## Chapter 2: Land Use, Zoning, and Public Policy

# A. INTRODUCTION

This chapter examines the proposed actions' consistency with land use and development trends, zoning regulations, and applicable public policy within the study area. This analysis identifies anticipated changes in land use, zoning, and public policy that are expected to occur independent of the proposed actions by the 2017 Build year, and then assesses any potential impacts to land use, zoning, and public policy associated with the proposed actions.

The purpose of the proposed actions is to preserve the low-scale character of the East Village and Lower East Side neighborhoods while focusing new development towards specific areas that are more suitable for new residential construction with incentives for affordable housing. Under existing zoning designations, recently constructed non-contextual development has resulted in buildings that are inconsistent with the typical mid-rise character of these neighborhoods. At the same time, a need for new housing and affordable housing exists in both the East Village and the Lower East Side. Thus, the proposed actions seek to balance the need to preserve the area's unique neighborhood character with the need for affordable housing.

Overall, this analysis concludes that the proposed actions are compatible with land uses and zoning and would be consistent with public policy and development trends in the area. The proposed actions would protect the low- to mid-rise streetwall that characterizes much of the study area and also provide opportunities for new housing development and incentives for affordable housing along selected wide streets and major corridors. The proposed actions would also reinforce the use of several avenues as corridors for mixed retail/residential buildings and protect existing commercial uses. For these reasons, the proposed actions would not result in any significant adverse impacts related to land use, zoning, or public policy.

# B. METHODOLOGY

This chapter identifies a primary study area, where the land use effects of the proposed actions are direct, and a secondary study area, where indirect effects may occur. Both study areas are established in accordance with the *CEQR Technical Manual* and the Final Scope of Work. The primary study area encompasses the blocks that would be directly affected by the proposed actions (e.g., blocks on which zoning map and text amendments are proposed) as well as the blocks or portions of blocks in between. For the purposes of this analysis, the secondary study area extends approximately a ¼-mile from the primary study area boundary. Both the primary and secondary study areas are shown in Figure 2-1. The primary study area covers approximately 111 blocks of the East Village and Lower East Side neighborhoods in Manhattan Community District 3 and is generally bounded by East 13th Street on the north; Avenue D to the east; Houston Street, Delancey Street and Grand Street on the south; and the Bowery and Third Avenue on the west. The secondary study area covers an area bounded at its outer limits roughly by East 18th Street to the north; the East River to the east; Canal Street and East Broadway to the south; and Broadway to the west.

Because of the study area's large size, the study area is described by distinct subareas as follows:

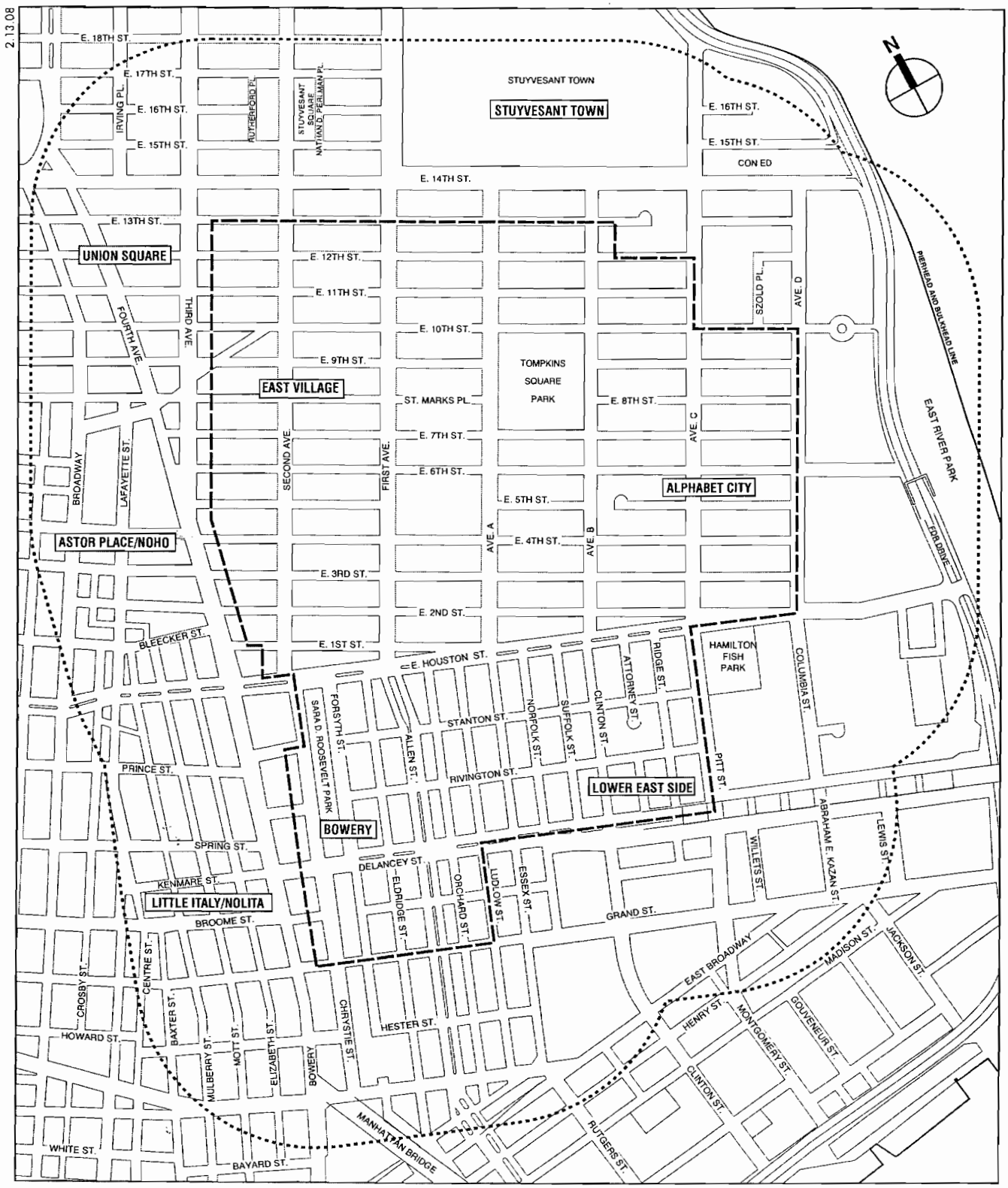
- Union Square subarea: the area north of East 10th Street and west of Third Avenue;
- Stuyvesant Town subarea: the area north of East 13th Street and east of Third Avenue;
- Astor Place/NoHo subarea: the area defined by East 10th Street (west of Third Avenue) to the north; Third Avenue and Bowery to the east; and East Houston Street to the south (secondary study area only);
- East Village subarea: the area defined by East 10th Street (east of Third Avenue) and East 13th Street (east of Third Avenue) to the north; Avenue A to the east; East Houston Street to the south; and Third Avenue and the Bowery to the west (primary study area only);
- Alphabet City subarea: the area defined by East 13th Street to the north; the East River to the east; East Houston Street to the south; and Avenue A to the west;
- Little Italy/Nolita subarea: the area south of East Houston Street and west of Elizabeth Street;
- Bowery subarea: the area defined by East Houston Street to the north; Allen and Pike Streets to the east; Division Street to the south; and Elizabeth Street to the west; and
- Lower East Side subarea: the area east of Allen and Pike Streets and south of East Houston Street.

## C. BACKGROUND AND DEVELOPMENT HISTORY

The area of the proposed rezoning covers about 111 blocks of the East Village and Lower East Side neighborhoods in Manhattan Community District 3. The Lower East Side and the East Village—the latter of which originally grew as part of the Lower East Side's Eastern European community that expanded northward from the overcrowded streets south of Houston Street during the late 1800s—are longstanding residential communities comprised of mostly of 19th century tenements with supporting institutional uses.

The first tenements in the city were built in the former Corlear's Hook neighborhood (just south of the Williamsburg Bridge along the East River) in 1833 and successive waves of predominantly Eastern European immigrants added to the growing population in this area and were increasingly housed in tenement buildings. At the turn of the 20th century, the Lower East Side was widely considered the most famous immigrant neighborhood in the United States, known for its bustling street-level commercial activity and its overcrowded and unsanitary tenement buildings. The Lower East Side Tenement Museum's *Special Resource Study* (1995) stated that "the scale of the immigrant phenomenon far outweighed that in any other city in the country" and "that measures taken to deal with the conditions here had far-reaching ramifications for immigrants elsewhere and Americans as a whole." Attempts to improve living conditions included the introduction of "dumbbell" and "new law" tenements in 1878 and 1901, respectively, and the establishment of a number of settlement houses, the best known of which included the University Settlement and the Henry Street Settlement.

Public policy in response to these conditions resulted in the construction of the First Houses at First Avenue at East 3rd Street in 1936, which was the first housing project built by the city's housing authority. In the 1960s and 1970s, the New York City Department of Housing Preservation and Development (HPD) and the New York City Planning Commission (CPC) deemed large tracts of land on the Lower East Side as appropriate for urban renewal under the City's Urban Renewal Law. Development in these urban renewal areas—including Corlear's




**Land Use Study Areas**
Figure 2-1

Hook, Seward Park, Tompkins Square, and Two Bridges—have typically taken the form of multi-tower residential buildings on large superblocks along the East River from East 14th Street to as far south as the Manhattan Bridge.

The East Village neighborhood, generally identified as the primary study area north of East Houston Street, was considered a part of the Lower East Side until the early 1960s, when many intellectuals, artists, musicians, and writers seeking cheap housing moved to this area from Greenwich Village. Most buildings in the East Village date from the turn of the 20th century and originally housed churches, settlement houses, social clubs, and other institutional uses serving the immigrant community and have remained virtually unchanged through much of the 20th century. Many of the institutional uses evolved to meet the changing needs of the neighborhood population, and some were converted to residential use, but for the most part, the East Village east of Third Avenue remained unchanged until the mid-1970s.

Although much of the East Village outwardly appears much as it did a hundred years ago, interior uses, particularly along Broadway, Lafayette Street, and Bowery, have changed considerably in recent decades. During the 1970s, loft spaces along Broadway and Lafayette Street were vacated by manufacturing and warehousing tenants, and many of the lofts were converted to live-work space for artists, creating a residential community. This trend continued into the early 1980s as manufacturing loft buildings in this area were converted to both residential and commercial uses.

After a lull as a result of the recession of the late 1980s and early 1990s, development in the East Village and the Lower East Side has continued at a steady pace. Recent development in these neighborhoods has been primarily residential in nature, including construction of new buildings and renovations of existing structures. Other types of development include the eastward expansion of New York University (NYU), new academic buildings associated with Cooper Union near Astor Place (currently under construction), and a number of new, large-scale hotels on the Lower East Side south of East Houston Street. Much of the area of the proposed rezoning retains its mid-rise character. However, there are also several newly constructed out-of-scale 10- to 20-story tower developments.

## D. EXISTING CONDITIONS

### LAND USE

*PRIMARY STUDY AREA*

The primary study area, which encompasses the predominantly mid-rise residential areas of the East Village and the Lower East Side, is generally bounded by East 13th Street on the north; Avenue D to the east; Houston Street, Delancey Street and Grand Street on the south; and the Bowery and Third Avenue on the west. East Houston Street and Delancey Street, with its approach to the Williamsburg Bridge, are the major east-west streets that bisect the primary study area; the major north-south streets of First and Second Avenues terminate at East Houston Street. As shown on Figure 2-2, the primary study area is mostly residential with a sizeable number of community facilities and open spaces scattered throughout; commercial uses, typically in the form of street-level retail, are common and located along all major east-west and north-south corridors. A detailed description of uses by subarea is presented below.

*East Village Subarea*

The East Village subarea comprises the primary study area north of East Houston Street and west of Avenue A. This subarea includes a thriving mixture of residential, commercial, institutional, and open space uses.

Residential uses are found throughout the entire subarea and typically take the form of four- to six-story buildings on small lots; there are three larger scale residential developments that differ from this small-scale residential pattern. The largest of these is Village View Housing, a 1,235-unit tower-in-the-park residential development comprised of three 21-story buildings and four 16-story buildings, located along the east side of First Avenue between East 2nd and East 6th Streets. Max Meltzer Tower, a New York City Housing Authority (NYCHA) development at 94 East 1st Street between First Avenue and Avenue A, is a 20-story building exclusively for seniors with 229 apartments. First Houses, at 138 East 3rd Street, is the oldest public housing development in the city. Unlike the taller residential buildings of Village View and Max Meltzer, this 126-unit NYCHA development is comprised of a series of eight 4- to 5-story buildings along East 3rd Street and Avenue A.

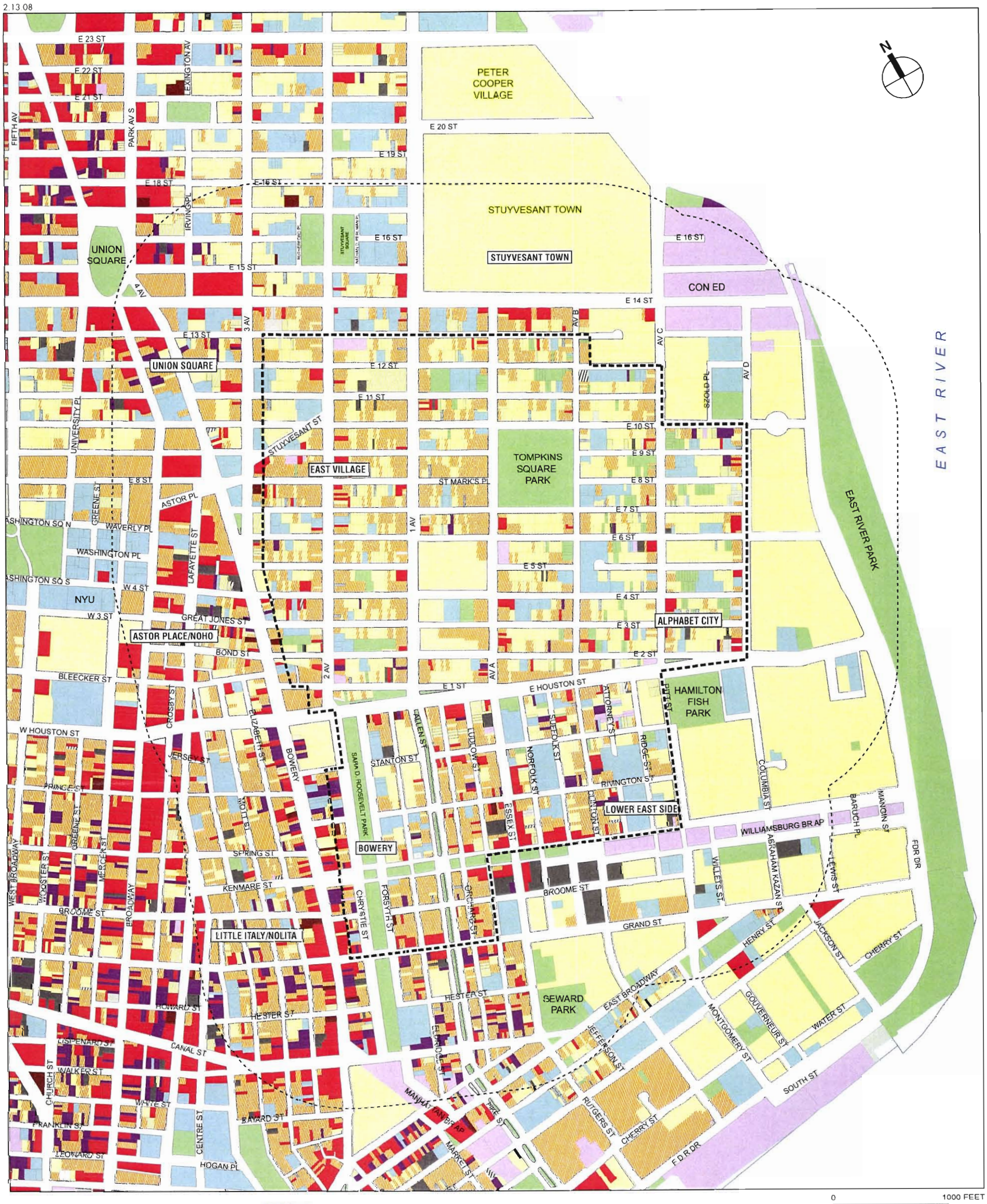
The commercial uses within the East Village subarea are generally found on the ground floor of residential buildings along the major north-south streets: First Avenue, Second Avenue, and Avenue A. Typical retail uses include restaurants, bars, coffee shops, delis, newsstands, clothing stores, and other neighborhood retail uses. St. Mark's Place (East 8th Street between Third Avenue and Avenue A) is the principal east-west shopping street in the East Village and is lined with a number of small retail establishments that reflect the arts culture of the East Village, including music shops, tattoo parlors, vintage and used clothing stores, antique shops, restaurants, and bars.

There are a number of buildings associated with NYU's Washington Square Campus that are located within the East Village subarea, including the 14-story Third Avenue North Residence Hall at 75 Third Avenue, the 16-story Alumni Hall at 33 Third Avenue, the 6-story Barney Building at 34 Stuyvesant Street, the Seventh Street Residence at 40 East 7th Street, and 111 and 113A Second Avenue, which houses part of NYU's Tisch School of the Arts.

There are a number of churches located in the East Village subarea, the most prominent of which include St. Mark's Church-in-the-Bowery at the intersection of Second Avenue, Stuyvesant Street, and East 10th Street, and the St. George Ukrainian Church at 30 East 7th Street one-half block east of Third Avenue. This subarea is also home to a number of institutions that address people in need, including Project Renewal on the Bowery (the former Third Street Men's Shelter) and the Salvation Army's East Village Residence Hall on East 3rd Street and the Bowery Residents' Committee (BRC) facility on the Bowery between East 1st and East 2nd Streets. The landmark New York City Marble Cemetery is located at 52-74 East 2nd Street between First and Second Avenues.

The Fourth Arts Block is an association comprised of 13 non-profit cultural and community organizations located on East 4th Street between the Bowery and Second Avenue. Many of the buildings on this block provide performance and rehearsal space for dance and theatre groups as well as offices for non-profit organizations. Performance Space 122 (also known as "P.S. 122"), the formerly abandoned Public School (P.S.) 122 that was converted into a community center and performance space in 1979, is located on the northeast corner of First Avenue and East 9th Street and continues to be a prominent center for arts and culture in New York City.

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*Primary Study Area Boundary*

*Secondary Study Area Boundary*

*Residential*

*Residential with Commercial Below*

*Hotels*

*Commercial and Office Buildings*

*Industrial and Manufacturing*

*Transportation and Utility*

*Public Facilities and Institutions*

*Open Space and Outdoor Recreation*

*Parking Facilities*

*Vacant Land*

*Vacant Building*

*Under Construction*



**Existing Land Use**
Figure 2-2

Community facilities in this subarea include the New York Police Department's (NYPD) 9th Precinct at 321 East 5th Street between First and Second Avenues, P.S. 751, the School for Career Development, at 113 East 4th Street, and P.S. 63, the William McKinley School, at 121 East 3rd Street.

The largest open space in the East Village subarea is First Park at First Avenue and East 1st Street; this 1.4-acre playground contains benches, basketball courts, play equipment with safety surfacing, swings, and a kiosk selling snacks with a separate seating area. Other open spaces in this subarea include small parks and playgrounds adjacent to public schools, community gardens, and Peretz Square, the small triangle formed by East Houston Street, East 1st Street, and First Avenue.

*Alphabet City Subarea*

The Alphabet City subarea comprises the primary study area north of East Houston Street and east of Avenue A and is directly east of the East Village subarea. The borders of Alphabet City extend from East 13th Street on the north, Avenue D on the east, East Houston on the south, and Avenue A on the west. This subarea includes the diverse mix of land uses found within the East Village, including residential, commercial, institutional, and open space uses.

Commonly referred to as the 'heart of the East Village,' Tompkins Square Park is the most prominent land use in the Alphabet City subarea. This approximately three-block 10.5-acre park is bounded by East 10th Street on the north, Avenue B on the east, East 7th Street on the south, and Avenue A on the west. Since its beginnings in the 19th century, Tompkins Square Park has served as a place to voice dissent. The most recent renovation to the park in 1992 included the removal of the bandshell and the construction of a state-of-the-art dog run and a new playground. Other park amenities include basketball and handball courts, swings, several walkways lined with seating areas, the Slocum Memorial Fountain, the Temperance Fountain, the Hare Krishna Tree, and the Samuel Sullivan Cox statue. Tompkins Square Park also hosts a number of festivals throughout the year.

The residential land use pattern in the Alphabet City subarea is very similar to that of the East Village subarea to the west and is generally comprised of four- to six-story residential buildings on small lots. The tallest residential building in this subarea is the 15-story building at 143 Avenue B at East 8th Street. A number of new tall residential buildings in this subarea—especially east of Avenue B—have been recently constructed.

Five NYCHA housing developments are found in Alphabet City subarea: Mariana Bracetti Plaza, East 4th Street Rehab, Lower East Side II, Lower East Side III, and Lower East Side Rehab (Group 5). Instead of large tower buildings, these developments take the form of four- to seven-story residential buildings. The Mariana Bracetti Plaza at 251 East 3rd Street between Avenue B and C has 108 apartments housed in one seven-story residential building. The East 4th Street Rehab project, one block north of Bracetti Plaza, includes two six-story buildings with a total of 25 apartments. The Lower East Side II development at 637 East 5th Street, comprising most of the block bounded by Avenues C and D and East 5th and East 6th Streets, consists of four three-story buildings with 186 apartments. Lower East Side III, a midblock development at 722 East 9th Street between Avenues C and D, was completed in 1996 and consists of two four-story buildings with a total of 56 apartments. Lower East Side Rehab (Group 5) at 89 Avenue C consists of two six-story buildings with 54 apartments.

Similar to the East Village subarea, commercial uses within the Alphabet City subarea are generally found on the ground floor of residential buildings along Avenues A through D. Typical

retail uses include restaurants, apparel and clothing stores, specialty shops, delis, bars, small grocery stores, and other local retail uses. Commercial uses in this subarea are not as common when compared to the East Village subarea, but Avenue C is becoming increasingly well-known for its new bars and restaurants. Retail uses along Avenue D are local establishments that predominantly cater to the residents of the large residential developments to the east.

In addition to Tompkins Square Park (discussed above), several community gardens are found throughout Alphabet City. The community gardens range in size from small gardens that occupy single lots on small side streets to large gardens that occupy multiple lots along major north-south streets. In the northern portion of the subarea, the Children's Garden, Joseph C. Sauer Park, and El Sol Brillante Jr. Community Garden occupy the much of the south side of East 12th Street between Avenues A and B. The Sixth Street and Avenue B Community Garden is located on the southwest corner of Avenue B and East 6th Street. The 9th Street Community Garden Park occupies the northeast corner at Avenue C and East 9th Street. One block to the south and west, the irregularly shaped La Plaza Cultural stretches westward from Avenue C between East 8th and East 9th Streets.

Institutional uses are found throughout the Alphabet City subarea and include health centers, community centers, churches, synagogues, and a United States Post Office at 244 East 3rd Street. St. Brigid's Church and School are located on the east side of Avenue B between East 7th and East 8th Streets (the church has been closed since 2001 due to structural problems and is currently unoccupied). Casa Victoria, which provides affordable housing for seniors, is located on East 8th Street east of St. Brigid's Church. Community facilities in this subarea include the East Village Community School (M.S. 315) at 610 East 10th Street, the Earth School (P.S. 364) between East 4th and East 6th Streets on Avenue B, P.S. 15 at 333 East 4th Street, the NYPD 9th Precinct at 130 Avenue C, the New York Public Library's (NYPL) Tompkins Square Branch at East 10th Street, and the New York City Fire Department (FDNY) Engine 28 Ladder 11 at 222 East 2nd Street.

*Bowery Subarea*

The Bowery subarea comprises the primary study area south of East Houston Street and west of Allen Street. This subarea contains a diverse mixture of residential, commercial, light industrial, community facilities, and open space uses.

The 7.85-acre Sara D. Roosevelt Park, named after the mother of President Franklin Delano Roosevelt, is a linear park extending from Canal Street to East Houston Street between Chrystie and Forsyth Streets and the largest single land use in this subarea. Parts of four streets—Stanton, Rivington, Broome and Hester Streets—were closed to create the contiguous areas of this park, which include a number of active and passive uses lined at the perimeter with benches and shade trees. Components of this open space include playgrounds, basketball and handball courts, a soccer field, general open recreation areas, seating areas, walking paths, and restrooms. The M'Finda Kalunga Garden, named in memory of an African-American burial ground that was located on nearby Chrystie Street between Rivington and Stanton Streets, is located on parkland between Rivington and Delancey Streets. Recent additions to this park include the BRC's Golden Age Center for senior citizens, a vendors market, and the Wah-Mei Bird Garden.

Residential uses in the Bowery subarea are typically found in four- to six-story tenements with ground floor commercial uses. There are two large NYCHA developments in the Bowery subarea north of Delancey Street: the 17-story 149-unit Rafael Hernandez building at 189 Allen Street between East Houston and Stanton Streets; and the 189-unit Lower East Side I Infill

development, comprised of five buildings between four and nine stories in height and spread over portions of three blocks along Eldridge Street between Stanton and Delancey Streets. A 16-story residential building is currently under construction on the northeast corner of Delancey and Forsyth Streets.

Commercial uses are located throughout the Bowery subarea and generally reflect the Chinatown character most prevalent to the south and west along East Broadway and Canal Street. Grand Street is a main Chinatown-style commercial corridor, lined with restaurants, seafood and meat markets, small electronics shops, and a few remaining decorations and fabric stores once dominant in the Lower East Side neighborhood along Orchard and Orchard Streets; Delancey Street in this subarea does not have commercial density as Delancey Street to the east (see discussion in "Lower East Side Subarea" below).

A number of new hotels have opened in this area since the year 2000, including: East Houston Hotel at 151 East Houston Street and Eldridge Street (boutique hotel, opened September 2007), Howard Johnson Express Inn at 135 East Houston Street and Forsyth Street, the Windsor Hotel at 108 Forsyth Street and Broome Street, and the Off SoHo Suites Hotel at 11 Rivington Street between Chrystie Street and the Bowery.

Landmark Theaters' Sunshine Cinema, housed in the former Houston Hippodrome motion picture theatre at 143 East Houston Street, is a five-screen art-house cinema dedicated to first-run independent and foreign films.

Light industrial uses, such as warehouses, wholesalers, distributers, and hardware stores that support Chinatown's commercial corridors are located along Chrystie Street.

Community facilities in the Bowery subarea include the Adult Education Complex (in the former P.S. 91 building at Forsyth and Stanton Streets), which houses the Satellite Academy, CASCADES High School, and the Tenzer Center, and the Jewish Association for Services for the Aged (JASA) Weinberg Residence on Forsyth Street between Rivington and Delancey Streets. The historic headquarters of University Settlement, the first settlement house in the United States (founded in 1886), is located on the corner of Rivington and Eldridge Streets and serves as a vital neighborhood anchor. Village Care of New York, a community-based, not-for-profit service organization serving the older adults, persons living with HIV/AIDS and individuals in need of medical and rehabilitation services, operates a dental services facility and day treatment program at 45 Rivington Street. Other community facilities include the Comprehensive Care Management Health Services Center at 183 Chrystie Street and the Garment Industry Day Care Center at 115 Chrystie Street.

Religious institutions include Church of Grace to Fujianese NY at 133 Allen Street between Rivington and Delancey Streets, the Iglesia Adventista Delancey on the southeast corner of Delancey and Forsyth Streets, and the New York Chinese Alliance Church at 162 Eldridge Street.

*Lower East Side Subarea*

The Lower East Side subarea comprises the primary study area south of East Houston Street and east of Allen Street. This subarea is in transition as evidenced by a large number of sites currently under construction.

Most of the residential use in this subarea is comprised of the characteristic four- to six-story tenements; retail uses are typically found on the street level. The only large-scale campus-type residential development in this subarea is the six-story Pueblo Nuevo Housing complex at 125

Pitt Street at Stanton Street. NYCHA Stanton Street, on the southeast corner of Stanton and Attorney Streets, is a three-story building with 13 apartments. Higher-density residential development is becoming a more frequent occurrence, with a number of taller residential buildings currently under construction or recently completed, including the 15-story Blue Condo at 100 Norfolk Street and the 23-story Ludlow at 188 Ludlow Street and East Houston Street (see "The Future without the Proposed Actions" below).

Commercial uses are common throughout this subarea; the most notable commercial uses include the Bargain District, the Delancey Street commercial corridor, and the Essex Street Market. The Bargain District, generally defined as the area bounded by East Houston, Essex, Grand, and Allen Streets and formerly known for the discounted apparel shops, tailors, and fabric stores that once dominated its streetscapes, is now home to an increasing number of upscale restaurants, boutiques, specialty shops, signature clothing shops, spas, and lounges. Delancey Street, however, has maintained its discount commercial character. This wide thoroughfare between Allen and Clinton Streets is lined with local, regional, and national retailers; a number of optical shops are also located on Delancey Street in this subarea.

For more than 65 years, the Essex Street Market has been a commercial focal point in the Lower East Side neighborhood at the intersection of Delancey and Essex Streets. Over the years, the market has adapted to meet the needs of this evolving neighborhood. Today, the 23 merchants in the Essex Street Market offers a range of culinary products that include gourmet cheeses, premium cuts of meat, fresh fish, and a host of other products.

The commercial uses east of Essex Street and north of the Delancey Street commercial corridor are typically older local retail uses and include restaurants, delis, small grocery stores, hair and nail salons, tailors and dry cleaners, and discount stores. Along Clinton Street, these local retail shops mix with the increasing number of specialty apparel shops, coffee shops, and upscale restaurants.

This subarea has also proved to be an attractive location for boutique hotels. The most notable—and tallest—of these is the 21-story Hotel on Rivington at 107 Rivington Street between Ludlow and Essex Streets. The neighborhood's second boutique hotel, Blue Moon Hotel, is located in a renovated tenement building at 100 Orchard Street just south of Delancey Street. A number of new, tall luxury hotels are currently under construction in this subarea, including a 26-story mixed-use hotel/residential building at 180 Orchard Street, an 11-story hotel at 136 Ludlow Street, and a 19-story hotel at 200 Allen Street (see "The Future without the Proposed Actions" below).

The sheer number of bars and small night clubs in a relatively small area, concentrated between Clinton and Ludlow Streets north of Delancey Street, has made the Lower East Side a popular late night destination. This neighborhood is also home to many live music venues and performance spaces, including Mercury Lounge on East Houston Street and Pianos on Ludlow Street.

There are a few remaining light industrial uses scattered throughout the Lower East Side subarea, including loft spaces, wholesalers, and warehouses; a small enclave of auto repair shops is located on Attorney Street between East Houston and Stanton Streets. Zarin Fabrics & Home Furnishings, a well-known discounted designer fabrics store and warehouse, is located at 314 Grand Street between Allen and Orchard Streets. The 357-space Delancey and Essex Municipal Parking Garage is located just north of Delancey Street between Ludlow and Essex Streets.

Community facilities are a common land use in this subarea; a number of which occupy large tracts of land. There are a number of large public schools in this subarea, including: P.S. 20, Anna Silver School, at 166 Essex Street between East Houston and Stanton Streets; P.S. 140, Nathan Straus School, at 123 Ridge Street and Rivington Street; and P.S. 142, Amalia Castro School, occupying the entire block bounded by Rivington, Ridge, Delancey, and Attorney Streets. The Lower East Side Preparatory School and the Marta Valle School share a facility at 145 Stanton Street, occupying the entire block bounded by Stanton, Suffolk, Rivington, and Norfolk Streets.

The Clemente Soto Velez Cultural & Educational Center (CSV), founded in 1993, is a Puerto Rican/Latino cultural institution that provides affordable space for the arts. It is geared towards promoting artists and hosting performance events for the Lower East Side and the city as a whole. The 81,000-square-foot CSV Cultural Center at 107 Suffolk Street currently houses 53 visual artists and 16 performing arts groups. Other community facilities in this subarea include the Downtown Family Care Center (day care) at 150 Essex Street and the Puerto Rican Council Day Care Center at 180 Suffolk Street.

There are also a number of religious institutions in the Lower East Side subarea, which further reflect the diversity of this neighborhood. Our Lady of Sorrows Roman Catholic Church, including its Parish School, is located on the southwest corner of Stanton and Pitt Streets. The Congregation Chasam Sopher, the city's second oldest synagogue, is located at 8 Clinton Street just south of East Houston Street. Spanish-speaking churches in this subarea include the Iglesia Pentecostal Arca de Salvacion on the southwest corner of East Houston and Suffolk Streets and the Iglesia Alianza Cristiana y Misionera on Attorney Street between East Houston and Stanton Streets.

Public open spaces in the subarea are limited. The largest of these are two playgrounds: ABC Playground on East Houston Street between Essex and Norfolk Streets and adjacent to P.S. 20; and the Nathan Straus Playground, adjacent to P.S. 140 along Rivington Street. There are three community gardens in this subarea: the Suffolk Street Community Garden between East Houston and Stanton Streets; the Children's Magical Garden on southwest corner of Norfolk and Stanton Streets; and the Greenthumb Poor People in Action of the Lower East Side on the southeast corner of Clinton and Stanton Streets. The Allen Malls, divided into eight sections, each containing a walkway and assigned a number one through eight (sections four through eight are located in this subarea) extend along Allen Street between East Houston Street and East Broadway; restrooms are located on the north side of the Allen and Delancey Street intersection, and benches and trees flank the full extension of the malls. Lastly, portions of East Houston and Delancey Streets are classified as "greenstreets," a citywide program administered by DPR to convert paved, vacant traffic islands and medians into green spaces filled with shade trees, flowering trees, shrubs, and groundcover.

*Site Proposed for Disposition*

As part of the proposed actions, HPD is proposing disposition of a city-owned property located at 302 East 2nd Street (Block 372, Lot 49) between Avenues C and D within the primary study area. The site is approximately 5,300 square feet and is currently vacant. This city-owned site would be assembled with neighboring tax lots located at 5 Avenue D and 306 through 310 East 2nd Street (Block 372, Lots 43, 44, 47, and 48). The buildings at 308 and 310 East 2nd Street contain commercial uses; the properties at 5 Avenue D and 306 East 2nd Street are currently vacant.

*SECONDARY STUDY AREA*

The secondary study area covers a ¼-mile distance from the boundary of the primary study area and generally stretches from East 16th Street on the north, the East River on the east, Canal Street on the south, and Broadway and Lafayette Street to the west. Its subareas are extensions of the neighborhoods in the primary study area and also include the adjacent subareas of Union Square, Stuyvesant Town, Astor Place/NoHo, and Little Italy/Nolita. As shown on Figure 2-2, the secondary study area—with the exception of the Stuyvesant Town and Lower East Side subareas—is more commercial as compared to the primary study area and includes portions of the Broadway, Bowery, and Canal Street commercial corridors. The secondary study area is described more generally below.

*Union Square Subarea*

The Union Square subarea, located to the south and east of Union Square, is predominantly commercial; residential uses are common on the upper floors of buildings in this subarea. East 14th Street is the primary commercial corridor in this subarea, with uses ranging from local and regional retail to office. One Union Square South, a 33-story mixed-use building on the south side of East 14th Street between Broadway and Fourth Avenue contains a Virgin MegaStore, Circuit City, a 14-screen movie theater, and residential uses above. The Con Edison Building at 4 Irving Place occupies the entire block bounded by East 15th Street to the north, Third Avenue to the east, East 14th Street to the south, and Irving Place to the west.

Other commercial uses along Broadway south of Union Square include small antique shops, restaurants, clothing stores, music shops, and banks. The Strand, the city's largest bookstore, is located on the northeast corner of Broadway and East 12th Street. The Fillmore New York at Irving Plaza concert hall is located on the northwest corner of Irving Place and East 15th Street. Local retail is the predominant commercial use along Third Avenue.

Institutional uses in the Union Square subarea include: the iconic Grace Church on the northwest corner of Broadway and East 10th Street; NYU's University Hall and Palladium Residence Hall on the south side of East 14th Street between Third and Fourth Avenues; and the Beth Israel Medical Center at 10 Union Square East on the northeast corner of East 14th Street and Fourth Avenue.

*Stuyvesant Town Subarea*

Stuyvesant Town, the largest single land use in this subarea, is a large-scale residential development comprised of 35 13-and 14-story brick buildings built around a landscaped park, the Stuyvesant Oval, which contains an oval fountain, landscaped area, and paved pedestrian walkways. When built in 1943, Stuyvesant Town, covering 18 blocks in total—bounded by East 20th Street to the north, Avenue C to the east, East 14th Street to the south, and First Avenue to the west, contained over 8,750 affordable units; increasingly, units have been deregulated and many now rent at market-rate.

West of Stuyvesant Town, residential uses are generally comprised of low- to mid-rise townhouses and rowhouses along the midblocks of local east-west streets to medium-sized apartment buildings along the major north-south avenues; a number of former hospitals and other community facilities have been converted to residential use. Land uses on the blocks south of East 14th Street are very similar to those in the East Village and Alphabet City subareas to the south, typically comprised of four- to six-story residential buildings with street-level retail.

NYCHA's Campos Plaza II at 643 East 13th Street consists of two buildings, 9 and 17-stories tall with 224 apartments.

Commercial uses in this subarea are generally located along both East 14th Street and First Avenue, including one-story Stuyvesant Town commercial buildings facing these two major thoroughfares.

The Con Ed East River Complex occupies the large tract of land east of Avenue D and north of East 13th Street. This large complex houses the East River Generating Station, the South Steam Station, electric switchyards, a fuel oil storage facility, surface parking, and two Con Edison-owned ballfields.

There are a number of medical facilities along Second Avenue, including Beth Israel Medical Center, Hospital for Joint Diseases, and New York Eye & Ear Infirmary. A number of institutional facilities, including the Greek Revival Friends Meeting House and Romanesque Revival St. George's Church, frame Stuyvesant Square, a four-acre park containing two fountains, bluestone sidewalks, and landscaped areas bounded by East 17th Street, Nathan D. Perlman Place, East 15th Street, and Rutherford Place, bisected by Second Avenue.

*Astor Place/NoHo Subarea*

As discussed above, many of the loft spaces along Broadway and Lafayette Street in the Astor Place/NoHo subarea have been converted to both residential and commercial uses. The presence of institutions has also increased, most notably in the northern section of this subarea. The Cooper Union for the Advancement of Science and Art, established in 1859 and considered among the nation's oldest and most distinguished institutions of higher learning, is featured prominently at Astor Place, St. Mark's Place, and Third and Fourth Avenues. New academic buildings associated with Cooper Union are currently under construction along Third Avenue. Although the focal point of NYU is further to the west at Washington Square Park, this institution also has a strong presence in this subarea, including a number of facilities along Third Avenue.

Broadway and East 8th Streets are the major commercial corridors through this subarea, providing retail services to both the nearby residential and office populations and, particularly on weekends, have a more regional draw. Local retail establishments are interspersed with trendy clothing and apparel shops, specialty stores, restaurants, and music retailers.

Recent residential developments in this subarea include the 21-story Astor Place Tower at the intersection of Lafayette Street, Astor Place and Fourth Avenue; new upscale residential developments are located along East 4th, Great Jones, and Bond Streets between Lafayette Street and the Bowery.

A number of performance spaces are located in this subarea, including the Public Theater and Joe's Pub on Lafayette Street in the former Astor Library and the Astor Place Theatre at 434 Lafayette Street. The now shuttered CBGB (& OMFUG), short for "Country, Bluegrass, Blues and Other Music for Uplifting Gourmandizers" and once the most famous rock club in the country, was located at 315 Bowery.

*Alphabet City Subarea*

The Alphabet City subarea is almost entirely residential—in the form of high-density superblock development with open space and limited community facilities.

A trio of NYCHA developments comprise the entire subarea between Avenue D and FDR Drive: Jacob Riis, north of East 8th Street, contains 13 buildings that are 6, 13, and 14 stories tall, with 1,188 apartments; Jacob Riis II, between East 6th and East 8th Streets, contains 6 buildings, also 6, 13, and 14 stories tall, with 577 apartments and Lillian Wald, between East Houston and East 6th Streets, contains 16 buildings, 11 and 14 stories tall, with 1,847 apartments. A fourth NYCHA development, Campos Plaza I, along East 12th Street west of Avenue C, consists of two buildings, 10 and 23 stories tall, with 269 apartments. The Haven Plaza cooperative apartments are located along Avenue C between East 10th and East 12th Streets.

The northern portion of the approximately 57-acre East River Park comprises the entire Alphabet City subarea east of FDR Drive. East River Park amenities include an amphitheater, bike paths, playgrounds, sports fields and courts, gardens, children's water play areas, and walking paths. Other spaces in this subarea include the 1.5-acre Dry Dock Playground (also known as Szold Playground) at East 10th Street and Avenue D and the Lillian Wald Playground on East Houston Street east of Avenue D.

Community facilities in this subarea include P.S. 34, the FDR School, at 730 East 12th Street, St. Emeric Church (one block north of P.S. 34), and P.S. 188 at 422 East Houston Street.

There is a New York City Department of Environmental Protection (DEP) pumping station located on Avenue D at East 13th Street.

*Little Italy/Nolita Subarea*

The Little Italy neighborhood is known for its Italian-owned businesses, primarily restaurants and bakeries concentrated along Mott and Mulberry Streets, and the San Gennaro street festival that takes places annually in the last two weeks of September. Residential uses are found on the upper floors of buildings—typically four to six stories in height—throughout this heavily commercial subarea.

Other land uses in this subarea are limited. St. Patrick's Old Cathedral, the city's first Cathedral Church, is located along the north side of Prince Street between Mott and Mulberry Streets. Other notable institutions in this subarea include: P.S. 130, Hernando DeSoto School, at 143 Baxter Street between Grand and Hester Streets; the NYPL Mulberry Street Branch at 10 Jersey Street; and FDNY firehouses at 363 Broome Street and 243 Lafayette Street. There are also a number of parking facilities dispersed through this subarea.

The only public open space in this subarea is the De Salvio Playground on the southeast corner of Spring and Mulberry Streets.

Nolita, short for "North of Little Italy," is generally defined as the area north of Kenmare Street. Unlike retail uses in Little Italy to the south, Nolita is home to upscale shops, boutiques, restaurants, and galleries.

*Bowery Subarea*

The Bowery subarea remains heavily commercial and light industrial, although residential and community facility uses are becoming increasingly common. The Bowery, the once famous skid row filled with missions and low-rent hotels, is now home to a concentration of lighting fixture shops and secondhand restaurant equipment stores. More recently, this area has been transformed into a new gallery district, home to more than 25 galleries anchored by the New

Museum of Contemporary Art at 235 Bowery—which opened in December 2007—between Stanton and Rivington Streets.

An increasing number of bars and nightclubs are also located along this once desolated stretch, including the Bowery Ballroom at 6 Delancey Street just east of Bowery. Residential uses are adding to the vitality of this subarea as well, as most evidenced by the 14-story Avalon Chrystie Place development, with a Whole Foods supermarket at the street level, on the southeast corner of East Houston Street and Bowery. Chinese businesses are the most common commercial use on the Bowery south of Delancey Street. The 44-story Confucius Plaza Apartments are located at Bowery and Canal Street at the foot of the Manhattan Bridge.

*Lower East Side Subarea*

Land uses in the Lower East Side subarea within the secondary study area are generally comprised of large residential developments on superblocks, and to a lesser extent, open spaces and community facilities. The Williamsburg Bridge bisects this subarea along Delancey Street. The eastward expanding Chinatown comprises the transitioning land uses in the southwest corner of this subarea.

Two superblocks comprise the entire subarea north of Delancey Street. The westernmost block, between Columbia and Pitt Streets, houses the Masaryk Towers and NYCHA's Samuel Gompers development; the 4.3-acre Hamilton Fish Park, which includes a recreation center, pool, and outdoor courts as well as the New Explorations Science, Technology, and Math School is located along East Houston Street. The 17-building 2,194-unit Baruch Houses, and the senior-only Baruch Addition, occupy over 28 acres between Columbia Street and FDR Drive; the Bard High School Early College is located at 525 East Houston Street.

Most of this subarea south of the Williamsburg Bridge and Delancey Street is also comprised of superblock residential developments, including: the approximately 1,730-unit Seward Park Houses, a private cooperative, located on a three-block triangle bounded by Grand Street, Essex Street, and East Broadway; Hillman Houses—part of the larger Cooperative Village residential development—along Grand Street between Willett and Lewis Streets; and NYCHA's Seward Park Extension. Notable open spaces in the southern portion of this subarea include Seward Park, Seward Park Athletic Field (for the Seward Park High School), Luther Gulick Playground, Sol Lain Playground, and Henry M. Jackson Playground.

The Lower East Side subarea is home to many public and private institutions. These include the Henry Street Settlement at 265 Henry Street, the NYPD 7th Precinct House at 19 Pitt Street and Delancey Street, two FDNY firehouses, the NYPL Seward and Hamilton Fish Branches, and the Knickerbocker Station post office. Schools in this subarea include: Seward Park High School; P.S. 134, Henrietta Szold School; and P.S. 110, Florence Nightingale School. Religious institutions and facilities are also scattered throughout the entire subarea.

Commercial, industrial and transportation uses in this subarea are limited. Commercial uses are most commonly found on the street level of residential buildings or as one-story structures that are part of large-scale residential developments. Many buildings in the area west of Essex and Rutgers Streets, particularly along Ludlow and Orchard Streets, contain manufacturing uses or support operations for other uses. A number of surface parking lots occupy the south side of Delancey Street and sites of the former Seward Park Urban Renewal Area.

## ZONING

Zoning is a tool for implementing the city's planning and development objectives by regulating land use, density, and building bulk. The study area contains various commercial, residential, and, to a much lesser extent, manufacturing districts (see Figure 2-3). Zoning districts with an A, B, D, or X suffix are contextual zoning districts that were created to produce buildings that are consistent with the existing neighborhood character.

### *PRIMARY STUDY AREA*

#### *East Village Subarea*

As shown in Figure 2-3, the East Village subarea is primarily mapped as an R7-2 residential district. Commercial zoning districts are also present; C1-5 and C2-5 commercial overlays are mapped along the avenues and properties fronting Second Avenue south of East 7th Street are mapped as C6-1.

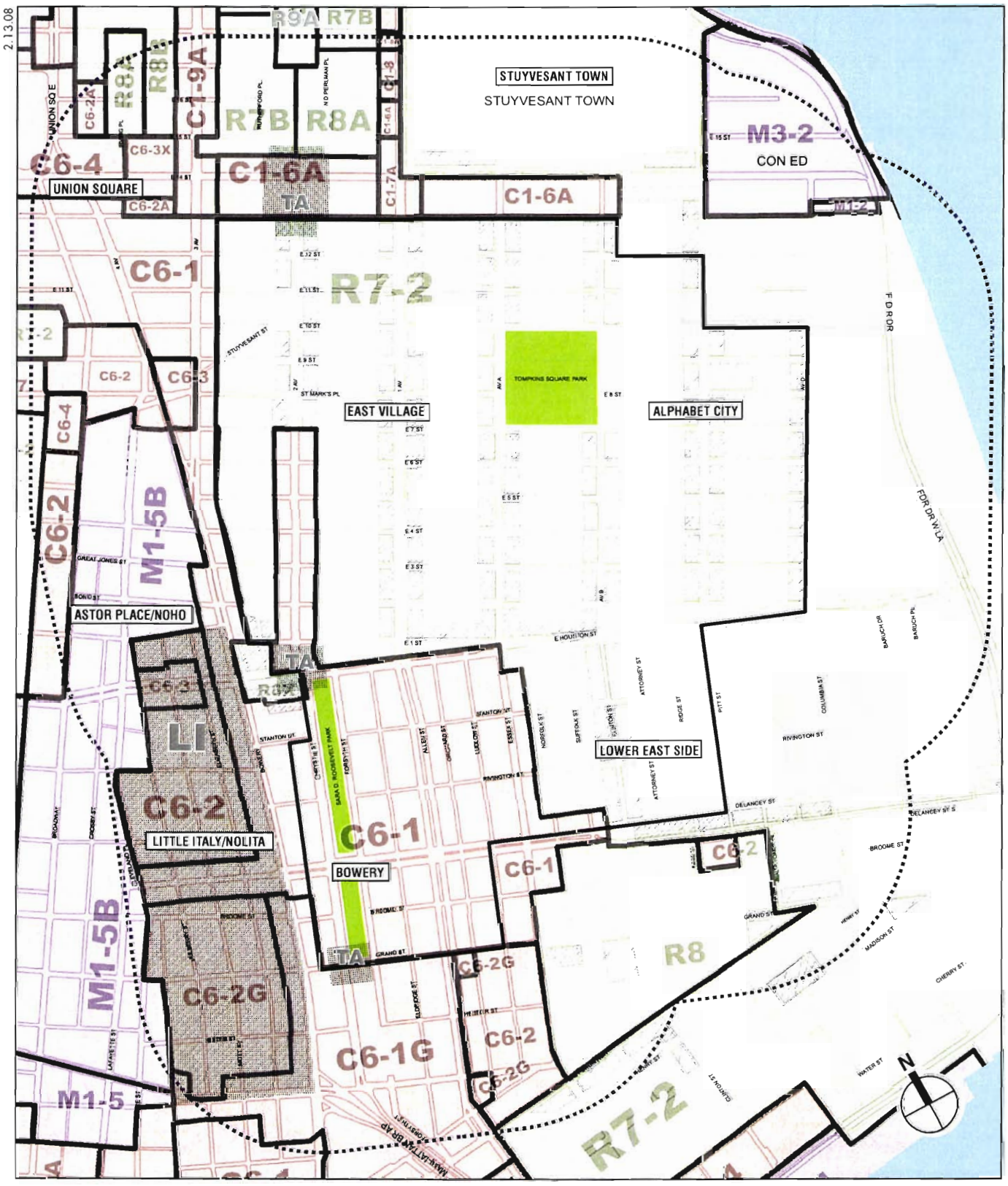
R7-2 districts are medium-density general residential districts that typically result in mid-rise buildings with lower lot coverage and permit residential use a floor area ratio(FAR) of up to 3.44 and community facilities up to 6.5 FAR (see Table 2-1). Building heights are governed by sky exposure planes and are thus dependent on zoning lot dimensions as opposed to maximum building height regulations. Under the Quality Housing Program, R7 districts permit a maximum 4 FAR on wide streets and 3 FAR on narrow streets.

**Table 2-1**
**Zoning Districts Located in the Primary Study Area**

| Zoning District | Maximum FAR[1] | Uses/Zone Type |
|---|---|---|
| R7-2 | 0.87 to 3.44[2] residential<br>6.5 community facility | General residence district, medium-density housing |
| C1-5 overlay | 2 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district | Local shopping and services |
| C2-5 overlay | 2 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district | Local shopping and services |
| C6-1 | 6 commercial[3]<br>0.87 to 3.44 residential<br>6.5 community facility[3] | General commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses |

**Notes:**
1 FAR is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 square feet with a FAR of 1 has an allowable building area of 10,000 square feet. The same lot with an FAR of 10 has an allowable building area of 100,000 square feet.
2 Under the Quality Housing Program, R7 districts permit a maximum 4 FAR on wide streets and 3 FAR on narrow streets.
3 Up to 20 percent increase for plaza bonus.
**Source:** *New York City Zoning Resolution.*

C1 and C2 overlays permit commercial uses up to 2 FAR—when mapped in R7 districts—and typically include local retail uses that serve the surrounding residential neighborhood, including delis, cafes, restaurants, dry cleaners, and small grocery stores. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral parlors and repair services. In mixed-use




**Existing Zoning**
Figure 2-3

residential/commercial buildings, commercial uses are limited to one or two floors and must always be located below residential uses. C1-5 overlays are located along both sides of First and Second Avenues north of East 7th Street (with the exception of east side of Second Avenue between East 10th and East 11th Streets) and along the west side of Avenue A between East 7th and East 10th Streets. C2-5 overlays are mapped along First Avenue south of East 7th Street, along the north side of East 1st Street between Avenue A and First Avenue, and Avenue A between East 1st and East 7th Streets and north of East 10th Street.

C6 zoning districts support medium and high-bulk commercial uses, including large retail stores and related activities, and these districts also permit residential use. C6-1 districts permit commercial uses up to 6 FAR, residential uses up to 3.44 FAR, and community facilities up to 6.5 FAR. As discussed above, both sides of Second Avenue between East Houston and East 7th Streets are mapped C6-1. Building heights in C6-1 districts are governed by sky exposure planes.

The Special Transit Land Use District (TA) covers small areas along Second Avenue in both the north and south portions of this subarea. This special district governs development along Second Avenue for a future subway line and requires that developments adjoining planned subway stations must reserve space for public access to the subway or other subway-related use.

*Alphabet City Subarea*

The entire Alphabet City subarea is mapped R7-2 with C1-5 and C2-5 commercial overlays along the north-south avenues and along East Houston Street between Avenues A and B.

*Bowery Subarea*

The entire Bowery subarea is mapped C6-1. In addition, small portions of this subarea along Chrystie Street at East Houston Street and Grand Street are part of the TA special district.

*Lower East Side Subarea*

Most of the Lower East Side subarea west of Norfolk Street, in addition to the properties fronting Delancey Street as far east as Clinton Street, are mapped C6-1 commercial. The remainder of this subarea is mapped R7-2 residential. A C1-5 commercial overlay is mapped along both sides of Clinton Street between East Houston and Delancey Streets.

*Site Proposed for Disposition*

The site proposed for disposition by the city is currently zoned R7-2 for residential use. The neighboring sites are zoned R7-2 (306 East 2nd Street) for residential use and R7-2/C1-5 (308 and 310 East 2nd Street and 5 Avenue D) for residential and commercial use.

*SECONDARY STUDY AREA*

*Union Square Subarea*

A substantial portion of the Union Square subarea is zoned for commercial use. There are a number of C6 zoning districts, which support medium- and high-bulk commercial uses—including large retail stores—and also permit residential use, throughout this subarea. Most of this subarea south of East 13th Street is mapped C6-1. C6-2A commercial districts are located along the midblocks east of Union Square between East 15th and East 17th Streets and along the north side of East 13th Street between Third and Fourth Avenues. C6-2A districts permit commercial use up to 6 FAR, residential uses up to 6.02 FAR, and community facility uses up to

6.5 FAR and include modified height and setback regulations designed to be compatible with existing older residential neighborhoods (see Table 2-2). Both sides of East 14th Street east of Irving Place are mapped as a C6-3X district, which permits commercial development to 6 FAR and residential and community facility development to 9 FAR.

**Table 2-2**
**Zoning Districts Located in the Secondary Study Area**

| Zoning District | Maximum FAR | Uses/Zone Type |
|---|---|---|
| R7B | 3 residential or community facility | Contextual residence district, medium-density housing, low-rise buildings with greater lot coverage |
| R7-2 | 0.87 to 3.44[2] residential<br>6.5 community facility | General residence district, medium-density housing |
| R8 | 0.94 to 6.02 residential<br>6.5 community facility | General residence district, high-density housing |
| R8A | 6.02 residential<br>6.5 community facility | Contextual residence district, high-density housing, compatible with existing older neighborhoods |
| R8B | 4 residential or community facility | Contextual residence district, high-density housing, rowhouse-style buildings |
| R8X | 6.02 residential<br>6.5 community facility | Contextual residence district, high-density housing, Quality Housing Program |
| R9A | 7.52 residential<br>7.5 community facility | Contextual residence district, high-density housing, Quality Housing Program |
| C1-5 overlay | 2 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district | Local shopping and services |
| C1-6A | 2 commercial<br>4 residential and community facility | Commercial district, predominantly residential in character |
| C1-7A | 2 commercial<br>6.02 residential<br>6.5 community facility | Commercial district, predominantly residential in character |
| C1-8 | 2 commercial<br>0.99 to 7.52 residential<br>6.5 community facility | Commercial district, predominantly residential in character |
| C1-8A | 2 commercial<br>7.52 residential<br>7.5 community facility | Commercial district, predominantly residential in character |
| C1-9A | 2.0 commercial<br>10 residential and community facility | Commercial district, predominantly residential in character |
| C2-5 overlay | 2 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district | Local shopping and services |
| C6-1 | 6 commercial[3]<br>0.87 to 3.44 residential<br>6.5 community facility[3] | General commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses |
| C6-1G | 6 commercial[3]<br>0.87 to 3.44 residential<br>6.5 community facility[3] | General commercial district outside central business district, special regulations regarding conversion of non-residential space to residential use |

**Table 2-2 (cont'd)**
**Zoning Districts Located in the Secondary Study Area**

| Zoning District | Maximum FAR | Uses/Zone Type |
|---|---|---|
| C6-2 | 6 commercial[2]<br>0.94 to 6.02 residential<br>6.5 community facility[2] | General commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses |
| C6-2A | 6 commercial<br>6.02 residential<br>6.5 community facility | Contextual commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses |
| C6-2G | 6 commercial[2]<br>0.94 to 6.02 residential<br>6.5 community facility[2] | General commercial district outside central business district, special regulations regarding conversion of non-residential space to residential use |
| C6-3 | 6 commercial[2]<br>0.99 to 7.52 residential<br>10 community facility[2] | High-density office district, wide range of high-bulk commercial uses requiring a central location |
| C6-3X | 6 commercial<br>9 residential<br>9 community facility | Contextual office district, wide range of high-bulk commercial uses requiring a central location |
| C6-4 | 10 commercial[2]<br>10 residential[1,2]<br>10 community facility[2] | High-density office district, wide range of high-bulk commercial uses requiring a central location; Special Hudson Yards District; Special Midtown District |
| M1-2 | 2 manufacturing and commercial<br>4.8 community facility | Light manufacturing and most commercial uses, strict manufacturing performance standards |
| M1-5B | 5 manufacturing and commercial<br>6.5 community facility | Light manufacturing that permits joint live-work quarters as industrial use in loft buildings |
| M3-2 | 2 manufacturing or commercial | Heavy manufacturing uses that generate noise, traffic, or pollutants; community facility and residential uses not permitted |

**Notes:**
1 Up to 12 FAR for inclusionary housing bonus.
2 Up to 20 percent increase for plaza bonus.
3 Up to 12 FAR with bonus.
4 Up to 4.0 on wide streets outside the Manhattan Core under Quality Housing Program.
5 Up to 7.2 FAR on wide streets outside the Manhattan Core under Quality Housing Program.
**Source:** *New York City Zoning Resolution.*

The area immediately adjacent to Union Square (along East 14th Street and west of Irving Place) is mapped with a C6-4 commercial district. C6-4 districts have a maximum commercial and community facility FAR of 10 and high-density residential development is permitted up to 10 FAR. This entire C6-4 district is also mapped as part of the Special Union Square District (US). Regulations of this special district encourage mixed-use development, mandate street-level retail uses and continuous streetwalls, and provide development incentives for subway improvements.

Small portions of this subarea are also mapped with residential districts. The area along Irving Place and north of East 15th Street are mapped with R8A and R8B districts. R8A districts are contextual residence districts that are typically compatible with existing older neighborhoods; this zoning designation allows residential uses up to 6.02 FAR and community facilities up to 6.5 FAR. R8B districts, with a maximum FAR of 4, apply modified height and setback regulations typically resulting in rowhouse-style buildings designed to be compatible with existing low-rise buildings.

*Stuyvesant Town Subarea*

The Stuyvesant Town subarea is mapped with a R7-2 residential district over the Stuyvesant Town development, R7B, R8A, and R9A residential districts near Stuyvesant Square, a number of C1 commercial districts along First Avenue, Second Avenue, and East 14th Street, and M1-2 and M3-2 manufacturing districts over the Consolidated Edison ("Con Ed") facility east of Avenue C.

An R7-2 residential district is mapped over the area north of East 14th Street between First Avenue and Avenue C and a small portion south of East 14th Street between Avenues B and C. Stuyvesant Square is mapped with an R7B district to the west, an R8A district to the east, and an R9A district to the north. R7B districts, with a maximum FAR of 3, generally produce six- to seven-story apartment buildings as opposed to rowhouse-style development that are common in R8B districts. In R9A districts, Quality Housing regulations are mandatory and typically result in 14- to 15-story residential buildings with high lot coverage; the maximum residential FAR in R9A districts is 7.52.

C1 districts—not overlays—are commercial districts that are primarily residential in character. These districts are typically mapped along major thoroughfares in medium- and higher-density areas; typical retail uses found in these commercial districts are similar to those in C1 and C2 overlays and cater to the daily needs of the immediate neighborhood. For the C1 districts located in the Stuyvesant Town subarea: C1-6A and C1-7A along First Avenue and East 14th Street; C1-8 and C1-8A along First Avenue; and C1-9A along Third Avenue; commercial uses are permitted up to 2 FAR. The difference between these districts is the maximum permitted FAR for residential use, which range from 4 FAR in C1-6A districts to 10 FAR in C1-9A districts (see Table 2-2). In addition to the commercial districts discussed above, C1-5 overlays are mapped at the northeast corner of First Avenue and East 14th Street, the northwest corner of Avenue C and East 14th Street, and along the south side of East 14th Street between Avenues B and C.

Most of this subarea east of Avenue C is mapped with a M3-2 manufacturing district. M3 districts are intended for heavy industries that generate noise, traffic, or pollutants, and typical manufacturing uses include power plants, solid waste transfer facilities, and recycling plants. Manufacturing and commercial uses are permitted up to 2 FAR; residential and community facility uses are not permitted. A small portion of the subarea east of Avenue D is zoned M1-2. M1 districts permit manufacturing uses within completely enclosed buildings that conform to strict performance standards for noise, vibration, smoke, and odors, limiting their impact on adjacent residential areas. Light industries typically found in M1 districts include printing, production of apparel or textiles, electrical supplies, automotive parts, paper products, and machinery.

*Astor Place/NoHo Subarea*

Most of the Astor Place/NoHo subarea is mapped with commercial and manufacturing districts.

C6-1, C6-2, C6-3, and C6-4 commercial districts surround Cooper Square and are located along Broadway, Third Avenue, and the Bowery. (C6-1 and C6-4 districts are discussed above.) C6-2 and C6-3 are two high-density commercial districts that permit commercial use up to 6 FAR but differ in the maximum FAR for residential—6.02 and 7.52—and community facility uses—6.5 and 10—respectively. A small portion of this subarea south of Bleecker Street between Lafayette Street and Bowery are also mapped with C6-2 and C6-3 districts.

The portion of the subarea south of Astor Place between Broadway and Fourth Avenue/Bowery is mapped with a M1-5B district. In M1-5B districts, artists are permitted to occupy join living-work quarters in industrial loft buildings. Manufacturing and commercial development is permitted to 5 FAR and community facilities are permitted to 6.5 FAR.

The northeast corner of East Houston Street and Bowery is mapped with an R8X residential district. R8X districts are governed by Quality Housing regulations are mandatory and typically produce 14- to 16-story apartment buildings; the maximum residential FAR in these districts is 6.02. A C2-5 overlay covers this entire district, permitting up to 2 FAR of commercial use.

The Special Little Italy District (LI) is mapped over the southern portion of this subarea between Bleecker Street, Bowery, East Houston Street, and Mulberry Street (see discussion in "Little Italy/Nolita Subarea" below).

*Alphabet City Subarea*

The entire Alphabet City subarea within the secondary study area is mapped as a R7-2 general residence district.

*Little Italy/Nolita Subarea*

The Little Italy/Nolita subarea is mapped primarily with three commercial districts: C6-1 along Kenmare Street, C6-2 to the north (of Kenmare Street), and C6-2G to the south. Other districts in this subarea include a C6-1G district along Canal Street, a small C6-3 district on the south side of East Houston Street between Mulberry and Elizabeth Streets, and a M1-5B manufacturing district west of Baxter Street, Cleveland Place, and Lafayette Street.

The FAR regulations for C6-1G and C6-2G districts are identical to those of their respective C6-1 and C6-2 district but contain special provisions governing the conversion of non-residential space to residential use.

Most of this subarea is also mapped as part of the Special Little Italy District (LI). This special district was established to preserve and enhance the historic and commercial character of this community.

*Bowery Subarea*

The Bowery subarea is mapped primarily with C6-1 and C6-1G commercial districts. The south side of East Houston Street between Bowery and Chrystie Street is mapped as an R8X residential district with a C2-5 overlay. In addition, the south side of Grand Street between Bowery and Chrystie Street is part of the TA special district and the subarea west of Bowery is part of the LI special district (see discussion in "Little Italy/Nolita Subarea" above).

*Lower East Side Subarea*

The Lower East Side subarea within the secondary study area is zoned with a mix of residential and commercial districts.

Most of this subarea east of Pitt and Willett Streets and south of East Broadway is zoned R7-2. An R8 district is mapped over the area roughly bounded by Delancey Street to the north, Willett Street to the east, East Broadway to the south, and Essex Street to the west. Residential development in R8 districts typically range in size from eight- to ten-story buildings to taller buildings set back from the street on large zoning lots. Residential use is permitted up to 6.02; community facilities can be built up to 6.5 FAR. C1-5 and C2-5 overlays are mapped in both

R7-2 and R8 districts along the major shopping corridors, including Delancey Street (C2-5), Grand Street (C1-5 and C2-5), and East Broadway (C1-5).

The remainder of this subarea, generally west of Essex Street, is mapped with C6-1, C6-2, and C6-2G. The block bounded by Delancey, Pitt, Broome, and Ridge Streets is zoned C6-2.

C1-5 commercial overlays are found along Delancey Street and Grand Street. The regulations are described in detail above. Finally, a small area between Pitt, Page, Broome, and Delancey Streets is zoned as a C6-2 commercial district.

## PUBLIC POLICY

The analysis of existing zoning gives a strong indication of public policy for land use in a given area at a given point in time. However, other public policies apply in various forms. These include City Council-adopted 197-a plans for Community Boards, Business Improvement Districts, as well as plans sponsored by the Mayor, CPC, DCP, and any Borough President for the development, growth, and improvement of the city, its boroughs, and communities. A Business Improvement District (BID) is a public–private partnership in which property and business owners elect to make a collective contribution to the maintenance, development, and promotion of their commercial district. BIDs deliver such supplemental services as sanitation and maintenance, public safety and visitor services, marketing and promotional programs, capital improvements, and beautification in designated areas.

### *PRIMARY STUDY AREA*

There are a number of public policy initiatives aimed at stimulating economic development and neighborhood revitalization within the primary study area (see Figure 2-4). Each of these public policies is described below.

#### *Cooper Square Urban Renewal Area*

The Cooper Square Urban Renewal Area (CSURA) is located within both of the primary and secondary study areas along Bowery, Second Avenue, and Chrystie Street between Stanton and East 5th Streets (see Figure 2-4). CSURA was designated in 1970 by the New York City Board of Estimate to facilitate the development of new and rehabilitated housing. As stated in its original plan, the objectives of CSURA were to provide a significant amount of affordable housing, address the needs of the neighborhood with regard to recreation and other community facilities, create development respectful of the urban design characteristics of the neighborhood, and provide opportunities for new cultural, arts, and institutional uses. All sites within CSURA have been redeveloped since its designation.

#### *Chinatown Access and Circulation Study*

The Lower Manhattan Development Corporation (LMDC) *Chinatown Access and Circulation Study* addresses transportation and access issues in the area generally bounded by Rivington Street to the north, the East River to the east and south, and Centre Street to the west. This study proposes seven recommendations: (1) improvements at Park Row; (2) physical reconfiguration of Chatham Square; (3) a new bus plaza at Forsyth Street; (4) consolidation of commuter van stops; (5) a new crosstown bus route; (6) streetscape enhancements; and (7) parking improvements. Of these, only the crosstown bus route recommendation, the desire and potential need for which was recognized from the study's community outreach efforts, would have the potential to affect conditions in the primary study area. This study recommends Grand/Broome




**Public Policies within Land Use Study Area**
Figure 2-4

Streets and Canal Street as the two most likely routes for a crosstown bus route; portions of both Grand and Broome Streets are located within the primary study area.

*Local Waterfront Revitalization Program*

The portion of the primary study area north of East 10th Street and east of Avenue B lies within the city- and state-designated coastal zone. Pursuant to federal legislation, New York state and city have adopted policies aimed at protecting resources in the coastal zone. New York City's Waterfront Revitalization Program (WRP) contains 10 major policies, each with several objectives focused on: improving public access to the waterfront; reducing damage from flooding and other water-related disasters; protecting water quality, sensitive habitats (such as wetlands), and the aquatic ecosystem; reusing abandoned waterfront structures; and promoting development with appropriate land uses. The principles of the WRP formed the basis for a DCP study and the resulting adoption of new waterfront zoning. The CPC certifies whether a proposed action is in compliance with the city's WRP. The New York State Department of State (NYSDOS) has this responsibility on the state level. The Local Waterfront Revitalization Program (LWRP) is discussed in greater detail in Chapter 12, "Waterfront Revitalization Program."

*Lower East Side Business Improvement District*

The Lower East Side BID was established in 1992 to revitalize the Orchard Street Shopping District while preserving its unique and diverse character. The BID consists of more than 400 merchants and property owners and includes the following areas: Orchard Street from East Houston to Canal Streets; Delancey Street from Allen to Clinton Streets; and Grand Street from Forsyth to Clinton Streets. The Lower East Side BID promotes local businesses, hosts events, and provides various community beautification services, including maintenance of the Orchard Street Pedestrian Mall.

*Village Alliance*

The Village Alliance was signed into law in September 1993. The Village Alliance's boundaries extend along 8th Street/St. Mark's Place from Second to Sixth Avenues; Astor Place; and Sixth Avenue from West 4th to West 8th Streets. The Village Alliance provides supplemental public safety and sanitation services, graffiti removal, economic development and community revitalization, façade improvement, marketing and promotion, streetscape enhancements, tourist information, and walking tours.

*SECONDARY STUDY AREA*

*Chinatown Access and Circulation Study*

As discussed in "Primary Study Area" above, the *Chinatown Access and Circulation Study* proposes seven recommendations to improve transportation conditions in the overall Chinatown neighborhood. In addition to the crosstown bus route recommendation, also noted above, the study also recommends the creation of an outdoor bus plaza along Forsyth Street between Canal Street and East Broadway in the southern portion of the secondary study area to consolidate intercity coach bus operations. The new plaza would improve coach bus operations and passenger access to the coaches and reduce vehicular and sidewalk congestion elsewhere—primarily at the various bus terminal points located throughout Chinatown—in the community.

*Local Waterfront Revitalization Program*

Portions of the secondary study area as far west as First Avenue (north of East 14th Street) and Avenue D/Columbia Street (south of East 10th Street) are subject to LWRP. CPC certifies whether proposed actions are in compliance with the city's WRP.

*Lower East Side Business Improvement District*

The Lower East Side BID, a not-for-profit corporation charged with promoting, revitalizing and preserving the Orchard Street Shopping District, covers a small portion of the secondary study area along Orchard, Delancey, and Grand Streets.

*Manhattan Waterfront Greenway Master Plan*

In 2002, the city announced that, by August 2003, it would provide a mixed-use greenway circumnavigating Manhattan. To achieve this goal, an interagency committee was formed to plan, design, and implement the plan. The agencies represented included DCP, the New York State Department of Transportation (NYSDOT), the New York City Economic Development Corporation (EDC), and NYCDPR. The *Manhattan Waterfront Greenway Plan* (November 2004) documents past waterfront plans, discusses current waterfront conditions, and proposes future greenway development. Within the secondary study area, this plan calls for a new waterfront promenade and greenway along the East River waterfront south of East 12th Street (to Montgomery Street).

*NoHo Business Improvement District*

The mission of the NoHo BID is to promote the economic and cultural vitality and revitalization of NoHo, and maintain a diversity of commercial, educational, artistic, historic, and social characteristics for the benefit of businesses, property owners, residents, and tourists. The NoHo BID boundaries extend generally from Wanamaker Place to the north, Cooper Square and Lafayette Street to the east, Houston Street to the south, and Mercer Street and Broadway to the west. The BID provides supplemental security and sanitation services, beautification projects, and special events.

*Union Square Partnership*

The Union Square Partnership was established in 1984 as the city's first BID and serves an area along both sides of 14th Street from First to Sixth Avenues in addition to the blockfaces that immediately surround Union Square. The Union Square Partnership provides a variety of programs and services, such as facilitating development by acting as a liaison among residents, business and government leaders; advocating for neighborhood enhancements; providing sanitation and security services; marketing the neighborhood; and providing educational seminars, as well as an educational program for students at Washington Irving High School.

*Village Alliance*

As discussed under "Primary Study Area" above, the Village Alliance is a coalition of property owners, tenants, and city officials working to make this area a better place in which to live, work, learn, and play. Astor Place and East 8th Street within the secondary area are located within the Village Alliance boundaries.

# E. THE FUTURE WITHOUT THE PROPOSED ACTIONS

## LAND USE

Existing land use trends would continue in the primary and secondary study areas. The areas are expected to be redeveloped with mixed use buildings, with residential uses above ground-floor commercial uses. Also consistent with existing land use trends, there would be additional hotel development primarily in the Lower East Side subarea. Accordingly, the reasonable worst-case development scenario (RWCDS) reflects this same development on projected development sites absent the proposed actions.

*PRIMARY STUDY AREA*

Development of new residential and commercial uses is expected to continue in the future without the proposed actions. Within the primary study area, new development comprised of residential, commercial, and hotel uses—a number of these anticipated projects would reach a height of 15 stories or taller—would be concentrated in the Lower East Side subarea south of East Houston Street and east of Allen Street. Most of the planned projects in the secondary study area would be located to the west and south of the primary study area. While the projects identified as likely to be completed by 2017 (see Table 2-3 and Figure 2-5) represent the majority of known projects at this time, additional projects may be developed over time.

*East Village Subarea*

There are no known land use developments proposed for the East Village subarea by 2017.

*Alphabet City Subarea*

There are two small developments anticipated in this subarea: a new six-story 20-unit residential development with street-level retail at 401 East 8th Street and a seven-story extension containing 23 residential units on top of the existing building at 654 East 12th Street.

*Bowery Subarea*

The only planned development in the Bowery subarea is a 16-story mixed-use building at 40 Delancey Street, with 57 residential units, two floors of office space, and street-level retail.

*Lower East Side Subarea*

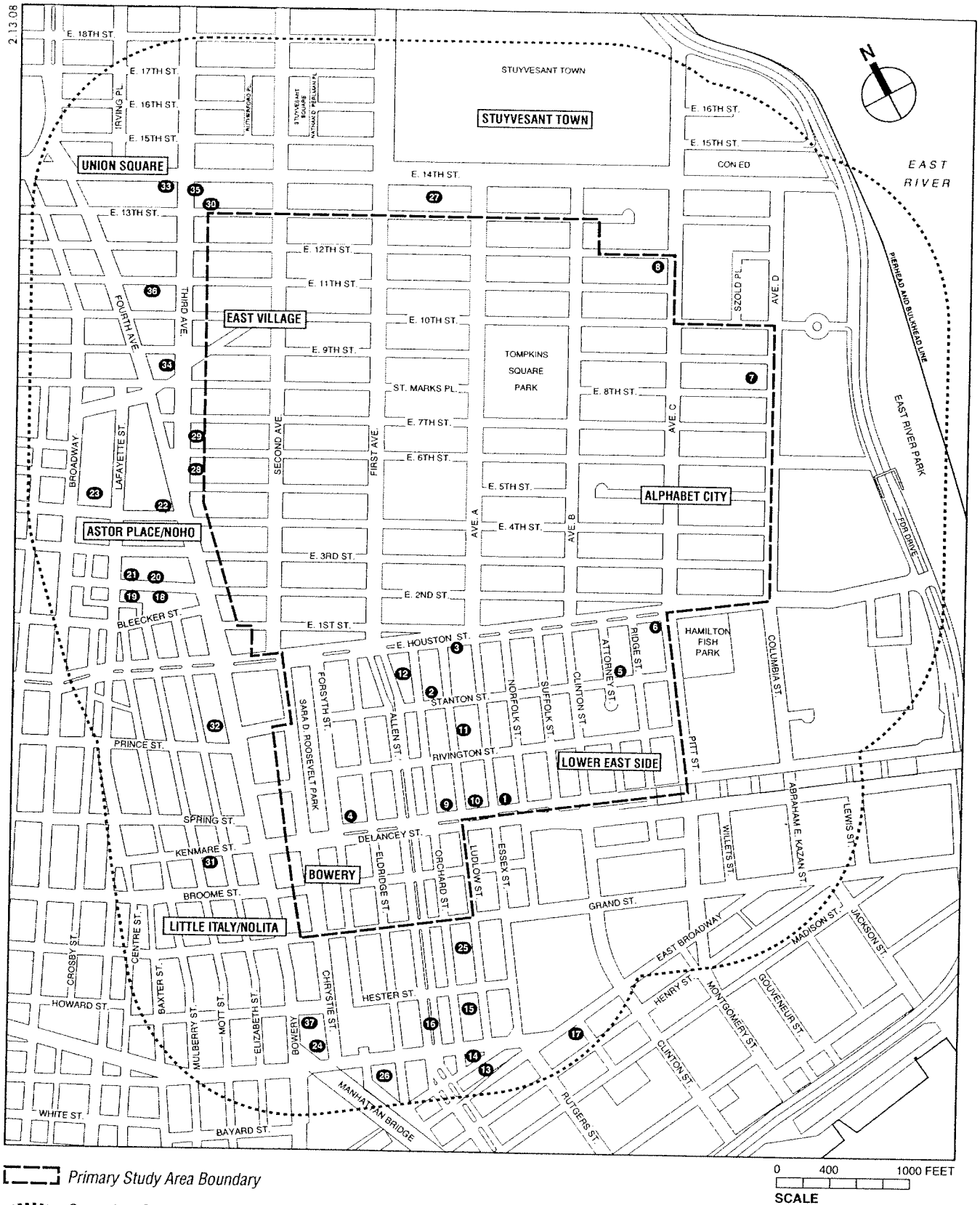
Most of the anticipated development within the primary study area—9 of this study area's 12 expected projects—would be located in the Lower East Side subarea. Construction of the largest of these new projects is almost complete; 188 Ludlow Street (also known as "The Ludlow"), is a 23-story 243-unit residential building with street-level retail sitting prominently along East Houston Street. Another prominent new development also nearing completion is the 15-story 32-unit Blue Condo at 105 Norfolk Street just north of Delancey Street. Other new developments along Delancey Street include the 18-story 58-unit residential building at 101 Ludlow/92 Delancey Street and the renovation and expansion of the existing four-story building at 100 Delancey Street into a six-story residential building with street-level retail.

Hotel use also features prominently in anticipated development in the Lower East Side subarea. New planned hotels include the 19-story 142-room hotel at 200 Allen Street and the 11-story 32-room hotel at 136 Ludlow Street; the proposed 18-story mixed-use building at 180 Orchard Street would include 18 residential units and 100 hotel rooms.

## Table 2-3
## Development Projects in the Future Without the Proposed Actions

| Map No.[1] | Project Name/Address | Development Proposal/Program | Study Area | Build Year |
|---|---|---|---|---|
| 1 | 105 Norfolk Street (Blue Condo) | 32 residential units, street-level retail | Primary | 2008 |
| 2 | 180 Orchard Street | New mixed-use residential/hotel: 18 residential units, 100 hotel rooms, street-level retail | Primary | 2009 |
| 3 | 188 Ludlow Street | 243 units, street-level retail | Primary | 2008 |
| 4 | 40 Delancey Street (140 Forsyth Street) | 16-story 57-unit residential building with street-level retail and two floors office space | Primary | 2009 |
| 5 | 196 Stanton Street (aka 145 Ridge Street) | 8-story 53-unit residential building with medical office and street-level retail | Primary | 2008 |
| 6 | 133 Pitt Street (357 E Houston Street) | 12-story 99,000-sf non-profit building with sleeping accommodations | Primary | 2009 |
| 7 | 401 E 8th Street | 6-story 20-unit 23,200-sf residential building with street-level retail | Primary | 2008 |
| 8 | 654 E 12th Street | 7-story extension of existing building: 23 residential units | Primary | 2009 |
| 9 | 101 Ludlow Street/92 Delancey Street | 18-story 58-unit 102,850-sf residential building with street-level retail | Primary | 2009 |
| 10 | 100 Delancey Street | Renovation of existing 4-story building to 6-story residential building, two floors retail | Primary | 2009 |
| 11 | 136 Ludlow Street | 11-story 32-room 12,000-sf hotel | Primary | 2009 |
| 12 | 200 Allen Street | 19-story 142-room 108,350-sf hotel | Primary | 2008 |
| 13 | 136-138 East Broadway | 13-story 22-unit residential building with street-level retail | Secondary | 2008 |
| 14 | 48 Canal Street | Renovation of existing 20-unit residential building | Secondary | 2008 |
| 15 | 21 Ludlow Street | Conversion of commercial space into 23-unit residential building with street-level retail | Secondary | 2008 |
| 16 | Allen and Pike Street Center Plots Reconstruction (part of Seven Parks project) | Enhancement of the seating and landscape elements of the center plots along Allen and Pike Streets | Secondary | 2010 |
| 17 | 183 East Broadway | 12-story 21-unit residential building | Secondary | 2008 |
| 18 | 41-43 Bond Street | 9-story 32-unit residential building with 12 below-grade accessory parking spaces | Secondary | 2009 |
| 19 | 25 Bond Street | 8-story 23-unit residential building with 48 below-grade parking spaces and street-level retail | Secondary | 2009 |
| 20 | 40 Bond Street | 10-story 26-unit residential building | Secondary | 2008 |
| 21 | 363 Lafayette Street (aka 371 Lafayette/21 Great Jones Street) | 6-story 32,700-square-foot commercial building | Secondary | 2009 |
| 22 | 37 East 4th Street (Block 544, Lots 59, 65, 66, 67, and 68) | 15-story 165,000 square foot mixed-use building, including 147 residential units and 23,000 square feet of commercial space | Secondary | |
| 23 | 404 Lafayette/ 708 Broadway | Conversion of an existing 8- and 10-story building to 127,143-sf hotel | Secondary | 2009 |
| 24 | 61-63 Chrystie Street (Comfort Inn) | 11-story 60-room hotel with 27 below-grade accessory parking spaces | Secondary | 2008 |
| 25 | 50 Orchard Street | 10-story 25-unit residential building with street-level retail | Secondary | 2008 |
| 26 | 86 Canal Street | 16-story 23-unit 73,500-sf building with street-level retail | Secondary | 2009 |
| 27 | 421 E 13th Street | 8-story 92-unit 130,900-sf residential building with street-level retail | Secondary | 2008 |
| 28 | 25 Cooper Square | 21-story 67-room 68,380-sf hotel | Secondary | 2008 |
| 29 | 41 Cooper Square | Cooper Union's new 9-story 175,000-sf state-of-the-art academic building | Secondary | 2009 |
| 30 | 229 E 13th Street | 8-story 28-unit 23,700-sf residential building | Secondary | 2009 |
| 31 | 30 Kenmare Street | 8-story 58-room 28,200-sf hotel | Secondary | 2009 |
| 32 | 250 Bowery | 8-story 63-room 46,500-sf hotel with café and small gallery space | Secondary | 2009 |
| 33 | 110 Third Avenue (Toll Brothers) | 21-story 76-unit 112,500-sf residential building with street-level retail | Secondary | 2008 |
| 34 | 51 Astor Place | 11-story 430,000-sf office building | Secondary | 2011 |
| 35 | 123 Third Avenue | 21-story 60-unit residential building with street-level retail | Secondary | 2010 |
| 36 | 112 E 12th Street | 26-story 700-student 187,725-sf dormitory for NYU | Secondary | 2008 |
| 37 | 93 Bowery | 18-story 101-room hotel with community facilities | Secondary | 2009 |

**Note:** 1 See Figure 2-5.
**Sources:** DCP, EDC, HPD, Lower Manhattan Development Corporation (LMDC), New York City Department of Buildings, AKRF.




*Primary Study Area Boundary*

*Secondary Study Area Boundary*

● *No Build Development Projects*

## Development Projects in the Future without the Proposed Actions

Figure 2-5

Additional development in this subarea would include a 12-story 99,000-square-foot non-profit building with sleeping accommodations at 133 Pitt Street/357 East Houston Street and an eight-story mixed-use building with residential, medical office, and street-level retail at 196 Stanton Street.

*Site Proposed for Disposition*

In the future without the proposed actions, the city-owned site proposed for disposition would be redeveloped to include 18 market-rate residential units; the unassembled sites would be redeveloped individually, totaling 24 market-rate units and approximately 7,800 square feet of commercial space.

*RWCDS Development*

In addition to the above, the RWCDS assumes that development would occur on sites that are underbuilt as per current zoning (see Figure 1-4, in Chapter 1, "Project Description"). It is anticipated that in the future without the proposed actions, there would be approximately 2,290 residential units and 450,928 square feet of commercial space on projected development sites. This represents a net increase of approximately 2,234 residential units and an increase of 1,809,779 square feet of total floor area over the existing conditions. Table 2-4 provides a summary of development projected under the RWCDS in the future without the proposed actions by proposed rezoning district (see also Figure 2-6, "Proposed Zoning").

**Table 2-4**
**Summary of RWCDS Development**
**in the Future Without the Proposed Actions (No Build)**

| District Description[1] | Sites (Count)[2] | Existing Conditions | | No Build | | |
|---|---|---|---|---|---|---|
| | | Total Building Floor Area[3] | Dwelling Units | Commercial Floor Area[3] | Residential Floor Area[3] | Dwelling Units |
| **Projected Sites** | | | | | | |
| Proposed C4-4A | 28 | 100,363 | 5 | 122,378 | 187,273 | 187 |
| Proposed C6-2A | 30 | 270,510 | 0 | 147,948 | 361,162 | 361 |
| Proposed R7A | 51 | 244,916 | 14 | 111,223 | 705,821 | 706 |
| Proposed R8B | 44 | 217,643 | 28 | 12,086 | 695,773 | 696 |
| Proposed R8A | 27 | 97,407 | 9 | 57,293 | 339,652 | 340 |
| **Total** | **180** | **930,829** | **56** | **450,928** | **2,289,681** | **2,290** |
| **Projected Enlargements** | | | | | | |
| Proposed R7A | 13 | 124,222 | 156 | 14,174 | 110,048 | 156 |
| Proposed R8B | 12 | 79,681 | 88 | 11,200 | 68,481 | 88 |
| **Total** | **25** | **203,903** | **244** | **25,374** | **178,529** | **244** |

**Notes:**
1 See Figure 2-6.
2 Projected development sites only.
3 In square feet.
**Source:** DCP, October 2007.

*SECONDARY STUDY AREA*

*Union Square Subarea*

Planned projects within the Union Square subarea in the future without the proposed actions include the 21-story 76-unit Toll Brothers development at 110 Third Avenue and a new 21-story

60-unit residential building on the southeast corner of Third Avenue and East 14th Street. Both of these developments would have street-level retail. A 26-story 700-student NYU dormitory is currently under construction at 112 East 12th Street between Third and Fourth Avenues.

*Stuyvesant Town Subarea*

Planned developments in the Stuyvesant Town subarea include an eight-story 92-unit residential building at 421 East 13th Street and an eight-story 23-unit residential building at 229 East 13th Street. No new development is anticipated north of East 14th Street in this subarea.

*Astor Place/NoHo Subarea*

There are a number of large developments proposed within the Astor Place/NoHo subarea. Two developments are currently under construction on the east side of Third Avenue between East 5th and East 7th Streets: a 21-story 67-room hotel at 25 Cooper Square and Cooper Union's new nine-story 175,000-square-foot state-of-the-art academic building at 41 Cooper Square. A new 11-story 430,000-square-foot office building is planned for 51 Astor Place and would replace the existing building on this site that houses the Cooper Union's engineering department. A second commercial building is planned 363 Lafayette Street and would include approximately 32,700 square feet of commercial space.

A number of new residential developments are currently under construction on Bond Street between Lafayette Street and Bowery. These mid-rise residential buildings are being constructed at a scale reflective of the existing loft buildings in this subarea.

Other planned developments in the Astor Place/NoHo subarea include a 15-story residential building with commercial uses on the lower levels and conversion of the existing 8- and 10-story loft buildings at 404 Lafayette Street/708 Broadway to a hotel.

*Alphabet City Subarea*

There are no known land use developments proposed for the Alphabet City subarea by 2017.

*Little Italy/Nolita Subarea*

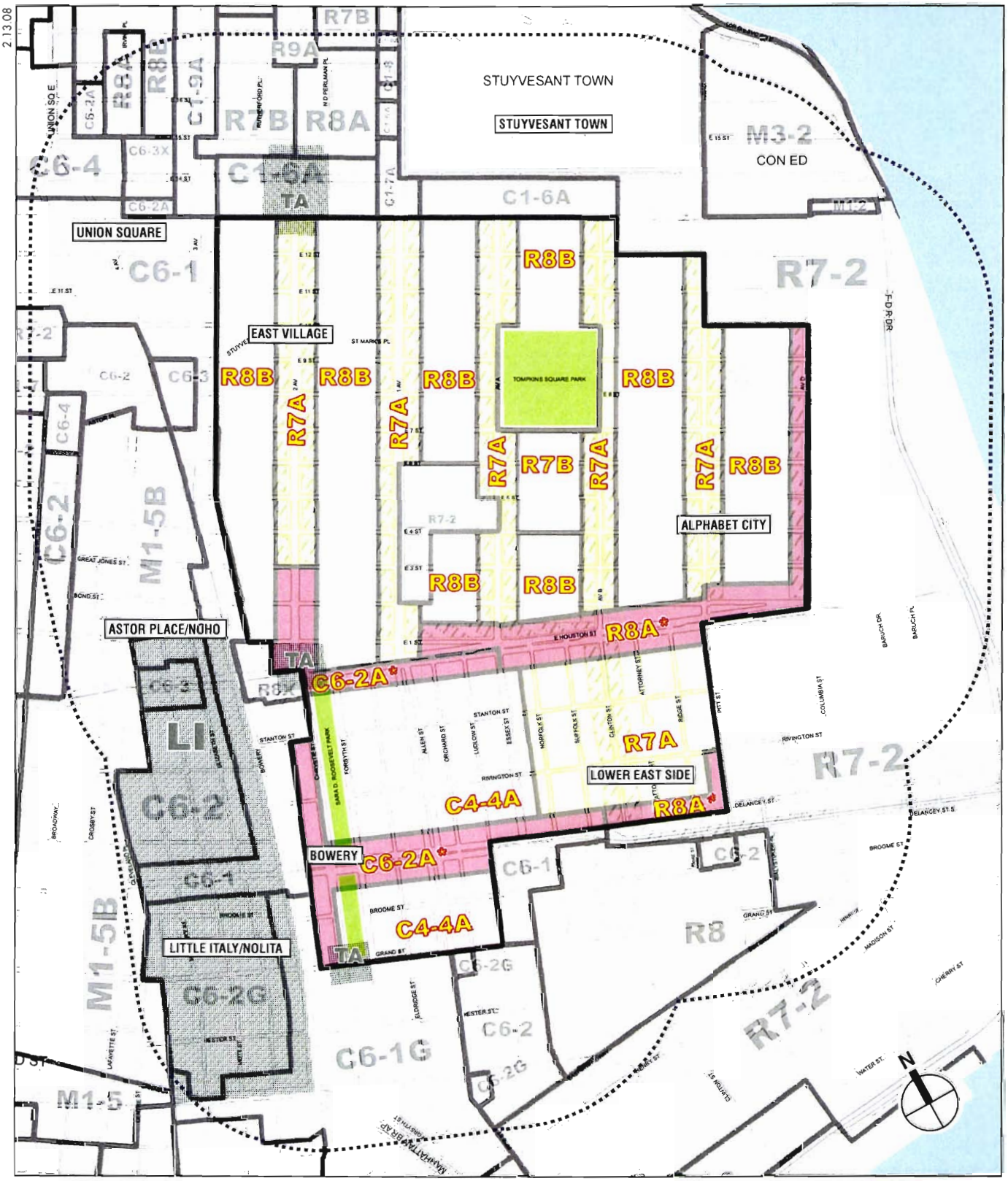
The only planned project in the Little Italy/Nolita subarea is an eight-story 58-room hotel at 30 Kenmare Street near Mott Street.

*Bowery Subarea*

The development of three new hotels is anticipated in the Bowery subarea in the future without the proposed actions: an 11-story 60-room Comfort Inn at 61-63 Chrystie Street, an 18-story 101-room hotel at Bowery and Hester Street, and an 8-story 63-room hotel with a small gallery at 250 Bowery. In addition, a 16-story 23-unit residential building would be constructed at 86 Canal Street at the foot of the Manhattan Bridge.

*Lower East Side Subarea*

In the future without the proposed actions, new development in the Lower East Side subarea would be concentrated in the southwest portion and would consist primarily of mid-size residential buildings with street-level retail. Further enhancements of the seating and landscape elements of the center plots along Allen and Pike Streets are expected to be complete before 2017.




**Proposed Zoning**
Figure 2-6

**EV/LES** East Village/Lower East Side Rezoning

### ZONING

*PRIMARY STUDY AREA*

No changes to zoning in the primary study area are anticipated in the future without the proposed actions.

*SECONDARY STUDY AREA*

No changes to zoning in the secondary study area are anticipated in the future without the proposed actions.

### PUBLIC POLICY

*PRIMARY STUDY AREA*

No changes to public policy in the primary study area are expected in the future without the proposed actions.

*SECONDARY STUDY AREA*

No changes to public policy in the secondary study area are anticipated in the future without the proposed actions.

## F. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

As described in Chapter 1, "Project Description," the proposed actions include zoning map and text amendments and the disposition of city-owned property. This section assesses the potential impacts of these actions on land use, zoning, and public policy.

### LAND USE

In the future with the proposed actions, the primary and secondary study areas are expected to be redeveloped with predominantly residential buildings with ground-floor retail. The proposed rezoning would encourage more residential development and less commercial development. As a result, an increment over conditions in the future without the proposed actions of 1,383 dwelling units, 348 of which would be affordable, would result from the increased allowable FAR under the proposed zoning. Additionally, two sites that would have been developed as hotels in the future without the proposed actions would be developed with residential and ground-floor retail in the future with the proposed actions.

*PRIMARY STUDY AREA*

The new land uses that are expected to result from the proposed actions would represent a continuation of current land use trends in a manner compatible with surrounding land uses. The proposed actions would allow for increased density of residential use along East Houston Street and Avenue D; the permitted density of residential use in the remainder of the study area would be similar to what is allowed currently but new development would be more restricted to be contextual with existing established medium-density residential neighborhoods. Similarly, the proposed actions would permit increased commercial density along the major transportation corridors—East Houston Street, Delancey Street, Chrystie Street, and Second Avenue—but

would enforce contextual restrictions elsewhere within the existing commercial areas. The new development that is projected to result from the proposed actions would occur on underutilized sites.

DCP has identified 180 projected development sites and 25 enlargement sties that are considered most likely to be developed in the future with the proposed actions (see Chapter 1, "Project Description," for a detailed description of this RWCDS). As described in Chapter 1, it is anticipated that new development on those sites occurring as a result of the proposed actions would consist of 3,917 residential units, including 348 affordable units, and 401,863 square feet of commercial space. The projected incremental change on those sites over the No Build condition is 1,383 residential units and a 74,439-square-foot reduction in the total amount of commercial space. Table 2-5 provides a summary of development projected in the future with the proposed actions by proposed rezoning district.

**Table 2-5**
**Summary of the Total Development and Net Incremental Development in the Future With the Proposed Actions (Build)**

| Proposed Zoning District | Build | | | | Net Increment | | | |
|---|---|---|---|---|---|---|---|---|
| | Commercial Floor Area[1] | Residential Floor Area[1] | Dwelling Units[2] | Affordable Dwelling Units | Commercial Floor Area[1] | Residential Floor Area[1] | Dwelling Units[2] | Affordable Dwelling Units |
| **Projected Sites** | | | | | | | | |
| C4-4A | 70,090 | 259,746 | 260 | 0 | -52,288 | 72,473 | 73 | 0 |
| C6-2A | 125,797 | 939,781 | 940 | 188 | -22,151 | 578,619 | 579 | 188 |
| R7A | 111,223 | 838,829 | 839 | 0 | 0 | 133,008 | 133 | 0 |
| R8B | 12,086 | 811,006 | 811 | 0 | 0 | 115,233 | 115 | 0 |
| R8A | 57,293 | 773,522 | 800 | 160 | 0 | 433,870 | 460 | 160 |
| **Total** | **376,489** | **3,622,884** | **3,650** | **348** | **-74,439** | **1,333,203** | **1,360** | **348** |
| **Projected Enlargements** | | | | | | | | |
| R7A | 14,174 | 127,734 | 161 | 0 | 0 | 17,686 | 5 | 0 |
| R8B | 11,200 | 88,849 | 106 | 0 | 0 | 20,368 | 18 | 0 |
| **Total** | **25,374** | **216,583** | **267** | **0** | **0** | **38,054** | **23** | **0** |

**Notes:**
1 In square feet.
2 Includes affordable housing units. May not sum due to rounding.
**Source:** DCP, October 2007.

The largest increases in residential growth are expected in the proposed C6-2A and R8A districts along the major transportation corridors in the primary study area. Residential growth in these areas is projected to occur in mixed-use buildings with supporting neighborhood retail spaces. Portions of the primary study area south of East Houston Street are expected to experience a slight decrease in the amount of commercial space when compared to the No Build condition.

*East Village Subarea*

Under the proposed actions, the East Village subarea would experience an increase in residential growth. Residential buildings would be built to the scale of the existing mid-rise character of the overall East Village neighborhood. New development would occur throughout this subarea, including new construction on vacant lots, renovation and reuse of existing vacant buildings, and redevelopment of underutilized properties occupied by parking lots, non-essential transportation

and utility facilities, and by this neighborhood's few remaining light industrial uses. In addition to new development, 12 existing buildings within the subarea would be enlarged.

Retail uses would be housed on the street levels of new development along the avenues, reinforcing these commercial corridors. The proposed mixed-use buildings along Second Avenue south of East 3rd Street would also have affordable housing units.

Overall, this development would be consistent with the objectives of the proposed actions, most notably reinforcing the use of several avenues as corridors for mixed retail/residential buildings and providing opportunities for housing development and incentives for affordable housing along selected wide streets and major corridors.

*Alphabet City Subarea*

Anticipated development in the Alphabet City subarea would be similar to what would occur in the East Village subarea: new contextual residential uses throughout—including low- to mid-rise streetwall development that characterizes much of the primary study area—with street-level retail along the major traffic corridors. The proposed actions are expected to result in the redevelopment of underutilized sites along East Houston Street and Avenue D into higher density housing of up to approximately 12 stories. New development along these corridors would also have an affordable housing component. Within the Alphabet City subarea, 10 existing buildings would be enlarged.

*Bowery Subarea*

The proposed actions would facilitate mixed-use development containing residential and commercial uses throughout the Bowery subarea. The highest density of new uses—in the form of buildings up to 12 stories tall—would be located along Chrystie and East Houston Streets; each of these sites would also have an affordable housing component. This new development would occur on sites that are currently underutilized, would be compatible with the surrounding existing uses, and would support the overall objectives of the proposed actions.

*Lower East Side Subarea*

The Lower East Side subarea has been the subject of the most intense redevelopment when compared with the other subareas that comprise the primary study area. The proposed actions would permit this trend to continue but in a more contextual manner. Higher density mixed-use development, with affordable housing, would be steered toward East Houston and Delancey Streets. Redevelopment along Delancey Street would replace many of the existing low-scale commercial buildings with taller mixed-use residential/commercial buildings. The concentration of auto-related and transportation/utility uses along Attorney and Ridge Streets in the northeast corner of this subarea would also be redeveloped with uses more compatible with current trends. In addition to the new development, three buildings would be enlarged within the Lower East Side. These enlargements would occur within buildings along Ridge, Attorney, and Rivington Streets.

*Site Proposed for Disposition*

Under the proposed actions, the city would dispose of property located at 302 East 2nd Street (Block 372, Lot 49), which would then be assembled with neighboring tax lots located at 5 Avenue D and 306-310 East 2nd Street (listed in the RWCDS as Projected Development Site 167). In the future without the proposed actions, this underutilized city-owned site would be redeveloped to include 18 market-rate residential units; the unassembled sites would be

redeveloped individually, totaling 24 market-rate units and 7,844 square feet of ground-floor commercial space. However, with the proposed actions, the assembled site would be developed with 116 dwelling units, 23 of which would be affordable to low- to moderate-income households, and 7,844 square feet of street-level retail space.

*Summary of Land Use Changes*

According to the criteria in Section 410 under Section A, "Land Use, Zoning, and Public Policy" in Chapter 3 of the *CEQR Technical Manual,* the proposed actions would not result in significant adverse impacts on land use. Development as a result of the proposed actions would not alter land use patterns from what is expected in the future without the proposed actions; however, these land use changes would be compatible with the low- to mid-rise scale and character that characterizes much of the primary study area.

Overall, the proposed actions would reinforce the use of several avenues as corridors for mixed retail/residential buildings and provide opportunities for affordable housing along selected wide streets and major corridors while allowing for appropriately scaled development in the neighboring low- to mid-rise residential communities in the primary study area. The proposed actions would not generate land uses that would be incompatible with surrounding uses, and would not displace land uses in such a way as to adversely affect surrounding land uses. Density would be increased only in areas that have the capacity to support it and density increases would be consistent with public policy, as described below. For these reasons, the impacts of the proposed actions are considered to be compatible and consistent with existing land uses. The proposed actions would have no significant adverse impact on land use in the primary study area.

*SECONDARY STUDY AREA*

The proposed actions are not expected to affect land use patterns in the secondary study area. Land uses that are expected to be introduced as a result of the proposed actions are compatible with the predominantly residential and commercial uses in the surrounding neighborhoods. New land uses would be similar in use and scale that characterize the primary study area and would thereby not affect the relationship between the primary and secondary study areas. Therefore, it is not expected that the proposed actions would result in any significant adverse impacts on land use in the secondary study area.

## ZONING AND PUBLIC POLICY

*PRIMARY STUDY AREA*

As described in Chapter 1, "Project Description," the proposed actions include zoning map changes and text amendments intended to achieve the goals outlined above in the land use section. The proposed zoning map and text changes are described below.

*Zoning Map Amendments*

The proposed zoning map amendments would map contextual districts at densities appropriate to the existing land uses and built character of the area. Under the proposed actions, approximately 111 blocks of the East Village and Lower East Side neighborhoods currently zoned R7-2 and C6-1 would be rezoned to R7A, R7B, R8A, R8B, C4-4A, and C6-2A (see Figure 2-6 and Table 2-6). A new C2-5 commercial overlay would be mapped along Second Avenue between East 3rd

Street and East 7th Street and would be consistent with the location of existing overlay districts along First Avenue, Avenue A and Avenue C.

**Table 2-6**
**Proposed Zoning Districts**

| District | Type | Maximum FAR | | | Base Height (min/max)[1] | Building Height (max)[1] |
|---|---|---|---|---|---|---|
| | | Residential | Commercial | Community Facilities | | |
| R7A | Contextual residence district, medium-density housing | 4 | -- | 4 | 40/65 | 80 |
| R7B | Contextual residence district, medium-density housing | 3 | -- | 3 | 40/60 | 75 |
| R8A | Contextual residence district, high-density housing | 5.4/7.2[2] | -- | 6.5 | 60/85 | 120 |
| R8B | Contextual residence district, high-density housing | 4 | -- | 4 | 55/60 | 75 |
| C2-5 overlay | Commercial overlay, local retail services | N/A | 2 | N/A | N/A | N/A |
| C4-4A[3] | Contextual medium-density commercial district | 4 | 4 | 4 | 40/65 | 80 |
| C6-2A[4] | Contextual high-density commercial district | 5.4/7.2[2] | 6 | 6.5 | 60/85 | 120 |

**Notes:**
1 In feet.
2 The proposed text amendments would allow residential use to a maximum FAR of 5.4 without an affordable housing component; this maximum FAR would be increased to 7.2 with an affordable housing component.
3 R7A residential district equivalent.
4 R8A residential district equivalent.
**Source:** DCP, October 2007.

As discussed below under "Zoning Text Amendments," the proposed zoning map changes would be accompanied by zoning text changes relating to land use, urban design, and other regulations.

*East Village Subarea*

Within the East Village subarea, the proposed actions would replace the underlying R7-2 district and the portion of the existing Second Avenue C6-1 district north of East 3rd Street with R7A districts along the avenues and R8B districts in the midblocks. The former C6-1 district rezoned to R7A would also be mapped with a C2-5 overlay and would be consistent with the location of existing overlay districts along First Avenue, Avenue A and Avenue C. The existing C6-1 district along Second Avenue between East Houston and East 3rd Streets would be rezoned to C6-2A. East 1st Street between First and Second Avenues would be rezoned to R8A.

The proposed zoning changes are intended to protect the low- to mid-rise streetwall that characterizes much of the primary study area, reinforce use of avenues as corridors for mixed retail/residential buildings, and provide opportunities for affordable housing. With the exception of the east side of First Avenue between East 2nd and East 6th Streets and the properties

occupied by the Village View Housing development, this entire subarea would be rezoned with contextual residential and commercial districts that would permit development at a density similar to what is currently allowed but with height limits and streetwall regulations.

*Alphabet City Subarea*

Similar to the proposed changes in the East Village subarea, the proposed actions would replace the underlying R7-2 district in the Alphabet City subarea with R7A districts along the avenues and R8B districts in the midblocks. The portions of this subarea along East Houston Street and Avenue D would be rezoned to R8A. The midblock portions of three blocks from East 4th to East 7th Streets between Avenues A and B would be rezoned to R7B from R7-2.

*Bowery Subarea*

The Bowery subarea, currently mapped as a C6-1 district, would be rezoned to a combination of C6-2A districts along East Houston, Delancey, Chrystie Streets and C4-4A districts in the remaining midblocks. New construction within the proposed C6-2A districts would be required to line up with adjacent structures to maintain existing street wall characteristics and overall building heights would be limited to 120 feet. C4-4A districts have the same street wall requirements as R7A districts and overall building height would be capped at 80 feet. The proposed actions address the community's request for contextual rezoning, recognize and support the existing commercial character of this subarea, and provide opportunities for affordable housing along major corridors.

*Lower East Side Subarea*

Within the Lower East side subarea, the proposed actions would replace the underlying R7-2 district with an R7A district and replace the underlying C6-1 district with a C6-2A district along East Houston (west of Essex Street) and Delancey Streets and C4-4A districts in the remaining midblocks. The existing R7-2 districts along East Houston (east of Essex Street) and Delancey Streets (east of Suffolk Street) would be rezoned to R8A.

The proposed R7A and C4-4A districts would more appropriately reflect and protect the existing context of this subarea, which has experienced the development of several out-of-scale 10- to 20-story tower developments, a threat to this area's consistent mid-rise streetwall neighborhood character. The proposed R8A and C6-2A districts along East Houston and Delancey Streets would increase the permitted density and provide for new mixed-use development, including affordable housing, along these wide streets where this new growth can be better accommodated.

*Site Proposed for Disposition*

The city-owned property 302 East 2nd Street, in addition to the neighboring sites to be assembled as part of the proposed HPD-sponsored development, would be rezoned to R8A. The existing C1-5 commercial overlay along Avenue D would remain unchanged.

*Zoning Text Amendments*

In conjunction with the proposed zoning map amendments, proposed zoning text amendments would increase the maximum FAR permitted in the new R8A and C6-2A districts via inclusionary housing provisions and protect existing street-level commercial uses in the existing R7-2 zoning districts.

*Inclusionary Housing Program*. The proposed actions would apply the inclusionary housing amendments to the proposed R8A and C6-2A districts along the major transportation corridors

throughout the primary study area, establishing incentives for the creation and preservation of affordable housing in conjunction with new development. Under the proposed inclusionary housing program, developments providing affordable housing are eligible for a floor area bonus, within contextual height and bulk regulations tailored to these areas.

R8A and C6-2A districts permit residential development up to 6.02 FAR. The proposed inclusionary housing amendment would reduce the maximum FAR for residential use in these districts to 5.4 for residential buildings that do not provide affordable units; however, the maximum residential FAR would increase to 7.2 FAR provided that 20 percent of residential floor area is used for units affordable to those earning up to 80 percent of the area median income. Affordable units can be provided either on the same site as the development earning the bonus, or off-site either through new construction or preservation of existing affordable units. Off-site affordable units must be located within Community District 3 or within ½ mile of the compensated development.

*Non-Conforming Uses and Non-Complying Buildings*. To protect existing street-level commercial uses that currently exist as legal non-conforming uses in the R7-2 zoning districts, the proposed actions would include an additional text amendment to the *Zoning Resolution*, in Article V, Chapter 2, Non-Conforming Uses. Section 52-61, General Provisions, of that chapter excludes otherwise prohibited new ground-floor retail uses in R5, R6, and R7 zoning districts in Community District 3, permitting such uses to be re-activated beyond the two-year discontinuance period described in the text. The proposed text change would extend the currently established regulations for qualifying uses in existing R7-2 districts to those same uses to R8B districts in Community District 3; as such, existing non-conforming uses and spaces in the affected areas would be granted the same protections as they are today. There are currently no R8B districts in Community District 3; R8B would be introduced to the primary study area as a result of the proposed actions.

Existing R7-2 districts, extensively mapped within the rezoning area, are among those cited in Section 52-61 of the *Zoning Resolution*. The proposed change, limited to the inclusion of "R8B districts in Manhattan Community District 3" in the full list of excluded districts, is consistent with the requirements as currently written. In the designated districts, "R5, R6, R7 and R8B districts in Manhattan Community District 3," as proposed in the amendment, non-conforming ground-floor or basement-level store uses in Use Group 6A, 6B, 6C or 6F (excluding post offices, veterinary medicine for small animals, automobile supply stores, electrolysis studios and drive-in banks), in buildings designed for residential use, would be permitted to be re-activated or changed beyond the two-year discontinuance period. The proposed text amendment would maintain non-conforming use requirements and permissions as currently established for all sites rezoned to R8B.

*Summary of Zoning Changes*

According to the criteria listed in Section 420 under Section A, "Land Use, Zoning, and Public Policy" in Chapter 3 of the *CEQR Technical Manual*, the proposed actions would not result in significant adverse impacts on zoning. The proposed actions would introduce zoning changes that would be in keeping with the city's land use, zoning, and public policy objectives for the area. The proposed zoning map and text changes would preserve the low- to mid-rise character of the neighborhood—including existing non-conforming uses—while providing for much needed affordable housing.

As described above, the residential and commercial land uses expected as a result of the proposed actions, including proposed zoning changes, would be compatible with other land uses in the primary study area. Overall, the proposed actions would not result in significant adverse impacts to zoning and public policy.

*SECONDARY STUDY AREA*

The proposed actions include the mapping of zoning districts that are compatible with those in the surrounding secondary study area. The proposed zoning actions would result in land uses that would be similar in use and scale of existing land uses and would thereby not affect the relationship between the primary and secondary study areas. Therefore, the proposed actions would not result in any significant adverse impacts to zoning and public policy in the secondary study area.

## G. CONCLUSION

As described in detail above, no significant adverse impacts on land use, zoning, or public policy, as defined by the guidelines for determining impact significance set forth in the *CEQR Technical Manual* (see Section 400, Under Section A, "Land Use, Zoning, and Public Policy," Chapter 3), are anticipated in the future with the proposed actions in the primary and secondary study areas. The proposed actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor would they generate land uses that would be incompatible with land uses, zoning, or public policy in the secondary study area. The proposed actions would not create land uses or structures that would be incompatible with the underlying zoning, nor would they cause a substantial number of existing structures to become non-conforming. The proposed actions would not result in land uses that conflict with public policies applicable to the primary or secondary study areas.

The proposed actions would result in an overall increase in residential use and a slight decrease in commercial use throughout the primary study area, when compared to conditions in the future without the proposed actions. The major transportation corridors that bisect and border these neighborhoods would be developed with higher density buildings, while the low- to mid-rise character of the midblocks would be preserved. Furthermore, the proposed actions would reduce the allowable FAR available for commercial hotel buildings in the Lower East Side subarea and would encourage residential development with ground floor retail in their place. The proposed zoning would create a framework that is both responsive to the uses present in the primary study area and compatible with the existing zoning designations in the surrounding areas. Finally, the proposed actions directly address the community's request for contextual rezoning and provide incentives for much needed affordable housing in the East Village and Lower East Side neighborhoods. ✷