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**Gale A. Brewer, Borough President**

**March 13, 2019**

**Testimony of Manhattan Borough President Gale A. Brewer to the City of New York City Planning Commission**

**Cal. Nos. 37 & 38 – 270 Park Avenue Zoning Text Amendment  
Non-ULURP Application No. N190180ZRM by JPMorgan Chase Bank, N.A.**

Good morning Chair Lago and Commissioners of the New York City Planning Commission. I am Manhattan Borough President Gale A. Brewer and I am here to deliver a statement in support of the proposed text amendment to the East Midtown Subdistrict.

When the Mayor’s Office proposed a rezoning for the East Midtown neighborhood in 2014, then-Councilmember Dan Garodnick and I were tasked with co-chairing the East Midtown Steering Committee. And it was truly a community planning process. The Steering Committee helped guide the rezoning by developing a list of priorities and recommendations for the district.

All throughout that planning process, one of the things that kept coming up was the public realm. This was a vital issue to a broad range of people—businesses, employees, preservation groups, and even the real estate industry all agreed: without quality public space in East Midtown, we would not be fostering places where people would want to spend time; we would not be taking part in good planning.

In light of those concerns, the Department of City Planning rightfully instituted a publicly accessible space requirement for lots measuring 65,000 square feet or more—a provision that captures the site at 270 Park Avenue. 270 Park is required, by the zoning, to provide a publicly accessible space that is *at least* 10,000 square feet. That space must also be open to the sky. That’s why I was disappointed when I first learned that JPMorgan was proposing a publicly accessible space that would be 3,000 square feet smaller than what is required and that their space would be an *enclosed* open space. While I am sensitive to the site constraints that JPMorgan is facing—particularly with its location above a train shed—I was not convinced that those constraints warranted an open space that would deviate so far from the requirements established by the East Midtown Rezoning.

I believe that quality open spaces have the power to mediate the density of office uses in East Midtown. When I issued my recommendation back in January, I was certain that JPMorgan could fit a 10,000 square foot publicly accessible space on their site, and I requested that at least 30% of it be open to the sky. I am glad to see that the presentation JPMorgan has given here today meets those goals. The newly proposed 10,000 square foot space will be open to the sky, with a portion of the building cantilevering at least 50 feet above the open space. I am pleased

that JPMorgan has worked around the significant site constraints to arrive at a much better space for the public.

Anticipating that the open space would require an amendment to the East Midtown zoning text even if it met my conditions, I also requested that JPMorgan provide a transit improvement that goes beyond the existing Grand Central Terminal entrance on their site. JPMorgan is still requesting changes to the zoning and as such, I urge them to seek viable transit improvement options on their site. This will be highly important as the new building will significantly increase the number of employees at that address.

Lastly, I want to note that JPMorgan proposes to allow modifications via Chair Certification to almost all of Section 37-70 of the Zoning Resolution, which governs public plazas, in order to “address practical difficulties” that stem from the existing Grand Central Terminal entrance on its site. I request that this language be more precise. The Chair Certifications should specifically refer to subsections of 37-70 and also be geographically limited in scope, so the design team has sufficient flexibility without creating a potential loophole in the Zoning Resolution. Clarifying this language should become possible as the design for the building nears its completion. And I want to be clear that this Chair Certification would not allow JPMorgan to create an open space that is less than 10,000 square feet. That size requirement is established in Section 81-681 of the Zoning Resolution.

The proposed text amendment before you today demonstrates the benefits that a public review process brings to a project. Too often, developers, and even some of those responsible for planning, believe that a rigorous process is just a tool to stymie development. This is a good example of how a rigorous process is really a tool to improve development and make sure everyone’s goals are served. And as the first development proposed under the East Midtown rezoning, 270 Park Avenue will be setting the tone for the developments that follow. I am glad that JPMorgan decided to stay at the table to figure out a way to create a much better space that suits East Midtown. I believe that the proposed open space will bring vitality to the area, and I look forward to seeing its completion.

Thank you for your time and consideration.