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July 17, 2018

Hon. Margery Perlmutter, Chair
New York City Board of Standards and Appeals
22 Reade Street, Spector Hall
New York, NY 10007

Re: Cal. No. 2017-290A (180 East 88th Street aka 1558 Third Avenue, Manhattan)

Good morning, I am Rachel Levy and I am the Executive Director at FRIENDS of the Upper East Side Historic Districts, one of the co-appellants in this case.

Since our founding in 1982, FRIENDS has worked to preserve the livability and sense of place of the diverse neighborhoods that comprise the Upper East Side. This concern for neighborhood preservation necessitates sound planning as a vital tool of balanced urban development, and for the past several years FRIENDS has been increasingly involved in land use discussions around the direction of growth and development in our neighborhood which is proceeding at a rapid pace.

Perhaps more than any other single development project in our area, 180 East 88th Street epitomizes the issues at the center of our recent work, and the focus of concern of the many Upper East Side residents we represent.

At the end of the day, the public realm is best served by development that is predictable. That is the reason FRIENDS was a leader in advocating for contextual zoning to protect the low-rise midblocks of the Upper East Side in our early history. That is the reason why we supported efforts in the 1990s to establish “tower-on-base” zoning as a solution to the erosion of neighborhood context spurred on by tall, thin, towers that were at odds with residential communities.

And that is why 180 East 88th Street has struck such a chord in our community. For nearly 25 years, “tower-on-base” zoning has yielded a predictable form - buildings in the range of 300 feet, which have a contextual base roughly in line with the height of neighboring tenement buildings, and importantly, maintain the consistency of the streetwall. But through a series of maneuvers to squeeze out as much height as possible from the Zoning Resolution, and the tactic under consideration today – the carving out of a tiny portion of the zoning lot – the resulting tower bears little resemblance to those that we expect to see based on this prescriptive zoning.

The micro-lot artificially sliced off from the rest of the zoning lot yields exactly what drafters of the “tower-on-base” form were looking to cure – a plaza in front of the building’s main entrance that physically separates it from the street. Though

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incentivized through the plaza bonus program begun with the 1961 Zoning Resolution, by the late 1980s there was a consensus among urban planners that tower regulations which encouraged the residential plazas were negatively impacting streetwall and neighborhood character. The Department of City Planning undertook an extensive outreach process with Community Board 8 and civic groups, and ultimately devised the “tower on base” envelope with twin goals – to indirectly limit overall height, and to produce towers consistent with neighborhood streetwall context.

Through the micro-lot scheme at 180 East 88th Street, developers of the building aim to exempt it from compliance with this very deliberate regulatory policy. If the Board permits this tactic to proceed at 88th Street, it will set a precedent that threatens to undermine any requirement of the Zoning Resolution based on avenue or street frontage. And this undirected and unplanned trajectory of growth has the potential to radically alter the character of New York’s residential neighborhoods absent any policy objective or public input.

In a 1982 letter to the Chairman of the City Planning Commission, FRIENDS’ founding president Halina Rosenthal wrote about the impact of standard towers on the Upper East Side that violated the spirit of the neighborhood, and the associated “out of control hodge-podge at eye level.”

The City Planning Commission already created a carefully balanced solution to these concerns with “tower-on-base” zoning. Now, FRIENDS urges the Board of Standards and Appeals to enforce it in the case of 180 East 88th Street.

Thank you.