

COMMITTEE REPORT

To: Board Members

From: Susan Seinfeld, District Manager

Re: N080110 ZRY American Institute of Architects (AIA) Zoning Text Amendments Application

Date: Jan. 2, 2008

An Ad-Hoc Zoning Committee of the Zoning Chairs met on Tuesday, December 11, 2007 to discuss the above referenced application to the Dept. of City Planning. Present at the meeting were: Christine Haider, Dennis Novick, Joe Sollano, Allan Palzer, Committee Chairs and Board members Rose Bruno, Henry Euler, Frank Skala, Paul DiBenedetto, George Karahalis, Mamie Smith and Joan Garippa, District Manager, Susan Seinfeld and Mark Ginsberg from the NYC AIA.

Mark Ginsberg presented a “power point” presentation of the text amendments that are proposed. He explained that the New York City Chapter of the AIA listed several proposals and narrowed it down to five proposals affecting medium and high density districts (R6-R10) and one proposal affecting low density districts (R3-1, R3-2, R4 R5 by special permit of the BSA). The AIA paid for the application to the Dept. of City Planning. The amendment also includes a clarification of a residential tower regulation in certain commercial districts.

Generally, the proposals will help with irregular small lots, encourage design flexibility, encourage sustainable and energy efficient buildings. Mr. Ginsberg said that it does NOT change the F.A.R. (floor area ratio) in any zone. Most of the changes affect districts in Manhattan and Brooklyn only. The proposals are:

- 1-Allow 100% lot coverage on corner lots of 5,000 sq. ft. or less to allow continuous street wall and floor plan flexibility and efficiency and would also allow for shorter buildings. Existing regulations allow 80% coverage and results in gaps in the street wall, taller buildings and less efficient floor plans.
- 2- Allow multi family buildings on lots less than 18” wide, such as four, one bedroom apartments. Currently, these lots are limited to 1 or 2 dwelling units.
- 3- Allow rear dormers on R6-R10 buildings. Existing dormers are allowed in front setback.
- 4-Allow taller maximum base height up to 25% greater in order to match height of an adjacent building.
- 5-Allow alternative if bulkhead is set back 20’ from wide street and 25’ from a narrow street and provide no limitation on photovoltaic panels.
- 6-Allow application to obtain a BSA special permit in R3-1, R3-2, R4 and R5 districts for waiver of the one or two side yards for narrow lots, 30’ wide or less and adjacent to a vacant lot.

The last proposal could affect CB11 whereas the others deal more with apartment and commercial buildings in Manhattan or Brooklyn. This proposal would allow for the development of properties where because of the narrow width of the lot a home would not be able to be built because of side yard requirements. It will allow development of these lots and vacant lots by allowing wider homes on narrow lots in neighborhoods where semi-attached housing is common. The application to BSA would have to prove that the construction to the lot line would not adversely affect neighboring properties, nor alter the character of the neighborhood. Mr. Ginsberg said that the purpose was that there are areas in the City with vacant lots that cannot be built on because they are too narrow. Vacant lots can be blight on the neighborhoods so this would encourage development.

Discussion ensued about the intent of the AIA in proposing these amendments that furthers more development, more density, less light and green space. Even though builders would have to go to BSA for a special permit, the feelings were that the permits would be granted. The committee was not convinced that the proposals were understandable, obvious or clear in terms of enforcement.

A motion was made by Frank Skala and seconded by George Karahalis to oppose the application for the Zoning Text Amendments in its entirety. The Committee voted to approve the motion, nine in favor (Haider, Bruno, Skala, Euler, Palzer, Sollano, DiBenedetto, Karahalis, Smith, and Garippa) and one against (Novick).