

W. Burke 18.5.71

An amendment of the Zoning Resolution, pursuant to Section 200 of The New York City Charter, relating to various sections establishing a new Special Fifth Avenue District.

The shops on Fifth Avenue are a magnet for tourists, office workers, residents and suburbanites. The quality of Fifth Avenue's buildings, its wide sidewalks and Avenue, -- in short, its superior environmental character, together with its proximity to hotels and residential purchasing power -- enhance Fifth Avenue and make it the best possible location for comparative luxury shopping.

In drawing large numbers of people, Fifth Avenue supports numerous other activities. Hotels and restaurants benefit from the shopping trips generated by the Avenue. The ability of office buildings to attract an adequate labor force is closely related to the existence of desirable lunch-hour shopping and eating facilities. Similarly, the residential quality of Manhattan is considerably enhanced by the availability of luxury goods in Fifth Avenue stores.

Fifth Avenue also performs important historical and ceremonial functions. It is a symbol of the City's role as a national center and a weather vane of urban vitality. The Avenue has become a national parade route full of ceremony and symbolism. On normal business days Fifth Avenue becomes the nation's principal shopping promenade, where the window shopper can glimpse luxury products from all over the world. Its character and vitality are strongly related to a suitable balance between retail, institutional, residential, and office uses.

However, the recent closing of several of Fifth Avenue's major department stores, resulting in part from the pressure for the more profitable alternative of office use, has emphasized the possibility of the replacement of the City's most notable retailing promenade with another stereotyped chain of offices. This possibility and adverse impact Fifth Avenue and the viability of retailing throughout Midtown, has led to a thorough examination of the future of the Avenue.

The special zoning district is proposed to preserve and reinforce Fifth Avenue's distinctive qualities. The special district requires the inclusion

of a minimum amount of retail space in all new development and major renovations involving a change in use. Further, it seeks to promote the provision of additional retail space by granting bonuses for such additional retail commitment. The Avenue's architectural and urban design qualities are strengthened through certain mandatory physical requirements. The regulations also set forth a number of new conditions under which any proposed building may achieve the presently permitted F.A.R. of 18.0. And, by meeting the special bonus requirements calling for the inclusion of more than the minimum amount of required selected retail space, developments on large lots may achieve up to 21.6 F.A.R. All buildings may increase their lot coverage as much as 10 percent by meeting other bonus requirements. In addition, for the first time, residential and/or hotel space is being introduced as a major bonus incentive. Such incentive will not only help restore a traditional and healthy mix of uses, but will also generate life and activity along the Avenue in the evening.

The bonus system is designed to encourage the introduction of new retail space and support existing retail frontage and to assure a continuity of retail use along the length of the Avenue, ultimately from 34th to 59th Streets.

On February 17, 1971 (Cal. #4), the Commission scheduled a PUBLIC HEARING on the proposed amendment. The hearing was duly held March 3, 1971 (Cal. #5).

There were a number of appearances and the hearing was closed.

BACKGROUND

The basic elements of Fifth Avenue's development prior to 1900 was residential. Beginning in 1811, when the street was officially mapped, it became increasingly the residence of some of the nation's richest families, centering around Madison Square. After the Civil War, these wealthy families, with their clubs and churches, moved northward so that by the 1880's, the blocks facing Central Park had become the City's "millionaire's row", while the Avenue south of Madison Square had diversified with small retail shops and hotels.

Following the turn of the century, this trend changed dramatically. The blocks between 34th and 59th Streets were occupied by a large number of luxury commercial establishments. Similar to earlier movements in the City,

this retail trade followed the residential settlement, locating nearby potential customers. The opening of DePinna's Department Store in 1895 officially marked the beginning of this so-called "carriage trade" on upper Fifth Avenue. In 1902, Franklin and Simon appeared, followed by Tiffany's in 1903, and Altman's in 1906. These large, prestigious stores brought shoppers in large numbers to the Avenue and in turn, induced the development of numerous small shops which were both supportive to and supported by the larger stores.

Hotels also began to locate in the area shortly after the turn of the Century. Between 1901 and 1907, three hotels -- the Plaza, the Saint Regis and the Gotham were built, thus introducing Fifth Avenue to national and international visitors, which led, in time, to the street becoming synonymous with luxury shopping and social strolling. It was now the City's ceremonial way and was commonly used for parades to celebrate ethnic holidays, as well as events of civic and national importance. These numerous events combined with the street's spacious physical amenity today make Fifth Avenue second only to Pennsylvania Avenue as the nation's most important ceremonial street.

Office structures were built on the Avenue prior to 1930, although they were generally small. The Depression brought with it a larger building prototype. The forerunner of today's modern skyscraper, the Empire State Building (1931), dominated the nation's skyline, and Rockefeller Center (1932) provided the first truly modern office complex complete with pedestrian amenities and internal retailing and entertainment facilities, at a scale previously unknown to American cities. However, in recent years, a number of office buildings have been developed adjacent to Fifth Avenue, and this trend poses a major redevelopment threat to the Avenue. The Avenue had been protected against intensive office development partly because of difficulties in land assemblage and high property values. But the effectiveness of this has been diminished recently because of a decline in the number of office building sites elsewhere and their concomitant rise in cost. The process of office building has been slow; but, its continuation under present conditions could severely alter the basic retailing and ceremonial character of the Avenue.

SURVEY OF RECENT DEVELOPMENT

Recently, the Avenue north of 42nd Street has seen the opening of several international stores, such as Gucci, Jourdan, and Mark Cross, as well

as such banks as the Banco De Brazil. These outlets seek the prestige of Fifth Avenue and are willing to pay high rents, sometimes subsidized through advertising budgets, for floor space at street level. Banks, and airline ticket offices particularly, seek the exposure provided by Fifth Avenue frontage. The effect of their inroads has been to push up rents and gradually drive out those stores which cannot compete for the increased cost of ground floor space.

A detailed survey of the floor frontage along the Avenue illustrates the impact of these recent trends. Three of the top five categories of use on the Avenue are non-retail. Banks and travel services now occupy 21.4 percent of the total building frontage on the Avenue between 34th and 59th Streets. Department stores, including Arnold Constable and Bergdorf Goodman, are first in total frontage (1,038 feet); banks are a close second (1,023), with office entrances third, followed by airline ticket offices, and women's shoe stores. In terms of the total number of establishments per use, office entrances rank first (74), followed by airline ticket offices (32 -- up from 10 in 1950), banks (16), women's shoes (16), and jewelry stores (14).

Retail activities, at the present time, still occupy more than 50 percent of the Avenue's frontage. Another 20 percent of the Avenue's frontage is comprised of miscellaneous non-retail uses including the Plaza Hotel, four corporate showrooms, a large number of office's entrances, and several landmarks, their frontages varying in size from 5 to 50 feet in width. Recently vacated frontage is significant in that it includes former major stores on key corner locations -- Best's, DePinna and the old Georg Jensen.

FUTURE DEVELOPMENT POTENTIAL

A visual survey noting the architectural merit and physical condition of structures between 34th and 59th Streets suggests that Fifth Avenue is not only Midtown's most elegant street, but is also one of its most stable. However, a look at the zoning map shows that most of the Avenue is not developed to its full zoning potential. In fact, approximately two-thirds of the sites within the Special District have been identified as potential building sites; the majority of these are in excess of 30,000 square feet. Of that number, it is quite possible that 15 to 20 sites could be developed within the next 10 to 15 years, resulting in a loss of close to 25 percent of the total

retail space within the Special District. (For purposes of calculations, only one department store was included in this 25 percent loss. However, all Fifth Avenue department stores and large specialty stores are built well below their zoning potential and are therefore susceptible to redevelopment). Assemblages along the Avenue are on the rise and the closings of Best & Company, DePinna, and the moving of Georg Jensen underscore the problem.

PROPOSED SPECIAL FIFTH AVENUE DISTRICT

The Special District is bounded on the north by 58th Street and on the south by 38th Street. It extends 200 feet east and west back from the Avenue street line, except between 38th and 40th Streets on the westerly side where it extends 100 feet.

The entire area is located within the underlying C5-3 District, which allows for a basic F.A.R. of 15.0. The C5-3 Zone is perhaps the most restrictive of the high density zones with respect to its permitted uses and Central Business District office and marketing functions.

The Special District is structured in harmony with this underlying zoning. The traditional maximum allowable F.A.R. of 18.0 is possible for every development through the use of the Elective Lot Improvement Bonus which includes a series of new bonus features in lieu of the basic as-of-right bonusable amenities.

In order to assure the continuation of Fifth Avenue as Midtown's major retail street, certain mandatory requirements must be met, including a minimum mandatory amount of selected retail space (1.0 F.A.R.). Additional retail space over this minimum mandatory requirement is encouraged through F.A.R. and coverage bonuses. Large lots above 30,000 square feet may increase their bulk up to 21.6 F.A.R. and their lot coverage by 10 percent for this additional retail space. Smaller lots, below 30,000 square feet, may also increase their lot coverage for extra retail space, but may not increase their bulk beyond 18 F.A.R. The 20 percent increase in F.A.R. (3.6 F.A.R.) allowed on the large lots must be devoted to residential and/or hotel use. The only exception to this rule is when a hotel is the primary use on a site (rather than office use), in which case this extra F.A.R. must be used for residential purposes.

Hotels and residential units are desirable because they add to the housing stock and keep the street alive in the evening; introduce a market for existing

retailing; and help provide a necessary service for corporate headquarters located in Midtown. And because they provide walk-to-work accommodations, they reduce pressure on the transportation system.

The reintroduction of housing on the Avenue is a means of regaining that mixed-use character which originally gave the Avenue its strength and distinction, and as a way of avoiding the kind of single-use, office "sterilization" which has recently occurred on lower Park Avenue and the Avenue of the Americas. There are individual examples of mixed-use buildings elsewhere in New York and indeed throughout the world, but the Fifth Avenue Special District proposes, for the first time, to encourage such a mix on an area-wide basis, in the heart of the greatest office district in the world.

DISTRICT REGULATIONS

The following section outlines in detail, the specific requirements and bonus procedures as set forth in the proposed legislation:

A. MANDATORY REQUIREMENTS:

Section 87-03 (Mandatory use regulations and prohibitions)

Section 87-04 (Mandatory lot improvement regulations and prohibitions)

Section 87-05 (Mandatory front setbacks for developments on Fifth Avenue)

A number of mandatory and non-bonused requirements, of benefit to the area as a whole, are imposed upon each development. A discussion of the requirements covering such items as use, lot improvement, and bulk envelope standards follows:

In order to assure the continued stability of Fifth Avenue as a retailing street, restrictions are placed on the location and type of uses. A developer is required, as per Section 87-031, to devote the ground floor of his development, with the exception of lobby and servicing space, to selective retail uses as listed in Use Group F, or Section 87-033. Furthermore, a development shall contain a minimum of 1.00 F.A.R., or an amount equal to the lot area, of these selected uses as set forth in Section 87-032. This amount, which is equal to about two stories of retail space, is the minimum level of required retail development and is not bonused. Banks and airline ticket offices, now endemic to the Avenue, are basically permitted only above the ground floor where they may count toward satisfaction of this retail requirement.

Certain other requirements, pursuant to Section 87-04, pertain to lot improvements which are also mandatory and non-bonused: Entrances to buildings must be located at least 50 feet back from the Avenue as per Section 87-04 to assure an uninterrupted facade of retailing frontage; developments adjacent to subway stations are required to provide access; no parking is permitted within the District boundaries; and certain restrictions are placed on off-street truck servicing.

In addition, bulk envelope requirements pertaining to setbacks and building "walls" are mandatory. These requirements are for the purposes of light and air, continuous retail frontages, and in recognition of the fact that the street has developed differently on each side of the Avenue. These items are covered in Section 87-05 and mandate that all developments build to the street line for a height of not less than three stories; limited recesses are allowed for display purposes, but the thrust of the District is to maintain a continuous street facade and promenade. Between the heights of the third story and the sixth story the developer may choose to build or not to build to the lot line. Above the sixth story, the Avenue bulk distribution is treated differently on the two sides of the Avenue. On the western side, a setback of up to 50 feet is required. On the eastern side, setbacks are waived and the building may be built to the street line for its entire height. The street bulk distribution is treated asymmetrical for the following reasons: preservation of the well-known urban design phenomenon of the Fifth Avenue "wall" the eastern side of the Avenue; this almost unbroken line of buildings extends from the frontage along Central Park south past 42nd Street at a height close to 15 stories; the western street line has seen a different type of building massing, similar to Rockefeller Center. This is symbolized by the six story high podium upon which rests a tower set back some distance from the street. The Tishman 666 building and Canada House also exemplify this treatment.

B. BONUSED PUBLIC AMENITIES:

Section 87-06 (Elective Lot Improvements)

Having satisfied the mandatory requirements, a developer may wish to increase his bulk to the maximum allowed in the underlying district (18.0 F.A.R.).

This is accomplished using the already established procedure -- that of providing certain public amenities. The Special District increases the options previously available by offering new bonus alternatives designed to coordinate with the purposes of the District. These do not require a Special Permit. The new options include three alternatives under the through-block connection bonus amenity (See Section 87-061) and a bonus for landscaping the terrace level at the building's setback level (See Section 87-064). Also included are modified versions of the covered pedestrian space (See Section 87-062) and the Plaza (See Section 87-063) which supercede, for purposes of the Special District, their respective regular provisions. Other bonus amenities, as listed in the Resolution, may apply to the Special District if they conform to the various requirements of the District.

The new bonus options seek to increase the amount of public space within a development. Through-block connections provide extra space in the form of a secondary circulation system parallel *parallel* to the sidewalks of Fifth Avenue. They have the potential of being utilized as interior or exterior shopping malls.

There are three types of through-block connections:

(A) Open, (B) Covered, and (C) Port Cochere. The open version is similar in concept to the through-block plaza, and the covered version is similar to both the through-block arcade and the through-block covered pedestrian space. The Port Cochere (C) is a new concept allowing for both pedestrian and automobile passage in a public space. The Port Cochere as an option is available only to those developments providing residential or hotel units. It provides an interior auto drop-off to relieve street traffic congestion, and it does so in a desirable way. All three alternatives are located at curb level. However they may be developed with split levels and other interesting design features.

Terrace level landscaping, another bonus amenity, provides public space of another nature and at a different elevation. Rooftop gardens with restaurants and sitting areas accessible to the public are possible if the developer chooses this option.

The bonus amenities listed under the elective lot improvement section are calculated so that it is possible for a developer to provide terrace-level landscaping in addition to the remaining options, and still be within the minimum requirements necessary to fulfill the allowable potential bulk, or a total of 18.0 F.A.R. for any development.

C. RETAIL BONUS PROCEDURES

Section 87-08 (Special Regulations for Residential or Hotel Floor Area Bonus)

Section 87-09 (Special Regulations for Lot Coverage)

In addition to mandating a minimum retail requirement, the Special District encourages the provision of additional retail space on Fifth Avenue through a unique bonus schedule. For the first time residential bulk is being offered as the bonus time. The bonuses are twofold: greater allowable tower coverage in return for additional retail space on lots less than 30,000 square feet in size; and for those larger lots a two-step procedure first giving additional residential bulk in return for additional retail space, followed by tower coverage for even more retail space. Thus, for lots greater than 30,000 square feet the potential bonus could amount to 21.6 F.A.R. plus tower coverage, and for the smaller lots an 18.0 F.A.R. plus tower coverage.

Specifically, for the developer with a zoning lot of 30,000 square feet or more, the inclusion of retail space results in an increase in the development bulk in residential or hotel use up to a total of 3.6 F.A.R., or a total development bulk of 21.6 F.A.R., according to the bonus formula as set forth in Section 87-081. For this 20 percent increase in bulk, the development must provide an additional 0.9 F.A.R. of retail space, for a total of 1.9 F.A.R. For every foot of retail space over the mandatory minimum, the developer receives four feet of residential space on the top of his building as a bonus. In addition, the developer is offered an increase in tower coverage from 40 up to 50 percent of his lot if additional retail space is added, as formulated in Section 87-092. Alternatively, having exhausted the bulk bonus and not being able to provide further retail space over the 1.9 F.A.R., the developer may provide additional residential space in the office tower in lieu of office space and receive the 10 percent increase in tower coverage bonus.

The option of retail or residential space in return for tower coverage gives this bonus system an added flexibility due to economic market conditions.

Residential space in lieu of office space is especially desirable when the office market is weak.

For developments on lots of less than 30,000 square feet, bonusing for additional select retail space is accomplished through an increase in tower coverage. The residential bulk bonus is not possible, due to the various site problems of accommodating ground floor service requirements, retailing requirements, the bonus amenity, and public access. Tower coverage may be increased 10 percentage points by providing an additional retail commitment in the amount of at least 0.9 F.A.R., or a total retail amount of 1.9 F.A.R. On lots between 20,000 and 30,000 square feet, this means an increase in tower coverage up to 50 percent. On lots below 20,000 square feet in size, the initial allowable coverage has been raised to 45 percent. Thus the increased retail means a coverage of up to 55 percent.

Because of the possibility that a few specialty or department stores would want more retail space than that bonused under the above procedures on Fifth Avenue, the Special District contains provisions allowing for certain modifications of the Special District regulations after approval by the City Planning Commission. This modification is in the form of bulk envelope provisions which may be necessary for a store in excess of 3.0 F.A.R.

After review and comment upon the text, the Commission determined to modify certain sections of the text as follows:

1. Section 87-01

Technical modification of this section to clarify the definition.

2. Section 87-031

Technical modification of this section to allow a portion of the ground floor area of a development for lobby use.

3. Section 87-033

Technical modification to include certain related uses (permitted by the underlying district regulations) in Use Group F.

4. Section 87-043

Technical modification to clarify the intent of the Special District in terms of off-street parking facilities.

5. Sections 87-05 & 87-102

Certain paragraphs are eliminated from these sections because such additional restrictions on properties adjacent to landmarks were considered unnecessary.

6. Section 87-13 was eliminated.

The Commission determined that the amendment as modified is appropriate and adopted the following resolution, which is duly filed with the Board of Estimate, pursuant to Section 200 of The New York City Charter.

RESOLVED, by the City Planning Commission that the Zoning Resolution of The City of New York be amended by a change relating to various sections establishing a new Special Fifth Avenue District, as follows:

CONCURRING STATEMENT OF COMMISSIONER MARTIN GALLET

The Fifth Avenue District as proposed by the Office of Midtown Planning and Development will direct the enormous energy and creativity of the private sector along the most productive and constructive lines providing substantial benefit to the City and all its people and the requisite profit to the private and public economy.

Fifth Avenue will, like other parts of Lower and Midtown Manhattan, enjoy substantial growth. More office, residential and retail space will be built and the density of the City will increase. This increase in density can be managed by providing the necessary infrastructure. The most important need is adequate mass transportation to get people quickly, efficiently and comfortably to and from their destination.

Authorities in urban studies have indicated that when density is built up to a critical mass a reaction occurs. Most of the time we can avoid the build up of excessive density because the conditions are not acceptable. We avoid the critical mass by providing amenities and most of all ease of movement, a way out - the street patterns became important, plazas, arcades, width of streets and sidewalks, but most important the ease and comfort of mass transportation.

The greatness of this City has been built upon our foresight, ability and willingness to provide mass transportation. From Henry Hudson to the creation of the Port Authority and the Metropolitan Transportation Authority we have demonstrated time and again that mass transportation is the magic that makes this City work.

The Metropolitan Transportation Authority, however, has failed to provide the vision - to say nothing of the facilities to meet the needs of this City even to 1985. In the Metropolitan Transportation Authority's 1968 report to Governor Rockefeller called - program for action, it was stated that:

"In the core City area, the Manhattan Central Business District will continue to serve as a regional job magnet...

"To accommodate this growth in the Central Business District means the addition of 82,500,000 square feet of office space by 1985...

"Our ability to get people to their jobs and goods to the market place is a fundamental challenge in a rapidly urbanizing society."

The measure of the MTA miscalculation of the Central Business District's growth is self-evident by looking at what has happened since 1968.

Approximately 31,300,000 square feet have been built between 1968 and 1970 and by 1972 about 39,500,000 more square feet will be completed. So by 1972 we will have an increase of 70,800,000 square feet well before 1985. The implication is clear MTA's current plans are not sufficient to do the job that must be accomplished to move this City forward.

Another factor in transportation planning is the comfort factor, or how many people can comfortably ride the standard subway car. In a report to the Mayor and the New York City Board of Estimate entitled, Standards for Rapid Transit Expansion, dated August 14, 1968, the Transit Authority, City Planning Commission and the Bureau of the Budget settled on a comfort factor of 120 passengers per car in a standard IRT Lexington Avenue train.

120 passengers per car means every seat is occupied (40) every strap is utilized (56) two passengers holding on to every pole (12) and one person leaning up against each panel of the sliding doors (12). This all assumes, of course, a 100% distribution. The comfort factor in a standard IND car is 160 passengers per car.

However, if this crowding weren't bad enough, the MTA has calculated the standard IRT car not at 120 but rather at 140 persons. This would put two more people at the end doors (2) two more on each of the poles (12) and six people leaning against other passengers.

The MTA and the City would be hard pressed to increase the capacity of the system by building additional lines. But, the Port Authority could logically relieve the system by building a loop on the west side of Manhattan under the Hudson and along the Jersey coast.

Positive and effective plans must be started now to meet the demands that our own creativity has placed upon us.

The Fifth Avenue District by emphasizing retailing, office and housing will help to some extent by spreading travel to the area over a greater part of the day when the subways are not as heavily utilized. Residential development in midtown clearly reduces peak-low transit demand.

While I applaud the Fifth Avenue concept, I want to underscore my belief that we must also take action on other fronts. Improved mass transit is one. Development of outlying regional centers in the other boroughs is another essential ingredient.

The City has adopted the concept of the Urban Centers in the Brooklyn Civic Center, Jamaica and Fordham Road. These centers can help provide non-competitive back office space for Manhattan as well as cultural, educational, and civic complexes. Great strides are being made in the Brooklyn Civic Center and a substantial effort is being made in Jamaica. Fordham Road has just begun to look at the possible opportunities.

The imagination and effort that went into the Theatre District, the "G" District in Lower Manhattan and the Fifth Avenue District must be captured and developed for our sub-centers. We must develop Manhattan but we can not put all our hopes, our people and our efforts into the Central Business District of Manhattan. We, I believe, stem the loss of the small business and the back offices to other parts of the region by making Jamaica, Brooklyn Civic Center and the Fordham Road attractive and advantageous places to be. If we continue to take advantage of our opportunities and our natural resources, our sub-centers will complement and strengthen our position as a National Center. We must provide the public investment and strong unequivocal support.

In the sub-centers transportation is a major factor and high priority in the development of transportation and other city services must be given to these areas.

The Fifth Avenue District is movement in the right direction; but it must be complemented by other actions which are crucial.

March 3, 1971

CONCURRING OPINION IN FAVOR OF FIFTH AVENUE SPECIAL DISTRICT
OF COMMISSIONER WALTER McQUADE

I am strongly in favor of the ordinance establishing the Fifth Avenue Special District. We need to protect such central allures of New York, where everything fabled about this city comes into focus, as in the famous shopping blocks of upper Fifth. However, in this concurring opinion, I would like to point out two faults in the ordinance which over the years could somewhat negate the intent of the ordinance in a physical sense, and thus diminish the pleasure and the utility of the street to those of us who do like to stroll around Fifth Avenue, entranced by its very special materialism. I do this in order to plead with developers to use the ordinance to its best purposes, and not to exploit the two weaknesses I find in it.

These concern the through-block pedestrian walks proposed to be encouraged just off Fifth Avenue, parallel to the street itself, but connecting the side streets. These could be much like those gallerias, and shopping arcades which give so much sparkle in old European cities, and to some in Asia too.

The design device under discussion is, of course, a crosswalk in the inner block where pedestrian is king. However, to my regret, and puzzlement, our ordinance permits this space also to be used as a porte cochere, for automobile traffic. There goes the pedestrian-- dethroned. Once let cars into those crosswalks and the cars will dominate them. Cars will be impossible to police. They will also knot up traffic making the turns in from the east-west side streets. They will just plain be in the way, blocking the existing sidewalks where they cross. We are thinking of banishing automobiles from some parts of midtown where they have always been king. I cannot for the life of me see why we are inviting them into this pedestrian domain in the middle of the block.

My other criticism of our ordinance, as framed, concerns our permitting developers to put doors on these pedestrian inner-block crosswalks, in effect converting them into lobbies. The excuse offered is that these crosswalks must be air-conditioned in summer. Granted that most office building lobbies do get air-conditioned-- but are the arcades and lobbies most prized in Europe air-conditioned? Is Paley Park air-conditioned? Of course not. These crosswalks will be shaded in summer, without air-conditioning. In winter they could easily be heated by a few radiant pipes inserted in the walkways. This American drive to enclose and air-condition everything, even sidewalk cafes, can be self defeating as well as ludicrous, I suggest. Encouraged at all, developers will always do it; most of my developer friends are very air-conditioned types.

I hope, however, these developers will reflect on the fact that if they do put revolving doors between the sidewalk and these crosswalks, they will be watering down the intent of having crosswalks in the first place. A door says "stay out" -- even the door to the Ford Foundation Building's garden. A door also says: "artificial environment inside." People will stay out. The shops of these little crosswalks will get much less trade than if the openings were really open, not confused by revolving doors. The openness will be good for both the shoppers wandering around, and the developers.

I vote for the ordinance as framed because I think it is vital to save Fifth Avenue from the blankness of ordinary office development. I will attempt to add amendments in time to come to keep the interloper, the automobile, out of these crosswalks, and to invite the public in, by omitting revolving doors. I applaud the ordinance as a whole. My thought is that the Fifth Avenue District provisions should see to it that Fifth Avenue not only survives, but becomes even more gracious-- and more mindful of the stroller. And it can. I vote yes.

JOHN E. ZUCCOTTI, COMMISSIONER, CONCURRING