



RESOLUTION**Date: January 21, 2009****Committees of Origin: Land Use and Transportation*****Re: Fordham University Master Plan****Full Board Vote: 31 In favor 0 Against 2 Abstentions 1 Present**

Fordham University seeks approval of a "Master Plan" for future construction on its Lincoln Center Campus. If approved, the Master Plan would authorize total construction (including existing buildings) on its site of approximately 3,020,480 square feet of floor area, the maximum amount allowed under the R-10 zoning applicable to the site. The Master Plan proposes the construction of private residences at the corners of Amsterdam Avenue and 60th and 62nd Streets, with heights of 572 feet to 600 feet and 661 feet, respectively; academic buildings at the corners of Columbus Avenue and 60th and 62nd Streets, with heights of 470 feet and 382 feet, respectively; academic buildings with heights of 342 feet, 319 feet and 155 feet, on 62nd Street, from Columbus to Amsterdam Avenues, and an academic building on the interior of the site of 161 feet. In order to finance the construction of the academic buildings, Fordham would sell development rights to the Amsterdam Avenue corner sites.

While the total floor area proposed does not exceed the as-of-right limit for an R-10 zone, several factors have combined to make the proposed Fordham construction more massive than the typical R-10 as-of-right site. First, the site includes a 60 foot x 550 foot swath running east to west which comprises a demapped 61st Street; the resultant increase in allowable floor area (after deducting floor area lost by the widening of 60th and 62nd Streets) is approximately 90,000 square feet. Second, the academic buildings on Columbus Avenue contain several floors with exceptional ceiling heights. Thus, while the floor area of these buildings is equivalent to that of 30-34 story buildings, the building heights are equivalent to 40-47 story buildings. As a result, these buildings would contain at least 25% more bulk than their floor area would ordinarily indicate. Third, the Master Plan is dependent on the approval of waivers of height and setback and sky exposure plane regulations which would otherwise operate as a failsafe brake on overly massive development. For example, the proposed buildings on the corners of Amsterdam and 60th and 62nd Streets could not be built without sky exposure plane waivers which more than triple the height of any structure which could practically be built on those footprints as of right. Fourth, the eastern two-thirds of the site would be devoid of any street level open space. The "open space" proposed on the site once Phase II is completed is solely a portion of an existing quadrangle built on a podium which is at least 15 feet above grade on all sides, accessible only by stairway and elevator; there would be no site lines through the site at ground level. New Yorkers know from experience (e.g the former plazas at the GM building and 55 Water Street,

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and the former configuration of Bryant Park), that open space does not benefit the community unless it is at or near grade level. People simply will not climb 15 foot-high stairways to gain access to Fordham's "open space." Fifth, the Master Plan contains no commitment as to the actual design of any buildings; thus, even if an imaginative design could mitigate somewhat the effect of the massiveness and height of the proposed buildings, no such design has been incorporated in Fordham's proposal. Indeed, it is likely that the Columbus Avenue buildings will not be designed for 15-25 years.

More than three years ago, in December 2005, Community Board 7 alerted both Fordham and the Chair of the Planning Commission of a multitude of objections to the then proposed Master Plan. In letters to the Chair we noted that it was doubtful that any meaningful progress could be made toward the creation of a reasonably proportioned campus so long as Fordham insisted on three immutable principles: 1) the retention of the "podium" and consequent elimination of any usable open space or site lines; 2) the sale of 701,000 square feet of development rights to a private developer; and 3) the utilization of the full 3,020,000 square feet of allowable floor area. Despite our comments and innumerable meetings with Fordham, only cosmetic changes were made in the plan prior to its certification in November 2008. Fordham refused to consider any change to the podium, refused to reduce the total proposed floor area and refused to change its plans to sell development rights.

The result of Fordham's desire to maximize everything would be a "superblock" without through passage or even sight lines at grade level, with buildings grossly out of scale with the rest of the Upper West Side. On four corners Fordham would tower over its neighbors to the west, north and east, and would extend an inhospitable midtown ambience to Lincoln Center. Indeed, the absence of through passage or sight lines at grade level would multiply the fortress effect of Fordham's campus. It is perhaps ironic that Fordham, which seeks to expand its Lincoln Center campus in order to present an education which includes an urban experience, will be instead be creating a campus which, in most of its particulars, radiates hostility towards its neighbors and isolates itself within the community.

Upon certification, the Master Plan was debated at a special meeting of CB7's Land Use Committee. We estimate that 250-300 people were in attendance, almost all of whom identified themselves as neighbors of Fordham who were opposed to the Master Plan. In addition to concerns about the project's bulk and the height of the proposed buildings, several residents expressed concern that the proposed private development would exacerbate an already overcrowded condition in the area public schools (as had the construction of the Trump buildings on the former Penn Yards site). With respect to this issue, it is noteworthy that representatives of Fordham were unable provide reliable information concerning the number of units which would be constructed in the private development buildings. (The EIS assumes a total of 856 units; Fordham "estimates" that the total will be less than 500 units, but Fordham has not even identified a developer for the 60th Street and Amsterdam site.)

More than a dozen professors and administrators of Fordham spoke in favor the plan, emphasizing Fordham's need for additional space; however, no details were offered as to how the precise number of required square feet was computed. The educators made a good case for expansion of present capacity, but did not provide details as to why a tripling of its current

facility is required. It appeared that Fordham's needs assessment was driven in substantial part by a calculation of how to divide the maximum allowable square footage between private development sites and academic sites so as to be able comfortably to finance the construction of the academic sites.

Following testimony by Fordham and members of the public, debate ensued among members of the Land Use Committee, who were unanimously of the view that while Fordham should be allowed to develop its site to further its laudable education aims, the project, as proposed, would result in substantial overbuilding without a corresponding demonstrated need. In particular, the committee was of the view that it would be irresponsible to approve a "Master Plan" for more than 2,000,000 square feet of new floor area, together with substantial height and setback and sky exposure plane waivers, without any idea of what the buildings when constructed would look like.

Section 82-33 of the Zoning Resolution, applicable in the Lincoln Square Special District, provides that in order to issue a special permit modifying height and setback regulations and other bulk restrictions, the City Planning Commission must find that the modifications are "necessary" to "facilitate good design." Community Board 7 finds that the proposed modifications are not "necessary" to "facilitate good urban design, and, indeed, are antithetical to good urban design. Moreover, given that the Master Plan does not include designs for a single building, and that the design of some of the buildings will not occur for decades, it is not possible to conclude that section 82-33 has been complied with. A further review and approval process is required when and as the buildings are designed.

Community Board 7 recognizes that a second tier review and approval process is, to some extent, unprecedented, but so too is the grant of special permits modifying height and setback and other restrictions for buildings which have not been designed. Since the problem is unique, a unique solution is required. What is absolutely certain, however, is that special permits of the scope of those requested here cannot be issued as blank checks to be cashed when and in the manner that a future generation of Fordham planners see fit.

THEREFORE, with respect to Application #C050260ZSM to the Department of City Planning by Fordham University to modify height and setback requirements; inner and outer court yard regulations; minimum distances between buildings; and minimum distance between legally required windows and zoning lot lines in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam and West End Avenues and West 60th and 62nd Streets,

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** the specific applications for special permits and the proposed Master Plan for the Fordham site at Lincoln Center; and

BE IT FURTHER RESOLVED THAT the required finding set forth in section 82-33(a) that the requested modification in height and setback and other bulk regulations are "necessary" to "facilitate good design" cannot be made.

*[*Click here for December 16, 2008 resolution of the Land Use and Transportation Committees, which was amended at the January 21, 2009 meeting, as above.](#)*