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FRIENDS
of the UPPER EAST SIDE
HISTORIC DISTRICTS

What's up with Supertalls?

And what can be done?

11/8/2017

Have you noticed this building (432 Park)?



How did this happen?

Most of NYC's tall iconic buildings could not be built today because they're too large



**Yet this one towers over
all of them**

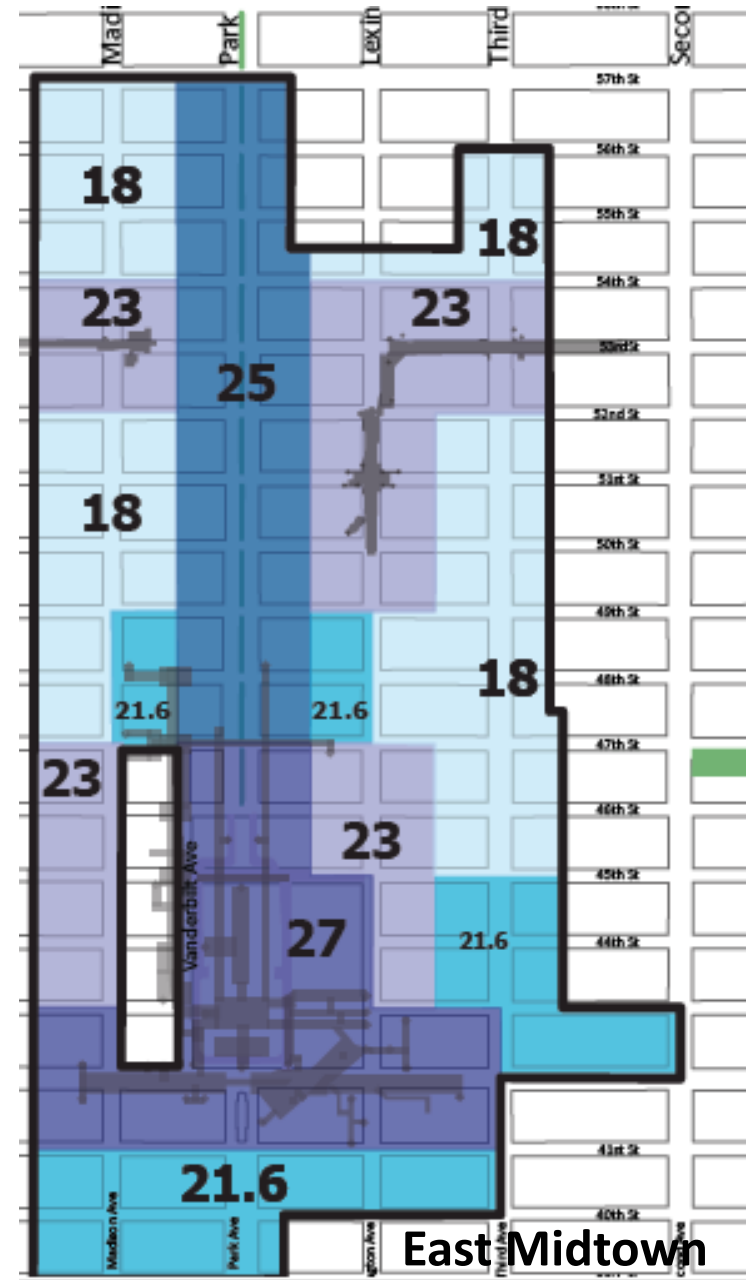
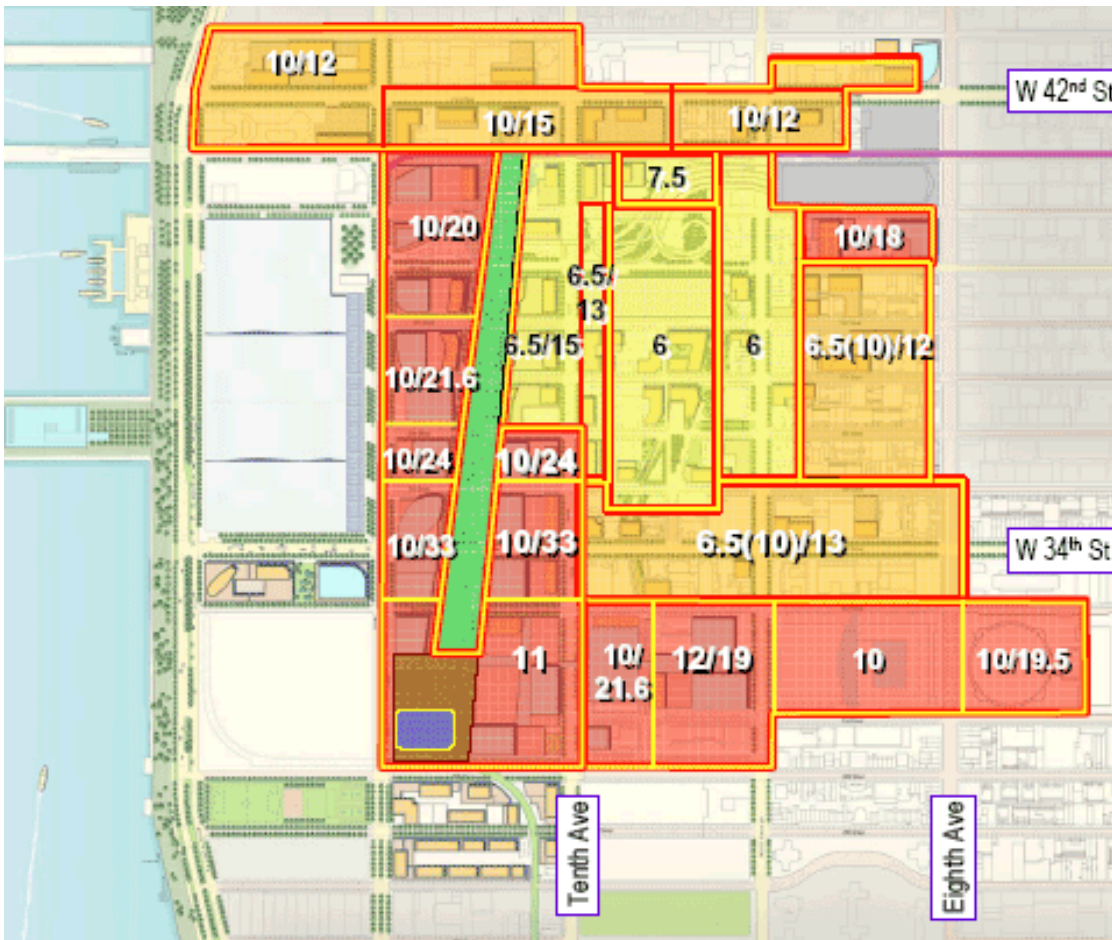
How?

Did the zoning change?

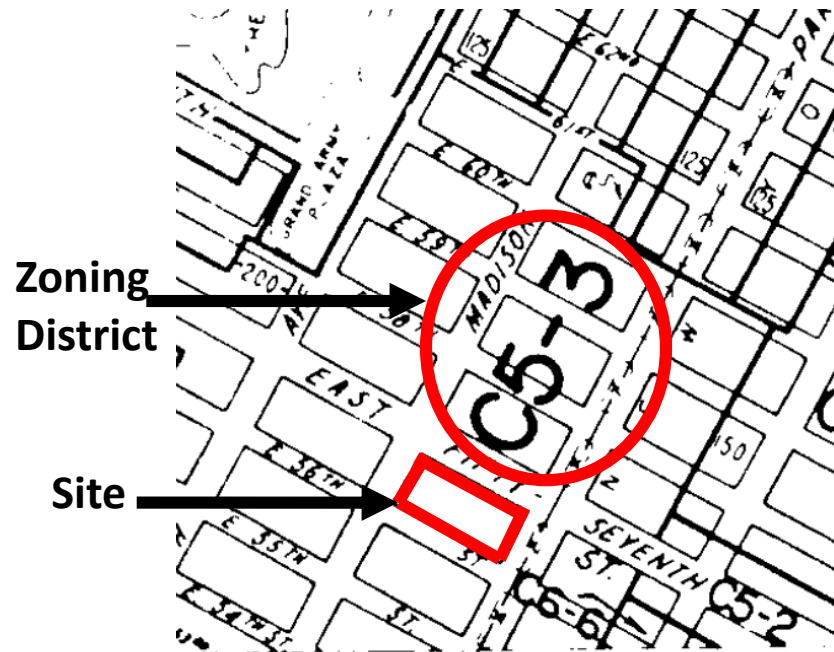


New York City has done/is doing some massive rezonings

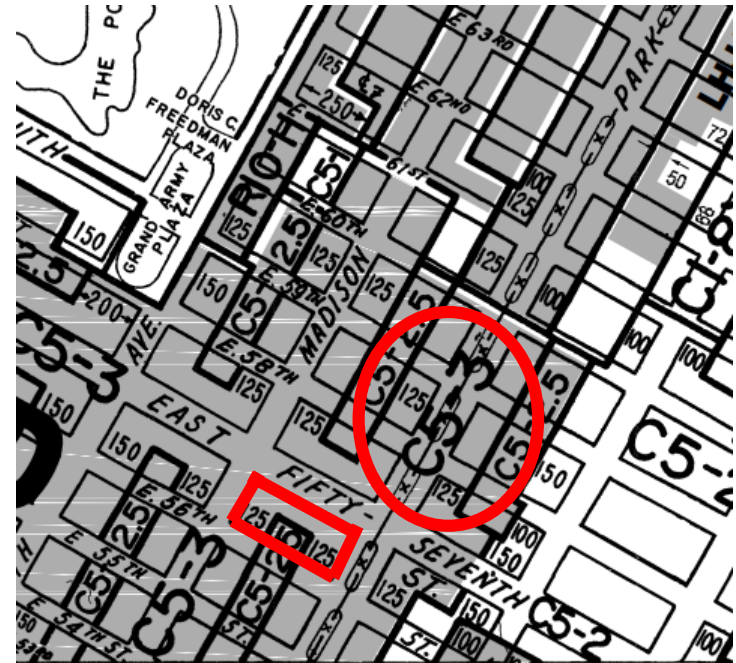
Hudson Yards



But here the underlying zoning has been in place since 1961



1961 zoning map



2017 zoning map

Height and setback rules were revised in 1982, and the site was partially downzoned

We had two generations for this to happen

ZONING DEVICES (ZONING MAP BC)

C5-3 MID
C5-3.5 MID

1) LOT AREA

C5-3	24,329.85 SF
C5-3.5	11,561.76 SF
TOTAL	35,891.61 SF

2) FLOOR AREA PERMITTED AS PER ZB 61-011

FAR PERMITTED

A1, B C5-3	A2, B C5-3.5
COMMERCIAL 15	COMMERCIAL 12
RESIDENTIAL 10	RESIDENTIAL 10
MURECREATION 12	MURECREATION 12

FLOOR AREA PERMITTED

MAXIMUM BOTH ZONES

C5-3 :	34,949.25 SF
C5-3.5:	18,738.00 SF
TOTAL :	53,687.25 SF + 38,044.34 SF (PLAZA WIDE) = 91,731.59 SF.

3) FLOOR AREA PROPOSED

A. C5-3

COMMERCIAL

EXISTING : LOT 41 - 10,998.5 SF
LOT 42 - 9,899.0 SF
SUM = 20,897.5 SF
NEW : 77,833.3 SF
TOTAL : 98,730.8 SF

B. C5-3.5

COMMERCIAL : 16,641.9 SF

C. COMMERCIAL IN BOTH ZONE TOTAL:

(1) EXISTING 20,897.5 SF
(2) NEW 87,833.3 SF
(3) TOTAL 108,730.8 SF

D. RESIDENTIAL IN BOTH DISTRICTS: 470,141.81 SF

E. TOTAL BOTH DISTRICTS (NEW): 587,774.97 SF

F. TOTAL ALL USES, BOTH ZONES: 588,731.39 SF

LEGEND

- PROPOSED BUILDING
- ZONING LOT LINE
- DEVELOPMENT BOUNDARY
- SKY EXPOSURE PLANE
- EXISTING TREE
- PROPOSED TREE
- BUILDING ENT. RECESS AREA
- REAR YARD - COMMERCIAL
- REAR YARD - RESIDENTIAL
- REAR YARD EQUIVALENT

SECTION DIAGRAM NOT TO SCALE

AXONOMETRIC DIAGRAM NOT TO SCALE

SITE PLAN DIAGRAM

KEY PLAN

SECTION - A

SECTION - B

120.628.776

ZD1 Zoning Diagram
Must be typewritten.

Submit to resolve objections stated in a notice of intent to revoke issued pursuant to rule 101-15.

☐ Yes ☒ No

Location Information

House No(s) 440
Street Name PARK AVENUE

Borough MANHATTAN
Block 1290
Lot 33
BIN 1088583

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department.

Name (please print) GLORIA GLASER
Signature Date 04/24/2015

P.E. / R.A. Seal (apply seal, then sign and date over seal)

Internal Use Only

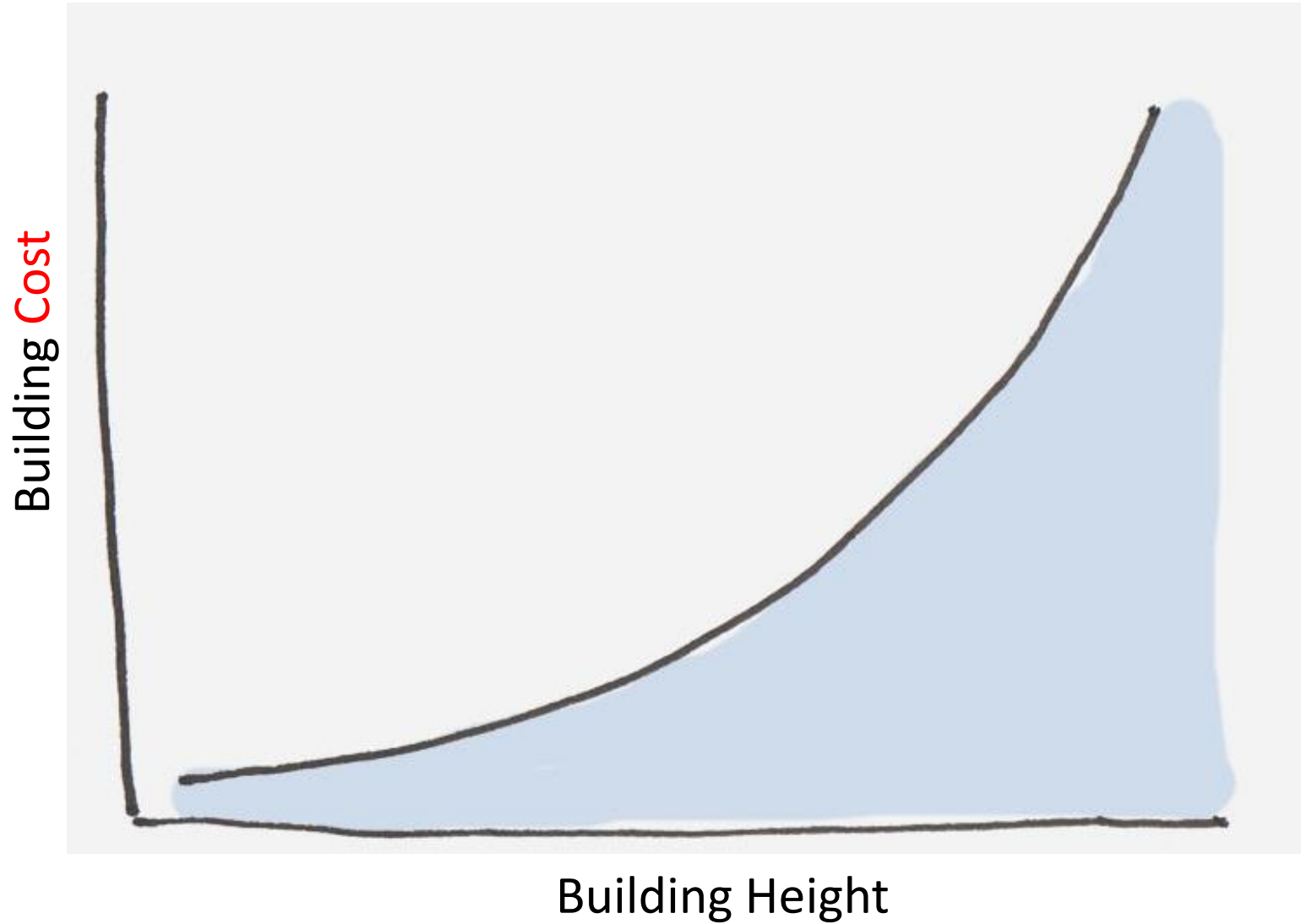
BIS Doc #

PLAN EXAMINER SIGN AND DATE

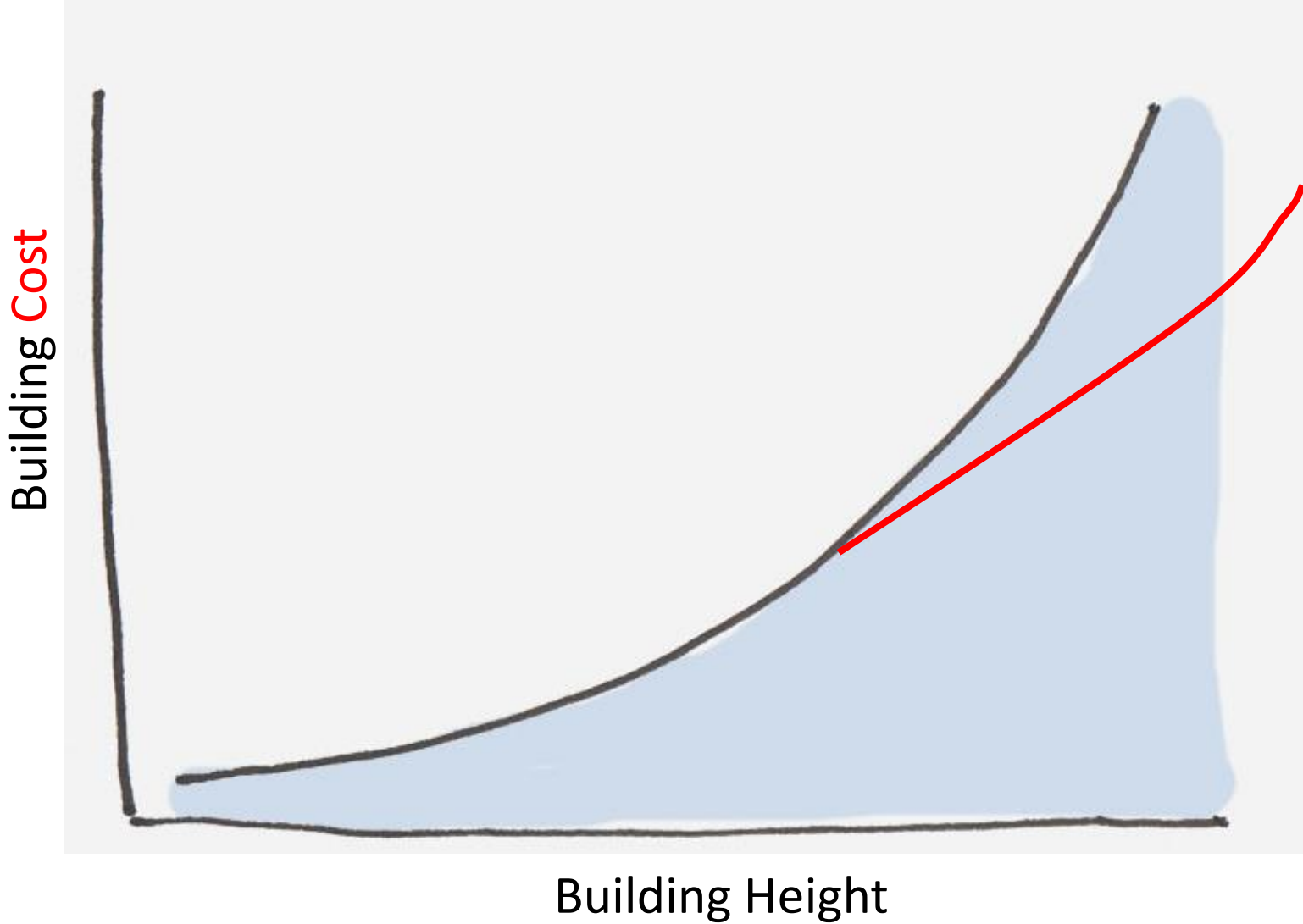
Why are we seeing this now?

How is it happening?

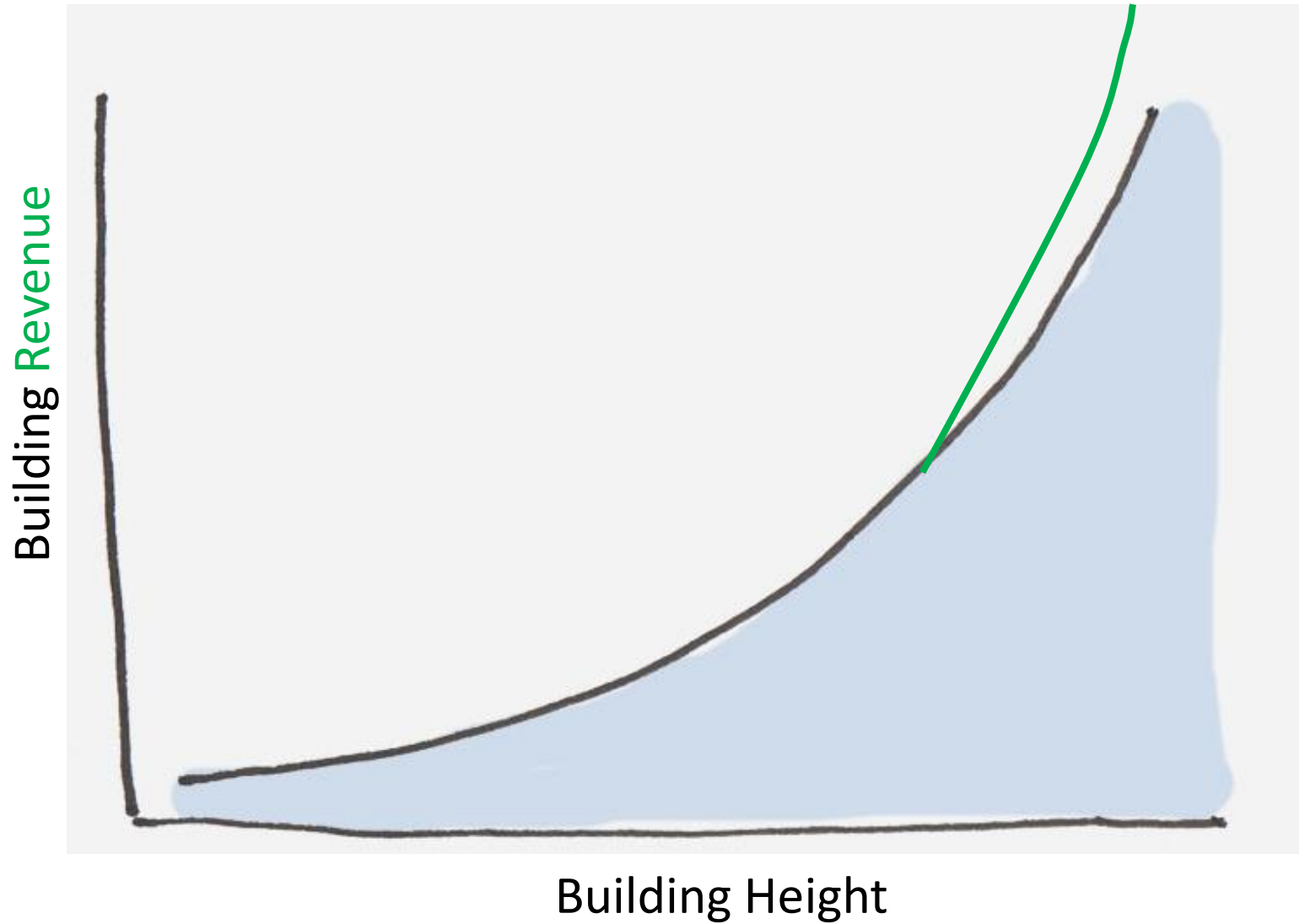
As you know, tall buildings cost a lot to build



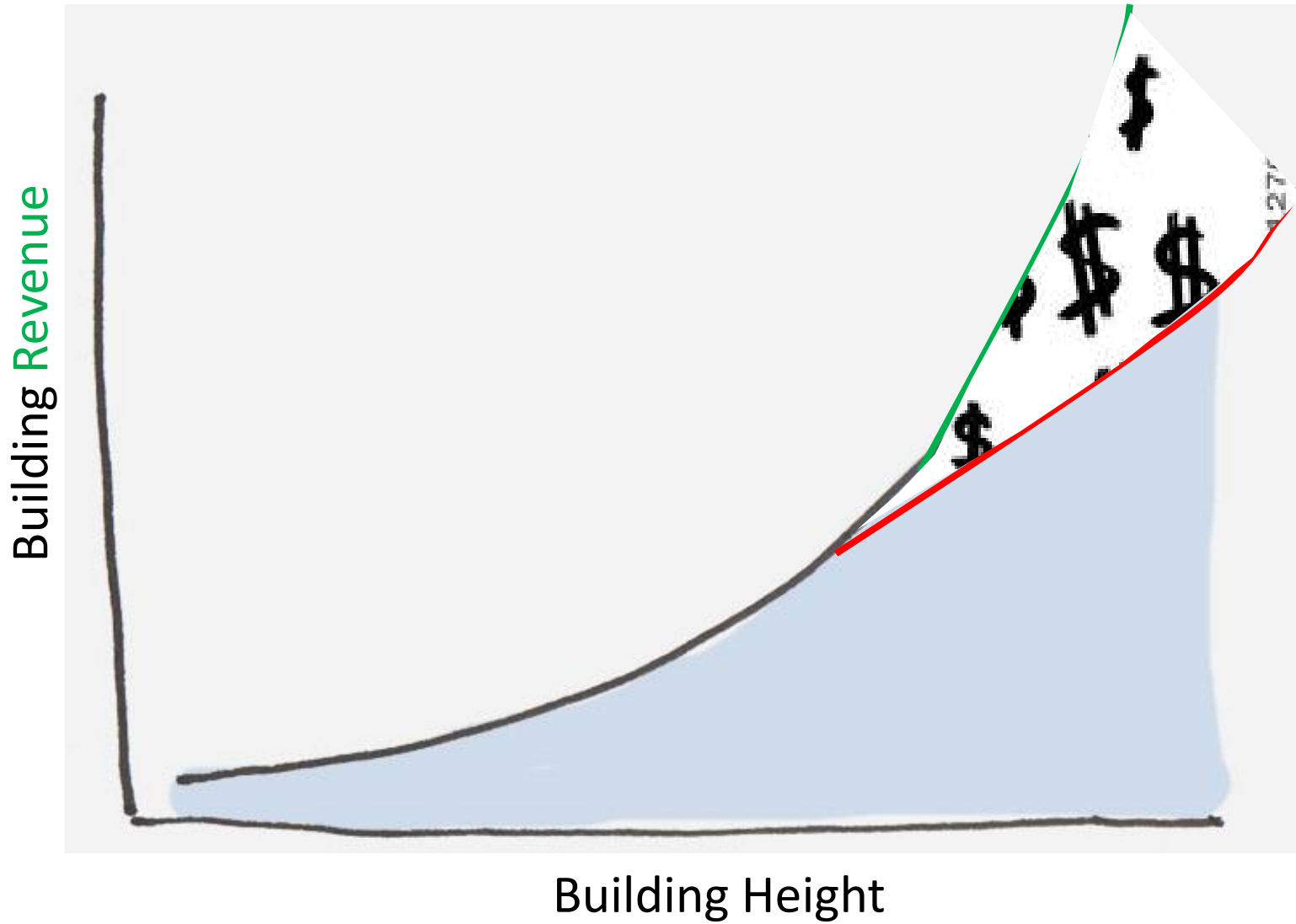
But new technologies are bending the cost curve



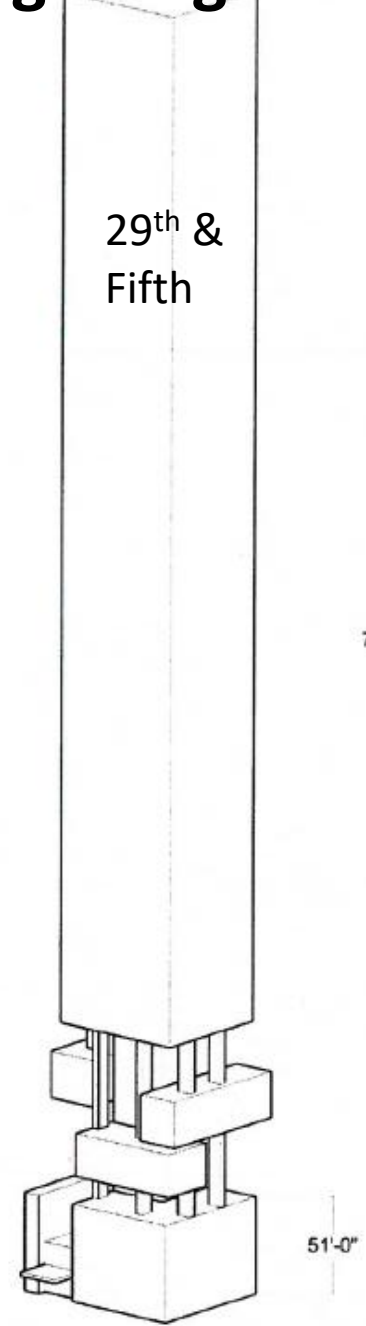
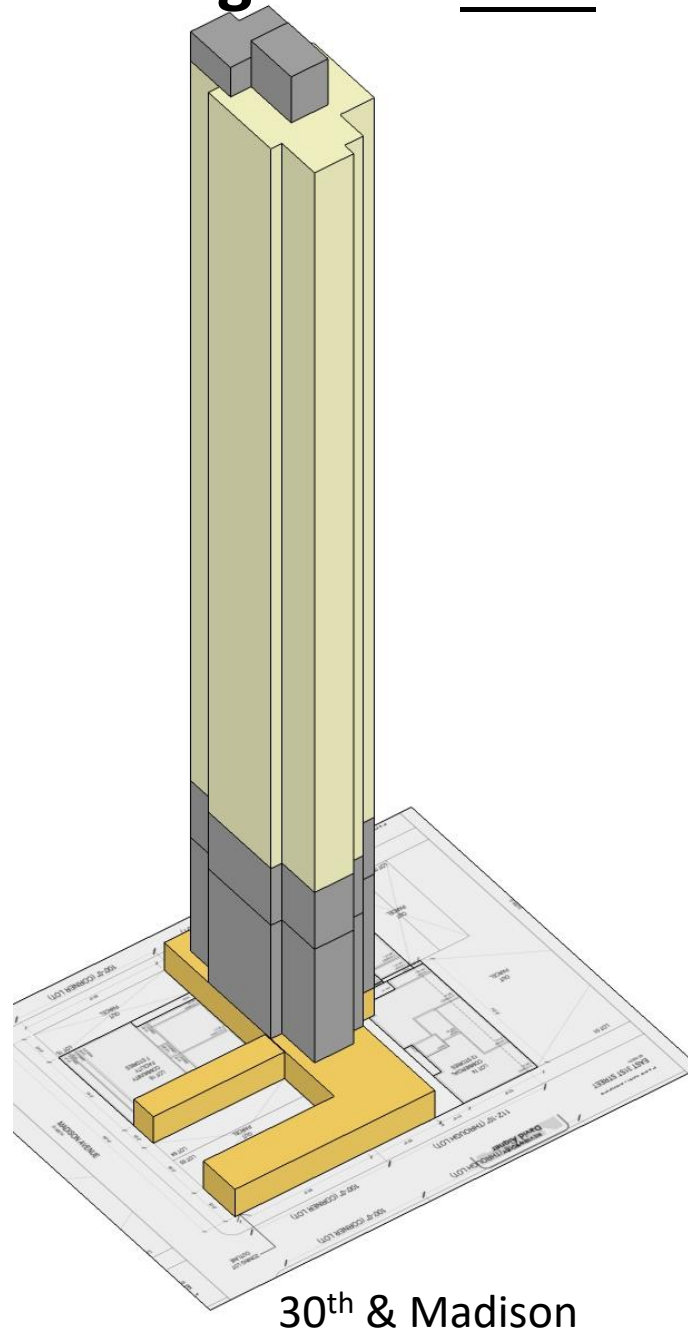
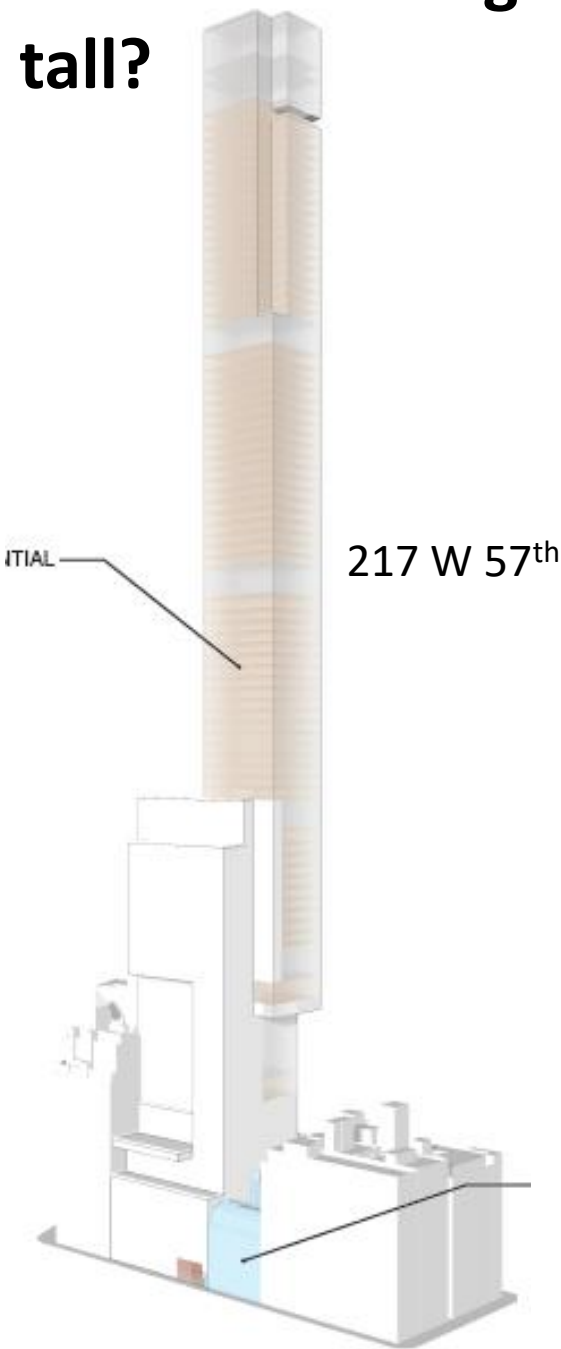
And the market supports huge revenue for higher floors

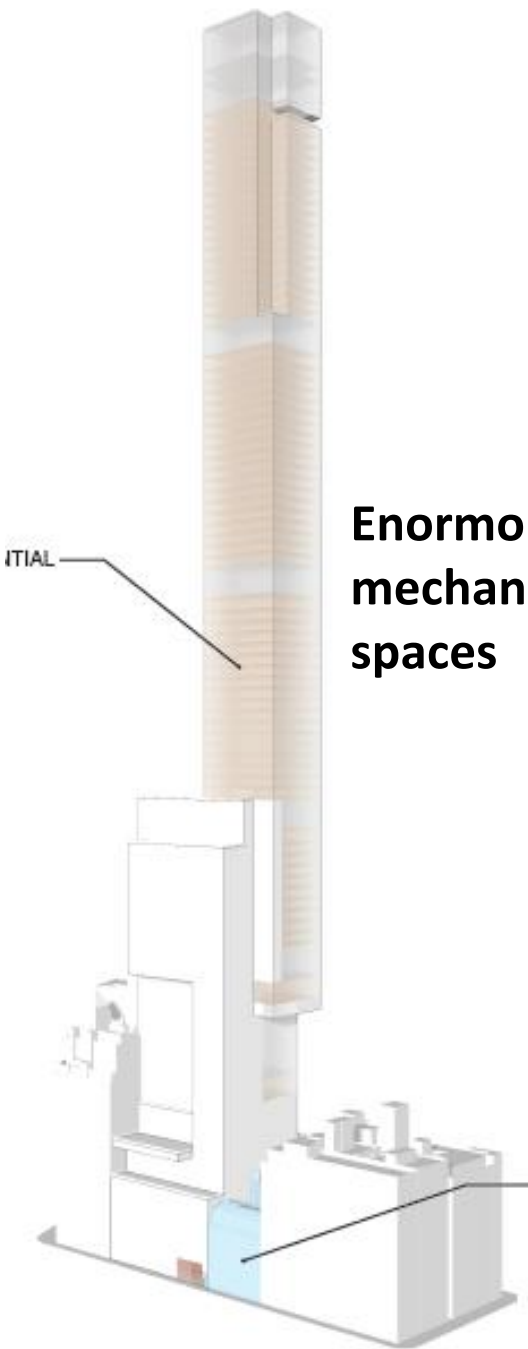


That difference explains “why”



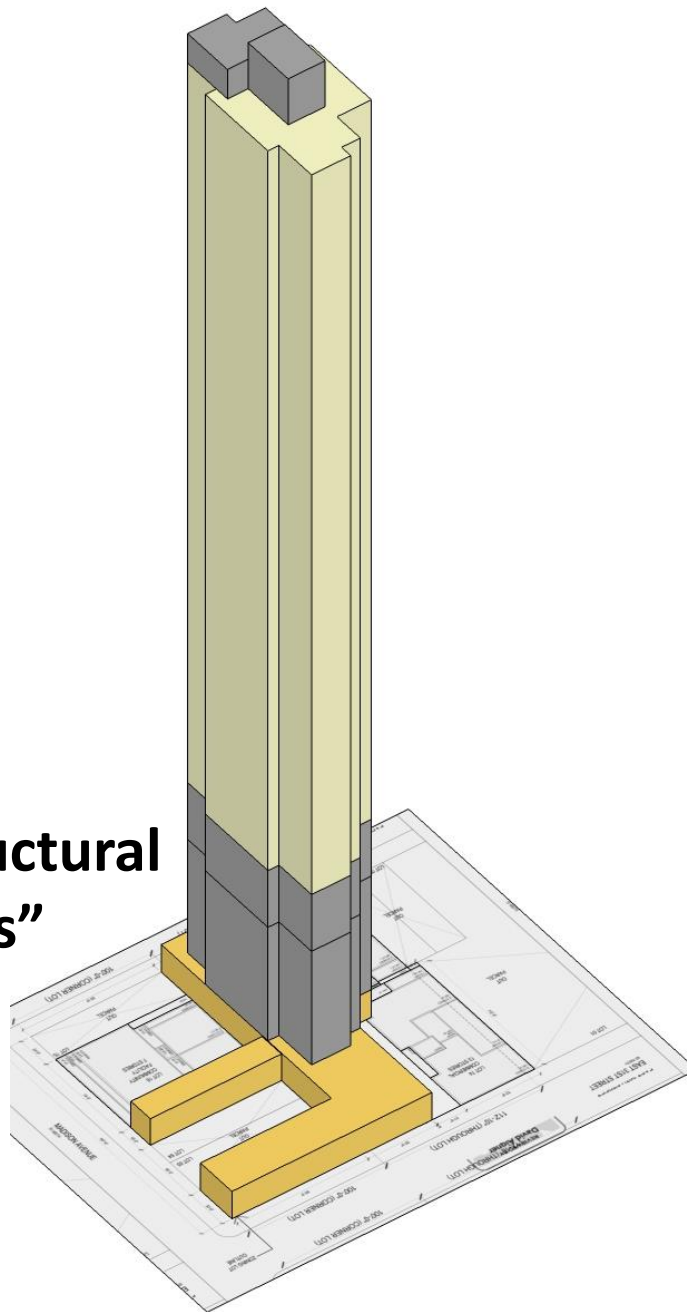
But most zoning hasn't changed: So how are they getting so tall?



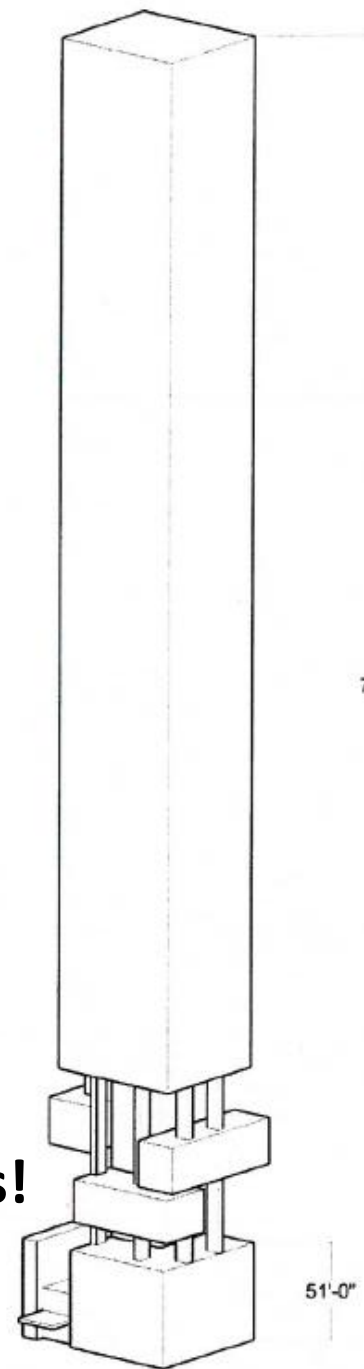


**Enormous
mechanical
spaces**

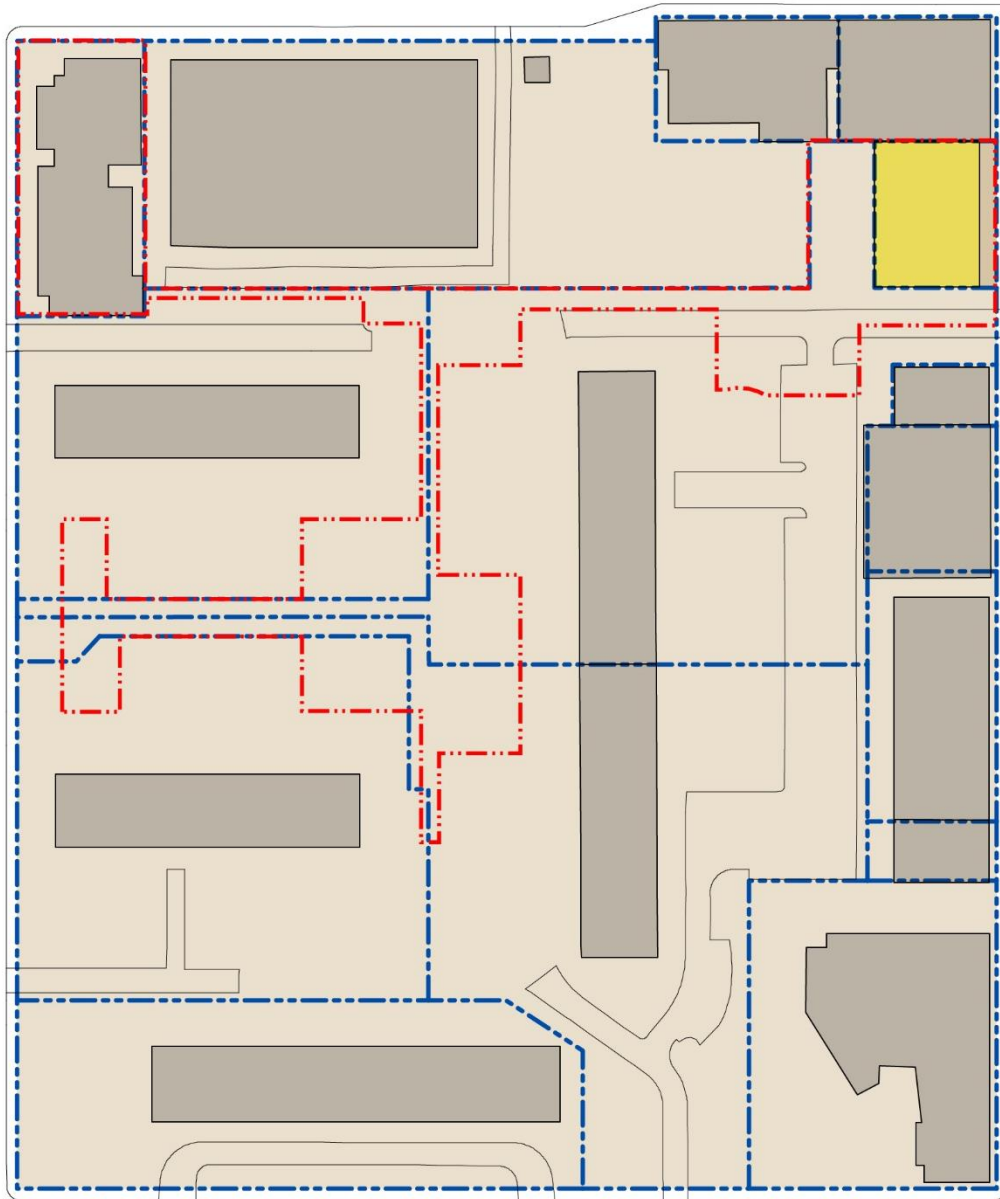
**"Structural
Voids"**



Stilts!



51'-0"

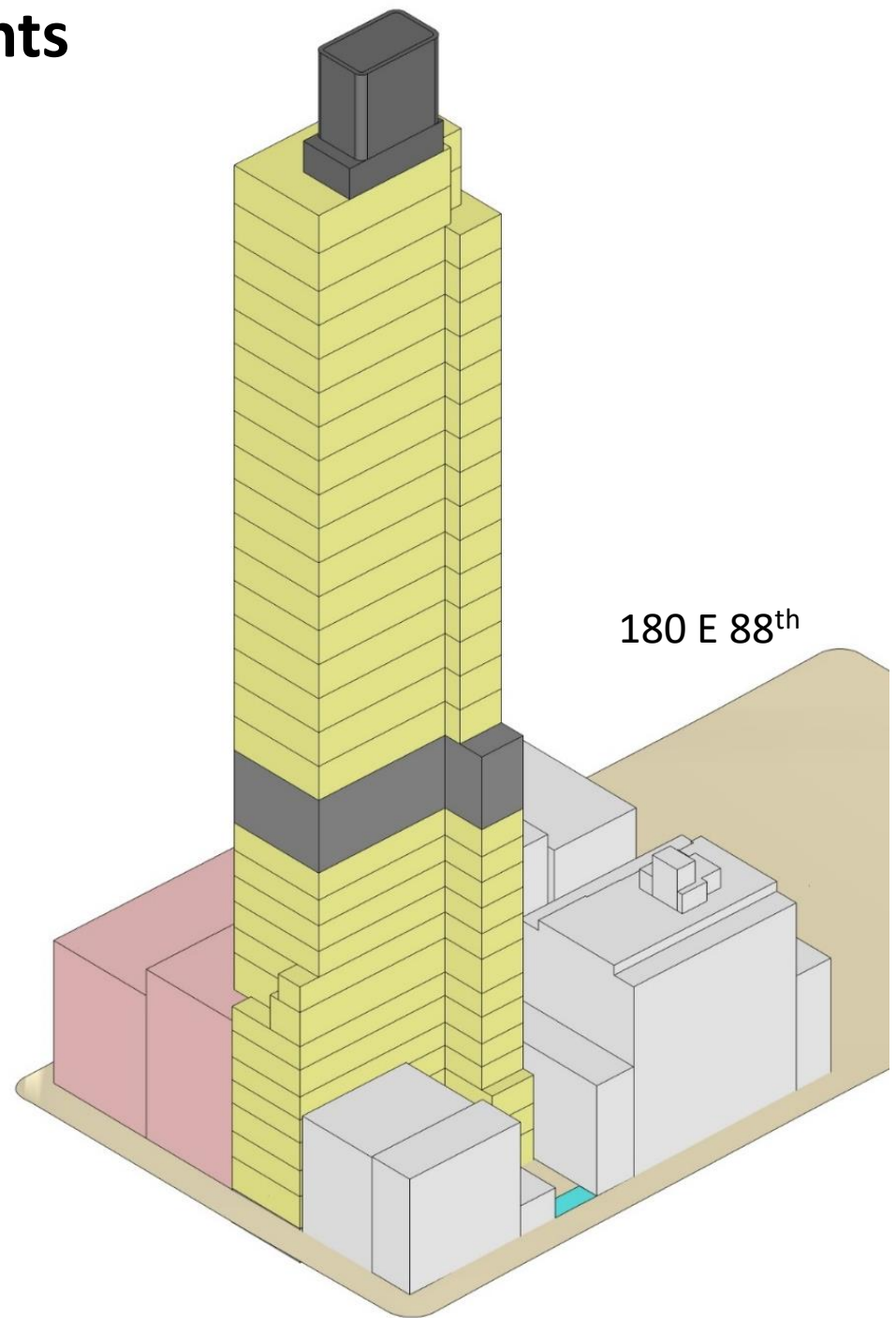


**Gerrymandered & sculpted
zoning lots**

Generous DOB interpretations

200 Amsterdam

Enormous floor-to-floor heights



Non-zoning floor area: it's not just for mechanicals anymore!

Zoning floor area (FAR)

Habitable spaces
Common hallways
Interior walls
Building amenities

In-unit HVAC
Basements
Elevator shafts
Patios > 67% enclosed *
Some staircases *
Part of exterior wall *

Non-zoning floor area

Accessory building mechanicals
Accessory parking /loading
Electrical chases
Flues and chutes

Centralized HVAC
Cellars
Pipe shafts
Patios < 67% enclosed *
Other staircases *
Other part of exterior wall *

* = New law

In 2005 217 W 57th Street was planned for 64 stories / 690'

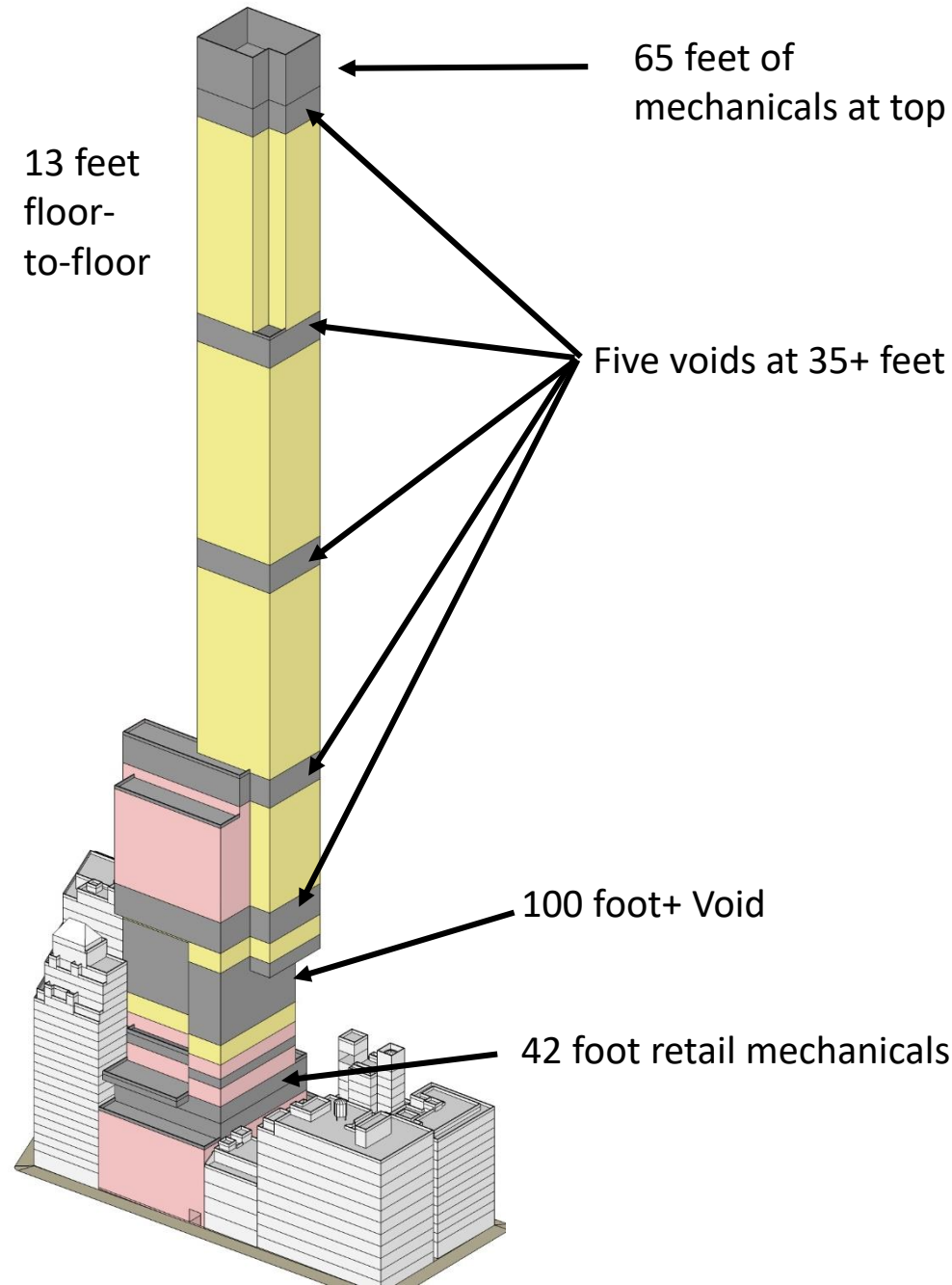
Today, it is approved for 86 stories / 1,435 feet*

- Averages nearly 17 feet for each story
- Similar to, but taller than, 432 Park
- It gained 22 stories but 746 feet; How?

* A post-approval amendment brings this up to 95 stories / 1,550 feet



217 W 57th Street is under construction



- Voids and mechanical floors account for about 390 feet (27%) of the building's height and volume
- One floor is 100 feet floor-to-floor
- Apartments are 13 feet floor-to-floor
- First 14 stories are 370 feet tall (26.5 feet average)
- Zoning lot is now enormous (91,000 SF!)

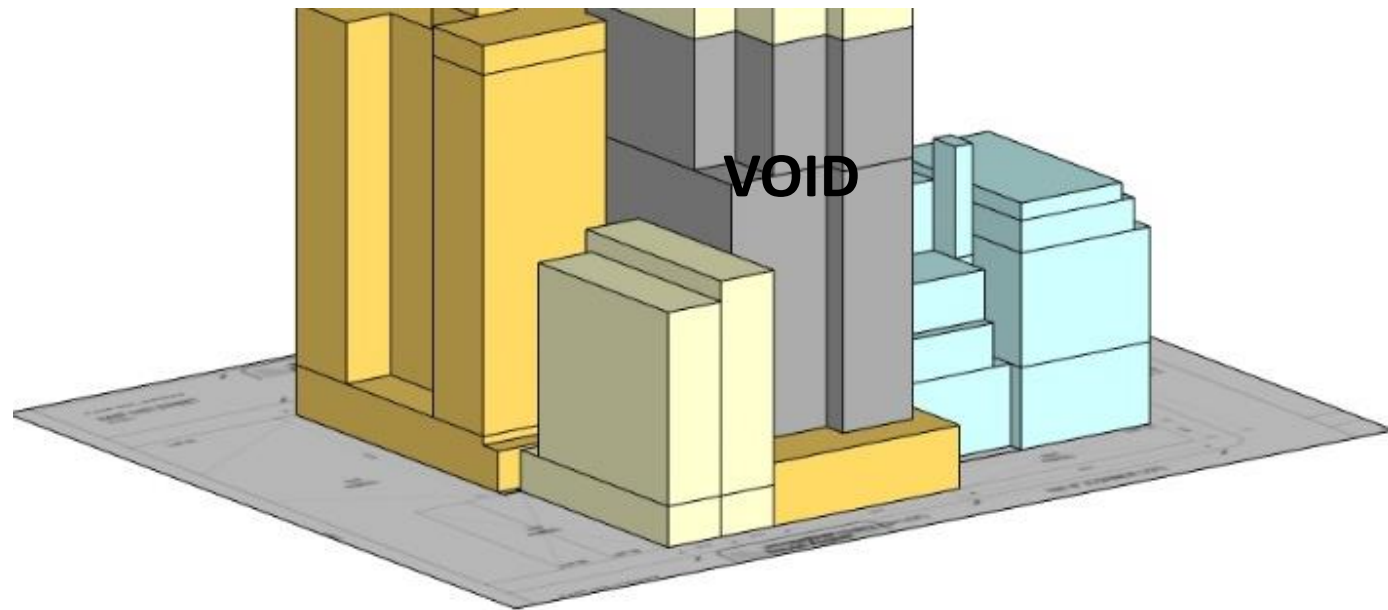
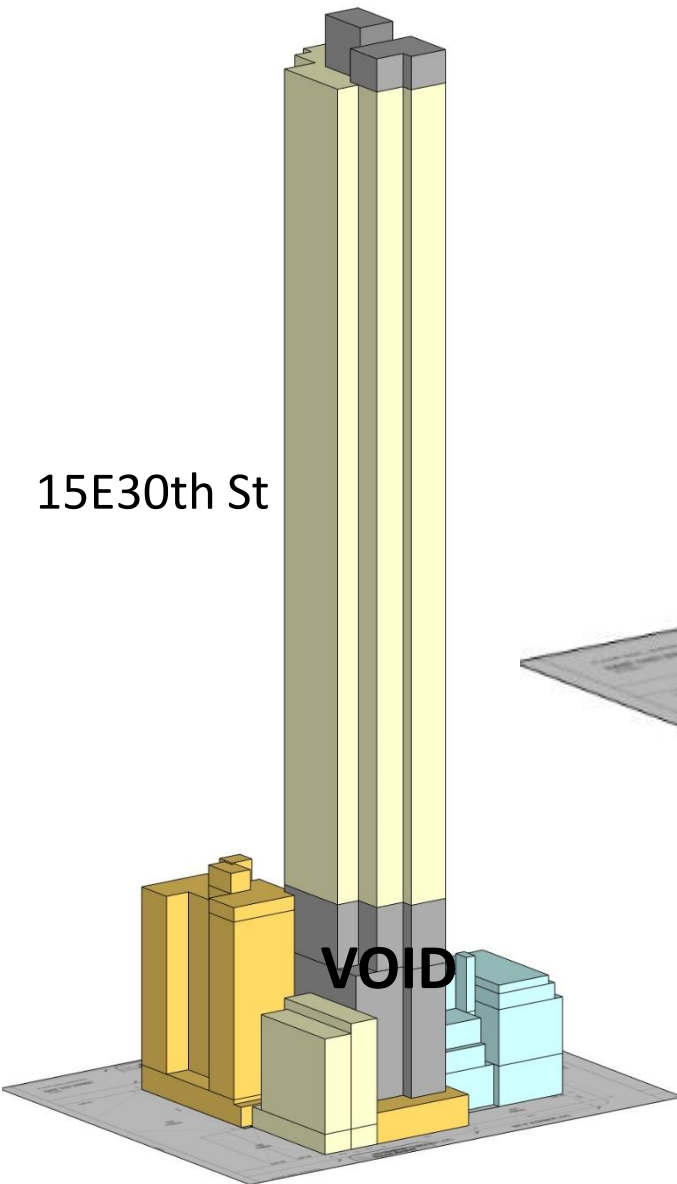
The zoning lot includes these NYC landmarks



And these other notable buildings



So what? Tall buildings are cool and zoning lot mergers preserve old NY



But voids are often put near street level

Bad for urban design, and . . .

... let's not forget these guys



I thought you
said the
second floor!

But that's Midtown. Tower-on-base rules protect many tower districts outside Midtown/Downtown



The Metropolitan (181 E 90th St., built 2003, 327', Tower-on-base)

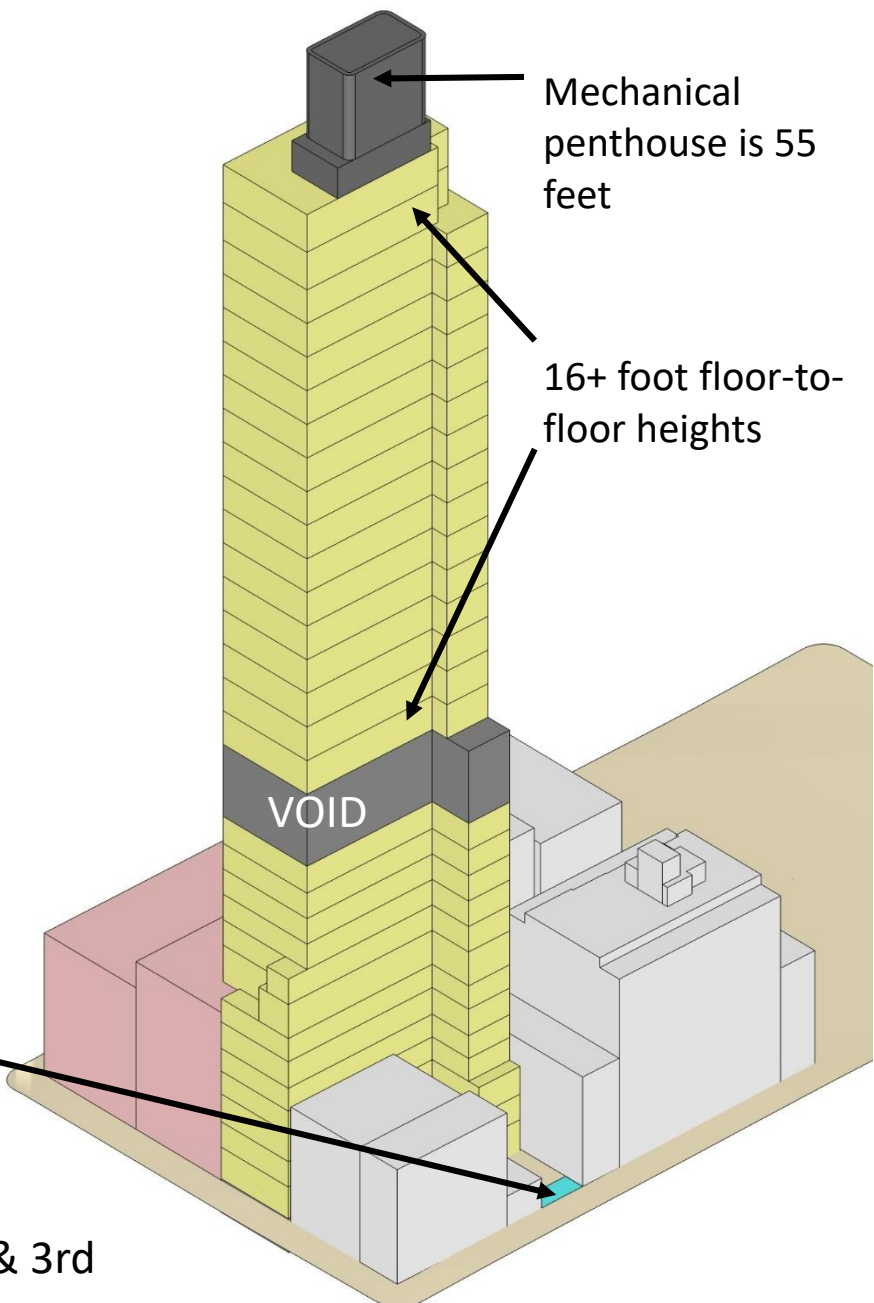
- Building base between 60 and 85 feet tall
- Building must come to street
- Tower must cover at least 30% of zoning lot
- Must have at least 60% of floor area under 150 feet
- Typically tops out at a reasonable 300-350 feet

But we're now seeing these tactics used in tower-on-base

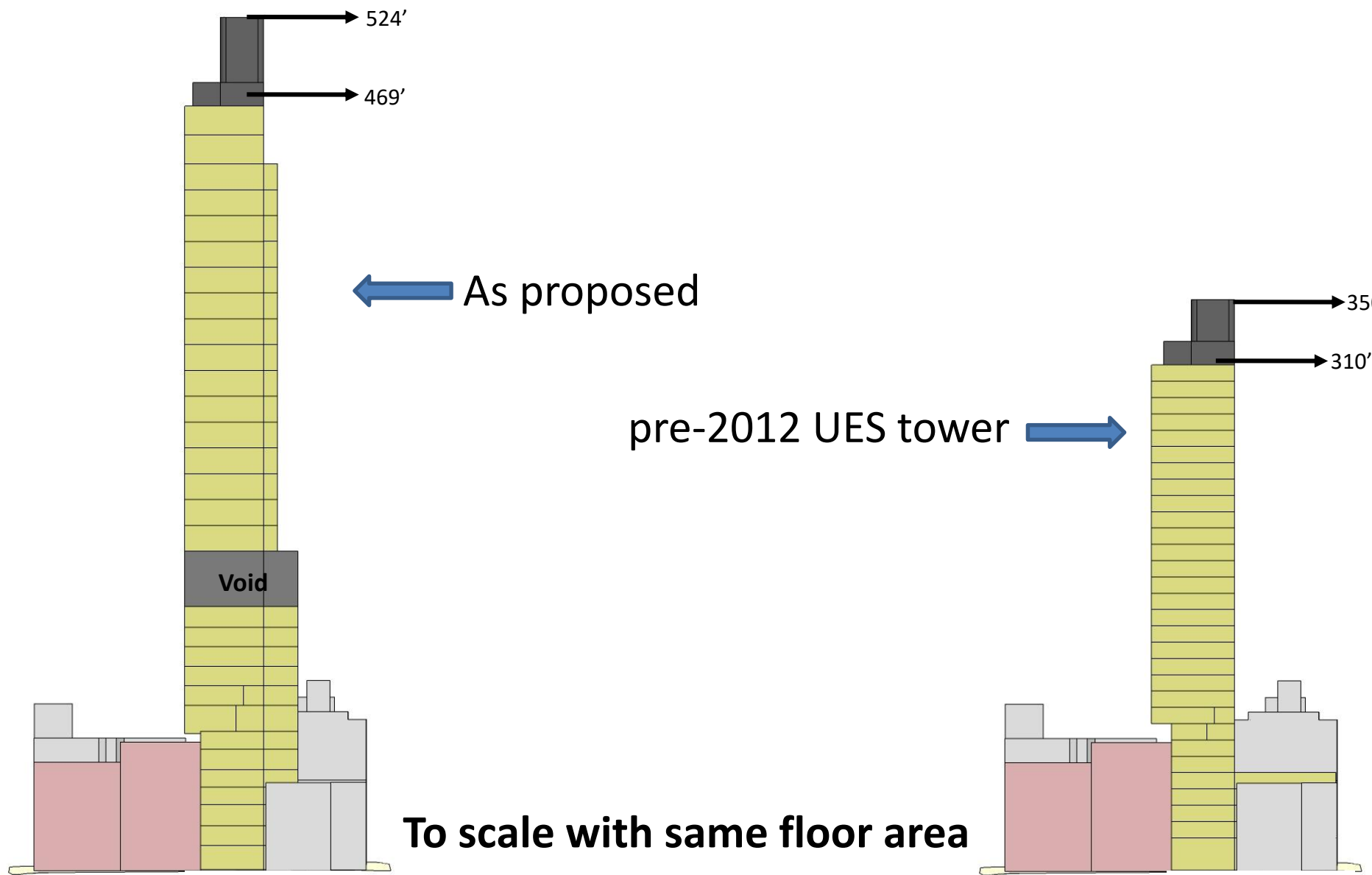
180 E 88th St increases height and avoids regulations by:

	180E88th	Typical TOB Tower
Floor-to-floor height	16 feet	10 Feet
Void	34 feet	None
Mechanical pnthse	55 feet	40 feet

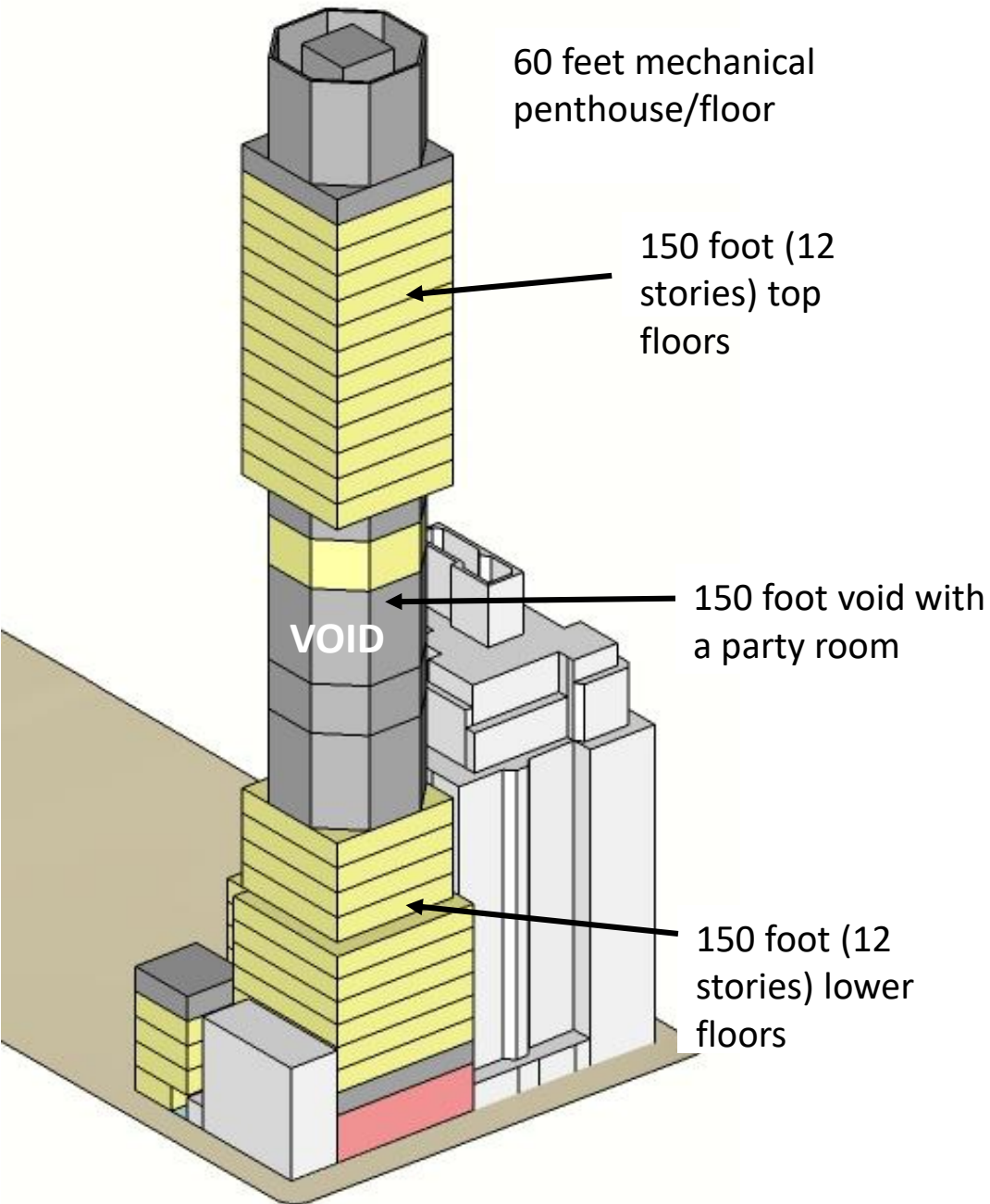
Cutting off portions of lot that require a base



If 180 E. 88th Street used traditional assumptions, it would fit in with most UES towers



Hot off the presses! 249 East 62 Street just filed in Sept.



510 feet

25 usable stories

83 units

Same designer as
432 Park

So what's up with supertalls?

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 - Mechanical spaces / voids are being used as platforms

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 - Shaping the zoning lot to avoid regulations
 - Questionable mechanical deductions
 - No meaningful enforcement (POPs/Qualifying Open Space)

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- Aided and abetted by DoB allowing:
 - Shaping the zoning lot to avoid regulations
 - Questionable mechanical deductions
 - No meaningful enforcement (POPs/Qualifying Open Space)
- It's just happening: No policy intention, no ULURP, no public input

Possible solutions

- Fix excess mechanical spaces (limit the exemption, location in the building, FTF heights)
 - NYC is unique in its broad mechanical FAR exemption
 - We already limit mechanical exemptions in some districts, and we proposed limiting them in the year 2000
- A rational method to relate unreasonable FTF heights to ZFA penalties
- DOB makeover
 - No more aggressive tactics: (e.g. require mechanical spaces used for mechanicals)
 - Enforce basic zoning rules: privatized / unmaintained POPs, non-qualifying open space
 - How about consulting with DCP or City Council on interpretations of new zoning?

And so how did this happen?



**19 floors of mechanicals/
voids (out of 87 total)**

They are a design feature!

**23% of gross floor area in
mechanicals, exempt from
floor area**

**16' 5" Average floor-to-floor
heights**

40,000 SF zoning lot



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