



## **Nothing is constant except change: The practice of architecture in changing times**

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The local New York City real estate climate is changing from an emphasis on residential construction development to service driven development. For example, the direction of the majority of jobs taken on in my practice, Architecture Studio, has moved from primarily residential to medical and commercial. Two of my biggest clients are an 8,000 s/f medical center and three 5,000 s/f yoga studios throughout the borough of Queens. I'm also designing an office building addition, new residential construction in Sunnyside, and some residential developments; however these residential jobs tend to be few and far between when compared with four years ago when most of my practice was high-end residential.

These changes are mainly due to the rising costs of oil and competition within the design and construction industries. The high price of oil has caused construction costs, labor and project costs to sky rocket. Many lenders are unwilling to give building and construction loans with an unstable economy and the promise of a long payback period leaves construction companies with fewer incentives to build.

Another challenge for the building community has become finding jobs. Only the most viable and well designed projects are being built. This translates to more bidding wars and more difficulty through the construction process to maintain a profit margin. We may find a part of the answer when the price of oil and other such commodities drop in the near future. What most people are exploring now is new renewable energy technology. Renewable energy, like solar and wind power, could provide not only a solution in hard economic times, but also a solution for the sustainability of our environment. There has been some movement in the Building Department to create incentives and requirements for renewable energy use by requiring energy loss calculations and adherence to the NYS Energy Code. If New York builders would like to look forward to decreasing housing prices and a robust surge in residential and commercial real estate to fuel the economy, the change may have to start with the simplification and streamlining of Building Department regulations.

The Building Department is committed to bringing regulations up to the New International Code standard. Many of these codes are already in use and have set the groundwork for new interpretations of building code and zoning. A major reworking of the codes brings good and bad changes. The first effect will be the slowing of the progress of construction and development till the codes are understood, tested and assimilated. A minor change in the wording of the zoning description of uses can have a profound effect on projects as was exemplified by a medical center I designed on 61st Street in Manhattan. The code states that the space can only be used by a hospital or related facility. A few years back, any doctor could use the space. What is a related facility to a hospital? What is a hospital? Does the lease have to be with a hospital or a doctor? Unfortunately, we needed to hire a zoning consultant and lawyers to hash out these interpretations

while the Building Department issued a ten day notice to stop all work. Another project in LIC could not be approved by the Building Department until we figured out if street trees were needed. The form contradicted the zoning code when it came to conversion of use of more than twenty percent of the space from industrial to commercial. The Building Department ruled that trees are required.

The new building code on the other hand can have a positive catalytic impact on construction by streamlining the code and making it easier to understand. The new zoning regulations can also allow for a positive impact by increasing zoning densities in certain areas. In areas like Hunters Point, Queens West, and Harlem at 125th St., designers may have the freedom to build higher buildings and develop more for residential and commercial spaces.

One of the biggest issues now in the Building Department is that the forms and regulations change daily based on the need for more accountability in paper work. Many applications are caught in the middle of zoning changes and the city is taking the position that if the projects were not substantially completed before the time of the zoning change, then the project must comply with the new zoning regulations. There are many examples of clients who begin large projects that require a substantial change in the building and use. These types of changes require a lot of time and energy to take effect and meanwhile, the zoning and codes have been changed forcing clients to comply with many new, costly, unforeseen requirements. For a resident looking to change his or her basement into an office or add a bathroom, complying with all new zoning and code regulations can set them back considerably. Design professionals are kept busy interpreting and assisting with the constant changes, not to mention, the legal climate has been exacerbated due to all of these problems. The zoning was changed in Bayside from R-3 to R-3X and one of my clients sustained great financial hardship because he did not lay the foundation in time for the City to accept the old plans. The case is in litigation now and I am representing the developer who lost his shirt on this project because he was able to build a four family house under the old code but now can only build a two family house. Most non-professionals are unable to keep abreast of the regulations and have turned to expeditors. Expediting has become a necessary requirement in order to get projects through the Building Department pipeline. This is costly and time consuming, slowing the building process and economy still further. Until the design and construction community become assimilated with the new concepts of zoning restrictions and requirements, many projects will either be slowed or completely lost.

The changes of the Building Department regulations are changes that most design professionals willingly accept for the possible future benefit they provide. For example, the Building Department has developed the new TR-1 form with three columns: for the design professional, for the inspector, and for the sign off. It has done wonders for allowing closer control over the inspections of work. All the forms are now scanned into the computer which allows public access to review applications for compliance and accuracy. You can search for your building at the Building Department web page at [www.nyc.gov/bis](http://www.nyc.gov/bis).

### Design Technology

The design community is pushing for the new software to create an easy process that will have designers work as a team. The information age brings with it new software and technology daily and AutoCAD and Architectural Desktop are quickly being eclipsed by Revit. Revit is a program that allows drafters to incorporate many new architectural features. No longer just line drawings, it allows design and construction people to integrate the drawing process in a fully automated fashion.

The new technology will streamline the design process so that architects, construction workers, and clients can work as a cohesive unit. Changes in any phase are consistent with all drawings and

disciplines. Specs and working drawings are changed and updated. This is truly amazing. My version is ready to be installed shortly and I am all set to receive the necessary tutorial needed to learn to use it, I understand that it will take quite a while to master.

#### Change in the government authority

The present administration is very pro development and has used the zoning and building code as a tool to encourage and facilitate more development. We are at the forefront of a new major building boom in New York City and the new Acting Building Department commissioner, Robert LiMandri, has been instrumental in helping the industry maintain higher standards for building safety by requiring more inspections and control over the design and building process. In Albany, the new governor, David Paterson, is calling for change in the way the state handles construction. Mayor Bloomberg is also initiating requirements for environmental consciousness and green design that will have a lasting impact on the future of energy consumption and the planet. All three converge upon a conscientious environmental, pro developmental spirit which equate to a better building environment, better building safety, and a healthy environment for the city and its inhabitants. Change, in this case is good.

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