



CITY PLANNING COMMISSION

September 29, 2010 / Calendar No. 6

C 100420 ZMM

IN THE MATTER OF an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from a C6-1 District to a C6-2A District property bounded by East 13th Street, a line 100 feet easterly of Third Avenue, East 9th Street, and Fourth Avenue, Borough of Manhattan, Community District 3, as shown on a diagram (for illustrative purposes only) dated May 24, 2010, and subject to the conditions of CEQR Declaration E-254.

The application for an amendment to the Zoning Map was filed by the Department of City Planning on May 20, 2010 to rezone all or portions of eight blocks in the East Village neighborhood in Manhattan, Community District 3. In conjunction with a related zoning text amendment, the requested action would map a C6-2A District in place of an existing C6-1 District.

RELATED ACTION

In addition to the amendment of the Zoning Map which is the subject of this report, implementation of the proposed rezoning also requires action by the City Planning Commission on the following application, being considered concurrently:

N 100419 ZRM: Zoning Text Amendment to Appendix F of the Zoning Resolution of the City of New York, to apply the Inclusionary Housing Program to the proposed R8A and equivalent commercial districts in Manhattan Community District 3.

BACKGROUND

The Department of City Planning proposes to rezone all or portions of eight blocks in the East Village neighborhood of Manhattan. The rezoning area is generally bounded by East 13th Street on the north, Third Avenue on the east, East 9th Street on the south and Fourth Avenue on the west; it also includes the east-side frontage of Third Avenue between East 13th Street and East 9th

Street. It is centrally located and shares land use and streetscape characteristics with a number of distinct nearby neighborhoods, including the East Village directly to the east, Union Square to the north, and Greenwich Village and NoHo to the west and south. Because the rezoning area is formed by two wide streets which are not in line with the traditional Manhattan grid, it consists of four blockfronts and four irregularly-shaped blocks, which gradually increase in land area from the south to the north, and which generally share common patterns with regard to building height and massing with similarly dense, mixed-use areas nearby.

The specific goals of the rezoning proposal are to foster new development that reflects the existing built character of the area, and to create new opportunities for affordable housing along identified streets, where appropriate. The proposal is the result of a collaborative effort with Community Board 3 and its 197-a Zoning Task Force, local neighborhood civic groups, local elected officials and the Department of Housing Preservation and Development, in response to community concerns relating to recent and ongoing out-of-scale development. The community is particularly concerned with the establishment of maximum allowable building heights and required street walls, as well as the closing of the gap in maximum allowable density for different land uses.

The rezoning area is generally characterized by low- to mid-rise, residential or mixed-use buildings with a strong streetwall presence, with a few bulkier buildings along Fourth Avenue and Third Avenue. One notable exception is a high-rise dormitory building on East 12th Street which is set back from the street line at a side-street location and rises to a height of 26 stories.

The existing land use within the rezoning area is generally characterized by multi-family apartment buildings or mixed-use residential with ground-floor retail spaces, although there is

also a significant institutional presence due to the existence of a number of large dormitory buildings, particularly along the east side of Third Avenue. Ground-floor retail is found along the major north-south avenues, as well as on several mid-block locations along the side streets. These are typically local retail stores or smaller-scale eating and drinking establishments; two notable exceptions include the Cooper Square Post Office building at the corner of Fourth Avenue and East 11th Street and the landmark Webster Hall and Annex site on East 11th Street. Approximately 70% of all lots have some residential use, and the majority of those are multiple-dwelling buildings with ground-floor retail. Approximately 11% of all lots have either public facilities or institutional buildings, many of which also have ground-floor retail along the avenues.

Commercial uses represent roughly 20% of all lots and include the Webster Hall and Annex sites on East 11th Street, as well as a multiple-screen movie theater building at the corner of Third Avenue and East 11th Street.

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

The existing C6-1 zoning district designation permits a wide range of commercial uses. Residential uses are permitted up to a maximum 3.44 FAR, commercial uses up to a maximum 6.0 FAR and community facility uses up to a maximum 6.5 FAR. Streetwall and overall

building heights are not strictly limited in these districts, except as governed by the sky exposure plane, and new development is not required to line up at the street line.

Zoning Map Amendment (C100420ZMM)

The Department of City Planning proposes a zoning map amendment for all or portions of eight blocks in the East Village neighborhood in Manhattan, Community District 3. The proposal would replace an existing C6-1 zoning district with a new contextual C6-2A zoning district.

Contextual zoning districts limit building heights; require buildings to have continuous street walls, with setbacks above a certain height; and require residential developments to comply with the Quality Housing Program. The density and building form permitted by the proposed C6-2A contextual zoning district would accommodate the variation found in the area's built character. Generally, this district allows for mid-sized buildings with a streetwall presence along both the wide and narrow streets throughout the rezoning area.

As part of the proposal (and as described below, "Zoning Text Amendment"), the proposed C6-2A district would permit the use of the Inclusionary Housing Program, allowing a maximum 7.2 FAR for residential uses, provided that 20% of residential floor area is used for affordable housing units. Sites not providing any affordable housing unit floor area would be permitted a maximum 5.4 FAR for residential uses. Community facility uses would be permitted a maximum of 6.5 FAR, and commercial uses would be permitted a maximum of 6.0 FAR.

Overall building heights would be limited to 120 feet and streetwall heights limited to 85 feet; base heights would be required to be a minimum of 60 feet. New construction within the proposed C6-2A district would be required to line up with adjacent structures to maintain

existing streetwall characteristics. Because the rezoning area is located within the Manhattan Core, off-street parking spaces for sites in the proposed C6-2A district would not be required.

Zoning Text Amendment (N100420ZRM)

As part of the City's ongoing effort to provide new housing opportunities, the proposed Third Avenue Corridor Rezoning also proposes to amend Appendix F of the Zoning Resolution in order to make the Inclusionary Housing Program (IHP), as administered by the Department of Housing Preservation and Development (HPD), applicable to the proposed C6-2A (R8A equivalent) district. The proposed text amendment, together with the zoning map amendment, would establish incentives for the creation and preservation of affordable housing in conjunction with new development on the rezoning area. The proposed floor area bonus associated with the proposed zoning district would be consistent with bonuses established for recently adopted rezoning proposals, including the Upper West Side and the East Village/Lower East Side in Manhattan.

Under the IHP, developments would be allowed to increase the allowable FAR, above an established base, with the maximum bonus achieved when an amount of affordable housing is provided equal to 20 percent of a new development's floor area. As administered by HPD, such housing must remain permanently affordable to households earning up to 80% of the Area Median Income (AMI). For the proposed R8A district, the base FAR of 5.4 could be increased to a maximum of 7.2. The height and setback requirements would remain unchanged from the underlying contextual district provisions; additional floor area developed through the IHP must be located within the established envelope requirements. The affordable units created through this program must be permanently affordable rental units and can be provided on the site of the new development or off-site within the same community district or within a half-mile from the

site in an adjacent community district. The off-site units may be new construction or rehabilitation or permanent preservation of existing affordable units.

Developments using the floor area bonus in the new program may also use various city, state and federal housing subsidy programs and tax incentives to finance affordable units. The Department of Housing Preservation and Development must approve a Lower Income Housing Plan for all developments in the Inclusionary Housing Program.

ENVIRONMENTAL REVIEW

This application (C100420ZMM), in conjunction with the related application (N100419ZRM), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 10DCP044M.

The lead is the City Planning Commission (CPC). After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on May 24, 2010. The Negative Declaration included (E) designations to avoid the potential for adverse air quality impacts related to HVAC emissions (E-254). The proposed rezoning includes the following (E) designations for air quality on the following properties:

- **Block 555, Lot 18 (Projected Development Site 2)**

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilation and air conditioning stack(s) are located at least 25 feet from the lot line facing 3rd Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

- **Block 556, Lot 59 (Projected Development Site 3)**
Any new residential development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.
- **Block 555, Lot 13 (Potential Development Site A)**
Any new residential development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.
- **Block 555, Lots 21, 122, 123, 124 (Potential Development Site B)**
Any new residential and/or commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

With the placement of the (E) designations on the above block and lots, no significant adverse impacts related to air quality are anticipated.

UNIFORM LAND USE REVIEW

This application (C100420ZMM) was certified as complete by the Department of City Planning on May 24, 2010, and was duly referred to Community Board 3 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 3 held a public hearing on this application (C100420ZMM) on June 7, 2010, and on June 22, 2010, by a vote of 35 to 0 with 2 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C100420ZMM) was considered by the Borough President of Manhattan, who issued a recommendation approving the application on August 16, 2010.

City Planning Commission Public Hearing

On August 11, 2010 (Calendar No. 6), the City Planning Commission scheduled August 25, 2010, for a public hearing on this application (C100420ZMM). The hearing was duly held on August 25, 2010 (Calendar No. 31), in conjunction with the public hearing on the application for the related action. There were six speakers in favor of the application and none opposed.

Those who spoke in support included a representative from the office of the New York State Senate for the 29th District; the Director of Land Use for the office of the Manhattan Borough President; a representative from the Greenwich Village Society for Historic Preservation; the District Manager of Community Board 3; a representative from the office of the New York City Council member from the 2nd District; and a representative from the office of the New York State Assembly Member for the 66th District.

Speakers strongly supported the proposal's fundamental goals, including the requirement of new development to reflect the established built character of the affected neighborhoods, as well as the application of the IHP as a way to encourage the development of affordable housing. Speakers noted the established streetwall and predominantly residential character that has long typified these blocks, as well as their concern over recent trends toward as-of-right, out-of-scale buildings rising throughout the community. Speakers supported the proposal for its establishment of building height limits and for streetwall envelope requirements. Several speakers also favorably noted that the proposed contextual district would significantly reduce the gap in allowable densities currently in place between residential and non-residential uses, going further toward discouraging the development of out-of-scale building forms. Some speakers, while appearing in favor of the proposed rezoning, did express a general desire for lower densities.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed zoning map amendment to rezone the existing C6-1 zoning district to a C6-2A zoning district, affecting all or portions of eight blocks in the East Village neighborhood (C100420ZRM), in conjunction with the proposed zoning text amendment (N100419ZMM), is appropriate. The Commission believes that the proposed actions balance the objectives of neighborhood preservation and housing production by introducing a contextual zoning designation that would institute height, setback and floor area controls which would result in development that closely matches existing built conditions throughout a majority of the rezoning area, while establishing floor area bonuses for the provision of affordable housing, made allowable through use of the IHP.

The Commission shares the belief, broadly held by CB3, the local Council Member, area residents, and the Manhattan Borough President, that this neighborhood is a good candidate for a contextual rezoning and is pleased to support the proposal. Replacing the existing, half-century-old C6-1 zoning with a contextual district would prevent the continuation of out-of-scale development that has recently occurred in the neighborhood and would encourage more orderly patterns of predictable and appropriately-scaled buildings for the future.

Zoning Map Amendment

The Commission recognizes that the existing C6-1 zoning district does not limit building heights and does not require new development to align with adjacent buildings at the street line. In addition, this zoning district designation was historically applied broadly to large portions of the

area and does not reflect the established character found within the project area. The Commission notes that the proposed zoning map amendment would address two principal concerns widely shared across the community by prescribing contextual building heights, street walls and densities that would require future development to more closely reflect the character within this portion of Community District 3, and by eliminating the FAR disparity between residential and community facility uses in the existing C6-1 district (which allows 3.44 FAR for residential, 6.0 for commercial and 6.5 FAR for community facility).

The C6-2A zoning district would allow for modest growth, given its location as defined by two wide streets with broad access to public transportation, within specific height and street wall limits to ensure that new development strengthens these corridors. The Commission notes that both Third Avenue and Fourth Avenue are 100 feet wide, that cross-town bus service is provided along two routes near or through the rezoning area boundaries, that Union Square Park is approximately one block away to the north, and that multiple subway lines are accessible within a five-minute walk of the area.

The Commission heard some testimony generally requesting a consideration for lower-density districts than that proposed for the subject area, based on existing character. The Commission believes that the proposed contextual district designation and its associated height, setback and bulk controls are appropriate and that the proposed actions would help to preserve and strengthen the neighborhood's existing streetwall character and low- to mid-rise scale. Noting that certain, recent developments have been built in the rezoning area that are out-of-scale as compared with much of this existing streetwall character, the Commission believes that the

proposed allowable densities and building form controls are appropriate based on the width of the area's defining streets as well as its proximity to a broad range of public transit options.

The proposed zoning text amendment (N100419ZRM) seeks to promote new housing opportunities and demonstrates a commitment to affordable housing by applying the Inclusionary Housing Program. The rezoning area is in a central location defined by two major wide streets and is served by, or very near to, a wide range of transit options. The Commission believes that the proposed text amendment supports the proposal's goals with respect to capturing expanded opportunities for affordable housing development in these types of areas.

The proposed zoning framework includes zoning text changes that would allow the IHP provisions of Section 23-90 to apply to new developments in the R8A and equivalent districts within the Third Avenue Corridor. Consistent with recently adopted actions for other areas throughout the City, including the East Village/Lower East Side Rezoning immediately to the east, the Third Avenue Corridor proposal maintains the height and setback limits of the underlying contextual district designation while allowing a floor area bonus for developments providing affordable housing. The Commission believes this program is an effective tool for promoting the development and preservation of affordable housing in conjunction with private development of market-rate housing.

RESOLUTION

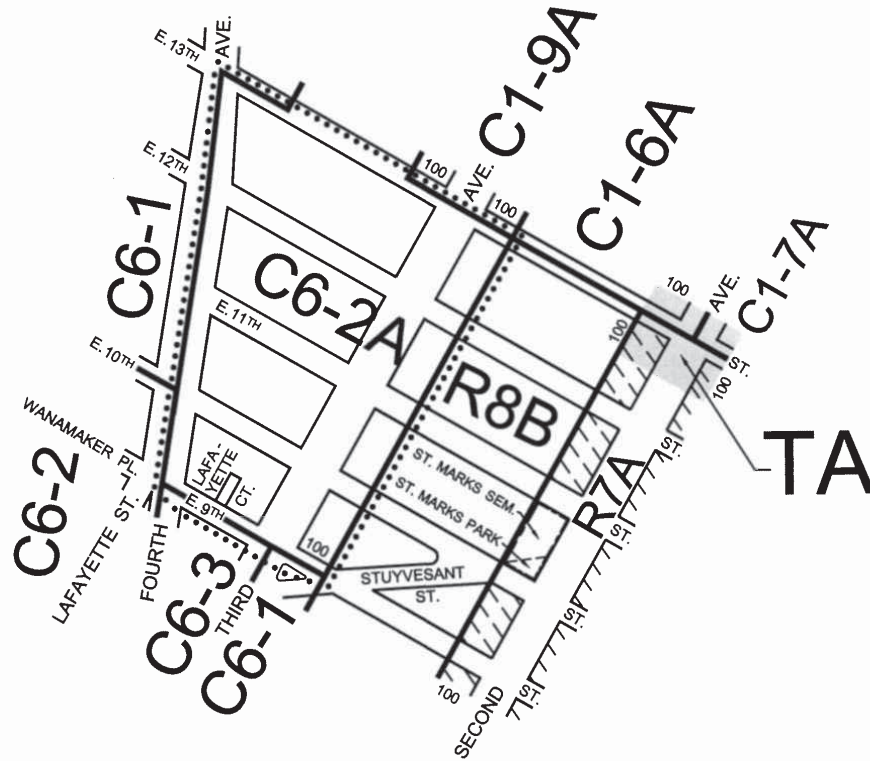
RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration

described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby further amended by changing the Zoning Map, Section No. 12c, by changing from a C6-1 District to a C6-2A District property bounded by East 13th Street, a line 100 feet easterly of Third Avenue, East 9th Street, and Fourth Avenue, Borough of Manhattan, Community District 3, as shown on a diagram (for illustrative purposes only) dated May 24, 2010, and subject to the conditions of CEQR Declaration E-254.

The above resolution (C100420ZMM), duly adopted by the City Planning Commission on September 29, 2010 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
NATHAN LEVENTHAL, ANNA HAYES LEVIN,
KAREN A. PHILLIPS, Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

12c





BOROUGH OF
MANHATTAN

New York, Certification Date
MAY 24, 2010

S. Voyages, R.A. Director
Technical Review Division



NOTE:

-  Indicates Zoning District Boundary.
-  The area enclosed by the dotted line is proposed to be rezoned by changing from a C6-1 District to a C6-2A District.
-  Indicates a C1-5 District.
-  **TA** Indicates a Special Transit Land Use District.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

Application # C 100420 ZMM
CEQR # 10DCP044M
Community District No. 03 Borough: Manhattan
Community District No. _____ Borough: _____
Project Name: **Third Avenue Corridor Rezoning**

INSTRUCTIONS

1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from a C6-1 District to a C6-2A District property bounded by East 13th Street, a line 100 feet easterly of Third Avenue, East 9th Street, and Fourth Avenue, Borough of Manhattan, Community District 3, as shown on a diagram (for illustrative purposes only) dated May 24, 2010, and subject to the conditions of CEQR Declaration E-254.

Applicant(s):

NYC Department of City Planning
Manhattan Borough Office
22 Reade Street, 6th Floor
New York, N.Y. 10007

Applicant's Representative:

Edith Hsu-Chen, Director

Community Board No. 3 Borough: **Manhattan**

Borough Board

Date of public hearing: **6-7-2010**

Location: **UNIVERSITY SETTLEMENT-SPEYER HALL
184 ELDRIDGE STREET
NEW YORK, N.Y. 10002**

Was a quorum present? YES NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Vote adopting recommendation taken: **6-22-2010**

Location: **P.S. 20
166 ESSEX ST., NEW YORK, N.Y. 10002**

RECOMMENDATION

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

Voting

In Favor: **35** Against: **0** Abstaining: **02**

Total members appointed to the board: **49**


Community/Borough Board Officer


Title

Date: **July 8, 2010**

v 012006w



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

August 16, 2010

Recommendation on
ULURP Application Nos. C 100420 and N 100419 ZRM –
Third Avenue Corridor Rezoning
by the New York City Department of City Planning

PROPOSED ACTION

The Department of City Planning (“DCP”) seeks approval of a **Zoning Map amendment** (C 100420 ZMM) to change an existing C6-1 zoning district to a C6-2A contextual zoning district in the northwest section of Manhattan Community District 3. The project area is comprised of all or part of 8 blocks generally bounded by East 13th Street (to the north); East 9th Street (to the south); Third Avenue (to the east); and the Fourth Avenue (to the west).

DCP additionally proposes a related application for a **Zoning Text amendment** (N 100419 ZRM) to modify Appendix F (Inclusionary Housing Designated Areas) of the New York City Zoning Resolution. The text amendment would extend the City’s Inclusionary Housing Program to the proposed C6-2A zoning district in the subject area.

PROJECT DESCRIPTION

DCP proposes to amend the Zoning Map to change the zoning district for an eight-block area from a C6-1 district to a C-2A district. The proposed rezoning area includes four full blocks from East 9th to East 13th streets between Third and Fourth avenues and the eastern block frontages along Third Avenue between East 9th and East 13th streets. The proposed zoning plan was created in response to longstanding community concerns regarding out-of-scale development and the loss of affordable housing within the community. Together with the application of the Inclusionary Housing Program, the rezoning focuses on preserving the low- to mid-rise character of the area by establishing contextual building height limits and street walls requirements, while creating opportunities for affordable housing development.

The area’s current zoning is a legacy of the 1961 Zoning Resolution. The existing medium-density commercial zoning district was intended to encourage a tower-in-the-park form; consequently, the existing C6-1 zoning districts lack regulations for street wall requirements and maximum building heights. The C6-1 district has a maximum FAR of 3.44 for residential uses, 6.0 for commercial uses, and 6.5 for community facility uses. The project area is adjacent to the area that was rezoned during DCP’s East Village/Lower East Side Rezoning in 2008.

The predominant land use in the proposed rezoning area is residential use, consisting of low-and mid-rise multi-family apartment buildings or mixed-use residential buildings with ground-floor retail spaces. In addition to residential uses, the area has several structures dedicated to institutional uses including large dormitory buildings and a large post office building.

Generally, C6-2A districts allow a maximum FAR of 6.0 for commercial uses and 6.5 for community facilities, require street walls of 60 to 85 feet, and limit maximum building heights to 120 feet. The proposed C6-2A district, however, would be modified to conform to the City's standard for this district in the Inclusionary Housing Program. As modified by the Inclusionary Housing Program, the zoning district would permit a base residential FAR of 5.4 with a maximum residential FAR of 7.2 if the development includes 20 percent affordable housing. Even with the affordable housing bonus, developments must still fit within the contextual building form set forth in C6-2A districts.

DCP's proposed zoning text amendment would apply the Inclusionary Housing Program to the proposed C6-2A district. The City's Inclusionary Housing Program allows for a zoning floor area bonus for developers who provide at least 20 percent of a development's total floor area to housing that will remain permanently affordable to lower-income households. The lower-income housing units must be targeted at households earning at or below 80 percent of the Area Median Income and must remain affordable for the life of the compensated development. The affordable units may be provided at the development site, or as newly constructed or preserved existing units in an off-site building. If off site, the affordable units must be located within the same community district, or in an adjacent community district on a site within a one-half mile of the development site receiving the bonus.

The Environmental Assessment Statement ("EAS") indicates that under a Reasonable Worst Case Scenario Development, the proposed actions would result in 7 "projected" development sites¹ and 17 "potential" development sites by the analysis year of 2020. It is anticipated that a "With-Action condition" would consist of 201 residential units and 27,438 SF of commercial space on the projected development sites. The With-Action condition would represent a net increment from a "No-Action condition" of 73 dwelling units (71,568 SF); of those residential units, 26 would be affordable housing units. The residential population increase associated with the incremental development would be 141 residents. There is no anticipated change in the amount of commercial or community facility space between the No-Action and With-Action conditions. On May 24, 2010, the City Planning Commission issued a Negative Declaration, which determined that the proposed actions will have no significant adverse effect on the quality of the environment.²

¹ Projected developments are considered more likely to be constructed during the analysis period than potential developments. The EAS used the projected developments in analyzing potential density-related impacts and both projected and potential development when analyzing site-specific potential impacts.

² As part of the Negative Declaration, (E) designations were placed on specific projected and potential development sites to preclude the potential for significant adverse impacts related to HVAC emissions.

COMMUNITY BOARD'S RECOMMENDATION

At its Full Board meeting on June 22, 2010, Manhattan Community Board 3 recommended **approval** of the application by a unanimous vote of 35 in favor and 0 opposed, and 2 abstained.

The community board also submitted a letter to CPC indicating its support for the rezoning, commending the work of CPC on the rezoning, and requesting that “the City Planning Commission look at lowering the commercial, residential and community facility FAR to ensure it is compliant with the existing residential character of our community.”

BOROUGH PRESIDENT'S COMMENTS

The goals of the rezoning plan were formulated to address longstanding community concerns regarding negative impacts of new development within the neighborhood. As a result of a strong real estate demand, the proposed rezoning area has experienced significant attention from private developers and major institutions. The resulting developments, constructed under the 1961 zoning regulations, have been inconsistent with the area's existing character and scale and the community's neighborhood-wide priorities.

The existing 1961 zoning regulations lack important protections for the neighborhood's built context, such as height limits and strong street wall requirements. Further, the existing zoning encourages commercial and community facility uses through differentials in FAR regulations, which is inconsistent with the area's predominant residential character. Without the rezoning, it is likely that out-of-scale buildings will continue to be developed, overwhelming the neighborhood's existing character.

In an effort to understand possible zoning solutions for the area, the local community board completed a zoning analysis in 2007 with assistance from a fellow from the Manhattan Borough President's Community Planning Fellowship Program. This work allowed the community to gain a deeper understanding of the area's existing built character and allowed the community to assess priorities for a potential rezoning. After continued advocacy by the community board, DCP agreed to undertake a zoning study of this area that resulted in the current zoning proposal.

The proposed zoning will establish a contextual bulk envelope, set forth by new requirements on maximum building and base heights and continuous street walls. This proposed building form will reinforce the neighborhood's general low- to mid-rise built form. In addition, the change in permitted residential density and the opportunity to utilize a residential bonus through the Inclusionary Housing Program should promote mixed-use, residential buildings, which are consistent with the area's prevailing use and character.

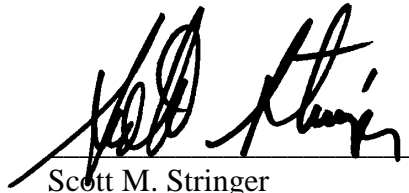
The creation of permanently affordable housing is also consistent with community goals and currently, the existing zoning lacks mechanisms to promote affordable housing. Without the Inclusionary Housing Program, it is unlikely that private development will result in any permanently affordable housing in the area.

The proposed rezoning plan will implement important strategies to address inadequacies in the current zoning by introducing building height limits; reinforcing the street wall; creating a development bonus for affordable housing; and reducing the differential in densities between residential and other uses. DCP should be commended for collaborating with Community Board 3 and other community members to produce a rezoning plan that is highly responsive to community concerns.

BOROUGH PRESIDENT'S RECOMMENDATION

The proposed zoning map change and related text amendment will reinforce the area's existing built character, provide opportunities to incentivize affordable housing, and address community concerns.

Therefore, the Manhattan Borough President recommends approval of ULURP Application Nos. C 100420 ZMM and N 100419 ZRM.

A handwritten signature in black ink, appearing to read "Scott M. Stringer", written over a horizontal line.

Scott M. Stringer
Manhattan Borough President