

# THE NEW YORK LANDMARKS CONSERVANCY

April 26, 2017

## **STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY AT A HEARING OF THE NYC CITY PLANNING COMMISSION REGARDING THE PROPOSED REZONING OF GREATER EAST MIDTOWN**

Good morning Chair Lago and Commissioners. I am Andrea Goldwyn, speaking on behalf of the New York Landmarks Conservancy. The Landmarks Conservancy is a private, independent, not-for-profit organization, founded in 1973. Our mission is to preserve and protect historic resources throughout New York.

We were pleased to be a member of the East Midtown Steering Committee and appreciate that the Department of City Planning incorporated many of the Steering Committee's recommendations into this proposal.

Some four years ago we testified against the previous rezoning plan, which almost entirely ignored the significant architecture in this section of the City. Our main focus then and now is the protection of Midtown East's historic buildings. Through the Steering Committee and inter-agency processes, landmarks have taken a much more central role. The Landmarks Commission designated 12 individual landmarks last year. The current proposal significantly expands the ability of landmarks to transfer their unused development rights.

We are delighted with these 12 landmarks, but there is more to do. Our priority list for designation includes sites such as the Hotel Intercontinental and Postum Building, which are eligible for listing on the National Register of Historic Places. They are now labeled as projected development sites. We urge the LPC to bring them to a public hearing.

Regarding the landmark TDR program, we're pleased to see that "landlocked" landmarks will have the opportunity to sell their development rights across the rezoning area. As you know, the original intent of the 74-79 transfer provision in the Zoning Resolution was to provide building owners significant relief from the cost of maintaining landmark buildings and to assist in their overall preservation. The proposed 20% assessment on transfers is at the low end of the range that the Steering Committee recommended, and should ensure that this intent can be realized.

We oppose the floor price, which would disadvantage landmarks. The market is unpredictable and the three- to five-year schedule of evaluation is insufficient; as we've seen, a lot can change in a few years. With the floor price, the City will be creating a set stream of revenue for itself, while the landmark owners have no such guarantee. It's not necessary and it's not fair.

Once the assessment is collected, the proposal should provide better guidance is how it is to be used, to ensure that it truly benefits the Midtown East community. A list of non-transit public realm improvements should be memorialized within the zoning text; and it should be clear the improvements go beyond standard upgrades, such as left turn lanes, that DOT typically funds in other neighborhoods across the City. The list of MTA improvements is extensive, and as two-thirds of them are outside of the rezoning area, one could conclude that the MTA could add to list indefinitely, using all of the funds before any above ground work is undertaken.

This plan will bring substantial new development to Midtown East. It has been successful in creating certainty for developers, and has surpassed its predecessor in what it gives the public, but that job is not complete. Thank you for the opportunity to express The Landmarks Conservancy's views.