

CITY PLANNING COMMISSION

October 26, 1992/ Calendar No. 2

C 920357 ZMM

IN THE MATTER OF an application submitted by Penn Yards Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8:

- a) changing from an R8 District to a C4-7 District property bounded by West End Avenue, West 61st Street*, Freedom Place South*, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, and a line passing through two points: one on the last-named point and the other on the westerly street line of West End Avenue distant 37 feet north of the northerly street line of West 61st Street*;
- b) changing from a C4-7 District to an R10 District property bounded by Freedom Place South*, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, and West 63rd Street*;
- c) changing from an R8 District to a C4-2F District property bounded by a line passing through two points: one on the northerly street line of West 64th Street* distant 378 feet west of the westerly street line of West End Avenue and the other 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue, a line passing through two points: one on the last-named point and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, West 63rd Street*, and a line 65 feet west of Freedom Place South*;
- d) changing from an M1-4 District to an R10 District property bounded by a line 378 feet west of West End Avenue, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other on the northerly street line of West 64th Street* distant 378 feet west of the westerly street line of West End Avenue, a line 378 feet west of West End Avenue, and West 66th Street*;
- e) changing from an R8 District to an R10 District property bounded by the northerly prolongation of the westerly street line of Freedom Place, West 70th Street, Freedom Place, West 66th Street, a line 378 feet west of West End Avenue, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other on the northerly street line of West 64th Street* distant 378 feet west of the westerly street line of West End Avenue, a line 65 feet west of Freedom Place South*, West 63rd Street*, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other

108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, Freedom Place South*, West 61st Street*, a line 600 feet west of West End Avenue, and the westerly prolongation of the center line of West 71st Street;

- f) changing from a C3 District to an R10 District property bounded by:
 - 1) a line 800 feet west of West End Avenue, the westerly prolongation of the center line of West 72nd Street* and the boundary line of a Park*; and
 - 2) a line 800 feet west of West End Avenue, West 61st Street* and the boundary of a Park*;
- g) changing from a C3 District to a C4-7 District property bounded by a line 800 feet west of West End Avenue, the westerly prolongation of the center line of West 59th Street, the boundary line of a Park* and its southerly prolongation, and West 61st Street*;
- h) changing from a C3 District to an M2-3 District property bounded by the southerly prolongation of the boundary line of a Park*, the westerly prolongation of the center line of West 59th Street, the U.S. Pierhead Line of the Hudson River and the westerly prolongation of the northerly street line of West 59th Street;
- i) eliminating from the existing R8 District a C1-5 District bounded by West End Avenue, West 61st Street*, a line 600 feet west of West End Avenue, West 71st Street, the northerly prolongation of the westerly street line of Freedom Place, West 70th Street, Freedom Place, a line 458 feet west of West End Avenue, a line 340 feet north of West 66th Street*, Freedom Place, West 66th Street*, a line 378 feet west of West End Avenue, a line 100 feet south of West 66th Street*, a line 458 feet west of West End Avenue, a line 97 feet north of West 61st Street*, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, and a line passing through two points; one on the last-named point and the other on the westerly street line of West End Avenue, distant 37 feet north of the northerly street line of West 61st Street*;
- j) eliminating from the existing R10 District a C1-5 District bounded by the northerly prolongation of the westerly street line of Freedom Place, the westerly prolongation of West 71st Street, a line 600 feet west of West End Avenue, West 61st Street*, a line 742 feet west of West End Avenue, a line 200 feet south of the westerly prolongation of the southerly street line of West 67th Street, a line 800 feet west of West End Avenue, the westerly prolongation of the southerly street line of West 67th Street, a line 742 feet west of West End Avenue, the westerly prolongation of the southerly street line of West 71st Street, a line 800 feet west of West End Avenue, and West 72nd Street* and its westerly prolongation; and
- k) establishing within the proposed R10 District a C2-5 District bounded by the northerly prolongation of the westerly street line of Freedom Place, West 70th Street, Freedom

Place, West 66th Street*, a line 65 feet west of Freedom Place South* and its northerly prolongation, West 63rd Street*, Freedom Place South*, West 61st Street*, a line 75 feet east of Riverside Drive South*, West 64th Street*, Riverside Drive South*, West 66th Street*, a line 75 feet east of Riverside Drive South*, West 70th Street, Riverside Drive South* and West 72nd Street*

Borough of Manhattan, Community District 7, as shown on a diagram dated May 18, 1992.

*** Refers to streets and a park proposed to be established under related mapping application C 920230 MMM**

The application for the amendment of the Zoning Map was filed by Penn Yards Associates on February 6, 1992, for the approval to change the existing R8, R10, C3, C4-7 and M1-4 Districts to R10, C4-2F, C4-7, and M2-3 Districts, eliminating C1-5 Districts from existing R8 Districts and establishing C2-5 Districts within the proposed R10 District within an area generally bounded by West 72nd Street and its westerly prolongation, U.S. Pierhead Line of the Hudson River, West 59th Street, West End Avenue, West 66th Street and Freedom Place. This would facilitate the development of the mixed-use project tentatively known as Riverside South, located on the former Penn Yards site. The application as originally certified, consists of approximately 5700 units of housing, a maximum of 601,200 square feet of retail and professional and general office space, approximately 1.8 million square feet of studio space, 12 public parking garages, an approximate 22 acre public park and other publicly accessible and private open spaces. Modifications to the application are described in the consideration of the report of the related special permit application (C 920358 ZSM).

RELATED ACTIONS

In addition to the amendments of the Zoning Map which are the subject of this report (C 920357 ZMM), implementation of the applicant's proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 920358 ZSM

An application for special permits for the proposed general large scale development pursuant to 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. In addition the applicant is requesting an extension of the lapse provision of Section 74-99(a)(1) of the Zoning Resolution for the aforementioned special permits pursuant to Section 74-99(c).

C 920230 MMM

The amendment to the city map involving:

- ◆ the elimination, discontinuation and closing of various streets,
- ◆ the elimination of the lines of the West 70th Street viaduct,
- ◆ the establishment of the lines and grades of a new street system,
- ◆ the establishment of the lines of a park,
- ◆ the establishment of the lines of a public place,
- ◆ the change of legal grades, and
- ◆ the modification and/or the delineation of various easements/ corridors.

N 930002 ZCM

Certification pursuant to Section 26-07 to allow curb cuts on wide streets. The certified application included an authorization pursuant to Section 13-453 to permit curb cuts on wide streets (N 920359 ZAM) which was found inapplicable as it pertained to curb cuts on wide streets for accessory parking, while the proposed project would have only public parking. The application for authorization was thus withdrawn. The revised application for certification to allow curb cuts on wide streets pertains to curb cuts to public access easements and loading berths. This application was submitted on July 6, 1992.

The proposed application has been filed under two conditions: (1) if the Miller Highway is relocated to the proposed inboard location; and (2) if the Miller Highway remains in place. Under both conditions the required set of actions remain the same. The applicant is also proposing to execute several legal documents in relation to the required public actions which include a Restrictive Declaration, an Occupancy License and a Mapping Agreement.

BACKGROUND

The Riverside South site, the former Penn Central rail yard, is located in Community Board #7 along the Hudson River on the west side of Manhattan. Of a total site of 74.6 acres, 56.2 acres are on land and 18.4 acres are under water. The site is bounded on the north by West 72nd Street, on the south by West 59th Street, on the west by the Hudson River, and on the east by

buildings at the west end of West 71st and West 70th streets, by Freedom Place from West 70th to West 66th street, the ABC property fronting on West End Avenue from West 66th to West 64th streets (with an existing ABC facility between West 66th and 65th streets), and the site of the recently approved Manhattan West project on West End Avenue from West 61st to West 59th streets. In addition, a strip of city-owned property (approximately 64,624 square feet above water and 1,357,104 square feet below water) abuts the northwest corner of the site along the Hudson River between West 72nd and West 70th streets.

This is the site of the "Lincoln West" project which was approved by the City Planning Commission and the Board of Estimate (1982). The project was approved at 7.3 million square feet of zoning floor area which included 4,300 apartments in six towers and nine low and mid-rise buildings, 400,000 square feet of retail space, one million square feet of office space, parking for 2,515 cars, and approximately 27 acres of public open space mostly located at or adjacent to the waterfront. The approved special permits required for the project have lapsed and the Alteration Map was never filed. However, both the Restrictive Declaration and the zoning approved in conjunction with the project remain in effect.

In December 1984, the project site was sold to the Trump Organization. The Trump Organization proposed a series of large scale mixed-use developments for the site including Television City in 1985 and Trump City in 1990. Television City proposed 18.6 million square feet of development which included 7,600 dwelling units, over two million square feet of office and studio space, 1.3 million square feet of retail, parking for approximately 9,000 cars and 13.6 acres of recreational space and waterfront esplanade. The project was later revised to Trump City which proposed 14.25 million square feet of development, increased the open space to 20.8 acres, retained the number of dwelling units, and included 3.6 million square feet of office space, a 750 room hotel, 1.5 million square feet of retail including a regional shopping mall, and parking for approximately 7,300 spaces. Both designs proposed the "world's tallest building" as a part of the site plan.

On March 5, 1991, the City of New York, the State of New York, the applicant and a consortium of civic organizations (Municipal Art Society, Natural Resources Defense Council, Parks Council, Regional Plan Association, Riverside Park Fund and Westpride) forming Riverside South Planning Corporation (RSPC), announced an agreement on a conceptual plan for the Penn Yards

site. The further development of the conceptual plan is the subject of the above noted ULURP applications.

Existing Site Conditions

Much of the site was created by landfill where grade levels toward the Hudson River range from one to three percent. At the southern end, the site is at the same elevation as the adjacent city street grid, while the elevation of West End Avenue rises, the site's elevation remains relatively constant. A vertical embankment along the eastern boundary of the site that ranges in height from zero feet at West 59th Street to 44 feet at the northern end of the site is supported by a retaining wall along almost the entire length of the eastern edge of the site.

The site served as a rail freight yard in the beginning of the century, and until the early 1980's railroad sidings covered most of the area. Two railroad tracks located on the Amtrack right-of-way (which is 55 feet wide by 18 feet high) still run along the eastern edge of the site. These tracks run down the west side of Manhattan from Spuyten Duyvil in the Bronx to the Long Island Railroad yards at West 32nd Street and 11th Avenue west of Pennsylvania Station and south of the Javits Convention Center. These tracks have been rehabilitated to provide Amtrak service to Penn Station.

Several structures remain on the mostly vacant site. The Miller Highway, a dominant feature that runs through an aerial easement approximately 70 feet wide on the western side of the property is elevated from 23 feet at West 59th Street to 58 feet at West 72nd Street. Temporary warehouse, office space, truck loading and parking facilities for Lifschultz Fast Freight occupies a 137,000 square-foot site located practically abutting the Miller Highway at the southern end of the site. There is a one-story and a three-story building occupied by Jay-Gee Motorhomes, and parking lots for Con Edison employees who work at the power plant on the south side of West 59th Street. The parking lots are also used by a Garage Management Corporation for storage of vehicles by the public. There are also seven piers, all in various stages of dilapidation, several unused railroad freight loading platforms, a retaining wall that holds in place the vertical embankment on the eastern boundary of the site and a long, low, deteriorated concrete shelter built against the retaining wall, a site-illumination system consisting of floodlights mounted on wooden and metal poles, and a chain link fence that surrounds the site on the north, south and east.

Current Zoning

The site is currently zoned C3 along the water's edge and to the U.S. Pierhead Line into the water beyond the piers; R10 through the middle of the site to where Lincoln West proposed a north-south boulevard; R8 from this proposed boulevard to the eastern boundary of the site; and C4-7 south of West 61st Street. The residential zones R8 and R10 allow residential and community facility uses found in Use Groups 1-4 -- the R-8 district permits a maximum floor area ratio (FAR) of 6.02 while the R10 district in this Community District is governed by the R10 Infill regulations, the maximum FAR is 10. In addition, the Quality Housing Program is optional in R8 and R10 districts.

The C3 zoning district permits commercial, residential and waterfront recreational uses found in Use Groups 1-4 and 14 and a commercial and residential FAR of 0.5. The C4-7 zones permit commercial and residential uses found in Use Groups 1-6, 8-10 and 12 and a commercial and residential FAR of 10. The R-10 Infill also limits the R10 equivalent commercial district's residential FAR to 10.

Surrounding Context

The surrounding neighborhood is characterized by a mix of uses. The north and northeast are predominantly residential. The area to the north contains high-rise residential towers, tenement buildings and midblock row-houses and is zoned R10A, a high density contextual zone. To the east, the area is zoned R8, allowing high density residential uses as reflected by superblocks occupied by Lincoln Towers and Lincoln Guild Houses between West 66th and West 70th streets. East of West End Avenue, the neighborhood continues to be residential and includes more large housing developments such as Amsterdam Houses. The neighboring blocks from West 64th to West 66th streets were zoned for manufacturing; however, several rezonings have promoted a mix of residential and commercial uses. The approved Manhattan West project was rezoned to commercial/residential; a proposal for ABC/Capital Cities expansion will require rezoning to commercial/residential uses. The area surrounding the southern portion of the site is, in contrast, more manufacturing and commercial.

The larger neighborhood is characterized by regional and local retail activity along Broadway, Columbus and Amsterdam avenues, and by institutions, the most significant being Lincoln Center

and Fordham University, located in the area bounded by West 60th Street, West 67th Street, Broadway and West End Avenue. Other significant features in the vicinity are Central Park to the east and Riverside Park immediately north of the site.

The neighborhood is accessible by mass transit and local buses. The 59th Street Columbus Circle subway station is a major interchange terminal for the IND (A, B, C and D) line, and the IRT line (1 and 9); the West 66th Street stop on Broadway is a local stop while the West 72nd street subway station is both an express and local stop for the Broadway line. The site is accessible by vehicles through the local streets and the West Side highway has exits at both West 59th Street and West 72nd Street.

PROJECT DESCRIPTION

The following describes the project as proposed at the time of certification. Subsequent changes are noted in the consideration for the report on the related special permit action (C 920358 ZSM).

Development Program

The Riverside South Project is proposed as a large mixed-use development consisting of two distinct parts; a general large-scale development program of residential and commercial uses to be developed on the upland portion of the site, and a 21.5 acre waterfront park, extending from the large-scale development to water's edge and mapped beyond to the pierhead line. The mixed-use program includes: approximately 8.3 million square feet of zoning floor area (zsf) of which approximately 5.9 million zsf is proposed to be developed into approximately 5,700 units of housing; 138,000 zsf of retail space; 163,000 zsf of professional office space; 300,000 zsf of general office space; and 1.8 million zsf to be developed into a studio complex for either a single tenant or multiple tenants involved in film or television production. Portions of this development would be built on a platform above the former Penn Central rail-yards and above the existing Amtrak right-of-way. In addition, below grade, and consequently not considered floor area for zoning purposes, the project would include: 100,000 square feet for a six screen cineplex accommodating 1,800 seats; and 12 public garages distributed amongst the parcels providing a total of 3,500 parking spaces.

Site Plan

The site plan proposes to extend Riverside Drive south from West 72nd Street through the project site and to connect it with Twelfth Avenue at West 59th Street. The Riverside Drive extension (proposed Riverside Drive South) would also connect, in most cases, with the Manhattan street grid by extending the existing city streets between West 59th Street and West 72nd Street from the eastern edge of the site.

The site plan allows for the relocation of the Miller Highway (currently under rehabilitation for completion in 1994) to an inboard location running adjacent and underneath the proposed Riverside Drive South. After the relocation, the existing highway would be demolished. The proposed waterfront park would be located west of the new highway and extend to the water's edge and mapped to the pierhead line. The project has provided space beneath Riverside Drive South to allow for the highway's potential relocation should the New York State Department of Transportation (NYSDOT), in conjunction with the Federal Highway Administration (FHWA) approve the relocation. In the event that the highway is not relocated, the waterfront park would run underneath the elevated highway to the water's edge.

The relocated highway would allow the waterfront to be consolidated into an uninterrupted open space which would provide a cohesive park design, as well as open up broader views to the Hudson River and the Palisades. The relocated northbound lanes would run below Riverside Drive South while the southbound lanes would be adjacent to them in a partial open cut. The waterfront park's eastern edge would negotiate the level from Riverside Drive South to the level of the water with infill and landscaped berms and the park would cover portions of the southbound lanes. The covered portion as well as the bridges would provide access from Riverside Drive South to the park at West 61st, 62nd, 63rd, 64th, 65th, 66th, 68th and 70th streets.

The major features of the site plan: the extension of Riverside Drive, the continuation of the city grid, and the creation of the waterfront park would result in the formation of 15 development parcels (emulating the size and width of city blocks) which would accommodate the 8.3 million sqf of development program. The development parcels would face Riverside Drive South -- the first 14 parcels from the north (Parcel A to M and Parcel O) would be developed for residential use with ground floor retail and professional office and community facilities space on the first and

second floor. All dwelling units are proposed for market rate housing with approximately 4.4 percent (250 units) as studios, 45.6 percent (2,600 units) as one bedroom apartments, 44.4 percent (2,530 units) as two bedroom apartments, and 5.6 percent (320 units) as three bedroom apartments. Parcel N would be developed into studio space, general offices, additional retail and a cineplex with six theaters.

Distributed amongst the 14 residential parcels are 16 residential towers whose heights vary from 18 stories to 49 stories. The base of the buildings are proposed at a maximum of 15 stories or 165 feet with a transition zone above the base of three stories or 30 feet. The varying heights would respond to the adjacent buildings and surrounding neighborhood, the widening of the park, the width of streets and the environmental impacts of the smokestack at the Con Edison plant facility at West 59th Street. Furthermore, the proposed height and bulk controls reflect maximum streetwalls at 165 feet with a transition zone allowing approximately one-third of the streetwall to go up to 190 feet.

Parcel A, which is at the northern end of the site, would relate to the landmarked Chatsworth building on West 72nd Street by having a matching base of 15 stories. The tower located at West 71st Street would rise to 32 stories. The tallest building in the development is located on Parcel B. Located between West 70th and West 71st streets, its 49-story tower would face West 70th Street, an existing and proposed extended wide street already influenced by the height and form of Lincoln Towers between West 66th Street and West 70th Street.

The heights of the towers would diminish in the parcels south of West 70th street from 45 stories to 21 stories at Parcel G at West 66th Street, which is approximately the mid-point of the site plan. This would coincide with the widest portion of the waterfront park.

The towers on Parcels H and I (from West 65th to West 63rd streets) would then rise to 42 stories at West 63rd Street, after which, from Parcels J to M, the towers step down from 38 stories to 18 stories at West 59th Street in response to the emissions from the Con Edison plant. The emissions control the maximum allowable heights of buildings located south of approximately West 63rd Street.

Parcel N, at the southern portion of the site, between West 59th and West 61st streets, would be programmed for studio uses. The base of the studio complex, bounded by West 59th Street, West End Avenue, West 61st Street, and parcels L and M to the west, would contain floor plates of approximately 250,000 square feet. The building would rise to a height of eight stories (approximately 150 feet) and rising atop the base would be two 30-story towers along West End Avenue. Parcel O, an inboard site, is adjacent to the proposed and approved Manhattan West project, located on West 61st Street between West End Avenue and Freedom Place South. The building towers would have a maximum height of 28 stories.

The development parcels and the grid patterns are organized to respond to the adjacent neighborhood context. Generally, for the northern portion of the project, the main organizing element would be Freedom Place, now a sparsely used, four lane, two-way street separating the site from Lincoln Towers between West 66th and West 70th streets. The applicant intends to enliven Freedom Place by narrowing and converting it into a one way street, with retail uses incorporated along its western frontage. The southern portion of the project would relate to the proposed projects to the east of the site -- the approved Manhattan West project and the proposed expansion of ABC/Capital Cities studios. The buildings to the south are organized around two interrelated parks and a system of open spaces between West 61st and West 64th streets and along the new street, Freedom Place South, forming a part of the open space and pedestrian circulation system.

Vehicular and Pedestrian Systems

The vehicular circulation system is organized around the proposed Riverside Drive South, from West 72nd to West 59th street, connecting with Twelfth Avenue at West 59th Street, as the major vehicular spine. To connect the new road to the existing Riverside Drive at West 72nd Street, the northbound exit of the Miller Highway at West 72nd street would be closed. In addition, the extension of the city grid would form vehicular and pedestrian feeders, tying the proposed development to West End Avenue and the rest of the city's street system.

This extension of the city grid would result from the mapping of city streets. These east-west connections would vary in width and function: West 70th, 65th, 64th and 61st streets would be two-way through streets; West 68th would be a two-way street during the first phase of the

project, and a one-way eastbound street at the end of the second phase. The existing West 66th Street, connecting Riverside Drive South with West End Avenue would be redesigned and raised by six to seven feet, starting just to the west of the existing ABC truck entrance, to clear the Amtrak right-of-way. Access to ABC loading docks would be maintained and West 63rd Street would be one-way westbound. Private drives located on axis with the city grid at West 71st, 69th, 67th, 65th, and 62nd would be mapped as public easements. The applicant proposes to encourage pedestrian use by providing wider sidewalks, landscaping, and dropped curbs on these streets. Access to garages would be provided from the east-west public and private streets while no access to garages would be provided from Riverside Drive South, Freedom Place, the proposed Freedom Place South or West 72nd Street.

The treatment of the existing Freedom Place includes narrowing the width and converting the street into a one-way northbound street. In addition, to the south, the new two-way Freedom Place South would be created from West 61st to West 63rd streets on the project site and West 64th Street to West End Avenue on the adjacent Manhattan West property. Freedom Place South would frame the west side of the park-like public access easement provided by the Manhattan West project.

Open Space and Landscaping

The project's open space plan is comprised of the large waterfront park of approximately 22 acres (including Pier I and active recreation areas located under the highway) and, on the platformed portion, a smaller and more intimate park-like public access easement, and a system of landscaped pedestrian ways and streets. This general open space plan would be the same for both conditions of the highway. However, the design of the waterfront park would vary under the two conditions: namely, Condition A (with the relocated highway) or Condition B (the highway in place).

Access to the waterfront park would be provided through a series of pedestrian walkways from Riverside Drive. The pedestrian walkways would be aligned with the proposed public and private streets and would continue over the relocated highway (or "public place") that is partially covered by Riverside Drive. Direct access would be available from Riverside Park to the north and, to the south in the event that a Hudson River esplanade is developed in conjunction with the Route 9A projects. Pier I would be rehabilitated as a part of the waterfront park, provided that the

rehabilitation is covered under a national permit that would require issuance by the US Army Corps of Engineers.

Park A: Waterfront Park with Relocated Highway

The new waterfront park would include a variety of active and passive features providing opportunities for sports, recreation and leisure by the time of the project's completion. The park would have three sections: the northern section would have active recreation; the middle section would provide a natural setting; and the southern section would have programmed uses and activities.

The northern section would include an active open space facility of two acres, between West 72nd and West 70th streets and would house a variety of court uses (i.e. handball, racquetball). The courts would be partly in a covered area beneath the relocated highway. There would also be a maintenance facility on top of which a children's play area would be located at grade with Riverside Drive South. To the south of the active space would be a 1,200 seat amphitheater built into the north end of the park berm. The central portion of the park would consist of a lawn of approximately 11.0 acres that would slope down from Riverside Drive South to the Hudson River. Towards the water's edge, the lawn would be treated as a natural area with native grasses, shrubs and perennials. The southern portion of the park would feature terraced community gardens, a nursery, and a freshwater pond that could be available for ice skating in the winter. The waterfront features of the park would include an esplanade, the rehabilitated Pier I, a transfer bridge, pedestrian piers and treatment of other piers.

Park B: Waterfront Park with Highway in Place

Since the relocation of the highway requires discretionary approvals from the FHWA and NYSDOT, the project includes an interim park design in the event that the required approvals are not granted or funding not allocated 10 years after the approval of the project. The interim park design would remain until at some future date when the highway is relocated.

In addition to the waterfront features of the Park A plan, the northern section of the site between West 72nd and West 70th streets would be a hard surfaced active recreation area, most of which would be below the highway. The remaining area under the highway would also be hard

surfaced and would be developed as an esplanade. A tot-lot would be located between West 68th and West 67th streets, and a community garden between West 63rd and West 62nd streets. The majority of the open space, between West 67th and West 63rd streets would be a grassy field divided by paths connecting access points to a paved path beneath the elevated highway. The area of the parkway corridor (to be mapped as public place) would be reserved for the future highway relocation and would be seeded.

Other Open Spaces

In addition to the waterfront park, on the platformed portion of the site, located along Freedom Place South, between Parcels J, K, O and the Manhattan West site, would be a semi-oval public access easement to be developed as a "park-like place". This area would be linked to the 1.2 acre public access easement proposed as a part of the Manhattan West Site (between West 63rd and West 64th streets) through landscaped streets.

Phasing

The project is proposed to be developed in two phases. Phase I would include the development of all parcels north of West 64th street (parcels A - H) and adjacent portions of the project's street network. Phase I would also include approximately 55 percent of the project's residential units (3,129 units), 90,600 zsf of professional office space, 57,600 zsf of retail, parking for approximately 2,000 vehicles and a portion of the park. The Draft Environmental Impact Statement (DEIS) states that this phase would be completed in 1997.

Phase II would include the development of parcels between West 64th Street to West 59th Street, Parcels I to O. It would include the balance of residential units, retail and office space, community facilities, the studios and cineplex, as well as the balance of parking spaces, the street network, and infrastructure. The waterfront park would also be completed as would other elements of the open space plan. The DEIS states that this phase would be completed in 2002.

Park Phasing

During Phase I of construction, approximately 8.5 acres of the park would be developed which would allow the development of both conditions of the highway and park. All features that would not be disturbed during the proposed relocation of the highway, including all waterfront edge

elements (the esplanade, pier rehabilitation or redevelopment, and transfer bridges) except the permanent planting of the natural area in Park A would be constructed. Temporary features, for the period until the completion of the park, would also be developed (fences, railings, and plantings) at the water's edge.

Phase II of the park would differ under the two conditions. In the event that the relocation of the highway would occur in the near future, the second phase would include the rest of the features of the Condition A design. If the highway is to remain in place, then the Condition B design would be completed.

ENVIRONMENTAL REVIEW

This application (C 920357 ZMM), in conjunction with the applications for the related actions (C 920358 ZSM, C 920230 MMM, and N 930002 ZCM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the New York City Environmental Quality Review (CEQR) procedures set forth in Executive Order No. 91 of 1977. The designated CEQR number is 85-253M.

A summary of the environmental review appears in the report on the related application for the special permits (C 920358 ZSM).

UNIFORM LAND USE REVIEW

This application (C 920357 ZMM), in conjunction with the applications for the related actions (C 920358 ZSM and C 920230 MMM), was certified as complete by the Department of City Planning on May 18, 1992 and was duly referred to Community Board 7 and the Manhattan Borough President along with the related non-ULURP action N 920359 ZAM in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules. Subsequently the related action N 920359 ZAM was withdrawn and substituted with the non-ULURP action N930002 ZCM.

COMMUNITY BOARD PUBLIC HEARING

Community Board #7 held their public hearing on this application (C 920357 ZMM) in conjunction with applications for related actions (C 920358 ZSM, C 920230 MMM and N 930002

ZCM) on July 21, 1992, which was continued to July 22 and 23, 1992. A resolution was adopted on July 23, 1992, disapproving this application by a vote of 35 to 1 with 1 abstention and 2 abstaining for cause. A summary of the vote and recommendation of Community Board #7 appears in the report on the related application for the special permits (C 920358 ZSM).

BOROUGH PRESIDENT RECOMMENDATION

This application (C 920357 ZMM), in conjunction with the applications for related actions (C 920358 ZSM, C 920230 MMM and N 930002 ZCM), were considered by the Office of the President of the Borough of Manhattan, who held a public hearing on August 3, 1992 which was continued on August 4, 1992, which issued the recommendations approving this application with conditions and a Memorandum of Understanding between the Borough President, Penn Yards Associates and the Riverside South Planning Corporation. A summary of the Borough President's recommendations appears in the report on the related application for the special permits (C 920358 ZSM).

CITY PLANNING COMMISSION PUBLIC HEARING

On August 19, 1992 (Calendar No. 4) the City Planning Commission scheduled September 9, 1992, for a public hearing on this application (C 920357 ZMM). On September 9, 1992 (Calendar No. 18), the hearing was duly held in conjunction with the public hearings on the applications for the related actions (C 920358 ZSM, C 920230 MMM and N 930002 ZCM) and the DEIS (85-253 M). There were a number of appearances, as described in the report on the related application for the special permits (C 920358 ZSM), and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 920357 ZMM), in conjunction with those for the related actions (C 920358 ZSM, C 920230 MMM and N 930002 ZCM), was reviewed by the Department of City Planning for consistency with the policies of the New York Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York State Waterfront Revitalization and Coastal Resource Act of 1981 (New York State Executive Law, Section 910 *et seq.*). The designated WRP number is 114-91.

A discussion of the WRP Consistency Review and Findings appears in the report on the related application for the special permits (C 920358 ZSM).

CONSIDERATION

The Commission believes that the change in the zoning map, in conjunction with the request for mapping of streets, parks and public easements and the special permits, is appropriate. The Commission notes that the applicant is not seeking to increase the amount of permitted floor area or allow significantly different land uses from the existing zoning, but rather to establish a zoning map consistent with the proposed street map.

The site's current zoning was approved in 1982 in conjunction with the approval of the Lincoln West project and was based on the approved Lincoln West street map (which was never filed). The site was rezoned from manufacturing use to medium density residential use (R8) along the eastern boundary, high density residential use (R10) through the middle, and low density commercial/residential use (C3) along the waterfront. The southern portion was zoned for high density commercial use (C4-7) and commercial overlays (C1-5) were mapped over most of the R10 and R8 districts. The approved street and zoning maps resulted in a potential zoning floor area envelope of approximately 10.25 million square feet. However, the overall zoning floor area was limited to approximately 7.3 million square feet through conditions imposed in the special permits approved for a large-scale residential development and a development over a railroad right-of-way. The floor area restrictions were based upon the characteristics of the project including the high proportion of commercial space, separation from the existing city street grid, and the configuration of the site plan.

The proposed rezoning is based upon the land use distribution, site plan, and street mapping which is significantly different from the previously approved project. The proposed zoning and street map for the project would establish a zoning floor area envelope of approximately 8.9 million square feet. Although the proposed map amendment would rezone part of the site from R8 to R10 (or equivalent), this theoretical increase in the maximum density would be offset by mapping a significant portion of the site as Park or public place (where the Miller Highway could be relocated) which would generate no floor area, thereby resulting in an overall reduction in the

zoning floor area envelope. Forty-three percent of the upland portion of the site would generate no development rights.

The Commission believes that the requested zoning map is consistent with the zoning designations of the adjacent area and with the City's policy for the area reflected in the recently approved Manhattan West project contiguous with the site. All of the project's zoning lots are located east of Riverside Drive South and, with two small exceptions, the area between West 61st Street and West 72nd Street would be zoned R10. The Commission finds that this is in context with the zoning on the northern end of the site -- a 10 FAR density along Riverside Drive, West End Avenue and West 72nd Street. In addition, the Commission noted that the proposed density is appropriate for a new-mixed use neighborhood adjacent to a large park or edge condition which extends the city grid to the waterfront, similar to Central Park West, Central Park South and Battery Park City. Moreover, the proposed rezoning on the southern end from C3 to M2-3 would give the entire marine transfer station, south of the site, a single conforming zoning designation. The change from C1-5 to a C2-5 overlay mapped over portions of the R10 zone would encourage and allow cultural facilities (Use Group 8 is not allowed in C1-5) in addition to local retail to serve the existing and new community.

The Commission also believes that the C4-7 zone (R10 equivalent) on the proposed studio block would tie in to the commercial orientation to the south of the site, while the C4-7 zoned on parcel O (adjacent to the Manhattan West Side) would be in keeping with the mixed-use character (residential, studio spaces) of the area and add to the continuous band of existing and proposed commercial/residential districts west of West End Avenue between West 59th and West 66th streets.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement, for which the a Notice of Completion was issued on October 11, 1992, with respect to this application (CEQR No, 85-253 M) the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review (SEQR), have been met and that, consistent with the social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to maximum extent practicable; and
2. The adverse environmental impacts revealed in the Final Environmental Impact Statement (FEIS) will be minimized or avoided to the maximum extent possible by incorporating those mitigative measures identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.9(c)(3) of the SEQR regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration and findings described in this report, effective as of December 15, 1961, and as subsequently amended. is further amended by changing the zoning map, Section 8c:

- a) changing from an R8 District to a C4-7 District property bounded by West End Avenue, West 61st Street*, Freedom Place South*, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, and a line passing through two points: one on the last-named point and the other on the westerly street line of West End Avenue distant 37 feet north of the northerly street line of West 61st Street*;
- b) changing from a C4-7 District to an R10 District property bounded by Freedom Place South*, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, and West 63rd Street*;
- c) changing from an R8 District to a C4-2F District property bounded by a line passing through two points: one on the northerly street line of West 64th Street* distant 378 feet west of the westerly street line of West End Avenue and the other 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue, a line passing through two points: one on the last-named point and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north

of the northerly street line of West 61st Street*, West 63rd Street*, and a line 65 feet west of Freedom Place South*;

- d) changing from an M1-4 District to an R10 District property bounded by a line 371 feet west of West End Avenue, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other on the northerly street line of West 64th Street* distant 378 feet west of the westerly street line of West End Avenue, a line 378 feet west of West End Avenue, and West 66th Street*;
- e) changing from an R8 District to an R10 District property bounded by the northerly prolongation of the westerly street line of Freedom Place, West 70th Street, Freedom Place, West 66th Street, a line 378 feet west of West End Avenue, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other on the northerly street line of West 64th Street* distant 378 feet west of the westerly street line of West End Avenue, a line 65 feet west of Freedom Place South*, West 63rd Street*, a line passing through two points: one 3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, Freedom Place South*, West 61st Street*, a line 600 feet west of West End Avenue, and the westerly prolongation of the center line of West 71st Street;
- f) changing from a C3 District to an R10 District property bounded by:
 - 1) a line 800 feet west of West End Avenue, the westerly prolongation of the center line of West 72nd Street* and the boundary line of a Park*; and
 - 2) a line 800 feet west of West End Avenue, West 61st Street* and the boundary of a Park*;
- g) changing from a C3 District to a C4-7 District property bounded by a line 800 feet west of West End Avenue, the westerly prolongation of the center line of West 59th Street, the boundary line of a Park* and its southerly prolongation, and West 61st Street*;
- h) changing from a C3 District to an M2-3 District property bounded by the southerly prolongation of the boundary line of a Park*, the westerly prolongation of the center line of West 59th Street, the U.S. Pierhead Line of the Hudson River and the westerly prolongation of the northerly street line of West 59th Street;
- i) eliminating from the existing R8 District a C1-5 District bounded by West End Avenue, West 61st Street*, a line 600 feet west of West End Avenue, West 71st Street, the northerly prolongation of the westerly street line of Freedom Place, West 70th Street, Freedom Place, a line 458 feet west of West End Avenue, a line 340 feet north of West 66th Street*, Freedom Place, West 66th Street*, a line 378 feet west of West End Avenue, a line 100 feet south of West 66th Street*, a line 458 feet west of West End Avenue, a line 97 feet north of West 61st Street*, a line passing through two points: one

3 feet south of the northerly street line of West 63rd Street* distant 308 feet west of the westerly street line of West End Avenue and the other 108 feet west of the westerly street line of West End Avenue and 67 feet north of the northerly street line of West 61st Street*, and a line passing through two points; one on the last-named point and the other on the westerly street line of West End Avenue, distant 37 feet north of the northerly street line of West 61st Street*;

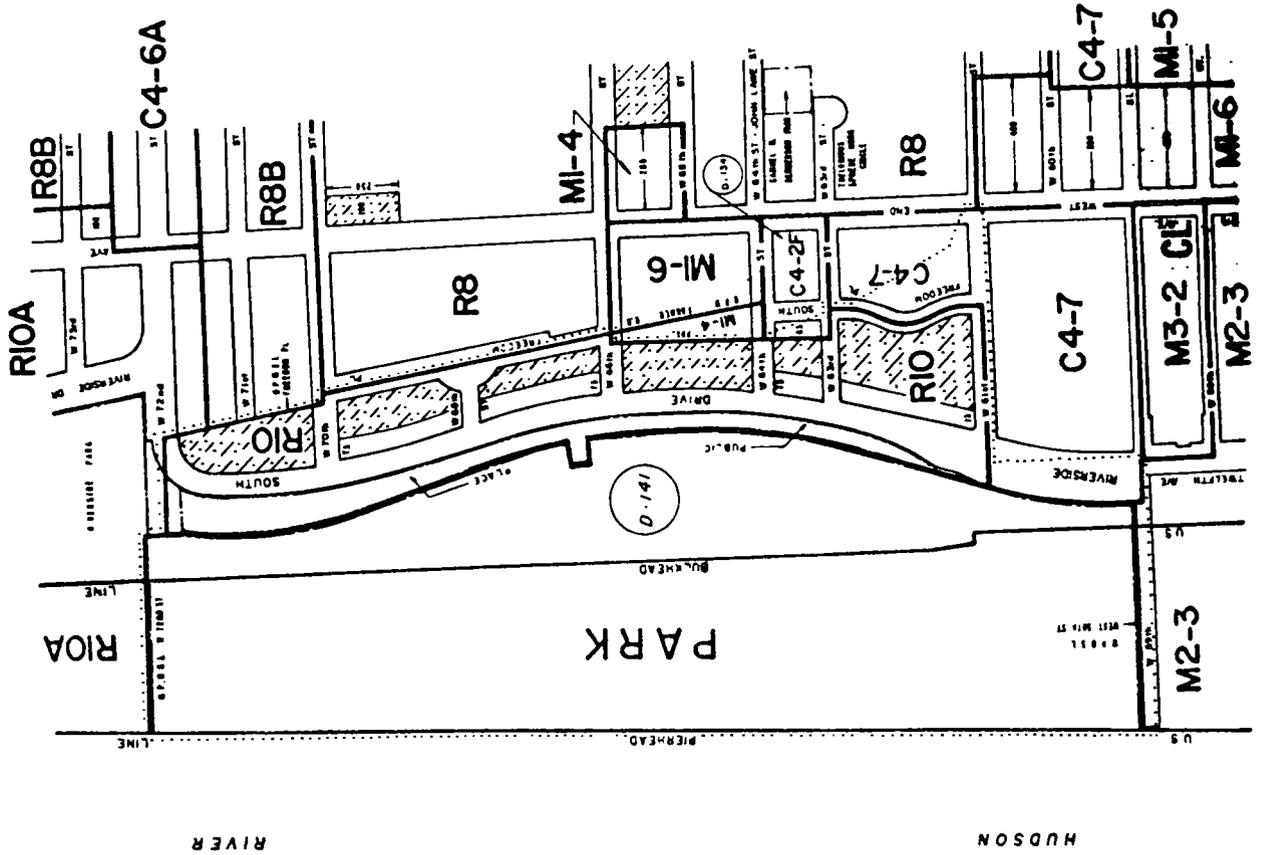
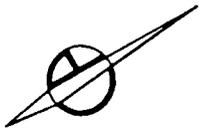
- j) eliminating from the existing R10 District a C1-5 District bounded by the northerly prolongation of the westerly street line of Freedom Place, the westerly prolongation of West 71st Street, a line 600 feet west of West End Avenue, West 61st Street*, a line 742 feet west of West End Avenue, a line 200 feet south of the westerly prolongation of the southerly street line of West 67th Street, a line 800 feet west of West End Avenue, the westerly prolongation of the southerly street line of West 67th Street, a line 742 feet west of West End Avenue, the westerly prolongation of the southerly street line of West 71st Street, a line 800 feet west of West End Avenue, and West 72nd Street* and its westerly prolongation; and
- k) establishing within the proposed R10 District a C2-5 District bounded by the northerly prolongation of the westerly street line of Freedom Place, West 70th Street, Freedom Place, West 66th Street*, a line 65 feet west of Freedom Place South* and its northerly prolongation, West 63rd Street*, Freedom Place South*, West 61st Street*, a line 75 feet east of Riverside Drive South*, West 64th Street*, Riverside Drive South*, West 66th Street*, a line 75 feet east of Riverside Drive South*, West 70th Street, Riverside Drive South* and West 72nd Street*

* Refers to streets and a park proposed to be established under related mapping application C 920230 MMM

Borough of Manhattan, Community District 7, as shown on a diagram dated May 18, 1992, which includes the number D-141 of the attached restrictive declaration, executed by the applicant, Penn Yards Associates, on October 26, 1992.

The above resolution, duly adopted by the City Planning Commission on October 26, 1992 (Calender No. 2), is filed with the Office of the Speaker of the City Council and the Office of the Borough President pursuant to Section 74-10 of the Zoning Resolution, in accordance with the requirements of Section 197-d and 200 of the New York City Charter.

RICHARD L. SCHAFFER, Chairman
VICTOR G. ALICEA, Vice-Chairman
EUGENIE L. BIRCH, A.I.C.P., AMANDA M. BURDEN, A.I.C.P., ANTHONY I. GIACOBBE,
MAXINE GRIFFITH, JAMES C. JAO, R.A., BRENDA LEVIN, JOEL A. MIELE, Sr., P.E.,
EDWARD T. ROGOWSKY, RONALD SHIFFMAN, A.I.C.P., JACOB B. WARD, Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK

**DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP**

8C
BOROUGH OF
MANHATTAN

May 16, 1992
Modified by C.P.C. Oct 26, 1992

NOTE:

- indicates Zoning District boundary
- - - - - The area enclosed by the fine dotted line is proposed to be changed from R8, RIO, C3, C4-7 and MI-4 Districts to R10, C4-2F, C4-7 and M2-3 Districts, eliminating C1-5 Districts from the existing R8 District and establishing C2-5 District within the proposed R10 District and establishing C2-5 District
- ▨ indicates a Restrictive Designation Area. (for detail refer to R.D. sheet)
- indicates a Special Class Preservation District
- indicates a Special Class Preservation District