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FOR IMMEDIATE RELEASE

MANHATTAN RESIDENTS’ GROUP and ELECTED OFFICIALS SUBMIT ZONING APPLICATION TO STOP SUPER-TALL RESIDENTIAL TOWERS AND BRING AFFORDABLE HOUSING TO SUTTON PLACE

East River Fifties Alliance raises its own resources to mount a formal, unprecedented campaign to increase community diversity

New York, December 8, 2016 – In an unprecedented action, a Manhattan residents’ group submitted a complete application to the City of New York for a zoning change to prevent the construction of supertall residential towers in the Sutton Place area and encourage community diversity.

The application by the non-profit East River Fifties Alliance (ERFA) -- co-signed by several prominent elected officials -- is the first step in a months-long formal decision process that requires costly legal and consulting resources that, in almost all zoning cases, only major private real estate developers or government agencies can afford to risk. After months of preparation, the ERFA application now awaits the Department of City Planning’s review and certification to be accepted as an official filing.

ERFA is a nonprofit corporation that includes hundreds of member cooperatives, civic organizations and residents in the East Fifties dedicated to preserving community character and affordable housing. Manhattan Borough President Gale Brewer, Councilman Dan Garodnick, Councilman Ben Kallos and N.Y.S. Senator Liz Krueger have joined as co-applicants and are providing guidance and leadership to the rezoning effort.

Alan Kersh, ERFA President, said, “We’ve been inspired by Mayor Bill de Blasio’s vision for ‘One New York.’ This is a zoning change that will encourage development while keeping the low- and mid-rise character of the neighborhood intact. Our plan also increases neighborhood diversity by adding incentives to vastly increase the amount of affordable housing.”

The area between 52nd Street and 59th Street east of First Avenue is the only residential community left in New York City zoned R-10 where mid-blocks and quiet residential streets have no height controls for buildings. In most other residential districts, the City Planning Commission has replaced the 1960s-era R10 zoning designation with contextual zoning requirements that set height limits for buildings in those neighborhoods, or heights controlled through historic district protections.

In the East River Fifties, however, the R10 zoning designation, which sets no height limits and permits unlimited air rights purchases, remains in place.

At least one developer has assembled property and air rights in the East River Fifties to take advantage of R10's lax height restrictions. In the assemblage process, the developer has removed and is demolishing affordable housing units. Using 21st century engineering technology, the developer has announced a plan to construct a 1,000-foot tall, pencil-like tower on East 58th Street. Several other "soft sites" in the neighborhood are susceptible to out-of-scale development as well.

ERFA's mission is to stop that project and the genuine threat of several others.

Mr. Kersh added, "R10 zones throughout the city only create about 4-5% affordable units with each new development. In return for this small contribution to affordability, developers receive a 20% boost in floor area. That does not meet the city's needs and gives away too much to developers for too little housing."

ERFA's formal filing today with the Department of City Planning is known as an application for a **zoning text amendment**.

Once the agency certifies the application as complete, it will proceed through a months-long, formal review process involving nonbinding reviews by the Community Board and Borough President and binding reviews by the City Planning Commission and City Council. Applicants are aiming for certification in 2016.

ERFA's plan would rezone the East River Fifties by creating a special zoning text to achieve two goals—contextual height limits and affordable housing incentives. The area would retain its R10 zoning designation, but its application would be modified on zoning lots east of First Avenue. ERFA is proposing a contextual district that would prevent supertowers through height limits and would provide greater incentives for affordable housing and design controls for wide buildings.

The developer who was planning to construct the 95-story, 1,000 foot megatower on 58th St., defaulted on its loan payments, resulting in the lender's commencement of a foreclosure proceeding and the developer's filing of a bankruptcy petition in response. Complex litigation involving multiple parties has ensued.

The existence of that litigation does not remove the threat of a 1,000-foot-tall pencil tower on 58th Street. By agreement of both the debtor and lender, the bankruptcy court has permitted the sale of the property under the court's supervision. An auction is tentatively scheduled for mid-December. ERFA expects that once a buyer has been found and the sale completed, the new owner will resume the development effort.

Mr. Kersh said, "As long as the antiquated zoning laws that allow megatowers to be constructed in the East River Fifties residential neighborhood continue to exist, the law poses a threat to the community that it is supposed to protect. New engineering technologies have made the construction of megatowers possible, and they are very profitable for developers because very wealthy people are willing to pay tens of millions of dollars per apartment on the high floors. The only viable solution for the community is to change the zoning law."

ERFA's rezoning plan, if successful, will ensure that this site and others in the East River Fifties community will no longer permit such towers.

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