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Unwelcome Neighbor for Empire State Building

By [CHARLES V. BAGLI](#)

New York City approved plans on Wednesday for a skyscraper near Pennsylvania Station that will rise to within 34 feet in height of the nearby Empire State Building, inserting a glassy challenger almost next door to what has been a defining element of the city's skyline.

The 47-to-1 City Council vote came after a fierce weeklong public relations and lobbying campaign by the owners of the Empire State Building to stop the rival tower, contending that its bulky profile would scar the skyline and diminish the Empire State Building's iconic status.

They went so far as to propose a one-third-mile zone around the Empire State Building, at 34th Street and Fifth Avenue, where developers would not be allowed to erect a comparable skyscraper.

But the Council gave those arguments scant attention on Wednesday as it approved the planned tower, known as 15 Penn Plaza, on Seventh Avenue, opposite Madison Square Garden and Penn Station. Some Council members found the prospect of a new building and the developer's agreement to spend more than \$100 million on improvements to subway entrances and tunnels at Penn Station far more compelling, especially during a citywide slowdown in construction.

[Christine C. Quinn](#), the Council speaker, said the project was about jobs and signaled that "New York City is moving forward and moving out of this recession."

"This project and this zoning vote today are going to help make sure New York City has a new and important 21st-century office tower in Midtown Manhattan," she said.

The project also had the backing of Mayor [Michael R. Bloomberg](#), whose administration has long favored high-density development near major transit points like Penn Station, the busiest commuter hub in North America, with more than 450,000 passengers passing through its portals daily.

In part because of the proximity to transit, the developer of 15 Penn Plaza, the [Vornado Realty Trust](#), earned zoning bonuses that will let it construct a building 56 percent larger than what would ordinarily be allowed.

“People don’t come to New York to visit caves,” said [Mitchell L. Moss](#), a [New York University](#) urban policy professor and an informal adviser to the mayor. “They want the views, the height, the experience of tall buildings. Skyscrapers allow us to make the best use of a limited amount of land.”

Bud Perrone, a spokesman for Vornado, said the company was pleased with the outcome and believed its 68-story, 1,216-foot-tall building would be “an outstanding addition to New York’s iconic skyline.”

Anthony E. Malkin, an owner of the Empire State Building, said he favored development in the surrounding area but felt that the proposed tower should be shrunk so as not to obscure the view of his building, which has stood alone since it opened 79 years ago. “We thought that 15 Penn Plaza was too close to the 1,250-foot-tall Empire State Building for its height and design,” Mr. Malkin said.

The Empire State Building, which reaches 1,454 feet when its lightning rod is included, was the tallest in the world for more than 30 years and remained the tallest in the city until construction of the first World Trade Center. After Sept. 11, 2001, it regained that status, but will fall back to second place behind the new [1 World Trade Center](#), which will top out at 1,776 feet.

Beyond bragging rights and skyline positioning, the new tower will be an unmissable presence for sightseers looking toward the west from the Empire State Building’s famous 86th-floor observation deck.

Despite the vote Wednesday, construction of the new tower is unlikely to start for at least several years. Vornado has said it will not go forward with the \$3 billion tower without a major corporate tenant. The project also requires demolishing another landmark of sorts that currently occupies the site: the Hotel Pennsylvania. The fraying 25-story hotel, built in 1919, still has the phone number memorialized in a 1940 [hit song by Glenn Miller](#), Pennsylvania 6-5000.

Mr. Malkin said that the Vornado project would economically enhance, rather than compete, with the Empire State Building, if only because rents in his building would be substantially lower than at 15 Penn Plaza and more attractive to tenants.

Even so, he began a furious public relations campaign leading up to the vote, including advertisements and a poll he commissioned that, he said, showed New Yorkers disapproved of the new building. He also corralled support from local figures like George Kaufman, another real estate owner, who submitted a letter calling 15 Penn Plaza “an assault on the Empire State Building and the New York City skyline,” and Henry Stern, the former parks commissioner, who testified at a hearing this week that the proposed tower “could do irreparable harm” to the city.

At that hearing, Mr. Malkin said that building a tall tower so close to the Empire State Building was akin to allowing an oil rig next to the Statue of Liberty or a skyscraper next

to the Eiffel Tower or Big Ben. One Council member, Leroy G. Comrie of Queens, pointed out that none of those buildings were commercial properties like the Empire State.

Some Council members expressed misgivings about the size and the challenge to the Empire State Building; the lone dissenter, the Brooklyn Council member [Charles Barron](#), believed that the developer's commitment to hire at least 15 percent female or minority contractors was too small.

Councilwoman Gale A. Brewer of Manhattan, citing concerns that the new building would obstruct views, said, "I am persuaded that views are important and history is important, but this is a building worth supporting."

The Council also gave customary deference to the member whose district includes the property. That is the speaker, Ms. Quinn, who has received at least \$15,000 in campaign donations in recent years from Vornado and its employees, as well as roughly \$3,500 from the Malkins. "It wasn't a particularly significant amount," Ms. Quinn said about the Vornado donations at a news conference. "It has no impact whatsoever."

At least one Council member, [Peter F. Vallone Jr.](#) of Queens, seemed to take a small joy in voting for 15 Penn Plaza. He criticized the Empire State Building for refusing to turn on blue and white lights on Thursday night in honor of what would have been [Mother Teresa](#)'s 100th birthday, and said he would think of the Vornado building as "Mother Teresa Tower."

"I'm going to be voting on this matter solely on the merits," he said. "I just happen to be particularly happy that the merits are not on the side of the Empire State Building."

Colin Moynihan contributed reporting.



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