Keeping in Character:

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

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

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

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

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

On the eve of that historic development, we take a look back at the 2008 and 2010 rezonings to see the impact they have also had on preserving the East Village’s character.
**Background on the 1961 New York City Zoning and Its Implications for the East Village Today**

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

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

Along with encouraging tower in the park design, the 1961 Zoning Resolution included incentives-based zoning, yet another device to deal with broader social and community development goals through urban planning. In New York City, incentive-based zoning awards floor area bonuses if a ‘community facility’ is included. According to the City Planning Commission a community facility includes a wide range of educational, health care, religious, not-for-profit institutions or service providers essential to the *local* community.
In the past two decades community facilities have grown in number and size, and in many cases have served regional rather than neighborhood populations ... (and) local residents, community groups, and elected officials have asked that zoning for community facilities lessen their impacts in residential areas.

New York City Planning Commission

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

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

East Village Rezoning Sought to Protect Neighborhood Character

The Greenwich Village Society for Historic Preservation worked with fellow community groups including the East Village Community Coalition, Manhattan Community Board #3, and
Councilmember Rosie Mendez to push for a rezoning of the East Village to preserve the scale and character of the neighborhood, employing the planning principles of contextual design.

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

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

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

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

The following illustrates the difference between what could have been constructed under the old zoning, and what is now being built or could be built on various development or potential development sites in the East Village under the revised zoning.
Contextual Zoning in the East Village: Types of Buildings Permitted in R7A, R8B, and C6-2A Zoning Districts

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

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

<table>
<thead>
<tr>
<th>Zoning</th>
<th>R7-2</th>
<th>C6-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max Base FAR</td>
<td>6.5</td>
<td>6.0</td>
</tr>
<tr>
<td>Max building height</td>
<td>No limit</td>
<td>No limit</td>
</tr>
<tr>
<td>Setback requirement</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

### 2008 and 2010 Zoning Districts

**with 20% bonus for affordable housing**

<table>
<thead>
<tr>
<th>Zoning</th>
<th>R7A</th>
<th>R7B</th>
<th>R8A</th>
<th>R8B</th>
<th>C6-2A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max base FAR</td>
<td>4.0</td>
<td>3.0</td>
<td>5.4 or 7.2**</td>
<td>4.0</td>
<td>5.4 or 7.2**</td>
</tr>
<tr>
<td>Max building height</td>
<td>80 feet</td>
<td>75 feet</td>
<td>120 feet</td>
<td>75 feet</td>
<td>120 feet</td>
</tr>
<tr>
<td>Setback required at</td>
<td>40-65 feet</td>
<td>40-60 feet</td>
<td>60-85 feet</td>
<td>55-60 feet</td>
<td>60-85 feet</td>
</tr>
</tbody>
</table>
Post-Rezoning Development Sites in the East Village

**Project Status:**
- **Green:** Proposed
- **Orange:** Under Construction
- **Brown:** Completed
- **Blue:** Undetermined

**Key:**
- **OLD ZONING**
  - max. building height & max. base FAR
  - NO LIMIT: 6.5 FAR
  - 75 FEET: 75 FAR

- **CURRENT ZONING**
  - max. building height & max. base FAR
  - NO LIMIT: 6.5 FAR
  - 80 FEET: 80 FAR

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**427 E. 12th St. - R8B**
- Six story building
- NO LIMIT: 6.5 FAR
- 75 FEET: 75 FAR

**315 E. 10th St. - R8B**
- One story addition
- NO LIMIT: 6.5 FAR
- 75 FEET: 75 FAR
- Prior to landmark designation and rezoning, proposals had been floated for a 23-story dormitory

**331 E. 6th St. - R8B**
- Six story building
- NO LIMIT: 6.5 FAR
- 75 FEET: 75 FAR

**31-33 2nd Ave. - C6-2A**
- Three story addition
- NO LIMIT: 6.5 FAR
- 120 FEET: 120 FAR

**75-81 1st Ave. - R7A**
- 8 story building, in 2007, prior to rezoning proposed a 14 story building.
- NO LIMIT: 6.5 FAR
- 80 FEET: 80 FAR

**316 E. 3rd St. - R8B**
- Seven story building
- NO LIMIT: 6.5 FAR
- 75 FEET: 75 FAR

**11 2nd Ave. - C6-2A**
- Twelve story building
- NO LIMIT: 6.5 FAR
- 120 FEET: 120 FAR

**80 E. 2nd St. - R8B**
- Two story addition
- NO LIMIT: 6.5 FAR
- 75 FEET: 75 FAR

**152 2nd Ave. - R7A**
- Three story addition
- NO LIMIT: 6.5 FAR
- 80 FEET: 80 FAR

**98 Ave. A - R7A**
- Former Loew’s Theater/Village Farms
- NO LIMIT: 6.5 FAR
- 80 FEET: 80 FAR

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*With bonus for 20% affordable housing*

Map updated November 2012