



Assemblymember Linda B. Rosenthal, State Senator Brad Hoylman and Comptroller Scott Stringer's Joint Testimony Before the New York City Board of Standard Appeals on 200 Amsterdam Avenue

March 27, 2018

Good afternoon. We are the elected officials who represent the Upper West Side and parts of Hell's Kitchen in the 67th Assembly district in Manhattan. We would like to thank the New York City Board of Standard Appeals (BSA) for the opportunity to comment on the issue of a variance for construction of a 55-story building at 200 Amsterdam Avenue, within our districts on the Upper West Side. Unfortunately, overdevelopment along the West 60s corridor was not addressed during the 2015 citywide rezoning process. Amsterdam Avenue has become a site of endless development and congestion over the past few years, and residents have been forced to tolerate around-the-clock construction of bulkier and taller luxury buildings. Developers who creatively interpret the city's zoning law, aided by New York City Department of Buildings incorrectly approving permits, slowly chip away at the quality of life and character of our residential areas. Approval of the variance of 200 Amsterdam would create a bonanza for developers who want to construct megatowers on the West Side and beyond.

The southern portion of the Upper West Side has witnessed its fair share of overdevelopment. Residents originally tolerated the construction of 200 West 67th Street in 2011, a 43-story building located on Amsterdam Avenue. Shortly thereafter, the community faced in 2014 the development of a 20-story luxury apartment building at 170 Amsterdam Avenue, a few steps from 200 West 67th Street. Just one year later, area residents along the same stretch of Amsterdam Avenue are grappling with construction of another monstrosity on the same block. The building at 200 Amsterdam Avenue is slated to tower 668 feet, or 55 stories, above the West Side. With the creation of every out-of-scale building on this small stretch of avenue, the Upper West Side is beginning to look a lot like midtown with its soaring skyscrapers.

Not only would the physical space in the neighborhood be altered by this new building, but the quality of life in relation to neighborhood infrastructure would be diminished as well. As we know is the case in many parts of the city, developers continue to build soaring towers that house hundreds, if not thousands of new residents, without understanding how an influx of residents could affect the quality of life in a neighborhood.

The building at 200 Amsterdam will be home to 112 new families or individuals. Will there be an increase in bus or subway service? Will there be more police officers or firefighters to serve

the area? How will the number of new families affect school waitlists? Undoubtedly, the character of a neighborhood changes when people can't easily enjoy their community's open space or enroll their child in their zoned school. The very things that make the Upper West Side one of the most desirable neighborhoods in which to live are being compromised with the construction of every new megatower.

There is no reason that 200 Amsterdam Avenue must be 55 stories tall. Despite its projected height, 200 Amsterdam will only create 112 condo units. It is no surprise that taller buildings yield larger profits. In SJP Properties' (SJP) quest for the highest rate of financial return it has stretched the zoning regulations in the name of profit. The New York City Department of Buildings (DOB) approved permits for 200 Amsterdam Avenue after incorrectly interpreting the definition of a zoning lot. Since then, DOB has clarified its rule, but will not retroactively revoke the permits since they were approved under the assumed zoning lot interpretation. A 55-story building is currently being constructed for no other reason than DOB made a mistake and refuses to correct it. Even without the extra height, SJP should be able to collect a lucrative rate of return on its \$235 million investment. Given the development's prime location, SJP Properties does not fall victim to any unique condition that would impede construction or demonstrate the need for this variance. Developers do not have the privilege of trading away a neighborhood's character simply because they pine for tremendous profits.

If the city were to green light the construction of 200 Amsterdam, it would be the equivalent of hanging a "for sale sign" on the Upper West Side. The BSA should pay heed to community members who are working to protect their neighborhood and deny a variance for construction at 200 Amsterdam Avenue. Thank you.