

Manhattan Community Board No. 4
Statement of Position Regarding Studio City New York

At its regularly scheduled monthly full board meeting held on May 1, 2002, Manhattan Community Board No. 4 adopted the following resolution (39 in favor, 0 opposed, 0 abstentions and 0 present but not eligible to vote):

WHEREAS, representatives of the New York City Economic Development Corporation and West Side Studios LLC made a presentation to the Clinton Land Use and Zoning Committee at its meeting on April 10, 2002 concerning EDC's proposed disposition of city-owned property and development rights at 550 West 45th Street between 10th and 11th Avenues to West Side Studios LLC for construction of a multi-purpose media creation facility to be called Studio City New York; and

WHEREAS, the disposition was approved under the Uniform Land Use Review Process (ULURP) by the City Planning Commission on February 14, 2001 and the City Council in March 2001; and

WHEREAS, representatives of EDC and West Side Studios LLC assured the Committee that the project remains unchanged since its presentation to the Board during the ULURP process, and that it continues to consist of a 14-story building containing approximately 540,000 square feet of zoning floor area containing 250,000 square feet of studio space (with five studios ranging from 10,000 to 17,000 square feet each); 100,000 square feet of common areas and storage space; 210,000 square feet of production support space including space for set construction; 45,000 square feet of commercial office space ancillary to the studio operations; and an accessory parking garage for approximately 50 vehicles; and

WHEREAS, EDC now seeks approval of the disposition by the Manhattan Borough Board pursuant to Section 384(b)(4) of the New York City Charter; and

WHEREAS, Manhattan Community Board No. 4 wishes to state its current position with respect to the Studio City project, for presentation by its Chair as a member of the Manhattan Borough Board; and

WHEREAS, in December 2000 the Board resolved to disapprove the ULURP applications for the project unless, among other things, prior to construction of the proposed development, West Side Studios LLC builds/installs improvements to the neighboring school, I.S./P.S. 51 primarily including a new HVAC ventilation system and double glazed insulated windows for the existing

school building, and the construction of a new 2-story building addition containing a gymnasium, additional classrooms and a rooftop play space (see attached letter from the Board to the City Planning Commission dated December 7, 2000); and

WHEREAS, in consultation with the Board of Education and Manhattan Community Board No. 4, a scope of work for the school improvements has been established and agreed to by West Side Studios LLC; this scope of work is memorialized in the memo dated November 12, 2001 from Jesse Masyr to representatives of the Board of Education and Manhattan Community Board No. 4 and the documents referred to in that memo (the “Scope of Work”).

NOW, THEREFORE, BE IT RESOLVED, that the Board’s position with respect to the Studio City project is as follows:

1. The Board’s position stated in its letter to the City Planning Commission dated December 7, 2000 is confirmed.
2. Any agreement between EDC and West Side Studios LLC for sale of the property and development rights must obligate West Side Studios LLC to complete the school improvements substantially in accordance with the Scope of Work.
3. The improvements to the existing school building must be completed before construction of the school addition and/or work on the Studio City project begins.
4. The agreement must include provisions designed to ensure that all school improvements will be completed before a Temporary Certificate of Occupancy for the Studio City project is issued.
5. If West Side Studios LLC is prevented from carrying out the school improvements and is permitted under the agreement to convert its obligation to a monetary payment, that payment must be held in an escrow or blocked account by EDC subject to restrictions that will ensure that it will be used for the required improvements to I.S./P.S. 51 and for no other purpose.
6. West Side Studios LLC must provide to this Board copies of all notices given to the Board of Education or its affiliated agencies (and their successors) relating to West Side Studios LLC’s obligation to complete the school improvements, at the same time that such notices are given to the Board of Education or its affiliated agencies (and their successors).
7. This Board encourages and endorses any request by the Board of Education for the zoning override necessary to permit construction of the school improvements, since the existing school building does not have a Certificate of Occupancy and is a non-conforming use located in a manufacturing zone.