

## The Lesson of the Tudor Deal

*New York Times* (1923-Current file); Feb 21, 1981; ProQuest Historical Newspapers: The New York Times  
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Whether the tale of Tudor City's parks had a happy ending or not, it was the only possible ending. In a complex agreement, New York City exchanged a public park for Tudor City's two private parks, which will become public. Tudor City's owner, Harry Helmsley, will build a new tower on the former city park instead of on the land he owned. He will also contribute \$1 million for upgrading park facilities in and around Tudor City and will maintain some of the public areas in perpetuity.

That is probably as good a deal as the city could get in a tight spot. Mr. Helmsley's right to build on his parkland, a very tight spot, was incontestable; an effort to move his development rights elsewhere had been defeated in the courts. What he wanted to do was legal, if reprehensible, and the problem would never have arisen except for some curious real estate history that makes no one look very good.

After Tudor City was built as a planned community in the 1920's, the parks were somehow separately remapped from the rest of the complex. That perversion of the original plan, which the city was not clever enough to catch, turned the parks into building lots. It made a joke of planned residential development but made Tudor City a particularly attractive investment.

For with the parks mapped as separate zoning lots, their owner could build on them at any time — and, under the 1961 zoning provisions, at a higher density than on equivalent sites.

Negotiating from a defensive position, the city has now saved the Tudor City parks. A 46-story tower will go up on land where it should not have been built at all — cut down from 50 stories in deference to the adjacent, slightly shorter United Nations. Much too close for comfort, it will inevitably diminish that landmark.

But this shouldn't be the end of the story. Unless the city takes the lesson to heart, the same thing could happen again. Planned residential communities with parks or open space are rare in New York, and as land values rise they become even rarer. It should be clear that conventional mapping and zoning do not give enough protection to places like Stuyvesant Town, Peter Cooper Village and Ruppert Houses in Manhattan, Parkchester in the Bronx and Fresh Meadows in Queens.

No time should be lost in designating areas like these as Special Planned Community Preservation Districts. No one should again have to play no-win games with stacked decks and weekend bulldozers.

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