




## 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:

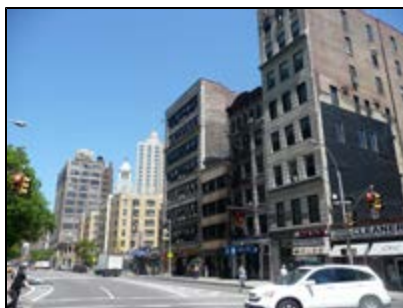
***Encourage new development to reflect existing neighborhood character and scale*** – by using a [contextual zoning district](#) designation that more closely reflects the area's built character; and

***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.

The proposal is the result of a collaborative effort with Community Board 3, local elected officials, and the Department of Housing Preservation and Development. It fosters Mayor Bloomberg's sustainable planning goals by promoting the preservation of neighborhoods with special character while also providing opportunities for modest growth and affordable housing along wide corridors well served by mass transit.



Fourth Avenue, Existing Context (view to the north)



Fourth Avenue, Existing Context (view to the south)

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### Existing Context & Zoning

#### Existing Context

The rezoning area is located in Community District 3 and directly adjacent to Community District 2. It is centrally located and shares land use and streetscape characteristics with a number of nearby neighborhoods, including the East Village directly to the east, Union Square to the north, and Greenwich Village and NoHo to the west and south. Because the rezoning area is formed by two wide streets which are not in line with the traditional Manhattan grid, it consists of four irregularly-shaped blocks, which gradually increase in land area from the south to the north, and which generally share common patterns with regard to building height and massing with similarly adjacent dense, mixed-use areas nearby. The rezoning area is generally characterized by low- to mid-rise, residential or mixed-use buildings with a strong streetwall presence. One notable exception is a high-rise dormitory building on East 12th Street which is set back from the street line at a side-street location and rises to a height of 23 stories. Ground-floor retail is found along the major north-south avenues, as well as on several mid-block locations along the side streets. These are typically smaller-scale, eating and drinking establishments and local retail stores; two notable exceptions include the Cooper Square Post Office building at the corner of Fourth Avenue and East 11th Street and the landmark Webster Hall and Annex site on East 11th Street.

The existing land use within the rezoning area, in the table below, is predominantly multi-family apartment buildings or mixed-use residential with ground-floor retail spaces, although there is also a significant institutional presence due to the existence of a number of large dormitory buildings, particularly along the east side of Third Avenue. Approximately 70% of all lots have some residential use, and the majority of those are multiple-dwelling buildings, including low- and mid-rise structures with ground-floor retail. Approximately 11% of all lots have either public facilities or institutional buildings, many of which also have ground-floor retail along the avenues. Commercial uses represent roughly 20% of all lots and include the Webster Hall and Annex sites on East 11th Street, as well as a multiple-screen movie theater building at the corner of Third Avenue and East 11th Street.

#### Summary of Existing Allowed Density and Building Form

| Existing Zoning            |             |                            |          |            |                    | Building Form                   |      |                      |
|----------------------------|-------------|----------------------------|----------|------------|--------------------|---------------------------------|------|----------------------|
| Allowed Density (FAR)      |             |                            |          |            |                    | Bulk Controls                   |      |                      |
| Use:                       | Residential |                            |          | Commercial | Community Facility | Building base streetwall (feet) |      | Building Height max. |
| Underlying Zoning District | Base FAR    | Inclusionary Housing Bonus | Max. FAR | Max. FAR   | Max. FAR           | min.                            | max. |                      |
| C6-1                       | N/A         | N/A                        | 3.44     | 6.0        | 6.5                | -                               | -    | -                    |

#### Existing Zoning

The Third Avenue Corridor rezoning area is mapped as a C6-1 zoning district, for medium-density [residential](#) and [commercial](#) development. This non-contextual district was established in 1961 and is generally not consistent with the built character of the rezoning area. In particular, it allows [height-factor](#) buildings, which are not subject to streetwall or maximum building height limits.

The C6-1 zoning district designation permits a wide range of commercial uses. Residential uses are permitted up to a maximum 3.44 [Floor Area Ratio \(FAR\)](#), commercial uses up to a maximum 6.0 FAR and [community facility](#) uses up to a maximum 6.5 FAR. Streetwall and overall building heights are not strictly limited in these districts, except as governed by the [sky exposure plane](#), and new development is not required to line up at the street line.



Recent Out-of-Scale Development (East 13th Street, view to the west)



Existing Zoning Map

[View a larger image.](#)



Buildings Height Map

[View a larger image.](#)



Land Use Map

[View a larger image.](#)

## Third Avenue Corridor Rezoning - **Approved!** Proposed Zoning

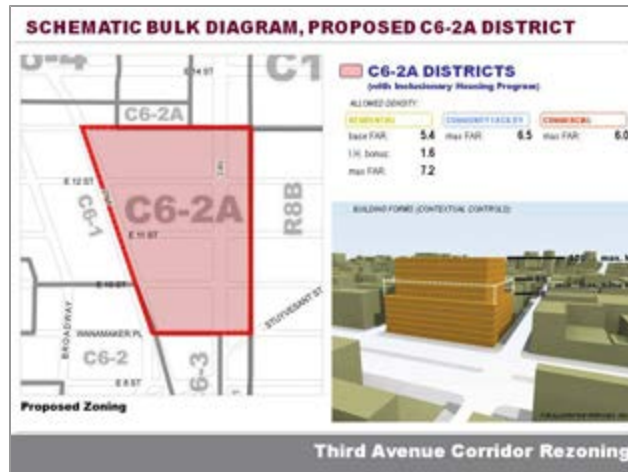
### Zoning Map Amendment

Contextual zoning districts place strictly defined building envelope requirements on new residential developments, establishing maximum building heights and mandating continuous street walls with setbacks above specified base heights. As described in this proposal, these controls would help ensure that new development throughout the rezoning area reflect the existing scale and character found in the surrounding context.

The rezoning includes a Zoning Map change from C6-1 to a contextual C6-2A designation. This action would establish new FAR limits as well as introduce new height and setback controls, setting minimum and maximum base heights, and maximum overall building heights. The use, density and building forms controls permitted by the C6-2A would reflect the subtle variation found in the area's built character.



Proposed Zoning Map  
[View a larger image.](#)



Schematic Bulk Diagram, Proposed C6-2A District  
[View a larger image.](#)

As part of the zoning map amendment (and as described in more detail below; see "Inclusionary Housing"), the proposed C6-2A district would permit a maximum 7.2 FAR for new residential development, provided that 20% of residential floor area is used for affordable housing. Sites that do not elect to be part of the Inclusionary Housing Program would be permitted a maximum 5.4 FAR. The overall building heights would be limited to 120 feet and street wall heights limited to 85 feet; base heights would be required to be a minimum of 60 feet. New construction within the proposed C6-2A district would be required to line up with adjacent structures to maintain the existing street wall.

### Summary of Proposed Allowable Densities and Building Forms

| Proposed Zoning            |             |                            |          |            |                    |                                 |      |                      |
|----------------------------|-------------|----------------------------|----------|------------|--------------------|---------------------------------|------|----------------------|
| Allowed Density (FAR)      |             |                            |          |            |                    | Building Form                   |      |                      |
| Use:                       | Residential |                            |          | Commercial | Community Facility | Bulk Controls                   |      |                      |
|                            | Base FAR    | Inclusionary Housing Bonus | Max. FAR | Max. FAR   | Max. FAR           | Building base streetwall (feet) |      | Building Height max. |
| Underlying Zoning District | Base FAR    | Inclusionary Housing Bonus | Max. FAR | Max. FAR   | Max. FAR           | min.                            | max. | max.                 |
| C6-2A                      | 5.4         | 1.8                        | 7.2      | 6.0        | 6.5                | 60                              | 85   | 120                  |

### Inclusionary Housing Program

As part of the City's ongoing effort to provide new housing opportunities, the proposed Third Avenue Corridor Rezoning also includes the mapping of an inclusionary housing program area. The inclusionary housing bonus combines a zoning floor area bonus with a variety of housing subsidy programs to create powerful incentives for the development and preservation of affordable housing. Developments taking advantage of the full bonus must devote at least 20 percent of

their total floor area (excluding ground-floor non-residential floor area) to housing that will remain permanently affordable to lower-income households.

In the proposed C6-2A district, residential development without an affordable housing component would be limited to a base FAR of 5.4. Developments providing affordable housing are eligible for a floor area bonus, within contextual height and bulk regulations tailored to this area. Developments could qualify for a maximum FAR of 7.2 (within the 60'-85' street wall limit and the 120-foot overall building height limit) in the designated districts by providing 20 percent of the residential floor area in the development as permanently affordable housing for low- and moderate-income households, or by constructing or preserving off-site affordable units for low-income households. Off-site units must be located within Community District 3, or within one half-mile of the compensated development if outside of Community District 3. Other city, state and federal housing finance programs may be used to provide further assistance in creating affordable units.

View the  [adopted text amendment](#).

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### Public Review

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The Third Avenue Corridor rezoning proposal began formal public review on May 24, 2010 with the Department of City Planning's certification of the [Uniform Land Use Review \(ULURP\)](#) application (map amendment 100420 ZMM, and text amendment N 100419 ZRM).

| <i>Milestones</i>   | <i>Target Dates</i> |
|---|---------------------|
| Department of City Planning Certification                                   | May 24, 2010        |
| Community Board 3 Approval  | June 16, 2010       |
| Manhattan Borough President Approval  | August 16, 2010     |
| City Planning Commission Hearing  | August 25, 2010     |
| City Planning Commission Approval ( <a href="#">Read the CPC Reports.</a> ) | September 29, 2010  |
| City Council Approval   | October 27, 2010    |

For more information about this proposal please contact the Manhattan Office of the Department of City Planning at (212) 720-3480.

## Related Notes

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-  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.