33-433 all developments within Manhattan Community District 7 must comply with certain setback and streetwall requirements on wide streets and on narrow streets within 50 feet of wide streets. Front building walls must extend along the full street length without a setback for 125 feet, above which a 10-foot setback is required on a wide street and a 15 foot setback is required on a narrow street. The maximum areas of tower envelope encroachment are summarized below:

Building 1

- West (Riverside Boulevard): The tower envelope encroaches into the prescribed setback by as much as 8.00 feet in depth and as much as 318.29 feet in height;
- North (West 61st Street): The tower envelope encroaches into the prescribed setback by as much as 13.00 feet in depth and as much as 338.34 feet in height.

Building 2

- North (West 61st Street): The tower envelope encroaches into the prescribed setback by as much as 13.00 feet in depth and as much as 401.22' in height;
- East (West End Avenue): The tower envelope encroaches into the prescribed setback by as much as 10.00 feet in depth and by as much as 309.01' in height.

Building 3

- West (Riverside Boulevard): The tower envelope encroaches into the prescribed setback by as much as 8.00 feet in depth and as much as 285.74' in height;
- South: (West 59th Street): The tower envelope encroaches into the prescribed setback by as much as 7.00 feet in depth and as much as 276.16' in height.

Building 4

- South (West 59th Street): The tower envelope encroaches into the prescribed setback by as much as 7.00 feet in depth and as much as 96.20' in height;

Building 5

- East (West End Avenue): The tower envelope encroaches into the prescribed setback by as much as 10.00 feet in depth and as much as 167.33' in height;
- South (West 59th Street): The tower envelope encroaches into the prescribed setback by as much as 7.00 feet in depth and as much as 384.02 feet in height

C 100297 ZSM - An application for a Special Permit from the City Planning Commission, within a "general large-scale development," pursuant to Section 74-744 (a) (2), as amended, to allow automobile sales and service uses (Use Group 16B) without regard for the Use provision found in 32-00;

The special permit requested pursuant to Section 74-744(a)(2) would allow for the location of an auto showroom (UG 16A) on the ground floor with its associated automotive service center (UG 16B) in the Cellar level below the platform that will serve as Riverside Center's base plane. The special permit will allow an economically desirable use that would reflect the area's long history as an area of auto showrooms and services and will provide a needed service to the west side of Manhattan. The automotive use will provide employment to local residents and tax revenues to the City.

C 100287 ZSM - An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Section:

- (i) 74-681(a)(1) to allow that portion of a railroad or transit right-of-way to be completely covered over by a permanent platform to be included in the “lot area” for the “development”;
- (ii) 74-681(a)(2) to allow the portion of the yard where railroad use has been permanently discontinued to be included in the “lot area” for the development; and
- (iii) 74-681(c)(4), to establish appropriate level (elevation + 24 above Manhattan Datum) instead of “curb level” as the reference plane for the development plus additional curb levels for streetscape purposes (26-00 and 37-30);

The requested GLSD special permit would allow the construction of a platform that would cover the railroad right of way and light rail easement area in the north and eastern portions of the site and segregate below-grade from above grade uses. Establishing the elevation of the platform (+24 above Manhattan Datum) as the reference plane for the Project is appropriate because:

- It would facilitate alignment of the platform with grade along West End Avenue and at the corner of Riverside Boulevard and West 61 Street. Maintaining the site’s reference plane at about the grade of West End Avenue will maximize the opportunities for the development of successful retail uses along its West End Avenue and West 61st Street frontages, will ensure that the school is easily accessible to those with physical disabilities, and will allow zoning compliance to be measured from the elevation at which the project is viewed from the surrounding streets. Meeting the grade at West 61 Street and Riverside Boulevard and maintaining essentially the same elevation across the site will facilitate access into the site from West End Avenue, through the site to West 61 Street, and into Riverside South Park.
- It will encourage the creation of essentially level public open space. Maintaining the public open space at a single level is critical to the construction and successful operation of the scrim, and it will increase the utility of the space for passive and active recreation.
- It will ensure that project grade is established at a level at which the impact of the elevated Miller Highway on western views can be avoided or reduced.

C100288 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” with a maximum of 1,800 public parking spaces;

Public parking garages are not permitted as a matter or right in Manhattan Community District 7. However, pursuant to Section 13-562, they may be allowed by special permit pursuant to Section 74-52. The requested parking garage special permit would allow the provision of a two-level, below grade parking facility with 1,800 parking spaces with five means of ingress and four of egress to be located beneath the platform surface. This parking structure will meet the anticipated parking needs of Riverside Center’s future residents and other local residents and visitors.

C 100289 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 1 with a maximum of 460 public parking spaces;

Public parking garages are not permitted as a matter or right in Manhattan Community District 7. However, pursuant to Section 13-562, they may be allowed by special permit pursuant to Section 74-52. The requested parking garage special permit would allow the provision of B-1, a two-level, below grade parking facility with 460 parking spaces and one entrance ramp to be located beneath the platform surface under Building 1. This parking structure will meet the anticipated parking needs of Building 1’s future residents and other local residents and visitors.

C 100290 ZSM – An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 2 with a maximum of 230 public parking spaces;

Public parking garages are not permitted as a matter or right in Manhattan Community District 7. However, pursuant to Section 13-562, they may be allowed by special permit pursuant to Section 74-52.

The requested parking garage special permit would allow the provision of B-2, a two-level, below grade parking facility with 230 parking spaces and one entrance ramp to be located beneath the platform surface under Building 2. This parking structure will meet the anticipated parking needs of Building 2's future residents and other local residents and visitors.

C 100291 ZSM – An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 3 with a maximum of 290 public parking spaces;

Public parking garages are not permitted as a matter or right in Manhattan Community District 7. However, pursuant to Section 13-562, they may be allowed by special permit pursuant to Section 74-52. The requested parking garage special permit would allow the provision of B-3, a two-level, below grade parking facility with 290 parking spaces and one entrance ramp to be located beneath the platform surface under Building 3. This parking structure will meet the anticipated parking needs of Building 3's future residents and other local residents and visitors.

C 100292 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 4 with a maximum of 370 public parking spaces; and

Public parking garages are not permitted as a matter or right in Manhattan Community District 7. However, pursuant to Section 13-562, they may be allowed by special permit

pursuant to Section 74-52. The requested parking garage special permit would allow the provision of B-4, a two-level, below grade parking facility with 370 parking spaces and one entrance ramp to be located beneath the platform surface under Building 4. Egress from this garage will be through shared use of the B3 garage. This parking structure will meet the anticipated parking needs of Building 4's future residents and other local residents and visitors.

C 100293 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a "public parking garage" to be located beneath Parcel 5 with a maximum of 450 public parking spaces.

Public parking garages are not permitted as a matter or right in Manhattan Community District 7. However, pursuant to Section 13-562, they may be allowed by special permit pursuant to Section 74-52. The requested parking garage special permit would allow the provision of B-5, a two-level, below grade parking facility with 450 parking spaces and one entrance ramp to be located beneath the platform surface under Building 5. This parking structure will meet the anticipated parking needs of Building 5's future residents and other local residents and visitors.

3. **Authorization: N 100298 ZAM** – An application for an Authorization, pursuant to Section 13-553, from City Planning Commission, to permit a curb cut on West End Avenue (a wide street) to facilitate the extension of West 60 Street westward through a portion of the project site as a public access easement.

Section 13-553 prohibits curb cuts on wide streets. The point at which the West 60th Street PAE intersects with West End Avenue is considered a curb cut, which is not permitted on a wide street. This intersection will be designed to look like and function as a normal intersection of two public streets. However, as it is defined as a "curb," an authorization is required.

Pursuant to Section 11-42(c), each of the above-referenced special permits and the authorization would provide that the special permit or authorization will not lapse if, within ten years from the effective date, substantial construction of at least one building has been completed.

4. **Certifications:**

N 100299 ZCM – An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area”, to allow more than one curb cut on West 59th Street (a narrow street).

The West 59th Street frontage of the LMN Site is 800 feet in length. Along it are proposed the following curb cuts: two parking ramp entries, one loading berth, one entrance to the automotive service center, and the intersection of the Freedom Place South PAE with West 59th Street, which will function as a normal public street intersection. This exceeds the permitted one curb cut. Thus this certification is required.

N 100286 ZCM – An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area,” to allow more than one curb cut on West 61st Street (a narrow street).

The West 61st Street frontage of the LMN Site is 731 feet in length. Along it are proposed two curb cuts: the loading berths at Building 1 and the intersection of the Freedom Place South PAE with West 61st Street, which will function as a normal public street intersection. This exceeds the permitted one curb cut. Thus this certification is requested.

N 100300 ZCM – An application for a Certification, pursuant to Section 26-17, from the City Planning Commission to modify the provisions of:

- (i) 37-35 to modify the requirement that a minimum of 50 percent of all ground floor building wall fronting on a wide street be occupied by commercial uses.

- (ii) 37-36 to permit signs to be located in a horizontal band not higher than three feet, the base of which is located not higher than 17 feet above curb level; and
- (iii) 37-37 to modify the requirement that 50 percent of the total surface area of any building wall of a “development” between curb level and 12 feet above curb level or ground floor ceiling height shall be transparent.

In order to ensure that new developments in higher density districts provide for attractive street experiences for pedestrians, the Zoning Resolution’s Streetscape regulations mandate that commercial continuity be provided on the ground floor of 50 percent of the frontage on wide streets (Section 37-35 ZR); signs be located within a 3-foot high band, the top of which may be no higher than 20 feet above curb level (Section 37-36 ZR); and that ground floor streetwall transparency of at least 50 percent of the street frontage on wide streets be provided (Section 37-37 ZR). These requirements do not apply to the frontages facing the Open Space or Street PAEs, nor does the commercial continuity requirement apply to frontage on narrow streets (such as West 59th Street or West 61st Street). Due to grade constraints and building façade and massing designed to relate to the existing neighborhood at the perimeter and provide for activity and light on the open space, waivers from these requirements are requested for certain buildings and certain frontages as follows:

- Building 1: No waivers;
- Building 2: waivers on the north elevation for signage and transparency; and waivers on the east elevation for signage;
- Building 3: waivers on the south elevation for signage and transparency; and waivers on the west elevation for commercial continuity and signage;
- Building 4: waivers on the east elevation for transparency; and
- Building 5: waivers on the south elevation for signage and transparency.

The requested waivers will allow building designs in the proposed project plan that provide for 70 percent ground floor street wall transparency on the following frontages: Building 1 on its southern side fronting on the Open Space PAE; the eastern frontages of Building's 2 and 5 on West End Avenue, Building 2's south frontage and Building 5's north frontage on the West 60th Street PAE, and the entire Jewel Box frontage of Building 4.

5. **Modification: M 920358 D ZSM** - An application for the Fourth Modification of previously approved "general large-scale development" special permit and restrictive declaration to reflect the current proposal.

The proposed modification to the existing General Large Scale Special Permit is required to effectuate the changes proposed in the New LMN Plan within the context of the original approved special permit. In order to do so, the following actions must be taken in regard to the plans approved pursuant to the 1992 Special Permit (C 920358 ZSM, as subsequently amended). First, this Application proposes to delete plans Z-29, Z-30, Z-31, and Z-32, which relate to the zoning compliance and urban design controls for Parcel L/M/N. In addition, this Application proposes, in relation to Parcel L/M/N, replacing plans Z-8 (Zoning Compliance and Calculation) and Z-15 (Zoning Lot Plan for Large Scale Plan, Railroad Yard and Right of Way Designation) with revised plans Z-8R and Z-15R.

This Application requests that the Commission authorize modifications to the Declaration to reflect the proposed changes and the execution of a supplemental Restrictive Declaration that applies specifically to Parcels LMN ("LMN Declaration"). Among the provisions of the Declaration that will require amendment are Sections 2.01(d) (Listing the Plans), 2.02(a) (Floor Area Limitations), 2.04 (Studio Use Limitation), 2.05 (Parking Garage), and the exhibit containing copies of the Plans. These modifications will amend the limitations on the overall floor area and the floor area of specific uses permitted in the GLSD to eliminate movie and

television production studios in Use Group 10 as a permitted use in the GLSD; to allow on Parcel G and H the use of all or a part of the permitted 14,300 zsf of professional office space for local retail uses; to extend to Parcel N the requirement to provide affordable housing equal to at least 12 percent of the number of units developed thereon; to remove the requirement to extend West 60th Street as a mapped street through the Proposed Project site; to require the planting of a designated street tree species on sidewalks in the vicinity of Parcel L/M/N; and to amend, supplement or replace certain drawings attached to the Restrictive Declaration in order to conform them to the drawings filed with this application. The modification to the Declaration also allows for the execution of the LMN Declaration. The LMN Declaration will ensure that the design specifications and mitigation measures specifically applicable to the New LMN Plan are enforced and referenced in a comprehensive and understandable legal document.

F. CONCLUSION

The proposed Riverside Center would complete the transformation of this currently underutilized site into a thriving new development. The development, with its retail, entertainment and service uses, its hotel, its school and its apartments, would reflect the evolution of the area from an industrial precinct to a thriving mixed-use neighborhood. The proposed uses would better serve the existing adjacent neighborhood than would the studio use shown on the approved drawings that dominated Parcel L/M/N under the Land Use Approvals. The proposed commercial uses would provide jobs and create convenience retail and service, new hotel, and cinema amenities to serve the Upper West Side. The residential component (which will include affordable as well as market rate housing units) would accommodate a portion of the City's current and future housing needs, and the public parking and open space components would provide resources and

amenities for the area's existing and future residents and workers. The open space amenities will create a true town center for this evolving and growing residential neighborhood.

Based on foregoing applicant respectfully requests the City Planning Commission approve the actions necessary to facilitate the proposed development of Riverside Center.

STATEMENT OF FINDINGS

Riverside Center will contain buildings of exceptional architectural importance within a thoughtfully designed and organized site plan. The massing, placement and architectural treatment of the buildings has been governed by the goal of creating an attractive and comfortable pedestrian experience that would be clearly based on what is familiar in NYC, but with a creative and refreshing variation. The location of the buildings, the activation of the ground floors with local retail and service use, and the inviting open spaces are also focused upon creating an attractive urban street life.

The prolongation of West 60th Street will serve as the central spine and main pedestrian entry point into Riverside Center. West 60th Street is a direct link to Columbus Circle and Central Park beyond. The design of Buildings 2 and 5 on West End Avenue reflects their function as an entry point to the Site. The building setbacks, concentration of ground floor retail uses, café seating terraces, plantings and seatwalls support the primacy of this location. From the West End Avenue entry, the view of the Red Box immediately to the west and the fountains and plantings beyond will draw passersby into this town center.

The Parcel L/M/N superblock will be divided into three distinct parcels, integrated into the Manhattan street grid and surrounding neighborhood by extending Freedom Place South and West 60th Street into the site as public access easements, which will ensure continued public access. The PAEs are designed and will be constructed to function as attractive City streets and sidewalks. Riverside Center will provide significant landscaped open spaces. The central Plaza will create an inviting, functional center tying the Riverside South neighborhood to the

communities to the south and east, something that has been lacking in this evolving neighborhood to date. It will be a working mixed-use center, enlivened with the services and local retail uses that residents and visitors want and need, supporting and activating the Plaza.

This Site will be marked by an active streetscape and neighborhood retail uses that will enhance the pedestrian experience. These open spaces will offer residents and the community places to sit, walk or play. They will mediate between the Manhattan street grid and Riverside Park South and will link the West Side upland areas to Riverside Park South and the Hudson River waterfront. The public accessibility of all of the proposed open spaces will be ensured by the grant of the Open Space PAE. In addition, public access easements will be mapped along West 59th Street, West 61st Street and Riverside Boulevard, in order to widen all sidewalks into generous 15-foot deep walkways.

The proposed development will create an inviting community amenity for the surrounding residential neighborhood, including residents of Amsterdam Houses and the new residents in Riverside South and elsewhere. Riverside Center will integrate commercial and retail development throughout the site and create an active mixed-use residential neighborhood. It will provide much needed neighborhood retail to the immediate vicinity, accommodating restaurants and local retail uses to serve both the residents of the new buildings and community residents.

C 100296 ZSM - STATEMENT OF FINDINGS PURSUANT TO 74-743

An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Sections:

- i) 74-743(a)(2) to permit location of buildings without regard for applicable:**
 - a) “court” regulations found in ZR Section 23-84, and 23-851, to modify the minimum dimensions and areas of outer courts and inner courts and allow up to 5% of an inner court to be covered;**
 - b) distance between “buildings” regulations found in ZR Sections 23-711 to permit less than the required distance; and**
 - c) height and setback (including tower) regulations found in ZR Sections 23-634, 33-433, and 33-451 to allow the location of buildings without regard to street wall location requirements, maximum street wall height, initial setback distance and tower regulations; and**
- ii) 74-743(a)(7), as amended, to modify Section 12-10 (Court, outer) to allow the open areas surrounded on three sides by building walls as designated on Drawing Z-111 to be treated as “outer courts.”**

74-743

Special provisions for bulk modification

(a) For a #general large-scale development#, the City Planning Commission may permit:

(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;

(7) modification of Sections 12-10 [Court, outer] to allow any open area surrounded on three sides by building walls to be treated as an #outer court#.

(b) In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:

(1) the distribution of floor area, open space, dwelling units, rooming units and the location of buildings, primary business entrances and show windows will result in a better site plan and a better relationship among buildings and open areas to adjacent streets, surrounding development, adjacent open areas and shorelines than would be

possible without such distribution and will thus benefit both the occupants of the general large-scale development, the neighborhood, and the City as a whole;

The proposed change in use on Site N from studios to mixed uses that reflect more of the mixed use urban neighborhoods will be a more appropriate fit. The bulk modifications requested will not unduly increase the bulk of buildings in Parcel L/M/N and will not adversely affect any other zoning lots outside the GLSD by restricting access to light and air or by creating traffic congestion. The proposed modification will also increase the amount and quality of public open space available both to residents of the GLSD and their neighbors, open space that would not have been provided by a studio use or the as-of-right zoning. The New LMN Plan will open visual and functional connections through Parcel L/M/N, enhancing pedestrian access to the Hudson River and Riverside Park South and improving vehicular circulation in and around the GLSD.

A GLSD special permit is requested in order to consider certain open areas as outer courts and then to waive outer and inner court requirements, distance between buildings, and height and setback requirements in order to allow the development of five faceted buildings on the Riverside Center site. Because the design of the buildings has not been finalized at this time, waiver zones are requested within which variations on the shape and dimensions of outer and inner courts, reductions in the required distances between buildings, and encroachments not permitted by the applicable height and setback regulations may occur. The waiver zones, in combination with the building dimensioned envelopes (Z-106 – Z-110) will allow flexibility in design while ensuring the distinctive design features that make the proposed ensemble so successful will be preserved. The reason and location for waivers is described below:

Outer Courts: Outer courts are defined as areas open to the sky and are bound by building walls on all sides but one, which fronts on a yard or street. The facades of each of the five buildings as designed provide openings that, because they do not front on a street or yard but instead on an Open Space PAE or Street PAE, do not meet the strict definition of an outer court. Due to the different floorplates at different levels, the dimensions of some of the outer courts vary at different levels. Because all of these openings in fact function as outer courts, the Special Permit would allow them to be considered as outer courts pursuant to Section 74-743(a) (7) as amended.

The proposed outer courts in the five buildings are identified, indicated and dimensioned on Z-113 and Z-114. Outer courts 1.1, 2.2, 3.2, and 5.5 front on streets and or yards and would meet the strict definition of an outer court. The other courts would not and, for those areas, a waiver pursuant to Section 74-743(a) (7) is requested so that they are treated as outer courts.

In addition to defining these areas as outer courts, the application also requests that the minimum dimensions and areas be waived and that up to 5 percent of the outer court be covered. The requirements related to outer courts were developed in regard to generally rectangular buildings which have openings that are regular and generally rectangular in shape. In the case of the Riverside Center buildings, these requirements cannot be met, as the building walls are faceted, multi-angled, and change from floor to floor. The requested waiver will allow for the construction of buildings that will reflect the plans, ensuring that the exciting sculptural quality of the buildings can be realized despite the fact that they do not fit into the design framework on which the Zoning Resolution's court requirements are based.

Thus, waivers are requested for the seventeen outer courts illustrated and dimensioned on Z-113 and Z-114: two each for Buildings 1, 2 and 3; six for Building 4 and five for Building 5. The

minimum sizes of the outer courts will be set by the building envelopes that are part of the ULURP approvals requested (see Z-106- Z-110 for detailed building envelopes).

Inner courts: Seven inner courts are proposed in the plans: two in Building 1, two in Building 2 and three in Building 5. They would be located within the inner court waiver zones that are indicated on Z-114. The proportions and dimensions of the inner courts for which waivers are requested will be set by the non-rectangular building walls. In addition, the waivers proposed in respect to Building 5 are being sought to allow construction of one of the striking design features of the proposed site plan: the two-level glass Winter Garden encircled by a decorative screenwall. Any legally required windows that would be provided within the inner courts would, however, be required to comply with the requirements of 23-86 (Minimum distance between legally required windows and walls or lot lines).

Distance between buildings: The intricately detailed building facades provide a varied and textured surface, created through facets and recesses in the façade. These create in certain locations vertical notches that would not be permitted in strict conformance with the minimum distance between building requirements of 23-82 and 23-711. In order to provide for the variegated and complex building facades that are proposed at the locations indicated in section on Z-104 and Z-105 and to ensure that the proposed design can be realized for all such distances in the final building design, minimum and maximum dimensions are provided, within which the vertical notches must be created (see Z-115 for minimum distance diagrams).

Special height and setback regulations: Pursuant to Section 23-634, special height and setback regulations apply to R10 districts (and their equivalents) in Community District 7, Manhattan. The intent of these requirements is to preserve the contextual character of the streetscape for

infill developments. The front wall of all developments having frontage on a wide street or within 50 feet of a wide street (such as Riverside Boulevard and West End Avenue) are required to extend along the length of the street line without setback for a height of 125 feet. Above 125 feet, the front building wall must set back at least 10 feet; above 150 feet, the front building wall must be set back 20 feet. This over 8-acre site is not an infill development and is not surrounded by the contextual building massing that is typical of other portions of the Upper West Side. The design has instead striven to create a varied, more permeable streetscape that invites pedestrians into and through the site to shopping and recreation opportunities.

Two waivers are therefore requested from the regulations of 23-634, as are indicated on Z-103 in plan and in Section on Z-104 and Z-105. The frontages of Buildings 1 and 3 on Riverside Boulevard and for 50 feet on West 59th and West 61st Streets require a waiver from the (i) street line requirements, indicated by the dashed line on the plan and from the (ii) setback requirement above 150 feet, as indicated by the gray tone area. The frontages of Buildings 2 and 5 on West End Avenue and for 50 feet along West 59th Street and West 61st Street require a waiver from the (i) street line requirements, indicated by the dashed line on the plan and from the (ii) setback requirement above 150 feet, as indicated by the gray tone.

The five buildings do not comply with either the encroachment limitations on mixed use towers set forth in Section 33-45 ZR or the required setbacks from the project's perimeter streets. The encroachment non-compliance arises in part out of the length of the project's street frontages, which are far in excess of those for which the standard, as-of-right provisions of the Zoning Resolution were drafted. The encroachment noncompliance is exacerbated, and the setback non-compliance is caused by, the placement of the towers of the Riverside Center buildings close to the perimeter streets. The towers were so located in order to open up the West 60th Street

corridor that connects Central Park with Riverside South Park, to increase the light, air and sense of space within the on-site public open space and to produce visually compelling buildings that, because of their proximity to the street, can be fully experienced by pedestrians.

The Zoning Resolution limits tower encroachment within 50 feet of each of West 61st and West 59th Street to 1,875 square feet. However, the area of encroachment along each street – 19,312 square feet on the West 61st Street frontage and 17,905 square feet along the West 59th Street frontage – exceeds this limitation. The encroachment areas for which waivers are requested from the requirements of Section 33-45 are indicated in cross hatching in plan on Z-103 and in section in Z-104 and Z-105. The as-of-right tower setbacks, which are required at a height of no more than 85 feet above grade, are 10 feet on wide streets and 15 feet on narrow streets. While portions of all of the buildings are set back at least these distances, other portions of the buildings are located closer to the street lines.

The encroachment and setback provisions of the Zoning Resolution governing as-of-right mixed use towers were drafted to encourage, on typical Manhattan lots – that is, lots with street frontages of 200 feet or less, the development of “towers in a park” that maintained a substantial setback from the street. On the typical site, they offer a variety of options for the placement of a tower relative to the street line because the street frontage of the tower is relatively short. They allow for no more than minimal flexibility on a site such as Riverside Center, where the length of the two side street frontages – as much as four times the frontages the regulations were drafted to regulate – would force complying towers so far back from the perimeter streetlines that they would compromise the project’s design and site planning goals. Similarly, providing the required setbacks from the streetlines would reduce the complexity and interest of the design of the buildings by limiting the opportunities to vary the building forms.

The site plan and program proposed in the Application represents a significant improvement over the conditions authorized by the Land Use Approvals or those which could be achieved as a matter of right on Parcel L/M/N because:

- It will create a network of on-site public open spaces, including the PAEs, an entrance Plaza at West End Avenue, a central Plaza surrounded by shopping and restaurants, and a large, landscaped park-like open space over much of the western half of the site. These spaces will invite pedestrians into and through the site. Through their design and treatment, they will provide a transition from the hardscape that dominates the Manhattan upland to the softscape of Riverside Park South.
- It will extend West 60th Street visually to the Hudson River and Riverside Park South and functionally to the center of the site, where it will terminate at a large active public Plaza, surrounded by retail and restaurant uses.
- It will, by means of the easement extending West 60th Street into the site and the easement extending Freedom Place South from West 61st Street to West 59th Street, divide the existing superblock into three distinct parcels. This will create a more porous site plan which will integrate into the existing city street grid. This will facilitate access to both the on-site public open space and Riverside Park South, and increase the variety of pedestrian experiences.
- It will substantially increase the ground floor transparency and amount of retail use both around and within Parcel L/M/N. The increase in transparency will enhance and enliven the pedestrian experience both around and within the site. The new retail and entertainment uses will provide needed additional shopping and entertainment opportunities for those living and working on the site, in the Riverside South Development, and in the neighborhood.
- The buildings will maintain a street wall along most of the blocks fronting on West End Avenue and West 61st Street. The New LMN Plan will provide a consistent street wall along the West 60th Street PAE frontages and along the east frontage of the Freedom Place South PAE through the site. At the same time, the buildings will establish a singular identity for the site through their unique shapes – shapes that together form a unique three-dimensional composition. These shapes will add architectural interest and beauty to the neighborhood and enhance the surrounding landscaped public open space.

(2) the distribution of floor area and location of buildings will not unduly increase the bulk of buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants or users of buildings in the block or nearby blocks or of people using the public streets;

The proposed modifications of the underlying regulations to permit the proposed development on Parcel L/M/N allows for the division of the zoning lot into three block-like parcels and allow for the distribution of the floor area on the site among five buildings instead of three. The effect of distributing the proposed floor area among a greater number of buildings is to ensure that neither the floor area proposed on Parcel L/M/N nor the floor area proposed for the Riverside South Development as a whole has any undue detrimental effects either on the apartments on nearby blocks or on the public streets in the neighborhood.

The design of the buildings proposed in the Application has been approached with the goal of reducing the impact of building bulk on on-site and off-site open spaces (including streets and PAEs) and on neighboring buildings:

- The bulk of each building has been broken down into masses of different heights and shapes in order to reflect the different scales – low rise, mid-rise and high-rise – of buildings in Manhattan. These masses have been distributed around the site in order to provide an appropriate pedestrian scale and to offer the pedestrian a variety of visual experiences. Lower- and medium-scale elements have been located along the West 60th Street PAE.
- As shown in the following table, each of the towers will have tapering floorplates so as to reduce its shadow impact, and each will be sculpted so as to make it an art form in its own right.

The footprints of the towers at elevation +189 and at the highest habitable floor of each tower are as follows:

	Tower coverage at +189	Tower coverage at highest habitable floor
Building 1	49,920	10,338
Building 2	25,444	11,735
Building 3	15,816	10,430
Building 4	19,810	7,293
Building 5	30,324	10,551

- All of the towers comply with the tower lot coverage regulations. The requested waivers of the tower regulations with respect to front setback and tower encroachment regulations set forth in Sections 23-65, 33-432, 33-433, 33-45 and 35-60 as shown in Drawings Z-103, Z-104 and Z-105 will allow Buildings 1, 2, 3 and 5 to be massed in a manner that optimizes the openness of the public open space and the West 60th Street PAE. This maximizes the open space's height and air, views of the sky and surrounding buildings. These waivers also facilitate the articulation and architectural sculpting of the towers and will create the architectural interest that will distinguish these buildings from more traditional orthogonal building forms.
- Buildings 2 and 5 require modification of the front building wall location along West End Avenue. This modification on Building 2 enables a widening of the sidewalk that will invite the public into the West 60th Street PAE and the public open space. On Building 5 the sidewalk widening (which is in response to the below-grade Amtrak easement below) increases pedestrian circulation space and allows for the articulation of the building's base, which is an important expression of the building design. Buildings 1 and 3 require modification of the front building wall location along Riverside Boulevard. This allows for a wider and more inviting entry to the landscaped public Open Space PAE that leads to the Plaza and the West 60th Street PAE.
- Buildings 1 and 3 require modification of the front building wall location along Riverside Boulevard which creates a widening at the intersection of Riverside Boulevard and the public Open Space PAE to improve visual connectivity and facilitate physical movement between the site and Riverside Park South.
- As shown in Drawing Z-115, Buildings 1, 2, 3, 4 and 5 require a waiver of the minimum distance between building regulations set in Sections 23-82 and 23-711. This waiver will permit the buildings to retain the distinctive architectural notches that help break up each building's mass, articulate the building forms, and create each building's unique character.

(3) where a zoning lot of a general large-scale development does not occupy a frontage on a mapped street, appropriate access to a mapped street is provided;

This finding is not applicable.

(4) considering the size of the proposed general large-scale development, the streets providing access to such general large-scale development will be adequate to handle traffic resulting therefrom;

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicle access to below-grade parking facilities would be provided via curb cuts along West 59th Street and Freedom Place South PAE.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant

east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area's traffic needs.

(5) when the Commission has determined that the general large-scale development requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;

The provision of public facilities and mitigation measures contemplated by the Land Use Approvals will be unaffected by this Special Permit. In addition, the Application includes the widening of the vehicular right of way on West 59th Street between West End Avenue and Riverside Boulevard to a width of 40 feet, the widening to the sidewalks on Riverside Boulevard, the north side of West 59th Street and the south side of West 61st Street to 15 feet, and providing space for the development of a new elementary and intermediate school in Building 2.

(6) where the Commission permits the maximum floor area ratio in accordance with the provisions of paragraph (a)(4) of this Section, the open space provided is of sufficient size to serve the residents of new or enlarged buildings. Such open space shall be accessible to and usable by all residents of such new or enlarged buildings, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such general large-scale development shall include superior landscaping for open space of the new or enlarged buildings;

This finding is not applicable.

(7) where the Commission permits the exclusion of lot area or floor area in accordance with the provisions of paragraph (a)(5) of this Section, such modification will facilitate a desirable mix of uses in the general large-scale development and a plan consistent with the objectives of the Inclusionary Housing Program; and

This finding is not applicable, as the site is not located in an Inclusionary Housing designated area in a C4-6 or C5 District.

(8) a declaration with regard to ownership requirements in paragraph (b) of the general large-scale development definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

The Declaration was filed in connection with Land Use Approvals.

C 100297 ZSM - STATEMENT OF FINDINGS PURSUANT TO 74-744

An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Section 74-744 (a) (2), as amended, to allow automobile sales and service uses (Use Group 16B) without regard for the Use provision found in 32-00.

74-744

Modification of use regulations

(a) Use modifications

(1) Automotive sales and service #uses#

For #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7, the City Planning Commission may modify applicable district regulations to allow automotive sales and service establishments that include repair services and preparation for delivery, provided the Commission shall find that:

(i) the portion of the establishment used for the servicing and preparation of automobiles is located entirely in a #cellar# level and below established curb level, and the ground floor level of such establishment is used only for showrooms and sales;

The proposed auto service center will be located below grade at the Cellar level (see Z-138, Z-139). The approximately 19,595 zsf showroom and sales portions of the automotive use will be located at grade in Building 5. The Cellar level will contain the service, parts, and storage areas.

(ii) sufficient indoor space for storage of vehicles for sales or service has been provided; and

The cellar level will contain approximately 181,577 gsf for automotive storage and service uses. This will provide for space sufficient for a modern urban auto dealership (which often represent a number of automobile companies or lines) to repair, maintain, and store vehicles. In particular,

the sale of certified pre-owned vehicles requires a greater amount of on-site vehicle storage as all vehicles are kept on site. The service center will include adequate space for: vehicle service, parking and storage, parts storage, parts loading, and a delivery bay.

(iii) such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow.

Access to the below-grade automotive use will be located in the base of Building 3, with a ramp to the auto service center located on the north side of West 59th Street, a two-way street that links West End Avenue to Riverside Boulevard. The large Con Ed Power House is located on the south side of West 59th Street across from the LMN Site; the Power House does not generate significant pedestrian or vehicular traffic on this street. The perimeter of the LMN Site was designed to be ringed by active street uses, including retail and community facilities, which were located in those areas with the greatest foot traffic and adjoining existing residential and retail establishments. Service uses were located so as to minimize potential pedestrian-vehicular conflicts on less utilized streets, such as West 59th Street, which is lightly used by pedestrians due to the Con Ed Power House. These factors will reduce the potential for serious traffic congestion that would inhibit surface traffic and pedestrian flow due to the proposed automotive use. This is supported by the DSEIS traffic and pedestrian analyses, which found that this location would not experience pedestrian congestion impacts with the proposed project.

C 100287 ZSM - STATEMENT OF FINDINGS PURSUANT TO 74-681.

An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Section:

- i) 74-681(a)(1) to allow that portion of a railroad or transit right-of-way to be completely covered over by a permanent platform to be included in the “lot area” for the “development”;**
- ii) 74-681(a)(2) to allow the portion of the yard where railroad use has been permanently discontinued to be included in the “lot area” for the development; and**
- iii) 74-681(c)(4), to establish appropriate level (elevation + 24 above Manhattan Datum) instead of “curb level” as the reference plane for the development plus additional curb levels for streetscape purposes (26-00 and 37-30).**

74-681

Development within or over a railroad or transit right-of-way or yard

- (a) In all districts, when a #development# or #enlargement#, including large-scale developments pursuant to Section 74-74, 78-00 et seq. or 79-00 et seq. is located partially or entirely within a railroad or transit right-of-way or yard and/or in #railroad or transit air space#, the City Planning Commission may permit:*
- (1) that portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform to be included in the #lot area# for such #development# or #enlargement#;*
 - (2) any portion of the right-of-way or yard where railroad or transit #use# has been permanently discontinued or terminated to be included in the #lot area# for such #development# or #enlargement#;*

- (b) As a condition for granting a special permit, the Commission shall find that:*
- (1) the #streets# providing access to all #uses# pursuant to paragraph (a) above are adequate to handle traffic resulting therefrom;*

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicular access to below-grade parking facilities will be provided via curb cuts along West 59th Street and Freedom Place South PAE.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard (which will be constructed and open as part of this project, connecting 59th Street and the West Side Highway), West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant

east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area's traffic needs.

- (2) *the distribution of #floor area# and the number of #dwelling units# or #rooming units# does not adversely affect the character of the surrounding area by being unduly concentrated in any portion of such #development# or #enlargement#, including any portion of the #development# or #enlargement# located beyond the boundaries of such railroad or transit right-of-way or yard;*

The Riverside Center Site Plan proposes the construction of five mixed use buildings rather than the three buildings approved in the 1992 Plans. The five buildings are placed at the Site's perimeter, thereby providing a larger landscaped public amenity in the center. At the same time, the buildings maintain an urban streetwall that simultaneously allows easy pedestrian flow into the center. Distributing the floor area in this manner ensures that no single building will be materially out of scale, either in terms of bulk or footprint, with the other buildings in Riverside South and the buildings on surrounding blocks. It also avoids an undue concentration of dwelling units on any part of the Site and provides for the design and placement of the five buildings in a manner superior to that which would be achieved as a matter of right in conformance with the underlying zoning.

The proposed buildings will be slender, multifaceted towers that are intended to be 38, 43, 34, 31, and 44 stories in height. They will contain a total of approximately 3.014 million zsf and will provide approximately 2.75 acres of the Site as publicly accessible, privately owned open space, in addition to substantial sidewalk widenings and two public access easements that will function as City streets. These building envelopes will allow for over 35 percent of the 8.18 acre site to be developed as publicly accessible open space, which will function as an integral part of

the development creating a gracious gathering space for the Riverside South and surrounding communities.

The proposed building heights are not unlike those of other new buildings recently constructed to the north and east, such as the Rushmore directly to the north between West 63rd and West 64th Street (41 stories). They will be more slender than the buildings to the north in Riverside South, which tend to have greater lot coverage and have building heights of between 18 and 46 stories. The slender faceted towers will be wrapped by lower scale building massings that will mediate between their height and the pedestrian scale at grade. The building heights are equivalent to those of the newer residential buildings between Amsterdam Avenue and West End Avenue, which tend to be between 25 and 35 stories in height, and those along Amsterdam Avenue, which tend to range up to over 40 stories. The buildings in the Lincoln Towers complex, although generally 28 stories in height, are long slablike structures that are neither “contextual” nor do they provide visual connections to the River along traditional Manhattan view corridors. The Con Ed Power House is a lower rise structure that covers an entire City block.

The proposed floor area and dwelling units are then distributed among five buildings on the modified traditional street grid created by the street PAEs and the Open Space PAE.

- (3) *all #uses#, #developments# or #enlargements# located on the #zoning lot# or below a platform do not adversely affect one another;*

The proposed Riverside Center would transform this underutilized site into an active new community. The development, containing retail, entertainment and service uses, automobile dealership, hotel, school, and apartments, would reflect and advance the evolution of the area

from an industrial precinct and open parking lot to a mixed-use community. Its uses would be complementary to those that now characterize the neighborhood. The proposed uses in the Riverside Center program will support each other – retail and residential, hotel, cinema and school – are needed to create a healthy urban environment. The above-grade uses, all of which are permitted today in C4 zoning districts, were long ago found to be compatible with each other, as evidenced in their inclusion in the permitted uses for this district. The automobile service facility below the platform will be properly separated from the above-grade uses on the zoning lot and will have no negative effect on them. Access to the automotive service area is located on West 59th Street, separated from public garage access, building lobbies, and open space access.

- (4) *if such railroad or transit right-of-way or yard is deemed appropriate for future transportation #use#, the site plan and structural design of the #development# does not preclude future use of, or improvements to, the right-of-way for such transportation #use#.*

The New LMN Plan has been designed so as not to intrude into the railroad right of way and transitway easements running beneath the northeast corner of the site. The structural system for the platform and buildings has been carefully designed so as not to preclude current or future transportation uses. For example, the proposed foundation will be made of reinforced concrete foundation wall, columns and shear walls which are to be supported by steel piles bearing on bedrock. Spread footings are provided where rock strata is close to the lowest cellar level. The building superstructure will be constructed of reinforced concrete, flat plates, and columns. The portion of buildings constructed over the Amtrak right of way will span over the right of way by utilizing pre-cast concrete planks bearing on reinforced concrete walls at the clear floor level.

Building 2 would therefore span over the right of way, while Building 5 would be set back, a column on the wall separating the light rail easement from the right of way.

The railroad easement is currently used by Amtrak for its service from Penn Station to Albany and Montreal via the Empire Connection and may in the future be used by Metro North for service to Penn Station. The transitway easement reserves space to accommodate a future City- or MTA-sponsored light rail line that would run alongside the existing railroad right of way. The existing easement for a transitway station at about West 62nd Street will not be affected by the proposed project. The below-grade levels and program of Riverside Center will be self-contained and will not interfere with the use of the Amtrak right of way or constrain in any manner the potential for a future light rail operation within the easement area.

(c) For any #development# or #enlargement# located within or over railroad or transit right-of-way or yard:

(4) the Commission may establish an appropriate level or levels instead of #curb level# as the reference plane for the applicable regulations pertaining to, but not limited to, height and setback, #floor area#, #lot coverage#, #open space#, #yards#, and minimum distance between #buildings#;

The proposed elevation above Manhattan datum of 24 feet would allow for a seamless connection to West End Avenue at the eastern and northern upland portions of the project Site. It will permit the continuation of the City street grid through the site without significant changes in grade to the east or north. It will help to ameliorate the grade changes that occur due to the underlying elevation changes with lower elevations to the south and west. For example, the street grade of West 59th Street, which is set at approximately 23 feet at West End Avenue, drops

to 16 feet at the Freedom Place South PAE and further drops to approximately 7.6 feet at the corner of Riverside Boulevard South. The platform will allow for a wide open expanse that will provide recreational and visual amenities to the community. The proposed 24-foot plane will provide for sufficient below-grade heights so as to (i) provide for sufficient parking and below-grade services that are needed and (ii) preserve the operation of the railroad right of way and transitway easement.

- (d) *The Commission shall require the provision of adequate #accessory# off-street parking spaces and loading berths necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by any #use# permitted on the #zoning lot#, and shall determine the required number of parking spaces and loading berths in accordance with the purposes established in this Resolution with respect to other major traffic-generating facilities.*

The parking analysis in the DSEIS found that Riverside Center would generate peak parking demand of 1,374 spaces. That demand, along with the parking demand for some of the displaced parkers currently using the project site, would be accommodated within the 1,800-space garage. The remainder of the displaced parkers would be accommodated in nearby parking facilities. This would increase the study area's 2018 parking utilization rate to approximately 104.3 percent during the weekday midday, 92.4 percent during the overnight, and 81.8 percent during the Saturday midday peak periods. With the provision of 1,800 spaces as part of Riverside Center, and those available at public parking facilities within ½ mile of the project site, all project-generated parking demand as well as displaced parkers will be accommodated.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, and may require where the #development# or #enlargement# includes an active railroad or transit #use#, that the structural design of such #development# or #enlargement# make due allowance for changes within the layout of tracks or other structures within such #railroad or transit air space# or railroad or transit right-of-way or yard which may be deemed necessary in connection with future development or improvement of the transportation system.

The building foundation and superstructure have been designed so as to minimize any potential effects on the operation of the active railroad right of way or potential light rail transit. Spread footings are provided where rock strata is close to the lowest cellar level. The building superstructure will be constructed of reinforced concrete, flat plates, and columns. The portion of buildings constructed over the Amtrak right of way will span over the right of way by utilizing pre-cast concrete planks bearing on reinforced concrete walls at the clear floor level. Building 2 would therefore span over the right of way, while Building 5 would be set back, a column on the wall separating the light rail easement from the right of way.

Prior to granting a special permit, the City Planning Commission shall request the Metropolitan Transportation Authority and the Departments of Transportation of the State of New York and the City of New York to indicate within 30 days whether said agencies have any plan to use that portion of the #railroad or transit air space# or railroad or transit right-of-way or yard where the railroad or transit #use# has been permanently discontinued or terminated.

The Metropolitan Transit Authority has analyzed the feasibility of locating a Metro North station in the existing tunnel and has concluded that, due to the curvature of the tracks at this location, a station was not feasible.

C 100288 ZSM - STATEMENT OF FINDINGS PURSUANT TO 13-562 and 74-52

AN APPLICATION FOR A SPECIAL PERMIT, PURSUANT TO SECTIONS 13-562 AND 74-52, FROM THE CITY PLANNING COMMISSION TO PERMIT A “PUBLIC PARKING GARAGE” WITH A MAXIMUM OF 1,800 PUBLIC PARKING SPACES.

13-562

Public parking garages and public parking lots

The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted pursuant to the applicable provisions of Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

74-52

Parking Garages or Public Parking Lots in High Density Central Areas

In C1-5, C1-6, C1-7, C1-8 or C1-9 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with a capacity of not more than 100 spaces, and in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts, the Commission may permit #public parking garages# with any capacity or #public parking lots# with more than 150 spaces, and in C5 and C6-1A Districts, the Commission may permit #public parking garages# or #public parking lots# with any capacity, provided that the applicable regulations set forth in Sections 36-53 or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met.

The Commission may permit some of such spaces to be located on the roof of such #public parking garage#, or may permit floor space on one or more #stories# and up to a height of 23 feet above #curb level#, to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such #use#, the Commission shall make the following findings:

- (a) that such use [i.e., the public parking garage] will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located

The Proposed Garage will be 482,400 gsf in area and provide parking for 1,800 vehicles on the SC1 and SC2 levels, beneath the automotive service uses located on the Cellar level. It will provide 1,101 attended and 699 self park spaces. It will also provide the required 50 reservoir spaces and 180 bicycle parking spaces. It will have five entrance ramps and four exit ramps, as described in the Project Description.

The proposed Garage is compatible with the existing residential, community facility and commercial uses in the Riverside South Development and in the neighborhood generally. The neighborhood to the immediate east and northeast is primarily residential in nature, including Amsterdam Houses, Riverside South, Lincoln Towers, and other multifamily buildings. However, the larger surrounding area is characterized by a mix of retail, commercial, and institutional uses. The Lincoln Center performing arts complex is only two blocks to the north east, as is Fordham University's Lincoln Center campus. Columbus Circle is only three blocks to the east, on which is located the mixed-use Time Warner Center containing residences, offices, hotel, performing space and a large retail component. Thus there is a large demand for parking in the area, created by local residents, audiences, students, and visitors.

The 1,800-space parking garage's primary use will be to service and support the uses on the site and in the neighborhood. The proposed 1,800 space parking garage has been designed to provide an adequate number of parking spaces both to replace a portion of the 2,387 spaces being eliminated by the development of Riverside Center and to address the anticipated 1,374 space parking demand of the Riverside Center project. As a result, its capacity is expected either (a) to be absorbed by the residents of Parcel L/M/N, by other Riverside South residents and neighborhood residents on a monthly basis, or by the monthly customers of the lot who park on the site today or (b) to be used by visitors to or employees at the future commercial uses on Parcel L/M/N. Because these uses occupy most of the Proposed Garage's spaces, it is not expected to serve commuters.

- (b) *that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow*

The parking garage itself will not contribute to serious traffic congestion because it does not generate additional traffic. This is because vehicles that will use the proposed garage are either those driven by project residents, employees or visitors or those driven by people who had been using one of the public parking facilities that occupied the site prior to the development of the project (and which still are in operation). In addition, the garage will have five points of ingress and four points of egress so as to minimize the need for residents' vehicles to circle and to avoid having any one entrance utilized beyond its capacity. Three entrances will be located on the Freedom Place PAE and two on West 59th Street. The width of the curb cuts attributed to the entrance ramps will be 25 feet (including splays). By locating three of the five garage entrances on the internal Freedom Place South PAE and the other two on the least utilized street in the immediate area—West 59th Street adjacent to the Con Ed Power House—the potential for conflict between vehicles and pedestrians has been reduced.

The DSEIS analyzed the routes which would be likely used by vehicles accessing the parking garages (see Trip Assignment Distributions, Figure 16-13, DSEIS). By far, the largest proportion of vehicles will access the garages by means of the Route 9A/Miller Highway/ West Side Highway. Approximately 30 percent of vehicles would come from the north via the West Side Highway/Miller Highway, to the West 56th Street exit and u-turn. Between 25 and 39 percent would come north on Route 9A to West 59th Street. Far lower percentages would access the garages via West End Avenue and other north-south West Side streets; vehicles coming from the east would be distributed along West 59th Street, West 58th Street, West 57th Street and West 56th Street. The DSEIS Traffic analysis studied over 50 local intersections and identified impacts at 24. Three of these intersections had traffic impacts that could not be mitigated: Route 9A at West 52nd Street, West 54th Street, and West 56th Street.

(c) *that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas*

The area surrounding Riverside Center is characterized by residential and large institutional uses to the east and industrial uses, with a growing residential presence, to the south. The Riverside South residential development is located to the north, as are Lincoln Towers. To the northwest is located the Amsterdam Houses NYCHA complex. The preponderance of superblocks in this area, a result of 1950s and 1960s era urban renewal practice, ensures that much of the vehicular traffic is precluded from going through local streets that are primarily residential in use.

The proposed below-grade garage would be constructed within an 8.2-acre mixed use development that will be located on the far West Side of Manhattan, abutting Riverside Boulevard and in close proximity to the Route 9A/Miller Highway/West Side Highway arterial system to the west. To the east, the development site is bounded by West End Avenue, which south of West 57th Street is a NYC DOT-designated truck route, as are West 57th Street, Amsterdam and Columbus Avenues, and the West 65th Street/West 66th Street crosstown pair.

The Proposed Garage would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). To the west on the Hudson River is the MTS transfer station, which has been designed to be used to transfer construction waste. It is an

active mixed-use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

To the east of West End Avenue, West 59th Street serves as a major mixed crosstown thoroughfare and frontages on it are improved with a wide mix of uses. West End Avenue is a major artery and is of mixed use character adjacent to and south of the Riverside Center project site. Access from the east will be along streets with strong mixed use and commercial characters, such as West 66th Street, West 59th Street, and West 57th Street.

The parking garage will be accessed by entry points on Freedom Place South PAE and West 59th Street. The entrances will be directly reached by means of West 59th Street, West 61st Street, via West End Avenue and Riverside Boulevard. West 59th Street between West End Avenue and Riverside Boulevard is not a local residential street; the entire southern half is improved with the Con Ed Power House. Vehicles will travel on West 59th and West 61 Streets for one block (from West End Avenue) or less than one block (from Riverside Boulevard).

As presented in Chapter 16 of the DSEIS (Traffic and Parking), over 60 percent of the residential users and over 50 percent of the non-residential users will access and leave the Garage by means of the Route 9A, Miller Highway/West Side Highway. The balance will come through the surrounding street network on West End Avenue, Amsterdam Avenue, and Columbus Avenues and West 56th Street, West 57th Street, West 58th Street, Central Park South and West 66th Streets. The street network to the east and north of the project site is characterized by one-way pairs, the irregular street pattern created by Broadway as it diagonally crosses the underlying grid, and superblock developments. These will channel traffic to these major thoroughfares that are mixed in character. The analysis contained in the Traffic chapter of the DSEIS concludes

that it does not anticipate garage traffic traveling along the more residential West Side blocks, either within Riverside South or in the surrounding communities.

- (d) *that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be requires for more than 50 automobiles*

The proposed garage would provide access ramps at each building: three on Freedom Place South PAE, and two on West 59th Street. Pursuant to Section 74-52 (d), the maximum number of reservoir spaces required for any parking garage in excess of 200 spaces in a high density area is 50 reservoir spaces. Therefore, the proposed public parking garage will have the required 50 reservoir spaces distributed at the SC1 and SC2 levels at the base of access ramps and on one ramp under Building 1. The locations of the required reservoir spaces, which are located at all entrances to the proposed parking garage, are shown on Z-140, Z-141, Z-142, and Z-143. The proposed garage will provide the required 50 spaces at the following locations: 20 reservoir spaces on level SC2 under Buildings 2 and 5; 10 reservoir spaces on level SC1 and 5 reservoir spaces on the entrance ramp under Building 1; 10 reservoir spaces on level SC1 under Building 3, and 5 reservoir spaces under Building 4 on level SC1.

- (e) *that the streets providing access to such use will be adequate to handle the traffic generated thereby*

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicle access to below-grade parking facilities would be provided via curb cuts along West 59th Street and Freedom Place South PAE.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant

east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area's traffic needs.

- (f) *that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas*

This finding is not applicable, as no roof parking is requested.

- (g) *that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.*

This finding is not applicable, as no exemption from floor area is being sought for the floor space in the garage.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including limitations on #signs#, or requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#.

C 100289 ZSM - STATEMENT OF FINDINGS PURSUANT TO 13-562 and 74-52

AN APPLICATION FOR A SPECIAL PERMIT, PURSUANT TO SECTIONS 13-562 AND 74-52, FROM THE CITY PLANNING COMMISSION TO PERMIT A “PUBLIC PARKING GARAGE” WITH A MAXIMUM OF 460 PUBLIC PARKING SPACES (GARAGE B-1).

13-562

Public parking garages and public parking lots

The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted pursuant to the applicable provisions of Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

74-52

Parking Garages or Public Parking Lots in High Density Central Areas

In C1-5, C1-6, C1-7, C1-8 or C1-9 Districts, the City Planning Commission may permit #public parking garages# or #public parking lots# with a capacity of not more than 100 spaces, and in C2-5, C2-6, C2-7, C2-8, C4-5, C4-5A, C4-5X, C4-6, C4-7, C6, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4 or M3-2 Districts, the Commission may permit #public parking garages# with any capacity or #public parking lots# with more than 150 spaces, and in C5 and C6-1A Districts, the Commission may permit #public parking garages# or #public parking lots# with any capacity, provided that the applicable regulations set forth in Sections 36-53 or 44-43 (Location of Access to the Street), Sections 36-55 or 44-44 (Surfacing) and Sections 36-56 or 44-45 (Screening) are met.

The Commission may permit some of such spaces to be located on the roof of such #public parking garage#, or may permit floor space on one or more #stories# and up to a height of 23 feet above #curb level#, to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS). As a condition of permitting such #use#, the Commission shall make the following findings:

- (a) that such use [i.e., the public parking garage] will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located*

The separated garage option would comprise five garages, each to be located beneath one of the five Buildings. Garage B-1 will be located beneath Building 1. Garage B-1 will be accessed by means of a two-way ramp located on the west side of the Freedom Place South PAE. The curb cut will be 25 feet with splays. It will be accessed from the north by cars making a right turn

from Riverside Boulevard and a left turn from West End Avenue and Amsterdam Avenue.

Northbound cars will access it from Route 9A, turning right at West 59th Street and then left onto Freedom Place South, or from West End Avenue, turning left at West 59th Street and then right on the Freedom Place South PAE.

The proposed Garage B-1 is compatible with the existing residential, community facility and commercial uses in the Riverside South Development and in the neighborhood generally. It is intended to provide an adequate number of parking spaces both to replace a portion of the 2,387 spaces being eliminated by the development of Parcel L/M/N and to meet the expected new development's anticipated demand. The residents of Building 1 will be the primary users of this Garage, which will serve and support the uses on the site and in the neighborhood. As a result, its capacity is expected either (a) to be absorbed by the residents of Parcel L/M/N, by other Riverside South residents and neighborhood residents on a monthly basis, or by the monthly customers of the lot who park on the site today or (b) to be used by visitors to or workers at the future commercial uses on Parcel L/M/N. Because these uses occupy most of the Proposed Garage's spaces, it is not expected to serve commuters.

(b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow

Parking Garage B-1 itself will not contribute to serious traffic congestion because it does not generate additional traffic. This is because vehicles that will use the proposed garage are either those driven by project residents, employees or visitors or those driven by people who had been using one of the public parking facilities that occupied the site prior to the development of the project (and which still are in operation).

The area surrounding Riverside Center is characterized by residential and large institutional uses to the east and industrial uses, with a growing residential presence, to the south. The Riverside South residential development is located to the northeast, as are Lincoln Towers. To the northwest is located the Amsterdam Houses NYCHA complex. The preponderance of superblocks in this area, a result of 1950s and 1960s era urban renewal practice ensures that much of the vehicular traffic is precluded from going through local streets that are primarily residential in use.

The proposed below-grade garage would be constructed within an 8.2-acre mixed-use development that will be located on the far West Side of Manhattan, abutting Riverside Boulevard and in close proximity to the Route 9A/Miller Highway/West Side Highway arterial system to the west. To the east, the development site is bounded by West End Avenue, which south of West 57th Street is a NYC DOT-designated truck route, as are West 57th Street, Amsterdam and Columbus Avenues, and the West 65th Street/West 66th Street crosstown pair.

The Proposed Garage would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

To the east of West End Avenue, West 59th Street serves as a major mixed crosstown thoroughfare and frontages on it are improved with a wide mix of uses. West End Avenue is a major artery and is of mixed use character adjacent to and south of the Riverside Center project site. Access from the east will be along streets with strong mixed use and commercial characters, such as West 66th Street, West 59th Street, and West 57th Street.

The parking garage will be accessed by an entrance on the west side of the Freedom Place South PAE. The entrance will be directly reached by means of West 59th Street, West 61st Street, via West End Avenue and Riverside Boulevard. West 59th Street between West End Avenue and Riverside Boulevard is not a local residential street; the entire southern half is improved with the Con Ed Power House. Vehicles will travel on West 59th and West 61st Streets for one block (from West End Avenue) or less than one block (from Riverside Boulevard).

(c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas

As presented in Chapter 16 of the DSEIS (Traffic and Parking), over 60 percent of the residential users and over 50 percent of the non-residential users will access and leave the Garage by means of the Route 9A, Miller Highway/West Side Highway. The balance will come through the surrounding street network on West End Avenue, Amsterdam Avenue, and Columbus Avenues and West 56th Street, West 57th Street, West 58th Street, Central Park South and West 66th Streets. The street network to the east and north of the project site is characterized by one-way pairs, the irregular street pattern created by Broadway as it diagonally crosses the underlying grid, and superblock developments. These will channel traffic to these major thoroughfares that are mixed in character. The analysis contained in the Traffic chapter of the DSEIS concludes that it does not anticipate garage traffic traveling along the more residential West Side blocks,

either within Riverside South or in the surrounding communities. As noted above, the proposed Garage B-1 would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

- (d) *that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be requires for more than 50 automobiles.*

The proposed public parking Garage B-1 will provide the required 23 reservoir spaces. The location of the required reservoir spaces is shown on Z-145.

- (e) *that the streets providing access to such use will be adequate to handle the traffic generated thereby*

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicle access to below-grade parking facilities would be provided via a curb cut on the west side of the Freedom Place South PAE.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant

east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area's traffic needs.

- (f) *that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas*

This finding is not applicable, as no roof parking is provided.

- (g) *that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.*

This finding is not applicable, as no exemption from floor area is being sought for the floor space in the garage.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including limitations on #signs#, or requirements for shielding of floodlights, for locations of entrances and exits, or for setback of any roof parking areas from #lot lines#.

C 100290 ZSM - STATEMENT OF FINDINGS PURSUANT TO 13-562 and 74-52

AN APPLICATION FOR A SPECIAL PERMIT, PURSUANT TO SECTIONS 13-562 AND 74-52, FROM THE CITY PLANNING COMMISSION TO PERMIT A “PUBLIC PARKING GARAGE” WITH A MAXIMUM OF 230 PUBLIC PARKING SPACES (GARAGE B-2)

The separated garage option will comprise five garages, each to be located beneath one of the five Buildings. Garage B-2 will be located beneath Building 2. Vehicles will enter and exit by means of a 22-foot wide two-lane ramp with a 25-foot curb cut located on the east side of the Freedom Place South PAE. Garage B-2 will contain 230 spaces, all of which will be attended. Garage B-2 will contain 109,659 gsf of area on below-grade levels SC1 and SC2. Twelve reservoir spaces will be provided. The configuration of the proposed garage is illustrated on Z-146 and Z-147.

Pursuant to Section 13-562 of the Zoning Resolution, public parking garages are permitted by special permit in accordance with the provisions of Section 74-52 of the Zoning Resolution. Section 74-52 requires, as a condition to permitting the garage, that the following findings be made:

- (a) *that such use [i.e., the public parking garage] will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located*

Garage B-2 will be accessed by means of a two-way ramp located on the east side of the Freedom Place South PAE. It will be accessed from the north by cars making a right turn from Riverside Boulevard and a left turn from West End Avenue and Amsterdam Avenue.

Northbound cars will access it from Route 9A, turning right at West 59th Street and then left onto Freedom Place South, or from West End Avenue, turning left at West 59th Street and then right on the Freedom Place South PAE.

Proposed Garage B-2 is compatible with the existing residential, community facility and commercial uses in the Riverside South Development and in the neighborhood generally. It is also necessary to provide an adequate number of parking spaces both to replace a portion of the 2,387 spaces being eliminated by the development of Parcel L/M/N and to provide for the uses proposed for Parcel L/M/N. The residents of Building 2 will be the primary users of this Garage, which will serve and support the uses on the site and in the neighborhood. As a result, its capacity is expected either (a) to be absorbed by the residents of Parcel L/M/N, by other Riverside South residents and neighborhood residents on a monthly basis, or by the monthly customers of the lot who park on the site today or (b) to be used by visitors to or workers at the future commercial uses on Parcel L/M/N. Because these uses occupy most of the Proposed Garage's spaces, it is not expected to serve commuters.

(b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow

Parking Garage B-2 itself will not contribute to serious traffic congestion because it does not generate additional traffic. This is because vehicles that will use the proposed garage are either those driven by project residents, employees or visitors or those driven by people who had been using one of the public parking facilities that occupied the site prior to the development of the project (and which still are in operation).

The area surrounding Riverside Center is characterized by residential and large institutional uses to the east and industrial uses, with a growing residential presence, to the south. The Riverside South residential development is located to the north, as are Lincoln Towers. To the northwest is located the Amsterdam Houses NYCHA complex. The preponderance of superblocs in this

area, a result of 1950s and 1960s era urban renewal planning ensures that much of the vehicular traffic is precluded from going through local streets that are primarily residential in use.

The proposed below-grade garage would be constructed within an 8.2-acre mixed-use development that will be located on the far West Side of Manhattan, abutting Riverside Boulevard and in close proximity to the Route 9A/Miller Highway/West Side Highway arterial system to the west. To the east, the development site is bounded by West End Avenue, which south of West 57th Street is a NYC DOT-designated truck route, as are West 57th Street, Amsterdam and Columbus Avenues, and the West 65th Street/West 66th Street crosstown pair.

The Proposed Garage would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

To the east of West End Avenue, West 59th Street serves as a major mixed crosstown thoroughfare and frontages on it are improved with a wide mix of uses. West End Avenue is a major artery and is of mixed use character adjacent to and south of the Riverside Center project site. Access from the east will be along streets with strong mixed use and commercial characters, such as West 66th Street, West 59th Street, and West 57th Street.

The parking garage will be accessed by entry points on Freedom Place South PAE and West 59th Street. The entrances will be directly reached by means of West 59th Street, West 61st Street, via West End Avenue and Riverside Boulevard. West 59th Street between West End Avenue and Riverside Boulevard is not a local residential street; the entire southern half is improved with the Con Ed Power House. Vehicles will travel on West 59th and West 61 Streets for one block (from West End Avenue) or less than one block (from Riverside Boulevard).

As presented in Chapter 16 of the DSEIS (Traffic and Parking), over 60 percent of the residential users and over 50 percent of the non-residential users will access and leave the Garage by means of the Route 9A, Miller Highway/West Side Highway. The balance will come through the surrounding street network on West End Avenue, Amsterdam Avenue, and Columbus Avenues and West 56th Street, West 57th Street, West 58th Street, Central Park South and West 66th Streets. The street network to the east and north of the project site is characterized by one-way pairs, the irregular street pattern created by Broadway as it diagonally crosses the underlying grid, and superblock developments. These will channel traffic to these major thoroughfares that are mixed in character. The analysis contained in the Traffic chapter of the DSEIS concludes that it does not anticipate garage traffic traveling along the more residential West Side blocks, either within Riverside South or in the surrounding communities.

(c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas

As noted above, Garage B-2 would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the

north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

- (d) *that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be requires for more than 50 automobiles*

Proposed public parking Garage B-2 will provide the required 12 reservoir spaces. The location of the required reservoir spaces is shown on Z-146.

- (e) *that the streets providing access to such use will be adequate to handle the traffic generated thereby*

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicle access to B-2, a below-grade parking facility, would be provided via a curb cut on the east side of the Freedom Place South PAE.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound

direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area’s traffic needs.

- (f) *that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas*

This finding is not applicable, as no roof parking is requested.

- (g) *that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.*

This finding is not applicable, as no exemption from floor area is being sought for the floor space in the garage.

C 100291 ZSM - STATEMENT OF FINDINGS PURSUANT TO 13-562 and 74-52

AN APPLICATION FOR A SPECIAL PERMIT, PURSUANT TO SECTIONS 13-562 AND 74-52, FROM THE CITY PLANNING COMMISSION TO PERMIT A “PUBLIC PARKING GARAGE” WITH A MAXIMUM OF 290 PUBLIC PARKING SPACES (GARAGE B-3)

The separated garage option will comprise five garages, each to be located beneath one of the five Buildings. Garage B-3 will be located beneath Building 3. Vehicles will enter and exit by means of a 22-foot wide, two-lane ramp with a 25-foot curb cut located on the north side of West 59th Street. Garage B-3 will contain 290 spaces, all of which will be attended. Garage B-3 will contain 75,718 gsf of area on below-grade levels SC1 and SC2. Fifteen reservoir spaces are required and will be provided. The exit lane for Garage B-3 will also be used by the vehicles exiting Garage B-4. The configuration of the proposed garage is illustrated on Z-148 and Z-149.

Pursuant to Section 13-562 of the Zoning Resolution, public parking garages are permitted by special permit in accordance with the provisions of Section 74-52 of the Zoning Resolution. Section 74-52 requires, as a condition to permitting the garage, that the following findings be made:

- (a) *that such use [i.e., the public parking garage] will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located*

Garage B-3 will be accessed by means of a two-way ramp located on the north side of West 59th Street. It will be accessed from the north by southbound cars making a right turn from Riverside Boulevard and a left turn from West End Avenue and Amsterdam Avenue. Northbound cars will access it from Route 9A, turning right at West 59th Street, or from West End Avenue, turning left at West 59th Street and then right on the Freedom Place South PAE.

Proposed Garage B-3 is compatible with the existing residential, community facility and commercial uses in the Riverside South Development and in the neighborhood generally. It is also necessary to provide an adequate number of parking spaces both to replace a portion of the 2,387 spaces being eliminated by the development of Parcel L/M/N and to provide for the uses proposed for Parcel L/M/N. The residents of Building 3 will be the primary users of this Garage, which will serve and support the uses on the site and in the neighborhood. As a result, its capacity is expected either (a) to be absorbed by the residents of Parcel L/M/N, by other Riverside South residents and neighborhood residents on a monthly basis, or by the monthly customers of the lot who park on the site today or (b) to be used by visitors to or workers at the future commercial uses on Parcel L/M/N. Because these uses occupy most of the Proposed Garage's spaces, it is not expected to serve commuters.

(b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow

Garage B-3 itself will not contribute to serious traffic congestion because it does not generate additional traffic. This is because vehicles that will use the proposed garage are either those driven by project residents, employees or visitors or those driven by people who had been using one of the public parking facilities that occupied the site prior to the development of the project (and which still are in operation).

The area surrounding Riverside Center is characterized by residential and large institutional uses to the east and industrial uses, with a growing residential presence, to the south. The Riverside South residential development is located to the north, as are Lincoln Towers. To the northwest is located the Amsterdam Houses NYCHA complex. The preponderance of superblocs in this

area, a result of 1950s and 1960s era urban renewal planning ensures that much of the vehicular traffic is precluded from going through local streets that are primarily residential in use.

The proposed below-grade garage would be constructed within an 8.2-acre mixed-use development that will be located on the far West Side of Manhattan, abutting Riverside Boulevard and in close proximity to the Route 9A/Miller Highway/West Side Highway arterial system to the west. To the east, the development site is bounded by West End Avenue, which south of West 57th Street is a NYC DOT-designated truck route, as are West 57th Street, Amsterdam and Columbus Avenues, and the West 65 Street/West 66th Street crosstown pair.

The Proposed Garage would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

To the east of West End Avenue, West 59th Street serves and as major mixed crosstown thoroughfare and frontages on it are improved with a wide mix of uses. West End Avenue is a major artery and is of mixed use character adjacent to and south of the Riverside Center project site. Access from the east will be along streets with strong mixed use and commercial characters, such as West 66th Street, West 59th Street, and West 57th Street.

The parking garage will be accessed by an entry point on Freedom Place South PAE. The entrance will be directly reached by means of West 59th Street, West 61st Street, via West End Avenue and Riverside Boulevard. West 59th Street between West End Avenue and Riverside Boulevard is not a local residential street; the entire southern half is improved with the Con Ed Power House. Vehicles will travel on West 59th and West 61 Streets for one block (from West End Avenue) or less than one block (from Riverside Boulevard).

As presented in Chapter 16 of the DSEIS (Traffic and Parking), over 60 percent of the residential users and over 50 percent of the non-residential users will access and leave the Garage by means of the Route 9A, Miller Highway/West Side Highway. The balance will come through the surrounding street network on West End Avenue, Amsterdam Avenue, and Columbus Avenues and West 56th Street, West 57th Street, West 58th Street, Central Park South and West 66th Streets. The street network to the east and north of the project site is characterized by one-way pairs, the irregular street pattern created by Broadway as it diagonally crosses the underlying grid, and superblock developments. These will channel traffic to these major thoroughfares that are mixed in character. The analysis contained in the Traffic chapter of the DSEIS concludes that it does not anticipate garage traffic traveling along the more residential West Side blocks, either within Riverside South or in the surrounding communities.

(c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas

As noted above, the proposed Garage B-3 would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks

further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

- (d) *that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be requires for more than 50 automobiles*

Proposed public parking Garage B-3 will have the required 10 reservoir spaces on the SC1 level.

The location of the required reservoir spaces is shown on Z-149.

- (e) *that the streets providing access to such use will be adequate to handle the traffic generated thereby*

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicle access to the below-grade parking facility would be provided via a curb cut on West 59th Street.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound

direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area’s traffic needs.

- (f) *that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas*

This finding is not applicable, as no roof parking is requested.

- (g) *that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.*

This finding is not applicable, as no exemption from floor area is being sought for the floor space in the garage.

C 100292 ZSM - STATEMENT OF FINDINGS PURSUANT TO 13-562 and 74-52
AN APPLICATION FOR A SPECIAL PERMIT, PURSUANT TO SECTIONS 13-562
AND 74-52, FROM THE CITY PLANNING COMMISSION TO PERMIT A “PUBLIC
PARKING GARAGE” WITH A MAXIMUM OF 370 PUBLIC PARKING SPACES
(GARAGE B-4)

The separated garage option will comprise five garages, each to be located beneath one of the five Buildings. Garage B-4 will be located beneath Building 4. Vehicles will enter by means of a 14-foot wide single lane ramp with a 25-foot curb cut located on the west side of Freedom Place South PAE. Vehicles will exit via the exit ramp serving Garage B-3, which will be ensured through means of an easement through that building site. Garage B-4 will contain 370 spaces, all of which will be attended. Garage B-4 will contain 92,231 gsf of area on below-grade levels SC1 and SC2. Nineteen reservoir spaces are required and will be provided. The configuration of proposed Garage B-4 is illustrated on Z-150 and Z-151.

Pursuant to Section 13-562 of the Zoning Resolution, public parking garages are permitted by special permit in accordance with the provisions of Section 74-52 of the Zoning Resolution. Section 74-52 requires, as a condition to permitting the garage, that the following findings be made:

- (a) *that such use [i.e., the public parking garage] will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located*

Garage B-4 will be accessed by means of a two-way ramp located from the driveway that serves Buildings 3 and 4 and which has a curb cut on the west side of the Freedom Place South PAE. It will be accessed from the north by cars making a right turn from Riverside Boulevard and a left

turn from West End Avenue and Amsterdam Avenue. Northbound cars will access it from Route 9A, turning right at West 59th Street and then left onto Freedom Place South, or from West End Avenue, turning left at West 59th Street and then right on the Freedom Place South PAE. Proposed Garage B-4 is compatible with the existing residential, community facility and commercial uses in the Riverside South Development and in the neighborhood generally.

It is also necessary to provide an adequate number of parking spaces both to replace a portion of the 2,387 spaces being eliminated by the development of Parcel L/M/N and to provide for the uses proposed for Parcel L/M/N. The residents of Building 4 will be the primary users of this Garage, which will serve and support the uses on the site and in the neighborhood. As a result, its capacity is expected either (a) to be absorbed by the residents of Parcel L/M/N, by other Riverside South residents and neighborhood residents on a monthly basis, or by the monthly customers of the lot who park on the site today or (b) to be used by visitors to or workers at the future commercial uses on Parcel L/M/N. Because these uses occupy most of the Proposed Garage's spaces, it is not expected to serve commuters.

(b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow

Garage B-4 itself will not contribute to serious traffic congestion because it does not generate additional traffic. This is because vehicles that will use the proposed garage are either those driven by project residents, employees or visitors or those driven by people who had been using one of the public parking facilities that occupied the site prior to the development of the project (and which still are in operation).

The area surrounding Riverside Center is characterized by residential and large institutional uses to the east and industrial uses, with a growing residential presence, to the south. The Riverside

South residential development is located to the north, as are Lincoln Towers. To the northwest is located the Amsterdam Houses NYCHA complex. The preponderance of superblocks in this area, a result of 1950s and 1960s era urban renewal planning ensures that much of the vehicular traffic is precluded from going through local streets that are primarily residential in use.

The proposed below-grade garage would be constructed within an 8.2-acre mixed-use development that will be located on the far West Side of Manhattan, abutting Riverside Boulevard and in close proximity to the Route 9A/Miller Highway/West Side Highway arterial system to the west. To the east, the development site is bounded by West End Avenue, which south of West 57th Street is a NYC DOT-designated truck route, as are West 57th Street, Amsterdam and Columbus Avenues, and the West 65th Street/West 66th Street crosstown pair.

The Proposed Garage would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

To the east of West End Avenue, West 59th Street serves as a major mixed crosstown thoroughfare and frontages on it are improved with a wide mix of uses. West End Avenue is a major artery and is of mixed use character adjacent to and south of the Riverside Center project

site. Access from the east will be along streets with strong mixed use and commercial characters, such as West 66th Street, West 59th Street, and West 57th Street.

The parking garage will be accessed by an entrance on the Freedom Place PAE. The entrance will be directly reached by means of West 59th Street, West 61st Street, via West End Avenue and Riverside Boulevard. West 59th Street between West End Avenue and Riverside Boulevard is not a local residential street; the entire southern half is improved with the Con Ed Power House. Vehicles will travel on West 59th and West 61 Streets for one block (from West End Avenue) or less than one block (from Riverside Boulevard).

(c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas

As presented in Chapter 16 of the DSEIS (Traffic and Parking), over 60 percent of the residential users and over 50 percent of the non-residential users will access and leave the Garage by means of the Route 9A, Miller Highway/West Side Highway. The balance will come through the surrounding street network on West End Avenue, Amsterdam Avenue, and Columbus Avenues and West 56th Street, West 57th Street, West 58th Street, Central Park South and West 66th Streets. The street network to the east and north of the project site is characterized by one-way pairs, the irregular street pattern created by Broadway as it diagonally crosses the underlying grid, and superblock developments. These will channel traffic to these major thoroughfares that are mixed in character. The analysis contained in the Traffic chapter of the DSEIS concludes that it does not anticipate garage traffic traveling along the more residential West Side blocks, either within Riverside South or in the surrounding communities.

As noted above, the proposed Garage B-4 would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

- (d) *that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be requires for more than 50 automobiles*

Proposed public parking Garage B-4 will provide the required 19 reservoir spaces. The location of the required reservoir spaces is shown on Z-151.

- (e) *that the streets providing access to such use will be adequate to handle the traffic generated thereby*

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicle access to this below- grade parking facility would be provided via a curb cut on the Freedom Place South PAE.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area’s traffic needs.

- (f) *that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas*

This finding is not applicable, as no roof parking is requested.

- (g) *that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.*

This finding is not applicable, as no exemption from floor area is being sought for the floor space in the garage.

C 100293 ZSM - STATEMENT OF FINDINGS PURSUANT TO 13-562 and 74-52

AN APPLICATION FOR A SPECIAL PERMIT, PURSUANT TO SECTIONS 13-562 AND 74-52, FROM THE CITY PLANNING COMMISSION TO PERMIT A “PUBLIC PARKING GARAGE” WITH A MAXIMUM OF 230 PUBLIC PARKING SPACES (GARAGE B-5)

The separated garage option will comprise five garages, each to be located beneath one of the five Buildings. Garage B-5 will be located beneath Building 5. Vehicles will enter and exit by means of a 22-foot wide, two-lane ramp with a 25-foot curb cut located on the north side of West 59th Street. Garage B-5 will contain 450 spaces, all of which will be attended. Garage B-5 will contain 82,770 gsf of area located below-grade on the SC1 and SC2 levels. Twenty-three reservoir spaces will be required and will be provided. The configuration of the proposed garage is illustrated on Z-152 and Z-153.

Pursuant to Section 13-562 of the Zoning Resolution, public parking garages are permitted by special permit in accordance with the provisions of Section 74-52 of the Zoning Resolution. Section 74-52 requires, as a condition to permitting the garage, that the following findings be made:

- (a) *that such use [i.e., the public parking garage] will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located*

Garage B-5 will be accessed by means of a two-way ramp located on the north side of West 59th Street. It will be accessed from the north by cars making a right turn from Riverside Boulevard and a left turn from West End Avenue and Amsterdam Avenue. Northbound cars will access it from Route 9A, turning right at West 59th Street, or from West End Avenue, turning left at West 59th Street.

Proposed Garage B-5 is compatible with the existing residential, community facility and commercial uses in the Riverside South Development and in the neighborhood generally. It is also necessary to provide an adequate number of parking spaces both to replace a portion of the 2,387 spaces being eliminated by the development of Parcel L/M/N and to provide for the uses proposed for Parcel L/M/N. The residents of Building 5 will be the primary users of this Garage, which will serve and support the uses on the site and in the neighborhood. As a result, its capacity is expected either (a) to be absorbed by the residents of Parcel L/M/N, by other Riverside South residents and neighborhood residents on a monthly basis, or by the monthly customers of the lot who park on the site today or (b) to be used by visitors to or workers at the future commercial uses on Parcel L/M/N. Because these uses occupy most of the Proposed Garage's spaces, it is not expected to serve commuters.

(b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow

Parking Garage B-5 itself will not contribute to serious traffic congestion because it does not generate additional traffic. This is because vehicles that will use the proposed garage are either those driven by project residents, employees or visitors or those driven by people who had been using one of the public parking facilities that occupied the site prior to the development of the project (and which still are in operation).

The area surrounding Riverside Center is characterized by residential and large institutional uses to the east and industrial uses, with a growing residential presence, to the south. The Riverside South residential development is located to the north, as are Lincoln Towers. To the northwest is located the Amsterdam Houses NYCHA complex. The preponderance of superblocs in this

area, a result of 1950s and 1960s era urban renewal planning ensures that much of the vehicular traffic is precluded from going through local streets that are primarily residential in use.

The proposed below-grade garage would be constructed within an 8.2-acre mixed-use development that will be located on the far West Side of Manhattan, abutting Riverside Boulevard and in close proximity to the Route 9A/Miller Highway/West Side Highway arterial system to the west. To the east, the development site is bounded by West End Avenue, which south of West 57th Street is a NYC DOT-designated truck route, as are West 57th Street, Amsterdam and Columbus Avenues, and the West 65th Street/West 66th Street crosstown pair.

The Proposed Garage would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

To the east of West End Avenue, West 59th Street serves as a major mixed crosstown thoroughfare and frontages on it are improved with a wide mix of uses. West End Avenue is a major artery and is of mixed use character adjacent to and south of the Riverside Center project site. Access from the east will be along streets with strong mixed use and commercial characters, such as West 66th Street, West 59th Street, and West 57th Street.

The parking garage will be accessed by entry points on Freedom Place South PAE and West 59th Street. The entrances will be directly reached by means of West 59th Street, West 61st Street, via West End Avenue and Riverside Boulevard. West 59th Street between West End Avenue and Riverside Boulevard is not a local residential street; the entire southern half is improved with the Con Ed Power House. Vehicles will travel on West 59th and West 61 Streets for one block (from West End Avenue) or less than one block (from Riverside Boulevard).

(c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas

As presented in Chapter 16 of the DSEIS (Traffic and Parking), over 60 percent of the residential users and over 50 percent of the non-residential users will access and leave the Garage by means of the Route 9A, Miller Highway/West Side Highway. The balance will come through the surrounding street network on West End Avenue, Amsterdam Avenue, and Columbus Avenues and West 56th Street, West 57th Street, West 58th Street, Central Park South and West 66th Streets. The street network to the east and north of the project site is characterized by one-way pairs, the irregular street pattern created by Broadway as it diagonally crosses the underlying grid, and superblock developments. These will channel traffic to these major thoroughfares that are mixed in character. The analysis contained in the Traffic chapter of the DSEIS concludes that it does not anticipate garage traffic traveling along the more residential West Side blocks, either within Riverside South or in the surrounding communities.

The proposed Garage B-5 would be located in a C4-7 zoning district. It is adjacent to a C6-2 zoning district on its east, to an M3-2 zoning district on its south, and a C2 district mapped within an R10 zone on its north. The blocks further to the east, southeast, and south are for the most part mapped in Manufacturing or Commercial zoning districts. The blocks further to the

north are mapped in a moderate density residential zoning district. The buildings in the neighborhood around the site include a power plant, warehouses, offices, institutions (John Jay College, Lincoln Center for the Performing Arts, Fordham University), and large scale residential developments (Amsterdam Houses, Lincoln Towers). It is an active mixed use neighborhood, and vehicles can travel to and from the site without using any local streets in residential areas.

- (d) *that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be requires for more than 50 automobiles*

Proposed public parking Garage will provide the required 23 reservoir spaces. The location of the required reservoir spaces is shown on Z-153.

- (e) *that the streets providing access to such use will be adequate to handle the traffic generated thereby*

The proposed site plan includes the extension of West 60th Street and Freedom Place South through to the project site. Vehicle access to this below-grade parking facility would be provided via a curb cut along West 59th Street.

The primary vehicle routes to and from the site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets.

The traffic analysis in the DSEIS studied over 50 local intersections and identified 24 intersections with significant adverse traffic impacts during one or more peak hour analysis periods. After implementation of mitigation measures – e.g., signal timing adjustments of three seconds or less, daylighting of parking regulations, implementation of one-way westbound

direction on West 59th Street between West End Avenue and Amsterdam Avenue, and the installation of one new traffic signal at the intersection of the Twelfth Avenue northbound service road and West 59th Street – the significant adverse impacts were eliminated at 21 of these intersections, including all of the intersections in close proximity to the project site and all other intersections with non-arterial roadways. The only locations for which no mitigation measures were available were the intersection of Route 9A at West 52nd Street, West 54th Street, and West 56th Street. At the West 56th Street intersection, a decrease in level of service (“LOS”) classification from LOS D to LOS E would be experienced at the weekday AM peak and Saturday midday peak in the southbound direction. The West 54th Street intersection would experience a significant increase in delay during the PM peak period in the northbound movement that would not affect the level of service (LOS E). The West 52nd Street intersection would experience a decrease in service from LOS E to LOS F at the weekday PM peak in the northbound direction and from LOS D to LOS E in the southbound direction in the weekday AM period. Mitigation was not possible at these locations because, at all three locations, increasing north-south capacity to accommodate project-generated traffic was constrained by significant east-west volumes to which the project does not contribute. Even with the projected decline in levels of service at these intersections, the streets are adequate to meet the area’s traffic needs.

- (f) *that, where roof parking is permitted, such roof parking is so located as not to impair the essential character or future use or development of adjacent areas*

This finding is not applicable, as no roof parking is requested.

- (g) *that, where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion.*

This finding is not applicable, as no exemption from floor area is being sought for the floor space in the garage.

N 100298 ZAM: AUTHORIZATION PURSUANT TO SECTION 13-553

An application for an Authorization, pursuant to Section 13-553, from City Planning Commission, to permit a curb cut on West End Avenue (a wide street) to facilitate the extension of West 60 Street westward through a portion of the project site as a public access easement.

13-142

Location of access to the street

(b) In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, the entrances and exits to all permitted #accessory# off-street parking spaces shall not be located on a #wide street# except by authorization of the City Planning Commission pursuant to Sections 13-53 (Departmental Reports) and 13-553 (Curb cuts).

13-553

Curb cuts

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a wide street provided the Commission finds that such a location:

(a) is not hazardous to traffic safety;

The proposed curb cut will provide access to the West 60th Street PAE to the west of West End Avenue. It is not expected to be hazardous to traffic safety, as it will create a typical four-legged intersection. The proposed curb cut will primarily serve local traffic entering and exiting the LMN Site. The West 60th Street PAE will be built to DOT standards and function as a normal City street. The intersection will be signalized.

(b) will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; and

The primary vehicle routes to and from the LMN Site are expected to be Twelfth Avenue/Route 9A, Riverside Boulevard, West End/Eleventh Avenue, and Amsterdam/Tenth Avenue, with local access via West 59th and West 61st Streets. The proposed curb cut from the West 60th Street PAE onto West End Avenue was one of the over 50 study area intersections analyzed in the DSEIS. It

was not, however, one of the 24 intersections that were found to have potential adverse traffic impacts resulting from increased travel demand from the Proposed Action. The proposed curb cut would divide the superblock into two street frontages that are identical to a normal city blockfront. This will aid in pedestrian access to and through the LMN Site.

New pedestrian demand generated by the Proposed Project was analyzed in the DSEIS, which looked at trips made solely by walking, as well as pedestrian trips en route to and from subway station entrances and bus stops. In total, it was estimated that the Proposed Project would add approximately 3,286 pedestrian trips (in and out combined) to DSEIS study area sidewalks, corner areas and crosswalks in the weekday AM peak hour, 3,137 in the midday, 3,682 in the PM, and 3,817 in the Saturday midday peak hour. This new pedestrian demand is expected to be most concentrated on sidewalks and crosswalks immediately adjacent to the Proposed Project's entrances on West End Avenue and West 59th Street, and along West 60th Street, which would serve as the most direct route between the project site and the 59th Street-Columbus Circle subway station. In 2018 with the Proposed Project, no analyzed sidewalks or corner areas would be significantly adversely impacted by project-generated pedestrian traffic based upon CEQR Technical Manual criteria. However, four crosswalks would be significantly adversely impacted in one or more peak hours; the impacted crosswalks would be the north and south crosswalks on West 60th Street at Amsterdam Avenue and Columbus Avenue. As part of the proposed pedestrian mitigation at the intersection of West 60th Street and Amsterdam Avenue, the DSEIS proposes to adjust the signal timing at that location. The DSEIS concluded that the impacts to the north and south crosswalks at the signalized intersection of West 60th Street and Columbus Avenue would be unmitigated.

(c) *will not interfere with the efficient functioning of bus lanes, specially designated streets and public transit facilities.*

The M57 bus route runs southbound along West End Avenue, passing the portion of West End Avenue on which the curb cut is proposed to be placed. This is not a dedicated bus lane. The efficient functioning of this bus route would not be impacted by the proposed curb cut, as the southbound stops are located just south of West 59th Street and south of West 62nd Street. In addition, there are no specially designated or other designated transit facilities on the portion of West End Avenue on which the curb cut is proposed to be placed.

Section 11-42 (c)

Pursuant to Section 11-42(c), each of the above-referenced special permits and the authorization would provide that the special permit or authorization will not lapse if, within ten years from the effective date, substantial construction of at least one building has been completed.

(c) *Upon a showing that a longer time period for substantial construction is required for a phased construction program of a multi-building complex, the Commission may, at the time of granting an authorization or special permit, extend the period set forth in paragraph(a) of this Section to a period not to exceed ten years.*

An extension of the time to complete substantial construction under the new special permits is sought to ensure that any unanticipated delays due to conditions in the real estate and/or financing markets during the next five years in either (i) the start of any construction at Riverside Center or (ii) if the entire platform has been completed, the start of any above-platform construction, do not adversely affect the development of the project pursuant to the design and site plan that is approved. Section 11-42 (c) of the Zoning Resolution allows for an extension of this kind in the case of a multi-building complex constructed over a number of years.

N 100299 ZCM – CERTIFICATION PURSUANT TO 26-15

An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area”, to allow more than one curb cut on West 59th Street (a narrow street).

**26-15
Curb Cuts**

Curb cuts are permitted along #narrow streets# provided that no #zoning lot# has more than one curb cut on any #narrow street# frontage.

Additional curb cuts, in excess of one for each #narrow street# frontage, for #zoning lots# in excess of 30,000 square feet of #lot area#, or curb cuts on #wide streets# for #zoning lots# that have no #narrow street# frontage may be allowed, provided that the City Planning Commission and the Department of Transportation certify to the Commissioner of Buildings that such additional curb cuts will not result in conflict between pedestrian and vehicular circulation and will result in a good overall site plan.

This Application requests certification, pursuant to Zoning Resolution Section 26-15, to locate five (5) curb cuts on West 59th Street as listed below:

West 59th Street – Five curb cuts (width including splays)

Building 3:	Parking Entrance (25 feet) Auto service ramp (30 feet)
Building 5:	Parking entrance (25 feet) Truck elevator entrance (30 feet)
Freedom Place South PAE:	Access (40 foot roadbed)

The proposed curb cuts would provide access to the automotive service center, truck elevators leading to below-grade loading docks, and two below-grade parking garage ramps on West 59th Street. In addition, one proposed curb cut will allow unimpeded vehicular and pedestrian access through the LMN Site by means of the proposed Freedom Place South PAE. They are located so as to disperse traffic, avoiding concentrations of vehicles at any one location on the LMN Site.

West 59th Street is not a heavily trafficked road, particularly due to the presence of the Con Ed

Power House to the south. Thus, the proposed vehicular accesses to be served by these curb cuts are not expected to be hazardous to traffic safety. The curb cut required for the auto dealership under Building 3 will be used less often than those for the parking garage and will have minimal impacts on pedestrian and vehicular circulation. Deliveries will be made in off-hours. The use of head-in, head-out truck elevators under Building 5 will allow for trucks to drive on site and be taken below grade to one of seven loading bays. On exiting, the trucks turn around below grade, and therefore will be able to face outward upon reaching the street, reducing traffic stoppages and resulting congestion.

New pedestrian demand generated by the Proposed Project was analyzed in the DSEIS, which looked at trips made solely by walking, as well as pedestrian trips en route to and from subway station entrances and bus stops. In total, it was estimated that the Proposed Project would add approximately 3,286 pedestrian trips (in and out combined) to DSEIS study area sidewalks, corner areas and crosswalks in the weekday AM peak hour, 3,137 in the midday, 3,682 in the PM, and 3,817 in the Saturday midday peak hour. This new pedestrian demand is expected to be most concentrated on sidewalks and crosswalks immediately adjacent to the Proposed Project's entrances on West End Avenue and West 59th Street, and along West 60th Street, which would serve as the most direct route between the project site and the 59th Street-Columbus Circle subway station. In 2018 with the Proposed Project, no analyzed sidewalks or corner areas would be significantly adversely impacted by project-generated pedestrian traffic based upon CEQR Technical Manual criteria. However, four crosswalks would be significantly adversely impacted in one or more peak hours; the impacted crosswalks would be the north and south crosswalks on West 60th Street at Amsterdam Avenue and Columbus Avenue. As part of the proposed pedestrian mitigation at the intersection of West 60th Street and Amsterdam Avenue, the DSEIS

proposes to adjust the signal timing at that location. The DSEIS concluded that the impacts to the north and south crosswalks at the signalized intersection of West 60th Street and Columbus Avenue would be unmitigated.

No pedestrian impacts were identified west of West End Avenue on West 59th Street, reflecting the lower level of pedestrian usage along this street, which is fronted on its southern side by the Con Ed Power House. Pedestrians along the north sidewalk of this block, particularly west of Freedom Place South, will be either residents or guests to Buildings 3 and 4, as well as people entering wishing to enter the Open Space PAE from the south. The location of the Building 3 and Building 4 entrance lobbies has been designed so as to minimize any potential conflicts between vehicles and pedestrians. Building 5's retail amenities, cinema, hotel and residential lobbies will be primarily accessed from Freedom Place South PAE and West 60th Street PAE, thus lessening the potential for pedestrian and vehicular conflict along 59th Street. The distance between curb cuts in Building 3 is approximately 30 feet and the distance between curb cuts in Building 5 is approximately 42 feet. These distances will reduce potential for pedestrian-vehicular conflict and are normal within the city grid. The curb cuts for the Freedom Place South PAE access points will reduce potential conflicts by minimizing the amount of traffic at any one location, introducing an additional roadway that is identical to a City street, and providing for an improved traffic pattern in and around the LMN Site. The curb cuts will conform to all DOT standards and will be located more than 50 feet from any intersection of city streets and from the Freedom Place South PAE intersection with West 59th Street.

Siting loading docks below grade and minimizing curb cuts for them would improve the pedestrian environment and avoid interruption of active ground-floor uses. In addition, in accordance with Local Law 58, a flashing light and a ringing bell will be installed at the entrance

of the parking and loading ramps to visually and audibly alert pedestrians of an exiting vehicle, enhancing pedestrian safety.

N 100286 ZCM – CERTIFICATION PURSUANT TO 26-15

An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area”, to allow more than one curb cut on West 61st Street (a narrow street).

**26-15
Curb Cuts**

Curb cuts are permitted along #narrow streets# provided that no #zoning lot# has more than one curb cut on any #narrow street# frontage.

Additional curb cuts, in excess of one for each #narrow street# frontage, for #zoning lots# in excess of 30,000 square feet of #lot area#, or curb cuts on #wide streets# for #zoning lots# that have no #narrow street# frontage may be allowed, provided that the City Planning Commission and the Department of Transportation certify to the Commissioner of Buildings that such additional curb cuts will not result in conflict between pedestrian and vehicular circulation and will result in a good overall site plan.

This Application requests certification pursuant to Zoning Resolution Section 26-15 to locate two (2) on West 61st Street, as listed below:

West 61st Street—Two curb cuts (width including splays)

Building 1:	Loading dock (30 feet)
Freedom Place South PAE:	Access (40 foot roadbed)

The proposed curb cuts would provide access to the loading docks and parking on West 61st Street and allow unimpeded vehicular and pedestrian access through the LMN Site by means of the proposed Freedom Place South PAE. They are located so as to disperse traffic, avoiding concentrations of vehicles at any one location on the LMN Site. West 61st Street is not anticipated to be a heavily trafficked road. Thus, the proposed vehicular accesses to Buildings 1 and 3 are not expected to be hazardous to traffic safety as they are located on West 61st Street.

New pedestrian demand generated by the Proposed Project was analyzed in the DSEIS, which looked at trips made solely by walking, as well as pedestrian trips en route to and from subway station entrances and bus stops. In total, it was estimated that the Proposed Project would add approximately 3,286 pedestrian trips (in and out combined) to DSEIS study area sidewalks, corner areas and crosswalks in the weekday AM peak hour, 3,137 in the midday, 3,682 in the PM, and 3,817 in the Saturday midday peak hour. This new pedestrian demand is expected to be most concentrated on sidewalks and crosswalks immediately adjacent to the Proposed Project's entrances on West End Avenue and West 59th Street, and along West 60th Street, which would serve as the most direct route between the project site and the 59th Street-Columbus Circle subway station. In 2018 with the Proposed Project, no analyzed sidewalks or corner areas would be significantly adversely impacted by project-generated pedestrian traffic based upon CEQR Technical Manual criteria. However, four crosswalks would be significantly adversely impacted in one or more peak hours; the impacted crosswalks would be the north and south crosswalks on West 60th Street at Amsterdam Avenue and Columbus Avenue. As part of the proposed pedestrian mitigation at the intersection of West 60th Street and Amsterdam Avenue, the DSEIS proposes to adjust the signal timing at that location. The DSEIS concluded that the impacts to the north and south crosswalks at the signalized intersection of West 60th Street and Columbus Avenue would be unmitigated.

The curb cuts for the Freedom Place South PAE access points will reduce potential conflicts by minimizing the amount of traffic at any one location, introducing an additional roadway that is identical to a City street, and providing for an improved traffic pattern in and around the LMN

Site. The curb cuts will conform to all DOT standards and will be located more than 50 feet from any intersection of city streets.

All traffic utilizing these facilities would enter and exit the site off of West 59th Street, thus avoiding additional curb cuts and truck circulation throughout the project site at each of the individual buildings. Two loading docks will be located at grade with a curb cut of only 30 feet, thus avoiding interruption of active ground-floor uses. It will be located close to Riverside Boulevard, intercepting trucks coming from the west and reducing truck traffic on surrounding streets. In addition, in accordance with Local Law 58, a flashing light and a ringing bell will be installed at the entrance of the parking and loading ramps to visually and audibly alert pedestrians of an exiting vehicle, enhancing pedestrian safety.

N 100300 ZCM – CERTIFICATION PURSUANT TO 26-17

AN APPLICATION FOR A CERTIFICATION, PURSUANT TO SECTION 26-17, FROM THE CITY PLANNING COMMISSION TO MODIFY THE PROVISIONS OF:

(i) 37-75 to modify the requirement that 50 percent of a front building wall fronting on a wide street shall be occupied by commercial uses; and

(i) 37-36 to permit signs to be located in a horizontal band not higher than three feet, the base of which is located not higher than 17 feet above curb level (established level); and

(ii) 37-37 to modify the requirement that 50 percent of the total surface area of any building wall of a “development” between curb level and 12 feet above curb level (established level) or ground floor ceiling height shall be transparent.

26-17

Streetscape Modifications

The City Planning Commission may, by certification to the Commissioner of Buildings, allow modifications of the requirements of this Chapter. Such modifications will be allowed when the Commission finds that such modifications will enhance the design quality of the #development#.

Section 37-35 requires that:

When the front building wall of a development is at least 50 feet in length and fronts upon a wide street, a minimum of 50 percent of such front building wall shall be occupied by commercial uses, as permitted by district regulations.

The Site is bounded by two wide streets: Riverside Boulevard and West End Avenue. The proposed plan (Z-101) provides for retail uses on most of the ground floors of the five buildings, not only on the street frontage, but also fronting on the Street PAEs and Open Space PAE.

However, two of the five buildings will require a waiver from the requirements of 37-35 as follows and for the following reasons:

- Building 1: complies
- Building 2: waiver required on north elevation, due to location of public elementary/middle school on the lower floors.

- Building 3: waiver required on west elevation, where the portion of the building that is fronting on Riverside Boulevard at grade is one story below Plaza level due to the existing difference in grade elevations between Riverside Boulevard and West End Avenue. Retail uses fronting on Plaza will be in effect one story above street grade at that location.
- Building 4: only street frontage is on West 59th Street; 37-35 is not applicable on a narrow street.
- Building 5: complies

Section 37-76 requires

In addition to the applicable district regulations in C1-9, C2-7, C2—8 and C4-6 Districts and C1 or C2 Districts mapped within R9 or R10 districts, all signs, other than advertising signs and window signs, shall be located in a horizontal band not higher than three feet, the base of which is located not higher than 17 feet above curb level.

- Building 1: complies
- Building 2: waiver required for east and north elevations. Building 2 does not comply on east façade because the floor to ceiling height of the ground floor retail space will be almost 16 feet, thus raising the sign band above the permitted height; and on north elevation because the sign band is aligned with that on east façade.
- Building 3: waiver required for south and west elevations due to high floor to ceiling heights on the ground floor.
- Building 4: complies
- Building 5: waiver required for south façade, due to high floor to ceiling heights; east elevation complies.

Section 37-37 requires that

When any building wall of a development which is five feet or more in height adjoins a sidewalk, at least 50 percent of the total surface of such wall between curb level and 12 feet above curb level or to the ceiling of the ground floor, whichever is higher, or the full height of the wall if such wall is less than 12 feet in height, shall be transparent.

One building complies, and waivers are required for the other four, although Buildings 2, 3, and 5 will comply on one of the two facades.

- Building 1: complies
- Building 2: east elevation complies (70 percent); waiver is required for north elevation (33 percent) due to location of public school on ground floor.
- Building 3: west elevation complies (70 percent); waiver is required for south elevation (29 percent) due to location of two garage doors.
- Building 4: waiver is required (0 percent) as there is no floor area or transparency along the building wall, which is comprised of an open square arch and the building wall adjacent to a car ramp.
- Building 5: complies on east elevation (70 percent) but waiver is required on south elevation (14 percent) due to location of four service doors and two garage doors.

The proposed buildings in the new LMN Plan have been designed by Atelier Christian de Portzamparc to provide for a variety of building types, both in height and façade treatment, in order to provide for a pedestrian experience of the spaces that replicates the best of urban street life. The bases of the buildings are not strictly orthogonal, but are faceted and notched. The building forms will provide visual variety and also welcome the public into the Open Space PAE

and further west to Riverside Park South and the Hudson River beyond. Some of the streetwalls are therefore extremely short, due to the irregularity of the building massing, such as the western streetwall of Building 1.

Another critical aspect of the Site's master plan and building design is that while higher floors (for the most part) are designed to be covered in glass walls of different shades, textures, and levels of opacity, the bases are intended to be an as yet undetermined stone, in order to relate to the surrounding built context. Buildings along the perimeter of the Site will be covered in a darker, denser material, in response to the character of the buildings in the neighborhood. Within the site, in addition to breaking down the building masses into elements of different heights, the facades will tend to be lighter and more transparent. The intent of the building massing and façade materials is to bring light and air into the center of the Site. In addition, while retail uses will be located along the perimeter, most of the active local commercial uses will be located on the PAEs, in order to draw the public into this central space. The school will front on West 61st Street and West End Avenue. The practical effect of these planning and design decisions is to reduce the amount of ground floor transparency and commercial uses along Riverside Boulevard and West End Avenue, the two wide streets.

The complex and faceted building massing, particularly at the building bases, leads to ground floor bases that do not, at all locations, allow for signage to be enclosed strictly within the prescribed band. These locations are indicated on Z-116 through Z-120. However, the locations meet the spirit and intent of the Zoning Resolution's Streetscape regulations contained within Section 37-36. In addition, the proposed plan shows that the following elevations will exceed the requirements of 37-37 by providing 70 percent compliance with the street wall transparency

requirements at the following locations: Building 1 south elevation; Building 2, south and west elevations; Building 4, the Jewel Box, and Building 5, the north and east elevations.

The amount of streetwall frontages along the public streets that border the LMN Site has been carefully tempered, particularly for Buildings 1, 3 and 4, so as to also provide for an open and porous edge, which will indicate to non-residents the accessibility of the Open Space PAE within. The new LMN Plan concentrates some of the service uses, such as loading berths, garage entrances, and other service-related facilities, to West 59th Street across from the Con Ed facility, so as to increase the pedestrian safety and comfort elsewhere throughout the LMN Site. This site planning decision leads to lower percentages of transparency facades along West 59th Street for Building 3, 4 and 5, but also adds to the quality of the pedestrian experience elsewhere throughout the LMN Site. Service uses must be located somewhere. For those cases in which Buildings are designed to be viewed as freestanding structures, some relief from the rigid application of a 50 percent benchmark is appropriate.

The waivers requested in the Application from the strict application of the streetscape requirements allow for a site plan that incorporates a streetscape design that creatively addresses the severe changes in grade on the site, reflects the context of the buildings at its perimeter, and permits more generously designed ground floor retail spaces with higher floor to ceiling heights. It allows for the inclusion of a public school into the base of Building 2, and it enables active ground level activity within the town center and along the Street PAEs, heightening the pedestrian experience throughout Riverside Center. The requested certification allows the buildings to present transparent and active frontages to the Street PAEs and open landscaped open space amenities such as the Plaza, while at the same time presenting an open and welcoming face toward the community along the site's edges.

II. CONCLUSION

Based on the foregoing, we respectfully request that the City Planning Commission approve the following actions:

- **Zoning Text Changes:**

N 100294 ZRM –An application for a Zoning Text Amendment to Section 74-743 of the Zoning Resolution to allow the City Planning Commission to permit, within a general large-scale development, modification of Section 12-10 (Court, outer) to allow any open area surrounded on three sides by building walls to be treated as an “outer court”; and

N 100295 ZRM – An application for a Zoning Text Amendment to Section 74-744(b) of the Zoning Resolution to allow the City Planning Commission to permit automotive sales and service establishments (UG 16) within a “general large-scale development” in a C4 District in Manhattan Community District 7 provided certain findings are met.

- **Special Permits:**

C 100296 ZSM – An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Sections:

(i) 74-743(a)(2) to permit location of buildings without regard for applicable:

(a) “court” regulations found in ZR Section 23-84, and 23-851, to modify the minimum dimensions and areas of outer courts and inner courts and allow up to 5% of an inner court to be covered;

(b) distance between “buildings” regulations found in ZR Sections 23-711 to permit less than the required distance; and

(c) height and setback (including tower) regulations found in ZR Sections 23-634, 33-433, and 33-451 to allow the location of buildings without regard to street wall location requirements, maximum street wall height, initial setback distance and tower regulations; and

(ii) 74-743(a)(7), as amended, to modify Section 12-10 (Court, outer) to allow the open areas surrounded on three sides by building walls as designated on Drawing Z-111 to be treated as “outer courts”;

C 100297 ZSM - An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Section 74-744 (a) (2), as amended, to allow automobile sales and service uses (Use Group 16B) without regard for the Use provision found in 32-00;

C 100287 ZSM - An application for a Special Permit from the City Planning Commission, within a “general large-scale development,” pursuant to Section:

- (i) 74-681(a)(1) to allow that portion of a railroad or transit right-of-way to be completely covered over by a permanent platform to be included in the “lot area” for the “development”;
- (ii) 74-681(a)(2) to allow the portion of the yard where railroad use has been permanently discontinued to be included in the “lot area” for the development; and
- (iii) 74-681(c)(4), to establish appropriate level (elevation + 24 above Manhattan Datum) instead of “curb level” as the reference plane for the development plus additional curb levels for streetscape purposes (26-00 and 37-30);

C100288 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” with a maximum of 1,800 public parking spaces;

C 100289 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 1 with a maximum of 460 public parking spaces;

C 100290 ZSM – An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 2 with a maximum of 230 public parking spaces;

C 100291 ZSM – An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 3 with a maximum of 290 public parking spaces;

C 100292 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 4 with a maximum of 370 public parking spaces; and

C 100293 ZSM - An application for a Special Permit, pursuant to Sections 13-562 and 74-52, from the City Planning Commission to permit a “public parking garage” to be located beneath Parcel 5 with a maximum of 450 public parking spaces.

- **Authorization: N 100298 ZAM** – An application for an Authorization, pursuant to Section 13-553, from the City Planning Commission, to permit a curb cut on West End Avenue (a wide street) to facilitate the extension of West 60 Street westward through a portion of the project site as a public access easement.

Pursuant to Section 11-42(c), each of the above-referenced special permits and the authorization would provide that the special permit or authorization will not lapse if, within ten years from the effective date, substantial construction of at least one building has been completed.

- **Certifications:**

N 100299 ZCM – An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area”, to allow more than one curb cut on West 59th Street (a narrow street).

N 100286 ZCM – An application for a Certification, pursuant to Section 26-15, from the City Planning Commission to allow additional curb cuts, in excess of one for each “narrow street” frontage, for “zoning lots” in excess of 30,000 square feet of “lot area”, to allow more than one curb cut on West 61st Street (a narrow street).

N 100300 ZCM – An application for a Certification, pursuant to Section 26-17, from the City Planning Commission to modify the provisions of:

(i) 37-35 to modify the requirement that 50 percent of a front building wall fronting on a wide street shall be occupied by commercial uses; and

(ii) 37-36 to permit signs to be located in a horizontal band not higher than three feet, the base of which is located not higher than 17 feet above curb level (established level); and

(iii) 37-37 to modify the requirement that 50 percent of the total surface area of any building wall of a “development” between curb level and 12 feet above curb level (established level) or ground floor ceiling height shall be transparent.

- **Modification: M 920358 D ZSM** - An application for the Fourth Modification of the previously approved “general large-scale development” special permit and restrictive declaration to reflect the current proposal.