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A Fight on New York's Skyline

By CHARLES V. BAGLI

To hear the two sides in the skyscraper war tell it, never has so much been at stake.

The owners of the Empire State Building and their supporters say their tower's international status and New York City's skyline are in mortal danger of an assault from a "monstrosity."

Their rival: a proposed tower on 34th Street two avenues to the west that, according to its developers, will help the city grow and prosper, provide thousands of jobs and improve the quality of life for tens of thousands of New Yorkers.

What irks the former is that the latter would rise to be 1,216 feet, almost as tall as the Empire State Building, and would be just 900 feet away, a little too close for a building that has stood apart in the skyline for its entire 79-year life.

"The question here is: How close is too close to one of New York's iconic landmarks," Councilman Daniel R. Garodnick said Monday, after a hearing in which the owners of both properties made their cases, in advance of a City Council vote on Wednesday.

"Is this going to swallow up the Empire State Building," Mr. Garodnick asked, "or are we just talking about another big building a couple of avenues away?"

The owners of the Empire State Building, Anthony E. and Peter L. Malkin, even want a 17-block no-go zone surrounding their 1,250-foot tall tower. This would prevent Vornado Realty Trust, which wants to erect the new building on Seventh Avenue, or any other developer, from putting up a similarly oversize building in the zone.

The City Planning Commission has already approved Vornado's plan for a tower, called 15 Penn Plaza, opposite Pennsylvania Station. It would be 56 percent larger than what would ordinarily be allowed, in keeping with the city's desire to promote high-density development close to transit hubs. But Community Board 5, whose district includes the area, did not approve. A committee at the board said the developer had not provided a rationale for such a large zoning bonus, especially since

it did not have a tenant and might not build for years.

The vote on Wednesday by the Council would be the project's final regulatory hurdle.

Vornado has long wanted to demolish the building that stands there now, the Hotel Pennsylvania, and build a major office tower. In addition to the hotel, a sagging presence across Seventh Avenue from Madison Square Garden, the company owns 10 other buildings in the area, with a total of 11 million square feet.

"The fact is that New York's skyline has never stopped changing, and one hopes it never will," said David R. Greenbaum, president of the New York office division of Vornado Realty Trust.

Vornado would undertake a package of transit improvements for Penn Station, the busiest rail hub in North America and a confusing maze for many commuters, worth more than $100 million, he added.

Each side has produced renderings that it says put the new building in perspective. Vornado prefers a view from the north, which shows 15 Penn Plaza and the Empire State Building carving out their own unimpeded spots on the skyline at sunset.

In a full page advertisement in The New York Times on Monday, the Malkins showed a view of Midtown from New Jersey in which a bulky 15 Penn Plaza nearly muscles the sleeker Empire State Building out of view.

At the hearing on Monday, the Malkins produced a poll they had commissioned showing that two-thirds of the respondents felt that 15 Penn Plaza should be rejected as proposed.

"It's all about the iconography of the New York skyline and whether it matters to people or not," said Anthony Malkin, president of Malkin Properties. He suggested that 15 Penn Plaza be reduced to 825 feet and that developers should be prohibited from building anything comparable nearby.

George Kaufman, another real estate owner and a friend of the Malkins, submitted a letter saying that 15 Penn Plaza "would be an assault on the Empire State Building and the New York City skyline." Henry Stern, a former parks commissioner, testified that the proposed tower "could do irreparable harm" to the city.

But various construction union officials spoke in favor of Vornado's tower, as did Daniel A. Biederman, president of the 34th Street Partnership, a business group that

includes his longtime mentor, Peter Malkin, and the biggest property owner, Vornado Realty.

"If there's anywhere a building of this size and bulk should be built, it's at Penn Station," said Mr. Biederman, who also went out of this way to praise "people the quality" of the Malkins.

Completed in 1931, the 102-story Empire State Building was the winner of a fierce three-way race to be the tallest skyscraper in the city. The 927-foot tall tower at 40 Wall Street briefly held the title when it opened in 1930. But it quickly fell to No. 2 when workers raised a spire atop the 1,047-foot tall Chrysler Building. Months later, the Empire State Building topped it at 1,250 feet. It was overtaken by the first World Trade Center, and will again be relegated to No. 2 when the new, 1,776-foot 1 World Trade Center is finished.

Councilman Leroy Comrie posed a final question at the meeting on Monday that seemed to foretell how he would vote: "Is New York City a snapshot taken in 2010 to be held in perpetuity, or is New York City an evolving, dynamic entity?"