

# Friends of the Upper East Side Historic Districts

October 15, 1985

Dear Friend,

Congratulations and a million thanks!

For FRIENDS and for all of you, September 19, 1985, was a great day when the Board of Estimate voted unanimously to approve, what in the words of the New York Times, was "the most sweeping zoning change in the area since 1961." September 19th was truly a red-letter day for the Upper East Side. Under the 1961 zoning, buildings of up to 14 stories were allowed as-of-right on midblocks zoned R7 (very few), and in midblocks zoned R8 (almost all of them), structures of up to 21 stories could be built.

WITH THE PASSAGE OF R8-B, only 6 stories may be built, plus a penthouse, providing that it is set back both front and back. This zoning change is a guarantee of survival for the small scale and low-rise character of the precious midblocks, which were constantly endangered by the growing encroachment of tall buildings out of context with their neighbors, dwarfing them and casting longer shadows on the streets where we live....

The passage of R8-B is the culmination of nearly three years of active and often 'round-the-clock work which began on January 28, 1982, when FRIENDS asked the City Planning Commission (CPC) for a zoning change which would replace the 1961 zoning regulations that gave the license, as-of-right, to consume and destroy our midblocks and to line them with towers. We asked the CPC to give us instead a good and reasonable alternative. This quest resulted in the R8-B zoning just passed, and in our book the "B" stands for better, much better!

THIS CHANGE WOULD NOT HAVE BEEN POSSIBLE WITHOUT YOU. YOU WROTE LETTERS, CAME TO MEETINGS, AND TESTIFIED TIME AFTER TIME UNTIL R8-B BECAME LAW. We came together as one in order to get the R8-B zoning change approved NOW, and can all be proud and happy for being a community united for an all-important cause and for having worked to sweep away the old and usher in the new.

There are still some details to be worked out within the next few months which will amend the R8-B zoning and make it more comprehensive. There is the matter of the "strips" left out of the new zoning, specifically the blocks between First and York Avenues from East 62nd to 72nd, which we feel must be included, in toto or in part. And there is the issue of allowing our local institutions, specifically such community facilities as schools, to be able to expand for their own, legitimate use. FRIENDS will notify you when these issues are to be discussed. We now know what we can accomplish together....

Very truly yours,

Halina Rosenthal  
President

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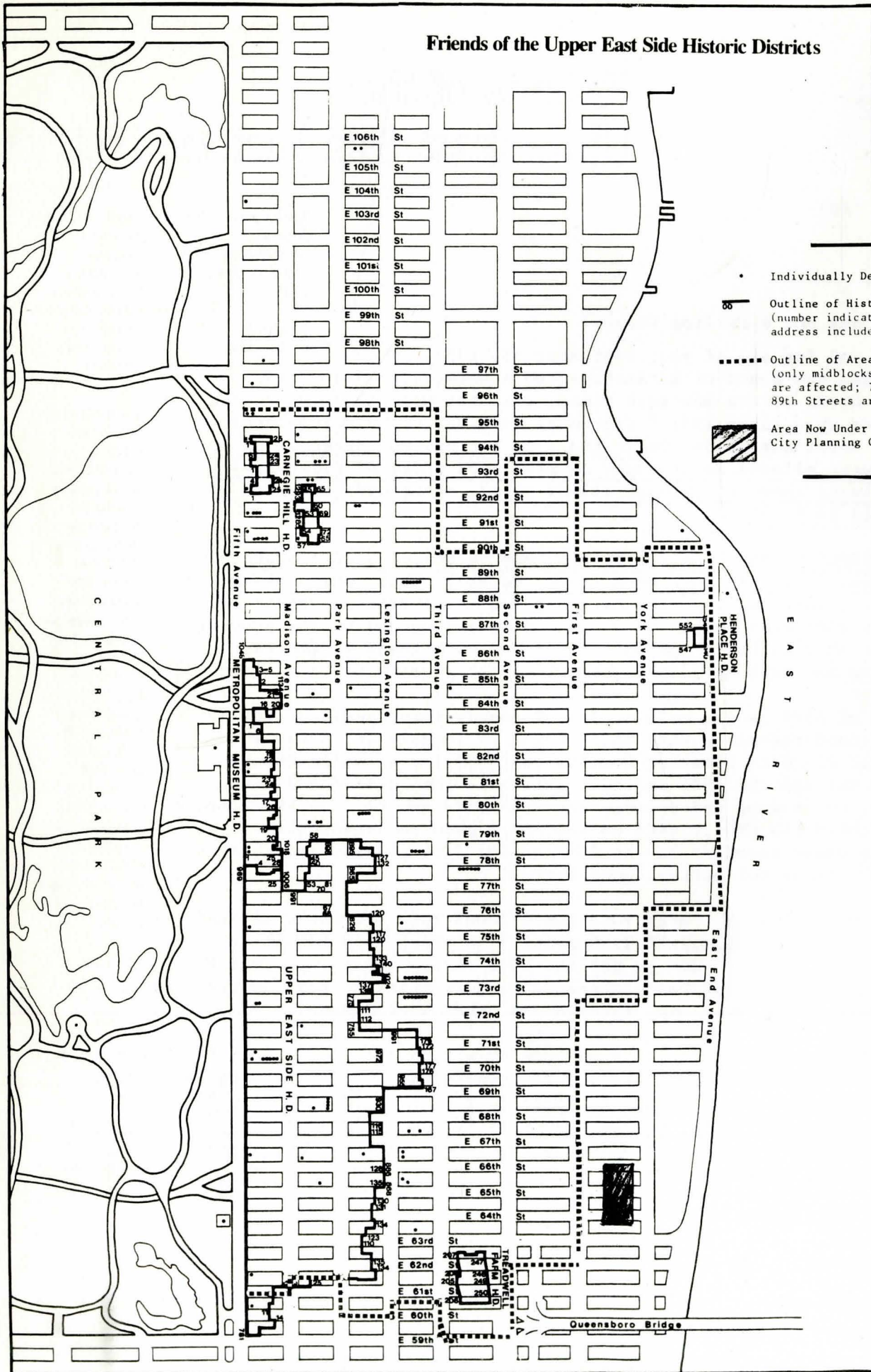
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# Friends of the Upper East Side Historic Districts



- Individually Designated Landmark
- Outline of Historic Districts  
(number indicates last street address included in the district)
- Outline of Area Now Zoned R8-B  
(only midblocks of side streets are affected; 72nd, 86th, and 89th Streets are not included)
- ▨ Area Now Under Study by the City Planning Commission



R8-B: THE UPPER EAST SIDE CONTEXTUAL ZONING FOR MIDBLOCKS

OF RESIDENTIAL SIDE STREETS--WHERE APPROPRIATE

The midblocks within the indicated area on the map are those which were included in the R8-B rezoning approved by the Board of Estimate on Sept. 19, 1985.

The R8-B zoning is intended to preserve the low-rise character of the midblocks and will encourage development that reinforces and complements the existing scale and character of residential neighborhoods. It addresses the incompatibility between residential neighborhoods which encourage tall, narrow buildings and the existing context of the Upper East Side, which is consistently characterized by shorter buildings occupying a greater portion of the lot.

Under the R8-B zoning, new development will generally be characterized by higher coverage of lots and lower building heights than those encouraged by previous as-of-right zones R7-2 and R8. Street walls of new developments must meet mandatory street-wall location and height regulations which respect the street wall of neighboring buildings. Under R8-B, the front wall of new buildings must line up with and be about the same height as existing midblock buildings, and only a couple of additional penthouse stories are permitted.

Recesses and balconies will be allowed. Specifically, the mandatory wall may be recessed or extended toward the streetline a maximum of 4 feet for up to 50% of the width of the front wall at each story. Balconies may extend no more than 2 feet beyond the mandatory front wall.

In the case of setbacks above the street-wall height of 60 feet, a portion of the building may rise no more than one foot for every foot it is set back from the streetline. The initial setback must be at least 20 feet from the mandatory front wall.

Under R8-B, a rear sky exposure plane mandates that, above the height of 60 feet, a portion of the building may rise no more than one foot for every one foot it is set back from its mandatory 30-foot rear yard.

New buildings in the R8-B midblocks will not be regulated by open-space ratios or height factors or include plazas, which have in the past led to the development of towers. Furthermore, the new controls will not restrict the potential for development on the avenues.

If you have any questions, call FRIENDS at 644-2828 or 249-3434. We will endeavor to answer your questions.

DEFINITIONS

(from The Zoning Handbook)

R7-2

R7-2 is a medium-density apartment house district, common to midblock areas of Manhattan. The allowed density is 135 dwelling units per acre. FAR ranges from 2.88 to 3.44.

R8

R8 is widely mapped to maintain the midblock profile in Manhattan's Upper East Side. The FAR in R8 districts is 4.88 to 6.02--approximately two-thirds greater than allowed in R7. It produces a density of 185 to 220 dwelling units per acre.

FLOOR AREA RATIO

Floor area ratio (FAR) is the total floor area on a zoning lot divided by the area of that zoning lot. Each zoning district classification contains an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum floor area allowable on such lot.

NON-COMPLYING, OR NON-COMPLIANCE

A legal non-complying building is any building legal at its inception which no longer complies with any one or more of the present district bulk regulations.

Non-compliance is failure by a building to comply with any one of such applicable bulk regulations.

NON-COMFORMING, OR NON-CONFORMITY

A legal non-conforming use is any use legal at its inception (whether of a building or tract of land) which no longer conforms to any one or more of the present use regulations of the district.

Non-conformity is failure by a use to conform to any one of such applicable use regulations.



1. EXISTING TYPICAL MIDBLOCKS ON THE UPPER EAST SIDE WHICH ARE APPROPRIATE FOR THE CONTEXTUAL R8-B ZONING



2. FORMER ALLOWABLE MIDBLOCK DEVELOPMENT



3. DEVELOPMENT NOW PERMITTED IN R8-B MIDBLOCKS



APPROVED

# E. Side Zoning Bars High Rises

By Marianne Arneberg

Over objections from developers, the Board of Estimate unanimously voted yesterday to rezone much of Manhattan's Upper East Side to protect residential side streets from high-rise development.

"We have already begun to see effects of overdevelopment on neighborhood," said Assemb. Alexander B. Grannis (D-Manhattan).

restriction imposed last year on the Upper West Side. It will cover an area bounded roughly by 96th and 59th Streets, from the East River to Fifth Avenue, and limits development to a

board official Chris Fleming, in urging a compromise that would allow developers to construct larger buildings on the avenues in exchange for preserving low-rise development on the side

schools and the Ronald McDonald House, where the families of children with cancer are housed, argued that their expansion needs merited special consideration.

Also, planner Rebecca Robertson, of the city Planning Department, said that three side streets originally exempted from the new law — 64th, 65th and 66th from York to First Avenues — will be studied further to determine whether they should also be down-zoned. That report is due in two weeks.

A spokeswoman for the Peter Kalikow organization, which is seeking to build four high-rise towers between 78th and 79th Streets between York Avenue and the East River, said that those development plans would not be affected by the new law. But Dita Albert, president of the tenants association representing 2,000 people who now live in existing buildings on the site, called the new law "one more ace in the hole" to defeat the Kalikow development.

THE NEW YORK TIMES, FRIDAY, SEPTEMBER 20, 1985

## New High-Rises Are Barred In Much of Upper East Side

By JOSH BARBANEL

The Board of Estimate yesterday barred new high-rise buildings on the residential side streets of the Upper East Side to protect the architectural character of the neighborhood.

The new zoning law, approved unanimously, is the most sweeping zoning change in the area since 1961, when the previous zoning law took effect.

Under that law, incentives encouraged buildings of 19 to 21 stories. The new law is intended to encourage buildings of six stories that match in height the brownstones, town houses and tenement buildings that fill the side streets.

"Everybody and their brother is building on the less you stop," said Councilman Alexander B. Grannis of Manhattan, told during a public hearing held "East Siders will be coming in a canyon of light and air."

already evaluated 18 sites in the early stages of construction and would move immediately to revoke building permits for projects not allowed under the new zoning.

"Letters will go out tomorrow," he said.

In approving the measure, board members said they would consider establishing special rules to enable some schools and nonprofit groups to expand beyond some of the new limits.

At the hearing, representatives of East Side private schools and of Ronald McDonald House, which plans to build a

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## High Stakes Involved In Exemption Quest

THE NEW YORK TIMES, SUNDAY, NOVEMBER 3, 1985

# Puzzling Out the Impact Of East Side Downzoning

## The scaled-down look East Side construction limited to 6 stories

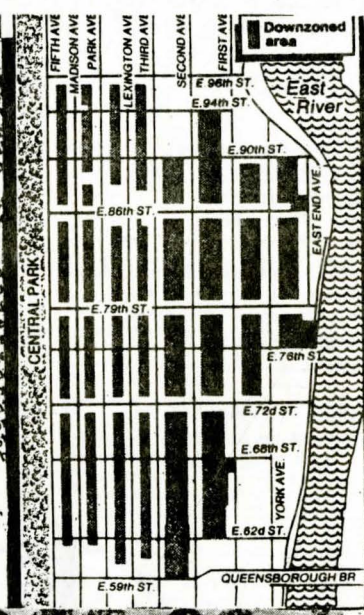
By GUS DALLAS  
Daily News Staff Writer

The Board of Estimate approved a rezoning of the upper East Side between 59th and 96th Sts. to block construction of buildings more than six stories tall on cross streets.

The rezoning will permit buildings up to 21 stories on the main avenues, but from the down-zoned area, only two patches in the predominantly residential area, between 62d and 71st Sts., however, will be exempted from the down-zoning.

Robertson said the intention of the down-zoning was to preserve the "consistent" scale of buildings in the area. About 90% of the buildings are brownstones, walkups and small mansions, she said. The two exempted patches contain a variety of building styles that there is no "consistency of scale" to save, she said.

Only one person spoke in opposition to the down-zoning proposal, Chris Fleming,



the Board of Estimate hearings. The compromise was between the private and public institutions in the community — primarily the private schools — and the Friends of the Upper East Side Historic District, which city officials say orchestrated the drive to restrict new construction. The Friends wanted the community to present a united front at the Board of Estimate hearings, while the institutions wanted support for a continuation of a special dispensation allowing them to build at a slightly greater bulk than standard zoning allowed for other uses.

THE old R8 midblock zoning, for example, which was replaced on most of the Upper East Side by R8B, allowed buildings to be 6.02 times the size of the site for ordinary uses, but 6.5 times for community organizations. Under R8B, which was passed without the dispensation, the standard maximum is four times the size of the site. The staff study presented last week to the Planning Commission recommended that community groups be allowed to build to a maximum of 5.2 times the size of the site.

City officials say that although the new dispensations, which essentially follow the recommendations of Community Board 8, would still mean a slight reduction from the old zoning, the effects on community groups will be minimal because of other special considerations given the institutions under the zoning and because most of them, such as the ones in the area's large historic district, already are limited by other building regulations.

"We were willing to promise our soul to get their support at that particular time," said Halina Rosenthal, president of the Friends and a member of Community Board 8, which covers the entire downzoned area. "We promised that if they supported us, we would support their requests for exemptions if there were legitimate needs."

Beside the appearance of unity before the board, she said, it was considered even more vital to circumvent a move to grant specific exemptions before the enactment of the zoning, which several institutions had requested, and for which some members of the Board of Estimate had expressed support.

"It would have opened a Pandora's box," Mrs. Rosenthal said. "Attorneys could have argued that if there was one exemption, there should be another, and they would have perfectly legitimate arguments. The blanket zoning would have become Swiss cheese."

But the private schools and institutions that supported the restrictions at the zoning hearings — or at least did not speak out against downzoning — form only part of the exemption puzzle. The institutions' concern over what form the exemptions or dispensations may take represents a wide band of anxiety in the community.

## CITY OKS PROPOSAL TO LIMIT UPPER EAST SIDE HIGH-RISES

By CHRIS OLERT

A PLAN to preserve apartments and brownstones on Manhattan's Upper East Side by restricting high-rise construction passed the Board of Estimate unanimously yesterday.

Speakers, backed by applauding residents, urged the board to approve the plan, which limits mid-block development to six stories,

with an option to add two-story penthouses.

"It's a matter of life and death for the quality of life on the East Side," Assemblyman Mark Alan Siegel testified.

At the same time, Herbert Stern, chairman of the city Planning Commission, said his office would speed up a study to allow schools and hospitals in the area to expand.

"The preliminary indications are some modifications are in order" for institutions, Sturs told reporters before the vote.

"The object of the study is how to give relief to community facilities," said Rebecca Robertson, a senior city planner for Manhattan.

A draft is due Nov. 1. The board's action "down-zones," or limits

construction, from Fifth Avenue to the East River and from 59th to 96th Streets on non-avenue blocks.

The new zoning is called R8-B.

Similar zoning for Manhattan's West Side was approved last year.

The old zoning allowed construction up to 21 stories on streets between the avenues.

OUR TOWN/ SEPTEMBER 29, 1985 OCTOBER 5, 1985

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