

An aerial, black and white photograph of a city street grid. The streets are arranged in a regular pattern, with a prominent church building located in the center of the grid. The church has a tall, pointed steeple and a large, arched entrance. The surrounding buildings are multi-story structures with many windows. The overall scene is a dense urban environment.

KWARTLER

MIDTOWN DEVELOPMENT PROJECT
DRAFT REPORT / JUNE 1980

CITY OF NEW YORK • DEPARTMENT OF CITY PLANNING

MIDTOWN DEVELOPMENT PROJECT

ZONING REGULATIONS STUDY

FINAL DRAFT

June 24, 1980

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INTRODUCTION

INTRODUCTION

The initial draft report which follows is the first part of the consultants' study of bulk regulations governing Midtown Manhattan, as part of the Midtown Development Study. The study area was defined as including the following high bulk districts: C5-3, C5-3CR, C6-6, C6-6CR, and C6-7. This corresponds roughly to an area bounded by 40th Street on the south, 57th Street on the north, Third Avenue on the east, and Eighth Avenue on the west. The consultants have been asked to review and analyze the regulations as follows:

Article III - Commercial District Regulations, Chapter 3 "Bulk Regulations for Commercial and Community Facility Buildings in Commercial Districts"

Article VII - Administration Chapter 1, Enforcement and Administration
Chapter 2, Interpretations and Variances
Chapter 3, Special Permits by the Board of Standards and Appeals (BSA)
Chapter 4, Special Permits by the City Planning Commission (CPC)

The purpose of the analysis was to develop workable As-of-Right (AOR) bulk regulations for Midtown.

While the Special Purpose Districts (Fifth Avenue and the Theater District) are not included in the study, those Districts have been reviewed in regard to their relationship to and impact on the study area. The public pedestrian amenities as formulated in the current Resolution and the recent work of the Department of City Planning and their consultant Holly Whyte have been reviewed to assess the relationship of these amenities to the bulk regulations. The primary areas of concern included:

1. The related problems of population and perceptual density resulting from:
 - a) current mapped densities, bonuses and height, setback, coverage, open space regulations.
 - b) the aggregation of large amounts of floor area by transfer of development rights from landmark or non-landmark buildings.
2. The problem of context given the current mix of commercial, residential, and community facility uses and structures. This includes the impact of new buildings on existing structures and open spaces.
3. The environmental quality of outdoor space with emphasis on daylight, sunlight and streetscape.
4. The need to minimize administrative review by streamlining procedures.

In order to understand the manner in which the physical environment and zoning regulations of Midtown co-developed, the 1916 and 1961 Zoning Resolutions were reviewed in terms of both the origins of their concepts and the subsequent modifications, revisions, and amendments.

The Department of City Planning is acknowledged, with gratitude, for sharing its knowledge and experience. Special appreciation is given to Harvey Bryan, AIA for his work on daylighting.

ANALYSIS OF MIDTOWN

FORM OF MIDTOWN

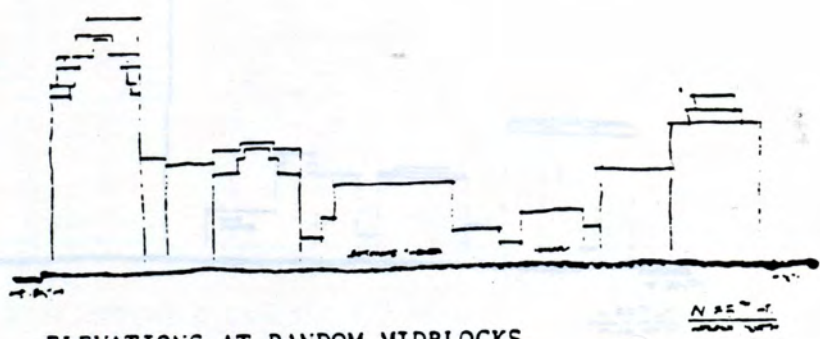
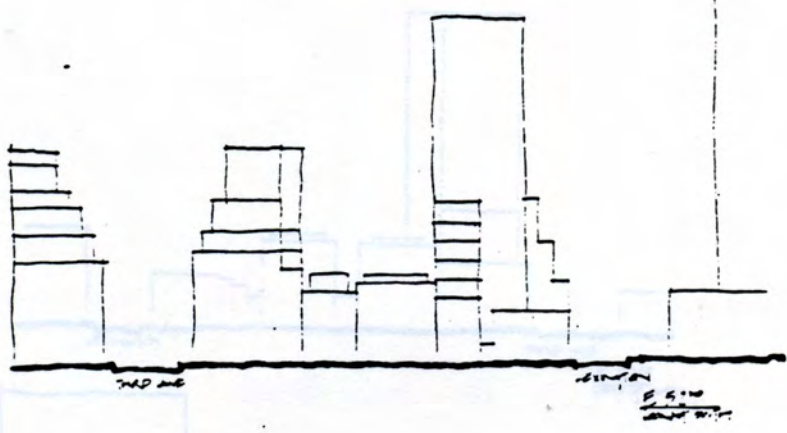
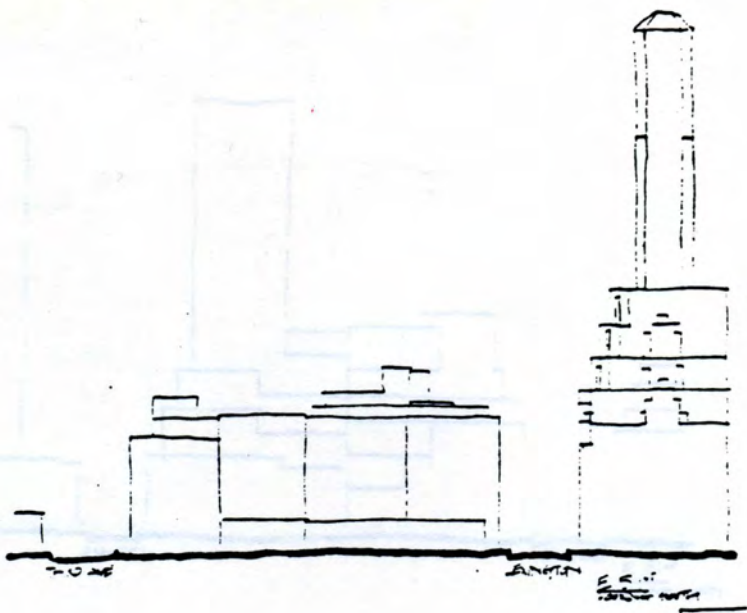
Midtown today is as much a physical realization of the impact of zoning ordinances and earlier building regulations as it is a collection of architecturally interesting buildings. Although the term Midtown covers an area of some 80 blocks, the overall homogeneity implied by the term is not apparent on closer scrutiny. The Theater District, Times Square and 42nd Street, Grand Central Station, 57th Street, the major retail carriage trade streets of Fifth and Madison Avenues, Rockefeller Center, the plazas and slabs of Sixth Avenue, the diversity of midblock conditions and the formality of Park Avenue are all in Midtown.

While one may have the impression from some parts that Midtown is predominantly high rise office buildings constructed after 1961, the overwhelming majority of buildings in Midtown were built before that date (See A-11 Map of Midtown illustrating Buildings by Use and Period of Construction). The predominant imagery of Broadway, Seventh Avenue, the east side of Sixth Avenue, Fifth Avenue, Madison Avenue, significant parts of Park Avenue, Lexington Avenue, 42nd Street, 57th Street and most midblocks results from the 1916 Zoning Resolution discussed earlier. That imagery is based on continuous street walls, street wall cornice lines determined by the Height Districts and the width of street, and sky exposure planes which have generally created a sense of openness and brightness by locating the upper portions of the buildings back from the street. The variety of street widths 60', 80', 100' and 120' also also create their own environments (See A3-5).

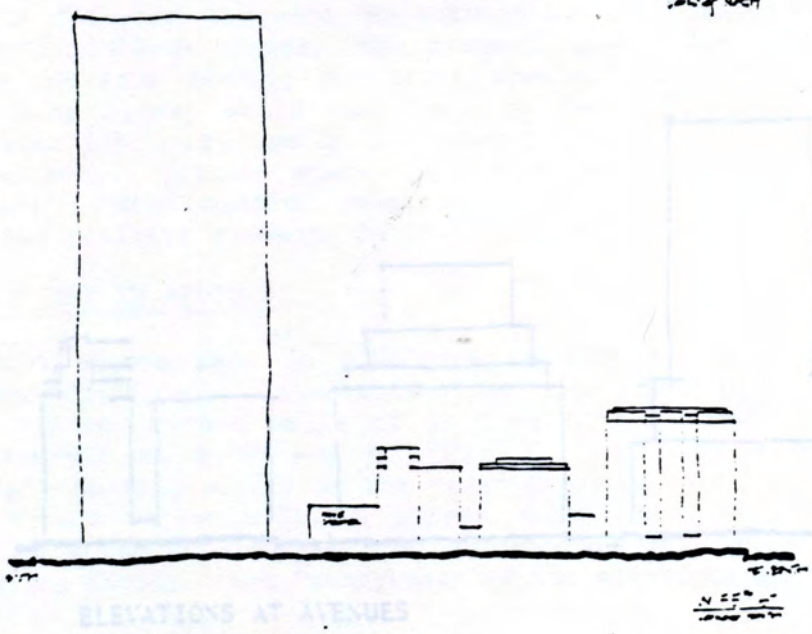
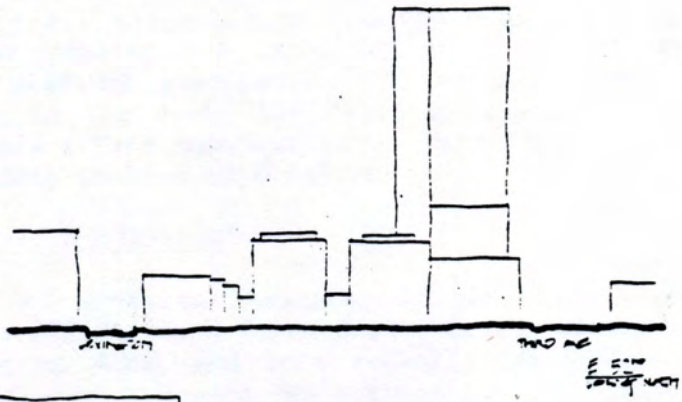
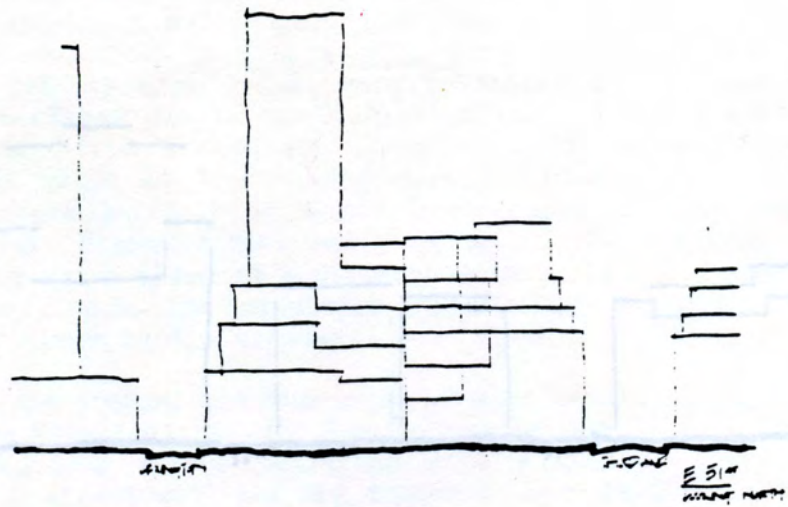
Interspersed among these structures are the newer tower and plaza structures typical of the 1961 Zoning Resolution. Groupings of this type of building cluster notably along Sixth and Third Avenues, (See A8-9). The most recent buildings primarily resulting from Special Permit actions, are the immense (500-600 foot) street wall slabs of Madison Avenue, representing an attempt to maintain the continuous frontage typical of that street.

THE MIDBLOCKS

The midblock situation is more difficult to generalize about, due to the greater variety of block length and building development between the avenues. The different lengths of the blocks is an important aspect of midblock character for a number of reasons. The perceptual midblock area is a function of both the block length and the type and size of avenue development at the ends. In Midtown, on the 400 foot long blocks east of Fifth Avenue, the post war office buildings that dominate the avenue fronts also have a typical midblock frontage of 150'. On the longer 800' and 900' blocks west of Fifth Avenue, the block front buildings tend to have less presence on the midblocks, with the exception of the very deep new Rockefeller Center buildings on Sixth Avenue. The "intrusion" into the midblocks, as it is sometimes referred to, is a product of the present zoning map which maps all but a small area of Midtown to a FAR of 15 to 18, with minimum distinction as to size, type and orientation of the street. The Zoning Resolution requirement for large sites as well as the market requirements for certain size floors and locations have also played a role in increasing the penetration of large bulk buildings into the midblocks. The "intrusion" of avenue buildings appears greatest on the short blocks east of Fifth Avenue. Here the typical blockfront lot depth of 150' leaves only 100' for midblock buildings, Frequently, the blockfront lots are deeper,

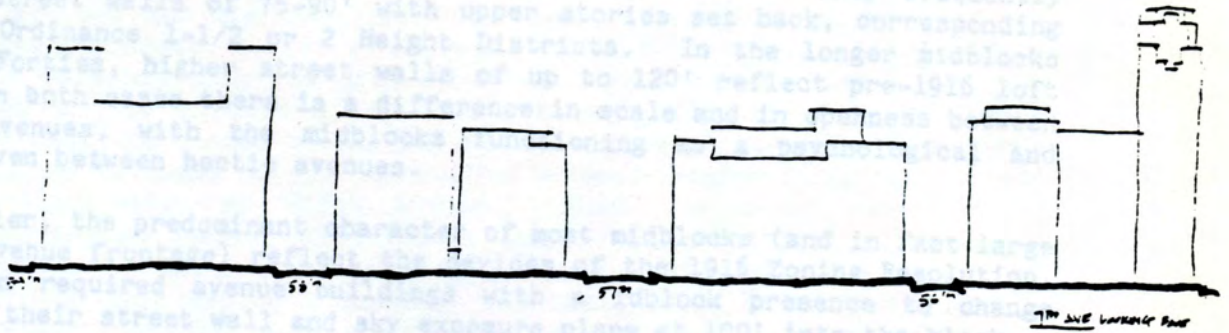


ELEVATIONS AT RANDOM MIDBLOCKS



ELEVATIONS AT AVENUES

effectively eliminating a midblock building in the case of half and whole block developments (not atypical in this area). The remaining midblock buildings on these short blocks are a mixture of a few older row houses and tenements and very pre-WWII apartment buildings, hotels and small office buildings. East of Fifth, the intersections punctuate side streets more frequently than west of Fifth Avenue. Despite high value, many potential avenue parcels exist, but have remained undeveloped due to the large-lot base of the present Resolution. The blocks west of Fifth Avenue are actually quite dense. They frequently have median street walls of 75-90' with upper stories set back, corresponding to the 1915 Ordinance 1-1/2 and 2 Height Districts. In the longer midblocks to the west of Fifth, higher street walls of up to 120' reflect pre-1915 loft buildings. In both cases there is a difference in scale and in mass when streets and avenues, with the midblocks intervening between them and perceptual haven between hectic avenues.

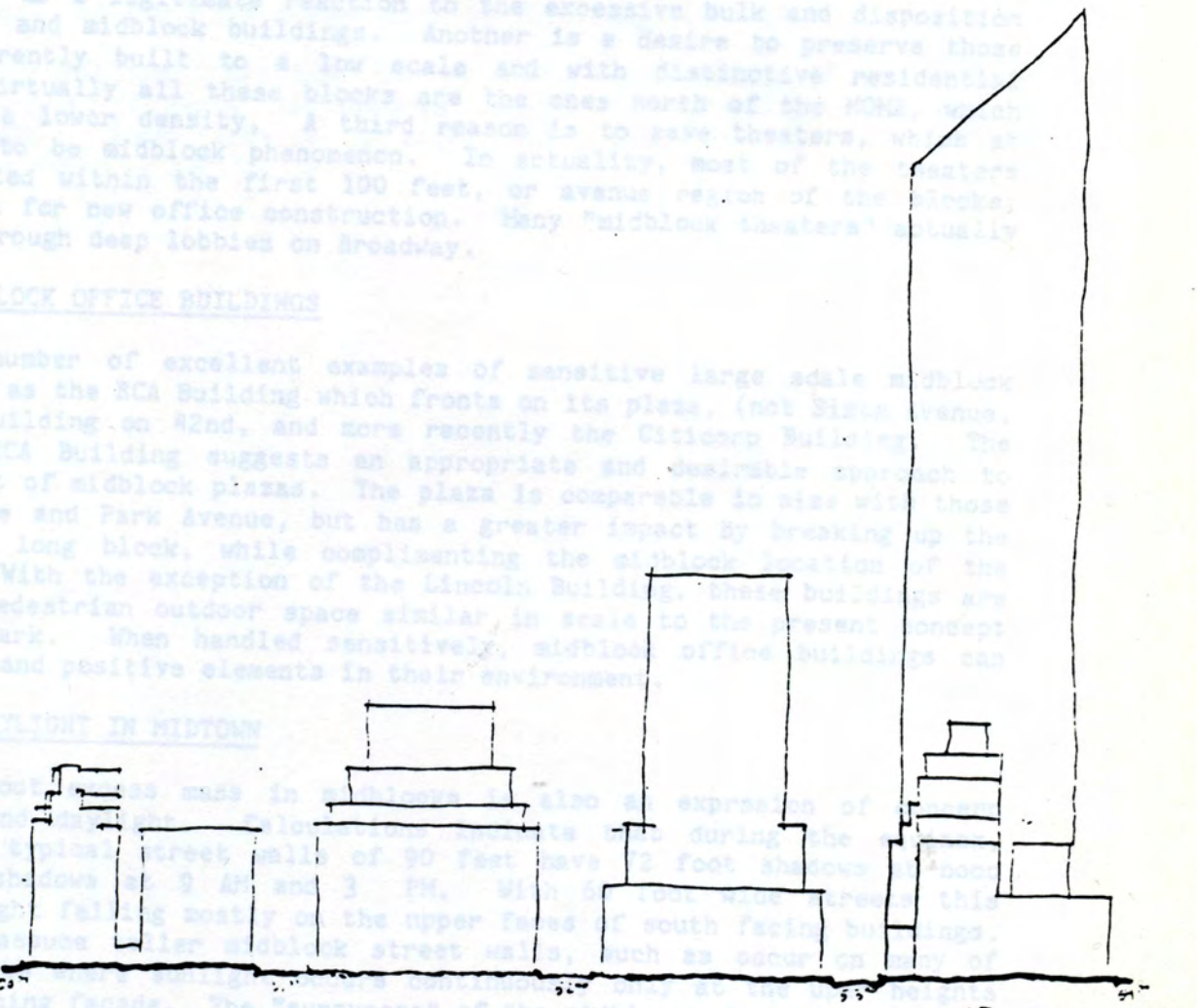


As noted earlier, the predominant character of most midblocks (and in fact large sections of avenue frontage) is that of the 1915 Ordinance 1-1/2 and 2 Height Districts. The Resolution required avenue buildings with midblock presence to change the height of their street wall and sky exposure plane at 100' into the block.

Correctly there is a resistance to new midblock construction for several reasons. One is a legitimate reaction to the excessive bulk and disposition of recent ILM and midblock buildings. Another is a desire to preserve those midblocks currently built to a low scale and with distinctive residential buildings. Virtually all these blocks are the ones north of the 40th, which are zoned at a lower density. A third reason is to save theaters, which do first appear to be midblock phenomenon. In actuality, most of the theaters are concentrated within the first 100 feet, or avenue region of the blocks; the prime area for new office construction. Many "midblock theaters" actually are entered through deep lobbies on Broadway.

EXISTING MIDBLOCK OFFICE BUILDINGS

There are a number of excellent examples of sensitive large scale midblock buildings such as the RCA Building which fronts on its plaza. (not Sixth Avenue. The Lincoln Building on 42nd, and more recently the Citicorp Building. The case of the RCA Building suggests an appropriate and desirable approach to the development of midblock plazas. The plaza is comparable in size with those on Sixth Avenue and Park Avenue, but has a greater impact by breaking up the length of the long block, while complementing the midblock location of the RCA Building. With the exception of the Lincoln Building, these buildings are coupled with pedestrian outdoor space similar in scale to the present concept of an urban park. When handled sensitively, midblock office buildings can be appropriate and positive elements in their environment.



SUNSET AND DAYLIGHT IN MIDTOWN

The concern about mass in Midtown is also an expression of concern for sunlight and daylight. Midtown midblocks with typical street walls of 90 feet have 2 foot shadows at noon and 135 foot shadows at 9 AM and 3 PM. This indicates sunlight falling mostly on the upper faces of south facing buildings. This does not apply to longer midblock street walls, such as occur on the longer blocks, where shadows are contained at a lower level on the south facing facade. The "sunniness" of the midblocks during the Equinox

ELEVATIONS AT AVENUES

effectively eliminating a midblock building in the case of half and whole block developments (not untypical in this area). The remaining midblock buildings on these short blocks are a mixture of a few older row houses and tenements and many pre-'61 apartment buildings, hotels and small office buildings. East of Fifth, the intersections punctuate side streets more frequently than west of Fifth Avenue. Despite high value, many potential avenue parcels exist, but have remained undeveloped due to the large-lot base of the present Resolution. The blocks west of Fifth Avenue are actually quite dense. They frequently have median street walls of 75-90' with upper stories set back, corresponding to the 1916 Ordinance 1-1/2 or 2 Height Districts. In the longer midblocks in the west Forties, higher street walls of up to 120' reflect pre-1916 loft buildings. In both cases there is a difference in scale and in openness between streets and avenues, with the midblocks functioning as a psychological and perceptual haven between hectic avenues.

As noted earlier, the predominant character of most midblocks (and in fact large sections of avenue frontage) reflect the devices of the 1916 Zoning Resolution. The Resolution required avenue buildings with a midblock presence to change the height of their street wall and sky exposure plane at 100' into the block.

Currently there is a resistance to new midblock construction for several reasons. One is a legitimate reaction to the excessive bulk and disposition of recent ZLM and midblock buildings. Another is a desire to preserve those midblocks currently built to a low scale and with distinctive residential buildings. Virtually all these blocks are the ones north of the MOMA, which are zoned at a lower density. A third reason is to save theaters, which at first appear to be midblock phenomenon. In actuality, most of the theaters are concentrated within the first 100 feet, or avenue region of the blocks; the prime area for new office construction. Many "midblock theaters" actually are entered through deep lobbies on Broadway.

EXISTING MIDBLOCK OFFICE BUILDINGS

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SUNLIGHT AND DAYLIGHT IN MIDTOWN

The concern about excess mass in midblocks is also an expression of concern for sunlight and daylight. Calculations indicate that during the equinox, midblocks with typical street walls of 90 feet have 72 foot shadows at noon and 135 foot shadows at 9 AM and 3 PM. With 60 foot wide streets this indicates sunlight falling mostly on the upper faces of south facing buildings. This does not assume taller midblock street walls, such as occur on many of the longer blocks where sunlight occurs continuously only at the upper heights of the south facing facade. The "sunniness" of the midblocks during the Equinox

(spring and fall) is more a function of the amount of sunlight reflected off southern light-colored facades and the daylight coming over the tops and occasionally around the sides of relatively low multile setback buildings. The reflectivity of the Citicorp Tower, for example, augments the daylight apparent at its side.

The avenues present a different expectation for sunlight and daylight. The width of avenues and the orientation of the street grid relative to the true solar north produces building shadows which sweep from diagonally across streets to parallel with the grid at about 1 PM Standard Time. The fortunate orientation of the avenues offers the greatest potential for sunlight at the peak lunch hour use times, unlike the narrow east-west streets. The possibility of maximizing sunlight on the sidewalks without compromising the street wall is best illustrated by Fifth Avenue. With the major exception of the skyblocking Olympic Towers, which rises sheer from streetline without setbacks, Fifth Avenue's openness, brightness and urbanity are very much a product of the 1916 Zoning Ordinance. Up until 1961, Fifth Avenue was a 1-1/4 Height District, meaning the street walls at the street line could be no taller than the width of Fifth Avenue. After that, the building had to conform to a setback ratio of 1:2-1/2, (See A3) which was far more acute than the present setback ratio of 1:5.6 for street line AOR buildings (See A8-9).

In summary, one could say that the perceived desirability of the midblock is in the variety of these environments and their essentially smaller scale and finer grain. They serve as a vital counterpoint to the more heroic and continuous scale of the avenues.

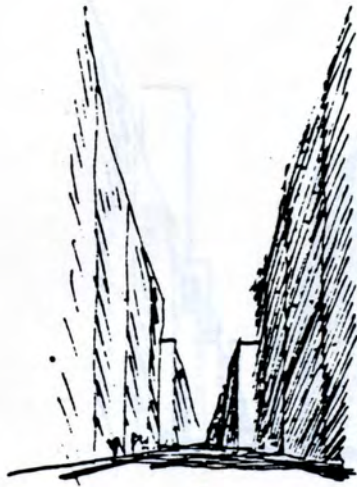


COMPARISON OF STREET OPENESS BY ANGLE PROPORTIONS - NEXT PAGE

Openess can be measured by the proportion of height of street wall to width of street. This can be expressed either as a ratio, or by the angle, taken from the centerline of the street, which intersects the cornice lines of buildings at the street wall (or at subsequent setbacks). Both these forms of measurement are scaleless; they are a determination of proportion irregardless of street width. The 1916 ordinance used the ratio proportion system, to determine sky exposure planes, which were angles varying from 63° in the $1\frac{1}{4}$ districts to 72° in the 2 districts. The angles subtended by the slabs of the newer Rockefeller Center Buildings approaches $82-83^{\circ}$ on some side streets. Recent Special Permit buildings without setbacks on Madison Avenue will reach 86° . See the Tables on p.A 54 for the relationship between angle, height, and setback for various street widths.



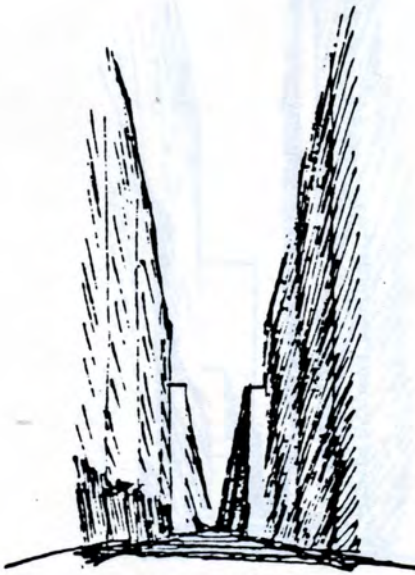
1 72° Street Wall



2 74° Street Wall



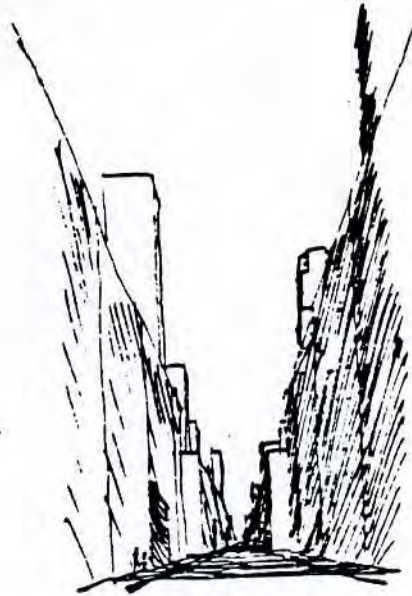
3 76° Street Wall



4 78° Street Wall



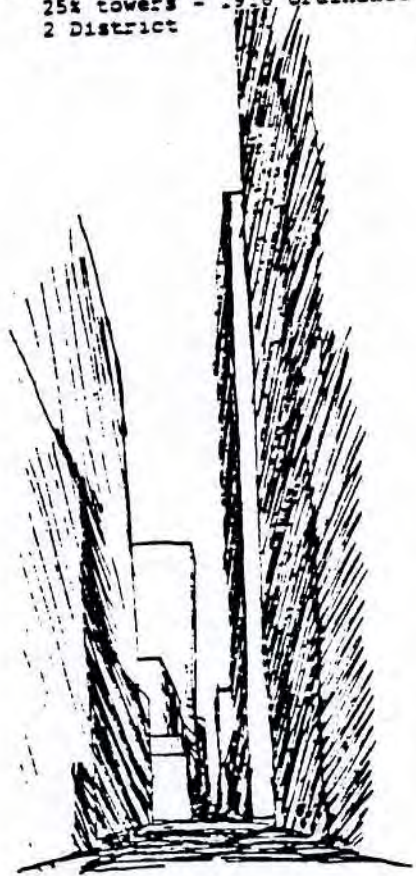
5 80° Street Wall



6 72° Street Wall with
25x towers - 1916 ordinance
2 District



7 72° - Street Wall with
40x towers - 1961 ordinance



8 84° towers with no setback
CPC Special Permit

ZONING REGULATIONS AND MIDTOWN

ZONING REGULATIONS AND MIDTOWN

1916 ZONING RESOLUTION

The inception of zoning in New York City in 1916 institutionalized Civic Design in law. In contemporary terms, Urban Design was begun. The clarification of property rights into categories of ownership and use, with use to be regulated by the municipality, represented an attempt to guide and control the physical form and functioning of the City. This was a significant advance on the constitutional notion of property rights. It set the precedent that allowed the City to determine the use and general configuration of individual buildings. The use regulations controlled what could be done on a piece of land, while the bulk regulations determined the limits as to how it would be done. The development of these early bulk, height, setback, and yard regulations in 1916 was given impetus by the darkening canyons of Wall Street, and the intensity and proximity of development throughout the City.

These regulations were concerned with guaranteeing some minimum standard of light and air to both building inhabitants and pedestrians in the street. The street wall concept (building wall closest to the street) whose maximum height was a function of the width of the street and the intensity of development desired, and the sky exposure plane, (a simple ratio of height to depth of setback, relating to the width and centerline of the street and the street-wall height) were major technical innovations in the form of zoning. (See A3-A6). The basis of these innovations was an extensive empirical analysis of existing condition. It is important to note that there was no upset limit on the total floor area on a site as there is today with the FAR device. The total building bulk was limited by the sky exposure plane, which allowed light to come over the top of the building, and the 25% limit on tower coverage with no limit as to the height of the tower. This meant the combination of site size, market forces, and building design and technology governed the total bulk of the building. Buildings on small sites rarely had towers while buildings on larger sites generally did. The Empire State Building is an example of a 25% tower on an 80,000 SF site.

The districting into Height Districts of Midtown (See A1-A2) gave the planners the simple but powerful tool to physically distinguish one area of Midtown from another. Fifth Avenue, with its low scale building and carriage trade retail, was designated a lower height district than surrounding streets and avenues, which assured the development of the elegant and open avenue we continue to enjoy today.

The 1916 regulations drew upon an increasing body of technical literature regarding the need and therapeutic affects of daylighting and sunlighting. The work and writings of George Ford, AIA, who drafted the 1916 bulk regulations, reveal a keen understanding of the Civic Design implications of the regulations. The contextual quality of buildings built over the 50 years of the code, with its emphasis on the space and urbanity of the street, testifies to the conscious design concern exhibited by the 1916 Commission on Building Districts and Restrictions.

1950 PLAN FOR REZONING NEW YORK CITY

Through the life of the 1916 Resolution, few modifying amendments occurred in basic height and setback requirements. However, it became clear by the late

1940's that the more than 1400 amendments to primarily the text concerning use, and the 1439 amendments to the maps, were causing the internal structure of the Zoning Ordinance to be overly complex and confused. The 1950, Plan for Rezoning the City of New York was a recognition on the part of the City Planning Commission that the form (structure, framework) and content of the 1916 Ordinance was no longer responsive to the needs of the City. Development on larger lot sizes, building technology, automobile and truck transportation, manufacturing practices, marketing, and life style required new devices. The 1950 Plan recommended a broad response to the new conditions including "more specialized use districts, more and more flexible bulk controls, vertical zoning, off street parking and loading regulations, transition zoning, and amortization of non-conforming uses".

1961 ZONING RESOLUTION

While not officially adopted, the 1950 report created the environment and groundwork for the comprehensive revision of 1961. The 1961 Zoning Resolution continued in great part the prescriptive format of the superseded regulations. This type of format is based on a set of minimum standards, prescribing in specific detail the relationship of the proposed development to the street, side, and rear lot lines by including street line setbacks, building setbacks or sky exposure plane, yard regulations, and coverage limits. The terms, structure, and techniques of the 1961 Resolution owe their debt to the Mosaic "Thou Shalt Not" zoning of an earlier period.

The innovations of 1961 resulted from a dramatic change in content rather than any substantive change in regulatory structure. While the 1916 Ordinance had tended to produce street-related buildings and assumed public development of concentrated open space, the 1961 Resolution sought openness at grade on each site in the form of privately constructed plazas and sidewalk widenings. The impact of this idea was to disaggregate buildings into a series of free-standing buildings (either towers, slabs, or tower and base) resplendent in their own space. A steeper sky-exposure plane and greater tower bulk (40%) were somewhat offset by bringing more light around the sides of buildings. While the need for open space was crucial, the particular changes of the 1961 Resolution reveal a concern for both practicality and taste. Practicality led to the provision by each new development of much needed public outdoor space on the building lot. This was perceived as vital for an area of Manhattan possessing few parks with the first beginnings of the bonus floor area system, which later evolved into a complex set of its own. Taste reflected the planning and architectural communities' fascination with the single form free standing tower or slab, an idea which dates back to an earlier period in the century. "Pure" detached buildings were seen as providing more light and airy openness to the city, but the form and proportionate height of the architecture was also something to be appreciated in its own right.

The 1950 report, which had begun this shift in image, also recognized a need to adjust for the scale of towers, and recommended a lower FAR for Midtown than was finally adopted. The FAR or Floor Area Ratio device was initiated as a means to limit the density of the City by defining the maximum development potential for urban land as a multiple of the lot area. The change from essentially lower more contextual building to the tower structure can be characterized as one "taste", using taste in the legal sense. This "taste" was to change the face of whole avenues. Sixth Avenue represents one

extra-polation of large freestanding slabs and towers, with plazas and Third Avenue, with its smaller towers and tower-base buildings and essentially widened sidewalks, represents another. Institutionalized taste in a zoning ordinance has had enormous ramifications on the physical appearance of the City. When, as in 1961, a particular idealized building form is legislated, the effect is not only a local homogeneity, but uniformity on a grand urban scale. This approach differed fundamentally from the one taken in 1916 which expressed a concern for the public space of the street and less with any idealized building type or form. The fact the the "wedding cake" building became characteristic of the 1916 ordinance says more about the limits of prescriptive zoning than the intentions of the Commission.

IDEALIZED BUILDINGS FORMS ARE A-CONTEXTUAL

Designing a zoning resolution around an idealized building has two effects. First, despite the earnestness of the '61 reforms, the ordinance does not suggest nor take into account the preceding mass of buildings. Secondly, they do not acknowledge the spatial qualities, activity and orientation of the existing streets. In fact, the 1961 sky exposure planes no longer are sensitized to the multiplicity of street widths but are steeper and considerably less restrictive than those which preceded it. (See A10 Section 33-43 & 44). The As-of-Right (AOR) regulations of the '61 resolution are a-contextual - they are not against context; existing context and site orientation are just not issues. Every new building sitting abstractly on its own site conforms instead to a vision of the "City of the Future". The massive discontinuities between new and old apparently were perceived to be some minor inconvenience until the vision reached fruition. Thus, the '61 Resolution did not continue the planning ideas of the teens, twenties, and thirties.

IMPLICATIONS OF THE 1961 ZONING RESOLUTION

The implications of the form and content of a prescriptive and physically idealized ordinance on office construction in Midtown required an approach to the following:

- 1) The buildable floor area for a site is not a function of technology the market, site size, location, and configuration, as in the 1916 Ordinance, but is an abstract yet predetermined multiple of the lot area (FAR). Therefore a developer will tend to want to build to the abstract maximum FAR which is economically achievable AOR on certain size sites only.
- 2) The bonus of additional floor area for the provision of an outdoor amenity - originally limited to plazas and arcades-raised the base FAR by 20%, a significant incentive. The base FAR plus 20% of the base FAR became the acceptable minimum buildable (in prescriptive situations, maxima have a way of becoming minima), and also served as the guide to the pricing of urban land. The provision of a full FAR bonus plaza accounted for a minimum of 33% of the zoning lot.
- 3) The provision of the plaza at grade on a site was then compensated for by allowing a tower to occupy up to 40% of the total site on large sites, and up to 50% on small sites, an increase of between 60% and 100% over the maximum coverage of the 1916 ordinance. (see A10 Section 33-451 et al.). The Empire State Building, Chrysler Building, and Seagram Building are all 25% towers, built under 1916 regulations. The 1961 ordinance shifted more bulk into the

tower due to the removal of bulk for open space at the tower base.

4) Although AOR provisions exist (see A10 Section 33-451) which allow for higher coverage with compensatory reductions in FAR, only the CBS Building has used them. As the total building area is reduced, less return is provided than the higher FAR sought through large lot assemblage, variances, and special permits.

5) The speculative and corporate market demands for typical floor sizes have predominated in a 15-25,000 SF per floor range, although there are many exceptions to this rule. The site size required for an AOR 18 FAR tower building in a Midtown C5-3, C6-6, C6-7 zone can be quickly calculated. (see A10 Section 33-45).

<u>Tower Floor Area</u>	<u>Max. Cov.</u>	<u>Site Size</u>
10,000 SF/FL	+ 40%	25,000 SF
15,000 SF/FL	+ 40%	37,500 SF
20,000 SF/FL	+ 40%	50,000 SF
25,000 SF/FL	+ 40%	60,000 SF
30,000 SF/FL	+ 40%	75,000 SF
35,000 SF/FL	+ 40%	85,000 SF

(The 85,000 SF site is equivalent to a full block development on a small east side block, a typical new Rockefeller Center Building on a site of the same area as the Empire State Building).

These sites are all considerably larger than buildings with predominantly equivalent floor sizes in pre-1961 buildings such as ITT on Park Avenue with a site size of 30,000 SF. Though its floors diminish in size with the setback provisions at the top, 80% of the floors range from 15,000 to 30,000 SF.

6) In all cases for towers, the towers were required to be no closer than 20' to 40' to a narrow street and 15' to 40' to a wide street depending on whether the entire building is a tower or a tower and base structure (see A8-9). This is coupled with a maximum area per floor allowed in an absolute number irrespective of site length. Thus as the site increases in size the regulations require a thinner slab, rather than a tower, centered on the east-west axis of the site.

Clearly, the 1961 regulations were written for a regular, deep, avenue blockfront. The ultimate size of the building is a direct function of the lot depth - a form extruded into the midblock.

While the original, unamended 1961 ordinance contained some very specific discretionary sections requiring Special Permits, it was not until the effect of AOR regulations began to take on concrete reality that the City Planning Department responded with an expansion of the Special Permit Section and the innovations of the Special Purpose Districts.

ANALYSIS OF OFFICE BUILDINGS 1960-1982

An analysis of all office buildings built under the 1961 ordinance through 1982 presents a very revealing trend. Of the total of 111 buildings constructed since 1960, 72 or 65% were built AOR and 30 or 35% received either a BSA Special Permit or CPC Special Permit by the City Planning Commission. (see A14)

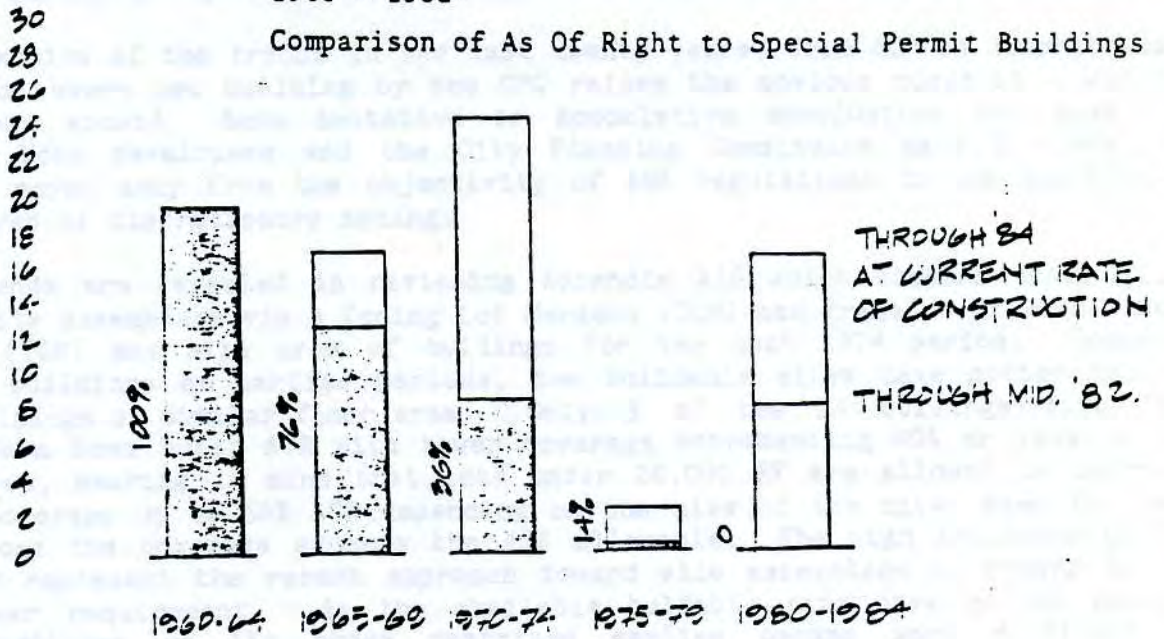
The amount of floor area built AOR during that 22 year period represents 58% of the total, with the remaining 42% receiving some form of public action. Closer inspection indicates a steady trend from AOR buildings to buildings requiring public waivers. As-of-Right construction accounted for 100% of all buildings in the period 1960-64, 87% in the period 1965-69, 46% in the period 1970-74, 25% in 1975-79 and 0% in the present period 1980-82. (see A15). Essentially the AOR regulations described earlier have gone unused for the last 8-10 years for the construction of Midtown office buildings.



RENTABLE AREA
(X MILLION FT²)

OFFICE CONSTRUCTION

1960 - 1982+

Comparison of As Of Right to Special Permit Buildings



KEY:  AS OF RIGHT BUILDINGS
 SPECIAL PERMIT BUILDINGS

Of the 29.6 million SF of buildings receiving either BSA or CPC action, approximately 1.6 million SF of office required BSA action, while the other 28.0 million SF were granted Special Permits by the CPC. The 7 BSA variances tended to deal with small corner or irregular lots. Unlike the CPC, the BSA cannot invent new zoning but can merely grant waivers on specific sections of the text on the basis of specific hardship attributable to the site. It appears from a cursory perusal of the files that BSA variances had less to do with hardship than with developers purchasing undersized lots that did not fit the ideal tower described earlier, which prevented them from achieving the maximum FAR of 18. The BSA actions cluster primarily around a few years in the late 50's and early 70's followed by a spurt of CPC additions to the Special Permit and Special Purpose District Sections of the Zoning Resolution.

This overview of the trends in the last twenty years, from AOR to discretionary review of every new building by the CPC raises the obvious question - why did this come about? Some tentative or speculative conclusions are possible. Clearly both developers and the City Planning Commission have for whatever reasons moved away from the objectivity of AOR regulations to the negotiation procedures of discretionary zoning.

1) Trends are revealed in reviewing Appendix A16 which compares tower floor area, site assemblage via a Zoning Lot Mergers (ZLM) and Transfer of Development Rights (TDR) and site area of buildings for the post 1974 period. Compared to the buildings of earlier periods, the buildable sites have gotten smaller for buildings of similar floor area. Only 3 of the 14 buildings since 1974 could have been built AOR with tower coverage representing 40% or less of the site area, bearing in mind that lots under 20,000 SF are allowed to increase their coverage up to 50% AOR depending on the size of the site; even in these situations the coverage exceeds the AOR allowable. The high incidence of ZLM and TDR represent the recent approach toward site assemblage in regard to the 40% tower requirement. As the available buildable sites have gotten smaller or assemblages on the order described earlier became more difficult or economically less feasible, the purchase of "assemblage rights" from adjoining buildings has increasingly become the method by which the developer meets the letter rather than the intent of the law. The authors of the 1961 Resolution with their predilection for an ideal building, ideally sited, did not either foresee or probably desire the combining of new and old buildings on the same zoning lot, as in recent ZLMs. The reason for the incompatibility of the ZLM with the AOR regulations is that the location, size, and configuration of the buildable portion of a ZLM are not subject to pre-regulation but rather result from the developer's assemblage. The building simply goes where it can go - underlying bulk regulations. The net result is that all ZLM's require waivers of height, setback, and sometimes lot coverage regulations in order to justify the exceedingly high amounts of bulk on restricted lots.

2) In the sixties the earlier CPC discretionary actions responded to the needs of the new very large Sixth Avenue building for rationalized floor configurations. Deeper blockfront sites required narrower towers than shallower sites under the prescriptive formula of tower encroachment. The contradictory building practice, where the ratio of width to depth and to height establishes norms that increase with large buildings (\pm) 2 million SF). The width of large buildings with their wider elevator and mechanical cores was minimally 15-20' wider than permitted under the ordinance. The early use of Sec. 74-72, a Special Permit provision allowing the waiving of the AOR bulk regulations, therefore was not used to increase tower coverage but to rationalize

configuration of tower plans.

3) With the smaller sites, the desire for higher coverage and a growing dissatisfaction with the proliferation of plaza upon plaza, the development of the indoor public amenity came about. All indoor amenities require CPC review and receive Special Permits. They allow the same if not greater FAR as for an outdoor open space. The value of the amenities has been questioned. The immediate consequence of their institutionalization included a) raising the expectation of achieving 18 FAR to the equivalent of a right on all sites b) facilitating large concentrations of building bulk on both the small lot and the small buildable portion of a ZLM.

4) In the late 60's and early 70's it became increasingly clear that Midtown was not a homogeneous area but rather a heterogeneous collection of distinct districts homogeneous in their local character. That understanding required a more sensitized approach to new construction than afforded by the 1961 AOR regulations. discretionary legislation was envisioned as promoting development sensitized to the environmental needs of location. The Special Purpose Districts, such as the Theater District, are typical of such legislation. the Fifth Avenue Special Purpose District recognizes the distinctiveness of Fifth Avenue, as did the framers of the 1916 ordinance. The character of Madison has recently become an issue with the assemblage of 4 or 5 sites on the avenue, each with the possibility of breaking the street wall and retail frontage of the avenue with a plaza if the AOR regulations are met. The Commission responded to the possibility of an AOR building and plaza on Madison Avenue by directing the development through discretionary review. The developer was equally concerned by the inherent building diseconomy but used the AOR building as a basis for negotiation. The CPC allowed bonuses for indoor amenities at higher rates than for outdoor amenities which may have attracted development away from the BSA variance route. In the late 60's it was perceived that the BSA was, in effect, creating zoning policy by granting height setback, and coverage waivers to buildings on small or irregular sites.

The use of discretionary review in lieu of the AOR system of pre-regulation and the development of an incentive bonus system represented a major innovation in zoning technique at the time. the planning profession had discovered during the 60's that discretionary review provided a more flexible and site specific approach than was usual in the prescriptive AOR zoning of an earlier period. These techniques were first applied in the fifties to conditional uses and later expanded for large scale developments for primarily non-urban PUD's. The boldness of the CPC to adopt this approach on the scale of Manhattan (most Special Permits and early Special Purpose districts) was greeted with enthusiasm by all parties. The decision to handle new office construction through the use of discretionary zoning techniques was based on a recognition of the more onerous and stultifying effects of the 1961 tower and open space provisions and a genuine believe that zoning could promote and regulate a good environment through design incentives. The lack of objective and uniform criteria for reviewing a proposed development and the tendency to tailor or amend existing legislation to each new building brought before the CPC has tended to undermine any consistent notion of certainty. The pre-certification period - which is excluded from the ULRP time restrictions for project review - is often an open ended period of negotiation in which the ground rules and in some cases the purview of the CPC are indistinct. In the process of negotiation it is unclear as to the limits of the public concern in the architectural design of a privately built office building. The role of zoning should not be to place

concerns for the appearance of individual buildings above concerns for maintaining overall environmental quality. Despite the current lack of clear AOR goals, the question remains, can the certainty and objectivity which should be inherent in an AOR system be compatible with the best characteristics of flexibility and site specificity inherent in the discretionary approach.

CONCLUSION

It is clear from the preceding analysis of the structure and content of the 1916 and 1961 Zoning Resolution and their realization in buildings, that a prescriptive system of AOR zoning is not flexible enough to deal with the current difficulties of development in Midtown. Nor is a purely discretionary approach, with its lack of objectivity, certainty and accountability, an acceptable approach to complex requirements which include:

- a) widely varied site assemblage-including ZLM, TDR and irregular and small sites
- b) public space on the building or zoning lot
- c) energy conservation and solar access
- d) the need to fit the new building into an existing and valued context
- e) the need to insure the vitality of the street
- f) the need for marketing flexibility in floor sizes
- g) the financing process which often requires the developer to program the building's floor area needs to major tenant or tenants in order to obtain financing
- h) the potential objections of owners of surrounding property
- i) the preservation of existing uses, character and ambience of districts within Midtown.

The above list, formidable as it is, suggests that an integrated and comprehensive approach to the design of new bulk controls for Midtown is essential. Tinkering with the present system of prescriptive AOR bulk controls by treating them in isolation, avoids the fundamental questions raised by the analysis. This is not to say AOR controls cannot work; an AOR system of zoning is desirable and viable if tuned to the present and long term environmental and economic conditions of Midtown. AOR controls need not produce a grinding uniformity. The Chrysler, Empire State, RCA and Seagram Buildings and the building ensembles of Fifth and Madison Avenues and Central Park West bear testimony to the efficacy of such an approach.

New bulk controls must be sensitized to the buildings and spaces of Midtown which are an expression of high concentrations of diverse activity. Its desirability as a workplace is dependent on the continued existence of its social and physical variety, and on its ability to draw upon the enormous reservoir of its own past, even as it moves forward. It is a place of constant change, but change which at its best preserves the enduring qualities of the existing environment. The street grid which connects all its areas in a seamless web provides an orientation framework. The uniformity of its topography and the grid are complimented by great heterogeneity within the districts. The historical differences between areas, both in use and scale, should be reinforced by new building activity. New buildings benefit greatly from the richness of the environment, and therefore should contribute to and enhance what remains. Displacing diseconomies on other lots is a burden on all. Self-interested actions could accumulate into a destruction of the whole, much

as incremental overuse destroyed the Commons in Garret Hardins essay, "The Tragedy of the Commons".

The anticipated comprehensive revisions to the AOR buk regulations of the Zoning Resolution will have effects far beyond the borders of Midtown. The problems experienced in Midtown are being felt in varous degress in other major American cities. As in 1916 and 1961, the City again has the opportunity to set a new zoning model, one that reflects today's concern for both environmental and developmental quality.

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SUMMARY AND
GENERAL RECOMMENDATIONS

SUMMARY AND GENERALRECOMMENDATIONS

The present system of As-of-Right bulk controls for commercial developments in Midtown is currently moribund; it has been unused for almost 10 years. The move away from the acknowledged rigidities of an As-of-Right prescriptive system to the use of Special Permits and complete discretionary review for all new buildings has not necessarily produced environmentally sound developments. We recognize and support the strong public push to limit discretionary zoning by instituting new As-of-Right regulations that incorporate environmental objectives.

The complexities of current development problems and growing environmental awareness require a reexamination of the very concept of purely prescriptive controls. Prescriptive tools at best govern what can be anticipated; the critical impasse for zoning, and for all those concerned about development, is the constantly unanticipated. Ensured quality derives not from prescribed form but from assured environmental performance.

Any truly workable As-of-Right system must be an orchestration of all the zoning instruments available. Increased complexity and difficulty must be met with increased creativity and sophistication. New regulations should include the best aspects of prescriptive, discretionary and performance zoning techniques in an overall As-of-Right approach. But the structure and content of such an As-of-Right system must first be based on clear goals. The following general goals should be embodied in all the various tools and methods of any new zoning for Midtown:

ENVIRONMENTAL

1. Recognize the perceptual relationship between new building bulk and the existing physical context.
2. Meet a preferred level of environmental quality which is derived from a perceptual and functional analysis of the physical context of Midtown. This includes existing expectations of daylighting, and of the scalar definition of open spaces and streets.
3. Guide the physical change in Midtown to minimize the perceptual disruptions and discontinuities of very high bulk buildings, isolated structures and unusable space.
4. Encourage the perception of historical continuity by the preservation of the diversity of building types, the enhancement of existing amenities and conservation of the social and cultural diversity of Midtown.

ADMINISTRATIVE

1. Maximize the effectiveness of As-of-Right zoning by institutionalizing flexibility in site assemblage and site design.
2. Develop As-of-Right regulations that do not discriminate by lot size or configuration.

3. Insure that proposed controls satisfy both the substantitive and the procedural test by being based on empirically derived and verifiable data. The controls must be objective, uniform, and comprehensive in their application.
4. Tailor the proposed controls to be responsive to the relative simplicity or complexity of a development situation.
5. Assure that the proposed controls respond to the legitimate needs of the public, developers and architects and maximize the long term benefits for all.
6. Insure that the proposed controls have a predictability of development potential.

RECOMMENDATIONS

The goals have been translated into a comprehensive and interrelated set of recommendations that regulate bulk in concert. The components introduce new concepts as well as modifying existing regulations.

The framework of the following proposal rests upon the essential concept of the District. The District concept recognizes the environmental context of new developments and acknowledges context as a prime determinant of value.

A. THE DISTRICT:

1. Corresponds to the immediate environment affected by a proposed development.
2. Defines the perceptual locus or context that gives locational value to a proposed development.
3. Generates empirical criteria to be used in evaluating the effect of a development on the existing environment.
4. Establishes the locus for proposed off-site public amenities. The proposal also establishes a flexible approach to bulk regulation corresponding to the widest possible range of situations.

B. AN AS-OF-RIGHT TWO-TIER SYSTEM OF PERFORMANCE AND PRESCRIPTIVE BULK CONTROLS

1. Employs the performance criteria as the basis for setting the prescriptive standards, insuring an equivalent level of environmental quality.
2. Represents graduated responses appropriate to the degree of complexity of the proposed development, with the choice of tier to be elective.
3. Maintains an objective basis for the evaluation of a proposed development.
4. Delineates a Prescriptive Tier which would be:
 - a) applicable in the density range of 15-18 FAR,
 - b) applicable on cleared sites up to 75,000 SF with no existing

structures remaining on the development portion of the lot.

- c) operates in most situations, with any pre-mandated exceptions to the Prescriptive Tier requiring the use of the Performance Tier.

5. Delineates a Performance Tier which would be:

- a) Based upon a constant set of environmental standards.
- b) applicable in the density range of 15-21.6 FAR, on the development portion of the lot.
- c) applicable on all sites up to 75,000 SF
- d) more flexible regarding building configuration and site planning, commensurate with the trade off aspect of the system and the greater sophistication of the objective evaluation tools.

The proposal advocates limiting the extensive use of Special Permits.

C. ANY SPECIAL PERMITS FOR THE WAIVER OF AS-OF-RIGHT BULK REGULATIONS;

- 1. Should be limited to large sites over 75,000 SF where site opportunities require a discretionary response.
- 2. Should employ the Performance tier as the basis for the discretionary review along with other site and District specific opportunities.

The proposal places parameters on the transfer of building bulk.

D. REGULATE THE TRANSFER OF UNUSED DEVELOPMENT RIGHTS BY:

- 1. limiting Zoning Lot Merger Transfers (ZLM) to a maximum of 18 FAR on the development portion (cleared) of the zoning lot.
- 2. allowing for a discontinuous zoning lot within the District thereby:
 - a) encouraging the location of public outdoor amenities in targeted locations within the District.
 - b) encouraging the preservation of existing buildings and their zoning envelope within the District.
- 3. limiting the Transfer of Development Rights (TDR) from Landmarks to to a maximum of 21.6 FAR on the development portion (cleared) of the zoning lot.
- 4. allowing for the transfer of unused development rights within the District.

The foundation of the proposal on the District concept follows from the understanding that the individual disposition of bulk and open space has district impact. Expectations of perceptual density and openness derive from the District. The District concept is critical if zoning is to be sensitized to the variety of physical contexts that characterize Midtown. The concept establishes a simple device, the Street District, which embraces the particular perceptual field or environment that a proposed development should

be responsive to. The Street District corresponds to the typical perception of a building within its context as experienced from the sidewalk. "Block" or "avenue" associations reflect this perceptual framework; the "block" includes structures on both sides of the street in the public mind whereas the legal definition of a block is the land and buildings surrounded by the streets. Each development establishes the limits of its own context or District, as defined in the Zoning text. As the District is measured from the boundaries of a development site, there are as many different districts as there are sites. A Street District runs 1000 ft. from the lot in both directions or until it is intersected by a street of equal or greater width.

Midtown is not a raw territory. As with any environment, the existing conditions determine our expectations. In the case of Midtown the successive layering of legislated regulation and changes in the concept of what a central district might or should be, on the part of the lay public, professionals and developers, created and defined our conception of Midtown. The proposed zoning criteria regulating mass, space, and light derive from and are consistent with the variety of environments or districts in Midtown. This may be viewed as an historical or conservationist approach to the development of civic design criteria. The criteria so derived are intended to enhance the homogeneity of individual districts, preserve the heterogeneity of Midtown, and limit the abuses so apparent today. They become the basis for the contextual evaluation of a new development.

While zoning has traditionally viewed lots in the abstract, architects, planners, developers and the public have always recognized that the value of a lot in Midtown is primarily its location. Location is the combined physical character of the surrounding environment, including buildings and open spaces, the variety of services available, transportation and historic use. Past developments have often been seen as simply exploiting their local environments. Planning and zoning should incorporate recognition of the potential each development has to reinforce its local environment or District. An environmentally integrated development can enhance the value of its district through sensitized site planning and building configuration, and through the disposition of its public amenities at locations within the district where they are most desired.

The concept of a District is not new. The proliferation of Special Purpose Districts illustrates one planning response to the fact that the aggregated environment or whole has characteristics that should be reinforced by new development as new parts, while the Special Purpose Districts generally require Special Permits and are subject to discretionary review. The following proposed As-of-Right system requires no Special Permit or discretionary review. Its internalized goals and District method become the means by which individual development decisions will also encompass concerns for the larger context and environment, without the need for further intervention.

SPECIFIC PROPOSAL

A. THE ASSURANCE OF EQUIVALENT QUALITY

The uneven results and lack of standards for discretionary zoning have led to a demand for some workable form of pre-regulation. A system based on pre-regulation has many advantages, such as procedural objectivity, certainty of development potential to both the public and developer, accountability, and

speed of processing. Still the fundamental issue is whether such a system can successfully address the environmental and economic complexities of building in Midtown. The proposed As-of-Right two-tier system with a Performance Tier and dependent Prescriptive Tier, holds the greatest promise for integrating consistent civic goals with the dynamic nature of the Midtown environment. The two-tier system recognizes the fact that in many situations the relative simplicity of the prescriptive regulations, derived from the District and filtered through the Performance Tier, are appropriate. It also recognizes that there will continue to be many complex situations which will require a more finely tuned yet flexible set of regulations. The Performance Tier interrelates the issues of context, bulk, pedestrian amenities, daylighting and sunlight, and perceptual density which can be objectified and quantified within a tradeoff system based on goals to be achieved rather than minima to be met. The broad purpose of the two-tier system is to promote the highest obtainable standard of quality, consistent with an approach which attempts to draw clear boundaries as to the extent of the public interest in private development decisions. The proposal implies a definition of environmental quality upon which substantial agreement can be reached beforehand.

An example of an existing two tier prescriptive and performance approach is the New York State Energy Code. The tiers are essentially equivalent in the energy controls on buildings, with the simplified and more restrictive prescriptive standards being a distillation of the more complex performance tier. While the prescriptive tier prescribes maximum % of window area, and other rules of thumb, the performance tier encourages a diversity of approaches, some even more energy conserving but impossible to anticipate. The proposed design is then evaluated against a series of clearly defined goals or performance standards, with the flexibility to trade inefficiencies in one area for efficiencies in another.

Essentially the two tier approach acknowledges the limits of a successful prescriptive system - that is, one in which the variables have been reduced to a controllable number so that the range of possible solutions falls within the selected limits. Clearly the more variables introduced in a prescriptive system, the less predictable are the results. The performance system on the other hand is capable of dealing with a larger group of variables in a predictive manner. Both produce equivalencies.

B. THE BASIS FOR STANDARDS

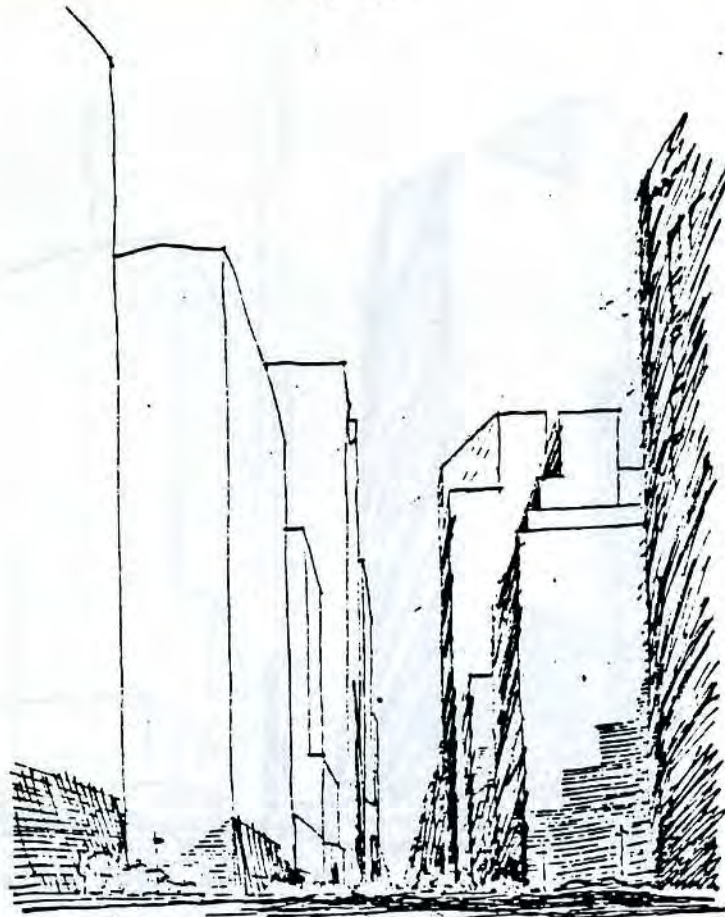
The proposed system relies on the District to generate the perceptual norms for a proposed development. Those norms are concerned with:

MASS. a) building mass at the street
b) building mass in the sky

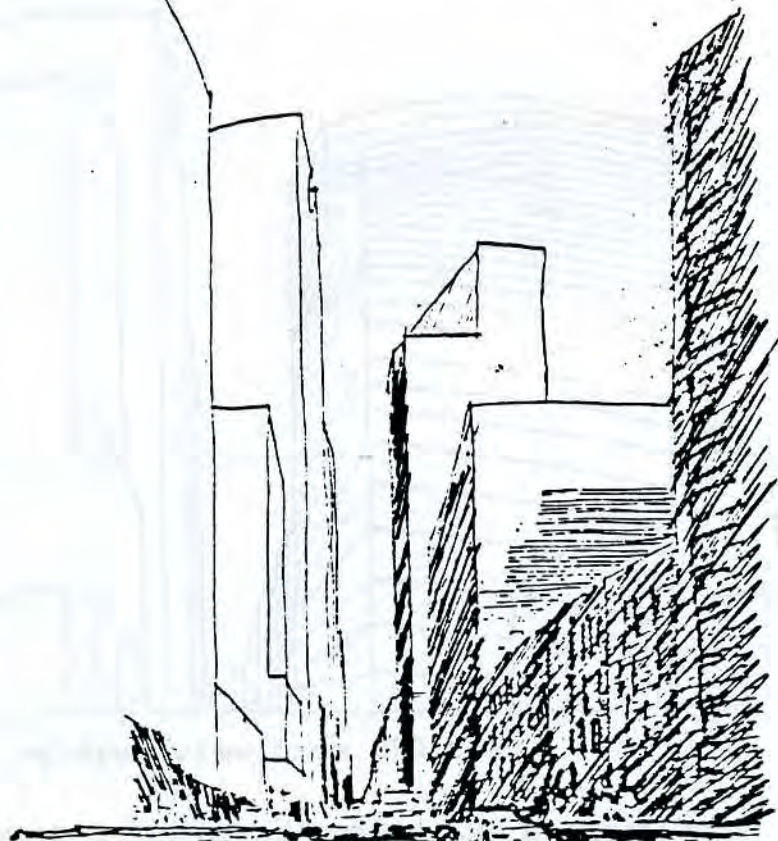
SPACE a) proportions of outdoor space
b) openness and definition of space and streets

LIGHT a) amount of daylight
b) amount of sunlight on amenities

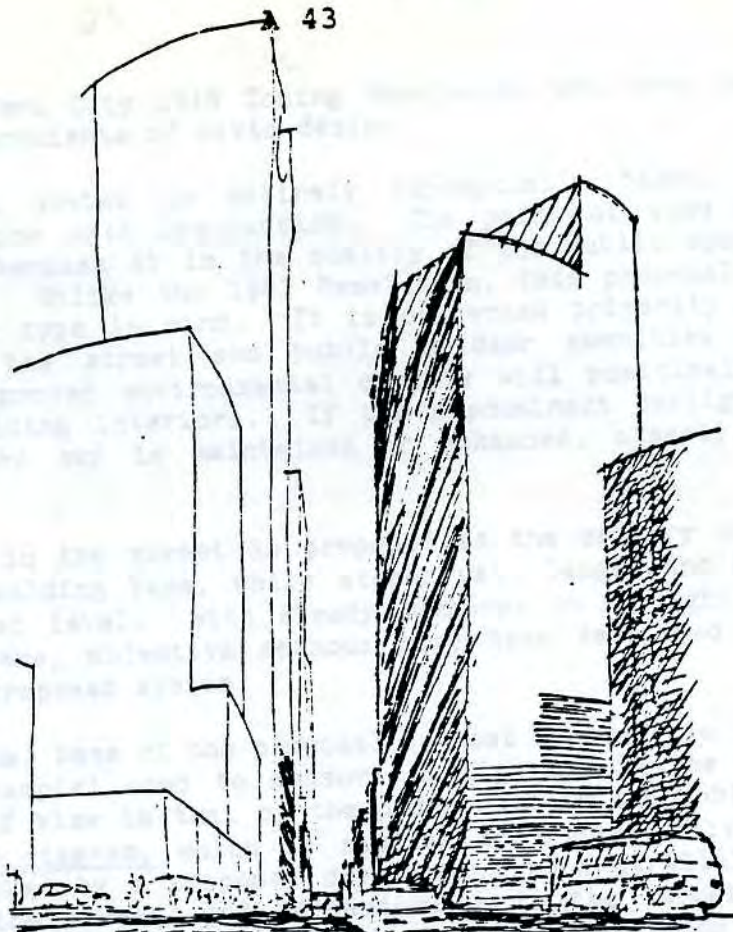
Mass, space and light are the fundamental indicators of an environment and might be correctly compared to our peripheral vision which is concerned with defining the sense and limits of a place or context. This trio had its origins



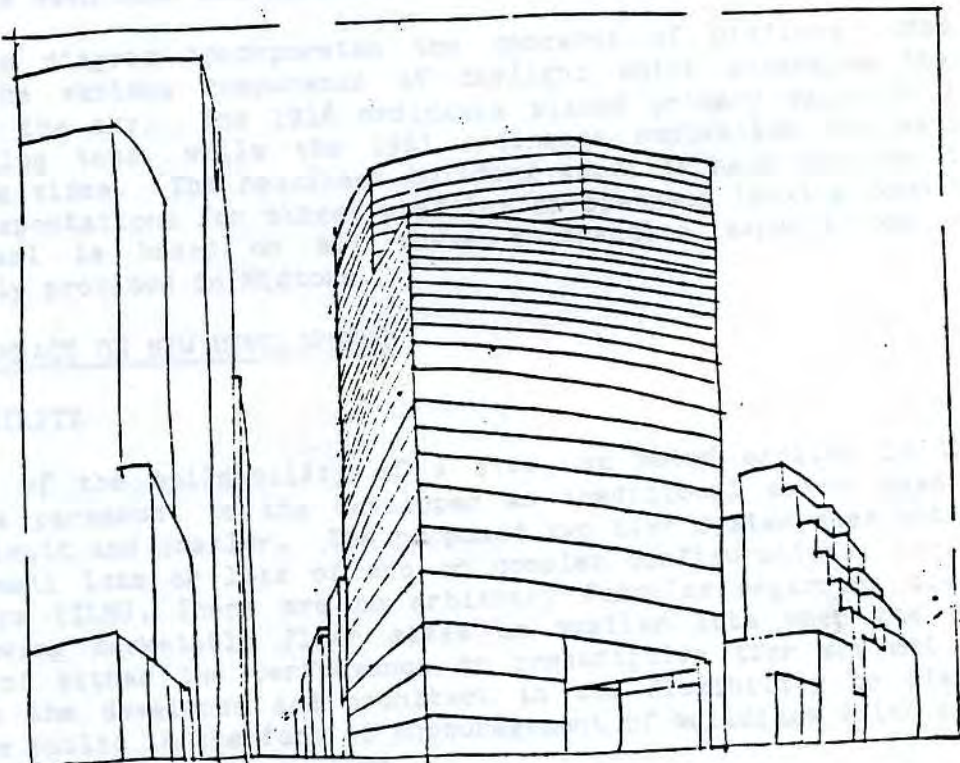
1 view from 500 feet



2 view from 400 feet



3 view from 300 feet



W Waldrum view from 250 feet

VIEWS LOOKING UP A STREET AND WALDRUM VIEW OF STREET

in the New York City 1916 Zoning Resolution and have long been recognized as the basic ingredients of civic design.

The proposed system is entirely perceptually based, thereby avoiding the potential lapse into abstraction. The point of view is always that of the pedestrian, because it is the quality of the public space of the street which is critical. Unlike the 1961 Resolution, this proposal has no idealized site nor building type in mind. It is concerned primarily with the environmental quality of the street and public outdoor amenities and assumes that the resultant improved environmental quality will positively impact both existing and new building interiors. If the predominant daylight and openness of the street to the sky is maintained or enhanced, clearly the building interior benefits.

Daylighting in the street is proposed as the primary control of building mass above the building base, while street wall length and height control the mass at the street level. With steady advances in daylighting evaluation over the last 100 years, objective methods have been developed which have adopted for use in the proposed system.

The perceptual base of the proposal is most apparent in the diagrams (see zoning text and example) used to measure daylighting in the Performance Tier, where the point of view is that of the pedestrian in the public space of the street. The Waldram diagram, which is similar to a perspective, evaluates the amount of sky blocked by a proposed development both parallel to the street (as you walk down the street) and perpendicular to the street (as you turn to look at the proposed building). The diagrammatic evaluation of daylighting accounts for both the amount of light apparent over the tops of buildings and for the amount of light apparent at the sides of buildings, including the profile of buildings as seen down the streets.

The Waldram diagram incorporates the concerns of previous codes and makes explicit the various components of daylight which determine the perception of bulk at the sky. The 1916 ordinance placed primary value on light coming over building tops, while the 1961 ordinance emphasized the value of light at building sides. The resultant building profiles have combined to determine a set of expectations for street profiles or openness looking down the streets. The proposal is based on all these interactive expectations of daylight historically provided in Midtown.

C. THE IMPACT ON NEW DEVELOPMENT

1. BUILDABILITY

The issue of the buildability of a site, as noted earlier in the analysis, has become paramount to the developer as traditional assemblages have become more difficult and smaller. The proposed two tier system does not discriminate against small lots or lots of odd or complex configurations, including Zoning Lot Mergers (ZLM). There are no arbitrary formulas regarding tower coverage, thus allowing marketable floor sizes on smaller lots when the environmental criteria of either the performance or prescriptive tier are met. Advantages accrue to the developer and architect in the flexibility to plan a building and to the public in the form of encouragement of buildings which are sensitized to reinforce the District context.

2. SPECIAL PERMITS

The components of the proposed system acknowledge the multiple options and decisions that proceed physical development so that their strength comes not from imposing artificial physical controls, but from giving freedom and flexibility at all stages, within Special Permits except as proposed below.

A workable As-of-Right system must not be undermined by a parallel system of Special Permits which would relieve the developer of compliance with substantive aspects of the environmental controls and offer higher densities in return for questionable amenities. The proposed Two Tier system offer all the flexibility needed to deal with any site condition, other than those sites which exhibit genuine hardship based on conditions such as underground streams, etc.

It is proposed that very large sites, those above 75,000 SF may be treated by Special Permit, as those sites present unique development opportunities both to the public as well as to the developer. The Performance Tier would still serve as an evaluation tool thus insuring an objective evaluation of a proposal. The evaluation would be administrative, thus allowing the Mass, Space and Light evaluation to be tempered by other aspects of the proposed development.

3. ZLM & TDR RECOMMENDATIONS

There are four underlying and interdependent concepts concerning the treatment of the Zoning Lot Merger (ZLM) and the Transfer of Development Rights from landmarks.

- a. Use the District concept as the basis for lot assemblage, distribution of unused development rights (from either ZLMs or landmarks), the location of public outdoor amenities.
- b. Differentiate the ZLM from the preservation of landmark structures through the sale of unused development rights, by valuing the development rights from landmarks more highly than ZLM and by placing a higher ceiling on the transfer of those rights to a development site.
- c. Eliminate the maximum tower coverage requirements (40%) through the use of the proposed As-of-Right Two-Tier Performance/Prescriptive system of Bulk Controls.
- d. Recognize the ease or difficulty of assembling a development. In descending order of complexity or difficulty assuming the same amount of buildable floor area, a typical range might include:
 1. a single cleared site with an on site outdoor amenity
 2. two cleared sites a cleared larger development site and a smaller non-contiguous site for the outdoor amenity eg. an urban park on through block urban plaza
 3. two sites - one cleared for the proposed development and the other with existing buildings remaining either contiguous or discontinuous with the development site.

The preservation of the existing scale and grain of development and the resultant openness and daylighting through the limited transfer of unused development rights should be treated as a bonusable urban amenity, and should be valued according to its relative public benefit compared to other bonuses.

The District provides the conceptual framework for governing ZLM and TDR as it does for the proposed Two Tier system. The District, rather than just the development lot itself, is the environment affected by a new development. This recognizes that both the perceptual and population density are perceived and planned in areas exceeding the limits of single lots.

The advantages and benefits to the public, developers and architects are outlined below:

1. The development assemblages will be smaller and hence minimize destruction of existing structures by allowing the amenity to be located off-site but within the District. Preservation or targeted amenities will be spread over a wider area and be less tied to adjacencies with new construction. This also means a more marketable building on a smaller development site.

2. The District concept will minimize the jarring discontinuities between existing buildings and the proposed development by:

- a) allowing the distribution of unused development rights within the entire District, not just to adjacent lots.
- b) limiting the amount of floor area to be transferred to the development portion of the Zoning lot to 18 FAR in the case of existing structures, and 21.6 for landmarks. In no case would the lot area of the existing structures, landmark building, or off-site outdoor amenity count toward the lot area of the zoning for floor area calculations, as these large lot areas will be no longer necessary to meet tower coverage requirements.

This proposal parallels what already exists in landmark transfers where the landmark lot is not included in the development lot calculations.

3. The discontinuous Zoning lot merger (DZLM) is of advantage to the developer because it:

- a) increases the buildable options for site assemblage
- b) minimizes the impact of adjacent holdouts
- c) encourages smaller development assemblages on prime parcels with the amenity being either a preservation or urban outdoor space.
- d) allows the developer and architect to protect views and solar access by acquiring the development rights of lower buildings either adjoining or opposite to the development site.

4. The varying ease of and desirability of assemblage of a contiguous or discontinuous zoning lot is reflected in a graduated bonus privilege by:

a) recognizing a ZLM or DZLM with existing buildings is the easiest and least costly method of site assemblage compared to a cleared site. Therefore in those situations the transfer of unused development rights will be limited to no more than half the basic FAR or the remaining unused floor area whichever is least.

b) recognizing the prime desirability of preserving existing landmark structures by allowing their unused development rights to be transferred to the non-contiguous or adjacent development lot within the District. The transfer of unused development rights would be on a one-to-one basis up to the maximum allowable on the development lot. Essentially this places greater value on floor area transferred from landmark structures.

c) treating on-and off-site public outdoor amenities in the same manner i.e. 10 SF of building floor area for 1 SF of amenity up to a maximum of 18 FAR on the development lot.

5. Any transfer of unused development rights of 'bonus privilege' floor area to the development site must still meet the threshold of environmental quality set in the proposed system of bulk controls.

By no longer requiring site assemblage to reflect tower coverage, the ZLM and DZLM actually resemble the existing situation of TDR from landmark structures, in that the development lot is not being increased in size but rather that the floor area bonus or 'bonus privilege' on the development lot is gained by the purchase of the unused floor area from a perceived urban amenity. An example of such a District approach might pertain in the preservation of existing legitimate theaters where such theaters would be able to sell their unused floor area not only to contiguous developments but to a development or developments whose District includes the theater. The advantage is that the unused floor area could be absorbed on a number of development sites and the jarring perceptual discontinuities of excessive bulk next to small structures would be mitigated. Clearly further study of the impact on theaters should include an inventory of unused development rights currently available throughout the Theater District.

The tradeoff of the loss of density to the developer in the purchase of limited unused floor area from non-landmark structures, when coupled with the District locus for such transfer is fair to both the developer and public. The ability to build sooner with a marketable building rather than waiting for a larger cleared assemblage is reasonable. In effect the decision of when to stop assembling and when to build are governed by the builder and is not hindered by the Zoning ordinance.

One final reflection regarding the concept of floor area ratios (FAR) and unused development rights from existing smaller structures in Midtown. As noted earlier, FAR was a device introduced in 1961 to limit density. The result was that each square inch of land in New York City immediately had an abstract development potential without regard to location, configuration, market conditions, and building design and technology. In other words value was created in the abstract, whereas the previous 1915 Ordinance created value only through the actual assemblage and construction of a building. The proposal here graduates that use value in response to the desirability of the amenity to the public and cost to the developer.

PROPOSED ZONING TEXT

THE PROPOSED ZONING TEXT

The Proposed Zoning Text

The proposed two-tier system of bulk controls will supercede the existing as-of-right regulations controlling building height, setback, and coverage. The underlying use, density, sign and parking and loading regulations will remain intact.

The following outlines the structure and content of the Zoning Text for the proposed two-tier as-of-right bulk controls for Midtown. The two-tier system consists of a prescriptive and back-up performance tier. The user may elect to use either one or the other tier. Both tiers are as-of-right.

2

COMMERCIAL DEVELOPMENT BULK CONTROLS

A. PRESCRIPTIVE TIER

1. Daylighting
 - a) Daylighting Considerations at the Street Line
 - b) Daylighting Considerations at the Upper portions of a Development
2. Street Wall Length
3. Street Wall Height

B. PERFORMANCE TIER

- | | | |
|--|----------------|-------------|
| 1a. Daylighting | maximum points | 60.0 |
| 1b. Daylighting/Building Reflectivity (optional) | maximum points | (5.0) |
| 2. <u>Street Wall Length</u> | maximum points | 25.0 |
| 3. <u>Street Wall Height</u> | maximum points | <u>15.0</u> |
| | | 100.0 |
| 4. Sunlighting (optional) | maximum points | 10.0 |

<u>Minimum Compliance Points</u>	85.0
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A. PRESCRIPTIVE TIER

1. DAYLIGHTING: to maximize openness and daylighting at the public sidewalks and other outdoor amenities

A. Daylighting Considerations at the Street Line

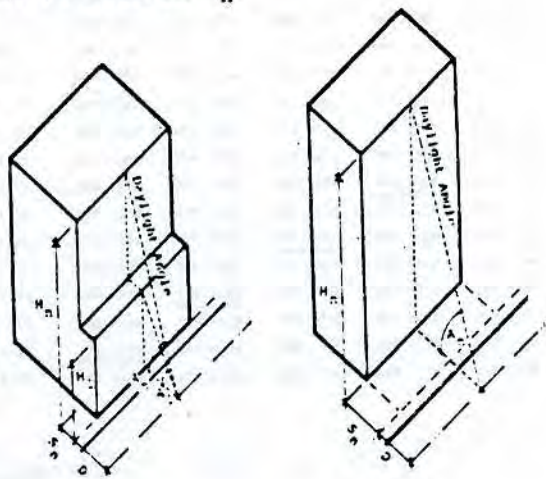
The daylight angles control the disposition of building bulk on the zoning lot. The initial daylight angle (A_1) is either 72° or the angle determined by the required street wall height. All angles are taken at the centerline of the street. Ascending daylight angles are a function of the setback or setbacks (S_n) from the street line. For every 1" of setback from the street line the angle (A) can increase by $.2^\circ$. The Height of any portion of the building (H_n) is determined by the formula:

$$H_n = (S+D) \times \tan (72^\circ + .2 S_n)$$

= distance to centerline of Street x $\tan (72^\circ + .2^\circ \times \text{setback})$

where:

- H_1 = Required Street Wall Height
- H_n = Total height of any portion of the Building
- D = Distance from the centerline of Street to Street Line
- S_n = Distance setback from Street Line
- A_{1-n} = Angle subtended by portion of Building at Street Line or at setback S_n .



a. setback and base

b. set back

Building Illustrations

Special Conditions

- a) When the initial angle (A_1) is based on a required street wall height, the proposed street wall height may penetrate that angle up to the maximum range allowed (see 3. Street Wall Height).
- b) When two streets of unequal width intersect, the required street wall height of the wider street shall be the required street wall height on the narrower street up to the depth of 100'.

Angle	Tangent (rate of height to setback)	10'	20'	30'	40'	50'	60'	70'	80'
86°	28.64	959'-72a	1145'-95a	1432'					
87°	19.08	572'-47a	763'-63a	954'-79a	1144'				
88°	14.30	429'-35a	572'-47a	715'-59a	858'-71a	1001'			
89°	11.43	343'-28a	457'-38a	572'-47a	583'-48a	697'-55a	812'-67a		
84°	9.51	295'-23a	380'-31a	476'-39a	571'-47a	666'-55a	761'-63a	856'-71a	
83°	8.14	244'-20a	326'-27a	407'-33a	488'-40a	570'-47a	651'-54a	733'-61a	
82°	7.12	214'-17a	285'-23a	356'-29a	427'-35a	498'-41a	570'-47a	641'-53a	
81°	6.31	189'-15a	252'-21a	315'-26a	379'-31a	442'-36a	505'-42a	568'-47a	
80°	5.67	170'-14a	227'-18a	284'-23a	340'-28a	397'-33a	454'-50a	510'-42a	
79°	5.14	154'-12a	206'-17a	257'-23a	308'-25a	360'-30a	411'-34a	463'-38a	
78°	4.70	141'-11a	188'-15a	235'-19a	282'-23a	329'-27a	376'-31a	424'-35a	
77°	4.33	130'-10a	173'-14a	217'-18a	260'-21a	303'-25a	346'-29a	393'-32a	
76°	4.01	120'-10a	160'-13a	200'-16a	241'-20a	281'-23a	321'-26a	361'-30a	
75°	3.73	112'-9a	149'-12a	186'-15a	224'-18a	261'-21a	298'-24a	336'-28a	
74°	3.49	105'-9a	140'-11a	175'-14a	209'-17a	244'-20a	279'-23a	314'-26a	
73°	3.27	98'-8a	131'-10a	164'-13a	196'-16a	229'-19a	262'-21a	294'-24a	
72°	3.09	92'-7a	123'-10a	154'-12a	185'-15a	216'-17a	247'-20a	277'-23a	

Angle	Tangent (rate of height to setback)	10'	20'	30'	40'	50'	
88°	28.64	1145'-95a	1432'				
87°	19.08	763'-63a	954'-79a	1144'			
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76°	4.01	160'-13a	200'-16a	241'-20a	281'-23a	321'-26a	361'-30a
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72°	3.08	154'-12a	185'-15a	216'-17a	247'-20a	277'-23a

ANGLE, HEIGHT, AND SETBACK RELATIONSHIP TABLE

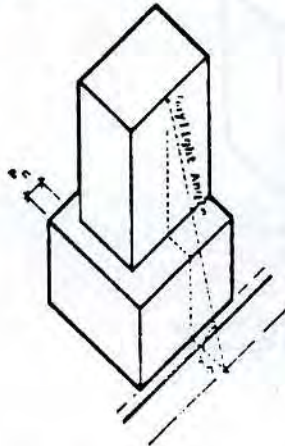
B. Daylighting Considerations at the Upper Portions of a Development

Portions of developments which subtend angles greater than 76° shall be required to set back from the lot lines. The lot line setback is expressed as a percentage of the street line, and is determined by the formula:

$$P_n = (\text{angle } A_n [> 76^\circ] - 76^\circ) \times .06 \times \text{length of street line} = \text{total aggregate side setback.}$$

Where:

P_n = Distance setback from Lot Line



Building Illustration
Lot Line Setback

Special Conditions:

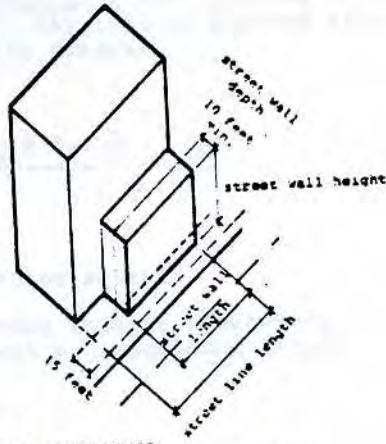
- a) The required setback may be distributed between two lot lines or aggregated in one location
- B) In no case can a side lot line setback be less than 15'-0".

2. STREET WALL LENGTH - to conserve the pedestrian scale of the street by visually and physically connecting the street wall of the proposed development with the Street Wall of existing nearby buildings.

The minimum proposed street wall length is a function of the length of the developments street line multiplied by the street wall length factor listed below:

<u>factor</u>	<u>Street</u>
1.00	5th Avenue
.90	Madison Avenue, Lexington Avenue, Broadway, 59th Street, and 42nd Street
.85	7th Avenue, Park Avenue
.80	3rd Avenue
.70	all other streets

A building wall must be located within 15'-0" of the street line to be a qualifying street wall. The proposed street wall must have a minimum depth of 10' for its entire length.



Building Illustration
Street Wall Length, Height, and Depth

3. STREET WALL HEIGHT: to define the space of the street and conserve existing scale by relating the height of the street wall of the proposed development to the characteristic height of nearby buildings.

The proposed street wall heights shall conform to the following listing of street wall heights with corresponding range.

Street Width	Street Wall Height	Range	
		+	-
60'	90'	+10'	-15'
80'	120'	+10'	-15'
100'	150'	+10'	-25'
120'	180'	+10'	-30'
Fifth Avenue	100'	+10'	-15'

In no case can any portion of the proposed street wall be above or below the range when applied around the required street wall height. The proposed street wall must have a minimum depth of 10' for its entire length.

In the case of lots bounded by two street of unequal width the higher street wall height may be used on the narrower street up to a depth of 100" in from the wide street.

B. PERFORMANCE TIER

1a. Daylighting To maximize daylighting on the public sidewalks and other outdoor public amenities.

Maximum points 60.0 Minimum points 40.0

Requirements for Full Compliance The proposed building shall obscure none of the daylighting squares determined on the Waldram daylighting diagram.

Computation

$$(60.0) \frac{A - [(a_1 \times f_1) + (a_2 \times f_2) \dots]}{A}$$

Where:

A = Total number daylighting squares

a_{1,2} = Number of daylighting squares blocked by the proposed development by importance factor

F_{1,2} = Importance factor.

1b. Daylighting Building Reflectivity (optional)
To maximize daylighting on the public sidewalks and other outdoor amenities by utilizing highly reflective exterior building materials and surfaces

Maximum Points 5.0

Requirements for Full Compliance The building reflectivity value and its zone value should be unity.

Computation

$$(5.0) \times (O_v) \times (R_v)$$

O_v = orientation value

R_v = Reflectivity value

Special Conditions

1. in the case of multiple building materials eg. glass and limestone, the area of each material in elevation. Multiply the area determined by the percentage of the area to the total building area in elevation. Then multiply that amount by its reflectivity value. The sum of the weighted reflectivity values for all the materials equals the reflective value of the building in the street district.

2. Street Wall Length - to conserve the pedestrian scale of the street by visually and physically connecting the street wall of the proposed development with the street wall of existing nearby buildings.

Value Points - 25.0

Requirements for Full Compliance - the length of the building walls of the proposed development falling within 15' of street lines and projected perpendicularly on the street line shall equal the length of the street line within a single street district.

Computation

$$(25.0) \times \frac{(b)}{3} \times \frac{1}{(\text{street length factor})}$$

Where:

B = length of street line

b = length of street wall falling within 15' of the street line and projected perpendicularly on the street line.

Street length factors = preferred street wall length

<u>Factor</u>	<u>Street</u>
1.00	Madison, Lexington, 5th Avenue, 42nd Street, 59th Street and Broadway
0.90	7th Avenue, Park Avenue
0.85	3rd Avenue, 6th Avenue
0.75	All other crosstown streets

3. Street Wall Height - to conserve existing scale by relating the height of the street wall of the proposed development to the predominant height of the street wall of nearby buildings.

Value Points -

15.0

Requirements for Full Compliance - The proposed street wall height of the development shall occur within a zone defined by the median height of the street wall of existing buildings and a range applied around the median.

Computation

$$(15.0) \frac{(c)}{C} \times \frac{(b)}{B}$$

Where:

C = existing street wall height (with or without range)

c = proposed street wall height

B = length of site street line (see #2)

b = street wall length of the proposed development falling within 15' of the street line and projected perpendicularly on the street line.

Special Conditions

- i. for developments which do not have maximum compliance, compliance may be determined by the application of a range to the median height of the existing street wall. This range can be applied above and below the median.
- ii. For developments which have more than one street wall height, each street wall height should be compared separately to the median height of the existing street wall or to the nearest height in the applied range. The compliance of each height is weighted in relation to its portion of the total street wall area and multiplied by the maximum points. Their sum is then multiplied by the ratio (b/B).

4. SUNLIGHTING (Optional) - to maximize sunlight on-site and nearby public outdoor space including parks and plazas.

Maximum Points 10.0

Requirements for Full Compliance - The proposed shadow area shall be as small a percentage of the potential shadow area as possible.

Computation

$$(10.0) \frac{S_{PR} - S_{PT}}{4000}$$

Where:

S_{PT} = Potential Shadow

S_{PR} = Proposed Shadow

Special Conditions

- i. When computing the potential and proposed shadow subtract areas of outdoor amenities which are already in shadow by existing building at 11 AM, noon, and 1 PM.
- ii. In no case can a point score of 10.0 be exceeded.

Total Computations

Programs 1a, 1b (optional), 2, and 3 shall be computed by street district optional program 4. Sunlighting is computed separately and added to the total compliance points.

When a development site is located in more than one street district, programs 1a, 1b (optional), 2, and 3 shall be computed separately for each street district. The total compliance points are determined by a weighted average which is found by multiplying the total compliance points for each street district by the length of the street line pertaining to the street district. The products found are then added and then divided by the sum of the total lengths of street lines used for each street district.

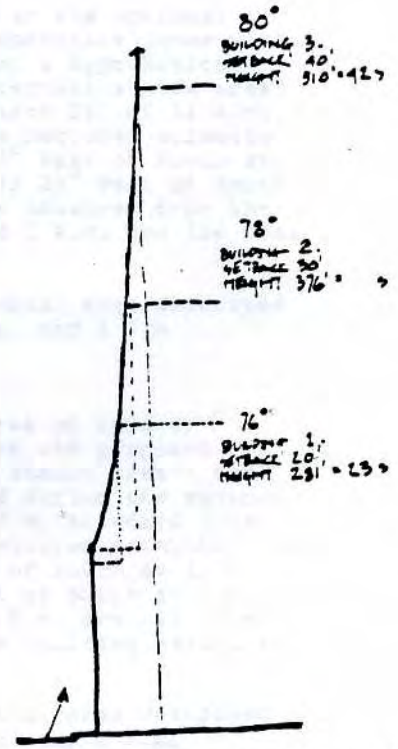
The "Daylight angle" is defined as the angle of elevation of the sun at any given time. All angles are given at 75° elevation of the sun. The "Daylight angle" is defined as the angle of elevation of the sun at any given time.

The value is an important measure of the level of illumination of the building. It is determined by first finding the existing building height and then by the proposed building height. The daylight angle is defined as the angle of elevation of the sun at any given time.

The proposed building height is defined as the height of the building at the proposed location. The daylight angle is defined as the angle of elevation of the sun at any given time.



1 72° Street Wall with towers at Prescriptive Tier setbacks



2 Section of Daylight Angle Curve

DAYLIGHT ANGLES: STREET VIEW AND SECTION

The daylight angle is defined as the angle of elevation of the sun at any given time. It is determined by first finding the existing building height and then by the proposed building height. The daylight angle is defined as the angle of elevation of the sun at any given time.

DEFINITIONSDAYLIGHT ANGLES

The "daylight angles" control the disposition of building bulk on the zoning lot. All angles are taken at the centerline of the street. The "daylighting angles" ascend as the building bulk is setback from the street line.

RANGE, EXISTING STREET WALL HEIGHT

The range is an empirical measure of the degree of variation of the existing street wall heights. It is determined by first finding the average existing street wall height in the street district. Next find the area of existing street walls in elevation that are above the average existing street wall height. The range equals the sum of these areas divided by the sum of the lengths of the existing street walls. Apply the range around the median as a function of the average. In all cases the range may be a minimum of 10 feet.

SHADOW AREA, POTENTIAL

The "potential shadow area" is used in the optional sunlighting program to provide a comparative index with the proposed shadow area, by assuming a hypothetical building of 100% coverage. The "potential shadow area" is determined during the equinox (March 21) at 11 A.M., noon, and 1 P.M. standard time. The required azimuths (angle of the sun in plan) are 1) 23° East of South at 11 A.M., 2) due South at noon, and, 3) 23° West of South at 1 P.M. The lengths of the shadow measured from the lot lines is 300 feet at 11 A.M. and 1 P.M. and 250 feet at noon.

The "potential shadow area" is the total area described by the shadows East at 11 A.M., noon, and 1 P.M.

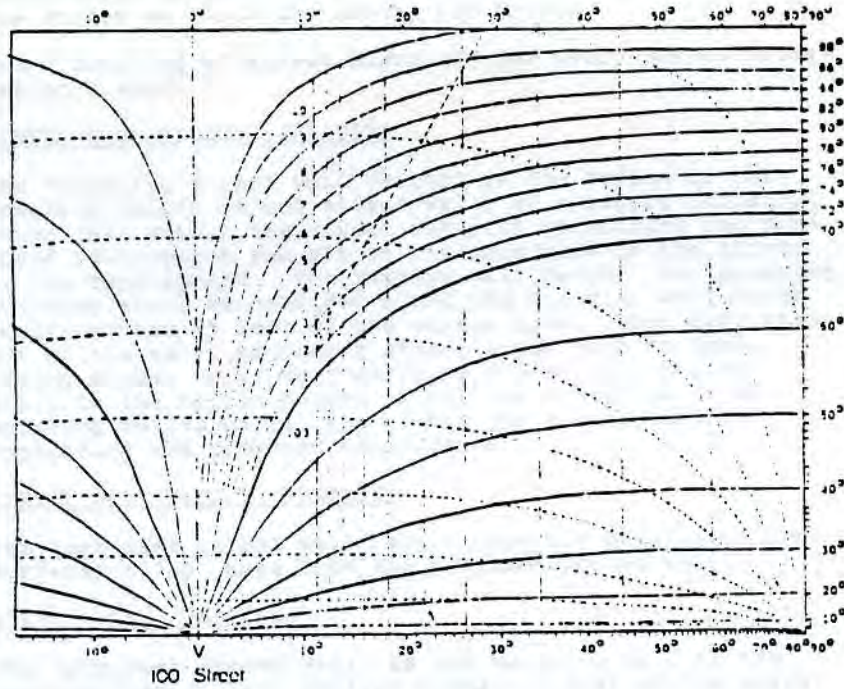
SHADOW AREA, PROPOSED

The "proposed shadow area" is the area of outdoor amenity which is within the shadow of the proposed development. As with the "potential shadow area", the "proposed shadow area" is determined during the equinox (March 21) at 11 A.M., noon, and 1 P.M. standard time coinciding with lunch hours. The required azimuths (angle of the sun in plan) are 1) 23° East of South at 11 A.M., 2) due South at noon and 3) 23° West of South at 1 P.M. The shadow lengths at 11 A.M. and 1 P.M. are .92 times the building height and .85 time the building height at noon.

The "proposed shadow area" is the total area described by the shadows cast at 11 A.M., noon, and 1 P.M.

STREET DISTRICT

A "street district" is the perceptual locus of the zoning lot. The length of the "street district" is determined by extending the centerline of the street on which the zoning lot fronts from each side lot line to the intersection of the centerline of the street of equal or greater width, except in the case of 100 foot wide cross-town streets where the street district shall extend 1,000 feet from the lot line regardless of intersecting streets. In no case, however, shall the length of a "street district" from one side lot line be greater than 1,000 feet.



ILLUMINATION ON BUILDING SURFACES (IN FOOTCANDLES)

ORIENTATION BASED ON STREET GRID

TIME	MARCH 21 / SEP 21	GRID															
		10°	15°	20°	25°	30°	35°	40°	45°	50°	55°	60°	65°	70°	75°	80°	90°
7AM	SOLAR	1250	300	150	150	200	200	150	150	350	400	350	300	300	300	300	300
	SKY	400	300	300	300	300	300	300	300	400	400	400	400	400	400	400	400
	TOTAL	650	600	450	450	500	500	450	450	750	800	750	700	700	700	700	700
8AM	SOLAR	500	325	300	300	325	325	400	400	550	600	550	500	500	500	500	500
	SKY	550	325	300	300	325	325	400	400	550	600	550	500	500	500	500	500
	TOTAL	1050	650	600	600	650	650	800	800	1100	1200	1100	1000	1000	1000	1000	1000
9AM	SOLAR	750	350	300	300	325	325	450	550	700	800	700	600	600	600	600	600
	SKY	500	325	300	300	325	325	450	550	700	800	700	600	600	600	600	600
	TOTAL	1250	675	600	600	650	650	900	1100	1400	1600	1400	1200	1200	1200	1200	1200
10AM	SOLAR	500	375	325	325	375	375	500	600	800	900	800	700	700	700	700	700
	SKY	500	375	325	325	375	375	500	600	800	900	800	700	700	700	700	700
	TOTAL	1000	750	650	650	750	750	1000	1200	1600	1800	1600	1400	1400	1400	1400	1400
11AM	SOLAR	425	400	400	400	425	450	500	600	800	900	800	700	700	700	700	700
	SKY	425	400	400	400	425	450	500	600	800	900	800	700	700	700	700	700
	TOTAL	850	800	800	800	850	900	1000	1200	1600	1800	1600	1400	1400	1400	1400	1400
12NOON	SOLAR	425	400	425	450	525	600	750	800	1100	1200	1100	1000	1000	1000	1000	1000
	SKY	425	400	425	450	525	600	750	800	1100	1200	1100	1000	1000	1000	1000	1000
	TOTAL	850	800	850	900	1050	1400	1500	1600	2200	2400	2200	2000	2000	2000	2000	2000
1PM	SOLAR	400	400	425	450	500	550	600	700	900	1000	900	800	800	800	800	800
	SKY	400	400	425	450	500	550	600	700	900	1000	900	800	800	800	800	800
	TOTAL	800	800	850	900	1000	1100	1200	1400	1800	2000	1800	1600	1600	1600	1600	1600
2PM	SOLAR	325	375	500	600	800	1000	1200	1300	1600	1700	1600	1500	1500	1500	1500	1500
	SKY	325	375	500	600	800	1000	1200	1300	1600	1700	1600	1500	1500	1500	1500	1500
	TOTAL	650	750	1000	1200	1600	2000	2400	2600	3200	3400	3200	3000	3000	3000	3000	3000
3PM	SOLAR	300	350	500	600	800	1000	1200	1300	1600	1700	1600	1500	1500	1500	1500	1500
	SKY	300	350	500	600	800	1000	1200	1300	1600	1700	1600	1500	1500	1500	1500	1500
	TOTAL	600	700	1000	1200	1600	2000	2400	2600	3200	3400	3200	3000	3000	3000	3000	3000
4PM	SOLAR	200	325	500	700	1000	1200	1500	1600	2000	2100	2000	1900	1900	1900	1900	1900
	SKY	200	325	500	700	1000	1200	1500	1600	2000	2100	2000	1900	1900	1900	1900	1900
	TOTAL	400	650	1000	1400	2000	2400	3000	3200	4000	4200	4000	3800	3800	3800	3800	3800
5PM	SOLAR	150	300	500	700	1000	1200	1500	1600	2000	2100	2000	1900	1900	1900	1900	1900
	SKY	150	300	500	700	1000	1200	1500	1600	2000	2100	2000	1900	1900	1900	1900	1900
	TOTAL	300	600	1000	1400	2000	2400	3000	3200	4000	4200	4000	3800	3800	3800	3800	3800
DAILY TOTAL		4775	3900	4775	5725	8025	10275	12700	14250	18175	20350	18350	16475	16475	16475	16475	16475
PERCENT TO MAXIMUM IRRADIATION		5	9	15	22	40	57	72	87	93	100	93	87	72	57	40	22

WALDRUM DIAGRAM AND REFLECTIVITY ORIENTATION VALUE CHART

The depth of the "street district" is equal to the distance between the centerlines of the blocks on either side of the street on which the zoning lot fronts.

There shall be a "street district" for every street fronting on a site.

STREET WALL HEIGHT, EXISTING

The "existing street wall height" is the median or predominant height of the street walls of existing buildings which fall within the street district containing the proposed development and are on the same side of the street as the development. The "street wall height" for existing building shall be measured along the building wall which occurs within 15 feet of the street line. When less than 40% of the total adjoining street lines have no qualifying street wall, the "existing street wall height" shall be the median height of all the street walls of existing buildings falling within the street district containing the proposed development.

STREET WALL HEIGHT, PROPOSED

The "proposed street wall height" are the heights of roof surfaces 10'-0" back from the proposed street wall.

STREET WALL, PROPOSED

The "proposed street wall" is the building wall of the proposed development fallign within 15 feet of the street and having a minimum depth of 10 feet.

ORIENTATION VALUE

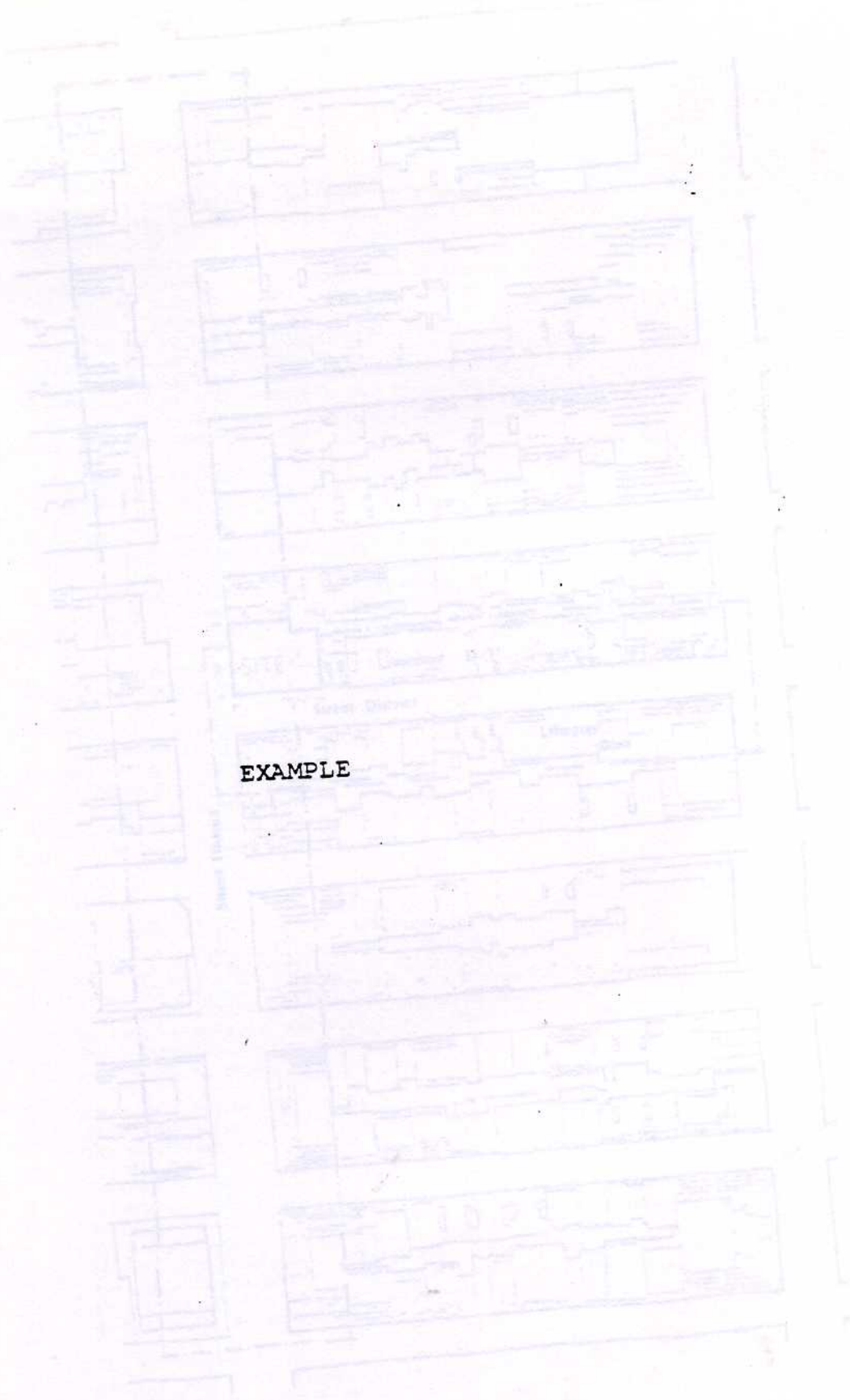
The "orientation value" is used in the optional program 1b. Daylighting Building Reflectivity to determine the solar orientation coefficient for the particular building facade being evaluated.

REFLECTIVITY VALUE

The "reflectivity value" used in the optional program 1b. Daylighting Building Reflectivity is the coefficient of reflectivity for the material used. The reflectivity value shall be certified by the manufacturer, licensed independent testing laboratory, or standard reference text such as Time Saver Standards, Architectural Graphic Standards, etc.

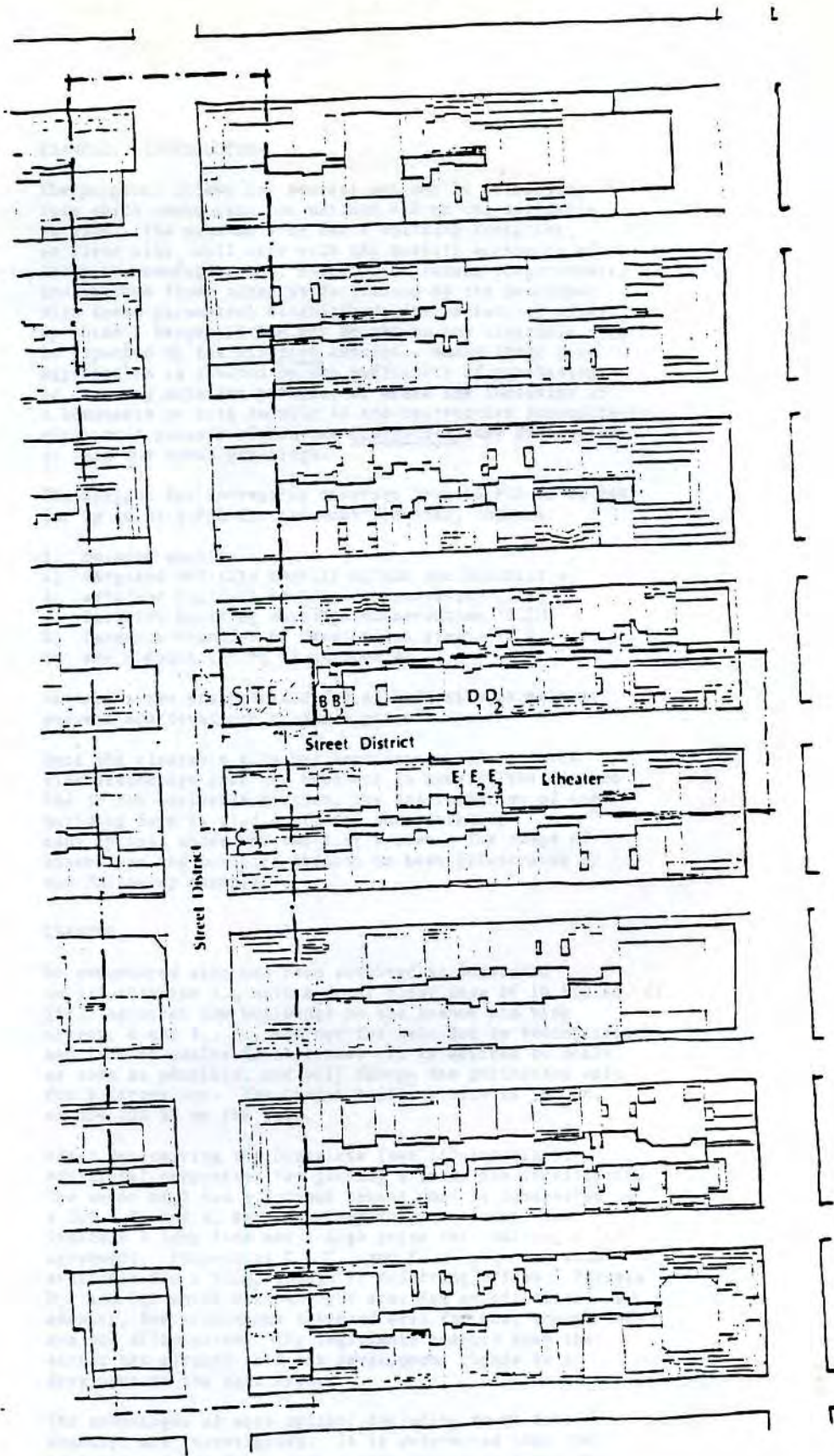
WALDRUM DIAGRAM

The Waldrum Diagram is a Daylight Evaluation Diagram upon which a building or buildings is drawn for evaluating daylight compliance. The building or buildings are drawn on the diagram by using a fixed vantage point (V) in the street and recording all horizontal and vertical angles subtended by all edges of of the building from the vantage point. The building or buildings are translated to the corresponding angle lines on the diagram. A Waldrum Diagram is required for each intersection of a lot line. The area of the building or buildings evaluated by each diagram is that area depicted from the far lot line to the center of the near perpendicular lot line.



EXAMPLE

SITE PLAN



1 SITE PLAN

EXAMPLE: INTRODUCTION

The proposal allows for several options in assembling lots which could gain the maximum FAR on the buildable portion. The minimum area for a building footprint, or clear site, will vary with the overall economics of location, configuration, anticipated tenant requirements, and optimum floor sizes as determined by the developer. With these parameters established, the variety of means by which a target 18 FAR may be met on any clearable site is expanded by the District concept. Where large site aggregation is limited by the difficulty of purchasing or clearing adjacent parcels, or where the inclusion of a bonusable on site amenity is too restrictive economically, additional parcels within the District(s) may be acquired to gain the bonus privilege.

The options for increasing coverage from 15 FAR to 18 FAR (or up to 21.6 FAR for Landmark Transfer) include:

- 1) on-site amenity
- 2) targeted off-site amenity within the District(s)
- 3) adjacent building envelope conservation (ILM)
- 4) District building envelope conservation (DILM)
- 5) Landmark transfer of development rights (TDR)
- 6) any combination of 1) through 4)

Minimum sizes are provided for all off-site parcels to prevent scattered use of small parcels.

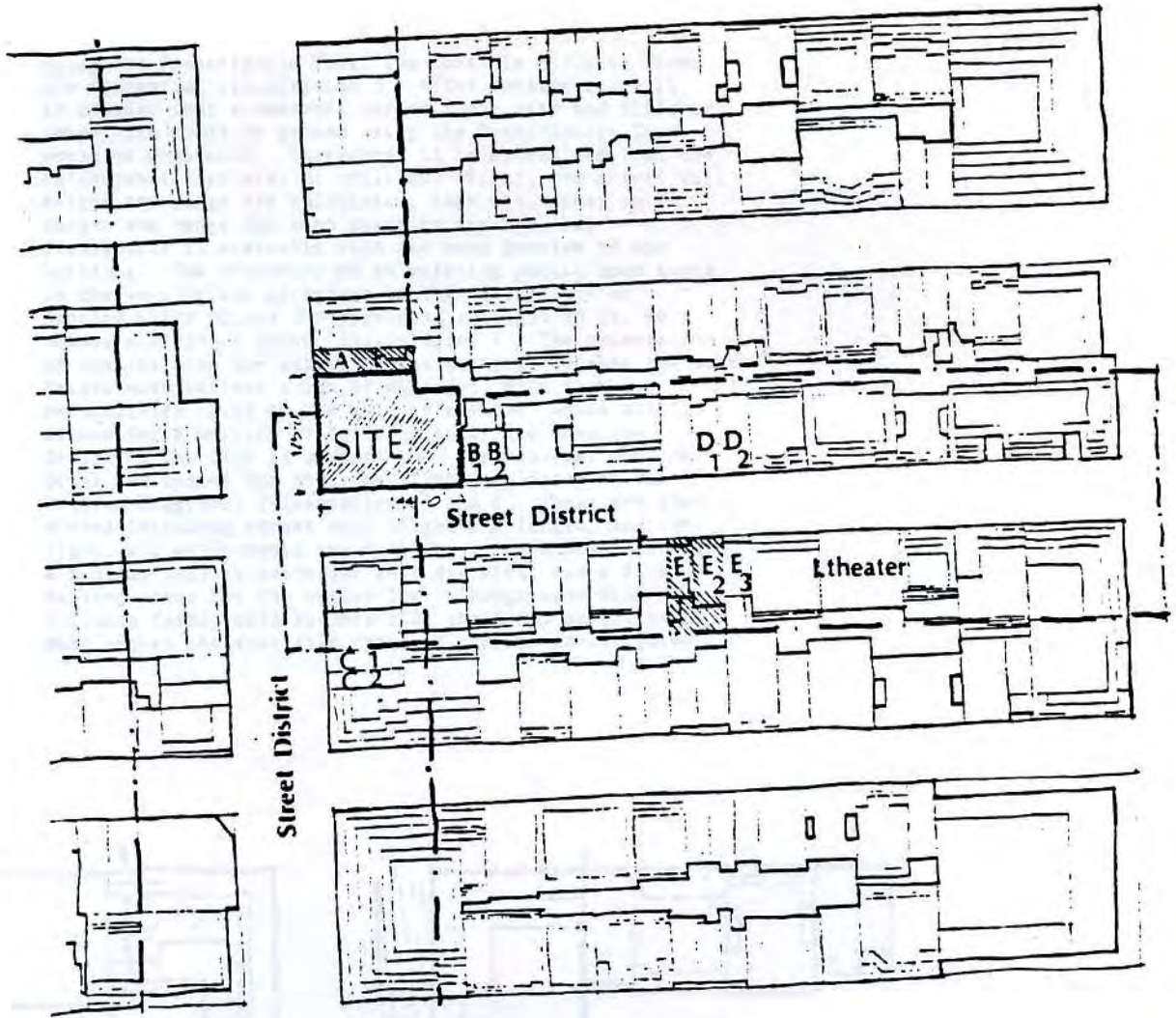
Once the clearable site has been determined, and the site assemblage goal has been met to provide the desired FAR on the buildable portion, the determination of the building form is also a process incorporating many options under the two tier system. The range of assemblage and building options is best illustrated by the following example.

EXAMPLE

An encumbered site has been acquired as indicated in illustration 1., with a total clear area of 16,900 sq. ft. (SF). Adjacent low buildings on the Avenue and side street; A and B₁, B₂, are not for sale due to tenant leases, and lack of desire to sell now. It is desired to build as soon as possible, and will forego the protracted wait for a larger lot. The target building size is 18 FAR, or 304,200 SF on the site.

After determining the Districts (see illustration), additional properties for gaining a bonus are investigated. The owner of A has a holdout tenant, but is interested in a ILM. B₁ and B₂ are under separate ownership, and indicate a long time and a high price for reaching a ILM agreement. Properties C₁, C₂, and E₁, E₂, E₃ are also available for a DILM, though at differing prices. Parcels D₁ and D₂, which are the right area for an off-site amenity, are within the targeted area for one, though they are not dilapidated. The legitimate theater down the street has already sold its development rights to a developer on the next Avenue.

The advantages of each option, including an on-site amenity, are investigated. It is determined that the advantage of lot line windows from acquiring A and the economics of a DILM with E₁ and E₂ best meets the program, finance, and timing requirements. The assembled lot including ILM and DILM is outlined on Table 2.

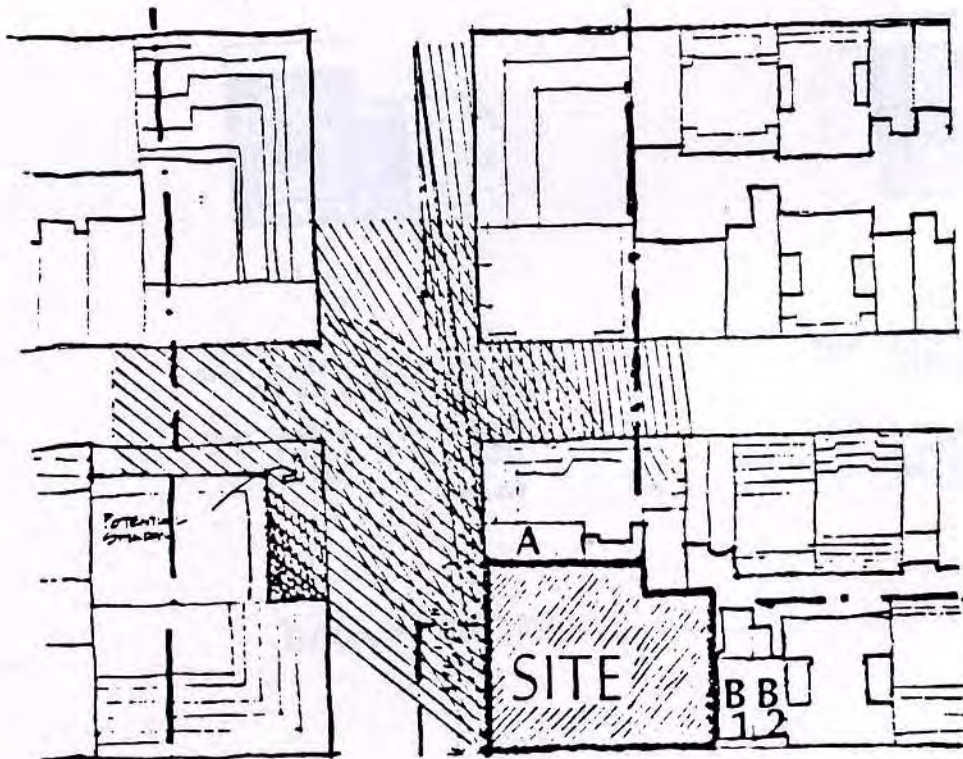


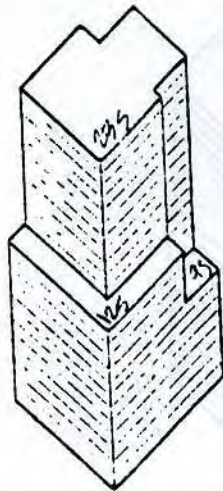
2 THE ASSEMBLAGE WORKSHEET

E ₁ =	2500 SF	x	7.5	=	18,750	MAX. FAR
E ₂ =	2750 SF	x	6.0	=	16,500	MAX. FAR
A ₂ =	2500 SF	x	7.5	=	18,750	MAX. FAR
					<u>54,000</u>	

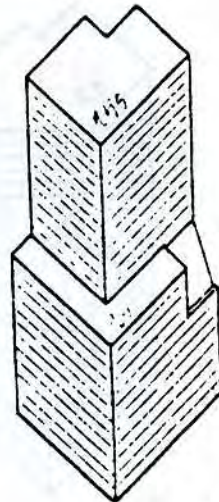
SITE = 16,900 SF x 3 FAR = 50,700
 ∴ BONUS PRIVILEGE ACHIEVED

Using the Prescriptive Tier, two possible building forms are suggested, illustration 3. After consideration it is decided that a somewhat larger floor size and different image than could be gained using the Prescriptive Tier would be desirable. Therefore, it is determined that the Performance Tier will be utilized. First, the street wall height and range are calculated, then the street wall length and range for each district, to see what flexibility is available with the base portion of the building. The proximity of an existing public open space to the west brings attention to the possibility of scoring extra points for providing sunlight on it, so a shadow diagram is drawn, illustration 4. The orientation of the lot also may assist in the scoring, because the south facade will reflect a lot of daylight, so a high reflectivity value to the skin is assumed, which still allows for a variety of building materials when the design of the skin is undertaken. Then several optional forms are tested for their daylight compliance on the Waldrum Diagrams, illustrations 5 and 6. These are then scored including street wall height and length, and sunlight, and adjustments are made where necessary to achieve a minimum passing score for each district, and a final passing score for the entire lot. Though many other building forms would be possible, the final selection is made within the available range of choices investigated.

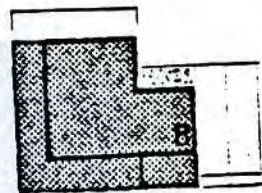
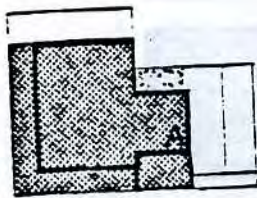




A



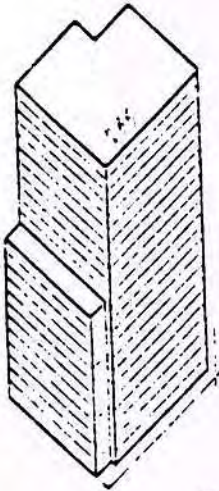
B



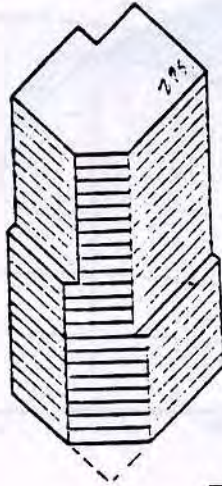
Base	12,500 x 12s =	150,000
	3,520 x 9s =	<u>31,680</u>
Tower	10,600 x 11s =	116,600
	1,980 x 3s =	<u>5,940</u>
	(62.7%)	
		304,220

Base	12,500 x 12s =	150,000
	3,520 x 9s =	<u>31,680</u>
		181,680
Tower	1,980 x 3s =	5,940
	9,480 x 13s =	<u>123,240</u>
	(56.1%)	
		310,360

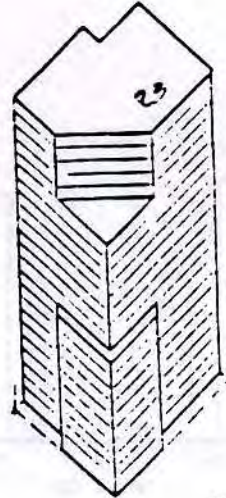
base = 50,700



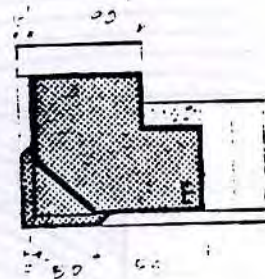
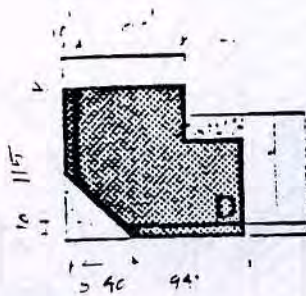
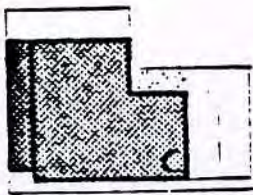
C



D



E



Base	14,480 x 12s =	173,760
Tower	12,200 x 11s =	134,280
	(72.2%)	<u>308,040</u>

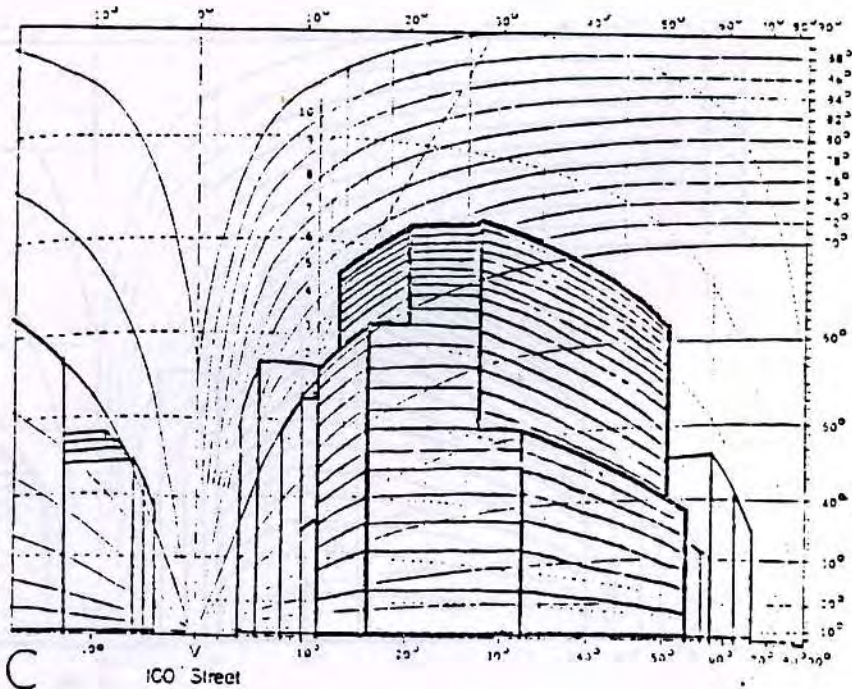
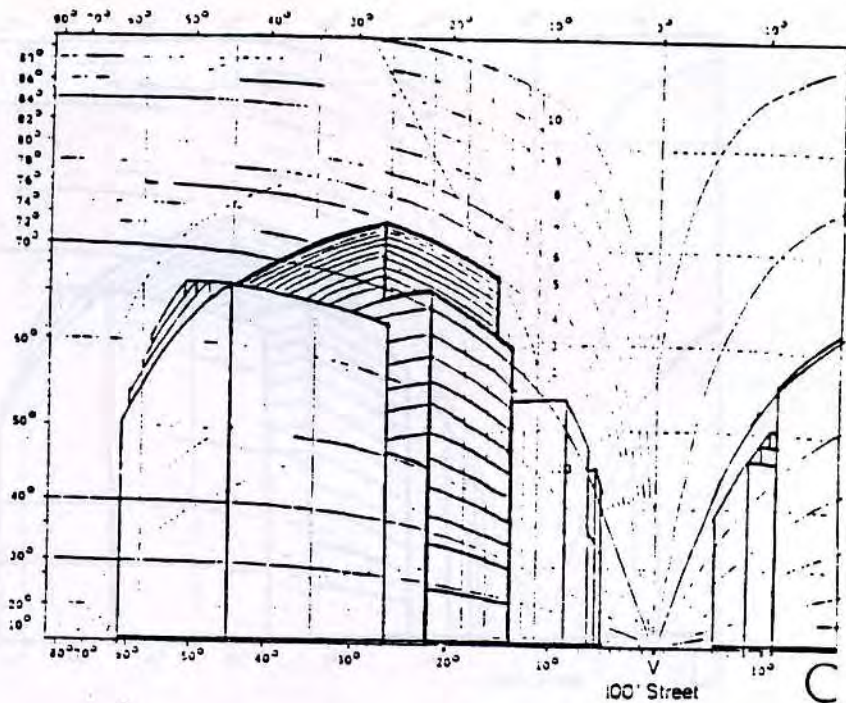
Base	13,510 x 12s =	165,720
	1,100 x 8s =	8,800
		<u>174,520</u>
Tower	13,300 x 10s =	130,000
	(78.6%)	<u>304,520</u>

Base	15,030 x 10s =	150,300
Tower	13,330 x 8s =	106,640
	11,530 x 5s =	57,650
	(78.9% & 68.2%)	<u>314,590</u>

poor on side street street wall length and height
 full compliance avenue street wall length and height
 good daylight at avenue, fair on side street
 good reflectivity at side street

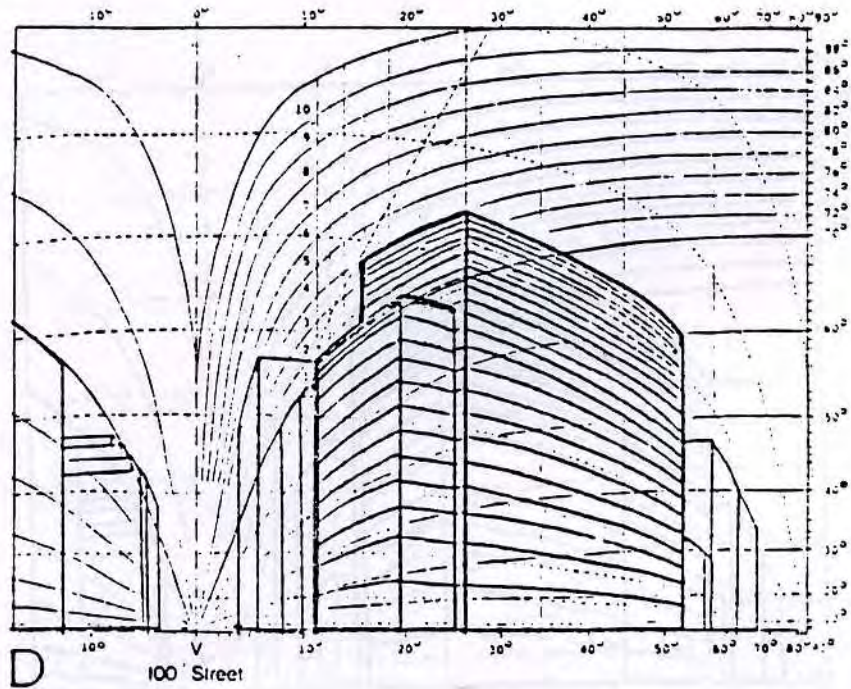
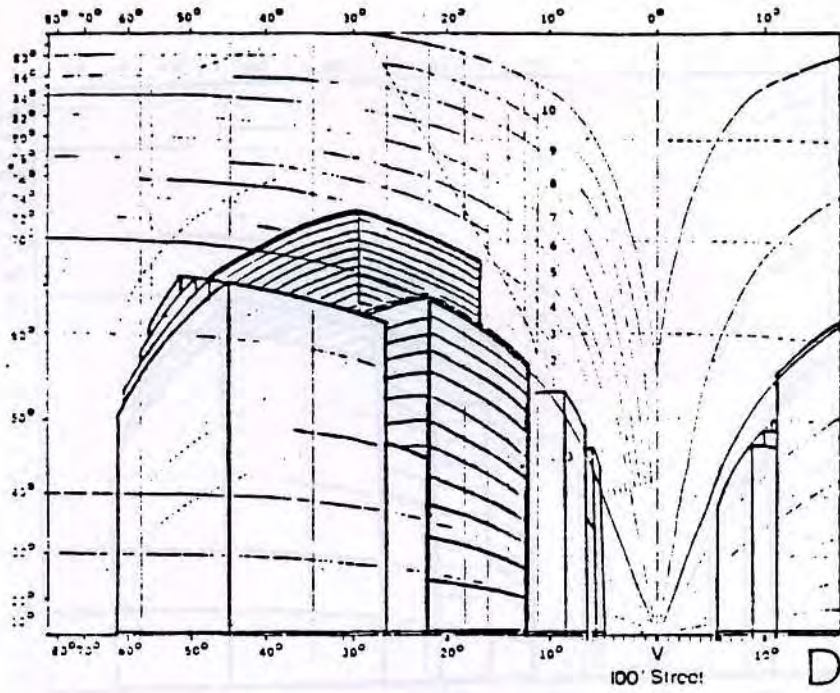
fair on avenue street wall length and height
 good on side street street wall length and height
 average daylight at avenue, fair at side street
 good reflectivity at side street

fair on side street street wall length, poor on height
 fair on avenue street wall length and height
 good daylight at avenue, barely passes daylight at side street
 good reflectivity on side street
 bonus points: notch brings sunlight to plaza across the avenue

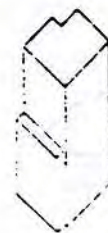


6C

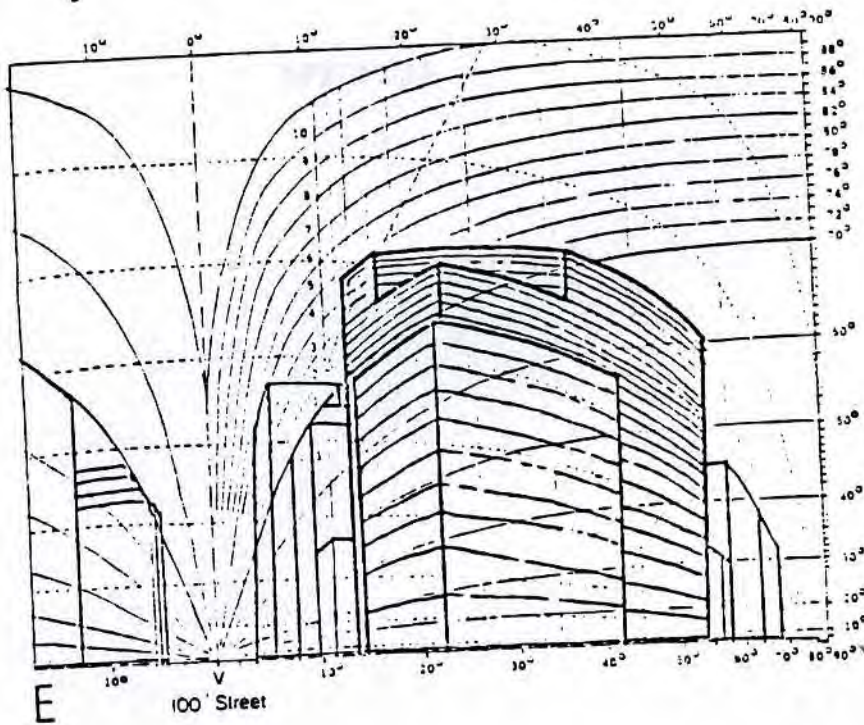
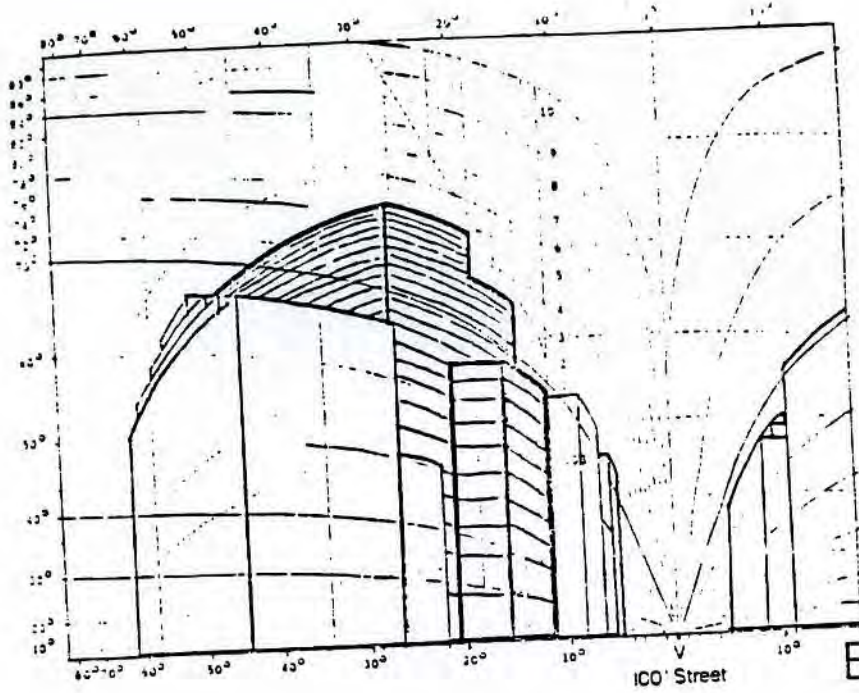
AVENUE WALDRUM DIAGRAMS BUILDING C



AVENUE WALDRUM DIAGRAMS BUILDING *D*



6D



AVENUE WALDRUM DIAGRAMS BUILDING E



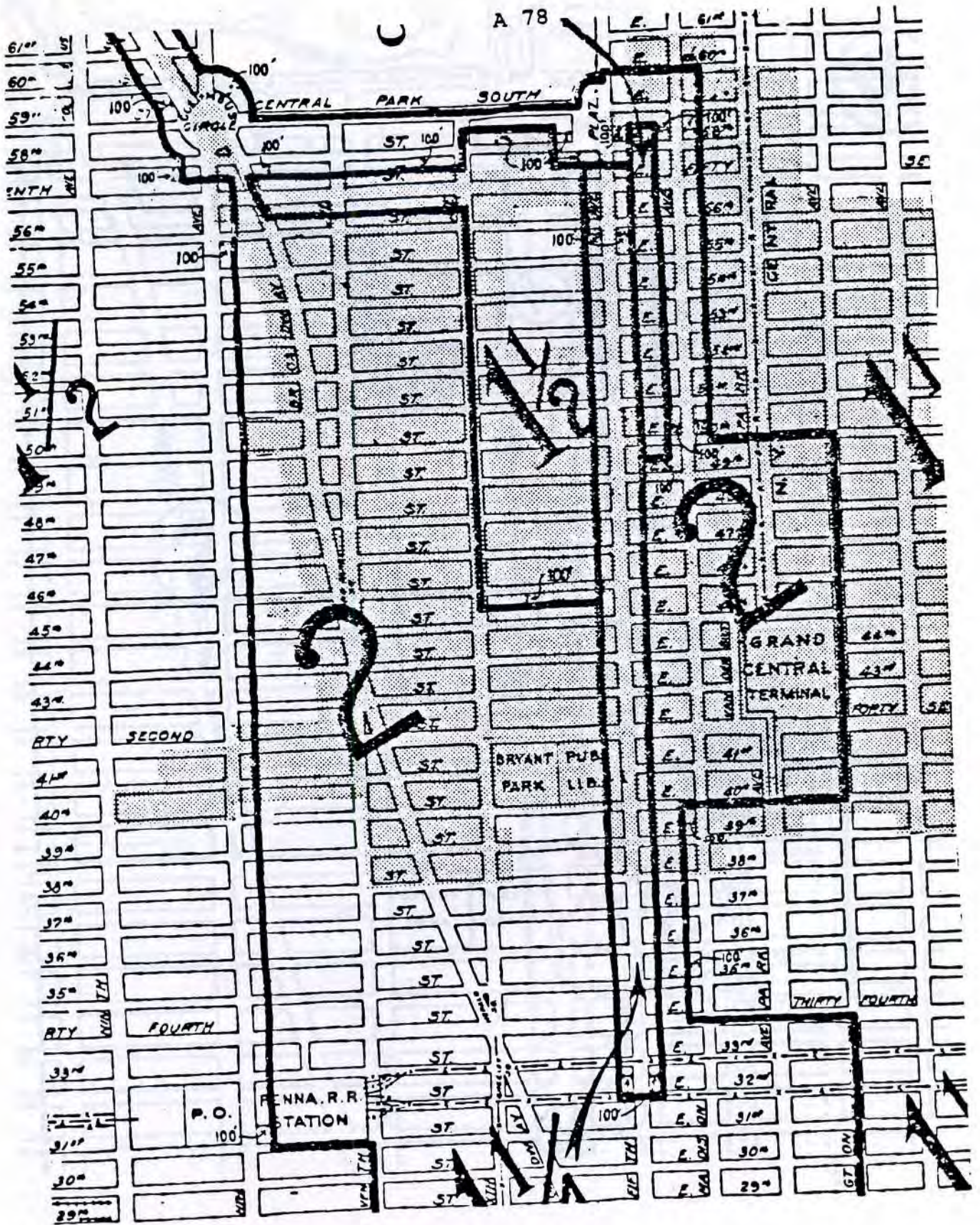
6E

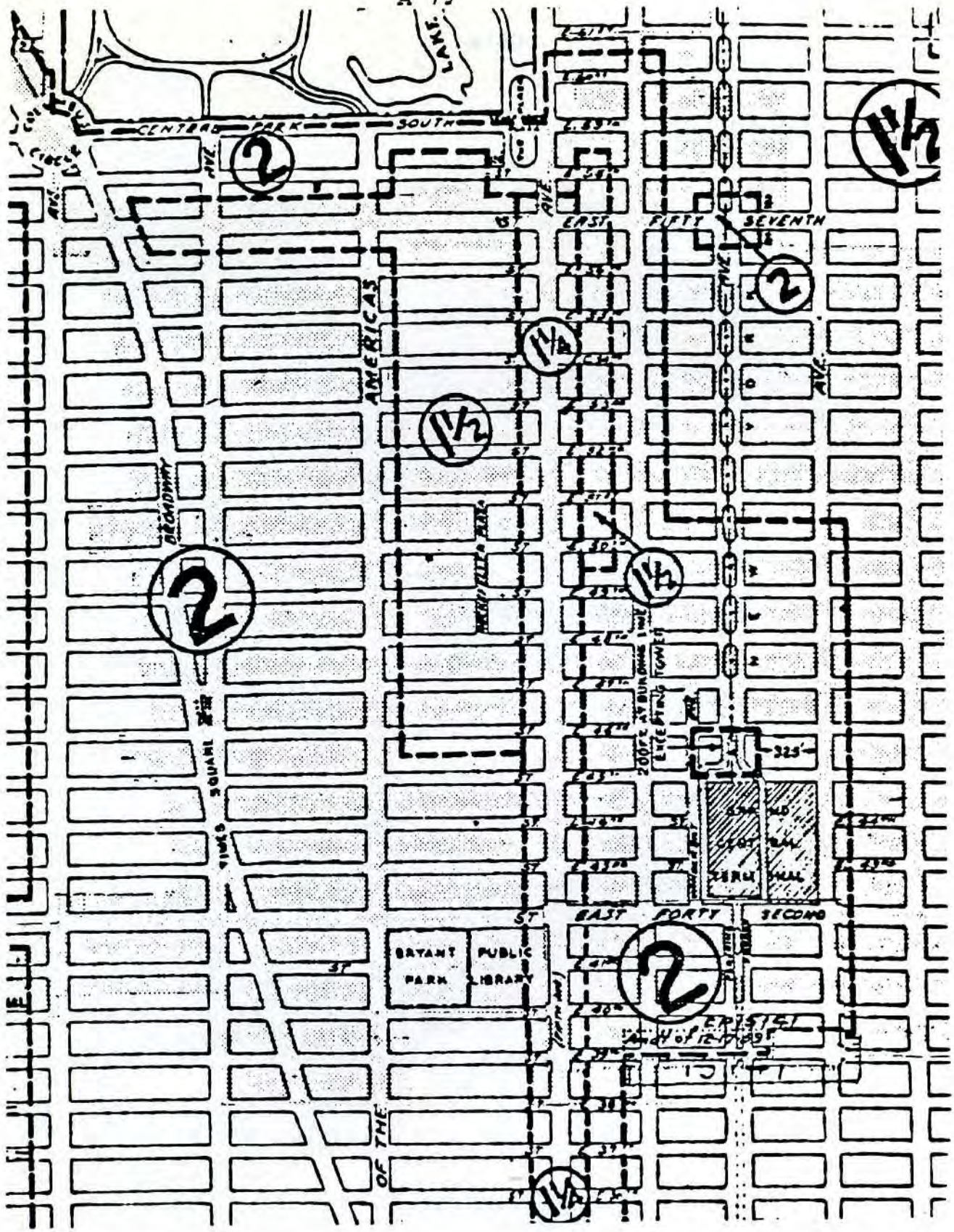
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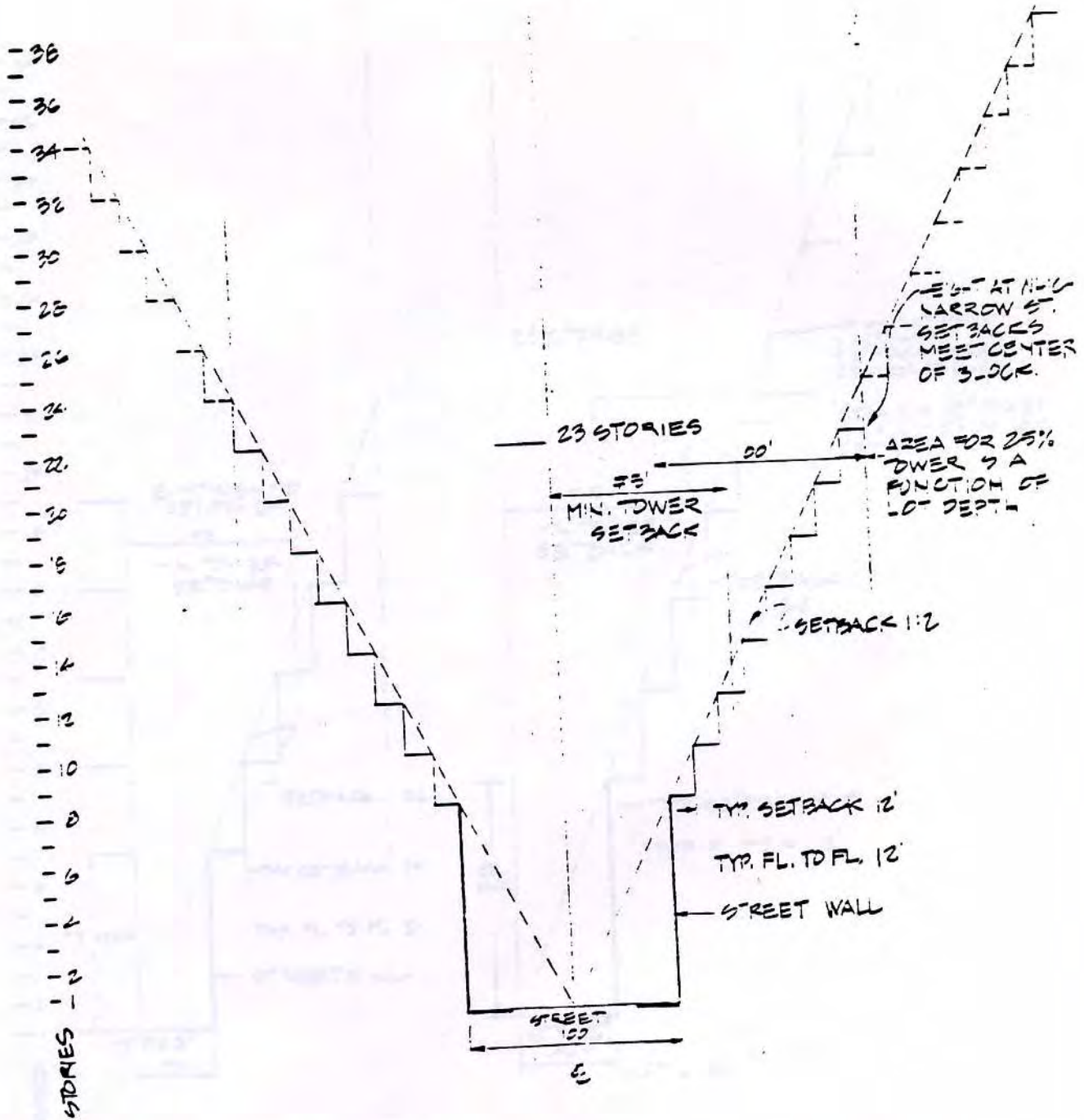
APPENDIX

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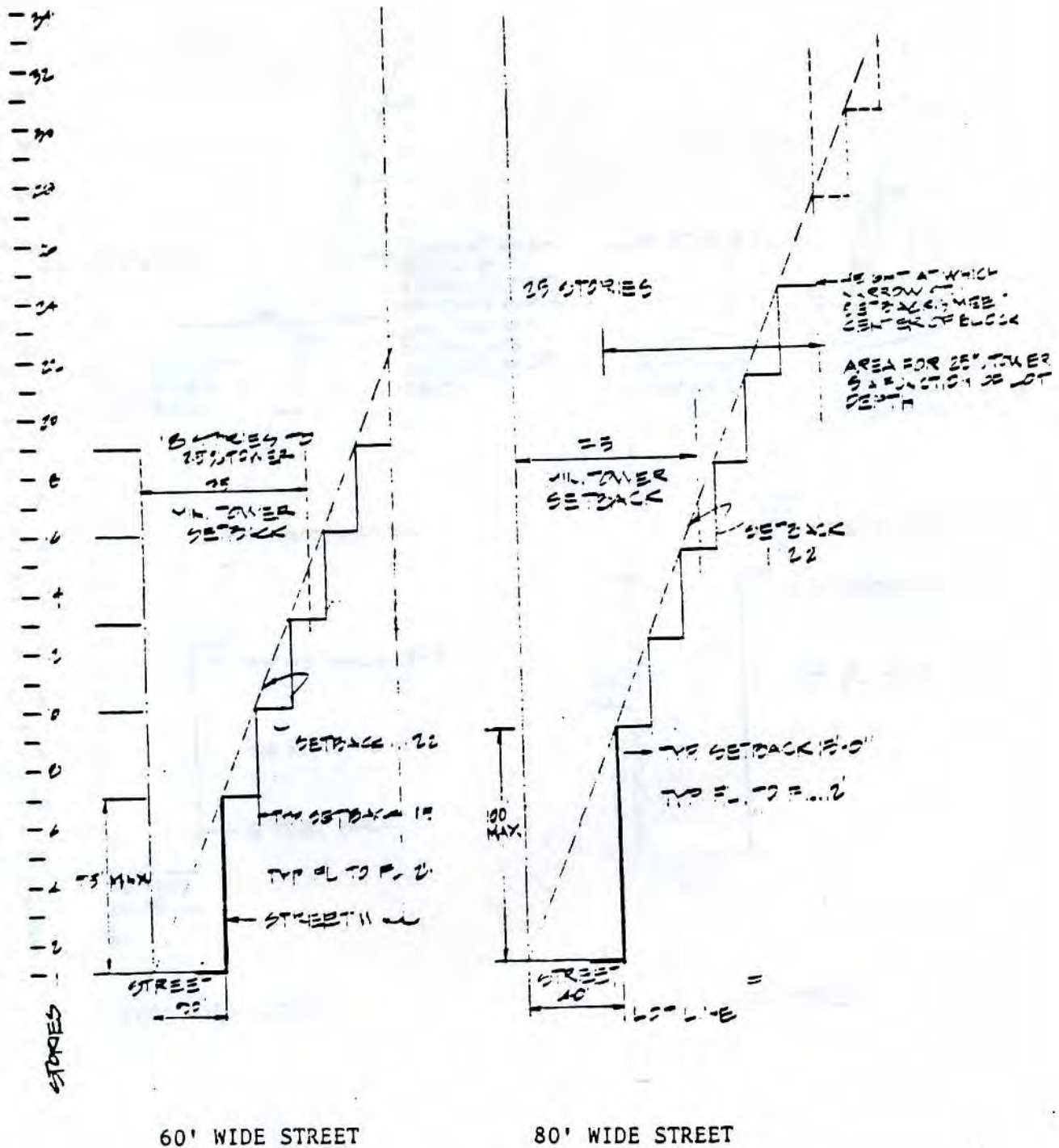






1916 ZONING RESOLUTION, 1-1/4 HEIGHT DISTRICT STREET PROFILES (FIFTH AVENUE ONLY)

A-3

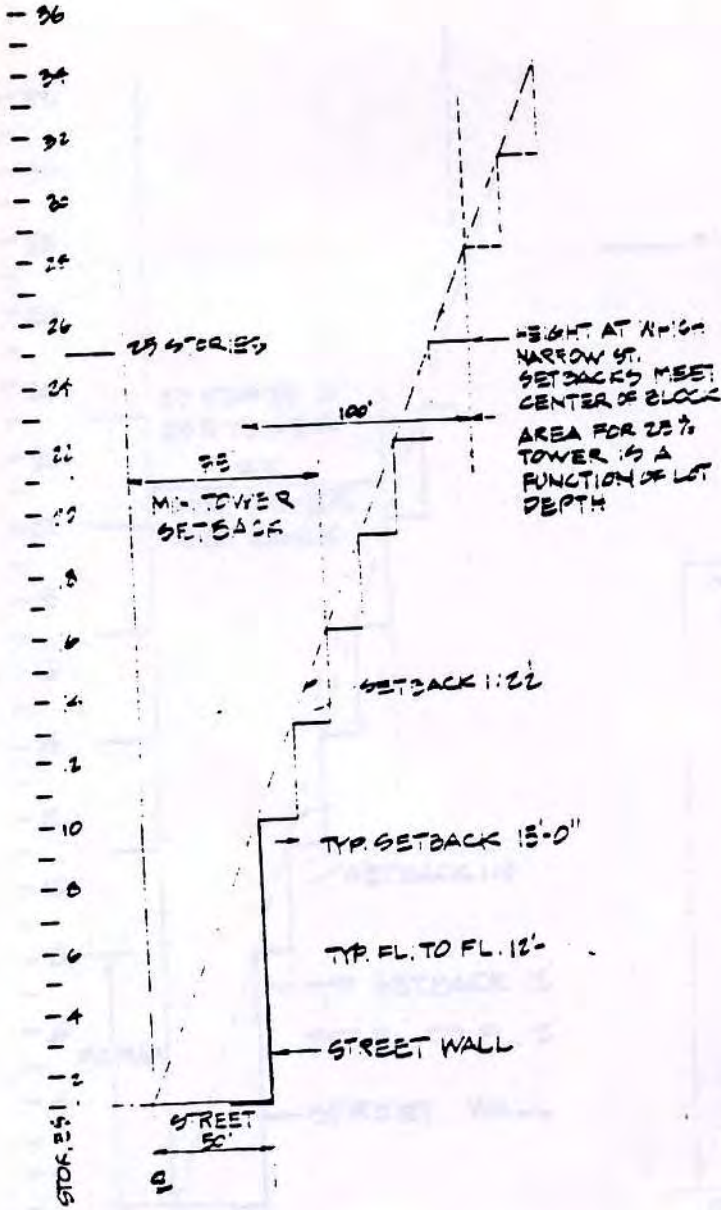


60' WIDE STREET

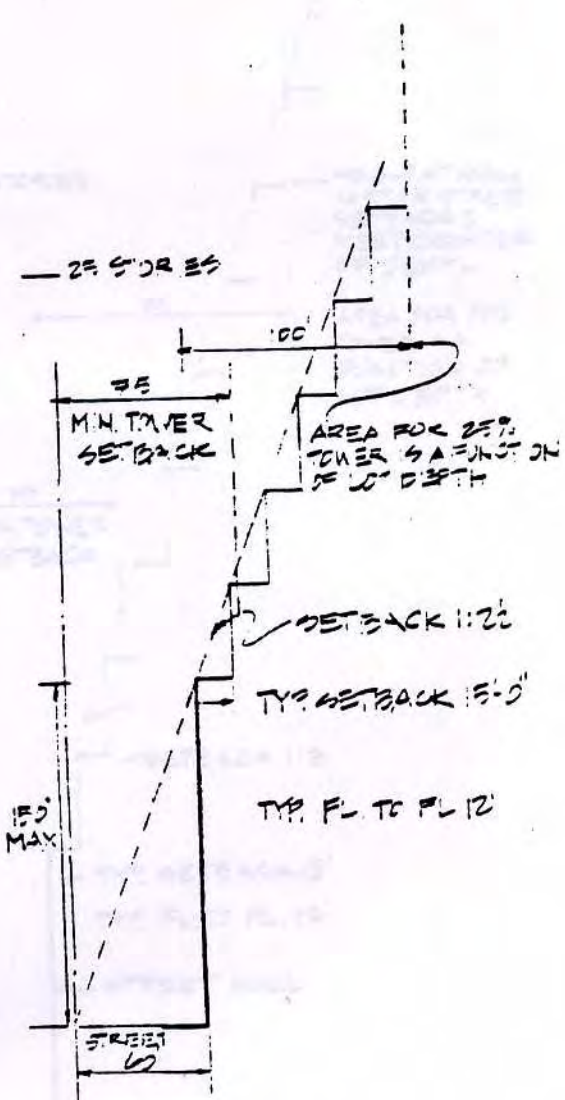
80' WIDE STREET

THIRD AVENUE, LEXINGTON & PARK (NORTHER PORTIONS)
 MIDBLOCKS SURROUNDING FIFTH AVENUE
 WEST 57TH PORTIONS OF EAST 42ND STREETS)

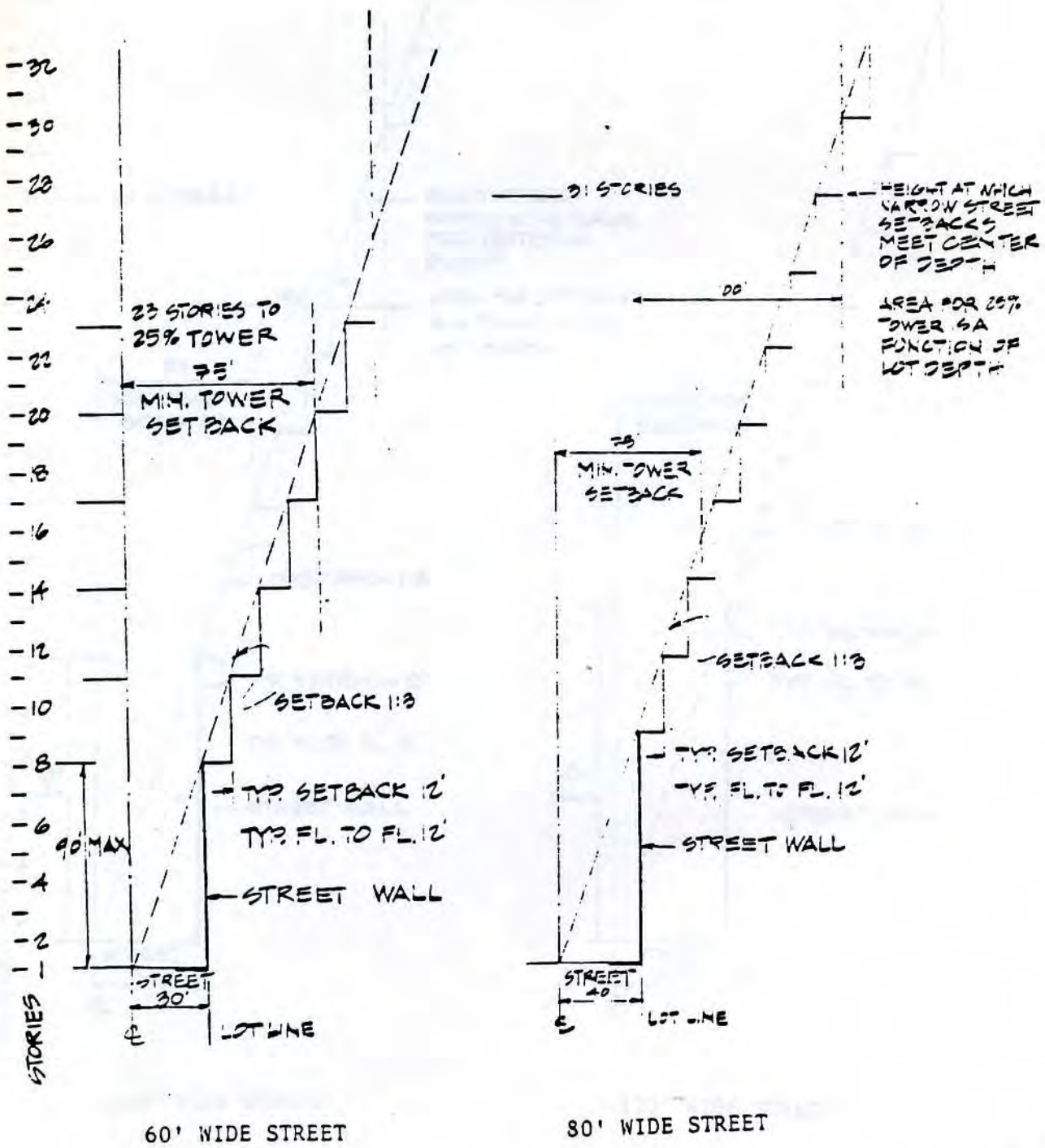
1916 ZONING RESOLUTION, 1-1/2 HEIGHT DISTRICT STREET PROFILES



100' WIDE STREET

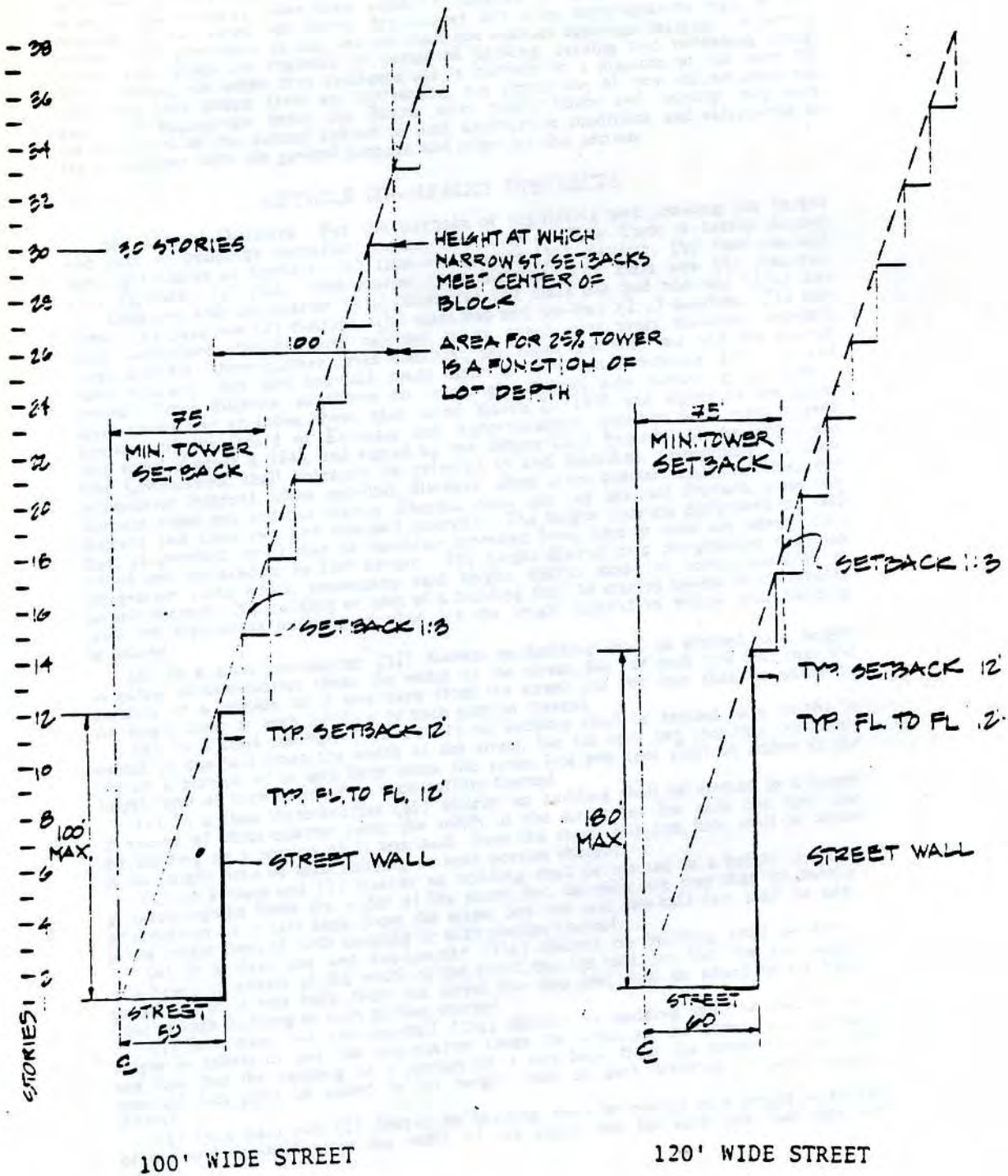


120' WIDE STREET



PARK, LEXINGTON, SIXTH (LOWER),
 MADISON, SEVENTH, BROADWAY,
 PORTIONS OF EAST & EAST 42ND STREET

1916 ZONING RESOLUTION, 2 HEIGHT DISTRICT STREET PROFILES



or sign on such intersecting street beyond a distance of twenty-five feet from the intersection. Beyond such twenty-five feet, entrances not exceeding three feet six inches in width and windows other than windows designed or used for display and, when required by law, exits, ventilators, fire escapes and other appurtenances may be permitted. The provisions of this section shall not restrict openings necessary to permit ingress and egress for required or permitted parking, loading and unloading space. Where zoning for other than residence use is confined to a distance of not over 100 feet along both streets from an intersection, the limitations of this section shall not apply. In appropriate cases, the Board, after public notice and hearing, may vary the provisions of this section subject to such appropriate conditions and safeguards as are in harmony with the general purpose and intent of this section.

ARTICLE III—HEIGHT DISTRICTS

§8. Height Districts. For the purpose of regulating and limiting the height and bulk of buildings hereafter erected, The City of New York is hereby divided into eight classes of districts; (a) class one-quarter ($\frac{1}{4}$) districts; (b) class one-half ($\frac{1}{2}$) districts; (c) class three-quarter ($\frac{3}{4}$) districts; (d) class one (1) districts; (e) class one and one-quarter ($1\frac{1}{4}$) districts; (f) class one and one-half ($1\frac{1}{2}$) districts; (g) class two (2) districts; (h) class two and one-half ($2\frac{1}{2}$) districts. The districts heretofore classified and referred to as one-quarter times districts; one and one-quarter times districts; three-quarter times districts; one times districts; one and one-quarter times districts; one and one-half times districts; two times districts and two and one-half times districts, as shown on the height district map consisting of twenty-seven sheets and an index sheet, each dated March 31, 1937, and signed by the Chief Engineer of the Board of Estimate and Apportionment, together with eight sheets, each dated August 2, 1943, and signed by the Senior Civil Engineer of the City Planning Commission, shall hereafter be referred to and described, respectively, as class one-quarter districts, class one-half districts, class three-quarter districts, class one districts, class one and one-quarter districts, class one and one-half districts, class two districts and class two and one-half districts. The height districts designated on said map, as amended, or as may be hereafter amended from time to time, are hereby continued and declared to be part hereof. The height district map designations and map designation rules which accompany said height district map are hereby declared to be part thereof. No building or part of a building shall be erected except in conformity with the regulations herein prescribed for the height district in which such building is located.

(a) In a class one-quarter ($\frac{1}{4}$) district no building shall be erected to a height in excess of one-quarter times the width of the street, but for each two feet that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(b) In a class one-half ($\frac{1}{2}$) district no building shall be erected to a height in excess of one-half times the width of the street, but for each one foot that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(c) In a class three-quarter ($\frac{3}{4}$) district no building shall be erected to a height in excess of three-quarter times the width of the street but for each one foot that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(d) In a class one (1) district no building shall be erected to a height in excess of seven-eighths times the width of the street, but for each one foot that the building or a portion of it sets back from the street line one and one-half feet shall be added to the height limit of such building or such portion thereof.

(e) In a class one and one-quarter ($1\frac{1}{4}$) district no building shall be erected to a height in excess of the width of the street, but for each one foot that the building or portion of it sets back from the street line two feet shall be added to the height limit of such building or such portion thereof.

(f) In a class one and one-half ($1\frac{1}{2}$) district no building shall be erected to a height in excess of one and one-quarter times the width of the street, but for each one foot that the building or a portion of it sets back from the street line two and one-half feet shall be added to the height limit of such building or such portion thereof.

(g) In a class two (2) district no building shall be erected to a height in excess of one and one-half times the width of the street, but for each one foot that the

building or portion of it sets back from the street line three feet shall be added to the height limit of such building or such portion thereof.

(h) In a class two and one-half (2½) district no building shall be erected to a height in excess of two times the width of the street but for each one foot that the building or a portion of it sets back from the street line four feet shall be added to the height limit of such building or such portion thereof.

§9. Height District Exceptions. (a) On streets less than 50 feet in width the same height regulations shall be applied as on streets 50 feet in width and, except for the purposes of paragraph d of this section, on streets more than 100 feet in width the same height regulations shall be applied as on streets 100 feet in width.

(b) Along a narrower street near its intersection with a wider street, any building or any part of any building within 100 feet of the wider street, measured at right angles from the side of the wider street, shall be governed by the height regulations provided for the wider street.

(c) Above the height limit at any level for any part of a building a dormer, elevator bulkhead or other structure may be erected provided its frontage length on any given street be not greater than 60 per cent of the length of such street frontage of such part of the building. Such frontage length of such structure at any given level shall be decreased by an amount equal to one per cent of such street frontage of such part of the building for every foot such level is above such height limit. If there are more than one such structure, their aggregate frontage shall not exceed the frontage length above permitted at any given level.

(d) If the area of the building is reduced so that above a given level it covers in the aggregate not more than 25 per cent of the area of the lot, the building above such level shall be excepted from the foregoing provisions of this article. Such portion of the building may be erected to any height, provided that the distance which it sets back from the street line on each street on which it faces, plus half of the width of the street, equals at least 75 feet. But for each one per cent of the width of the lot on the street line that such street wall is less in length than such width of the lot, such wall may be erected four inches nearer to the street line. This provision shall not apply to residential buildings or buildings in a residence district, or portions thereof, within 100 feet of a public park of one acre or more in area, or within 100 feet of the street line opposite such a park.

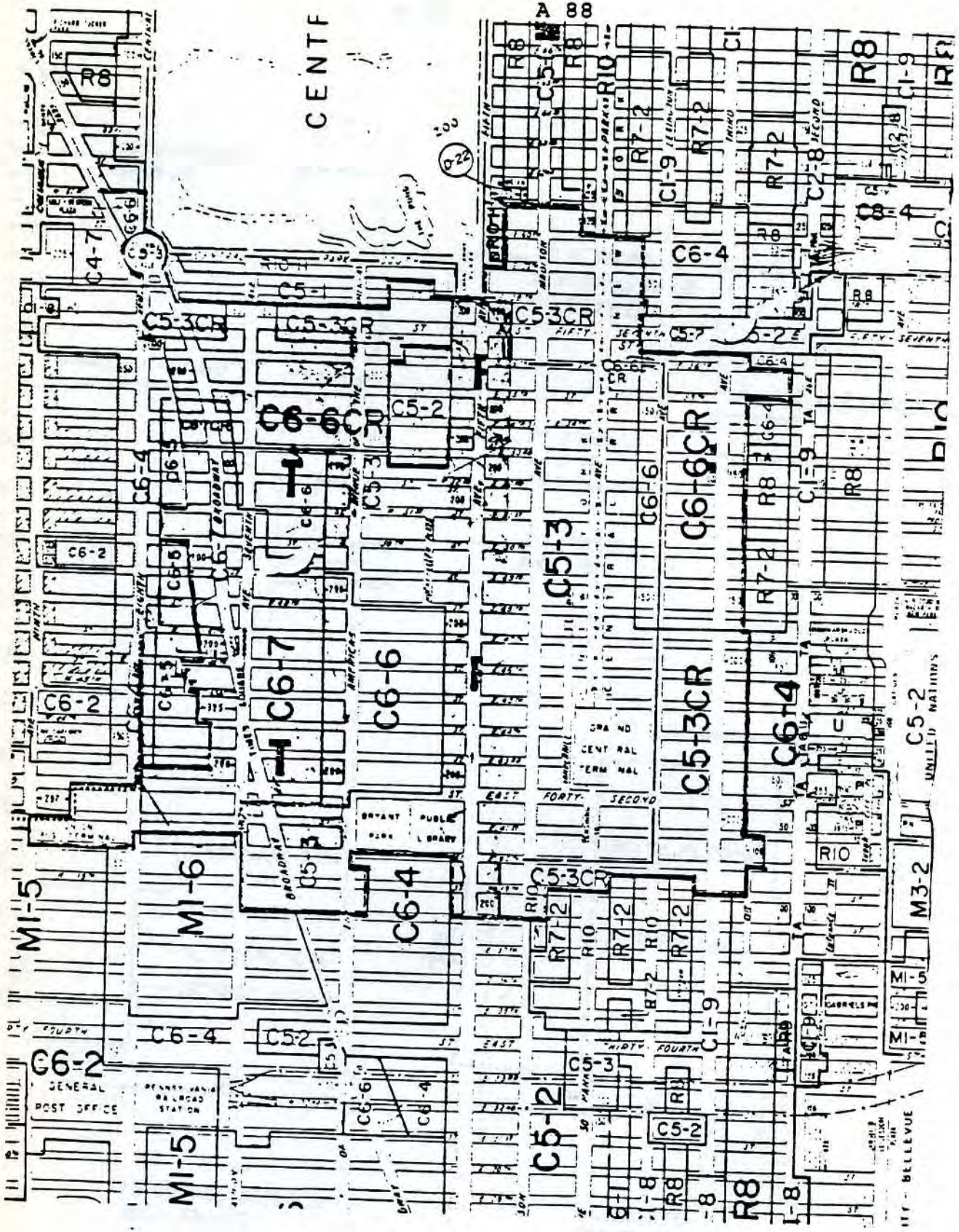
(e) When at the time plans are filed for the erection of a building there are buildings in excess of the height limits herein provided within 50 feet of either end of the street frontage of the proposed building or directly opposite such building across the street, the height to which the street wall of the proposed building may rise shall be increased by an amount not greater than the average excess height of the walls on the street line within 50 feet of either end of the street frontage of the proposed building and at right angles to the street frontage of the proposed building on the opposite side of the street. The average amount of such excess height shall be computed by adding together the excess heights above the prescribed height limit for the street frontage in question of all the walls on the street line of the buildings and parts of buildings within the above defined frontage and dividing the sum by the total number of buildings and vacant plots within such frontage.

(f) Nothing in this article shall prevent the projection of a cornice beyond the street wall to an extent not exceeding five per cent of the width of the street nor more than five feet in any case. Nothing in this article shall prevent the erection above the height limit of a parapet wall or cornice solely for ornament and without windows extending above such height limit not more than five per cent of such height limit, but such parapet wall or cornice may in any case be at least five and one-half feet high above such height limit.

(g) The provisions of this article shall not apply to the erection of church spires, belfries, chimneys, flues or gas holders.

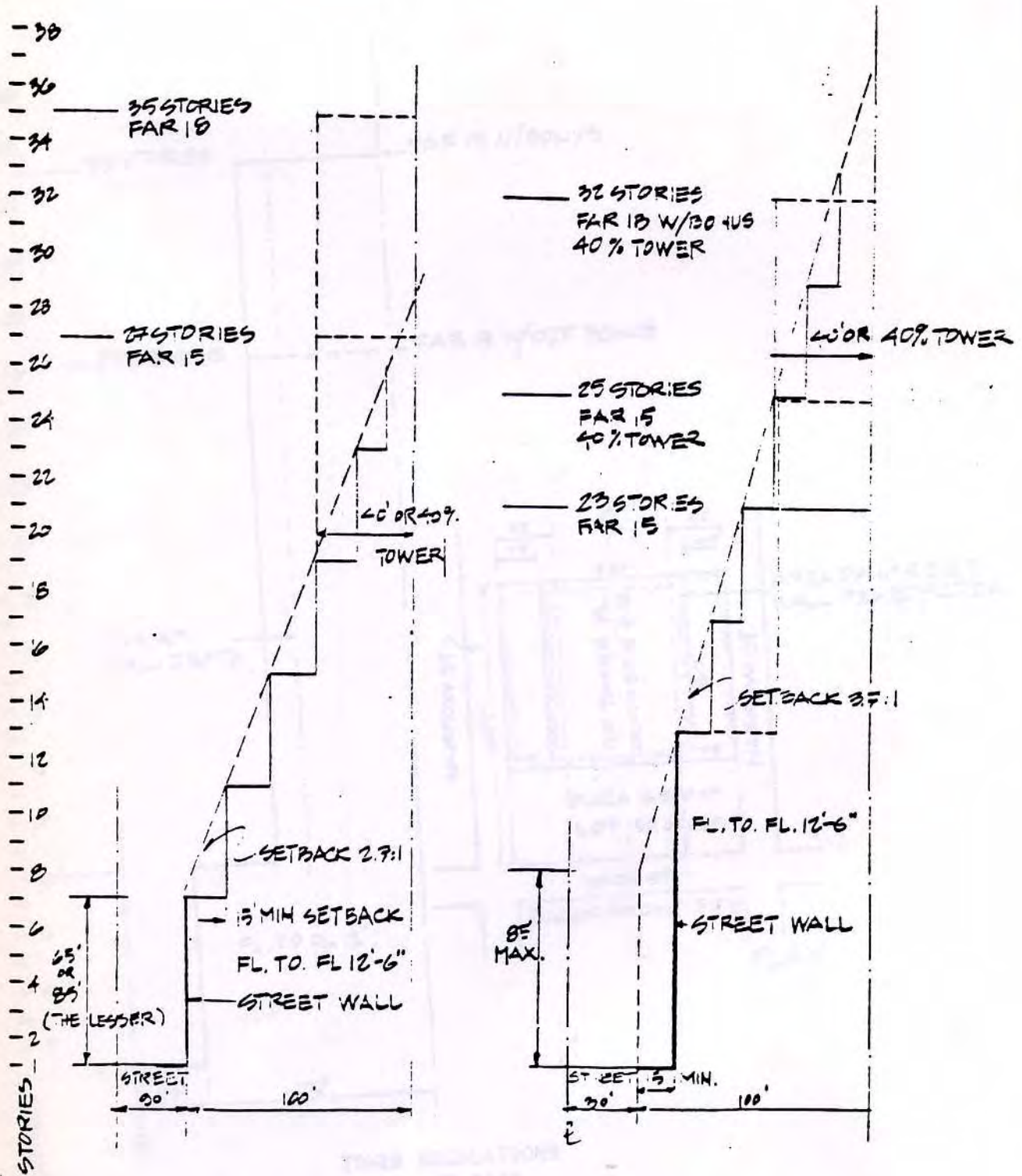
(h) Where not more than 50 feet of a street frontage would otherwise be subjected to a height limit lower than that allowed immediately beyond both ends of such frontage, the height limit on such frontage shall be equal to the lesser of such greater height limits.

(i) If an additional story or stories are added to a building existing at the time of the passage of this resolution, the existing walls of which are in excess of the height limits prescribed in this article, the height limits for such additional story or stories shall be computed from the top of the existing walls as though the latter were not in excess of the prescribed limits and the carrying up of existing elevator and stair enclosures shall be exempted from the provisions of this article.



1961 ZONING RESOLUTION, DENSITY AND USE MAP

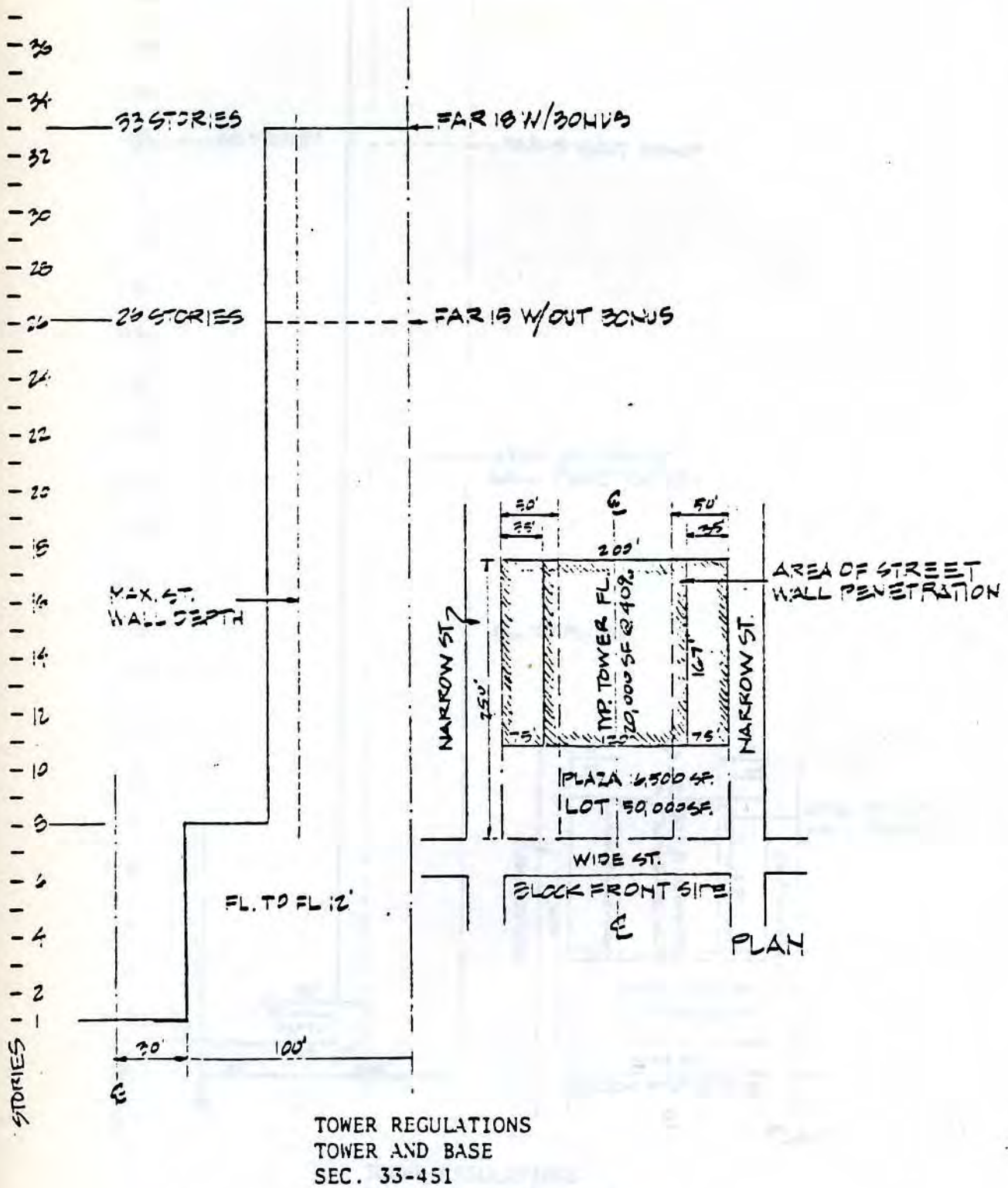
A-7

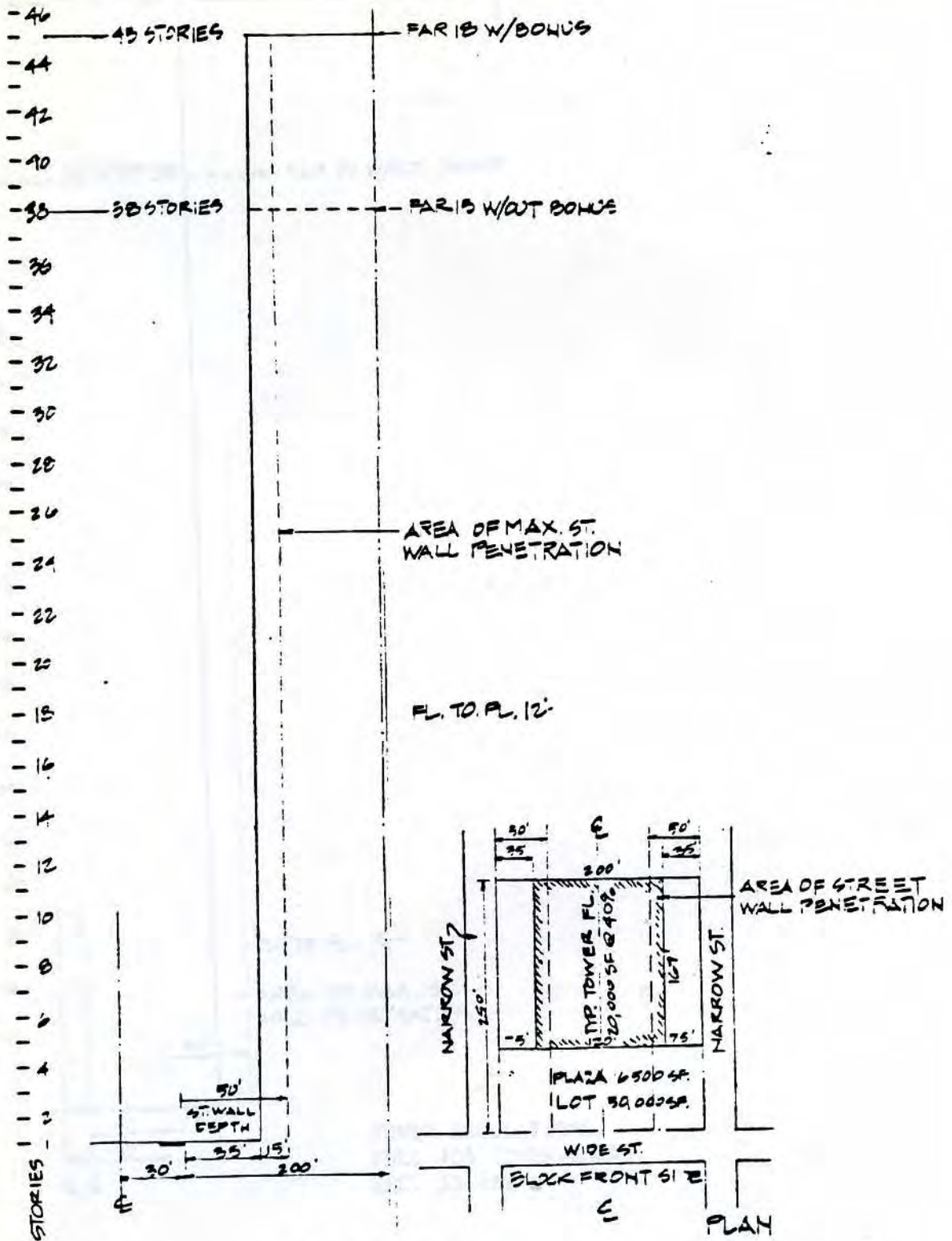


FRONTWALL SETBACK
SEC. 33-432

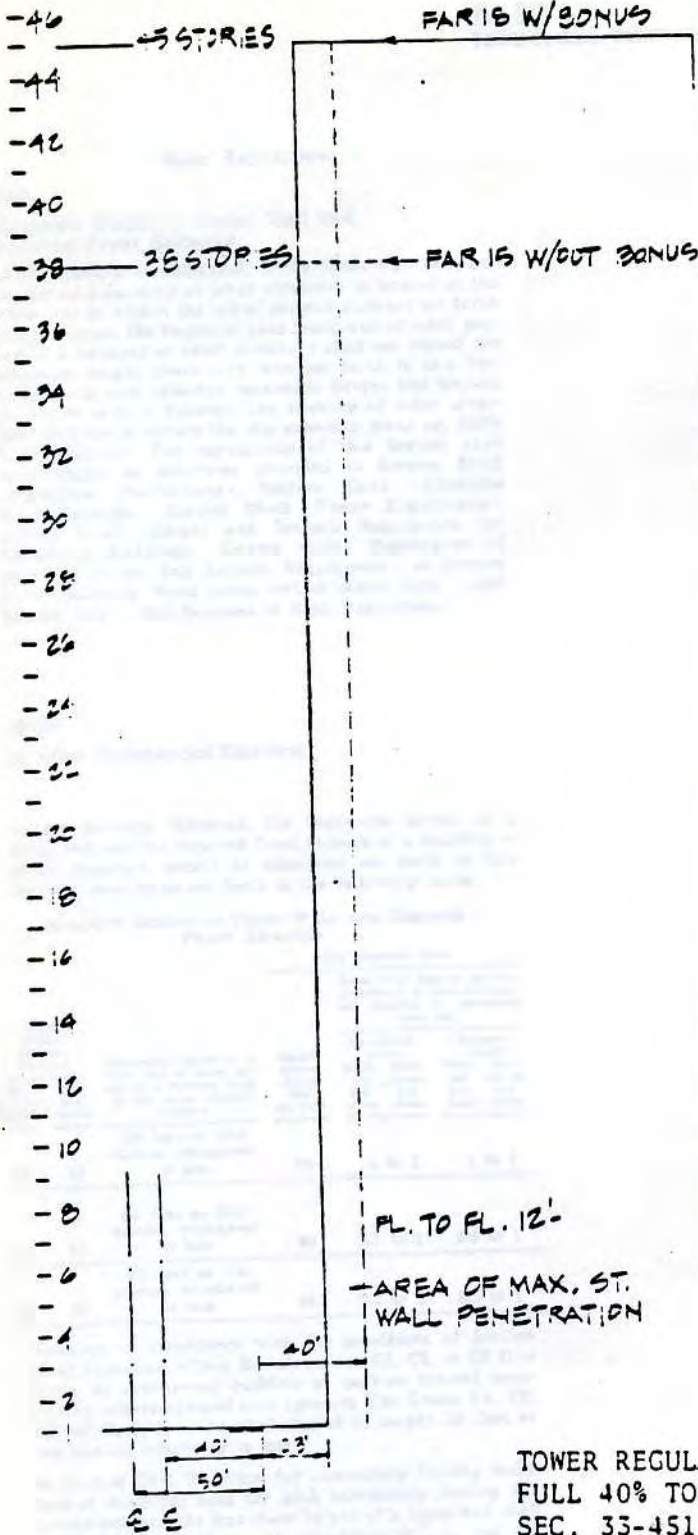
ALTERNATE
FRONT SETBACK
SEC. 33-442

ASSUME MID-BLOCK THROUGH LOT





TOWER REGULATIONS
 FULL 40% TOWER-SHEAR
 SEC. 33-451



TOWER REGULATIONS
 FULL 40% TOWER-SHEAR
 SEC. 33-451

Basic Regulations

33-43
Maximum Height of Front Wall and Required Front Setbacks

In all districts, as indicated, if the front wall or other portion of a building or other structure is located at the street line or within the initial setback distance set forth in this Section, the height of such front wall or other portion of a building or other structure shall not exceed the maximum height above curb level set forth in this Section. Above such specified maximum height and beyond the initial setback distance, the building or other structure shall not penetrate the sky exposure plane set forth in this Section. The regulations of this Section shall apply except as otherwise provided in Section 33-42 (Permitted Obstructions), Section 33-44 (Alternate Front Setbacks), Section 33-45 (Tower Regulations), Section 33-45 (Height and Setback Regulations for Residential Buildings), Section 32-08 (Modification of Bulk Height and Setback Regulations), or Section 32-11 (Building Walls along certain street lines) and Section 35-04 (Modifications of Bulk Regulations).

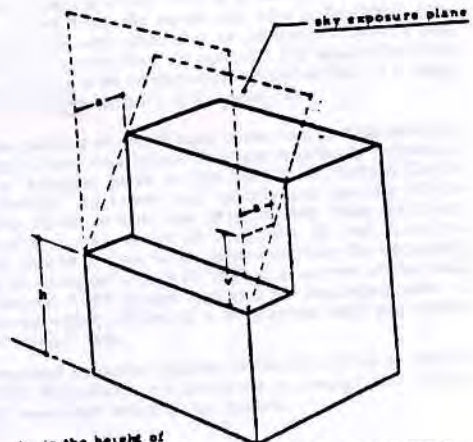


ILLUSTRATION OF SKY EXPOSURE PLANE
SECTION 33-432

33-432
In other Commercial Districts

In the districts indicated, the maximum height of a front wall and the required front setback of a building or other structure, except as otherwise set forth in this Section, shall be as set forth in the following table:

MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED FRONT SETBACKS

Initial setback distance (in feet)	On narrow street	On wide street	Maximum height of a front wall or other portion of a building within the initial setback distance	Sky exposure plane			
				Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)			
			Height above street level (in feet)	On narrow street Verti- cal dis- tance	Horiz- ontal dis- tance	On wide street Verti- cal dis- tance	Horiz- ontal dis- tance
20	15		30 feet or two stories, whichever is less	30	1 to 1	1 to 1	1 to 1
20	15		60 feet or four stories, whichever is less	60	2.7 to 1	5.6 to 1	5.6 to 1
20	15		85 feet or six stories, whichever is less	85	2.7 to 1	5.6 to 1	5.6 to 1

However, in accordance with the provisions of Section 32-42 (Location within Buildings), in C1, C2, or C3 Districts, no commercial building or portion thereof occupied by non-residential uses listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9, or 14 shall exceed in height 30 feet or two stories, whichever is less.

In C4-1 or C8-1 Districts, for community facility buildings or buildings used for both community facility and commercial use, the maximum height of a front wall shall be 35 feet or three stories, whichever is less, and the height above street line shall be 35 feet.

In C1-6, C2-6, C4-4, or C4-5 Districts, for community facility buildings or buildings used for both community facility and commercial use, the maximum height of a front wall shall be 60 feet or six stories, whichever is less.

33-44
Alternate Front Setbacks

In all districts as indicated, if an open area is provided along the full length of the front lot line with the minimum depth set forth in this Section, the provisions of Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks) shall not apply. The minimum depth of such open area shall be measured perpendicular to the front lot line. However, in such instances, except as otherwise provided in Section 33-42 (Permitted Obstructions), Section 33-45 (Tower Regulations), Section 32-08 (Modification of Bulk Height and Setback Requirements), or Section 35-04 (Modifications of Bulk Regulations), no building or other structure shall penetrate the alternate sky exposure plane set forth in this Section, and the sky exposure plane shall be measured from a point above the street line.

If the open area provided under the terms of this Section is a plaza, such open area may be counted for the bonus provided for a plaza in the districts indicated in Section 33-13 (Floor Area Bonus for a Plaza).

33-442
In other Commercial Districts

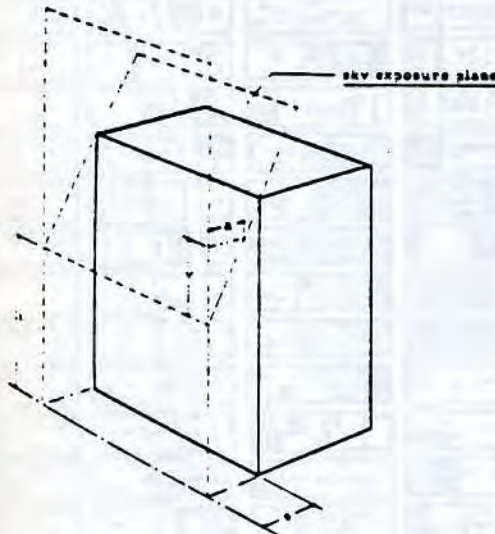
In the districts indicated, the alternate front setback regulations applicable to a building or other structure shall be as set forth in the following table:

ALTERNATE REQUIRED FRONT SETBACKS

Depth of optional front open area (in feet)	On narrow street	On wide street	Height above street line (in feet)	Alternate sky exposure plane			
				Slope over zoning lot (expressed as a ratio of vertical distance to horizontal distance)			
				On narrow street Vertical distance	Horizontal distance	On wide street Vertical distance	Horizontal distance
15	10		30	1.4 to 1	1	1.4 to 1	1
15	10		85	2.7 to 1	1	7.6 to 1	1

However, in accordance with the provisions of Section 32-42 (Location within Buildings), in C1, C2, or C3 Districts no commercial building or portion thereof occupied by non-residential uses listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9, or 14 shall exceed in height 30 feet or two stories, whichever is less.

In C4-1 or C5-1 Districts, for community facility buildings or buildings used for both community facility use and commercial use, the maximum height above street line shall be 35 feet or three stories, whichever is less.



- h is the height of sky exposure plane above street line
- a is the depth of the optional front open area
- v is the vertical distance
- s is the horizontal distance

ILLUSTRATION OF ALTERNATE SKY EXPOSURE PLANE SECTION 33-442

Supplementary Regulations

33-45

Tower Regulations

33-451

In certain specified Commercial Districts

In the districts indicated, except as otherwise provided in Section 82-08 (Modification of Bulk and Height and Setback Regulations), any buildings or portions thereof which in the aggregate occupy not more than 40 percent of the lot area of a zoning lot or, for zoning lots of less than 20,000 square feet, the percent set forth in Section 33-454 (Towers on small lots), may penetrate an established sky exposure plane. (Such building or portion thereof is hereinafter referred to as a tower.) At any given level, except where the provisions set forth in Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets), or Section 33-456 (Alternate setback regulations on lots bounded by two or

A 94

more streets), or Section 33-457 (Tower setbacks on narrow blocks), are applicable and where the option is taken to be governed by such provisions, such tower may occupy any portion of the zoning lot not located less than 15 feet from the street line, of a narrow street, or less than 10 feet from the street line of a wide street, provided that the aggregate area so occupied within 50 feet of a narrow street shall not exceed 1,375 square feet and the aggregate area so occupied within 40 feet of a wide street shall not exceed 1,600 square feet.

If the building of which such tower is a portion does not occupy at any level more than the maximum percent of the lot area set forth in this Section or Section 33-454 for towers, the tower may occupy any portion of the zoning lot not located less than 20 feet from the street line of a narrow street or less than 15 feet from the street line of a wide street, provided that the aggregate area so occupied within 50 feet of a narrow street shall not exceed 2,250 square feet and the aggregate area so occupied within 40 feet of a wide street shall not exceed 2,000 square feet.

Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies), are permitted to project into or over open areas not occupied by towers.

33-454

Towers on small lots

In the districts indicated, a tower permitted under the provisions of Section 33-451, 33-452, or 33-453 may occupy the percent of the lot area of a zoning lot set forth in the following table:

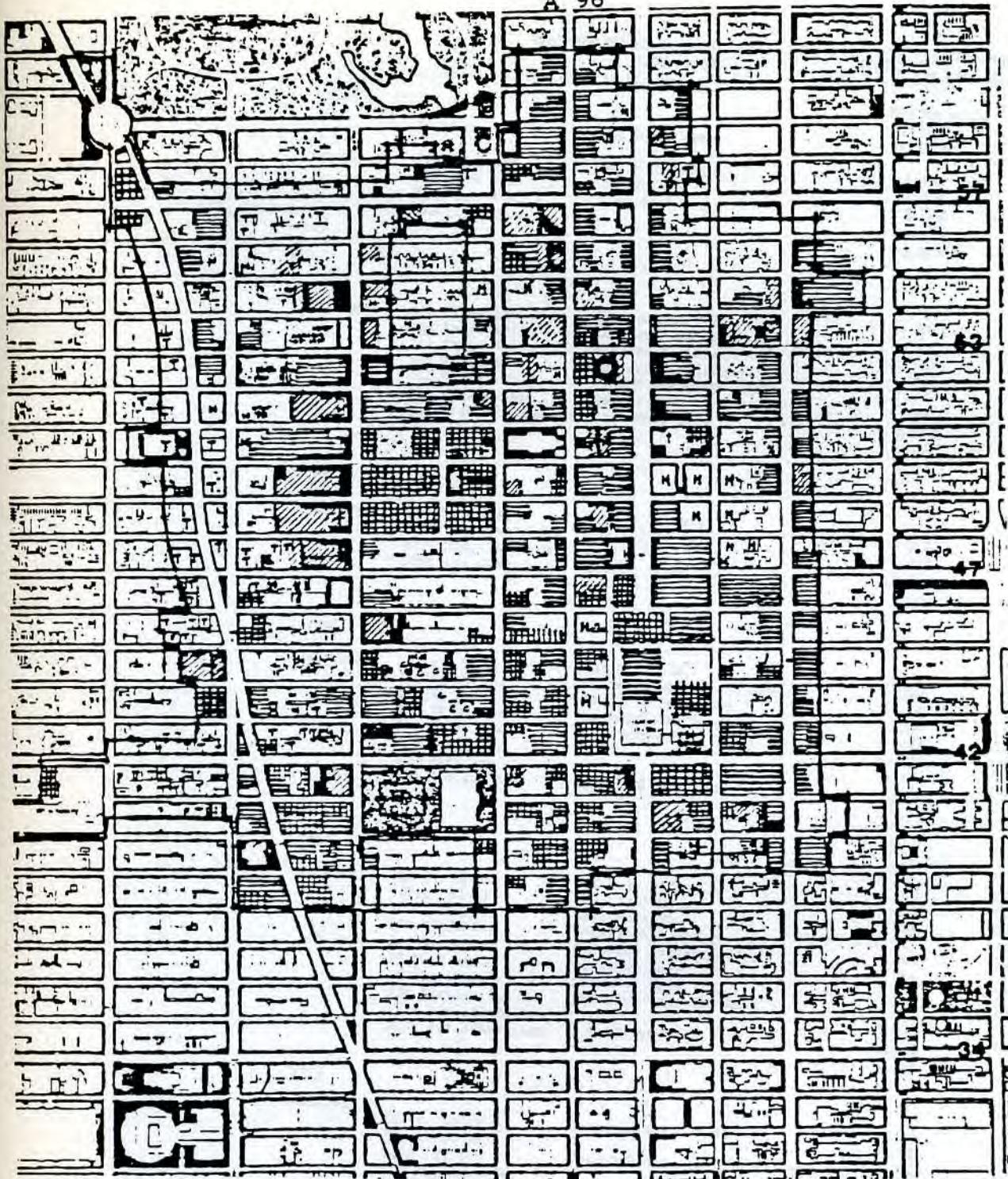
LOT COVERAGE OF TOWERS ON SMALL ZONING LOTS	
Area of zoning lot (in square feet)	Maximum percent of lot coverage
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

33-455

Alternate regulations for towers on lots bounded by two or more streets

In the districts indicated, if a zoning lot is bounded by at least two street lines, a tower may occupy the percent of the lot area of a zoning lot set forth in this Section, provided that, except as otherwise set forth in Section 33-457 (Tower setbacks on narrow blocks), and Section 82-08 (Modification of Bulk and Height and Setback Regulations), all portions of any building or buildings on such zoning lot, including such tower, are set back from street lines as required in this Section.

(a) The maximum percent of lot area which may be occupied by such tower, shall be the sum of 40 percent plus one-half of one percent for every .1 by which the floor area ratio of such building is less than the floor area ratio permitted under the provisions of Section 33-12 (Maximum Floor Area Ratio), Section 33-13 (Floor Area Bonus for a Plaza), Section 33-14 (Floor Area Bonus for a



KEY	Pending C.P.	Post '61 C.P.	1945 - 1966	Theater	Hotel
	Pending B.S.A.	Post '61 B.S.A.	Pre-1945	Church	Apt. post '61
	No Pending A.O.R.	Post '61 A.O.R.		Private Club	

MIDTOWN OFFICE CONSTRUCTION
1960 - 1982
By Date of Occupancy

KEY: 145 FIFTH AVE. - Denotes C.P. Action
482 FIFTH AVE. - Denotes BSA Action

	Address	Building Name	Net Rentable Sq. ft. (x 1,000)	Block No.
<u>1960</u>				
Midtown	270 Park Ave.	Union Carbide	1,150	1283
	320 Park Ave.	I.T.T.	526	1286
	399 Park Ave.	City Bank	1,250	1308
	155 E. 56 St.		48	1311
			<u>2,974</u>	
<u>1961</u>				
Midtown	633 Third Ave.	Continental Can	800	1314
	685 Third Ave.	American Home Products	210	1317
	735 Third Ave.	Diamond National	307	1319
	850 Third Ave.	Western Publishing	431	1306
	522 Fifth Ave.	Morgan Guarantee Trust	420	1259
	555 Madison Ave.	Coates Bldg.	340	1291
	1285 Ave. of Americas	Equitable Life	<u>1,300</u>	1004
			3,308	
<u>1962</u>				
Midtown	280 Park Ave.	Banker's Trust	321	1284
	1120 Ave. of Americas	Hippodrome (add.)	218	1259
	1180 Ave. of Americas	Phoenix	293	1262
	1290 Ave. of Americas	Sperry Rand	<u>1,700</u>	1267
			2,537	
<u>1963</u>				
Midtown	104 W. 40 St.	Spring Mills	153	815
	135 W. 50 St.	American Management Assn.	700	1003
	288 E. 56 St.	New York Telephone	60	1329
	757 Third Ave.	Harcourt, Brace, Jovanich	334	1321
	777 Third Ave.	U.S. Plywood	488	1322
	845 Third Ave.		303	1325
	200 Park Ave.	Pan Am	2,400	1280
	530 Madison Ave.	Sperry & Hutchinson	665	1277
			<u>5,153</u>	
<u>1964</u>				
Midtown	304 W. 58 St.	M.E.M.A. Bldg.	70	1048
	110 E. 59 St.	The Lighthouse	112	1373
	880 Third Ave.	Bank Systems	115	1308
	979 Third Ave.	Decorator & Design	327	1332
	641 Lexington Ave.	Saturday Evening Post	400	1309
	90 Park Ave.	Sterling Drug	768	369
	277 Park Ave.	Chemical Bank	1,500	1302
	410 Madison Ave.	Franklin National Bank	46	1284
	1212 Ave. of Americas		250	1263
	1301 Ave. of Americas	J.C. Penney	<u>1,300</u>	1005
			4,368	
<u>1965</u>				
Midtown	134 E. 40 St.	Korbrand Corp. Bldg.	14	895
	201 E. 42 St.		265	1316
	51 W. 52 St.	CBS (1300 Ave. of the Americas)	722	1268
	600 Madison Ave.		283	1293
	592 Fifth Ave.	Trade Bank & Trust	57	1263
	<u>1330 Ave. of Americas</u>	ABC	<u>350</u>	1269
	1435 Broadway	Carmet Bldg.	50	993
	1475 Broadway	Allied Chemical (1 Times Sq.)	114	995
	1855 Broadway		76	4113
			<u>1,355</u>	

Address	Building Name	Net Rentable Sq. Ft. (x 1,000)	Block No.
<u>1966</u>			
866 Third Ave.	Crowell, Collier, MacMillan	400	1307
1350 Ave. of Americas	NGM	400	1270
1365 Broadway	American Bible Society	127	1114
		927	
<u>1967</u>			
825 Seventh Ave.		150	1006
345 Park Ave.	American Brands	1,400	1301
299 Park Ave.	Westpac	300	1303
437 Madison Ave.	I.T.T. Americas	640	1235
210 E. 59th St.	Annex to Decorators Bldg.	186	1332
		3,276	
<u>1968</u>			
<u>1969</u>			
33 E. 48th St.	Bankers' Trust	763	1234
825 Third Ave.	Random House	500	1324
964 Third Ave.		433	1312
1133 Ave. of Americas	Interchemical	730	996
1411 Broadway		1,200	315
909 Third Ave.	FDR Post Office	587	1328
5 E. 42nd St.	Emigrant Savings	275	1277
110 E. 59th St.		400	1313
250 Park Ave.	Bankers' Trust Annex	630	1234
345 Park Ave.	Bristol Meyers	1,400	1306
767 Fifth Ave.	General Motors	1,580	1294
1345 Ave. of Americas	Burlington House	-1,300	1007
1700 Broadway		527	1025
		10,775	
<u>1970</u>			
919 Third Ave.		1,152	1329
540 Madison Ave.	Finland House	250	1290
645 Madison Ave.	Pan Ocean Bldg.	140	1374
1185 Ave. of Americas	Stevens Tower	350	999
810 Seventh Ave.		600	1024
388 Seventh Ave.		720	1025
15 Columbus Circle	Gulf & Western Plaza	540	1113
		4,252	
<u>1971</u>			
10 E. 53rd St.	Harner & Row	320	1233
950 Third Ave.	Greenwich Savings Bank	330	1311
150 Park Ave.	Franklin National Bank	300	1292
1031 Ave. of Americas	USSO	2,100	1002
1501 Ave. of Americas	J.C. Penney (Annes)	275	1005
1570 Ave. of Americas	Capital Industries	300	1271
1515 Broadway	W.T. Grant (1 Astor Plaza)	1,148	1016
1633 Broadway	Uris Bldg.	2,050	1022
600 Third Ave.		475	895
		7,258	
<u>1972</u>			
9 West 57th St.	Solow Bldg.	1,500	1273
40 W. 57th St.	Infant Bldg. (Squibb)	648	1272
500 Third Ave.	Stuebel Bldg.	307	1295
800 Third Ave.		511	1304
439 Fifth Ave.		139	1276
1005 Ave. of Americas	N.Y. Telephone Co.	1,200	994
1021 Ave. of Americas	McCaw Hill	2,200	1001
1114 Ave. of Americas	Nonsanto Bldg.	1,250	1258
1500 Broadway	Nat. General	180	996
		3,795	

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Year	Address	Building	Net Rentable sq. ft. (x 1,000)	Block No.
1973	747 Third Ave.		350	1320
	<u>1295 Ave. of Americas</u>	<u>Time/Celanese</u>	<u>1,300</u>	1000
			2,150	
1974	665 Fifth Ave.	Rolex	135	1238
	<u>1166 Ave. of Americas</u>		<u>1,430</u>	<u>1261</u>
			1,565	
1975	117 E. 57th St.	Galleria	95	1312
	<u>645 Fifth Ave.</u>	<u>Olympic Tower</u>	<u>400</u>	1287
			495	
1976	685 Third Ave.	American Home Products	350	1317
			350	
1977	625 Lexington Ave.	Citicorp	1,300	1308
			1,300	1028
1978	650 Fifth Ave.	Pahlevi Foundation	300	1267
			300	
1979			0	
1980	72 nd Fifth Ave.	Tiffany & Co.	14,000	1292
	360 Madison Ave.	(Kalikow)	(rehab.) 157,000	1281
	499 Park Ave.	(Klein)	250,000	1313
	360 Lexington Ave.	(Rudin)	500,000	1305
	1 Park Ave. Plaza	(Fisher)	1,350,000	1288
			1,801,000	
1981 Scheduled for Completion	570 Madison Ave.	AT&T	650,000	1291
	590 Madison Ave.	IBM	744,000	1292
	120 Park Ave.	Philip Morris	600,000	1276
	406 Lexington Ave.	(Olympia & York)	(rehab.) 950,000	1300
	505 Third Ave.	(Conen Bros.)	575,000	1323
			3,469,800	
1982 and later Scheduled for Completion	445 Fifth Ave.	Republic Nat. Bank	250,000	369
	500 Madison Ave.	(Fishman)	400,000	1289
	525 Madison Ave.	(Klein)	420,000	1290
	875 Third Ave.	(Gladstone)	600,000	1327
	101 Park Ave.	(Kalikow)	1,330,000	1295
	725 Fifth Ave.	(Trump)	250,000	1292
	930 Third Ave.	(Minskoff)	450,000	1309
	1100 Sixth Ave.	(Wickerson) (rehab)	(500,000)	1258
	42nd and 5way	(City at 42nd)	N.A.	1285
	1 E. 49th St.	Saks Fifth Ave.	N.A.	1312
	135 E. 57th	(Gladstone)	N.A.	1294
	500 Park Ave.		N.A.	1266
	1270 Sixth Ave.	Rockefeller Center	N.A.	

- SOURCES: 1. Sanborn Maps Department of City Planning, 2 Lafayette St., New York City
 2. Midtown and Urban Design Groups, Dept. of City Planning, 2 Lafayette St., NYC
 3. Board of Standards and Appeals, 40 Lafayette St., New York City

BLOCK	DATE	ADDRESS	NAME	X 1000 NET AC.	TYPE	CP MARKET	CP ACTION	BSA MARKET	BSA ACTION
815	62	101 W. 40	Spring Mills	153	Midblock				
815	68	1411 Broadway		1000	Sm. block	19258	74-72		
809	64	90 Park Ave.	Sterling Drugs	768	B.F.				
809	82	445 5th	Republic	250	Corner	780400 800157	87-102 87-101-pending		
895	70	600-3rd		475	Shallow B.F.				
895	65	140 E. 40th	Korbrand Corp.	14	Midblock				
920	61	605-3rd	Burroughs	800	Sm. Block				
993	65	1435 Broadway	Carnet Bldg.	50	Part. B.F.				
994	72	1095-6th	N.Y. Telegraph & Telephone	1200	Deep B.F.	20877A	74-72, 74-84		
995	65	1475 Broadway	Allied Chem.	114	Small Block				
996	69	1133-6th	Interchem.	730	B.F.				
996	72	1500 Bway	Nat. General	4800	B.F.				
999	70	1185-6th	Stevens Tower	720	B.F.				
1000	73	1205-6th	Cejanese	1800		21345	74-72, 74-82		
1001	72	1221-6th	McGraw Hill	1600	Deep B.F.	20465	74-72		
1002	71	1251-6th	Esso	2100	Deep B.F.	20194	74-72		
1003	63	135 W. 50th	Am. Management	700	Midblock				
1004	61	1285-6th	Equitable Life	1300	Deep B.F.	21013 770078	74-52		
1005	60	805-7th	(R) Hotel Americana	-	Deep B.F.				
1005	65	1301-6th	J.C. Penney	1300	Deep B.F.				
1006	63-80	1325-6th	(R) New York Hilton + Addition	-	Deep B.F.	790142	74-72, 74-912		
1006	67	825-7th		150	Corner B.F.				
1007	68	1345-6th	Burlington	1800	Deep B.F.	19615 22816 790095	74-72, 33-122 74-72, 33-122		
1009	79	118 W. 57th		-	Shallow BF				
1009	60	1385-6th	(R) Apartments	-	Corner				
1012	63	560-7th	(L) Synagogue	-					
1016	71	1515 Broadway	W.T. Grant	1148	Sm. block	780400 790115 20251	74-52, 74-87 74-72, 81-06		
1020	62	790-8th	(R) Ramada Inn	-	Shallow BF				
1022	72	1633 Broadway	Uris Bldg.	2052	Deep BF	20250 Theater Sp. Dist. Split Dist. 74-72, 81-06			
1034	69	810-7th		600	3/4 Sm. Block				

TYPE OF ADMINISTRATIVE APPROVAL FOR ALL BUILDING CONSTRUCTION,
1960-1982 BY BLOCK LOCATION

Block	Address	Area	Notes	Remarks	Other
1024	870-8th	64	(R) Apartments	B.F.	
1025	1700 Broadway	69		B.F. #1/2 mid.	
1028	888-7th	70		B.F.	
1028	1752-Bway	77	(R) Apartments	corner	454-69 Rnd. time to comp. walk exit
1113	15 Columbus Circle	70	Gulf & Western	Sw. block	431-67 Tower setbacks
1114	55 Columbus Circle	74	(R) Lincoln Plaza Tow.	Corner	
1116	1900 Broadway	70	(R) One Lincoln Plaza		
1258	1114-6th	71-72	Grace	B.F.	
1258	1100-6th	82	(Nickerson) rehab.	Mid-Cor.	
1259	1120-6th	62	Hippodrome (Add)	Coop.	
1259	522-5th	61	Morgan Guaranty	B.F. (Add)	
1261	1166-6th	72		Corner	74-72
1262	1180-6th	62	Phoenix	B.F.	780629
1263	1212-6th	63		Corner	
1263	592-5th	65	Trade Bank & Trust	Corner	
1266	1270-6th	82	Music Hall Towers	Corner	
1267	1290-6th	61	Sperry Rand	Deep B.F.	
1267	650-5th	77	Pahlevi	Corner	21852A 74-72, 87-062
1268	1300-6th	65	CBS	B.F.	
1269	1330-6th	65	AIC	B.F.	C770261 74-72, 2b-07
1270	1350-6th	66	MRI	Deep corner	
1271	1370-6th	71	Capital Industries	Corner	154-68 Interior lot, Tower encroach, Tower height
1271	1360-6th	61	(R) Apartments	Corner	
1271	65 W. 55th	62	(R) Apartments	Mid.	
1272	40 W. 57th	72	Scribb	Mid.	21158 74-72
1273	9 W. 57th	71	Solow	Mid.	1500 250-70 Granted
1276	120 Park	81	Philip Morris	B.F.	780404 74-72, 74-792 74-87
1276	489-5th	72		Part B.F.	18-69 Max F.A.R. tower encroach, tower area
1277	5 E. 42nd	69	Emigrant	Mid.	
1277	330 Madison	62	Sperry Hutchinson	Deep B.F.	
1280	200 Park Ave.	61	Pan Am + Hellport	Block	760015 Hellport Ext.
1281	360 Madison	80	(Kalkow)	Corner	278-78 Withdrawn

TYPE OF ADMINISTRATIVE APPROVAL FOR ALL BUILDING CONSTRUCTION, 1960-1982 BY BLOCK LOCATION

BLOCK	DATE	ADDRESS	NAME	x 1000 NET R. (Rehab)	TYPE	CP DCKET	CP ACTION	BSA DCKET	BSA ACTION
1282	80	385 Madison	Union Carbido	1150	B.F.	22513	74-72		
1283	60	270 Park	Franklin Nat. Bank	46	Corner				
1284	63	410 Madison	Bankers Trust	321	B.F.	19411	74-72		
1284	62	280 Park	Bankers Trust Annex	686	Mid	790343	87-102		
1284	69	280 Park	Saks Fifth Ave.	N.A.	Corner				
1285	82	1 E. 49th	I.T. Americas	648	B.F.	780357	74-72, 74-82		
1285	60	437 Madison	Palace Hotel	-	B.F.	770348	74-712		
1286	79	455 Madison	(11) Palace Hotel	526	B.F.				
1286	60	320 Park	TVT						
1287	75	645-5th	Olympic Towers	400	Corner+mid	21940 2676-5	74-72, 87-00, 87-62		
1287	60	350 Park	Man. Hanover	465	B.F.	780544	74-72, 74-82		
1288	80	1 Park Ave. Plaza	(Fisher)	1050	Mid		74-72, 74-82		
1288	71-72	10 E. 53rd	Harper & Row	330	Mid		74-72, 74-82		
1288	74	665-5th	Rolex	135	Corner		Pending		
1289	82	520 Madison	(Fishman)	800	Corner+mid		Pending		
1290	82	535 Madison	(Klein)	420	Corner		Pending		
1290	70	540 Madison	Finland House	250	Corner	780301	74-72, 74-87		
1291	81	570 Madison	AT&T	650	B.F.				
1291	61	555 Madison	Coates	340	Corner	790143	87-033		
1292	82	725 5th	(Trump)	236	Corner	780602	87-102		
1292	79-81	580 Madison	101	745	B.F.	770209	53-451, 74-72, 74-82 74 91, 87-11		
1292	81	725-727 5th	Tiffany	1.4	Corner	790743	Pending		
1292	63	57 E. 56th	(11) Drake Hotel Annex	300	Mid. Corner				791-68 coverage, 99-77 front wall
1292	71	450 Park	Franklin Nat. Bank	283	deep corner				
1293	65	600 Madison	Gen. Motors	N.A.	Corner				
1294	82	500 Park	(Trump)	1580	full block	790425	Pending		
1294	66	767-5th	Blue Cross	236	Corner	20947	74-72, 74-82		
1295	82	101 Park	(Olympic/York)	867	Midcorner				
1295	71	622 Third		950	full block				506-79 Rehab. on cond.
1300	80	406 Lexington							

TYPE OF ADMINISTRATIVE APPROVAL FOR ALL BUILDING CONSTRUCTION, 1960-1982 BY BLOCK LOCATION (CONTINUED)

BLK	DATE	ADDRESS	NAME	x 1000 NET R.	TYPE	CP BLOCKET	CP ACTION	BSA BLOCKET	BSA ACTION
1301	65	245 Park	Am. Brands	1400	full block				
1302	62	277 Park	Chem. Bank & Trust	1500	full block				
1303	66	299 Park	West. Vaco	900	B.F.	20947	74-72		
1304	70	800-3rd		511	B.F.				
1305	60	571 Lexington	(H) Summit Hotel	-	corner				
1305	80	560 Lexington	Rudin	330	Corner	780266	74-72, 74-87		
1306	68	345 Park	Bristol Meyers	1400	Full block				
1306	66	850-3rd	Western Publishing	431	B.F.				
1307	66	866-3rd	McMillan	400	B.F.				
1307	56	375 Park	Seagrams		deep B.F.				
1308	75-77	625 Lexington	CITY Corp.	1300	3/4 block	22483	74-72, 74-82, 74-87, 74-91, 74-62(b)		
1308	60	399 Park	City Bank	1250	Full block				
1308	63	880 3rd	Basic Systems	115	Corner				
1309	63	641 Lexington	Sat. Even. Post	400	Midl. F.				
1309	80	900 3rd	(Minskoff)	450	B.F.	780520	95-041		
1310	80	656 Lexington			corner	N7000421M	sidewalk (permit extended)		
1311	60	155 E. 56th	Greenwich Savings	48	Mid.				706-68 Tompr Area, setback encroach.
1311	71	950 3rd		330	Corner				
1312	69	964 3rd		433	Mid-small B.F.				
1312	60	153 E. 57th	(R) Apartments	-	mid	21850			
1312	82	135 E. 57th	Gladstone	606	corner	760032	Pending 74-87, 82-08		
1312	74	117 E. 57th	Galleria	95	mid	21850			
1313	64	733 Lexington	(C) Alexanders	400	Mid B.F.				
1313	69	110 E. 59th		250	Mid				
1313	80	499 Park Ave.	(Klein)	800	corner	780543	12-10		936-77 setback min. lot
1314	60	635 Third	Continental Can	265	Deep B.F.				
1316	64	201 E. 42nd		265	Shallow B.F.				
1317	60	685 3rd	Am. Home Products	210	corner				
1317	76	685 3rd	Am. Home Products Addition	350	corner B.F.				
1320	73	747-3rd		350	corner				
1320	79	207-9 E. 46th	(R) Apartments	-	Mid				
1321	62	757-3rd	Harcourt Brace Jovanovich	384	Deep corner				

TYPE OF ADMINISTRATIVE APPROVAL FOR ALL BUILDING CONSTRUCTION,
1960-1982 BY BLOCK LOCATION

A-13

BLK	DATE	ADDRESS	NAME	X 1000 NET R.	TYPE	CP DOCKET	CP ACTION	BSA DOCKET	BSA ACTION
1322	63	777 -3rd	U.S. Plywood (Cohen)	988	H.F.		74-79, 74-87		
1323	80	805-3rd		525	2/3 H.F. + mid	790329 21236			
1324	69	825-3rd	Random House	500	corner+mid				
1325	63	845-3rd		303	Shallow B.F.				
1327	82	875-3rd	(Madstone)	600	Mid+B.F.	770674			
1327	61	220 E. 54th	(R) Apartments		Mid.				
1328	66	909-3rd	U.S. Post Office	687+	Deep B.F.				
1329	70	919-3rd		472	Deep B.F.				
1329	63	288 E. 56th	N.Y. Telephone	1152	Deep B.F.				
1332	64	979-3rd	Decoration & Design	60	Mid.				
1332	67	210 E. 59th	Decoration & Design	327	Deep corner				
1374	70	645 Madison	Pan Ocean	186	Mid				
1394	66	740 Lexington	Dry Dock S & I.	140	Corner				
				23	Mid				

KEY: (H) Hotel
 (I) Institutional
 (R) Residential
445 Fifth Ave. Denotes C.P. Action
489 Fifth Ave. Denotes B.S.A. Action

1. Sanborn Maps Department of City Planning, 2 Lafayette St., New York City
2. Midtown and Urban Design Groups, Dept. of City Planning, 2 Lafayette St., New York City
3. Board of Standards and Appeals, 80 Lafayette St., New York City

TYPE OF ADMINISTRATIVE APPROVAL FOR ALL BUILDING CONSTRUCTION, 1960-1982 BY BLOCK LOCATION

YEAR	AS OF RIGHT (AOR)		RENTABLE AREA	CPC/BSA ACTION	RENTABLE AREA	TOTAL RENTABLE AREA	TOTAL # OF BLDGS.
	NO. OF BLDG. A.O.R.	TOTAL					
60	4	100 %	2,974,000	100%		2,974,000	4
61	3	100 %	3,808,000	100%		3,808,000	7
62	4	100 %	2,537,000	100%		2,537,000	4
63	8	100 %	5,153,000	100%		5,153,000	8
64	10	100 %	4,888,000	100%		4,888,000	10
65	7	88 %	1,505,000	81% C	350,000	1,855,000	8
66	3	100 %	927,000	100% C	0	927,000	3
67	5	83 %	2,376,000	62% C	900,000	3,276,000	6
68	0	85 %	0			0	0
69	11	85 %	7,975,000	74% C	2,800,000	10,775,000	13
70	6	85 %	3,712,000	87% B	540,000	4,252,000	7
71	1	12 %	700,000	10% C	5,628,000	6,328,000	8
72	4	48 %	3,741,000	B 930,000		7,258,000	9
73	1	50 %	350,000	43% C	4,915,000	5,265,000	2
74	1	50 %	135,000	B 139,000		57% 8,795,000	2
75	0	0	0	16% C	1,800,000	84% 2,150,000	2
76	1	100 %	350,000	9% C	1,430,000	91% 1,565,000	2
77	0	0	0		495,000	100% 495,000	0
78	0	0	0		0	350,000	0
79	0	0	0		0	350,000	1
80	0	0	0	100%	0	1,300,000	1
81	0	0	0		C 1,300,000	100% 1,300,000	1
82+	0	0	0		C 300,000	100% 300,000	0
TOTAL	75		41,151,000 SF	58%	29,584,000 SF	42% 70,715,000 SF	111

* 5 additional buildings scheduled for completion in 1982 - no figures available on area but C.P. action sought on all proposals

SOURCES:

1. Sanborn Maps Department of City Planning, 2 Lafayette St. New York
2. Midtown and Urban Design Groups, Dept. of City Planning, 2 Lafayette St.
3. Board of Standards and Appeals

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SUMMARY OF OFFICE BUILDING CONSTRUCTION

YEAR (TOT. BLDGS)	NUMBER OF BUILDINGS				RENTABLE AREA OF BUILDINGS x 1000				TOTAL	
	A.O.R.	%	C.P./	B.S.A. %	A.O.R.	%	C.P./	B.S.A. %		
60-64 (33)	33	100%	0	0	19,360	100	0	0	19,360	
65-69 (30)	26	87%	4	13%	12,783	76	4,050	24%	16,833	
70-74 (23)	13	46%	15	54%	9,538	36%	15,382	64%	24,920	
75-79 (4)	1	25	3	75%	350	14%	2,095	86%	2,445	
80-82+ (16)*	0	0	16*	100%	0	0	7,927	100%	8,114	
TOTAL	111	72	65%	39*	35%	41,151	58%	29,584	42%	70,615

* 5 additional buildings scheduled for completion in 1982 - no figures available on area but C.P. Action sought on all proposals

** Percentage range - Low figure does not include 5 additional buildings, high figure does

SOURCES:

1. Sanborn Maps, Department of City Planning, 2 Lafayette St., New York City.
2. Midtown and Urban Design Groups, Dept. of City Planning, 2 Lafayette St., New York City
3. Board of Standards and Appeals, 40 Lafayette St., New York City

POST 1974 OFFICE BUILDINGS

Comparing Actual Tower Area on Site
to Minimum site for 40% Tower

DATE	BUILDING	TYP. TOWER FLOOR AREA (SF)	Areas (SF) x 1000			ASSEMBLAGE METHOD
			FOOT- PRINT ¹	ZONING LOT ²	40% TOWER MIN. ³	
74	1166 Sixth Ave.	32,400	64	84*	81	ZLM
80	Park Plaza	25,040	38	65*	62	ZLM
77	Citycorp Center	24,596	75*	75*	61	Cleared Site
82	101 Park Ave.	20,832	52	52	55	Cleared Site
81	Philip Morris	20,737	21	21	52	TDR
81	IBM	19,652	49*	49*	49	Cleared Site
81	AT&T	19,600	37	37	49	Cleared Site
81	805 Third Ave.	19,570	24	30	49	ZLM
75	Olympic Towers	18,811	25	40	47	ZLM
80	560 Lexington Ave.	14,221	17	17	35	TDR
82	535 Madison	11,922	17	23	30	ZLM
82	725 Fifth Ave.	11,454	19	35*	29	ZLM
78	650 Fifth Ave.	9,156	14	18	23	ZLM
80	499 Park Ave.	9,062	11	18	23	ZLM

1. Denotes the cleared buildable area of a zoning lot.
 2. Denotes the total area of a zoning lot including on site buildings which will remain as in a Zoning Lot Merger (ZLM).
 3. Denotes the minimum total zoning lot area that would be required to construct a Tower similar in floor area to those illustrated above.
 4. Denotes the type of assemblage-cleared site, no buildings remaining on zoning lot, Zoning Lot Merger (ZLM), building remaining on zoning lot; Transfer of Development Rights (TDR), transfer of unused floor area from Landmark buildings.
- * Denotes zoning lots sufficient to have produced a 40% tower under equivalent AOR regulations. This does not take into account adjustments for special district regulations.

ARTICLE VII - SPECIAL PERMITS BY CITY PLANNING COMMISSION

ACTION	YEAR	BLOCK	ADDRESS	LOT TYPE	LOT SIZE	x 1000 NET R.	OTHER ACTION
74-52			<u>PARKING GARAGES OR PUBLIC PARKING LOTS IN HIGH DENSITY CENTRAL AREAS</u>				
	'61	1004	1286 - 6th Equitable Life	Deep B.F.		1300	
74-712			<u>LANDMARK PRESERVATION; DEVELOPMENTS OR ENLARGEMENTS ON LANDMARK SITES IN CERTAIN DISTRICTS</u>				
	(H) '79	1286	455 Madison Palace Hotel	B.F. +Mid.			74-72 74-82
74-72			<u>BULK MODIFICATIONS; Height and Setback and Yard Modifications</u>				
	'65	1269	1350-6TH -ABC	B.F.		350	26-07
	'66	1503	299 Park-West Vaco	B.F.		900	
	'68	815	1411 Bway	Small Blk.		1000	
	'68	1007	1345-6th -Burlington	Deep B.F.		1800	33-122
	'69	1284	280 Park-Bankers Trust Annex	Mid.		686	
	'71	1002	1251-6th - ESSO	Deep B.F.		2100	
	'71	1016	1515 Bway-W.T. Grant	Sm.B.F.			81-06
	'71	1295	622-3rd - Blue Cross	Mid+corner		867	74-82
	'72	994	1095-6th-N.Y.Tel.	Deep B.F.		1200	74-34
	'72	1001	1221-6th-McGraw Hill	Deep B.F.		2200	
	'72	1022	1638 Bway-Uris	Deep B.F.		2052	81-06
	'72	1261	1166-6th	B.F.		1430	
	'72	1272	40 W.57th-Squibb	Midblock		648	B.S.A.
	'72	1288	10 E. 53rd - Harper & Row	Midblock		330	74-82
	'73	1000	1205-6th -Celanese	Deep B.F.		1800	74-82
	(R) '75	1287	645-5th-Olympic Towers	Corner+Mid		400	87-00 87-62
	'75-'76	1308	625 Lexington-Citicorp	3/4 block		1500	74-32 74-87 74-91
74-72	'77	1267	650-5th - Pahlevi	Corner		300	87-062 33-122
	'79	1009	118 W. 57th				74-82
	(H) '79	1286	455 Madison-Palace Hotel	B.F.+Mid			74-712
	(H) '80+	1006	1325-6th-N.Y. Hilton	Deep B.F.			74-912
	'80	1288	1 Park Ave.-Plaza(Fisher)	Midblock		1050	74-82
	'80	1292	580 Madison - IBM	B.F.		745	74-82 74-87 74-91 87-11 33-45
	'80	1505	560 Lexington -Rudin	Corner		330	74-87
	'81	1276	120 Park-Philip Morris	B.F.		600	74-792 74-87
	'81	1280	360 Madison	Corner		157	
	'81	1291	570 Madison -A.T.ST	B.F.		650	74-97

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ACTION	YEAR	BLOCK	ADDRESS	LOT TYPE	LOT SIZE	x 1000 NET R.	OTHER ACTION
74-79	<u>TRANSFER OF DEVELOPMENT RIGHTS FROM LANDMARK SITES</u>						
	'80	1323	305-3rd (Cohen)	2/3B.F.+Mid.		525	74-37
	'80	1006	1325-6th -N.Y. Hilton	Deep B.F.			74-72
	'81	1276	120 Park-Philip Morris	B.F.		600	74-72 74-87
74-82	<u>THROUGH BLOCK ARCADES</u>						
	'71	1295	622-3rd -Blue Cross	Midcorner		867	74-72
	'72	1288	10 E. 53rd - Harper & Row	Midblock		330	74-72
	'73	1000	1205-6th -Celanese	Deep B.F.		1800	74-72
	'75'76	1308	625 Lexington-Citicorp	3/4 block		1300	74-72 74-72 75-87 74-91
	'79	1286	455 Madison-Palace Hotel	B.F.+Mid			74-72 74-712
	'80	1288	1 Park Ave. (Fisher)	Midblock		1050	74-72
	'80	1292	580 Madison-IBM	B.F.		745	74-72 74-37 74-91 87-11 33-451
74-84	<u>DEVELOPMENTS WITH EXISTING BUILDINGS</u>						
	'72	994	1095-6th -N.Y. Tel.	Deep B.F.		1200	74-72
74-87	<u>COVERED PEDESTRIAN SPACE</u>						
	'74	1312	117 E. 57th - Galleria	Midblock		95	82-08
	'75-76	1308	625 Lexington -Citicorp	3/4 block		1300	74-72 74-82 74-91 74-72
	'80	1292	580 Madison- IBM	B.F.		745	74-82 74-91 87-11 33-451
	'80	1305	560 Lexington-Rudin	Corner		330	74-72
	'80	1323	80--3rd -Cohen	2/3 B.F.+Mid.		525	74-79
	'81	1276	120 Park - Philip Morris	b.f.		600	74-72 74-792
	'81	1291	570 Madison-A.T.&T	B.F.		650	74-72
74-91	<u>URBAN OPEN SPACE MODIFICATIONS</u>						
	'75'76	1308	625 Lexington - Citicorp	3/4 B.F.		1300	74-72 74-82 74-87

ACTION	YEAR	BLOCK	ADDRESS	LOT TYPE	LOT SIZE	x 1000 NET R.	OTHER ACTION
74-912							74-62(b)
(H)	'80	1292	580 Madison - IBM	B.F.		745	74-72 74-82 74-87 87-11 33-451
	'80	1005	1325-6th -N.Y. Hilton	Deep B.F.			74-72
<u>ARTICLE VIII - SPECIAL PURPOSE DISTRICTS</u>							
81-06			<u>SPECIAL THEATRE DISTRICT</u>				
	'72	1022	1638 Bway - Uris	Deep B.F.		2052	74-72
97-00			<u>SPECIAL FIFTH AVENUE DISTRICT</u>				
	'74	1285	645-5th - Olympic Towers	Corner-Mid		400	87-62 74-72
87-062	'77	1267	650-5th - Pahlevi	Corner		300	74-72
87-11	'80	1292	580 Madison - I.B.M.	Corner		745	74-72 74-82 74-87 74-91 33-451
87-055	'82	1292	725-5th - Trump	Corner		236	
87-102	'82	1292	725-5th - (Trump)	Corner		236	
(a)	'82	869	445-5th - Republic	Corner		250	87-101(a)
87-102	'82	1284	I.E. 48th - Saks 5th Ave.	Corner			N.A.
95-041			<u>SPECIAL TRANSIT LAND USE DISTRICT</u>				
	'80	1309	900-3rd (Minskoff)	B.F.		450	

NOTE (H) = Hotel
(R) = Residential

ACTION	YEAR	BLOCK	ADDRESS	A 110 LOT TYPE	x 1000 LOT SIZE NET R.	OTHER ACTION
74-912						74-62(b)
(H)	'80	1292	580 Madison - IBM	B.F.	745	74-72 74-82 74-87 87-11 33-451
	'80	1005	1325-6th -N.Y. Hilton	Deep B.F.		74-72
<u>ARTICLE VIII - SPECIAL PURPOSE DISTRICTS</u>						
81-06			<u>SPECIAL THEATRE DISTRICT</u>			
	'72	1022	1638 Bway - Uris	Deep B.F.	2052	74-72
37-00			<u>SPECIAL FIFTH AVENUE DISTRICT</u>			
	'74	1285	645-5th - Olympic Towers	Corner-Mid	400	87-62 74-72
87-062	'77	1267	650-5th - Pahlevi	Corner	300	74-72
87-11	'80	1292	580 Madison - I.B.M.	Corner	745	74-72 74-82 74-87 74-91 33-451
87-055	'82	1292	725-5th - Trump	Corner	236	
87-102	'82	1292	725-5th - (Trump)	Corner	236	
(a)	'82	869	445-5th - Republic	Corner	250	87-101(a)
87-102	'82	1284	I.E. 48th - Saks 5th Ave.	Corner		N.A.
95-041			<u>SPECIAL TRANSIT LAND USE DISTRICT</u>			
	'80	1309	900-3rd (Minskoff)	B.F.	450	

NOTE (H) = Hotel
(R) = Residential

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B.S.A. ACTION 1960-1982

YEAR	DOCKET	BLOCK	ADDRESS	ACTION /VARIANCE ON:
'67	431-67	1113	431-67 Col. Circle(Gulf-Western)	1. Tower setbacks-do not comply with C5-5 2. 72-21
'68	154-68	1271	1368-74 6th	1. Variance on tower height 2. Tower encroachment 3. Interior lot provisions-100' back
'68	706-68	1311	950-3rd	1. Tower excessive 2. setback encroachment 3. Area within 50' of 3rd & 57th exceeds C 5-2 & C 6-6 allowable 4. 72-71
'68	791-68	1292	450 Park-Franklin Nat. Bank	1. Variance on Max. lot coverage 2. Front wall in park-excessive 3. 72-21
'69	18-69 1276	1276 487-89 5th		1. Tower encroachment on setback 2. Excessive tower area 3. F.A.R. excessive 4. rear yard req'd on 5th side
'69	454-69	1028	1754-69 Broadway	1. Front wall height excessive 2. No initial setback 3. Tower area excessive encroach on setbacks 4. 20' rear yard not provided
'70	250-70	1272	32-46 W. 57th - Squibb	1. Penetrates skyexp.plane 2. rear yard, port. 3 1st story exceeds height 3. Pylons proj. into rear yard 4. 72-21
'77	936-77	1313	487-499 Park	1. Variance on 80 ft setback 2. Min. lot for commercial 3. 72-01(b) - & 72-21
'77	99-77	1292	450 Park	1. Proposed mezzanine contrary to calendar 72-01(b) & 72-21

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