



OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

1 Centre Street, 19th floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
431 West 125th Street, New York, NY 10027
(212) 531-1609 p (212) 531-4615 f
www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

February 4, 2019

**Recommendation on
ULURP Applications Nos. C 180181 ZSM, C 180182 ZSM, and C 180183 ZSM
Ruppert Brewery URA Parking Special Permits
by Knickerbocker Plaza LLC**

PROPOSED ACTIONS

Knickerbocker Plaza LLC (the “applicant”) is seeking approval of three special permits pursuant to §13-45, §13-455(a)(1), and §13-455(a)(2) of the Zoning Resolution (ZR) to enlarge parking spaces within three existing, accessory, unattended parking garages that are a part of residential, mixed-use condominium buildings located at Knickerbocker Plaza (1751 Second Avenue - Block 1537, Lot 22), Ruppert Tower (1619 Third Avenue - Block 1536, Lot 7501), and Yorkville Tower (1641 Third Avenue - Block 1537, Lot 7501) (collectively the “Project Site,” see below Table 1: Development Addresses and Application Numbers). The Project Site is located in Manhattan in the Yorkville neighborhood of the Upper East Side in Community District 8. The Project Site is bounded on the north by East 92nd Street, on the south by East 90th Street, on the east by Second Avenue, and on the west by Third Avenue.

Table 1: Development Addresses and Application Numbers:

| Application No. | Address | Development Site | Pursuant to ZR |
|-----------------|---|-------------------------------|---------------------------|
| C 180181 ZSM | 1749-1763 Second Ave, Manhattan Block 1537, Lot 22 | Knickerbocker Plaza Garage | § 13-45 § 13-455(a)(2) |
| C 180182 ZSM | 1601-1619 Third Ave, Manhattan Block 1536, Lot 1 | Ruppert Tower Garage | § 13-45 § 13-455(a)(1) |
| C 180183 ZSM | 1623-1641 Third Ave Manhattan Block 1537, Lot 1 | Yorkville Tower Garage | § 13-45 § 13-455(a)(1) |

Because of the Manhattan Core parking regulations adopted in 2013, any increase in capacity of a garage in Manhattan Community Districts 1-8 requires a special permit pursuant to ZR §13-45. The number of requested additional self-parking spaces in the three existing garages is listed below in Table 2: Existing and Proposed Garage Capacities. The applicant seeks a total proposed increase of 453 parking spaces to add to the existing licensed capacity of 625 parking spaces, totaling 1,078 parking spaces in the three existing parking garages. These include:

- 1) A proposed increase of 98 parking spaces to the existing 104 parking spaces in the Knickerbocker Plaza Garage, totaling 202 parking spaces with-action licensed capacity which accounts for 35% of Knickerbocker Plaza’s 578 dwelling units;

- 2) A proposed increase of 150 parking spaces to the existing 220 parking spaces in the Ruppert Tower Garage, totaling 370 parking spaces with-action licensed capacity which accounts for 67% of Ruppert Tower’s 555 dwelling units; and
- 3) A proposed increase of 205 parking spaces to the existing 301 parking spaces in the Yorkville Tower Garage, totaling 506 parking spaces with-action licensed capacity which accounts for 71% of Yorkville Tower 709 dwelling units.

Table 2: Existing and Proposed Garage Capacities

| Garage Name and # of Building Dwelling Units (DUs) | Existing Capacity of Parking Spaces | Total Parking Spaces After Increase | Proposed Parking Spaces Increase |
|---|--|--|---|
| Knickerbocker Plaza 578 DUs | 104 (18% of DUs) | 202 (35% of DUs) | +98 |
| Ruppert Tower 555 DUs | 220 (40% of DUs) | 370 (67% of DUs) | + 150 |
| Yorkville Tower 709 DUs | 301 (42% of DUs) | 506 (71% of DUs) | + 205 |
| Total Parking | 625 | 1,078 | + 453 |

In addition, the three garages will be maintaining and expanding parking for bikes, car share services, and electric charging vehicle stations. These sums are listed below in Table 3: Additional Garage Services.

Table 3: Proposed Additional Garage Services

| Garage Name | Current Bike Parking Spots | Total Bike Parking Spots After Increase | Total Zipcar Spaces After Increase | Total Electric Charging Stations |
|--|-----------------------------------|--|---|---|
| Knickerbocker Plaza (Proposed 202 parking spaces) | 20 | 150 (74% of parking spaces) | 0 | 3 (no change) |
| Ruppert Tower (Proposed 370 parking spaces) | 22 | 37 (10% of parking spaces) | 15 | 3 (no change) |
| Yorkville Tower (Proposed 506 parking spaces) | 21 | 74 (14% of parking spaces) | 20 | 3 (no change) |

PROJECT DESCRIPTION

C 180181 ZSM: Knickerbocker Plaza Garage

Knickerbocker Plaza is a 40-story, predominately residential, mixed use condominium building located at 1749-1763 Second Avenue (Block 1537, Lot 22). Knickerbocker Plaza was completed in 1975 and designated as Site 2C within the Ruppert Brewery Urban Renewal Plan (RBURP). The approximately 49,146 square foot site is a corner and through lot located on the easterly end of the block bounded by East 91st Street on the south, Second Avenue on the east and East 92nd Street on the north. Knickerbocker Plaza has 578 dwelling units and approximately 7,277 gross square feet of local retail space along the Second Avenue frontage.

The Knickerbocker Plaza parking garage is accessed via an approximately 29-foot curb cut located on East 92nd Street, 138 feet west of Second Avenue. East 92nd Street is one way eastbound with one travel lane and curbside parking. There are separate doors for entering vehicles and exiting vehicles located midblock on the south side of East 92nd Street near Second Avenue. The special permit requested is pursuant to ZR § 13-45 and § 13-455(a)(2).

C 180182 ZSM: Ruppert Tower Garage

Ruppert Tower is a 34-story, predominately residential, mixed use condominium building located at 1601-1619 Third Avenue (Block 1536, Lot 1 [7501]). The Ruppert Tower was completed in 1974 and designated as Site 1 within the RBURP. The approximately 79,359 square-foot development site is a corner and through lot located on the westerly end of the block bounded by East 91st Street and James Cagney Place to the north, Third Avenue on the west and East 90th Street on the south. The Ruppert Tower has 555 dwelling units and approximately 12,444 gross square-feet of local retail space along the Third Avenue frontage.

The existing, enclosed, and unattended parking garage at the Ruppert Tower is accessed via an approximately 28-foot curb cut located on East 90th Street, 288 feet east of Third Avenue. East 90th Street is one way eastbound with one travel lane, curbside parking, and a dedicated bicycle lane. There are separate lanes for entering vehicles and exiting vehicles. The special permit requested is pursuant to ZR § 13-45 and § 13-455(a)(1).

C 180183 ZSM: Yorkville Tower Garage

Yorkville Tower is a 42-story, predominately residential, mixed use condominium building located at 1623-1641 Third Avenue, (Block 1537, Lot 1 [7501]). The Yorkville Tower was completed in 1974 and designated as Site 2B within the RBURP. The approximately 73,719 square-foot development site is a corner and through lot located on the westerly end of the block bounded by East 91st Street and James Cagney Place on the south, Third Avenue on the west and East 92nd Street on the north. The Yorkville Tower has 709 dwelling units and approximately 23,445 gross square feet of local retail space along the Third Avenue frontage.

The parking garage at the Yorkville Tower is accessed via an approximately 29-foot curb cut located on East 92nd Street, 297 feet east of Third Avenue. East 92nd Street is one way eastbound with one travel land and curbside parking. There are separate lanes for entering vehicles and exiting vehicles. The special permit requested is pursuant to ZR § 13-45 and § 13-455(a)(1).

Background

The RBURP Area extends from East 90th Street to East 94th Street and from Second Avenue to Third Avenue. The Area was designated on April 20, 1966 (CP 19322) to facilitate the redevelopment of the former Ruppert Brewery, which was constructed in the second half of the nineteenth century and consisted of over thirty structures sprawled across the four square block area. The brewery became functionally obsolete and closed in 1965, prompting the adoption of the RBURP by the City Planning Commission on March 20, 1968 (CP 20197) and by the Board of Estimate on June 20, 1968 (Calendar No. 18). The RBURP authorized the redevelopment of ten parcels with 2,700 dwelling units, commercial space, community facility space and open space. The Large Scale Residential Development Plan (LSRD) was created in order to help implement the development of the RBURP. The RBURP expired in 2008, however the 1971 LSRD still governs the site.

Title to the property acquired pursuant to the RBURP vested in the City of New York on September 3, 1968. The RBURP was amended on September 22, 1971 (CP-21714) to permit the development of 2,300 dwelling units, the creation of a park, commercial space and a school. All three developments included in this application (Knickerbocker Plaza, Ruppert Tower, and Yorkville Tower) were originally developed as affordable housing rentals under the Mitchell-Lama program. In 2003, Ruppert Tower and Yorkville Tower became market-rate condominiums and in 2008 Knickerbocker Plaza became market-rate rentals.

Proposed Development

All three proposals involve the redesign of existing pedestrian access and waiting areas within the garages. The only external visible changes to the garages will be the installation of additional speed bumps at the garage entrances and stop signs at the exit ramps.

The applicant has stated that the purpose of the increase in parking capacity in the three buildings is to accommodate the increased demand from both residents of the three buildings and the public at large. Certificates of Occupancy for all three garages indicate that they may include parking for non-residents with no limitation as to time and that residents may recapture any of the non-resident parking spaces upon thirty (30) day written notice to the owner.

C 180181 ZSM: Knickerbocker Plaza Garage

Pursuant to Certificate of Occupancy No. 76060 issued on October 17, 1975, the Knickerbocker Plaza building contains an accessory unattended parking garage with a Department of Consumer Affairs (DCA) licensed capacity of 104 self-parking spaces, comprised of one level at grade and two below-grade levels. The Knickerbocker Plaza is currently at an over permitted capacity with 187 overnight vehicles, of which approximately 25% are owned by residents of Knickerbocker Plaza and 75% are owned by members of the general public. The Knickerbocker Plaza Garage currently contains 20 bicycle parking spaces as well as several Zipcar parking spaces which fluctuate according to demand and use. There are three electric charging stations (two Tesla chargers and one universal) with services that are charged to users.

The special permit will allow for the enlargement and legalization of the capacity of the garage from 104 self-parking spaces to 202 attended spaces, an increase of 98 parking spaces.

Of the Knickerbocker Plaza building's existing 578 dwelling units, the current number of 104 parking spaces represents 18% of dwelling units, with the proposed addition to 202 total parking spaces representing 35% of dwelling units. There will be no dedicated spaces for Zipcar or car share services. Knickerbocker Plaza garage changes also include an increase to 10 reservoir spaces, 150 spaces for bicycle parking, and continued maintenance of the three electric charging stations. A Residential Growth Parking Study is not required for the increase of parking spaces at Knickerbocker Plaza garage pursuant to ZR § 13-455(a)(2).

C 180182 ZSM: Ruppert Tower Garage

Pursuant to Certificate of Occupancy No. 83580 issued on May 2, 1983, the Ruppert Tower building contains an accessory unattended parking garage with a DCA licensed capacity of 220 self-parking spaces, comprised of one level at-grade and one below-grade level. The Ruppert Tower garage is currently at an over permitted capacity with 370 overnight vehicles. Approximately 27% of the overnight parkers are residents of Ruppert Tower and approximately 73% are from the general public. The Ruppert Tower garage currently contains 22 bicycle parking spaces and three electric charging stations (two Tesla chargers and one universal), and Zipcar parking spaces which fluctuate according to demand and use.

The proposal is to enlarge the capacity of the garage from 220 self-parking spaces to 370 attended spaces, an increase of 150 parking spaces, which will accommodate the overcapacity of vehicles. Of Ruppert Tower building's existing 555 dwelling units, the current number of 220 parking spaces represents 40% of the existing dwelling units, with the proposed addition to 370 total parking spaces constituting 67% of the existing dwelling units. If the special permit is approved, the garage will increase the number of bicycle parking to 37 spaces to be compliant with §20-327.1 of the NYC Administrative Code. The Ruppert Tower garage changes will also include an increase to 19 reservoir spaces, 15 spaces for Zipcar parking, and the continued maintenance of the three electric charging stations. A Residential Growth Parking Study was completed as part of this proposal for the Ruppert Tower garage pursuant to ZR §13-455(a)(1).

C 180183 ZSM: Yorkville Tower Garage

Pursuant to Certificate of Occupancy No. 5715 issued on June 3, 1975, the building contains an accessory, unattended parking garage with a DCA licensed capacity of 301 parking spaces, comprised of one level at-grade and three below-grade levels. This is also consistent with the most recent Certificate of Occupancy issued on May 6, 2004 (CO No. 101018998). The Yorkville Tower Garage is currently at an over permitted capacity with 506 overnight vehicles. Approximately 24% of the overnight parkers are residents of Yorkville Tower and approximately 76% are from the general public. The Yorkville Tower garage currently contains 22 bicycle parking spaces and three electric charging stations (two Tesla chargers and one universal). There are Zipcar parking spaces available which fluctuate according to demand and use.

The proposal is to enlarge the capacity of the garage from 301 self-parking spaces to 506 attended spaces, an increase of 205 parking spaces. Of Yorkville Tower Building's 709 dwelling units, the current number of 301 self-parking spaces represents 42% of the existing dwelling units, with the proposed addition to 506 total parking spaces representing 71% of the existing dwelling units. The Yorkville Tower garage changes will also include an increase to 25 reservoir spaces, 74 spaces for bicycle parking, 20 spaces for Zipcar parking, and the continued

maintenance of the three electric charging stations. A Residential Growth Parking Study was completed as part of this proposal for the Yorkville Tower garage Garage pursuant to ZR § 13-455(a)(1).

Environmental Impacts

The applicant hired an environmental consultant in 2017, who certified this project's impacts do not meet or exceed thresholds and criteria presented in the City Environmental Quality Review (CEQR) Technical Manual.

The Department of City Planning (DCP) also certified that this project would not result in potentially significant adverse environmental impacts, issuing a negative declaration on October 29, 2018 (CEQR No. 16DCP022M).

Area Context

The Project Site is located in the Yorkville neighborhood of the Upper East Side of Manhattan in Community District 8 within a C2-8 commercial zoning district. Pursuant to ZR § 34-112, the Project Site has an R10 residential equivalent allowing an as-of-right residential floor area ratio (FAR) of 10.0. The C2-8 district extends northward and southward along Third Avenue and eastward to Second Avenue along East 91st Street and James Cagney Place, encompassing the entire blocks from East 90th Street to East 92nd Street between Second and Third Avenues. The blocks from East 92nd Street to East 94th Street between Second and Third Avenues are partially zoned C2-8, C4-6, and R8. C4-6 is a commercial zoning district, which, pursuant to ZR § 34-112 also has an R10 residential equivalent. R8 is a residential zoning district, which pursuant to ZR § 23-151 has a maximum as-of-right FAR of 6.02. Other mid-blocks in the area are zoned R8B which allows a maximum residential FAR of 4.0 (pursuant to the Quality Housing provisions of ZR § 23-153). The immediate surrounding area is predominately multi-family residential with commercial store fronts along the avenues.

The four block radius of the RBURP/LSRD contains several buildings in excess of 20 stories. Additionally, just outside of RBURA/LRSD are several tall buildings including: (1) 1589 Third Avenue, south of East 90th Street, a 29 story building with 213 dwelling units, and (2) 1760 Second Avenue, between 91st Street and 92nd Street and across from the project site, a 34 story building with 140 dwelling units. Virtually all other residential development in the area consists of four to six story buildings. Buildings along Second and Third Avenues have commercial store fronts at the ground floors. The applicant reports a net increase of 1,553 housing units (in new construction, expansions, and conversions) within a one-third mile study area surrounding the Project Site between 2007 and 2017.

The area is very well served by mass transit, with the M98, M101, M102, and M103 buses running uptown along Third Avenue and downtown along Lexington Avenue. Additional buses in the area include the M15 bus which runs downtown along Second Avenue and uptown along First Avenue, the M96 bus that runs east-west along 96th Street between First Avenue and West End Avenue, and the M86 bus that runs east-west along 86th Street from Broadway to New York Avenue and then up York Avenue to 92nd Street. East 90th Street has a shared bicycle lane running eastbound.

This area has access to a number of operating subway lines including the Q, 4, 5, and 6 trains. The new Second Avenue subway, which provides Q train service, is located at 96th Street and Second Avenue. The Lexington Avenue line (4, 5, and 6 train) is located two blocks to the west, with an express station at East 86th Street and a local station at East 96th Street (the 6 train). The Q train's 86th Street station is located four blocks south along Second Avenue from the Development Site, and the Q train's East 96th Street station has an entrance on East 94th Street, three blocks from the Development Site.

Proposed Actions

The proposed actions by the Applicant shall comply with ZR § 13-45 Special Permits for Additional Parking Spaces and requirements of ZR § 13-455 Additional parking spaces for existing accessory off-street parking facilities.

The Applicant proposes that Application No. C 180181 ZSM for the Knickerbocker Plaza Garage complies with the ZR specific to § 13-455(a)(2)(ii).

The Applicant proposes that Application No. C 180182 ZSM for the Ruppert Tower Garage complies with the ZR specific to § 13-455(a)(1), stating that finding (a) of ZR § 13-451 (Additional parking spaces for residential growth) is met.

The Applicant proposes that Application No. C 180183 ZSM: Yorkville Tower Garage complies with the ZR specific to § 13-455(a)(1), stating that finding (a) of ZR § 13-451 (Additional parking spaces for residential growth) is met.

COMMUNITY BOARD RECOMMENDATION

At its full board meeting on December 18, 2018, CB8 tabled the vote for parking special permits citing concerns of inadequate information in order to make an appropriate deliberation at that time. CB8 requested more detail about the existing 10-year lease between the applicant and the parking operator, GGMC Parking, of the three garages. CB8 requested more information regarding protections for building tenants that utilize the garages either through discount prices or mandated parking spaces for tenant use. CB8 also requested more information about the number of parking spaces that will be designated for more sustainable transit options, such as bike parking or car-share services.

At the next full board meeting on January 23, 2019, CB8 **approved** the three parking special permits by a vote of 32 in favor, 4 opposed, 1 abstention, and 1 not voting for cause. The applicant returned to CB8 with more information regarding the existing 10-year lease with the parking operator, stating that parking rates will continue to stay the same for both residents and the public as the owner is unable to mend the lease. The applicant also clarified that only the users of the electric charging stations will pay for the charging services. In its resolution, CB8 stated that increasing parking spaces in the three garages will lessen the burden on curbside parking, leading to less traffic congestion and environmental air pollution of the neighborhood.

BOROUGH PRESIDENT’S COMMENTS

While excessive car congestion certainly has adverse effects on the character of the Upper East Side, I believe that the granting of additional parking spaces in these three garages are inappropriate given that they are located in a well-served, transit-rich area. The increase of 453 parking spaces incentivizes residents and the public to choose private car use over public transit in addition to providing ample opportunity for unfavorable, long-term car storage parking. This is in a neighborhood where many billions of taxpayer dollars were just recently spent constructing Phase I of the Second Avenue Subway.

While the applicant argues that supplying 453 parking spaces will reduce the number of drivers circling the block in search of curbside parking and thereby reduce overall traffic and air pollution, I believe that the granting of this high number of parking spaces will only be a short-term solution for these concerns. If approved, the greater available supply of parking spaces will only heighten the ability and opportunity for car-use and car ownership by the buildings’ inhabitants, visitors, and neighborhood residents, and in the long-term contribute to increased air pollution and traffic levels that will again warrant additional requests to for further neighborhood parking supply. Thus, I recommend disapproval of these three special permits as they create future conditions for increased car-use, traffic, and pollution on the Upper East Side, contrary to the objectives named in this request.

Nevertheless, I understand that CB8 is in favor of approving these special permits as cars parked on side-streets are a common occurrence in this area and because there is a significant amount of new construction, expansions, and conversions within a one-third mile radius of the Project Site within the last ten years as mentioned by the applicant. In addition, the applicant has made clear that each of the three parking garages is experiencing an over-permitted capacity of parked vehicles. While I agree that there is an increased demand for parking in the neighborhood compared to the 1970s, I do not support legalizing over-permitted use of parking garages after illegal, over-permitted parking has become normalized. The landlord, as well as the garage operator, should not be rewarded for not complying with zoning that exists for the welfare and safety of building residents and community. Thus, while I disagree with the granting of these three special permits to allow for additional parking spaces that rewards the landlord and garage operator, I would advise significant modifications to the application should the special permits be approved.

Currently, building residents, community visitors, and individuals of the neighboring community pay the same price of parking in the three facilities. Other than the certificates of occupancy, which indicate that residents “may recapture any of the non-residential parking spaces upon thirty (30) day written notice to the owner,” neither the landlord nor the garage operator, GGMC Parking, has detailed the further benefits for building residents who park in the structures. I suggest a modification of the proposal for more stringent protections or financial concessions for the building’s residents should the special permits be granted as the garages will be increasingly used by the general public.

While I recommend disapproval of these special permits that would allow a significantly larger number of parking spaces in an already-transit rich area, I understand the desire to meet current parking demands beyond the original 1970s levels. As such, should the special permits be

approved, I recommend significant modifications to the application to include efforts towards providing spaces for sustainable modes of transportation. This includes an expansion of the number of required electric charging stations in each of the three garages as well as an expansion of spaces reserved for car-share programs and bike parking.

I recommend at least 10 electric vehicle charging stations in the Knickerbocker Plaza garage, 20 electric vehicle charging stations in the Ruppert Tower garage, and 25 electric vehicle charging stations in the Yorkville Tower garage. I also recommend at least ten spaces in the Knickerbocker Plaza garage be reserved for car-share services, as the facility currently has none. While New York City Administrative Code § 20-327.1 (Bicycle Parking Spaces) provides guidelines for ratios for bike parking spots in garages, I suggest treating these guidelines as required minima for bike parking. I therefore recommend that the amount of bicycle parking spaces be matched with the increase of car parking spaces including at least 50 bicycle spaces in the Ruppert Tower garage.

In conclusion, while I recommend disapproval of these special permits, in light of CB8's approval I suggest greater efforts by the applicant to ensure increased options for residential protections and sustainable transportation.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends **disapprove with modifications** of Special Permit Application Nos. N 180181 ZSM, N 180182 ZSM, and N 180183 ZSM. Specific modifications include the following:

- Significantly lower parking rates for residents of the respective buildings;
- At least 10 electric vehicle charging stations in the Knickerbocker Plaza garage;
- At least 20 electric vehicle charging stations in the Ruppert Tower garage;
- At least 25 electric vehicle charging stations in the Yorkville Tower garage;
- At least 10 spaces in the Knickerbocker Plaza garage be reserved for car-share services;
- At least 50 bicycle spaces in the Ruppert Tower garage.



Gale A. Brewer
Manhattan Borough President