



**Greenwich
Village
Society for
Historic
Preservation**

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November 3, 2006

Hon. Amanda Burden
Director, New York City Department of City Planning
22 Reade Street
New York, NY 10007

Dear Chair Burden:

I write regarding the rezoning of the East Village currently under discussion. As you know, GVSHP is incredibly concerned about the destruction of the character of this neighborhood resulting from ever-increasing inappropriate development under its current zoning. Because GVSHP's catchment area only covers north of Houston Street in community Board #3, I will limit my comments in this letter regarding the draft rezoning plan to that area.

We appreciate the Department's willingness to consider a rezoning of the East Village and to consider ways to address the issues which we and others in the community have raised. However, we have some serious concerns and some substantive questions about the current plan, and feel strongly that the Department must address these for any plan to move forward. They include the following:

- **Potential of the proposed R7-A zoning to encourage rooftop additions on sidestreets:** It has been suggested that the "sliver" prohibitions in the R7-2 zone which currently covers most of the East Village effectively limits the height of buildings on narrow lots on sidestreets to 60 feet. However, the proposed R7-A zoning would lift that height limit to 80 feet, while increasing the allowable residential FAR from 3.44 to 4. GVSHP has conducted a survey using Sanborn maps and found that significant number of sidestreets in the East Village have tenements with low lot coverage that appear to have an FAR of well below 4. This being so, it would appear that the proposed R7-A zoning may well for the first time allow, and even encourage, the addition of extra floors on top of existing buildings. In most cases, GVSHP would find this an undesirable outcome as it would likely result in the destruction of the distinctive character of these sidestreets which define the East Village. Tenants groups have also expressed concerns about the way construction of such rooftop additions can be used to make life difficult for tenants in these buildings and force them out. We would like a response from the Department on this issue. Unless the proposed R7-A zoning is shown not to have the effect we believe it may, we would strongly instead encourage the use of R7-B zoning, which has a lower FAR of 3 that would not encourage such rooftop additions, for sidestreets in the East Village (or at least those sidestreets that have a concentration of structures built under 4 FAR),.
- **Allowance of some higher density community facilities under R7-A zoning:** After questioning from community activists, it has now become clear that R7-A zoning in the draft plan for much of the East Village

allows 5 FAR for certain types of community facilities, not the limit of 4 FAR we were originally told. In light of this, we believe R8-B, which has a 4 FAR limit for all community facility as well as residential developments, would be preferable to R7-A.

- **Height and density of allowable development with Inclusionary Zoning:** GVSHP is very concerned about the allowable height and density of development on streets with Inclusionary Zoning in the draft plan, such as Houston Street, Avenue D, and lower Second Avenue. After initially being told that the underlying allowable FAR for residential development on those sites would be 6.02 FAR, we now understand that the maximum residential FAR would be 7.2, which is quite massive, and very out of context for the neighborhood. We do not believe that the inclusion of a bonus for the creation of affordable units is the problem here, but rather the base FAR of 5.4 which is being proposed. Were the base FAR to be reduced significantly, the scale of allowable development with or without the inclusionary bonus would be much more in keeping with the scale and context of the neighborhood, even for these wider streets.
- **Need for promised “soft-site” data:** GVSHP, the Community Board, elected officials, and many others in the community have long been asking the Department for the “soft-site” data that would further illuminate which sites are likely to be impacted by the proposed rezoning and how. The lack of provision of this information after many months significantly hampers the effort to analyze and discuss this or any other plan, and to move this process forward. We urge the Department to provide this information as soon as possible.
- **Inclusion of Third Avenue Corridor and the blocks to the west:** GVSHP continues to feel very strongly that the lack of inclusion of these blocks in the rezoning plan in some form is a terrible mistake, and one which we continue to urge the Department to correct. As you know, the current zoning for these blocks not only allows but encourages monstrously out-of-scale developments (like the currently planned 26-story NYU dormitory-on-a-plaza at 120 East 12th Street) which are destructive to the scale and character of the neighborhood. Thus far the arguments the Department has offered for the lack of inclusion of these blocks is that their built context is somewhat different than the rest of the East Village, they are near subways, and Third Avenue is a wide street. However, even if one accepts these premises (though it should be noted that no subway runs under these blocks, as the nearest line runs under Fourth Avenue) and the conclusion that therefore these blocks do warrant different treatment than the rest of the neighborhood, the refusal to consider *any* kind of rezoning for them, especially in light of the woefully inappropriate development the current zoning encourages, is confounding. I urge the Department, in the strongest of terms, to include these blocks in the rezoning now in order to better reflect the character of this neighborhood.
- **Anti-harassment and anti-demolition measures:** While the scope of the mission of the Greenwich Village Society for Historic Preservation prevents the organization from taking a position on anti-harassment and anti-demolition measures in relation to tenant regulation, we do believe such measures would be very useful in helping to ensure that sound, older buildings are not unnecessarily demolished. We therefore encourage their inclusion in this rezoning.

- **Commercial overlay on St. Mark's Place:** As has been made clear to the Department on numerous occasions, inclusion in the plan of a commercial overlay on St. Mark's Place would clearly generate vociferous community opposition in many quarters, and would only have the effect of undercutting the plan.

I hope the Department will consider these issues, respond to these questions, and provide the requested information expeditiously. This will both improve the draft plan and allow us and the public to consider the ramifications of the proposal more fully, allowing a much-needed process to move forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Berman", with a long horizontal flourish extending to the right.

Andrew Berman
Executive Director

Cc: Borough President Scott Stringer
State Senator Tom Duane
State Senator Martin Connor
City Councilmember Rosie Mendez
City Councilmember Alan Gerson
State Assemblymember Deborah Glick
Community Board #3, Manhattan
community groups