

July 31, 2002

Hon. Amanda M. Burden
Chair
City Planning Commission
22 Reade Street
New York, NY 10007

**Re: Hearst Tower – 959 Eighth Avenue, between West 56th and West 57th Streets
ULURP Application No. C 020397 ZSM**

Dear Chair Burden:

At its regularly scheduled monthly full board meeting held on July 24, 2002, Manhattan Community Board No. 4 held a duly noticed public hearing on ULURP application number C 020397 ZSM and adopted the following resolution (by roll call vote 32 in favor, 0 opposed, 0 present but not eligible to vote and 1 abstentions):

The Project and the Application

The Hearst Corporation proposes to construct a new office tower above the Hearst Magazine Building at 959 Eighth Avenue at West 57th Street. The existing building is 6 stories tall and a designated New York City landmark. It was designed as a base for a larger structure that was never built or, apparently, even designed. With the addition of the tower, the building would be 42 stories and approximately 595 feet tall, with a total FAR of 18.0 (including bonus).

The design of the proposed tower was the subject of this Board's letter to the Landmarks Preservation Commission dated November 26, 2001, a copy of which is attached. In that letter, we expressed support for the design proposal in concept. The proposed tower was subsequently approved by the Landmarks Preservation Commission.

This application seeks approval of a special permit for a subway improvement bonus pursuant to Sections 81-292 and 74-634 of the Zoning Resolution for a floor area bonus of 3.0. The zoning lot, which is in a C6-6 zoning district with a base FAR of 15.0, is eligible for a subway improvement bonus since it is adjacent (as defined in ZR Section 74-634) to the Columbus Circle subway station.

The Hearst Subway Improvement Program

The scope of the Subway Improvement Program for which the bonus is being sought includes the following elements:

1. Designing, installing and funding maintenance of 3 elevators that, in conjunction with the street-to-mezzanine elevator being constructed at the AOL Time Warner Center, will make all the station's platforms ADA-accessible.
2. Designing, installing and maintaining a new escalator connecting the uptown IRT mezzanine level and the uptown IND platform.
3. Reconfiguring and moving northward the turnstile array and relocating accordingly the existing token booth at the 58th Street lower mezzanine.
4. Relocating and/or reconfiguring several existing stairs and constructing a new mezzanine-to-platform stair between the downtown IRT upper mezzanine level and the downtown IND platform (identified in the plans as the P-14 stair).
5. Constructing new subway entrances within the restored base of the Hearst Tower (relocating and widening the existing subway entrance at the building's main entrance on Eighth Avenue and providing a new subway entrance along the 57th Street frontage).

These access and circulation improvements will dramatically improve accessibility and circulation in the station and will be significant improvements to the station's environment, thus satisfying the two findings required by ZR Section 74-634(d) for the bonus. The scope of these improvements and the resulting benefits to the City amply justify the requested floor area bonus.

However, two aspects of the Subway Improvement Program require further consideration:

1. The 58th Street entrance to the station will experience a substantial increase in usage when the AOL Time Warner Center opens in 2004. Although Hearst would not normally be required to complete the Subway Improvement Program until the Hearst Tower is complete, it would seem essential to require that the work in the neighborhood of the 58th Street entrance be accelerated to coincide with the opening of the AOL Time Warner Center.
2. The proposed P-14 stair appears to us to be headed in the wrong direction. As noted in the application, one of the station's largest congestion points is the queue on the P-4 stair, as a flood of riders transfers between the southbound IRT platform and the southbound IND platform, which now requires a u-turn to access the stair. This congestion will be relieved by relocating and reversing the direction of the existing P-4 stair and by adding the proposed P-14 stair, but orienting the P-14 stair as presently proposed will create a new problematic u-turn traffic pattern. The designer's explanation is that placing the top of the stair furthest from the IRT track would minimize the possibility of unsafe queuing. We believe that this will create a confused traffic flow that could also be unsafe, that there is ample space on the platform to reverse the stair and safely place it in a location that would minimize the problem, presumably farther from the IRT track and perhaps with additional guiding or protective railings, and that this decision should therefore be reconsidered.

Other MTA Work in the Station

The Columbus Circle subway station is sorely in need of additional work beyond the Hearst Subway Improvement Program. This includes noise abatement, especially at the IRT level; improved ventilation or other measures to reduce the appalling summer temperatures; improved lighting and signage; and final surfaces. Creating direct access to the downtown IRT platform from the west side of Broadway, if the structural and landmarks problems can be resolved, and addressing the dangerously steep stair at the entrance adjacent to the Trump International Plaza should also be priorities. It has been suggested that a passage could be created between the upper/north and lower/south mezzanines via the now unused central IND platform. This suggestion seems attractive to us as an inexpensive measure to improve connections between the south end of the station and the uptown IRT and should be further considered. The MTA has been studying all of this work for some time. It is time to stop studying and start planning and construction.

Columbus Circle Redesign

A related area of needed work is the redesign of Columbus Circle. The community has been left largely uninformed about the status of this important project. We are concerned that there is inadequate coordination of the multitude of construction projects in the area, and inadequate planning for the increased focus they will place on Columbus Circle itself. The City should not find itself in the position of having to tear up the Circle to begin work on its redesign just as work on the AOL Time Warner Center, the Hearst Subway Improvement Program, the Hearst Tower and possibly even 2 Columbus Circle is being completed. We urge City Planning and the other relevant city agencies to accelerate and coordinate work on the redesign of Columbus Circle so that this important public space can be made worthy of the substantially improved private spaces surrounding it by the time the major developments on the Circle are opened.

The Hearst Tower

The subway improvement bonus would add approximately 6 stories (80 feet) to the tower that could be built as-of-right. The proposed tower would be the same height as One Central Park Place, the residential tower across 57th Street from the Hearst site, and would be surrounded by other high density buildings in the immediate area. Though the proposed tower would be prominent in surrounding views due to its height and striking design, it would not unduly obstruct existing views from the surrounding streets or create bulk that is out of context for the area. The shadow studies indicate that the proposed tower would create minimal increases in shadows on open space in the area.

One of the Board's concerns reflected in our letter to the Landmarks Preservation Commission is that the third-floor atrium, though intended for use exclusively by Hearst employees, promises to be one of the City's great spaces and should be made available to the public in an appropriate manner. In discussions with the Board, the applicant has committed itself to working with us to develop a program for controlled public access to the atrium, including use of the auditorium by established community-based organizations and perhaps group tours of the tower's architectural features.

The applicant has committed itself to participating in a construction liaison group to be coordinated by the Board to ensure that disruption in the neighborhood during construction is minimized.

The Hearst Corporation has acknowledged the legitimate quality of life concerns expressed by its neighbors at the public hearing in regards to the collection, processing and transportation of office waste. Therefore, the Hearst Corporation has agreed to use its best efforts to collect their office waste within the confines of their building and to transport the same in an expedient and unobtrusive fashion.

Therefore Be It Resolved, that Manhattan Community Board 4 recommends approval of this ULURP application, subject to the following conditions:

1. The Subway Improvement Program should be modified to (i) require that the work at and near the 58th Street entrance be accelerated so that its completion coincides with the opening of the AOL Time Warner Center, and (ii) reverse the proposed P-14 stair.
2. In consultation with the Board, the applicant should establish a program for controlled public access to the building.

Sincerely,



Simone Sindin
Chair
Manhattan Community Board No. 4

Anna Hayes Levin
Chair
Clinton Land Use & Zoning Committee

This letter was passed at Manhattan Community Board No. 4's July 24, 2002 full board meeting.

Encl.

cc: Hon. Michael Bloomberg, Mayor
Hon. C. Virginia Fields, Manhattan Borough President
Hon. Jerrold Nadler, United States Representative
Hon. Eric Schneiderman, State Senator
Hon. Richard Gottfried, State Assemblymember
Hon. Scott Stringer, State Assemblymember
Hon. Gale Brewer, City Councilmember
Hon. Christine Quinn, City Councilmember
Hon. Adrian Benepe, NYC Parks & Recreation
Manhattan Community Boards Nos. 5 & 7
MTA / NYC Transit
Landmarks Preservation Commission
Hearst Corporation
Robert Flahive, Kramer Levin Naftalis & Frankel LLP