



George M. Janes
& Associates

250 E. 87th Street

New York, NY 10128

Tel: 646.652.6498

george@georgejanes.com

Enhanced Commercial Districts

Prepared for:



George M. Janes, AICP
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Enhanced Commercial Districts are special zoning districts first mapped in 2011 and currently exist in only four places

EC1=Fourth Avenue (Park Slope BK)

EC2=Columbus & Amsterdam (UWS MN)

EC3=Broadway (UWS MN)

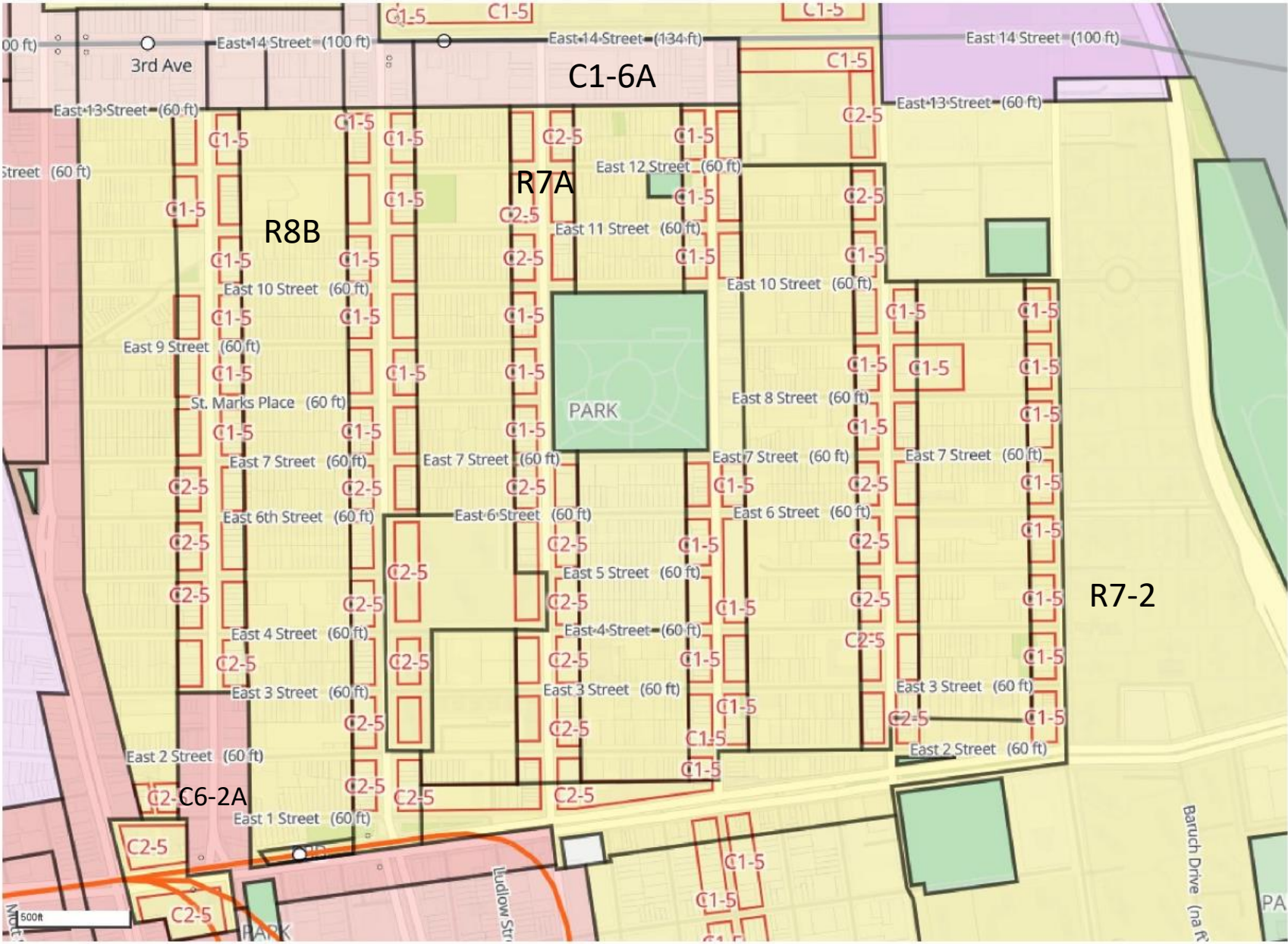
EC4=Broadway (Bed-Stuy BK)

EC5=Atlantic & Pitkin (ENY BK)

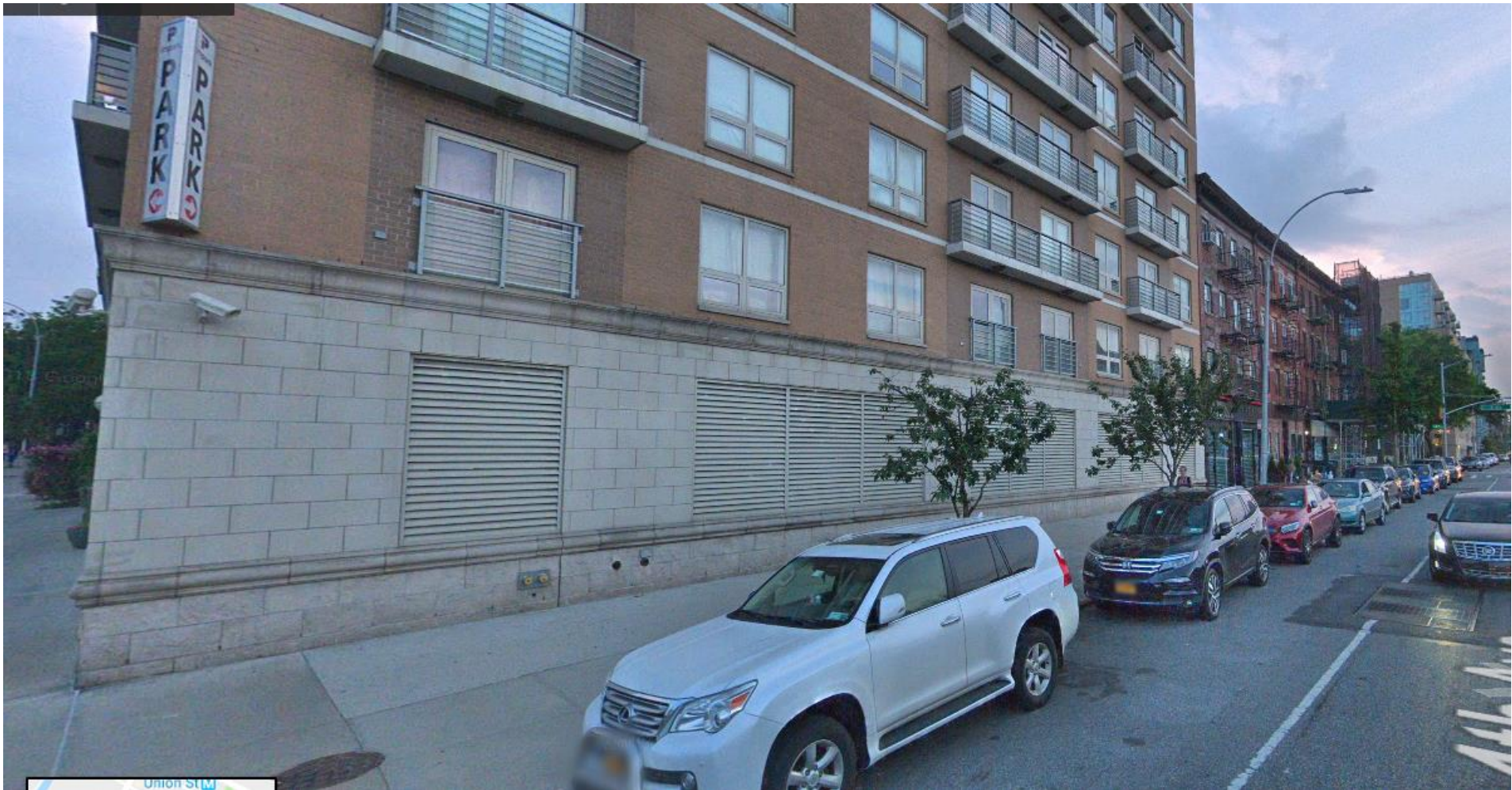
EC6=Fulton (ENY BK)



ECDs are mapped on top of existing zoning. This area was rezoned in 2008 and the underlying zoning would be unchanged



The Upper West Side ECDs are very detailed and get the most attention, but ECDs were inspired by Fourth Avenue



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The purpose of each ECD is different!

(a) in [**Park Slope/ Fourth Ave**] **ECD 1**, to enhance the vitality of emerging commercial districts ensuring that a majority of the ground floor space within buildings is occupied by commercial establishments that enliven the pedestrian experience along the street;

(b) in [**UWS Columbus/Amsterdam**] **ECD 2**, to enhance the vitality of well-established commercial districts by ensuring that ground floor frontages continue to reflect the multi-store character that defines such commercial blocks;

(c) in [**UWS Broadway**] **ECD 3**, to enhance the vitality of well-established commercial districts by limiting the ground floor presence of inactive street wall frontages;

(d) in [**Bed-Stuy**] **ECD 4**, to enhance the vitality of commercial districts by limiting the ground floor presence of inactive street wall frontages;

(e) in [**ENY Atlantic & Pitkin**] **ECD 5**, to enhance the vitality of emerging commercial districts by limiting the ground floor presence of inactive street wall frontages;

(f) in [**ENY Fulton St**] **6**, to enhance the vitality of well-established commercial districts by ensuring that ground floor frontages continue to be occupied by active uses that enliven the pedestrian experience along the street

The regulations that make up ECDs are mostly a la carte and broken into categories

	Mandatory Ground Floor <i>Use</i> Regulations			
	1 Minimum Percentage of Commercial Uses (132-22(a))	2 Mandatory Non-Residential Uses (132-22(b))	3 Other Permitted Uses (limits size of lobbies and parking) (133-22(c))	4 Minimum Number of Establishments (132-23)
EC – 1 (Fourth Avenue, Brooklyn)	X		X	
EC – 2 (Columbus & Amsterdam, UWS)				X
EC – 3 (Broadway, UWS)				
EC – 4 (Broadway, Bed-Stuy)		X	X	
EC – 5 (Atlantic/ Pitkin Avenue, ENY)		X	X	
EC – 6 (Fulton, ENY)		X	X	

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	Supplemental Ground Floor <i>Use</i> Regulations			
	5 Limits on Banks and Loan Offices (132-24(a))	6 Limits on other Non-Residential Establishments (132-24(b))	7 Limits on Lobbies (37-33(a)(1))	8 Ground Floor Transparency (132-32)
EC – 1 (Fourth Avenue, Brooklyn)			X	X
EC – 2 (Columbus & Amsterdam, UWS)	X	X	X	X
EC – 3 (Broadway, UWS)	X		X	X
EC – 4 (Broadway, Bed-Stuy)			X	X
EC – 5 (Atlantic/ Pitkin Avenue, ENY)			X	X
EC – 6 (Fulton, ENY)			X	X

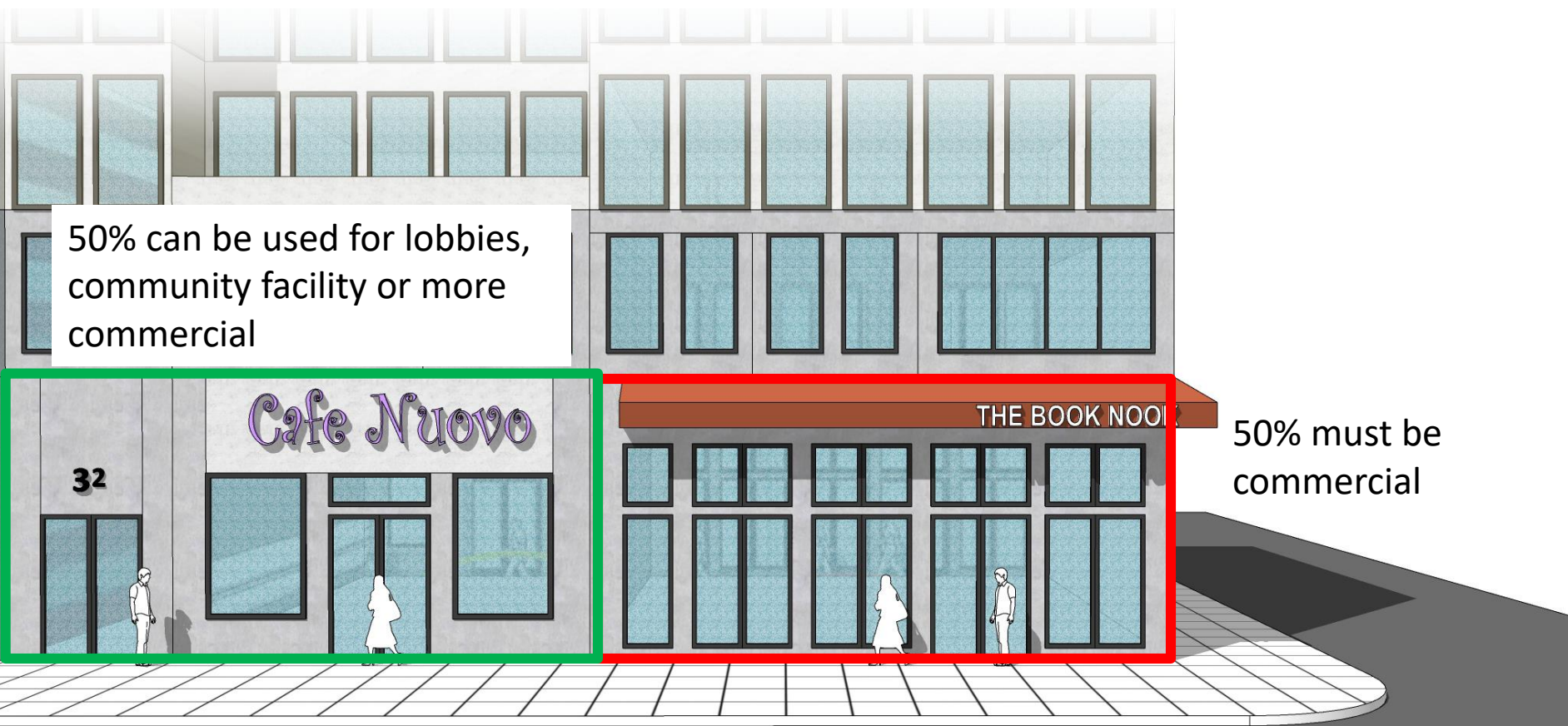
The regulations that make up ECDs are mostly a la carte and broken into categories

		Parking Regulations	
		10 Location of Parking Spaces (132-42)	11 Curb Cuts (132-43)
EC – 1 (Fourth Avenue, Brooklyn)		X	X
EC – 2 (Columbus & Amsterdam, UWS)			
EC – 3 (Broadway, UWS)			
EC – 4 (Broadway, Bed-Stuy)		X	X
EC – 5 (Atlantic/ Pitkin Avenue, ENY)		X	X
EC – 6 (Fulton, ENY)	X	X	X

1 Minimum Percentage of Commercial Uses (132-22(a))

Applies only on Fourth Avenue

50% of the space on a commercial street must be for commercial uses



50% can be used for lobbies, community facility or more commercial

50% must be commercial

2 Mandatory Non-Residential Uses in ground level (132-22(b))

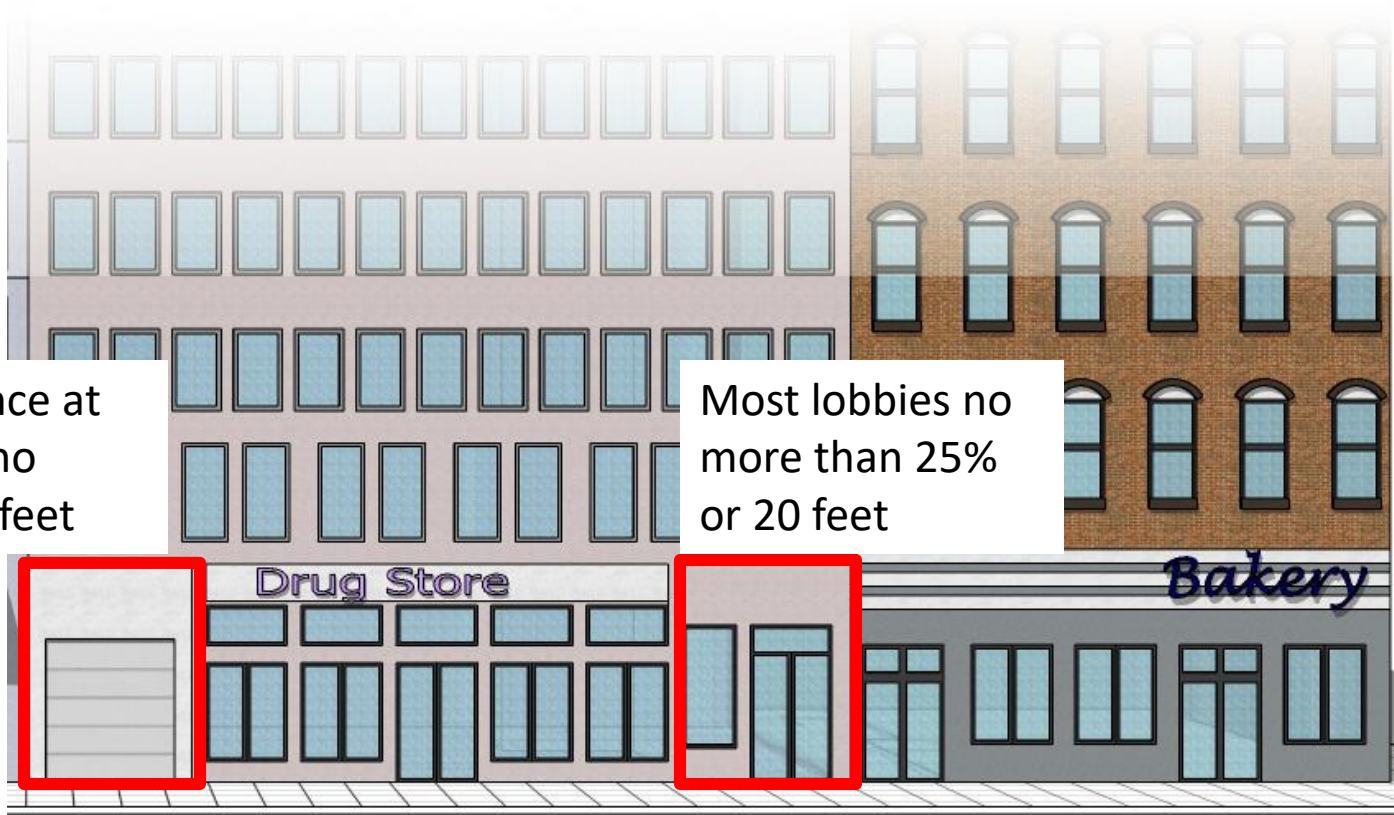
Applies only to Bed-Stuy and East NY

Keeps dwelling units off the ground floor



3 Other Permitted Uses (133-22(c))
Applies only to Bed-Stuy, East NY & Fourth Ave

Limits the size of most lobbies and parking entrances



Parking entrance at least 12 feet, no more than 17 feet

Most lobbies no more than 25% or 20 feet

4 Minimum Number of Establishments (132-23)
Applies only to Amsterdam and Columbus UWS

Requires at least 2 establishments for each 50 feet of frontage (excepts grocery stores)



A change of use from a 20' retail store to a 40' retail store would be permitted

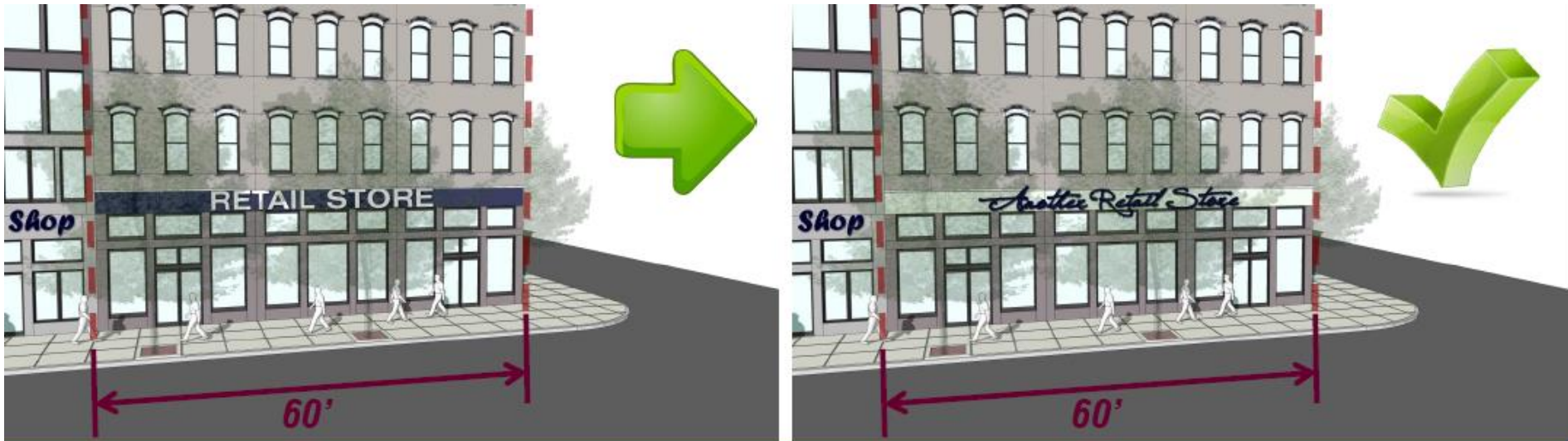


A change of use from a 20' retail store to 60' retail store would NOT be permitted

4 Minimum Number of Establishments (132-23) (continued)

Applies only to Amsterdam and Columbus UWS

Requires at least 2 establishments for each 50 feet of frontage

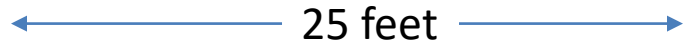


A change of use from a 60' retail store to another 60' retail store would be permitted

5 Banks and Loan Offices (132-24(a))

Applies only to UWS

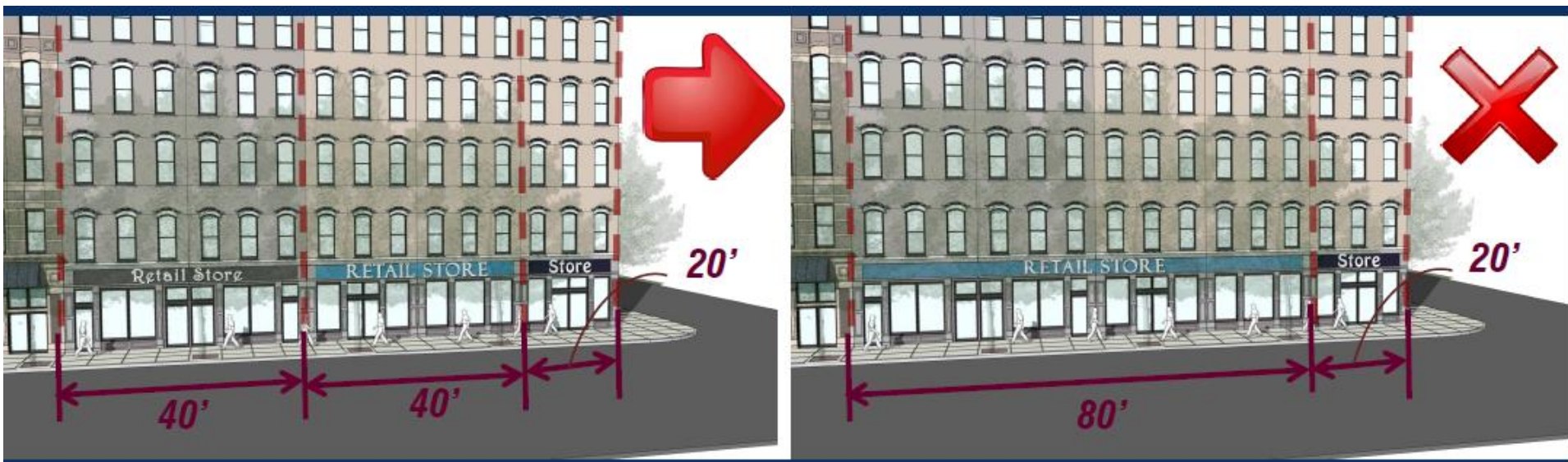
Banks can only occupy 25 feet of frontage, but can have unlimited second story offices



6 Other Non-Residential Establishments (132-24(b))

Applies only to Amsterdam and Columbus

No establishments greater than 40 feet of frontage at ground floor (excepts grocery stores)

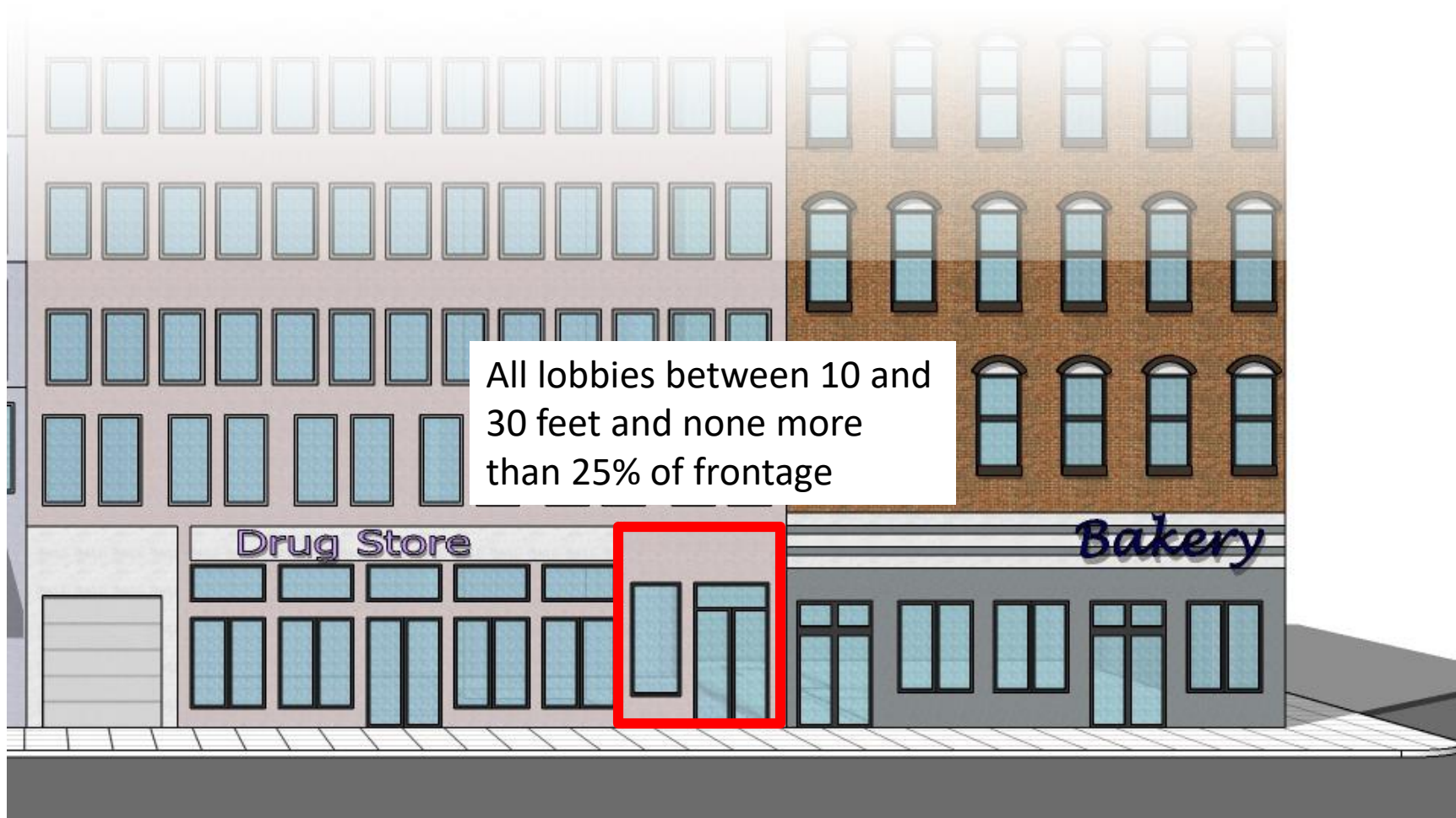


A change of use from a 40' retail store to an 80' retail store would NOT be permitted

7 Ground Floor Lobbies (37-33(a)(1))

Applies everywhere

Limits size of residential lobbies



8 Ground Floor Transparency (132-32)

Applies everywhere

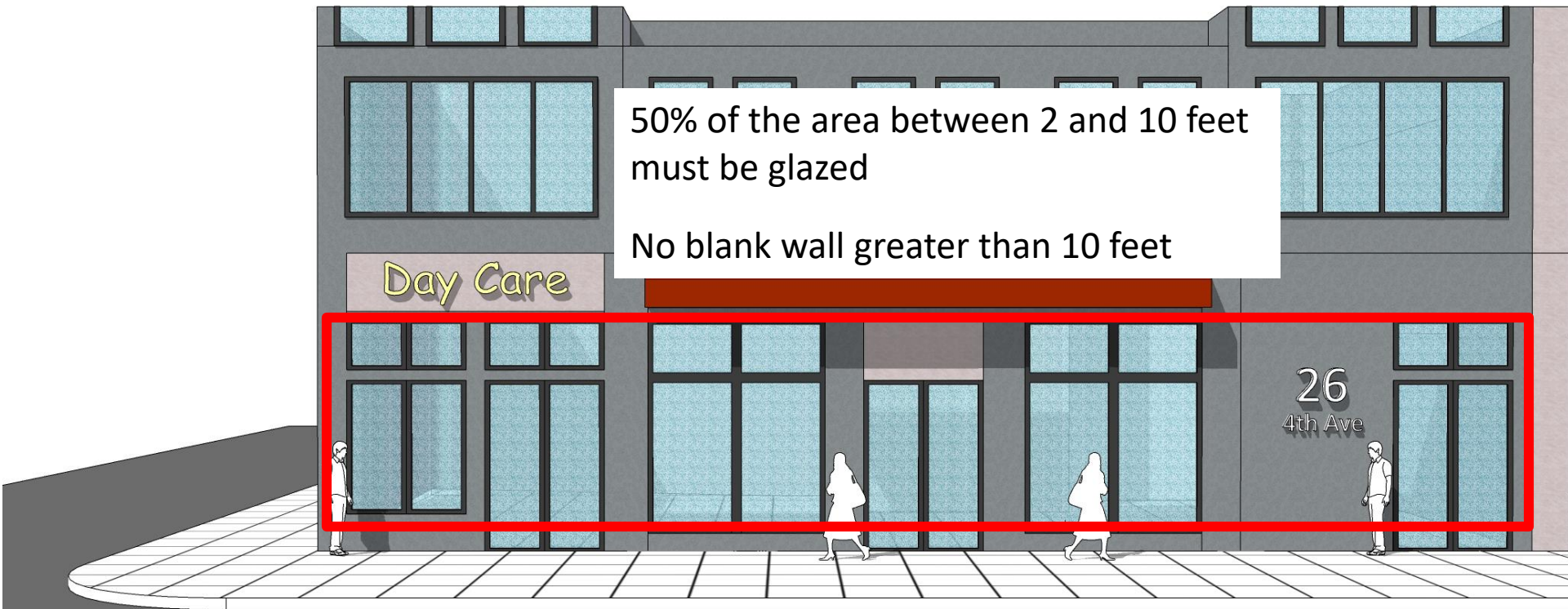
Requires glass at street level and no blank walls

50% of the area between 2 and 10 feet
must be glazed

No blank wall greater than 10 feet

Day Care

26
4th Ave



9 Street Wall Location (132-33)

Applies only on Fulton street in East New York

Requires a widening of sidewalk and sets standards for improvements

(For elevated subway on a narrow street)



10 Location of Parking Spaces (132-42) and 11 Curb Cuts (132-43)

Everywhere except the UWS

Requires parking be enclosed / hidden / wrapped

Curb cuts only allowed on interior lots more than 60 feet wide*



* Already requires a CPC authorization in Manhattan Core

What ECD regulations make sense to explore for CB3?

- Minimum % commercial
- Limitations on ground floor residential
- At least 2 establishments for 50 feet of frontage
- Limits on the size of banks
- Limits on the size of other non-residential spaces
- Limits on lobbies
- Transparency
- Mandatory sidewalk widening
- Limitation on curb cuts
- Limits on parking

Do certain commercial streets have different needs?

What else does the CB want to see addressed in their EDC?

Other retail issues not addressed by ECDs



THE NEW YORK
CITY COUNCIL

MELISSA
MARK-VIVERITO
SPEAKER

December 2017

Planning for Retail Diversity

Supporting NYC's Neighborhood Businesses



Preserving Local, Independent Retail: Recommendations for Formula Retail Zoning in the East Village

East Village Community Coalition - May 2015

EVCC works to preserve and protect the built and cultural character of the East Village



Formula retail is being addressed in other jurisdictions

- Nantucket, MA: banned chain stores from downtown
- Jersey City, NJ: restrictions of 30% ground-floor commercial space in downtown area
- Hudson, NY: outright prohibition of formula retail use in the City, with exceptions for banks, pharmacies, some grocery stores, and gas stations
- San Francisco: requires type of special-permit, review of criteria to allow formula retail

- *UK: planning guidelines limit square footage*
- *VT: ban on big-box stores*
- *France: restrictions on size of "hypermarkets"*

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A new special permit seems to be the only possible way forward in NYC and would require:

1. Understanding impacts (esp. on franchisees), and passing legal muster
2. Defining formula retail in the zoning resolution
3. Developing a special use permit to allow it
4. Developing findings that the CPC must make to grant permit
5. Requiring the applicant go through ULURP

Strategy considerations

1. Regulations that create better retail streets are not a priority for this administration
2. Must this be a zoning recommendation that goes to DCP to implement? Or is a 197-a plan or a private application possible?
3. DCP will expect existing conditions survey, vacancy surveys that include change over time, illustration and rationalization of need, etc.
4. The administration will hate the formula retail special permit and they won't like an ECD much, so . . .
5. Timeline? A long timeline (2022) makes more aggressive asks possible
6. Do you try and have a recommendation and plan ready for the next administration?

Questions / comments / discussion



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