



Ladies' Mile Rezoning - Approved!

Objectives

This application seeks to rezone a 5-block area in the Flatiron District. The area is located on the midblocks between Fifth and Sixth avenues, from the centerline between 16th and 17th streets to the south, to 22nd Street on the north. Except for two properties in its southwest corner, the entire Rezoning Area is located within the Ladies Mile Historic District.

The area is currently zoned M1-6M a 10 FAR district that allows for a mix of manufacturing and commercial uses. Though M1-6M zones allow for limited residential conversions, new residential construction is prohibited (see [Existing Zoning](#)). This application proposes to rezone the area to C6-4A a 10 FAR contextual district which would allow for a similar mix of uses and would allow for as-of-right residential construction and conversion (see [Proposed Zoning](#)).

The proposed application is intended to:

- **Update the zoning to reflect the current mixed-use character of the area**

The area has transitioned from a largely commercial and manufacturing center to one with a lively mix of office, retail, institutional and residential uses. Today, the area contains almost 350 residential units and just three percent of the jobs in the area are in the manufacturing sector.

- **Allow for residential development on underutilized lots**

The area contains several undeveloped sites that have remained as parking lots for decades because there has not been a demand for new commercial or manufacturing space in the area. The proposed zoning would allow the parking lots to be developed with residential buildings, putting those sites into more productive use and helping to address the city's housing shortage.

- **Strengthen and preserve the area's built character**

The existing zoning permits building types that do not reflect the prevailing character of the surrounding area. The lack of effective zoning controls governing height and setback encourages tower development without height limitations that contrasts sharply with the existing built character of the neighborhood. The proposed zoning would ensure that any new development will be in character with the built context of the surrounding historic district.

Concurrent with the zoning map amendment (C 040331 ZSM), an application has been filed for zoning text changes (N 040332 ZRM) that would clarify the zoning text, allow street wall heights to be raised to 150 feet, and grandfather a previously approved special permit. On June 21, 2004, the Department of City Planning and the private co-applicant submitted a revised application for the proposed zoning text amendment that restores the current requirement for a special permit from the Board of Standards and Appeals for any new eating and drinking establishment in the area with a capacity of over 200, and any eating and drinking establishment of any size with dancing (see [Zoning Text Amendments](#)).

The applications have been submitted jointly by the Department of City Planning and a private applicant. The private applicant controls two parking lots in the rezoning area which it intends to develop with residential buildings. The private applicant has separately submitted two special permit applications for below-grade parking garages on its two development sites. These garages would replace the parking provided on the parking lots that are likely to be developed under the proposed zoning.

Public Review

On March 22, 2004, the Department of City Planning certified the ULURP application for the proposed zoning map amendment, initiating the public review process. The application for the zoning text change, a non-ULURP action, was referred for concurrent review. On April 8, 2004, Community Board 5, by a vote of 26 in favor, 3 opposed and 1 abstention, adopted a resolution to disapprove the application with conditions. On May 14, 2004, the Manhattan Borough President recommended conditional disapproval of the proposal. The City Planning Commission held a public hearing on the proposal on May 26, 2004. On June 21, 2004, the Department of City Planning and the private co-applicant submitted a revised application for the proposed zoning text amendment that restores the current requirement for a special permit from the Board of Standards and Appeals for any new eating and drinking establishment in the area with



Proposed Zoning Map - Ladies' Mile

[View larger map in PDF](#)

a capacity of over 200, and any eating and drinking establishment of any size with dancing. On June 23, 2004, the City Planning Commission voted unanimously to approve the revised zoning text change application and the rezoning application. ( [Read the CPC reports](#)). On August 12, 2004, the City Council voted to unanimously approve the applications.

For more information on the Ladies' Mile Rezoning, call the Manhattan Office of the Department of City Planning at (212) 720-3480.

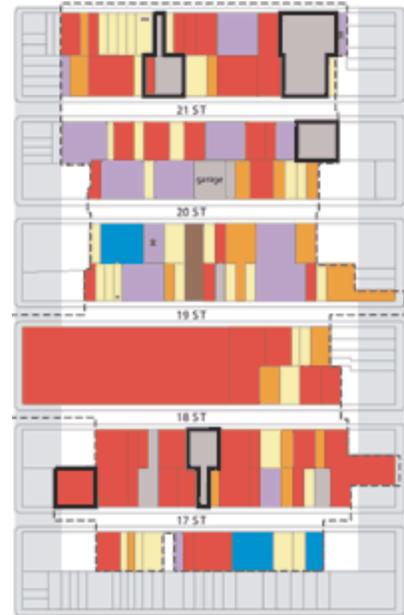
Ladies' Mile Rezoning - **Approved!** Land Use and Neighborhood Character

The rezoning area is dominated by loft buildings with high street walls constructed during the late nineteenth and early twentieth centuries – prior to the adoption of the 1916 zoning ordinance. These buildings are generally 100 to 150 feet in height and are constructed to their full heights at the lot line without setbacks. Interspersed among these loft buildings are one- to six- story commercial buildings, and a number of former row houses. The area also contains several parking lots on sites once occupied by buildings that have either been demolished or destroyed. Significantly, there has been little new construction in the rezoning area since the adoption of the 1916 zoning ordinance and no new construction of manufacturing space in the area in over forty years.

In the early 1980s, the area was rezoned from M1-6 to M1-6M in recognition of the rapid decline of manufacturing activities and the increasing prevalence of residential conversions. The M-suffix was added to guide the transition of the area from a manufacturing center to a mixed use commercial and residential area. Today, the area contains a mix of commercial, institutional and residential uses with a small number of remaining manufacturers. Three percent of the jobs in the area are in the manufacturing sector, representing a 46 percent decline since 1990.

The decline in manufacturing uses has been balanced over the past three decades by increases in commercial, retail and residential uses. Today, almost 70 percent of the occupied building area is used for office, retail and other commercial activity, and about 6 percent is devoted to wholesale uses. Most of the commercial uses are services, with approximately half being media related, such as advertising, film, graphic design, photo, computer services and digital printing.

Approximately 11 percent of the space is used by community facilities. The balance contains the area's approximately 340 occupied dwelling units. These include units occupied prior to 1961, Interim Multiple Dwelling Units designated by the Loft Board, units converted through a Board of Standards and Appeals (BSA) variance, and units permitted through certification by the City Planning Commission. Much of the residential space is located on individual floors of buildings that have substantial non-residential occupancies, reflecting the rules governing conversions pursuant to M1-6M zoning controls.



Land Use Map

[View larger map in PDF](#)

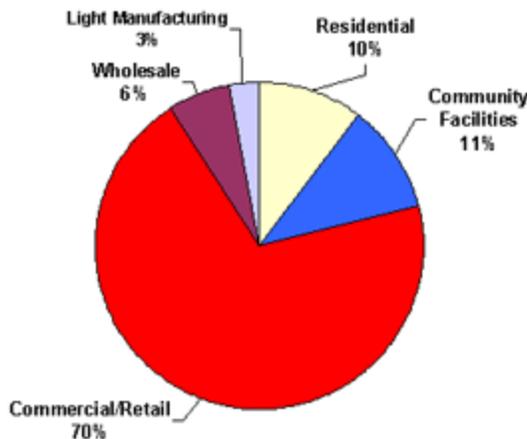


High street wall on north side of 17th Street



Parking lot on 22nd Street.

STUDY AREA LAND USE



NOTE: Percentages based on square footage of occupied building area

The current mix of uses in the neighborhood indicates that the M1-6M zoning district has undergone a transition from one dominated by manufacturing to one with extensive office and retail use and a significant residential presence. M1-6M controls have not, however, encouraged the most appropriate use of currently undeveloped land because the regulations allow new construction for only manufacturing and commercial purposes, neither of which is economically feasible on the available development sites. Because of this, undeveloped sites have remained as parking lots for decades despite the area's increased popularity, central location, and excellent access to public transportation.



*High street wall on south side of
20th Street.*

Ladies' Mile Rezoning - **Approved!**

Existing Zoning (M1-6M)

The M1-6M zone is a 10 FAR zoning district that allows for commercial and light manufacturing uses and limited residential conversions. M1-6M provisions are intended to control the conversion of manufacturing and commercial space into residences but not to restrict the replacement of manufacturing uses with conforming commercial uses. Thus, development of a wide range of commercial, light manufacturing and related uses is permitted as a matter of right, and conversion to residential uses is permitted in limited circumstances.

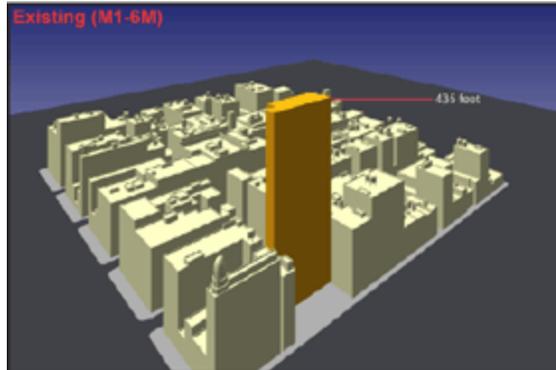
Floor area within a building in the M1-6M district may be converted to residential use in one of four ways:

1. Pursuant to Section 15-20 of the Zoning Resolution, the conversion of floor area to residential use is permitted by certification of the Chair of the City Planning Commission that floor area has been preserved for commercial or manufacturing uses either within that building or a comparable building. The preservation requirement is equal to one-third of the floor area of buildings on lots with an area of less than 5,000 square feet and two-thirds of the floor area in buildings on lots with an area equal to or greater than 5,000 square feet. It is possible to reduce this requirement pursuant to Section 15-212 provided that the floor area being preserved is a manufacturing and commercial use listed in Section 15-50.
2. Section 74-711 allows, by CPC special permit, for the modification of use in existing buildings located within an historic district if it is found that such modification will contribute to a preservation purpose. Because the special permit is applicable only to sites that contain an existing building, the parking lots in the rezoning area are not eligible to apply for the special permit.
3. The provisions of Section 15-20 provide a waiver of the preservation of floor area obligations within the historic district by authorization of the CPC provided that the facade of the building being converted is fully restored.
4. Section 74-782 allows for residential conversions by special permit provided that the Commission finds that the building owner has made a good faith effort to rent the building to a conforming use at a fair market rent for a minimum of one year.

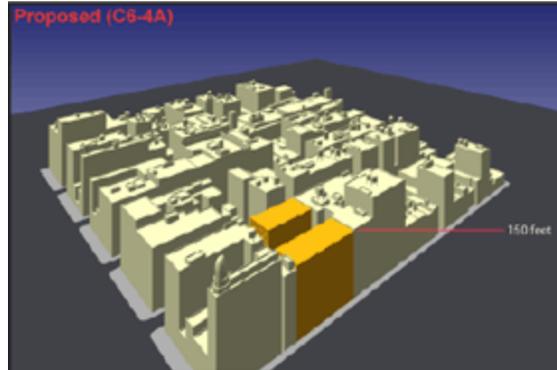
Ladies' Mile Rezoning - **Approved!**

Proposed Zoning (C6-4A)

C6-4A zones allow for a mix of commercial and residential uses with an FAR of 10 (bonusable to 12 with [inclusionary housing](#)). The C6-4A zone caps overall building heights at 185 feet and requires a [street wall](#) of between 60 and 125 feet. A concurrent zoning text change applicable only within this area would allow the street wall height to be raised up to 150 feet a typical street wall height in the area. These bulk regulations would replace the tower rules of the existing M1-6M zoning, which limit street walls to just 85 feet, allow a building to set back from the street line, and allow a building to rise without a height limit.



Potential Building (Existing M1-6M zoning)
[Click here for full view](#)



Potential Building (Proposed C6-4A zoning)
[Click here for full view](#)

SUMMARY OF EXISTING AND PROPOSED ZONING

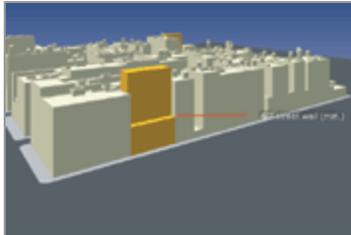
	Existing Zoning (M1-6M)	Proposed Zoning (C6-4A)
Permitted Uses:	Commercial, light manufacturing, limited residential conversions	Commercial, light manufacturing, residential
Maximum FAR:	10 (2 FAR bonus for plaza)	10 (2 FAR bonus for inclusionary housing)
Minimum Street Wall:	No street wall required	60 feet
Maximum Street Wall:	85 feet	125 feet (or up to 150 feet to match adjacent building)
Maximum Building Height:	No height limit	185 feet

The proposed C6-4A zoning would reflect the evolution of the area from one dominated by manufacturing uses to one with a wide mix of uses including a significant residential presence. The proposed zoning would allow for much-needed new housing construction, including the potential for affordable housing, in an appropriate building form that respects the existing built context. Specifically:

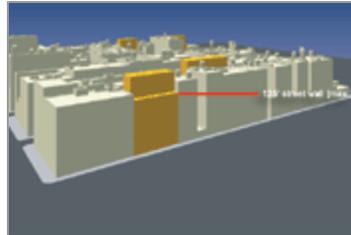
- The existing bulk envelope, which encourages a tower building form that is inappropriate for this area, would be replaced by bulk controls requiring buildings to have street walls that are in character with the surrounding area (See Existing and Proposed Envelopes);
- The 2 FAR urban plaza bonus would be made unavailable and replaced by a 2 FAR inclusionary housing bonus;
- New residential developments and enlargements could be built without discretionary zoning approvals. With the exception of the southwestern corner of the rezoning area which does not fall within the boundaries of the Ladies'

Mile Historic District, any new development would continue to need a Certificate of Appropriateness from the Landmarks Preservation Commission;

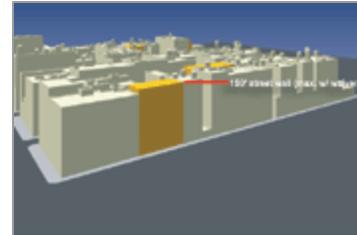
- New manufacturing uses would not be permitted. Existing manufacturing businesses, however, will continue to be treated as conforming uses and will be permitted to expand within the buildings in which they are located;
- Conversion of existing buildings to residential use would be permitted as-of-right, without the requirement to preserve manufacturing or commercial floor area. The proposed C6-4A zoning is expected to result in a modest increase in the number of residential conversions over what would be expected under M1-6M zoning; and
- The proposed rezoning is estimated to facilitate the development of approximately 900 new apartments on six underutilized sites over the next ten years. These buildings will put currently underutilized land into productive use and will make a meaningful contribution to the City's efforts to address its housing shortage.



*C6-4A building envelope
(minimum 60' street wall height)*
[Click here for full view](#)

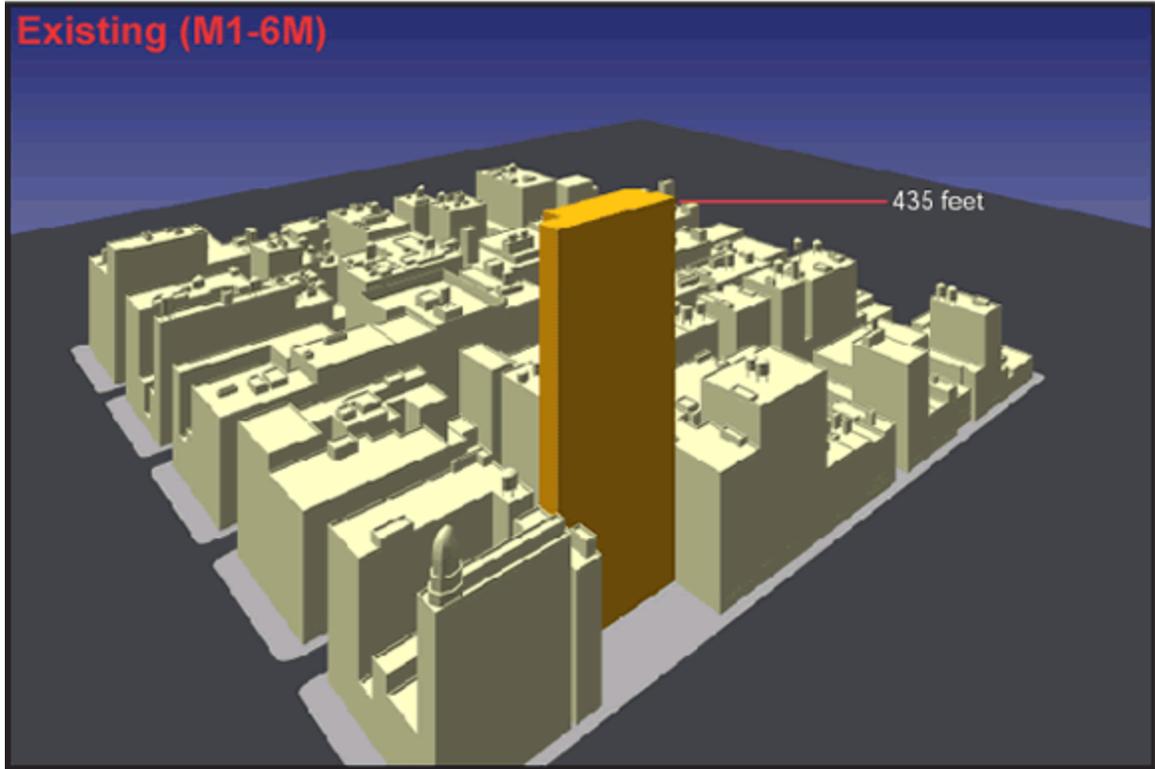


*C6-4A building envelope
(maximum 125' street wall height)*
[Click here for full view](#)

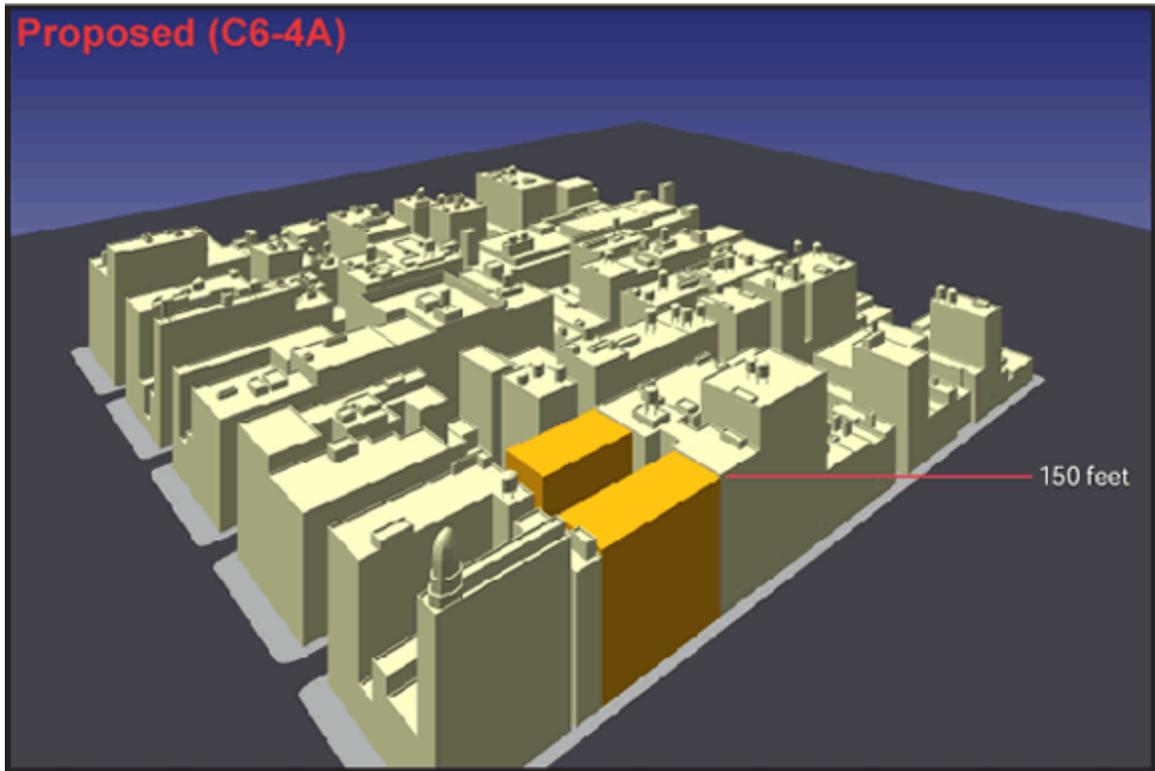


*C6-4A building envelope
(maximum 150' street wall height
w/waiver allowed by
concurrent zoning text change)*
[Click here for full view](#)

Ladies' Mile Rezoning - Approved!
Potential Building (Existing M1-6M zoning)

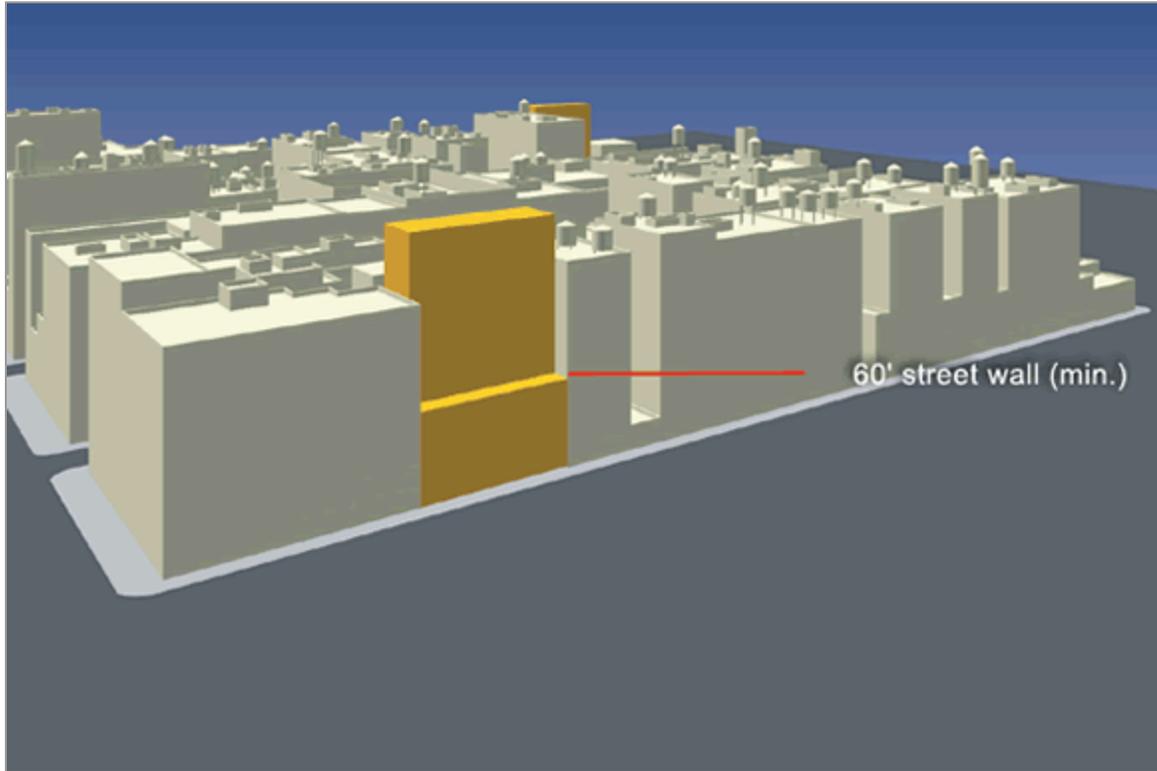


Ladies' Mile Rezoning - Approved!
Potential Building (Proposed C6-4A zoning)



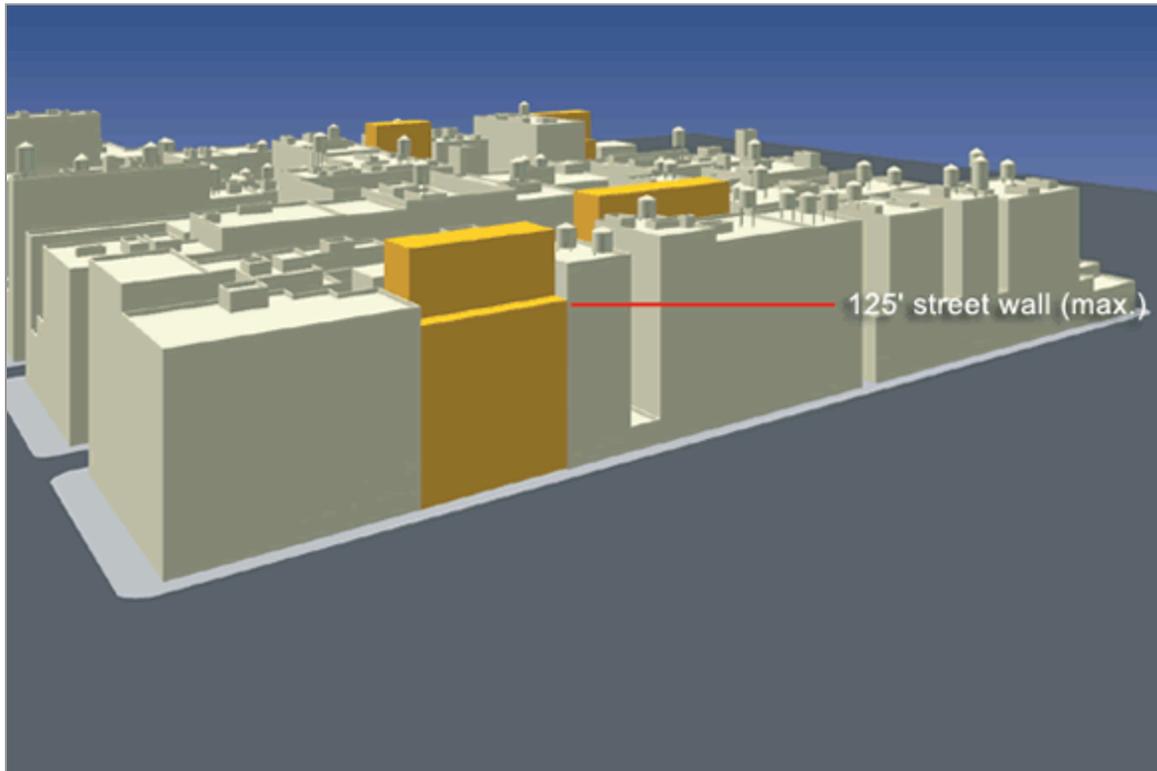
Ladies' Mile Rezoning - **Approved!**

C6-4A building envelope (minimum 60' street wall height)



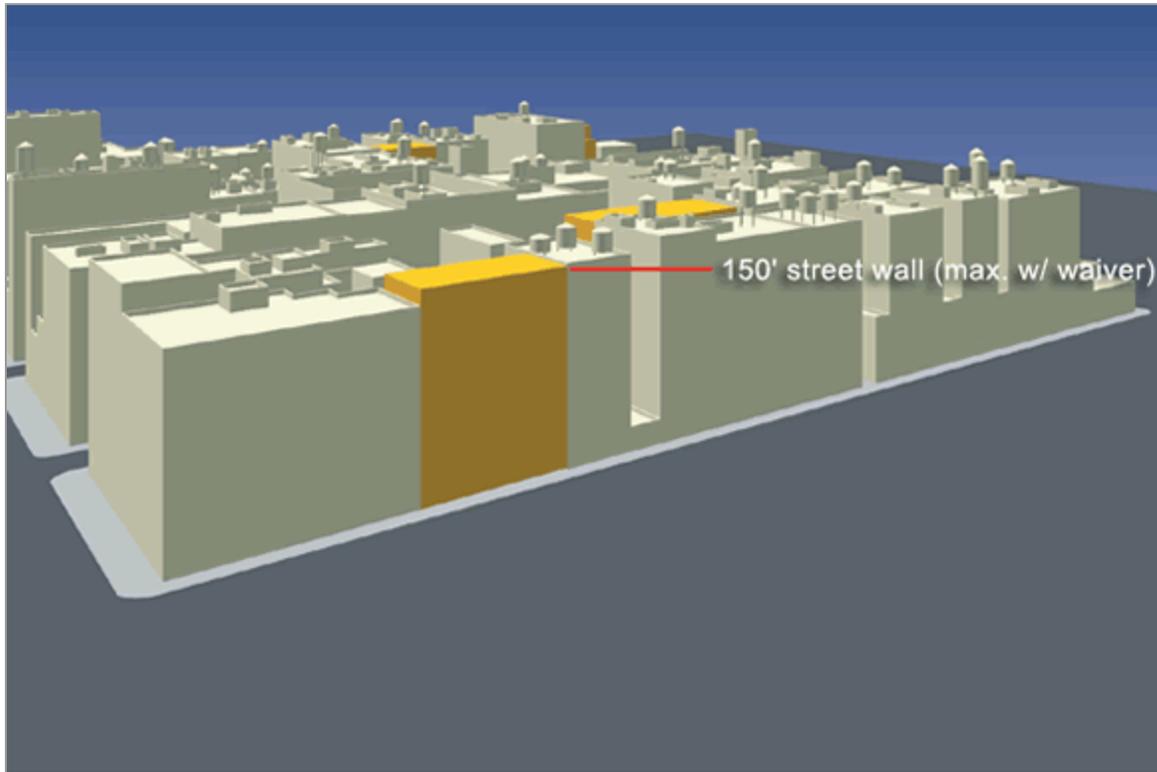
Ladies' Mile Rezoning - **Approved!**

C6-4A building envelope (maximum 125' street wall height)



Ladies' Mile Rezoning - **Approved!**

C6-4A building envelope (maximum 150' street wall height w/ waiver allowed by concurrent zoning text change)



Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.