



American Planning Association
New York Metro Chapter

Making Great Communities Happen

Position Statement
on
VANDERBILT CORRIDOR REZONING

The NY Metro Chapter of the American Planning Association is a professional, educational, and advocacy organization representing over 1,300 practicing planners and policy makers in New York City and its surrounding suburbs. We are part of a national association with a membership of 41,000 professionals and students who are engaged in programs and projects related to the physical, social and economic environment. In our role as a professional advocacy organization, we offer insights and recommendations on policy matters affecting issues such as housing, transportation and the environment.

Of particular interest to the Chapter is a pending zoning proposal known as the "Vanderbilt Corridor", encompassing the five blocks bounded by Madison Avenue, 47th Street, Vanderbilt Avenue and 42nd Street. At the south end would be One Vanderbilt, a 1514-foot tall, 67-story office tower designed by Kohn Pedersen Fox.

BACKGROUND

In 2013, the Chapter issued a position statement raising concerns about the rezoning proposal for a larger area known as Midtown East, which included the Vanderbilt Corridor. At the time, we questioned the scale and scope of the proposal, ultimately concluding that it was too large, did not seem to fulfil a pressing need and would actually compete with other existing economic development goals. The current proposal is significantly reduced in scale and scope, but may be a precursor to a larger rezoning initiative. Specific elements of the current proposal include the following:

- zoning text amendment to create a new special permit increasing the maximum floor area ratio (FAR) from 21.6 (utilizing incentives) to 30.0 in exchange for the provision of public space and certain transit improvements;
- City Map amendment designating the Vanderbilt Avenue between 42nd and 43rd Streets as a "public place" to be owned by the City;
- a requirement that hotels may only be constructed, converted or enlarged by special permit;

- An application by Green 317 Madison LLC (commonly referred to as SL Green) for a special permit for the new building at 1 Vanderbilt.

ADDRESSING SPECIFIC ISSUES

While we feel the current proposal is a vast improvement in many ways over the 2013 version, we feel it necessary to address the following:

- **DEVELOPMENT TRENDS:** there has been a very recent proliferation of super tall (in excess of 1000 feet) but super slender residential towers in Midtown. Buildings such as the 1400-foot, 89-story 432 Park Avenue, the 1421-foot, 74-story 111 West 57th Street, and the 1775-foot, 94-story 227 West 57th Street are all under construction. All are luxury apartment buildings for the ultra-wealthy. The building at 1 Vanderbilt will be commercial and will have a slightly broader profile, but may otherwise continue the trend. Buildings that will dwarf such iconic structures as the Empire State and Chrysler Buildings may soon dominate the skyline.
- **SUSTAINABILITY:** certainly the newer structures have improved energy efficiency when compared to older building stock. The proposal does include a general requirement that all buildings meet either the NYC Energy Conservation Code (2011 NYCECC) or that of the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE 90.1), but lacks more specific standards. Notably, the developer for 1 Vanderbilt has resisted requests to build to a LEED-Platinum standard.
- **INFRASTRUCTURE:** one of the major concerns of the Midtown East proposal was that development could outpace the provision of needed infrastructure improvements. In the current proposal, density bonuses are tied directly to a developer's responsibility to provide infrastructure upgrades. While the amended language does allow the Department of Buildings to withhold Certificates of Occupancy, there does not appear to be any sort of performance bond or other guarantee in the event a project is abandoned in mid-construction.
- **ARCHITECTURAL DESIGN:** the nearly all-glass façade of 1 Vanderbilt may have the effect of creating visual "dead space" at street level. Standards on glazed fenestration should be established. Also, while the allowable density appears to be reasonable, the proposal may further the proliferation of super tall, slender "finger" buildings as described above.
- **PRECEDENCE:** while the current proposal represents a welcome reduction in scale from the larger Midtown East initiative, it may only be the first step of a larger gradual rezoning that ultimately encompasses the entire Midtown East neighborhood, but this time in a piecemeal fashion. Proceeding one step at a time is perfectly acceptable as long as some detail about the long term plan is disclosed.

METRO CHAPTER POSITION

The Metro Chapter is generally in support of the proposal for the Vanderbilt Corridor. The current plan does address many of the concerns we expressed regarding the earlier Midtown East rezoning. There will be mechanisms for ensuring that infrastructure improvements keep pace with large-scale development. Greater provisions have been made for open space and public amenities. Overall, there is a better balance between the need to allow for new, modern buildings and the need to preserve the character of a historic neighborhood.

The proposal arguably does not go as far as it could in requiring higher levels of energy efficiency and sustainability. It is also possible that zoning initiatives such as this may actually further the proliferation of supertall towers. The Chapter remains very interested in following whatever becomes the next phase of rezoning plans for the Midtown East neighborhood.