



CITY PLANNING COMMISSION

May 25, 2005/Calendar No. 27

N 050169 ZRM

IN THE MATTER OF an application submitted by Lincoln Center Development Project, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to Article VIII, Section 2 (Special Lincoln Square District) concerning Section §82-24 to allow permitted signage up to a height of 40 feet above street level and up to a height of 60 feet for facades facing Broadway between West 65th Street and West 66th Street within Subdistrict B.

The application (N 050169 ZRM) for amendments to the Zoning Resolution was filed by Lincoln Center Development Project, Inc. on November 8, 2004. The proposed zoning text amendment would facilitate Lincoln Center's 65th Street Plan.

RELATED ACTIONS

In addition to the amendment to the Zoning Resolution which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application.

C 050098 MMM City Map Change for the elimination, discontinuance and closing of portions of West 65th Street between Broadway and Amsterdam Avenue to Lincoln Center, a modification of the public place designation covering Lincoln Center's North Plaza and the deletion of certain references to a pedestrian overpass from the City map. Further the extinguishment of an easement for the footings of such pedestrian overpass, the adjustment of grades necessitated thereby and any acquisition or disposition of real property related thereto.

C 050170 GFM A revocable consent allowing the installation of information signage on a public sidewalk.

C 050219 PQM Acquisition of several easements by the City to accommodate the landings of a new city-owned pedestrian bridge as well as a vehicular

tunnel traversing 65th Street.

M 860382 (E) ZSM Non-ULURP Modification to a previously approved Special Permit for a public parking garage and the replacement of attached drawings to reflect proposed as-of-right changes.

BACKGROUND

A detailed description of the proposed project and related actions are included in the report on the related application for the proposed changes to the City Map (C 050098 MMM).

ENVIRONMENTAL REVIEW

This application (N 050169 ZRM), in conjunction with the applications for the related actions (C 050098 MMM, C 050170 GFM, C 050219 PQM and M 860382 (E) ZSM) 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05DCP019M. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on December 20, 2004.

PUBLIC REVIEW

On December 20, 2004, this application (N 050169 ZRM) was referred to Community Board 7 and the Borough President in accordance with the Commission's policy for non-ULURP items. Concurrently, on December 20, 2004, the related applications (C 050098 MMM, C 050170 GFM, and C 050219 PQM) were certified as complete by the Department of City Planning in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 7 held a public hearing on January 20, 2005 on this and the related applications, and on February, 1, 2005, and adopted a resolution recommending approval of the applications by a vote of 32 in favor, 0 opposed, and 0 abstaining with conditions.

A summary of that recommendation is included in the report on the related application for the proposed changes to the City Map (C 050098 MMM).

Borough President Recommendation

The application was considered by the Borough President, who issued a recommendation approving the application on March, 24, 2005 with conditions.

A summary of that recommendation is included in the report on the related application for the proposed changes to the City Map (C 050098 MMM).

City Planning Commission Public Hearing

On March 30, 2005, (Calendar No. 9), the City Planning Commission scheduled April 13, 2005, for a public hearing on this application (C 050098 MMM). The hearing was duly held on April 13, 2005 (Calendar No. 29), in conjunction with the hearings on related applications (N 050169 ZRM, C 050170 GFM, C 050219 PQM and M860382 (E) ZSM). There were 27 speakers in favor and 2 speakers in opposition. Written testimony was also received both in favor and in opposition.

A summary of the public hearing can be found in the report on the related action for the proposed changes to the City Map (050098 MMM).

Consideration

The Commission believes that the proposed zoning text amendment (N 050169 ZRM), in conjunction with the related applications for several changes to the City Map (C 050098 MMM), a revocable consent (C 050170 GFM), the acquisition of easements (C 050219 PQM) and the Minor modification to a previously approved Special Permit (M 860382 (E) ZSM) is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appears in the related application for the proposed changes to the City Map (C 050098 MMM).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application (N050169 ZRM) for the amendment to the Zoning Resolution of the City of New York, effective April 23, 1973, and amended subsequently, be further amended as follows:

Matter underlined is new, to be added:

Matter within # # is defined in Section 12-10;

Matter in ~~strikeout~~ is text to be deleted;

*** indicates where unchanged text appears in the Zoning Resolution

Article VIII: Special Purpose Districts Chapter 2 : Special Lincoln Square District

4/8/98

82-24 Supplementary Sign Regulations

No permitted #signs# shall extend above #curb level# at a height greater than 20 feet or obstruct an #arcade#.

Within Subdistrict B, permitted #signs# facing upon West 65th Street shall not exceed a height of 40 feet above #curb level#, and permitted #signs# facing upon Broadway between West 65th Street and West 66th Street shall not exceed a height of 60 feet above #curb level#. However, #signs# facing in an easterly or southerly direction upon that portion of the public place designated on the City Map that is located within an area bounded by West 65th Street and the

prolongation of the south side of West 64th Street shall not exceed a height of 40 feet above the level of such public place.

The above resolution, duly adopted by the City Planning Commission on May 25, 2005 (Calendar No. 27), is filed with the Office of the Speaker, City Council and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP Chair

KENNETH J. KNUCKLES, Esq. Vice Chair

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners