



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE DIRECTOR

August 12, 2015

Dear Senators, Assembly Member, Borough President and Council Members:

Thank you for your July 23rd letter regarding recent “supertall” buildings along 57th Street and its environs.

We are beginning to assess some of the issues you and others have raised – particularly the impact of shadows on Central Park. At least one concern you mention – the abuse of tax abatements – was a driving force behind the de Blasio administration’s push for a major revision of the 421-a program. As a result of the Mayor’s efforts, significant changes were adopted by the legislature this past session which should reduce, if not eliminate, the utilization of the program for multi-million dollar luxury penthouses: 421-a will no longer be available for condominiums and co-ops in midtown Manhattan. And, of course, we also agree with you that the strictest standards of safety must be adhered to throughout the construction process.

It is important to note, however, that Midtown Manhattan has always been a high density/high bulk area given its concentration of mass transit and its role as the city’s premier business district. These new high-rise buildings were built pursuant to existing bulk and density regulations. No new floor area allowances – either through rezoning or bonus - were created for these “super-tall” developments. Given the important role Midtown Manhattan plays in the city’s economy, we have no immediate plans to reduce the current as-of-right density or bulk requirements. The “super-tall” buildings occur due to a redistribution of available development bulk from neighboring sites through zoning lot mergers. Additional bulk on one portion of the merged zoning lot requires a permanent retirement of potential bulk that could otherwise have been built on another part of the merged zoning lot.

Carl Weisbrod, Director
Department of City Planning
22 Reade Street – 2W, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
www.nyc.gov/planning

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August 12, 2015
Letter to Elected on Super-Tall Buildings
In 57th Street Corridor

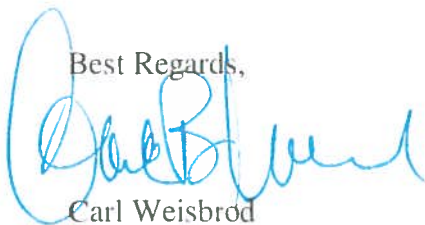
Thus, “super-tall” buildings do have the effect of preserving existing height on neighboring sites, which usually also means that buildings with different heights and of different eras (even if not of landmark quality) are much less likely to be demolished. This often leads to a more interesting streetscape and pedestrian experience, as well as resulting in an incredibly dynamic, iconic skyline that is the envy of the world. It avoids a solid wall of very tall buildings along certain streets and avenues. The 57th Street corridor has always had a mixed-height character, which these new additions actually may help preserve. The lower-scale fabric also allows for more light and air to the streets and sidewalks.

We share your concern about the effect of shadows on Central Park, which we all recognize is an invaluable public resource. As we think about the effect of these new buildings on the park we note that the shadows of tall, slender towers move more swiftly and efficiently than those of squatter buildings with a similar built FAR.

Thus, there are trade-offs between slender buildings which cast a shadow deeper into the park in certain periods of the year, but for a very short time, as opposed to a wall of somewhat less tall buildings, like the wall of apartment-hotel buildings along Central Park South, that cover a segment of the southern portion of the park for much of the day throughout the year. This is a rather complex balancing of impacts which we will continue to monitor.

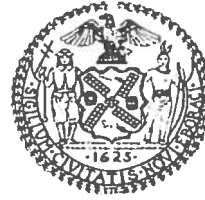
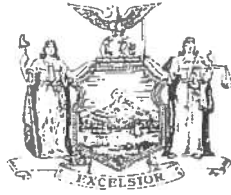
I look forward to discussing this with you further as we continue to assess the situation.

Best Regards,



Carl Weisbrod

Attachment (1)



July 23, 2015

Carl Weisbrod
Chair
Department of City Planning
22 Reade Street
New York, NY 10007

Dear Chair Weisbrod:

We write to voice our concern about the impacts of as-of-right super-tall buildings in the 57th Street corridor below Central Park and its environs. We ask for your assistance in mitigating the proliferation of these buildings, including implementing the recommendations of Manhattan Community Board 5.

Many New Yorkers are surprised to learn that these buildings could be constructed as-of-right with no public review. We believe that their enormous size and scale adversely impact the surrounding community, most dramatically on the southern part of Central Park.

A recent report by Community Board 5's Sunshine Task Force itemizes concerns of the community and preservation advocates that we share. We are especially concerned about:

- The lack of transparency in approval of large towers.
- The lack of protection for air and light in open space, especially the impact on Central Park. The report notes that the New York City Zoning Resolution does not currently contain any provisions to address shadow impacts on parks from nearby development and observes that other cities, including Boston and San Francisco, have successfully implemented ordinances protecting public spaces from shadows.
- Tax loopholes and the abuse of tax abatement programs like 421-a, that were created to encourage the development of affordable housing and not multi-million dollar luxury penthouses.
- The vulnerability of historic resources.
- The concerns for construction safety of pedestrians, neighboring buildings, construction workers, and the general population.

We also draw your attention to the petition being circulated by the Committee for Environmentally Sound Development. It urges a stop to mega-development near Central Park

and calls upon the City to focus on environmental impact and quality of life issues (e.g. congestion, traffic, noise, diminished sunlight, sewers, garbage, etc.) when large projects are being proposed. These issues should be taken into consideration when revising current zoning regulations. The petition demands:

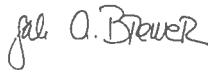
- Height limits.
- Environmental impact studies for buildings over 25 stories, with no as-of-right buildings of that height.
- Consideration of existing density and congestion on neighborhood streets.
- Operable windows.
- Adherence to Public Trust and Open Space Doctrine.
- Prohibition of tall buildings in low-lying areas subject to sea rise and storm surges.
- Prohibition of shadows in parks caused by new development.
- Designation of landmark sites to ensure contextual zoning in Historic Districts.

We appreciate the complexity of these issues, and we want to strike the right balance between allowing for responsible new development, protecting quality of life, and preserving our valued parks and other open spaces. Accordingly, we ask the Department of City Planning to seriously consider the recommendations contained in Manhattan Community Board 5's report and to consider the Committee for Environmentally Sound Development's petition. We look forward to your response and to working with you and appropriate community organizations on these issues.

Sincerely,



Daniel R. Garodnick
Council Member



Gale A. Brewer
Manhattan Borough President



Liz Krueger
State Senator



Brad Hoylman
State Senator



Corey Johnson
Council Member



Mark Levine
Council Member



Richard N. Gottfried
Assembly Member