



TESTIMONY REGARDING CITYWIDE MECHANICAL VOIDS TEXT AMENDMENT

April 16, 2019

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Good morning Councilmembers, I am testifying on behalf of **Village Preservation**, *the Greenwich Village Society for Historic Preservation*, the largest membership organization in Greenwich Village, the East Village, and NoHo. The rampant and increasing abuse of our zoning text by developers using fake mechanical voids to inflate the size and height of their buildings is a serious problem which should be addressed immediately. Unfortunately, the City Planning Commission's Voids Text Amendment would not only do little if not nothing to solve the problem, it could arguably make it worse. And shockingly, City Planning actually expanded the gigantic loophole it would grant developers from the original version of this proposal.

Even a layperson can see how full of loopholes this plan is. It explicitly allows one 30 foot tall "mechanical floor" every 75 feet, thus enshrining in law that new towers can be over 30% empty voids, regardless of whether or not the space serves any function whatsoever meriting zoning exemption. It allows unlimited unenclosed voids to be added to buildings to increase their height. And it allows developers to continue to include an unlimited amount of enclosed mechanical void space without it counting towards zoning square footage, as long as a fraction of the building is dedicated to commercial space, and the mechanical void is labeled as serving commercial rather than residential uses.

What's so particularly shameful about this proposal is that a fair, clear, and rational system which actually did address this shell game being played increasingly frequently with our zoning would be so easy to produce. We could for example set an appropriate limit on the percentage of a building which can count as zoning-exempt mechanical spaces, with any amount which exceeds that counting towards the zoning. We could define what is necessary mechanical equipment for a residential building, and only allow such equipment and the volume necessary to house it to be exempt from zoning, rather than endless voids or unnecessary equipment. We could place reasonable limits on the heights of floors, or even of buildings in residential areas, to prevent this kind of abuse. We could make sure these

limits apply to mixed-use buildings and not just purely residential ones. And certainly we could raise the required distance between mechanical floors from a meager 75 feet to something much more reasonable like 200 feet. Arguably, legislation is not even needed to do much of this, but could simply be done by promulgating new Department of Buildings rules providing a clear definition of mechanical voids, and not allowing spaces which don't conform to be exempt from zoning.

Unfortunately, this proposal does none of these, and by enshrining in law the ability to include empty voids in buildings regardless of their utility, it arguably actually makes the situation worse, not better.

I strongly urge the City Council to do whatever it can to make the proposed new rule effective and worthwhile, which currently it is not. I also strongly urge the Council to aggressively pursue other measures to end this ongoing abuse of zoning regulations, and the loss of light and air for empty voids intended only to bolster the prices of ultra-high-end condos that are rarely occupied.

**THE NEW YORK
LANDMARKS
CONSERVANCY**

April 16, 2019

**STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY BEFORE THE NEW YORK CITY
COUNCIL SUBCOMMITTEE ON ZONING AND FRNCHISES REGARDING T2019-4177, THE PROPOSED
RESIDENTIAL TOWER MECHANICAL VOIDS TEXT AMENDMENT, N190230 ZRY**

Good morning Chair Moya and Council members. I am Andrea Goldwyn, speaking for the New York Landmarks Conservancy.

The Conservancy is pleased that the Department of City Planning heard the voices of elected officials, advocates, and residents from across the City, who have seen out-of-scale, out-of-context buildings rise in their neighborhoods. These towers bend the intentions of the Zoning Resolution with voids, stilts, and gerrymandered or sculpted zoning lots, among other loopholes.

This amendment addresses one of the most egregious examples by limiting excessive mechanical voids in residential buildings in some communities. But it is much too permissive. The original proposal called for limiting voids to 25 feet. We asked for that to be reduced to 12 feet. Instead it's gone up to 30'.

At the very least, we call for the Council to bring the limit of space that is not counted against FAR to 25. We heard the testimony of engineers at the City Planning Commission hearing and ask that any voids above 25' be counted against FAR. As in almost every other technology, this should incentivize innovation and equipment that fits in a smaller space with adequate clearance.

The Department has promised to come back later this year to expand the geographic area that the amendment covers. The amendment should be expanded in other ways. It should include commercial as well as residential buildings. It should be City-wide. It should look at all of the ways that developers manipulate zoning to boost building heights and count them against FAR.

The Conservancy is not against tall buildings. We are not against adequate space for mechanical equipment. What we are against are the loopholes that developers use when they see the upper limits of the Zoning Resolution as starting point for what they want to build. We always hear that developers need certainty. Residents do as well. We urge City Planning to come back with a more holistic amendment that creates comprehensive certainty and predictability in zoning.

Thank you for the opportunity to express the Conservancy's views.

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**Testimony Before the New York City Council
Subcommittee on Zoning and Franchises
Regarding Proposed Text Amendment – N 190230 ZRY
April 16, 2019**

Good morning. I am Joseph Colella, here on behalf of the New York Building Congress, which includes more than 550 constituent organizations in New York's design, construction and real estate industry. Thank you for this opportunity to testify on the proposed text amendment on behalf of the Building Congress.

We agree with the goal of advancing new regulations regarding the allowable height of mechanical spaces in New York City. However, it is vital to ensure that any significant change to zoning law goes through the proper process for evaluating the impacts of such a change.

We feel strongly that the current proposal has not undergone the thorough vetting that is customarily afforded to substantial changes in zoning law. In the past months, a significant number of architects, engineers and other members of the Building Congress have raised serious concerns about this proposal. Experts have noted that the proposed 25-foot-height limit on mechanical spaces and the prohibition on stacking of mechanical spaces do not align with industry best practices and would make it far more difficult to advance many new projects.

It is now clear that the most appropriate step would be to withdraw the current proposal and take additional time to engage with architects, engineers and other experts to gather recommendations and determine a more sensible path forward.

The standard review process around potential zoning changes should remain. This could establish a dangerous precedent for as-of-right development moving forward. As we have previously noted, if the development pipeline suffers a slowdown and new projects cannot get off the ground, the city would also lose out on much-needed tax revenue and many new construction jobs.

It is our suggestion that the Council pause and revise the plans, starting with the feedback gathered here today. We recognize that this City Council has already made incredible strides to build a stronger city. But since we cannot support this proposal in its current form, we sincerely hope that the Council will make the right decision and explore alternatives.

Thank you again for the opportunity to testify on an issue of such importance to our community.

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MAS Comments on Residential Tower Mechanical Voids Text Amendment for the New York City Council, CEQR No. 10DCP110Y

April 16, 2019

The Municipal Art Society of New York believes the Residential Tower Mechanical Void Text Amendment (Text Amendment) to the City's Zoning Resolution (ZR) proposed by the Department of City Planning (DCP) is a step in the right direction toward regulating excessive void space in residential buildings in high-density tower districts. However, the proposal does not go far enough to close zoning loopholes and comprehensively regulate mechanical and structural voids. We recommend modifications to the current proposal to broaden its physical and geographical scope and maximize its potential effectiveness.

In 2017, MAS released an update to its *Accidental Skyline* report, which examined the proliferation of supertalls throughout the city and the mechanisms developers use to build them. The report recommended that the City amend the ZR to regulate mechanical and structural voids to close the loopholes that contribute to excessively tall, out-of-scale buildings. The report points out that developers flout zoning regulations by inserting oversized voids disguised as accessory mechanical space that is not counted as floor area and not included in zoning calculations. As is often the case, these empty spaces boost occupiable height, giving residents impressive views and increased property values.

In some cases mechanical and structural voids have added 100 or more feet to the overall height of buildings. The most egregious example is the 161-foot mechanical void proposed for the 775-foot skyscraper at 50 West 66th Street by Extell Development. The void would be 20 percent of the building's height. Another Extell building, Central Park Tower, at 217 West 57th Street, includes 350 feet of total void space that is not counted in zoning calculations. As proposed, the top 12 floors of the 32-story building at 249 East 62nd Street will sit atop a 150-foot stilted pedestal that would not be counted as floor area under zoning.

Recommendations

MAS would support the Text Amendment proposal if the following recommendations were included:

- Restrictions apply to unenclosed structural voids (including stilts, terraces, and outdoor spaces) in addition to mechanical voids;
- The geographical scope of the provisions of the Text Amendment is extended city-wide;
- Provisions of the Text Amendment apply to commercial buildings, as well as residential buildings;
- An oversight committee or task force comprising representatives from DCP and DOB is formed to ensure that the new regulations are enforced; and
- For each mechanical floor, DOB will assess, based on volumetric plans submitted by each applicant, whether a percentage of space occupied by mechanical equipment is justified. A percentage of overall space (or threshold) will be established by DCP and met by each applicant. We urge DCP to define the percentages/thresholds in coordination with DOB and input from construction industry and engineering sources before the next iteration of the Text Amendment in fall 2019;

We appreciate the effort the City has made to amend the ZR to regulate mechanical voids. It is a good first step in a much larger discussion involving decision-makers, the public, and stakeholders to arrive at realistic solutions ensuring that the Text Amendment is truly effective.



15 April 2019

Council Members,

On behalf of the 64th thru 67th Streets Block Association we thank you for hearing the concerns of neighborhoods all over NYC and considering this text amendment to NYC's zoning resolution.

With regard to our neighborhood, which is facing a building – 36 W. 66th Street – planned with hundreds of feet of void space, we feel it necessary to remind City Planning that just 26 years ago our community went through the process of creating the Lincoln Square Special District Zoning Resolution at which time City Planning is on record as stating that the controls in place "should predictably regulate the heights of new development" and "that these controls would sufficiently regulate the resultant building form and scale even in the case of development involving zoning lot mergers".

People speak of the importance of predictability and reliability in zoning regulations. Our community thought it had solved for predictability and reliability 26 years ago. And then the developers began exploiting these loopholes. And now DCP proposes you codify the loopholes.

We believe that voids do nothing to create housing for our city's growth, density to solve housing affordability, neighborhood amenities to support infrastructure and quality of life, nor is it the missing tool for architects to express themselves more creatively. Further, it is a slap in the face to what our community worked hard to establish in the LSSD Zoning Resolution.

Countless community board meetings, discussions with elected representatives, and even DCP's own research pointed toward the need for 12' mechanical spaces with 200' of space between them. At the City Planning hearing nobody testified to the benefits of the voids.

Ultimately, we see this as a moral issue. We don't want to be judged by history as the society that allowed buildings with hundreds of vertical feet of unused space to be built.

Thank you,

Chris Giordano

Council Members long haul
let's get it right
Don't make bad situation worse



RESOLUTION

Date: March 5, 2019

Committee of Origin: Land Use

Re: Residential Tower Mechanical Voids Text Amendment. Department of City Planning's proposed amendment.

Full Board Vote: 38 In Favor 1 Against 0 Abstentions 0 Present

Committee: 10-0-0-0. Non-Committee Board Members: 6-0-0-0.

Community Boards throughout the city are aware that the NYC Zoning Resolution is inadequate to address the phenomenon of "supertalls" and their proliferation, which are jarringly out-of-context with the existing neighborhoods. Regardless of their location, these buildings will inevitably inflict some degree of unacceptable shadow conditions on nearby parks, playgrounds and open space as well as create intolerable environmental conditions, including wind tunnel effects at the bases of these buildings, inhibiting pedestrian friendly retail uses and preventing trees from thriving in (?) dark and windswept corridors.

These residential "supertall" buildings are ultra-luxury apartments, catering to the elite and ultra-wealthy that may never actually live there. In order to achieve maximum height, the apartment floor to ceiling heights are taller than conventional pre-war apartment buildings, even those pre-war buildings that line Central Park West and portions of Broadway or West End Avenue and Riverside Drive. Unlike their predecessors, they also contain far fewer units and do not count towards alleviating the City's housing shortage.

Our Community Board Land Use Committee studied the various means incorporated into the "supertalls" to construct buildings that heights not contemplated in any previous editions of the Zoning Resolution and not anticipated by its drafters. Some of the most egregious interpretations now in play include:

- Large voids (the current maximum void at 36 West 66th Street is 161 feet), which contain no floor area for zoning purposes;
- Apartment ceiling heights up to 20 feet;
- Zoning Lot Mergers which enable a developer to stack the bulk of a building's volume in a tower covering only a fraction of the lot area.

This resolution is in response to the Department of City Planning Text Amendment for Residential Tower Mechanical Voids distributed for comment on January 28, 2019. While this text amendment is commendable, it is inadequate to fully and effectively address the problem and the accompanying diagrams show weaknesses in the suggested vertical distance in the placement of the mechanical voids that do little to reduce overall height and are likely unnecessary to support mechanical equipment at such interval frequency. This resolution includes nine essential areas that need reconsideration to alleviate misuse or misinterpretation of excessive mechanical voids used principally to increase building height as follows:

A. Height of each mechanical Void:

While the DCP did report on their survey of mechanical spaces in existing buildings, mostly pre-war, they did find anomalies in a few special buildings with taller equipment rooms. The majority of the mechanical equipment and boiler rooms appears to be closer to fifteen feet (15'-0"). In lieu of the proposed twenty-five foot height (25'-0") "mechanical" void or inaccessible space ("void") only up to twenty feet (20'-0") should be exempt from zoning floor area. Those buildings that require a taller mechanical floor could be required to need a Special Permit.

Land Use Committee: 8-1-0-0. Non-Committee Board Members: 5-2-0-0.

B. Vertical Frequency of Void Placement:

In lieu of zoning floor area free voids every seventy-five feet (75'-0") of building height, CB7 suggests that this be limited to no more than a total of forty (40'-0") vertical feet of void exempt from allowable floor area count, however distributed within a building.

Land Use Committee: 10-0-0-0. Non-Committee Board Members: 8-0-0-0.

C. Maximum Void Floor Area

The City Planning proposal provides that zoning floor area is increased for every 25 feet (or rounded off fraction) of void over and above the initial twenty-five feet (25'-0"). Thus, a one hundred twenty-five foot (125'-0") void, over and above the initial twenty-five feet (25'-0") would consume floor area equal to five times the area of the void.

This formula needs to be modified to include floor area added for every fifteen feet (15'-0") of vertical height of a void in excess of twenty feet (20'-0"). For a one hundred twenty-five foot (125'-0") void above the initial twenty feet (20'-0"), nine times the area of the void would be counted as zoning floor area.

Land Use Committee: 10-0-0-0. Non-Committee Board Members: 6-0-1-0.

D. Floor Area of the Void

As the current proposal will endeavor to measure zoning floor area by the area of the void, this would permit a developer to reduce floor area by creating a "skinny" or lollipop stick void. This stratagem would reduce the amount of floor area attributed to the void. This also needs to be revised so that the calculation of floor area of the voids is an average of the floor area of all floors in the building, excluding any base, thereby eliminating any advantage to creating a skinny void space.

Land Use Committee: 10-0-0-0. Non-Committee Board Members: 8-0-0-0.

E. Unenclosed Voids

The current Residential Mechanical Void text amendment does not address voids that are not enclosed. An unenclosed void, on stilts of unlimited height would not be counted as floor area. All voids, whether they are enclosed or unenclosed should be counted as floor area.

Land Use Committee: 10-0-0-0. Non-Committee Board Members: 7-0-0-0.

F. Maximum Residential Ceiling Heights

The current Residential Mechanical Void text amendment does not address dwelling unit ceiling heights.

Given that the excessive floor to ceiling height is a component of overall building height, any floor to ceiling heights in excess of fifteen feet (15'-0") in dwelling units count against allowable floor area in the ratio calculated by dividing 15 feet by the floor-to-ceiling height in excess of 15 feet. (For example, if a ceiling height is 18 feet, an additional 20% (3/15th) would be added to zoning floor area.)

Committee: 8-2-0-0. Non-Committee Board Members: 5-2-0-0.

G. Regulation of Excessively Tall Lobbies & Unassigned Amenity Space

The current Residential Mechanical Void text amendment neither addresses nor penalizes lobbies and amenities of unlimited height.

As lobbies and amenity space are now including a variety of indoor sports facilities (basketball, climbing walls etc.) or vanity spaces, the text amendment should stipulate the minimum requirements and any other limitations as to sub-divisions or insertion of mezzanines that would otherwise add floor area at a later date.

Committee: 10-0-0-0. Non-Committee Board Members: 7-0-0-0.

H. Impact on Increased Height as a Result of Zoning Lot Mergers

The current Residential Mechanical Void text amendment does not address other features contributing to super-tall building heights. In particular, the proposed amendment does not address the additional permissible height generated by zoning lot mergers.

Limitations and minimal requirements to justify the additional height of buildings generated by zoning lot mergers needs to be part of the public review process and presented before the affected Community Board.

Committee: 10-0-0-0. Non-Committee Board Members: 7-0-0-0.

I. Other Residential & Mixed Use Residential Buildings

The current Residential Mechanical Void text amendment does not include hotels and other types of residential facilities including but not limited to mixed use buildings which are less than 25% commercial. The proposal would have no application in Community Board 5 which does not contain any of the zoning classifications affected by the proposal. As a consequence, the proposal does not protect against additional "too-talls" in the 57th street area which will cast long shadows onto Central Park.

The limitation the use of voids to increase building heights in these variant types of residential buildings should apply to all commercial and mixed use buildings, and should apply to all zoning classifications in all community districts.

Committee: 10-0-0-0. Non-Committee Board Members: 6-0-0-0.

Based upon the foregoing, THEREFORE, BE IT RESOLVED THAT, that Community Board 7/Manhattan **approves** the Residential Mechanical Void text amendment contained in the DCP document dated January 28, 2019, **subject to the comments and specific recommendations identified above.**

Manhattan Community Board 7
Testimony Given to NYC Council re. Residential Tower Mechanical Voids
By Seema Reddy, Land Use Committee Co-Chair
April 16, 2019

I speak today on behalf of Manhattan Community Board 7 (representing the Upper West Side), as Co-Chair of the Land Use Committee. I want to thank our elected officials, Council Members Helen Rosenthal and Mark Levine, and particularly Council Member Ben Kallos for their support leadership on this issue.

We wholeheartedly approved of the Department of City Planning's intention to address the loophole of excessively tall mechanical voids in residential buildings. But, after extensive discussion amongst the experts on our board and with our neighbors, we found that the text amendment did not go far enough to address even the current development in our district, much less the looming future. Depending on your reading of the original proposed text amendment, $\frac{1}{4}$ to $\frac{1}{3}^{\text{rd}}$ of every 100' could still be allocated to mechanical voids. The revision of the text amendment that was approved by the City Planning Commission further relaxes the breakpoint of the original text amendment to 30' in height instead of the original 25'. We at CB7 issued a resolution that, among other things, requested that the maximum height of an allowed mechanical void be ~~12'~~^{20'}, and that such voids exempt from being counted as floor area be limited to no more than 40', however distributed within a building.

The vast majority of the testimony to the City Planning Commission requested that the text amendment be made more stringent in the interests of adequately closing this loophole. We are, however, left with a proposal that went in the other direction, not fully addressing the loophole at all. Put in a difficult position, CB7 recognizes that having this text amendment is better than having nothing at all. However, we would support a roll-back to the original proposed 25' maximum height limit for mechanical voids, and hope you take this into consideration.

Thank you for your time!

CB7 LAND USE COMMITTEE: SUMMARY OF RESIDENTIAL TOWER MECHANICAL VOIDS TEXT AMENDMENT

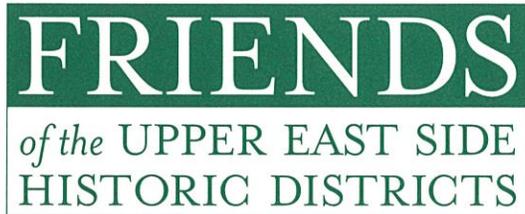
DCP Text Amendment

- A. Height of each mechanical Void:** Count mechanical voids that exceed the height of 25 feet as zoning floor area
- B. Vertical Frequency of Void Placement (Clustering):** If any mechanical floors are located within 75' of each other they would all count as zoning floor area, regardless of the height of each floor
- I. Other Residential & Mixed Use Residential Buildings:** For mixed-use buildings, non-residential mechanical spaces would also be subject to the same clustering rule, if non-residential floor space occupies less than 25% of a building. For mixed-use buildings with substantial amount of non-residential floor space (i.e. more than 25%), non-residential mechanical voids would not be subject to this proposal.

CB7 Response

- A. Height of each mechanical Void:** Mechanical" void sor inaccessible space of < 20' should be exempt from zoning floor area.
- B. Vertical Frequency of Void Placement:** In lieu of zoning floor area free voids every 75' of building height, CB7 suggests that this be limited to no more than a total of 40' vertical feet of void exempt from allowable floor area count, however distributed within a building.
- C. Maximum Void Floor Area:** DCP's formula should be modified to include floor area added for every 15' of vertical height of a void > 20'.
- D. Floor Area of the Void:** Revise DCP's formula so that the calculation of floor area of the voids is an average of the floor area of all floors in the building, excluding any base, thereby eliminating any advantage to creating a skinny void space.
- E. Unenclosed Voids:** All voids, whether they are enclosed or unenclosed should be counted as floor area.
- F. Maximum Residential Ceiling Heights:** Any floor to ceiling heights > 15' in dwelling units should count proportionally against allowable floor area
- G. Regulation of Excessively Tall Lobbies & Unassigned Amenity Space:** The text amendment should stipulate the minimum requirements and any other limitations as to sub-divisions or insertion of mezzanines that would otherwise add floor area at a later date.
- H. Impact on Increased Height as a Result of Zoning Lot Mergers:** Limitations and minimal requirements to justify the additional height of buildings generated by zoning lot mergers need to be part of the public review process and presented before the affected Community Board.
- I. Other Residential & Mixed Use Residential Buildings:** The limitation on the use of voids to increase building heights should apply to all commercial and mixed use buildings.





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April 16, 2019

**New York City Council
Subcommittee on Zoning and Franchises
Public Hearing
Council Chambers – City Hall**

Re: Residential Tower Mechanical Voids Text Amendment (ULURP No. N190230ZRY)

Good morning, my name is Rachel Levy and I am the Executive Director of FRIENDS of the Upper East Side Historic Districts. Since our founding in 1982, FRIENDS has worked to preserve the livability and sense of place of the diverse neighborhoods that comprise the Upper East Side. This concern for neighborhood preservation necessitates sound planning as a vital tool of balanced urban development.

For over two years, FRIENDS has been working to raise public awareness and call for a comprehensive solution to the range of zoning loopholes that are contributing to out of scale buildings in our neighborhood and across the city. Loopholes like the mechanical voids, oversized floor to ceiling heights, and gerrymandered and sculpted zoning lots violate the intent, if not the letter, of the Zoning Resolution, exacerbating overdevelopment without serving any public policy goals.

We are pleased that after having been raised by FRIENDS and others at several Mayoral town hall meetings, the Department of City Planning (DCP) has put forth a proposal to address one piece of the problem. The proposed Residential Tower Mechanical Voids Text Amendment is a critical first step in curtailing the scale and frequency of excess mechanical void space. However, FRIENDS finds the scope of this proposal to be far too narrow to fully address the mechanical void issue, and it does not begin to address the other zoning loopholes. We are particularly disappointed that the City Planning Commission further weakened the threshold for exemption to 30 feet, disregarding the DCP staff's own study which found no examples of buildings with legitimate mechanical space needs at this scale.

Now, we look to the City Council to roll back the 30 foot language, and continue to hold DCP accountable to a follow-up action to address the weaknesses of this proposal. Significantly, this amendment does not address unenclosed voids or stilts, and therefore will not impact one of the most egregious projects – 249 East 62nd Street, containing a 150 foot void – which has been a catalyst for both FRIENDS' and DCP's work on this issue. Unenclosed or open-air voids and stilts present the same issues of predictability, public safety, and scale as their enclosed counterparts and they serve no functional purpose for a building apart from artificially boosting upper stories. Until such spaces

FRIENDS

of the UPPER EAST SIDE
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are counted toward zoning floor area, the amendment will undoubtedly incentivize the use of this loophole.

Additionally, we look to the City Council to support a broader application of the text – one that impacts broader geographies and uses, including commercial buildings. We also urge the City to devise comprehensive solutions that will address a range of other weak spots in the Zoning Resolution, and strengthen them against abuse. The fact that floor to ceiling heights are unaccounted for but can still radically boost building heights, and that developers can sculpt and gerrymander zoning lots with no other purpose than to evade zoning rules, remain serious problems that must be addressed in DCP's follow up action.

Exploitation of zoning loopholes at the expense of the public is a complex issue that requires a multi-pronged approach. The void text amendment is weak, though it can and should be made stronger by the City Council. In the follow-up action, we urge a broad expansion of scope to look at more of the zoning loopholes impacting neighborhoods. As part of this process, we recommend a thorough study of alternative policy proposals, as well as solutions used in other municipalities to regulate these aspects of land use.

If such steps are taken, we believe this can be a positive first step in the City addressing these issues. FRIENDS supports an approval of the Zoning Text Amendment with modifications as the City's first step to address this package of civic concerns.

Thank you.



LINDA B. ROSENTHAL
Assemblymember 67th District

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Committee on Alcoholism & Drug Abuse

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Health
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Task Force on Women's Issues
Legislative Women's Caucus

Testimony of Assemblymember Linda B. Rosenthal on New York City Department of City Planning Proposed Residential Tower Mechanical Voids Text Amendment

April 16, 2019

I am Assemblymember Linda B. Rosenthal and I represent the Upper West Side and parts of Hell's Kitchen in Manhattan's 67th Assembly District. I thank the New York City Council Subcommittee on Zoning and Franchises for the opportunity to testify today on the proposed residential tower mechanical voids text amendment.

I testified in March 2019 at the Department of City Planning hearing on the proposed text amendment, stating then that the proposal was far too developer-friendly, doing little but codify an existing loophole. Unfortunately, the inadequate plan presented then has only been further weakened, with developers now being allowed 30 feet of mechanical space, every 75 feet. All this despite the fact that not a single building the City studied in the year and a half it took to prepare this amendment, required mechanical space of 30 feet.

The City Council has a critical opportunity and an urgent priority to drastically strengthen the text amendment as presented. New York City is in a housing affordability crisis; nearly half our city's tenants are rent burdened. We simply do not have any space in this great city for super towers filled with empty space that use the generosity of our zoning code to perch penthouses on stilts.

To move ahead with the plan presented today would invite developer exploitation to a degree we had only seen previously in isolated instances. DCP has thus far identified seven buildings with void space between 80 feet and 190 feet, but approval of the plan as presented would guarantee the right of every new developer in our city to increase their total building height nearly thirty percent, without being docked any Floor-Area-Ratio (FAR) allotment. While I encourage the City to carry out a phase two of this amendment process, there is no reason to not tackle this loophole right now.

At the state level, I have introduced legislation that seeks to comprehensively address the mechanical voids issue, while also addressing some of the broader challenges of exploitive development. The legislation, which amends the State Multiple Dwelling Law, is currently sponsored by more than 30 state representatives, and has received support of various urban planners and groups including Landmark West!, Friends of the Upper East Side Historic Districts, Greenwich Village Society for Historic Preservation, Historic Districts Council and Save Central Park NYC.

My legislation will require that all void space exceeding 20 feet or 5% of the total building height be counted toward total FAR. After that, each additional 12 feet of void space height will be counted as an additional floor. The legislation will count any residential ceiling height in excess of 12 feet as an additional floor. And finally, the legislation will ensure that open space, such as balconies, spaces-on-stilts and terraces, not bordered by four walls all be counted toward total FAR.

There are undoubtedly multiple ways to approach tackling the mechanical voids issue. But whichever path is ultimately pursued, it is essential that the City not merely close one loophole just to open another. I urge the subcommittee and the full Council to strengthen the amendment within the scope allowed, and to look closely at DCP's own data, which indicates no need for such generous allotments.

Thank you again for the opportunity to testify here today. I look forward to working with you going forward.

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Testimony of State Senator Brad Hoylman Before The New York City Council Land Use Committee In Support of the Department of City Planning's (DCP) Application N190230ZRY or "Residential Tower Mechanical Voids Text Amendment"

My name is Brad Hoylman and I am the State Senator representing New York's 27th Senate District which is home to six out of the City's twelve supertalls as well as other developments that threaten the character of our neighborhoods by exploiting zoning loopholes such as 50 West 66th Street and 200 Amsterdam Avenue. Thank you for the opportunity to submit testimony before the New York City Council Land Use Committee in support of the Department of City Planning's (DCP) proposed zoning text amendment pursuant to Zoning Resolution Section 23-16 and related sections to modify floor area regulations for residential tower developments located within the R9 and R10 districts, their commercial equivalents and certain Special Purpose Districts. I welcome the proposed amendment as a step in the right direction but am concerned that it fails to go as far as it should. I am also concerned that the City Planning Commission recommended to increase allowable void heights from 25 feet to 30 feet. The City Council must not follow the City Planning Commission's recommendation in this regard.

I want to thank everyone who has worked so hard to preserve our neighborhoods against the threat posed by these monstrosities including: Community Boards 1 - 12, LANDMARK WEST!, Committee for Environmentally Sound Development, Friends of the Upper East Side Historic Districts, Save Central Park, Manhattan Borough President Gale Brewer, Council Member Helen Rosenthal, Council Member Ben Kallos, Assembly Member Linda Rosenthal, Assembly Member Richard Gottfried, Assembly Member Daniel O'Donnell, State Senator Jose Serrano, State Senator Robert Jackson, Land Use Committee Chair and Councilmember Rafael Salamanca, Jr., and all others who have worked towards eliminating the mechanical voids loophole.

It is encouraging to see DCP confront the rising abuse of the mechanical voids loophole through the proposed amendment. The exploitation of this loophole has allowed developers to construct towers that threaten the character of our neighborhoods and cast shadows over our public spaces so that the wealthy can luxuriate in rising property values and scenic views. DCP's proposed amendment is an important first step towards addressing this growing problem. It is my belief, however, that the amendment does not go nearly as far as it should.

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The proposed amendment, if approved, would do the following. First, the amendment, would count enclosed mechanical voids taller than 25 feet as floor area to prevent excessively tall voids such as those found in 50 West 66th Street and other developments throughout the City. Second, the proposed amendment would count as floor area those enclosed voids that are within 75 feet of each other to avoid clustering mechanical void spaces.

These regulations have a limited scope of application. The amendment would subject non-residential mechanical space to the same 25-foot limit if non-residential uses occupy less than 25% of a building. The aforementioned regulations would only apply to zones R9, R10, their equivalent commercial zones and certain Special Purpose Districts. The proposed amendment will not apply, however, to the Special Lower Manhattan, Special Hudson Yards, and Special Midtown Districts. These areas are to be addressed in a Phase 2 DCP study and proposal, but we need to address these rapidly changing parts of our City sooner rather than later.

I am encouraged by the Department of City Planning's (DCP) proposed amendment to the Zoning Resolution but the measures under discussion today do not go as far as they should to prevent developers from finding other means of constructing excessively tall buildings in our cherished and historic neighborhoods.

The proposal falls short in several ways. First, under the proposed amendment there is no upper limit on the total combined height of multiple mechanical void spaces within a building. Instead, the proposed amendment limits the height of individual mechanical void spaces. This creates an opening for developers to continue using mechanical void spaces, at appropriate intervals, to increase the height of their developments.

The proposal's second shortcoming is its allowance for mechanical void spaces as high as 25 feet. According to DCP, the average height of mechanical void spaces in the buildings the Department surveyed was a mere **12 feet**. Why then allow for 25 feet high voids? Multiple advocacy groups and community boards have suggested to lower the height so as to reflect the actual average height. I agree with this recommendation. State legislation I co-sponsor (S.3820), introduced by my colleagues Assembly Member Linda Rosenthal and State Senator Robert Jackson, would amend the Multiple Dwellings law to allow mechanical void spaces to be as high as 20 feet without counting towards the floor

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area. Any mechanical void space may only be 5% of the gross horizontal areas of all floors of a dwelling.

Thirdly, DCP's proposal only applies to enclosed voids. Under the proposed amendment, unenclosed spaces are not counted towards floor area, including terraces, balconies and porches. Further, this oversight in the amendment would allow developers to extend the height of their buildings by using stilts to create an unenclosed structural void. The amendment's insufficiency with respect to stilts could encourage further abuse and overdevelopment in our communities. The proposed amendment should incorporate unenclosed spaces and count their height towards floor area.

These shortcomings arise in part because the Department, in drafting the amendment, chose to focus on the mechanical void loophole and not on the problem of excessive height. I would urge the Department to view the problem of mechanical voids in their appropriate context: these voids are a problem worth addressing primarily because they enable the construction of obscenely tall skyscrapers that cast shadows on our public parks, degrade the character of our neighborhoods, and transform our City into a playground for the uber-wealthy. To shape policy around the mechanical voids loophole without taking their purpose into account would result in an incomplete solution that leaves the door open to further abuse. While I support the Department's proposed amendment, I must say that our zoning laws should do more to fully anticipate the developers' future tactics.

We can and we must go further. That's why I am a proud co-sponsor of Senator Jackson's and Assembly Member Rosenthal's bill which counts towards floor area those mechanical void spaces which exceed 20 feet floor to floor and exceed five percent of the gross horizontal areas of all of the several floors of a dwelling. This legislation would impose commonsense zoning regulations on the floor to ceiling height of habitable areas. These regulations will go a long way toward combatting overdevelopment in our neighborhood. I thank the Department of City Planning for taking the initiative to address this problem. Now it is time for legislators in Albany to take the baton.



April 16, 2019

AIA New York Testimony on Void Heights

The American Institute of Architects New York (AIANY) is the professional association representing over 5,500 of New York's architects and related professionals.

The skirting of regulations around zoning by use of large mechanical voids requires strong action by the City. This loophole enables luxury residential buildings to be taller than normally permissible simply for better views, while making the lower floors devoid of life, creating an unwelcome feeling for pedestrians. The NYC Department of City Planning's (DCP) proposal to limit mechanical void height for residential buildings to 30 feet, with 75 feet separating voids, is an effective means of addressing this issue.

We view DCP's proposal as more equitable and just than the primary alternative, A5026/S3820, which is currently before the NYS Legislature. This bill would indiscriminately limit residential building ceiling heights to 12 feet, effectively nine or ten feet after ducts pipes are covered. Areas where new construction is concentrated, which are often low-income, would be hit the hardest. Their lobbies, retail spaces, and community facilities would be limited to lower heights than those seen in more established neighborhoods. Fortunately, DCP's proposal focuses solely on mechanical voids, which is the core of the issue at hand.

AIANY will continue to advocate for good design for all New Yorkers. Buyers able to afford units above the ground plane do not have a right to purchase their home-with-a-view at the expense of the streetscape. At the same time, the State does not have the right to subject poorer areas of the city to endless rows of identical apartment buildings that could result from city-wide ceiling-height mandates. We ask that you please support DCP's well thought out proposal to close the mechanical void loophole.

Sincerely,

Benjamin Prosky, Assoc. AIA
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American Council of Engineering Companies of New York

**Comments to the Subcommittee on Zoning and Franchises
Regarding modified Zoning Text Amendment on Residential Tower Mechanical Voids
April 16, 2019**

The American Council of Engineering Companies of New York (ACEC New York) represents close to 300 consulting engineering and affiliate firms comprising 30,000 employees throughout New York State, with a concentrated presence in New York City. Our members plan and design the structural, mechanical, electrical, plumbing, civil, environmental, fire protection and technology systems for buildings and infrastructure across the City.

ACEC New York appreciates this opportunity to share our comments regarding the proposed modified zoning text amendment in relation to regulating mechanical voids in residential and mixed use buildings consisting of 75% or more residential area.

We applaud the City Planning Commission (CPC) for modifying the originally proposed zoning text amendment to increase the 25-foot threshold upward to 30 feet before mechanical space is identified as zoning floor area. As the CPC recognized, "This change will allow appropriate flexibility to meet energy efficiency and resiliency standards without requiring a building to equally offset important occupiable space."

Numerous engineers and design professionals testified at the March 13, 2019 CPC hearing in support of the need for a 30 foot floor to structure distance. This insignificant increase above the originally proposed 25 foot dimension provides responsible and necessary space for the systems to deliver the structural, energy efficiency, life safety and resilience requirements of a modern high performing building. With this modification, we believe the CPC struck the appropriate balance between responsible design and the goal of discouraging the development of buildings with excessively large voids.

At the time of the CPC hearing the measured dimension was defined in Section 23-16 (a) (2) as being from the top of the floor slab to the bottom of the 'structural ceiling' which we and others understood to mean the bottom of the structural beams, girders or trusses, etc putting this structure outside the measured dimension. Our CPC testimony was based on this understanding of the definition.

Upon review of 23-16 (a) (2) in the latest document we see that the measured dimension is now 'measured from the top of a structural floor to the bottom of a structural floor directly above such space' which seems to indicate that any structural systems (beams, girders, trusses, etc) are now considered to be within the measured dimension. The height of structural systems on transfer floors can range from 10-20 feet so this definition change could reduce the net available space for mechanical systems on a transfer floor from the discussed 30 feet to as little as 10 feet. We have previously concluded that a 25-30 foot clear height is in many conditions necessary to meet the City's advancing goals for efficiency, life safety, air quality, etc so the conflict is clear. The dimension of the structural system can vary widely based on the building size and the structural systems chosen so we believe the original definition that excluded this system from the measured dimension is the most appropriate way to address this variability.

We urge the City Council to address the change to this definition to restore the height of transfer floors to a useful height or, alternatively, exempt transfer floors from these requirements.

If you have any questions, I would be happy to address them.

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April 16, 2019

COUNCIL OF THE CITY OF NEW YORK Subcommittee on Zoning and Franchises Public Hearing

Testimony of Save Central Park NYC

We believe that any undermining of the Zoning Resolution in order to maximize profits requires immediate action. We need growth and predictability that makes sense. Empty space does not address the need for more growth and this text amendment ignores the intent of zoning regulations.

We cannot fathom how the Department of City Planning's (DCP's) text amendment has such a limited scope. It appears that the outcome was determined at the outset. Their own research contradicts what will be the final result.

While we applaud the City for finding a framework to address the mechanical void loophole, the Void Text Amendment (4/9/10) that DCP has issued in response falls short of providing meaningful relief in closing zoning loopholes, including Mechanical Voids. The Mayor himself assured us last June that the department would look at all voids. The DCP Mechanical Void Text allows for 30 feet of void space for mechanicals before the space is counted towards the FAR and allows the voids to be separated by only 75 feet. That result is not supported by City Planning's own research of 796 new buildings (since 2007) which showed that only a limited number had mechanical floors, and that those floors were typically only 10-12 feet in height. Seven buildings used voids, six of which were obscenely excessive. Nor is it supported by other facts. Rather, the Real Estate Industry's proposed 30 ft "no count," for mechanicals is premised on a hypothetical future need for taller equipment when we are increasingly living in a world in which equipment can be (and is) made smaller.

We urge you to make DCP's text amendment as strong as possible. Unfortunately, we've been told by specialists that 25' rather than 30' allowed for mechanical voids is the only change you can make at this time.

We urge the City Council to push for more substantive measures, including:

- Change the allowable "no count" void height to 12 feet and the separation of voids to 200 feet. This modification would not unduly restrict building design, but would effectively prevent the outrageous utilization of void space to artificially raise building heights.
- Specifying an area that includes the blocks at W 56th Street and W 58th (between 5th and 6th) that are threatened NOW by developers who applied for demolition immediately after the release of the text. They are racing against the clock hoping to escape any text amendment which would impact their planned towers.
- Unenclosed spaces (terraces and open voids) should be included and treated the same as enclosed voids. 249 E 62nd is of particular concern at this time.
- Floor area calculations should not be rounded. Presently decimals are often used in calculating FAR, without issue. As extraordinarily tall buildings continue to form a wall at the southern edge of Central Park, long shadows deprive our ball fields and the Sheep's Meadow

of sunshine. This is all happening as DOB has apparently approved Extell's tower on W 66th St. with multiple voids that would cast a shadow all the way to Bethesda Fountain!!!

We look to you to ensure that this first loophole is closed in a meaningful way. The original zoning resolution was enacted to protect our right to light, air and open space in response to a too tall building in 1916! With new building techniques, we need this protection now, more than ever!

Presented by
Holly Rothkopf
10 West 66th Street
New York, New York 10023



West End Preservation Society (WEPS) Statement to the New York City Council Subcommittee on Zoning and Franchises on T2019-4177: Application No. N 190230 ZRY Residential Tower Mechanical Voids Text Amendments

April 16, 2019

Good morning Chair Moya and Committee Members,

I am Josette Amato, the Executive Director of the West End Preservation Society, a non-profit dedicated to the preservation and protection of Manhattan's West End Avenue and its surrounds.

I come before you, today, to ask you to modify the City Planning Commission's findings and restore some sanity into the current situation.

A few architects and developers have exploited current regulations. If not technically breaking the rules, they most certainly are breaking their spirit to favor the few at the expense of the many.

We are grateful that the City Planning Commission recognized this abuse and endeavored to right this wrong. However, their result was woefully inadequate. Instead of heeding their own research and the overwhelming recommendations at the public hearing, they ignored almost every point. The only voices heard, apparently, were from "industry representatives" and the few engineers present at the hearing.

The hearing's majority, based on the CPC's research, requested the mechanical void threshold be reduced. Their answer was to increase the mechanical void height to 30 feet stating: "that a 30- to 35-foot threshold would allow reasonable flexibility for mechanical needs both today and in the future. The Commission believes that it is important that this text amendment not hinder a resilient or energy efficient building."

There would be no hindrance at fifteen feet. Because nothing prohibits a developer from incorporating any size void they need or want. Anything above the cap would count towards FAR.

We requested the clustering of the voids be expanded to the outside limit of DCP's research, 200 feet. The 75-foot limit remains. If passed, this Council will produce all new buildings with 30-foot voids every 76 feet.

We also believe that structural voids (stilts), unenclosed or open spaces should be similarly treated as enclosed voids in the text. Noticeably absent.

We need more housing, not less and would be thrilled to see exciting designs creating a beautiful streetscape. But that's not what happening. We are truly building castles in the sky. We are condemning great swathes of land and people to darkness so an elite few can bask in the light. These regulations will do nothing to prevent adding empty space in the center of buildings for the sole purpose of increasing building height for more expensive views.

Therefore, we ask your help in strengthening these amendments.

Thank you for considering our comments.

April 16, 2019

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MAS Comments to New York City Council on 270 Park Avenue Text Amendment, CEQR No. 19DCP085M, ULURP Nos, N190180 and N190180(A) ZRM

Before City Council today is the first zoning text amendment under the Greater East Midtown rezoning. We would be remiss if we did not take note that this proposal seeks to demolish the Union Carbide Building, a treasured piece of New York's Modernist history.

Indeed, MAS has been advocating for the preservation of this building for years. As we wrote in our 2013 report, *A Bold Vision for the Future in East Midtown*: "Built for the Union Carbide company, 270 Park Avenue is one of the great buildings of that era. At the time of completion, the Union Carbide Building was the tallest stainless-steel-clad building in the world and Park Avenue's tallest skyscraper, as well as Manhattan's tallest building constructed since 1933."

Now it will be the tallest building ever intentionally torn down. At the very least, its replacement should be an improvement to the public realm.

East Midtown desperately needs open space. In fact, one of the key recommendations from the Greater East Midtown Steering Committee was the requirement for buildings larger than 30,000 square feet to include a POPS. As a result, 16 new POPS could potentially be built in this neighborhood. Therefore, we have great interest in ensuring that this first new POPS in the East Midtown Subdistrict is truly effective and inviting, setting a precedent for those to come in the future.

While we commend JPMC for being responsive to comments from Community Board 5 and the Manhattan Borough President's Office, we have great concern about the proposed location of the 10,000 square-foot unenclosed POPS. Madison Avenue is a congested narrow street. It includes five major bus routes, with stops on the eastern side of the street. Sidewalks are also relatively narrow and pedestrian traffic is heavy. Moreover, the east side of Madison Avenue is typically shrouded in shadow for large portions of the day throughout the year.

Meanwhile, the Park Avenue side of the proposed building is a more inviting location. The Park Avenue side has sufficient sidewalk space (15 feet to the street and 63 feet of building frontage) to accommodate an infinitely more appealing open space. The east and west sides of Park Avenue in the vicinity of the proposed building are popular locations for workers and visitors to eat lunch, rest, and socialize in a sunny location. Traffic would be farther away from POPS visitors than the Madison Avenue side. As such, we find Park Avenue to be a significantly more conducive location for an enjoyable public space.

Given the prominence the new JPMC headquarters will have, the POPS presents an opportunity to create a quality open space that will be an asset to the East Midtown public realm. For the reasons stated herein, we find the location on Park Avenue would be better suited to achieving these goals. Public spaces in East Midtown are few and far between. The area can ill afford a new public space that is in a vastly inferior location.

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ANTHONY P. SCHIRRIPIA
FRANK J. SCIAME
ROBERT E. SELSAM
DOMINICK M. SERVEDIO
MARILYN JORDAN TAYLOR
DANIEL R. TISHMAN
RICHARD L. TOMASETTI



**Testimony Before the New York City Council
Subcommittee on Zoning and Franchises
Regarding 270 Park Avenue
April 16, 2019**

Good morning. I am Joseph Colella, here on behalf of the New York Building Congress, which includes more than 550 constituent organizations in New York's design, construction and real estate industry. Thank you for this opportunity to testify on the application on behalf of the Building Congress.

The Building Congress wholeheartedly supported the East Midtown Rezoning when City Planning crafted it in 2017. Now, we urge this body to support the zoning text amendment that will facilitate the construction of JP Morgan Chase's new world headquarters in East Midtown and better integrate the accompanying public space.

This project, the first major development of the 2017 East Midtown Rezoning, advances the key public policy goals of the rezoning – the creation of meaningful public spaces that residents and visitors will enjoy, and the development of modern, sustainable office space in a variety of methods.

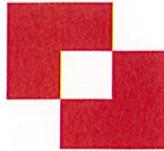
Firstly, this application addresses unique constraints at this specific site and will allow for the construction of a 10,000 square foot, open-air public plaza on Madison Avenue that will revitalize the area and provide substantial public benefits.

JP Morgan Chase has retained leading architects Norman Foster & Partners and Vishaan Chakrabarti of PAU to design a world class building with thoughtful, well-integrated public spaces.

The headquarters project demonstrates JPMorgan Chase's commitment to New York City and its diverse, skilled workforce. The new building will accommodate up to 12,000 JPMorgan Chase employees in a wide range of high earning, 21st Century jobs. The project will be governed by a Project Labor Agreement and will create approximately 8,000 union construction jobs. It will also provide substantial opportunities for minority and women-owned businesses, many of whom are members of the building community.

In addition, JPMorgan Chase has made a \$42 million contribution to the Public Realm Improvement Fund which the East Midtown Governing Group will determine how best to invest these funds to improve public space in the area.

Overall, this text amendment facilitates a much-needed advancement of spaces in the public realm and the New York Building Congress urges you to support.



Grand Central
PARTNERSHIP

**STATEMENT OF GRAND CENTRAL PARTNERSHIP
IN SUPPORT OF THE APPLICATION OF JP MORGAN CHASE
REQUESTING A TEXT AMENDMENT TO FACILITATE AN OPEN
PUBLICLY ACCESSIBLE SPACE ON THE DEVELOPMENT SITE'S
MADISON AVENUE FRONTAGE**

**NEW YORK CITY COUNCIL
TUESDAY, APRIL 16, 2019**

Thank you for the opportunity to present these comments on behalf of the board of directors of the Grand Central Partnership.

GCP enthusiastically supports the application by JP Morgan Chase requesting an amendment to the East Midtown zoning text to enable it to build a new, state of the art open-air publicly accessible Privately Owned Public Space (POPS) on the Madison Avenue frontage of a newly planned 270 Park Avenue office tower that would be home to all of its global headquarters operations.

As you know, GCP was pleased to have partnered with Manhattan Borough President Gale Brewer, former Councilmember Dan Garodnick and other neighborhood stakeholders to help frame and shape the process for the rezoning of Greater East Midtown. These zoning changes facilitate this new development, and others, to build modern office towers to accommodate the needs of businesses in the 21st century with new, open, energy efficient office towers. It is also responsible for the creation of public realm improvements, including much-needed mass transit enhancements.

East Midtown Rezoning is enabling one of New York City's largest employers to demonstrate its long-term commitment to New York City and Greater Midtown East and the Grand Central neighborhood with a 21st Century headquarters building that will be designed to not only meet the needs of its workforce and global business, but to also contribute to the vitality of our community.

The current application that is before the City Council today will enable JP Morgan Chase to introduce a spectacular open and accessible green, urban space for the benefit of the Midtown East community. In order to deliver this new POPS, JP Morgan Chase is asking for this text amendment to shift the location of a 10K square foot POPS from a midblock location to Madison Avenue. The text amendment also seeks to modify street wall, retail continuity, and design regulations in order to permit this open green space at the alternate Madison Avenue location.

The shift of the POPS to Madison Avenue will offer the community two significant and valuable benefits: first, improving pedestrian traffic along a heavily trafficked Madison Avenue, and second, the cantilevered design of 270 Park Avenue rising above the POPS will provide additional sunlight to the open space and improve sightlines for pedestrians walking along Madison Avenue. This area will also be the entrance to East Side Access and this gateway to Midtown East will benefit by an open and welcoming new public space.

We commend JP Morgan Chase for hearing the comments and concerns of Community Board 5, and Borough President Brewer during this process and making dramatic and impactful positive modifications to the vision and reality of this proposed new public space. And we are proud to join with the Borough President in supporting this application.

Grand Central Partnership looks forward to continuing to work with JP Morgan Chase, Councilman Keith Powers and our neighborhood's stakeholders on this exciting project, as we encourage the approval of this text amendment by this Council.



DC9
NEW YORK

DISTRICTCOUNCIL9.NET

BUSINESS MANAGER/
SECRETARY TREASURER
Joseph Azzopardi

PRESIDENT
John Drew

TESTIMONY
On behalf
District Council 9 Painters & Allied Trades
In Support of the J.P. Morgan Chase Bank Headquarters Project
April 16th , 2019

Good morning. My name is Davon Lomax, I am the Political Director for District Council 9 Painters and Allied Trades (DC9). DC9 is a Union that represent about 11,000 men and women of the finishing trades industry. We advocate for safe working conditions, middle class careers, apprenticeship and community activism. DC9 is also an affiliate of the Building and Construction Trades Council of Greater NY.

DC9 rises in full support of the J.P. Morgan Chase Bank Headquarters. This project is a 2.4 million square feet office building that will include site work and transit improvements in addition to interior and structural demolition and construction. Anticipated to require three million and seven hundred-thousand (3,700,000) plus hours by construction workers across various skilled trades. This will thus provide significant construction jobs, opening the door for apprentices around NYC to gain valuable skill sets as their careers move forward.

Additionally, J.P. Morgan Chase has committed to reaching a project labor agreement ensuring that all workers on the project will receive fair wages and benefits. This is an important project that is vital to the economic development of our City. Furthermore, J.P. Morgan Chase Bank has made a \$42 million contribution into the Public Realm Improvement Fund. Approving this zoning text amendment will facilitate construction of J.P. Morgan Chase Bank's new world headquarters in East Midtown.

New York City continues to grow and we must allow workers around the city to continue be able to live and work here. We thank you again for this opportunity to testify in support of the zoning text amendment. We urge you to approve this important project.

Sincerely,


Davon Lomax
Political Director

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GLAZIERS,
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WESTCHESTER—PUTNAM
595 WEST HARTSDALE AVENUE
WHITE PLAINS, NY 10607
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FAX: 914-592-1232

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21 AIRPORT DRIVE
WAPPINGERS FALLS, NY
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ALBANY & NORTH
890 3RD STREET
ALBANY, NY 12206
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FAX: 518-453-3588

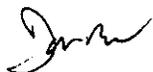
April 16, 2019

Good morning my name is Dan Marks – I've been working and living in the surrounding area for the past 7 years and work in real estate. I'm here to give my full support to this project.

There is an immediate need for more residential units in the market, especially affordable units which this project will provide. The idea that there is an oversupply of units coming to the market is wrong. It's true, there are a lot of units coming to market all over Brooklyn and in speaking with several developers who have new units currently on the market they are being leased up at a very steady rate. There has been a significant slowdown in the number of development sites acquired over the past few years and by the time this project comes on-line I would expect most if not all the current supply in the market today to have been absorbed by then. It's critical that when properties or neighborhoods go through a rezoning that as much density, that makes sense, is allowed to allow for the maximum number of both market and affordable units to help alleviate the housing pressure.

Furthermore, this neighborhood has been speaking for years about a broader rezoning, which I support, but there is no set timeline as to when it will be complete. I think it's important for projects like this to not only test the market but prove to future developers that you can build a successful mixed-use project, of scale, in this part of the neighborhood – look at for example the Lightstone project that was built in Gowanus years prior to the proposed rezoning. That project has been a tremendous success and has given confidence to developers waiting for the rezoning to happen, once the rezoning happens, I expect development to start immediately.

Thank you for your time and for the opportunity to share my thoughts.



Dan Marks
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G. Carter Clarke
HSN Realty Corporation
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C: 703-300-1449
gcarterclarke@gmail.com

April 16, 2019

New York City Council Subcommittee on Zoning and Franchises:

In response to 1010 Pacific Street LLC and 1050 Pacific LLC's applications (No. C 180042 ZMK and No. C 160176 ZRK, respectively), we support activating Pacific Street and applaud the proponents' commitment to the publicly accessible space and community arts center on the ground floor. The introduction of new residents will help support new neighborhood services, promote activity and job creation, and propel the much-needed revitalization of this section of Crown Heights. We welcome sensitive, tasteful and responsible development in our neighborhood. In 1010's case, saving part of the warehouse façade will help transition the architecture with its nod to the past. We look forward to working with other stakeholders, the Community Board, the Department of City Planning, and City Council to make sure this neighborhood reaches its full potential.

Thank you,



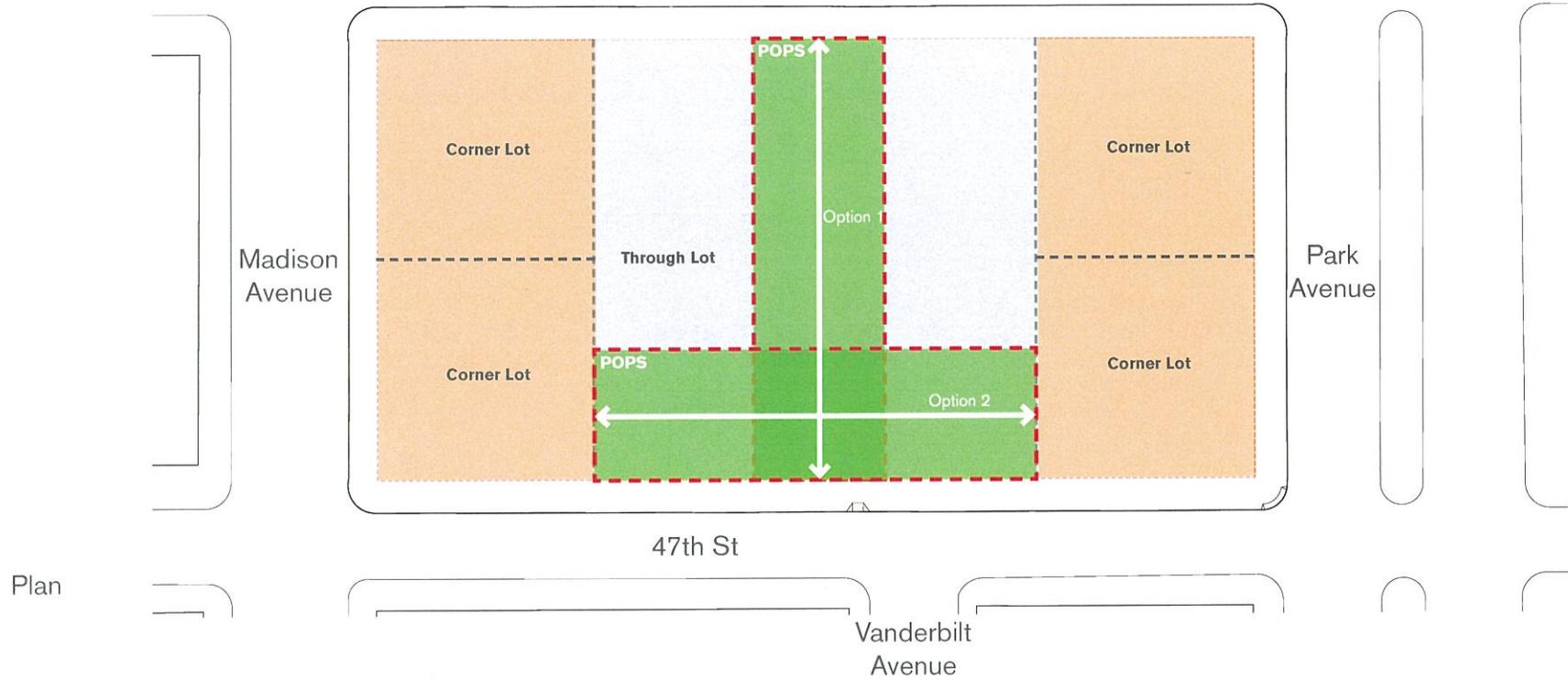
G. Carter Clarke
HSN Realty Corporation
Vice President

270 Park Avenue - Text Amendment

April 2019

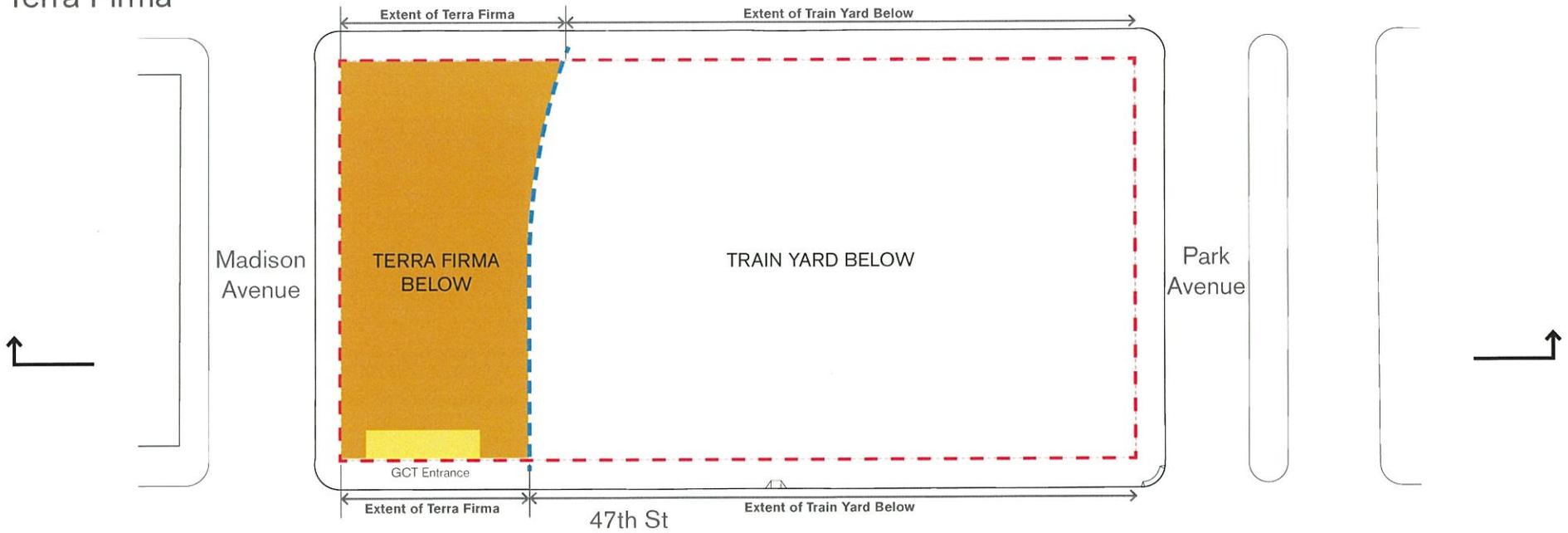
Current Open Publicly Accessible Space Requirements

Through-Block vs. Mid-Block

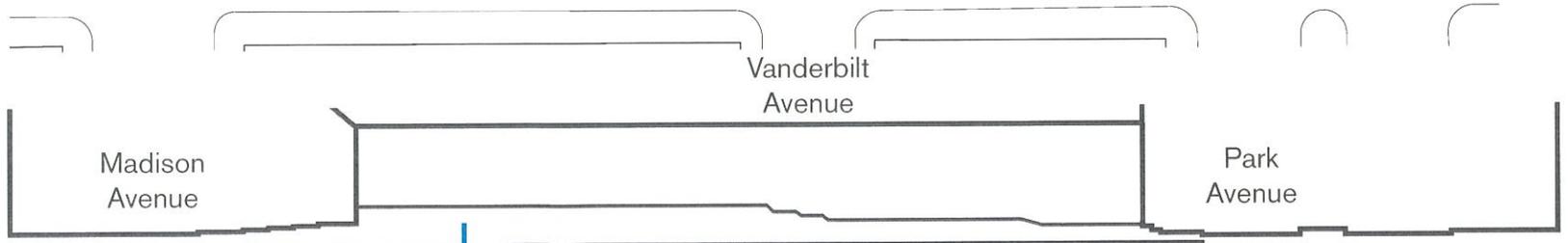


Site

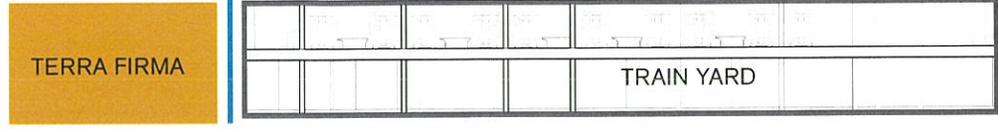
Terra Firma



Plan

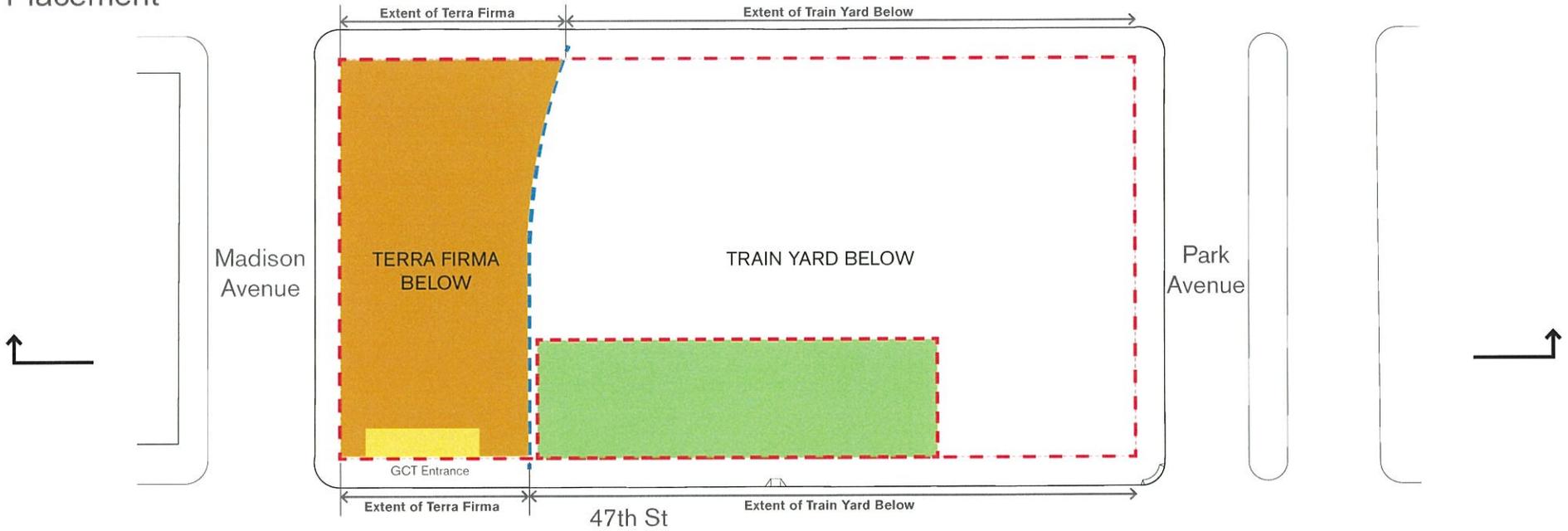


Section

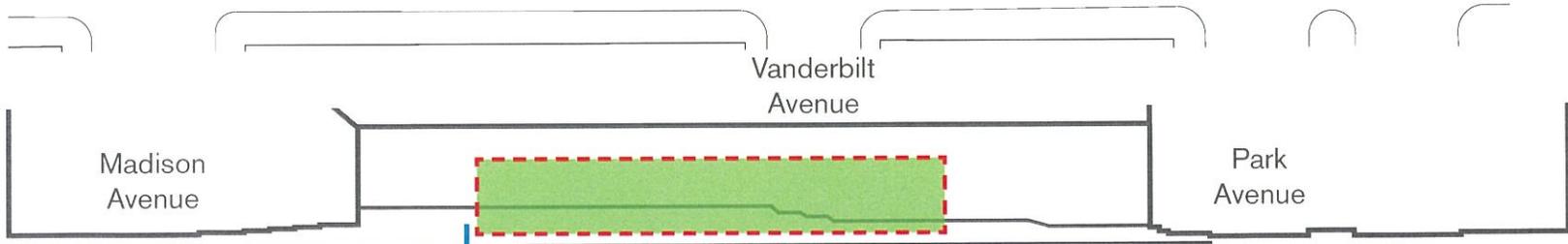


Mid-Block POPS Analysis

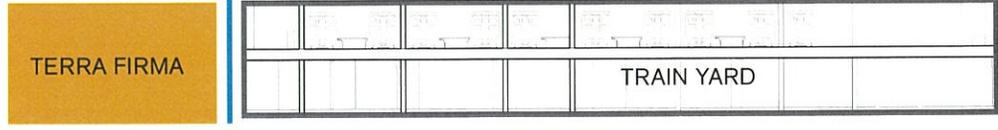
Placement



Plan

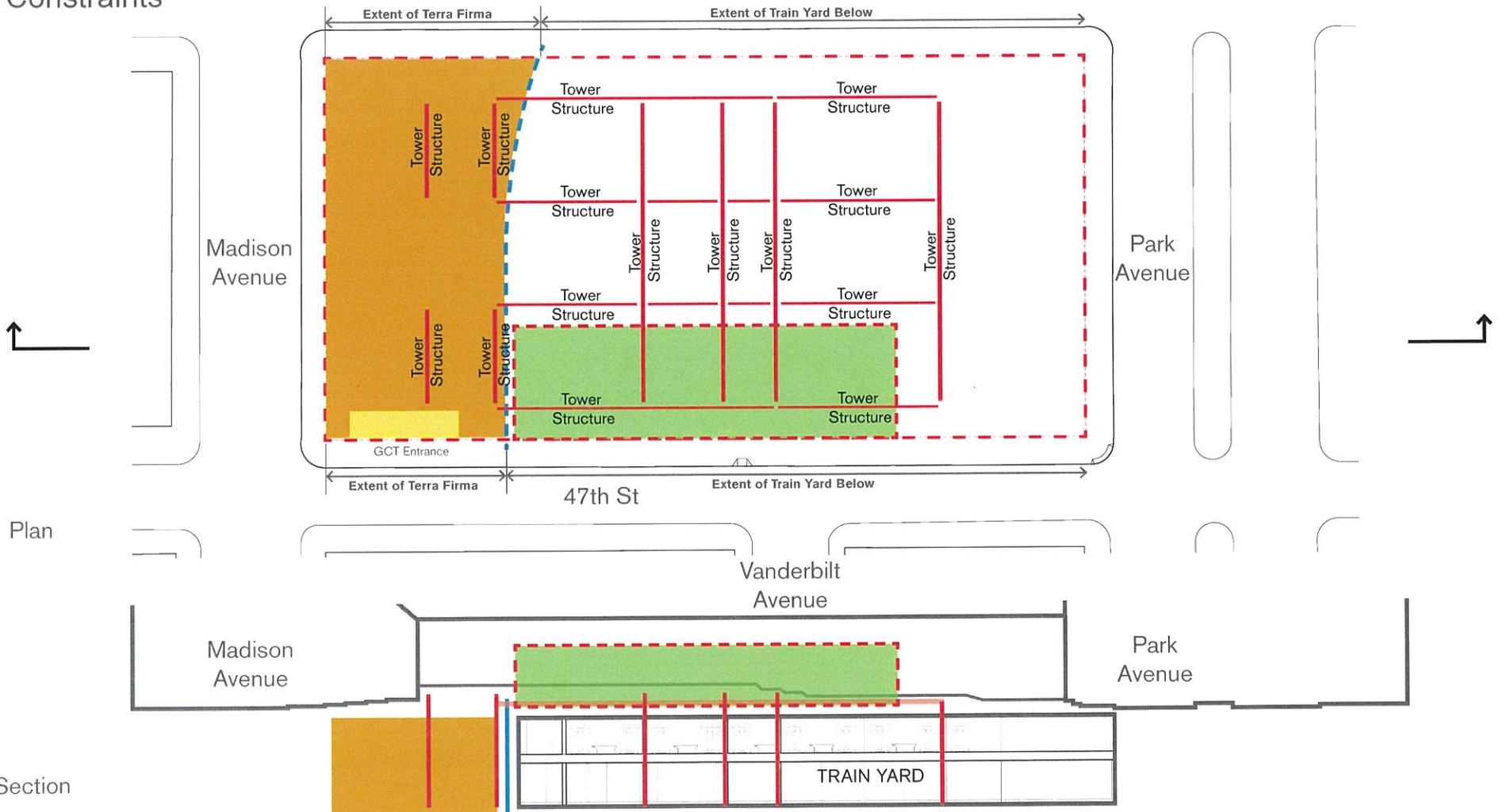


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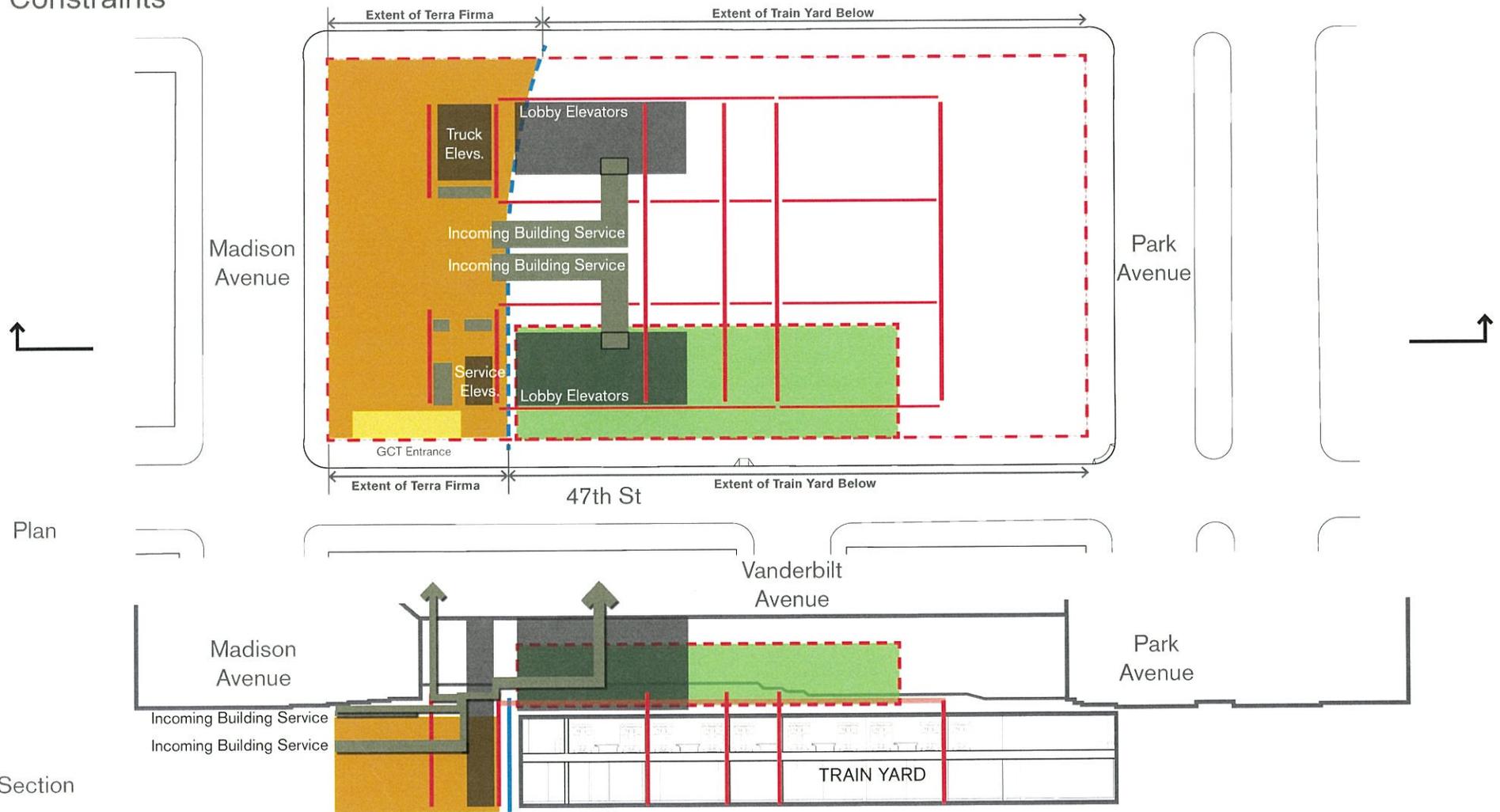
Mid-Block POPS Analysis

Constraints



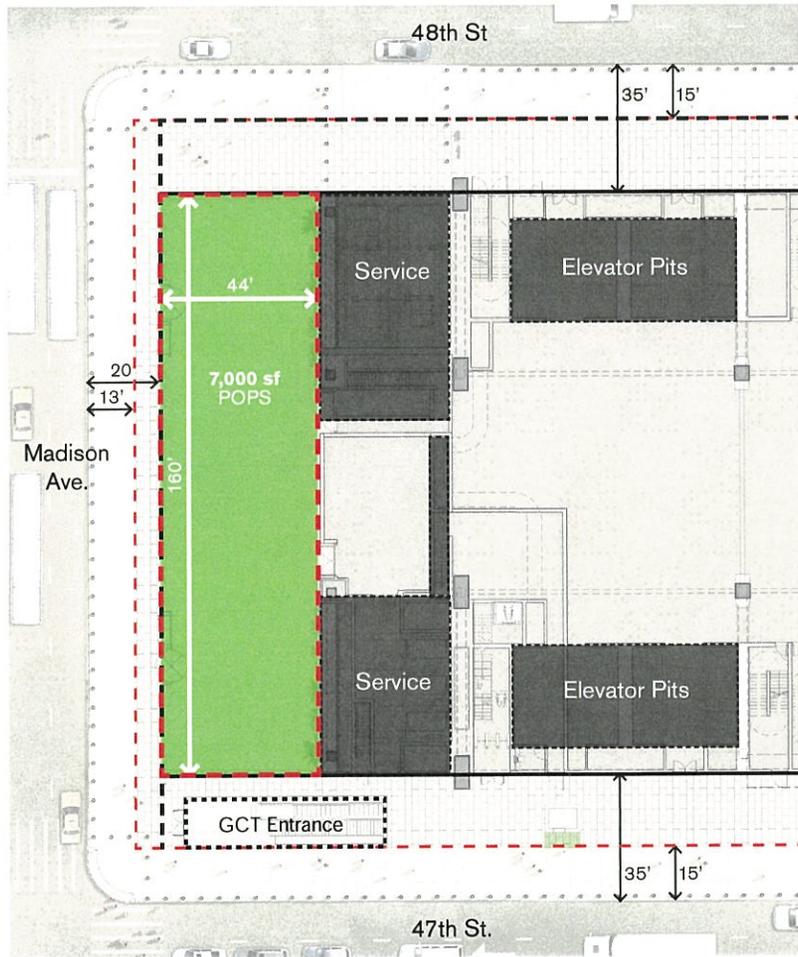
Mid-Block POPS Analysis

Constraints

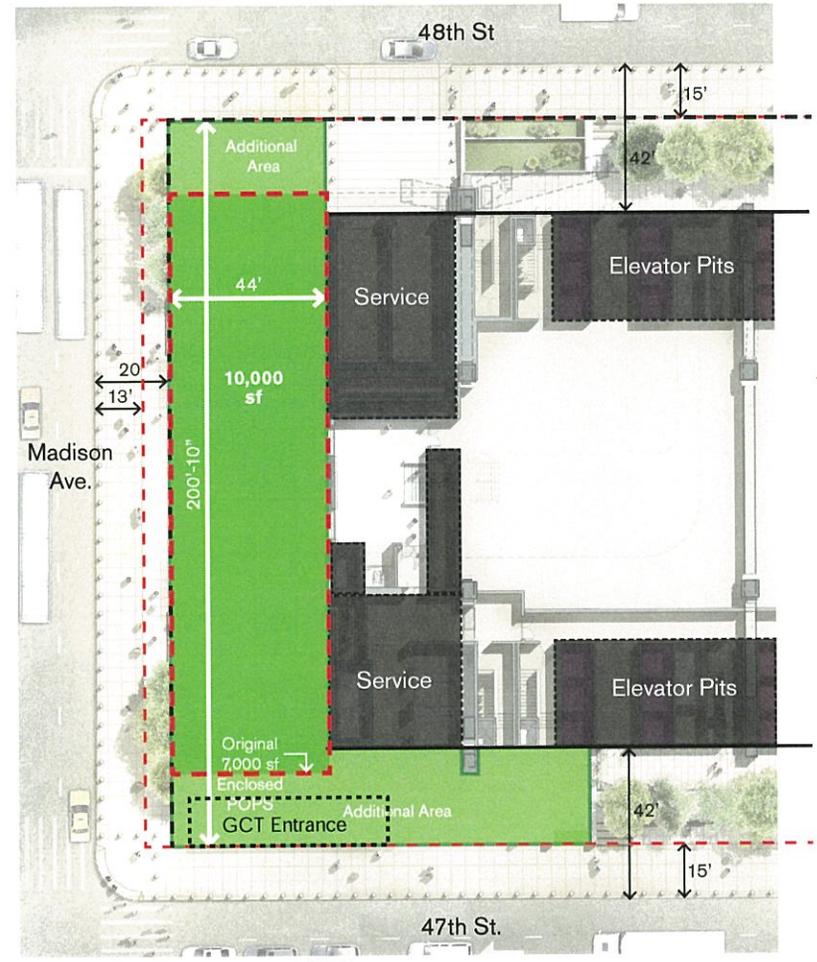


POPS on Madison

Indoor vs. Outdoor



7,000sf Indoor POPS



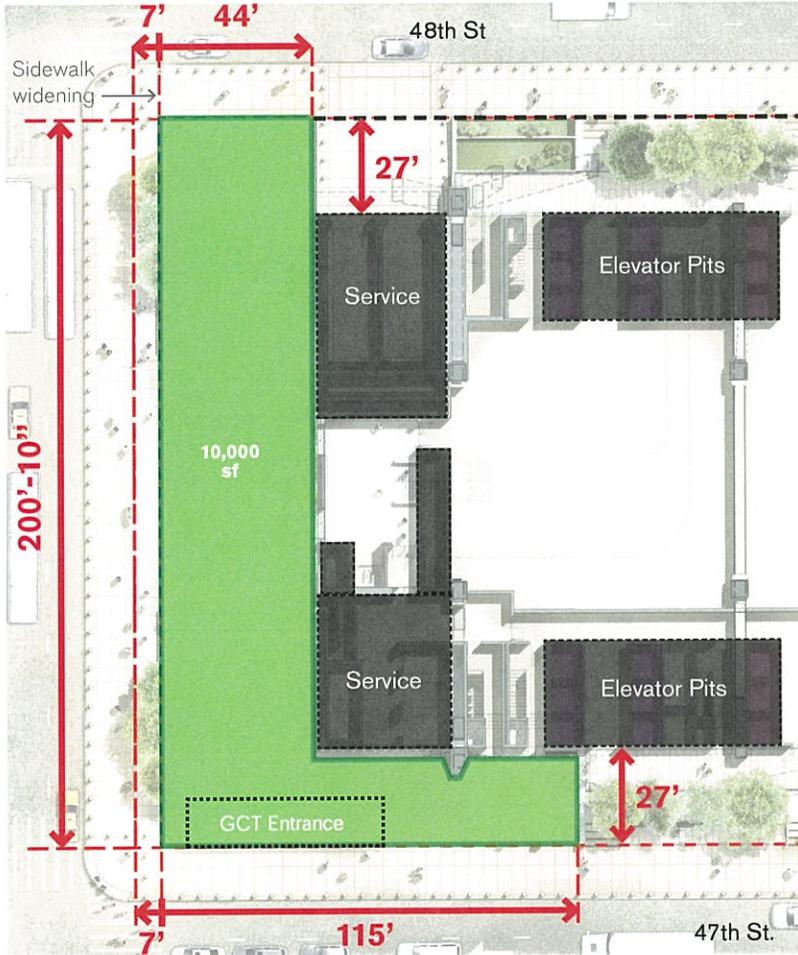
10,000sf Outdoor POPS

Madison Avenue

A New Gateway



Proposed POPS



Response to Public Comments

- Provides 10,000 sf of Outdoor Public Space
- Open 24 Hours a Day, 7 Days a Week
- Includes Cafe Kiosk
- No Private Events Will Be Permitted

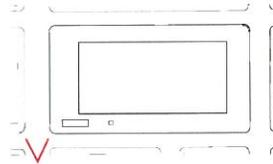


Madison Avenue

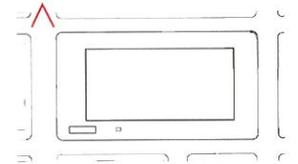
Streetwalls



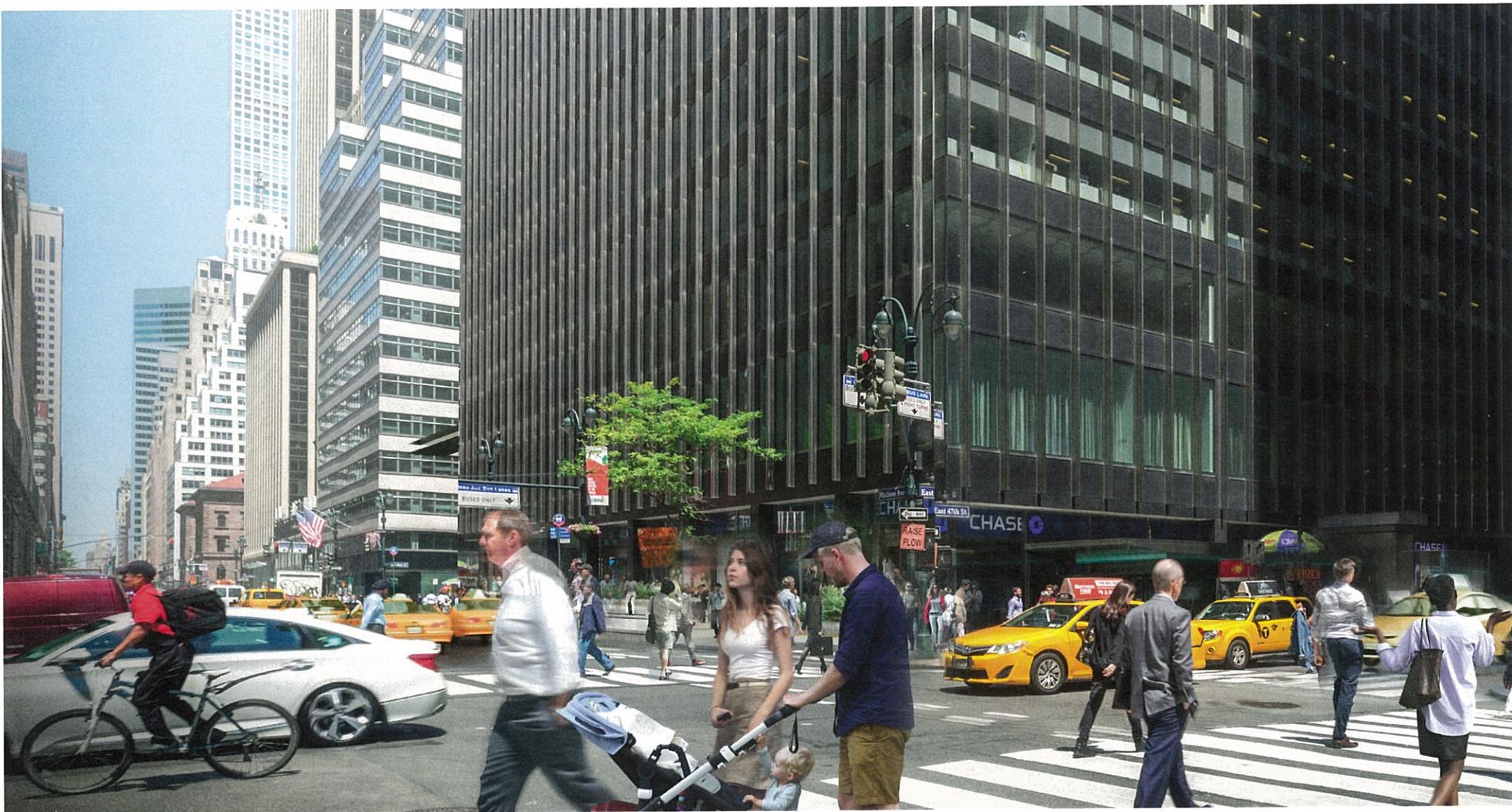
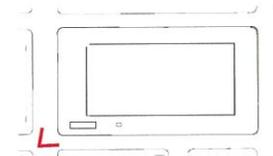
View of Madison Ave. Facing North from E. 47th St.



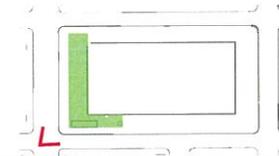
View of Madison Ave. Facing South from E. 48th St.



Madison Avenue Existing Condition



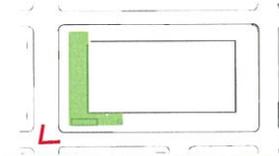
Madison Avenue Illustrative Outdoor Plaza



Illustrative Only

Text Amendment

1. Relocate Open Space to Madison Avenue
2. Waive Madison Avenue Street Wall and Retail Continuity Requirements
3. Adjust POPS design regulations



Madison Avenue Illustrative Outdoor Plaza



Questions and Answers

Thank You

Testimony of Voids and Mechanicals
Human-scale NYC. www.humanscale.nyc
April 16, 2016

- My name is Lynn Ellsworth, Chair of Tribeca Trust, founder of the Alliance for a Human-Scale City, and President of Human-scale NYC, a non-profit that educates the public about human-scale urbanism, neighborhood livability, and democratic control over the built-environment.
- Everyone agrees that the loopholes on ceiling height, voids, and mechanicals have led to terrible urban policy and that something should be done as they violate the intent of the zoning code.
 - At their most egregious, these loopholes cause the worst developers to jack up their buildings to oligarchic heights, often on enclosed or unenclosed stilts, thus over-building, destroying context, blocking light and views, shadowing our parks, and making the city for the world's wealthy instead of for residents.
 - Even when they are not newspaper headline examples, the loopholes lead even ordinary developers to dumping their mechanical equipment at the level of the street wall, creating noise, pollution, and entire blocks of dead space, the antithesis of what Jane Jacobs advocated for cities.
- I am broken hearted to have to break with my colleagues and allies here and speak the truth as I understand it. The proposal before you will do nothing to fix the problem. It literally represents a needless and unnecessary giveaway to developers. It codifies worst, not best practice, and will likely result in hundreds of new buildings that will be built to take advantage of what will be a new loophole, not a closed loophole. It might solve the problem for a single building on the Upper East Side, but will help nobody else.
- At the DCP hearing, all of us asked for a 12-foot height cap on mechanical floors. REBNY asked for 35, and now mysteriously, the number is ~~20~~³⁰ feet. DCP ignored all pleas for reason and transparency. You should not.
- Another point is that even the 12 feet ceiling height number was a giveaway. Here is why:
 - Of the 800 buildings built over the past ten years - as surveyed by city planning - only 7 had floors devoted to voids. DCP has no knowledge whatsoever of the height of mechanical floors, because they did not do the research to measure those floors. The other 780 buildings did not have a single such void floor. Now we want to give them developers the right to build 20-foot mechanical floors? That is just absurd. Where there is none, there will now be thousands if you let this through.
- Understand that it is possible to build huge towers of 100% affordable housing without a single floor devoted to either mechanical equipment or voids. Here is a rendering of a 45-story NYCHA infill tower that does not have a single void or mechanical floor. If we can build like that, why bother codifying 20 feet as rightful?
- Last, let me point out a serious error everyone is making. DCP went around the city literally pretending to have done research on the volume and heights of mechanical floors and voids in 800 buildings. They did no such thing and cannot produce the data to prove otherwise. How can it be that public policy is being made without proper research? Shame on De Blasio's City Planning department. All of this should be stopped until real data is available.
- We urge you to reject this text amendment. A much better fix is underway at the State Legislature.

Infill tower proposed at Holmes Towers NYCHA campus

Uses mechanical rooms
scattered throughout building
and has no mechanical floor

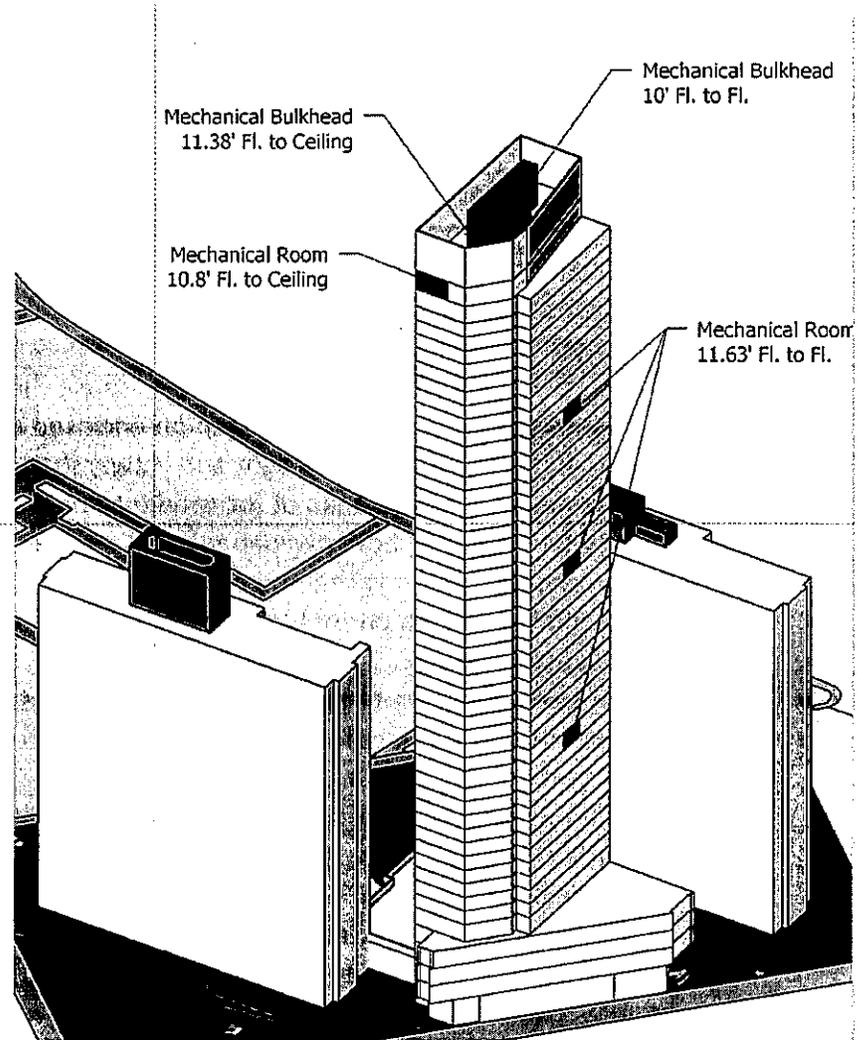


Image from George Janes at georgejanes.com

TESTIMONY OF THE REAL ESTATE BOARD OF NEW YORK BEFORE THE CITY COUNCIL SUBCOMMITTEE ON ZONING AND FRANCHISES IN OPPOSITION TO APPLICATION NO. N 190230 ZRY – MECHANICAL VOIDS TEXT AMENDMENT

April 16, 2019

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY opposes the proposed text amendment because it does not yet reflect best practices in design, engineering capabilities, and public policy goals.

The text would place a 30 feet limit on mechanical voids in residential and mixed-use residential buildings in high density, non-contextual residential districts and their equivalents in the Boroughs of the Bronx, Queens and Manhattan. As this body undertakes other legislation to address the affects of climate change and to meet shared energy efficiency goals it is critical we do not artificially set limits that preclude the ability of new buildings to meet increasing requirements in sustainability and resiliency.

We believe a rational limit of 35 feet, a singular occurrence per building stacking exemption, and a grace period for buildings currently in the development pipeline would account for the following:

- **Ventilation requirements** – Both the surface area and clearance radius of vents have increased in size over time along with the expansion of requirements for ventilation to all living spaces.
- **Stacking or clustering of mechanical floors** necessarily occurs at least once in high rise construction due to placement requirements of fire safety mandated water tanks. Stacking also occurs as a practical matter to separate out electrical equipment from plumbing and due to the size and placement on the horizontal and vertical plane of structural and transfer supports.
- **Energy Infrastructure** - Reducing energy consumption and the overall carbon footprint of the city are stated public policy goals. The city also has a stated sustainability goal to move toward electrification. Therefore, the need for building level batteries, which are substantial in size today, will only increase over time. Batteries are also necessary to store off the grid the power from alternative, clean energy sources.
- **Resiliency** design includes the raising of mechanical and energy systems from below or at grade for sea level rise and the need in the future to build in redundancies from the grid to allow for critical life and safety lines to function independently during a sea surge event.
- **Intersection between zoning and the building code** – Currently, the mechanical and energy codes are being revised to reflect international code which already requires more in the areas of ventilation, energy storage and efficiencies. It is our understanding that additional changes in increased area will occur, if not in this cycle then certainly in the next.
- **Unintended consequences** – Staying consistent with the framing of the Zoning Resolution, exemptions should be provided for life and safety requirements and consider proposals that are already in the development pipeline. As a matter of consistency, the first floor of mechanical in a

space that exceeds the limit should be exempt, no matter how high the void is and how much floor area is attributed.

The City Planning Commission heard expert testimony from design and engineering professionals on all these points. As follow-up, additional materials were submitted, including sample plans and code requirements, to demonstrate equipment size and floor placement. The testimony and supplemental materials have been sent to the Land Use Division at City Council for the councilmembers' consideration.

While we appreciate that the City Planning Commission modified the proposed limit from 25 to 30 feet to permit flexibility in the future, this modification falls 5 feet short of the recommendation of mechanical and systems engineers and their professional associations. Additionally, the CPC did not address the issue of stacking when floors dedicated to necessary life, safety, and structural support intersect mid-height in a tower. Lastly, the department refused to modify a deeply flawed floor area formula despite concerns from multiple commissioners.

When the City of New York's Zoning Resolution (ZR) contemplates less desirable, from an aesthetic view, accessory uses such as rooftop bulkheads, signage, parking, and generators, it rightly sets limits. However, in all these cases one is not doubly penalized for necessary, building function uses if one exceeds those limits – instead the first level is considered exempt. Imposing a limit on mechanical spaces is already a drastic departure from a century of zoning. Double counting necessary systems for the purposes of floor area is not punitive – it is prohibitive. So, the fact that there is no relief valve or process for when a floor may need to exceed the limit is wholly inconsistent with the framing and purpose of the Zoning Resolution.

We understand that there may be pressure from neighborhood organizations and councilmember colleagues to set a lower limit than the one approved by the CPC. To do such would be inconsistent with the City Council's salutary focus on meeting sustainability goals. Limits of 10-14 feet would preclude best practices and would not result in additional housing. Mechanical systems do not take away from housing floor area – they ensure that those spaces are livable. It is wholly reasonable for the zoning text to be written in a way that allows for tall buildings to be constructed properly and allows space for innovation.

We urge the City Council to finish the work of the City Planning Commission and further modify the text to reflect engineering expertise.

###

CONTACT(S):

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Manhattan Community Board 7 Resolution for Residential Tower Mechanical Voids

Community Boards throughout the city are aware that the NYC Zoning Resolution is inadequate to address the phenomenon of “supertalls” and their proliferation, which are jarringly out-of-context with the existing neighborhoods. Regardless of their location, these buildings will inevitably inflict some degree of unacceptable shadow conditions on nearby parks, playgrounds and open space as well as create intolerable environmental conditions, including wind tunnel effects at the bases of these buildings, inhibiting pedestrian friendly retail uses and preventing trees from thriving in dark and windswept corridors.

These residential “supertall” buildings are ultra-luxury apartments, catering to the elite and ultra-wealthy that may never actually live there. In order to achieve maximum height, the apartment floor to ceiling heights are taller than conventional pre-war apartment buildings, even those pre-war buildings that line Central Park West and portions of Broadway or West End Avenue and Riverside Drive. Unlike their predecessors, they also contain far fewer units and do not count towards alleviating the City's housing shortage.

Our Community Board Land Use Committee studied the various means incorporated into the “supertalls” to construct buildings that have proposed heights not contemplated in any previous editions of the Zoning Resolution and not anticipated by its drafters. Some of the most egregious interpretations now in play include:

- Large voids (the current maximum void at 36 West 66th Street is 161 feet), which contain no floor area for zoning purposes;
- Apartment ceiling heights up to 20 feet;
- Zoning Lot Mergers which enable a developer to stack the bulk of a building's volume in a tower covering only a fraction of the lot area.

This resolution is in response to the Department of City Planning Text Amendment for Residential Tower Mechanical Voids distributed for comment on January 28, 2019. While this text amendment is commendable, it is inadequate to fully and effectively address the problem and the accompanying diagrams show weaknesses in the suggested vertical distance in the placement of the mechanical voids that do little to reduce overall height and are likely unnecessary to support mechanical equipment at such interval frequency. This resolution includes nine essential areas that need reconsideration to alleviate misuse or misinterpretation of excessive mechanical voids used principally to increase building height as follows:

1. Height of each mechanical Void:

While the DCP did report on their survey of mechanical spaces in existing buildings, mostly pre-war, they did find anomalies in a few special buildings with taller equipment rooms. The majority of the mechanical equipment and boiler rooms appears to be closer to fifteen feet (15'-0"). In lieu of the proposed twenty-five foot height (25'-0") “mechanical” void or inaccessible space (“void”) only up to twenty feet (20'-0") should be exempt from zoning floor area. Those buildings that require a taller floor mechanical floor could be possible by demonstrating need via a Special Permit.

2. Vertical Frequency of Void Placement:

In lieu of zoning floor area free voids every seventy-five feet (75'-0") of building height, CB7 suggests that this be limited to no more than a total of forty (40'-0") vertical feet of void exempt from allowable floor area count, however distributed within a building.

3. Maximum Void Floor Area

The City Planning proposal provides that zoning floor area is increased for every 25 feet (or rounded off fraction) of void over and above the initial twenty-five feet (25'-0"). Thus, a one hundred twenty five foot (125'-0") void, over and above the initial twenty-five feet (25'-0") would consume floor area equal to five times the area of the void.

This formula needs to be modified to include floor area added for every fifteen feet (15'-0") of vertical height of a void in excess of twenty feet (20'-0"). For a one hundred twenty five foot (125'-0") void above the initial twenty feet (20'-0"), nine times the area of the void would be counted as zoning floor area.

4. Floor Area of the Void

As the current proposal will endeavor to measure zoning floor area by the area of the void, this would permit a developer to reduce floor area by creating a "skinny" or lollipop stick void. This stratagem would reduce the amount of floor area attributed to the void.

This also needs to be revised so that the calculation of floor area of the voids is an average of the floor area of all floors in the building, excluding any base, thereby eliminating any advantage to creating a skinny void space.

5. Unenclosed Voids

The current Residential Mechanical Void text amendment does not address voids that are not enclosed. An unenclosed void, on stilts of unlimited height would not be counted as floor area.

All voids, whether they are enclosed or unenclosed should be counted as floor area.

6. Maximum Residential Ceiling Heights

The current Residential Mechanical Void text amendment does not address dwelling unit ceiling heights.

Given that the excessive floor to ceiling height is a component of overall building height, any floor to ceiling heights in excess of fifteen feet (15'-0") in dwelling units count against allowable floor area in the ratio calculated by dividing 15 feet by the floor-to-ceiling height in excess of 15 feet. (For example, if a ceiling height is 18 feet, an additional 20% (3/15th) would be added to zoning floor area.)

7. Regulation of Excessively Tall Lobbies & Unassigned Amenity Space

The current Residential Mechanical Void text amendment does neither addresses nor penalizes lobbies and amenities of unlimited height.

As lobbies and amenity space are now including a variety of indoor sports facilities (basketball, climbing walls etc.) or vanity spaces, the text amendment should stipulate the minimum requirements and any other limitations as to sub-divisions or insertion of mezzanines that would otherwise add floor area at a later date.

8. Impact on Increased Height as a Result of Zoning Lot Mergers

The current Residential Mechanical Void text amendment does not address other features contributing to super-tall building heights. In particular, the proposed amendment does not address the additional permissible height generated by zoning lot mergers.

Limitations and minimal requirements to justify the additional height of buildings generated by zoning lot mergers needs to be part of the public review process and presented before the affected Community Board.

9. Other Residential & Mixed Use Residential Buildings

The current Residential Mechanical Void text amendment does not include hotels and other types of residential facilities including but not limited to mixed use buildings which are less than 25% commercial. The proposal would have no application in Community Board 5 which does not contain any of the zoning classifications affected by the proposal. As a consequence, the proposal does not protect against additional "supertalls" in the 57th street area which will cast long shadows onto Central Park.

The limitation the use of voids to increase building heights in these variant types of residential buildings should apply to all commercial and mixed use buildings, and should apply to all zoning classifications in all community districts.

Based upon the foregoing, it is RESOLVED, that CB 7 approve the Residential Mechanical Void text amendment contained in the DCP document dated January 28, 2019, subject to the comments and specific recommendations identified above.

Alida Camp
Chair

Will Brightbill
District Manager



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(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com - Website
info@cb8m.com - E-Mail

**The City of New York
Community Board 8 Manhattan**

Testimony to the City Council on Mechanical Voids

My name is Will Brightbill. I serve as the District Manager of Community Board 8 Manhattan and am here to read a statement on behalf of Alida Camp, the Chair of CB8. Thank you Speaker Johnson, Chair Moya, and members of the Council for hearing our testimony. We hope that our suggestions will be taken into consideration in examining this, and future, text amendments.

On February 20, 2019, Community Board 8 Manhattan overwhelmingly approved a resolution in support of the proposed Zoning Text Amendment for Mechanical Voids, with recommendations for changes and the closure of additional loopholes. I have provided a copy of this resolution with my testimony.

Community Board 8 recognizes the need for closing loopholes that have been exploited for the construction of tall, out of context buildings. The Board believes that by curtailing the use of mechanical voids to add to building height, the proposed amendment takes the correct initial steps to maintain New York as a livable city.

However, CB8 also believes that there is more work that must be done on closing this and other loopholes. As technology changes, necessary mechanical equipment can often fit into smaller and smaller spaces, and we believe this should be reflected in the amendment. While we believe that the height of the voids should be brought closer to the average of 12 to 15 feet, we understand that is outside of the scope here. Therefore, CB8 urges the Council to return the height of the voids to 25 feet, as was presented to Community Boards by City Planning earlier this year.

CB8 is also concerned that the language in the amendment provides a blueprint for developers on how to continue to use voids to add significant, and inappropriate, height to buildings. While future

development might comply with the letter of the law, we risk providing a roadmap that would damage neighborhoods and communities.

In addition, CB8 believes that unenclosed space, terraces, and patios should be part of the amendment because, as has been threatened with a proposed development in CB8, all that has to happen for a void to remain is to strip the void of exterior cladding.

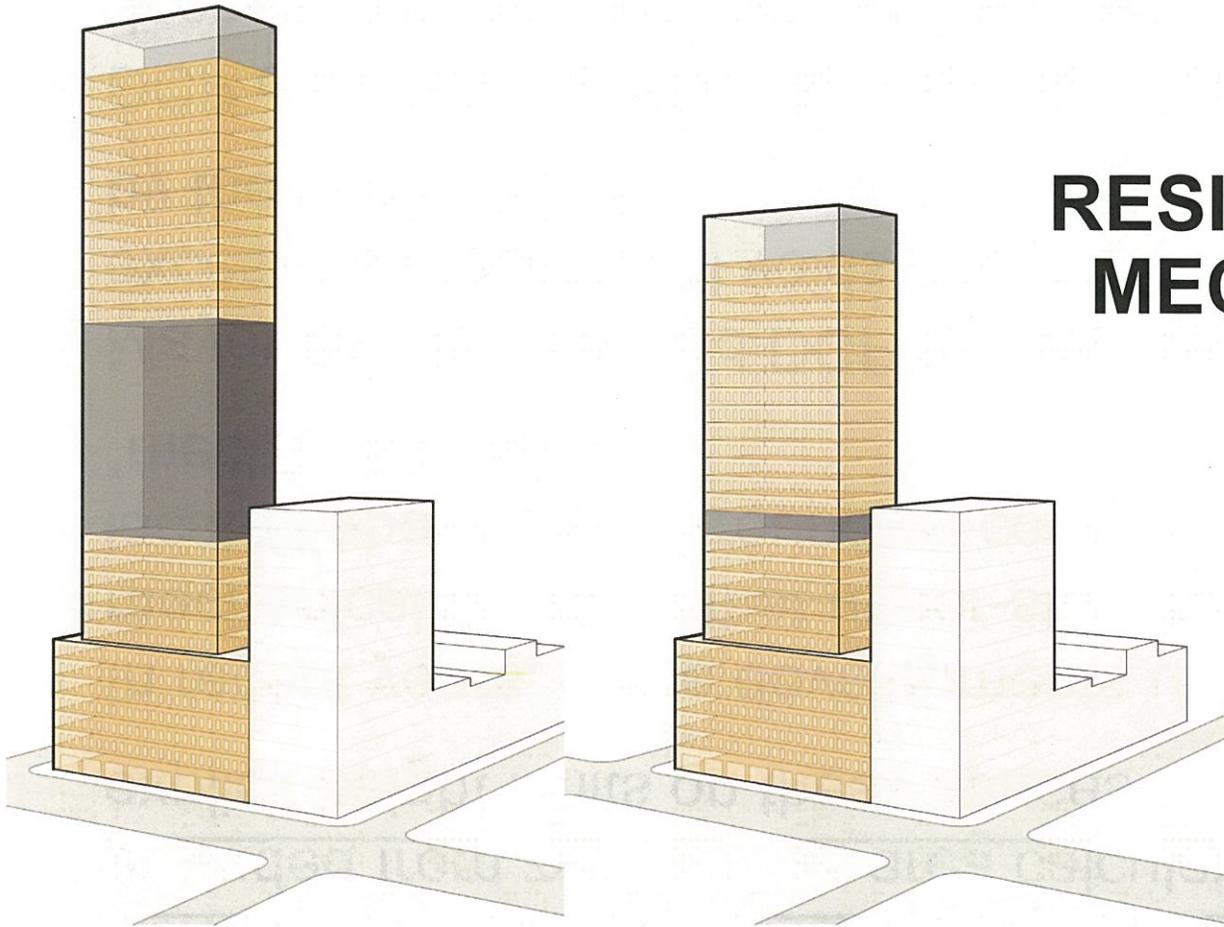
CB8 also requested that the amendment apply to commercial districts, as well as residential districts.

Finally, the Board urges the City to close additional loopholes such as the use of stilts, gerrymandered zoning lots, inappropriate floor-to-ceiling heights, and any other loopholes that are used to create inflated building heights. We call for a mindful, conscientious approach to permissible construction of contextually sized buildings.

Manhattan Community Boards, along with Manhattan Borough President Brewer, have all raised concerns with this proposal in their recommendations and have called for additional and tighter protections for our communities. We look forward to the Council responding to these as this proposal moves forward.

Thank you.

DRAFT



RESIDENTIAL TOWER MECHANICAL VOIDS

Text Amendment

April 2019



Introduction – What is a “Mechanical Void”?



- NYC Zoning Resolution allows mechanical floor spaces to be excluded from zoning floor area calculations. There are no explicit height limits on these spaces
- In recent years, some developments utilized excessively tall mechanical floors so that upper-story residential units are located above the surrounding context. Known as a “mechanical void”
- Mayor de Blasio asked DCP to examine the issue of excessive mechanical voids and provide a recommendation by the end of 2018
- DCP conducted a citywide analysis of construction in the last decade to better understand the mechanical needs of residential buildings and to assess where and when excessive mechanical spaces are being used

Citywide Study: Findings



- In R6 through R8 non-contextual zoning districts and their commercial equivalents, where building heights are limited by a sky exposure plane, no examples of excessive mechanical spaces were found
- In R9 and R10 non-contextual zoning districts and their commercial equivalents, where towers can penetrate a sky exposure plane, most towers still exhibited consistent configurations of mechanical floors.
- However, several towers in these districts contained extremely tall mechanical spaces

Proposal: Our Goals



- Limit the use of artificially tall residential mechanical voids
- Encourage residential buildings that activate and engage with their surroundings
- Recognize the need for reasonably sized and distributed mechanical spaces in residential buildings
- Continue to support the bulk flexibility for architectural expression and for sustainable technology

Proposal: CPC Modification



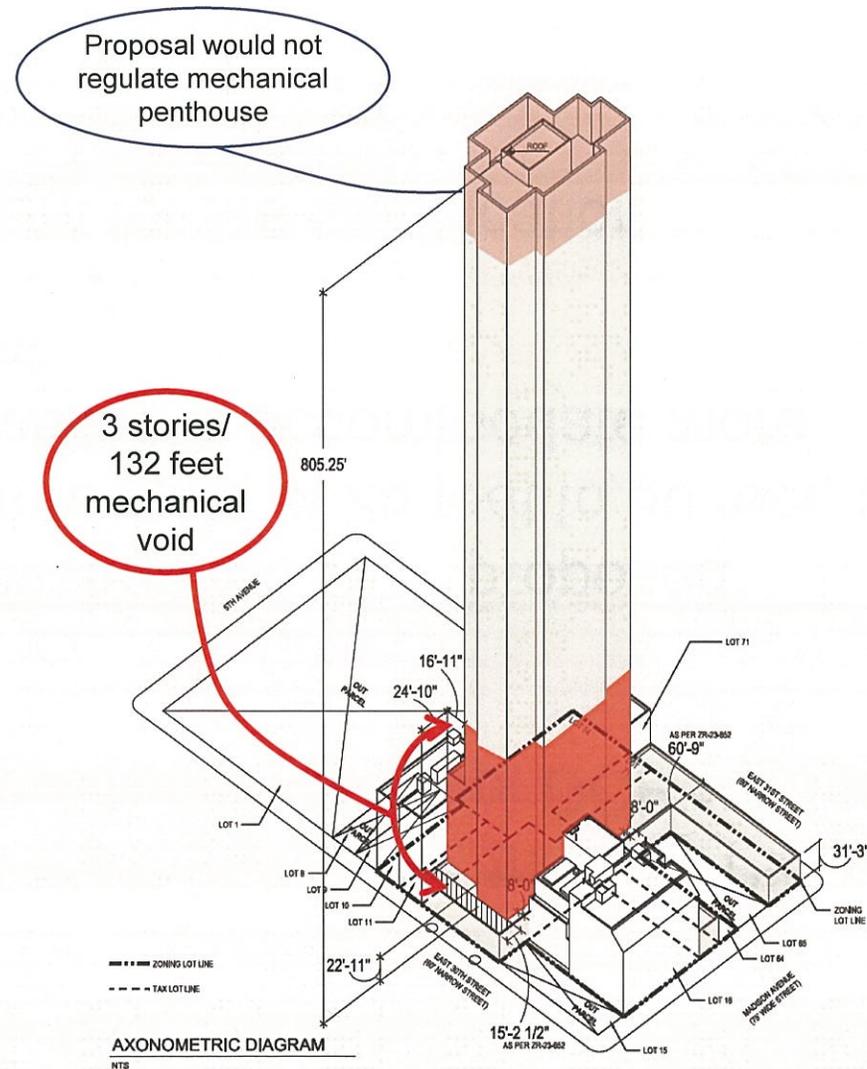
- After a monthlong public hearing process, the City Planning Commission approved a resolution to adopt DCP's proposal with a modification
- The modification was to change the DCP proposed mechanical voids height threshold of 25 feet to 30 feet, to account for additional flexibility to accommodate more energy-efficient equipment
- The following slides account for the modification

Proposal: Basic Rule

- Modify residential tower floor area provisions in ZR 23-16 to count mechanical spaces that exceed the height of 30 feet as “zoning floor area”
- Mechanical penthouses above the highest residential floor would not be subject to this regulation

If a mechanical void is 132 feet in height, that space would count as 4 floors of “zoning floor area”

$$(132' / 30' = 4.4, \text{ rounded to } 4)$$

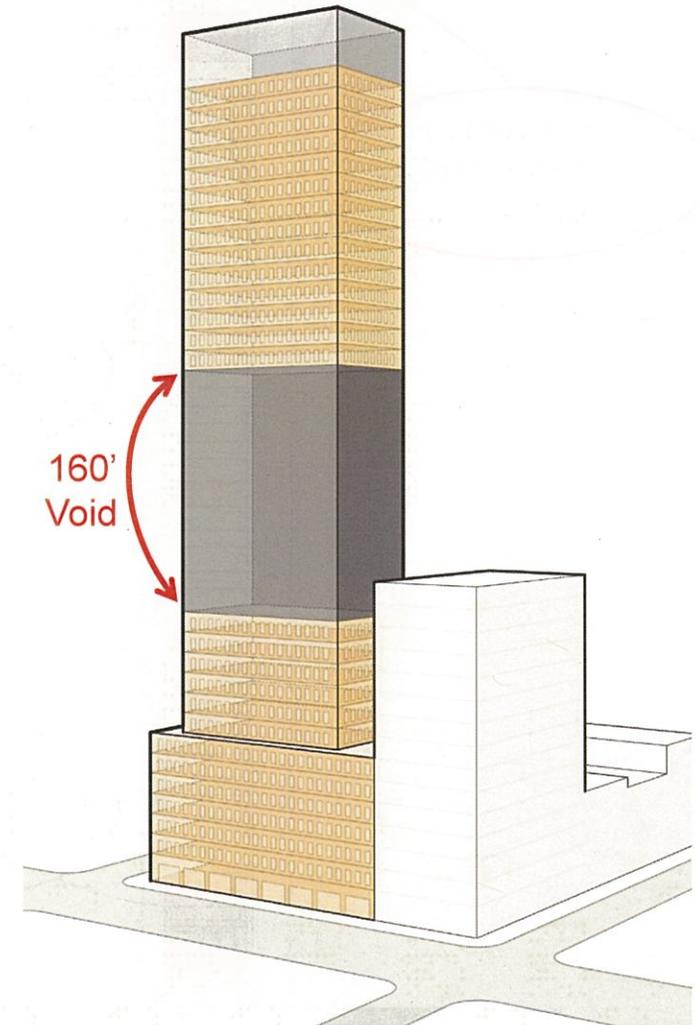


Proposal: Basic Rule (Continued)

Example:

A residential tower occupying 40% (4,000 square feet) of a 10,000 square feet zoning lot

Mech Floor Height	Cost (# of floors)	Cost (FAR)
30'	0	0
40'/30=1.33	1	0.4
70'/30=2.33	2	0.8
100'/30=3.33	3	1.2
130'/30=4.33	4	1.6
160'/30=5.33	5	2.0



Proposal: Clustering

If any mechanical floors are located within 75' of each other, they would all count as “zoning floor area,” regardless of the height of each floor

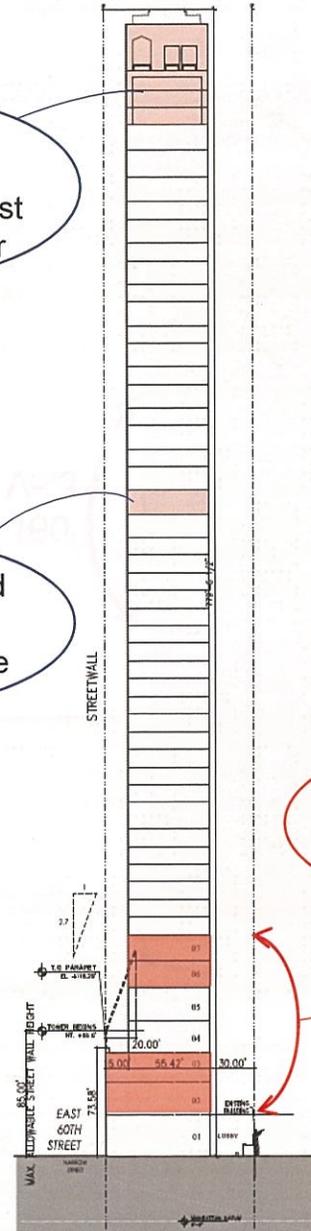
A cluster of mechanical floors which totals 80 feet would count as 3 floors of “zoning floor area,” even when each floor is less than 30 feet and noncontiguous

(80' / 30 = 2.66 rounded to 3)

Mechanical penthouses above the highest residential floor

Reasonably sized and distributed mechanical space

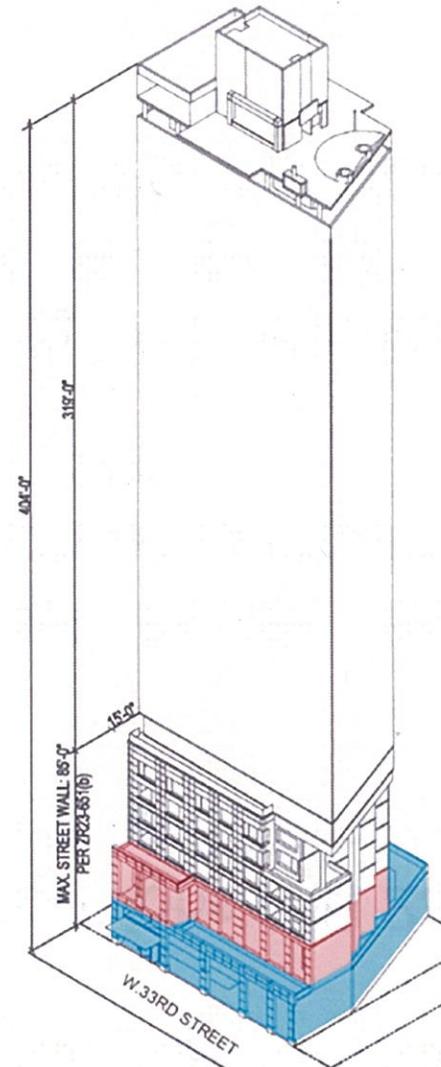
Cluster of 20' mechanical floors that totals 80'.



Proposal: Residential Voids v. Non-residential Voids



- For mixed-use buildings, mechanical spaces serving residential floor space would be subject to the proposed regulation
- Mechanical spaces serving commercial or community facility uses would also be subject to the same “30-foot/75-foot rule,” if those uses occupy less than 25% of a building



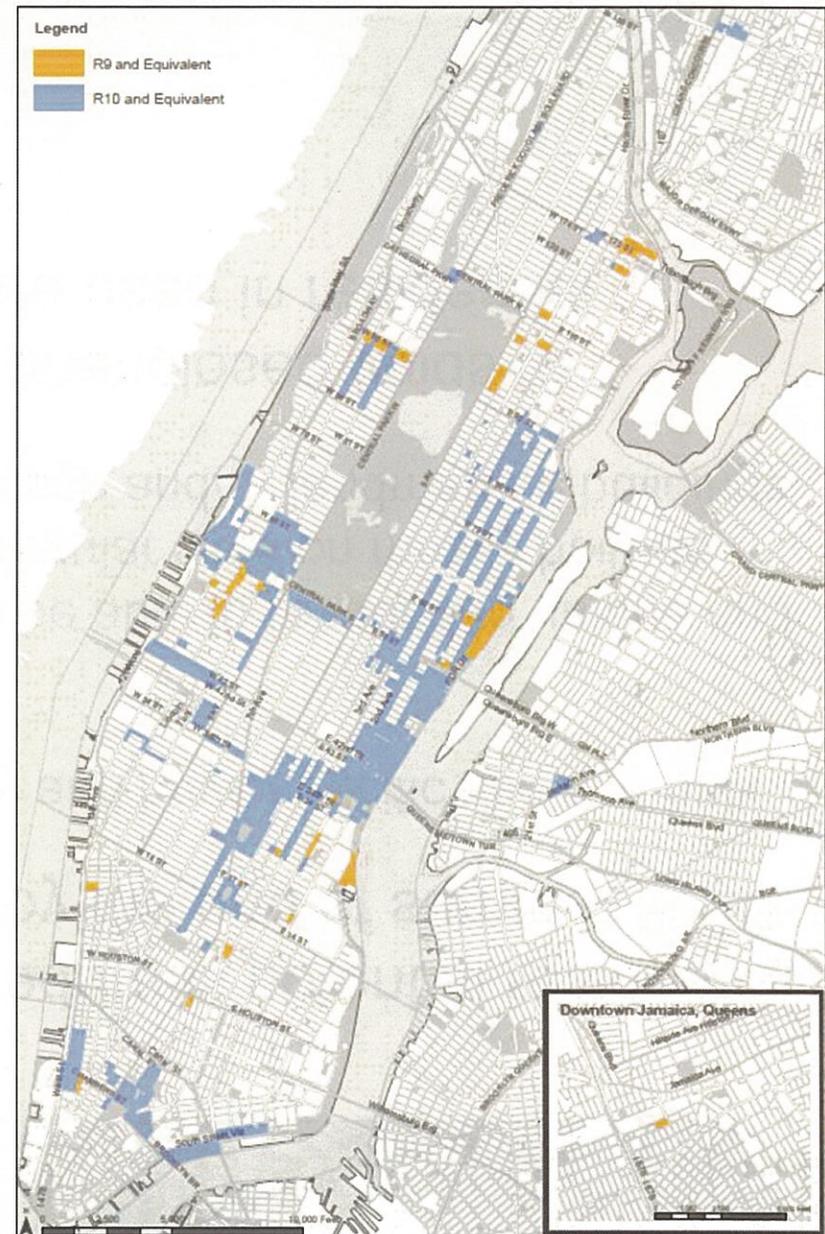
Proposal: Text Amendment Summary



- Modify residential tower floor area provisions (ZR 23-16) to count mechanical voids that are taller than 30 feet as “zoning floor area”
- Mechanical voids located within 75 feet of each other to count as “zoning floor area,” if they add up to more than 30 feet, regardless of the height of each floor
- Mechanical spaces serving commercial or community facility uses in mixed-use buildings to be subject to the same “30-foot/75-foot rule,” if those uses occupy less than 25% of a building

Proposal: Where These Regulations Would Apply

- Residential towers R9 and R10 tower districts and equivalent Commercial Districts
- Special Districts that rely on citywide tower floor area regulations (i.e. p/o Lincoln Sq., p/o Union Sq.)
- Certain Special Districts that impose special tower bulk regulations (p/o West Chelsea, p/o Clinton)



Future Actions



DCP will introduce a proposal to address potential residential mechanical void issues in CBDs by the end of summer 2019

- CBDs allow higher commercial density and have specific use and bulk regulations
- Residential buildings in CBDs need to be able to respond to unique and difficult site conditions: small and/or irregular sites on mostly built-up blocks that often contain high lot-coverage and/or landmarked buildings

DCP will also conduct a study of unenclosed voids to understand how those features are used in residential buildings

DRAFT

QUESTIONS



1010 Pacific Street Rezoning
ULURP Nos. C 180042 ZMK and N 180043 ZRK



City Council Subcommittee on Zoning and Franchises Hearing
April 16, 2019



Applicant Representative: Sheldon Lobel, P.C.

1010 Pacific Street, Brooklyn



NYC Digital Tax Map

Effective Date : 03-07-2012 10:28:32
End Date : Current
Brooklyn Block: 1133



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

— Zoning District Line

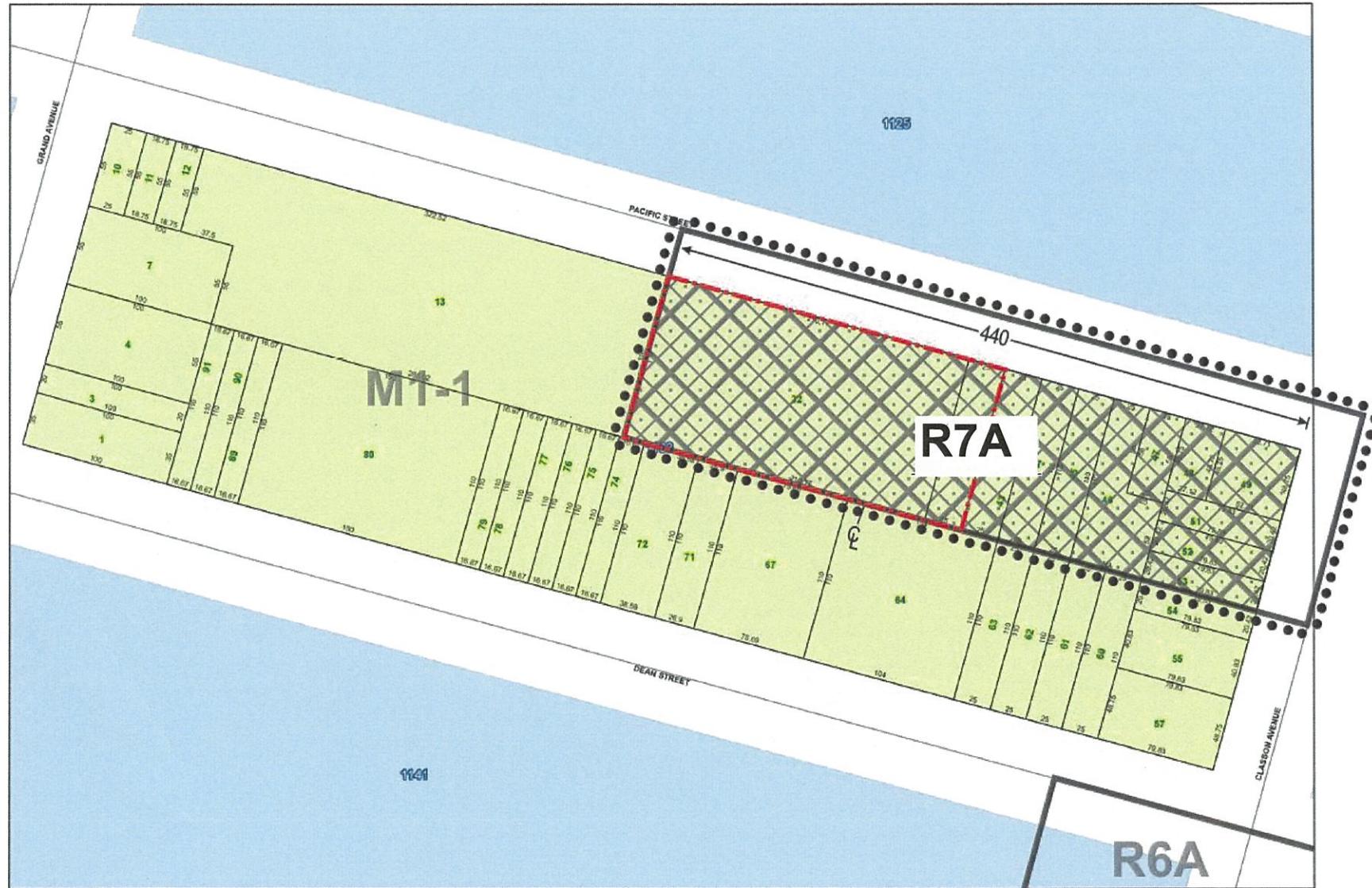
— Development Site

••••• Area Proposed to be Rezoned

▣ Proposed C2-4 Commercial Overlay

M1-1 Existing Zoning District

R7A Proposed Zoning District



Area Map

1010 Pacific Street, Brooklyn

Project Information

- 600' Radius
- Development Site
- Area of Rezoning
- Zoning Districts
- Special Districts

Existing Commercial Overlays

- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5

Subway Entries

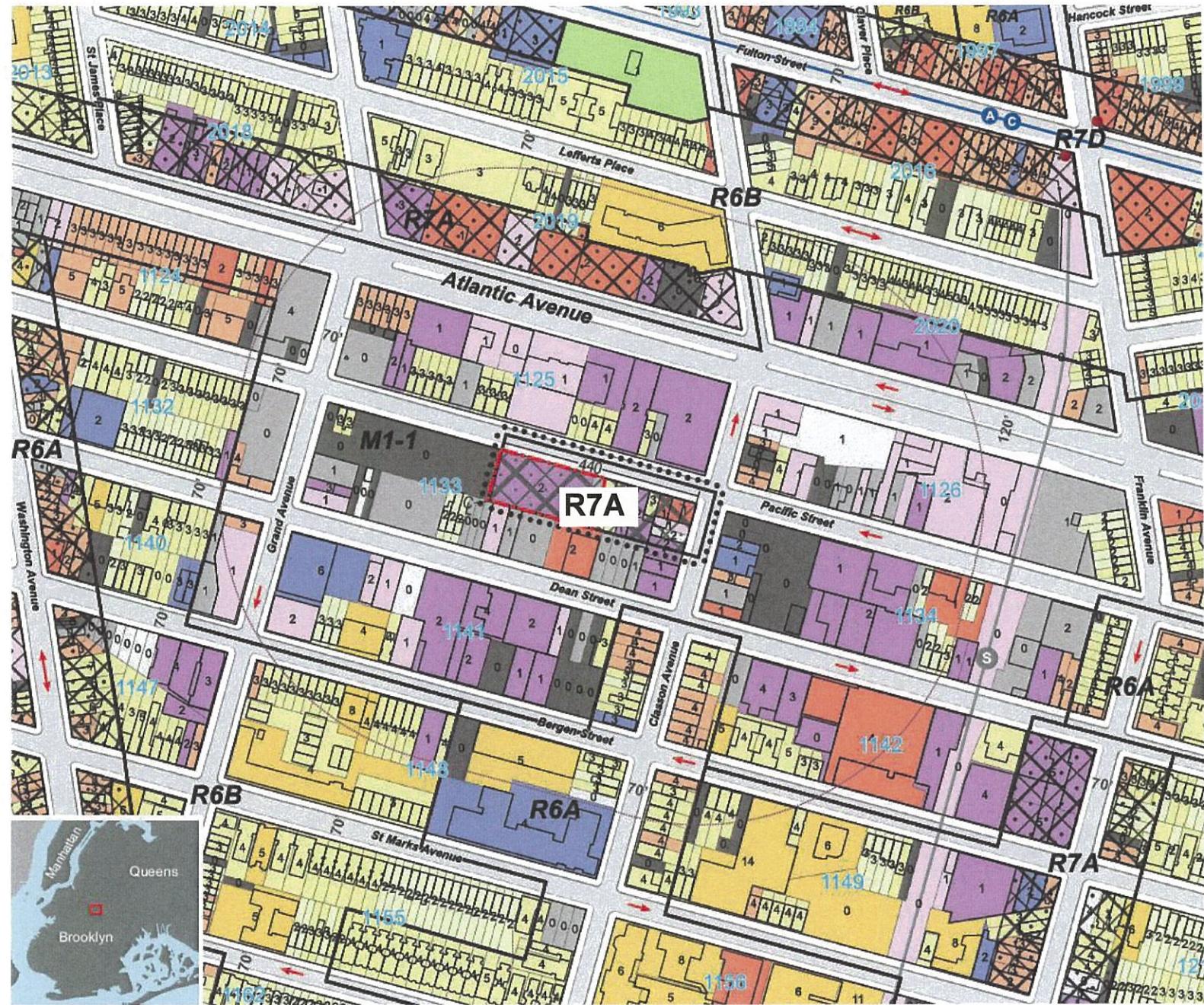
5037 Block Numbers

Property Lines

5 Number of Floors

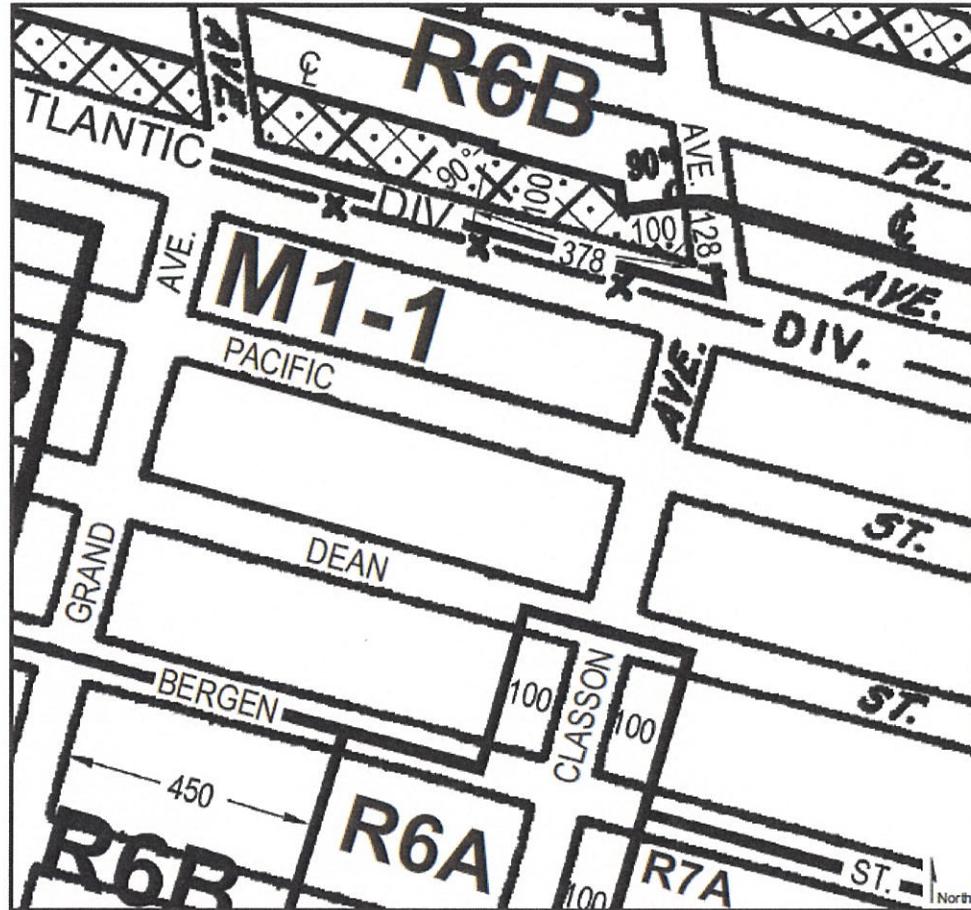
Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land

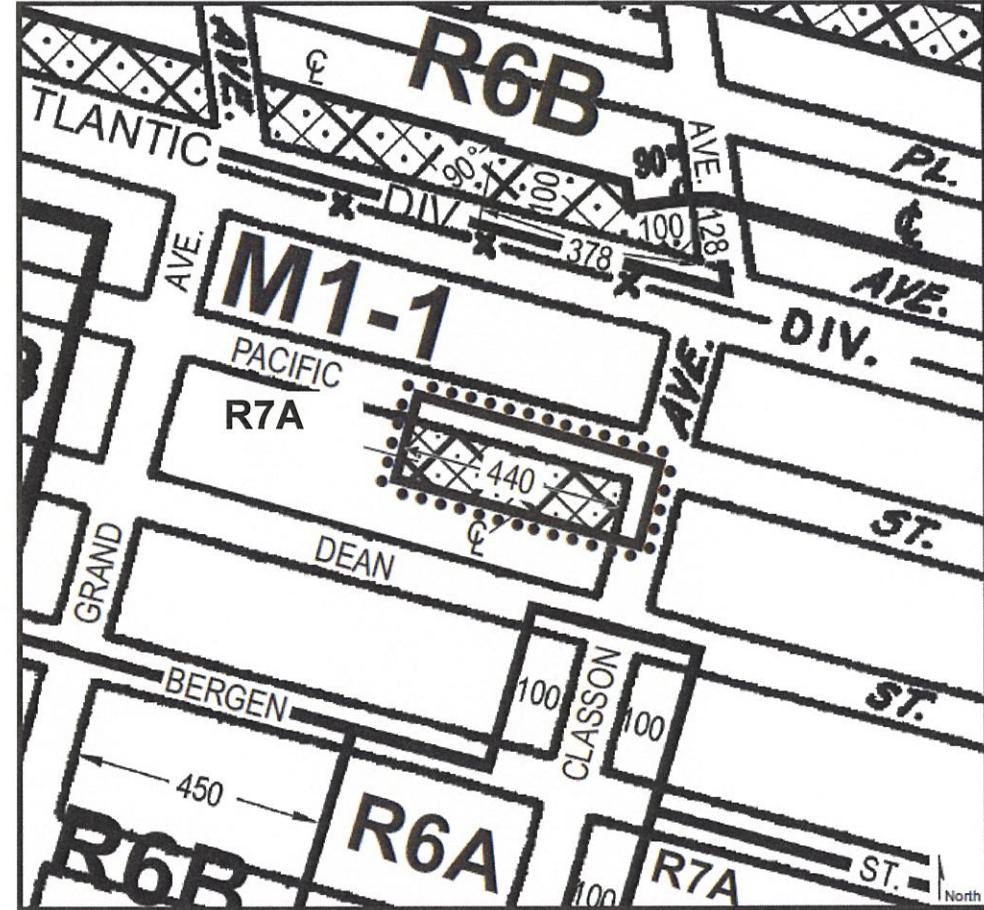


Prepared by Urban Cartographics September 2016

Zoning Change Map



Current Zoning Map (16c)



Proposed Zoning Map (16c) - Area of Rezoning is outlined with dotted lines
Rezoning from M1-1 to R7A/C2-4

C1-1	C1-2	C1-3	C1-4	C1-5	C2-1	C2-2	C2-3	C2-4	C2-5
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NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.



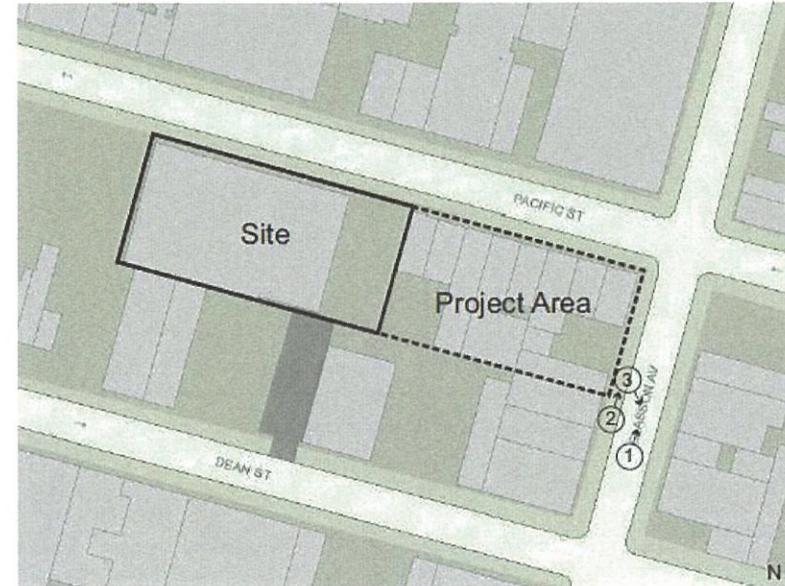
1. View of Classon Avenue facing north (Project Area at left).



2. View of the sidewalk along the west side of Classon Avenue facing north (Project Area at left).



3. View of the east side of Classon Avenue facing southeast from the Project Area.





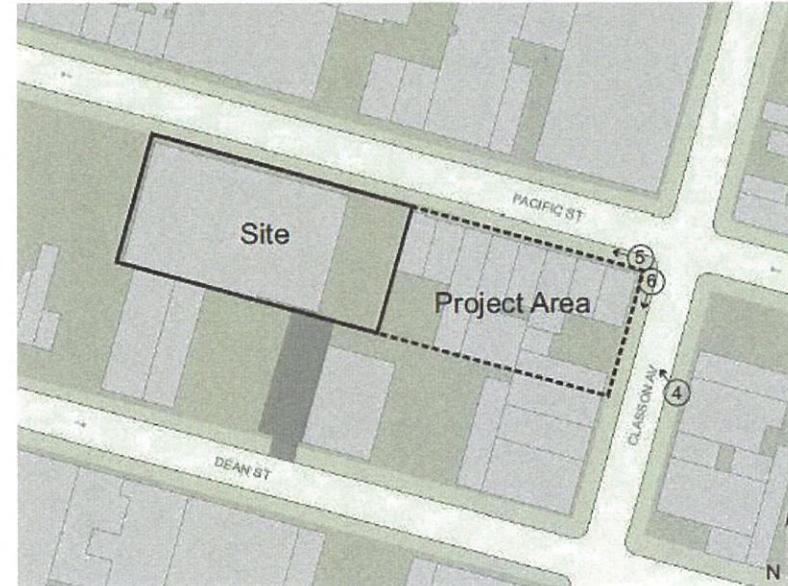
4. View of the Project Area facing northwest from Classon Avenue.



5. View of the sidewalk along the south side of Pacific Street facing west from Classon Avenue (Project Area at left).



6. View of the sidewalk along the west side of Classon Avenue facing south from Pacific Street (Project Area at right).





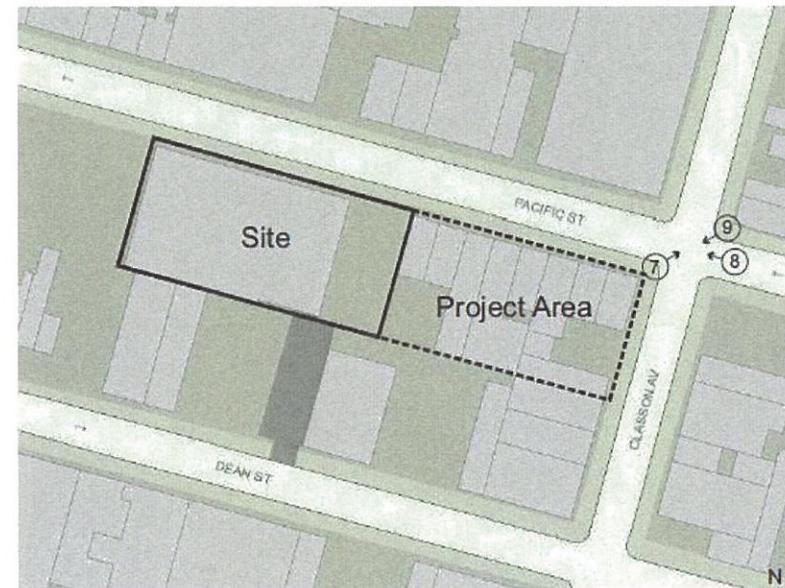
7. View of the intersection of Classon Avenue and Pacific Street facing northeast from the Project Area.



8. View of Pacific Street facing west from Classon Avenue (Project Area at left).



9. View of the Project Area facing southwest from the intersection of Classon Avenue and Pacific Street.





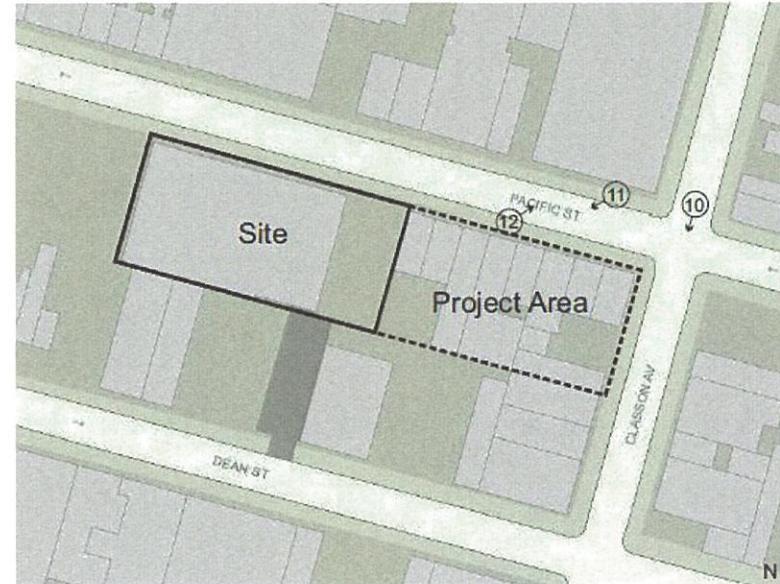
10. View of Classon Avenue facing south from Pacific Street (Project Area at right).



11. View of the Project Area facing southwest from Pacific Street.



12. View of the north side of Pacific Street facing northeast from the Project Area.





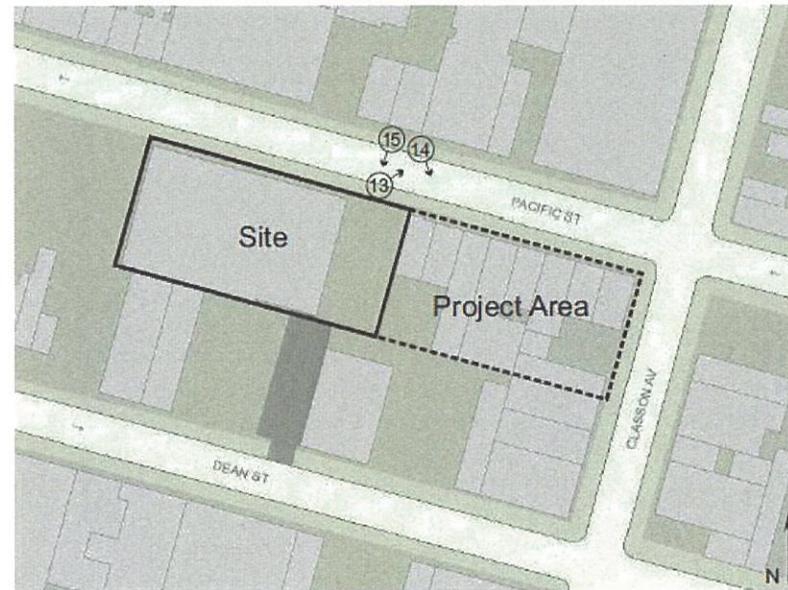
13. View of the north side of Pacific Street facing northeast from the Site.



14. View of the Project Area facing southeast from Pacific Street.



15. View of the Site facing south from Pacific Street.





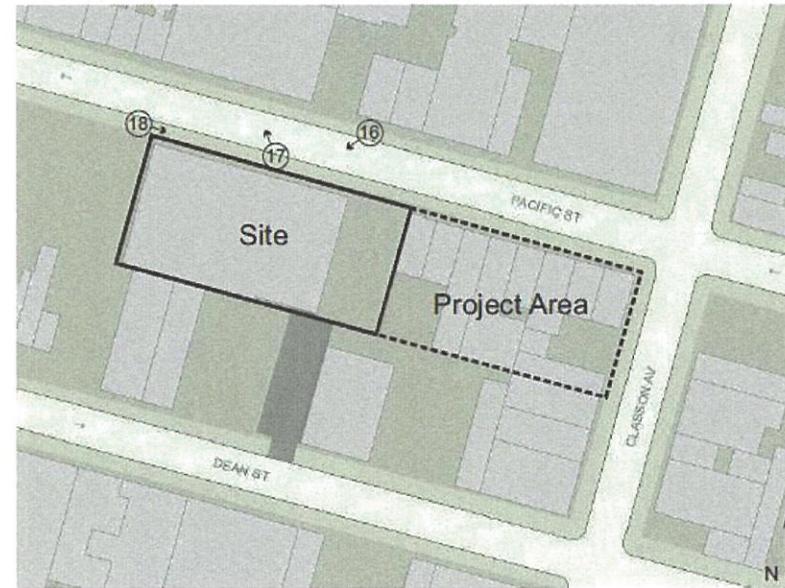
16. View of the Site facing southwest from Pacific Street.



17. View of the north side of Pacific Street facing northwest from the Site.



18. View of the sidewalk along the south side of Pacific Street facing east (Site at right).





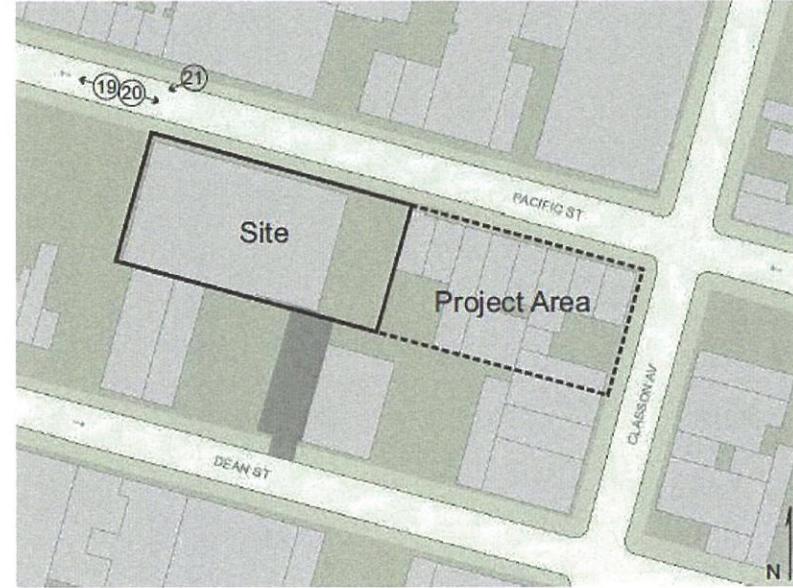
19. View of Pacific Street facing west from the Site.



20. View of Pacific Street facing east (Site at right).



21. View of the south side of Pacific Street facing southwest.





22. View of the Site facing southeast from Pacific Street.



23. View of the Site facing south from Pacific Street.



24. View of the Project Area facing west from Classon Avenue.



1010 PACIFIC STREET

BROOKLYN, NEW YORK

ULURP DRAWING SET

STUDIO V
ARCHITECTURE



DRAWING LIST

PAGE	DRAWING NUMBER	DRAWING TITLE
1	T-000.00	Title Sheet
2	Z-100.00	Zoning and Tax Maps and Base Plane Calculation
3	Z-101.00	Site Survey
4	Z-102.00	Zoning Analysis
5	Z-103.00	Zoning Analysis 2
6	Z-104.00	Zoning Lot Plan
7	Z-105.00	Zoning Floor Area Floors 1-4
8	Z-106.00	Zoning Floor Area Floors 5-8
9	Z-107.00	Zoning Floor Area Floor 9
10	Z-108.00	Site Plan
11	Z-109.00	Zoning Diagram
12	Z-200.00	Longitudinal Section
13	Z-201.00	Cross Section
14	A-301.00	Cellar Floor Plan
15	A-302.00	Ground Floor Plan
16	A-303.00	2nd Floor Plan
17	A-304.00	3rd Floor Plan
18	A-305.00	4th Floor Plan
19	A-306.00	5th Floor Plan
20	A-307.00	6th Floor Plan
21	A-308.00	7th Floor Plan
22	A-309.00	8th Floor Plan
23	A-310.00	9th Floor Plan

1010 PACIFIC STREET no.15006

1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT
AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT
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T 718.336.5550

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BEST DEVELOPMENT GROUP
111 North Central Avenue Ste 425, Hartsdale, NY
10530
T 914.472.0180

DATE DRAWN BY CHECKED BY

04.12.2019 LC JV

SHEET TITLE

TITLE SHEET

SCALE

NONE



SHEET NO.

T-100.00

NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1010 PACIFIC STREET no. 15006

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04.12.2019 **LC** **JV**

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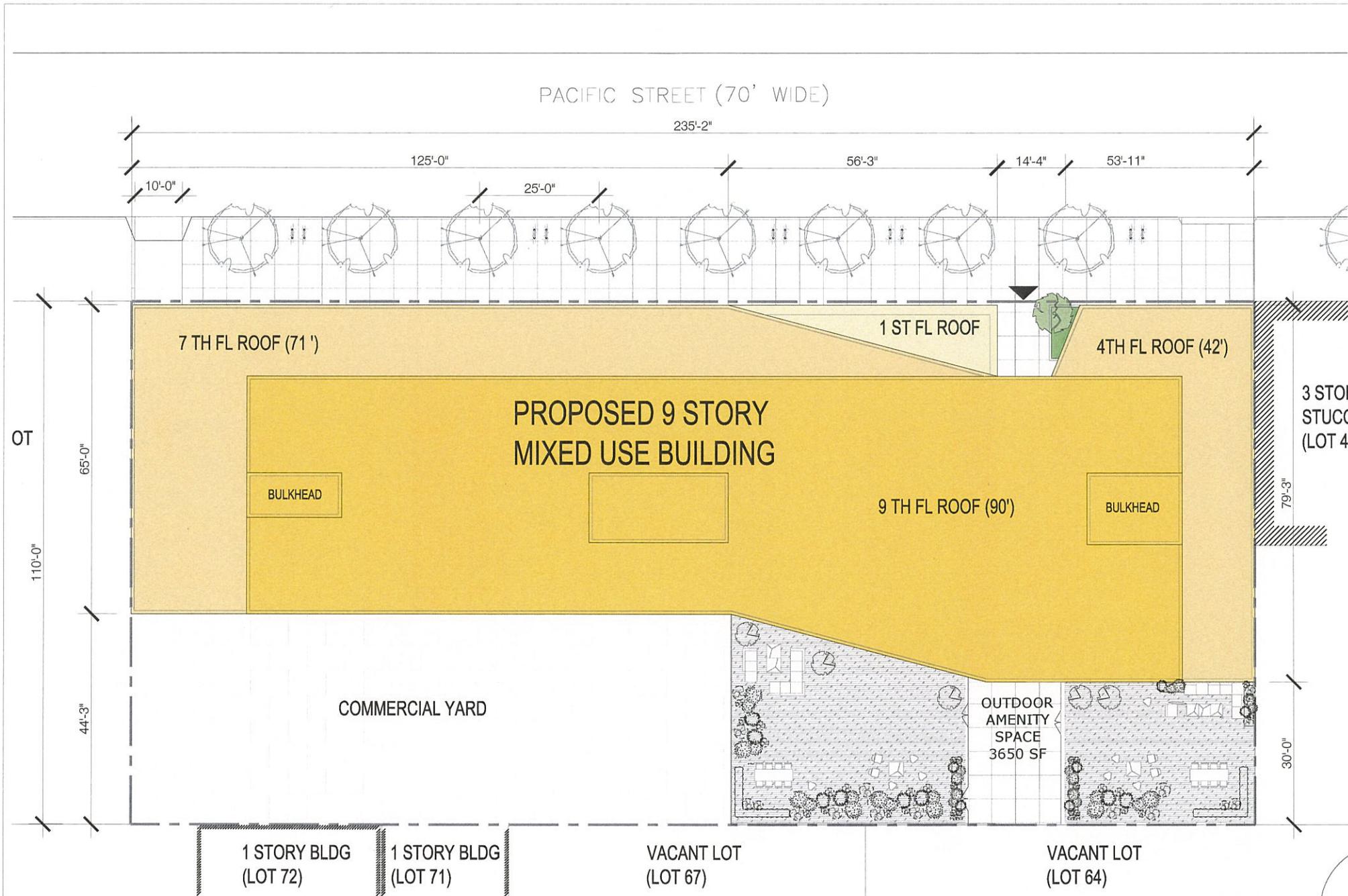
SITE PLAN

SCALE
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Z-108.00



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1 BUILDING SITE PLAN
1" = 20'-0"

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1010 Pacific Street
Brooklyn, NY 11238

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ZONING DIAGRAM

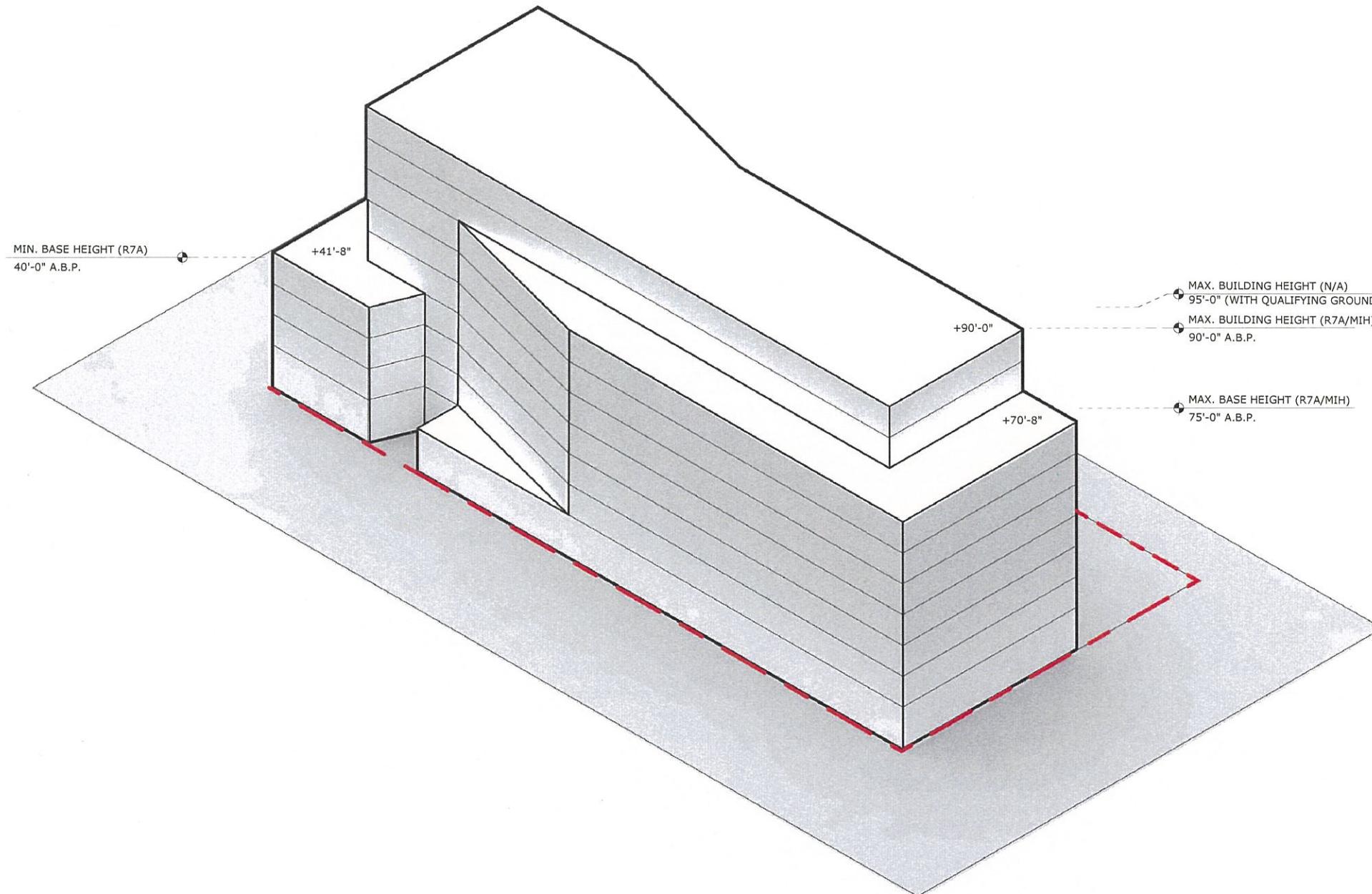
SCALE

1"=20' 0"



SHEET NO.

Z-109.00



1 BUILDING SITE PLAN
1" = 20'-0"

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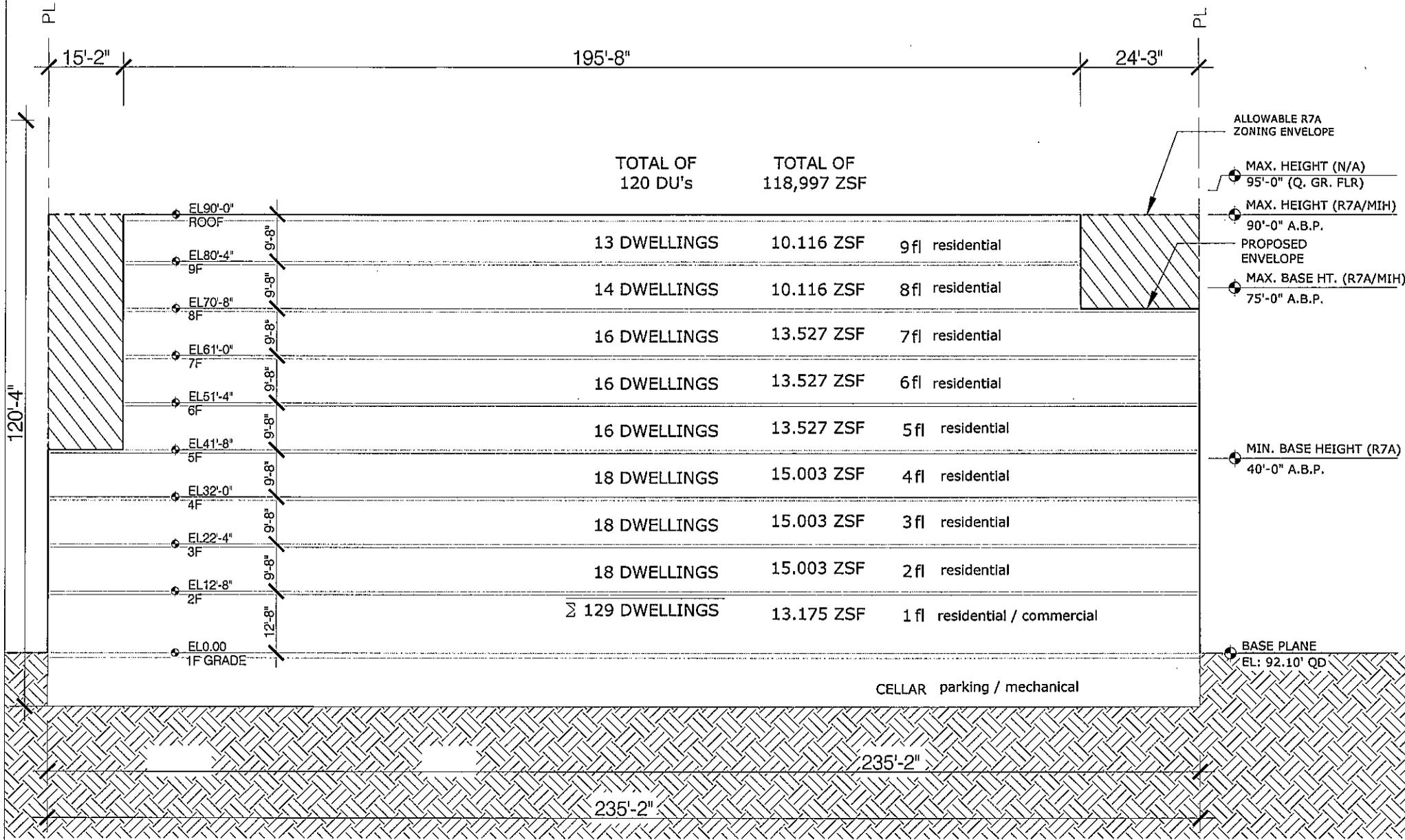
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BEST DEVELOPMENT GROUP
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10530
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DATE DRAWN BY CHECKED BY
04.12.2019 LC JV

SHEET TITLE
LONGITUDINAL SECTION

SCALE
1"=20' 0" N

SHEET NO.
Z-200.00



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1 LONGITUDINAL BUILDING SECTION
1" = 20'-0"

1010 PACIFIC STREET No. 15006

1010 Pacific Street
Brooklyn, NY 11238

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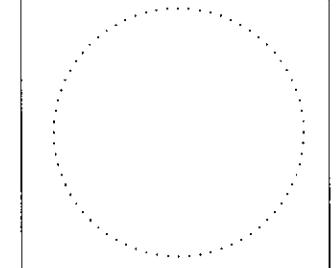
CONSULTANTS
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10530
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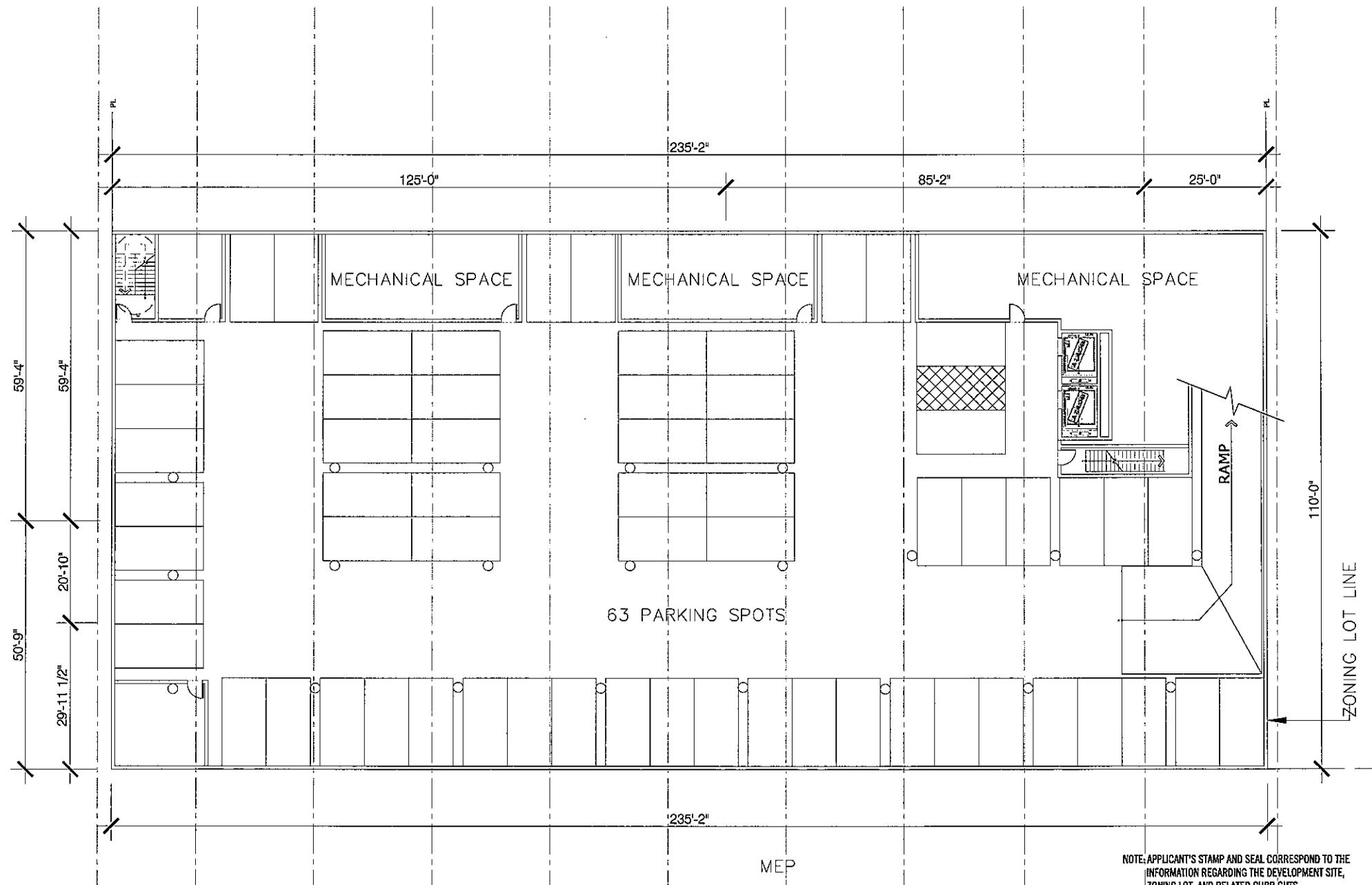
DATE DRAWN BY CHECKED BY
04.12.2019 LC JV



SHEET TITLE
CELLAR FLOOR PLAN

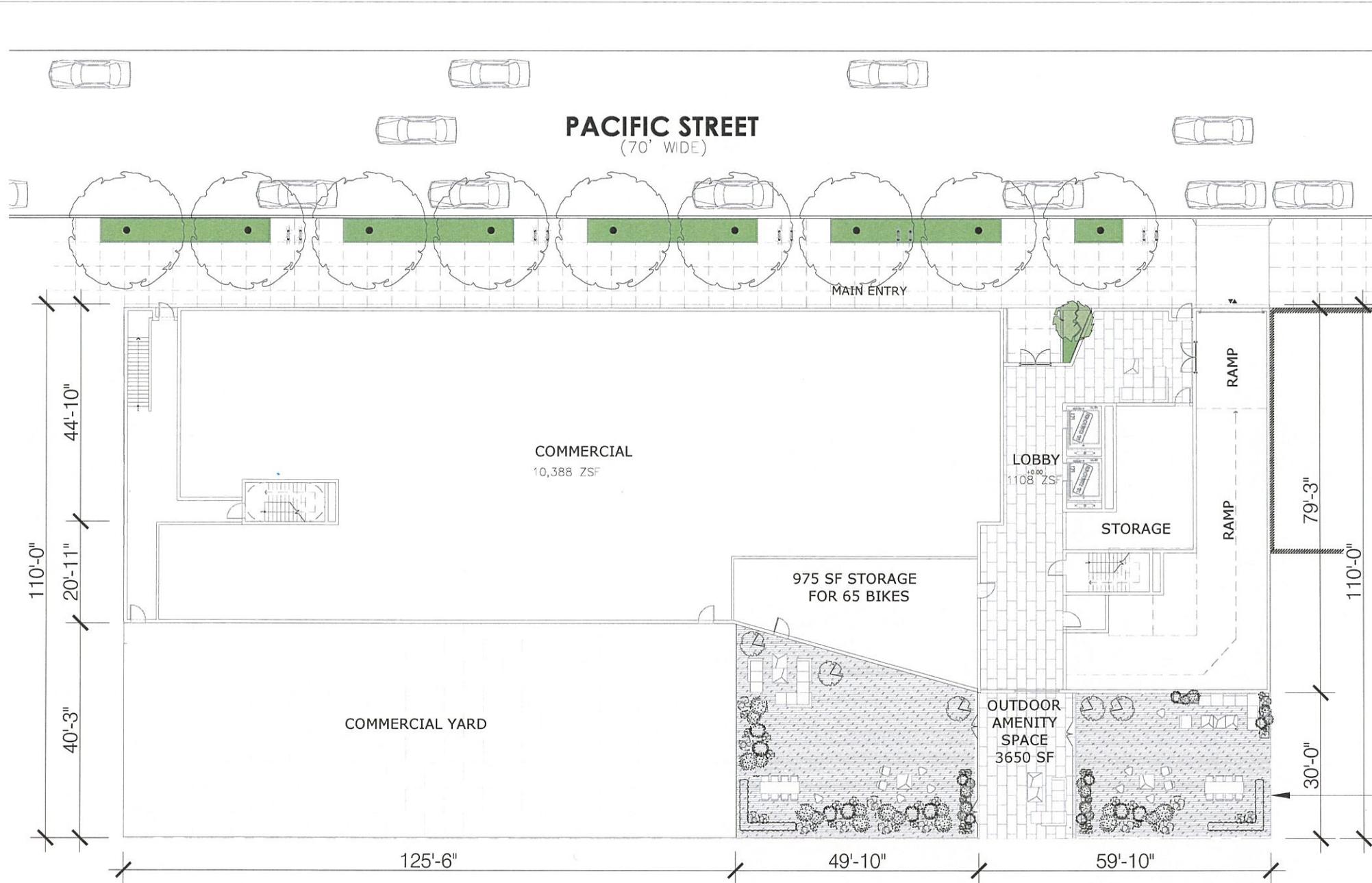
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SHEET NO.
A-301.00



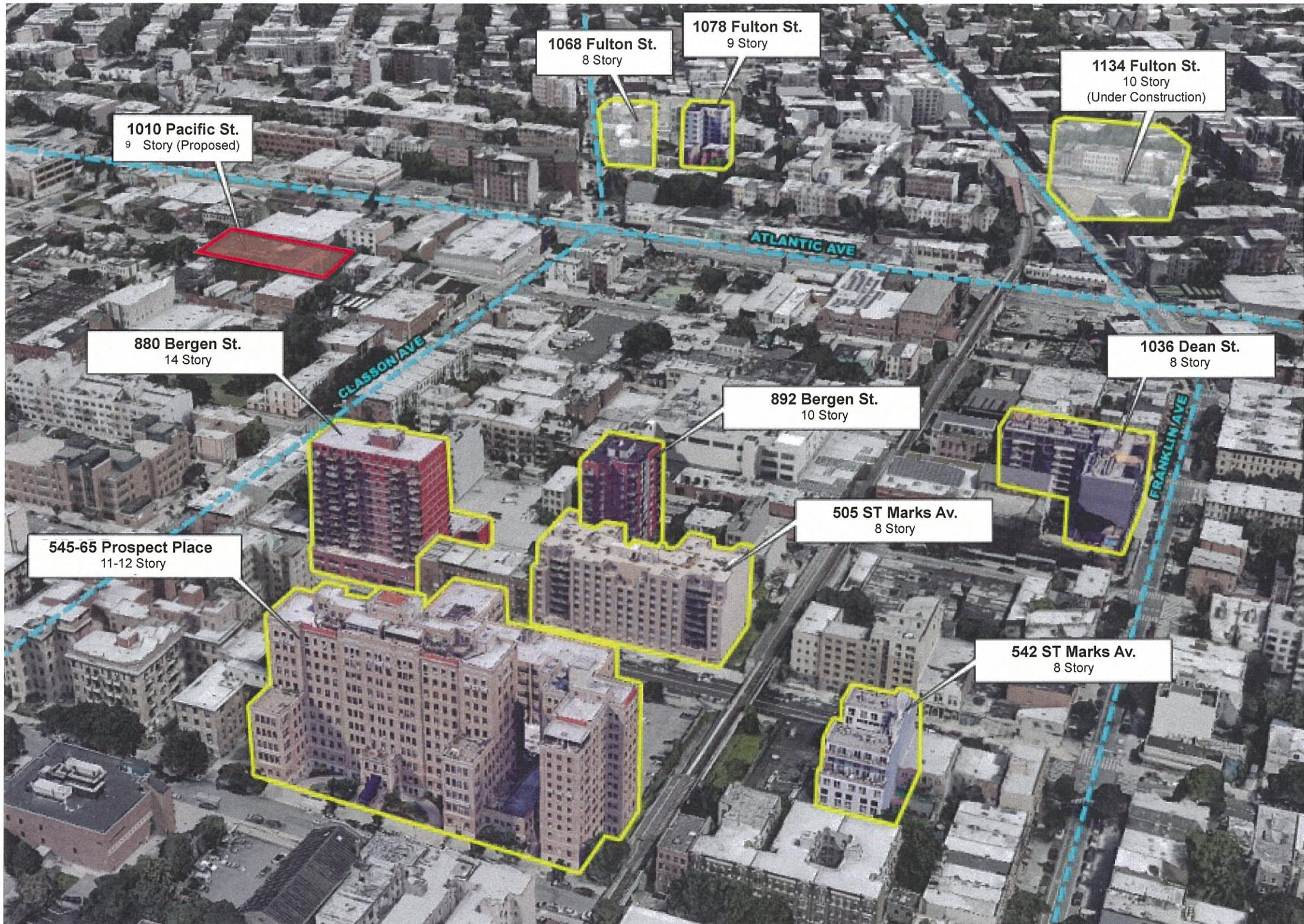
1 CELLAR PLAN
1" = 20'-0"

NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.



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1 GROUND FLOOR PLAN
1" = 20'-0"



1010 Pacific St.
9 Story (Proposed)

1068 Fulton St.
8 Story

1078 Fulton St.
9 Story

1134 Fulton St.
10 Story
(Under Construction)

880 Bergen St.
14 Story

892 Bergen St.
10 Story

1036 Dean St.
8 Story

545-65 Prospect Place
11-12 Story

505 ST Marks Av.
8 Story

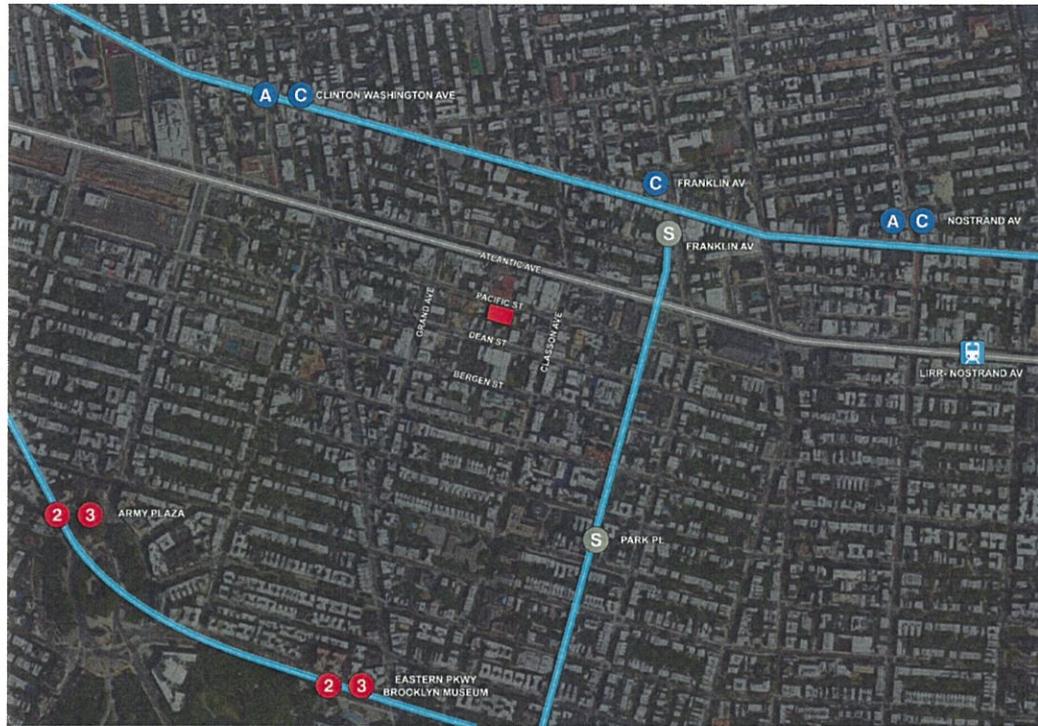
542 ST Marks Av.
8 Story

CLASSON AVE

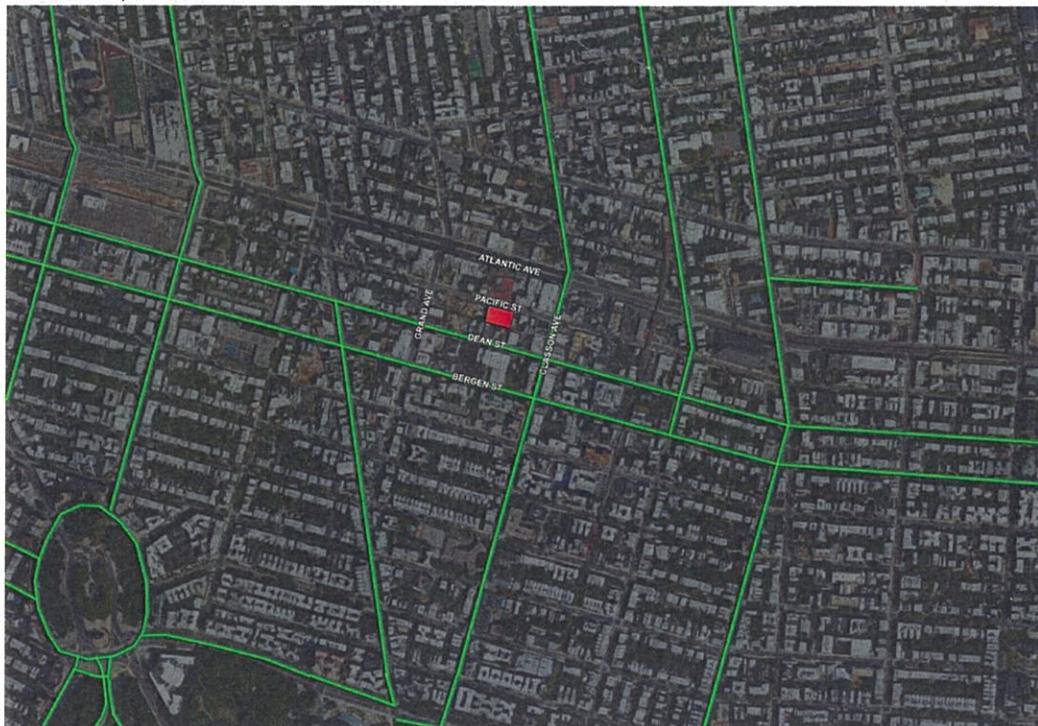
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FRANKLIN AVE

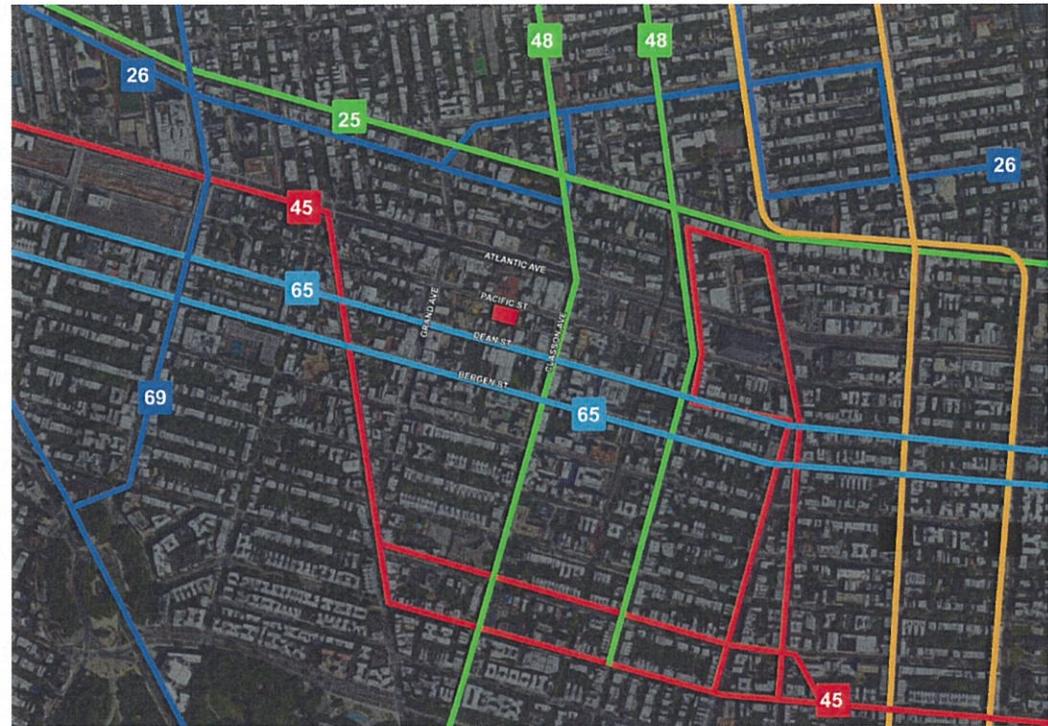
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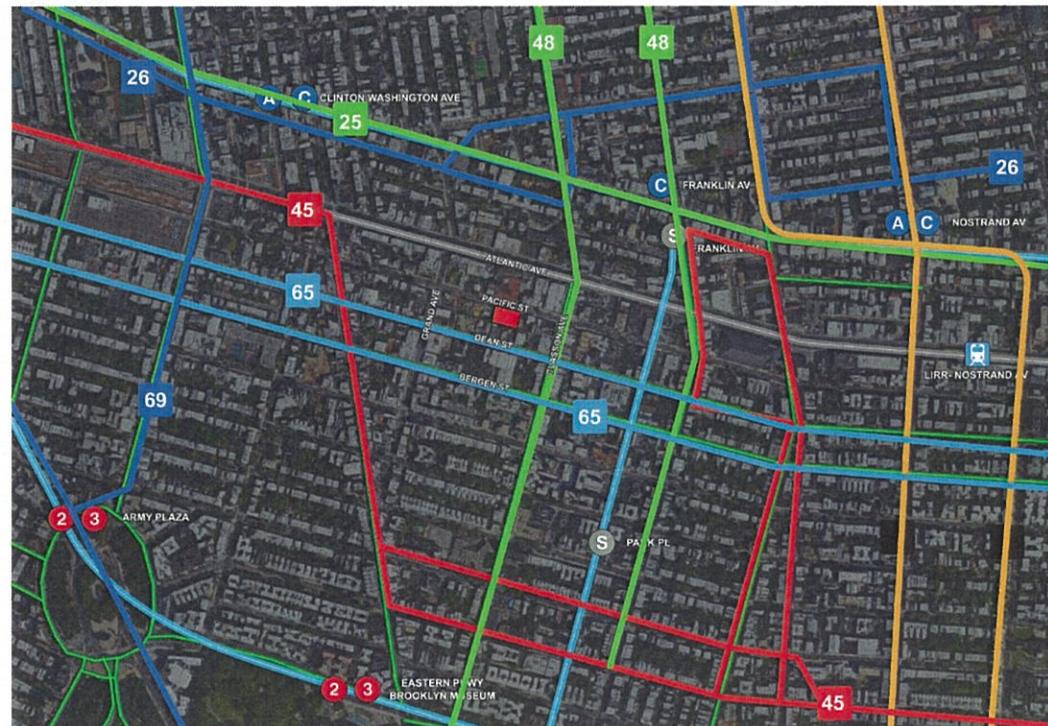
Public Transportation



Bicycle path



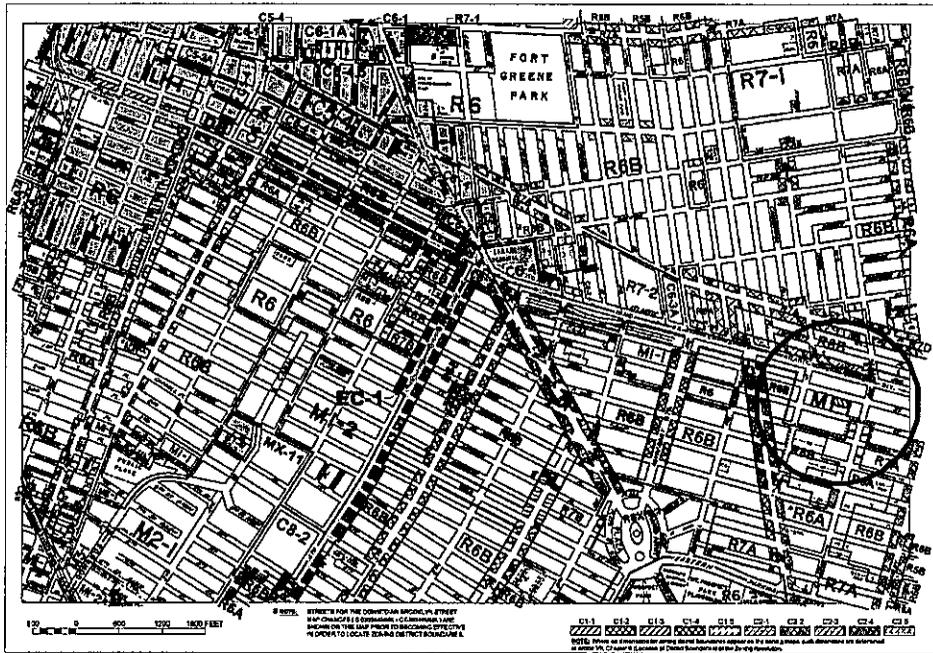
Bus Route



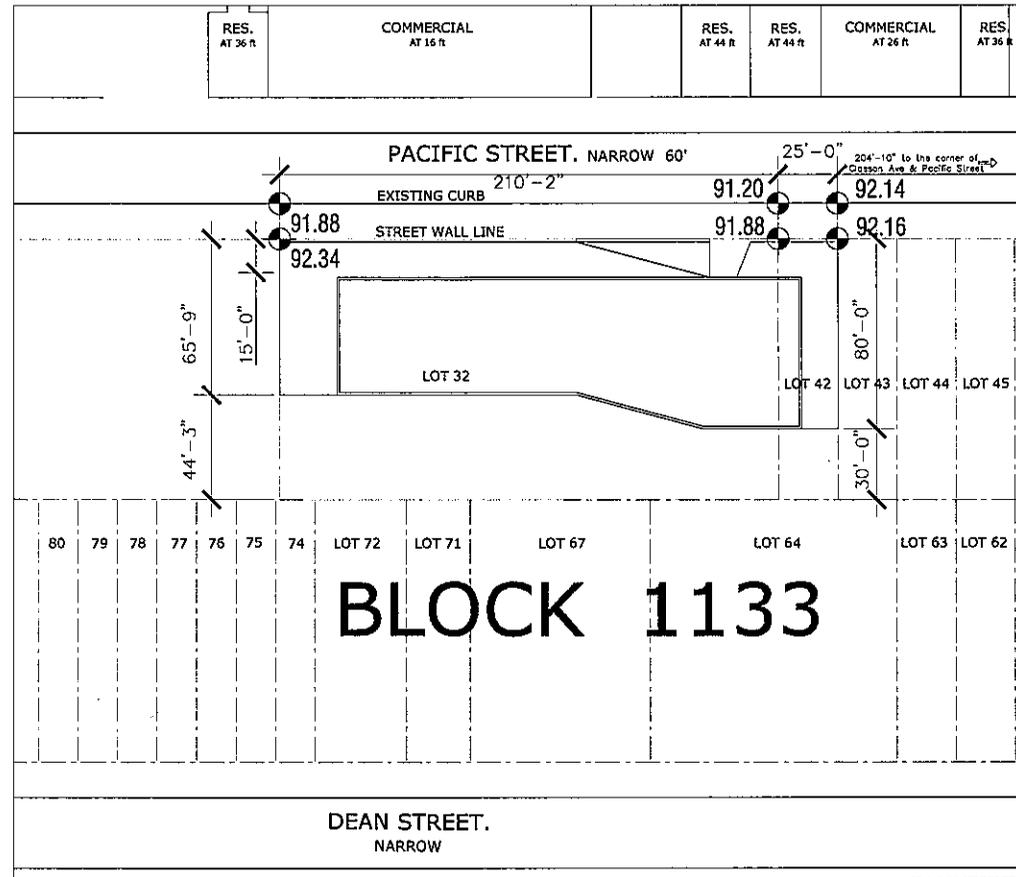
All transit



2 TAX MAP
NO SCALE



1 ZONING MAP
NO SCALE



3 SITE PLAN
1" = 60'-0"

BASE PLANE CALCULATIONS FOR MERGED LOT 32 & LOT 42

LOT	AVERAGE CURB LEVEL	LOT AVERAGE	STREET FRONTAGE	% OF TOTAL STREET FRONT	CALCULATED CURB LEVEL OF MERGED LOT	AVERAGE STREET WALL ELEVATION	LOT AVG.	STREET FRONTAGE	% OF TOTAL STREET FRONT	CALCULATED STREET WALL LINE LEVEL OF MERGED LOT
INTERIOR LOT 32	$(91.88 + 91.14) / 2$	91.51	210'	89.36%	81.77	$(92.34 + 91.88) / 2$	92.11	210'	89.36%	82.31
INTERIOR LOT 42	$(91.14 + 90.98) / 2$	91.06	25'	10.64%	9.69	$(91.88 + 92.16) / 2$	92.02	25'	10.64%	9.79
TOTAL	CALCULATED CURB LEVEL FOR MERGED LOT :				91.46'	CALCULATED STREET WALL ELEVATION FOR MERGED LOT				92.10'

ESTABLISHED BASE PLANE PER ZR 12-10
 BASE PLANE = ANY ELEVATION BETWEEN CURB LEVEL (91.46') AND STREET LEVEL ELEVATION (92.10') => 92.10'

4 BASE PLANE CALCULATION
NO SCALE

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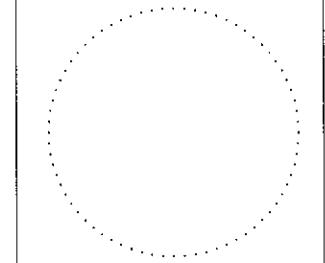
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SHEET TITLE
**ZONING & TAX MAPS AND
BASEPLANE CALCULATION**

SCALE
NO SCALE



SHEET NO
Z-100.00

ZONING CALCULATIONS

Map 32d	Zoning District(s)	Currently: M1-1 Proposed: R7A / C 2-4		
Lot Area	Tax Lots	Block 1133 Lots 32 & 42		
	Lot Area	25,869 sf *		

Zoning Section	Item	Permitted / Required	Proposed	Compliance / Notes
ZR 22-00	USES	UG 1-9	UG 2,4,6,9	Complies

3) Floor Area & Density

		R7A / C2-4			
Zoning Section	Item	Permitted / Required	Proposed	Total	Compliance / Notes
ZR 23-153 ZR 23-154 (b)	FAR	Residential	Residential		
		4.0 Base + 0.6 I.H. Bonus = 4.6 FAR	4.198 FAR	4.198 + 0.402 + 0 = 4.60 FAR	Complies
		Commercial	Commercial		Complies
		2.0 FAR	0.402 FAR		
		Community Facility	Community Facility		
		4.00 FAR	0.0 FAR		
	Floor Area	Residential	Residential	Total	
		4.6 FAR X 25,869 sf =	4.198 FAR X 25,869 sf =	108809 SF + 10388 SF = 118,997 SF	Complies
		118,997 sf	108,609 SF		
		Commercial	Commercial		Complies
		2 FAR X 25,869 sf =	0.402 FAR X 25,869 sf =		
		51,738 sf	10,388 SF		
		Community Facility	Community Facility		Complies
		4.00 FAR X 25,869 sf =	0 FAR X 25,869 sf =		
		103,476 sf	0 SF		
ZR 23-22	Maximum Number of Dwelling Units	108,609 sf / 680 sf * = 159.72			
		159 DU Max.	129 Total DU (w/ 32 Inclusionary Housing Units)		Complies
		* Dwelling Unit Factor = 680 sf. Per DU			
ZR 23-153	Maximum Lot Coverage	65% (Interior Lot)	16,808 sf (64.97% coverage)		Complies

4) Bulk Regulations

		R7A / C2-4		
Zoning Section	Item	Permitted / Required	Proposed	Compliance / Notes
ZR 23-462	Side Yards	Side Yard None required	Not provided	Complies
ZR 23-47	Rear Yards	30 ft. Rear Yard required	30 ft. Rear Yards provided	Complies
ZR 23-662(c)(1)	Initial Setback	15 ft on a narrow street	15 ft of Initial Setback provided along the entire building front.	Complies
ZR 23-633(d)	Minimum/Maximum Base Height	40 ft / 75 ft	42ft / 71 ft	Complies
ZR 23-664	Maximum Building Height / Stories	90 ft / 9 stories*	90 ft / 9 stories	Complies
		* [ZR 23-664] Modified height for R7A with IH as 90' max 9 stories.		

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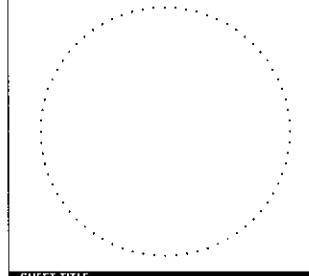
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SHEET TITLE
ZONING ANALYSIS



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Z-102.00

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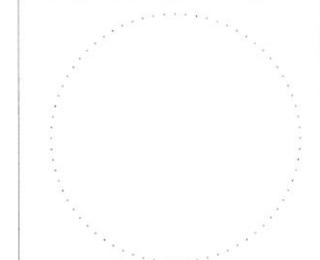
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SHEET TITLE

ZONING ANALYSIS 2

SCALE



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Z-103.00

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5 Off-Street Parking & Loading					
		R7A / C2-4			
Zoning Section	Item	Permitted / Required	Proposed	Total	Compliance / Notes
ZR 25-23	Minimum Required Parking	Residential: 50% of DU (market rate only) 97 x 0.5 = 48.5 = 49 spaces* (97 Market Rate DU's X 50% = 49 cars)*	63 spaces	63 spaces	Complies
		Commercial: None Required	n/a		Complies
		Community Facility: None Required **	n/a		Complies
		*[ZR 25-251] no accessory off street parking			
		**[ZR 25-31] no accessory off street parking			
ZR 25-811 ZR 25-82	Bicycle Parking Spaces	1 per 2 Dwelling Units : 65 Bicycles Total : 129 DU x 0.5 = 64.5	65 Bicycles		Complies
6 Quality Housing Program					
		R7A / C2-4			
Zoning Section	Item	Permitted / Required	Proposed	Total	Compliance / Notes
ZR 28-12	Refuse Storage and Disposal	2.9 CU. FT per Dwelling unit 12 SF of refuse storage room shall be excluded from the Floor Area Calculation	Average of 3.0 CU.FT per Dwelling unit provided. 12 SF of refuse storage room each floor are		Complies
ZR 28-14	Daylight in Corridors	50% of Corridor area may be excluded from Floor Area Calculation if a window with a clear, non-tinted, glazed area of at least 20 SF. (a) shall be directly visible from 50% of the corridor or from the vertical circulation core (b) is located at least 20 f	No Daylight Deduction taken on this Project		Complies
ZR 28-21	Recreation Space	Minimum Recreation Space in R7 District 3.3%	3,650 sf provided on Back Yard. (> 108,609 sf * 0.033 = 3,617 sf)		Complies
ZR 28-33	Planting Areas	Not required within driveways accessing off street parking spaces, or between non-residential uses.	No Planting Areas proposed		Complies
ZR 28-31	Density per Corridor	50% of Floor Area of the corridor may be excluded from Floor Area Calculation if DU number served by a vertical circulation core and corridor on each story not exceeding 11 in R7 District.	11 DU served by a vertical core and corridor on 1st, 8th & 9th floor.		Complies

FLOOR	GROSS AREA	DEDUCTIONS	ZONING AREA
1	16450	3275	13175
2	15830	827	15003
3	15830	827	15003
4	15830	827	15003
5	14257	730	13527
6	14257	730	13527
7	14257	730	13527
8	10748	632	10116
9	10748	632	10116
SUM	128207	9210	118997

UNIT TYPES

UNIT	ACTUAL UNIT COUNT	MARKET	INCL.	UNIT MIX	TARGET UNIT COUNT
S	28	21	7	22%	28.0
1BD	61	46	15	47%	61.0
2BD	34	25	9	26%	34.0
3BD	6	5	1	5%	6.0
4BD	0	0	0	0%	0.0
TOTAL UNITS: 129		(97)	(32)		
MARKET RATE (75%): 97					
INCLUSIONARY (25%): 32					

1 ZONING FLOOR AREA CHART
NO SCALE

2 DWELLING UNIT CHART
NO SCALE

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ZONING LOT PLAN

SCALE

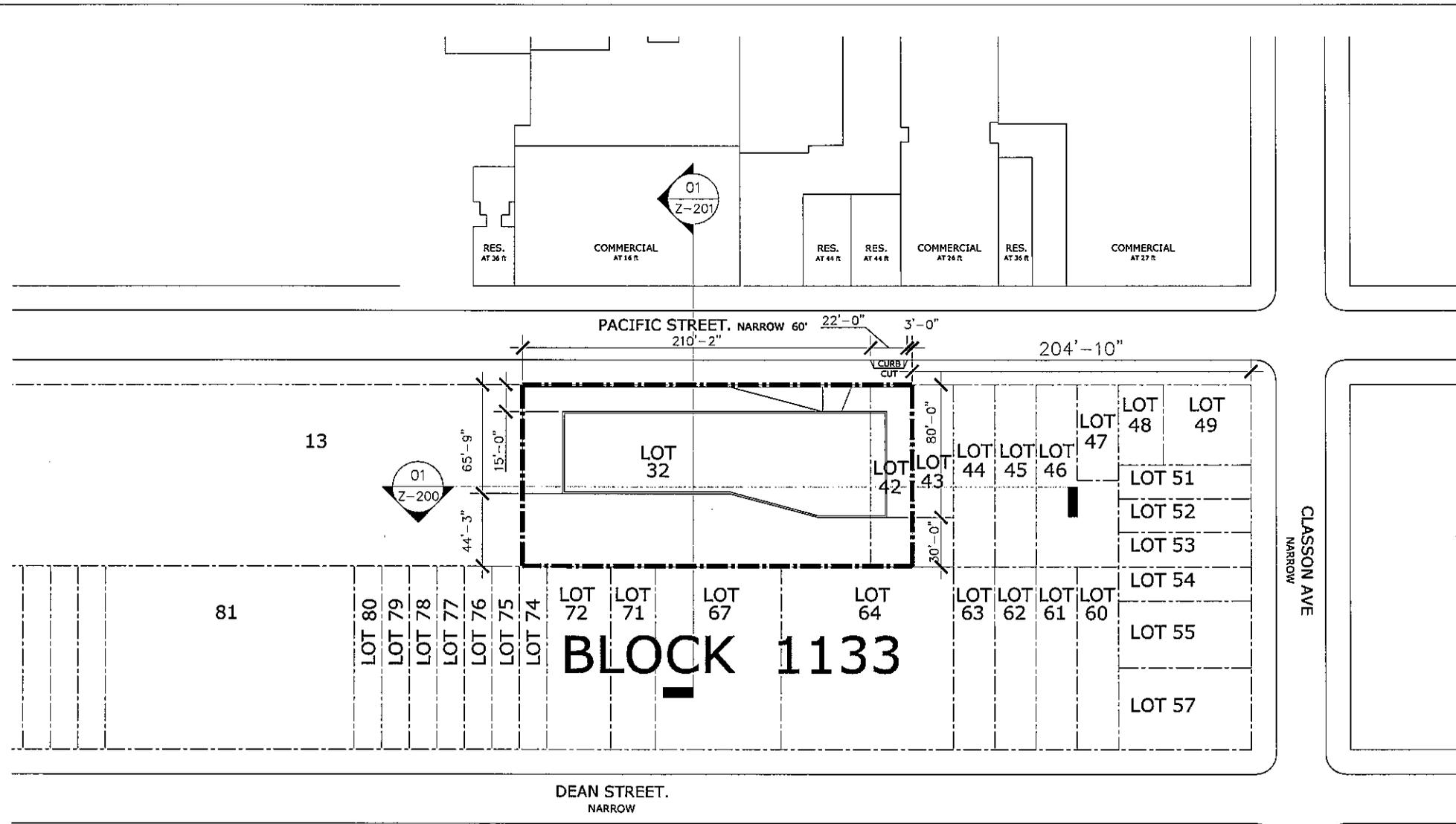
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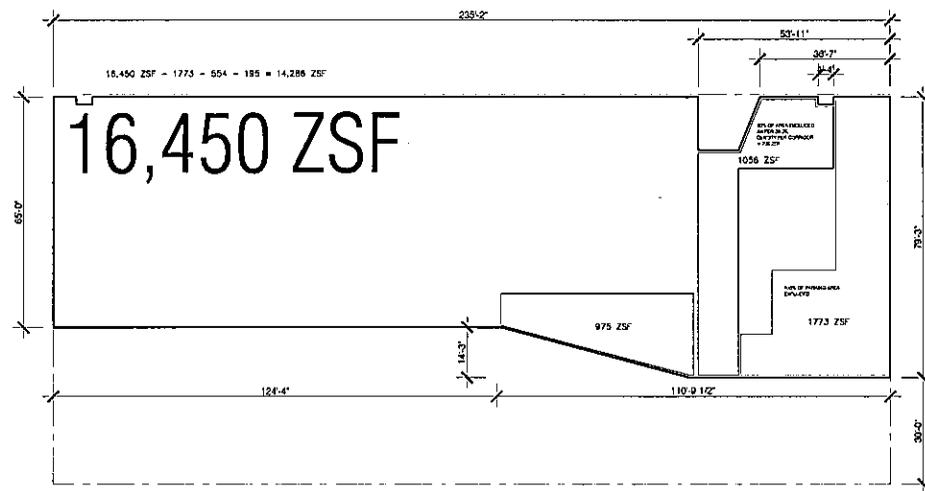
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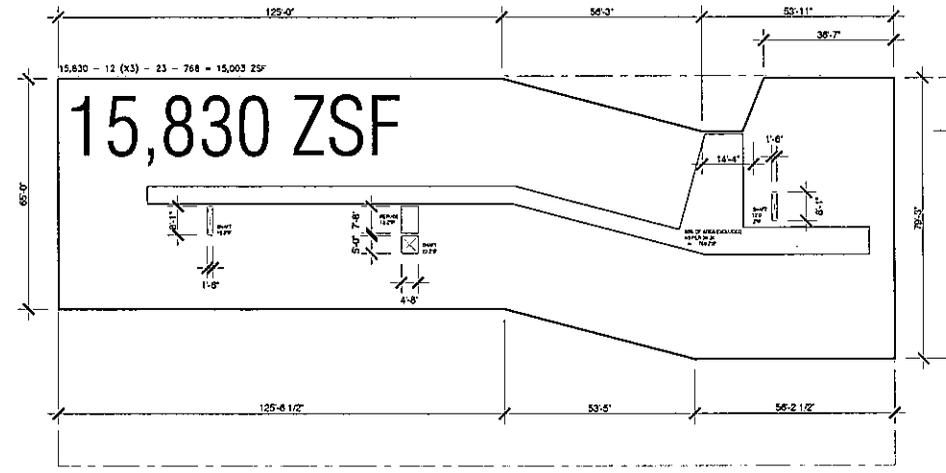
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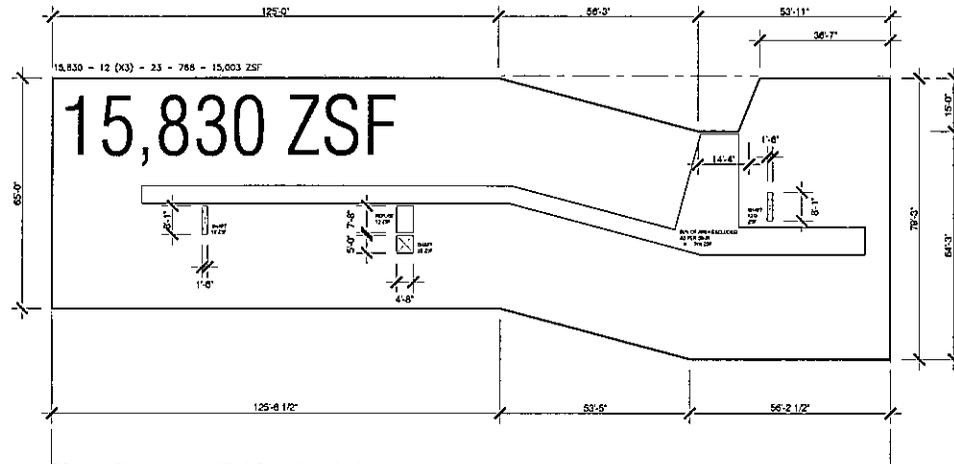
1 SITE PLAN
1/64" = 1'-0"



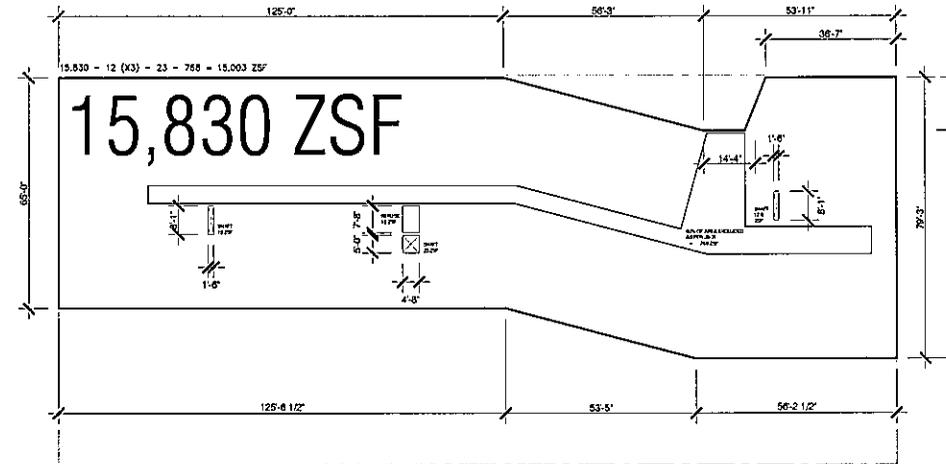
1 ST FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		16,450 ZSF
PARKING DEDUCTION		1,772 ZSF
CORRIDOR DAYLIGHT (28-14)		528 ZSF
BIKE STORAGE (25-B8)		975 ZSF
TOTAL		13,175 ZSF



2 ND FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		15,830 ZSF
REFUSE DEDUCTION		12 ZSF
MECHANICAL DEDUCTIONS	12+12+23 =	47 ZSF
CORRIDOR DENSITY (28-31)		0 ZSF
CORRIDOR DAYLIGHT (28-14)		768 ZSF
TOTAL		15,003 ZSF



3 RD FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		15,830 ZSF
REFUSE DEDUCTION		12 ZSF
MECHANICAL DEDUCTIONS	12+12+23 =	47 ZSF
CORRIDOR DENSITY (28-31)		0 ZSF
CORRIDOR DAYLIGHT (28-14)		768 ZSF
TOTAL		15,003 ZSF



4 TH FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		15,830 ZSF
REFUSE DEDUCTION		12 ZSF
MECHANICAL DEDUCTIONS	12+12+23 =	47 ZSF
CORRIDOR DENSITY (28-31)		0 ZSF
CORRIDOR DAYLIGHT (28-14)		768 ZSF
TOTAL		15,003 ZSF

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1 QUALITY HOUSING FLOOR AREA DEDUCTION CALCULATION (FLOORS 1-4)
1" = 40'-0"

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**ZONING FLOOR AREA
FLOORS 5 - 8**

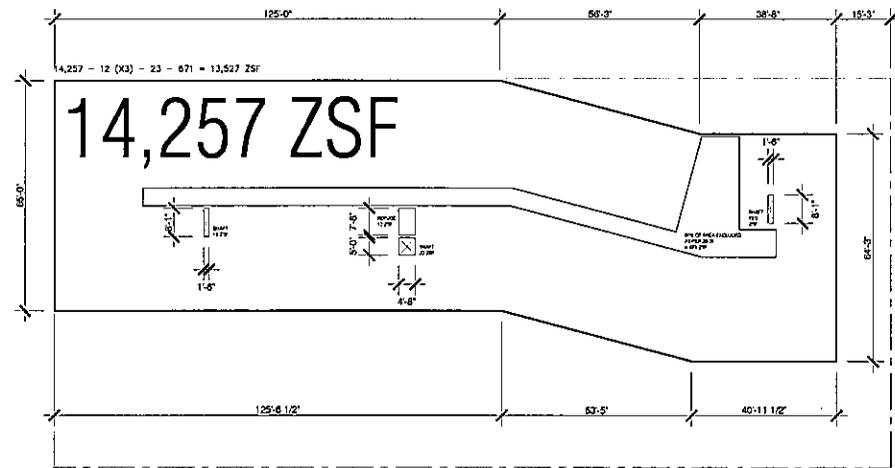
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1/64" = 1'-0" N

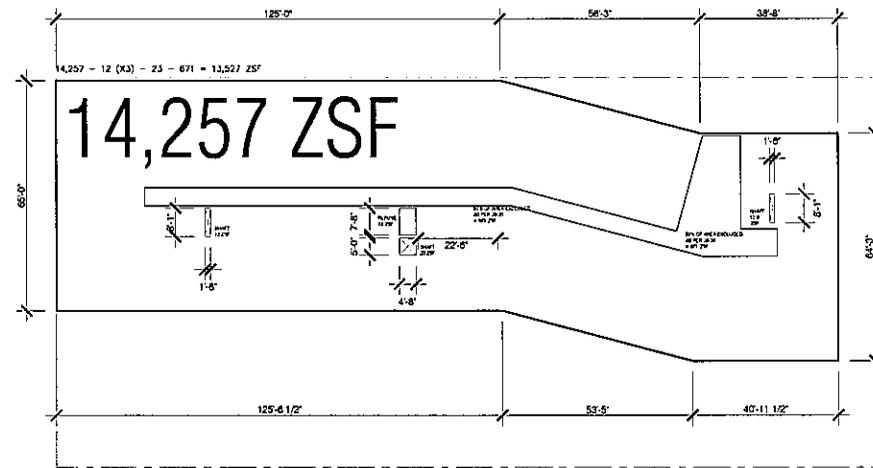
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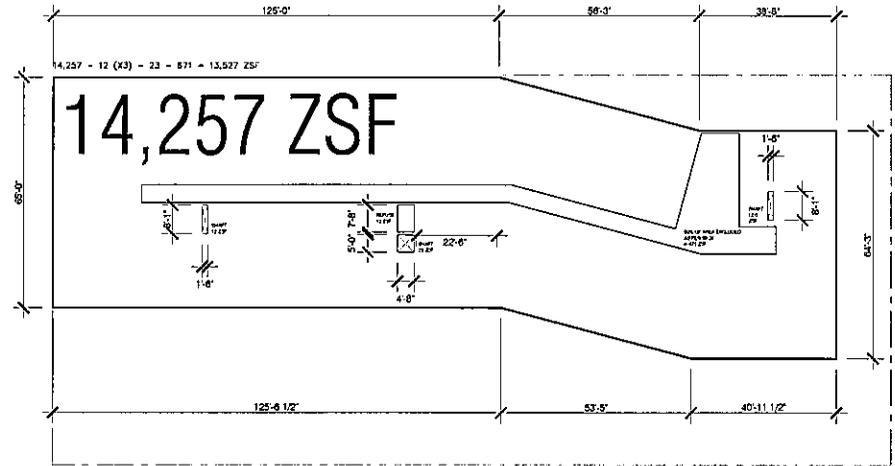
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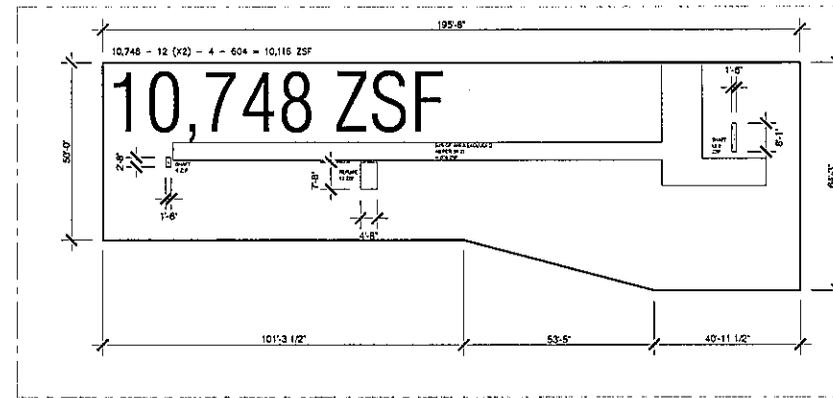
5 TH FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		14,257 ZSF
REFUSE DEDUCTION		12 ZSF
MECHANICAL DEDUCTIONS	12+12+23 =	47 ZSF
CORRIDOR DENSITY (28-31)		0 ZSF
CORRIDOR DAYLIGHT (28-14)		871 ZSF
TOTAL		13,527 ZSF



6 TH FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		14,257 ZSF
REFUSE DEDUCTION		12 ZSF
MECHANICAL DEDUCTIONS	12+12+23 =	47 ZSF
CORRIDOR DENSITY (28-31)		0 ZSF
CORRIDOR DAYLIGHT (28-14)		871 ZSF
TOTAL		13,527 ZSF



7 TH FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		14,257 ZSF
REFUSE DEDUCTION		12 ZSF
MECHANICAL DEDUCTIONS	12+12+23 =	47 ZSF
CORRIDOR DENSITY (28-31)		0 ZSF
CORRIDOR DAYLIGHT (28-14)		871 ZSF
TOTAL		13,527 ZSF



8 TH FLOOR		
	SIZE	AREA
GROSS BUILDING AREA		10,748 ZSF
REFUSE DEDUCTION		12 ZSF
MECHANICAL DEDUCTIONS	12+4 =	16 ZSF
CORRIDOR DENSITY (28-31)		0 ZSF
CORRIDOR DAYLIGHT (28-14)		604 ZSF
TOTAL		10,116 ZSF

1 QUALITY HOUSING FLOOR AREA DEDUCTION CALCULATION (FLOORS 5-8)
1" = 40'-0"

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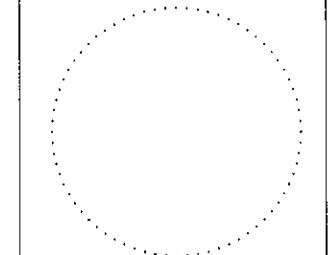
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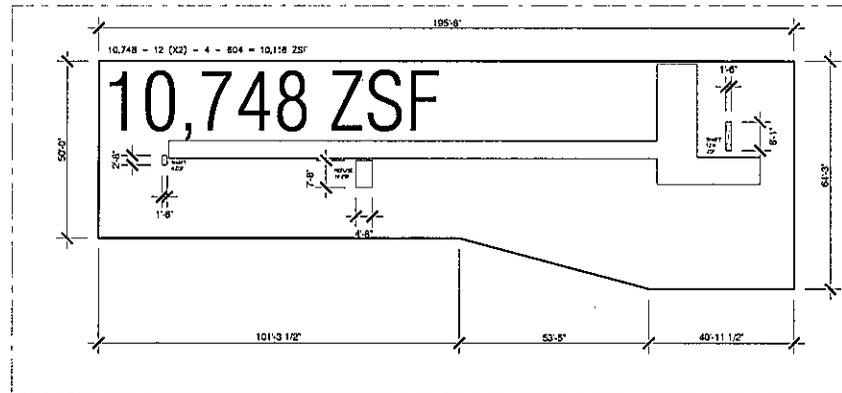
**ZONING FLOOR AREA
FLOOR 9**

SCALE

1/64" = 1'-0" N

SHEET NO.

Z-107.00



9 TH FLOOR			
	SIZE	AREA	
GROSS BUILDING AREA		10,748 ZSF	
REFUSE DEDUCTION		12 ZSF	
MECHANICAL DEDUCTIONS	12+4 =	18 ZSF	
CORRIDOR DENSITY (28-31)		0 ZSF	
CORRIDOR DAYLIGHT (28-14)		604 ZSF	
TOTAL		10,116 ZSF	

9,512 ZSF

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1" = 40'-0"

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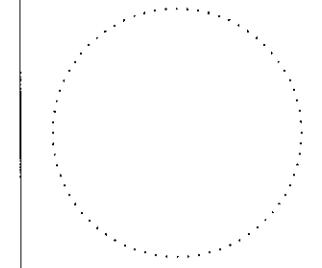
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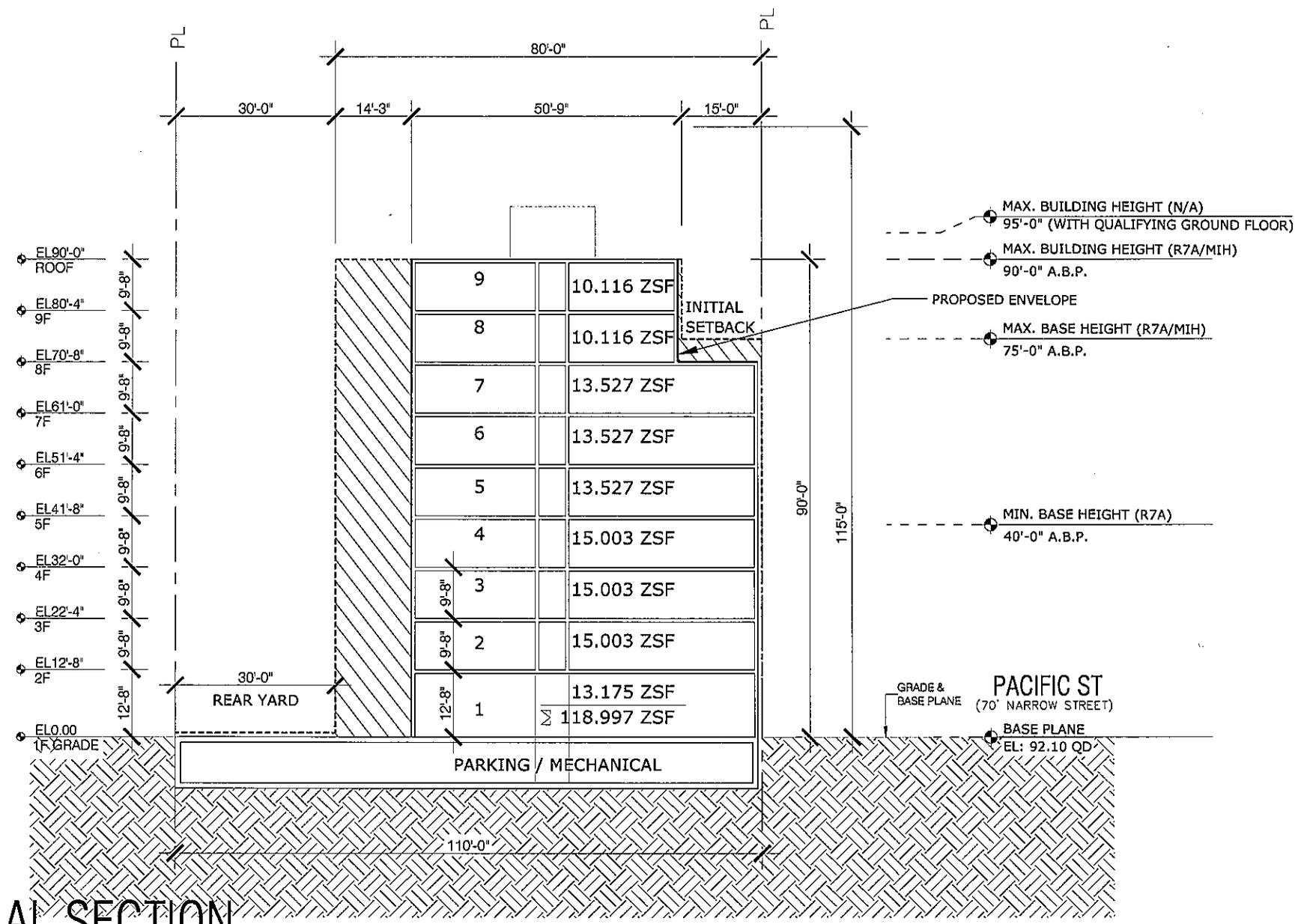
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CROSS SECTION

SCALE
1"=20' 0" N

SHEET NO.

Z-201.00



LONGITUDINAL SECTION

1 CROSS BUILDING SECTION
1" = 20'-0"

NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1010 PACIFIC STREET No. 15006

1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT

AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT

STUDIO V ARCHITECTURE, PLLC
44 E 32nd Street New York NY 10016
T 212.779.2288 F 212.689.1325

CONSULTANTS

LAND USE ATTORNEY/ Sheldon Label, P.C.
18E 42st Street, New York, NY 10017
T 212.725.2727 F 212.725.3910

ENVIRONMENTAL CONSULTANT/ AECOM
100 Park Avenue, New York, NY 10017
T 212.708.6800

PUBLIC RELATIONS / DOMENIC RECCHIA
172 Gravesend Neck Rd., Brooklyn, NY 11223
T 718.336.5550

INCLUSIONARY HOUSING CONSULTANT/ BEST DEVELOPMENT GROUP
111 North Central Avenue Ste 425, Hartsdale, NY 10530
T 914.472.0180

DATE DRAWN BY CHECKED BY

04.12.2019 LC JV

SHEET TITLE

2ND FLOOR PLAN

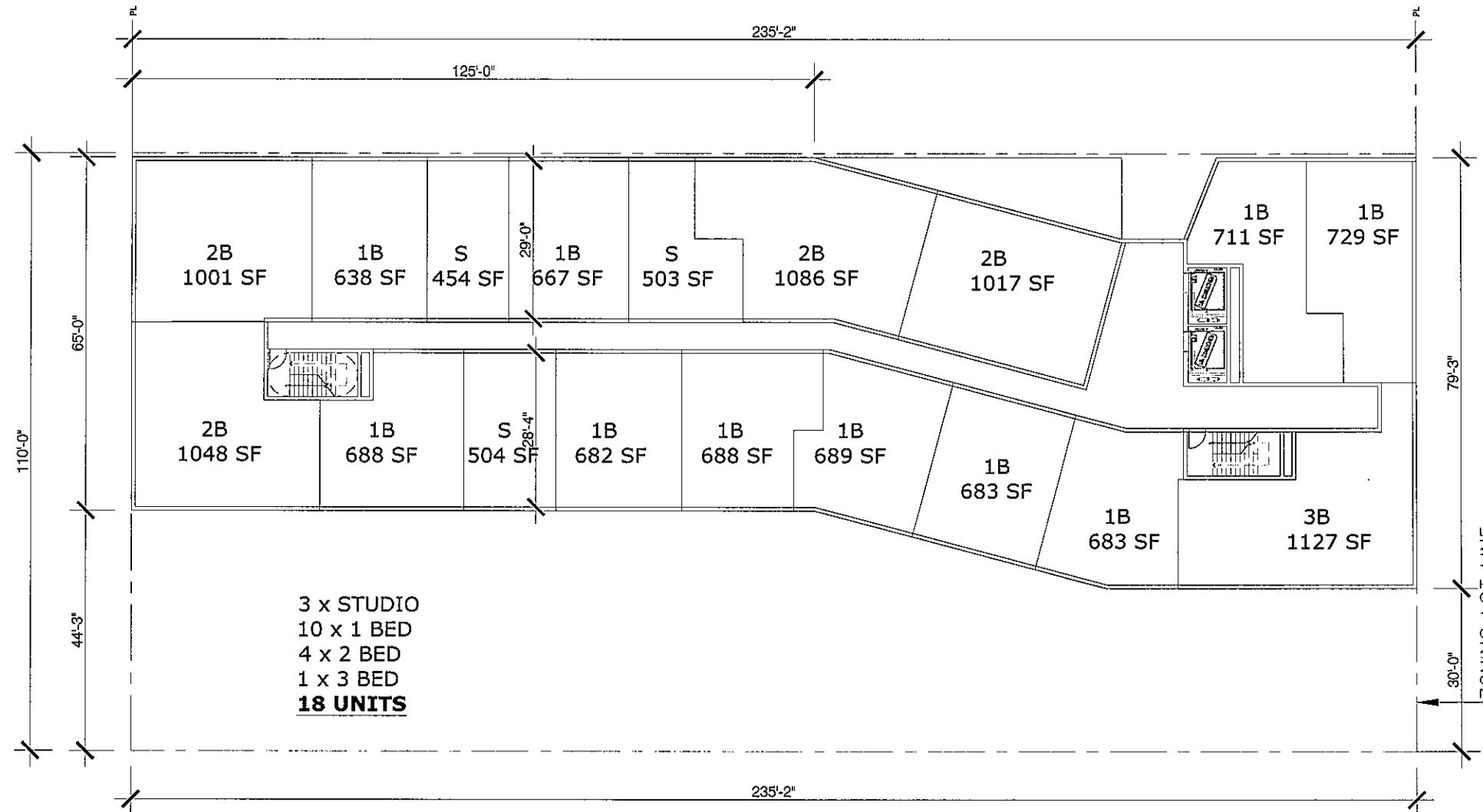
SCALE

1"=20' 0"



SHEET NO.

A-303.00



1 2ND FLOOR PLAN
1" = 20'-0"

NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1010 PACIFIC STREET #15006

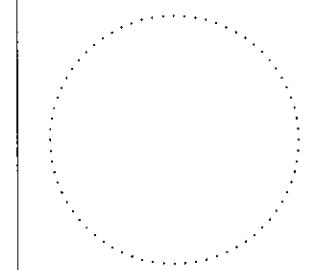
1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT
AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT
STUDIO V ARCHITECTURE, PLLC
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T 718.336.5550
INCLUSIONARY HOUSING CONSULTANT /
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111 North Central Avenue Ste 425, Hartsdale, NY
10530
T 914.472.0180

DATE 04.12.2019 **DRAWN BY** LC **CHECKED BY** JV



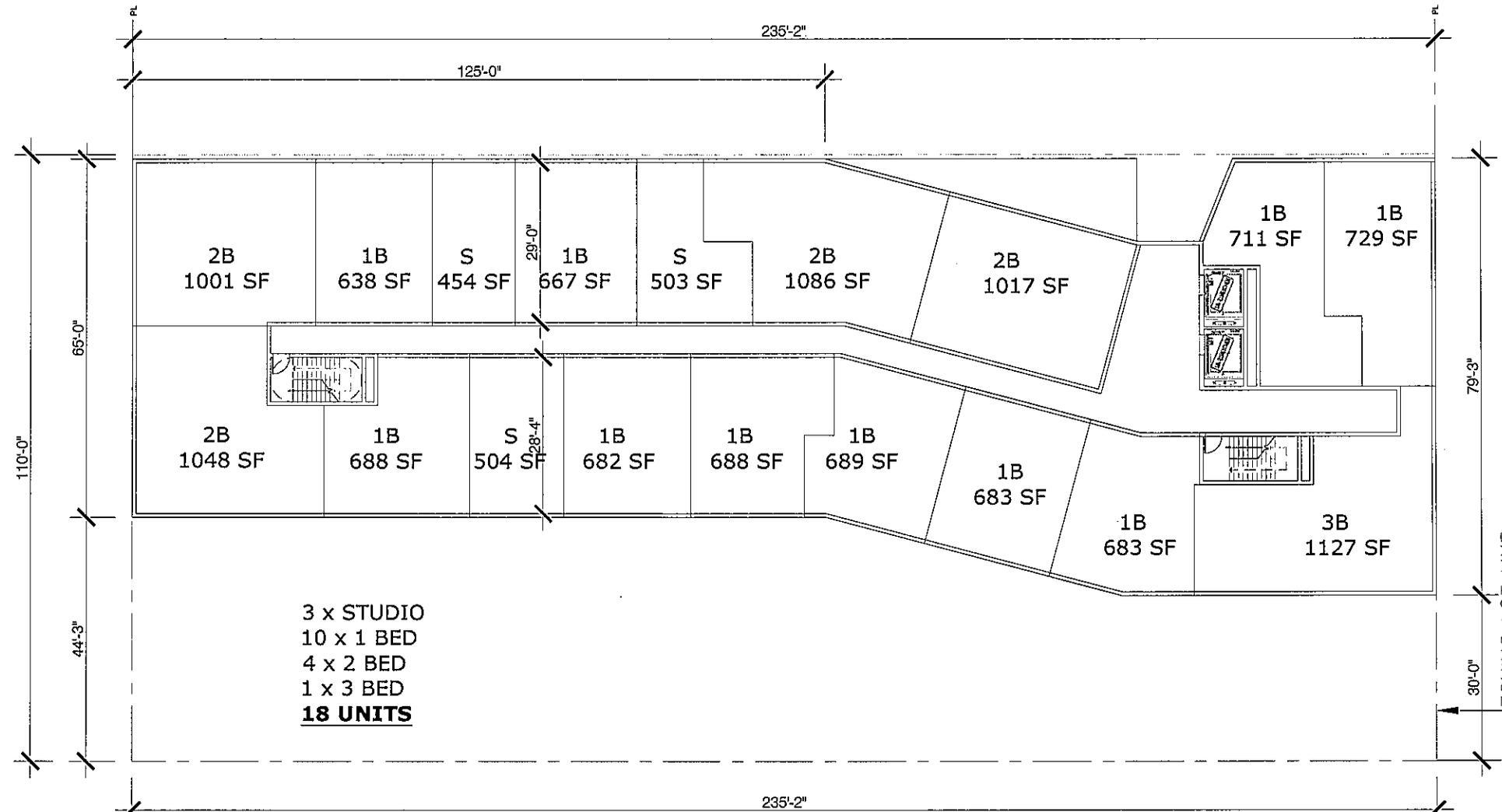
SHEET TITLE

3RD FLOOR PLAN

SCALE
1"=20' 0"

SHEET NO.

A-304.00



NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1 3RD FLOOR PLAN
1" = 20'-0"

1010 PACIFIC STREET No. 15006

1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT

AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT

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T 718.336.5550

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T 914.472.0180

DATE DRAWN BY CHECKED BY

04.12.2019 LC JV

SHEET TITLE

4TH FLOOR PLAN

SCALE

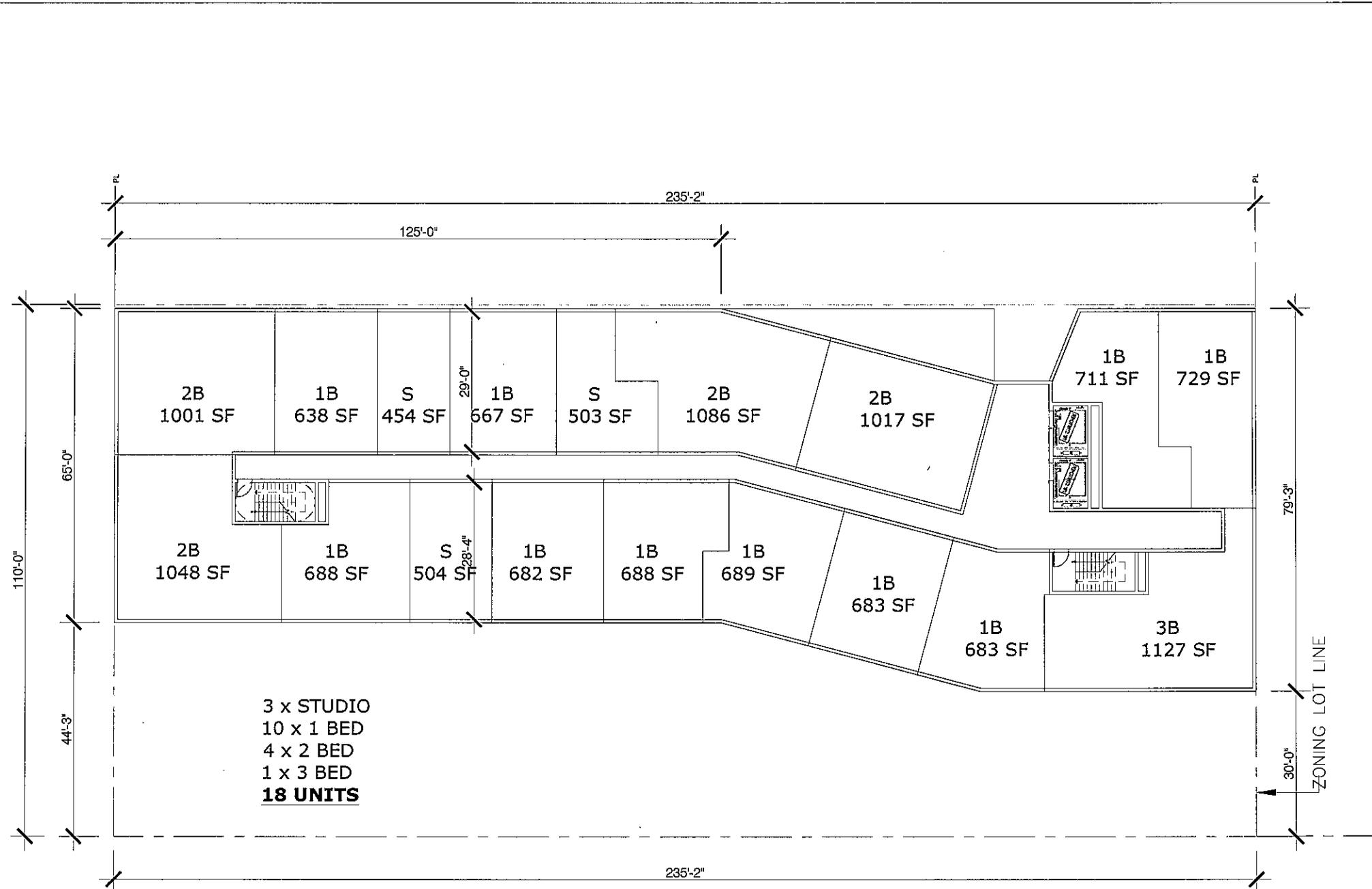
1"=20' 0"



SHEET NO.

A-305.00

NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.



1 4TH FLOOR PLAN
1" = 20'-0"

1010 PACIFIC STREET #15006

1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT
AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT
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44 E 32nd Street New York NY 10016
T 212.779.2288 F 212.689.1325

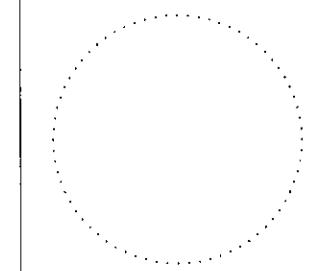
CONSULTANTS
LAND USE ATTORNEY/ Sheldon Label, P.C.
18E 42st Street, New York, NY 10017
T 212.725.2727 F 212.725.3910

ENVIRONMENTAL CONSULTANT/ AECOM
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PUBLIC RELATIONS / DOMENIC RECCHIA
172 Gravesend Neck Rd, Brooklyn, NY 11223
T 718.336.5550

INCLUSIONARY HOUSING CONSULTANT/
BEST DEVELOPMENT GROUP
111 North Central Avenue Ste 425, Hartsdale, NY
10530
T 914.472.0180

DATE DRAWN BY CHECKED BY
04.12.2019 LC JV



SHEET TITLE

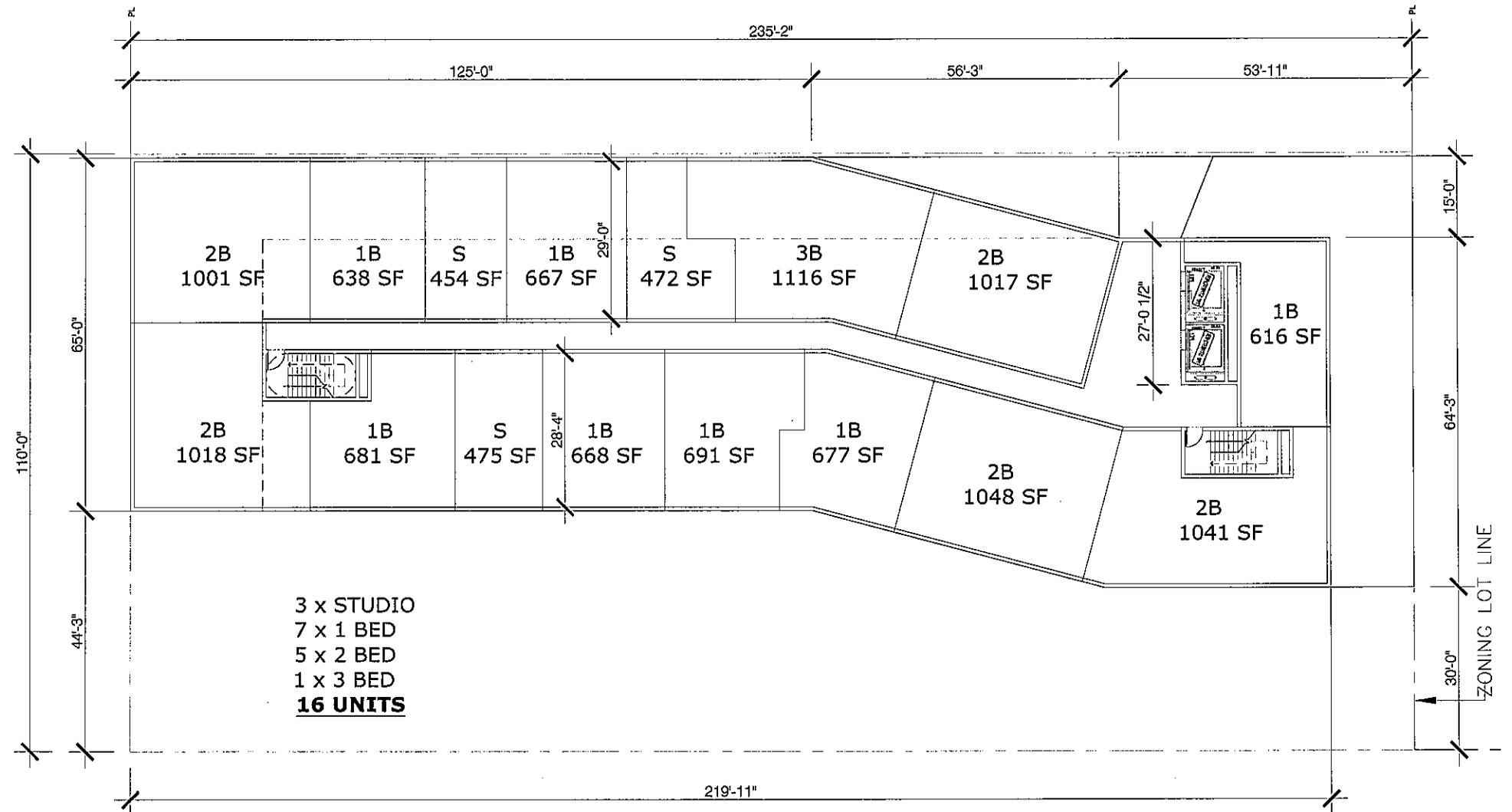
5TH FLOOR PLAN

SCALE
1"=20' 0"



SHEET NO

A-306.00



NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1 5TH FLOOR PLAN
1" = 20'-0"

1010 PACIFIC STREET #15006

1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT
AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT
STUDIO V ARCHITECTURE, PLLC
44 E 32nd Street New York NY 10016
T212.779.2288 F212.689.1325

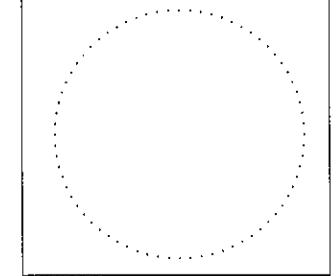
CONSULTANTS
LAND USE ATTORNEY/ Sheldon Lobel, P.C.
18E 42st Street, New York, NY 10017
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ENVIRONMENTAL CONSULTANT/ AECOM
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T 212.708.6800

PUBLIC RELATIONS / DOMENIC RECCHIA
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T 718.336.5550

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BEST DEVELOPMENT GROUP
111 North Central Avenue Ste 425, Hartsdale, NY
10530
T 914.472.0180

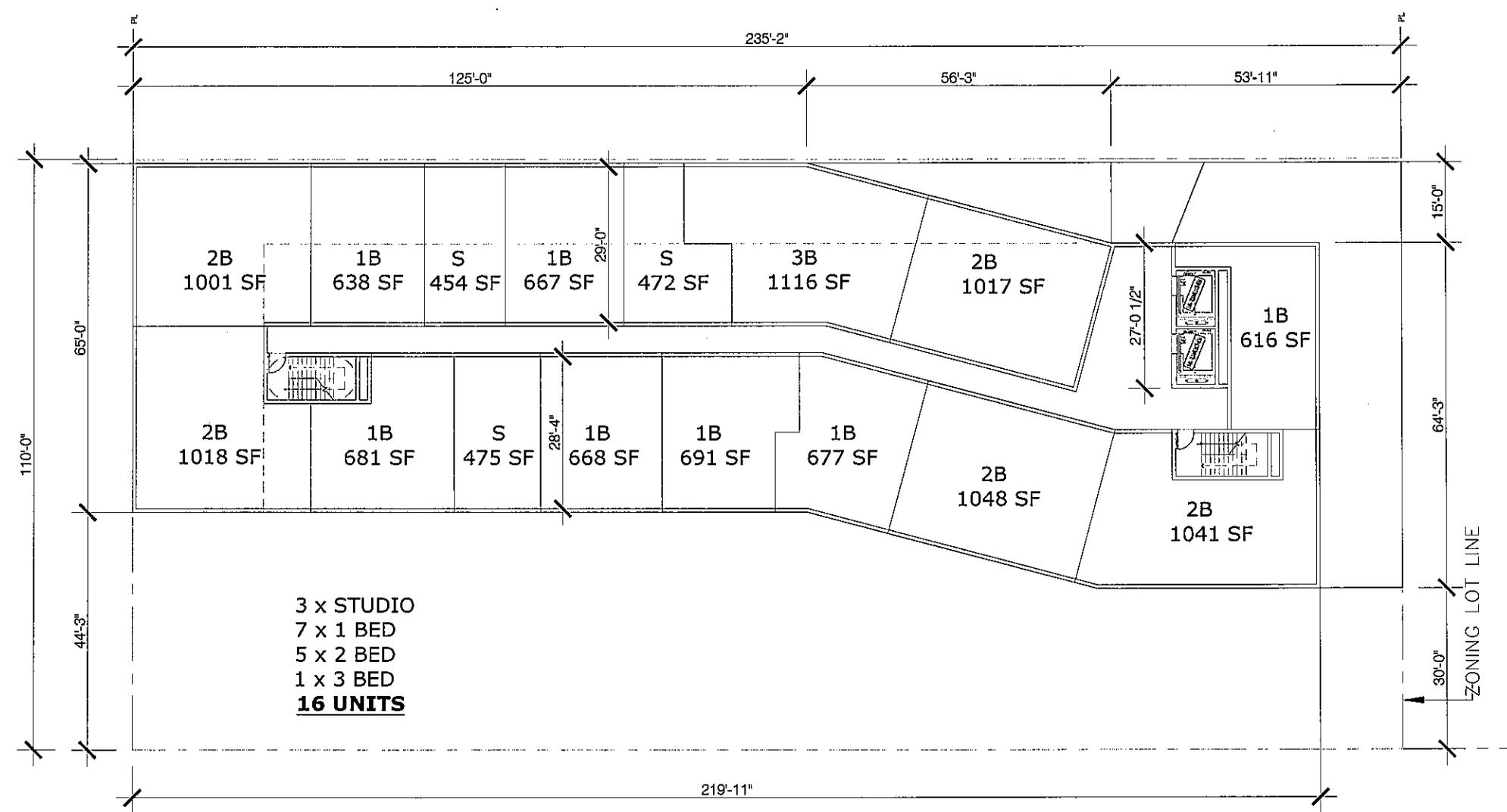
DATE DRAWN BY CHECKED BY
04.12.2019 LC JV



SHEET TITLE
6TH FLOOR PLAN

SCALE
1"=20' 0" N

SHEET NO
A-307.00



3 x STUDIO
7 x 1 BED
5 x 2 BED
1 x 3 BED
16 UNITS

NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1 6TH FLOOR PLAN
1" = 20'-0"

1010 PACIFIC STREET no 15006

1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT
AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT
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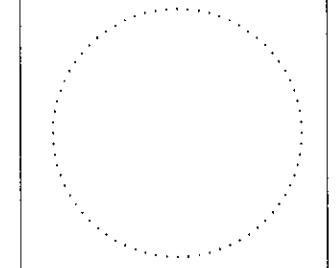
CONSULTANTS
LAND USE ATTORNEY/ Sheldon Label, P.C.
18E 42st Street, New York, NY 10017
T 212.725.2727 F 212.725.3910

ENVIRONMENTAL CONSULTANT/ AECOM
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T 718.339.5550

INCLUSIONARY HOUSING CONSULTANT/
BEST DEVELOPMENT GROUP
111 North Central Avenue Ste 425, Hartsdale, NY
10530
T 914.472.0180

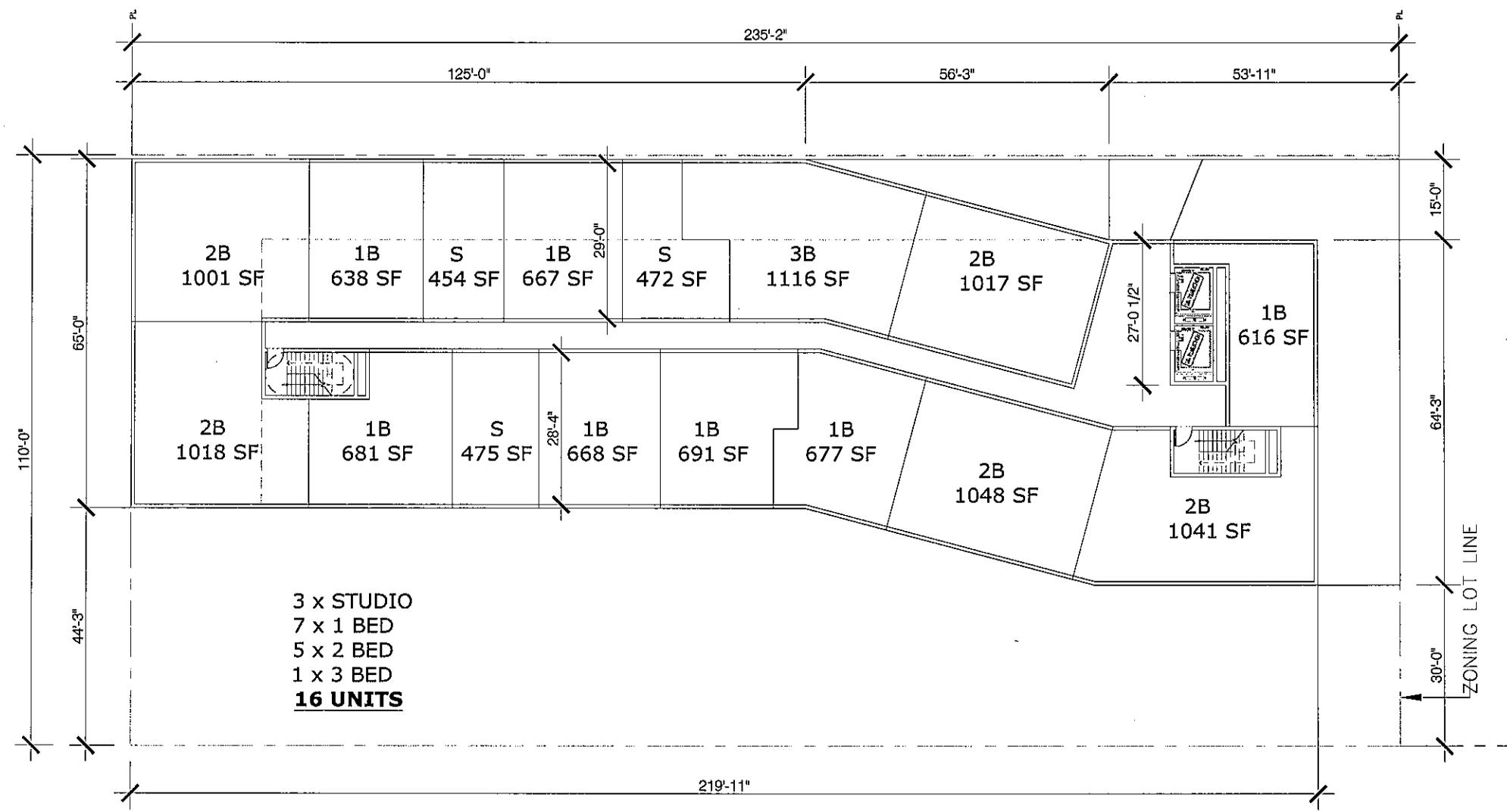
DATE DRAWN BY CHECKED BY
04.12.2019 LC JV



SHEET TITLE
7TH FLOOR PLAN

SCALE
1"=20' 0" N

SHEET NO.
A-308.00



1 7TH FLOOR PLAN
1" = 20'-0"

NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1010 PACIFIC STREET #15006

1010 Pacific Street
Brooklyn, NY 11238

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CONSULTANTS
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18E 42st Street, New York, NY 10017
T 212.725.2727 F 212.725.3910

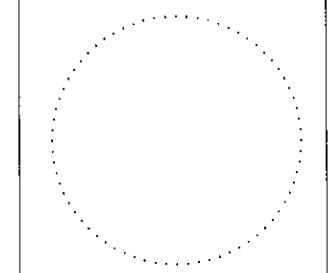
ENVIRONMENTAL CONSULTANT/ AECOM
100 Park Avenue, New York, NY 10017
T 212.708.6800

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172 Gravesend Neck Rd, Brooklyn, NY 11223
T 718.336.5550

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BEST DEVELOPMENT GROUP
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10530
T 914.472.0180

DATE DRAWN BY CHECKED BY

04.12.2019 LC JV



SHEET TITLE

8TH FLOOR PLAN

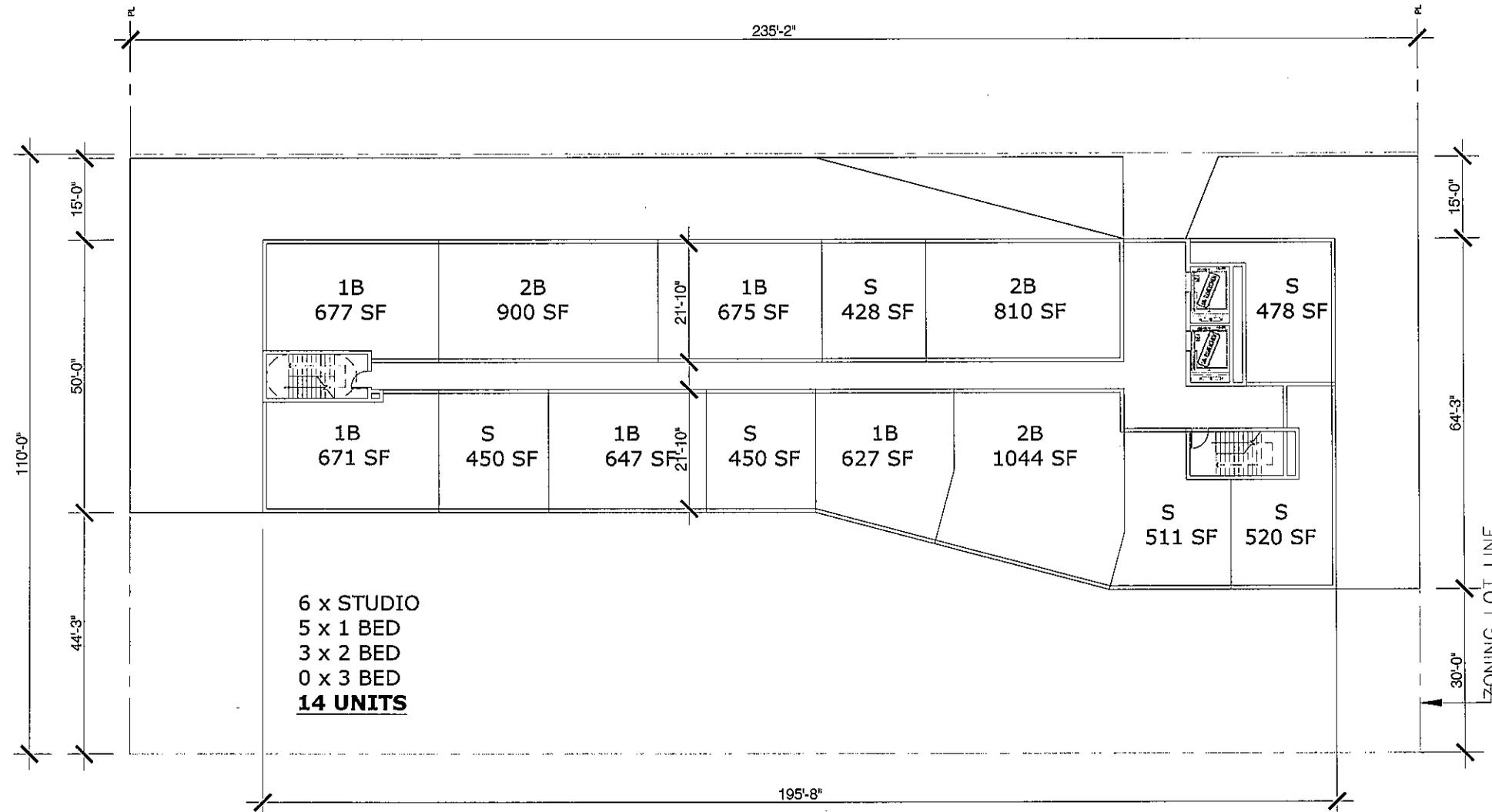
SCALE

1"=20' 0"



SHEET NO

A-309.00



NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1 8TH FLOOR PLAN
1" = 20'-0"

1010 PACIFIC STREET No. 15006

1010 Pacific Street
Brooklyn, NY 11238

OWNER / CLIENT
AVO CONSTRUCTION
65 Vestry Street
New York, NY 10013

ARCHITECT
STUDIO V ARCHITECTURE, PLLC
44 E 32nd Street New York NY 10016
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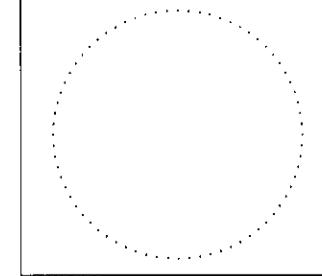
CONSULTANTS
LAND USE ATTORNEY/ Sheldon Label, P.C.
18E 42st Street, New York, NY 10017
T 212.725.2727 F 212.725.3910

ENVIRONMENTAL CONSULTANT/ AECOM
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T 212.708.5800

PUBLIC RELATIONS / DOMENIC RECCHIA
172 Gravesand Neck Rd, Brooklyn, NY 11223
T 718.336.5550

INCLUSIONARY HOUSING CONSULTANT/
BEST DEVELOPMENT GROUP
111 North Central Avenue Ste 425, Hartsdale, NY
10530
T 914.472.0180

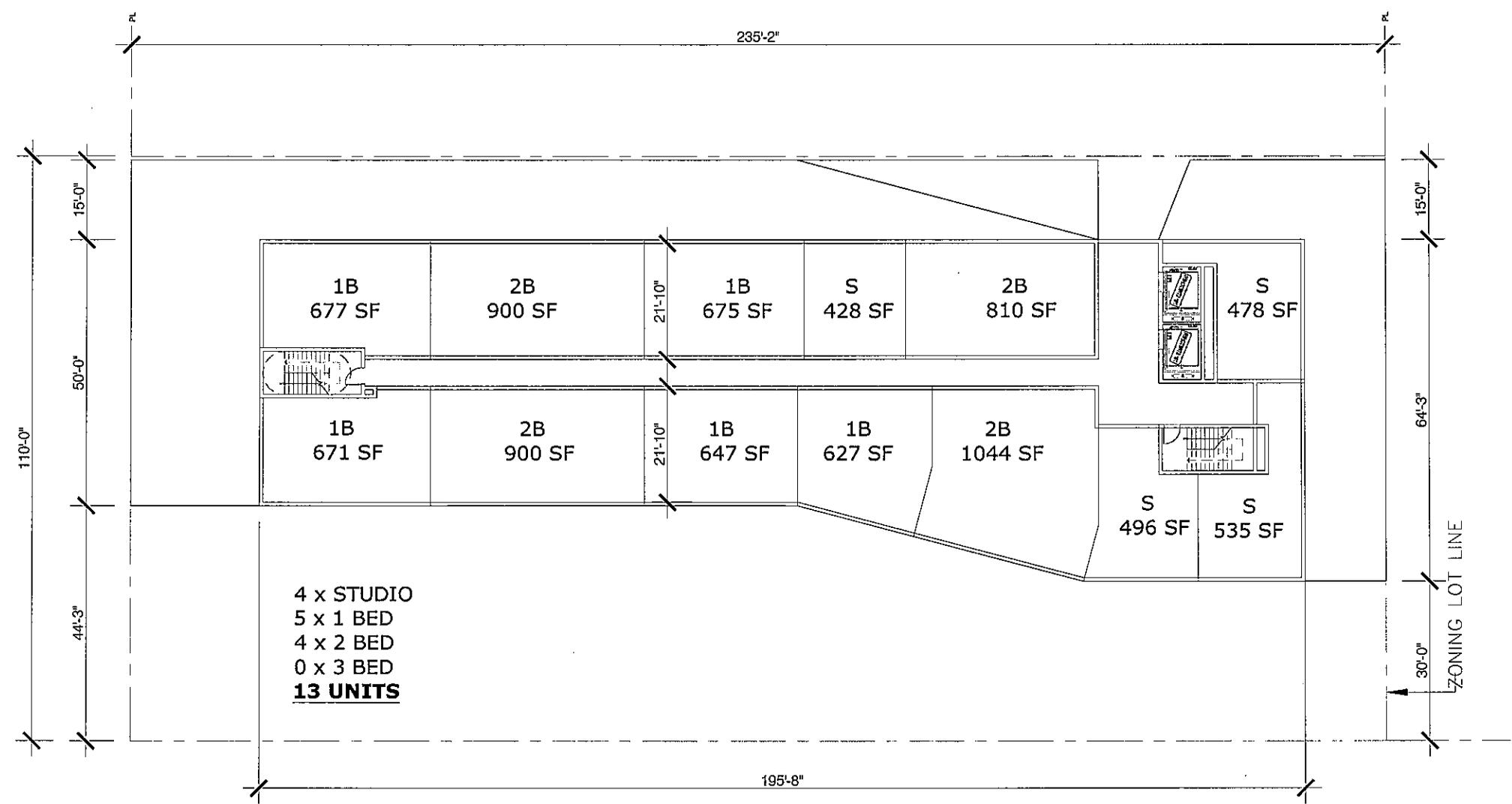
DATE DRAWN BY CHECKED BY
04.12.2019 LC JV



SHEET TITLE
9TH FLOOR PLAN

SCALE
1"=20' 0" N

SHEET NO.
A-310.00



NOTE: APPLICANT'S STAMP AND SEAL CORRESPOND TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

1 9TH FLOOR PLAN
1" = 20'-0"



1050 Pacific Street Rezoning
ULURP Nos. 160175 ZMK and 160176 ZRK



City Council Subcommittee on Zoning and Franchises Hearing
April 16, 2019



Applicant Representative: Sheldon Lobel, P.C.



NYC Digital Tax Map

Effective Date : 10-07-2010 16:07:20
End Date : Current
Brooklyn Block: 1134



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

— Zoning District Line

— Development Site

●●●●● Project Area

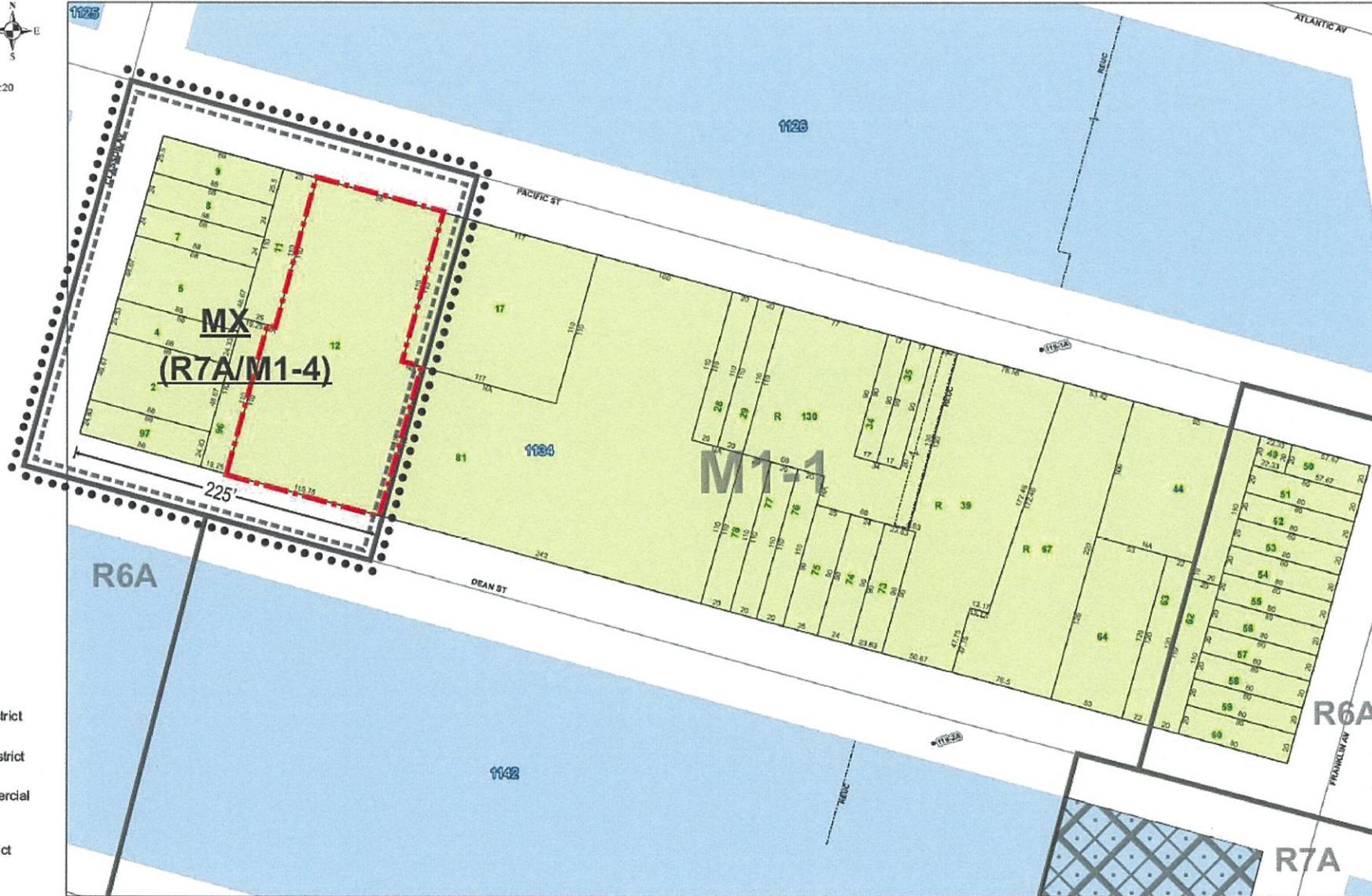
— Special District Line

R7A Proposed Zoning District

MX Proposed Special District

Existing C2-4 Commercial Overlay

R6 Existing Zoning District



0 10 20 30 40 Feet

Area Map

1050 Pacific Street, Brooklyn
 Block 1134, Lot 12
 Project ID# P2013K0549

Project Information

- 600' Buffer
- Development Site
- Project Area
- Special Districts

Existing Zoning Districts

- M1-1
- M1-4/R7A
- R7A
- R6B
- R6A
- R7D

Existing Commercial Overlays

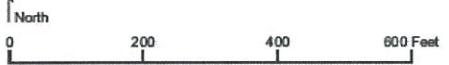
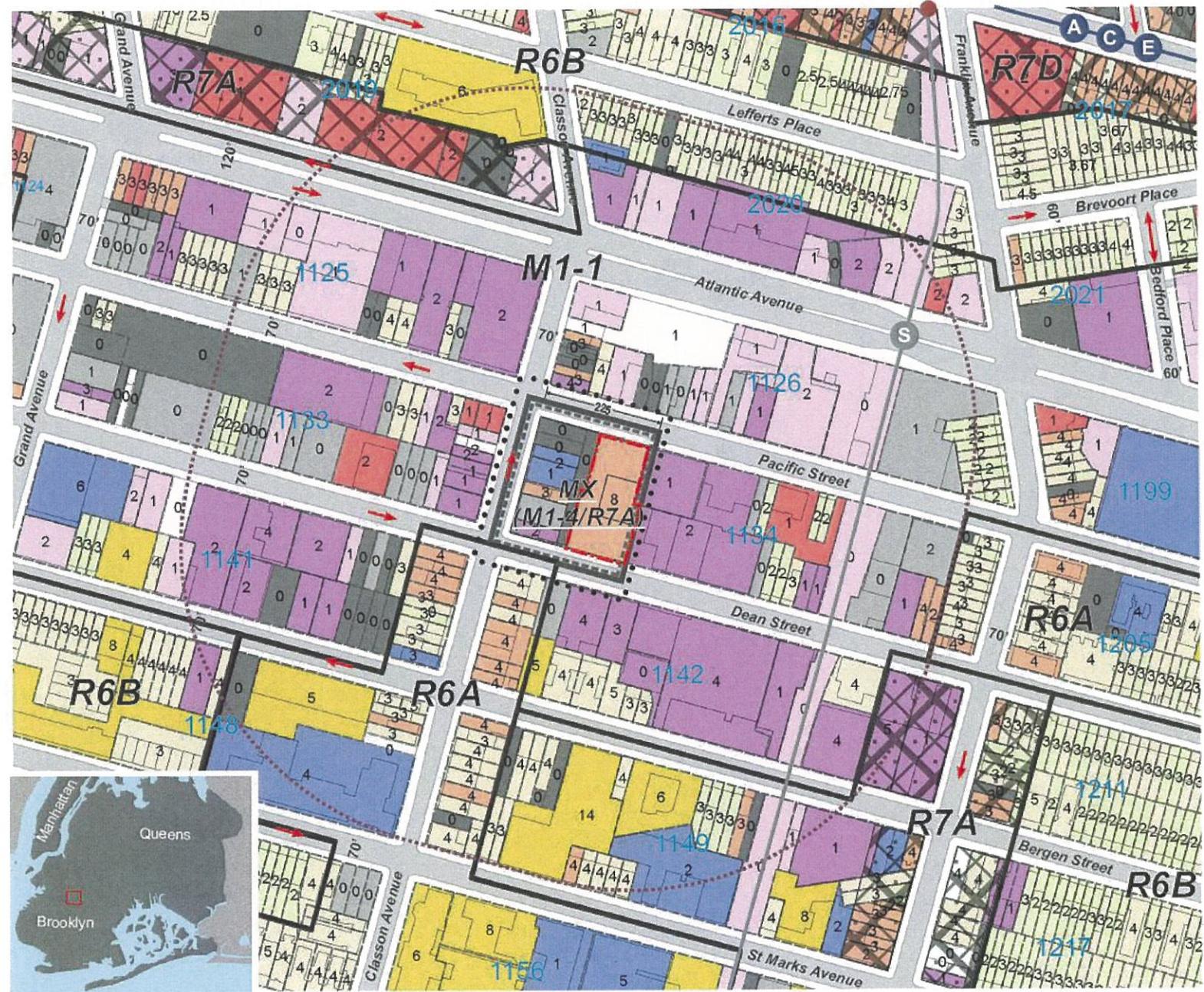
- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land

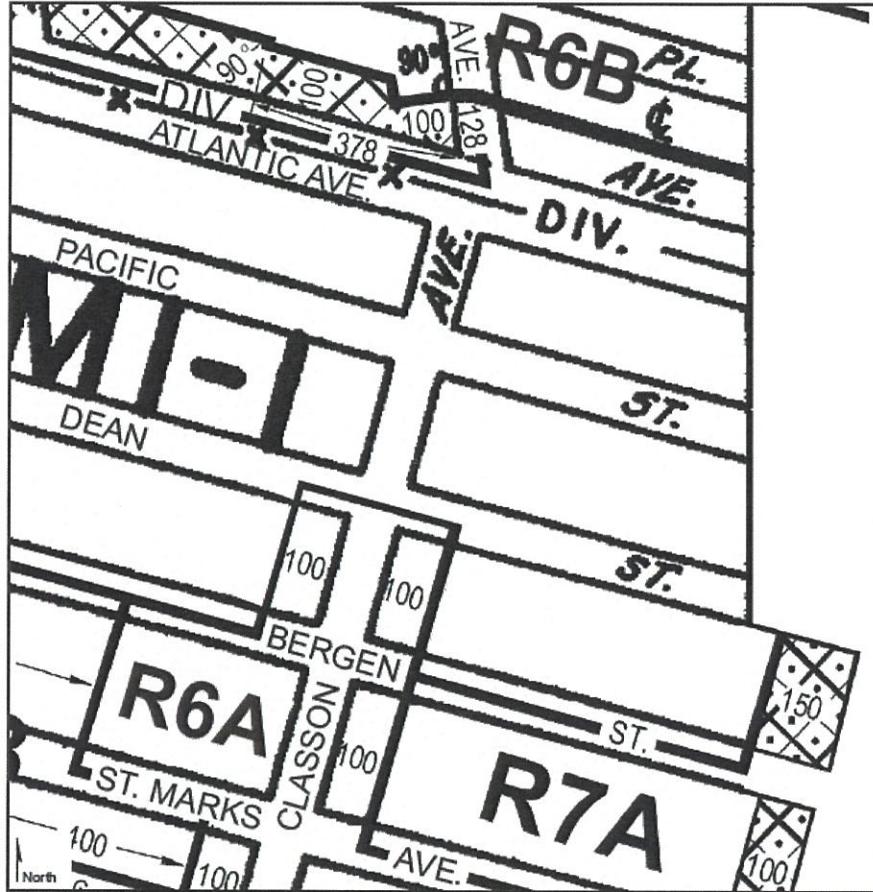
Other Symbols:

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

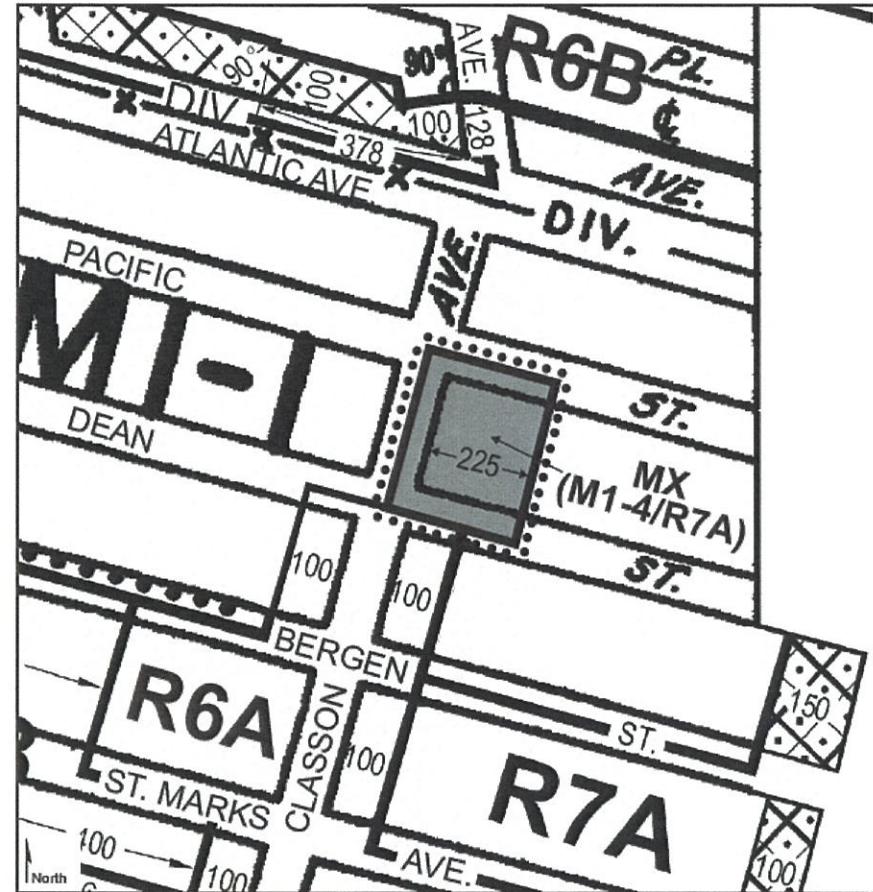


Prepared by Urban Cartographics March 2016

Zoning Change Map

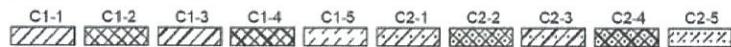


Current Zoning Map (Map 16c)



Proposed Zoning Map (Map 16c) - Area being rezoned is outlined with dotted lines

Rezoning from M1-1 to MX (M1-4/R7A) zoning district.





1. View of Dean Street facing west (Site at right).



2. View of the sidewalk along the north side of Dean Street facing west (Site at right).



3. View of the Site facing northwest from Dean Street.





4. View of the south side of Dean Street facing southeast from the Site.



5. View of the south side of Dean Street facing southwest from the Site.



6. View of the Site facing northeast from Dean Street.





7. View of the sidewalk along the north side of Dean Street facing east (Site at left).



8. View of the north side of Dean Street facing northeast from Classon Avenue.



9. View of Dean Street facing east from Classon Avenue (Site ahead at left).



Photographs Taken on October 4, 2017

Page 3 of 8

1050 Pacific Street, Brooklyn



10. View of the east side of Classon Avenue facing northeast from Dean Street.



11. View of the sidewalk along the east side of Classon Avenue facing north.



12. View of the west side of Classon Avenue facing southwest.





13. View of the west side of Classon Avenue facing northwest.



14. View of the sidewalk along the east side of Classon Avenue facing south.



15. View of the east side of Classon Avenue facing southeast from Pacific Street.





16. View of Pacific Street facing east from Classon Avenue (Site ahead at right).



17. View of the south side of Pacific Street facing southeast from Classon Avenue.



18. View of the Site facing southeast from Pacific Street.





19. View of the sidewalk along the south side of Pacific Street facing east (Site at right).

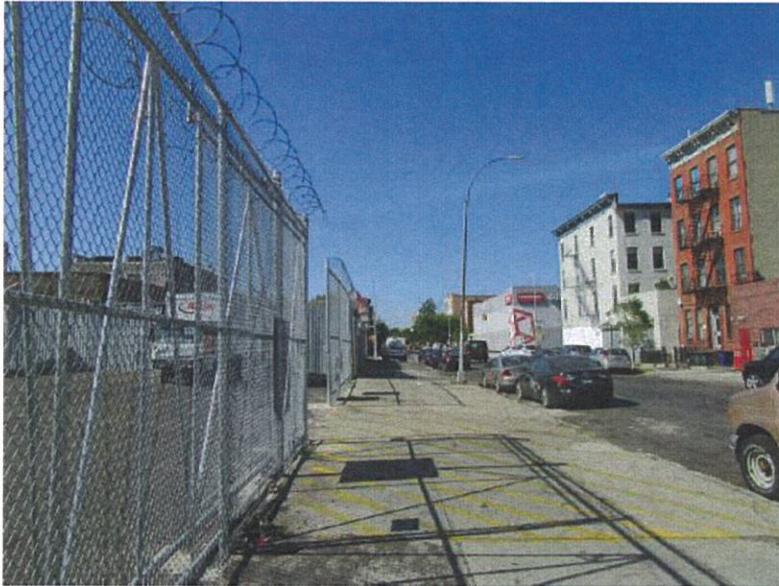


20. View of the north side of Pacific Street facing northwest from the Site.



21. View of the north side of Pacific Street facing northeast from the Site.

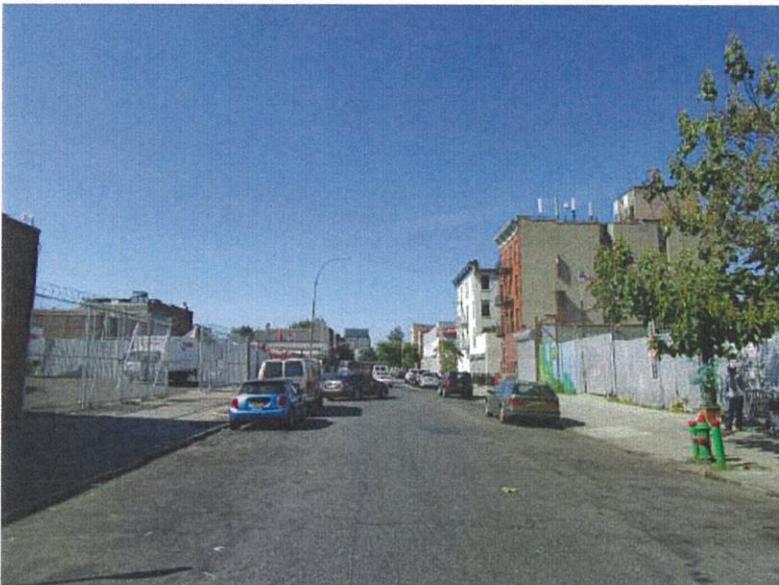




22. View of the sidewalk along the south side of Pacific Street facing west (Site at left).

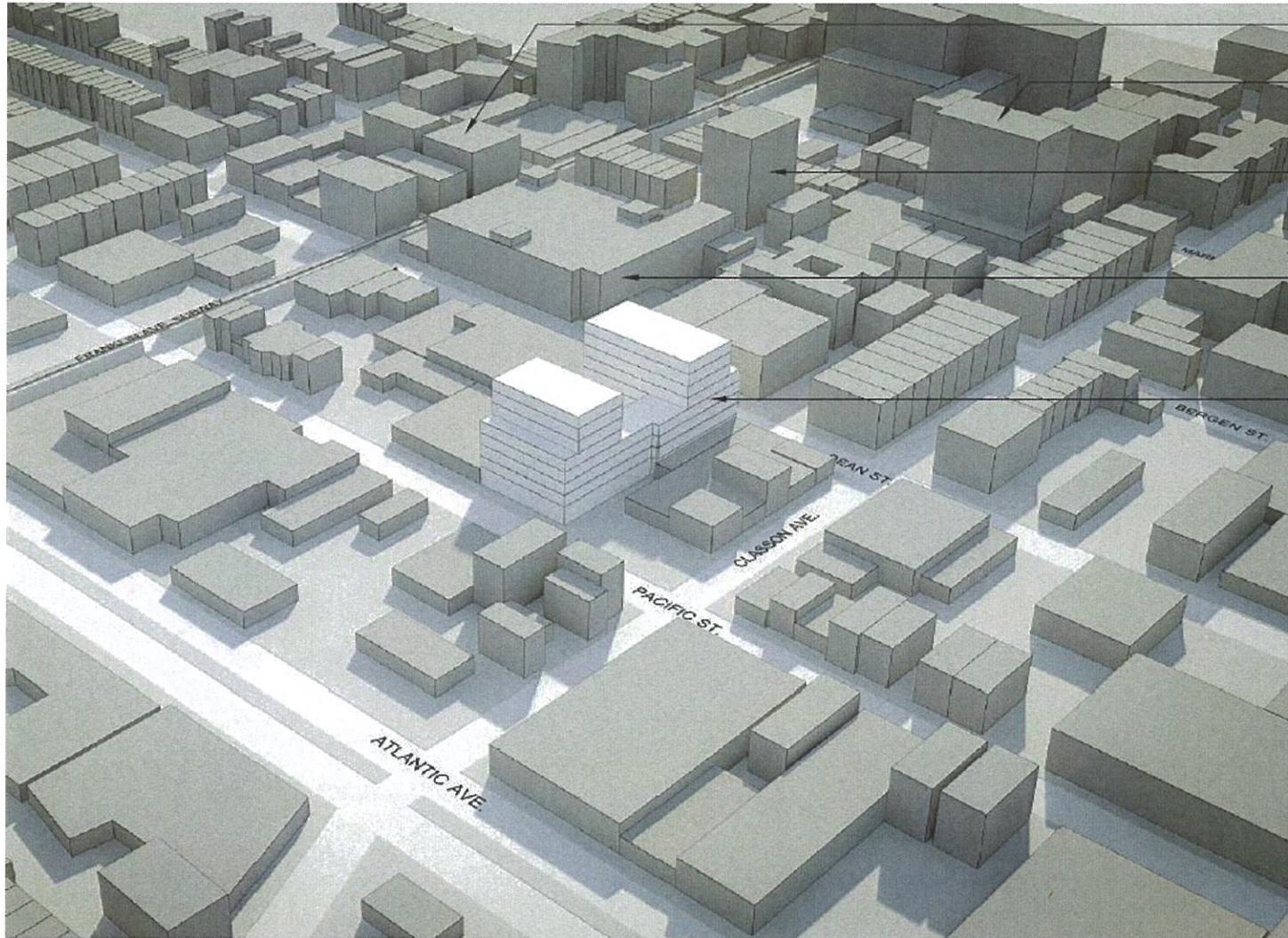


23. View of the Site facing southwest from Pacific Street.



24. View of Pacific Street facing west (Site at left).





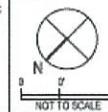
- 925 BERGEN ST
4 STORY BUILDING
- 475 ST MARKS AVE
13 STORY BUILDING
- 892 BERGEN ST
10 STORY BUILDING
- 1000 DEAN ST.
5 STORY BUILDING

1050 PACIFIC STREET; PROPOSED 8 STORY BUILDING	
PROPOSED ZONING DISTRICT:	MX (R7AM1-4)
LOT AREA:	23,183 SF
BASE F.A.R.:	3.45 F.A.R.
BASE MAX. SF:	79,980 SF
MAX. F.A.R. W. INCLUSIONARY:	4.6 F.A.R.
MAX. SF W/ INCLUSIONARY:	106,640 SF
PROPOSED RESIDENTIAL SF:	3.88 F.A.R. / 89,880 SF
MIN. SF INCLUSIONARY:	0.78 F.A.R./ 17,975 SF (20% OF RESIDENTIAL F.A.R.)
PROPOSED SF INCLUSIONARY:	1.16 F.A.R./ 26,964 SF (30% OF RESIDENTIAL F.A.R.)
M1-4 F.A.R.	2.0 F.A.R. (MIXED USE)
MAX. COMMERCIAL SF:	46,366 SF
PROPOSED COMMERCIAL SF:	15,790 SF
PROPOSED BUILDING F.A.R.:	4.56 F.A.R.
PROPOSED BUILDING SF:	105,670 ZONING SF



NEIGHBORHOOD MASSING DIAGRAM
NOT TO SCALE

Eric Safyan / Architect PC
540 President Street 3rd Fl
Brooklyn NY 11215
tel 718 838 8605
fax 718 598 4587
email es@es-architect.com
web es-architect.com



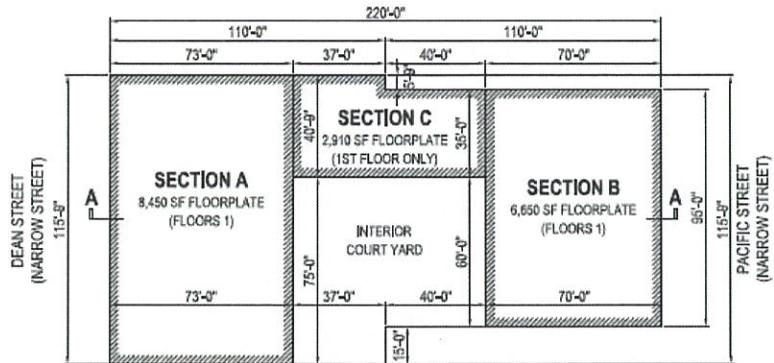
PROJECT:
1050 PACIFIC STREET - ZONING / FEASIBILITY

PROPOSED ZONING:
"RWCDs ANALYSIS PLANS" - MX (R7AM1-4) ZONING

DWG TITLE:
NEIGHBORHOOD MASSING DIAGRAM

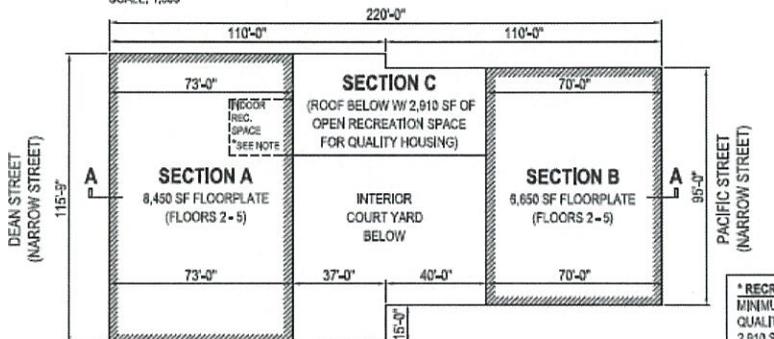
DWG NO:
Z-2

DATE: 10/24/2018



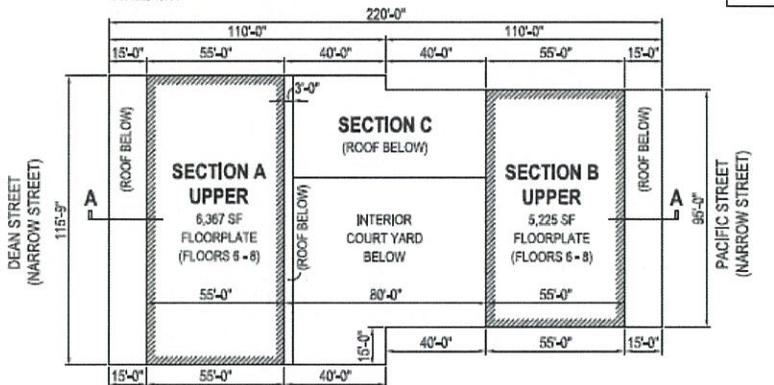
PLOT PLAN DIAGRAM - FLOORS 1

SCALE: 1/800



PLOT PLAN DIAGRAM - FLOORS 2 - 5

SCALE: 1/800



PLOT PLAN DIAGRAM - FLOORS 6 - 8

SCALE: 1/800

*** RECREATION SPACE NOTE:**
 MINIMUM OF 2,565 SF OF OPEN SPACE IS REQUIRED FOR QUALITY HOUSING (3.3% OF 89,880 RESIDENTIAL SF)
 2,910 SF OF OUTDOOR RECREATION SPACE PROVIDED.
 ADDITIONAL 300 SF OF INDOOR RECREATION SPACE TO BE PROVIDED ADJACENT TO OUTDOOR RECREATION SPACE.
 TOTAL RECREATION SPACE: 2,910 SF + 300 SF = 3,210 SF

ZONING CALCULATIONS:

PROPOSED ZONING DISTRICT: R7A / M1-4 OVERLAY

LOT AREA: 23,183 SF

BASE F.A.R.: 3.45 F.A.R.

BASE MAX. SF: 79,980 SF

MAX. F.A.R. W/ INCLUSIONARY: 4.8 F.A.R.

MAX. SF W/ INCLUSIONARY: 106,640 SF

PROPOSED RESIDENTIAL SF: 3.88 F.A.R. / 89,880 SF

MIN. SF INCLUSIONARY: 0.78 F.A.R./ 17,975 SF (20% OF RESIDENTIAL F.A.R.)

PROPOSED SF INCLUSIONARY: 1.16 F.A.R./ 28,964 SF (30% OF RESIDENTIAL F.A.R.)

M1-4 F.A.R. 2.0 F.A.R. (MIXED USE)

MAX. COMMERCIAL SF: 46,366 SF

PROPOSED COMMERCIAL SF: 15,790 SF

PROPOSED BUILDING F.A.R.: 4.56 F.A.R.

PROPOSED BUILDING SF: 105,670 ZONING SF

SF BREAKDOWN BY FLOOR

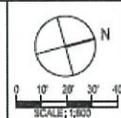
FLOOR	SECTION A	SECTION B	SECTION C	GROSS SF	DEDUCTIONS	ZONING SF
CELLAR				23,183 SF	100%	0 SF
						SUBTOTAL
1ST FL	8,450 SF	6,650 SF	2,910 SF	18,010 SF	6.6% +/-	16,790 SF
2ND FL	8,450 SF	6,650 SF	0 SF	15,100 SF	6.6% +/-	14,100 SF
3RD FL	8,450 SF	6,650 SF	0 SF	15,100 SF	6.6% +/-	14,100 SF
4TH FL	8,450 SF	6,650 SF	0 SF	15,100 SF	6.6% +/-	14,100 SF
5TH FL	8,450 SF	6,650 SF	0 SF	15,100 SF	6.6% +/-	14,100 SF
				(78,410 SF SUB)	6.6% +/-	(73,190 SF SUB)
6TH FL	6,367 SF	5,225 SF	0 SF	11,592 SF	6.6% +/-	11,150 SF
7TH FL	6,367 SF	5,225 SF	0 SF	11,592 SF	6.6% +/-	11,150 SF
8TH FL	6,367 SF	5,225 SF	0 SF	11,592 SF	6.6% +/-	11,150 SF
				(34,776 SF SUB)	6.6% +/-	(32,480 SF SUB)
				TOTAL GROSS SF: 113,186 SF		TOTAL ZONING SF: 105,670 SF
				TOTAL GROSS SF W/ CELLAR: 136,369 SF		(4.56 F.A.R.)

ZONING SF AND F.A.R. BREAKDOWN BY USE:

	SF/ZSF	F.A.R. +/-	FLOORS
MECHANICAL SPACE:	3,183 SF	0.0	CELLAR
PARKING:	20,000 SF	0.0	CELLAR
(*COMMERCIAL, RESIDENTIAL, & BICYCLE PARKING - SEE PARKING CALCULATION, PAGE Z-5)			
CELLAR SUB-TOTAL:	23,183 SF	0.0	
COMMERCIAL SUB-TOTAL:	15,790 ZSF	0.68	1ST FL
RESIDENTIAL LOBBY:	1,000 ZSF	0.04	1ST FL
INCLUSIONARY HOUSING:	26,964 ZSF (30% OF RESID. F.A.R.)	1.16	2ND FL - 8TH FL
	(17,975 ZSF MIN./ 20% OF RESID. F.A.R.)	0.78	(33 APARTMENTS +/-)
MARKET HOUSING:	61,916 ZSF	2.68	2ND FL - 8TH FL
			(70 APARTMENTS +/-)
RESIDENTIAL SUB-TOTAL:	89,880 ZSF	3.88	1ST FL - 8TH FL
TOTAL ZONING SF:	105,670 ZSF	4.56 F.A.R.	



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 web es@erarchitect.com



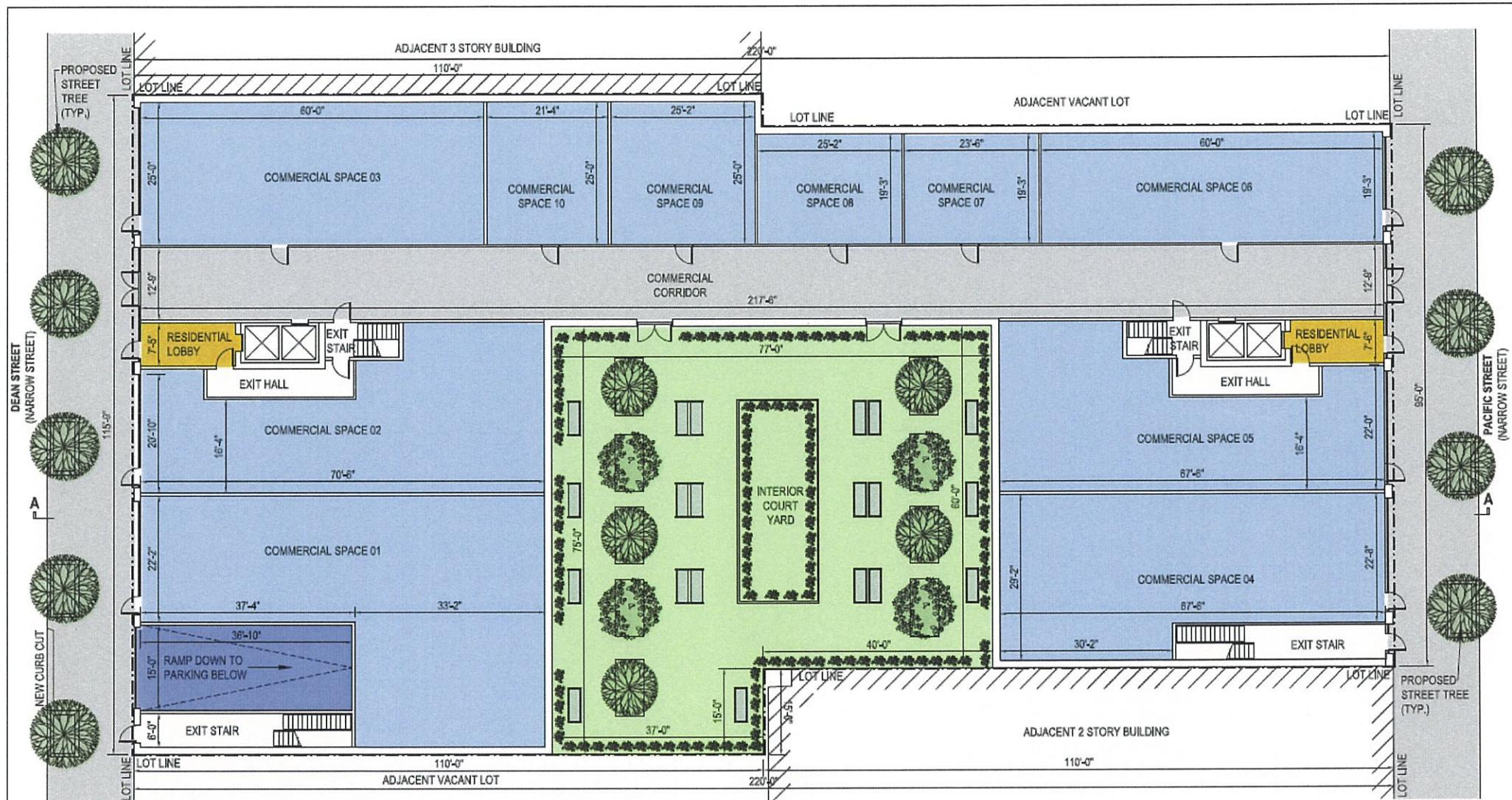
PROJECT:
 1050 PACIFIC STREET - ZONING / FEASIBILITY

PROPOSED ZONING:
 "RWCDs ANALYSIS PLANS" - MX (R7A/M1-4) ZONING

DWG TITLE:
 PLAN DIAGRAMS

DWG NO:
Z-3

DATE: 10/24/2018



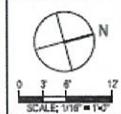
PROPOSED GROUND FLOOR PLAN
1/16" = 1'-0"



LEGEND

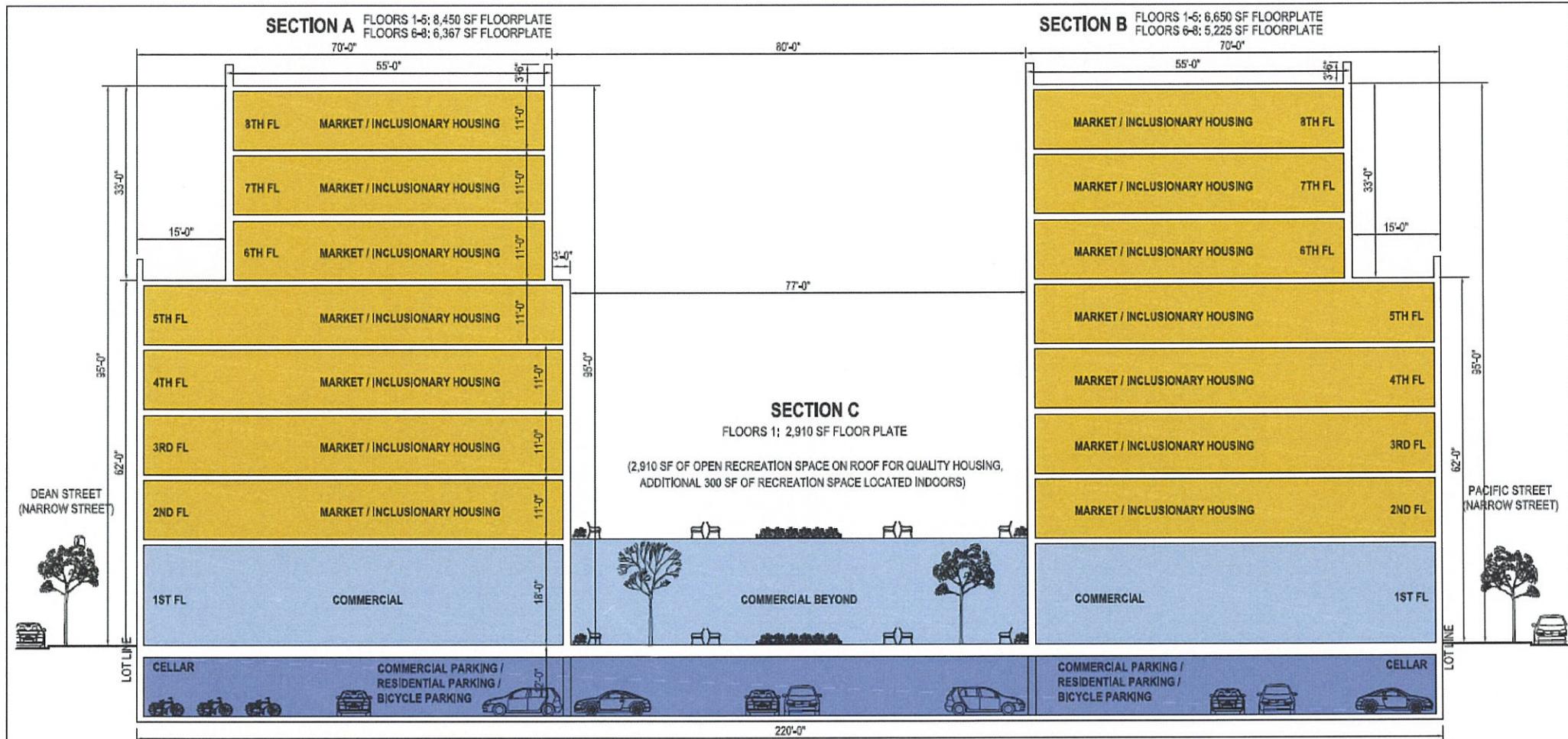
- ZONING SECTION
- STREET TREE / YARD TREE
- EXTERIOR BENCH
- PLANTING
- LOT LINE
- COMMERCIAL PARKING
- COMMERCIAL
- GREEN SPACE
- RESIDENTIAL MARKET / INCLUSIONARY

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540 Pradant Street/ 3rd Fl
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email erk@safyanarchitect.com
web www.safyanarchitect.com



PROJECT:
1050 PACIFIC STREET - ZONING / FEASIBILITY
PROPOSED ZONING:
"RWCDs ANALYSIS PLANS" - MX (R7A/M1-4) ZONING
DWG TITLE:
PROPOSED GROUND FLOOR PLAN

DWG NO:
Z-4
DATE: 10/24/2018



THRU-LOT SECTION A-A
1/16" = 1'-0"



ZONING SF AND F.A.R. BREAKDOWN BY USE:			
	SF/ ZSF	F.A.R. +/-	FLOORS
PARKING: (*COMMERCIAL, RESIDENTIAL, & BICYCLE PARKING - SEE PARKING CALCULATION)	20,000 SF	0.0	CELLAR
COMMERCIAL:	15,790 ZSF	0.68	1ST FL
RESIDENTIAL:	89,880 ZSF	3.88	1ST FL - 8TH FL
RESIDENTIAL LOBBY:	1,000 ZSF	0.04	1ST FL
INCLUSIONARY HOUSING: (26,964 ZSF (30% OF RESID. F.A.R.) (17,975 ZSF MIN/ 20% OF RESID. F.A.R.))		1.16	2ND FL - 8TH FL
MARKET HOUSING:	61,916 ZSF	0.78	(33 APARTMENTS +/-)
		2.68	2ND FL - 8TH FL
			(70 APARTMENTS +/-)
TOTAL ZONING SF:	105,670 ZSF	4.56 F.A.R. (4.6 MAX)	

PARKING CALCULATIONS:		
	NO. OF SPACES REQUIRED	NO. OF SPACES PROPOSED
COMMERCIAL PARKING:	16 (1 PER 1,000 SF +/-)	16 SPACES
RESIDENTIAL PARKING:	52 (1 PER 2 D.U.)	52 SPACES
BICYCLE PARKING:		
COMMERCIAL:	2 (1 PER 7,500 SF RETAIL)	2 SPACES
RESIDENTIAL:	52 (1 PER 2 D.U.)	52 SPACES

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PROJECT:
1050 PACIFIC STREET - ZONING / FEASIBILITY
PROPOSED ZONING:
"RWCDs ANALYSIS PLANS" - MX (R7A/M1-4) ZONING
DWG TITLE:
THRU-LOT SECTION A-A



DWG NO:
Z-5
DATE: 10/24/2018

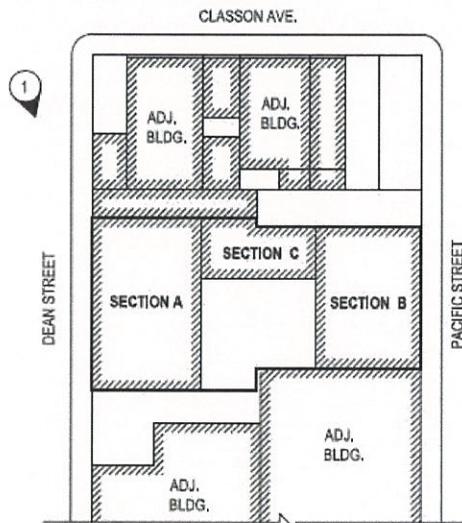




DEAN STREET - EXISTING VIEW
NOT TO SCALE



1 DEAN STREET - PROPOSED MASSING
NOT TO SCALE



KEY PLAN
1:1000

LEGEND
1 VIEW LOCATION



Eric Safyan / Architect PC
540 President Street/ 3rd Fl
Brooklyn NY 11215
tel 718 938 8805
fax 718 938 4587
email es@es-architect.com
web es-architect.com



PROJECT:
1050 PACIFIC STREET - ZONING / FEASIBILITY

PROPOSED ZONING:
"RWCDs ANALYSIS PLANS" • MX (R7AM1-4) ZONING

DWG TITLE:
DEAN STREET VIEWS

DWG NO:
Z-7

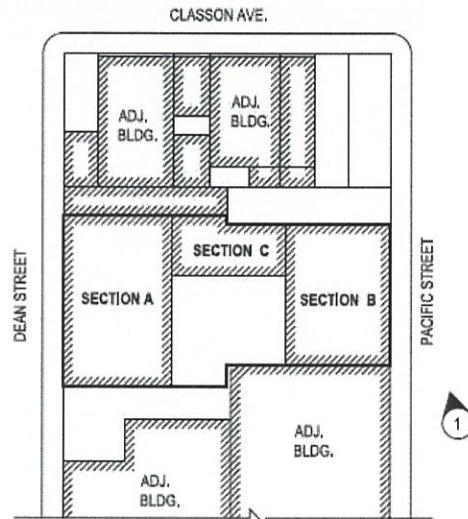
DATE: 10/24/2018



PACIFIC STREET - EXISTING VIEW
NOT TO SCALE



1 PACIFIC STREET - PROPOSED MASSING
NOT TO SCALE

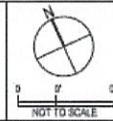


KEY PLAN
1:1000

LEGEND
1 VIEW LOCATION

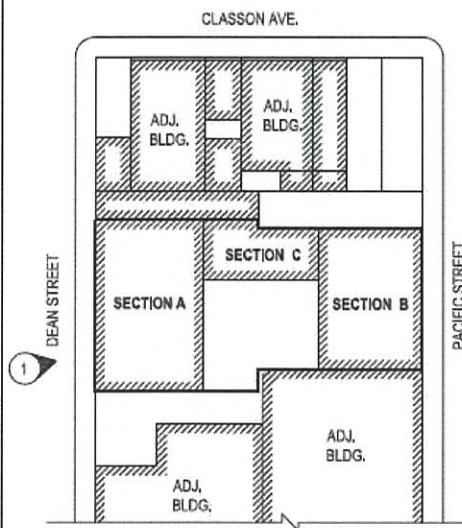


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web es-architect.com



PROJECT:
1050 PACIFIC STREET - ZONING / FEASIBILITY
PROPOSED ZONING:
"RWCDS ANALYSIS PLANS" - MX (R7A/M1-4) ZONING
DWG TITLE:
PACIFIC STREET VIEWS

DWG NO:
Z-8
DATE: 10/24/09E



KEY PLAN
1:1000



LEGEND

1 VIEW LOCATION



1 DEAN STREET SAMPLE RENDERING
N.T.S.



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540 President Street/ 3rd Fl
Brooklyn NY 11215
tel: 718 938 8865
fax: 718 586 4887
email: es@es-architect.com
web: esearch@ac.com



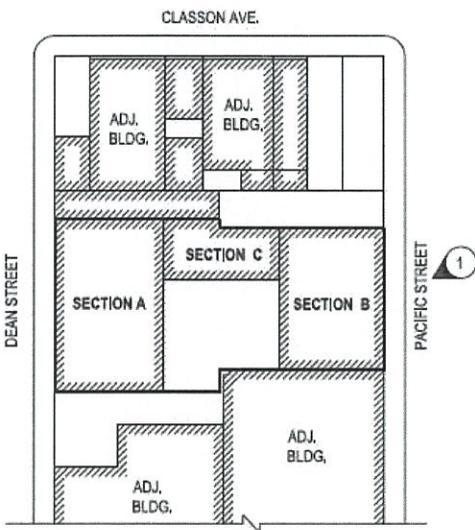
NOT TO SCALE

PROJECT:
1050 PACIFIC STREET - ZONING / FEASIBILITY
PROPOSED ZONING:
"RWCDS ANALYSIS PLANS" - MX (R7A/M1-4) ZONING
DWG TITLE:
PROPOSED DEAN STREET RENDERING

DWG NO.:

Z-9

DATE: 10/24/2018



KEY PLAN
1:1000

LEGEND
1 VIEW LOCATION



1 PACIFIC STREET SAMPLE RENDERING
N.T.S.



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fax 718 585 4587
email info@es-architect.com
web esarchitect.com



PROJECT:
1050 PACIFIC STREET - ZONING / FEASIBILITY
PROPOSED ZONING:
"RWCDs ANALYSIS PLANS" - MX (R7AM1-4) ZONING
DWG TITLE:
PROPOSED PACIFIC STREET RENDERING

DWG NO:
Z-10
DATE: 10/24/2012



THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

**Testimony of LANDMARK WEST!
Certificate of Appropriateness Committee
Before the City Council
Residential Tower Mechanical Voids Text Amendment
April 16, 2019**

LANDMARK WEST! is a not-for-profit community organization committed to the preservation of the architectural heritage of the Upper West Side.

The Certificate of Appropriateness Committee wishes to comment on the Department of City Planning's proposed Residential Tower Mechanical Voids Text Amendment. The proposed text is the result of Mayor de Blasio asking the Department of City Planning (DCP) to examine excessive voids used to raise residential tower heights in predominantly residential areas.

LANDMARK WEST! is grateful that the Department of City Planning heeded the community outcry and chose to examine the problem of excessive voids used to raise residential tower heights in predominantly residential areas. Our Committee initially saw the draft text amendment to be a good faith effort in beginning to address one of a long list of zoning loopholes that developers manipulate, often at great physical and fiscal cost to the surrounding community that these developments seek to dominate for their private gain.

Unfortunately, even in this case, after a year of study, the text will only address this abuse in certain R9 and R10 districts. For systemic change, the DCP should recognize this as a first step in a long marathon back toward sensible planning.

Since 1961, mechanical spaces have been exempt from a building's floor area in the Zoning Resolution, it was just a matter of time before the fiscal return from constructing these spaces exceeded the cost of building them. That time began in 2012. In 2019, the City is still playing a game of catch-up, and as things currently stand, the community is losing—badly. The necessary approval of this imperfect zoning text gets the public on the board before we lose anymore ground—or in this case, sky.

Concerns of LANDMARK WEST! lie within the proposed text, and include the mathematics applied.

- 12-14' in height would be more than adequate for over 98% of the buildings included in their study, and a more appropriate height for a typical mechanical floor versus the currently proposed 25'.
- 200' intervals (or approximately 20 floors) would be a more appropriate height of rise before a repeatable mechanical floor. This would mimic a 20-story residential building with rooftop mechanicals.

At the proposed 75'-interval, given that current luxury floors trend to 16'-5" each, a 25-foot high mechanical space would appear every five floors, which is unnecessary. Even with this reality, using 200' intervals would mean it is approximately one mechanical floor for every 12 floors of rise, a solution that begins to address the excessive bulk, which is part of the public's concern.

The CPC's examination of 796 buildings over a ten year window turned up a mere "handful" of properties with mechanical floors in excess of 12', and just one building with a 90' FAR interval. Their motivation for setting the bar so low (25', and 75' respectively) overly accommodate these outliers is almost as inexplicable as their revision to expand the giveaway to 30'.

While simple edits could yield a meaningful text amendment, we are lead to understand these are not options within scope. While we understand change is incremental and would still advocate for a city-wide approach, we are supporting the "within-scope" roll-back to 25'-75' as initially proposed so that any progress made to date is not completely lost.

LANDMARK WEST hopes that this can be a positive first step that encourages a collaborative phase two series of text amendments that expands to address gerrymandered and sculpted zoning lots, residential buildings with internal structural voids such as atria, stilts, and exaggerated terraces and patios.

Of course, establishing height limits or three-dimensional FAR measurement would undermine many of these loopholes more simply. At the state level, Linda Rosenthal is working on a bill that would do just that. In the absence of these obvious solutions, LANDMARK WEST! suggests the City Council vote to APPROVE this Zoning Text Amendment with a request for meaningful collaboration in Phase Two.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Chris Giordano (PLEASE PRINT)

Address: 29 W. 65th St

I represent: 64-67 Block Assoc

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. voids Res. No. _____

in favor in opposition

Date: 4/16/19

Name: EJ Kalafarski (PLEASE PRINT)

Address: _____

I represent: Manhattan Community Board 5

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Davin Mayer (PLEASE PRINT)

Address: JPMC

I represent: 270 Park Ave

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. VOIDS Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MARIL DILLER

Address: 171 W 79 10024

I represent: SELF

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Gves Todd

Address: 1772 Park Place 11213

I represent: CB8

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. VOIDS Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Gus Fpser

Address: _____

I represent: AM Linda Rosenthal

Address: 230 West 72nd 12F

THE COUNCIL
THE CITY OF NEW YORK voids

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Andrea Goldwyn

Address: 1 Whitehall St 10004

I represent: NY Landmarks Conservancy

Address: _____

THE COUNCIL
THE CITY OF NEW YORK voids

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Edith Hsu-Chen

Address: _____

I represent: Director, Manhattan Office of City Planning

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

voids

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Christopher Anger

Address: _____

I represent: Department of City Planning

Address: 120 Broadway

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. ¹⁰⁰¹⁹ 9177 Res. No. VOIDS

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Josette Amato

Address: _____

I represent: West End Preservation Society

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. Mecham VOIDS Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Simeon Barkoff

Address: 232 E 11 St NY 10003

I represent: HDC

Address: _____

On behalf
of JP Morgan
Chase

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/2019

(PLEASE PRINT)

Name: Rockelle Patricof

Address: 122 E. 42nd St. #601 NY, NY 10018

I represent: Grand Central Partnership

Address: _____

J.P.
MORGAN
CHASE

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4-16-19

(PLEASE PRINT)

Name: MAX Sheeran

Address: 3504 DITMARS BLVD

I represent: STEAMFITTERS LOCAL 638

Address: 27-08 40th AVE LIC

Residential Tower
Mechanical Voids

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Seena Reddy

Address: 121 Manhattan Ave NY, NY 10025

I represent: Community Board 7 (Manhattan)

Address: 250 West 87th St. NY, NY 10024

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. C180042^{ZAK} Res. No. _____

in favor in opposition

1010 Pacific
Date: 4-16-19

(PLEASE PRINT)

Name: DAN MARKS

Address: ~~384 Bridge St~~ 1010 Pacific Street

I represent: SELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1050 Pacific Res. No. _____

in favor in opposition

Date: 4/16

(PLEASE PRINT)

Name: Marivsz Dudziec

Address: _____

I represent: 32Bj

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1010 Pacific Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jessica Ortiz

Address: _____

I represent: 32Bj

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 270 park Res. No. _____

in favor in opposition

Date: 4/14/19

(PLEASE PRINT)

Name: Cassie Carrillo

Address: _____

I represent: 32Bj

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

JPMorgan Chase

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Davon Lomax

Address: 45 West 14th

I represent: DC9 Painters Union

Address: 45 West 14th

**THE COUNCIL
THE CITY OF NEW YORK**

speaking
✓ for 1010

1010 Pacific
and
1050 Pacific

Appearance Card

[]

I intend to appear and speak on Int. No. C 180042 ZMK Res. No. _____

in favor in opposition

Date: 4/16/2019

(PLEASE PRINT)

Name: G. Carter Clarke

Address: 30 East Road Port Washington, NY 10050

I represent: HSM Realty Corporation

Address: 30 East Road Port Washington NY 10050

**THE COUNCIL
THE CITY OF NEW YORK**

voids
Medham

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. T2019-

4 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lynn Ellsworth

Address: Alliance for a Human Scale City

I represent: _____

Address: 105 Duane

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: David Clunie

Address: _____

I represent: JPMorgan Chase

Address: 270 Park Avenue

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: David Karnovsky

Address: Fried Frank

I represent: JPMorgan Chase

Address: 270 Park Avenue

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jeremy Dworken

Address: Foster + Partners Architects

I represent: JPMorgan Chase

Address: 270 Park Avenue

▶ Please complete this card and return to the Sergeant-at-Arms ◀

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Vishaan Chakrabarti

Address: PAU

I represent: JPMorgan Chase

Address: 270 Park Avenue

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lyn Ellsworth

Address: Human Scale NYC

I represent: ESY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

7050 Pacific St.

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Gib Vecou

Address: 284 Park Pl.

I represent: _____

Address: _____

1010 Pacific St.
THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Gib Vecconi

Address: 284 Park Pl.

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

Voids

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Andrew Berman

Address: _____

I represent: Village Preservation

Address: _____

1010 PACIFIC
THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: IAN ENGBERG

Address: 1026 PACIFIC ST.

I represent: _____

Address: _____



Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

"Mechanical Voids"

Date: 4/16/2019

(PLEASE PRINT)

Name: Ed Bosco, PE

Address: _____

I represent: American Council of Engineering Companies
of New York (ACEC NY)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Tara Kelly

Address: _____

I represent: MUNICIPAL ART SOCIETY

Address: 488 MADISON AVE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Tara Kelly

Address: _____

I represent: MUNICIPAL ART SOCIETY

Address: 488 MADISON AVE

Please complete this card and return to the Sergeant-at-Arms

VOIDS

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Holly Rothkopf

Address: ~~10 W 66 St~~, NY NY

I represent: SAVE CENTRAL PARK NYC

Address: 10 W 66 St NY NY 10023

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. VOIDS Res. No. _____

in favor in opposition

Date: 4/16

(PLEASE PRINT)

Name: Will Brightbill

Address: 505 Park Avenue

I represent: Community Board 5 Manhattan

Address: _____

THE COUNCIL THE CITY OF NEW YORK

1010 Pacific

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Ethel Tyus

Address: 919 Sterling Pl 11216

I represent: BCB 8

Address: 1291 St Marks Av 11213

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

1050
Pacific

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition mostly

Date: _____

(PLEASE PRINT)

Name: Ethel Tyus

Address: 919 Sterling Pl. 11216

I represent: BCB8

Address: 1291 St Marks Av 11213

THE COUNCIL
THE CITY OF NEW YORK

270
Park

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ON BEHALF OF MANHATTAN BP Gale Brewer

Address: Lizette Chaparro

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

VOIDS

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ON BEHALF OF MANHATTAN BP Gale Brewer

Address: Lizette Chaparro

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. voids Res. No. _____
 in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Rachel Levy
Address: 966 Lexington Ave 3E
I represent: Friends of the Upper East Side
Address: same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. voids Res. No. _____
 in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Joseph Colella
Address: 87 27th Ave, Brooklyn NY 11214
I represent: The New York Building Congress
Address: 1040 Avenue of the Americas

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 270 Park Ave Res. No. _____
 in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: Joseph Colella
Address: 87 27th Ave, Brooklyn, NY 11214
I represent: The New York Building Congress
Address: 1040 Avenue of the Americas

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: PAUL JENSEN

Address: 1050 PACIFIC ST

I represent: APPLICANT

Address: 1050 PACIFIC ST

THE COUNCIL 1050 PACIFIC
THE CITY OF NEW YORK

Appearance Card

391

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: RICHARD LOBEL

Address: 210 SHELDON LOBEL PC

I represent: 1050 PACIFIC STREET (APPLICANT)

Address: 1050 PACIFIC STREET

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 394/393

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Damiano Pecchia

Address: _____

I represent: 1010 Pacific Applicant

Address: 1010 Pacific Street

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. VOIDS Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: GARY POMERANTZ, PE LEED

Address: _____

I represent: WSP USA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. VOIDS Res. No. _____

in favor in opposition

Date: 4/16/19

(PLEASE PRINT)

Name: BASHA GERHARDS

Address: _____

I represent: REBNY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 391,792

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Fayanne Betin

Address: 405 c/o Sheldon Label PC.

I represent: 1050 Pacific Street

Address: 1050 Pacific.

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 393/394

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Fayanne Betan

Address: c/o Sheldon Lobel pc.

I represent: 1010 Pacific Street

Address: 1010 Pacific

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 394/393

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JAY Valgara

Address: STUDIO VV.

I represent: Applicant - 1010 Pacific

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 394/393

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Richard Lobel

Address: c/o Sheldon Lobel pc

I represent: 1010 Pacific (Applicant)

Address: 1010 Pacific