

CITY COUNCIL AMENDMENTS TO THE  
197-A PLAN  
FOR  
THE EASTERN SECTION OF  
COMMUNITY DISTRICT 6  
BOROUGH OF MANHATTAN  
NEW YORK CITY

Prepared for:  
Manhattan Community Board Six  
And  
East Side Rezoning Alliance

Prepared by:  
BFJ Planning  
1140 Broadway, 14th Floor  
New York, NY 10001

June 2008

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**June 18, 2008**

*City Council Amendment to Community Board 6 197a Plan*

Manhattan Community Board 6

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## **Appendix**

**City Planning Commission Resolution**  
**City Council Resolution**

## 1.0 Introduction and Background

The 197a Plan for the Eastern Section of Community District 6, Manhattan was officially approved by the New York City Council in March 2008. The purpose of this report is to summarize the City Council's modifications to the Plan since it was submitted in its final draft as officially approved by Community Board 6. This document should therefore be read in conjunction with the 197a Plan dated October 2007 and as filed with the New York City Planning Commission pursuant (Application #N060273NPM). A brief summary of the 197a Plan goals is provided below. Section 3.0 of this report provides a summary of the City Council's resolution and amendments to the recommendations contained in Chapter 4.0 of the October 197a Plan. Copies of the Board's Plan are available for download at the Community Board's website: <http://www.cb6mny.org/>.

### *Summary of 197a Plan Goals*

- Increase amount of useful open space
- Improve access to waterfront
- Complete East River Esplanade
- Enhance and reclaim the street network to restore the street grid and improve transportation systems and access to the waterfront
- Implement land use policies consistent with historic trends in the area
- Preserve significant residential development and individual buildings



197a Plan, October 2007, cover page

The 197a Plan covers the eastern section of Community Board 6, bounded by the East River, East 59<sup>th</sup> Street, a line 100 feet west of Second Avenue and East 14<sup>th</sup> Street. This includes significant residential and institutional uses, historic neighborhoods and transportation infrastructure including the FDR Drive and the entrances and exit ramps to the Queens Midtown Tunnel. The plan includes five chapters including a statement of goals and objectives; a description of the study area's history and neighborhood character an overview of the Community Board's planning process and the plan's consistency with city policies and planning initiatives. Chapter 4 of the Plan includes recommendations relating to land use and zoning, waterfront esplanade and open space, urban design and preservation and streets and transportation. These can be found on pages 72 to 91 of the 197a Plan.

## **2.0 197a Review Process**

In 2003 after many years of work, Community Board 6 hired BFJ Planning and began the process of preparing a 197a plan. In early 2004, Community Board 6 notified the Department of City Planning of its intent to submit a 197a Plan and in the summer a draft plan was submitted. After review by the Department and in response to comments from Department staff, a revised plan was submitted in August 2005 and the plan was determined as complete for the purposes of threshold review in January 2006. It was then referred out for public review in April 2006.

At this point, the City Planning Commission voted to delay any further review of the 197a Plan to allow time for the East River Realty Company to file a ULURP application for the redevelopment of the First Avenue Con Edison sites that lay within the 197a study area. The stated purpose was to afford the Commission the opportunity to compare the ERRC proposal to the 197a Plan. At the request of the Department of City Planning staff, in the following year, an additional round of revisions was made to the 197a Plan and a final draft was submitted to the City Planning Commission in October 2007 for policy review and pending approval, referral to the City Council. The October 2007 submission represents the Community Board's official, final version of the Plan.

## **3.0 City Planning Commission Modifications**

On January 28, 2008, the New York City Planning Commission voted to approve the 197a plan with modifications. A copy of the resolution is enclosed as part of this report. The modifications fell into two categories: minor and major. Minor modifications included a softening of the language. For example, where Community Board 6 recommended "Upgrade existing pedestrian bridge at 25<sup>th</sup> Street to make it handicapped accessible," the City Planning Commission modified the language to: "Explore with NYSDOT and DPR the feasibility of making the 25<sup>th</sup> Street pedestrian bridge handicapped accessible." Major modifications included the deletion of certain recommendations such as the mapping of a Special Hospital Use District at Bellevue, NYU and VA Hospital Medical Centers and the designation of a new Special Public Access District mapped on the area bounded by First Avenue, 59<sup>th</sup> Street, waterfront and 14<sup>th</sup> Street.

## **4.0 City Council Modifications**

After the Plan was approved at the City Planning Commission, the decision was filed with the New York City Council for review and final approval. A public hearing was held on February 25, 2008 and after consideration, the City Council voted to approve the City Planning Commission's decision with its own set of modifications. In many cases, the modifications were minor and the City Council simply strengthened language that the City Planning Commission had softened. The example below compares the original Community Board 6 recommendation as contained in the October 2007 Plan with the City Planning Commission modification and finally the City Council modification:

**Community Board 6 197a Plan, October 2007:**

"Upgrade existing pedestrian bridge at 25<sup>th</sup> Street to make it handicapped accessible."  
(recommendation B a. iii, bullet point #3.)

**City Planning Commission, January 28, 2008:**

"Explore with NYSDOT and DPR the feasibility of making the 25<sup>th</sup> Street pedestrian bridge handicapped accessible."

**New York City Council, February 25, 2008:**

"Encourage NYCDOT and DPR to make the 25<sup>th</sup> Street pedestrian bridge handicapped accessible."

In other cases, City Council modifications were more significant and restored some of the recommendations contained in the October 2007 Plan. For example, the City Council restored the concept of providing an esplanade along the east edge of the UN and out board of the FDR Drive. They also restored recommendations to encourage new pedestrian bridges at specific locations.

For ease of reference, pages 4-20 following compare the language of the recommendations contained in the CB6 final draft to the final version as modified by the City Council. Grey boxes contain a brief explanation of the changes made by the City Council. Added language is shown in **redline** and ~~strikeout~~ where language was deleted.

5.0 Comparison Table

<b>CHAPTER 4: RECOMMENDATIONS</b>	
<b>A. CB6 LAND USE AND ZONING RECOMMENDATIONS</b>	<p><b>Redline</b> indicates additions and <del>strikeout</del> where language was deleted</p> <p><b>A. LAND USE AND ZONING RECOMMENDATIONS AS MODIFIED BY THE CITY COUNCIL</b></p>
<p>In the following section, the City Council deleted language that would give priority to UN related uses in any sale of the UNDC buildings.</p>	
<p><b>a. United Nations (See April 2003 CB6 resolution re: 197a Plan):</b></p> <ul style="list-style-type: none"> <li>i. Provide for the needs of United Nations without significantly displacing or disrupting the surrounding neighborhoods.</li> <li>ii. In the future, it is hoped that there will be no expansion of the United Nations beyond the proposed UNDC building or the existing UN office buildings. The UN Space Needs Study (the "Habib Study") undertaken by NYCEDC indicated no significant growth in UN office requirements. However, any sale of the three UNDC buildings to private developers should give priority to UN-related uses consistent with the UN mission such as consulates, non-profit UN-related organizations and commercial uses related to the UN.</li> </ul>	<p><b>a. United Nations (See April 2003 CB6 resolution re: 197a Plan):</b></p> <ul style="list-style-type: none"> <li>i. Provide for the needs of United Nations without significantly displacing or disrupting the surrounding neighborhoods.</li> <li>ii. In the future, it is hoped that there will be no expansion of the United Nations beyond the proposed UNDC building or the existing UN office buildings. The UN Space Needs Study (the "Habib Study") undertaken by NYCEDC indicated no significant growth in UN office requirements. <del>However, any sale of the three UNDC buildings to private developers should give priority to UN-related uses consistent with the UN mission such as consulates, non-profit UN-related organizations and commercial uses related to the UN.</del></li> </ul>
<p><b>b. Con Edison Waterside:</b></p> <p>Con Edison received consent from the Public Service Commission (PSC) to sell four of its sites in May 2004 to East River Realty. As part of the consideration, a GEIS was prepared under SEQRA that analyzed the impact of a concept for the overall plan for the sites rather than a specific project plan for a redevelopment. Community Board 6 provided extensive testimony on the GEIS; and asked the PSC to impose conditions on the disposition of the properties (see CB resolution dated September 2003).</p> <p>Community Board 6 did not support the Generic EIS for the Con Edison Waterside properties, and looks forward to reviewing a full site specific EIS under City Environmental Quality Review (CEQR).</p> <ul style="list-style-type: none"> <li>i. The redevelopment of the Con Edison Waterside properties should maintain the history and character of the area and its predominantly residential neighborhoods. The new development should respect the scale and importance of the United Nations buildings.</li> </ul>	<p><b>b. Con Edison Waterside:</b></p> <p>Con Edison received consent from the Public Service Commission (PSC) to sell four of its sites in May 2004 to East River Realty. As part of the consideration, a GEIS was prepared under SEQRA that analyzed the impact of a concept for the overall plan for the sites rather than a specific project plan for a redevelopment. Community Board 6 provided extensive testimony on the GEIS; and asked the PSC to impose conditions on the disposition of the properties (see CB resolution dated September 2003).</p> <p>Community Board 6 did not support the Generic EIS for the Con Edison Waterside properties, and looks forward to reviewing a full site specific EIS under City Environmental Quality Review (CEQR).</p> <ul style="list-style-type: none"> <li>i. The redevelopment of the Con Edison Waterside properties should maintain the history and character of the area and its predominantly residential neighborhoods. The new development should respect the scale and importance of the United Nations buildings.</li> </ul>



<p>ii. 39<sup>th</sup> and 40<sup>th</sup> Streets in the Con Edison Waterside complex should be remapped or easements provided and the view corridors to the waterfront restored. By remapping or through easements, the street grid would be restored and allow for public access. Furthermore, remapping the street would not allow generation of floor area from the streets and would require building envelopes to be measured from the streets. This would allow development that is in compliance with zoning. Alternatively, easements should be provided in the former roadbeds of 39<sup>th</sup> and 40<sup>th</sup> Streets. The easements would then have to be treated as a street for zoning purposes (including FAR, height and setback) and would provide pedestrian and vehicular access.</p> <p>iii. The bulk of future development should be capped to be consistent with the precedent of previous development north of 34th Street along the east side of First Avenue - as exemplified by the Rivergate, Manhattan Place, and Horizon apartment buildings. The bulk of those buildings average approximately 10.5 FAR, an FAR that was granted by special permit from the City Planning Commission.</p>	<p>ii. 39<sup>th</sup> and 40<sup>th</sup> Streets in the Con Edison Waterside complex should be remapped or easements provided and the view corridors to the waterfront restored. By remapping or through easements, the street grid would be restored and allow for public access. Furthermore, remapping the street would not allow generation of floor area from the streets and would require building envelopes to be measured from the streets. This would allow development that is in compliance with zoning. Alternatively, easements should be provided in the former roadbeds of 39<sup>th</sup> and 40<sup>th</sup> Streets. The easements would then have to be treated as a street for zoning purposes (including FAR, height and setback) and would provide pedestrian and vehicular access.</p> <p>iii. The bulk of future development should be capped to be consistent with the precedent of previous development north of 34th Street along the east side of First Avenue - as exemplified by the Rivergate, Manhattan Place, and Horizon apartment buildings. The bulk of those buildings average approximately 10.5 FAR, an FAR that was granted by special permit from the City Planning Commission.</p>
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In section c. below the City Council agreed with the City Planning Commission’s deletion of the recommendation for a Special Hospital Use District. However, they also added language encouraging a dialogue between CB6, the NYC Economic Development Corporation (EDC), New York City Planning (DCP) and future users of the East River Science Park as regards any remaining undecided land uses.

<p><b>c. Bellevue Campus (See October 2001 CB6 resolution):</b></p> <p>On November 21, 2001, the City Planning Commission approved the development of the East River Science Park, a scientific research facility on the surplus Bellevue Hospital property located between former East 28<sup>th</sup> and East 30<sup>th</sup> Streets east of First Avenue. The final approved plan provides for three individual bio-tech research buildings that would retain the view corridor along former East 29th and East 30th Streets from First Avenue. Access to the site, pedestrian and vehicular, would be provided from former East 29th and 30th Streets. The revised plan “allows for separation of vehicular and pedestrian circulation” by creating a plaza level at the elevation of First Avenue. The plaza level would consist of main entrances to the buildings; 46,600 square feet of public open space extending from First Avenue to the eastern end of the private service road along the FDR Drive; “allow for future pedestrian connection over the FDR Drive to the waterfront if this section of the FDR Drive is relocated to grade”; and a better north-south connection between NYU School of Medicine and Bellevue Hospital Center at the plaza level through a pedestrian bridge over East 30th Street and via stairs and a ramp on</p>	<p><b>c. Bellevue Campus (See October 2001 CB6 resolution):</b></p> <p>On November 21, 2001, the City Planning Commission approved the development of the East River Science Park, a scientific research facility on the surplus Bellevue Hospital property located between former East 28<sup>th</sup> and East 30<sup>th</sup> Streets east of First Avenue. The final approved plan provides for three individual bio-tech research buildings that would retain the view corridor along former East 29th and East 30th Streets from First Avenue. Access to the site, pedestrian and vehicular, would be provided from former East 29th and 30th Streets. The revised plan “allows for separation of vehicular and pedestrian circulation” by creating a plaza level at the elevation of First Avenue. The plaza level would consist of main entrances to the buildings; 46,600 square feet of public open space extending from First Avenue to the eastern end of the private service road along the FDR Drive; “allow for future pedestrian connection over the FDR Drive to the waterfront if this section of the FDR Drive is relocated to grade”; and a better north-south connection between NYU School of Medicine and Bellevue Hospital Center at the plaza level through a pedestrian bridge over East 30th Street and via stairs and a ramp on</p>
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the south side of the project. In view of this plan, and EDC's recent RFP, CB6 makes the following recommendations as regards zoning for the NYU Medical Center and the overall master plan for the East River Science Park (consistent with ESRA's 1991 study and as described on Figure 21 and 22):

- i. Consider mapping as a Special Hospital Use District (including Bellevue Hospital Center, NYU Medical Center and VA Hospital), as recommended by 1991 ESRA study, to conform to current hospital and hospital-related uses, and provide parameters for additional development. CB6 believes that the existing R-8 zoning is inadequate to cater to the Medical Center and Hospital uses and results in an ad hoc form of planning. This can be seen in the number of discretionary approvals required over the years for the East River Science Park including zoning map changes (from R-8 to C districts) and Section 74-48 special permit applications to allow medical research facilities. As an alternative, the Special Hospital Use District will provide a comprehensive set of zoning and urban design controls – in effect a master plan (similar to the Special Battery Park City District) - that will overlay the existing R-8 zoning and provide greater zoning flexibility, reducing the potential and need for discretionary approvals.
- ii. Improve future development of the Bellevue campus by implementing the Cooper Eckstut Study for the East River Science Park, for the northern portion of the Bellevue Campus, including the following recommendations which were not incorporated in the final plan as approved by City Planning. It is understood that since the recommendations of this Plan were originally drafted, alterations to the East River Science Park have proceeded including demolition of the laundry building and site preparation for the construction of two new buildings on the south side of 29<sup>th</sup> Street that will be aligned with the ACS building:
  - The foot prints of Buildings 2 and 3, and the garage located below the plaza (as approved located along the western edge of the private roadway) should be shifted westwards (see Figure 20). This would allow for a wider pedestrian walkway along the private roadway than currently provided (see Figure 21). CB6 notes that plans for Building 2 are filed and do not allow for a widened pedestrian walkway.

the south side of the project. In view of this plan, and EDC's recent RFP, CB6 makes the following recommendations as regards zoning for the NYU Medical Center and the overall master plan for the East River Science Park (consistent with ESRA's 1991 study and as described on Figure 21 and 22):

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- i. Improve future development of the Bellevue campus by implementing the Cooper Eckstut Study for the East River Science Park ([see Figures 20 and 21](#)), for the northern portion of the Bellevue Campus, including the following recommendations which were not incorporated in the final plan as approved by City Planning. It is understood that since the recommendations of this Plan were originally drafted, alterations to the East River Science Park have proceeded including demolition of the laundry building and site preparation for the construction of two new buildings on the south side of 29<sup>th</sup> Street that will be aligned with the ACS building:
  - The foot prints of Buildings 2 and 3, and the garage located below the plaza (as approved located along the western edge of the private roadway) should be shifted westwards (see Figure 20). This would allow for a wider pedestrian walkway along the private roadway than currently provided (see Figure 21). CB6 notes that plans for Building 2 are filed and do not allow for a widened pedestrian walkway.
  - [Encourage a dialogue between CB 6, EDC, DCP and the developers and users of the East River Science Park sites for elements of the East River Science Park which have not yet been decided on.](#)

In section d. below, the City Council eliminated the recommendation for a feasibility study for new school construction within the 197a study area. Instead, the City Council specified the inclusion of an elementary /intermediate school at the First Avenue properties site. This is consistent with the final plan as proposed by the East River Realty Company (ERRC) and as approved by City Council.

**d. Education (See September 2002 CB6 resolution re: Con Ed DGEIS):**

- i. Community Board 6 strongly encourages the City’s Division for Child Care and Head Start (CCHS) to monitor day-care demand and availability of slots in CD 6. When reviewing proposals for new child care development, CCHS should encourage the construction of day care facilities in new private office and residential developments.
- ii. Community Board 6 acknowledges that the Educational Construction Fund is in the process of planning the redevelopment of P.S. 59 that would increase school capacity from 350 to 760 seats. Community Board 6 also strongly suggests that the redevelopment of the Con Edison site include a feasibility study for location of a new pre-K to Grade 5 school, as suggested by Schools District 2, in view of limited existing school space and the potential influx of new students.
- iii. More generally, Community Board 6 recommends the Department of Education conduct a feasibility study for the location of new school construction in the Study Area.

**d. Education (See September 2002 CB6 resolution re: Con Ed DGEIS):**

- i. Community Board 6 strongly encourages the City’s Division for Child Care and Head Start (CCHS) to monitor day-care demand and availability of slots in CD 6. When reviewing proposals for new child care development, CCHS should encourage the construction of day care facilities in new private office and residential developments.
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- ~~iii. More generally, Community Board 6 recommends the Department of Education conduct a feasibility study for the location of new school construction in the Study Area.~~
- iii. Facilitate the inclusion of an elementary or elementary / intermediate school on the First Avenue properties site.

**e. Housing (See Sept 2002 CB6 resolution re: Con Ed DGEIS in Appendix C):**

Given the well-documented shortage of affordable housing within the Study Area and CB6 as a whole (see Appendix D for data), CB6 proposes the following:

- i. Encourage permanent affordable housing and discourage demolition or conversion to market rates of affordable housing in the Study Area (such as Mitchell Lama).

Encourage low and moderate income housing in new developments in the Study Area. Such housing is to be permanent and cannot be converted to market rate.

**e. Housing (See Sept 2002 CB6 resolution re: Con Ed DGEIS in Appendix C):**

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Encourage low and moderate income housing in new developments in the Study Area. Such housing is to be permanent and cannot be converted to market rate.

In section f. below, the City Council concurred with City Planning’s deletion of language that recommends eliminating zoning preferences for community facility uses. CB6 intended this recommendation as a step towards reducing the potential for further out-of-scale community facility development in mid-block locations. The City Council also added language that does not appear to address this issue and instead focuses on a different idea; namely encouragement of community and institutional development that is compatible with existing hospital and health related uses in the vicinity of the East River Science Park, NYU and Bellevue area.

<p><b>f. Community Facilities (See Feb 99 resolution re: Zoning Loopholes in Appendix):</b></p> <p>i. Eliminate zoning preferences for community facilities in the Study Area. This is in response to out-of-scale additions to schools and other community facilities, particularly in midblock locations. CB6 believes that the avenues are more appropriate to accommodate larger community facility additions. Larger-scale buildings on the avenues is both consistent with City policy and more appropriate for high traffic-generating uses such as community facilities:</p> <ul style="list-style-type: none"> <li>• Eliminate larger floor area ratios for community facilities in R7 and R8 districts;</li> <li>• Eliminate all rear yard encroachments in midblock locations;</li> <li>• Rewrite community facilities definitions to distinguish between wide and narrow street locations to allow greater density on wide streets compared to narrow streets.</li> </ul>	<p><b>f. Community Facilities (See Feb 99 resolution re: Zoning Loopholes in Appendix):</b></p> <p><del>i. Eliminate zoning preferences for community facilities in the Study Area. This is in response to out-of-scale additions to schools and other community facilities, particularly in midblock locations. CB6 believes that the avenues are more appropriate to accommodate larger community facility additions. Larger-scale buildings on the avenues is both consistent with City policy and more appropriate for high traffic-generating uses such as community facilities:</del></p> <ul style="list-style-type: none"> <li><del>• Eliminate larger floor area ratios for community facilities in R7 and R8 districts;</del></li> <li><del>• Eliminate all rear yard encroachments in midblock locations;</del></li> <li><del>• Rewrite community facilities definitions to distinguish between wide and narrow street locations to allow greater density on wide streets compared to narrow streets.</del></li> </ul> <p>i. <u>Encourage institutional development and community uses that are compatible with the existing scientific, hospital and hospital related uses in the area bounded by 23<sup>rd</sup> and 34<sup>th</sup> Streets, and First Avenue and the FDR Drive.</u></p>
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In section g. below language was deleted that seeks through zoning to preserve the eastern section of CB6 from encroachment by office uses. New, less assertive language was added that commits to evaluating individual office development proposals and discouraging office uses in predominantly residential areas.

<p><b>g. Central Business District (See April 03 CB6 resolution re 197a Plan in Appendix):</b> See the Figure 12 NYC zoning map of Midtown Central Business District (MiD).</p> <p>i. Develop policy for rezoning that prohibits additional high-density office development east of the midline between Second and Third Avenues in order to:</p> <ul style="list-style-type: none"> <li>• Prevent the Midtown central business district from moving further east;</li> <li>• Preserve existing residential neighborhoods;</li> <li>• Encourage additional residential development where possible.</li> </ul>	<p><b>g. Central Business District (See April 03 CB6 resolution re 197a Plan in Appendix):</b> See the Figure 12 NYC zoning map of Midtown Central Business District (MiD).</p> <p><del>i. Develop policy for rezoning that prohibits additional high-density office development east of the midline between Second and Third Avenues in order to:</del></p> <p>i. <u>Carefully evaluate proposals for high-density office development east of the midline between Second and Third Avenues, and discourage such development where inappropriate, such as in predominantly residential areas, in order to:</u></p> <ul style="list-style-type: none"> <li>• Prevent the Midtown central business district from moving further east;</li> <li>• Preserve existing residential neighborhoods;</li> <li>• Encourage additional residential development where possible.</li> </ul>
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In section h. below, the City Council again concurred with City Planning Commission in entirely removing the recommendation for new public access zoning. This recommendation is central to the 197a plan as a way of facilitating better public waterfront access. City Planning called into question the legality of mapping a special

public access district on the basis that the majority of properties within the district are physically separated from the waterfront. Their legal opinion was that to establish such a public access district, properties requiring to provide waterfront-related improvements would need to be located physically on the waterfront.

**h. Public Access Zoning (See Figures 13, 14 and 15):**

There are unique accessibility problems in Community District 6 principally created by the presence of the FDR Drive, such as the extreme narrowness of the waterfront sites, the lack of north-south continuity, and obstacles such as parking lots, piers, and the heliport at 34<sup>th</sup> Street. The existing zoning regulations including plaza bonuses and open space requirements are insufficient to address these conditions, and new development will place an even greater demand on the area's limited open space resources. Therefore, in order to address these conditions, Community Board 6 recommends the creation of a new Special Public Access District which allows elective contributions to a fund for mapped on-site and off-site public improvements as follows:

Designate the area from First Avenue to the waterfront and from 14<sup>th</sup> to 59<sup>th</sup> Streets as a Special Public Access District (see Figure 13) to fulfill the public access, recreation and open space needs and water-related uses of Community District 6. See Section B. Waterfront Esplanade and Open Space Recommendations for a description of these improvements and Figures 14 and 15 for a map of the recommended on-site and off-site public improvements. Within the Special District, an additional floor area bonus may be allowed on any zoning lot that provides elective public open space improvements as described on Figures 14 and 15. An additional bonus would be allowed for the inclusion of affordable housing. This bonus mechanism would supersede the underlying FAR bonus provisions.

~~**h. Public Access Zoning (See Figures 13, 14 and 15):**~~

~~There are unique accessibility problems in Community District 6 principally created by the presence of the FDR Drive, such as the extreme narrowness of the waterfront sites, the lack of north-south continuity, and obstacles such as parking lots, piers, and the heliport at 34<sup>th</sup> Street. The existing zoning regulations including plaza bonuses and open space requirements are insufficient to address these conditions, and new development will place an even greater demand on the area's limited open space resources. Therefore, in order to address these conditions, Community Board 6 recommends the creation of a new Special Public Access District which allows elective contributions to a fund for mapped on-site and off-site public improvements as follows:~~

~~Designate the area from First Avenue to the waterfront and from 14<sup>th</sup> to 59<sup>th</sup> Streets as a Special Public Access District (see Figure 13) to fulfill the public access, recreation and open space needs and water-related uses of Community District 6. See Section B. Waterfront Esplanade and Open Space Recommendations for a description of these improvements and Figures 14 and 15 for a map of the recommended on-site and off-site public improvements. Within the Special District, an additional floor area bonus may be allowed on any zoning lot that provides elective public open space improvements as described on Figures 14 and 15. An additional bonus would be allowed for the inclusion of affordable housing. This bonus mechanism would supersede the underlying FAR bonus provisions.~~

<p><b>B. CB6 WATERFRONT ESPLANADE AND OPEN SPACE RECOMMENDATIONS</b></p> <p>The presence of the FDR Drive along the entire Community Board 6 East River waterfront has created unique conditions including limited public access and visual and physical barriers to the waterfront. To improve public access to the waterfront, the following actions are required:</p>	<p><b>B. WATERFRONT ESPLANADE AND OPEN SPACE RECOMMENDATIONS AS MODIFIED BY THE CITY COUNCIL</b></p> <p>The presence of the FDR Drive along the entire Community Board 6 East River waterfront has created unique conditions including limited public access and visual and physical barriers to the waterfront. To improve public access to the waterfront, the following actions are required:</p>
<p>In section a. below, City Planning made a number of modifications to the CB6 recommendations; for example language was added that reduces the City’s commitment to bridging over the FDR and relocating elevated sections of the FDR to grade. In addition, imperatives in the original document, such as “create” were changed to “encourage” or “explore.”</p>	
<p><b>a. Complete Waterfront Esplanade (See April 1989, April 1999 CB6 resolutions re: Land Use Policy):</b></p> <ol style="list-style-type: none"> <li>i. Explore with Con Edison, NYCDOT and NYSDOT opportunities to widen the Esplanade between 13<sup>th</sup> and 15<sup>th</sup> Streets by replacing the existing pump with a smaller pump thereby widening the Con Ed Pier “choke point.”</li> <li>ii. Construct a new pedestrian bridge over the FDR Drive at 16<sup>th</sup> Street (See Feb 2001 CB6 resolution re: Con Ed Repowering). It is recognized that pedestrian bridges are costly and would have to be constructed in phases. They also may need approvals from City or State agencies. The priorities are bridges at 39<sup>th</sup> and 40<sup>th</sup> Streets. Other bridges are outlined below.</li> <li>iii. Improve Waterfront Esplanade between 23<sup>rd</sup> and 42<sup>nd</sup> Streets: <ul style="list-style-type: none"> <li>• Explore alternatives to relocate skyport parking on the pier at 23<sup>rd</sup> Street;</li> <li>• In coordination with the reconstruction and redesign of the FDR Drive, explore possibility to provide pedestrian bridges across from Bellevue Hospital to Waterside Houses at 27<sup>th</sup> and 29<sup>th</sup> Streets. CB6 encourages the City to coordinate with NYSDOT on the design of the highway at this location to facilitate a pedestrian bridge. This could be achieved if the elevated section of FDR Drive was lowered or relocated to grade;</li> <li>• Upgrade existing pedestrian bridge at 25<sup>th</sup> Street pedestrian bridge handicapped accessible;</li> <li>• Re-open the illegally closed gate allowing waterfront access around Waterside Houses;</li> <li>• Improve area around ferry landing at 35<sup>th</sup></li> </ul> </li> </ol>	<p><b>a. Complete Waterfront Esplanade (See April 1989, April 1999 CB6 resolutions re: Land Use Policy):</b></p> <ol style="list-style-type: none"> <li>i. Explore with Con Edison, NYCDOT and NYSDOT opportunities to widen the Esplanade between 13<sup>th</sup> and 15<sup>th</sup> Streets by replacing the existing pump with a smaller pump. <del>thereby widening the Con Ed Pier “choke point.”</del></li> <li>ii. Construct a new pedestrian bridge over the FDR Drive at 16<sup>th</sup> Street (See Feb 2001 CB6 resolution re: Con Ed Repowering). It is recognized that pedestrian bridges are costly and would have to be constructed in phases. They also may need approvals from City or State agencies. The priorities are bridges at 39<sup>th</sup> and 40<sup>th</sup> Streets. Other bridges are outlined below.</li> <li>iii. Improve Waterfront Esplanade between 23<sup>rd</sup> and 42<sup>nd</sup> Streets: <ul style="list-style-type: none"> <li>• Explore alternatives to relocate <u>all parking located directly on the waterfront such as the 34<sup>th</sup> Street lot, the 23<sup>rd</sup> Street skyport parking garage, and the Con Edison parking pier between 38<sup>th</sup> and 41<sup>st</sup> Streets;</u></li> <li>• In coordination with the reconstruction and redesign of the FDR Drive, explore possibility to provide pedestrian bridges across from Bellevue Hospital to Waterside Houses at 27<sup>th</sup> and 29<sup>th</sup> Streets. CB6 encourages the City to coordinate with NYSDOT on the design of the highway at this location to facilitate a pedestrian bridge. This could be achieved if the elevated section of FDR Drive was lowered or relocated to grade;</li> <li>• <u>If the FDR Drive is relocated to grade, which would permit a deck above the drive, the option of a park above the FDR Drive between 28<sup>th</sup> and 30<sup>th</sup> Streets should be</u></li> </ul> </li> </ol>

<p>Street (CB6 supports plan for ferry landing);</p> <ul style="list-style-type: none"> <li>• Explore alternatives to relocate the waterfront parking at 34<sup>th</sup> Street and on the Con Edison parking pier between 38<sup>th</sup> and 42<sup>st</sup> Streets;</li> <li>• Create smaller neighborhood piers for water taxis at 23<sup>rd</sup> and 42<sup>nd</sup> Streets;</li> </ul> <p>iv. Extend esplanade north from East River Esplanade Park to proposed esplanade at 42<sup>nd</sup> St:</p> <ul style="list-style-type: none"> <li>• Provide crossings at deck of Con Edison site from 35<sup>th</sup> and 36<sup>th</sup> Streets to East River Esplanade Park if NYSDOT chooses to tunnel the FDR Drive.</li> <li>• With the re-alignment of the FDR Drive and the shortening or removal of the 42<sup>nd</sup> Street ramp, NYC DOT and NYS DOT should explore the feasibility of pedestrian bridges over the FDR Drive at 39<sup>th</sup>, 40<sup>th</sup>, and 41<sup>st</sup> Streets. Amongst the pedestrian bridges recommended in this Plan, these are a priority.<sup>1</sup></li> </ul> <p>v. As mitigation for the construction of the proposed new UN tower at Robert Moses Playground<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>• Provide esplanade along east edge of United Nations, outboard of the FDR Drive, with connections to Glick Park at 37<sup>th</sup> Street and to the north at 48<sup>th</sup> Street,</li> <li>• Provide pedestrian access to waterfront at 42<sup>nd</sup> and 48<sup>th</sup> Streets via bridges (see Figure 15).</li> </ul> <p>vi. Provide an additional pedestrian bridge over the FDR Drive at 54<sup>th</sup> Street.</p> <p>vii. Consider providing a narrow esplanade walkway between 53<sup>rd</sup> and 63<sup>rd</sup> Streets on a cantilever on the outboard side of the existing FDR Drive.</p> <p>viii. New esplanade/greenway should accommodate pedestrians, joggers, cyclists, and skaters.</p>	<p><u>studied, within the context of the reconstruction of the FDR Drive by NYSDOT;</u></p> <ul style="list-style-type: none"> <li>• <u>The city should work with appropriate federal and state agencies to encourage decking over a portion of the FDR Drive, the relocation or reconfiguration of the northbound FDR exit ramp at 42<sup>nd</sup> Street, and the creation of a continuous waterfront esplanade between 34<sup>th</sup> and 42<sup>nd</sup> Streets. Development on the First Avenue Properties (former Con Edison sites) should be compatible with, and not preclude, future off-site waterfront improvements.</u></li> <li>• <u>Encourage NYCDOT and DPR to make the existing 25<sup>th</sup> Street pedestrian bridge handicapped accessible;</u></li> <li>• Re-open the illegally closed gate allowing waterfront access around Waterside Houses;</li> <li>• <u>Improve area around 35<sup>th</sup> Street ferry landing;</u></li> <li>• <u>Encourage creation of smaller neighborhood piers for water taxis at 23<sup>rd</sup> and 42<sup>nd</sup> Streets;</u></li> <li>• <u>Pursue measures to ensure that the waterfront esplanade at Waterside Plaza is publicly accessible.</u></li> </ul> <p>iv. Extend esplanade north from East River Esplanade Park to proposed esplanade at 42<sup>nd</sup> St:</p> <ul style="list-style-type: none"> <li>• <u>Encourage creation of pedestrian</u> Provide crossings at deck of Con Edison site from 35<sup>th</sup> <u>or</u> 36<sup>th</sup> Streets to East River Esplanade Park if NYSDOT chooses to a tunnel <u>for</u> the FDR <u>Drive is to be constructed.</u></li> <li>• With the re-alignment of the FDR Drive and the shortening or removal of the 42<sup>nd</sup> Street ramp, NYC DOT and NYS DOT should explore the feasibility of pedestrian bridges over the FDR Drive at 39<sup>th</sup>, 40<sup>th</sup>, and 41<sup>st</sup> Streets. Amongst the pedestrian bridges recommended in this Plan, these are a priority.<sup>3</sup></li> </ul> <p>v. As mitigation for the construction of the proposed new UN tower at Robert Moses Playground<sup>4</sup>:</p>
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<sup>1</sup> Construction of bridges at 39<sup>th</sup>, 40<sup>th</sup> and 41<sup>st</sup> Streets requires agreements from NYCDOT and NYSDOT; an easement on the west side of the Con Ed Waterside property; a re-alignment of the FDR Drive at that location; a shortening or elimination of the 42<sup>nd</sup> Street northbound FDR exit ramp.

<sup>2</sup> UNDC has proposed an esplanade as mitigation for the loss of the Robert Moses Park site and that East River Realty (Con Ed/Waterside) has said they would build an esplanade from 38th to 41st Streets.

<sup>3</sup> Construction of bridges at 39<sup>th</sup>, 40<sup>th</sup> and 41<sup>st</sup> Streets requires agreements from NYCDOT and NYSDOT; an easement on the west side of the Con Ed Waterside property; a re-alignment of the FDR Drive at that location; a shortening or elimination of the 42<sup>nd</sup> Street northbound FDR exit ramp.

<sup>4</sup> UNDC has proposed an esplanade as mitigation for the loss of the Robert Moses Park site and that East River Realty (Con Ed/Waterside) has said they would build an esplanade from 38th to 41st Streets.

	<ul style="list-style-type: none"> <li>• Provide esplanade along east edge of United Nations, outboard of the FDR Drive, with connections to Glick Park at 37<sup>th</sup> Street and to the north at 48<sup>th</sup> Street,</li> <li>• Provide pedestrian access to waterfront at 42<sup>nd</sup> and 48<sup>th</sup> Streets via bridges (see Figure 15).</li> <li>• <u>If the new UN tower is found to have a negative impact on the existing open space, a replacement park should be provided in the immediate vicinity.</u></li> </ul> <p>vi. Provide an additional pedestrian bridge over the FDR Drive at 54<sup>th</sup> Street.</p> <p>vii. <u>Encourage construction of</u> <del>Consider providing a</del> narrow esplanade walkway between 53<sup>rd</sup> and 63<sup>rd</sup> Streets on a cantilever on the outboard side of the existing FDR Drive.</p> <p>viii. <u>Accommodate pedestrians, joggers, cyclists, and skaters on new esplanades and greenway</u></p>
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In section b. below, the City Council eliminated the recommendation to acquire open space at the Con Edison East River plant for an expansion to Murphy Brothers Park. Language was also eliminated that recommended acquisition for public open space in large development projects such as the East River Science Park and Con Edison Waterside Development. New, more general language was added, recognizing the shortage of open space and encouraging publicly accessible open spaces as a part of new large development projects.

<p><b>b. Open Space:</b></p> <p>Manhattan Community District 6 has a substantial open space deficit. This will worsen with the proposed construction staging for the Second Avenue Subway in St. Vartan Park, the FDR Drive reconstruction at the East River Esplanade Park, and the increasing amount of new development proposed at such sites as Con Ed Waterside and the Perl binder building. To address these open space deficits, Community Board 6 makes the following open space recommendations:</p> <p>i. The city should explore with Con Edison the possible acquisition or lease of open space at the Con Edison East River Plant for a new expansion of Murphy Brothers Park to include relocated ballfields, as per BFJ January 2001 report (See February 2001 CB6 resolution re: Con Ed Repowering).</p> <p>ii. Encourage the MTA (with DPR and DOT) to consider designing and mapping park decks above Queens Midtown Tunnel Portals as part of the ongoing Second Avenue Subway Outreach process<sup>5</sup> (See Figures 16 and 17).</p>	<p><b>b. Open Space:</b></p> <p>Manhattan Community District 6 has a substantial open space deficit. This will worsen with the proposed construction staging for the Second Avenue Subway in St. Vartan Park, the FDR Drive reconstruction at the East River Esplanade Park, and the increasing amount of new development proposed at such sites as Con Ed Waterside and the Perl binder building. To address these open space deficits, Community Board 6 makes the following open space recommendations:</p> <p><del>i. The city should explore with Con Edison the possible acquisition or lease of open space at the Con Edison East River Plant for a new expansion of Murphy Brothers Park to include relocated ballfields, as per BFJ January 2001 report (See February 2001 CB6 resolution re: Con Ed Repowering).</del></p> <p>i. Encourage the MTA (with DPR and DOT) to consider designing and mapping park decks above Queens Midtown Tunnel Portals as part of the ongoing Second Avenue Subway Outreach process<sup>6</sup> (See Figures 16 and 17).</p>
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<sup>5</sup> The improvement of the existing landscaped area above the Queens Midtown tunnel portal presents an opportunity for decking and a new park.

<sup>6</sup> The improvement of the existing landscaped area above the Queens Midtown tunnel portal presents an opportunity for decking and a new park.



<p>iii. FDR Drive Reconstruction Opportunities:</p> <ul style="list-style-type: none"> <li>• Study the possibility of designing and mapping a park on a deck above FDR Drive between 38<sup>th</sup> and 42<sup>nd</sup> Streets. Construction of a deck requires agreements from NYCDOT and NYSDOT; an easement on the west side of the Con Ed Waterside property; a re-alignment of the FDR Drive at that location; a shortening or elimination of the 42<sup>nd</sup> Street northbound FDR exit ramp.</li> <li>• Explore the possibility of designing and mapping a park on a deck above FDR between 28<sup>th</sup> and 30<sup>th</sup> Streets in coordination with remapping of 29<sup>th</sup> Street. This would require the relocation of an elevated section of the FDR to grade as part of the State’s ongoing reconstruction of the FDR. These improvements should also be coordinated with the Bellevue reconstruction, as recommended by City Planning Commission-approved plan for the East River Science Park (see Figures 20 and 21).</li> </ul> <p>iv. Encourage public acquisition for open space for such developments such as the Bellevue/East River Park Science Park Plan, the replacement of Robert Moses Playground, and the Con Edison Waterside redevelopment.</p> <p>v. CB6 notes that large-scale projects such as East River Science Park, Con Edison Waterside and the proposed UNDC building provide open space. However, CB6 encourages increased open space mitigation for large-scale development projects such as Bellevue, Con Edison Waterside, and the proposed UNDC building. In the event that the UN consolidation project seeks to utilize Robert Moses Park and legislative enabling measures are approved, it is recommended that a replacement park be created within the immediate community. This might include designating 685 First Avenue for active recreation assuming the City Council does not adopt a rezoning for redevelopment at this location.</p>	<p>ii. <u>Encourage new pedestrian bridges and other means to provide improved public access to the waterfront, particularly at 16<sup>th</sup>, 27<sup>th</sup>, 29<sup>th</sup>, 39<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup>, 42<sup>nd</sup>, 48<sup>th</sup>, and 54<sup>th</sup> Streets.</u></p> <p>iii. FDR Drive Reconstruction Opportunities:</p> <ul style="list-style-type: none"> <li>• Study the possibility of designing and mapping a park on a deck above FDR Drive between 38<sup>th</sup> and 42<sup>nd</sup> Streets. Construction of a deck requires agreements from NYCDOT and NYSDOT; an easement on the west side of the Con Ed Waterside property; a re-alignment of the FDR Drive at that location; a shortening or elimination of the 42<sup>nd</sup> Street northbound FDR exit ramp.</li> <li>• Explore the possibility of designing and mapping a park on a deck above FDR between 28<sup>th</sup> and 30<sup>th</sup> Streets in coordination with remapping of 29<sup>th</sup> Street. This would require the relocation of an elevated section of the FDR to grade as part of the State’s ongoing reconstruction of the FDR. These improvements should also be coordinated with the Bellevue reconstruction, as recommended by City Planning Commission-approved plan for the East River Science Park (see Figures 20 and 21).</li> </ul> <p><del>iv. Encourage public acquisition for open space for such developments such as the Bellevue/East River Park Science Park Plan, the replacement of Robert Moses Playground, and the Con Edison Waterside redevelopment.</del></p> <p><u>iv. Given the deficit of publicly-accessible open space in CD 6, the city should encourage the inclusion of publicly accessible open spaces where feasible and appropriate as part of large new developments.</u></p> <p>v. CB6 notes that large-scale projects such as East River Science Park, Con Edison Waterside and the proposed UNDC building provide open space. However, CB6 encourages increased open space mitigation for large-scale development projects such as Bellevue, Con Edison Waterside, and the proposed UNDC building. In the event that the UN consolidation project seeks to utilize Robert Moses Park and legislative enabling measures are approved, it is recommended that a replacement park be created within the immediate community. This might include designating 685 First Avenue for active recreation assuming the City Council does not adopt a rezoning for redevelopment at this location.</p>
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<p><b>C. CB6 URBAN DESIGN AND PRESERVATION RECOMMENDATIONS</b></p>	<p><b>C. URBAN DESIGN AND PRESERVATION RECOMMENDATIONS AS MODIFIED BY THE CITY COUNCIL</b></p>
<p>In section a. below, language was eliminated that recommended an overall policy of contextual zoning and restricting zoning lot mergers. New language was added that instead promotes exploring the mapping of contextual districts. A new recommendation a. iii was added that is directed at providing more and better visual and pedestrian access to the waterfront through zoning controls and urban design and streetscape improvements.</p>	
<p><b>a. Urban Design/Architecture</b></p> <ul style="list-style-type: none"> <li>i. As an overall policy, Community Board 6 encourages the mapping of contextual zoning districts to maintain residential character of neighborhoods and restrict zoning lot mergers (4 /2003 CB 6 Resolution: 197- a Plan).</li> <li>ii. Map tower-on-the-base zoning districts to maintain existing street wall character along avenues and restrict zoning lot mergers where appropriate (see April 2003 Resolution on 197-a Plan), as occurred with the Trump Building on First Avenue at 48<sup>th</sup> Street;</li> </ul>	<p><b>a. Urban Design/Architecture</b></p> <ul style="list-style-type: none"> <li><del>i. As an overall policy, Community Board 6 encourages the mapping of contextual zoning districts to maintain residential character of neighborhoods and restrict zoning lot mergers (4 /2003 CB 6 Resolution: 197- a Plan).</del></li> <li>i. <u>Explore mapping contextual zoning districts to maintain neighborhood scale and residential character in appropriate locations.</u></li> <li>ii. Map tower-on-the-base zoning districts to maintain existing street wall character along avenues and restrict zoning lot mergers where appropriate (see April 2003 Resolution on 197-a Plan), as occurred with the Trump Building on First Avenue at 48<sup>th</sup> Street;</li> <li>iii. <u>To preserve and create waterfront views and facilitate public access to the waterfront, appropriate zoning, land use and mapping controls (including remapping demapped streets, if feasible), as well as urban design and streetscape improvements should be used.</u></li> </ul>
<p>In section b. below, City Council added language that clarifies the rationale and circumstances under which streets might be remapped within the study area.</p>	
<p><b>b. Remap Demapped Streets within Study Area (see April 2003 CB 6 resolution)</b></p> <ul style="list-style-type: none"> <li>i. Extend public streets to the waterfront in order to: <ul style="list-style-type: none"> <li>• Disperse large-scale development;</li> <li>• Create waterfront access/views;</li> <li>• Recapture the waterfront for public use with improved access;</li> <li>• Limit FAR, and ensure height and setback controls;</li> <li>• Preserve the Manhattan street grid.</li> </ul> </li> </ul>	<p><b>b. Remap Demapped Streets within Study Area (see April 2003 CB 6 resolution)</b></p> <ul style="list-style-type: none"> <li>i. <u>Where appropriate and physically feasible, create the opportunity for public access to the waterfront by allowing pedestrians to use streets or their extensions that have been remapped, reopened or otherwise made publicly accessible.</u></li> <li>ii. Extend public streets to the waterfront in order to: <ul style="list-style-type: none"> <li>• Disperse large-scale development;</li> <li>• Create waterfront access/views;</li> <li>• Recapture the waterfront for public use with improved access;</li> <li>• Limit FAR, and ensure height and setback controls;</li> </ul> </li> </ul>

<p><b>c. Bellevue Recommendations (See October 2001 CB6 resolution)</b></p> <p>i. See recommendation A. c. ii and A. f. i. Also see attached Figures 20 and 21, which illustrate the specifics of these design recommendations for the Bellevue Hospital site. It is understood that since the recommendations of this Plan were originally drafted, alterations to the East River Science Park have proceeded including demolition of the laundry building and site preparation for the construction of two new buildings on the south side of 29<sup>th</sup> Street that will be aligned with the ACS building.</p>	<ul style="list-style-type: none"> <li>• Preserve the Manhattan street grid.</li> </ul> <p><b>c. Bellevue Recommendations (See October 2001 CB6 resolution)</b></p> <p>i. See recommendation A. c. ii and A. f. i. Also see attached Figures 20 and 21, which illustrate the specifics of these design recommendations for the Bellevue Hospital site. It is understood that since the recommendations of this Plan were originally drafted, alterations to the East River Science Park have proceeded including demolition of the laundry building and site preparation for the construction of two new buildings on the south side of 29<sup>th</sup> Street that will be aligned with the ACS building.</p>
<p>The following recommendations for the former on Edison First Avenue properties were left largely intact by the City Council. The proposal for the redevelopment of this site was approved by the City Council and included a number of the recommendations described below.</p>	
<p><b>d. Con Edison First Avenue Properties Recommendations</b></p> <p>See also recommendation A. b.</p> <p>i. Consider large-scale residential development special permit with the following conditions:</p> <ul style="list-style-type: none"> <li>• Limit bulk and density;</li> <li>• Extend both 39<sup>th</sup> and 40<sup>th</sup> Streets east across the First Avenue Properties site;</li> <li>• Limit height of new development to no more than 400 feet to respect the scale of the 503-foot high UN Secretariat building;</li> <li>• Limit the height of development at 685 First Avenue in order not to cast shadows on Tudor City Parks;</li> <li>• Encourage the developer of the First Avenue properties to provide an easement along the eastern edge of the property so as to not preclude future off-site waterfront improvements;</li> <li>• Create large easily accessible public spaces on portions of the site, as mitigation for the large-scale development of the First Avenue Properties;</li> <li>• Require ground floor retail on First Avenue to accommodate the needs of local residents and enhance pedestrian activity along the Avenue;</li> <li>• Provide overlook parks along the FDR Drive;</li> <li>• Complete a continuous esplanade along the East River waterfront from 34<sup>th</sup> to 42<sup>nd</sup> Street.</li> </ul>	<p><b>d. Con Edison First Avenue Properties Recommendations</b></p> <p>See also recommendation A. b.</p> <p>ii. Consider large-scale residential development special permit with the following conditions:</p> <ul style="list-style-type: none"> <li>• Limit bulk and density;</li> <li>• Extend both 39<sup>th</sup> and 40<sup>th</sup> Streets east across the First Avenue Properties site;</li> <li>• <u>Provide publicly-accessible spaces and view corridors on the extensions of 39<sup>th</sup> and 40<sup>th</sup> Streets;</u></li> <li>• Limit height of new development to no more than 400 feet to respect the scale of the 503-foot high UN Secretariat building;</li> <li>• Limit the height of development at 685 First Avenue in order not to cast shadows on Tudor City Parks;</li> <li>• Encourage the developer of the First Avenue properties to provide an easement along the eastern edge of the property so as to not preclude future off-site waterfront improvements;</li> <li>• <del>Create large easily accessible public spaces on portions of the site, as mitigation for the large-scale development of the First Avenue Properties;</del></li> <li>• <u>Include large, publicly accessible spaces on the site as a mitigation for the large scale development;</u></li> <li>• Require ground floor retail on First Avenue to accommodate the needs of local residents and enhance pedestrian activity along the Avenue;</li> <li>• Provide overlook parks along the FDR</li> </ul>

	<p>Drive;</p> <ul style="list-style-type: none"> <li>• Complete a continuous esplanade along the East River waterfront from 34<sup>th</sup> to 42<sup>nd</sup> Street.</li> </ul>
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In section e. below, language was added recommending that consideration be given to landmarking the Bellevue Hospital buildings.

<p><b>e. Landmarking</b></p> <p>i. Explore tools for preserving the integrity, built character and urban design qualities of Stuyvesant Town and Peter Cooper Village (see CB 6 Resolution April 1991 and March 2005). Options may include placement on the National Register of Historic Places, or designation as a NYC landmark (see Figure 18). One of the preservation options that may be considered is the designation of Stuyvesant Town and Peter Cooper Village as a Special Planned Community Preservation District. This special zoning district was adopted in 1974 and was designed “to preserve communities which are superior examples of town-planning or large-scale development; to preserve and protect the character and integrity of the communities which by their existing site plan, pedestrian and vehicular circulation systems, balance between buildings and open space arrangement and landscaping add to the quality of urban life; to preserve and protect the variety of neighborhoods and communities that presently exist which contribute greatly to the uniqueness and livability of the city; to maintain and protect the environmental quality that these communities offer to their residents and the city-at-large; and to guide the future development within these areas consistent with the existing character, quality and amenity of the Special District.” The intention is to protect the open space and built character of these historic communities and to protect Stuyvesant Town and Peter Cooper Village from new development. This is especially prescient as both developments were recently sold. (City Planning Commission Report, June 1974)</p>	<p><b>e. Landmarking</b></p> <p>i. Explore tools for preserving the integrity, built character and urban design qualities of Stuyvesant Town and Peter Cooper Village (see CB 6 Resolution April 1991 and March 2005). Options may include placement on the National Register of Historic Places, or designation as a NYC landmark (see Figure 18). One of the preservation options that may be considered is the designation of Stuyvesant Town and Peter Cooper Village as a Special Planned Community Preservation District. This special zoning district was adopted in 1974 and was designed “to preserve communities which are superior examples of town-planning or large-scale development; to preserve and protect the character and integrity of the communities which by their existing site plan, pedestrian and vehicular circulation systems, balance between buildings and open space arrangement and landscaping add to the quality of urban life; to preserve and protect the variety of neighborhoods and communities that presently exist which contribute greatly to the uniqueness and livability of the city; to maintain and protect the environmental quality that these communities offer to their residents and the city-at-large; and to guide the future development within these areas consistent with the existing character, quality and amenity of the Special District.” The intention is to protect the open space and built character of these historic communities and to protect Stuyvesant Town and Peter Cooper Village from new development. This is especially prescient as both developments were recently sold. (City Planning Commission Report, June 1974)</p> <p>ii. <u>Consider landmark designations for the original Bellevue Hospital buildings as to preserve the historic character and campus setting of the hospital and consider preserving the integrity of the built character of Stuyvesant Town and Peter Cooper Village, which may include landmark designations, designation as a Special Planned Community Preservation district or placement on the National Register of Historic Places.</u></p>
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In section f. below, the City Council strengthened the recommendation for a replacement park in the event that

the UN acquires Robert Moses Park for a new building.

**f. United Nations**

- i. In the event that a UN consolidation project seeks to utilize Robert Moses Park and legislative enabling measures are approved, it is recommended that a replacement park should be considered in the immediate vicinity as a replacement for the existing playground.
- ii. In addition, CB6 supports the fact that UNDC has proposed an esplanade located generally from 41st to 51st Streets and CB6 believes that this is appropriate mitigation for the proposed UN Building.

**f. United Nations**

- iii. In the event that a UN consolidation project seeks to utilize Robert Moses Park and legislative enabling measures are approved, ~~it is recommended that~~ a replacement park should be ~~considered~~ **provided** in the immediate vicinity as a replacement for the existing playground.
- iv. In addition, CB6 supports the fact that UNDC has proposed an esplanade located generally from 41st to 51st Streets and CB6 believes that this is appropriate mitigation for the proposed UN Building.

<p><b>D. CB6 STREETS AND TRANSPORTATION RECOMMENDATIONS</b></p>	<p><b>D. STREETS AND TRANSPORTATION RECOMMENDATIONS AS MODIFIED BY THE CITY COUNCIL</b></p>
<p>Two recommendations were struck in the section below. One is the remapping of East 39<sup>th</sup> and East 40<sup>th</sup> Streets at the Con Edison First Avenue Properties. The redevelopment of this site was approved by City Council without the remapping. The recommendation to develop uniform standards for street security was also struck.</p>	
<p><b>a. Streets and Pedestrians (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li>i. Provide more and improved pedestrian access to the waterfront.</li> <li>ii. Consistent with CB6 policy of restoring the street grid, reducing superblocks and providing access to the waterfront, the following streets should be remapped or reopened at Con Edison Waterside Properties and the Bellevue/NYU Medical Center campus: <ul style="list-style-type: none"> <li>• As a priority remap or re-open 16<sup>th</sup> Street east of Avenue C, and 27<sup>th</sup>, 39<sup>th</sup> and 40<sup>th</sup> Streets east of First Avenue.</li> <li>• In the long-term remap or re-open 26<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> Streets (east of First Avenue).</li> <li>• In the case of 39<sup>th</sup> and 40<sup>th</sup> Streets, as an alternative to remapping, easements should be provided in the former roadbeds that would be treated as a street for zoning purposes (including FAR, height and setback) and would provide pedestrian and vehicular access.</li> </ul> </li> <li>iii. In the long-term, CB6 recommends that the Department of City Planning and DOT continue to work with the community to determine placement of traffic calming measures at the most appropriate side street locations, including neckdowns and wider sidewalks, and creation of landscaping treatment.</li> <li>iv. Develop uniform standards for security barriers or other security measures (landscaping, street furniture) within the Study Area.</li> </ul>	<p><b>a. Streets and Pedestrians (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li>i. Provide more and improved pedestrian access to the waterfront.</li> <li>ii. Consistent with CB6 policy of restoring the street grid, reducing superblocks and providing access to the waterfront, the following streets should be remapped or reopened at Con Edison Waterside Properties and the Bellevue/NYU Medical Center campus: <ul style="list-style-type: none"> <li>• As a priority remap or re-open 16<sup>th</sup> Street east of Avenue C, and 27<sup>th</sup>. <del>39<sup>th</sup> and 40<sup>th</sup> Streets east of First Avenue.</del></li> <li>• In the long-term remap or re-open 26<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> Streets (east of First Avenue).</li> <li>• In the case of 39<sup>th</sup> and 40<sup>th</sup> Streets, as an alternative to remapping, easements should be provided in the former roadbeds that would be treated as a street for zoning purposes (including FAR, height and setback) and would provide pedestrian and vehicular access.</li> </ul> </li> <li>iii. In the long-term, CB6 recommends that the Department of City Planning and DOT continue to work with the community to determine placement of traffic calming measures at the most appropriate side street locations, including neckdowns and wider sidewalks, and creation of landscaping treatment.</li> <li><del>iv. Develop uniform standards for security barriers or other security measures (landscaping, street furniture) within the Study Area.</del></li> </ul>
<p>In the section below the City Council again softened language: instead of stating "Provide pedestrian transfer..." the City Council version states "Encourage MTA to provide..."</p>	
<p><b>b. Subways (see December 2001, January 2002, May 2002 CB 6 resolutions):</b></p> <ul style="list-style-type: none"> <li>i. Community Board 6 endorses the identified locations for Second Avenue Subway stations and station entrances at 14<sup>th</sup>, 23<sup>rd</sup>, 34<sup>th</sup>, 42<sup>nd</sup> and 55<sup>th</sup> Streets.</li> </ul>	<p><b>b. Subways (see December 2001, January 2002, May 2002 CB 6 resolutions):</b></p> <ul style="list-style-type: none"> <li>i. Community Board 6 endorses the identified locations for Second Avenue Subway stations and station entrances at 14<sup>th</sup>, 23<sup>rd</sup>, 34<sup>th</sup>, 42<sup>nd</sup> and 55<sup>th</sup> Streets.</li> </ul>

<ul style="list-style-type: none"> <li>ii. Provide pedestrian transfer via underground tunnel from Second Avenue Subway station stop to No. 7 line at Grand Central Station, and from 55th Street station to E and V Lines at 53rd Street Station.</li> <li>iii. Add an Avenue A entrance to the First Avenue/14<sup>th</sup> Street station on the L Line.</li> </ul>	<ul style="list-style-type: none"> <li>ii. <u>Encourage MTA to provide</u> pedestrian transfers via underground tunnel from Second Avenue Subway station stop to No. 7 line at Grand Central Station, and from 55th Street station to E and V Lines at 53rd Street Station.</li> <li>iii. <u>Encourage the MTA to provide</u> Add an Avenue A entrance to the First Avenue/14<sup>th</sup> Street station on the L Line.</li> </ul>
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Similar to modifications in the previous sections, language was added that instead of mandating “encourages” bus improvements. However, new language was also added that gives CB6 the scope to propose specific locations as regards black car and bus layovers.

<p><b>c. Buses, Taxis and Limousines (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li>i. Re-route buses and create/relocate bus stops to support new development in Study Area.</li> <li>ii. Locate bus stops with a view to facilitating intermodal transfer points among buses, ferries, the subway and water taxis at 23<sup>rd</sup>, 34<sup>th</sup> and 42<sup>nd</sup> Streets.</li> <li>iii. Explore sites for black car and bus layovers, parking and rest stops.</li> </ul>	<p><b>c. Buses, Taxis and Limousines (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li>i. Re-route buses and create/relocate bus stops to support new development in Study Area.</li> <li>ii. <u>Encourage DOT, MTA, and any relevant agency to</u> locate bus stops with a view to facilitating intermodal transfer points among buses, ferries, the subway and water taxis at 23<sup>rd</sup>, 34<sup>th</sup> and 42<sup>nd</sup> Streets.</li> <li>iii. Explore sites for black car and bus layovers, parking and rest stops, <u>with CB 6 proposing specific locations.</u></li> </ul>
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The CB6 recommendation to amend the residential accessory parking requirements in the Zoning Resolution was struck consistent with the Department of City Planning’s stance on accessory parking. This despite evidence suggesting that 20% is excessive and leads to illegal public parking and related congestion within the study area.

<p><b>d. Parking (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li>i. Explore alternatives to relocate all parking located directly on the waterfront such as 34<sup>th</sup> Street lot, the 23<sup>rd</sup> St. Skyport parking garage, and the Con Edison parking pier at 38<sup>th</sup> to 41<sup>st</sup> Streets.</li> <li>ii. CB6 recommends that Article I, Chapter 3 of the Zoning Resolution be amended to change accessory parking in R10 districts within the Study Area from up to 20% of apartment units to 10%. This will provide a disincentive for new residential developments to illegally convert accessory parking garages to commercial, public parking garages contributing to traffic and congestion in the area.</li> </ul>	<p><b>d. Parking (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li>iii. Explore alternatives to relocate all parking located directly on the waterfront such as 34<sup>th</sup> Street lot, the 23<sup>rd</sup> St. Skyport parking garage, and the Con Edison parking pier at 38<sup>th</sup> to 41<sup>st</sup> Streets.</li> <li><del>iv. CB6 recommends that Article I, Chapter 3 of the Zoning Resolution be amended to change accessory parking in R10 districts within the Study Area from up to 20% of apartment units to 10%. This will provide a disincentive for new residential developments to illegally convert accessory parking garages to commercial, public parking garages contributing to traffic and congestion in the area.</del></li> </ul>
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Language was added that clarifies the recommendation for ensuring a safe pedestrian passage past the heliport.

<p><b>e. Helicopters, Ferries, and Intermodal Transfer Points (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li>i. The heliport should allow a continuous and safe waterfront esplanade.</li> </ul>	<p><b>e. Helicopters, Ferries, and Intermodal Transfer Points (see April 2003 CB 6 resolution):</b></p> <ul style="list-style-type: none"> <li><del>i. The heliport should allow a continuous and safe waterfront esplanade.</del></li> </ul>
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<p>ii. The City's Waterfront Task Force Development should consider the design of intermodal transfer points between buses, ferries, subway, water taxis at 23<sup>rd</sup>, 34<sup>th</sup> and 42<sup>nd</sup> Streets.</p>	<p>i. <u>Ensure that the heliport permits safe inland pedestrian connections between adjacent sections of the waterfront esplanade.</u></p> <p>ii. The City's Waterfront Task Force Development should consider the design of intermodal transfer points between buses, ferries, subway, water taxis at 23<sup>rd</sup>, 34<sup>th</sup> and 42<sup>nd</sup> Streets.</p>
<p><b>f. FDR Drive:</b></p> <p>i. Create pedestrian bridges over the FDR Drive to contribute to pedestrian access to the waterfront.</p> <p>ii. Study the feasibility of the redesign or elimination of the northbound exit ramp off the FDR Drive at 42<sup>nd</sup> Street to allow greater access to the waterfront, improve ferry intermodality and increase security.</p>	<p><b>f. FDR Drive:</b></p> <p>i. Create pedestrian bridges over the FDR Drive to contribute to pedestrian access to the waterfront.</p> <p>ii. Study the feasibility of the redesign or elimination of the northbound exit ramp off the FDR Drive at 42<sup>nd</sup> Street to allow greater access to the waterfront, improve ferry intermodality and increase security.</p>
<p><b>g. Bicycles:</b></p> <p>i. CB 6 endorses a network of dedicated and safe bicycle routes.</p> <p>ii. Encourage bicycle parking in private garages within the Study Area.</p>	<p><b>g. Bicycles:</b></p> <p>i. CB 6 endorses a network of dedicated and safe bicycle routes.</p> <p>ii. Encourage bicycle parking in private garages within the Study Area.</p>



## **Appendix**

**City Planning Commission Resolution  
City Council Resolution**

## CITY PLANNING COMMISSION

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January 28, 2008/ Calendar No. 15

N 060273 NPM

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**IN THE MATTER OF** a plan concerning Community District 6, submitted by Community Board 6, for consideration under the rules for the processing of plans pursuant to Section 197-a of the New York City Charter. The proposed plan for adoption is called the **“197-a Plan for the Eastern Section of Community District 6.”**

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### **BACKGROUND**

Manhattan Community Board 6 started its extensive community outreach to develop a 197-a plan in 2003. On March 3, 2004, in accordance with the City Planning Commission’s adopted 197-a rules, Manhattan Community Board 6 notified the Department of its intent to submit a 197-a plan. After a public hearing and adoption by the Board on June 9, 2004, the plan was submitted to the Department for preliminary review in June 2004. In response to DCP’s comments, Community Board 6 submitted a revised plan on August 11, 2005 in accordance with the City Planning Commission’s *Rules for the Processing of Plans Pursuant to Charter Section 197-a* (197-a rules). The plan was referred out for public review on April 3, 2006. On October 23, 2007, Community Board 6 re-submitted the plan which included updated information and some revisions in response to comments by affected City agencies.

### **PLAN DESCRIPTION**

The plan covers the eastern section of Manhattan’s Community Board 6, an area generally bounded by the East River, East 59th Street, a line 100 feet west of Second Avenue, and East 14th Street. Most of this area is zoned for residential and commercial uses with a mix in the northern portion and a predominance of residential zoning in the southern part. There are two areas zoned for central commercial districts, intended for regional office and retail uses: the East River Science Park (C6-2, east of First Avenue between 28<sup>th</sup> and 30<sup>th</sup> streets) and the United Nations campus and some adjacent areas (C5-2 between 41<sup>st</sup> and 49<sup>th</sup> streets). There are commercial overlays along the avenues which permit local retail uses. Several areas along the East River are zoned for manufacturing uses (M1-1, M1-5, M2-3, and M3-2).

The plan is organized into several sections. The “Introduction” includes a statement of the goals of the plan, a brief description of the Study Area’s history and community character, an overview of the Community Board’s planning process and the plan’s consistency with city policies and planning initiatives. The chapters “Development History” and “Community Profile” describe the historical background of the Study Area and give a detailed analysis of existing conditions covering population; land use and zoning; urban design and historic resources; streets and transportation; and open space and waterfront access. The “Recommendations” section provides proposals to address issues identified in the existing conditions section. Appendices include additional 197-a plan goals, related Community Board 6 resolutions, and additional documentation about the need for affordable housing.

### **Goals**

The plan’s primary goals are to (i) increase the amount of useful open space, (ii) improve access to the waterfront and complete the East River Esplanade, (iii) enhance and reclaim the street network to restore the street grid and improve transportation systems and access to the waterfront, (iv) implement land use policies consistent with historical trends in the area, and (v) preserve significant residential developments and individual buildings. The 197-a plan addresses ongoing changes in a part of Manhattan that is experiencing substantial transformation and growth. The major changes currently planned for this area include the rebuilding of portions of the FDR Drive, the redevelopment of the Bellevue/NYU medical center campus area, the redevelopment of the Con Edison-Waterside sites south of the United Nations, the construction of the Second Avenue Subway, the rehabilitation of the United Nations campus, the addition of ferry terminals, the construction of the Third Water Tunnel, and new residential development. The substantial redevelopment of this area underscores the importance of planning policies to guide the future in this part of the city.

### **Summary of Key Recommendations**

To attain these goals, the plan recommends that the City

- map contextual districts to maintain the residential character of neighborhoods, map tower-on-base zoning districts and restrict zoning lot mergers, and eliminate certain zoning provisions for community facilities in R7 and R8 districts;

- develop a policy to prohibit additional high-density office development east of the midline between Second and Third avenues;
- designate the area from First Avenue to the waterfront and from 14th to 59th streets as a Special Public Access District that would encourage private contributions for new open space improvements or affordable housing in exchange for floor area bonuses;
- designate the area that includes NYU Medical Center, Bellevue Hospital, the Veterans Administration Hospital, Hunter College-Brookdale campus; and the East River Science Park as a Special Hospital Use District;
- amend Article I, Chapter 3 of the Zoning Resolution to change accessory parking in R10 districts within the Study Area from up to 20 percent of apartment units to 10 percent;
- provide for the needs of the United Nations without significantly displacing or disrupting surrounding neighborhoods;
- restrict height and floor area, remap or reopen street extensions, provide publicly accessible open space and ground floor retail for new development on the former Con Edison-Waterside sites;
- support the development of affordable housing, public daycare and new public school facilities in the Study Area;
- consider preservation options for Stuyvesant Town / Peter Cooper Village and the remaining original buildings of the Bellevue Hospital Campus;
- complete the waterfront esplanade in the Study Area, provide new open space through city acquisition or other means, facilitate access to the waterfront in new locations with nine new pedestrian bridges, support the redesign of sections of the FDR Drive to permit pedestrian connections to the waterfront, and, if feasible, provide parks on decks above these sections, encourage the MTA (with DPR and NYCDPT) to consider designing and mapping park decks above Queens Midtown Tunnel portals, and remap or reopen streets in superblocks to restore the street grid and public access to the waterfront;
- eliminate all parking located directly on the waterfront such as the 23rd Street Skyport parking facility, the 34th Street parking lot, and the Con Edison parking pier;
- and facilitate improvements to the transportation network in the Study Area by developing intermodal transfer points at key locations along the East River, providing

additional transfers between planned Second Avenue Subway stops and No. 7 and E / V lines, and installing traffic calming measures in appropriate locations.

### **THRESHOLD REVIEW AND DETERMINATION**

Pursuant to Section 3.010 of the 197-a rules, Department staff conducted a threshold review of the plan's consistency with standards for form, content and sound planning policy. On January 23, 2006 the City Planning Commission determined that the *197-a Plan for the Eastern Section of Community District 6* complied with threshold standards for form, content and sound planning policy as set forth in Article 4 of the *Rules for Processing 197-a Plans*.

A number of the Community Board 6 197-a plan recommendations are for the same area that the East River Realty Corporation proposes to redevelop and which is subject to several applications (C 070522 ZMM, C 070523 (A) ZSM, C 070525 ZSM, C 070529 ZMM, N 070530(A) ZRM, C 070531 (A) ZSM, C 070533 ZSM, C 070534 ZSM) being considered concurrently with this application. The East River Realty Corporation is proposing to develop office and residential uses, with ground floor retail, for the former Con Edison-Waterside properties, known as 616 First Avenue, 685 First Avenue and 700/708 First Avenue. The proposal includes several residential towers, a community facility space, a high density office tower, ground floor retail along First Avenue, and 4.8 acres of publicly accessible open space.

Since Community Board 6 and East River Realty Corporation had differing recommendations for the same area, the City Planning Commission, to ensure that both proposals would be afforded equal treatment in the public review process, decided to consider both proposals at the same time and invoked Section 7.012 of *Rules for the Processing of Plans Pursuant to Charter Section 197-a*. Section 7.012 states that "if the Commission finds that it is unable to vote" within 60 days after its public hearing on a 197-a plan, "it shall give a written statement of explanation to the sponsor." Under this provision, the Commission has extended its time for consideration of other 197-a plans (Red Hook, Greenpoint and Williamsburg) in order to facilitate a better planning process. The Commission's decision was conveyed to Community Board 6 in letter dated October 25, 2006.

## **ENVIRONMENTAL REVIEW**

This application (N 060273 NPM) 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 06DCP088M. The lead is the City Planning Commission.

After a review of the potential environmental impacts of the proposed action, a Negative Declaration was issued on March 31, 2006.

## **PUBLIC REVIEW**

On April 3, 2006 the plan was duly referred to Manhattan Community Board 6 and the Manhattan Borough President for review and comment, in accordance with Article 6 of the *Rules for the Processing of Plans Pursuant to Charter Section 197-a*.

## **COMMUNITY BOARD PUBLIC HEARING**

As the sponsor of the “197-a Plan for the Eastern Section of Community District 6” Community Board 6, in a letter dated June 16, 2006, and pursuant to Section 6.020 of the New York City Charter, *Rules for the Processing of Plans Pursuant to Charter Section 197-a*, Community Board 6, waived its public hearing on this application, noting that the full community board had held a public hearing on the plan on June 9, 2004, and that the plan was approved (see attachment).

## **BOROUGH PRESIDENT RECOMMENDATION**

This application (N 060273 NPM) was considered by the Manhattan Borough President, who sent a letter on August 9, 2006 stating his support of the plan, observing that the 197-a plan Study Area’s major existing and planned infrastructure, new development possibilities along the East River, and an influx of new residents as a result of many new residential buildings underscore the importance of the 197-a plan which provides “a framework for the consolidation of these efforts into one overall vision.” The Borough President offered specific comments on the following aspects of the plan:

### *Land Use and Zoning*

- The 197-a plan articulates bulk, use, and urban design principles for the development of the former Con Edison First Avenue properties that are shared by all the community's elected officials and are evident in CB 6's recently proposed text and map amendments for the properties. The 197-a plan will be reviewed in conjunction with the developer's rezoning plan for the First Avenue properties, but it is important to recognize that the Board's recommendations for the development of the site fit within the context of a larger vision for the area.
- The 197-a plan wisely calls for providing day care facilities and public schools in new development in the area. It is important that the City plan in advance for the amenities and neighborhood infrastructure that new development demands. To that end, it may be advisable to require other types of local infrastructure to be sited as development proceeds, such as police, fire, and public utility services.
- The proposed Public Access District is an innovative way to meet this community's specific needs through zoning policy. Through bonuses, the Special District would channel development energy to create affordable housing and provide access to the waterfront, two elements that are essential to the preservation and improvement of the East Side community.

### *Waterfront and Open Space*

- The plan's detailed proposals to complete a waterfront esplanade on the East River would further stated City policy as well as my office's priority of ensuring an entirely walkable rim around the island of Manhattan.
- In an area with such a dearth of public parkland, every conceivable possibility for open space must be explored thoroughly, including the plan's suggestion for decks over the Queens Midtown tunnel portals and incorporating parkland into the reconstruction of the FDR Drive. The City should avoid relying on "publicly accessible private open space" as mitigation for large-scale development projects, because such space often fails to be truly public.

### *Urban Design and Preservation*

- The plan recommends contextual controls to ensure that development respects the neighborhood's existing street walls and its residential character. This recommendation

echoes calls for contextual zoning that are made in neighborhoods in every corner of the borough. As the City grows, the Zoning Resolution must evolve to meet the new challenges that growth presents.

- The plan's goal of maintaining and restoring the City street grid, and its goal of preserving Peter Cooper Village and Stuyvesant Town, are related. Large superblocks derive a benefit from demapped streets, which give sites distorted development potential. In addition to landmarking and the Special Planned Community Preservation District designation, the City and the 197-a plan proponents should be open to new and creative policy proposals that could provide public oversight over development on superblocks.

#### *Streets and Transportation*

- The plan's recommendations on accessory and public parking garages mirror concerns that my office has raised about the City's parking policy. We should make every effort to encourage mass transit usage over car travel in this area. The City should work generally to implement comprehensive analysis and reform of its public and accessory parking garage policies.

### **CITY PLANNING COMMISSION PUBLIC HEARING**

On September 13, 2006 (Calendar No. 2), the City Planning Commission scheduled September 27, 2006 for a public hearing on this application (N060273 NPM). The hearing was duly held on September 27, 2006 (Calendar No, 16). There were several speakers at that hearing as described below and the hearing was continued pursuant to Section 7.012 of the *Rules For The Processing of Plans Pursuant to Charter Section 197-a* in order to facilitate the concurrent review with the East River Realty Corporation's proposed redevelopment of the former Con Edison-WaterSide sites (C 070529ZMM *et.al*). On November 14, 2007 (Calendar No. 15), the City Planning Commission scheduled December 5, 2007 for a continued public hearing on this application (N 060273 NPM). The continued public hearing was duly held on December 5, 2007 (Calendar No. 42). There were several speakers at the continued hearing as described below.



*September 27, 2006 (Calendar No. 16)*

There were a total of 20 speakers at this public hearing. Of this group, 18 were in favor of the 197-a plan, one speaker opposed the plan, and one speaker did not state a specific position on the plan.

Those who spoke in favor of the 197-a plan included a number of elected officials including the Public Advocate; the Manhattan Borough President; New York City Council members for the 2<sup>nd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Council Districts; the State Senator for the 26<sup>th</sup> District; the State Assemblyperson for the 74<sup>th</sup> District; a representative for the U. S. Representative for the 14<sup>th</sup> District; members of Community Board 6 and their consultants; and members of local civic groups.

Many of the speakers in favor of the 197-a Plan urged the City and the Commission to respect the community planning process and ensure that the 197-a plan goals be part of any decision-making process related to zoning and land use proposals for the area. Many speakers stated that the 197-a plan should be adopted as a comprehensive framework for future development, especially for the redevelopment of the Con Ed-Waterside sites, and urged that it be adopted in advance of any applications for rezoning in the area.

Several speakers spoke in favor of the 197-a plan's recommendations to prevent high density office buildings east of Third Avenue, remap streets to restore the street grid and improve public access to the waterfront, and preserve the largely residential character of the area while meeting the needs of its important institutions.

Several of the speakers noted the importance of developing permanent affordable housing opportunities in the area, observing that the area was experiencing a rapid loss of existing affordable housing units with the privatization of Mitchell Lama developments and the pending sale of Stuyvesant Town and Peter Cooper Village. Several speakers also stated the importance of the 197-a plan's recommendations for developing appropriate neighborhood infrastructure such as public schools, daycare facilities and ground floor retail establishments that serve local neighborhood needs.

A number of speakers noted that Community District 6 has the lowest ratio of open space per capita of the Manhattan community districts, and applauded the 197-a plan's recommendations to improve waterfront access, complete the waterfront esplanade and add new park space through acquisition or by creating park decks above the FDR Drive in key locations.

A local resident with an interest in youth baseball spoke in opposition to the 197-a plan's focus on public acquisition of land for parks, particularly for an expansion of Murphy's Brother's Playground at Avenue C and 18<sup>th</sup> Street, located near the Con Edison ball fields that are used exclusively by local baseball and soccer youth leagues. The speaker noted that Con Edison provides a safe and secure facility, and that he did not want the City to take over this facility.

The East River Realty Corporation's Director of Development urged the Commission to consider both the 197-a Plan and the ERRC 197-c application concurrently. He also stated that ERRC's representatives have met numerous times with Community Board 6, and that they were confident that they could resolve outstanding issues to everyone's satisfaction.

*December 5, 2007 (Calendar No. 42)*

There were a total of 50 speakers at this public hearing. Of this group, 36 were in favor of the 197-a plan, one speaker opposed the plan, and the remaining speakers did not state a specific position on the plan.

A member of CB 6, the 197-a plan sponsor, gave an opening presentation, stating that the Community Board's 197-a plan planning process formally started in 2003, but had its roots in numerous Community Board 6 resolutions concerning growth and development in the Study Area dating back to 1985. The sponsor noted that Community Board 6 is supportive of new development, provided that new developments fit in with the existing context of the area, and that the Board hopes that the 197-a plan will provide a framework for future development activities in the area. The sponsor further noted that the Board had submitted a 197-c application to the Department that formalized some of the 197-a plan recommendations into a specific zoning proposal.

A member of CB 6, the 197-a plan sponsor, observed that while a small portion of Community District 6 is in the Midtown central business district, most of the district is residential in character, with a number of institutional uses, including major medical centers and the United Nations. These institutional uses are primarily located within the 197-a plan Study Area, east of Second Avenue. The sponsor explained that while the United Nations campus and the adjoining area is commercially zoned, the Board considers the UN and its related organizations to be institutional uses. Community Board 6 hopes to retain the largely residential character of the Study Area and has recommended that high-density commercial office space be prohibited outside of the Midtown CBD.

A member of CB 6, the 197-a plan sponsor, reiterated that Community District 6 has the lowest ratio of open space per capita of the Manhattan community districts, and noted that of the approximately 45 blocks of waterfront in the district, only 18 blocks could be considered to have a “legitimate” waterfront edge, and that there are only six streets in the district that reach the waterfront. The sponsor noted that many of the 197-a plan recommendations concern completing the waterfront esplanade and improving access to the waterfront, including restoring “missing” streets by reopening or remapping them and providing pedestrian bridges over the FDR Drive in key locations. The sponsor also noted that the 197-a plan has recommendations for creating new open space on decks over the Queens Midtown Tunnel portals and portions of the FDR Drive.

In addition to the plan’s sponsor, those who spoke in favor of the 197-a plan included New York City Council members for the 2<sup>nd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Council Districts; the State Senators for the 26<sup>th</sup> and 29<sup>th</sup> Districts; the State Assemblyman for the 74<sup>th</sup> District; a representative for the Manhattan Borough President; a representative for the U.S. Representative for the 14<sup>th</sup> District; members of Community Board 6 and their consultants; representatives of local civic groups; and residents of the area.

Several speakers stated that they believed that the Commission should adopt the 197-a plan in advance of any proposals for new development in the area, noting that the 197-a plan provides a framework for appropriate development balanced with consideration of neighborhood

infrastructure needs. A number of speakers noted that the Board had worked extensively with community groups and elected officials in their 197-a plan planning process and that the plan represents a consensus among these groups.

Many of the speakers in favor of the 197-a plan approved of the plan's recommendations to restrict height and density for new developments, and encourage new developments to provide on-site affordable housing, open space (including active open space) and new school and daycare facilities. Several speakers also urged that streets be remapped to open up superblocks and restore public access.

A number of speakers approved of the 197-a plan's recommendations to add new open space and improve access to the waterfront; at the same time, many speakers urged that existing open space resources be protected from shadows created by new development.

Many speakers stated that they approved of the 197-a plan's recommendation to prohibit the development of commercial office towers in the Study Area and preserve the residential character of the area, noting that new high-density office development would exacerbate congested traffic conditions, particularly for areas adjacent to the United Nations.

Several speakers, including the vice-president of the Municipal Art Society, urged that new developments take steps now to facilitate future access to the waterfront if the FDR Drive is eventually reconfigured to allow decks and/or pedestrian bridges over the Drive to the waterfront edge.

A past president of a local youth baseball league expressed opposition to the Board's recommendation to incorporate the Con Edison East River plant's ball fields into Murphy's Brother's Playground, noting that these ball fields cannot accommodate the existing need, and urged the Board to amend the plan to include recommendations for more athletic facilities, particularly in conjunction with proposed new development.

There were no other speakers and the hearing was closed.

## **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY**

This application (N 060273 NPM) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et. seq.) The designated WRP number is WRP# 06-013M.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

## **CONSIDERATION**

The Commission believes that this application for the *197-a Plan for the Eastern Section of Community District 6*, (N 060273 NPM) as modified, is appropriate.

Since part of the CB 6 197-a Plan covers the same area proposed for rezoning by the East River Realty Corporation (ERRC) and because both plans propose different views for that area, the Commission has been guided by the principle that the two plans should be reviewed in parallel and afforded equal treatment in the public review process. The Commission believes that the parallel consideration of the two plans has been thorough and that, through this review process, the Commission has gained a detailed understanding of the two plans, and of the respective view points of the applicants.

The Commission has carefully reviewed and considered the Manhattan Community Board 6 197-a Plan as submitted on October 23, 2007. The Commission applauds the Board and its 197-a Plan Committee for their extensive outreach to residents, businesses and local organizations as well as city agencies, and for addressing issues raised by affected parties. As a result of this effort, the plan as modified should result in a useful guide for city policy in keeping with the purpose and intent of 197-a plans.

In general, the Commission concurs with the plan's goals and broad strategies to increase publicly accessible open space; improve public access to the waterfront; complete the waterfront esplanade; maintain neighborhood character; enhance public transportation; and preserve historically significant buildings.

Based upon careful examination of the ERRC proposal and the CB 6 197-a Plan during the public review process, the Commission has modified both plans to make them more consistent with each other. The Commission's consideration of the 197-a plan is set forth below.

### ***Waterfront Improvements***

The Commission applauds CB 6's goals for the improvement and completion of the waterfront esplanade from East 14<sup>th</sup> Street to East 59<sup>th</sup> Street. The Commission enthusiastically supports the 197-a plan's objectives to provide public access to the waterfront. The city's shorefront is a vital resource which should be enjoyed by the public where feasible. New or improved waterside public spaces provide access for adjacent communities and provide visual relief in densely developed areas. The enhancement of waterfront open space is particularly important for CD 6 which has the lowest amount of open space per capita of Manhattan community districts.

Access to the 2.5 mile long waterfront on the eastern side of CD 6 is challenging because the FDR Drive separates upland areas from the shoreline. Portions of the drive, including some entrance/exit ramps, are elevated in some locations. There are a number of gaps in the waterfront esplanade. The longest stretch without an esplanade is between East 38<sup>th</sup> and East 51<sup>st</sup> streets. There are two pedestrian bridges (25<sup>th</sup> Street, 51<sup>st</sup> Street) and five at-grade crossings (18<sup>th</sup>, 20<sup>th</sup>, 23<sup>rd</sup>, 34<sup>th</sup> and 37<sup>th</sup> streets) from the inland to the waterfront.

### ***Waterfront Esplanade***

CB 6 advocates for a continuous esplanade along East River waterfront from 14<sup>th</sup> Street to 59<sup>th</sup> Street. The 197-a plan addresses specific segments of the shoreline.

The plan recommends a feasibility study for a park on a deck above FDR Drive between 38<sup>th</sup> and

42<sup>nd</sup> streets; the realignment of the FDR Drive; and shortening or eliminating the 42<sup>nd</sup> Street northbound FDR exit ramp. The Commission notes that between 34<sup>th</sup> and 42<sup>nd</sup> streets, waterfront conditions vary. Between 34<sup>th</sup> and 36<sup>th</sup> streets, there is a public walkway area which EDC plans to improve in conjunction with the existing ferry landing there. This area connects to Glick Park which has a public waterfront esplanade from 36<sup>th</sup> to 38<sup>th</sup> Street. The esplanade ends at 38<sup>th</sup> Street. The City owns the waterfront platform between 38<sup>th</sup> and 41<sup>st</sup> streets which has been used for parking utility vehicles. Between 38<sup>th</sup> and 42<sup>nd</sup> streets, the FDR Drive is at grade and approximately 100 feet wide with an elevated northbound exit ramp to 42<sup>nd</sup> Street.

The creation of a waterfront esplanade between 38<sup>th</sup> and 42<sup>nd</sup> streets with a deck over the FDR Drive, stairs or ramp from the deck to the esplanade and the relocation and/or reconfiguration of the FDR Drive exit ramp would require a number of city, state and federal agency approvals, and would be subject to a number of contingencies. This would be an extremely long-term effort that would likely require significant government funding. The Commission believes that the City should work with appropriate federal and state agencies to explore the feasibility for decking over of a portion of the FDR Drive, the relocation or reconfiguration of the northbound FDR exit ramp at 42<sup>nd</sup> Street, and the creation of a continuous waterfront esplanade between 34<sup>th</sup> and 42<sup>nd</sup> streets. Development on the First Avenue Properties (former Con Edison sites) should be compatible with, and not preclude future off-site waterfront improvements.

CB 6 recommends that the City study the possibility of a park on a deck above FDR Drive between 28<sup>th</sup> and 30<sup>th</sup> streets in coordination with remapping 29<sup>th</sup> Street. The Commission believes that, if the FDR Drive were to be relocated to grade so as to permit a deck above the drive, the option of a park on a deck above the FDR Drive between 28<sup>th</sup> and 30<sup>th</sup> streets should be studied, within the context of the reconstruction of the FDR Drive by NYSDOT.

The 197-a plan calls for the consideration of a narrow esplanade walkway between 53<sup>rd</sup> and 63<sup>rd</sup> streets on a cantilever on the outboard side of the existing FDR Drive. The Commission believes that the feasibility of constructing such a walkway should be explored.

CB 6 recommends that the gates at Waterside Plaza should be reopened so that the existing waterfront esplanade can be used by the public. The Commission notes that past agreements between the developer of Waterside Plaza and the City specified that this walkway be open to the public. Waterside Plaza management has contended that the esplanade has had to be closed because bulkhead repair work is needed. The Commission believes that the City should pursue measures to ensure that the waterfront esplanade at Waterside Plaza is publicly accessible. This issue will be referred to the City's Law Department for consideration and appropriate action.

The 197-a plan recommends that the heliport at 34<sup>th</sup> Street should allow a continuous and safe waterfront esplanade. The 34<sup>th</sup> Street heliport site currently does not allow for a safe public walkway at the water's edge; helicopter activity is too close. The Commission supports safe pedestrian connections between sections of the esplanade; inland connections are necessary for areas with uses that preclude direct pedestrian access along the waterfront.

CB 6 calls for the creation of small neighborhood piers for water taxis at 23<sup>rd</sup> and 42<sup>nd</sup> Streets. The Commission agrees that the City should explore the feasibility of creating such piers for water taxis at these two locations.

The Commission endorses the 197-a plan recommendation that alternatives to relocate all parking located directly on the waterfront such as the 34<sup>th</sup> Street lot, the 23<sup>rd</sup> Street Skyport parking garage, and the Con Edison parking pier (38<sup>th</sup> to 41<sup>st</sup> streets) should be explored. The relocation of parking from waterfront sites would free up those sites for public enjoyment. The Commission notes however that the elimination of waterfront parking facilities without appropriate off-street replacements could affect parking availability for residents and institutions.

The Commission endorses the 197-a plan recommendations to explore with Con Edison, NYCDOT and NYSDOT opportunities to widen the esplanade between 13<sup>th</sup> and 15<sup>th</sup> Streets by replacing the existing pump with a smaller pump. The Commission also supports 197-a plan recommendations to improve the area around the 35<sup>th</sup> Street ferry landing, and to accommodate pedestrians, joggers, cyclists, and skaters on new esplanades and greenways.



### *Streets and Pedestrian Bridges to Waterfront*

To provide additional public access to the waterfront, the 197-a plan recommends the remapping or reopening of certain demapped streets and the addition of pedestrian bridges to cross the FDR Drive.

CB 6 recommends that public streets be extended toward the waterfront to disperse large-scale development, create waterfront access and views, limit floor area, ensure height and setback controls and restore the street grid. The 197-a plan calls for the reopening or remapping of 16<sup>th</sup> Street (east of Ave C), 26<sup>th</sup>, 27<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup>, 39<sup>th</sup> and 40<sup>th</sup> streets east of First Avenue.

The Commission acknowledges that demapped streets generate FAR because these spaces become part of the zoning lot. The Commission observes, however, that the demapping of streets to create large sites can allow for superior site design which is not constrained by the street grid. Major open spaces may be provided and large floor plate buildings can be accommodated. Housing complexes such as Stuyvesant Town, Peter Cooper Village, East Midtown Plaza and Phipps Plaza and institutional uses such as Bellevue Hospital Center and NYU Medical Center have benefited from the creation of large sites made possible through the use of demapped streets.

The Commission strongly supports the goal to improve public access to the waterfront but notes that the extension of public streets toward the waterfront is not always feasible because of existing development and/or street configurations. In particular, the Commission notes that the FDR Drive separates all the specified streets from the waterfront. Crossing the Drive, either above or below, is necessary to reach the water's edge from these streets or their extensions. The Commission also notes that the existing conditions for each street vary and the potential for each street's connection to the waterfront differ.

Three of the 197-a plan's proposed streets/extensions (39<sup>th</sup>, 40<sup>th</sup> and 29<sup>th</sup>) are likely to be open for public access in the near future although they will not be remapped as streets. The former

39<sup>th</sup> and 40<sup>th</sup> streets are part of the proposed development that is subject to several actions requested by ERRC. The restrictive declaration, entered into in association with the ERRC applications, provides that these extensions will remain open to the public for pedestrian access as part of the site's publicly accessible open space. The new development includes an overlook esplanade along its eastern edge and does not preclude a connection to the waterfront if the FDR Drive were reconfigured and if a waterfront esplanade were constructed at this location.

In conjunction with the development of the East River Science Park (ERSP), the extension of East 29<sup>th</sup> Street is temporarily closed. After construction is completed, this extension will be open for vehicular traffic and pedestrians. The special permit for ERSP (C 010712 ZSM) specifies that open space be provided on the plaza level and integrated with an esplanade situated along the eastern edge of the site. The plaza level open space would allow for a future pedestrian connection over the FDR Drive to the waterfront if this section of the FDR Drive is relocated to grade. Spanning the FDR Drive at this location would be particularly challenging because the Drive is approximately 175 feet wide; the southbound lanes are above grade; the northbound lanes are near grade; and there are exit and entrance ramps. There is an existing 20-foot wide waterfront esplanade east of the FDR Drive at this location.

30<sup>th</sup> Street is an open street east of First Avenue where it runs into a service road that provides access to the Bellevue Hospital ambulance emergency room entrance at 28<sup>th</sup> Street. It also services the NYU Medical Center. The FDR Drive is approximately 175 feet wide at this location. There is no esplanade at this location because a restaurant is situated directly on the water. A walkway that connects portions of the waterfront esplanade is on the western edge of the restaurant site.

Near First Avenue, Bellevue Hospital buildings are located on the area that would have been an extension of 27<sup>th</sup> Street east of First Avenue. Near the FDR Drive, 27<sup>th</sup> Street serves as hospital ambulance parking. The FDR Drive is above grade at this location and Waterside Plaza is on the east side of the FDR Drive; access through Waterside Plaza is provided to a waterfront esplanade (currently closed – as previously discussed).

26<sup>th</sup> Street east of First Avenue is open with Bellevue Hospital on the north side and Hunter College Brookdale campus on the south side. The FDR Drive is also above grade and Waterside Plaza is on the east side of the Drive at this location. The existing 25<sup>th</sup> Street pedestrian bridge, one block away, already provides access across the FDR Drive to Waterside Plaza.

East of Avenue C, the west portion of 16<sup>th</sup> Street is open and the east end terminates in a Con Edison parking lot. The Con Edison ball fields are on the south side of 16<sup>th</sup> Street. The FDR Drive is approximately 100 feet wide at this location, and east of the Drive, the existing waterfront esplanade is quite narrow, about 10 to 15 feet wide.

In light of these diverse conditions and differing possibilities for linkage to the waterfront for the 197-a plan's specified streets, the Commission supports a more general recommendation than that made by CB 6 – that, where appropriate and physically feasible, the City should create the opportunity for public access to the waterfront by allowing pedestrians to use streets or their extensions that have been remapped, reopened or otherwise made publicly-accessible. The Commission also notes that, in addition to mapping actions, there are other legal measures to ensure public access toward the waterfront and/or the preservation of view corridors such as easements and restrictive declarations. The Commission believes that to preserve and create waterfront views and facilitate public access to the waterfront, appropriate zoning, land use and mapping controls as well as urban design and streetscape improvements should be used.

The 197-a plan recommends that new pedestrian bridges should be built over the FDR Drive at 16<sup>th</sup>, 27<sup>th</sup>, 29<sup>th</sup>, 39<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup>, 42<sup>nd</sup>, 48<sup>th</sup> and 54<sup>th</sup> streets. The Commission supports the goals of providing improved public access to the waterfront but notes that new pedestrian bridges must accommodate a long ADA-compliant ramp; it would be difficult to fit in such a ramp at some esplanade locations which are very narrow such as the one near East 16<sup>th</sup> Street. Some locations currently have no existing esplanade to connect to such as 48<sup>th</sup> and 54<sup>th</sup> streets. The need to span the elevated FDR Drive and/or entrance or exit ramps in some locations such as 39<sup>th</sup>, 40<sup>th</sup> and 41<sup>st</sup> streets makes the construction of a pedestrian bridge difficult and costly. In addition, because of the expense, pedestrian bridges should be spaced at reasonably appropriate intervals; for

example, the proposed 27<sup>th</sup> Street location is only two blocks from the existing 25<sup>th</sup> Street pedestrian bridge. The Commission generally supports encouraging new pedestrian bridges and other means to provide improved public access to the waterfront in appropriate locations based on engineering feasibility and other criteria.

The 197-a plan recommends making the 25<sup>th</sup> Street pedestrian bridge handicapped accessible. Currently this pedestrian bridge has long staircases on both ends. The Commission believes that NYCDOT and DPR should explore the feasibility of making the 25<sup>th</sup> Street pedestrian bridge handicapped accessible.

CB 6 calls for crossings at deck of the Con Edison site from 35<sup>th</sup> and 36<sup>th</sup> Streets to East River Esplanade Park if NYSDOT chooses to tunnel the FDR Drive. The Commission supports exploring the feasibility of such pedestrian improvements if a tunnel for the FDR Drive is to be constructed at this location.

### ***Other Open Space Improvements***

The Commission supports the 197-a plan recommendation to encourage the MTA (with DPR and DOT) to consider park decks above the Queens Midtown Tunnel portals as part of the ongoing Second Avenue Subway Outreach process. The MTA's operational and security issues would need to be addressed.

The 197-a plan proposes that the City acquire open space at Con Edison East River Plant for the expansion of Murphy Brothers Park to include relocated ball fields. The Con Edison fields between 15<sup>th</sup> and 16<sup>th</sup> streets, Avenue C and the FDR Drive are currently utilized by private leagues for various sports. These fields are located about one block from Murphy Brothers Park, with a Con Edison parking lot separating the two. The Commission believes that the City should explore with Con Edison the possible acquisition or lease of open space at the Con Edison East River plant to supplement Murphy Brothers Park.

The 197-a plan recommends that the City encourage increased open space mitigation for large-scale development projects. Given the deficit of publicly-accessible open space in CD 6, the Commission believes that the City should encourage the inclusion of publicly-accessible open spaces where feasible and appropriate as part of large new developments.

CB 6 encourages the public acquisition of property for open space in connection with such developments as Bellevue/East River Science Park Plan; Con Edison Waterfront redevelopment; and the replacement of Robert Moses Playground. The Commission supports the objective of creating more public open space in the Study Area but notes that the opportunities for public acquisition of property for open space in the area are limited and other methods for achieving open space should continue to be pursued. Therefore the Commission can not support this specific recommendation but notes that the Bellevue/East River Science Park includes 61,000 square feet of publicly-accessible open space ensured through a special permit and a restrictive declaration. As part of the ERRC proposal, 4.8 acres of publicly-accessible open space would be ensured through a General Large Scale Development special permit and a restrictive declaration.

### ***Land Use and Zoning***

The 197-a plan has a number of land use and zoning recommendations designed to promote a mix of residential and commercial uses while maintaining the residential character in the Study Area. Proposals for specific sites focus on preserving the character of the existing built form. CB 6 encourages the mapping of contextual zoning districts to maintain residential character of the area and proposes the mapping of tower-on-a-base zoning districts to maintain street wall character along avenues and restrict zoning lot mergers where appropriate. CB 6 seeks to prevent extremely high buildings such as the 980-foot high Trump World Plaza building on First Avenue between 47<sup>th</sup> and 48<sup>th</sup> streets; this building was achieved with the use of a plaza bonus on a merged zoning lot.

The Study Area is a mix of contextual and non-contextual zoning districts. Many parts of the area have been rezoned to contextual districts (R7B, R8A, R8B, C1-8A and C1-9A) but there are still areas with non-contextual districts (R7-2, R8, C1-7, C1-8, C1-9 and R10). There is a large

area zoned R10 between East 49th and East 59th streets that is primarily residential; Tudor City is zoned R10. A large area with R8 zoning includes residences and the NYU Bellevue Medical Center. The area between East 14<sup>th</sup> and East 23<sup>rd</sup> streets, occupied by Stuyvesant Town and Peter Cooper Village, is governed by an R7-2 district. The Commission believes that the Department could explore mapping contextual zoning districts to maintain residential character and neighborhood scale in appropriate locations. The Commission also supports tower-on-a-base zoning districts where appropriate to maintain existing street wall character along avenues. Tower-on-a-base zoning also limits the potential for zoning lot mergers to result in increased building height.

The 197-a plan calls for a prohibition of any additional high-density office development east of the midline between Second and Third avenues. CB 6 aims to protect existing residential neighborhoods and to prevent the Midtown business district from moving east. Currently there is a mix of commercial and residential zoning in the area north of 34<sup>th</sup> Street with 25 percent of the total floor area occupied by office buildings and 63 percent occupied by residential uses. South of 34<sup>th</sup> Street, there is mostly residential zoning; residential uses are 70 percent of the total floor area. The Commission believes that the encroachment of high-density office development into existing residential areas should be discouraged and that proposals for new high-density office development east of the midline between Second and Third Avenue should be carefully evaluated and should be discouraged where inappropriate such as in predominantly residential areas. The Commission notes that the ERRC proposed office building between 40<sup>th</sup> and 41<sup>st</sup> streets is located in the northern portion of the 197-a plan Study Area which has a mix of residential and office buildings. As discussed below, the Commission believes that a commercial building at 708 First Avenue would be an appropriate use and would be in keeping with the neighborhood context.

CB 6 proposes the mapping of a Special Hospital Use Zoning District for the area from East 23<sup>rd</sup> Street to East 34<sup>th</sup> Street, between First Avenue and the FDR Drive. The stated intent of this district would be to provide a comprehensive approach which would anticipate medical center and hospital needs and eliminate the need for special permits and discretionary approvals. It

would provide zoning and urban design controls to overlay existing R8 and C6-2 districts. Currently the existing zoning in this area is mostly R8 with a small C2-5 overlay on one site that permits local retail and general office use. In 2001, the East River Science Park area between East 30<sup>th</sup> and East 28<sup>th</sup> streets, east of First Avenue, was rezoned to a C6-2 district which allows commercial development and a special permit was approved to allow a scientific research and development facility. The Commission notes that the area proposed for the Special Hospital Use District is largely built out with long-term uses in place. In addition to the East River Science Park which is under construction, the area includes the NYU medical center, the NYC Office of the Chief Medical Examiner, the Bellevue Psychiatric Building, the NYC Administration for Children's Services, Bellevue Hospital, the NYC DNA Forensics Laboratory, Hunter College's Brookdale Campus, the Veteran's Administration Hospital and a NYC Department of Education 75 Annex. The Commission does not endorse the proposed Special Hospital Use District because it believes that the existing zoning has allowed institutions to develop in an appropriate fashion and that discretionary approval processes for new institutional development have allowed institutions to meet their specific needs through carefully-considered public review procedures.

CB 6 recommends that some of the zoning provisions for community facilities be amended: that the larger floor area ratio for community facilities in R7 and R8 districts be eliminated; that all rear yard encroachments in midblock locations be eliminated; and that wide and narrow street locations be distinguished to allow greater density on wide streets compared to narrow streets. The Commission notes that some of the objectives of this recommendation were partially addressed by the DCP-initiated community facility text amendment which was adopted in 2004. This amendment prohibits the obstruction of required rear yards for most community facilities (including consulates, ambulatory health care facilities – not hospital-related) located beyond 100 feet of a wide street in residential districts that permit multiple dwellings. The text amendment excluded hospitals, schools, houses of worship and colleges, recognizing that the needs of these institutions must be balanced with the needs of residents. Much of CD 6 has been mapped with contextual zoning districts which eliminated the community facility FAR advantage. Therefore the Commission does not support the 197-a plan recommendation for amended community facility zoning.

The 197-a plan recommends that the area bounded by First Avenue, 59<sup>th</sup> Street, the waterfront, and 14<sup>th</sup> Street be designated as a Special Public Access District which would allow contributions to a fund for specified open space improvements (either on or off-site) including new portions of the waterfront esplanade, new park areas, new pedestrian bridges or other waterfront access improvements. A floor area bonus on any zoning lot would be given for these elective public open space improvements. An additional bonus would be allowed for the inclusion of affordable housing which would supersede the underlying FAR bonus provisions. Although the Commission strongly supports goals to improve public access to the waterfront and to encourage affordable housing, the Commission does not endorse this recommendation. Properties in the proposed special district (other than the ERRC First Avenue sites) are already planned or developed and opportunities for use of a Special Public Access District are therefore limited. In addition, there are a number of difficulties with a funding commitment for off-site improvements in the area. The implementation of improvements is subject to multi-agency approval process beyond developer control and dependent in large measure on other long range infrastructure improvements such as the rebuilding of the FDR Drive. The scale and complexity of off-site open space improvements would likely require additional government funding and it is unlikely that improvements could be implemented within a timeframe for private development. The Zoning Resolution already includes Inclusionary Housing provisions which the Department has carefully formulated with the City's Department of Housing Preservation and Development and which have been approved by the City Planning Commission and City Council. For the First Avenue sites, Inclusionary Housing is part of the ERRC's revised application, and the large scale plan incorporates 4.8 acres of publicly accessible open space.

The 197-a plan recommends an amendment of Article I, Chapter 3 of the zoning resolution to reduce the maximum number of permitted accessory residential parking spaces in R10 districts from up to 20 percent of units to 10 percent. This proposal aims to prevent new residential developments from illegally converting accessory parking garages to commercial public parking garages, and to discourage traffic and congestion. While the Commission supports the goal of reducing traffic volumes and congestion, it does not endorse this recommendation because the proposed parking regulations raise issues applicable to an area broader than a portion of one



community district. As part of PlaNYC's objective to improve air quality, the city is evaluating traffic congestion reduction options, including the potential for modifications to parking regulations.

### *Specific Sites*

The CB 6 197-a Plan has recommendations for the United Nations (UN) and UN-related sites; for the First Avenue (ERRC) properties; and for the East River Science Park.

### *United Nations*

The plan recommends that the needs of the United Nations be provided for without significant displacement or disruption. The Commission agrees. New York City is privileged to host the UN and should continue to work to accommodate this extremely important international institution. The plan recommends that the sale of the three United Nations Development Corporation (UNDC) buildings to private developers should give priority to UN-related uses. The UNDC, a public benefit corporation, is responsible for developing offices, residential and other facilities for UN personnel, UN-related organizations, missions to the UN and visitors to the UN within the United Nations Development District which is located on the west side of First Avenue between East 43<sup>rd</sup> and East 45<sup>th</sup> streets. One and Two UN Plaza are office towers with office space for UN agencies and missions and a privately owned hotel. The hotel portions of One and Two UN Plaza have already been sold; the office and retail space continue to be owned by the city. Three UN Plaza is a mixed use building that contains the headquarters of the United Nations Children's Fund (UNICEF) and apartments for UN and mission staff. Three UN Plaza is unlikely to be sold because the building reverts to UNICEF ownership upon repayment of bonds in 2026. The Commission believes that it is premature to determine priorities for the sale of the UNDC buildings. Any proposed sale of these buildings should be evaluated at the time a proposal is made in order to determine the extent to which the needs of the UN and related entities should be accommodated.

The 197-a plan has a number of open space recommendations related to the UN and UN-associated buildings. A proposal, supported by the Administration, would consolidate UN space

in a new building on the Robert Moses Playground site at First Avenue between 41<sup>st</sup> and 42<sup>nd</sup> streets. This proposal, on which the UN has not taken a position, would require the state legislature to authorize the alienation of the Robert Moses Playground site for this UN-related use. CB 6 proposes that, to mitigate for the closure of Robert Moses Playground, an esplanade along east edge of the UN and outboard of the FDR Drive with connections to Glick Park at 37<sup>th</sup> Street and to the north at 48<sup>th</sup> Street should be constructed; also that a replacement park should be created within the immediate community. The 197-a Plan suggests that if the Robert Moses Playground is utilized by the UN, 685 First Avenue site should be designated for active recreation (assuming that City Council does not adopt a rezoning plan for this location). The Commission generally concurs that if Robert Moses Park is developed with a UN or UN-related building, the city should support the replacement of this park space with appropriate public open space in the nearby community.

#### *First Avenue Properties*

The 197-a plan has a number of recommendations for the former Con Edison properties along First Avenue between East 35<sup>th</sup> and East 41<sup>st</sup> streets (685 First Avenue, 700 First Avenue, 708 First Avenue and 616 First Avenue). The Con Edison facilities have been demolished and the properties are currently vacant. The East River Realty Company (ERRC) proposes major new mixed-use development on the First Avenue properties: 5 million square feet with six predominantly residential towers (approximately 4,200 new dwelling units), one commercial tower of 1.37 million square feet, and approximately 4.8 acres of publicly-accessible open space.

The Commission recognizes that several provisions and/or recommendations in the ERRC applications and the CB 6 197-a Plan conflict. Based on its concurrent review of both proposals, the Commission is modifying aspects of each to be more compatible with the other. The Commission believes that in determining the appropriate bulk and heights for the development of the First Avenue Properties sites, the scale and density of existing development near the ERRC sites, the potential for the provision of substantial publicly accessible on-site open space on the larger 700/708 parcel, and site planning elements relating to circulation and the placement of buildings are relevant factors.

CB 6 believes that new development on the First Avenue Properties should maintain the neighborhood's historical and residential character and should respect the scale and importance of the UN buildings. CB 6 recommends that the bulk on the First Avenue Properties be capped, as exemplified by Rivergate, Manhattan Place and Horizon buildings which have FARs of approximately 10 to 10.5. In addition, CB 6 proposes that the extensions of 39<sup>th</sup> and 40<sup>th</sup> streets should either be remapped or reopened to restore the street grid, allow for waterfront public access and not be used to generate FAR. As an alternative to remapping, CB 6 proposes that easements be provided on the roadbeds and the extensions should be treated as streets for zoning purposes and provide pedestrian and vehicular access.

As originally proposed by ERRC, the buildings on the 700/708 First Avenue site could have achieved an FAR of 12, via use of a plaza bonus. In response to issues raised during the public review process, the application was modified. The Commission believes that the bulk of the 1.37 million-square foot office building at 708 First Avenue should be reduced (from 12 FAR to 10 FAR on its portion of the 700/708 zoning lot) to be more comparable with commercial densities in the area. The resulting building could be up to 1.14 million square feet. This FAR modification is consistent with the 10 to 10.5 FAR favored by CB 6. The Commission is also reducing the office building's east/west width from 320 feet to 280 feet to be comparable with other large commercial buildings in Manhattan. The three residential buildings would remain at 12 FAR, with the increment between 9 and 12 FAR achievable through the inclusionary housing bonus.

The 197-a plan recommends that the height of buildings on the First Avenue Properties should be capped at 400 feet to respect the scale of the UN Secretariat building which rises to 503 feet. New buildings in the area include the 358-foot Rivergate at 34<sup>th</sup> Street, the 512-foot Corinthian at 38<sup>th</sup> Street and the 980-foot Trump World Plaza at 47<sup>th</sup> Street. The plan also recommends that the height of a building at 685 First Avenue not cause shadows to be cast on Tudor City parks. The heights of buildings in the ERRC proposal range from 433 to 721 feet. The Commission notes that the ERRC proposal EIS analysis found a significant adverse shadow impact for the ERRC proposal during the December analysis period only, when shadows are longest. The Tudor City open spaces are already heavily shadowed by other nearby buildings and by the

Tudor City buildings themselves. The analysis indicates that the shadows on Tudor City open spaces would not be eliminated unless the building at 685 First Avenue was reduced to only 320 feet in height and if the commercial building at 708 First Avenue was reduced to 360 feet. While the Commission believes that height reductions on this scale are not appropriate, it thinks that the height of the 685 First Avenue building should be lowered to be more consistent with the scale of the surrounding neighborhood. Therefore, the building's height of 721 feet would be reduced to approximately 600 feet. Depending on the type of floor plate the developer selects for the office building at 708 First Avenue, the 688-foot height might be lower because the Commission is reducing the FAR of this building from 12 FAR to 10 FAR. The Commission believes that the 197-a plan recommendation about building heights should be more general to allow building envelope flexibility.

The 197-a plan calls for the mapping of tower-on-a-base zoning districts to maintain street wall character along avenues and restrict zoning lot mergers where appropriate. All the buildings proposed by ERRC for the First Avenue properties are tower/slab forms rising straight up from street level. The Commission believes that the massing for the building at 685 First Avenue should be modified from a sheer-rising tower to a tower-on-base-like building form to reduce building height, better align with the Tudor City streetwall, improve access to ground floor retail uses and eliminate the pedestrian unfriendly bi-level open space in front of the building. This modification would make the 685 First Avenue building more consistent with the 197-a plan recommendation. The Commission supports tower-on-a-base zoning districts where appropriate to maintain existing street wall character along avenues. Tower-on-a-base zoning also limits zoning lot mergers. However, the Commission believes that, in the case of the ERRC proposal, tall sheer rising towers are appropriate for the 700/708 First Avenue site which is a 277,145-square foot superblock site with no possible future adjacent development on its east side. Because the site is near the East River, there is a sense of openness which can accommodate the towers. The sheer rising buildings permit a large open space on the site and result in more expansive views through the site to the river than tower-on-a-base buildings.

As mentioned earlier, CB 6 proposes that no new high-density office buildings be constructed east of the midline between Second and Third Avenues. The ERRC proposed office building at

708 First Avenue falls within this area. The Commission believes that an office building at this site is appropriate; there is a mix of commercial, institutional and residential buildings in the immediate surrounding neighborhood. The 708 First Avenue office building is close to the 42<sup>nd</sup> Street corridor and a group of high rise commercial buildings in the C5-2 district to the north.

The Commission endorses the CB 6 197-a Plan's recommendation that permanent affordable housing should be encouraged in new developments. As modified, the ERRC development proposal could generate 611 affordable units, on-site and/or off-site, utilizing an Inclusionary Housing bonus. The Commission is further modifying the ERRC proposal to encourage the early provision of affordable housing. CB 6 prefers that the affordable housing be provided on-site. While the Inclusionary Housing program allows for affordable units to be provided both on-site and off-site, given the limited number of housing sites in the area and the incentives for on-site housing created under the 421-a program, it is likely that a number of affordable units would be provided on-site.

The 197-a plan recommends that ground floor retail be required on First Avenue to accommodate the needs of local residents and enhance pedestrian activity. The Commission generally endorses the inclusion of ground floor retail. However, a requirement that the retail meet the needs of local residents cannot be "legislated." ERRC proposes to provide 74,000 gsf of retail space as part of the total development; all the buildings would include retail space on First Avenue, but not for the entire First Avenue frontage. The Commission is modifying the ERRC proposal for 685 First Avenue by increasing the required retail space from 30 to 50 percent of the First Avenue frontage, a revision more in line with CB 6's recommendation.

Regarding the extensions of 39<sup>th</sup> and 40<sup>th</sup> streets, the Commission believes that because these extensions are privately owned and are part of ERRC's proposed General Large Scale Development (GLSD), FAR generated by these extensions may appropriately be included in the bulk calculations for the development. The special permit for the general Large Scale Development Plan does, however, allow the Commission to reduce FAR where appropriate, as in the case of the 708 First Avenue commercial building. The Commission supports the provision of publicly-accessible space and view corridors on the extensions of 39<sup>th</sup> and 40<sup>th</sup> streets and

believes that the ERRC restrictive declaration and the General Large Scale Development plan ensure these provisions for the new development. The extensions, as modified by the Commission, would be publicly accessible from 6:00 a.m. to 1:00 a.m. To ensure the public access, the Commission is requiring that no barriers be allowed and that closure is accomplished only with signage. While the street extensions would not be open 24 hours, this modification furthers the objective of the 197-a plan to keep the spaces open to the public.

The 197-a plan calls for large easily accessible public space on portions of the First Avenue site. The Commission generally supports this recommendation. The ERRC proposal would provide 4.8 acres of publicly-accessible open space, including a large plaza with a pavilion; and a 5,500 square foot playground. The Commission, to ensure public activity and amenities, is modifying the ERRC proposal to require take-out food service at the pavilion; signs stating that no purchase is necessary to sit at the outdoor tables; and signs indicating public access to the pavilion's roof top overlook. The Commission is also adding one public restroom (for a total of four) and requiring that all public restrooms be directly accessible from the plaza. These modifications advance the 197-a plan's goals for public access. The Commission is also modifying the ERRC proposal to increase the useable playground space from 5,500 square feet to 10,000 square feet and to require unobstructed views into the playground. Both these revisions further the goals of the 197-a plan.

The Commission supports CB 6's recommendation that the development include overlook parks along the FDR Drive. The ERRC proposal includes an approximately 30 to 40-foot wide overlook esplanade, integrated within the publicly accessible open space, that stretches for approximately 735 feet along the eastern edge of the 700/708 First Avenue site and is accessed from the 39<sup>th</sup> and 40<sup>th</sup> street extensions.

The 197-a plan proposes that the First Avenue Properties developer be encouraged to provide an easement along the eastern edge of the property to better accommodate future off-site waterfront improvements. The Commission generally supports this recommendation because a publicly-accessible waterfront esplanade along the river between East 38<sup>th</sup> and East 42<sup>nd</sup> streets would connect to the existing esplanade at Glick Park on the south end and would be a much-needed

improvement. As previously discussed, implementation of this improvement would be a complex process. The elevated northbound 42<sup>nd</sup> Street exit ramp of the FDR Drive would have to be relocated or reconfigured and a deck or pedestrian bridge would need to be constructed over the FDR Drive. These long-range improvements would require approvals from city, state and federal agencies and likely require government funding.

The 197-a plan recommends that a new school facility be provided either on the First Avenue Properties sites or at some other location within the 197-a plan's Study Area. The Commission supports the development of new school facilities where the New York City Department of Education (DOE) and the New York City School Construction Authority (SCA) finds that there is a need. The Commission notes that the DOE and SCA have determined that new residential development in Community School District 2, coupled with projections for increased enrollment over the next ten years in that school district, will result in overcrowded conditions in existing school facilities and that a new facility will be needed. The SCA has agreed that a First Avenue Properties site would be suitable for a PS/IS (grades K-8) program and is working with the First Avenue Properties developer to plan for a new facility within its development. The ERRC proposal designates a site on the 616 First Avenue parcel for an approximately 92,000-square foot school building. The Commission notes that ERRC is modifying its construction schedule to ensure timely construction of the school building to meet anticipated demand for school seats so that the school can open in 2012. The school site is part of the ERRC General Large-Scale Development plan.

#### *East River Science Park*

The 197-a plan recommends the implementation the Cooper Eckstut Study for the East River Science Park (ERSP) for the northern portion of the Bellevue Campus. This study proposes that the buildings on the south side of 29<sup>th</sup> Street should be aligned with the ACS building; that footprints of the buildings should be shifted westward to allow for a wider pedestrian walkway along the private service road than currently provided; that 29<sup>th</sup> Street east of First Avenue should be remapped or reopened; that a pedestrian bridge be constructed over 30<sup>th</sup> Street to improve north/south access through the complex, and that the development accommodate the possible future connection from 29<sup>th</sup> Street to the waterfront via a deck or pedestrian bridge over

the FDR Drive.

Some of the 197-a plan objectives are met by that plan. The ERSP rezoning and special permit applications were approved by the Commission in Fall 2001 and adopted by the City Council on December 19, 2001. Phase 1 of ERSP has been designed and is under construction (two 16-story biomedical research buildings, a 6,000 square foot publicly accessible Winter Garden with a café and restrooms at the plaza level, and a below-grade accessory parking garage). Buildings will be aligned with the ACS building's fence line, permitting an unobstructed view corridor on 29<sup>th</sup> Street, as recommended in the 197-a plan, although the approved building footprints will not accommodate a wider pedestrian path along the service road. 29<sup>th</sup> Street will have sidewalks and a vehicular turnaround. The street will not be remapped but it will function as a publicly accessible pedestrian and vehicular way, meeting the 197-a plan objective. The Commission is modifying the recommendation regarding ERSP to encourage a dialogue between CB 6, EDC, DCP, and the developers and users of the East River Science Park sites for elements of the ERSP which have not yet been decided on. For example, CB 6 is particularly concerned about the pedestrian access across the FDR Drive to the waterfront from the eastern ERSP plaza.

### ***Transportation***

The 197-a plan includes a number of transportation recommendations that the Commission endorses. The Commission supports the CB 6 proposal that the Department of City Planning and the Department of Transportation continue to work with the community to determine placement of traffic calming measures at the most appropriate side street locations, including neckdowns, wider sidewalks, and landscaping treatments. NYCDOT responds to requests for traffic calming devices by evaluating specific locations as recommended by the community.

The Commission supports the 197-a plan's endorsement of the identified locations for Second Avenue subway stations and entrances at 14<sup>th</sup>, 23<sup>rd</sup>, 34<sup>th</sup>, 42<sup>nd</sup>, and 55<sup>th</sup> streets. Subject to financing availability, the Commission supports the consideration of pedestrian transfers via an underground tunnel from Second Avenue Subway stations to the #7 line at Grand Central Station; E and V Lines at 53<sup>rd</sup> Street from the proposed 55<sup>th</sup> Street station; and an Avenue A



entrance to the First Avenue station on the L Line.

The 197-a plan calls for the re-routing of buses and the creation or relocation of bus stops to support new development in the Study Area. The Commission supports an assessment of bus stop locations, routes and service to accommodate new development and notes that this is standard NYCT practice. CB 6 recommends that bus stops be located to facilitate intermodal transfer points for buses, ferries, subways and water taxis at 23<sup>rd</sup>, 34<sup>th</sup> and 42<sup>nd</sup> streets. The Commission generally supports efforts to facilitate intermodal transfer points at main east/west connector streets to the waterfront by providing upland connections where feasible and appropriate. The Commission notes that at 34<sup>th</sup> Street, intermodal connections have been achieved with ferry, water taxi, and bus and taxi service. Upland connections to the East River near 23<sup>rd</sup> Street are provided with nearby bus stops and at-grade pedestrian and vehicular crossings at 23<sup>rd</sup> Street. There are no upland connections at 42<sup>nd</sup> Street because of the configuration of the FDR Drive at that location, and currently there are no plans for ferry or water taxi service there. The UN's location at 42<sup>nd</sup> Street raises security issues.

CB 6 calls for the exploration of sites for black car and bus layovers, parking, and rest stops. The Commission endorses this recommendation assuming that CB 6 will propose specific locations to DOT. The Commission supports the 197-a plan recommendations that endorse a network of dedicated and safe bicycle routes and encourage bicycle parking in private garages. PlaNYC advocates the use of bicycles instead of cars to improve the air quality in the city.

CB 6 calls for the development of uniform standards for security barriers or other security measures such as landscaping and street furniture. The necessity for private security structures on public sidewalks must be confirmed first by the Police Department and requires review by an interagency security structures committee as well as a revocable consent from DOT. Bollards are now the primary security structure utilized. The Commission recognizes CB 6's desire for uniform standards but believes this to be impractical. Therefore the Commission does not support this 197-a plan recommendation.

***Preservation***

The 197-a plan contains some specific recommendations to landmark or utilize other preservation options for Stuyvesant Town and Peter Cooper Village, as well as for the original buildings at Bellevue Hospital, such as the former Psychiatric Building, currently housing a Department of Homeless Services (DHS) men’s shelter and a McKim, Meade and White building that was renovated by the City in 2001 to house an Agency for Children’s Services (ACS) intake center and other ACS functions. The ACS building is listed on the National Register of Historic Places.

The Commission supports the consideration of the original buildings at Bellevue Hospital for landmark status to preserve the historic character and campus setting of the Bellevue Hospital campus, noting that the Landmarks Preservation Commission has indicated that the Psychiatric Building and the ACS building are “eligible as potential landmarks.”

The 197-a plan recommendation for preserving Stuyvesant Town and Peter Cooper Village suggested several preservation “tools” for preserving the “integrity, built character and urban design qualities” of these communities, including designation as a NYC landmark, placement on the National Register of Historic Places, or designation as a Special Planned Community Preservation District. The Commission defers to the Landmarks Preservation Commission regarding the eligibility and suitability of Stuyvesant Town and Peter Cooper Village for landmark status or other historic designation. The Commission encourages the Landmarks Preservation Commission and CB 6 to enter into a dialogue on issues relating to landmark designations for the original Bellevue Hospital buildings and for Stuyvesant Town and Peter Cooper Village.

The Commission does not endorse the recommendation to consider designation of Stuyvesant Town and Peter Cooper as a Special Planned Community Preservation District. The Commission notes that the protections of this special district are more rigid than landmark protections, subjecting all structural alterations to buildings, landscape and topography, even those elements that do not have architectural significance, to special permit review.

### ***Housing***

The Commission shares the CB 6 197-a plan goal to encourage permanent affordable housing and discourage the demolition or conversion of affordable housing (i.e. Mitchell-Lama) to market-rate housing. The Commission notes that the city aims to retain units in the city's affordable housing stock, including those in the low-income housing tax credit program, those developed through the Mitchell-Lama program, and those in the federal Department of Housing and Urban Development's (HUD) multi-family programs. HPD and HDC have developed a refinancing strategy for Mitchell-Lama developments to restructure mortgages and procure funds for capital improvements, which would be tied to commitments to stay in the program for an additional 15 years. HPD is also working with HDC to develop a program that would allow Mitchell-Lama rental developments to convert to cooperatives structured to be affordable to Mitchell-Lama tenants, with developers continuing to receive tax abatements. HPD is also working on a series of federal and state legislative proposals to ensure tenant protections and provide incentives for owners to remain in the program.

The Commission observes that there are limited opportunities for new affordable housing within Community District 6 and enthusiastically supports the plan's recommendation to encourage the development of new low and moderate income housing in new residential developments in Community District 6 that would be permanently affordable. The Commission notes that the proposed ERRC development, as modified, could result in 611 affordable housing units using the Inclusionary Housing program.

### ***Community Facilities***

The 197-a plan recommendation about a school is discussed above in the section about the First Avenue properties.

The Commission supports the 197-a plan recommendation that the Agency for Children's Services Division of Child Care and Head Start (CCHS) monitor daycare demand and availability of slots in Community District 6 and that CCHS promote the construction of day care facilities in new private office and residential developments. The Commission notes that ACS and CCHS have indicated to the Commission that they are committed to promoting "partnerships

with developers and others within the economic development community to assist programs.” The Commission further notes that the FEIS for ERRC's First Avenue Properties proposal determined that the project would have a significant adverse impact on publicly funded daycare in the area. The restrictive declaration entered into in association with the ERRC applications provides that ERRC will coordinate with the Agency of Children's Services to determine the appropriate mitigation for this impact.

## **RESOLUTION**

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

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will be consistent with WRP policies, and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 197-a of the New York City Charter, that the 197-a plan, *197-a Plan for the Eastern Section of Community District 6, Borough of Manhattan, New York City* submitted by Manhattan Community Board 6 on December 22, 2005 and revised on October 23, 2007, is approved with modifications:

**Whereas**, approved 197-a plans guide the future actions of public agencies; and

**Whereas**, approved 197-a plans cannot preclude subsequent actions by the City Planning Commission and the City Council in their review of possible future applications under other charter-described processes; and

**Whereas**, some of the zoning and land use recommendations in this 197-a plan will require subsequent approval of 197-c zoning map change applications, which have their own defined review procedures; and

**Whereas**, the recommendations and proposals contained in the Recommendations section of the “Community Board 6 197-a Plan for the Eastern Section of Community District 6,” Borough of Manhattan, New York City” are hereby replaced and modified as follows:

Note: an asterisk \* indicates minor modifications, a double asterisk \*\* indicates major modifications.

#### *Waterfront Related Improvements*

1. Explore with Con Ed, NYCDOT and NYSDOT opportunities to widen Esplanade between 13<sup>th</sup> and 15<sup>th</sup> Streets by replacing the existing pump with a smaller pump.
2. Explore with NYCDOT and DPR the feasibility of making the 25<sup>th</sup> Street pedestrian bridge handicapped accessible.\*
3. If the FDR Drive is to be relocated to grade, which would permit a deck above the drive, the option of a park on a deck above the FDR Drive between 28<sup>th</sup> and 30<sup>th</sup> streets should be studied, within the context of the reconstruction of the FDR Drive by NYSDOT.\*
4. Improve area around 35<sup>th</sup> Street ferry landing.
5. Explore the feasibility of creating smaller neighborhood piers for water taxis at 23<sup>rd</sup> and 42<sup>nd</sup> streets.\*
6. Explore the feasibility of constructing a narrow esplanade walkway between 53<sup>rd</sup> and 63<sup>rd</sup> streets on a cantilever on the outboard side of the existing FDR Drive.\*
7. Explore alternatives to relocate all parking located directly on the waterfront such as the 34<sup>th</sup> Street lot, the 23<sup>rd</sup> Street Skyport parking garage, and the Con Edison Parking pier (38<sup>th</sup> to 41<sup>st</sup> streets).
8. Accommodate pedestrians, joggers, cyclists, and skaters on new esplanades and greenways.
9. The city should work with appropriate federal and state agencies to explore the feasibility for decking over a portion of the FDR Drive, the relocation or reconfiguration of the northbound FDR exit ramp at 42<sup>nd</sup> Street, and the creation of a continuous waterfront esplanade between 34<sup>th</sup> and 42<sup>nd</sup> streets. Development on the First Avenue Properties (former Con Edison sites) should be compatible with, and not preclude, future off-site waterfront improvements.\*\*

10. Pursue measures to ensure that the waterfront esplanade at Waterside Plaza is publicly accessible.\*\*
11. Facilitate safe inland pedestrian connections between sections of the waterfront esplanade for areas with uses that preclude direct pedestrian access along the waterfront.\*\*
12. Encourage new pedestrian bridges and other means to provide improved public access to the waterfront in appropriate locations based on engineering feasibility and other criteria.\*\*
13. Explore the feasibility of providing pedestrian crossings from 35<sup>th</sup> or 36<sup>th</sup> streets to the East River Esplanade Park if a tunnel for the FDR Drive is to be constructed.\*\*
14. To preserve and create waterfront views and facilitate public access to the waterfront, appropriate zoning, land use and mapping controls as well as urban design and streetscape improvements should be used.\*\*
15. Where appropriate and physically feasible, create the opportunity for public access to the waterfront by allowing pedestrians to use streets or their extensions that have been remapped, reopened or otherwise made publicly accessible.\*\*

*Other Open Space Improvements*

16. Encourage the MTA (with DPR and DOT) to consider park decks above Queens Midtown Tunnel portals as part of the ongoing Second Avenue Subway Outreach process.
17. The city should explore with Con Edison the possible acquisition or lease of open space at the Con Edison East River plant to supplement Murphy Brothers Park.\*
18. Given the deficit of publicly-accessible open space in CD 6, the city should encourage the inclusion of publicly accessible open spaces where feasible and appropriate as part of large new developments.\*

DELETED:

- Encourage public acquisition for open space for such developments as Bellevue/East River Science Park Plan; Con Edison Waterfront redevelopment; replacement of Robert Moses Playground.

*Land Use and Zoning*

19. Explore mapping contextual zoning districts to maintain neighborhood scale and residential character in appropriate locations.\*
20. Support tower-on-the-base zoning districts where appropriate to maintain existing street wall character along avenues. Tower-on-the-base zoning also limits zoning lot mergers.\*
21. Carefully evaluate proposals for high-density office development east of the midline between Second and Third avenues, and discourage such development where inappropriate, such as in predominantly residential areas.\*\*

DELETED:

- Map a Special Hospital Use District (includes Bellevue, NYU, and VA Hospital Medical Centers).
- Eliminate zoning preferences for community facilities in the Study Area: eliminate larger floor area ratio for community facilities in R7 and R8 districts; eliminate all rear yard encroachment in midblock locations; distinguish definitions between wide and narrow street location to allow greater density on wide streets compared to narrow streets.
- Designate the area bounded by First Ave., 59th Street, waterfront, and 14th Street as a Special Public Access District; provide additional floor area bonus on any zoning lots that provides elective public open space improvements either on or off-site; an additional bonus would be allowed for the inclusion of affordable housing which would supersede the underlying FAR bonus provisions.
- Amend Article I, Chapter 3 of the zoning resolution to change accessory parking in R10 districts from up to 20% of apartment units to 10%.

*Specific Sites*

*United Nations:*

22. Provide for needs of UN without significantly displacing or disrupting the surrounding neighborhoods.
23. If Robert Moses Park is developed with a UN or UN-related building, the city should support the replacement of this park space with appropriate public open space in the nearby community.\*\*

DELETED:

- Sale of three UNDC buildings to private developers should give priority to UN-related uses.

*First Avenue Properties:*

24. Provide overlook parks along the FDR Drive.
25. Require ground floor retail on First Avenue in order to enhance pedestrian activity.\*
26. Provide publicly-accessible space and view corridors on the extensions of 39<sup>th</sup> and 40<sup>th</sup> streets.\*\*
27. Consider the scale and density of existing development near the ERRC sites, the potential for the provision of substantial publicly accessible on-site open space on the larger 700/708 parcel, and site planning elements relating to circulation and the placement of buildings in determining the appropriate bulk and heights for the development of the First Avenue Properties sites. \*\*
28. Encourage the developer of the First Avenue properties to provide an easement along the eastern edge of the property so as to not preclude future off-site waterfront improvements.\*\*
29. Include a large, publicly accessible open space in the First Avenue properties development.\*\*
30. Facilitate the inclusion of an elementary or elementary/intermediate school on the First Avenue properties site.\*\*

DELETED:

- 39th and 40th streets (extensions) be remapped.

*East River Science Park:*

31. Encourage a dialogue between CB 6, EDC, DCP and the developers and users of the East River Science Park sites for elements of the ERSP which have not yet been decided on.\*\*

*Transportation*

32. Determine (DCP and DOT) placement of traffic calming measures at appropriate side street locations, including neckdowns and wider sidewalks, and creation of landscaping treatment.
33. Endorse the identified locations for Second Avenue subway stations and entrances at 14<sup>th</sup>, 23<sup>rd</sup>, 34<sup>th</sup>, 42<sup>nd</sup>, and 55<sup>th</sup> streets.



34. Encourage MTA to consider providing pedestrian transfers via underground tunnel from Second Avenue subway station stop to: No. 7 line at Grand Central Station and E and V lines at 53<sup>rd</sup> Street from the proposed 55<sup>th</sup> Street station.\*
35. If resources are available, consider an Avenue A entrance to the First Avenue station on the L line.\*
36. Assess bus stop locations, routes and service to accommodate new development.\*
37. Facilitate intermodal transfer points at main east/west connector streets to the waterfront by providing upland connections where feasible and appropriate.\*
38. Explore sites for black car and bus layovers, parking and rest stops, with CB 6 proposing specific locations.\*
39. Endorse a network of dedicated and safe bicycle routes.
40. Encourage bicycle parking in private garages.

DELETED:

- Develop uniform standards for security barriers or other security measures (landscaping, street furniture) within the Study Area.

*Preservation*

41. Encourage LPC and CB 6 to enter into a dialogue on issues relating to landmark designations for the original Bellevue Hospital buildings and for Stuyvesant Town and Peter Cooper Village.\*\*

*Housing*

42. Encourage permanent affordable housing.
43. Discourage demolition or conversion of affordable housing (i.e. Mitchell Lama) to market-rate housing.
44. Encourage low and moderate income housing in new developments which would be permanent and could not be converted to market value.

*Community Facilities*

45. Encourage NYC Division for Child Care and Head Start (CCHS) to monitor daycare demand and availability of slots in CD6.
46. Encourage CCHS to promote construction of day care facilities in new private office and residential development.

The above resolution (N 060273 NPM), duly adopted by the City Planning Commission on January 28, 2007 (Calendar No. 15), 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 Chairman**

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

**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA DEL TORO, RICHARD W.**

**EADDY, NATHAN LEVENTHAL, JOHN MEROLO, KAREN A. PHILLIPS,**

Commissioners

Shirley A. McRae, Commissioner, Abstaining

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1337**

**Resolution approving with modifications the decision of the City Planning Commission on Non-ULURP No. N 060273 NPM, a Section 197-a Plan for Community Board No. 6 in Manhattan (L.U. No. 667).**

**By Council Members Katz and Garodnick**

WHEREAS, the City Planning Commission filed with the Council on January 28, 2008 its decision dated January 28, 2008 (the "Decision"), on the Plan, known as *The 197-a Plan for the Eastern Section of Community District 6*: for Manhattan Community Board No. 6, submitted by Manhattan Community Board No. 6, pursuant to Section 197-a of the Charter of the City of New York (Non-ULURP No. N 060273 NPM) (the "Plan");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Plan on February 25, 2008;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Plan; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on March 31, 2006 (CEQR No. 06DCP088M);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-a and 197-d of the City Charter and on the basis of the Decision and Plan, the Council approves the Decision with the following modifications:

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Res. No. 1337 (L.U. No. 667)

Matter in underline is new, to be added;  
Matter in bracket [ ] is old, to be deleted;

*Chapter 4*  
*Waterfront Related Improvements*

3. a.i. → 1. Explore with Con Ed, NYCDOT and NYSDOT opportunities to widen Esplanade between 13th and 15th Streets by replacing the existing pump with a smaller pump.
- iii 2. [Explore with] Encourage NYCDOT and DPR [the feasibility of making] to make the 25th Street pedestrian bridge handicapped accessible.
- a.iii → 3. If the FDR Drive is to be relocated to grade, which would permit a deck above the drive, the option of a park on a deck above the FDR Drive between 28th and 30th streets should be studied, within the context of the reconstruction of the FDR Drive by NYSDOT.\*
4. 4. Improve area around 35th Street ferry landing.
- iii → 5. [Explore the feasibility of creating] Encourage creation of smaller neighborhood piers for water taxis at 23rd and 42nd streets.\*
- vii → 6. [Explore the feasibility of constructing] Encourage construction of a narrow esplanade walkway between 53rd and 63rd streets on a cantilever on the outboard side of the existing FDR Drive.\*
- id. i + B. a.iii → 7. Explore alternatives to relocate all parking located directly on the waterfront such as the 34th Street lot, the 23rd Street Skyport parking garage, and the Con Edison Parking pier (38th to 41st streets).
- a.viii → 8. Accommodate pedestrians, joggers, cyclists, and skaters on new esplanades and greenways.
- a.iii → 9. The city should work with appropriate federal and state agencies to [explore the feasibility for] encourage decking over a portion of the FDR Drive, the relocation or reconfiguration of the northbound FDR exit ramp at 42nd Street, and the creation of a continuous waterfront esplanade between 34th and 42nd streets. Development on the First Avenue Properties (former Con Edison sites) should be compatible with, and not preclude, future off-site waterfront improvements.\*\*

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Res. No. 1337 (L.U. No. 667)

10. Pursue measures to ensure that the waterfront esplanade at Waterside Plaza is publicly accessible.\*\*

11. [Facilitate safe inland pedestrian connections between sections of the waterfront esplanade for areas with uses that preclude direct pedestrian access along the waterfront.\*\*] Ensure that the heliport permits safe inland pedestrian connections between adjacent sections of the waterfront esplanade.

12. Encourage new pedestrian bridges and other means to provide improved public access to the waterfront [in appropriate locations based on engineering feasibility and other criteria.\*\*] particularly at 16<sup>th</sup>, 27<sup>th</sup>, 29<sup>th</sup>, 39<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup>, 42<sup>nd</sup>, 48<sup>th</sup> and 54<sup>th</sup> Streets.

13. [Explore the feasibility of providing] Encourage creation of pedestrian crossings from 35th or 36th streets to the East River Esplanade Park if a tunnel for the FDR Drive is to be constructed.\*\*

14. To preserve and create waterfront views and facilitate public access to the waterfront, appropriate zoning, land use and mapping controls (including remapping demapped streets, if feasible) as well as urban design and streetscape improvements should be used.\*\*

15. Where appropriate and physically feasible, create the opportunity for public access to the waterfront by allowing pedestrians to use streets or their extensions that have been remapped, reopened or otherwise made publicly accessible.\*\*

*Other Open Space Improvements*

16. Encourage the MTA (with DPR and DOT) to consider park decks above Queens Midtown Tunnel portals as part of the ongoing Second Avenue Subway Outreach process.

~~17.~~ The city should explore with Con Edison the possible acquisition or lease of open space at the Con Edison East River plant to supplement Murphy Brothers Park.\*

17. Given the deficit of publicly-accessible open space in CD 6, the city should encourage the inclusion of publicly accessible open spaces where feasible and appropriate as part of large new developments.\*

B. aiii ←

→ D. e. i

b. iii →

B. a. iv

→ F. a. iii

L. bi

→ bi

→ bi

→ 3. biv

\* in Schedule 1

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DELETED:

- Encourage public acquisition for open space for such developments as Bellevue/East River Science Park Plan; Con Edison Waterfront redevelopment; replacement of Robert Moses Playground.

*Land Use and Zoning*

[19.]<sup>18</sup> Explore mapping contextual zoning districts to maintain neighborhood scale and residential character in appropriate locations.\*

[20.]<sup>19</sup> [Support tower-on-the-base zoning districts where appropriate to maintain existing street wall character along avenues. Tower-on-the-base zoning also limits zoning lot mergers.\*] Map tower-on-the-base zoning districts to maintain street wall character along avenues and restrict zoning lot mergers where appropriate.

[21.]<sup>20</sup> Carefully evaluate proposals for high-density office development east of the midline between Second and Third avenues, and discourage such development where inappropriate, such as in predominantly residential areas.\*\*

21. Encourage institutional development and community uses that are compatible with the existing scientific, hospital and hospital related uses in the area bounded by 23<sup>rd</sup> Street, First Avenue, 34<sup>th</sup> Street and the FDR Drive.

DELETED:

- Map a Special Hospital Use District (includes Bellevue, NYU, and VA Hospital Medical Centers).

- Eliminate zoning preferences for community facilities in the Study Area: eliminate larger floor area ratio for community facilities in R7 and R8 districts; eliminate all rear yard encroachment in midblock locations; distinguish definitions between wide and narrow street location to allow greater density on wide streets compared to narrow streets.

- Designate the area bounded by First Ave., 59th Street, waterfront, and 14th Street as a Special Public Access District; provide additional floor area bonus on any zoning lots that provides elective public open space improvements either on or off-site; an additional bonus

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would be allowed for the inclusion of affordable housing which would supersede the underlying FAR bonus provisions.

- Amend Article I, Chapter 3 of the zoning resolution to change accessory parking in R10 districts from up to 20% of apartment units to 10%.

*Specific Sites*

*United Nations:*

→ 22. Provide for needs of UN without significantly displacing or disrupting the surrounding neighborhoods.

→ 23. If Robert Moses Park is developed with a UN or UN-related building, the city should support the replacement of this park space with appropriate public open space in the nearby community[. \*\*], including an esplanade along the east edge of the UN and out board of the FDR Drive with connections to Glick Park at 37<sup>th</sup> Street via an esplanade extension of Glick Park between 38<sup>th</sup> and 41<sup>st</sup> streets and to the north at 48<sup>th</sup> Street. If a proposed building is found to have an impact on the existing open space, park space should be provided in the immediate neighborhood as a mitigation.

DELETED:

- Sale of three UNDC buildings to private developers should give priority to UN-related uses.

*First Avenue Properties:*

→ 24. Provide overlook parks along the FDR Drive.

→ 25. Require ground floor retail on First Avenue in order to enhance pedestrian activity. +

→ 26. Provide publicly-accessible space and view corridors on the extensions of 39th and 40<sup>th</sup> streets. \*\*

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- xi → 27. Consider the scale and density of existing development near the ERRC sites, the potential for [the provision of substantial publicly accessible on-site open space on the larger 700/708 parcel, and site planning elements relating to circulation and the placement of buildings in determining the appropriate bulk and heights] shadow impacts on the Tudor City parks, and site planning elements to determine the appropriate building placement, bulk and height for the development of the First Avenue Properties sites. \*\*
- cdi → 28. Encourage the developer of the First Avenue properties to provide an easement along the eastern edge of the property so as to not preclude future off-site waterfront improvements.\*\*
- cdi → 29. Include [a large, publicly accessible open space in the First Avenue properties development.] large, publicly accessible spaces on the site as a mitigation for the large scale development.
- Adm → 30. Facilitate the inclusion of an elementary or elementary/intermediate school on the First Avenue properties site.

DELETED:

- Da ii → • 39th and 40th streets (extensions) be remapped.

*East River Science Park:*

- ci → 31. Encourage a dialogue between CB 6, EDC, DCP and the developers and users of the East River Science Park sites for elements of the ERSP which have not yet been decided on.\*\*

*Transportation*

- a iii → 32. Determine (DCP and DOT) placement of traffic calming measures at appropriate side street locations, including neckdowns and wider sidewalks, and creation of landscaping treatment.
- bi → 33. Endorse the identified locations for Second Avenue subway stations and entrances at 14th, 23rd, 34th, 42nd, and 55th streets.



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b ii → 34. Encourage MTA to [consider providing] provide pedestrian transfers via underground tunnel from Second Avenue subway station stop to: No. 7 line at Grand Central Station and E and V lines at 53rd Street from the proposed 55th Street station.\*

b biii → 35. [If resources are available, consider] Encourage the MTA to provide an Avenue A entrance to the First Avenue station on the L line.\*

c i → 36. [Assess bus stop locations, routes and service to accommodate new development.\*] Reroute buses and create/relocate bus stops to support new development in the study area.

c ii → 37. [Facilitate intermodal transfer points at main east/west connector streets to the waterfront by providing upland connections where feasible and appropriate.\*] Encourage DOT, MTA, and any relevant agency to locate bus stops with a view to facilitating intermodal transfer points among buses, ferries, the subway and water taxis at 23<sup>rd</sup>, 34<sup>th</sup> and 42<sup>nd</sup> Streets.

e iii → 38. Explore sites for black car and bus layovers, parking and rest stops, with CB 6 proposing specific locations.\*

b gi → 39. Endorse a network of dedicated and safe bicycle routes.

D gi → 40. Encourage bicycle parking in private garages.

DELETED:

- • Develop uniform standards for security barriers or other security measures (landscaping, street furniture) within the Study Area.

Preservation

c eii → 41. [Encourage LPC and CB 6 to enter into a dialogue on issues relating to] Consider landmark designations for the original Bellevue Hospital buildings as to preserve the historic character and campus setting of the hospital and [for] consider preserving the integrity of the built character of Stuyvesant Town and Peter Cooper Village.\*\* which may include landmark designation, designation as a Special Planned Community Preservation district or placement on the National Register of Historic Places.

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*Housing*

- 42. Encourage permanent affordable housing.
- 43. Discourage demolition or conversion of affordable housing (i.e. Mitchell Lama) to market-rate housing.
- 44. Encourage low and moderate income housing in new developments which would be permanent and could not be converted to market value.

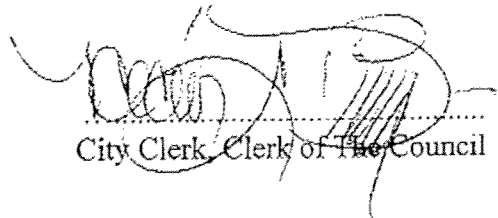
*Community Facilities*

- 45. Encourage NYC Division for Child Care and Head Start (CCHS) to monitor daycare demand and availability of slots in CD6.
- 46. Encourage CCHS to promote construction of day care facilities in new private office and residential development.

Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on March 26, 2008, on file in this office.



City Clerk, Clerk of The Council