Keeping in Character:

A Look at the Impacts of Recent Community-Initiated Rezonings in the East Village

Building Heights in the East Village

The East Village is noted for its human-scaled buildings, with blocks of rowhouses and five to six story walk up apartments with streetwall continuity.

But the character of the East Village has been threatened in recent years by waves of unsympathetic development. The increase in development is reflected in the U. S. Census data which recorded population growth of 5.2% between 1990 and 2000, 5.7% between 2000 and 2010, and the construction of more than 3,000 new housing units in that 20 year time span.

The Greenwich Village Society for Historic Preservation, the East Village Community Coalition, Councilmember Rosie Mendez and other community and preservation groups fought for changes to the area's zoning, which had been largely untouched for more than fifty years. The goal was to ensure that new development would reinforce the neighborhood's existing built fabric and scale and its largely residential character, and where possible, to encourage the preservation of existing buildings. **As a result of these efforts, in 2008 the East Village/Lower East Side Rezoning was passed, and in 2010 the Third Avenue Corridor Rezoning**.

In early October, the City is expected to approve the first large-scale historic district in the East Village, which neighborhood groups fought to secure, and which will also help preserve neighborhood character.

On the eve of that historic development, we take a look back at the 2008 and 2010 rezonings to see the impact they have also had on preserving the East Village's character.

Background on the 1961 New York City Zoning and Its Implications for the East Village Today

New York City's last major rezoning was in 1961. Reflecting the needs of that time, it focused on creating open space, parking for the increased use of the automobile and the separation of uses – residential, commercial and manufacturing. The 1961 Zoning Resolution was guided by two major trends in urban planning: *tower-in-the-park design* and *incentive-based zoning*. The tower-in-the-park concept was developed by architect Le Corbusier as a solution to the social ills of late 19th and early 20th century industrial cities and is based on the model of high rise residential buildings set in wide open spaces, set back from the street, completely apart from extant buildings, and centered on the use of the automobile.

Setback and Set Apart
Village View, a Mitchell-Lama housing development completed between 1962-1964, located between East 2nd and East 6th Streets and First Avenue and Avenue A

The concept became very popular in cities in post-World War II America, and tower-in-the-park buildings are found in and around the East Village including Stuyvesant Town and Peter Cooper Village, Village View, Village East Towers and public housing developments. While this created some very successful stand-alone developments, its application to the existing blocks and urban fabric typically resulted in jarringly out-of-context developments with none of the public benefits of these other developments.

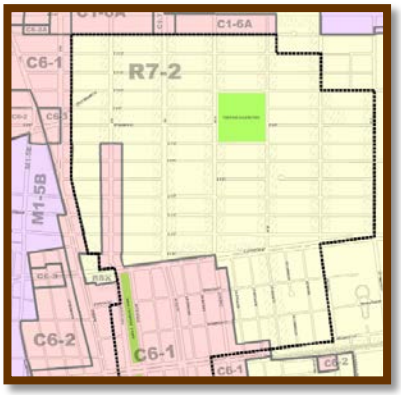
Along with encouraging tower in the park design, the 1961 Zoning Resolution included incentives-based zoning, yet another device to deal with broader social and community development goals through urban planning. In New York City, incentive-based zoning awards floor area bonuses if a 'community facility' is included. According to the City Planning Commission a community facility includes a wide range of educational, health care, religious, not-for-profit institutions or service providers essential to the *local* community.

Developments Built with Inclusionary Zoning Bonuses for Community Facility Use
Left to Right: New York Law School Dormitory at 81 East 3rd Street; NYU's Founders Hall at 120 East 12th Street; and Theater for the New City at 155 1st Avenue

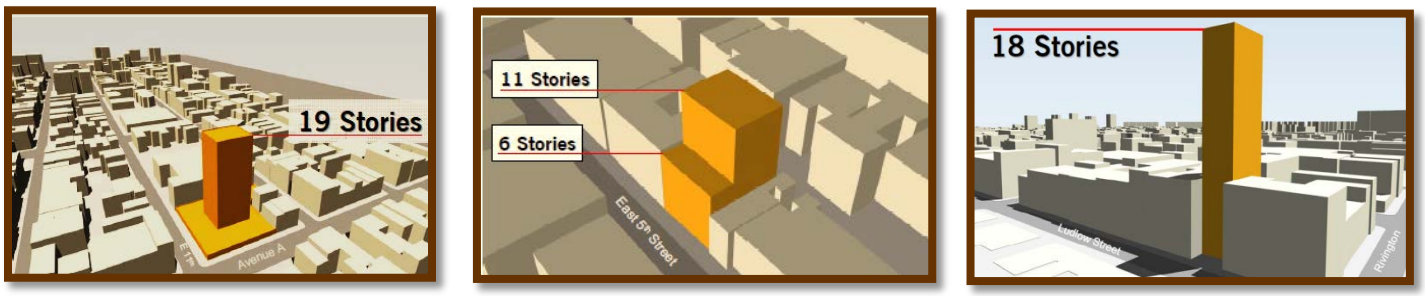
In the past two decades community facilities have grown in number and size, and in many cases have served regional rather than neighborhood populations … (and) local residents, community groups, and elected officials have asked that zoning for community facilities lessen their impacts in residential areas.

New York City Planning Commission

The East Village's decades-old zoning did *not* impose height limits on new buildings, encouraged incompatible tower-in-the park style buildings, and awarded floor area bonuses for community facility uses such as college dormitories or, in some cases, hotels. Out of date and out of sync with contemporary planning ideals such as contextualism, the previous zoning fostered new construction that was highly incompatible with the existing built fabric. The disharmonious buildings that resulted threatened the area's character and led to the demolition of buildings, causing the displacement of long-term residents, institutions and businesses.



Prior to the rezoning, the majority of the East Village was zoned R7-2 with some areas zoned C6-1, including the area of the Third Avenue Rezoning. Both are non-contextual, "height factor" districts which encourage tall buildings, set apart from the buildings around them. Buildings in the R7-2 district do not have height limits, and with a community facility bonus could be built to a maximum floor area ratio of 6.5. (Floor area ratio or FAR is the ratio of total building floor area to the area of its zoning lot.) For the areas zoned C6-1, there were also no height limits and commercial buildings could be built to an FAR of 6.0 and buildings with a community facility use could be built out to 6.5 FAR.



Types of Buildings Permitted in R7-2 and C6-1 Zoning Districts
Left to Right: R7-2 building with an FAR of 3.44 on a large lot, R7-2 residential building with a community facility FAR of 6.5 on a tenement-scale lot, and a commercial building on a small lot in a C6-1 district with a community facility FAR of 6.5

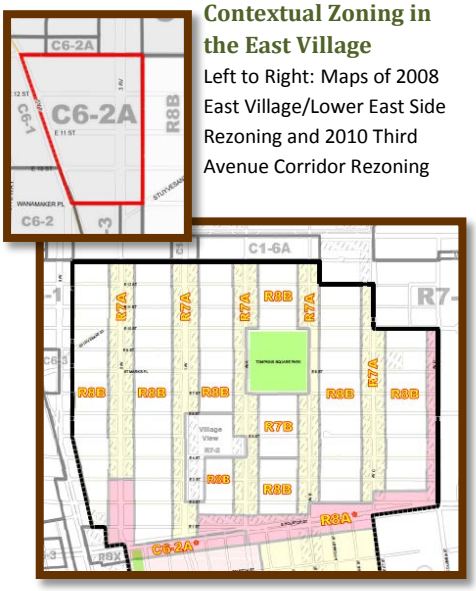
East Village Rezoning Sought to Protect Neighborhood Character

The Greenwich Village Society for Historic Preservation worked with fellow community groups including the East Village Community Coalition, Manhattan Community Board #3, and

Councilmember Rosie Mendez to push for a rezoning of the East Village to preserve the scale and character of the neighborhood, employing the planning principles of contextual design.

The resulting East Village/Lower East Side Rezoning (2008) and Third Avenue Corridor Rezoning (2010) for the first time established height limits, reduced the allowable bulk of buildings on many sites, capped air rights transfers, and eliminated the zoning bonus for dormitories and hotels, as well as created incentives for the development and retention of affordable housing. Unlike the previous zoning which virtually ignored the existing built fabric, the new zoning districts were based on the context of the existing built environment and what would be most compatible with that fabric.

While neither rezoning contained all of the provisions or restrictions that GVSHP or our fellow community groups, the Community Board, or supportive elected officials pushed for, the changes did make a substantive difference in the size, scale, and type of new development allowed and encouraged under the new zoning.

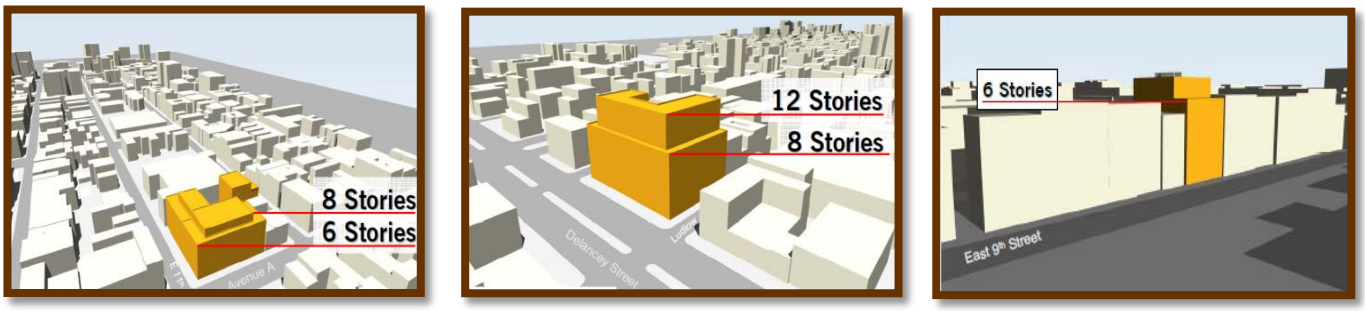


Contextual Zoning in the East Village
Left to Right: Maps of 2008 East Village/Lower East Side Rezoning and 2010 Third Avenue Corridor Rezoning

Under the new zoning, development tends to be shorter and much more similar in height to surrounding buildings, must maintain the all-important street wall, is usually less bulky than could have been built under the old zoning, and is more likely to be for residential use than a hotel or dormitory.

In fact, in many cases the new zoning makes it more desirable to retain existing buildings rather than tear them down and replace them as the old zoning had encouraged. The rezoning does contain some zoning bulk bonuses for the creation or retention of affordable housing. But even in these cases the new developments are nevertheless required to maintain the same height limits as all other new developments in their zoning district.

The following illustrates the difference between what could have been constructed under the old zoning, and what is now being built or could be built on various development or potential development sites in the East Village under the revised zoning.



Contextual Zoning in the East Village: Types of Buildings Permitted in R7A, R8B, and C6-2A Zoning Districts

Left to Right: Residential building in R7A district which limits building heights to 80 feet and requires a setback at 40-65 feet; commercial buildings in a C6-2A district can be no taller than 120 feet and must be setback from the streetwall at 60-85 feet; and in an R8B zoning district building heights are capped at 75 feet and setbacks are required at 50-65 feet

GVSHP, in conjunction with allied community and preservation groups and elected officials, continues to work to preserve the character of the East Village by seeking landmark protections and other measures which will help retain the East Village's special scale and mixture of people, institutions, and activities. <u>However, the zoning changes which have been secured represent significant progress in preventing the destruction of many of the qualities of this neighborhood that many hold dear.</u>

Old Zoning Districts

2008 and 2010 Zoning Districts

***with 20% bonus for affordable housing*

Zoning	R7A	R7B	R8A	R8B	C6-2A
Max base FAR	4.0	3.0	5.4 or 7.2**	4.0	5.4 or 7.2**
Max building height	80 feet	75 feet	120 feet	75 feet	120 feet
Setback required at	40-65 feet	40-60 feet	60-85 feet	55-60 feet	60-85 feet

Post-Rezoning Development Sites in the East Village

Project Status: Proposed | Under Construction | Completed | Undetermined

KEY:

OLD ZONING *max. building height & max. base FAR*

CURRENT ZONING *max. building height & max. base FAR*

Nevada Smith's
74-84 3rd Ave. - C6-2A

NO LIMIT 6.5 FAR | 120 FEET 5.4 or 7.2 FAR*
Nine story building

427 E. 12th St. - R8B

NO LIMIT 6.5 FAR | 75 FEET 4.0 FAR
Six story building

Gramercy Park Chapel
152 2nd Ave. - R7A

NO LIMIT 6.5 FAR | 80 FEET 4.0 FAR
Three story addition

315 E. 10th St. - R8B

NO LIMIT 6.5 FAR | 75 FEET 4.0 FAR
One story addition

P.S. 64 CHARAS/El Bohio
350 E. 10th St. - R8B/R7A

NO LIMIT 6.5 FAR | 80 FEET 4.0 FAR
Prior to landmark designation and rezoning, proposals had been floated for a 23-story dormitory

Mary Help of Christians Church
436 E. 12th St. - R8B/R7A

NO LIMIT 6.5 FAR | 75 FEET 3.0 FAR
No proposal yet, but considered a likely development site.

Former Loew's Theater/Village Farms
98 Ave. A - R7A

NO LIMIT 6.5 FAR | 80 FEET 4.0 FAR

Lower East Side Girls Club Building
101 Ave. D - R8A

NO LIMIT 6.5 FAR | 120 FEET 5.4 or 7.2 FAR*
12 story building with mixed market-rate and affordable housing

331 E. 6th St. - R8B

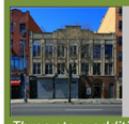
NO LIMIT 6.5 FAR | 75 FEET 4.0 FAR
Six story building

Cabrini Nursing Home
542 E. 5th St. - R7A/R8B

NO LIMIT 6.5 FAR | 75 FEET 4.0 FAR
Building is for sale and is being converted from a nursing home to residential building

326-328 E. 4th St. - R8B

NO LIMIT 6.5 FAR | 75 FEET 4.0 FAR
Two story addition

31-33 2nd Ave. - C6-2A

NO LIMIT 6.5 FAR | 120 FEET 5.4 or 7.2 FAR*
Three story addition

75-81 1st Ave. - R7A

NO LIMIT 6.5 FAR | 80 FEET 4.0 FAR
8 story building. In 2007, prior to rezoning proposed a 14 story building.

532 E. 5th St. - R7B

NO LIMIT 6.5 FAR | 75 FEET 3.0 FAR
Six story building

316 E. 3rd St. - R8B

NO LIMIT 6.5 FAR | 75 FEET 4.0 FAR
Seven story building

Mars Bar
11 2nd Ave. - C6-2A

NO LIMIT 6.5 FAR | 120 FEET 5.4 or 7.2 FAR*
Twelve story building

80 E. 2nd St. - R8B

NO LIMIT 6.5 FAR | 75 FEET 4.0 FAR
Two story addition

**With bonus for 20% affordable housing*

Map updated November 2012