

February 2005 Resolutions

Lincoln Center Task Force Lawrence Horowitz, Chair

February 1, 2005

Re: Applications to the Department of City Planning related to The Lincoln Center West 65th Street Project C 050098 MMM, C 050170 GFM, C 050219 PQM

Vote: 32 In Favor 0 Against 0 Abstaining 0 Present

A. Introduction

Lincoln Center for the Performing Arts has proposed a number of actions relating to West 65th Street between Amsterdam Avenue and Broadway, which require ULURP action and other approvals from Manhattan Community Board 7. The Lincoln Center Task Force of Community Board 7 has met with representatives of Lincoln Center and their architects and planners on numerous occasions to review each aspect of the proposed actions, and has held a public hearing at which comments were solicited from the public, including members of neighboring community and landmark preservation groups.

These actions are sought by Lincoln Center because, if approved, they will permit the institution to enhance, improve and expand access to its cultural facilities and public spaces. The goal of the proposed improvements is to transform the West 65th Street corridor between Amsterdam Avenue and Broadway/Columbus Avenue into a “Street of the Arts” that would create a new “front door” for visitors and for the artists who work and study at Lincoln Center. To accomplish this, Lincoln Center will make changes to the street itself, to the sidewalks and to the public spaces and North Plaza adjacent to West 65th Street. New lighting and signage are a major part of this transformation. Lincoln Center also expects that these changes will be beneficial to audience members going to performances and to the public at large. In order to further open up the street to light and air, Lincoln Center proposes to remove the 211-foot-long, 80-foot-wide Milstein Plaza pedestrian bridge and to replace it with a narrow, translucent bridge further to the west. In addition, and as part of its “Street of the Arts” concept, Lincoln Center proposes to widen the sidewalks on the north and south sides of the street (which would also require certain de-mapping actions), so as to facilitate its overall streetscape plan and to enhance pedestrian access to its public spaces. Lincoln Center also seeks certain modifications to a previously approved special permit for the Rose Building in order to change the location of reservoir spaces and to create a connection between that building’s public garage and the Lincoln Center garage, which is located south of West 65th Street

Another major component of these proposed improvements is the redesign and expansion of the North Plaza, including expansion of the grand stairway at West 65th Street, the installation of new flashing and “zipper” signage to provide programming information, changes in the configuration of the “Henry Moore reflecting pool” and construction of a new sloping lawn which will form the roof of a new indoor restaurant.

These requested approval actions also include modifications to previous special permits, which modifications would allow a significant expansion, both interior and exterior, of the Juilliard School and Alice Tully Hall.



B. Lincoln Center in Community Board 7

Residents of the Upper West Side have always been pleased and proud to have one of the world's great performing arts facilities within its boundaries. In the last decades, residents and visitors have come together to enjoy the arts and cultural programs within the theatres and facilities, as well as to enjoy and admire the outdoor monumental public spaces and plazas of the physical campus. Although this great cultural center was originally built with its own internal cohesive architectural design and rationale, it has also become an integral part of the neighborhood fabric of the Upper West Side. Over the years, Lincoln Center has had a great impact on the surrounding neighborhood and community, bringing programs and cultural vitality to thousands of people of all ages, incomes and taste. The public spaces of Lincoln Center, including the North Plaza, Damrosch Park, even the main (Josie Robertson) plaza with its central fountain, have served as quiet and improvised places for sitting, strolling, reading, and people-watching. Increasingly, these public spaces have also been locations for Lincoln Center-sponsored performances and other activities in which the public can participate as audience members and sometimes as interactive performers. Lincoln Center states that it wishes to use these public spaces even more frequently for a variety of programmed activities and that this goal, in part, dictates the design of its proposed changes.

The monumental design of the complex has over the years been praised and criticized but it has become enough of a public icon to be deemed worthy of consideration for designation as a landmark and worthy of nomination for inclusion in the National Register of Historic Places. Although architecturally and historically significant, the original design also turned its back on the community to the west, with the creation of inaccessible and forbidding walls and facades on Amsterdam Avenue. And over the years, millions of dollars in public and private funds have been expended to repair and correct the materials used in the public spaces.

As Lincoln Center has begun to redesign itself, Community Board 7 (CB7) has become well aware of the need to "fuse cultural and city life" as the redevelopment project's Executive Director Rebecca Robertson has stated. CB7, in its support of Lincoln Center, is also concerned with neighborhood impacts, priorities and the needs of the community. As the Lincoln Center redevelopment's master designer, architect Liz Diller, stated, "The range of the project's scope requires an effort that dissolves boundaries between urban planning, architecture, streetscape and landscape design".

CB7 too, within the scope of this ULURP and accompanying applications, seeks to support Lincoln Center's continued growth and success, to balance the recognition of the

distinctive character of its architecture and history with new activity and new functions, and to continue to participate actively in the master planning process that will have such a great effect on public streets, transportation, public spaces and the surrounding neighborhood. CB7 also has the goal and the challenge to work with Lincoln Center and government agencies in a continuing open, transparent and comprehensive public planning process, of which these applications are only the first phase.

C. Community Board 7's Resolution in Response to the Requested Actions

1. Changes in the City Map (Vote: 31 In Favor; 1 Against; 0 Abstentions; 0 Present):

A) CB7 approves the proposed change in the City map to convey two sections of West 65th Street between Broadway and Amsterdam Avenue to Lincoln Center, specifically: a 12-foot wide de-mapping on the south side of West 65th Street to permit a widened sidewalk; and a five-inch de-mapping on the north side of West 65th Street to correspond to the actual on-site dimensions. CB7's approval is conditioned on Lincoln Center's commitment in its letter of February 18, 2005² not to use any more than 50 square feet of the increase in allowable floor area ratio (84,000 sf) generated by the de-mapping either at Lincoln Center or by way of conveyance of air rights to third parties.

B) CB7 approves a proposed modification which would remove the public place designation covering Lincoln Center's North Plaza; provided, however, that CB7's approval is conditioned on:

(1) Lincoln Center's commitment in its letter of February 18, 2005 that the roof lawn proposed to be erected over a new restaurant at the north end of the North Plaza be guaranteed to be accessible to the public in perpetuity to the same extent as if it were a public place; and

(2) Lincoln Center demonstrating prior to the vote by the City Planning Commission, by either a mock-up or other suitable means, that the slope of the proposed lawn be accessible to all members of the public and that it be suitable for seating, lounging and reclining; and

(3) Lincoln Center's commitment in its letter of February 18, 2005 to create or to dedicate an endowment sufficient to cover the cost of maintenance of the North Plaza, and particularly of the roof lawn; and

(4) Lincoln Center redesigning the bosque proposed for the North Plaza to adhere to the general outlines of the current bosque, so that the existing L-shape configuration is retained as much as possible and feasible.

C) CB7 approves deletion of references on the City map to a pedestrian overpass across West 65th Street between Broadway and Amsterdam Avenue; such deletion to take effect when the Milstein Plaza bridge is removed.

2. (A) CB7 approves the proposed modifications of Lincoln Center's special permit for the Juilliard Building and Alice Tully Hall (Vote: 32 In Favor; 1 Against; 0 Abstentions; 0 Present);

provided, however, that CB7's approval is conditioned on Lincoln Center's commitment in its letter of February 18, 2005:

(1) To create or dedicate an endowment sufficient to cover the added costs of maintenance of the underside of the proposed cantilevered addition to Juilliard, the glass facades on the cantilevered addition and the Alice Tully Hall lobby, and the interiors of the Alice Tully Hall and the Juilliard School (to the extent visible through the glass facade); and

(2) To coat the underside of the cantilevered structure in such a way as to minimize stains and facilitate cleaning; and

(3) To provide to CB7 on or before September 30, 2005 a maintenance plan for the proposed additions to Juilliard and Alice Tully Hall.

(B) CB7 disapproves modification of the special permit for the Rose Building to the extent that it proposes a tunnel beneath West 65th Street and the relocation of reservoir space in the garage (Vote: 32 In Favor; 1 Against; 0 Abstentions; 0 Present.)

CB7 finds nothing to justify the disruption and expense which a tunnel would generate. Patrons driving to Lincoln Center will be able to use enhanced garage entrances on West 62nd Street, Amsterdam Avenue & West 63rd Street, as well as a new entrance at Amsterdam Avenue & West 64th Street. Parking in the existing Rose Building garage, with entrances on West 65th and West 66th Streets, is another alternative.

While Lincoln Center advises CB7 that no decision has been made as to whether public or private funds will be used for the tunnel, the possibility that public funds will be used at all on this project requires CB7 to weigh the costs of the tunnel against the benefits. CB7 opposes the use of public funds for this purpose.

3. **CB7 approves a proposed zoning text amendment for the Lincoln Center Special District to allow permitted signs along West 65th Street and on the North Plaza up to a height of 40 feet above curb height, and on the Broadway frontage between West 65th and West 66th Streets to 60 feet above curb height (Vote: 32 In Favor; 0 Against; 0 Abstentions 0 Present);** provided, however, that CB7's approval is conditioned on Lincoln Center's commitment in its letter of February 18, 2005 that these signs will be restricted in height to no more than 24 inches, and will not be flashing or accompanied by advertising material other than an identification of the buildings. CB7 understands that on the Juilliard extension between a height of 40 and 60 feet there will be a non-flashing, non-projecting building identification sign

incised in the glass of the façade. On West 65th Street between a height of 20 feet and 40 feet, there will be two "zipper" signs with scrolling text providing information on Lincoln Center events.

4. **CB7 approves the request for a revocable consent allowing installation of up to 15 informational signs along the south side of West 65th Street (Vote: 32 In Favor; 1 Against; 0 Abstentions; 0 Present);** provided, however, that CB7's consent is conditioned on Lincoln Center's commitment in its letter of February 18, 2005:

- (1) to install only 13 rather than 15 informational signs; and
- (2) to create or dedicate an endowment for the purpose of physical maintenance of the signs and street furniture; and
- (3) to create or dedicate an endowment for the purpose of system (including software and data) maintenance of the signs; and
- (4) not to allow the signs to be used for advertising messages on behalf of third parties.

5. **CB7 approves the request for acquisition of easements by the City of New York to accommodate construction of a new City-owned pedestrian bridge, as well as fire egress**

(Vote: 30 In Favor; 3 Against; 0 Abstentions; 0 Present); provided, however, that CB7's approval is conditioned on Lincoln Center's commitment in its letter of February 18, 2005 that the bridge:

- 1) will be limited in outside width to 10 feet; and
- 2) will be unenclosed above a height of five feet; and

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3) will have sides which shall be at least 75% transparent glass;

and providing further that the cost of maintenance and construction of the bridge be borne by Lincoln Center and not the City of New York.

While CB7 approves the construction of the bridge, **we request that the New York City Department of Transportation and Lincoln Center undertake a feasibility study of a ground-level mid-block crossing of West 65th Street.** We understand that such consideration and analysis has begun and CB7 supports and will participate in such a study.

CB7's approval of the proposed alterations focusing on West 65th Street is given in reliance on the express representations by Lincoln Center that:

A) Lincoln Center will continue its renovation and modification program by next turning its attention to the Amsterdam Avenue frontage, in order to eliminate the appearance of a fortress wall, and to invite ingress to Lincoln Center from Amsterdam Avenue; and

B) Lincoln Center will sponsor a program to beautify the sidewalks of West 65th Street between Amsterdam and West End Avenue, providing trees and design services and assisting in raising funds for paving and lighting; and

C) Lincoln Center will address the configuration and use of Damrosch Park, and that all its plans for the redesign of the South Campus, including the main (Josie Robertson) plaza and Damrosch Park and adjacent spaces, will be presented to CB7 at the early conceptual stage and continually in a consultative process as the concept progresses to design.

CB7 also looks forward to working cooperatively with Lincoln Center and interested community partners to mitigate impacts on the neighborhood during the construction period of this project that will completely transform an entire block of the vibrant Upper West Side.

CB7 notes that, with one exception, its approval or disapproval of the proposed actions is unaffected by any analysis of the proposed cost. CB7 has no information as to the source of funding for the proposed alterations and is not by this approval agreeing to or endorsing the use of public funds for any aspect of the project.

Community Board 7 wishes to express its appreciation both to Lincoln Center and the community groups, which have participated in this process in a cooperative spirit, and CB7 looks forward to seeing in the near future Lincoln Center's plans for Amsterdam Avenue and Damrosch Park, as referenced in the Center's letter of February 18, 2005.

All references to the letter of February 18, 2005 include the addendum letter of February 25, 2005.

Transportation Committee

Andrew Albert, Chairperson

Joint with Parks & Preservation Committee

Lenore Norman, Chairperson

2. Re: Department of Transportation's proposed bike rack locations on West 72nd Street and on Broadway.

Full Board Vote: 30 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, the proliferation of merchant-supplied bike racks has ruined the streetscape of West 72nd Street between Columbus & West End Avenues; and

WHEREAS, most of these bike racks are taken over by the delivery bikes of the stores, and

WHEREAS, many bike users lock their bikes to lampposts & trees so they can shop on West 72nd Street; and

WHEREAS, many West Siders have expressed support for the ability to use bicycles to shop in the area;

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the installation of selected bike racks on West 72nd Street between Columbus Avenue & West End Avenue as follows:

1. The following locations are approved: 239 W. 72 St, 251 W. 72 St, 230 W. 72 St, 214 W. 72 St (instead of 216) - between Zen Nail & Shanghai, 166 W. 72 St. (City Pie), 146 W. 72 St, 134 W. 72 St, 119 W. 72 St, 149 W. 72 St, 163 W. 72 St.

2. All of the above bicycle racks will be the large ones, with bicycles facing E/W along West 72nd Street.

BE IT FURTHER RESOLVED THAT Community Board 7 **disapproves** all other bike racks on the Department of Transportation's list.

Committee: 6-0-0-0.

Transportation Committee

Andrew Albert, Chairperson

3. **Re: 225 Columbus Avenue** (West 70th-71st Street.)

Full Board Vote: 30 In favor 1 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA#0982077 to the Department of Consumer Affairs by Mare Mare, Inc., d/b/a Bruculino Ristorante, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 14 seats.

Committee: 7-0-0-0. Board Members: 1-0-1-0.

4. **Re: 485 Columbus Avenue** (West 83rd-84th Street.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA#0907226 to the Department of Consumer Affairs by Franco-Iano, Corp., d/b/a Isola Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.

Committee: 5-0-1-0. Board Members: 3-0-0-0.

5. **Re: 718 Amsterdam Avenue** (West 94th-95th Street.)

Full Board Vote: 30 In favor 1 Against 0 Abstentions 0 Present

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BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA#1099811 to the Department of Consumer Affairs by Iano Corp., d/b/a Aqua, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 40 seats.

Committee: 6-0-0-0. Board Members: 3-0-0-0.

Parks & Preservation Committee

Lenore Norman, Chairperson

6. Re: Improvements to playgrounds in Riverside Park

Full Board Vote: 31 In favor 0 Against 0 Abstentions 0 Present

A) Hippo Playground at West 91st Street

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the Department of Parks & Recreation improvements to the Hippo Playground at West 91st Street.

Committee: 5-0-0-0. Public Member: 1-0-0-0.

B) Dinosaur Playground at West 97th Street.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the Department of Parks & Recreation improvements to the Dinosaur Playground at West 97th Street.

Committee: 5-0-1-0. Public Member: 1-0-0-0.

7. Re: 421 Amsterdam Avenue, d/b/a Café Monaco (West 80th Street.)

Full Board Vote: 30 In favor 0 Against 0 Abstentions 0 Present

Application #04-5353 to the Landmarks Preservation Commission to legalize a storefront installed without Landmarks Preservation Commission permits.

Committee will present resolution.

Community Development, Marlene Guy, Chairperson

Joint with Strategy & Budget Committee, Helen Rosenthal, Chairperson

8. Re: City's Out-of-School-Time Request for Proposals (OST RFP)

Full Board Vote: 31 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, in the FY05 budget the City consolidated its programs and funding for after school programs from ACS (2) and DYCD YDDP (3) and DYCD TASC (4) into one program at DYCD newly called Out-of-School-Time (OST). In doing so, the City reduced the combined budgets by 30% from approximately \$91 million to \$74 million; and

WHEREAS, the City issued an OST RFP to all providers requiring them to submit new requests for contracts to provide after school services. The criteria for receiving funding are weighted toward "high need" zip codes (as defined by the RFP; none are in CD7) and programs that plan to provide services in City schools; and

WHEREAS, the City will no longer provide funding for overhead costs including rent, heat, electricity, custodial services, security and snack to programs not based "on-site" in City schools. Programs located in public schools will receive the above services "for free" courtesy of the Department of Education. However, programs that are located in free-standing centers cannot include these costs as an expense in the OST budget and will not be reimbursed; and

WHEREAS, the City Department of Youth and Community Development plans not to include Community Boards in the review of the new after school program proposals; and

WHEREAS, it is expected the number of youth who participate in after school programs will decrease from 80,000 to 50,000 children citywide. If the decrease in children served in CD7 is proportionate to the citywide decrease of 37%, then of the approximately 700 children in our district who currently participate in after school programs, nearly 300 children will not receive after school programs beginning in September 2005; and

WHEREAS, we believe that all children should have access to after school programs. After school programs should include recreational, creative, educational and tutoring (or homework help) components. These programs also provide support and encouragement to children and adolescents thereby benefiting the entire community. We are concerned that the funding cuts and changes in the program, as reflected in the RFP, will leave many children and youth unsupervised and at increased risk of engaging in anti-social behavior; and

WHEREAS, the following CD7 providers currently receive after-school funding and plan to apply for OST funds, they are at risk of losing funding because they are not located in “target zip codes” and most are “center-based.” The center-based providers are: Lincoln Square Neighborhood Center; Grosvenor House-YMCA; Frederick Douglass Houses; the West Side YMCA; the Brownstone School; and St. Mathew’s and St. Timothy’s. The only school-based provider is Martin Luther King, Jr. High School;

BE IT RESOLVED THAT Community Board 7/Manhattan calls upon DYCD to:

1. Provide funding so that every child can have access to an after school program. The elimination of so many programs will provide additional burdens on all families.
2. Include pockets of poverty that are not reflected in certain zip codes, such as 10023, Amsterdam Houses, and Manhattan Valley in 10025 in the “target” high priority zip codes.
3. Provide additional overhead funding for center based after-school programs, particularly those located next door to public housing projects.
4. Work with the DPR (5) to include the West 59th St. Recreation Center in their list of sites that are eligible for after school funding.
5. Increase the funding level per child from approximately \$2,500 in the current RFP to the standard of nearly \$5,000 per child. This will ensure that our children have access to quality after school programs.
6. Involve Community Boards in the review of OST proposals.

Definitions:

- (1) OST RFP: Out-of-School-Time Request for Proposals.
- (2) ACS: New York City Administration of Children’s Services.
- (3) DYCD YDDP: New York City Department of Youth and Community Development, Youth Development and Delinquency Prevention Program.
- (4) DYCD and TASC: New York City Department of Youth and Community Development and The After-School Corporation.
- (5) DPR: New York City Department of Parks and Recreation.

Committee: 7-0-0-0. Board members: 2-0-0-0.