



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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District Manager

December 9, 2013

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

re **606 W. 57 LLC c/o TF Cornerstone Inc.**
C 130336ZMM (zoning map change)
N130337ZRM (zoning text amendment) Special Regulation in Northern Subarea C1
N130338ZRM (zoning text amendment) Inclusionary Housing Designated Areas
C 130339ZSM (Special Permit) Parking Garage
N130340ZAM (Authorization) Curb Cut

Dear Chair Burden,

At its full board meeting on December 4, 2013, Manhattan Community Board 4 (MCB4) reviewed an application by 606 W. 57 LLC (the "Applicant") for land use approvals to facilitate the development of a portion of the block bounded by West 56th Street, West 57th Street, Eleventh Avenue, and Twelfth Avenue in Manhattan with a new, mixed use residential and commercial development which may include community facility, public parking and automotive sales and service uses (the "Project" or the "Proposed Project").

The proposed actions include a rezoning of a portion of the block, an amendment to the Zoning Resolution to designate the Project Area an Inclusionary Housing area, two text amendments to the Zoning Resolution, a special permit for a public parking garage, and an authorization to permit a curb cut.

The Board by a vote of 28 in favor, 5 opposed, 1 abstention and 4 present but not eligible **recommended approval** of the proposed rezoning, the amendment for Inclusionary housing, and authorization for a curb cut, **recommended approval with a condition** on the text amendment to allow an automotive showroom as it relates to the base residential floor area, and **recommended denial** of the special permit for a garage **unless** the parking is accessory with a maximum of 400 spaces.

The Project

The Project Area is located along the west side of Manhattan, on the northern edge of the Special Clinton District and covers a portion of Manhattan Block 1104 bounded by Twelfth Avenue

(Route 9A) to the west, Eleventh Avenue to the east, West 56th Street to the south, and West 57th Street to the north. The portion of the Project Area consisting of Block 1104, Lots 31, 40, 44, and 55 is owned by the Applicant and referred in the Board's letter as the "Development Site."

Immediately to the north of the Project Area is a C4-7 commercial district, the same district proposed in this application. A portion of this block is developed with the Helena, a 38-story residential building with 597 dwelling units, built in 2003. The remainder of the block was recently rezoned from an M1-5 district to a C6-2 district to permit the development of a new high-rise, mixed-use residential and commercial building, a rehabilitated and expanded residential building a small community facility building. This block is expected to be built to its full adjusted maximum FAR of 8.80.

The block directly to the south of the Development Site is zoned M1-5 and M2-3 and contains a five-story mixed office and retail building, a six-story building housing music studios, and several two- to three-story commercial buildings. To the southeast, the portion of the block between West 54th and West 55th Streets, zoned as an R9 residential district, is developed with a 38-story mixed residential and commercial building.

To the west of the Development Site is a large M2-3 district that extends from Route 9A into the Hudson and includes Hudson River Park and several piers.

The applicant proposes development of the Proposed Project would provide new residential uses, including affordable housing units, in the neighborhood, complement the existing residential uses surrounding the Development Site and revitalize the vacant portions of the Project Area with a mixed-use building.

The Building

The proposed land use actions would facilitate the development of an approximately 450-foot high mixed-use building on the Development Site. The building would occupy the entire Development Site and could include a maximum of approximately 999,636 zoning square feet in total. The applicant expects to construct approximately 956,636 zoning square feet of residential space (up to 1,189 residential units of which 20% or up to 237 units would be affordable), up to approximately 106,900 square feet of public parking and approximately 42,000 zoning square feet of retail or community facility uses.

The Mixed-Use Building is designed to include four distinct elements. It will rise to a maximum of 450 feet (42 stories). On the eastern half of the Development Site would be two towers, each up to 28 stories tall. These two towers would be perpendicular to one another and connected by a 20-foot wide glass bridge on all floors, which would take residents from the core in the north/south tower to the apartments in the east/west tower. The glass bridge would create a visual separation between the towers. A 14-story cube would sit atop the two towers. Atop the cube would be a 20-foot tall parapet enclosing mechanical equipment. A fourth building element on the western portion of the site would be oriented parallel to West 57th Street and designed to be 17 stories tall, with a setback at the seventh floor.

Proposed Actions and MCB4 Comments

1. Rezoning of a portion of the block bounded by West 56th Street, West 57th Street, Eleventh Avenue and Twelfth Avenue in Manhattan from the existing M2-3 and M1-5 districts to a C4-7 commercial district.

The Board recommends approval.

The proposal would rezone the majority of the Project Area from an M2-3 manufacturing district to a C4-7 commercial district. A small, southwestern portion of the Project Area (covering approximately 15% of the area to be rezoned) would be rezoned from an M1-5 light manufacturing zone to a C4-7 commercial district.

2. An amendment to the Zoning Resolution of the City of New York ("ZR" or "Zoning Resolution"), section 23-90, Appendix F, to designate the Project Area an Inclusionary Housing designated area.

The Board recommends approval only in conjunction with the second action (inclusionary housing).

The Applicant proposes an amendment to Appendix F of the Zoning Resolution to designate the Project Area an Inclusionary Housing Area in order to incorporate the benefits of the Inclusionary Housing Program in the Proposed Project. Through the provision of affordable housing, the Applicant would be permitted to build up to 12.0 FAR, up from a base residential FAR of 9.0 without the bonus.

The Board is pleased that the development will result in at least 237 permanently affordable units. The board asks that the applicant agree in writing to distribute the affordable unit throughout 80% of the building and that the fixtures and finishes will be the same as the finishes for the market-rate units. The Board also asks that all tenants be allowed to use any amenities and that a reduced fee schedule be available to the affordable unit renters.

3(a) A text amendment to allow an automotive showroom with repairs, applicable to the Project Area in the "Other Area" (Northern Subarea C1) in the Special Clinton District;

3(b) a text amendment to allow Zoning Resolution §96-34, applicable to the Project Area in the "Other Area" (Northern Subarea Ca) in the Special Clinton District to provide a base residential floor area ratio of 9.0 with affordable housing equal to 20% of the residential floor area on the Development Site required to achieve the Inclusionary Housing bonus, which facilitates more than one floor of commercial and community facility uses.

The Board recommends approval of 3a.

The proposed text amendment to ZR §96-34 would allow for a maximum base residential FAR of 9.0 plus a FAR equal to 0.25 times the non-residential FAR provided on the zoning lot, up to 10.00 FAR, with the potential to reach up to 12.0 FAR only through the provision of affordable housing pursuant to ZR § 23-90 (Inclusionary Housing).

The Board recommends approval of 3b with a condition.

The Board supports the auto showroom with repairs but strongly believes that when providing a base FAR for the residential that the inclusionary housing be measured from 20% of the entire floor area (residential and commercial) and not just the residential. Otherwise the community is getting less affordable units for such a large project.

4. A special permit pursuant to ZR §13-45 for a public parking garage which would contain up to 500 spaces or, depending on the ground floor uses, up to 395 spaces.

The Board recommends denial unless the garage is accessory parking only and the maximum is 400 space with the automotive use and 295 without an automotive use.

In order to allow the Applicant to build the Proposed Garage with either 395 or 500 public parking spaces as part of the Proposed Project, the Applicant is seeking a special permit pursuant to ZR § 13-45 for both alternatives.

The Proposed Garage would replace the 1,000-space public parking garage being demolished as part of the Proposed Project. The Proposed Garage would include either include 500 spaces on three levels with entrances on both West 57th and West 56th Street, or 395 spaces with a garage entrance and either 500 spaces on three levels with entrances on both West 57th and West 56th Street, or 395 spaces with a garage entrance and exit on West 57th Street.

CB4 has no objection an increase of 105 spaces over the 237 spaces permitted as of right by the zoning (20% of residences) in Manhattan Core to facilitate economic development in the form of an automotive use. However, since there are or will be in excess of 1,000 public parking spaces within 500 ft of this proposed parking facility, we do not agree that the applicant has further met the findings prescribed in 13-451 (a) (2) that the number of off-street parking spaces in the proposed parking facility is reasonable and not excessive. (On 59th Street, 500 feet away, Riverside Center is under construction with 1,500 parking spaces, or 625 in excess of the maximum allowed by manhattans core zoning as of right. On the north side of 57th Street, 285 parking spaces were approved, or 122 in excess of the Manhattan core zoning and there is another 399 spaces public parking garage on that block.)

The Board also urges the Applicant to work with DOT to install split phase traffic lights on West 57th and Eleventh Avenue. The Applicant states that it will work with the Durst project across 57th Street to see if jitney service can accommodate both developments.

5. Authorization pursuant to ZR§ 13-441 to permit a curb cut on a wide street in Manhattan Community District 4.

The Board recommends approval.

In order to accommodate ingress and egress from the Proposed Garage, the Applicant is requesting an authorization to permit the extension of an existing curb cut along West 57th Street

by approximately 8 feet, from 14 feet to 22 feet and to remove all other curb cuts.

In addition, the applicant has agreed to plant more trees around the entire perimeter of the proposed rezoning area as per the plan presented to us at the Clinton/Hell's Kitchen Land Use Committee meeting and to work with Con Ed on the proper placement of Con Ed vaults so to prevent the loss of space on the sidewalk for greening purposes.

Along West 57th Street, there are six existing curb cuts on the Development Site, each measuring between approximately ten feet and 63 feet, and one additional curb cut for the DSNY Garage. The westernmost curb cut is approximately 157 feet from Twelfth Avenue and the easternmost curb cut is approximately 100 feet from Eleventh Avenue. Along West 56th Street, there are two curb cuts on the Development Site located in the mid-block, measuring approximately 17 feet and 22 feet, respectively.

Comments

At the public hearing on this application, a number of speakers expressed great concern that the addition of hundreds of new residents and their families would not be matched by a commensurate increase in school seats, library capacity, or police, fire, and EMS service delivery. For example speakers stated that according to recent data, schools in Hell's Kitchen are already at or over capacity. And that the EAS methodology is flawed because it neither assessed a wide enough area nor measured the cumulative impact of multiple developments in the immediate vicinity. Board 4 would like to work with City Planning to develop a better method to determine the actual impact on a community when large numbers of new residential units are built.

The Board also requests the Applicant come to an agreement with the service workers union, Local 32BJ, regarding the building's future service employees prior to the public hearing at the City Planning Commission.

Sincerely,



Corey Johnson
Chair



Jean-Daniel Noland, Co-Chair
Clinton/Hell's Kitchen Land Use Committee

cc: Edith Hsu-Chen, Karolina Hall - DCP
Gail Benjamin, Danielle DeCerbo – City Council Land Use Division
Melanie LaRocca - NYC Council Speaker Christine Quinn
Brian Cook, Michael Sandler – Manhattan Borough President Scott Stringer
NYS Senator Brad Hoylman
NYS Assemblyman Richard Gottfried
US Congressman Jerrold Nadler