

3rd & 4th Avenue Rezoning Fact Sheet



A relatively modest rezoning proposal requiring little analysis or review that:

- ✓ Would eliminate current zoning incentive for building larger entirely commercial structures, including hotels with multiple bars and office buildings in predominantly residential area, while still retaining a modest allowance for commercial uses (still *more than twice* the commercial density of most of the rest of the East Village)
- ✓ Would eliminate loophole that allows developers to sidestep affordable housing incentives currently in place, boosting opportunities for creating and preserving affordable housing
- ✓ Has 90% conformance among existing lots
- ✓ Is consistent with the position CB 3 has consistently taken going back to 2006 (in fact, the proposed change is MUCH more modest than what CB 3 called for)
- ✓ Is supported by Councilmember Rosie Mendez, Councilmember-elect Carlina Rivera, State Senator Brad Hoylman, Assemblymember Deborah Glick, Cooper Square Committee, Lower East Side Power Partnership, East Village Community Coalition, Met Council on Housing, Lower East Side Preservation Initiative, Bowery Alliance of Neighbors (BAN), Historic Districts Council, GVSHP and hundreds of residents of affected area
- ✓ GVSHP and the affected community have been asking CB 3 to support for close to a year, without a vote -- yet

The proposal would reduce the allowable FAR for commercial uses from 6 to 2, keeping all other elements of the existing zoning in place (current zoning allows 5.4 FAR for residential uses, bonusable to 7.2 if affordable housing is included).

3rd & 4th Avenue Rezoning Proposal is Consistent with Community Board 3's Record



- 2006 – CB 3 passes reso calling for 3rd/4th Avenue rezoning, asking for changes to: “Preserve the residential character of the neighborhood...Preserve the mixed income character of the neighborhood through the use of inclusionary zoning.” Reso request residential zoning with no more than a commercial overlay (1 FAR commercial)
- 2007-2009 – CB3 passes several resos from 197A Task Force reaffirming this position, and a desire for predominantly residential zoning for this area to reflect its existing character
- 2010 – When City Planning releases 3rd/4th Avenue rezoning, CB 3 reso supports but asks DCP to lower the FAR for commercial uses
- 2018 District Statement of Needs says most pressing need for CB 3 #1 need is Affordable Housing
- 2018 District Statement of Needs cites proliferation of nightlife-related businesses in area and negative effects from bars and clubs; proposed zoning change would make bars/clubs/nightlife in area less likely, harder to locate

3rd & 4th Avenue Rezoning Proposal is Consistent with What City Planning Said about 3rd & 4th Avenue Rezoning in 2010

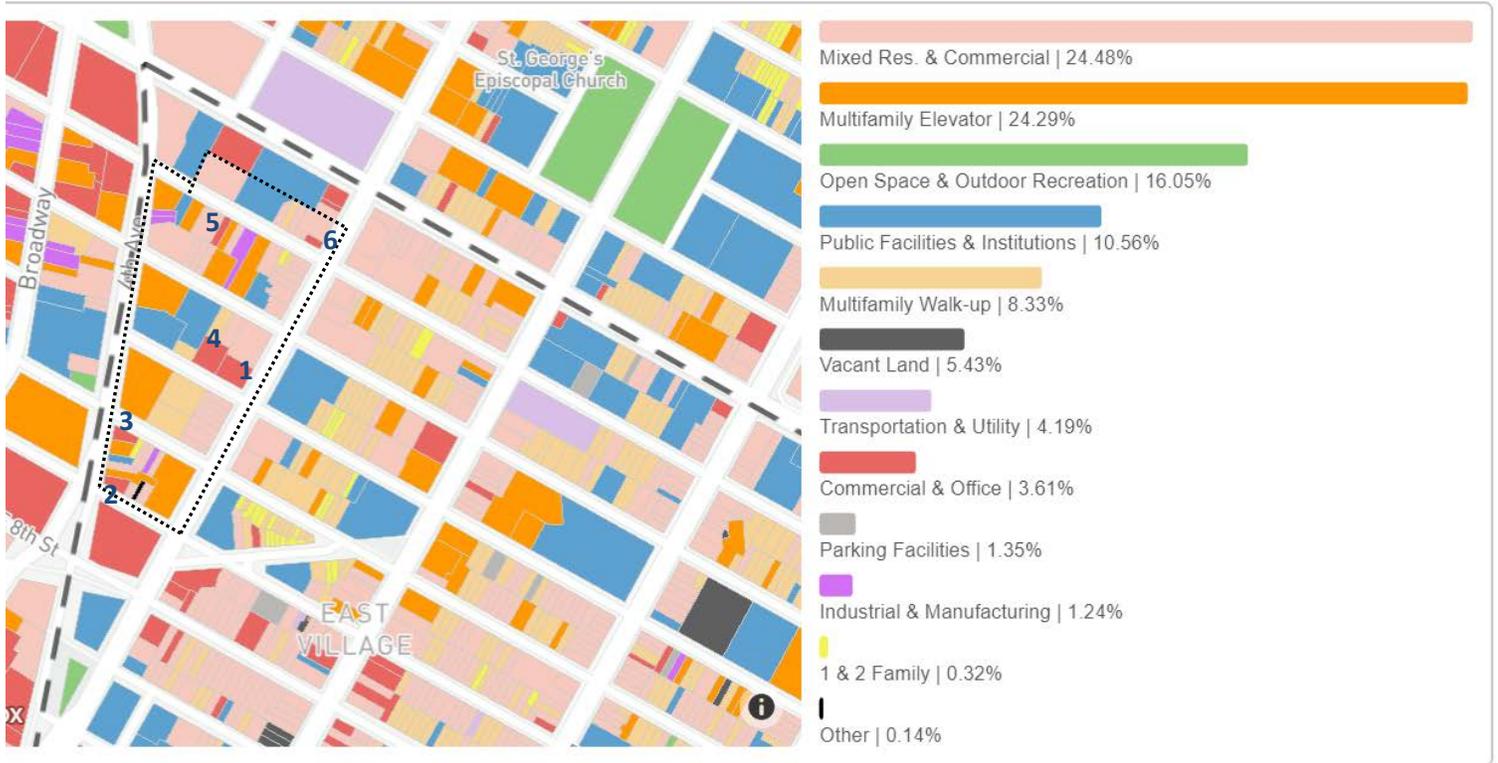


- **When City Planning released the 2010 3rd & 4th Avenue rezoning, their press release stated:**

“The proposed rezoning would provide incentives for permanently affordable housing along these corridors and reduce the disparity in the current zoning which permits much larger buildings for commercial office buildings, dormitories, and other community facilities in what is mainly a residential district... balancing neighborhood preservation with modest residential growth as well as encouraging the creation or preservation of permanently affordable housing through the Inclusionary Housing Program...the rezoning area is generally characterized by low- to mid-rise, residential or mixed-use buildings...”

- **When the rezoning was approved, City Planning’s press release stressed how this would retain the existing predominantly residential character of the neighborhood, and the top goal was to help produce or retain affordable housing through the inclusionary zoning mechanism**

3rd & 4th Avenue Rezoning Proposal is Consistent with Existing Built Environment



Other than incoming Moxy Hotel (13 stories, 313 rooms, with multiple bars), only one other large commercial building in proposed rezoning area – the AMC Village 7 Multiplex Movie Theater at 66 3rd Ave. (1)

Other commercial buildings on this DCP map are:



57 4th Ave (9th Street) – 1-story (2)



80 East 10th Street (4th Ave.) – 1-story, demolished for residential development (3)



Webster Hall, 125 East 11th Street (4)



Peridance, 128 East 13th Street (5)



106 3rd Avenue – 2-stories (6)

Community Board #3 2006 Resolution regarding 3rd/4th Avenue Rezoning:

Manhattan CB3, in keeping with our zoning principles as follows;
Preserve the residential character of the neighborhood;
Preserve its current scale and mid-rise character;
Establish a district more in keeping with current planning principals of contextual design;
Preserve the mixed income character of the neighborhood through the use of inclusionary zoning;
Eliminate the opportunity for community facility overdevelopment allowed under the current zoning.
believes that the Department of City planning should include the Board 3 areas west of 2nd Avenue in their current zoning proposal.

We believe the following would be appropriate for the area. R8B with a commercial overlay for the midblocks between 3rd and 4th Avenue R7X with a commercial overlay for the 3rd Avenue corridor. We also request additional information based on future study and we would like to consider an Inclusionary Zone provision in other areas, where appropriate.”

(Note that the current zoning allows 6 FAR for commercial uses, resulting in large hotels and potentially office buildings in the area. We are seeking to reduce the commercial FAR to 2, without touching the residential FAR. The zoning districts CB 3 called for in 2006 would have only allowed 1 FAR commercial.)

Community Board #3 June 2010 Resolution re: 3rd/4th Avenue Rezoning:

3rd Ave Corridor Rezoning: Zoning map and text amendments for the area bounded by E 9th St & E 13th St, btwn 3rd Ave & 4th Ave, and including the east-side block frontage on 3rd Ave btwn E 9th and E 13th. ULURP N100419ZRM, Zoning Text Amendment to make the Inclusionary Housing Program applicable within the proposed rezoning area & ULURP 100420ZMM, Zoning Map Amendment to rezone an existing C6-1 district to a C6-2A district
VOTE: In the matter of an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the NYC Charter for an amendment of the Zoning Map, Section No. 12c, by changing from a C6-1 District to a C6-2A District property bounded by East 13th Street, a line 100 feet easterly of Third Ave., East 9th Street, and Fourth Ave. Borough of Manhattan, Community District 3 as shown on a diagram (for illustrative purposes only) dated may 24, 2010, and subject to the conditions of CEQR Declaration E-254. See link for details of zoning change: http://www.nyc.gov/html/dcp/html/third_corridor/index.shtml VOTE: Request that City Planning consider lowering the FAR in the 3rd Avenue Corridor Rezoning WHEREAS, Community Board 3 supports the rezoning of the 3rd and 4th Avenue corridor; and WHEREAS, Community Board 3 appreciates all the work the City Planning Commission has done to move forward this rezoning; now THEREFORE, BE IT RESOLVED that Community Board 3 request that the City Planning Commission look at lowering the commercial, residential and community facility FAR to ensure it is compliant with the existing residential character of our community.



4. Top Three Pressing Issues Overall

The three most pressing issues facing Manhattan Community Board 3 are:

- *Affordable housing*
- *Senior services*
- *Youth and children's services*

CB 3, a primarily residential district, is among the highest of all Manhattan community districts in number of 311 commercial noise complaints year to year, regularly registering more than 2,000 in each of the past four (4) years. In the past fiscal year, CB 3 had the highest number of 311 NYPD commercial noise complaints in Manhattan - 3,894. Even though there has been a decrease in the number of new liquor license applications in the past year in CB 3, the number of 311 commercial noise complaints related to licensed businesses has increased by 36% percent.

The tremendous and unplanned proliferation of nightlife destinations in the District has not only pushed out other local small businesses, it has also created numerous quality of life issues. This trend toward nightlife-centric businesses has also created an unattractive retail environment for existing and potential new stores by decreasing daytime foot traffic and creating a barren street wall of lowered gates and closed storefronts during prime daytime hours. Many of the liquor licensed businesses are largely clustered in certain areas and threaten to exacerbate quality of life issues in those areas.

Projects & Proposals > Manhattan > Third Avenue Corridor

Third Avenue Corridor Rezoning - **Approved!** Overview



Update October 27, 2010:

On October 27, 2010 the City Council adopted the Third Avenue Corridor Rezoning. View the [adopted text amendment](#). The zoning map and text changes are now in effect.

The New York City Department of City Planning (DCP) is proposing zoning changes for all or portions of eight blocks in the East Village neighborhood in Manhattan, Community District 3. The proposed rezoning area is generally bounded by East 13th Street to the north, Fourth Avenue to the west, East 9th Street to the south, and Third Avenue to the east. The Department's rezoning presents a planning framework that responds to community concerns relating to recently constructed and potential future out-of-scale development. The rezoning strategy balances neighborhood preservation with modest growth within the corridor. Through zoning text and zoning map amendments, the Department's proposal would:

Encourage new development to reflect existing neighborhood character and scale – by using a [contextual zoning district](#) designation that more closely reflects the area's built character; and

Create opportunities for new housing and more affordable housing – by allowing increases in density in conjunction with an inclusionary housing bonus.

To achieve these goals, the Department proposes the following actions:

- **A Zoning Map Amendment** to replace the existing C6-1 zoning district with a contextual C6-2A zoning district, which would establish maximum allowable building heights and required streetwalls to reflect the overall built character of the neighborhood and surrounding area.
- **A Zoning Text Amendment** to allow the use of the [Inclusionary Housing](#) bonus in the proposed C6-2A zoning district, providing opportunities for the development of affordable housing, by allowing a higher residential density in exchange for the development of permanently affordable housing.

FOR IMMEDIATE RELEASE

May 24, 2010

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CITY PLANNING KICKS OFF THIRD AVENUE CORRIDOR REZONING

*Would Protect Scale and Character of East Village Residential Neighborhood
And Foster New and Affordable Housing*

May 24, 2010 – City Planning Commissioner Amanda M. Burden today announced the beginning of public review for a rezoning of the Third Avenue Corridor in the East Village which is an outgrowth of the City’s 2008 Lower East Side rezoning. The proposal is the result of a collaborative effort with the Department of City Planning, Manhattan Community Board 3, local elected officials, and the Department of Housing Preservation and Development, in response to community concerns about recently constructed out-of-scale development. The proposed rezoning, which covers roughly eight blocks from East 9th to East 13th Streets between Third and Fourth Avenues, would establish height limits consistent with the area’s neighborhood character, provide incentives for permanently affordable housing along these corridors and reduce the disparity in the current zoning which permits much larger buildings for commercial office buildings, dormitories, and other community facilities in what is mainly a residential district.

Commissioner Burden said, “I am pleased to advance this proposal and continue our constructive relationship with this community and its elected officials. This plan ensures that future development will respect the existing scale and character of this residential community, balancing neighborhood preservation with modest residential growth as well as encouraging the creation or preservation of permanently affordable housing through the Inclusionary Housing Program.”

The rezoning area is generally characterized by low- to mid-rise, residential or mixed-use buildings that generally line up at the sidewalk with a strong street wall. There is also a significant institutional presence due to a number of large dormitory buildings, particularly along the east side of Third Avenue. Preservation of the residential character of the neighborhood and establishment of maximum allowable building heights and required street walls were issues of particular concern to the community.

Council Member Rosie Mendez said, “I am thrilled that the Third and Fourth Avenue Corridor is on the verge of being rezoned to cap building heights, encourage affordable housing and eliminate the incentive to build oversized dormitories. The residents of this area, Community Board 3 and I have been advocating for changes like this for the last five years, and we are extremely pleased that City Planning has cooperated with us to preserve the community’s character and scale.”