June 2010

To Whom It May Concern:

On Monday, June 7, 2010, zoning proposals currently under consideration by the Chinatown Working Group’s Culture, Affordability, Preservation & Zoning (CAPZ) and Economics Working Teams were presented to the full CWG.

Each proposal was presented and discussed individually with time for feedback from all participants. In the spirit of continued open dialogue, here are the materials presented for your review. They include:

Two comprehensive proposals:
- Proposal for Chinatown / Lower East Side Special District
- Proposal for Chinatown Special District

Additional three proposals:
- Proposal for Cultural and Historic Preservation
- Proposal for Economic Development
- Proposal for the East Side of Bowery

While viewing these materials, please note:

- The following are zoning proposals are WORKS-IN-PROGRESS currently being considered by the CAPZ and Economics Working Teams. They do NOT represent the CWG’s official position, which will not be known until the full CWG votes on each proposal – likely sometime this Fall.
- The presentation of proposals is in no particular order.

There will be many more opportunities in the coming days for input and feedback regarding these proposals. Interested parties are encouraged to attend future CAPZ and Full CWG meetings. All CWG meeting are open to everyone. Meeting dates/locations are posted on the CWG’s website: www.chinatownworkinggroup.org

If you have any questions, please contact the CWG at info@chinatownworkinggroup.org

Fondly,

Jim Solomon & Thomas Yu
Chinatown Working Group, Co-Chairs
The following items you are about to see are **PROPOSALS** from CAPZ Working Teams. They are NOT the CWG's official position.

Presentation on the Various Zoning Proposals Being Discussed by the CAPZ Working Team

Presentation by CAPZ and Economic Working Teams
June 7, 2010
Purpose of this presentation: (1/1)

• Familiarize the full CWG with the various zoning proposals (five in total) being considered by the CAPZ working team

  (Friendly reminder: CAPZ stands for Cultural and Historic Preservation, Affordability, Zoning)

• Provide opportunity for each proposal to be presented in a uniform format that is accessible to a wider audience

• Create space for questions and clarification on the various proposals to occur outside of the CAPZ meeting---- we understand that everyone is not able to attend the monthly CAPZ meetings
Ground Rules: (to keep in mind for this presentation) (1/2)

• The following items you are about to see are PROPOSALS from CAPZ Working Teams. They are NOT the CWG's official position.

• The full CWG must vote on each proposal before it becomes the official position of the CWG.

• There will be no voting today--- a vote by the Full CWG is likely this Fall.
Ground Rules: (continued) (2/2)

The presentation of proposals is in **no particular order**.

Presentation structure:
• Present each proposal one by one
• No more than three minutes to describe and illustrate the general concepts of each proposal
• No more than ten minutes of open discussion and questions by audience following description of each proposal***

***There will be plenty more opportunities for input and feedback beyond this meeting

Representatives from all of the teams who have authored the various proposals are present and will be able to answer any questions you may have.
CAPZ Zoning Proposals: What’s being discussed? (1/3)

Two comprehensive proposals:
- Proposal for Chinatown / Lower East Side Special District
- Proposal for Chinatown Special District

Additional three proposals:
- Proposal for Cultural and Historic Preservation
- Proposal for Economic Development
- Proposal for the East Side of Bowery
CAPZ Zoning Proposals: What’s being discussed? (2/3)

Two comprehensive proposals:
- Proposal for Chinatown / Lower East Side Special District
- Proposal for Chinatown Special District

Proposals are much larger in scale, covering a range of themes and issues
CAPZ Zoning Proposals: What’s being discussed? (3/3)

Additional three proposals:
- Proposal for Cultural and Historic Preservation
- Proposal for Economic Development
- Proposal for the East side of Bowery

Proposals have a smaller scale / focus

“Amendments”--- for the most part, are viewed by the larger CAPZ team as being able to fit into either of the two comprehensive proposals
CAPZ Zoning Proposals:

Two comprehensive proposals:

- Proposal for Chinatown / Lower East Side Special District
- Proposal for Chinatown Special District

***Please see “CAPZ Alternatives Plan Comparison” (next three slides)***
Proposed Boundaries

**Alternative 1:**
Study Area is coterminous with Rezoning Area, which would comprise a new Chinatown/Lower East Side Special District to focus on the communities with common socioeconomic characteristics; includes the waterfront, NYCHA housing corridor up to 15th Street on the east side; the recently rezoned area of the East Village/Lower East Side Rezoning; Seward Park area; western boundary is Centre Street.

**Alternative 2:**
Study Area includes wider area, but not coterminous with Rezoning Area, proposed as a Chinatown Special District for core planning area to emphasize revitalization in a clearly defined area; excludes NYCHA housing corridor; the recently rezoned area of the East Village/Lower East Side Rezoning; Seward Park area; western boundary is Broadway.

Affordable Housing

1. Focus on the preservation of low-income housing stock in the community—Section 8, Mitchell-Lama, and NYCHA housing by rezoning to reduce incentive for displacement and luxury development
2. Explore alternatives beyond the limits of the existing inclusionary zoning programs for creation of affordable housing in new developments, including but not limited to making it mandatory and on-site
3. Define affordable housing using local AMI
4. Provisions of the Special District:
   - Protection of mixed use, large coverage buildings with ground floor retail and services and residential above.
   - Special permit requirements for development on superblocks or NYCHA property.
   - Requirements for certification of no harassment as a
5. Provision of mandatory inclusionary housing for density bonus
6. Define affordable housing using local AMI
7. Maintain permanent affordability of inclusionary units
8. Require on-site provision of inclusionary units to encourage mixed-income community development in Chinatown
9. Mandate anti-harassment regulations for new developments
10. Provide density bonus for contribution to special district fund to upgrade existing housing stock
<table>
<thead>
<tr>
<th>CAPZ Alternative Plan Comparison</th>
<th>CAPZ WORKING TEAM ZONING ALTERNATIVES</th>
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<td></td>
<td>DRAFT FOR DISCUSSION PURPOSES ONLY</td>
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<table>
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<th>Alternative 1</th>
<th>Alternative 2</th>
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<td>condition for demolition, renovation, and conversion of buildings.</td>
<td>No commercial rent control</td>
</tr>
<tr>
<td>Local Small Businesses &amp; Commercial Rent Control</td>
<td>Would create a mixed-use zoning designation that would require small retail uses, promote other supporting commercial uses along Canal Street, and preserve existing Class B &amp; C office space and existing small-scale manufacturing uses</td>
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<tr>
<td>Commercial Rent Control</td>
<td></td>
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<td>Eliminate key money practices</td>
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<tr>
<td>Provision to protect mixed use, large coverage buildings with ground floor retail and services and residential above.</td>
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<tr>
<td>Preservation of local small businesses by downzoning to reduce incentive for displacement.</td>
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<tr>
<td>Density</td>
<td>Mixed upzoning and preservation.</td>
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<td>NB: for convenience of comparison, the sub-areas described in Alternative 1 are used for reference, with slight changes in description</td>
<td>Sub-area A NYCHA Housing Corridor—no recommendation.</td>
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<tr>
<td>Area-wide moratorium downzoning as follows:</td>
<td>Not included in proposed Chinatown Special District</td>
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<tr>
<td>Sub-area A NYCHA Built FAR: 2-3.4 Current: 3.44 Proposed: 3.0</td>
<td>Sub-area B Chinatown Planning Core &amp; Canal Street Development Corridor. Current zoning ranges from 3.44 to 12 FAR; area requires planning analysis, but Canal Street Corridor should include targeted upzoning with bonus for inclusionary housing, and require preservation of Class B and C office space and existing manufacturing</td>
</tr>
<tr>
<td>Sub-area B Mixed Use Small Business &amp; Rent-Regulated Housing Built FAR: 1-2.5 Current: 6.0 Proposed: 2</td>
<td>Sub-area C Previously rezone LES area. Not included in proposed Chinatown Special District</td>
</tr>
<tr>
<td>Sub-area D Seward Park Development for permanently affordable housing. (No specific recommendation)</td>
<td>Sub-area D Seward Park. Already being studied by CB3. Not included in proposed Chinatown Special District</td>
</tr>
<tr>
<td>Urban Design Controls</td>
<td>Special Urban Design &amp; Streetscape Controls</td>
</tr>
<tr>
<td>No recommendations</td>
<td>• streetscape</td>
</tr>
<tr>
<td></td>
<td>• building form</td>
</tr>
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<td>• streetwall transparency</td>
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<td>• wayfinding and signage to emphasize cultural and language diversity</td>
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<td>• open space and pedestrian circulation space requirements</td>
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<td>• within designated areas, limit height of new</td>
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### CAPZ Alternative Plan Comparison

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<th>Alternative 2</th>
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<tbody>
<tr>
<td>Historic Resources</td>
<td>Preserve the existing historic built environment by downzoning, which will increase incentive for preservation and reduce incentive for demolition and redevelopment</td>
<td>Supports creation of a preservation zone within which building height would be limited and contextual building form controls would apply</td>
</tr>
<tr>
<td>Canal Street Corridor</td>
<td>No—area is recommended for downzoning to preserve existing local businesses and homes and small manufacturers</td>
<td>Yes—area is recommended for upzoning to a mixed-use zone to create affordable housing, preserve existing manufacturing and Class B &amp; C office space, and promote viable small-scale commercial uses</td>
</tr>
<tr>
<td>Cultural Development</td>
<td>Special permit requirements for community facility uses.</td>
<td>Permit a floor area bonus for the provision of a large-scale community facility cultural use venue within the 197-a area boundaries to encourage preservation and revitalization of the arts within Chinatown (but only for a qualifying cultural use facility, not community facilities generally)</td>
</tr>
<tr>
<td>Special District Zoning</td>
<td>Yes, for Lower East Side and Chinatown</td>
<td>Yes, for Chinatown only</td>
</tr>
</tbody>
</table>
CAPZ Zoning Proposals:

Additional three proposals:

- Proposal for Cultural and Historic Preservation
- Proposal for Economic Development
- Proposal for the East side of Bowery
Cultural and Historic Preservation Proposal: Goals

• The core of Chinatown has historical, architectural and cultural significance for its current community and for the history, architecture and culture of the city of New York and the nation.

• The Cultural and Historic Preservation Team is considering both a historic landmark district and a special zoning district to preserve the culture, neighborhood and community of Chinatown.
Cultural and Historic Preservation Proposal: Map
Cultural and Historic Preservation Proposal:

The Historical-Cultural Team has so far identified three areas for historic preservation, either by special zoning or landmark districting or a combination of the two, including possibly overlapping zoning with landmarking. In collaboration with the Economic Team, the Cultural-Historical Team has identified Henry Street and Madison Street from St James Place to Jefferson Street as a landmark district with an overlay of special zoning.

The Team is considering Division Street and East Broadway for a special zoning.

The core of Chinatown is also a candidate for special zoning to preserve the character of the streets, and landmarking to preserve the structures. A special zone for Chinatown would allow for a variety of characteristics of Chinatown culture and context: projecting signage, street artisans and craftsman, vendors, sidewalk restrictions, commercial uses, sharing storefronts, fire-escapes, contextual streetscape and setback balconies.
Cultural and Historic Preservation Proposal:

What are landmark districts and special zoning districts and how would they preserve Chinatown?

Historic Landmark Districts
The Landmarks Preservation Commission is empowered to designate a whole street or neighborhood as a continuous landmark district. All the buildings in the designated area is treated as a landmark. Changes to the exterior of the building must meet Commission approval, including additional floors, new signage, or any structural changes that will affect the exterior, but the exterior only.

The landmark DOES NOT affect the interior of the building. The owner may do anything to the interior as long as it does not affect the exterior.

The owner is NOT required to renovate the building or change it in any way. The Commission "cannot make you do work on your building."

The building's air rights remain, and the owner can sell the air rights farther than non landmarks.
Cultural and Historic Preservation Proposal:

What are landmark districts and special zoning districts and how would they preserve Chinatown?

Special Zoning Districts

A special zoning district may limit the height and bulk of a building. Air rights may be limited or lost. A special zoning cannot prevent an owner from demolishing the building, but limiting the air rights and heights removes the incentive for redevelopment.

Special zoning may restrict elements of streetscape, signage, parking, commercial uses and sidewalk uses.
Cultural and Historic Preservation Proposal:

What are landmark districts and special zoning districts and how would they preserve Chinatown?

Combining landmark districts with special zoning
A special zoning district may limit bulk and height to eliminate the danger of distant air rights transfers from landmarks. Also, landmarking cannot restrict commercial use. Special zoning can.

In addition, the Team is concerned with the likelihood of a designation. Applying for both special zoning and landmarking will improve the chances of preservation.
CAPZ Zoning Proposals:

Additional three proposals:

- Proposal for Cultural and Historic Preservation
- Proposal for Economic Development
- Proposal for the East side of Bowery
Economics Working Team Zoning Proposal: Map 1

- **Bordered Blocks - SoHo-Chinatown Incentive Zone**
  - Provide for Anti-Displacement for rent stabilized units, including legalized AIR units under DHCR.
  - Allow development of under-developed lots to a yet to be determined FAR. Given the current built environment on the 38 lots included in this proposed area an FAR 8 would seem contextual.
  - Preserve light manufacturing – possibly allowable in smaller units (M1-5b assumes full floor)
  - Expand uses to include medical facilities, broader array of Community Facilities with a small bonus. M1-5b Community Facilities include only churches and state funded medical/health with a 6.5 FAR.
  - Retain M1-5b limit of restaurants to 5,000 sq ft.
  - Allow Theaters of more than 99 seats

- **Special Permit (See also Map 2) - Special Permit for Inclusionary (affordable) housing in this to-be-defined zoning envelope. This Special permit would apply to lots of less than 20% coverage (applicable throughout the eventually designated OWC area). Within this corridor, there are 4 potential locations that would qualify**

- **Zoning Change - Currently M1-5b, change zoning to comply with C6-4 zoning directly to the south of these blocks**
Economics Working Team Zoning Proposal: Map 2

Special Purpose District - Preserve the cultural/economic character similar to Little Italy Special Purpose District. Provide height cap, set-back provisions, storefront provision, signage. Perhaps allow some air-rights transfer from underbuilt structures to Special Permit lots.

Chinatown Special Permit - Lots with less than 20% coverage that could be eligible for proposed Special Permit provision that would allow inclusionary/Affordable development by Special Permit only, FAR to be determined. Potential amount of transferrable air rights - to be determined. Adopt definitions of Affordable from CWG Working Team (as well as anti-displacement language, to assure that other potential sites are not “created” for this opportunity.)
CAPZ Zoning Proposals:

Additional three proposals:

- Proposal for Cultural and Historic Preservation

- Proposal for Economic Development

- Proposal for the East side of Bowery
East Bowery Preservation Proposal: Goals

• Preserve low-rise historic context of entire Bowery.

• Preserve Bowery’s low-rise context in relation to adjacent historic Chinatown, Little Italy, NoHo, East Village, and Lower East Side.

• Prevent out-of-scale, out-of-context developments.

• Protect low-rise buildings of special significance.

• Allow controlled, responsible development, including community facilities, while maintaining low-rise character.

• Promote retention of mixed socio-economic populations, affordable housing, social services, & artists’ live/work spaces.

• Protect small businesses, including long-established lighting, jewelry, and restaurant supply districts.
East Bowery Preservation Proposal: Map

OVERVIEW OF EAST BOWERY PRESERVATION PLAN

- Red: Unprotected: East Side of Bowery
- Orange: Noho Historic District
- Blue: EV/LES Rezoned District
- Green: Special Little Italy District

Chinatown

14th Street

Houston Street

Delancey Street

Lower East Side

Chinatown
East Bowery Preservation Proposal:

Area: 100’ corridor along east Bowery from Canal Street to Stuyvesant Street (above Cooper Sq) / (Left out of East Village/Lower East Side Rezoning)

Zoning: Existing zoning remains C6-1 and C6-1G
  - C-6-1: Residential, commercial, community facilities, including hotels, entertainment facilities, retail stores, office space, mixed buildings
  - C6-1G: Same as C6-1 except the conversion of non-residential space to residential space requires a special permit from DCP.

Height Limit: 85’ or 8 stories
Conforms to west Bowery zoning (in Little Italy Special District & NoHo Historic District)

Lot coverage:
Residential 60% (20% of lot must be useable landscaped recreational space)
Commercial 70% with 100% coverage on the first floor only.

Protections for Buildings of Special Significance
East Bowery Preservation Proposal: Summary Points

• **Plan area is small**: Only one half of one street!

• **Plan is simple**: Retains existing C6-1 and C6-1G zoning, but adds 85’ height cap & protections for buildings of special significance

• **Plan offers city 3 options for enacting changes:**
  1) Extend Special Little Italy District’s Bowery zoning from west to east Bowery (Including 85’ height cap & protections for buildings of special significance)
  2) Make special district on east Bowery to match west Bowery zoning in S.L.I.D. (Including 85’ height cap & protections for buildings of special significance)
  3) Add amendments to existing zoning (Including 85’ height cap & protections for buildings of special significance)

• **Aesthetically appropriate to have same zoning on both sides of street.**

• **Aids retention of small businesses & residents because lower height cap reduces incentives to demolish buildings.**

• **Because visitors are attracted to the Bowery’s colorful history, cultural diversity, & low-rise charm, high-rise developments would completely destroy its economic viability.**
END