



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

TECHNICAL REVIEW DIVISION

Amanda M. Burden, FAICP, Director
Department of City Planning

April 13, 2012

Derek Lee, R.A
Borough Commissioner
Department of Buildings
280 Broadway, 3rd Floor
New York, N.Y. 10007

Re: Applic. Nos. N 100286 ZCM, C 100287 ZSM, C 100288 ZSM, C 100289 ZSM, C 100290 ZSM,
C 100291 ZSM, C 100292 ZSM, C 100293 ZSM, N 100294(A) ZRM, N 100295 ZRM,
C 100296(A) ZSM, C 100297 ZSM, N 100298 ZAM, N 100299 ZCM, N 100300 ZCM, &
M 920358(D) ZSM
Applic. No. M 100296(B) ZSM
Riverside Center, Parcels LM&N
Bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard
Block 1171, Lots 155 & 165
C4-7 District
Large-Scale General Development
Borough of Manhattan
Community District 7

Dear Commissioner Lee:

Please be advised that the applications submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. in connection with a proposed mixed use development, within a Large-Scale General Development on property at the above referenced location as follows:

- A. 1. C 100287 ZSM – an application for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform and that portion of the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area, was approved by the City Planning Commission on October 27, 2010 (Cal. No. 5) and by the City Council with modifications on December 20, 2010 (Res. No. 614) on which date said Resolution of Approval became effective;
2. C 100288 ZSM – an application for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 1,800 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development, was approved by the City Planning Commission on October 27, 2010 (Cal. No. 6) and by the City Council with modifications on December 20, 2010 (Res. No. 615) on which date said Resolution of Approval became effective;

3. C 100289 ZSM – an application for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 460 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 1), was approved by the City Planning Commission on October 27, 2010 (Cal. No. 7) and by the City Council with modifications on December 20, 2010 (Res. No. 616) on which date said Resolution of Approval became effective;
4. C 100290 ZSM – an application for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 230 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 2), was approved by the City Planning Commission on October 27, 2010 (Cal. No. 8) and by the City Council with modifications on December 20, 2010 (Res. No. 617) on which date said Resolution of Approval became effective;
5. C 100291 ZSM – an application for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 290 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 3), was approved by the City Planning Commission on October 27, 2010 (Cal. No. 9) and by the City Council with modifications on December 20, 2010 (Res. No. 618) on which date said Resolution of Approval became effective;
6. C 100292 ZSM – an application for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 370 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 4), was approved by the City Planning Commission on October 27, 2010 (Cal. No. 10) and by the City Council with modifications on December 20, 2010 (Res. No. 619) on which date said Resolution of Approval became effective;
7. C 100293 ZSM – an application for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 450 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 5), was approved by the City Planning Commission on October 27, 2010 (Cal. No. 11) and by the City Council with modifications on December 20, 2010 (Res. No. 620) on which date said Resolution of Approval became effective;
8. C 100296(A) ZSM & M 920358(D) ZSM
 - a. C 100296(A) ZSM - an application for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to allow:
 - i. the location of buildings without regard for the applicable court, distance between buildings, height and setback regulations;

- ii. the modification of the definition of outer courts and the provisions of Section 23-84 (Outer Court Regulations) to include any open area that is bounded on all sides but one by building walls and is not otherwise a yard or an inner court; and
- iii. for purposes of applying the inclusionary housing program:
 - (a) the modification of the base and maximum floor area ratios, not to exceed the maximum floor area ratio permitted, based on a proportionality between affordable floor area and residential floor area in buildings containing multiple uses; and
 - (b) the modification of the requirements regarding distribution of affordable housing units specified in Section 23-96(b); and
- b. M 920358(D) ZSM – an application to modify the original Riverside South general large-scale special permit and restrictive declaration, was approved concurrently with the application for special permit C 100296(A) ZSM by the City Planning Commission on October 27, 2010 (Cal. No. 16) and by the City Council with modifications on December 20, 2010 (Res. No. 623) on which date said Resolution of Approval became effective.
- 9. C 100297 ZSM – an application for the grant of a special permit pursuant to Section 74-744 of the Zoning Resolution to allow an automotive sales and service establishment (Use Group 16B) that includes repair services and preparation for delivery on portions of the ground floor and cellar of the proposed development, was approved by the City Planning Commission on October 27, 2010 (Cal. No. 17) and by the City Council with modifications on December 20, 2010 (Res. No. 624) on which date said Resolution of Approval became effective;
- 10. N 100298 ZAM – an application for the grant of an authorization pursuant to Section 13-553 of the Zoning Resolution to allow a curb cut on West End Avenue, was approved by the City Planning Commission on October 27, 2010 (Cal. No. 18). The Resolution of Approval became effective on December 20, 2010;
- 11. N 100286 ZCM - an application for certification pursuant to Section 26-15 of the Zoning Resolution to allow additional curb cuts, in excess of one for each narrow street frontage (West 59th Street) for the zoning lot, was approved by the Chairperson of the City Planning Commission on October 27, 2010;
- 12. N 100299 ZCM - an application for certification pursuant to Section 26-15 of the Zoning Resolution to allow additional curb cuts, in excess of one for each narrow street frontage (West 61st Street) for the zoning lot, was approved by the Chairperson of the City Planning Commission on October 27, 2010; and
- 13. N 100300 ZCM - an application for certification pursuant to Section 26-17 of the Zoning Resolution to modify the streetscape regulations governing retail continuity, location of signs, and ground-floor transparency, was approved by the City Planning Commission on October 27, 2010.

THE SPECIAL PERMITS (C 100287 ZSM, C 100288 ZSM, C 100289 ZSM, C 100290 ZSM, C 100291 ZSM, C 100292 ZSM, C 100293 ZSM, C 100296(A) ZSM & C 100297 ZSM), AUTHORIZATION (N 100298 ZAM), AND CERTIFICATIONS (N 100286 ZCM, N 100299 ZCM & N 100300 ZCM) HAVE BEEN APPROVED SOLELY PURSUANT TO SECTION 74-681, SECTIONS 13-562 & 74-52, SECTIONS 13-562 & 74-52, SECTIONS 13-562 & 74-52, SECTIONS 13-562 & 74-52, SECTIONS 13-562 & 74-52, SECTION 74-743, SECTION 74-744, SECTION 13-553, SECTION 26-15, SECTION 26-15 AND SECTION 26-17 OF THE ZONING RESOLUTION, RESPECTIVELY, AND ARE SUBJECT TO VERIFICATION BY THE DEPARTMENT OF BUILDINGS FOR COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION.

Implementation of this proposal also requires the following related actions:

1. N 100294(A) ZRM – an application for a an amendment of the Zoning Resolution relating to Section 23-144 (In Designated Areas Where the Inclusionary Housing Program Is Applicable), Section 23-954 (Additional Requirements for Compensated Developments), Section 74-743 (Special Provisions for Bulk Modification), and Appendix F (Inclusionary Housing Designated Areas) to:
 - a. allow the City Planning Commission to modify, by special permit, the definition of “outer court” to include any open area that is bounded on all sides but one by building walls and is not a yard or an inner court;
 - b. create a new Inclusionary Housing designated area consisting of the project site;
 - c. clarify which bulk regulations are applicable to the project site; and
 - d. allow the Commission to modify, by special permit, the base and maximum floor area ratios in Section 23-952 and the unit distribution requirements of Section 23-96(b); and
2. N 100295 ZRM – an application for an amendment of the Zoning Resolution relating to Section 74-744 (Modification of Use Regulations) to allow the Commission to allow, by special permit, automotive sales and service establishments not otherwise permitted by underlying district regulations.

Applications N 100294(A) ZRM & N 100295 ZRM were approved by the City Planning Commission on October 27, 2010 (Cal. Nos. 13 and 14, respectively) and by the City Council on December 20, 2010 (Res. Nos. 621 and 622, respectively), on which date said Resolutions of Approval became effective; and

- B. M 100296(B) ZSM – an application for a modification of the previously approved special permit (C 100296(A) ZSM) to reflect in the attached restrictive declaration that 20% of the 42,000 square feet of floor area is required to be low income housing to achieve the maximum permitted floor area, was approved by the City Planning Commission on March 14, 2011.

In connection with these applications, the applicant executed two restrictive declarations: Fifth Modification to (Riverside South) Restrictive Declaration; and Parcel LMN Restrictive Declaration, recorded on December 14, 2011 (CRFN 2011000434593 and CRFN 2011000434594, respectively),

which contain special conditions to the issuance of building permits and/or certificates of occupancy. Questions regarding these provisions should be directed to DCP Counsel Alison McCabe at (212) 720-3402.

Enclosed for your information are the following:

1. copies of applications N 100286 ZCM, C 100287 ZSM, C 100288 ZSM, C 100289 ZSM, C 100290 ZSM, C 100291 ZSM, C 100292 ZSM, C 100293 ZSM, N 100294(A) ZRM, N 100295 ZRM, C 100296(A) ZSM & M 920358(D) ZSM, C 100297 ZSM, N 100298 ZAM, N 100299 ZCM, N 100300 ZCM, and M 100296(B) ZSM;
2. copies of the City Planning Commission Reports for applications C 100287 ZSM, C 100288 ZSM, C 100289 ZSM, C 100290 ZSM, C 100291 ZSM, C 100292 ZSM, C 100293 ZSM, N 100294(A) ZRM, N 100295 ZRM, C 100296(A) ZSM & M 920358(D) ZSM, and C 100297 ZSM, dated October 27, 2010 (Cal. Nos. 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17, respectively);
3. copies of the City Council's Resolutions of Approval for applications C 100287 ZSM, C 100288 ZSM, C 100289 ZSM, C 100290 ZSM, C 100291 ZSM, C 100292 ZSM, C 100293 ZSM, N 100294(A) ZRM, N 100295 ZRM, C 100296(A) ZSM & M 920358(D) ZSM, and C 100297 ZSM, dated December 20, 2010 (Res. Nos. 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, and 624, respectively);
4. a copy of the Fifth Modification to Restrictive Declaration, dated September 1, 2011, executed by Hudson Waterfront Associates, L.P., and recorded in the New York County Office of the City Register on December 14, 2011 (CRFN 2011000434593);
5. a copy of the Parcel LMN Restrictive Declaration, dated September 1, 2011, executed by CRP/Extell Parcel L, L.P., and CRP/Extell Parcel N, L.P and recorded in the New York County Office of the City Register on December 14, 2011 (CRFN 2011000434594); and
6. the following approved drawings prepared by Goldstein, Hill and West Architects, LLP, Philip Habib & Associates and Mathews Nielsen Landscape Architects:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-1R	Index of Drawings Zoning Calculations	December 15, 2010
Z-8R	Zoning Compliance & Computations	December 15, 2010
Z-15R	Zoning Lot Plan for Large Scale Plan, Railroad Yard & Right-of-Way Designation	December 15, 2010
Z-100	Roof Plan / Site Plan	December 15, 2010
Z-101	Ground Floor Plan with Building Maximum Envelopes	December 15, 2010
Z-102	Zoning Compliance Tower Lot Coverage Plan	December 15, 2010
Z-103	Zoning Compliance Setback Compliance Plan	December 15, 2010
Z-104	Site Sections 1 of 2	December 15, 2010
Z-105	Site Sections 2 of 2	December 15, 2010

Z-106	Zoning Envelope Building 1	December 15, 2010
Z-107	Zoning Envelope Building 2	December 15, 2010
Z-108	Zoning Envelope Building 3	December 15, 2010
Z-109	Zoning Envelope Building 4	December 15, 2010
Z-110	Zoning Envelope Building 5	December 15, 2010
Z-111	Building Overhang Diagrams Buildings 1 & 2	December 15, 2010
Z-112	Building Overhang Diagrams Buildings 3, 4 & 5	December 15, 2010
Z-113	Outer Court Diagrams	December 15, 2010
Z-114	Inner Court Diagrams	December 15, 2010
Z-115	Minimum Distance Diagrams	December 15, 2010
Z-116	Ground Floor Elevation Streetscape Diagrams Building 1	December 15, 2010
Z-117	Ground Floor Elevation Streetscape Diagrams Building 2	December 15, 2010
Z-118	Ground Floor Elevation Streetscape Diagrams Building 3	December 15, 2010
Z-119	Ground Floor Elevation Streetscape Diagrams Building 4	December 15, 2010
Z-120	Ground Floor Elevation Streetscape Diagrams Building 5	December 15, 2010
Z-121	Tower Top Diagrams	December 15, 2010
Z-138	Ground Floor Auto Dealership Plan	December 15, 2010
Z-139	Cellar Level Auto Dealership Plan	December 15, 2010
Z-140	Ground Floor Garage Plan	December 15, 2010
Z-141	Cellar Garage Plan	December 15, 2010
Z-142	Sub-Cellar 1 Garage Plan	December 15, 2010
Z-143	Sub-Cellar 2 Garage Plan	December 15, 2010
Z-144	Garage B-1 Ground Level	December 15, 2010
Z-145	Garage B-1 Plan Cellar Level, Sub-Cellar 1 Level Sub-Cellar 2 Level	December 15, 2010
Z-146	Garage B-2 Ground Level	December 15, 2010
Z-147	Garage B-2 Plan Cellar Level, Sub-Cellar 1 Level Sub-Cellar 2 Level	December 15, 2010
Z-148	Garage B-3 Ground Level	December 15, 2010
Z-149	Garage B-3 Plan Cellar Level, Sub-Cellar 1 Level Sub-Cellar 2 Level	October 27, 2010
Z-150	Garage B-4 Ground Level	December 15, 2010
Z-151	Garage B-4 Plan Cellar Level, Sub-Cellar 1 Level Sub-Cellar 2 Level	December 15, 2010

Z-152	Garage B-5 Ground Level	December 15, 2010
Z-153	Garage B-5 Plan Cellar Level, Sub-Cellar 1 Level Sub-Cellar 2 Level	December 15, 2010
Z-154	Public Access Easement and Parcelization	October 27, 2010
Z-166	Riverside Center Open Space Plan	December 15, 2010
Z-167	Materials Plan	December 15, 2010
Z-168	Grading Plan	December 15, 2010
Z-169	Planting Plan	December 15, 2010
Z-170	Bench and Site Furnishing Plan	December 15, 2010
Z-171	Site Furnishings	December 15, 2010
Z-172	Lighting Plan	December 15, 2010
Z-173	Site Lighting	December 15, 2010
Z-174	Site Sections	December 15, 2010
Z-175	Site Sections	December 15, 2010
Z-176	Public Space and Access Easements Diagram	December 15, 2010
Z-179	Public Space Signage Plan	December 15, 2010
Z-180	Parcel 1 Interim Open Space Plan	December 15, 2010
Z-181	Parcel 4 Interim Open Space Plan	December 15, 2010
Z-182	Interim Open Space on Platform	December 15, 2010

Sincerely,



Sotireos Voyages, R.A.

cc: J. Harris
J. Merani
N. Campo
S. Felsen
K. Ramnarine
I. Sadko
A. McCabe
B. Wrobel
A. Wolff
E. Hsu Chen
Applicant