



CITY PLANNING COMMISSION

March 18, 2009/Calendar No. 9

C 090132 ZMM

IN THE MATTER OF an application submitted by 150 Amsterdam Avenue Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, by establishing within an existing R8 District a C2-5 District bounded by a line 230 feet northerly of West 66th Street, Amsterdam Avenue, West 66th Street, and a line 100 feet westerly of Amsterdam Avenue, Borough of Manhattan, Community District 7, as shown on a diagram (for illustrative purposes only) dated November 17, 2008.

This application for an amendment to the zoning map, Section No. 8c, was filed by 150 Amsterdam Avenue Holdings, LLC on October 2, 2008, to establish a C2-5 overlay district within an existing R8 district. The zoning map amendment would facilitate retail uses to be located on portions of the ground floor and cellar levels of a new, otherwise as-of-right, 42 story residential and community facility building currently under construction at the corner of West 66th Street and Amsterdam Avenue, in Manhattan Community District 7.

BACKGROUND

The applicant is seeking to establish a 100 foot deep C2-5 overlay district for a length of 230 feet along the Amsterdam Avenue frontage of Block 1158. The proposed zoning map amendment would extend the existing C2-5 overlay district on the west side of Amsterdam Avenue to West 66th Street. The lot affected by the proposed zoning map amendment (Block 1158; Lot 129) is owned by the applicant and located on the southeastern portion of a superblock bounded by West 70th Street, Amsterdam Avenue, West 66th Street, and West End Avenue. The applicant's lot is adjacent to the 20-acre, 7-building, 3,837-unit Lincoln Tower Apartments, which was developed pursuant to the now expired Lincoln Square Urban Renewal Plan, and occupies the vast majority of the superblock. These buildings were designed as 29 story towers surrounded by large open park-like spaces. Other uses on the superblock include two synagogues (one being reconstructed), a school and commercial uses (also being reconstructed), all of which are located just to the north of the project site.

The area surrounding the project site contains a mix of residential, commercial, and community facility uses, although the neighborhood's identity is largely defined by the presence of Lincoln Center's cultural facilities, which are located between West 62nd Street and West 66th Street, and

between Amsterdam and Columbus avenues. Martin Luther King Jr. High School is located directly across West 66th Street from the project site and LaGuardia High School is located one block further south.

To the east of the project site is a mix of high-density residential buildings with ground floor retail and commercial uses, including hotels, offices, and movie theaters. The Rose Building, a mixed-use building that contains condominium apartments, a fire station, commercial uses and cultural facilities, rises 600 feet at the southeast corner of Amsterdam Avenue and West 66th Street.

The applicant's lot contains 250 feet of frontage along Amsterdam Avenue and 200 feet of frontage on West 66th Street and has a total lot area of 50,000 square feet. The lot formerly contained the five-story national headquarters for the American Red Cross, which was demolished in 2007.

The applicant's lot, the "superblock," and generally the area between West 60th and West 70th between Amsterdam Avenue and West End Avenue is zoned R8,. The west side of Amsterdam Avenue, to a depth of 100 feet, from West 70th Street to a point 230 feet north of West 66th Street, contains a C2-5 overlay district, which permits up to 2.0 FAR for commercial uses in Use Groups 5-9 and 14. Approximately 20 feet of this C2-5 overlay district extends over the applicant's lot. The C2-5 overlay district is also mapped on the majority of the block to the south of the project site between West 65th and West 66th streets.

Currently, an as-of-right, 42-story residential and community facility building is under construction on the applicant's site. If the application is approved, the applicant is proposing to provide 10,144 square feet of retail space on the ground floor instead of providing ground floor community facility uses. Additionally, approximately 12,949 square feet of retail use will be located in the cellar and sub-cellar of the building. The commercial uses would extend along Amsterdam Avenue and West 66th Street. Community facility uses, likely medical offices, are still proposed on the second floor and there would be no changes to the residential portion of the building.

ENVIRONMENTAL REVIEW

This application (C 090132 ZMM) 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 08DCP063M. The lead is the City Planning Commission.

After study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 17, 2008.

UNIFORM LAND USE REVIEW

This application (C 090132 ZMM) was certified as complete by the Department of City Planning on November 17, 2008, and was duly referred to Manhattan Community Board 7 and the Manhattan Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 7 held a public hearing on this application on January 6, 2009, and on that date, by a vote of 21 in favor, 12 opposed, and 1 abstaining, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 090132 ZMM) was considered by the Borough President, who issued recommendation approving the application on February 11, 2009.

City Planning Commission Public Hearing

On February 4, 2009 (Calendar No. 6), the City Planning Commission scheduled February 18, 2009, for a public hearing on this application (C 090132 ZMM). The hearing was duly held on

February 18, 2009 (Calendar No. 32). There were three speakers in favor of the application and none opposed.

Those speaking in favor of the application included two representatives of the applicant and a representative of the Manhattan Borough President.

The representatives of the applicant explained the proposed action and project, and noted the surrounding land uses, including ground floor retail, in the area surrounding the project site. Additionally, it was stated that the lack of a commercial overlay district on the project site was a result of specific plans – lacking commercial uses – for the American Red Cross building at the time of the mapping of the overlay districts in 1961. The representative of the Manhattan Borough President reiterated the Borough President’s recommendation and highlighted that the project site constituted one of the only locations where commercial uses were not allowed along Amsterdam Avenue in the Upper West Side.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for a zoning map amendment (C 090132 ZMM) to establish a C2-5 overlay district within a R8 district is appropriate. The approval of this application would facilitate uses that would compliment the surrounding land uses in the area, would provide a valuable amenity for the local residents, and would activate a significant corner of a heavily-traversed intersection.

The Commission notes this location is one of the very few areas along Amsterdam Avenue in Community District 7 where commercial uses are not allowed. The Commission further notes that ground floor commercial uses are, or will be, located directly across the street and along both sides of Amsterdam Avenue to the north of the project site, and that the proposed zoning map amendment would allow for a limited range of commercial uses that are intended to serve the local population.

RESOLUTION

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

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, that based on the environmental determination, and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently modified, is further amended by changing the Zoning Map, Section Nos. 8c:

by establishing within an existing R8 District a C2-5 District bounded by a line 230 feet northerly of West 66th Street, Amsterdam Avenue, West 66th Street, and a line 100 feet westerly of Amsterdam Avenue,

Borough of Manhattan, Community District 7, as shown on a diagram (for illustrative purposes only) dated November 17, 2008.

The above resolution, duly adopted by the City Planning Commission of March 18, 2009 (Calendar No. 9), is filed with the Office of the Speaker, City Council, and Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP Chair

KENNETH J. KNUCKLES, Esq., Vice Chairman

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA,

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JOHN MEROLO, KAREN A. PHILLIPS, Commissioners.