

**TRANSCRIPT OF PUBLIC HEARING BEFORE  
THE CITY PLANNING COMMISSION  
MARCH 22, 1960**

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in the matter of....

# Comprehensive Amendment of the Zoning Resolution of The City of New York

Borough of Manhattan

Prepared by Department of City Planning  
C.P. 15278

VOLUME:5

CP-15278

PUBLIC HEARING

before the

CITY PLANNING COMMISSION

in the matter of a

PROPOSED COMPREHENSIVE AMENDMENT  
Pursuant to Section 200 of the New York City Charter

of the

ZONING RESOLUTION OF THE CITY OF NEW YORK

consisting of

TEXT AND MAPS

Held at City Hall, Borough of Manhattan

Beginning on March 14, 1960, and continued on  
March 15, 18, 21, 22, 23 and 25, 1960.

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CONTINUED HEARING - PROPOSED ZONING MAPS  
FOR THE BOROUGH OF MANHATTAN  
Tuesday, March 22, 1960

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CITY PLANNING COMMISSION

James Felt, Chairman  
Francis J. Bloustein,  
Vice-Chairman  
Goodhue Livingston, Jr.  
Robert Moses  
Lawrence M. Orton  
Michael A. Provenzano  
James G. Sweeney  
Commissioners

Pauline J. Malter, Secretary

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March 22, 1960

1.

CHAIRMAN FELT: The meeting will please come to order. Will the Secretary please call the roll?

SECRETARY MALTER: Chairman Felt, ViceChairman Bloustein, Commissioners Livingston, Orton, Sweeney, Provenzano, Acting Commissioner Constable.\* Quorum present. This is a continued public hearing in the matter of a proposed comprehensive amendment pursuant to Section 200 of the New York City Charter of the Zoning Resolution of the City of New York, consisting of text and maps which are a part thereof and which are appended thereto, being CP No.15278. On December 23, 1959, Cal. No. 48, the Commission fixed Monday, March 14,1960, for a public hearing on this matter, and for the convenience of the public, to insure orderly procedure and to permit a full hearing, the hearing on March 14 was initially devoted to the proposed text of the Zoning Resolution, and continued on the following dates: March 15, 1960, proposed text; Friday, March 18, 1960, proposed zoning maps for the Borough of The Bronx; Monday, March 21, 1960, proposed zoning maps for the Borough of Brooklyn. The continued hearing today (March 22,1960) is on the proposed zoning maps for the Borough of Manhattan. The proposed zoning maps for the Boroughs of Queens and Richmond will be heard on March 23 and March 25, 1960, respectively.

CHAIRMAN FELT: I would like to read a statement which I have read at the previous mapping hearings. As you may know, we have completed two days of hearings on the general text of the proposed resolution. The testimony heard at these hearings, both in quantity and quality, has given us assurance that New Yorkers have a growing understanding and interest in achieving a modern zoning ordinance for this City. Today's hearing marks the third of five sessions devoted to the mapping in each of the boroughs.

Felt / Malter

\*/Edward Hoffman, sitting for Acting Commissioner Stuart Constable

These meetings do not merely involve praise or criticism of the ordinance but are in effect workshop sessions in which the public comes before this body to offer specific mapping recommendations and suggestions which will help us prepare the best resolution possible. Many have told me that they would like to suggest map changes, but that they did not want their requests to imply any basic dissatisfaction with the Commission's Proposal. I do not want anyone to feel that we regard the request for a mapping change as opposition to a modern zoning ordinance. We understand that many of you support the general principles of the proposed ordinance, but have specific questions regarding your property or your district. We welcome these questions and we shall endeavor to resolve them equitably.

Criticism and suggestions offered at this and the other hearings are accepted in the constructive vein they are offered. No request, no matter how small, will be ignored. We will be spending many weeks working on these recommendations - reviewing maps, making checks in the field, meeting with groups and individuals. The result of this effort will be a zoning resolution in which every citizen can be assured that he or his representatives have participated. It will be your resolution. Senator Watson?

SENATOR JAMES L. WATSON : My name is Senator James L. Watson and I am here on behalf of the United Democratic Leadership Team, composed of J. Raymond Jones, Mark Southall, William Tyshaw, Minetto Anderson, Adam C. Powell, Lloyd E. Dickens, and Alice Watson. I have distributed briefs and I will read from the briefs. The position of the United Democratic Leadership Team concerning the proposed resolution, as presented by the

City Planning Commission is as follows:

The recommendations contained herein are proposed and suggested by the United Democratic Leadership Team on the basis of a careful study and analysis by persons knowledgeable in the problems of Harlem. Generally, we endorse the reasons of the law with the following exceptions, and I might say that this is certainly in line with Commissioner Felt's statement. Point No. 1 is that the M-1 and M-3 Use designations of the districts located between 138th and 143rd Streets in the area bounded by the Harlem River and Fifth Avenue and Lenox Avenue should be remapped or redesignated for a Residential Use district of the R7 classification. Our reasons for this are: a physical examination of the above areas indicates that the surrounding land is currently being rebuilt with large scale middle and high income housing developments on three sides. In establishing a manufacturing use district, a non-conforming use will be created along with the deleterious effects of a manufacturing district in a residential neighborhood. That is located on May 6th.

The heavy industrial traffic generated by this use must pass through residential developments and increase the traffic hazards to local residents. In addition, all of this traffic must pass by a large public hospital, which I might parenthetically add, is being rebuilt and expanded, and a public school. It is understood that the Department of Sanitation will surrender its facilities in this area shortly, and is the largest occupant with a manufacturing use designation located here.

In view of the character and type of redevelopment being completed at this time, the designation of a manufacturing use

of this area, which is non-conforming and which could be utilized for new residential construction without the attending evils of relocation, is in contravention of the basic principles of zoning and city planning.

The area surrounding this manufacturing district is currently being developed for luxury-type residential use and has in its midst a National Guard Armory, one of the latest built and best equipped in the State. The type and character of residential development taking place here cannot continue with an incompatible and deteriorating manufacturing use adjacent to it. The type of residential use being developed is most desirable and should be encouraged in this area along with waterfront recreational facilities.

Furthermore, the already heavy traffic engendered by the 138th Street and 149th Street bridges should not be increased by the addition of the M1 and M3 districts. In addition, the Harlem Hospital, Public School No. 100, the St. Marks Roman Catholic Church and other churches immediately adjacent to this area demonstrate the absolute incompatibility of introducing a manufacturing area into this otherwise very fine residential district. Our churches, our children and our sick cannot be prejudiced in this manner.

Our second point is that the C8-3 District uses between 145th and 150th Streets bounded by Seventh Avenue and the East River should be zoned for R7 Use and C3 Use along the waterfront. This area is being used as a subway train yard by the Transit Authority who plans to surrender it within the next few years. This is our understanding. Considering the community's needs for additional new housing, without the problem - again I stress - of relocation, its location in a high density residential community and the resulting

effects of a commercial use district - a non-conforming use for this area - with its high traffic generating activity, condemns any possible planning consideration for designating this area for commercial use. In addition, the commercial designation of the area opposes the desire of this community to develop into a well planned residential neighborhood. The best use of this area would be for residential use which is in harmony with and would encourage the redevelopment of this area. The utilization of this area for commercial uses will create injurious effects on the existing residential neighborhood which include a large public housing project. The increase in open land this area represents for additional residential use is of great value for this community.

Our third point is that the northerly side of West 110th Street, and I should say that this would apply to many areas, between Fifth and Eighth Avenues and the west side of Bradhurst Avenue between 145th and 155th Streets should be rezoned from R7 to R8. The beautiful exposure of Central Park on the southerly side of West 110th Street would justify this change to R8. Examples are such zoning as is now proposed on the section of Fifth Avenue and Central Park West opposite Central Park. The same argument is also true of those streets facing on Colonial Park and the other parts of the Harlem area. The non-use of the parks justifies an increase in density on the streets facing the parks.

This argument as to the change of R7 to R8 is given because of the broad expanses facing the park which would permit keeping within the formula of the light, air and density theory.



I want to thank the Commission for giving us this opportunity and giving me this opportunity to present our arguments on behalf of the United Democratic Leadership Team to the Planning Commission. Thank you.

CHAIRMAN FELT: Senator Watson, I would like to ask you this question: This, as you stated, represents the United Democratic Leadership Team's views insofar as our zoning ordinance is concerned. I noted that you mentioned at the beginning of your statement that you are generally in favor of the zoning ordinance with these suggestions. As I see it, just making a quick mental calculation, these suggestions would only represent a fraction of our total zoning proposals in the Harlem area....

SENATOR WATSON: Well, we considered the entire Harlem area..

CHAIRMAN FELT: I assume then that the balance of the Harlem area as we designated it, with the exception of these three sections which you mentioned, seem to meet with your approval?

SENATOR WATSON: That is correct.

CHAIRMAN FELT: Thank you very much, Senator Watson.  
Mr. Elliot Walter?

ELLIOT V. WALTER : My name is Elliot V. Walter. I represent Macy's Department Store at 34th Street and Broadway.

Chairman Felt and gentlemen: we believe the continued stability of the retail business such as Macy's is very clearly dependent on the maintenance of a good living and working environment in the City of New York. It appears to us that New York City has reached the crossroads and must make a decision which way it will go -

to continue as we have in the past and suffer the consequences of even more and greater decay and blighted areas, or adopt standards that reverse this trend and make New York City a more desirable place in which to live and to work. This City must build and adjust its commercial areas to the age of the automobile or continue to lose business and employment to shopping centers outside of the City with ample off-street parking.

With car ownership growing, it is essential that we take steps to get the cars off the streets and save our commercial areas and main streets from the traffic strangulation that results in loss of business, in waste of time, and high express rates. We cannot stress too strongly the importance of required off-street parking and loading requirements for new commercial construction, which will help correct the almost complete paralysis of traffic which today exists in some areas.

Therefore, we are very glad to approve the proposed zoning regulations of the City Planning Commission, in principle. It seems to us that this is a long overdue and a constructive study on the problems of our City. Thank you.

CHAIRMAN FEIT: Thank you, Mr. Walter. Is Mr. Molloy present?

J. G. L. MOLLOY: Mr. Chairman, members of the Commission, my name is J.G.L. Molloy, Chairman of the Zoning Committee of the Greenwich Village Association. I know that this meeting is directed to Manhattan but I would first like to make a few remarks about the situation as far as zoning as a whole for the City of New York is concerned.

Walter / Molloy

As all of us know, the 1916 statute which was the first in the country and of which we have been so proud, has turned out almost literally to be one of the worst. With its 3000 amendments, its thousands and thousands of variances, we have reached the point of putting patches upon patches. It reminds me a little of the Internal Revenue Code. Every time they find a loophole they patch it up and the loophole breaks out someplace else.

Now, there is no question in the minds of the people of our area that a new approach to zoning is absolutely necessary, and that that approach should be speedily accomplished. While we realize that there are many people who have suggestions, as we have had, the main point is that we've got to get a new zoning resolution, a new type of thinking -- a zoning resolution based basically on density and the location of that density and industry where we can live under different conditions than we are living today.

There is no question in my mind at all that the people who are almost cattle, who claw their way into the subway stations in the morning and in the evening, have been done great harm because this City, in effect, has had no real effective zoning resolution for many years. It also is apparent to me that the arguments that are made in opposition are so pat that they are to a great extent - ridiculous.

We hear the argument that industry will move out of New York City. And while this is not a direct analogy, it is the same kind of thinking. It calls to my mind George E. Harvey, who was Borough President of Queens when Franklin D. Roosevelt first ran for President and he publicly stated: "If that man is elected President of the United States I'll move to Canada". Well, Roosevelt was elected

and George U. Harvey went on being Borough President. While that is not a direct analogy at all, it is the same kind of "fear" thinking -- the kind of thinking that everything is going to pot if anything new is effected.

I think that anybody who will study other cities that have modern zoning resolutions of which they can be proud, have found that business has come into the City, that conditions have improved, that real estate values have not gone to pot.

And so, getting away from that and coming down to our own particular district, it seems to me that it is a classic example of what's happened under our present zoning statute. As you walk through our area between Broadway and the Hudson River, from 14th Street to Spring Street, you would think the old scarlet fever epidemic was back - when they put the signs on the doors when the houses were quarantined. Building after building, not one, not ten, not twenty, but thirty or more, with white crosses on the windows -- and almost every day as you walk through that area -- you find another building with white crosses. That area is getting to be known as "the area of the white cross".

Gentlemen, it is a disease, and it is a tragedy that people are being evicted from their homes in the Village day after day, when the buildings that the speculators are putting up are not even rented. I went to some of the buildings myself and I can tell you on my own authority that when I asked about an apartment I was asked when I would move in. I said, "Oh, in a week or two." They said the rent wouldn't start for two or three months. I said, "Why?" They said, "Oh, because of the cost of moving. We would like to help you out with the cost of moving." I then said, "By the way, I

know the attorney for the owner. Do you think that would help?"

And the agent said, "Boy, you could get a few months added to that."

Now, that's the demand for the buildings that are being demolished and where new buildings are going up under the present zoning resolution. As you walk through and look at them, and look at the area of space and light from the various apartments, you will realize why they are not renting.

Recently - I do not want to name the specific case - but it's a matter of record. There is a building that is 17 stories high which was put up some years ago. About 80 feet away, a building is under construction that is 18 stories high. The windows of the 18-story building face east. The other building is now going to, and has the approval, to extend its 17-story building to fill in that little green spot of 80 feet and smack it up against the other building where the windows in those apartments are. I asked one of the parties involved whether they wouldn't cut off the light and air from the other building. They said, "Well, it's our property and their tough luck."

Now, those to me are examples of the kind of buildings that could not be put up under the new zoning resolution. And I am sure that if it were ever put to a referendum of the people, it would sweep this town. Because if you talked to those people ten years ago about zoning, they wouldn't know what you were talking about. If you talked to them five years ago they didn't know what you were talking about but as they get evicted, as they see what's going on around them, the people of New York have finally awakened to the fact that zoning, with city planning or community planning, is the important thing in

their lives from the standpoint of living, from the standpoint of their children going to school, from the standpoint of where they work, from the standpoint of their whole lives.

And so I say to you that the Greenwich Village Association we had some suggestions, some of which you adopted -- there are a couple more -- we will be glad to talk them over; we see your viewpoint; you have our viewpoint; if we don't iron them out within the next few weeks they can always be ironed out later. That's not the point. We are not arguing about those particular things. We are arguing for the passage of the whole zoning resolution now and soon, and we ask you to please hurry. Thank you.

CHAIRMAN FELT: Thank you, sir. Mr. Petrillo?

PAUL PETRILLO : Gentlemen, I am Paul Petrillo, Assistant Director of Traffic Engineering and Safety of the Automobile Club of New York, an organization of more than 370,000 members. I am here to express our vigorous support of three sections of the proposed new zoning regulations which are of direct interest to motorists.

Specifically, they are the sections dealing with off-street parking and loading. In general, the report emphasizes the inevitable continued growth and use of the motor vehicle and takes the positive viewpoint that vehicles and their drivers must be accommodated if the City is to continue to thrive and develop.

This viewpoint is particularly refreshing in view of a rash of recent proposals which seek to ban the automobile from certain areas of Manhattan, and generally make Manhattan more inaccessible to motorists than ever before.

Article Two, Chapter Four of the new resolution is concerned primarily with requirements for off-street parking facilities

in residential areas. Without going into detail, it substantially increases the amount of off-street parking to be provided in multiple-family developments. The proposed changes are well supported on the basis of clearly established trends toward increased car ownership and use, and as an answer to the practical problem of saturating streets with parked cars.

Article Three, Chapter Five deals with commercial off-street parking and loading regulations and establishes the requirement that off-street parking spaces shall be provided in accordance with an established formula depending upon the character and size of the commercial establishment and the kind of district in which it is located.

The formula established, relating to the number of parking spaces required to the floor area of the establishment or, in some cases, to the seating capacity, seems reasonable.

The provisions in this suggested change certainly seem to be moving in the right direction. It should be noted, however, that in some areas - notably lower Manhattan - commercial and manufacturing buildings are exempt from providing parking facilities on the grounds that they would be impractical and would attract still more cars and add to traffic congestion. The answer to alleviating traffic congestion is not to bury our heads and blandly state that we should do nothing to attract more motorists. History shows that we cannot eliminate congestion merely by hoping that it will go away. Nor should we want it to go away. Traffic and our ability to accommodate it is essential to any growing and vigorous community. Traffic will continue

to enter these core areas. It is therefore essential that we provide additional parking spaces in those areas where the public wants to be. To a large degree, the city's off-street parking program will fill a major part of the parking space shortage. Where possible, however, private builders as well, should make provisions to accommodate still more parkers.

Article Four, Chapter Four, covers the problem of providing off-street parking space in manufacturing districts. The introduction to this chapter points out that this is a serious problem -- that off-street facilities are not provided to the degree required in factory areas. Consequently, streets in these areas are clogged with curb parking to the detriment of moving traffic.

The suggested formula calls for one parking space for every three people employed. This is a reasonable figure.

Again, I should like to say that the three provisions covering parking facilities seem reasonable, in our opinion, and should be adopted. Thank you.

CHAIRMAN FELT: Thank you. Is Mr. Remer present?

VICTOR REMER : Chairman Felt, distinguished members of the City Planning Commission, my name is Victor Remer. I am the Associate Director of the Lenox Hill Neighborhood Association and Secretary of the Yorkville Housing Committee.

The Lenox Hill Neighborhood Association is a large Settlement House located in Yorkville. For sixty-five years the Association has offered a variety of services to Yorkville families to enrich the lives of our neighbors and to improve the community



in which they live. The Yorkville Housing Committee, formed in 1955 and composed of representatives of schools, churches, social agencies, hospitals, banks, real estate firms, local political clubs of both major parties, and elected public officials and lay leaders, has attempted to resolve some of the critical housing problems facing our community.

It is with great pleasure that I appear before you today to testify on behalf of both groups. The Lenox Hill Neighborhood Association and the Yorkville Housing Committee have by unanimous vote endorsed the basic principles set forth in the proposed rezoning resolution. We feel that it is essential to the sound and wholesome development of the Borough of Manhattan, and of the City of New York, and in the best interests of all of the citizens of our City, that this proposal be enacted into law.

May I add in conclusion, that this Commission is to be congratulated for its courage and vision in developing this flexible and bold guide for sound city planning. It has been a pleasure to have been part of this democratic process, for we were involved, as were countless other organizations, from its inception, provided with time and technical assistance to study the proposal, and given the opportunity to recommend changes and revisions. We are proud to stand with you in urging its enactment into law. Thank you very much.

CHAIRMAN FELT: Thank you. Is Mrs. Rusch present?

MRS. LUIS E. RUSCH : Chairman Felt, members of the City Planning Commission, my name is Luis Rusch. I am testifying on behalf of the Yorkville Civic Council which has by unanimous vote endorsed the principles of the proposed rezoning resolution.

We favor the new zoning resolution because of the aid it will give to sound replanning of the Borough of Manhattan. Because of the fundamental orderly construction of the resolution, it will be easy to plan the need for new facilities of all kinds--schools, transportation, hospitals, etc.

With regard to residential districts, the various methods of controlling bulk, population, access to light and air, generally appear to be good as well as flexible. Thank you.

CHAIRMAN FELT: Thank you. The next group to be heard will be in the following order - Mr. Gould, Mr. Myerson, Mr. Caniveri, Mr. Faubman. Is Mr. Gould present?

BRUCE J. GOULD : Mr. Chairman, members of the City Planning Commission, my name is Bruce J. Gould. I am Housing Chairman of the Lenox Hill Club, an independent club for Democrats on Manhattan's East Side. Our political district extends from Third Avenue to the East River, 53rd Street to the 80's. It is with that community that I am concerned today. The Lenox Hill Club has voiced its approval of the new comprehensive zoning of our City at all of the hearings of the Commission concerned with the proposed resolution, in general, and Manhattan Island, in particular. We do so again today.

The proposed comprehensive amendment of the zoning resolution is urgently needed if we, the people, are to be masters of our City's future growth and development, rather than the observers

of its decay and decline. On the East Side the building boom has been at an unrelenting peak. A striking chain reaction pattern has emerged on the blocks of our East Side community. Where one new building has gone up, there has been a conversion of an older building, then over half of the other structures on the same block have been replaced or converted. With this building spree, the future of Manhattan's East Side, more than most Manhattan communities will be visibly and beneficially affected by the comprehensive new zoning resolution.

What is remarkable about the East Side building boom is that it has been carried out entirely by private financing. The consequence is a lot by lot construction without regard for the requirements of a balanced community for the present residents. We need the passage of the proposed zoning resolution to halt the further production of chaotic, irrational and disorganized neighborhoods.

Today's law permits the canyonizing of the East Side residential community at the expense of present inhabitants and future residents. In the absence of the new zoning resolution, the East Side, we feel, will increasingly look like this. We are opposed to this canyonization. We are opposed to the overcrowding, the elimination of sunlight and air, and the ultimate downgrading of our community, which will occur under today's inadequate law.

The Lenox Hill Club urges the adoption of the comprehensive amendment of the zoning resolution. To those concerned with the upheaval of families on the East Side, each week calls attention to additional demolition for tall apartment buildings, and conversions. The figures bear this out. 24% of the population

in the overall East Side area, 59th Street to 96th Street, east of Fifth Avenue, has been driven out since 1950. The family size of those families pushed out is estimated at 3.3 persons. The East Side influx is at a substantial small household average - two persons per household - something akin to a transient hotel.

The Lenox Hill Club has reservations as to the mapping of our community which we have expressed in consultation with members of the staff but these in no way detract from our emphatic endorsement of the proposed zoning resolution.

An analysis of the mapping of the Lenox Hill Club area quickly discloses that the planning has been compromised, giving way to density levels which are unjustified and unsound. Manhattan Island, with a present population of 1,820,000, is given a proposed zoning capacity of 2,230,000 -- a sensible increase of 23%. Our East Side Lenox Hill Club area, with a present population of 72,000, as of the 1957 Census count, is mapped for a density of 200,000 people, nearly a 177% increase over current population and 144% greater than the overall Manhattan average increase. These are not realistic density levels. We know from the consultants' report, Voorhees Walker Smith and Smith, that R7 Districts, and I quote, "permits bulks and densities higher than desirable. They are considered tolerable levels in special situations where the desirable standards cannot be met". I quote from Page 44 of the study.

The mapping of the area of 53rd Street to the 80's, east of Third Avenue, makes painful reading. Only the insides of three and a half blocks of our whole community are zoned R7 - a scant 3%. 47% of our community, the insides of the balance of the blocks, are zoned at levels of the Grand Concourse. Unbelievably,

50% of our area is zoned at R 10 levels. Truly, has someone made a mistake? We propose R7 zoning for the insides of our blocks, R8 as a top level for the avenues and a scant R 10 for truly restricted blocks. This would result in a population density of approximately 126,000 people, a 75% increase over current population, and yet, be three times more than the overall Manhattan increase.

We know that our community would become -- without the passage of the proposed resolution -- increasingly canyonized. It will look like this. (shows picture)

We again urge the adoption of the proposed amendment to the zoning resolution. Thank you.

CHAIRMAN FELT: Thank you, Mr. Gould. Mr. Myerson?

WILLIAM MYERSON : Chairman Felt and members of the City Planning Commission, my name is William Myerson and I am an attorney with offices at 959 Eighth Avenue. I represent the Hearst Corporation and, more particularly, the New York Daily Mirror of the Hearst Corporation. My client owns the square block of property running from 39th Street to 40th Street, from Second Avenue east to the approach to the Midtown Tunnel.

The property was assembled and acquired in 1944 at great cost for the purpose of erecting on it a newspaper plant and office building. The property at that time was zoned and still is zoned for unrestricted use, which would permit the construction of a newspaper plant and an office building with at least 700,000 square feet of usable area.

Now, we have held that property for 16 years at great cost and, as a matter of fact, we have kept a big piece of it completely unimproved at expense to ourselves, waiting for the day when we could erect this newspaper plant and office building.

It is now proposed under the rezoning to include this property in a C8-3 District which, in our opinion, would completely destroy its value and certainly make it useless to us. In a C8-3 District, as you know, you may not construct a building with more than two square feet of usable area for each square foot of plot area, so that on this square block we could not erect a building with more than 80,000 square feet.

Now, this would be a ridiculously inadequate improvement on the piece aside from our own personal use of the property; and if we attempted to sell the property with this limitation of an 80,000 square-foot building, we would have to take a very considerable loss.

CHAIRMAN FELT: Mr. Myerson, what is the zone designation that you think would be more appropriate?

MR. MYERSON: I think it should be C5-3.

CHAIRMAN FELT: May I know what page this is on?

MR. MYERSON: A-D, I think it is.

CHAIRMAN FELT: I am familiar with the property. I just want to see it in relation to the surrounding blocks. There is a C5-3 District adjoining your property.

Myerson / Felt

MR. MYERSON: Yes. As a matter of fact, I was just going to call it to your attention. Within 30 feet to the north or 50 feet to the west of us, you have a C5-6 and within one block to the west you have a C5-3.

Now, the line which throws our property into the C8-3 District doesn't seem to have any real purpose or meaning. It runs through the middle of 39th Street until it reaches our property and then makes a northward turn until it reaches the end of our property, and then makes an eastward turn again, so that it seems to have been designed just to skirt our piece.

CHAIRMAN FELT: That may be an impression that one would get and I can understand how one might get that impression, but I don't think you believe, nor do any of us want you to believe, that it was designed in order to do that.

MR. MYERSON: Definitely. I merely want to make one additional statement.

CHAIRMAN FELT: As I said earlier, there are many mapping changes that have to be made in a city as large as New York. That is why we have these hearings.

MR. MYERSON: And I respectfully call this to your attention. We do feel that a mistake has been made with regard to this piece. We are very seriously hurt and we ask you to correct it, sir.

CHAIRMAN FELT: We shall be mindful of your situation. Do you have a statement that you may wish to leave with us?

Myerson / Felt

MR. MYERSON: I will have it typed and send it to you as soon as possible. I'll do it today.

CHAIRMAN FELT: Thank you, Mr. Sirote.

PETER AUSNIT: My name is Mr. Ausnit. Chairman Felt, we - Mr. Edward Ausnit and the Redwood Corporation - are the owners of the properties ....

CHAIRMAN FELT: Are you speaking for Mr. Sirote?

MR. AUSNIT: No, sir. Mr. Sirote is our lawyer. My name is Peter Ausnit, 525 Park Avenue. We are the owners of the property at 525 and 521 Park Avenue, located between 60th and 61st Street on Park Avenue. As you know, the north-south dividing line between the commercial and residential districts on Fifth Avenue, Madison Avenue, Lexington Avenue and Third Avenue, is at 61st Street, as per Plan 8-6, Page 135. Only on Park Avenue, the north-south dividing line is on 60th Street.

Lately, the traffic flow to and from the new addition to the Queensboro Bridge has been diverted to 60th and 61st Streets. The I.R.T. and B.M.T. subway stations on Lexington Avenue and 60th Street are being converted into an express station and, as you know, it is one of the fastest growing subway stations.

We therefore respectfully make the suggestion to have the residential zone on Park Avenue start at 61st Street, and ask permission to file a substantiating memorandum.

CHAIRMAN FELT: So that the Commissioners will have an understanding of this, at the present time you are in a residential zone.



MR. AUSNIT: That is correct, sir.

CHAIRMAN FELT: And that has been a residential zone for many decades, beginning at 60th Street.

MR. AUSNIT: That is correct, sir.

CHAIRMAN FELT: And your property starts at the center line of the block between 60th and 61st Streets, and you would like that changed now from a residential zone to a zone that would accommodate, let's say, an office building? Is that right?

MR. AUSNIT: A high-grade office building.

CHAIRMAN FELT: Very well. And you wish to submit a memorandum in that connection?

MR. AUSNIT: I would like to do so, sir.

CHAIRMAN FELT: Would you send it as soon as possible, please?

MR. AUSNIT: Yes, sir.

CHAIRMAN FELT: Thank you. Mr. Weinberg?

ROBERT C. WEINBERG: My name is Robert C. Weinberg and I am speaking in several capacities here, if you bear with me. Unfortunately, I wasn't able to be here last week either at the hearings on the general text, at which I had planned to speak for the American Institute of Planners and as an individual architect, or at the Bronx hearing, at which I had planned to speak as an individual architect.

So, with your forbearance, I would like to make a few general remarks. After hearing Mr. Molloy and the several

speakers from Lenox Hill, I don't think I need to add -- in fact, I couldn't add anything to the general idea of the need for the sort of open space which may be achieved by the general provisions of the text here, and I am sure that you know that I am generally in favor of it.

If I may presume upon your time for a few minutes to go over a number of little items, not in detail, but each, I believe, will be helpful to your Commission in your ultimate objectives.

In the first place, I have here a memorandum from the Borough President's Planning Board of the Greenwich Village area. The Chairman, Mr. Canivari, and the Vice Chairman, Mr. Dapolito, may or may not come down later in the day to speak for that Board and asked me merely to go on record on it, because the memorandum will be received by you in due time.

I believe it is important for the members of this Board to know, and the Board of Estimate and, also, the new members of this Board -- that we are lucky in having in Manhattan official representation at the local level in the Borough President's Planning Boards, which are the official arm of the Borough President's Office.

Now, I can't speak for the one on the West Side, or Harlem, or Lower East Side and others, but I can say that the Borough President's Planning Board of Greenwich Village has three times, unanimously, (all 45 members representing all the many local

groups of which the Washington Square Association and Greenwich Village Association are only two) supported the new zoning both at the time last year when the consultants' report came out, and afterwards, and have submitted at that time many suggestions, some of which were adopted. They now believe, and I am speaking in a generality, that the main comment that the Local Planning Board will have - if Mr. Dapolito or Mr. Caniveri comes - is that this Board was too timid and did not go far enough in protecting more sections of the Village that we had asked for.

For example, one particular one, which was suggested by Mr. Molloy, was to establish a C3 area - a waterfront recreation idea - a wonderful idea in the general text of having a waterfront recreation area. You probably had it in mind for the outer boroughs but the Greenwich Village Association and the Local Planning Board believe that something like that - to supplant one of the old docks near the foot of Gansevoort Street - would be very much in order.

It is that type of thing which we hope the Commission will give an opportunity for detailed discussion.

Now, again to hark back to last week and to come right to Manhattan: The Institute of Planners suggested that you include in your report to the Board of Estimate a strong statement of intent to work out a procedure for controlling the design of buildings in important places. I don't have to go into details of that. You received our memorandum, as you will recall, but I did want to say right here and now that for Manhattan, that should

start right here around City Hall Park. As architects, we have long suffered the constant pain of seeing such contrasting - ugly contrasts - of the Woolworth Building and the Transportation Building next to each other. There is another ugly building going up right next to it which will again clash with those two and have no relationship to City Hall Park and the public buildings around Foley Square.

I recommend the early adoption of a design ordinance of the sort that we will suggest, which would establish certain districts wherein such controls will be carried forth under various methods. It should first and foremost be applied to our main civic centers in Manhattan and, of course, in Brooklyn, as well as to residential areas like the Village and Brooklyn Heights, of course.

Next point: the new zoning gives a great deal of flexibility of its application through the many and complex instruments that it provides and, strangely enough, sometimes you might work a thing by withholding instead of permitting -- by which I mean that there are certain very delicate areas such as that wonderful little block we have in Greenwich Village of 4th Street, where you have many little specialty shops that give a character to the area where, unfortunately, as we will show you in the memorandum that I will hand in and not read now, that area has been by your field crew indicated as commercial, whereas actually, if it were zoned commercially, it would immediately lose its character because it would pay people to pull them down and

Weinberg

put other commercial buildings there. Whereas, by keeping it non-conforming and using the non-conformity as an instrument to keep something for preservation this could actually be used in this way.

Our next point is the matter of using this wonderful zoning instrument which we hope will go into effect as soon as possible, to guide useful developments that we see coming, as well as merely to try to freeze what is.

Now, Mr. Molloy referred to the vast area that lies on lower Broadway below Cooper Square, which is a crummy sort of a wholesale general business area. Now, as I came down in the taxicab this morning, I was very much surprised to see the southwest corner of Bleecker and Broadway, 100 by 150 feet, cleared, and an announcement of an apartment house going up. Nevertheless, you have that shown as a manufacturing district because it is largely old loft buildings.

Many of us believe, in Greenwich Village, that the area down there may be going residential; and I recall listening last week, when I was hearing the broadcasts at which you all made excellent radio appearances, a man by the name of Beane, I think, who lives in a newly remodeled apartment house on Lafayette Street, next to the famous old Mallenade Row, complaining because that area was being shown as Manufacturing. He had a very legitimate suggestion to make and I hope that type of suggestion will be considered by

your Commission - to use this excellent instrument for catching on to the trends that are happening and beginning rather than to merely freeze the uses that are.

Now, similarly, last week - and now I take the privilege of speaking a little bit for the Bronx - there was a speaker who, although he spoke out of turn as I may be doing now, spoke on a specific instance somewhere in Queens, I think, at the hearing on the general text, and this would refer to the Bronx, also. He felt that there was a need for an intermediate use classification - which might be 2A - which would be equivalent to the present E-1 and D-1 zones for one and two-family double houses and attached row houses, somewhere between the detached house and the R4, which permits a variety of buildings, including multiple dwellings of some height.

Now, that, gentlemen, again had an interesting point which I hope you will consider in your general text. He may have had one misunderstanding. He felt that as soon as you have apartments you are going to have too many cars and people - forgetting that the R4, floor area ratio .7, is less than the floor area ratio permitted in E-1 at present and, actually, the floor area ratio is what counts, not whether the building happens to be high. If you have a ten-story building standing in a ten-acre plot, you are not going to have as many people there as if you had the place all filled with two-family houses.

I think that there may be some justification in an intermediate zone, not for two-family houses, but for two-story buildings, allowing people to have garden apartments, group houses, two-family so-called twin houses in an intermediate zone between the one-family house designation, the detached, and the R4.

Now, on the R4 - I want to mention that that is one of the best things that the Commission has because it permits the type of mixed projects that every architect and planner throughout the country is doing. Some of the finest things are being done under the auspices of people like Zeckendorf and Jim Scheuer and all over the country - St. Louis and Washington, and other places that people of Manhattan think are unimportant, in the sticks - all being of mixed uses, mixed building types, I mean - I don't mean uses in that sense - mixed residential types. The R4 zone is excellent and one of the best things you have.

And now I want to register the only single important objection I have to what you have before you today, with all due respect to all of you here and, that is, that I think it is positively shameful that the excellent effects of this proposal are to be postponed for one year after its adoption. I don't know why the people who are to benefit by this must suffer because of a few people who are putting pressure on you. I believe that what you should do is to have it adopted immediately and then make special provisions for the people who can prove that they have hardship if they can't be allowed to build under the old rules within a year.

CHAIRMAN FELT: Mr. Weinberg, I want to make a correction. You imply that the one-year grace period was brought into our resolution because pressure was put upon us to do it. That is not the case at all. We did that of our own will and intent. We did it because we wanted to have an adequate period of time to make still further corrections and changes even after we have approval from the Board of Estimate, because there are many fine points and distinctions that we want to carefully weigh.

There have been many constructive criticisms that have come to us at these hearings which we will be mindful of and will be sympathetic toward, but I don't want you or the public to feel that even after the approval of the Board of Estimate that this is going to be a perfect resolution. It is going to be far better than what we have now but we want to try to make it still better during that one-year period.

MR. WEINBERG: If that is true, Mr. Chairman, I would like to make only one comment - that you then change that sentence to say - because there may be delay in the Board of Estimate - that it shall take place one year after adoption but not later than a certain point instead of not earlier than a certain point, because you can make your corrections while the Board of Estimate is deliberating, but if you say not later than a certain point instead of not earlier it would be better because, otherwise, it may go on forever and forever. Now, one other thing that was suggested by some



of the speakers last Monday or Tuesday - again I am speaking on The Bronx - just this one more item in The Bronx and then I will come to what I am really down here for - for the Washington Square Association: the suggestion that somebody made that commercial day camps and so-called commercial clubs not be permitted in residential areas. Many of those have been developing in Queens as well as in The Bronx and they are not really private clubs in the true old-fashioned sense of the word. I know Commissioner Orton will know what I mean - that the sort of day camp and day club that they are trying to establish are anything like the Riverdale Yacht Club, which is a quiet and proper neighbor for a residential area, and there are many business men who are operating things under the name of clubs and are getting into residential areas, which I don't think is an appropriate use.

I believe that the residential property owners would be protected if the definition of a "club" was one that said, "and not operated for profit" or something to that effect. I remember somebody making that suggestion in one of the hearings.

Now, as long as you have been good enough to let me speak on this thing, I do have this brief statement for the Washington Square Association. Mr. Hehmeyer will not be able to be here and asked me on behalf of the Association to read this:

"The Washington Square Association joined with other organizations in the Village last May to suggest

certain modifications in the maps contained in your consultants' proposals for rezoning New York. We are pleased to note that a number of our suggestions have been incorporated in the maps under consideration. At this time we have a number of specific suggestions to make in the pending maps. These proposals fall roughly into three categories: the proposals we made last May which we still believe should be adopted and that is, particularly, to anticipate this residential development, east, southeast, and northeast of the Washington Square neighborhood.

Secondly, new proposals growing out of certain changes which were made by your Commission from the consultants' report and (c) a few additional proposals reached upon further study by us.

We would like at this time to outline the nature of these suggestions, using approximations. However, in order to present these suggestions in detail we would like to request that they be taken up with your staff in an appropriate time when the approximations could be superceded by specific and precise data. Now, these approximations include such things as the unfortunate downgrading of the zoning on some of our cross streets, which are presently zoned, after much effort, into Restricted Retail, and which

have been changed into C4-5, which would be quite different from C1-7, which is the normal thing for a Restricted Retail area, in a residential zone, or a Local Retail.

We believe that this downgrading is an error and we would very much like to have the opportunity of going over that with you in detail."

I mentioned the matter of extending the residential zone east and west. We are also anxious to protect a group which I don't know whether or not is represented here; that is, the West Village group, over west of Hudson Street, which is a newly emerging residential area where your Commission gave a very small residential zone which we believe ought to be considerably enlarged and have a buffer zone between this residential zone and the warehouses to the west. This would be the east side of Washington Street from Horatio Street down to Christopher Street, which is being left in a very miscellaneous commercial zone of C8 or something of that sort, and which we believe should be C1-4, which is the general nature of the periphery.

Another thing is the one I mentioned - that little area around 4th Street, Washington Place, and so forth, where for some inexplicable reason, the Commission has stuck a commercial zone in the middle of a very fine little residential area -- where one frontage has specialty shops which we believe could be kept there but where three of the five frontages which are

zoned "commercial" are entirely residential and we hope will stay there - on Washington Place and Waverly Place.

And, finally, the area immediately to the north of the Village, which nobody has given a thought to a year ago, now you see apartment houses going up on Fifth Avenue, 15th Street and 16th Street, and 14th Street, where we again believe that an appropriate zoning for residence with shops below, equivalent to the old Local Retail, would be in order.

Finally, the Washington Square Association has taken one other stand, which is a new one which I don't think has been heard of before, when the Zoning Committee met a short while ago; and that is, it believes that in view of the excellent beginning that this Commission has made in its temporary zoning to control and limit the volume of construction on the residential side streets which will be continued, we naturally hope, by the adoption of the eventual zoning; that you should not make it all the more difficult for apartment house builders to build on the main avenues by reducing the floor area ratio on the big avenues like Sixth and Seventh Avenues much below what they are at present under the present zoning. Fifth Avenue has been left in the equivalent of its present zoning, and the Washington Square Association Zoning Committee believes that as a matter of reasonableness and conciliation to the builders who will want to, and we hoped would, concentrate their construction along Sixth

Avenue - there are many vacant spaces along Houston Street and 14th Street - and along Seventh Avenue, should be allowed to build at a density not less than what would be permitted on Fifth Avenue, University Place - I think that's R8 or R9, rather than that should be put into a C classification, which is considerably lower, along those business spots because those are the natural spots for apartments.

That is the general nature of the Washington Square Association's feelings there, and we hope to have the opportunity of going over these things in detail.

I want to close by making stronger the one remark, that is, in Manhattan the Borough President has 12 Planning Boards who have gone over this zoning in considerable detail - I can speak for the Greenwich Village one and a few others - and that I hope that the Borough President will be mindful of that when this comes before the Board of Estimate. Thank you very much for your indulgence, Mr. Chairman.

CHAIRMAN FELT: Did you say that you were speaking for Mr. Hehmeyer?

MR. WEINBERG: Yes, sir. I spoke for Mr. Hehmeyer.

CHAIRMAN FELT: Thank you. Is Mrs. Kunkes present?

CHARLOTTE KUNKES : Commissioner Felt, members of the Planning Commission, my name is Charlotte Kunkes. I am Chairman of Local School Board No. 2. I wish to say that, generally, I heartily endorse the Proposed Comprehensive Amendment to the Zoning Resolution of the City of New York.

I agree with the City Planning Commission that it represents a long overdue reform which will ultimately bring order out of chaos and pave the road for a master plan. I congratulate you, Commissioner Felt and members of your staff.

With this general endorsement, I wish to turn to something specific which I feel needs modification and change. I am primarily concerned and will address my remarks to an area bounded by Market, South, Montgomery and Cherry Streets. This area has been designated as a restricted commercial or C6-4 District. I feel it should be rezoned as a predominantly residential neighborhood with some sections set aside for retail shopping. Thank you very much for giving me this opportunity.

CHAIRMAN FELT: Thank you. Mr. Edgar I. Levy?

EDGAR I. LEVY : Chairman Felt and members of the City Planning Commission, my name is Edgar I. Levy. I am Chairman of the City Planning Committee of the Real Estate Board of New York, Inc. At the outset, I wish it to be clear in your minds and clear as far as the public is concerned that in submitting recommendations for map changes, The Real Estate Board of New York, Inc., is not abandoning in the slightest the opposition

expressed to the adoption of this resolution at the public hearing last week by our representative, Frederick A. Wyckoff, and on behalf of the Metropolitan Association of Real Estate Boards by Frank A. Barrera, Chairman of its Zoning Committee. Neither do we abandon our request that this Commission allow more time before these public hearings are closed, and that the Commission postpone action.

The recommendations I am submitting are all that our Committees have been able to arrive at in the short time allotted to us. If you will grant us the time we need we will submit additional recommendations. We would like to prepare a more detailed study, which we are sure would produce additional recommendations which would be of benefit.

We wish to express our appreciation to you for reflecting in the City Planning Commission's proposed resolution a number of our recommendations offered in connection with the Voorhees, Walker Smith and Smith proposal.

The following changes in the proposed maps would, we feel, be beneficial:

- 1) That Third Avenue should be C5-3 all the way up to East 61st Street, as there is no particular change in the character of Third Avenue warranting a difference in the zoning of that thoroughfare below and above 47th Street. We also believe that Second Avenue from 40th to 47th Street should be a C5-3 area, as should the

small R8 District from East 48th Street north, as a residential strip would be out of place in a commercial area. The apartments in this area would, of course, be allowed to remain under the proposed resolution, even with this suggested change.

2) Wall Street from Water to South Street should be a C5-3 District. Wall Street widens out between these two streets, and there is no reason for that part of Wall Street to be more restricted than the balance of Wall Street.

3) Areas adjoining universities and hospital centers are too restricted to enable the necessary dormitories and other facilities to be built and should be changed from R8 to R10.

4) An examination of the map of Manhattan in the proposal reveals that an astonishing amount of the Island has been mapped for R7, which designation, under the restrictions contained in the resolution, would result in this extensive area being devoted exclusively to large scale housing projects. This we feel is a fundamental error of great seriousness, and one that would have tragic effects on the future of this city. The result will be that either builders will pay high prices to assemble these large plots, if they can obtain them, and thus be compelled to charge high rents to make an economic enterprise, or where they will be unable to assemble the plottage, the small plots will deteriorate into slums because they cannot be adequately used economically.



The other alternative is, of course, that the City itself will assemble and condemn these properties and build on them public housing. In this way there will be produced what everyone wants to avoid - a Manhattan that contains mainly high-rent apartments and public housing. The middle-income families which we so badly need will continue to be driven away. If it is your determination to make the residential parts of Manhattan areas of gigantic apartment developments, we think you are going to produce a city that will bear all of the appearance of an institution regimented and standardized, and the very thing you say you are trying to avoid will inevitably happen.

You want a city of variety and so do we, but this will produce the exact opposite. Thank you, gentlemen.

CHAIRMAN FELT: Thank you very much, sir. Is Dr. Elder present?

DR. DUNCAN ELDER : Chairman Felt and Members of the Planning Commission, my name is Duncan Elder. I am a Trustee of Phipps Houses, which is a non-profit corporation organized to provide low-cost housing in the City of New York. We have three projects now in the City of New York. We are constructing a fourth near New York Hospital, and we have been designated as the sponsor of the Bellevue South project.

On behalf of our Board, I want to express our hearty approval of the proposed zoning resolution and we recommend its adoption.

Levy / Elder

Now, to get to specifics: we do have one change which we request in the map for Manhattan, and that applies to the site of the proposed Bellevue South Title I Project between First and Second Avenue, 24th and 29th Streets. It is on the proposed map - shown as R7-2 which, according to our architects, would permit 7500 rooms.

The whole purpose of the Bellevue South Project, aside from providing housing for those people who live in the area, is to provide housing for the employees of the N.Y.U.-Bellevue Medical Center, for which there is a terrific need.

I believe the previous speaker just touched on the need for more housing in the area of hospitals and universities. We need more space for our project if it is to be successful, and we would request that the proposed map should be changed from R7-2 to R8. More specific information is given in our letter to you, dated February 19th.

CHAIRMAN FELT: We have that communication and are giving it very serious consideration.

DR. ELDER: Thank you, Mr. Chairman.

CHAIRMAN FELT: Leonard Farbman?

LEONARD FARBMAN : My name is Leonard Farbman. I am appearing for the Midwest Democratic Club and some other civic groups which I will mention in a minute. My purpose is to carry a message to you from the Democratic Club, an organization club, which had a meeting on the topic. Commissioner Bloustein was there.

Elder / Farbman

I am authorized to tell you that the Club supports your zoning proposals and the general philosophy in back of them. I would like to take a minute now in my role as an inveterate West Sider - some of you know my credentials so I won't bother repeating them - to tell you that the important thing is that the people have a surprising interest in and a knowledge of what is happening in connection with zoning, and a desire for it. The West Side has been a battleground on this whole slum situation and I really believe - I don't think it is because I want to believe it - that people are gradually realizing that it is not a racial problem; it is not a minority problem, but it is a problem of space and a problem of density. It doesn't make any difference whether the people who are crowded are Spanish-speaking or English-speaking, or whether their skins are red, green, blue or white; that if there are too many people in an area, that this must cause trouble. I think this is the reason why the people, the citizens of New York, will back and are backing the philosophy, as I said before, behind the idea of renovating the zoning regulations for the City.

It is obvious that this must make improvements for the people and, after all, the City as well as its zoning regulations are for the people.

I'd like to say just one more word. I have listened to and read some of the opposition to your program. It evolves down to a very simple proposition, and that is that some people will

be hurt financially in this case. Now, I have appeared here personally in other of my civic duties in favor of such developments as Lincoln Square, and so on, and stated that the hurt which the displaced tenants must bear certainly must be alleviated to every extent possible but that this cannot be the over-riding proposition which stops progress.

Now, this certainly applies to financial hurt, which is the legitimate quarrel which people have with this particular zoning proposition. And I say in the same way, and I am sure that the overwhelming majority of the people of the City will say, that any financial hurt which will be inflicted, perhaps, should be handled in some way or another, but in no way, shape, or form, can any such hurt or any such injury or claim of injury stop in the slightest the march of progress which your zoning regulations represent. Thank you very much.

CHAIRMAN FELT: Thank you, Mr. Farbman. Mr. August?

BARNETT AUGUST : My name is Barnett August and I am the Executive Director of the East Side Chamber of Commerce. I have been directed by our Board of Directors to come here and express our views as being in favor of the zoning changes. We have some few minor suggestions if we may, Mr. Felt, present them to you.

Farbman / August

CHAIRMAN FELT: Mr. August, you may have arrived after I read a brief statement to the effect that we do not regard suggested changes here and there as implying an objection to the resolution. We are pleased to hear that you are in favor of the resolution and we welcome any suggestions you may make in connection with a specific situation.

MR. AUGUST: We suggest that the area bounded by East Broadway, Canal Street, Forsyth Street and Essex Street, which is now in a C4-5 and a C6-1 area - this would prohibit among other things the specific uses of needle trades. At the present time there are a number of needle trades in the community. We are talking about needle trades of a wholesale nature.

Secondly, the plumbing fabrication, for example ....

CHAIRMAN FELT: Mr. August, I don't want to go into a discussion of these items point by point but I think that some clarification may be helpful to you, and I am going to have a member of our staff speak to you after you conclude your statement and arrange a time when you might be able to review these different points with him.

MR. AUGUST: Mr. Felt and members of the Board, the statement that I wanted to make is brief. We've made it as brief as we possibly could. I wanted to say that we earnestly recommend that the area bounded by Orchard Street, Stanton Street and Canal Street be changed to an M1 area, which will be adjacent to an M1-5 area; and the other area bounded by Essex Street,

Orchard Street, Canal Street and Grand Street be designated as a C6-2. Other than that, we are heartily in favor of your recommendations.

CHAIRMAN FELT: Mr. Carillo, will you speak to Mr. August and arrange a time for him to meet with someone on our staff? Is Mr. Nehring present?

FRED NEHRING : Mr. Chairman and Members of the City Planning Commission, we greatly admire your leadership and the general idea of the zoning plans. I represent the Manhattan Planning Board, District 12, Youth Aid, Inc., and Broadway Temple Washington Heights Methodist Church. It is the feeling of the organizations represented that the Jumel Mansion area from 165th to 169th Streets and from Broadway to the Harlem River be zoned to permit only housing for the following reasons:

1) The Edgecombe Avenue boundary of the area faces a park. Recreation space provided by the City for the residents of a community should not have light manufacturing facing such parks. At present there is a garage facing the park at Edgecombe Avenue, and the new zoning plan retains the light manufacturing classification in this location with a park frontage.

2) There is a shortage of housing in the area and a need to provide it with a place for new housing. The need for space on which housing may be built is so acute that the Columbia Presbyterian Medical Center gave up hope of locating their

personnel within the locality of the Center and built for their employees in New Jersey.

3) There are some buildings within the area which could be demolished for future housing needs without creating a serious relocation problem. It therefore becomes one of those locations on which housing for those who will be displaced can be built before demolition of their present housing.

4) There is room, if the area is so reserved, for a great civic center for the area to be built sometime in the future. Such a center would serve to promote community spirit and to provide a focal point for the development of the cultural growth of the area. It would provide recreational space for all ages, serving as a deterrent of juvenile delinquency, an aid to the healthful development of family life, and a service to the growing number of senior citizens.

It is the feeling of the organizations represented that the triangle formed by the intersection of Broadway and Wadsworth Avenue at 174th Street should have its proposed and present zoning designation changed to eliminate the gas station now there and provide for a monument of historic significance with proper planning of the area. The following reasons were given as making the change desirable:

1) Permission was given for the gas station now there with reservations and the understanding that such a station had limited use. It is able to provide only two pumps in the

space available and cars can be serviced only if much of the work done is done on the sidewalk. Cars can drive in and out only if one wheel is on the sidewalk.

2) There are churches on two sides of the triangle. This gives the immediate vicinity a character out of keeping with the presence of the gas station.

3) The triangle dominates an important section of the community. A memorial to the veterans of World War II, or a statue of a colonial hero connected with the history of Washington Heights would be ideal in such a setting.

The organizations represented are disappointed that the new zoning plans for no change in the utilization of Broadway, north of 181st Street. It is now a section of used car and parking lots and will remain so zoned under the new plans. The width of Broadway, the fact that at this spot the land is about the highest in Manhattan, the nearness of this area to one of the City's finest parks - all would seem to indicate that the zoning should be for a commercial classification permitting housing, or for a residential classification.

The organizations represented request the consideration of a proposal to zone the area along the Harlem River from the Consolidated Edison station north to Spuyten Duyvil Bridge as an industrial park. This would screen the present industrial



activity there from view both on the river front and on the street front with plantings of trees and shrubs.

We respectfully submit these recommendations for your consideration. Thank you very much.

CHAIRMAN FELT: Mr. Nehring, do I understand then that the groups which you represent and for whom you speak approve of all of the other zoning that you have in your area, with the exception of the districts noted?

MR. NEHRING: That is right. They merely wish that you include these recommendations.

CHAIRMAN FELT: But they are generally in favor of the zoning resolution?

MR. NEHRING: Indeed, yes.

CHAIRMAN FELT: Thank you very much. Is Mr. Whitman present - representing the Investing Builders Association? (not present) Jane Benedict?

JANE BENEDICT: Gentlemen, my name is Jane Benedict. I am the Secretary of the Yorkville Save Our Homes Committee. The Save Our Homes Committee is a Committee made up solely of tenants of the area which comprises from 59th Street to 96th Street on the East Side, from Central Park - Fifth Avenue, that is - to the East River. The area from Third Avenue east to the river in the last nine years has become a blighted area. It is an area in which some 15,000 families have been evicted from their homes in the last nine years, and several thousand more

families will be evicted by summertime.

Our Committee, as we have testified before - both last June, I believe it was, and last week - heartily endorses the proposals of your City Planning Commission for over-all zoning. We feel, as we said before in our general statement, that this is a first long step toward city planning in a way that will be good for the citizens involved.

We said last week that we recognized that zoning cannot be a panacea for all the problems that face the people and yet we do feel that it can give a green light, to some extent, to the thing that is plaguing the poorer people of Yorkville, that is, the people from Third Avenue over to the East River. That plague is luxury housing.

It can give a green light to luxury housing at \$75 to \$100 a room a month, or it can be something of a brake upon the situation. We recognize, unfortunately, that zoning cannot provide the kind of housing specifically that is needed for the average person of the Yorkville community, but it can do something to help. We feel as we said last June, that if R7 was the general overall proposal for Yorkville, that there would be some possibility of taking the tenements in Yorkville, which are not the worst in the City although they do need modernizing -- if there would be some possibility of taking the tenements of Yorkville and rehabilitating many of them

for the people who now live there. As it is now, luxury housing up to 20 stories high is pushing out these families for whom nobody is responsible in relocation. There is no mandatory landlord relocation. No city agency is responsible for them, and they are competing on the open market with those people who are being relocated with finder's fees paid through Title I, public housing, etc.

These people are competing for apartments which don't exist in the first place in practicality, and they are not able to pay the finder's fees that other tenants in the City have paid for them. These are people who have lived 30, 40, 50 and even 60 years in the same apartment, many of them first-generation Americans, that is, immigrants from another country, having become naturalized citizens. These people were epitomized a few weeks ago, some four to five weeks ago, by a tragic incident in Yorkville which I must burden you with hearing because we feel that it is a very real dramatization of the situation there, and I must go a little far afield.

Two elderly ladies who had been domestic workers all their lives committed suicide by hanging. They lived on 72nd Street between York and First Avenues, in a building which is to be demolished from which they must have had to get out by August. These ladies had managed somehow to scrimp and save \$62,000, through their lives as domestic workers, and yet,

even with this money in the bank, so deep were the roots, so completely unprepared to go anyplace else, were these people that they felt they could not face moving and they preferred hanging. This was in all the newspapers.

Naturally, reading this story, the natural reaction is, after all, if one has \$62,000 one can afford towards the end of one's life to rent almost any apartment. It's true. That is the rational explanation but suicide is not a rational thing, ever, and these people in a most extreme example, epitomize the Hungarian, the German, the Irish, the Italian, the Czech who have settled in this community and have no place else to go.

Now, what has this got to do with zoning? I repeat, we do not expect the zoning proposal to put up the kind of housing nor modernize the buildings in Yorkville for the people who live there, but zoning can be something of a brake upon the situation. We have already seen in the last nine years what real estate can do with no brake upon it at all. We know about 15,000 families already evicted from their homes, scattered to the winds with no records kept of where they went, of families split up, of all kinds of tragedies. We know what this means.

We had hoped the zoning regulations, the zoning proposals with which, I repeat, we are in fundamental agreement-- we had hoped that they would be somewhat lower than were proposed in June. Instead, we find under the most recent draft that they

are higher. And if I may be specific, very quickly, we realize that from the most recent maps - R9 is now up to R10 - and we find on York Avenue from 62nd Street up into the 90's, what was previously R8 is now R10. We find on First Avenue from 72nd Street through 86th, what was originally R8 is now R10.

On Second Avenue from 66th to 86th Streets, we find that what was originally R8 is now R10. On Third Avenue from 61st Street up into the 90's, we find what was R8 is now R10. We find the only R7, if I am not incorrect, is between 63rd and 64th Streets between Second and Third Avenues; and we find that on the whole the side streets have R8 where there was R7. This, gentlemen, we deplore. It is more in sorrow than in anger that we point these things out because we had hoped that Yorkville, in the depths of its tragedy, in its struggling with real estate which has gone practically untrammelled in order to put up big bonanza housing in this particular period of building -- we had hoped that we would see R7 and not the higher definitions.

We note that in the zoning proposals of Voorhees Walker Smith and Smith, R7 was defined as "R7 Districts are proposed in many of the most congested older parts of the City which are scheduled for redevelopment." This is a part of the definition. We had hoped that we might come into such a definition with the possibility of redevelopment at rents that the people there could afford.

We find that R9, which is now R10, districts have been zoned sparingly and are found in the luxury apartment areas of Manhattan. Gentlemen, we had hoped that the Planning Commission would see its zoning proposals as not a complete death knell on the subject of this district; that it would want to keep some of the people who have lived there for so many years, who have been people of great frugality, who have been good citizens, who have their own churches, institutions, schools, now being destroyed by the fact that the people have to leave.

We had hoped that these institutions could continue and that an R7 would be something to hang on to. We feel that an R10 is not. Nonetheless, gentlemen, we are with you. We do feel that the zoning proposals are better than what is happening in Yorkville with no check on the situation.

We would urge you - even at this late date - to make your high density somewhat lower in Yorkville. Thank you.

COMMISSIONER ORTON: Mr. Vanderpool?

J.G. VANDERPOOL : Mr. Chairman, as a citizen and property owner, a person long involved in the training of architects and planners and, as I hope, a serious observer and evaluator of the physical character of our City, taking into account its assets, liabilities and potentials, I am compelled to speak in support of the proposed new zoning regulations.

The proposed zoning resolution is based on a projected total population of 12,000,000 persons, and in contrast

to the old zoning resolution which, incredibly, would permit the City to house, legally, 56,000,000 residents and to accommodate 250,000,000 workers coming from the bedroom suburbs of the City. The last figure is roughly 70,000,000 more than the entire population of the United States.

If we are interested in a sound, realistic, business-like approach to urban planning, we cannot in good conscience continue to support so unrealistic zoning regulations as that under which we now function.

The proposed new zoning resolution is designed to prevent such untenable population overcrowding, likewise the over-taxing of community facilities, utilities, sidewalk maintenance and so on, that would eventually result in an unbearable burden on the taxpayers of the City. The new resolution, on the contrary, would in my opinion result in a healthy, desirable, physical improvement and check the trend towards physical stagnation which now threatens our City.

The proposed zoning resolution would encourage sounder and more significant architectural and urban planning design for individual buildings and groups of buildings in relation to the fundamentally important breathing spaces between them in such a way as to advance the physical well-being and desirability of our City as a place in which to work and to bring up a family.

The proposed zoning resolution makes possible new and progressive means for providing the genuinely satisfying amenities of open space and more light and air where they are most needed, namely, on the ground level where our citizens may most enjoy them and, at the same time, not deprive occupants of the buildings from similar advantage.

The proposed concept of floor area ratio and open space ratio should produce results of a physical excellence which will become guides for other large cities of the nation to follow, pointing the way to a cure for a disease from which our nation suffers - urban blight - and third, to retain within our City constructive public-spirited citizens who now, because of their rejection of our deteriorating physical conditions, escape to the suburbs.

The proposed zoning resolution sensibly guides the design of large-scale residential developments for the various income groups so that the City as a whole, rather than in part, is democratically served.

The proposed zoning resolution in justifiable common sense separates and establishes proper performance standards for manufacturing districts so that industry may become predominantly an economic asset, rather than to have its utility impaired through a nuisance value due to such factors as excessive noise, objectionable odors, unhealthy smoke conditions, and traffic impediment.



Importantly, the proposed resolution corrects the present unrealistic overzoning of commercial land area and yet is soundly realistic in terms of anticipated land needs in all categories of uses. In spite of the approximately 2500 amendments in its wording and in its mapping, the inflexible 1916 zoning resolution, under which we now operate, is and will continue to be unable to deal either properly, efficiently, or imaginatively with our present conditions or with the future needs of this City. We will go from disorder to chaos.

Satellite towns will draw the lifeblood of industry and business away from the tax rolls of the City. Not to pass the proposed resolution will in the course of the next twenty years be recognized as a disastrous financial blunder. If an individual is sick as our City is sick, he wisely consults a doctor. Having consulted him, if he ignores his advice, he may be regarded as foolhardy. Let us have sufficient range of vision and sufficient good sense not to fall into that fateful error.

As an individual I regard the passage of the proposed zoning resolution as absolutely essential. Thank you, gentlemen.

COMMISSIONER ORTON: Mr. Vanderpool, are you speaking as an individual or do you wish to indicate any affiliation with a professional organization?

MR. VANDERPOOL: By training I am an architect. I have an association with the School of Architecture of Columbia University which includes the Division of Urban Planning.

COMMISSIONER ORTON: But you are speaking as an individual here?

MR. VANDERPOOL: I am speaking as an individual.  
Yes, sir.

COMMISSIONER ORTON: Thank you. Mr. Zuckerman?

GABRIEL ZUCKERMAN : Mr. Chairman, Members of the City Planning Commission, my name is Gabriel Zuckerman. I am Chairman of the Area Planning Committee of the Chelsea Committee for Neighborhood Development.

The Chelsea Committee for Neighborhood Development strongly endorses the need for modernization of the zoning code and is in accord with the basic principles expressed in the new proposed zoning regulations. The new zoning resolution - through its one-map system, its floor area ratio and its open space ratio allows flexibility and proper planning for our City.

Stable conditions are necessary for both the City's business and private business, real estate or otherwise. We have seen how people live in unrestricted areas. A good zoning code would have prevented the following: on a school block in Clinton, trucks which are backed up to loading platforms force the children to walk around them to get to the school which is on the same block as the backed-up trucks. In Chelsea, commercial enterprises creating litter exist side by side with multiple dwellings. In Queens, a busy laundry with its night noises and truck deliveries is located back to back with private homes.

The residents proffer charges against business and business against the residents.

Regarding density: on a street in Chelsea about five to eight years ago, about sixty children lived in a 16-foot front house. Standing shoulder to shoulder in front of the building, the rows of children in front of this one house would be four deep. The public schools in this area were overcrowded. There still is no playground below 23rd Street. The side streets of residential Chelsea are clogged with commercial traffic. The people of this City have long lived in lifeless tenement apartments and London Terrace, built in another era, rising high without break the length of the block, darkens all of 24th Street between Ninth and Tenth Avenues. In overcrowded areas, standing on each others shoulders, the cars are bumper to bumper.

The new regulations would protect business areas and protect residential areas from encroachment of incompatible uses. With the new regulations, we can plan for moderate population density in residential areas with proper light, open areas and playgrounds. We would be able to consider the various City needs, transportation and other facilities in relation to each other. We could project our thinking and planning into the future. The zoning regulations would propel us into the future of better living and working conditions. To delay would hold back substantial progress for generations. The City is a living, growing, and yet, an aging organism, and a cancerous condition in

a community spreads rapidly.

The time for remedy, or the proverbial "stitch in time" is now. In Chelsea we are spending a great deal of money, taxpayers' money, in a new program of neighborhood conservation. We could have saved that money if we would have had proper zoning and other regulations a generation ago. Thank you.

COMMISSIONER ORTON: Thank you, Mr. Zuckerman.

Mrs. Esther Rand?

MRS. ESTHER T. RAND : Gentlemen of the Planning Commission, I am the Research Chairman of the Cooper Square Community Development Committee. My name is Esther Rand, and I have been directed to come here by the site tenants and businessmen of the area that is seeking to produce and have adopted a plan alternate to that of the Title I Slum Clearance Committee, which has been named Cooper Square.

We feel that the plan of the City Planning Commission, that is, the zoning resolution as a whole, is a splendid one, but we would urge that reconsideration be given to that section of our area which is three blocks south of Houston Street, from Delancey to Houston Streets. This has been zoned as C6-3, if I am not mistaken. Our alternate plan, which envisages housing for the people of the community at all income levels, to permit those of us who now live there to remain in the area at rents we can afford, include this particular three-block section.

While we want stores for the apartments and we want the shopping and service areas that we now have, we feel that if this three-block area is zoned as it now is, or remains as it now is, that it will limit the amount of housing which can be constructed to take care, not only of those of us who live there, but of others who may wish to come into our community.

We are an open community and we wish to remain an open community. If the density, the land use, and the open space areas are to be considered seriously, then these three blocks are very vitally needed for the construction of additional housing.

We feel it is also very important because that area now is practically devoid of dwelling units that are occupied; and in our alternate plan - since we don't envisage any dislocation of the tenants but, rather, relocation on a step-by-step basis - the first housing could very properly be put up in that area. If it is zoned as C6-3 this, of course, would not be possible.

COMMISSIONER ORTON: Excuse me, Mrs. Rand, but to erect housing would not be impossible in a C6 zone.

MRS. RAND: You mean with commercial structures on the lower floors?

CHAIRMAN FELT: Any kind of housing.

COMMISSIONER ORTON: It will also permit commercial construction, but housing will not be excluded.

Rand

MRS. RAND: I feel much better about that.

The final thing I wish to say then with this assurance, is that the whole concept of giving us on the lower East Side more light, more air and lesser density, is something that we welcome heartily because the plan of the Title I Slum Clearance Committee does not do this. It is for this reason, particularly, self-interest being what it is, that we approve of the zoning resolution with respect to our area. Thank you very much.

CHAIRMAN FELT: If you will permit me, I have been requested to read four short statements by people who could not be here. The first is a statement by H. Robert Mandel, Chairman of the Board of Abbott & Adams, Inc.

"As Chairman of the Board of Abbott & Adams, Inc., members of the Real Estate Board of New York, I am only one of many real estate people who recognize the importance of new, adequate zoning for the future soundness of our City.

Those of us whose lives are devoted to maintaining the real value of properties know that these are dependent upon the stability of their surroundings. We cannot contribute to this stability by encouraging speculation in land prices which are based on the expectation of a much denser development than would be good for the City as a whole or possible, in any case, for more than a tiny fraction of its land.

"I am at the moment particularly interested in Greenwich Village. We in the Village have been so disturbed by the wholesale destruction of its most important asset -- its distinctive low density development -- that we have had to seek the passage of a special amendment to the present zoning resolution in order to protect this community.

The new zoning resolution will present similar safeguards for the city as a whole, and it should not be surprising that many of the most experienced real estate men in the business are heartily in favor of it."

The next is from JAMES H. SCHEUER of the Citizens' Housing and Planning Council of New York, Inc.

"As an urban redeveloper, providing new housing for run-down city areas, I have been working in a number of mainland American cities and in San Juan, Puerto Rico. Naturally, a developer is acutely aware of the zoning laws of the cities in which he works.

As a native New Yorker, who instinctively believes that New York always has the best of everything, I was astonished to find that other cities have more up-to-date, intelligent, and progressive zoning laws than New York.

Other cities have zoning laws which protect the city from overcrowding, over-congestion, loss of light and air, and the concentration of development in a few areas to the detriment of the city as a whole. Other cities have zoning laws

which permit the exercise of imagination by the builder and the designer, and avoid imposing weary repetition of the same building pattern through archaic regulation.

I have always believed that in the end good zoning like good architecture is economical, not expensive.

For this reason, I heartily endorse the new zoning proposed by the City Planning Commission. I believe especially in its principle of controlling the density of residential development. Conscientious builders actually avoid overcrowding their projects because they take the long-range view of the investment they have made.

These controls will prevent speculators who are interested only in the quick dollar from destroying neighborhoods and reducing value of what the good builder has done.

In the long run it is good business for the builder to take this risk of a slightly increased rental in order to protect the neighborhood in which he is building against the deterioration that follows construction of overcrowded buildings by those who exploit the present zoning weakness of New York to the full.

Good zoning seems to me good business for the builder, particularly for the builder who cares about the people who will live in his structures, and the community in which he makes his livelihood."



Then we have a statement by MR. S.F. BODEN,  
EXECUTIVE VICE PRESIDENT OF MIDDLE INCOME HOUSING CORPORATION.  
The statement reads as follows:

"We of the Middle Income Housing Corporation have been working for a number of years to build urban housing in which middle income citizens can afford to live.

We have felt it equally important that this housing be built to standards of population density and land coverage which will continue to provide good living for those who choose to remain in the urban area.

We feel that the new proposed zoning resolution will contribute to both of these objectives.

A review of the large scale housing developments for families of moderate income with which I have been associated reveals that they would have been equally practical under the proposed as well as the present zoning ordinances.

This last seems to me an assurance that the new zoning is not only desirable, but entirely practical in terms of housing that is both economic and economical.

I am very uneasy about the trends to higher and higher density and particularly to reports of large high density projects built that way to keep per unit land cost down. This trend and this approach seems to me to be largely self-defeating.

Land acquisition costs are thereby simply pushed to higher levels to correspond to the established higher densities.

"The land speculator may benefit, but the costs of city services are multiplied out of proportion as density becomes excessive.

The present slum clearance program is a necessity because builders were permitted to build to densities and, particularly, land coverages that made the buildings obsolete almost before they were up.

The new zoning resolution can help prevent a repetition of this experience -- costly as it is in both public money and human travail."

CHAIRMAN FELT: The final statement is by ROGER STARR,<sup>1</sup> Executive Director of the CITIZENS' HOUSING AND PLANNING COUNCIL.

"The new zoning ordinance for New York City is undoubtedly one of the most advanced and considered proposals of its type yet to be presented for any city in the country.

Its stipulations are solidly based on a sound economic analysis of the City's potentialities. It is thus not a device to achieve certain larger social or architectural goals to the utter disregard of the realities of life. It is, instead, an attempt to guide the best discernible trends in the City's economic life in order to encourage a more favorable environment for growth and development.

This effort is of strategic importance for the City today because we have come to the point where the release of economic energies will be contingent on the rectification of

(\*The record was subsequently corrected (P.70) to the effect that this statement was prepared and released by

many serious land use and population problems that confront us.

In other words, if we do not husband our resources it may be difficult if not impossible to realize the latent growth potential in New York today.

Land values are intermittently dependent upon growth. To maximize the values that result from the likely future development it is necessary to assure the separation of incompatible uses and to prevent the uneconomic massing of structures which drain existing values.

It is also essential to encourage a productive distribution of open spaces which will raise values by exposing a larger proportion of building space to sunlight and air.

The proposed zoning ordinance encourages such a rational distribution of buildings and activities. It recognizes that there was not the remotest possibility of utilizing the excessive existing zoning in some areas and that the persistence of these archaic classifications served not to stimulate commerce but to foster blight.

It is my firm conviction that the revised density and land use patterns will serve in aggregate to enhance land values for the City as a whole and at the same time will adversely affect relatively few land owners."

Chairman Felt: (continuing)

I am sorry that I took this time but we were requested to read these statements. Is Herbert Lippmann present?

HERBERT LIPPMANN: Mr. Chairman and Gentlemen: I am Herbert Lippmann and I am an architect in New York. I am availing myself of the freedom of the individual of which our country is notorious to speak for myself.

On the other hand, standing here in this great hall, I feel that I need a little more backing up than just myself, and I would say that when Mayor Wagner was the Borough President he did appoint me to the District Planning Board of the West Side, District No. 7, and I have served on that ever since. I was appointed subsequently by Mr. Jack. I am also a member and I am the Chairman of a Subcommittee on Physical Planning in the Park Hudson Urban Renewal Committee, which is also functioning in the West Side. I am also a member--and a member of the Executive Committee--of the New York Chapter of the American Institute of Architects. I do want to say that I am aware that I am not representing any one of those Organizations and that all three of them, in my presence and with the assistance such as I could have given at the time, did endorse the general proposal of the zoning ordinance as it was presented originally.

I don't want to at all appear to be a person deeply knowledgeable on all the intricacies of every part of this proposal but I do want to say that I very much favor it because of many things, some of which I am sure have been said here before and yet they bear repetition.

There is to me first this great convenience for an architect, for an engineer, for a real estate operator, for a broker, for any person who has to investigate what could be done with a property, in developing a new building on a property, that he will now have one plan. I don't mind telling you that looking up three plans, as I was just doing in another connection, is quite a headache. It surely is much more practical to look at one plan and, also, there is this terrible involved envelope of the present zoning ordinance.

I remember some years ago that Lee Simonson, the well-known theatrical designer, described the setbacks, etc., as the "esthetics of the Board of Aldermen." He was referring to something, however, that is very complicated in construction, and it has been very costly. You keep on setting back buildings and each time you do, you have a complication of structural steel, you have a complication of plumbing lines, steam-fitting lines, air-conditioning lines - all of which had to be offset, etc., as you moved up the building and stepped back.

One of the things that's happened in recent years under the present zoning law is that people who have discovered that these things are very expensive have decided to eliminate most of the setbacks, and you have now many buildings which are more or less single shafts without all these setbacks.

Lippmann

Those particular developers have discovered something which is now embodied in the new ordinance. You are proposing a system of controls of the floor area ratio, and you might say, the bulk or the general shape of the buildings which have a great correspondence to some of these newer types of buildings. That they are very much more practical in many ways and less costly than the same building or the same volume would be if built according to the present zoning law's maximum limit seems to me just sound. It's just as true. I would add, also, that it seems to me that the thing that has to be thought of in this connection of making a change is that if you have a law, if you have a zoning ordinance, and it permits a maximum envelope, you are allowed to build all of this space in your building, there is a frightful tendency on the part of builders to do just that.

I have been living in a residence building where I am sure that the planners had the devil of a time trying to find out how to use the dark space in the middle of the building merely because the building could be built under the present zoning ordinance to cover a certain amount of ground and be accordingly a certain depth, and the distance from the front windows to the back windows was more than was practical and was a great waste of money and space. Many of you, I'm sure, have hallways, called art galleries or galleries, or the like. I am sure that a lot of you have been in office buildings where you have found the same thing, that the

conceivable practical distance of the outer office space where there are windows and the inner office space where people wait, or a secretary sits in the corridor, when duplicated, is really what a building of this kind should be, practically, and not a great deal more space from one wall to the other as has been permitted by the present zoning ordinance.

So it seems to me that I am advocating in a sense that this type of zoning is leading to a more practical building, I hesitate to say a more esthetic building, a handsomer building -- I feel that way but that isn't an essential point here. The point somehow is to make things more practical than they have been in that kind of buildings.

If I might be permitted, in my one reticence about a wholehearted approval of everything and anything about the zoning ordinance and, Lord know, I'm sure none of us could quite do that, I have this peculiar reservation - all over the country it has been discovered that the real estate people, wonderful things that they do in a great City like ours, important as they have been to the developing of this City, important as they will be to the continued developing of this City, nevertheless don't do the whole City. They just never have done everything about the City. They leave pieces undone. There are things that don't seem to be commercially desirable. Now, it is in that area -- what we used to call the alteration of buildings or, more recently,

called the modernization and has now got a new word--it's called rehabilitation, and rehabilitation is not just a New York City slogan, it's one that is going on all over the country. Rehabilitation means that the real estate people in a sense have not really altered the older buildings to the maximum good and desirability of a community and they ought to.

Now, there are two things going on in New York. One is the urban renewal concept itself, which includes rehabilitation. On the West Side there is a large intention of rebuilding, altering, etc., old buildings. And then there is an interesting new conservation program and that, too, involves improving, altering, and rehabilitating old buildings.

I would ask only that reconsideration be given to the idea that if you permit a man to buy property, to own property, with the thought or hope that he can build more on that property than it warrants in spending any money in rehabilitating it you are doing two things that are inconsistent. I hope that the Zoning Commission will consider seriously the question of - though this may cause the ceiling to fall down on me - reducing the density or the F A R in certain areas where it is reasonably expected and hoped for, that the old brownstone buildings shall be salvaged.

I ask you to reconsider, if you will, whether these things are consistent - that you invite a man to sell his property because he can build an R8 residence on it whereas, at the same time, you ask him to invest money in altering that house so that that



neighborhood shall maintain that residential lower building character. Thank you very much.

CHAIRMAN FELT: The Secretary has brought to my attention an error which I made in reading a statement. The caption was to the effect that it was released by Roger Starr, Executive Director of the Citizens' Housing and Planning Council. I read it as being his statement. The statement was, in effect, a statement prepared and released by Chester Rapkin, Professor of City Planning, School of Fine Arts, Professor of Finance, Wharton School, University of Pennsylvania.

The record is corrected accordingly and pardon me for my error. Mr. Marcus?

ALLEN S. MARCUS: Chairman Felt and Gentlemen: I am Allen S. Marcus, Campaign Director of "Save The Village". It became abundantly clear last October how the people of Greenwich Village feel about zoning in the Village. Within three weeks over 10,000 citizens had signed a petition asking for rezoning. They wanted to stop the building of high-rise barracks on our residential streets. They called for an end to "creeping demolition" that blights Greenwich Village today.

Over a hundred buildings are coming down in the Village. The "Save The Village" emergency zoning amendment, which this Commission has approved, will be a giant step towards saving the Village, but it is equally important that the neighborhood be permanently zoned at a moderate density.

Felt / Marcus

The "R6" zoning recommended by your Commission will accomplish this. We support the "R6" for Greenwich Village has the support of the Manhattan Borough President's Planning Board for Greenwich Village and all major civic and political groups in the Village. It will give permanent protection against the cheap high-rise monstrosities mushrooming in the Village today.

10,000 citizens and a bonus of 5,000 more are on record. I am sure that they are grateful that the City Planning Commission has seen that their wants and needs are worthwhile fulfilling. Thank you.

CHAIRMAN FELT: Thank you. Arnold Bergier?

ARNOLD BERGIER: My name is Arnold Bergier. I am President of the Citizens' Emergency Committee to Save the Village. Everywhere I hear this talk about time. There was one gentleman here this morning who asked on behalf of the Real Estate Boards for more time. I wish some of these landlords would give some of their tenants a little more time when they are going to evict them. I wish some of these people who propose demolition would give a neighborhood a little more time to consider whether the proposed new buildings are an asset to the neighborhood or not.

We feel there is no time left. We feel that New York City has suffered from this cancerous kind of building growth for so many years that we are so grateful that Mr. Felt and his Commissioners are now hard at work with the proposed zoning

Marcus / Bergier

resolution. It's a tremendous job. And we say - now that you've got it at the point where you have something we can all approve of, and I guess all of us do, that there is no time to lose.

We hope, gentlemen, that you will be able to pass this resolution forthwith, and you have the pledge of "Save the Village Committee" to support you wholeheartedly when this matter appears before the Board of Estimate.

You may notice that some of us are wearing little rosettes in our lapels. We consider ourselves city patriots, patriots of the City of New York. We want a healthy, happy, sunlit City and, if you gentlemen would permit, we would like to distribute some of the rosettes among you and let us all be New York City patriots. The day is going to come when everybody in New York City is going to remember that he is a New York City patriot.

Now, we have a few specific suggestions to make in regard to the Manhattan zoning map. These suggestions have been made before by others - I only reiterate them. Our chief concern is the matter of describing Greenwich Village as an area of special design and control. The laws of the State of New York of 1956 - unfortunately, it's not too well known that these laws have in them a provision which directly grants the cities of this state the power to do precisely this:

The law specifies that the City shall have the power to protect works of art, historic buildings, buildings of peculiar esthetic character, places of public interest -- protect these areas and where the protection of these areas may, in some instances, amount to almost confiscation, provides that the City may make tax remission in these cases.

I don't know whether in any instances this enabling legislation has been as yet utilized. We certainly recognize that there is a crying need to act on this enabling legislation because many of our historical areas, not only Greenwich Village, but other places in our City, are terribly disturbed lest a new jungle be erected on their sites.

We would suggest that any area surrounding a park be considered a special design district. Certainly, historical buildings - where they might be located - might have special design districts located at that particular point. We would only request that we be permitted to discuss the matter with you at length after the passage of your zoning proposal; and may you pass it soon. We are all with you.

CHAIRMAN FELT: Thank you, Mr. Bergier. Is Paul O'Brien present?

Bergier

PAUL M. O'BRIEN : Mr. Chairman, Members of the Commission, my name is Paul M. O'Brien. I am speaking for the New York Employing Printers Association, which represents the commercial printing industry in the New York Metropolitan area. I am also speaking for the Edition Bookbinders of New York, Inc., the Electrotypers and Stereotypers Association of New York, Inc., and five other organizations in the printing industry.

After about almost a year of conferences between representatives of your Commission and our own staff, we have reached the point of agreement where the printing industry can wholeheartedly support and endorse the proposed zoning resolution.

This endorsement has been made possible by the cooperation of your technical staff and by your own cooperation, Mr. Felt, in working out the specific problems which were posed for the printing industry under the resolution as originally drafted. We are pleased to note that in some respects the printing industry will be even better treated under the proposed new resolution than it is from a zoning point of view under the existing ordinance. We want to thank you publicly at this time for the cooperation that you have shown to our industry.

I might say in closing that as the City's second largest manufacturing industry and as an industry that employs over a hundred thousand New Yorkers, the printing industry has a stake in improvement of the City. Certainly, better zoning will,

O'Brien

in the long-range picture, benefit all business and industry in the City by making New York a better place in which to live and work and do business. And toward that objective, we would like to join with you and with all the other supporters of the zoning proposal in giving it the printing industry's approval and in the hope that it will achieve speedy enactment. Thank you.

CHAIRMAN FELT: Thank you. Mrs. Reis?

MRS. MARY BARRETT REIS : Commissioner Felt, Members of the Planning Commission: my name is Mary Barrett Reis. I am a Democratic District Leader of the First Assembly District North. I am here on behalf of the Murray Hill Citizens, the regular Democratic organization of the First Assembly District North.

At a recent meeting of the Murray Hill Citizens and other neighborhood representatives held a short while ago - as a matter of fact, it was the last time we had a blizzard - we heartily endorsed the proposed zoning regulations and the long-range goal of a master plan for New York City.

We strongly support the "R7-2" rating in our area, Mr. Felt, because we feel it would preserve the brown-stone houses of Murray Hill, which add so much to the beauty and interest and, indeed, the value of the entire area. We trust this rating will prevent plans announced by another City department for a garage that would bring in outside traffic,

Reis

be incompatible with the residential character of our neighborhood and would, in fact, destroy one of our most beautiful streets.

We are forwarding to you and Commissioner Orton a summary of our studies and some specific questions. We would like to thank you very, very much for the opportunity to appear here today.

CHAIRMAN FELT: Thank you, Mrs. Reis. Miss Bartlett?

MISS JULIET M. BARTLETT: Chairman Felt and Members of the Planning Commission, I am Juliet Bartlett representing the Women's City Club of New York, Inc.

The overbuilding, street and subway congestion and disorderly growth of Manhattan are in great part due to antiquated zoning. But the situation could get worse. In many already crowded sections we see even larger buildings rising in a frantic effort to cover every square foot of land with as much stone and as much steel and as many people as can be squeezed in, regardless of consequences.

The proposed zoning map of Manhattan would keep future building within reasonable proportions, guide it into suitable use areas, and yet allow ample margin for healthy development. In a few instances, we believe that the proposed zoning is not sufficiently restrictive. Nevertheless, the Women's City Club urges prompt adoption of the proposed zoning map of Manhattan, with a few changes, as continued operation under the present obsolete zoning resolution would inevitably lead to further overbuilding.

Bartlett

We congratulate the City Planning Commission on several improvements over the consultants' plan for Manhattan. Most of Greenwich Village is now zoned R6 instead of the R7 mapped by the consultants. As recommended by the Women's City Club, side streets in the Murray Hill section and also many side streets in the east Sixties and Seventies are now zoned R7, where formerly they were zoned R8 or R9. This will help to preserve some of the low bulk residential areas of the City, and hold down population density.

While we find that the new R9 district is a good idea in principle, serving to bridge the gap between the former R8 and the former R9, too often in the map of Manhattan this R9 replaces a former R8 in the consultants' map. We hope you will take another look at these areas.

As mentioned in our general statement, we consider the new R10 envelope, which was formerly R9, to be altogether undesirable, as it would allow too much bulk and population density, and would have a bad impact on traffic and transportation, and most probably, an unfavorable effect on family living. Moreover, this R10 is frequently mapped along waterfronts or at the border of Central Park, with lower bulk districts behind it, thus cutting off the interior areas from view and fresh breezes, which would be available to only the few families who could afford the high rents that generally prevail in these R10 areas. We believe this point deserves review by the City Planning Commission.

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Bartlett

The site of the Yorkville public housing project, 93rd to 95th Street, First Avenue to the East River Drive, is now zoned R10, much higher density than is desirable, and than has ever been used in any public housing project in New York City, to our knowledge. We urge that this district be changed to R7 or at most, R8. Moreover, we recommend that an additional section, either immediately north or immediately south of this housing site be zoned residential also. It is now zoned Q8. Public housing should be surrounded by residential areas so that greater communication and joint activities can be developed between project tenants and neighborhood families, as presently encouraged by the Housing Authority. Here is an opportunity to get a project started with the proper surroundings.

In closing, the Women's City Club urges prompt adoption of the proposed zoning map of Manhattan, along with the new zoning resolution, as paving the way for intelligent and controlled redevelopment of Manhattan in the best interests of not only the people who live there but, also, of the thousands who come to work there. Thank you.

CHAIRMAN FELT: Thank you, Miss Bartlett.  
Is Mrs. Margaret Kaye present? I have two ladies' names bracketed, Mrs. Kaye and Mrs. Mindell.

Bartlett

MRS. MARGARET KAYE: Mr. Chairman, Members of the Commission, my name is Mrs. Margaret Kaye. I am speaking for Mrs. Joseph Mindell, Organizing Chairman of the Greenwich Village Home Owners Division of the Manhattan Land Owners Association. Our members are property owners who live in their own buildings and residents of Greenwich Village.

We support wholeheartedly the text of the zoning resolution. We feel that what our City needs is an integration of human needs with the mechanics of city living. The new zoning law goes far to accomplish this. As homeowners, we are especially for the R6 zoning designation for Greenwich Village. A more dense zoning would ruin our community.

We are thankful to the City Planning Commission for its foresight and recognition of the needs of our neighborhood. New York City is a collection of neighborhoods, each with its own problems, its own characteristics. We would therefore like to thank the City Planning Commission for presenting to the citizens a zoning law which would both meet overall problems and, at the same time, adapt to local problems on their merit. Thank you.

CHAIRMAN FELT: Thank you, Mrs. Kaye. Is Mr. Richard Levy present? I would like to call the names that will follow yours, Mr. Levy. Doris Diether, Robert Jacobs, Peter Detmold, Franz Leichter, Mrs. May. Very well, will you proceed, Mr. Levy?

Kaye

RICHARD T. LEVY: Mr. Chairman, Members of the City Planning Commission, I come here as the Chairman of Community Planning Board No. 6 in the Borough of Manhattan which has as its district the area from 14th Street to 59th Street from Lexington Avenue to the East River. The genus of these Boards is in the administration of the Mayor when he was Borough President. I won't go into it but I do want to say, however, that although my appearance today was arranged by the Borough President's Office, this should not be taken as expressing necessarily the views of that Office with respect to the comments that I may make.

First, let me say that in the broad picture, my Board heartily applauds the proposed zoning resolution as a great forward step for the City of New York. As it relates, however, to our area we greet the proposal with somewhat modified enthusiasm.

We realize that our Board covers an area which now, perforce, must logically be one of the areas of the City of highest density of building occupancy. We also realize and appreciate that the proposed zoning resolution does cut down to some extent the density permissible under the present law.

I come here today to urge the Commission to go somewhat further in reducing density, especially in the middle of some of the blocks.

CHAIRMAN FELT: In other words, Mr. Levy, it is your feeling that the density we propose in your area is too high.

MR. LEVY: That's right. I would like to see more R8 and R7 and less density in the commercial zones. It really needs to be stated without proof that many of the streets are now so choked as to render the automobile almost immobile. Yet, with some of the commercial zones permitted it could even develop further, principally on the avenues and on some side streets. The development of commercial buildings should be restricted so that there would be at least several blocks between clusters of them, and no office building should be permitted which would front principally on a side street except the widest ones.

While new apartment houses are needed so that executives and junior executives, presumably from the apartment room count, unmarried, may live near the new temples of commerce on Park, Lexington and Third Avenues, it is overlooked that stenographers and clerks have a right to walk to work as well. So do tradesmen and store clerks who work in establishments needed all along the area to serve the occupants of the new buildings. They now live in some of the well-converted brownstones and tenements. They should be permitted to continue to do so.

I therefore urge, as I said before, the reduction in the density, especially in the centers of some of these blocks.

One more point and I will conclude: to live and work under the conditions now existing - those you propose and those I suggest - means that people should have places to take a walk, to flex their elbows without fear of jostling someone and being accused of

assault. They should have a place to go and sit among trees and birds and even feed pigeons and squirrels.

The area I speak of is singularly barren of parks and always has been. Except for Central Park way north and way west and some narrow little spots along the East River, there is virtually nothing. I therefore urge you, in replanning our area, to seize the opportunity before it slips away and take some square blocks or even half-blocks in scattered areas out of the very precious tax rolls and turn them over to the Parks Department for the enjoyment and gratitude of thousands of residents and future New Yorkers. Thank you.

CHAIRMAN FELT: I have noted that Doris Diether and Robert Jacobs are not present. Is that correct? (not present) Mr. Peter Detmold of the East 49th Street Association?

PETER DETMOLD: Mr. Felt, Members of the City Planning Commission, I am Peter Detmold, Vice President of the East 49th Street Association. Last Tuesday our President, James Amster, spoke to this Commission, outlining our general approval and endorsement of the underlying principles of the proposed new zoning ordinance. Representing, as we do, many owners and tenants of brownstone houses and small apartment buildings, the East 49th Street Association endorses an ideal which hopes to place realistic curbs on the overdevelopment of high-rise mass density apartment and office buildings.

Our area, East 48th, 49th, and 50th Streets, and the neighboring section to our north, has a large number of substantial four and five-story brownstone residences. We would like to see these given as much protection as the proposed zoning ordinance can offer.

The specific mapping proposal for our area is shown on Map No. 8-D. It plans to use an R8 zoning for the areas between First and Third Avenues and roughly between 48th and 56th Streets. The East 49th Street Association, by unanimous vote of its Executive Committee, wishes to ask that this section - particularly that part of it lying within our area of responsibility - be granted the area zoning protection of an R7 category, R7 instead of R8. We feel that to abandon the brownstone in midtown Manhattan would be a grave error. These fine old residences, mostly modernized within the past few years, are the sole remaining vestige of comfortable living in this part of the Borough.

Interspersed amongst them are a number of equally substantial small apartment buildings. We would like to see these protected against the viruses of irresponsible demolition and skyscraper construction. Just as Murray Hill has been granted R7 zoning to protect its historic old brownstones, our Association feels that the Turtle Bay - Beekman Hill section merits identical treatment. The Turtle Bay section of Manhattan, no less historical than Murray Hill, and now the site of the United Nations, certainly must be preserved and even made more attractive.

Detmold

Our Association submits that the best way to accomplish this is to protect its brownstones and for this reason we urgently recommend that the above-mentioned sections on Map No. 8-D be marked for R7 zoning instead of the present R8.

Additionally, the East 49th Street Association wishes to point out to this Commission that the east side of Manhattan is uniquely devoid of public parks except for a small playground adjacent to the United Nations site and a tiny strip of land along the East River behind Beekman Place. There is not presently a single park in our area.

Mindful of the recent proposal of the Governor of the State of New York to grant State aid in the creation of additional parklands, our Association would like to suggest that now is the time to plan for such development. We would like to point out to this Commission that there exists in our neighborhood what is probably the only site of open land remaining in midtown Manhattan. This is the block between 48th and 49th Streets from First Avenue to the East River, and is now largely devoid of buildings. we would like to suggest that this block be zoned for park development.

It is perhaps pertinent to note in this connection that this block is currently under single ownership, and that this owner, working with the Rockefeller family in the 1940's, put together and developed the present United Nations site.



We in our Association do not think it is wild and baseless to hope that similar cooperation between this owner and the Governor of our State, together with the necessary municipal support, starting - we hope - with this zoning proposal, could lead to the creation of a park on this land and help to remedy this nearly unique lack of community facilities in our section.

We also ask that this Commission consider the possibility of such zoning. The East 49th Street Association is prepared to press this plan before all necessary State and municipal bodies to advance this ideal. Thank you.

CHAIRMAN FELT: Thank you, sir. Mrs. May?

MRS. ROLLO MAY: Chairman Felt and Gentlemen: I am Mrs. Rollo May. I am Chairman of the Subcommittee on Urban Renewal of the Morningside Citizens' Committee, which is a rather large group with over 1200 members in the Columbia University area of the City.

The Morningside Citizens' Committee wishes to record its support of the proposed zoning resolution. We join with those more expert students of the problem, who have pointed out in some detail the serious inadequacies of the present out-dated zoning resolution. In our own neighborhood, we have seen in particular, the abuse of overcrowding which is permitted by the present lack of residential density controls. In an area originally built to a high density and high land coverage, there is a continual process of cutting up apartments which increases

the number of dwelling units per building virtually without limit. This heedless conversion of older buildings to house many times the number of people for which they were originally designed has been a major cause of blight in this formerly good residential neighborhood.

We particularly welcome for our area the controls on density of residential population offered by the new zoning resolution. We believe the resolution offers a rational pattern for future growth allowing flexibility with sound control, that it will check the blighting of older neighborhoods, will insure better light and air and provide more open space in all new buildings, and that it will produce a city designed for better living. We urge this Commission to approve the resolution.

CHAIRMAN FELT: Thank you. Is Mrs. Malvestiti present?

MRS. A.O. MALVESTITI: Mr. Chairman, I represent myself and perhaps indirectly others who may be in our same predicament. My husband and I are residents and owners of an apartment in a cooperative building. Under the existing zoning regulations a covered patio is considered as an extension of the roof of the building, therefore, a violation of the zoning laws. Both my husband and myself were assured by the company that erected the structural terraces and by others who erected the same type of terraces that they could be covered. I have tried for three years to have the violation removed, at great expense, without

achieving justice. Because of the great amount of grit and the habit of many people to throw their refuse out of the windows, Mr. Chairman, we have not been able to enjoy our terrace until it was covered. We have made a beautiful garden in our terrace and it is enjoyed by many people who before had only city streets and windows to look at. Our cover does not interfere with the light and air of anyone. We feel we should enjoy our terrace because it increases the price of the apartment and its maintenance by 12%. Owners of apartments in cooperative buildings are on the increase. Older people whose only enjoyment are their terrace gardens are entitled to enjoy them in privacy and peace.

Many owners because of the present zoning regulations are unable to have a small greenhouse on their terrace and will appreciate it if your Commission is able to incorporate an amendment to the new zoning laws in order to remedy this shameful situation. Thank you.

CHAIRMAN FELT: May we have a copy of your statement, please?

MRS. MALVESTITI: I will mail one to you.

CHAIRMAN FELT: I think many of the things you refer to do not relate to the zoning resolution. I would like to have that clarified and I am going to ask Mrs. Munson to step down and go over those points with you.

Are there any others who wish to be heard?  
Will you step forward, please?

Malvestiti / Felt

ALFRED J. PESNICK: My name is Alfred J. Pesnick.

I am an attorney with offices at 384 East 149th Street in The Bronx. My remarks today are addressed specifically to two areas on the zoning maps of Manhattan, and they both appear on Map 6-B.

The first is concerned with the area indicated on the map bounded on the south by East 116th Street, on the east by F.D.R. Drive, on the north by the center line of the block between East 119th and East 120th Streets, and on the west by a line drawn parallel to Pleasant Avenue, and about 250 feet east thereof.

CHAIRMAN FELT: That is designated M1-1.

MR. PESNICK: That's correct, sir. This area, as you know, at the present time is in an unrestricted use area. My client has a piece of property on East 117th Street. This area has been used for many years for heavy industry and I suggest to the Commission that an M-1, a light manufacturing area, would not fulfil the purposes of the existing industry, and that perhaps M-3 would be a better zoning. The area is heavy in its industry and employs many employees.

VICE CHAIRMAN BLOUSTEIN: What is the nature of your client's business?

MR. PESNICK: My client owns the property but the business is occupied by one of the servicing companies that supplies machines and food in these dispensing units.

VICE CHAIRMAN BLOUSTEIN: Is that a catering service?

Pesnick

MR. PESNICK: No, they don't cater. They own these dispensing units and they use the premises for the repair of the units, which includes spraying. They have trucking; they have storage; repair; and also offices. I may note that they are next to a heavy wire works industry.

Now, in drawing the line, I don't know whether you gentlemen have given consideration to the individual buildings in the area. I point out particularly the block between East 116th and East 117th Streets - that's Section 6, Block 1715. You have drawn the line 250 feet east of Pleasant Avenue. Actually, the line if permitted to remain that way would run through the two existing buildings that are back to back on that block - my client's building and the building behind it. Each of these buildings starts 248 feet east of Pleasant Avenue. I suggest that that line might be corrected.

The second area I am concerned with is located on the north side of East 99th Street between First and Second Avenues - Section 6, Block 1671. In this area I am particularly interested in a two-story garage structure, located on the north side about 100 feet west of First Avenue. At the moment, that premise is occupied by the Department of Sanitation, but it is a garage structure that has multiple uses; and the area, I note, has been zoned as R7-2. Now, my client is fearful that a building that has a permit for a storage garage for more than five cars,

motor vehicle repair shop, automobile laundry, and gasoline service station on each story, and has a capacity in excess of 150 vehicles, will become a non-conforming use. He is also fearful that at the end of, say, 25 years he will no longer be able to use his property.

Since this area - the proposed zoning of the whole area - is multiple residence and a large area is covered by the proposed zoning - I see very little in there which permits that kind of use to continue.

CHAIRMAN FELT: That is a garage you are talking about?

MR. PESNICK: Yes, and it is now in an unrestricted use area.

CHAIRMAN FELT: A garage would not be included in the type of non-conforming use that would have to be amortized over 25 years. It would become a non-conforming use but you could continue that without any time limitation.

MR. PESNICK: I put this in the form of a question: would a commercial garage, a multi-use garage, be permitted to continue without limitation if it has these additional uses. These are a motor vehicle repair shop, automobile laundry and gasoline service station.

CHAIRMAN FELT: I think it would but I would like to check it and make certain. I read a statement yesterday - it's a short statement that I will read again:

CHAIRMAN FELT: (continued) I would like to clear up some rather widespread confusion regarding the proposed treatment of non-conforming uses. Termination of non-conforming uses is required in the Residence Districts only for the following types of uses:

1) Billboards

2) Non-conforming manufacturing and related uses

I repeat: these termination provisions for billboards and manufacturing uses would apply in Residence Districts only. They do not apply to Commercial Districts. They do not apply to any Commercial uses including retail stores, service establishments, garages or filling stations, regardless of where they are located.

Also, let me point out that non-conforming residential uses in manufacturing districts are not subject to termination.

The intent of these regulations is to eliminate ultimately those types of uses which are most offensive in a residential neighborhood.

MR. PESNICK: I see that part of it is covered in that. I am wondering whether the automobile laundry and the motor vehicle repair shop would be included.

CHAIRMAN FELT: After you conclude your remarks, we will have someone from our staff discuss that with you but I do believe that the type of structure that you have in mind is a structure where there would be no termination of use in 25 years.

Felt / Pesnick

There is rather widespread misinterpretation of that particular feature. Mr. Smith, may I just take a moment, please? The question arose as to whether or not a garage in a residential district, which includes the sale of gasoline ...

MR. PESNICK: Motor vehicle repair, auto laundry, and gasoline service station as part of a public garage having a capacity of more than 150 cars.

CHAIRMAN FELT: Mr. Smith, would that be classified in the category that would have a termination of 25 years? I told Mr. Pesnick that a garage would not be in that category. As I said, when you conclude your remarks Mr. Smith will step down and point this out to you for clarification.

MR. PESNICK: Thank you, sir. That does conclude my remarks and I will submit my statement to the clerk.

CHAIRMAN FELT: Does anyone else wish to be heard?  
(no reply) Madame Secretary, will you please call the roll on continuing the hearing until this afternoon?

SECRETARY MALTER: On continuing the hearing at 2:30 P.M.: Chairman, Vice Chairman, Commissioners Livingston, Orton, Sweeney, Provenzano, Acting Commissioner Constable.

\* \* \* \* \*



2:30 P.M.  
Tuesday, March 22, 1960

93.

CHAIRMAN FELT: The meeting will now come to order, please. Will the Secretary call the roll?

SECRETARY MALTER: Roll call after recess:  
Chairman Felt, Vice Chairman Bloustein, Commissioners Livingston, Orton, Sweeney, Provenzano, Acting Commissioner Constable.\*  
Quorum present.

This is a continued public hearing in the matter of a Proposed Comprehensive Amendment of the Zoning Resolution of the City of New York; and specifically, in relation to the proposed zoning maps for the Borough of Manhattan.

CHAIRMAN FELT: We have had a number of appearances this morning and we have several appearances listed for this afternoon, some of which are designated for as late as 4:30 P.M. Having made those arrangements with the speakers, we will remain in session until that time. The names on my list are first Milton Glass, then Roman Ferber, Anthony Dapolito, Arthur Levy - are any of these gentlemen present? Mr. Ferber, are you ready to proceed? If not, we will have Mr. Louis Rubinstein, please.

LOUIS RUBINSTEIN: Mr. Chairman, Commissioners, my name is Louis Rubinstein. My wife and I own 2 East 110th Street, in Manhattan. The proposed resolution will rezone the location of our property and I want to say that it will cause a lot of hardship. It is the only one we have and we make a living out of it. We want to appeal this rezoning and we beg you not to deny our appeal.

Felt / Malter / Rubinstein

VICE CHAIRMAN BLOUSTEIN: What is your property used for now?

MR. RUBINSTEIN: It is used for a gasoline station.

VICE CHAIRMAN BLOUSTEIN: You can continue to use it as a gasoline station.

MR. RUBINSTEIN: Yes, but in case we have to put in a modern station - it's an old building - it's there for about fifty years.

VICE CHAIRMAN BLOUSTEIN: Well, there's provision here for the nature of the renovation and the nature of the remodeling - you can still continue as a gas station.

MR. RUBINSTEIN: But in case of fire, we may have to rebuild it completely.

VICE CHAIRMAN BLOUSTEIN: After you have finished your statement, Mr. Rubinstein, Mr. Friedman will tell you exactly how far you can go in the replacement after fire or in a renovation of the existing gasoline service station.

MR. RUBINSTEIN: Thank you, sir.

VICE CHAIRMAN BLOUSTEIN: Mr. Ferber, do you wish to speak, sir?

ROMAN FERBER: Perhaps what I have to say is really overdue a little bit but I couldn't find time to come down here before and I thought I would just like to say a few words.

I am a graduate student in the field of planning, and reading the newspapers about the proposed resolution and the opposition to it has aroused my interest. Actually, the groups who are against the proposed resolution remind me of another historical

opposition to a vital issue. That issue was none other than the Constitutional Convention during the birth of our nation. They had a lot of opposition then, too, to our Constitution. As then, opposing factions to the adoption of our Constitution, today's factions, the Real Estate Boards and interests, claim that the new zoning resolution has many shortcomings.

As a planning student, I would say perhaps that may be true. However, we should remember that like our Constitution at one time, today's proposed zoning resolution is only a stepping stone, a foundation for better living for our citizens of New York. This is one of the basic reasons why I am in favor of the resolution.

The proposed resolution would provide a much pleasanter urban environment for our growing population of New York City. This is another reason why I am in favor of it. It would also provide planners - this is a very important factor - with a comprehensive tool for carrying out future planning functions. And, of course, it would encourage greater freedom in building of structures and we should remember that such structures as Rockefeller Center have been built by our real estate interests and provide a very pleasant plaza environment. This is exactly what the proposed resolution is hoping for.

I won't take any more time - you have listened to enough speeches - I just want to conclude and to point out that the current proposed resolution is very much overdue - it's the first one in 45 years and, as a planning student, I feel it is completely essential that the resolution be passed as soon as possible. Thank you.

CHAIRMAN FELT: Thank you, Mr. Parber. Does anyone else wish to be heard? (no reply) If no one else desires to speak at this time we will recess for fifteen minutes until the scheduled speakers arrive.

SECRETARY MALTER: It is now 2:45 P.M. and the hearing will be recessed until 3 P.M.

(Recess until 3 P.M.)

CHAIRMAN FELT: The meeting will come to order, please. Will the Secretary call the roll?

SECRETARY MALTER: This is a continued public hearing on the Proposed Comprehensive Amendment to the Zoning Resolution of the City of New York, and the hearing is continuing this afternoon on the proposed zoning maps for the Borough of Manhattan.

Roll call after recess: Chairman, Vice Chairman, Commissioners Livingston, Orton, Sweeney, Provenzano, Acting Commissioner Constable.\* Quorum present.

CHAIRMAN FELT: I would like to say that we had a rather active session this morning, with probably some thirty speakers. I mention this so that the few who are in the room now do not gather the impression that there is a lack of interest in our Manhattan mapping hearings. Instead of going through the names I have listed I will ask you to step forward if you wish to speak.

Felt / Malter

\*(Edward Hoffman, sitting for Acting Commissioner Stuart Constable)

ROGER STARR: Mr. Chairman, Members of the Planning Commission, my name is Roger Starr. I am Executive Director of Citizens' Housing and Planning Council. I thought the Zoning Resolution was controversial but there is nobody here to oppose it.

I am very happy to say that I live in Manhattan, which gives me the right to speak about it. I have too often been charged by the Borough Presidents of some of the outlying boroughs as to what I know about Brooklyn, Queens, The Bronx, or even Richmond - but here we are in my district - I happen to live in the Yorkville section.

Again, in Yorkville, we are seeing the same kind of development that I alluded to the other day in the general hearing about Ebbets Field in Brooklyn. We are seeing the development of middle-income housing with state subsidies, with tax abatement, which is to produce the type of housing which I think will prove unsatisfactory over a long period of time. I refer to the York Hill Development.

Understanding very well the pressures that people are under to put up housing of this sort, I must again insist that there are too many people being put on too small a piece of land without the open space and the amenities of the neighborhood and community which would make this a satisfactory place to live over a long period of time.

The York Hill project demonstrates to me once again in Manhattan the need for your zoning resolution.

I also note in the Yorkville area the intense development of luxury apartment houses and the large number of conversions - six-story buildings being cut up into small apartments. When I read the amended resolution which you presented I was a little troubled by the dropping of the living unit standard in favor of a room per acre standard, because it seems to me that the living unit standard would be more restrictive of the number of conversions that could be made out of a single house.

After consultation with the staff of the Planning Commission, I discovered that the room standard applies in very much the same way as the living unit standard. It is simpler for the architect to use but its restriction on conversions is just as strong because of the fact that a one-room, as defined in the resolution, actually counts as a two-and-a-half rooms, in terms of the number that can be placed on an acre. This, in other words, will put a ceiling on the number of conversions that can be placed into an existing four walls in the City.

CHAIRMAN FELT: The consultants' method and our method were different insofar as computations are concerned but they effectuated the same results.

MR. STARR: So I understand, Mr. Chairman, after consultation with your staff. It seems to me that in general your mapping in Manhattan has been good, but I can't talk about the mapping in Manhattan without alluding also to the resolution in general and the mapping in the other boroughs because all of these problems are related.

We see in Manhattan on the upper East Side where I live the results of indiscriminate overbuilding on land which was once as far removed from the center of the City in terms of time as Queens and Richmond are today. And I am quite sure that when the upper East Side was settled people were saying to themselves that things were never going to get crowded up here because it was too far away. But we went ahead and we overbuilt, and the result has been that the type of housing that we see on the East Side is proving unsatisfactory.

Originally, it started when people moved out voluntarily when land was cheap, the buildings there were cheap. They were able to buy them and put up luxury apartments in their place. As the boom has continued and the area has gone up in price, we find that to buy the same amount of land there today, higher prices are required because the people who own the buildings know that the builders who are buying these buildings for demolition and for the construction of luxury apartments can place a lot of apartments on them and if the land costs are higher they will simply take this out in terms of the number of apartments.

Now, the opponents of this resolution are talking about continuing the same prospect in what are today the underdeveloped parts of the City. They say that land costs are high out in Queens today - so that in order to get middle-income housing out there we have to crowd people unduly.

I say that we should learn from the lesson of the upper East Side where I live, and we should learn that housing which is too crowded does not work out satisfactorily and that

you cannot compensate indefinitely for high land costs by adding an unreasonable number of dwelling units on to the land which you are buying at a high price. And somewhere we have got to step in, even if it may pinch for a while, and say to the people who own the land, "It's impossible. We cannot, as a social unit, permit the overbuilding on this land. Sometime, you are going to have to realize that the price at which you are holding the land is unrealistic in terms of the number of units which we are going to be able to put on it."

It seems to me that a resolution like yours, with the mapping in the other boroughs, is the major step that will accomplish this.

Now, as people interested primarily in middle-income housing, Citizens' Housing is vitally concerned with what will happen to the middle-income housing program as we know it today. It is our belief and we are going into this thing much more thoroughly so that we can be really specific as to sites and locations, from the experience of the past - it is our belief that public funds and public tax abatements and subsidies are wasted if they produce middle-income housing which will not be satisfactory over a long period of time for the people who are going to move in it.

If we allow dense housing to be built on the outskirts of the City on the grounds that it is middle-income housing, that housing is going to be filled with people who come from somewhere else. And where do they come from?



They come from the parts of New York that are overbuilt today, and they are leaving them because those parts of New York have proven to be unsatisfactory; and it is my view that we gain nothing by wasting public subsidies on putting up new housing which in its turn will be equally unsatisfactory. Then where will we go? Then we will have to start razing in the City again, with more subsidies and more land write-downs, to redevelop over again for the second time in order to provide decent housing.

It seems to me that the time to worry about middle-income housing is now, and that the thing we should worry about is good middle-income housing - middle-income housing that will be satisfactory on a long-term basis for the people who are going to live in it. This, it seems to me, is the lesson that we learned by looking at the Yorkville section of Manhattan -- of what happens to what must have been once a very desirable middle-income section of the City when it was allowed to be overbuilt, put too many people in there, and it eventually ended up as something which was not and is not satisfactory for middle-income housing today. Thank you.

CHAIRMAN FELT: Thank you, sir. Mr. Fulakos?

MILTON FULAKOS: My name is Milton Fulakos, and I am here speaking in behalf of the Two Bridges Neighborhood Council, an affiliate of LENA, the Lower East Side Neighborhood Association. Our Council is the official neighborhood organization representing a community of about 35,000 people living near and around the approaches to the Manhattan and Brooklyn Bridges. We have 25 member agencies in our Council including

churches of all faiths, settlement houses, parents' associations, and tenant organizations.

The Housing Committee of the Two Bridges Neighborhood Council has had many discussions and meetings with the City Planning Commission in relation to the Two Bridges Self-Renewal Plan, a plan for the renewal, rehabilitation, and redevelopment of our neighborhood. These meetings have been beneficial and fruitful for both of us. I think the City Planning Commission has demonstrated that it is sensitive to the needs of neighborhood groups such as ours, working for a better community. We, in turn, have demonstrated that a neighborhood council can play a significant role in helping a public agency such as yours in the field of urban planning.

We wish to say that, generally, we heartily endorse the Proposed Comprehensive Amendment to the Zoning Resolution of the City of New York. We agree with the City Planning Commission that it represents a long overdue reform which will ultimately bring order out of chaos and pave the road for a master plan. We congratulate you, Commissioner Felt, Members of the Commission, and members of your staff.

With this general endorsement, we wish to turn to specifics which we feel need modification and change. We are primarily concerned and will address our remarks to an area bounded by Market, South, Montgomery and Cherry Streets. This area has been designated as a

commercial or C6-4 district which can be found on maps 12 "c" and "d". We feel it should be rezoned as a predominantly residential neighborhood with some sections set aside for retail shopping.

The Two Bridges Neighborhood Council has done extensive surveys in the area and our findings show that it is generally an obsolete commercial section of the city totally unrelated to the surrounding residential structures. At present there are 81 buildings: 24 loft buildings, 19 garages and/or gas stations, 15 warehouses, 10 buildings classified as miscellaneous, and 5 industrial buildings. Some of these buildings are vacant and most of them are old, dilapidated and hazardous. Furthermore, the area contains only 6 apartment buildings housing about 40 families. We firmly believe that this is an ideal area for new housing and retail shopping which could also serve the residents of the adjacent La Guardia public housing project. Residential zoning of this nature would be in keeping with the spirit and intent of the Panuch Report which states that the City of New York should "redevelop blighted and deteriorating commercial areas where the residential tenant relocation problem is insignificant, and where the new housing will utilize existing services and facilities". There is no question that these eight

blocks fit the description of a "blighted and deteriorating commercial area". It seems to us that is a choice location, with a beautiful river view, to add to the City's desperate need for more housing.

It has been argued that the recently approved East River Dock development project makes the Market, South, Montgomery, and Cherry Streets area undesirable for housing. We feel this is not necessarily the case. Commissioner Vincent A. G. O'Connor of the Department of Marine and Aviation has publicly and consistently declared that the new pier development will be wholly self contained and will in no way interfere with proposed or existing housing in adjacent areas. This position was emphatically stated in a letter to the Two Bridges Neighborhood Council dated January 27, 1960 from James Ottenberg, Executive Assistant to Commissioner O'Connor. He wrote, "Any potential housing sponsor who understood the real nature of our program and of the piers that would be constructed as a result thereof, would find the construction of new modern piers compatible with the construction of upland housing projects. In fact it has even been suggested by responsible people that the air rights immediately above the proposed new piers could be devoted to such purposes as housing. The new modern

piers would be of a self-contained nature and no commercial buildings are needed in the adjacent upland areas specifically to support the operations of the waterfront. It is our firm opinion that the result of our program will be to enhance the quality of the upland area behind our new piers rather than in any way injure it. Please be assured of our interest in cooperating with your group and the citizens in the area adjacent to our proposed development."

Our community feels strongly that the area being discussed is suitable and desirable for residential and retail shopping uses and requests that the City Planning Commission rezone the area for those purposes. Although we would certainly be gratified to see the area classified as an R-7 district, we should even like to go one step further and suggest that the area be zoned at an even lower density rate than that allowed in the R-7 classification.

With a lower density rate, the emerging housing pattern would provide much needed relief from the surrounding complex of residential towers. An experimental housing program, unlike anything in Manhattan, might be developed containing structurally diversified residential

buildings, a shopping center and pedestrian malls.

We trust that revisions will be made to make this a residential area and fervently hope that in so doing it will be assigned to a low density classification. Let's not lose this unusual opportunity to gain over 16 acres of land in Manhattan for housing while only having to relocate about 40 families.

GEOFFREY WIENER:

MR. WEINER: Mr. Chairman and Members of the City Planning Commission, my name is Geoffrey Wiener and I represent the Housing Division of the Lower Eastside Neighborhoods Association, an association of citizens composed of more than 1,000 individuals and 90 supporting social civic and religious organizations, as well as public agencies.

I appeared before this body last week to indicate the Lower Eastside Neighborhoods Association's unqualified support of the proposed Revised Zoning Resolution developed by Chairman Felt and the staff of the City Planning Commission. We wish to emphasize this support and our admiration for the task done before suggesting minor changes.

In all of our discussion here we are making references to maps 12c and 12d, found on pages 150 and 151

of the Proposed Zoning Resolution. You have already heard from the Two Bridges Neighborhood Council, an affiliate of the Lower Eastside Neighborhoods Association, concerning specific recommendations for changes to be made in the area bordering South Street and bounded by Pike Slip, Cherry Street, Montgomery Street and South Street. We wish to endorse wholeheartedly their request that this tract, consisting of approximately 16 acres, be changed from Designation C6-4 to R-7. As Two Bridges has already told you in more detail, there is an unusual opportunity here to build river front apartments in a currently dilapidated warehouse area, while having minimal relocation problems. This will allow us to create a balanced community economically as well as racially.

We wish to further recommend that the block bounded by Market Slip, Cherry Street, Pike Street and Water Street be changed from Designation C6-4 to R-7. Our proposed use for this area is a park extension. Although it may appear that we are well-served in that area by parks, there is remarkably little really useable space for youngsters to engage in athletics, and the Lower East Side has but one outdoor public pool in its entire area. This is located far from the southern end where population has been

expanding with the building of both cooperative and public housing.

On the zoning map almost the entire area between Houston Street and East Broadway, Forsyth Street and Essex Street is categorized as C6-1. This is area currently occupied by many, many families, largely above small stores and adjacent to old houses used as warehouses. While the Lower Eastside Neighborhoods Association has taken a strong position for planning for commercial and manufacturing interests in our community, as well as residences, we question whether the blocks between Houston and Delancey Streets should be commercial, outside of Delancey Street frontage. We were originally in favor of confining commercial properties to the area west of Sara D. Roosevelt Park and Chrystie Street. While we do accept the need for further general central commercial facilities than would be possible with this restriction, we consider the proposed commercial extension excessive. We understand there are already plans for cooperative houses in the area between Houston and Delancey Streets which of necessity would be thrown out by the commercial designation.

While we are sympathetic with the factastic problem which the Planning Commission is wrestling with

Wiener



concerning traffic and parking policies for the City ....

COMMISSIONER ORTON: Another speaker made the same statement this morning and I wish to correct it. The commercial designation would not throw out those houses. They are permissible as a matter of right.

MR. WIENER: Thank you, sir.

While we are sympathetic with the fantastic problem which the Planning Commission is wrestling with concerning traffic and parking policies for the City, we question whether the designation - R7-2 - which characterized most of the lower East Side and other Manhattan residential areas generally, should not be designated R7-1.

This would provide a slightly higher requirement of available parking area for our community.

It is understandable that the Commission wishes to discourage the use of private cars in heavily congested Manhattan, but it seems unrealistic in this age of vehicles and general mobility to attempt to stop a sociological trend by limitation of facilities. Rather, we should do everything in our power to require builders to furnish a high ratio of off-street parking

facilities. These need not be available to the general public, thus encouraging the transient use of vehicles.

Again, the Lower Eastside Neighborhoods Association wishes to commend the Planning Commission for its far-sighted and comprehensive zoning proposal and urge its adoption at the earliest possible moment.

Thank you very much.

ANTHONY DAPOLITO: Mr. Chairman and Member of the Planning Commission, my name is Anthony Dapolito, and I am President of the Greenwich Village Association. I understand that Judge Molloy, the Chairman of our Zoning Committee, was here this morning to speak in favor of the resolution.

CHAIRMAN FELT: That is correct.

MR. DAPOLITO: As immediate Past Chairman of the Borough President's Planning Board No. 12, I am here today representing the Greenwich Village Planning Board. There are 12 Planning Boards in Manhattan, appointed by the Borough President for the express purpose of being the eyes and ears of the Borough President. These Boards make recommendations to him and also make him aware of the feelings of the community.

We shall tell him that the people of Greenwich Village strongly support this new Zoning Resolution and want it approved as soon as possible. We also believe the Planning Commission has done an outstanding job and is to be highly commended for presenting the City with such a sound zoning proposal. I know that today we are here to make specific recommendations regarding our community. We of Greenwich Village have but a few minor changes that will be submitted to you in

writing or, better still - if possible - we would like to sit down with you and your staff in the next couple of weeks and discuss them.

I want to make it clear that we feel it is most important that this new zoning proposal be approved whether you grant us these changes or not. I am saying this so that no one may misinterpret my remarks and construe them as criticism of the new zoning proposal. Thank you.

MYRON SEID: Mr. Chairman and gentlemen of the Commission, my name is Myron Seid, and I represent the Deauville Realty Corporation. This Corporation recently bought the famous Washington Market on the block bounded by Fulton Street, Vesey Street, West Street and Washington Street, in the City of New York. I don't have to tell you gentlemen where this piece of property is. What I would like to know, without wasting a lot of time, is this: everyone over here seems to be speaking in favor of this zoning resolution -- I just came down here and outside I was advised that according to the new proposed zoning resolution, it will be a C6-4, FAR 10. I would like to ask this Commission how that is going to affect what up to now has been the unrestricted use of this property. It is in an Unrestricted Use Area. Now, offhand, it seems to me that what you are doing is nothing more -- and I'm willing to be corrected, if I am to be corrected-- what you people are really doing in this case is to put your hands in our pockets and reduce the value of our property, and very seriously. Now, if I am wrong I am willing to be corrected.

Therefore, my question is: if it is a C6-4 and an FAR 10, as I was advised outside, how many feet of space can we build on there, how big a building can we put up and, since the City at the present time has a direct interest in this property to the extent that they have a \$773,000 mortgage on it, I would like to have the question answered.

CHAIRMAN FELT: This is not the appropriate forum for that but we will do this, Mr. Seid: I will have someone on our staff step down and explain to you whatever may be necessary as a basis for clarification and then if you wish to speak after that, setting forth your views, we shall be happy to hear you. Mr. Smith, will you please join Mr. Seid and give him whatever information he may need to clarify his thinking in the matter?

MR. SEID: Thank you very much.

CHAIRMAN FELT: Mr. Breines?

SIMON BREINES: Mr. Chairman and Members of the Commission, my name is Simon Breines. I am an architect and partner in the firm of Pomerance and Breines, Architects. My purpose in coming here is to continue my personal, vigorous endorsement of the zoning proposal that is before the City now and, particularly, with reference to the Manhattan mapping -- to tell you why, as a practicing architect and as a member of professional societies, who have been studying this, why I am in favor of it. I might also say that the maps which I am going to show you briefly here - that we have been working with - are going to be used jointly by me for the few remarks I am going to make and by Milton Glass, another architect who, as in my own case, has been studying the zoning and the mapping, particularly of Manhattan.

I must apologize for the improvisation here but, apparently, the easel is being used elsewhere. (indicating map) The reason for this is merely the following: on this map which I am holding here which is of Manhattan, of course, you see the proposed residential zone. The different colors which relate to this chart and which I will explain in detail in a moment, merely gives you an approximate idea - and that's the reason for showing it at all - of the scattering of the different districts.

On this map, if I could have compared the two at the same scale, you would have seen more dramatically than would otherwise be apparent, the number of changes - many of them quite fundamental and basic - that have been made in the Manhattan map since the consultants' proposal was made public.

CHAIRMAN FELT: In other words, these are the changes made by the City Planning Commission in mapping which were set forth in our December 21st proposal, changes made in contrast to what had been in the consultants' proposal.

MR. BREINES: The interesting thing, I believe -- of course, this is not new to the members of the Commission and to their staff, but the interesting thing is that the color does dramatize some of these changes. I might mention a few and I believe Mr. Glass, when he talks about it, may make some further comments on that.

Speaking for the moment on the residential map - the same base map, as you will see in a moment, applying to the commercial districting or zoning, will give you the picture in that category - but for the residential mapping, some of the

interesting changes - and I might say that these are most encouraging and indicate why people like myself, particularly, architects who work with this every day, this kind of problem every day and who have been in the last year since the original proposal, that is, the consultants' proposal, was made public - been down meeting with the staff of the Planning Commission and bringing our own problems to them and giving them whatever ideas we may have had on it ... It is so encouraging to see how many, how surprisingly many, suggestions that have come from the profession and from the field in general have been incorporated in the present map.

Just to mention a few and, as I said, to leave some of the others to Mr. Glass to speak on, I might point out the following:

To begin with, the concept which grows out of current problems in building, both residential and commercial, the concept of a deeper zoning than 100 feet, which is the old idea, had been carried forward in the new maps. Now, that is a very important thing because I believe that the 100-foot zoning is largely based on the old 200-foot block, but the 200-foot block-- 200 feet deep, say, from 21st to 22nd and from 22nd to 23rd - while the 100-foot zoning line goes through the center of such a block running from east to west -- to apply that to a north-south avenue is not necessarily logical.

While, in the past, building practice and planning techniques have adapted themselves to the 100-foot zoning, the fact is that with air conditioning, both in residential and in commercial buildings, much deeper buildings are possible and

desirable, with the result that many builders - to a great extent in both categories, residential and commercial - are seeking sites of greater dimensions than a hundred feet. In recognition of that, the new maps have created many 150-foot lines in the north-south avenues and, in some cases, 200 feet. This is a very fine step forward and will, I think, help to realize the kind of building which is not only more efficient to build but gives better rentable space and will also achieve some of the clean lines and eliminate some of the gingerbread and all those setbacks that we know are not the best form of city building.

So, here and there, in the most strategic places, we believe, the Planning Commission has done exactly that. (indicating map) This map could be cross-examined in great detail. I am going to leave to Mr. Glass some explanation of some of these north-south districts here and what they mean. This map, with an indication - rather haphazard coloring - I don't think this is standard City Planning coloring but the different colors show clearly where the different districts are. One of the interesting things to us here was the flexibility and reasonable adaptability of the Planning Commission as shown over this last year and as shown in the two different versions of the map, adaptability to suggestions from the building field and from the public, generally.

As an example, taking it at random, this blue area here which, as you see here, is a C6 or six times the lot area district, that is, floor area six times the lot area -- notice to what extent that has been changed here, showing some reflection

of what must have been a good and cogent reason for the interest and public pressure for doing that. The same in there - (indicating)

I won't point out too many of these details unless someone is particularly interested. There, again, you see - but from the reverse side of the coin - what the effect of this zoning of the avenues differently from the cross streets have. Mr. Glass may make that a little clearer, too.

I think enough, possibly, has been said at this point and I will be glad to go into some details and give our point of view and our thinking on it, that is, when I say "our" I mean Mr. Glass and myself, but perhaps I might just say this: these two maps and the difference between the two versions is ample evidence to a practicing architect and to planners in the City, that this Commission is responsive to reasonable suggestions.

This isn't theoretical - it's concrete when you see it on official documents of this kind, and it's very encouraging to have a situation like that. I think those of us who have come down and made constructive use of the opportunity to speak to the Commission about it have found that whatever we had of value has come out in some constructive form.

So, at this point, I would simply like to repeat my endorsement as a practicing architect of the mapping in Manhattan as part of my general feeling of support for the proposed zoning.

I don't know what the protocol is, Mr. Chairman, but Mr. Glass wants to use these documents so, perhaps, he can just follow me.

CHAIRMAN FELT: Mr. Glass, would you step forward, please?

Breines



MILTON GLASS: Mr. Chairman and Gentlemen: my name is Milton Glass. I am an architect in the firm of Mayer Whittlesey and Glass, New York City. We have also been practicing in other cities in this country and in other parts of the world, in city planning, so I think I come here with some degree of background in city planning as well as architecture.

I want to echo the sentiments of Mr. Breines on what we found to be the case - between the mapping on the consultants' proposal and the mapping in the present proposal.

One of the important things that we appreciate is the attempt and the realization of the hope that those areas of the City which are now dominated by - I'm speaking about the side streets in Manhattan - by low buildings, reasonably low buildings, and have a certain charm of urban and yet not congested feeling, are being preserved by zoning the middle of those blocks between avenues at a lower density than the avenue frontages, as well as those portions of the City like Greenwich Village, which are characterized both on avenues and streets.

This was one of the recommendations that we of the Civic Design Committee of the New York Chapter made to the Commission and we, of course, are gratified that you thought well of it and have adopted it.

The things that appeal to us on this map, as has been brought out, are that while recognition has been made of what are now the dominant characteristics of the buildings, both in height and bulk, there hasn't been a rigid freezing of it, and some judgment has been exercised so that there is a pattern which

we can look forward to, which will improve the island of Manhattan.

I don't think I need to burden you much more. I am sure that, as you heard from Mr. Breines and he has spoken for me - my sentiments are quite in accord with his. I too urge that the zoning resolution be adopted as proposed and that the mapping of Manhattan be retained as shown. Thank you.

CHAIRMAN FELT: Thank you very much. Councilman Okin, would you care to speak now?

HON. LEWIS OKIN: Mr. Chairman, thank you very much for calling on me with such short notice but, unfortunately for myself, I've been sort of tied up all day. I have a prepared statement, Mr. Chairman, which I would like to file with your clerk, if I may. My name is Lewis Okin and I am a member of the New York City Council, representing largely the West Side of Manhattan. In addition, I speak here as a Democratic District Leader and also representing a segment of Manhattan, namely, the portion which runs roughly from 62nd Street to 73rd Street, largely west of Central Park West, known as the Third Assembly District North.

Mr. Chairman, I don't read very well - I tend to go off the reading matter - so I hope you will excuse me. First, let me say quickly and simply that I heartily approve of the new Zoning Resolution, and I urge its adoption substantially in its present form.

I might say that I have spoken with a number of people who are much more versed in the technical aspects of building and law, and I have become convinced myself although

I don't have any personal connection with it, that your approach to the entire zoning problem, namely - one, looking for a degree of simplification which regards the use of one map as distinguished from three maps, as has been the custom in the past -- I think this is reason enough, as I say in my statement, for adopting the proposed Zoning Resolution.

And, again without reading particularly but simply to go to some general aspects of this problem, I might say, too, that in my discussions with people representing various interests, realtors, realty management people, builders - the opposition to the zoning resolution, at least as far as it has come to me and I am sure that other grounds of opposition have come to your attention, Mr. Chairman and members of the Commission, seems to be grounded upon the feeling of certain people who I would like to just group together as real estate investors -- that they cannot build under this zoning resolution profitably. Many of them talked to me on the basis of a land cost on the east side of Manhattan and they mention a figure of \$100 per square foot.

I am sure I don't have to talk to you people about real estate values. I think that the one or two transactions on the east side of Manhattan where the land value in the trade came close to the figure that I mentioned are isolated transactions and that land cost even in this select gold field is not in that area. Much more important, it seems to me, Mr. Chairman and members of the Commission, is this: that we cannot pander to the desire to make a profit. This is a laudable desire and one that we all recognize will be the drive towards building.

But I believe, as I am sure that many people even more experienced in this field believe, that a zoning resolution such as you have here that does not emphasize the maximum use of land can nevertheless be utilized by builders to their advantage and to their profit. I think it is much more important to the City, to the residents of the City, to those of us who want to see this City develop in the way that we think it ought to develop, that we have an eye to beauty, that we have an eye to symetry, that we have an eye to the finer things; and if we, by a zoning resolution, can introduce into our building fraternity a measure of control so that we can come up with structures and with buildings that are just as useful, produce practically the same number of square feet, and nevertheless permit more sun, more light, more of the God-given treasures to come to the people of The City of New York, I think that that is a very worthwhile achievement.

I think that basically that is the objective here and that the people who are opposing it are doing so on narrow grounds and that we just simply have to stand up and say "no" to them.

Mr. Chairman, in my written statement and again here, I approve the resolution. I hope that it will be adopted and that the map of Manhattan, as proposed, substantially will be adopted, and you will go forward from that point -- creating the kind of City that I know you will want to build. Thank you, gentlemen.

CHAIRMAN FELT: Thank you, Councilman. Is David Stoloff present?

DAVID STOLOFF: Mr. Chairman, my name is David Stoloff and I live at 305 Riverside Drive. I am a professional city planner, and I come before you as a private citizen of the west side of Manhattan to support the proposed comprehensive amendment to the zoning resolution.

I speak in strong overall support for the zoning resolution because it would put into effect long overdue major new policies in Manhattan and in the entire City. These policies represent a significant response to the needs of this City for adequate parking space, more light and air for residential areas, exclusive industrial zoning to attract industry, industrial performance standards to make industry good neighbors, prevention of overcrowding in areas where community facilities cannot handle large population increases and, finally, effective encouragement of good design and building practices.

In Manhattan, unzoned areas will be given positive designations, densities will be more reasonably regulated, and land will be allocated to different uses in a logical way.

I believe the City must pass this comprehensive amendment as a demonstration of acceptance of responsibility for decent and adequate housing for all our citizens. Under the old resolution, the City has abdicated this responsibility and permits new slums to spring up faster than the old can be torn down. Under the new resolution, population limits are more realistic and conversions to single-room occupancy more difficult.

The proposed resolution is a crucial step towards reversing the awful trends which point to a decline in the growth and vitality of New York City. I urge you as responsible public officials to take this step which would restore and revitalize this City.

I would like to add as a final point that much of the redevelopment and renewal costs that the City is bearing today, with the public's money, have arisen out of situations that could not occur under the proposed amendment to the zoning resolution. Slum and blight result from overcrowding, lack of air and light, poor building quality and design, among other things.

There is no legitimate reason why builders and real estate investors should be allowed to create situations where the City, with public monies, must eventually come in and clean up the mess. The real estate interests in this City cannot shirk all civic duty and public responsibility. Like all men, they must answer for their acts.

The new resolution will have the effect of lifting the standards under which all builders and real estate investors must operate. In the short run, building might cost more but it will certainly be worth more to the purchaser of today and the citizens of tomorrow.

The proposed zoning amendment allocates responsibility for a better city in a reasonable and thoughtful manner and deserves complete citizen support. Thank you, gentlemen.

CHAIRMAN FELT: Thank you, sir. Mr. Jacobs?

ROBERT JACOBS: Mr. Chairman and Members of the Planning Commission, my name is Robert Jacobs. I am an architect in this City and I am representing the Zoning Committee of the Greenwich Village Association.

I would like to speak, first of all, in endorsement of the zoning resolution and of the Manhattan map. We feel, particularly as it applies to Greewich Village, the height and bulk limitations as contained in this resolution will be of real benefit in preserving something of the values that now exist in Greenwich Village as a residential and commercial area. An effort to increase these height and bulk limitations would be very detrimental to our area.

I would like to speak this afternoon very briefly about one particular area in which a technical adjustment should be made as this area will be a cause of considerable difficulty in the future. This is the area of the West Village, which is now classified as a C-8 Area. This is a general use area - general service area - I believe it is called. The area today as it exists is a fairly mixed-up area, where some decision has to be made as to whether it should be zoned for residential use, permitting residential use, or excluding commercial and industrial use - rather, industrial use. No classification under the zoning considers that those needs can be mutually existing in one area. We do not disagree with this decision but we do disagree that this is an area which should exclude residential construction.

Jacobs

The whole development of residential construction in Greenwich Village has been in a westerly direction. This area at one time was on the slum clearance map. This designation was removed. The area has been spontaneously upgrading itself. The residences in the area have been improving themselves. New construction has been developed. The area is an Unrestricted Area which now permits this to happen naturally but should this zoning go through as it is now, without any difference, this natural development would be stopped.

We feel that this would be a serious mistake. It is certainly true that there are commercial and industrial properties which are in this area that should be given sufficient time, as is provided, to make what adjustments are necessary. But, already, large quantities of property are now available and have been available for sale and haven't received any takers. Warehouses, and such like, are now going begging. Furthermore, with the development in The Bronx of the new market center, we feel that this will be continued, the direction of lack of interest in this area will be continued.

Therefore, we recommend that this area be restudied and rezoned to permit residential construction.

CHAIRMAN FELT: It is a proposed C-8 Area which presently does not permit residential construction, and you feel it should be zoned in a manner which might accommodate new residential construction.

MR. JACOBS: Yes, that's right.

CHAIRMAN FELT: We will give that consideration, Mr. Jacobs. Is Mr. Diether present?

Jacobs / Felt



JACK DIETHER: Chairman Felt and Gentlemen: my name is Jack Diether and I would like to read a message from my wife, Mrs. Doris Diether, of the "Save The Village" organization, residing at 107 Waverly Place.

"I wish to compliment you for the excellent job you have done in drawing up the zoning maps for Manhattan. I heartily endorse the zoning, and the few suggestions for changes which I have are in no way to be construed as objections to the zoning as a whole.

Since I live in Greenwich Village, this was the area I studied most closely on the maps, and I think this area was quite well taken care of. The R6 and R7 designations for the residential areas and the C1 and C2 in most of the commercial areas should accomplish at least a part of what "Save The Village" has been fighting for, and we wish to thank you.

As a matter of fact, I have only two suggestions to make, the first of which is being backed by many of the Village organizations, and the second of which is purely my own. They are:

1: Extend R6 areas from West 11th Street down to Barrow Street and change the commercial strip along Washington Street, for this whole district from Horatio Street to Barrow Street, to C1-4. This is a mixed district at the present time, but I feel that with the influx of people into the Village, this is a good area for additional housing, and the C1-4 would blend with the R6. "

Diether

"2: Change the C4-5 areas along West 3rd Street between West Broadway and Sixth Avenue to C1-4. This area features at present predominantly burlesque shows and cheap night clubs, which I feel do not belong in the center of a residential section. Most of these places do not stay under the same ownership for long, and rezoning this area would probably eliminate most of them in five years. The only other two areas zoned C4-5, Eighth Street and Sheridan Square, are much too well frequented for this sort of thing ever to pass unnoticed by the community as a whole, as 3rd Street conveniently is at present.

My other three suggestions are concerned with the esthetic or cultural aspects of Manhattan, as follows:

1: Change the M3-2 area, bounded by East 41st Street, First Avenue, East 38th Street and the River, to M1. This area is just south of the United Nations, and I do not think that the many visitors, some from foreign countries, should be subjected to the smoke and other objectionable features of an M3 District right under their noses."

CHAIRMAN FELT: Are you referring to the area where the Consolidated Edison plant is located?

MR. DIETHER: I believe it is.

" 2: Change the designation on the narrow strip of land between Bellevue Medical Center and the East River to an M1 District. A hospital should have a peaceful, quiet and healthful environment, which I do not think it would have with the M2-3 District right behind it."

"3: Extend the C6-4 zone south of 57th Street to take in the corner now occupied by Carnegie Hall. I firmly believe that the present owner will not be able to demolish this building, and if it should be closed and some other group at a future time should like to re-open it, I would not like to see the zoning prevent this.

I thank you again for your consideration of the needs of Greenwich Village and of the various areas of the City, and commend the zoning maps with or without the immediate inclusion of such amendments as I have suggested." Thank you.

CHAIRMAN FELT: Mr. Diether, what was the second area that you spoke about?

MR. DIETHER: The narrow strip of land between Bellevue Medical Center and the East River.

CHAIRMAN FELT: That is just a designation covering marginal streets. It doesn't cover any private property, to my knowledge.

MR. DIETHER: All right. I will make a note of that.

CHAIRMAN FELT: You probably will also realize, upon inspection, that the present complex of Consolidated Edison facilities are now in the M3-2 area immediately south of the United Nations.

MR. DIETHER: Yes. Thank you very much, Mr. Felt.

CHAIRMAN BELT: Is there anyone else who wishes to be heard? (no reply) If not, will the Secretary please call the roll on recessing this hearing?

SECRETARY MATTER: This is a motion to recess the public hearing until wednesday, March 23, 1960, at 10 A.M., when the hearing on the Proposed Comprehensive Amendment of the Zoning Resolution will be continued, and will be devoted to the Proposed Zoning Maps for the Borough of Queens.

Chairman, Vice Chairman, Commissioners Livingston, Orton, Sweeney, Provanzano.

This public hearing now stands in recess until tomorrow morning at 10 o'clock. It is now 4:10 P.M., Tuesday, March 22, 1960.

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G. Buxbaum,  
Reporting Stenographer