City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME West 15th Street/Special West Chelsea District Expansion

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
15DCP037M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
150101ZMM and N 150102ZRM	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
Department of City Planning			Department of City Planning		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Robert Dobruskin			Erik Botsford		
ADDRESS 22 Reade Street, 4E			ADDRESS 22 Reade Street, 6W		
CITY New York	STATE NY	ZIP 10007	CITY New York	STATE NY	ZIP 10007
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 212-720-3437	EMAIL ebotsfo@planning.nyc.gov	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☒ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

Extension of Special West Chelsea District to include south side of West 15th Street between 9th and 10th avenues, and text amendments to clarify street wall and rear yard regulations.[1]

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 4	STREET ADDRESS See Text Below
TAX BLOCK(S) AND LOT(S) Block 712, Lots 1, 6, 36, and 38 (See Project Description)		ZIP CODE 10011
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS West 15th Street between Ninth and Tenth Avenues		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY Special West Chelsea District		ZONING SECTIONAL MAP NUMBER 8b

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION Appendix A and B of Article IX, Chapter 8; Section 98-423; Section 98-41, Section 14-44

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

1. This EAS has been revised to incorporate new text modifications, as discussed in Appendices B and C. As in indicated in Appendix B and C, the proposed modifications would not be expected to result in any significant adverse environmental impacts.

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

- ☐ LEGISLATION
- ☐ RULEMAKING
- ☐ CONSTRUCTION OF PUBLIC FACILITIES
- ☐ 384(b)(4) APPROVAL
- ☐ OTHER, explain:
- ☐ FUNDING OF CONSTRUCTION, specify:
- ☐ POLICY OR PLAN, specify:
- ☐ FUNDING OF PROGRAMS, specify:
- ☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

- ☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
- ☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

- ☒ SITE LOCATION MAP
- ☒ ZONING MAP
- ☒ SANBORN OR OTHER LAND USE MAP
- ☒ TAX MAP
- ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
- ☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 114,782

Waterbody area (sq. ft.) and type:

Roads, buildings, and other paved surfaces (sq. ft.):

Other, describe (sq. ft.):

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): See Project Description

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):

HEIGHT OF EACH BUILDING (ft.): 135

NUMBER OF STORIES OF EACH BUILDING:

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant:

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2024

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: NA

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO | IF MULTIPLE PHASES, HOW MANY? NA

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: NA

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Office, retail	Office, retaill	Office, retail	0
Gross floor area (sq. ft.)	30,808	122,487	122,487	0
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use	Studio	Studio	Studio	0
Gross floor area (sq. ft.)	241,567	272,291	272,291	0
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify number:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Briefly explain how the number of residents was calculated:				
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Office, retail, studio	Office, retail, studio	Office, retail, studio	0
No. and type of workers by business	763	1105	1105	0
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	2.8 employees per 1,000 SF			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-5	M1-5 and WCh	M1-5 and WCh	0
Maximum amount of floor area that can be developed	5.0	5.0	5.0	0
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Commercial R8, R8B, M1-5, C1-6, C6-2A	Commercial R8, R8B, M1-5, C1-6, C6-2A	Commercial R8, R8B, M1-5, C1-6, C6-2A	0
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	☐	☐

	YES	NO
percent?		
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week):		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs):		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☒
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-	☐	☐

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Erik Botsford		8/29/14

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment & Review Division	New York City Department of City Planning
NAME: Olga Abinader	DATE: 8/29/14 **Revised January 17, 2015**
SIGNATURE: Olga Abinader	

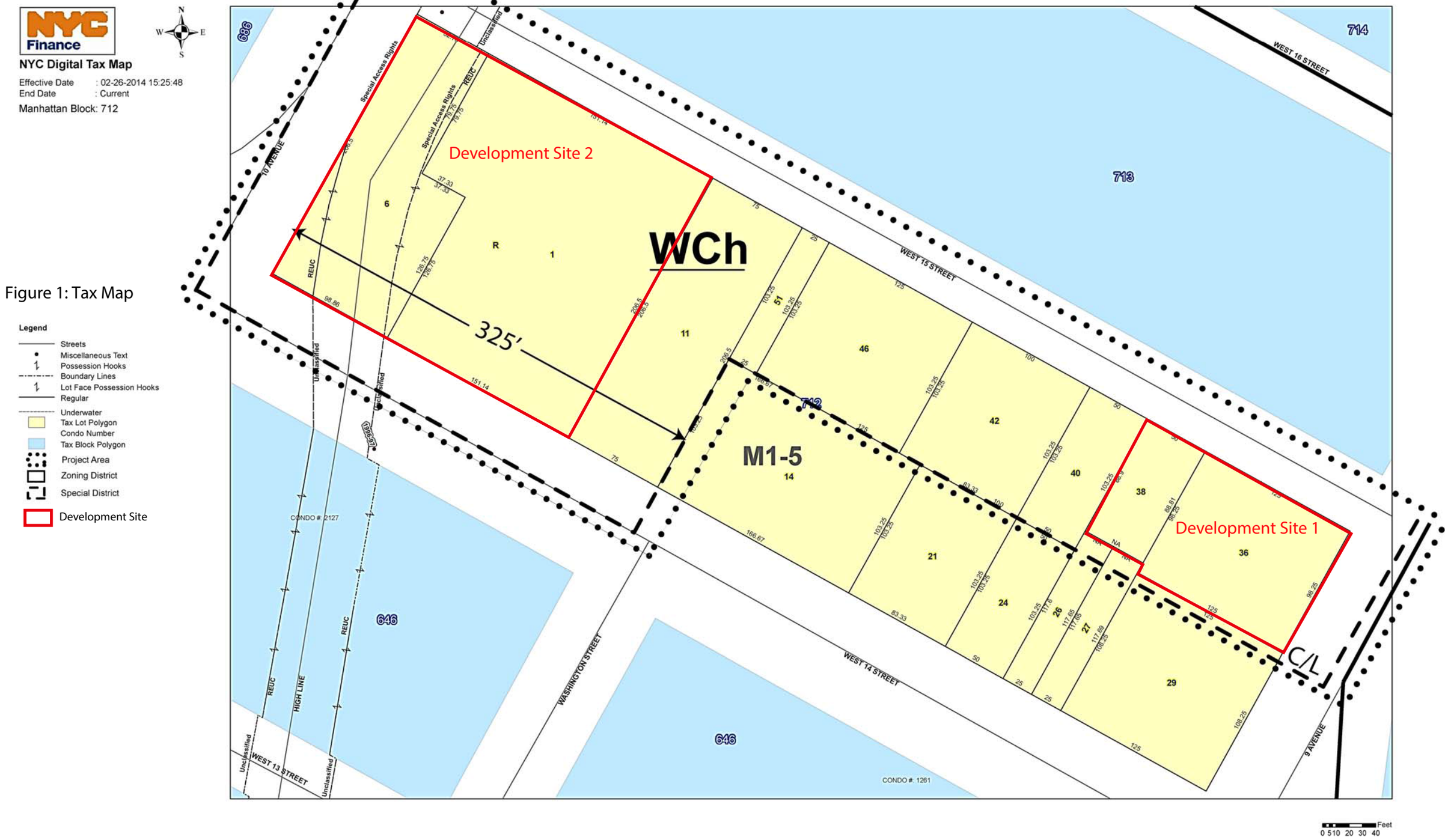
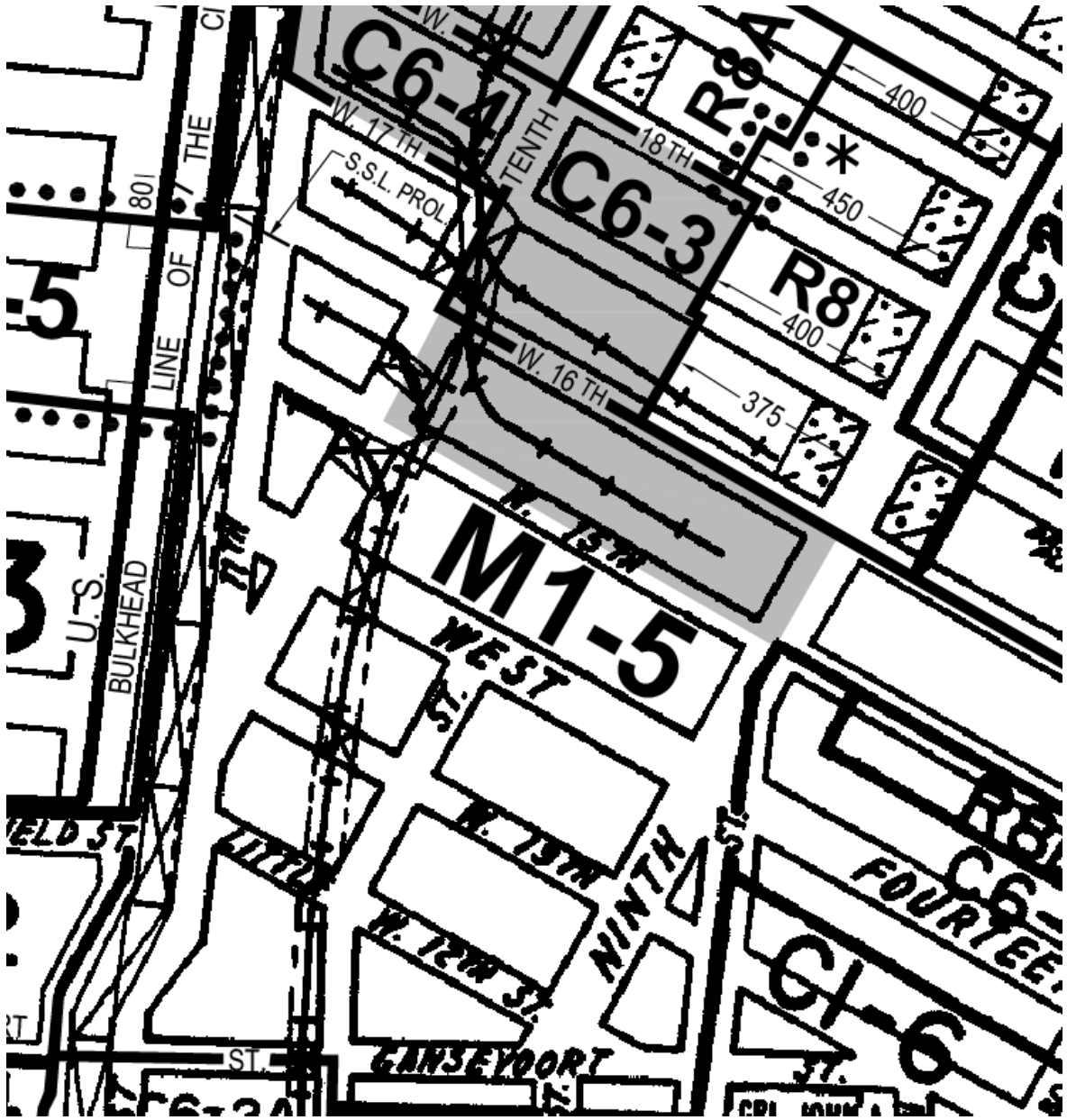


Figure 1: Tax Map

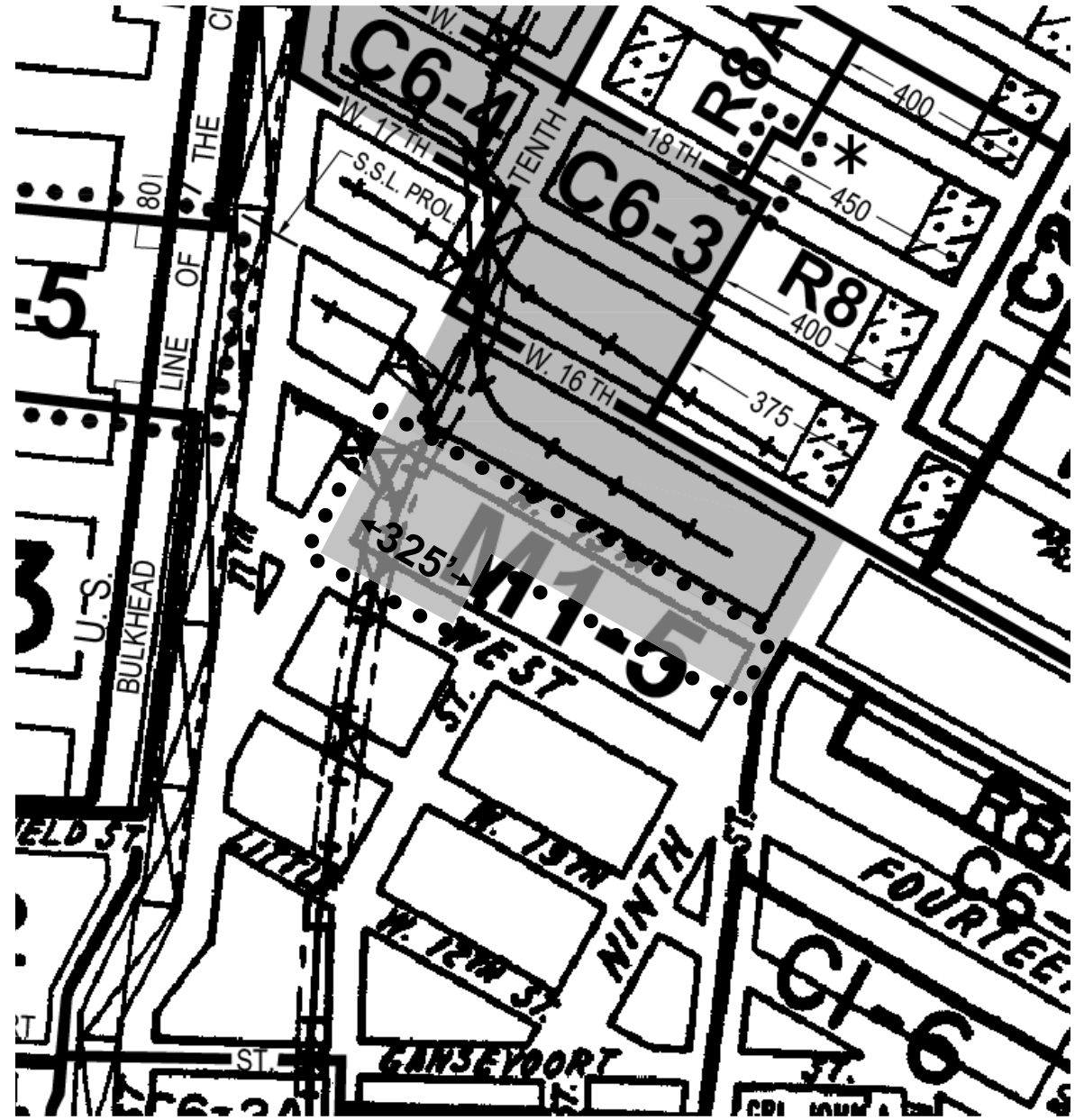
Figure 2:

Zoning Change Map

N



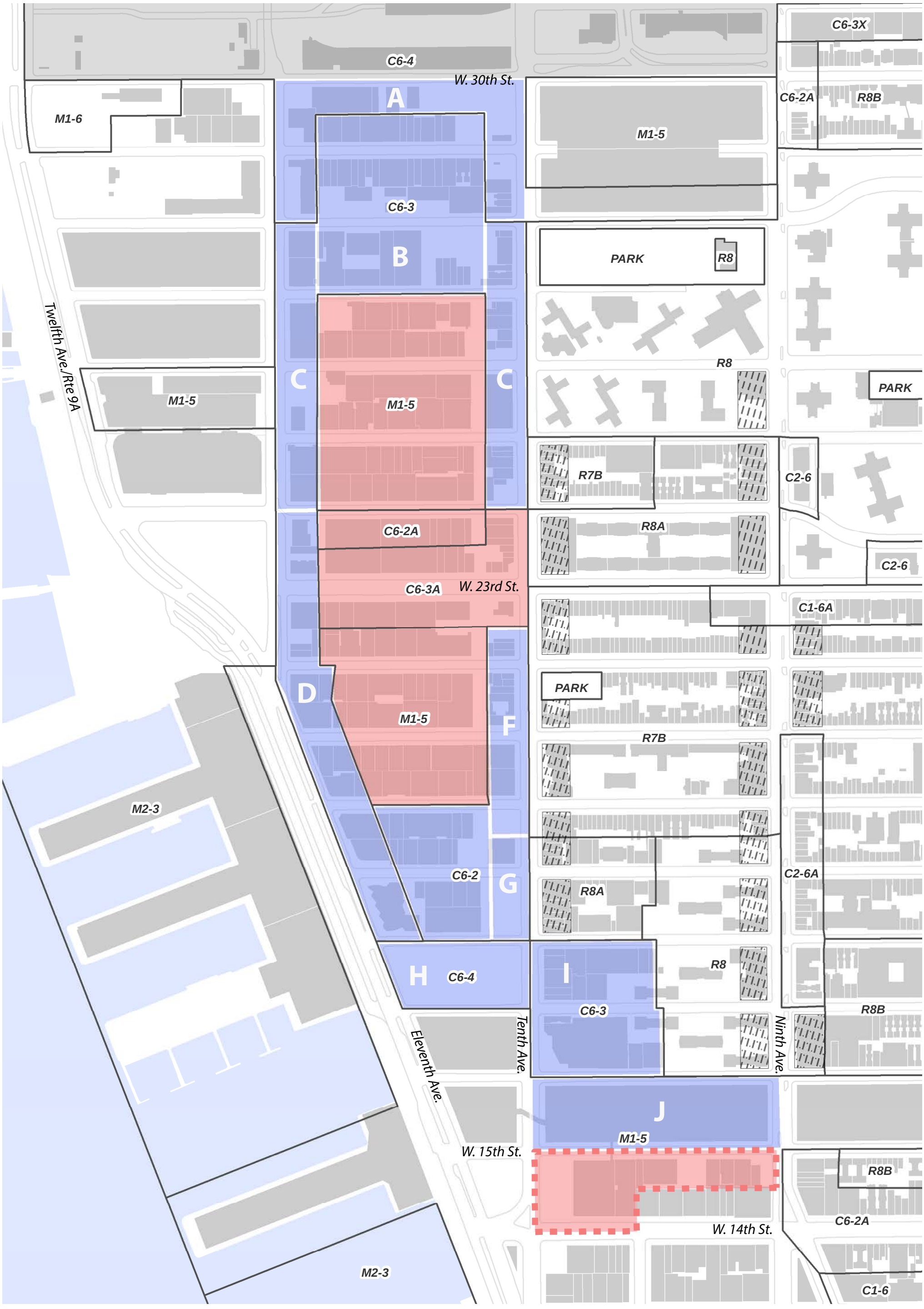
CURRENT ZONING MAP



PROPOSED ZONING MAP

Area being rezoned is outlined with dotted lines

Changing an M1-5 district to an M1-5 (WCh) district



Special West Chelsea District

outside of a subarea

within a subarea

project area (proposed rezoning area)

zoning districts

C2-5 overlay

special districts (other than WCh)

Figure 3:

West 15th Street/

Special West Chelsea District Expansion

Zoning/WCh Map

Project Description

ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

The applicant, the New York City Department of City Planning is proposing a zoning map amendment and zoning text amendment to the NYC Zoning Resolution (ZR) to expand the Special West Chelsea District to include a portion of a block bounded by West 15th Street and West 14th Street, and Ninth and Tenth Avenues in the West Chelsea neighborhood in Manhattan, Community District 4. Text amendments are also proposed for modification of street wall regulations for some corner lots, a clarification of rear yard provisions, a correction of maximum building heights permitted in Subarea C, and a provision to allow unenclosed sidewalk cafes on wide streets (collectively the "Proposed Action"). The Proposed Action is intended to reinforce the context and scale of the Special West Chelsea District and implement height and setback controls on West 15th Street that are consistent with envelope regulations governing adjacent blocks.

Zoning Map Amendment

- To extend the Special West Chelsea District to the block bounded by West 14th and West 15th Streets, and Ninth and Tenth Avenues, excluding the segment of the block beyond 325 feet east of Tenth Avenue and south of the block centerline (the "Project Area"). (Block 712, Lots 1, 6, 11, 36, 38, 40, 42, 46 and 51 and part of Lots 26, 27, and 29).

Zoning Text Amendments

- To Appendix A of Article IX, Chapter 8 to expand the Special West Chelsea District map to include the Project Area, as described above;
- To Appendix B of Article IX, Chapter 8 to expand the High Line Transfer Corridor Location map to include the Project Area as described above;
- To ZR Section 98-423, Street Wall Location, Minimum and Maximum Base Heights and Maximum Building Heights, to strengthen street wall requirements for corner lots with narrow street frontages by requiring that beyond 50 feet of an intersection with a wide street, street walls extend along the street line for at least 70% of narrow street frontage of the zoning lot up to at least the minimum base height in areas outside of a subarea; and to correct the maximum building height permitted in Subarea C for zoning lots with Tenth Avenue frontage from 145' to 125';
- To Section 98-41, Special Rear Yard Regulations, to clarify that where rear yard equivalents are required, they shall be provided at the mid-block[1];
- To ZR Section 14-44, Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted, to allow sidewalk cafes on wide streets, along portions of Ninth Avenue, Tenth Avenue, Eleventh Avenue, and West 23rd Street.

PURPOSE AND NEED

As an M1-5 zoning district without any additional regulations, the Project Area on West 15th Street is vulnerable to development that could disrupt its cohesive built fabric. The Prince Lumber site at the corner of Ninth Avenue is the only parcel on the block built to less than half of the permitted floor area ratio; it is also possible that other buildings could be demolished for

[1] Refer to Appendix B for further clarification on the proposed text amendment.

new construction. To protect the low-rise character of blocks south of the Chelsea Market, it is appropriate to extend the WCh to include the south side of West 15th Street between Ninth and Tenth Avenues.

The Project Area is currently in an M1-5 district. The proposed map and text amendments will include this area in the Special West Chelsea District, but maintain the M1-5 zoning designation. The inclusion of this partial block in the special district will implement height and setback controls that are more consistent with envelope regulations governing adjacent blocks, the existing building stock, and the surrounding built typology.

The proposed text amendment to ZR Section 98-423 will reinforce a strong and consistent street wall on corner lots with narrow and wide street frontages outside of subareas. The amendment will ensure that the street wall meets the street line for the first 50 feet and extends along the street line for at least 70% of narrow street frontage up to at least the minimum base height. The text amendment to ZR Section 14-44 to allow unenclosed sidewalk cafes on wide streets will provide an opportunity to enliven Ninth, Tenth Avenue, Eleventh Avenue, and West 23rd Street in the Special West Chelsea District where, until now, unenclosed sidewalk cafes have been prohibited.

PROJECT AREA

The south side of West 15th Street between Ninth and Tenth Avenues is zoned M1-5, which permits a floor area ratio (FAR) of 5.0, or 6.5 for some community facility uses, with a base height maximum of 85', or 6 stories, whichever is less, and an overall height dictated by the sky exposure plane. Above the building base, buildings are required to set back by 20' on narrow streets and 15' on wide streets. The Project Area is directly across the street from Chelsea Market to the north and abuts the NYC Landmark Preservation Commission (LPC) designated Gansevoort Market Historic District to the south. The boundary of the extension area was defined to include the lots fronting on 15th Street (including through lots) and exclude the lots fronting 14th Street because the 14th Street lots are within the designated historic district and the bulk of any new development would be under the jurisdiction of LPC.

The south side of West 15th Street between Ninth and Tenth Avenues is occupied by a mix of active commercial and light manufacturing uses that reflect broader trends in the neighborhood. This Project Area is occupied by seven distinct sites described below. Small portions of Lots 26, 27, and 29 would be included in the district extension, but there is no effective change to the regulations that govern the larger portions of these lots.

Sites Located Within the WCh Extension Area:

1. **Prince Lumber, 400-406 West 15th Street (Block 712, Lot 36 and 38):** A 16,731 square foot (SF) lot, over two tax lots, consisting of three one-story warehouses used as a lumber and construction material sales center for the Prince Lumber company. The warehouses are approximately 18', 25', and 23' in height from east to west with a total

floor area of 14,250 SF. The site is built to a floor area ratio (FAR) of 0.85. This site has been identified as a development site in the RWCDS.

2. **408-410 West 15th Street (Block 712, Lot 40):** A 5,163 SF lot consisting of a five-story 25,065 SF loft building. The ground floor and cellar were recently renovated to include an eating and drinking establishment. There is vacant office space on the upper levels. The built FAR is 4.85 and the building rises to 69' without setback.

3. **412-418 West 15th Street (Block 712, Lot 42):** The 10,330 SF lot is the construction site of a 108,843 SF, 24-story hotel with foundation work completed. The hotel is being constructed with development rights utilized from the adjacent sites in the Gansevoort Market Historic District. The zoning lot includes the adjacent lots for a total lot area of 38,718 SF. The building will have an FAR of approximately 10.5, or 2.81 for the zoning lot, and will be 264' in height.

4. **422-430 West 15th Street (Block 712, Lot 46):** A 12,906 SF lot consisting of a six-story loft building previously used as a parking garage and auto repair facility. The built FAR is 5.81 and the building rises to 73' without setback. The site is currently under construction for rehabilitation and enlargement of the building for office use. The building will feature a glass addition on top of the brick base.

5. **436 West 15th Street (Block 712, Lot 51):** A 2,581 SF lot consisting of a vacant single story building formerly occupied by a bar. The building rises to 13.5' and is built to an FAR of 0.97. The remaining unbuilt floor area has been distributed to 412-418 West 15th Street, the site of the hotel under construction.

6. **High Line Stages, 440 West 15th Street (Block 712, Lot 11):** A 15,487 SF through-lot consisting of a three-story photography studio. The built FAR is 2.99 and the building rises to 70' without setback. This is the only building in the Project Area that is in within the LPC designated Gansevoort Market Historic District.

7. **Milk Studios and Corner Lot, 450 West 15th Street and 461-469 West 14th Street (Block 712, Lot 1 and 6):** A 51,625 SF zoning lot that comprises two tax lots. Lot 1 consists of an eight-story building that rises to 111' without setback, occupied by Milk Studios, a 241,567 SF building used for fashion, music, photography, and film studios. This is the only building in the Project Area that currently exceeds the maximum permitted base height of 85' and penetrates the sky exposure plane. Lot 6 is beneath the High Line and consists of a recently constructed single-story, 16,558 SF retail building with a glass façade (the site was formerly a car wash). With the new retail building, the built FAR of the zoning lot is 5.0. This site has been identified as a development site for the RWCDS.

BACKGROUND AND HISTORY

Chelsea developed in the 19th century as an affluent residential area east of Tenth Avenue and as an industrialized district of warehouses, factories, and worker tenements along the piers of

Figure 5: Existing Conditions

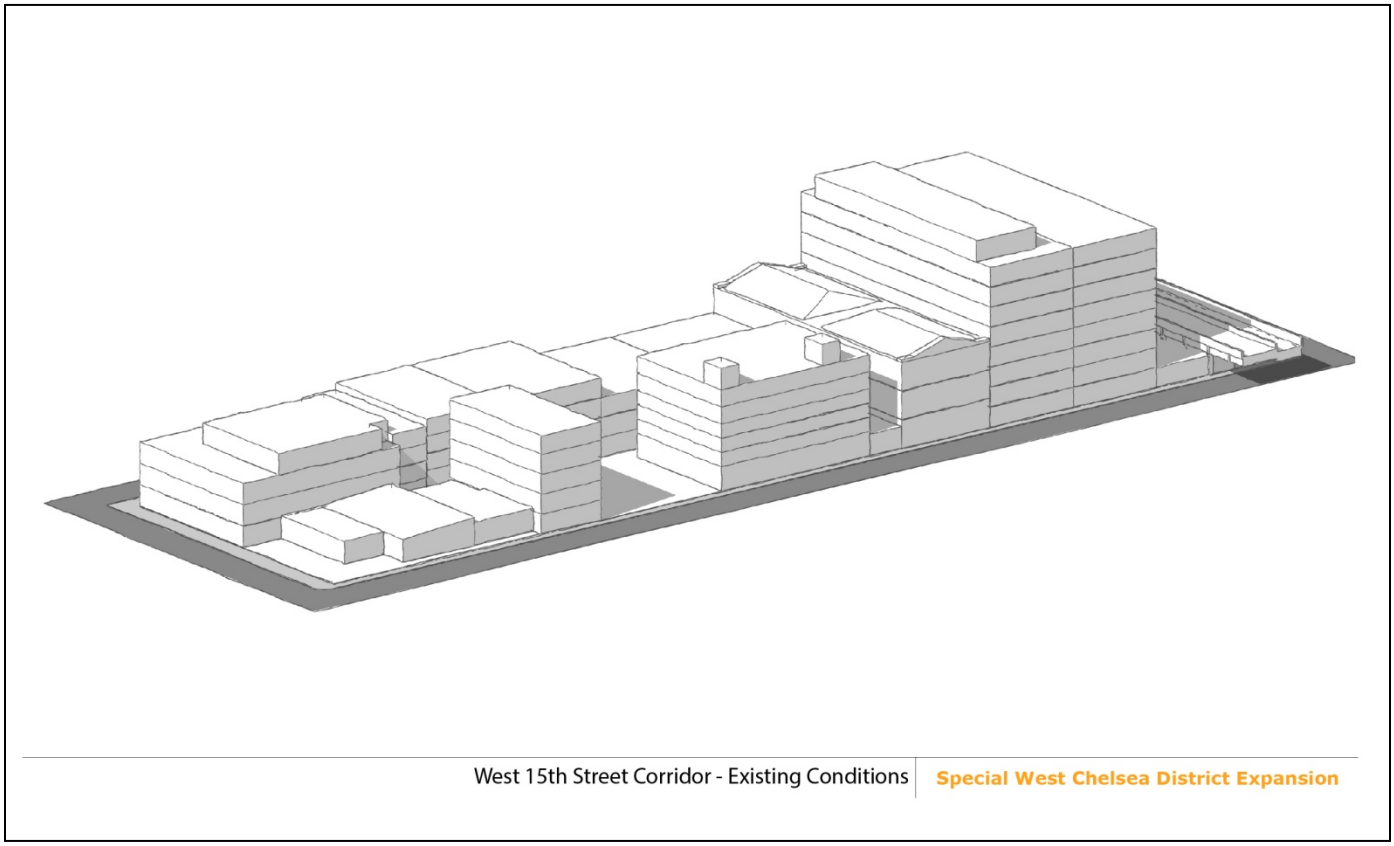


Figure 6: Photo Location Map

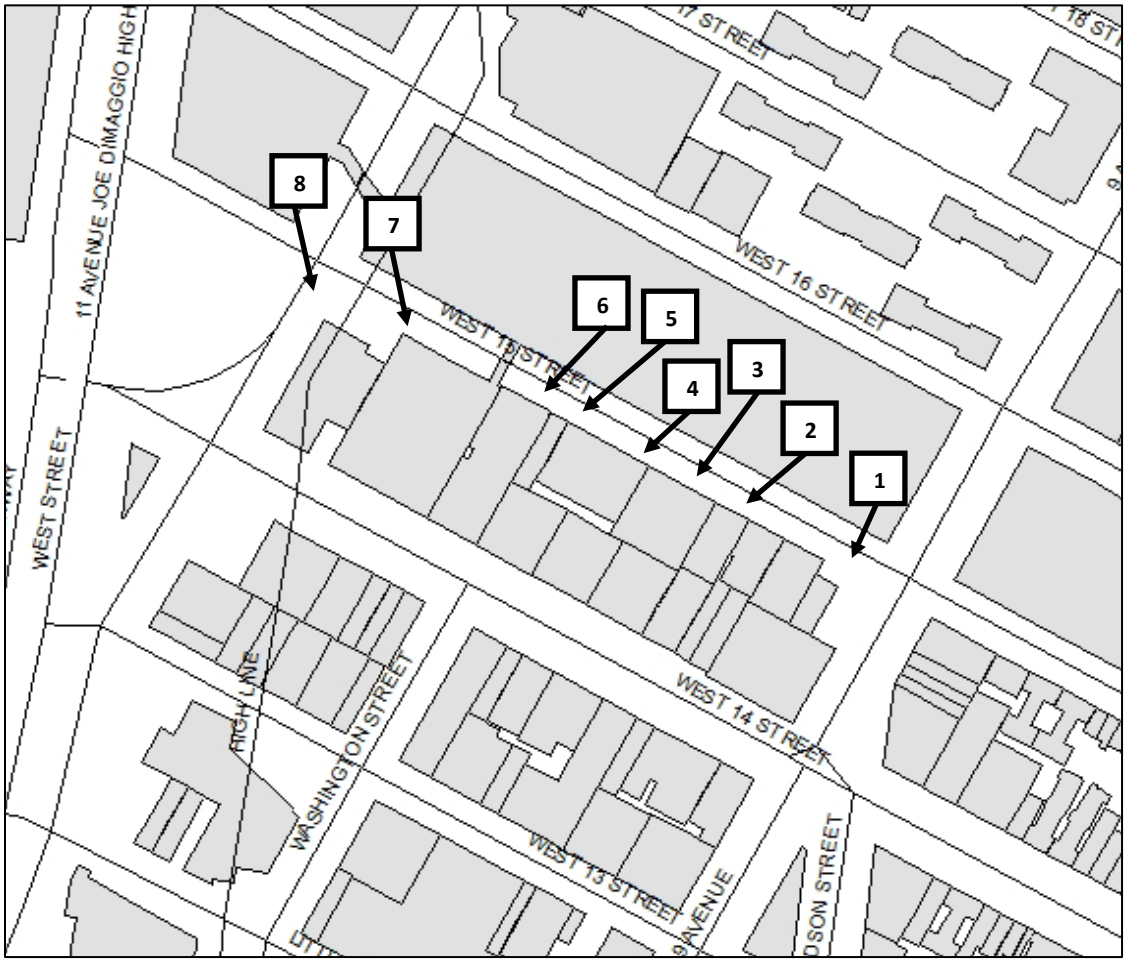


Figure 7: Site Photographs (August 2014)



400-406 West 15th Street – Prince Lumber



436 West 15th Street



408-410 West 15th Street



440 West 15th Street – High Line Stages



412-418 West 15th Street



450 West 15th Street – Milk Studios



422-430 West 15th Street



461-469 West 14th Street – Corner Lot

the Hudson River to the west. Long characterized by light manufacturing, storage, and auto-related uses, West Chelsea experienced a growth of galleries, restaurants, bars, and nightclubs beginning in the 1990s. The Chelsea Piers sports and entertainment complex and Hudson River Park further strengthened the area as a destination. In 2005, the City Council adopted the Department of City Planning-sponsored Special West Chelsea District (ULURP nos. N050161ZRM, C050162ZMM, 050163PCM, N050161(A)ZRM, and C050162(A)ZMM, CEQR no. 03DCP069M). The rezoning sought to encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood and facilitate the restoration and reuse of the High Line elevated rail line as an accessible public open space.

West Chelsea is actively growing in a manner consistent with the objectives and regulations laid out in 2005. The neighborhood maintains its diversity of uses and unique character. Northern blocks, Tenth Avenue, and Eleventh Avenue have experienced significant residential construction. Blocks adjacent to Chelsea Market, bordering the historic Gansevoort and Meatpacking districts, are attracting burgeoning creative firms, fashionable retail, restaurants, and nightlife. Midblocks in West Chelsea are dominated by art galleries occupying converted warehouses and loft buildings.

The Special West Chelsea District (WCh) comprises ten subareas with special bulk regulations that respond to the unique conditions along the High Line and surrounding streets. The special district supersedes the controls of the underlying zoning districts.

In the WCh, the base FAR within C6-4 districts is 6.5 FAR. It can be increased to 9.15 with development rights from the High Line Transfer Corridor (HLTC) and up to 12.0 FAR with the modified Inclusionary Housing bonus. The C6-3 district base FAR is 5.0 and increases to 7.5 with acquisition of development rights from the HLTC and through the Inclusionary Housing bonus. Bulk controls within the C6-3 zones between West 27th and West 29th Streets require high street walls and loft-like building forms. Bulk controls across from Chelsea Piers permit slender, tower-on-a-base forms. The base FAR within C6-2 areas is 5.0, and as much as 6.0 with development rights from the HLTC. The C6-2A and C6- 3A permitted FARs are consistent with underlying regulations, which allow 6.02 and 7.52 FAR for residential respectively, 6.0 FAR for commercial and 6.5 and 7.5 respectively for community facility uses. M1-5 districts in the WCh permit 5.0 FAR for commercial uses, but prescribe height limitations and require street walls.

In 2012, Chelsea Market, the block bounded by West 15th Street and West 16th Street, and Ninth Avenue and Tenth Avenue (situated to the north of the Project Area) was the subject of a zoning map and zoning text amendment for inclusion in the WCh as a High Line bonus site to facilitate the development of a hotel and office enlargement (ULURP nos. C120143ZMM and C120142ZRM, CEQR no. 11DCP120M).

DESCRIPTION OF PROPOSED ACTIONS

A zoning map amendment and a text amendment to Appendix A and B of Article IX, Chapter 8 of the ZR is proposed to expand the WCh to the south side of West 15th Street between Ninth and Tenth Avenues. The Project Area is in an M1-5 zoning district, which permits a FAR of 5.0,

or 6.5 for some community facility uses, with a base height maximum of 85', or 6 stories, whichever is less, and an overall height dictated by the sky exposure plane. Above the building base, buildings are required to set back by 20' on narrow streets and 15' on wide streets. The expansion of the WCh to include the south side of West 15th Street would extend bulk controls to this segment of the M1-5 district to require base heights of 50' to 95' and a maximum building height of 135'. Above the building base, buildings are required to set back by 15' on narrow streets and 10' on wide streets. The key effect of these changes would be to implement bulk controls on a segment of West 15th Street that are consistent with the built form and regulations of surrounding blocks, including the existing Special West Chelsea District to the north and low-rise, historic Gansevoort and Meatpacking districts to the south. The special district also permits museum and non-commercial gallery uses in M1-5 districts as-of-right.

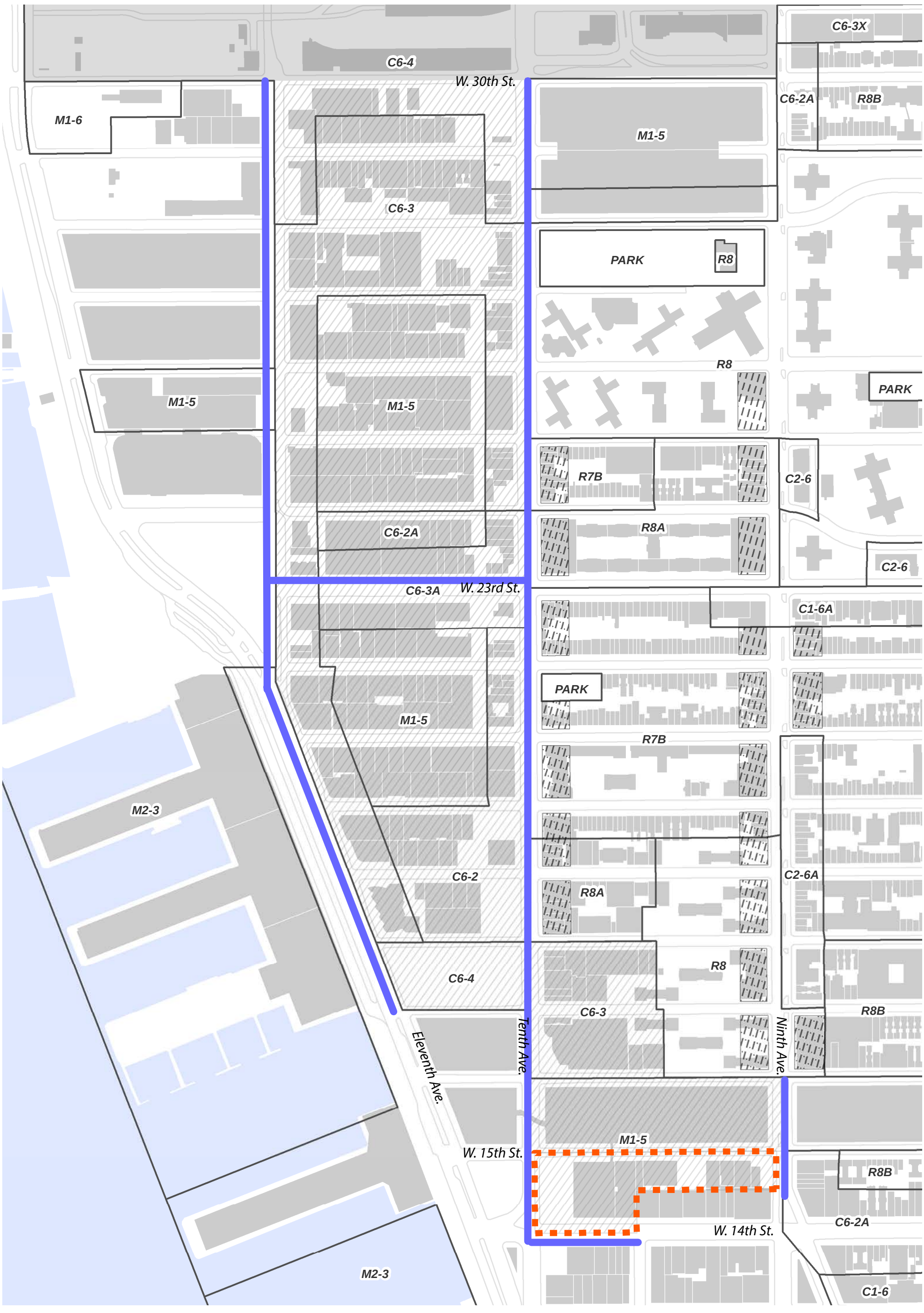
Table 1: Zoning Comparison

	M1-5	**WCh M1-5**
Street Wall Height Minimum	NA	50'
Street Wall Height Maximum	85' or 6 stories	95'
Maximum Height	within sky exposure plane	135'
Setback (wide street)	15'	10'
Setback (narrow street)	20'	15'
Residential FAR	0.0	0.0
Commercial FAR	5.0	5.0
Community Facility FAR	6.5	6.5

A text amendment is proposed pursuant to ZR Section 98-423 (Street Wall Location, Minimum and Maximum Base Heights and Maximum Building Heights) to strengthen street wall requirements in the WCh for corner lots with narrow street frontages by requiring that beyond 50 feet of an intersection with a wide street in areas outside of a subarea, street walls must extend along the street line for at least 70% of narrow street frontage of the zoning lot up to at least the minimum base height. Currently, such street walls are permitted to rise to as little as 15 feet between 50 and 100 feet from an intersection with a wide street and are not explicitly required to extend along at least 70% of the narrow street frontage.

A text amendment is proposed pursuant to ZR Section 14-44 (Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted) will permit unenclosed cafes on wide streets in the WCh, namely along portions of Ninth Avenue, Tenth Avenue, Eleventh Avenue, and West 23rd Street (see Figure 7).

In addition, the proposal includes two text amendments intended to clarify the existing WCh regulations. A text amendment is proposed pursuant to ZR Section 98-41 (Special Rear Yard Regulations) to clarify that where the rear yard equivalents are required, particularly on through-lots, they shall be provided at the mid-block. The text amendment adds language to clarify the intent of this requirement. A text amendment is also proposed pursuant to ZR 98-423 (Street Wall Location, Minimum and Maximum Base Heights and Maximum Building



Special West Chelsea District

project area (proposed rezoning area)

proposed unenclosed cafe location

zoning districts

C2-5 overlay

special districts (other than WCh)

Figure 7:

West 15th Street/

Special West Chelsea District Expansion

Unenclosed Cafes

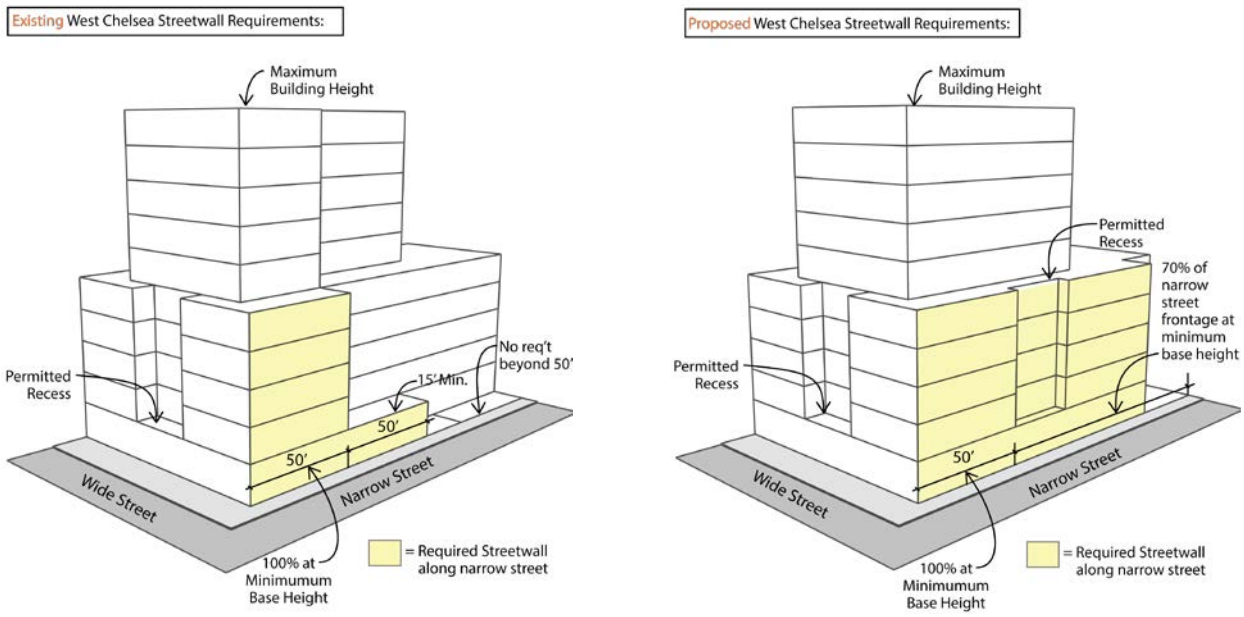
Heights) to correct the table for maximum building height permitted in Subarea C for zoning lots with Tenth Avenue frontage from 145' to 125'.

REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

In the future without the zoning map amendment, development on West 15th Street would proceed under the existing rules governing building height, setbacks, and street walls. In the future with the zoning map amendment to extend the WCh to West 15th Street, development would proceed in a framework that is consistent with the built form found in surrounding blocks. The Proposed Action would implement height, setback, and street wall requirements that are in line with the bulk regulations of existing WCh M1-5 zoning districts and contextually correspond to the Project Area's building stock.

The text amendment pursuant to ZR Section 98-423 to modify street wall regulations for some corner lots would only affect corner lots in WCh that are not located in a subarea and front on both a wide and narrow street. Although no site is expected to be affected by the text change to strengthen street walls on corner lots at this time, the figure below demonstrates conceptually how the street wall would differ between the existing and proposed street wall text.

Figure 8: Existing and Proposed Street Wall Requirements for Corner Lots



The text amendment pursuant to ZR Section 14-44 to permit unenclosed sidewalk cafes would be for wide streets in the WCh along portions of Ninth Avenue, Tenth Avenue, Eleventh Avenue, and West 23rd Street. This text amendment would not induce new cafes since they are already allowed by the underlying zoning (see Figure 8). Cafes and restaurants are allowed by the underlying zoning districts in the WCh. However, sidewalk cafes are only allowed in a

special district if it is listed in ZR Section 14-44 (Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted). The proposed zoning text amendment would allow new unenclosed sidewalk cafes along the primary thoroughfares within the district. This text amendment would not induce new cafes since they are already allowed; rather it would reinforce and enliven established and emerging retail corridors within the district. This change is described in the Urban Design and Visual Resources Section and Neighborhood Character sections.

The Proposed Action also includes a text amendment pursuant to ZR Section 98-41 to clarify that where the rear yard equivalents are required they shall be provided at the mid-block. The text currently does not allow rear yard equivalents at the street line due to street wall provisions pursuant to ZR 98-423. The text amendment adds language to clarify the intent of the requirement. The Proposed Action also includes a text amendment pursuant to ZR 98-423 to correct the table for maximum building height permitted in Subarea C for zoning lots with Tenth Avenue frontage from 145' to 125'. This is to correct the table which erroneously indicates the maximum height to be 125'. Since zoning convention states the requirement in the text supersedes the requirement listed in the table, the text amendment is simply a clarification. Therefore, these two proposed text amendments do not require a CEQR analysis as they have no effective change in bulk requirements of the WCh. [1]

DEVELOPMENT SITES

Existing buildings in the Project Area are generally occupied and actively tenanted. The High Line Stages at 440 West 15th Street and Milk Studios at 450 West 15th Street are occupied with creative offices and studios. The Prince Lumber site at 404 West 15th Street is anticipated to be developed with a retail base and offices above. 408-410 West 15th Street is occupied by an eating and drinking establishment on the ground and cellar levels and is best suited for the location of offices on the upper floors. 422-430 West 15th Street is being expanded from a garage to an office building, and 436 West 15th Street is a vacant single-story building that is likely to be re-occupied as a bar or restaurant.

It is noted that the extension of the WCh district to include the south side of West 15th Street will permit museum and non-commercial gallery uses as-of-right. This use provision was included in the 2005 WCh rezoning to help bolster and promote the growth of the established gallery district in the mid-blocks on West 20th to West 22nd Streets, and West 24th to West 27th Streets. While this use provision would be included in the expanded portion of the special district, it is not anticipated that new museums and non-commercial galleries will occupy space on West 15th Street.

The following table lists the development sites in Project Area that are expected to be affected by the Proposed Action and developed differently between the no-action and with-action scenarios. Owners of these sites have expressed interest in developing these sites in the near future. While the Proposed Action would not increase the amount of floor area generated, a range of development alternatives and configurations could occur. Therefore, for conservative analysis purposes, two reasonable worst case development scenarios ("RWCDS 1" and "RWCDS 2") have been identified.

[1]Refer to Appendix B for further clarification on the proposed text amendment.

Table 2: RWCDS Development Sites

Site #	Name/Address	Block	Lot	Projected/Potential
1	Prince Lumber 400-406 West 15th St.	712	36, 38	Projected
2	Milk Studios 450 West 15th St.	712	1, 6	Projected

BUILD YEAR

The proposed build year is 2024. A ten-year build year is typically the length of time over which developers would act on zoning map text amendments which are not associated with a specific development.

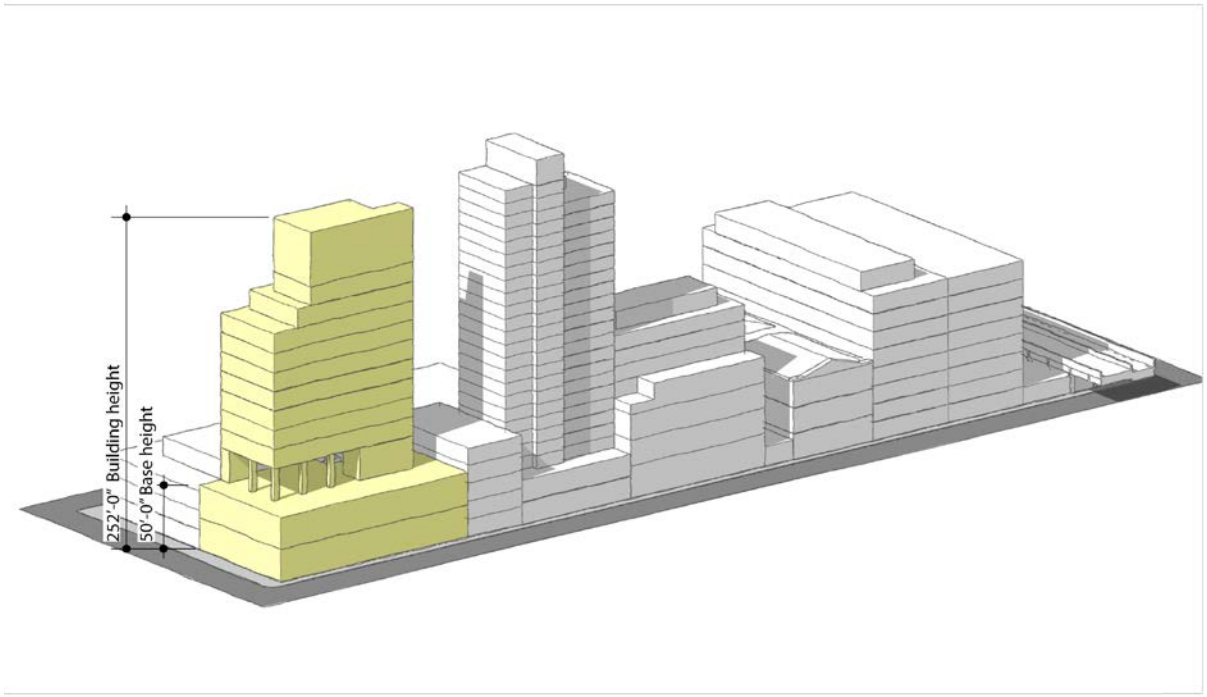
RWCDS 1

In RWCDS 1, the projected development sites are assessed based on a limited amount of development that could occur without administrative approvals from the City (see Table 3 for a summary).

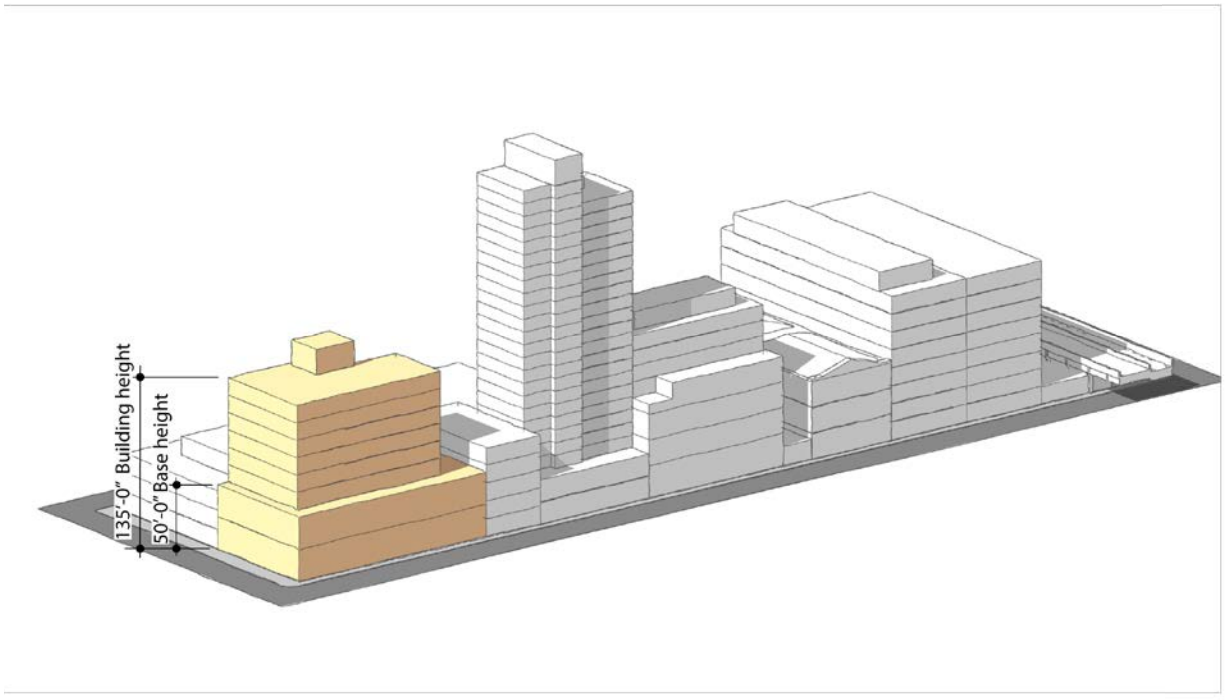
NO-ACTION:
Site 1: The Prince Lumber business would relocate and the warehouses would be demolished. The site would be developed with a 5.0 FAR building comprising 83,450 SF with retail on lower floors and office above. The base height would be 50' with an overall height of 252'.

WITH-ACTION:
Site 1: The Prince Lumber business would relocate and the warehouses would be demolished. The site would be developed with a similar 5.0 FAR building comprising 83,450 SF with retail on lower floors and office above. The base height would be 50' and the overall height would be 135', a height shorter than the no-action scenario pursuant to the WCh height regulations for an M1-5 district that would apply to the site.

Figure 9: RWCDS 1



West 15th Street Corridor - No Action | Special West Chelsea District Expansion



West 15th Street Corridor - With Action | Special West Chelsea District Expansion

Table 3: RWCDS 1

Develop-ment Site #	Building Name/ Address	Block 712 Lot #	Lot Area (SF)	Existing Conditions			No-Action			With-Action		
				Description	SF/ FAR	Building Height	Description	SF/ FAR	Building Height	Description	SF/ FAR	Building Height
1	Prince Lumber 400-406 West 15th Street	36, 38	16,690 SF	Three single-story warehouses used for lumber and construction material sales	14,250 SF/ 0.85 FAR	east to west – 18', 25', 23'	Office building pursuant to existing M1-5 regulations	83,450 SF/ 5 FAR	252'	Office building pursuant to WCh M1-5 regulations	83,450 SF/ 5 FAR	135'

RWCDS 2

In RWCDS 2, the development sites are assessed based on administrative approvals from the City that may be granted, allowing for more development to take place (see Table 4 for a summary).

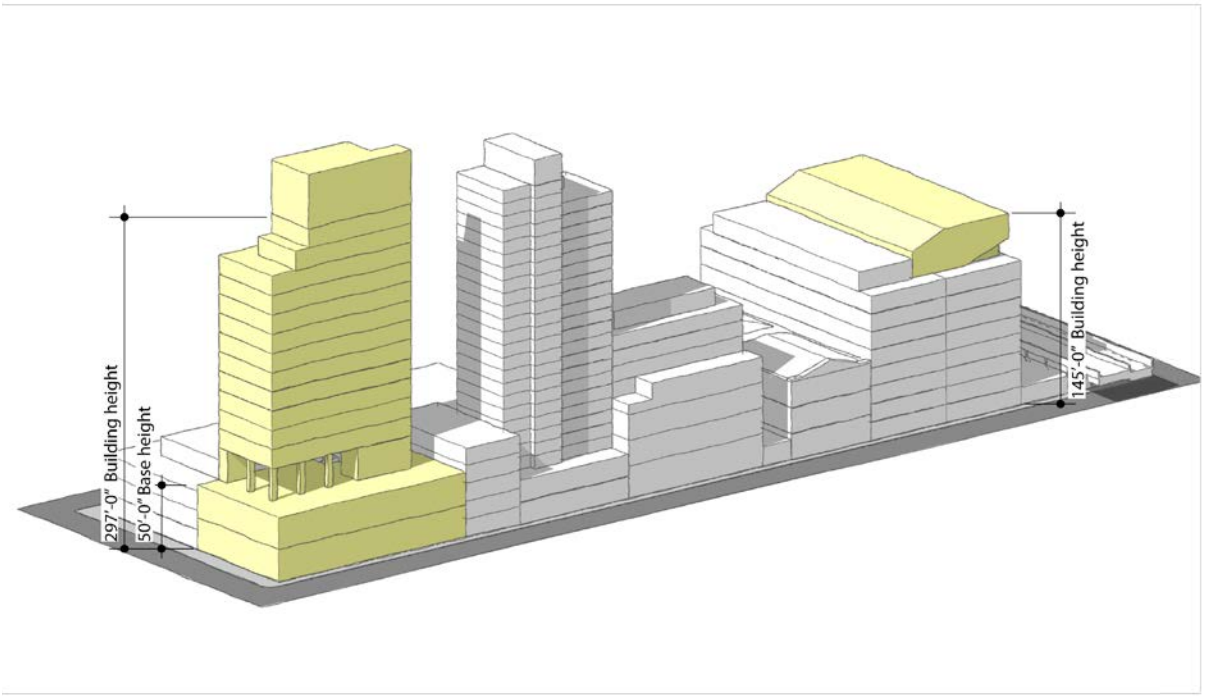
NO-ACTION:
Site 1: The Prince Lumber business would relocate and the warehouses would be demolished. The site would be developed with a 6.3 FAR building comprising 105,929 SF, which includes a 22,479 SF transfer from the building to the south on the corner of Tenth Avenue and West 14th Street, occupied by the Apple store in the adjacent Gansevoort Market Historic District (Block 712, Lot 29). A transfer of floor area could either be done as-of-right or in conjunction with a special permit granted by the Department of City Planning pursuant to ZR Section 74-711 (Landmark Preservation All Districts). Retail would be located on the lower floors and office above. The base height would be 50' with an overall height of 297'.

Site 2: Milk Studios would seek an administrative certification from the Department of City Planning pursuant to ZR Section 43-121 (Expansion of Existing Manufacturing Buildings) to expand floor area. The 111’ building would be vertically expanded with a 34’, 30,724 SF two-story addition over western portion of Lot 1. The additional floors would be 13.5’ and 20.5’ in height. The overall height of the building would be 145’. Lot 6, included in the zoning lot would consist of the recently constructed single-story 16,558 SF retail building. The FAR for the zoning lot would be 5.6.

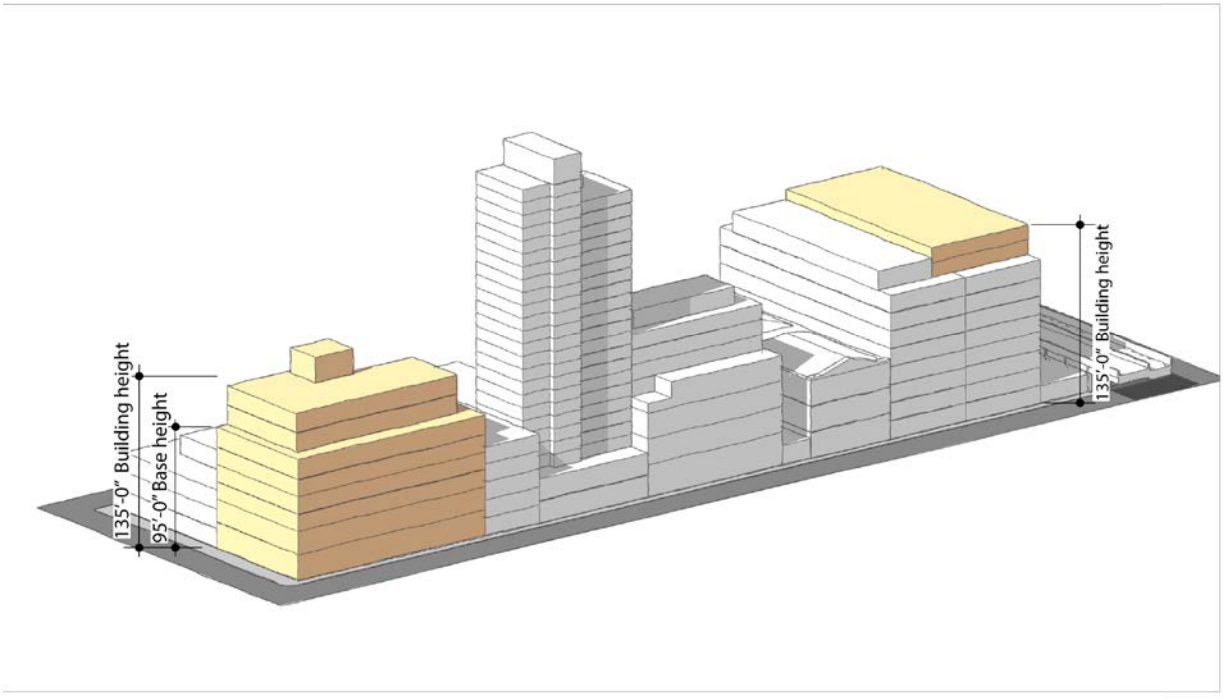
WITH-ACTION:
Site 1: The Prince Lumber business would relocate and the warehouses would be demolished. The site would be developed with a 6.3 FAR building comprising 105,929 SF, which includes a 22,479 SF transfer from the building to the south on the corner of Tenth Avenue and West 14th Street, occupied by the Apple store in the adjacent Gansevoort Market Historic District (Block 712, Lot 29). A transfer of floor area could either be done as-of-right or in conjunction with a special permit from the Department of City Planning pursuant to ZR Section 74-711. Retail would be located on the on lower floors and office above. The base height would be 50' and the overall height would be 135', a height shorter than the no-action scenario pursuant to the WCh height regulations for an M1-5 district that would apply to the site.

Site 2: Milk Studios would seek an administrative certification from the Department of City Planning pursuant to ZR Section 43-121 to expand floor area. Pursuant to the WCh height regulations for the M1-5 district, Milk Studios would be limited to a building height of 135’, in which case it would pursue a smaller 34’, 30,724 SF two-story addition over the western portion of Lot 1. The floors would each be 12’ in height and the overall height of the building would be 135’. Lot 6 would consist of the recently constructed single-story 16,558 SF retail space, the same as in the no-action scenario. The FAR for the zoning lot would be 5.6.

Figure 10: RWCDS 2



West 15th Street Corridor - No Action with floor area transfer | Special West Chelsea District Expansion



West 15th Street Corridor - With Action and floor area transfer | Special West Chelsea District Expansion

Table 4: RWCDS 2

Development Site #	Building Name/ Address	Block 712 Lot #	Lot Area (SF)	Existing Conditions			No-Action			With-Action		
				Description	SF/ FAR	Building Height	Description	SF/ FAR	Building Height	Description	SF/ FAR	Building Height
1	Prince Lumber 400-406 West 15th Street	36, 38	16,690 SF	Three single-story warehouses used for lumber and construction material sales	14,250 SF/ 0.85 FAR	east to west – 18', 25', 23'	Office building (including 22,479 SF floor area transfer)	105,929 SF/ 6.3 FAR	297'	Office building pursuant to WCh M1-5 regulations (including 22,479SF floor area transfer)	105,929 SF/ 6.3 FAR	135'
2	Milk Studios and corner lot 450 West 15th Street and 461-469 West 14th Street	1, 6	51,625 SF	Eight-story loft building (Lot 1) and single story retail building (Lot 6)	241,567 SF (Lot 1), 16,558 SF (Lot 6) / 5 FAR	111'	Enlargement (30,724 SF) of existing building on Lot 1 and single story commercial on Lot 6 (16,558 SF)	272,291 SF (Lot 1), 16,558 SF (Lot 6) / 5.6 FAR	145'	Enlargement (30,724 SF) of existing building on Lot 1 and single story commercial on Lot 6 (16,558 SF)	272,291 SF (Lot 1), 16,558 SF (Lot 6) / 5.6 FAR	135'

Land Use, Zoning, and Public Policy

INTRODUCTION

This section considers the effects of the proposed zoning map amendment and zoning text amendments on existing land use and development trends, compatibility with surrounding land use, and consistency with public land use and zoning policies. The following land use, zoning, and public policy analysis discusses existing conditions in the Project Area and a surrounding 400-foot study area, as well as future conditions with and without the proposed rezoning and related actions.

As discussed in the Project Description, the Proposed Action would amend the Zoning Map and Article IX, Chapter 8 (Special West Chelsea District) of the Zoning Resolution to expand the Special West Chelsea District (WCh) to include properties fronting the south side of West 15th Street between Ninth and Tenth Avenues. The key effect of these changes would be to implement bulk controls on a segment of West 15th Street that are consistent with the built form and regulations of surrounding blocks, including the existing WCh to the north and low-rise, historic Gansevoort and Meatpacking districts to the south. No significant adverse impacts on land use, zoning, or public policy would result from the Proposed Action.

STUDY AREA

The Proposed Action would mainly affect developments on one partial block bounded by West 14th and West 15th Streets, and Ninth and Tenth Avenues in the West Chelsea neighborhood of Manhattan, Community District 4. No indirect effects on nearby blocks in the categories of land use and zoning are anticipated.

The Project Area is currently in an M1-5 district. M1-5 permits an FAR of 5.0 for most commercial uses and light manufacturing uses, or 6.5 for some community facility uses, with a base height maximum of 85', or 6 stories, whichever is less, and an overall height dictated by the sky exposure plane. Residential uses are not permitted.

The Project Area comprises seven sites that are developed to between 0.85 and 5.81 FAR in density, and 13.5' to 111' in height. (One site within the Project Area is the construction site of a 10.5 FAR, 264' hotel.) The Project Area is occupied by a mixture of commercial and manufacturing uses, including a lumber yard, parking garage, photography studios, offices, and hotel currently under construction. The High Line elevated park runs above the westernmost site in the Project Area.

Using guidance from the *2014 CEQR Technical Manual*, a 400-foot radius around the Project Area was established as the land use and zoning study area (see Figure 11).

FUTURE WITHOUT THE PROPOSED ACTION

In the future without the Proposed Action, development in the Project Area would proceed under the existing rules governing building height, setbacks, and street walls. The significant amount of new construction in West Chelsea and blocks in the immediate vicinity of the Project

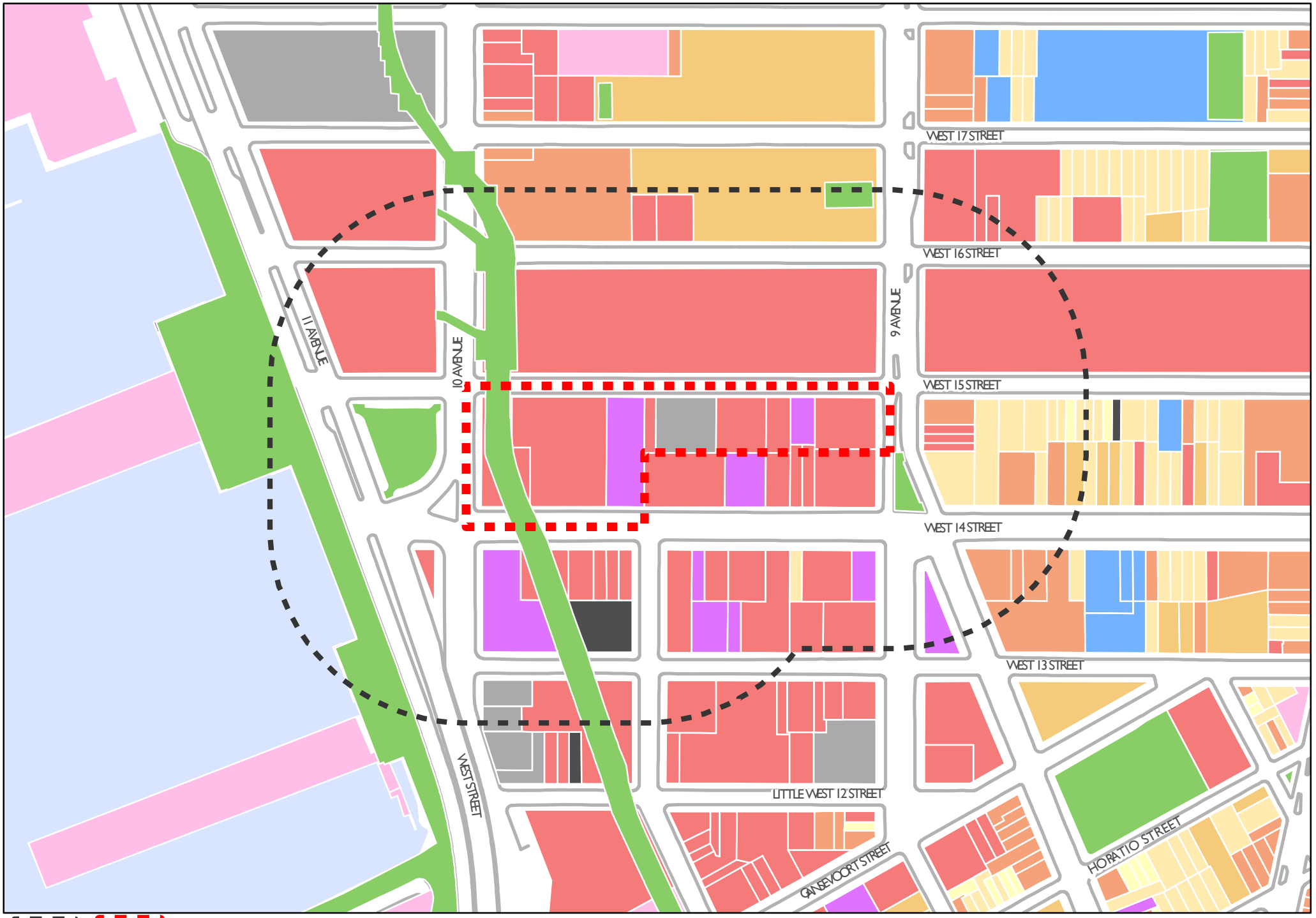


Figure 11: Land Use Study Area

Area has reinforced the need to include this segment of West 15th Street, which lies uniquely between a special district and a historic district, in the WCh. Unenclosed cafes on wide streets would continue not to be permitted in the WCh.

FUTURE WITH THE PROPOSED ACTION

In the future with the Proposed Action, development would proceed in a framework that is consistent with the built form found in surrounding blocks. Relative to the future without the proposed action, the amendments would implement height, setback, and street wall requirements that are in line with the bulk regulations of existing WCh M1-5 zoning districts and contextually correspond to the Project Area's building stock. Unenclosed cafes on wide streets would be permitted in the WCh.

Because it does not alter basic development potential, the Proposed Action would not lead to an increase in development in the Project Area. As shown in the Reasonable Worst Case Development Scenario (RWCDS), the Proposed Action would not result in the creation of any new floor area or encourage different uses.

LAND USE

The Project Area is situated at the border between the New York City Landmarks Preservation Commission (LPC) designated Gansevoort Market Historic District to the south and the Chelsea neighborhood to the north, east, and west. The Gansevoort Market Historic District (the area is sometimes referred to as the Meatpacking District) historically had a concentration of wholesale meatpacking businesses. Most of these buildings are of six or fewer stories dating from the nineteenth century or the first half of the twentieth century. The historic district was designated by LPC in 2003 in recognition of the market district's support of the once-thriving Hudson River commercial waterfront. As the number of meatpacking uses has declined, many buildings have been adaptively reused for retail and office uses, as demonstrated by the buildings in the study area that front West 13th and West 14th Streets. One building in the Project Area, High Line Stages at 440 West 15th Street, is included in the Gansevoort Market Historic District. Additionally, the entire Project Area is included in the State and National Register of Historic Places listed Gansevoort Market Historic District, listed in 2007.

The areas of Chelsea to the north, east, and west of the Project Area include several large full-block commercial buildings, which were originally built for a mixture of industrial and commercial uses but now contain ground floor retail and upper floor offices. Blocks within the study area to the north and east include a predominance of residential and mixed residential-commercial buildings. These comprise attached townhouses, older elevator apartment buildings, more recently constructed residential buildings, and the Robert Fulton Houses public housing development with a tower-in-the-park plan. Ninth Avenue is host to a concentration of commercial uses nearest its intersection with West 14th Street, but becomes increasingly residential with ground floor retail uses on blocks to the north and south of the study area. Tenth Avenue continues to transition away from manufacturing and parking uses to office and retail uses.

As a result of the adoption of the WCh in 2005, the areas north and northwest of the project site have followed the trend of redevelopment from underutilized non-residential uses to residential and mixed residential-commercial development. The conversion and expansion of existing buildings to include additional office space has dominated new development in the study area, including several loft buildings like 111 Eighth Avenue and the approved expansion of the Chelsea Market. Prominent new residential construction includes the Caledonia at 450 West 17th Street.

ZONING

With the proposed zoning map amendment the WCh would be extended to the Project Area and the underlying M1-5 zoning designation would remain.

As mapped, the M1-5 district over the Project Area permits 5.0 FAR for permitted commercial and light manufacturing uses, or 6.5 for some community facility uses, with a base height maximum of 85', or 6 stories, whichever is less, and an overall height dictated by the sky exposure plane. Above the building base, buildings are required to set back by 20' on narrow streets and 15' on wide streets. Residential uses are not permitted.

The WCh, which covers an area of approximately 17 blocks, is currently mapped on the block immediately north of the Project Area. The special district comprises ten subareas with bulk regulations that respond to the unique conditions along the High Line and surrounding streets. The special district supersedes the controls of the underlying zoning districts.

Mapped in the WCh, M1-5 permits an FAR of 5.0 for permitted commercial and light manufacturing uses, or 6.5 for some community facility uses, with a base height of between 50' and 95', and a maximum building height of 135'. Above the building base, buildings are required to set back by 15' on narrow streets and 10' on wide streets. The addition of the Project Area in the WCh does not entail changes to permitted density or prohibit any currently permitted uses.

The extension of the WCh district to include the south side of West 15th Street will permit museum and non-commercial gallery uses without a limitation on size as-of-right. This use provision was included in the 2005 WCh rezoning to help bolster the growth of the established gallery district in the mid-blocks between West 20th to West 22nd Streets, and West 24th to West 27th Streets. While this use provision will be included in the expanded portion of the special district, it is not anticipated that new museums and non-commercial galleries will occupy space on West 15th Street.

Existing buildings are generally occupied and actively tenanted. The High Line Stages at 440 West 15th Street and Milk Studios at 450 West 15th Street are occupied with creative industry offices and studios. The Prince Lumber site at 404 West 15th Street is anticipated to be developed with a retail base and offices above. 408-410 West 15th Street is occupied by an eating and drinking establishment on the ground and cellar levels and is best suited for the location of offices on vacant upper floors. 422-430 West 15th Street is being expanded from a

garage to an office building, and 436 West 15th Street is a vacant, single-story building that is likely to be re-occupied as a bar or restaurant.

A text amendment is also being proposed to strengthen street wall requirements for corner lots with narrow street frontages by requiring that beyond 50 feet of an intersection with a wide street, street walls must extend along the street line for at least 70% of narrow street frontage of the zoning lot up to at least the minimum base height in areas outside of a subarea. Currently, beyond 50 feet of an intersection with a wide street, street walls on narrow streets can rise to a minimum of 15 feet, rather than the minimum base height, for 50 feet. Beyond 100 feet from an intersection with a wide street, the text is unclear about the proximity of the street wall to the street line. An additional text amendment will permit unenclosed cafes on wide streets in the WCh, namely along portions of Ninth Avenue, Tenth Avenue, Eleventh Avenue, and West 23rd Street.

PUBLIC POLICY

The WCh, as adopted in 2005, is designed to promote and protect public health, safety, general welfare, and amenity. These general goals include, among others, the following specific purposes:

- to encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood;
- to encourage the development of residential uses along appropriate avenues and streets;
- to encourage and support the growth of arts-related uses in West Chelsea;
- to facilitate the restoration and reuse of the High Line elevated rail line as an accessible, public open space through special height and setback regulations, High Line improvement bonuses, and the transfer of development rights from the High Line Transfer Corridor;
- to ensure that the form and use of new buildings relates to and enhances neighborhood character and the High Line open space;
- to create and provide a transition to the lower-scale Chelsea Historic District to the east;
- to create and provide a transition to the Hudson Yards area to the north; and
- to promote the most desirable use of land in the area and thus to conserve the value of land and buildings, and thereby protect the City's tax revenues, consistent with the foregoing purposes.

Local Waterfront Revitalization Program

The New York City Waterfront Revitalization Program (WRP) is the City's principal Coastal Zone management tool. As originally adopted in 1982 and revised in 2002, it establishes the City's policies for development and use of the waterfront and provides the framework for evaluating the consistency of all discretionary actions in the Coastal Zone. A proposed action or project may be deemed consistent with the WRP when it would not substantially hinder and, where practicable, will advance one or more of the ten WRP policies, which address: (1) residential and commercial redevelopment, (2) maritime and industrial development, (3) use of the

waterways (4) ecological resources, (5) water quality, (6) flooding and erosion, (7) solid waste and hazardous materials, (8) public access, (9) scenic resources, and (10) historical and cultural resources.

The Project Area does not fall within Coastal Zone as delineated in the current Coastal Zone Boundary maps (see Figure 12). However, the Project Area is located within the revised Coastal Zone maps approved by the City in 2013 and currently pending state and federal approval required for formal adoption (see Figure 13). In accordance with the guidelines of the *2014 CEQR Technical Manual*, a Consistency Assessment Form (CAF) was prepared for the proposed project. As indicated in the form, the proposed project was deemed to require further assessment of four WRP policies. The policies identified in the CAF as requiring further assessment are presented below, followed by a discussion of how the proposed project hinders or advances each policy. The proposed project advances policy 1 and does not hinder the achievement of policies 6, 8 or 10, and is therefore consistent with the WRP.

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.
1.1 Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The Project Area, the south side of West 15th Street between Ninth and Tenth Avenues, is within an M1-5 which allows a 5.0 FAR for permitted commercial and light manufacturing uses, or 6.5 for some community facility uses, with a base height maximum of 85', or 6 stories, whichever is less, and an overall height dictated by the sky exposure plane (residential uses are not permitted). The Proposed Action would extend the WCh and envelope controls for M1-5 districts, which require base heights of 50' to 95' and a maximum building height of 135'.

The Project Area is currently occupied by commercial uses consisting of office, restaurants, retail, and future hotel uses. Development that would occur in the area would be similar to and compatible with the existing commercial uses and uses in the surrounding area. The inclusion of the Project Area in the WCh does not change its permitted density or prohibit any currently permitted uses. Museum and non-commercial gallery uses would be permitted, however it is not anticipated that these uses will occupy space on West 15th Street. Because the Proposed Action does not alter basic development potential, it would not lead to an increase in development in the Project Area. Therefore, the Project Area is an appropriate location for commercial development and the proposed project would advance this policy.

Policy 6: Minimize loss of life, structures and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

In late 2013, the Federal Emergency Management Agency (FEMA) issued Preliminary Flood Insurance Rate Maps (PFIRMs) for New York City. The PFIRMs are considered the best available flood hazard data. Following a public review process of the PFIRMs, FEMA anticipates issuing updated final FIRMs in 2015. FIRMs identify the 100-year (1 percent annual chance) floodplain and corresponding base flood elevations, or the level the 100-year flood is projected to reach.

New construction and substantial improvements within the 100-year floodplain are subject to NYC Building Code requirements for flood-resistant construction. These include requirements that all habitable space be located above the design flood elevation. Permitted uses below the design flood elevation include parking, access and storage. By local law, the City of New York requires that the more stringent of the currently effective FIRMs and PFIRMs be used for the purposes of determining compliance with all floodproofing requirements in the Building Code and for establishing base plane elevations for new buildings to measure their compliance with zoning building height requirements.

Per the PFIRM, most of the Project Area is located in a 500-year floodplain "X Zone" (see Figure 14). This area has a moderate flood risk outside the regulatory 1% annual chance flood but within the limits of the 0.2% annual chance flood level (one in 500 annual chance). There are no current Building Code or FEMA flood insurance requirements for buildings in this zone. Projected Development Site 1 is partially in Zone X and partially not mapped in a flood zone. The majority of Projected Development Site 2 is in Zone X. It should be noted that the southwest corner of the site is in an AE zone, for which the NYC Building Code requires that for structures such as mixed-use buildings, the design flood elevation is 1 foot above the base flood elevation indicated on the FIRM. This corner (Block 712, Lot 6) is the site of a recently constructed one-story retail building which was required to comply with the current building codes.

The proposed action would not result in the creation of significant additional vulnerabilities to flooding as most of the project site is outside the 100-year floodplain. With projected sea level rise it is possible that the 100-year flood zone may expand to include the entire project site; however the Proposed Action would not hinder the ability of new or existing development to incorporate adaptive actions such as dry or wet floodproofing, elevating structures, or protecting mechanical systems. Therefore the proposed action would not hinder the achievement of this policy.

Policy 8: *Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.*

Development in the Project Area would have no impact upon public access to the waterfront as it is not located directly on the waterfront. Hudson River Park is a major existing publically owned waterfront open space resource adjacent to the Project Area. The High Line open space, which traverses the westernmost site of Project Area, would not be directly affected by the Proposed Action. The RWCDS for the Development Site 2 projects a shorter building in the with-action scenario (135') compared to the no-action scenario (145'), which would allow for more light and air to reach the High Line. Therefore the proposed action would not hinder the achievement of this policy.

Policy 10: *Protect, preserve and enhance resources significant to the historical, archeological, and cultural legacy of the New York City coastal area.*

The Project Area is located within the State and National Register of Historic Places listed Gansevoort Market Historic District (S/NR HD) and there are several historic architectural resources within the study area. The Project Area includes one property, the High Line Stages building at 440 West 15th Street, that is also within the NYC LPC designated Gansevoort Market Historic District (NYCL HD). The High Line is listed on the S/NR as part of the historic district. There are no individually-listed NYC landmarks in the Project Area. (See the Historic and Cultural Resources section for more information.)

In the future with the proposed actions, development would proceed in a framework that is consistent with the built form of the S/NR HD and adjacent NYCL HD. Relative to the future without the proposed actions, the zoning map and text amendments would implement height, setback and street wall requirements that are in line with the bulk regulations of existing WCh M1-5 zoning districts and contextually correspond to the study area's historic building stock. Therefore the proposed action would not hinder the achievement of this policy.

CONCLUSION

The cumulative effect of the proposed zoning map and text amendments would be to expand the WCh to apply appropriate bulk regulations to the segment of West 15th Street between Ninth and Tenth Avenues. The block's loft buildings retain much of the historic industrial waterfront character that contributed to the landmark designation of blocks to the south. As an M1-5 zoning district outside of the special district, this section of West 15th Street is vulnerable to development that could disrupt its cohesive built fabric. The changes are expected to have a beneficial effect and no significant adverse impacts to land use, zoning, or public policy would result from the Proposed Action and no further analysis is necessary.



Figure 12: Current New York City Coastal Zone Map

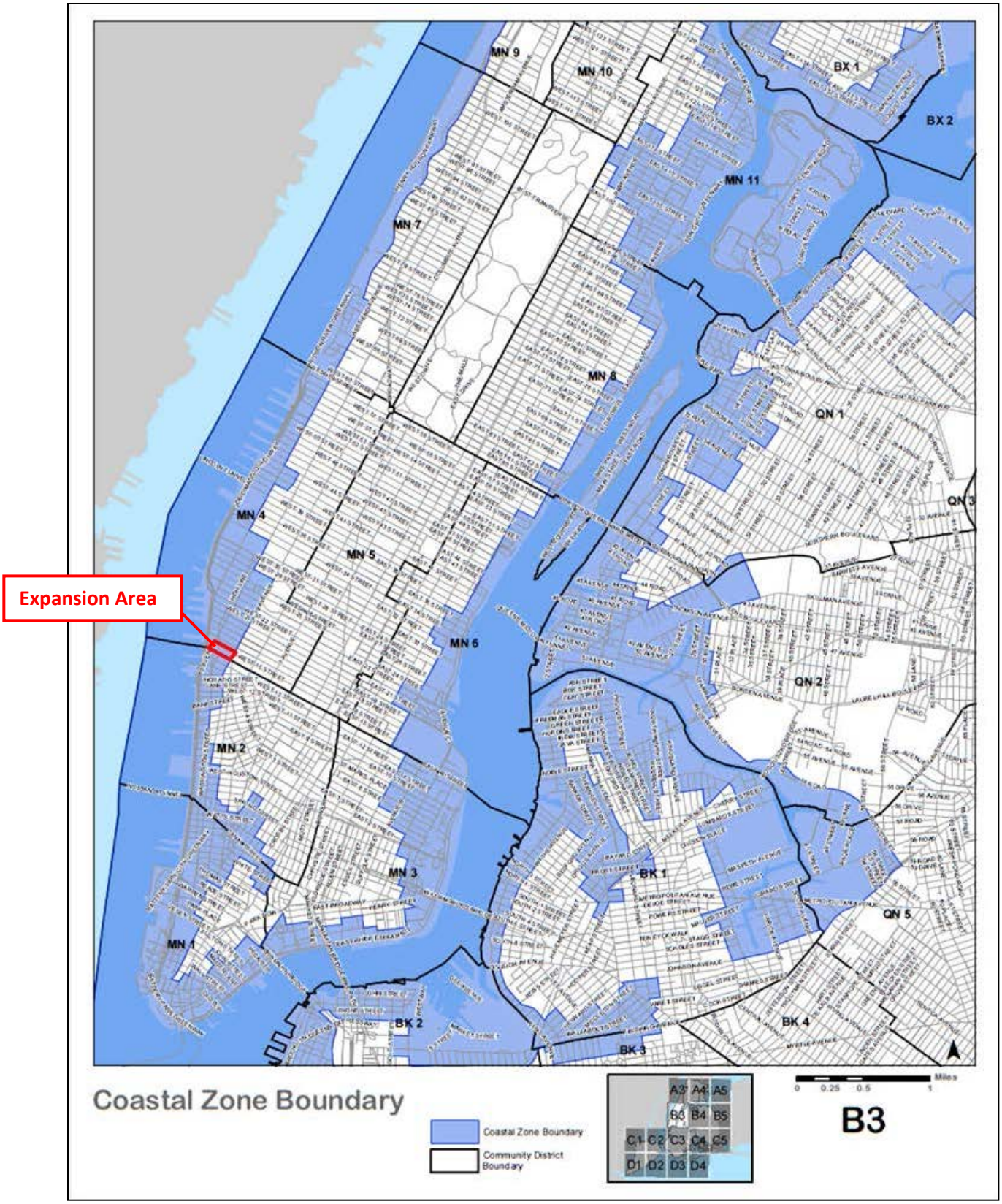


Figure 13: Proposed New York City Coastal Zone Map

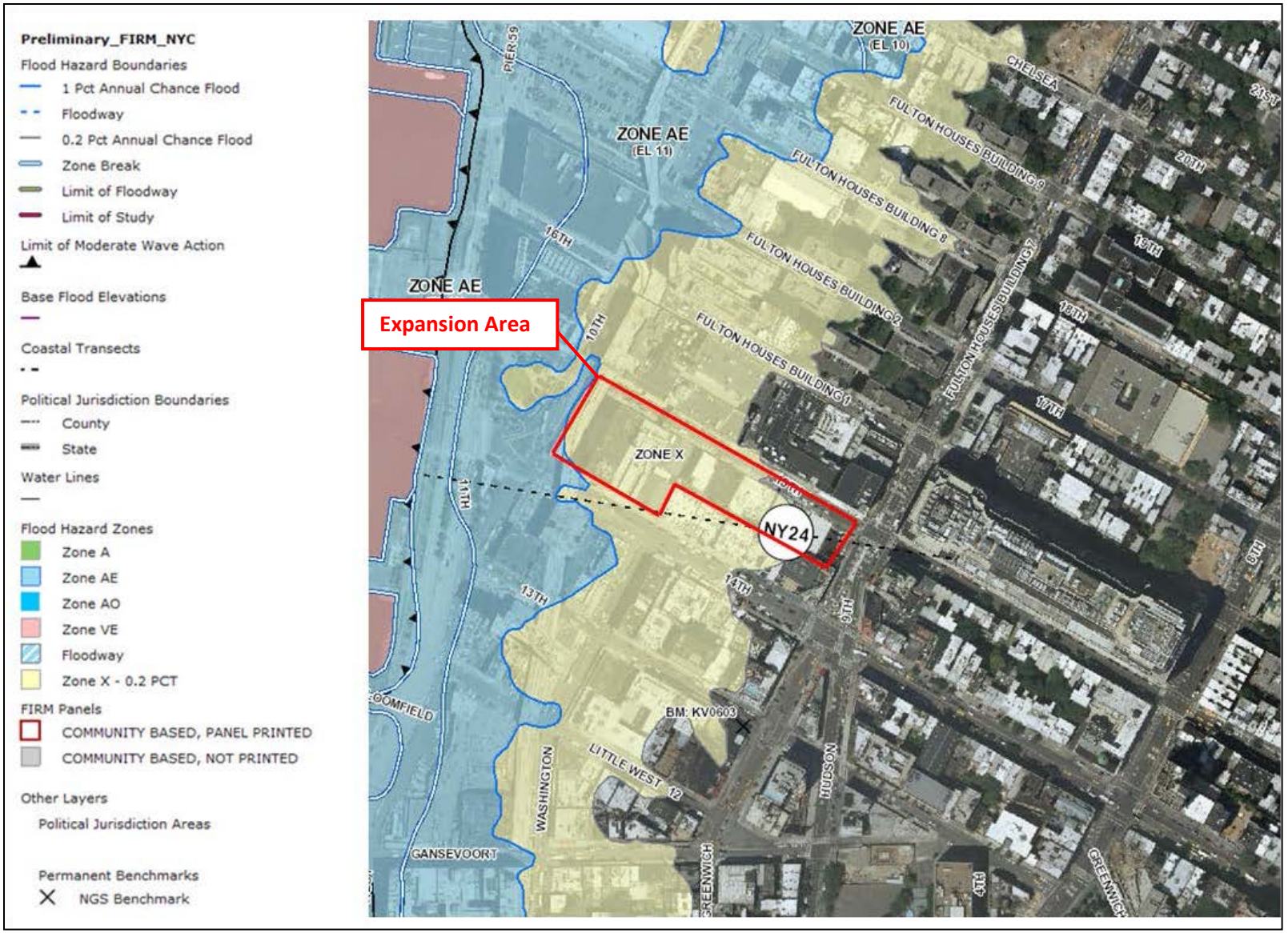


Figure 14: FEMA Prelimiary Flood Insurance Rate Map

Historic and Cultural Resources

This section assesses the potential effect of the proposed action on historic and cultural resources. The *2014 CEQR Technical Manual* identifies historic resources as designated NYC Landmarks, Interior Landmarks, Scenic Landmarks, and properties within designated NYC Historic Districts; properties calendared for consideration as landmarks by the NYC Landmarks Preservation Commission (LPC); properties listed on or formally determined eligible for inclusion on the State and/or National Registers of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

According to the *2014 CEQR Technical Manual* guidelines, impacts on historic architectural resources are considered for sites directly affected by a proposed action and in the surrounding area in which new development could affect physical, visual, and historic relationships of architectural resources. Accordingly, the historic architectural resources study area for this project is therefore defined as the Project Area, plus a 400-foot radius around it (see to Figure 15). Archaeological resources are considered only in those areas where excavation is likely and would result in new in-ground disturbance. These are limited to sites that may be developed in the rezoning area.

ARCHAEOLOGICAL RESOURCES

Archaeological resources are physical remains, usually buried, of past activities on a site. They can include remains from Native American people who used or occupied a site, including tools, refuse from tool-making activities, and habitation sites. Archaeological resources can also include remains from activities that occurred during the historic period (beginning with European colonization of the New York area in the 17th century) that include European contact with Native Americans, as well as battle sites, foundations, wells, and privies. Archaeological resources in developed areas may have been disturbed or destroyed by grading, excavation, and infrastructure installation and improvements. However, some resources do survive in an urban environment. Deposits may have been protected either by being paved over or by having a building with a shallow foundation constructed above them. In both scenarios, archaeological deposits may have been sealed beneath the surface, protected from further disturbance.

The *2014 CEQR Technical Manual* requires a detailed evaluation of an action's potential effect on archaeological resources if it would result in an in-ground disturbance to an area not previously excavated, or would be subject to new excavation deeper and/or wider than previous excavation on the same site. For any actions that would result in new ground disturbance, assessment of both prehistoric and historic archaeological resources is generally appropriate.

The impact area for potential archaeological resources affected by the Proposed Action is considered to be the area where in-ground disturbance may occur. As discussed in the Reasonable Worst Case Development Scenario (RWCDS), two projected development sites

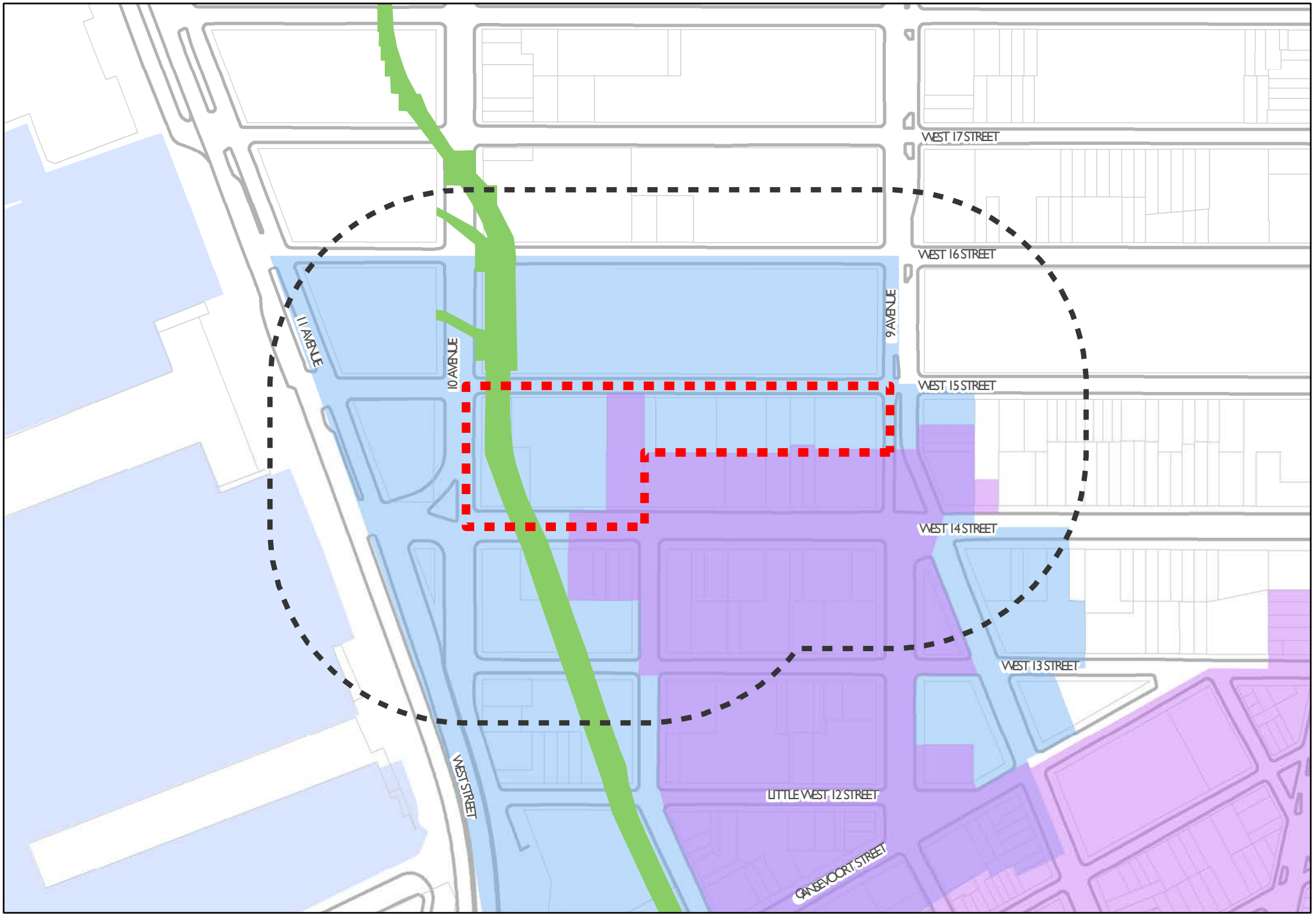


Figure 15: Historic Resources Study Area

were identified and are expected to be developed differently under the Proposed Action. Two RWCDSs were created to assess the potential for significant adverse impacts to result from the Proposed Action. In RWCDS 1, the projected development sites are assessed based on a limited amount of development that could occur with no administrative approvals from the City. In RWCDS 2, the development sites are assessed based on approvals from the City that may be granted, allowing for more development to take place (see the RWCDS section in the Project Description for more information).

In both RWCDSs, the amount, type, and location of development is expected to remain the same. The key effect of the Proposed Action would be to implement bulk controls on a segment of West 15th Street that are consistent with the built form and regulations of surrounding blocks. For all projected development sites, the development, including in-ground disturbance, under the no-action scenario and the with-action scenario is expected to be the same. Since development and in-ground disturbance of these sites would be the same in the future without the Proposed Action, development of these sites as a result of the Proposed Action would not result in significant adverse archeological impacts and no further analysis is necessary.

HISTORIC ARCHITECTURAL RESOURCES

The Project Area is located within the S/NR listed Gansevoort Market Historic District (S/NR HD) listed in 2007. It is roughly bounded by West Street/Eleventh Avenue to the west, West 16th Street to the north, Ninth Avenue and Hudson Street to the east, and Horatio Street to the south. The S/NR HD occupies all or part of 19 blocks and the portion of its southern boundary between Washington Street.

The Project Area also borders the City designated Gansevoort Market Historic District (NYCL HD) designated in 2003. It is roughly bounded by Washington Street to the west, West 14th Street to the north, Ninth Avenue and Hudson Street to the east, and Horatio Street to the south. This district encompasses all or portions of 11 blocks. The Project Area includes one property, 440 West 15th Street (Block 712, Lot 11), which is also within the NYCL HD. The extension area also includes small portions of Lots 26, 27, and 29 which are also in the NYCL HD, although there is no effective change to the regulations that govern the larger portions of these lots. There are no individually-listed NYC landmarks in the Project Area or study area.

The Project Area is additionally traversed by a segment of the High Line elevated park.
The portion of the High Line from Gansevoort Street to West 16th Street is listed as part of the S/NR HD. North of West 16th Street the High Line is an S/NR eligible landmark.

Historic resources that are listed on the S/NR or found to be eligible for listing are given a measure of protection from the effects of federally-sponsored or federally-assisted projects under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Properties listed on the S/NR are similarly protected against impacts resulting from state-sponsored or state-assisted projects under Section 14.09 of the State Historic Preservation Act. Private owners of properties eligible for or listed on the

State Register using private funds are able to alter or demolish their properties without such a review process. However, privately-owned properties that are NYC Landmarks or are located in NYC Historic Districts are protected under the NYC Landmarks Law that requires LPC review and approval before any alteration or demolition can occur. This requires approvals such as a Certificate of Appropriateness for demolition or alteration of a building's exterior and a Certificate of No Effect for interior work. In addition, the City has procedures for avoiding damage to historic structures from adjacent construction.

440 West 15th Street/439-445 West 14th Street (Block 712, Lot 11), the High Line Stages building, is described in the NYC Landmarks Preservation Commission Designation Report[1] as follows:

- This Romanesque Revival style building, which is largely intact, contributes to the historically-mixed architectural character and varied uses - including market-related functions - of the Gansevoort Market Historic District. Constructed in 1892-93, during one of the major phases of development of the district, when buildings were constructed for produce-related businesses or other market uses, including stables, the building's monumental scale, two nearly identical brick and stone facades, copper cornices, and well-crafted details by an eminent architect make it a significant presence in the district.

The National Register of Historic Places Registration Form[2] states the following on the properties within the Project Area in the S/NR HD:

- **400-406 West 15th Street (Block 712, Lot 36 and 38):** This corner lot contains the Prince Lumber yard and store. Parts of the site had been occupied by one or more lumber yards since the 1880s. Other previous occupants included two stores at 61 and 63 Ninth Avenue (1890s-1950); two three-story brick dwellings at 65-67 Ninth Avenue (demolition in 1950); two four-story brick tenements at 404-406 W. 15th St. (demolished after 1950), and a gas station (c. 1950).
- **408-410 West 15th Street (Block 712, Lot 40):** Six-story cream-colored brick stable completed in 1901 for the Herrman family, which owned several buildings on this block. Architect Robert Maynicke designed a three-bay façade with many decorative elements, all worked in brick. The Herrman estate altered the stable for factory use in 1926, removing the interior horse ramp and installing fireproof stairs, passenger and freight elevators, and a marquee. A produce company leased the basement, first and second floors through about 1932; that decade saw the successive occupancies of two bakeries.
- **412-418 West 15th Street (Block 712, Lot 42):** NA (site of hotel construction project).
- **422-430 West 15th Street (Block 712, Lot 46):** Six-story red brick stable designed by Jay H. Morgan for the Bradish Johnson Estate (the Johnson family owned a large distillery/sugar refinery on the block to the north in the 19th century); 1903. The broad

[1] New York City Landmarks Preservation Commission, *Gansevoort Market Historic District Report*, 2003. http://www.nyc.gov/html/lpc/downloads/pdf/reports/gansevoortpt2.pdf

[2] The Greenwich Village Society for Historic Preservation, National Register of Historic Places Registration Form for Gansevoort Market Historic District, 2006. http://www.gvshp.org/_gvshp/resources/doc/SNR_GM.pdf

façade has seven bays and simple details worked in brick. By 1916 the building served both as a stable and garage; alterations of that year legalized the building's use as a garage.

- **436 West 15th Street (Block 712, Lot 51):** James S. Maher designed this one-story brick garage on land owned by the Astor Estate; completed in 1914.
- **439-445 West 14th Street/440 West 15th Street (Block 712, Lot 11):** The newly incorporated New York Biscuit Company (Nabisco) built this sturdy red brick stable in 1893, a year after completion of its bakery at 78-92 Tenth Avenue. Architect Thomas R. Jackson's three-story, through-block structure repeats its main façade on 15th St. Each façade features four bays of paired segmental- and round-arched windows. Each of the middle bays is recessed within a round-headed arch outlined with drip molding. Each flanking bay is set within a recessed panel. Copper corbels support the cornice on the flanking bays, and a copper cornice outlines the triangular pediment over the center two bays. A series of alterations in the 1920s converted the stable into a garage for Nabisco's fleet of electric delivery trucks
- **449 West 14th Street/444 West 15th Street (Block 712, Lot 1, east):** The American Can Company built this eight-story red brick factory in 1906; James B. Baker, architect. The ninth floor is a later addition. Four prominent brick piers flank three bays of tripartite windows and tri-paneled brick spandrels. A similar arrangement, distributed over six narrower bays, prevails on the 15th St. façade. Monumental windows flanked the tall entrance. The National Biscuit Company leased the seventh and eighth floors in 1922, installed portable gas ovens, and designated the building its 14th Street Bakery. Nabisco bought the building in 1929 and altered it for use as its general offices. The 1930 alterations included a pedestrian bridge across 15th St. to link the headquarters with the company's vast Tenth Avenue bakery. The building served as Nabisco's headquarters until 1957.
- **455-459 West 14th Street/450 West 15th Street (Block 712, Lot 1, west):** An eight-story, through-block loft building, concrete slab construction with red brick facade, c. 1970.
- **58-76 Tenth Avenue/461-469 West 14th Street (Block 712, Lot 6):** NA (formerly Chelsea Carwash which was recently demolished and replaced with a one story retail building with glass facade).

The High Line was completed by the New York Central Railroad in 1934 as an elevated freight rail line replacing at-grade tracks that previously ran on Tenth Avenue and other streets on the West Side of Manhattan. It originally linked St. John's Freight Terminal in Hudson Square with railroad tracks in a cut near West 34th Street. Freight rail operations on the High Line ceased in 1980 and the line remained unused until recently. By the 1990s, the sections of the High Line south of Gansevoort Street had been removed to facilitate redevelopment projects. The City acquired the High Line in 2005 and also that year the federal Surface Transportation Board issued a Certificate of Interim Trail Use, allowing the City to move ahead with plans for the redevelopment of the structure. The first section of the park opened in 2009; the second section opened in 2011, and the third section is due to open in late 2014.

FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed actions, buildings within the S/NR but outside the NYCL HD could be demolished or altered. Development in the Project Area would proceed under the existing rules governing building height, setbacks, and street walls. Without a building height maximum, buildings would be able to rise well above the heights of neighboring structures in the S/NR HD or adjacent NYCL HD.

FUTURE WITH THE PROPOSED ACTION

In the future with the proposed actions, development would proceed in a framework that is consistent with the built form of the S/NR HD or adjacent NYCL HD. Relative to the future without the proposed actions, the zoning map and text amendments would implement height, setback and street wall requirements that are in line with the bulk regulations of existing WCh M1-5 zoning districts and contextually correspond to the study area's historic building stock. LPC permits are required for any construction, demolition or interior alterations requiring a Buildings Department Permit. See http://www.nyc.gov/html/lpc/html/ permit/permit.shtml for further information.

CONCLUSION

In either the no-action or with-action scenario, construction activities in the Project Area could have adverse physical impacts on the historic resources. As the projected development sites are located in an S/NR historic district, the Department of Building's (DOB) *Technical Policy and Procedure Notice (TPPN) #10/88* applies. *TPPN 10/88* supplements the standard building protections afforded by the Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent LPC designated or S/NR listed resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. Under the PPN, a construction protection plan (CPP) must be provided to LPC for review and approval prior to construction. When required, a CPP would follow the guidelines set forth in LPC's Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings. With these measures, which would be required for these historic resources, significant, adverse construction-related impacts would not occur. As such, pursuant to existing Federal, State, and City historic preservation regulations, there is no potential for the proposed actions to result in significant adverse impacts to identified architectural resources.

Urban Design and Visual Resources

This section considers the potential of the Proposed Action to affect urban design and visual resources. As defined in the *2014 CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Since the Proposed Action could result in the potential for a pedestrian to observe, from the street level, a physical alteration beyond what is allowed by existing zoning, a preliminary assessment of urban design and visual resources is warranted. The Proposed Action would modify the bulk controls governing the Project Area, thereby requiring a preliminary urban design analysis.

According to the *2014 CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with that used for the land use analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified.

The project area does not include waterfront sites, but does include historic districts. Therefore, consistent with the analysis of land use, zoning, and public policy, the study area for the urban design and visual resources analysis is defined as a 400-foot radius around the Project Area (see Figure 11).

EXISTING CONDITIONS

The Project Area is bounded by West 14th and West 15th Streets, and Ninth and Tenth Avenues. The Project Area comprises seven sites which were constructed as early as the 1880s and have undergone various alterations, additions, and conversions throughout the years. The buildings generally range in height from one to eight stories, with a maximum height of 111'. (One site within the Project Area is the construction site of a 264' hotel.)

The building footprints across the seven sites in the Project Area generally cover the entire lots, with the exception of the Prince Lumber site at 400-406 West 15th Street, where the three single-story warehouses are supplemented by paved outdoor area to facilitate lumber and building material sales. All existing buildings, with the exception of those at 400-406 West 15th Street, meet the street line for their entire West 15th Street and West 14th Street frontages. Sites within the Project Area are built to densities between 0.85 and 5.81 FAR in the existing M1-5 zoning district, which permits a FAR for commercial and manufacturing uses of 5.0, and 6.5 FAR for community facility uses. The High Line elevated park traverses the Project Area at its western end. The Project Area is visually defined by the arrangement of full-lot, formidable loft buildings with consistent street walls and brick decorative elements.

The study area is characterized by a regular Manhattan street grid of full-size blocks above West 14th Street and east of Tenth Avenue. Blocks become smaller to the west and south of the Project Area where Manhattan's western edge runs diagonally to the street grid. Blocks are generally fully built. To the north is the full-block Chelsea Market complex comprised of ten converted factory buildings. Of note is the pedestrian bridge linking the Milk Studios building at 450 West 15th Street to Chelsea Market. The 24-story, recently constructed residential

Caledonia building is adjacent to the Robert Fulton Houses tower-in-the-park network of buildings to the east.

East of the Project Area is the full block 111 Eighth Avenue building constructed in 1932 as a vertical warehouse facility and freight terminal, now occupied by retail on the ground floor and offices on upper floors. Similarly, to the west are two full-block, 11-story former factory buildings that have also been converted to office use: 85 and 99 Tenth Avenue. Immediately to the west of the Project Area is the triangular 14th Street Park operated by Hudson River Park. South of West 14th Street is the LPC designated Gansevoort Market Historic District with repurposed waterfront loft buildings of between three and six stories. These are largely occupied by retail, restaurants, and nightlife venues on the ground floor and office tenants on upper floors.

Notable visual resources in the vicinity of the Project Area include views from public streets of historic buildings and the High Line open space. Along some visual corridors formed by the east-west cross-streets, views of Hudson River are provided.

FUTURE WITHOUT THE PROPOSED ACTION

In the future without the Proposed Action, development in the Project Area would proceed under the existing rules governing building height, setbacks and street walls (See Figure 9). The significant amount of new construction in West Chelsea and blocks in the immediate vicinity of the Project Area has reinforced the need to include this segment of West 15th Street, which lies uniquely between a special zoning district and an LPC designated historic district, in the WCh. Unenclosed cafes would continue not to be permitted in the WCh.

FUTURE WITH THE PROPOSED ACTION

Because it does not alter basic development potential, the Proposed Action would not lead to an increase in development in the Project Area in the future with the Proposed Action (see Figure 10). As shown in the Reasonable Worst Case Development Scenario (RWCDS), the Proposed Action would not result in the creation of any new floor area or encourage different uses. In the future with the Proposed Action, development would proceed in a framework that is consistent with the built form found in surrounding blocks. Relative to the future without Proposed Action, the text amendments would implement height, setback, and street wall requirements that are in line with the bulk regulations of existing WCh M1-5 zoning districts and contextually correspond to the Project Area's building stock.

The Proposed Action is expected to allow unenclosed sidewalk cafes in the WCh, namely along portions of Ninth Avenue, Tenth Avenue, Eleventh Avenue, and West 23rd Street (see Figure 8). An unenclosed sidewalk cafe is a sidewalk cafe of any size, consisting of readily removable tables, chairs, or railings with no overhead coverage other than umbrellas or a retractable awning affixed to the building wall. A sidewalk width of eight feet or 50 percent of the sidewalk width, whichever is greater, from the curb to the building, must be free of all obstructions and reserved for pedestrians. The allowance of sidewalk cafes on wide streets in the WCh is not expected to result in any changes to the amount, type, or location of development in the

district; nor would they affect the buildings, block arrangement, the street pattern; nor interfere with important views or landmark structures.

CONCLUSION

The Proposed Action would not change the scale of buildings, allow an increase in permitted floor area, involve a general large-scale development, or result in substantial changes to the built environment of a historic district or components of a historic building that contributes to the resource's historic significance. The proposed action will implement height and setback regulations that are more consistent with the built form and urban design of the existing structures in the Project Area. The difference between building bulk in the no-action and with-action scenarios would benefit urban design in the study area by applying appropriate height and setback rules, strengthening street walls and allowing sidewalk cafes on wide streets. Therefore, the Proposed Action would not be anticipated to result in significant adverse effects to urban design.

Air Quality

INTRODUCTION

Under CEQR, an air quality analysis determines whether a proposed action would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollutant emissions to impact the proposed uses.

MOBILE SOURCES

To determine the potential for the Proposed Action to result in significant adverse air quality impacts related to mobile sources, screening analyses were performed pursuant to the methodologies identified in the *2014 CEQR Technical Manual.*

Under guidelines contained in the *2014 CEQR Technical Manual*, in this area of New York City, projects generating fewer than 170 additional vehicular trips in any given hour and less than 85 off street parking facility spaces are considered as highly unlikely to result in significant increase of concentrations of Carbon Monoxide (CO), Inhalable Particulates (PM_{10}), and Fine Particulate Matter ($PM_{2.5}$), and do not warrant detailed mobile source air quality studies.

The Reasonable Worst Case Development Scenario (RWCDS) projects a zero increment of floor area and off street parking facility spaces between the no-action and with-action scenarios, therefore the project is not expected to increase or cause a redistribution in traffic and would not result in sensitive new uses (e.g. schools, hospitals, parks, and residences). Therefore, the potential for significant adverse air quality impacts related to mobile sources would not be anticipated to occur, and a detailed assessment is not warranted.

STATIONARY SOURCES

Heat and Hot Water Systems

The Proposed Action, as identified in the RWCDS 1 and 2 discussions, would modify the permissible building heights for projected Development Sites 1 and 2 (RWCDS 2 was selected for analysis). Emissions from the fuel combustion for heating, ventilation, and air conditioning (HVAC) systems of the buildings may affect air quality levels at nearby land uses. Accordingly, DCP conducted a study to identify major and large sources within 1,000 feet of the boundaries of the Project Area including projected development sites. It was found that a cumulative stationary source analysis was not necessary because the two projected development sites are not adjacent to each other. Based on the 2012 Chelsea Market Expansion EAS (CEQR no. 11DCP120M) and the 2005 Special West Chelsea FEIS (CEQR no. 03DCP069M), no detailed air toxic analysis is warranted.

Stationary source HVAC air quality analyses were conducted to determine whether the potential for emissions from the HVAC systems of the projected development sites would affect existing sensitive land uses within 400 feet. A screening analysis using the nomographs in the *CEQR Technical Manual* was conducted (see Figure 16). The size of each development site was plotted against the minimum distance in feet between the source and the closest sensitive

receptors. The nomographs were applied to single sources where the boiler stack is at least 30' from the nearest building of similar or greater height. It was assumed that the nearest buildings which are equal or higher in height to projected Development Site 1 are the proposed hotel located at 412-418 West 15th Street (Block 712, Lot 42) and the proposed expansion of Chelsea Market (Block 713, Lot 1). For projected Development Site 2 it was assumed that the nearest building of equal or greater in height is Chelsea Market (Block 713, Lot 1).

Per the analysis, the plotted points for projected Developments Sites 1 and 2 appeared to fail the initial nomograph screenings. Therefore, the screenings were run again assuming natural gas, and HVAC stack height and location specifications on both sites.

Figure 16 shows the screening analyses nomograph, using *2014 CEQR Tech Manual Appendix* Figure 17-8, which assumes that natural gas is the fuel type utilized for HVAC purposes for both development sites. The screening results show that in order to pass the screening analysis, the HVAC stack at Development Site 1 should be located at least 70' from any sensitive receptor, and that natural gas should be utilized as the HVAC fuel type. Similarly, the screening results show that in order to pass the screening analysis, the HVAC stack at Development Site 2 should be located at least 110' from any sensitive receptor, and that natural gas should be utilized as the HVAC fuel type. For both sites, specific HVAC stack heights were assumed. Therefore, it is proposed that (E) Designations related to the fuel type, stack location, and stack height be incorporated into the Proposed Action.

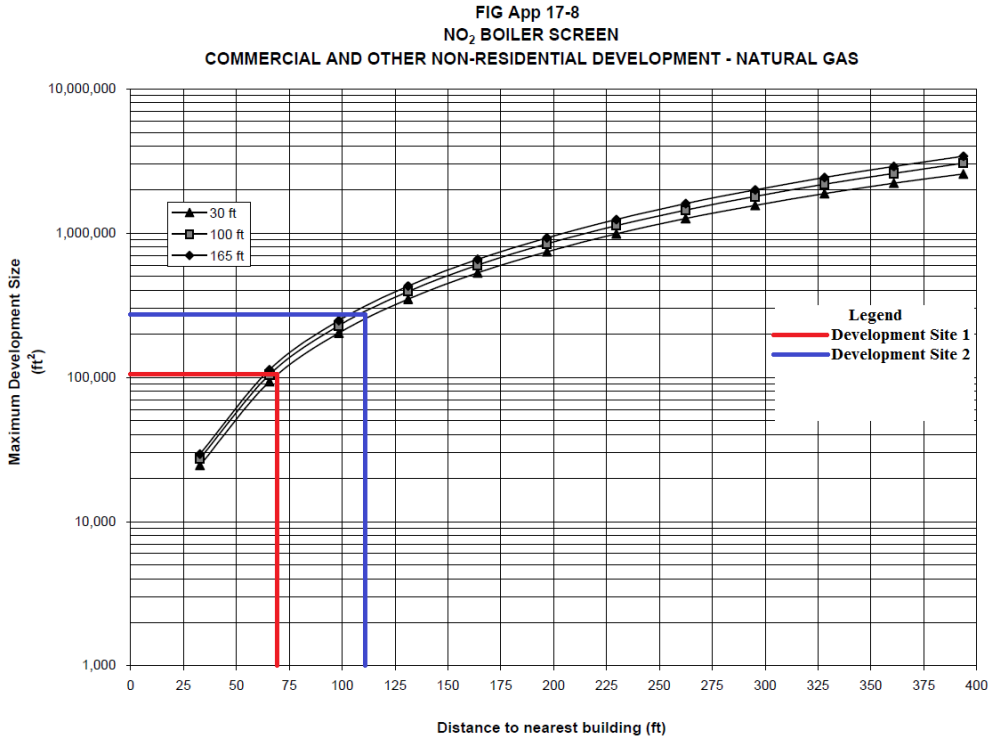


Figure 16: Natural Gas Fuel - commercial use screening analyses for the Developments Site 1 and 2. Stacks height are at least 138 feet above ground level per RWCDS and at least 3 feet above the building highest tier

The Proposed Action incorporates an (E) designation (**E-350**) applicable to Development Site 1 (Block 712, Lot 36 and 38) and a portion of Development Site 2 (Block 712, Lot 1), in the event that Development Site 2 is enlarged. The (E) designation would preclude significant adverse impacts related to air quality. The (E) designation text is as follows:

Block 712, Lot 36 and 38 (Projected Development Site 1)

Any new commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning stack(s) use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems and are at least 138 feet above ground level and at least 22 feet from the lot lines facing Tenth Avenue and West 15th Street to avoid any potential significant adverse air quality impacts.

Block 712, Lot 1 (p/o Projected Development Site 2)

Any new commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning stack(s) use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems and are at least 138 feet above ground level and at least 62 feet from the lot line facing West 15th Street to avoid any potential significant adverse air quality impacts.

CONCLUSION

With the assignment of the (E) designation on the development sites, no significant adverse impacts related to air quality would result from the Proposed Action.

Neighborhood Character

The preliminary assessment of neighborhood character focuses on two questions: (1) what are the defining elements of the neighborhood?; and (2) does the proposed project have the potential to affect defining features of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas?

The Project Area is at the intersection of the Chelsea, West Chelsea, and Meatpacking District neighborhoods. These areas are defined more by their diversity of uses and building types than any set of overarching features. Prominent elements include the High Line elevated park, the Hudson River Park, and Chelsea Piers on the Hudson River and wealth of historic buildings, many designated within the Gansevoort Market, Chelsea, and West Chelsea historic districts. The 2005 Special West Chelsea District (WCh) sought to integrate density and new commercial and residential uses so as to support the preservation and reuse of the High Line and help to maintain the City's largest art gallery district between Tenth and Eleventh Avenues. With robust investment in these neighborhoods, the character that has emerged includes new residential buildings along Tenth and Eleventh Avenues, rehabilitated loft buildings on mid-blocks, full-block loft conversions on West 15th and 16th Streets between Eighth and Eleventh Avenues, tower-in-the-park housing at the Robert Fulton Houses, and highly-valued retail and office space within former industrial buildings in the Meatpacking District. Given the area's mixed-use character, density, nearby subway stations, and the High Line open space, West Chelsea is a vibrant community.

The Project Area lies at the border of the historic districts to the south and the carefully crafted WCh to the north. The assessments of land use, zoning, and public policy and of urban design and visual resources found that the Proposed Action would not be incompatible with the area's land use and urban design characteristics. Additionally, the height, setback, and street wall regulations that would be implemented would not only effectively complement, but additionally reinforce, the character of buildings within the adjacent LPC designated Gansevoort Market Historic District, and the State and National Register listed Gansevoort Market Historic District within which the Project Area is located. The inclusion of the Project Area in the WCh would ensure balanced and harmonious growth on this segment of West 15th Street.

Where unenclosed sidewalk cafes would be allowed, the Department of Consumer Affairs requires that a minimum of eight feet or 50 percent of the sidewalk width, whichever is greater, from the curb to the building line be free of all obstructions and reserved for pedestrian use. This rule would ensure that an eight foot sidewalk would be provided for on the streets where unenclosed sidewalk cafes would be allowed. The resulting sidewalk cafes would enliven the streets where they would be allowed and would not adversely affect pedestrian circulation.

CONCLUSION

The Proposed Action is consistent with and strengthens neighborhood character and, therefore, would not result in any adverse impacts and further analysis is not warranted.

APPENDIX A

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 15DCP037M
Project: SPECIAL WEST CHELSEA EXPANSION
Date received: 8/21/2014

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

The LPC is in receipt of the revised EAS of 8/19/14. The text is acceptable for historic and cultural resources with the following text changes:

"Future without the Proposed Action": Sentence to read: "LPC permits are required for any construction, demolition or interior alterations requiring a Buildings Dept. Permit. See: http://www.nyc.gov/html/lpc/html/permit/permit.shtml for further information."

Last sentence: "As such, pursuant to existing Federal, State, and City historic preservation regulations, there is no potential for the proposed actions to result in significant adverse impacts to identified architectural resources."

Additionally, the LPC has reviewed projected soft sites B 712 Lots 1, 36, and 38 to determine if they may have archaeological potential. No further work is needed for archaeology for these lots.

All properties are either within the LPC designated Gansevoort Market HD, the S/NR listed Gansevoort Market HD, or both districts. See comments for each lot.

Properties with Architectural significance:

1) ADDRESS: 450 West 15th Street, BBL: 1007120001, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

2) ADDRESS: 461 West 14th Street, BBL: 1007120006, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

3) ADDRESS: 440 West 15th Street, BBL: 1007120011, LPC FINDINGS: DESIGNATED LPC HISTORIC DISTRICT; PERMIT FROM THE LPC PRESERVATION DEPARTMENT REQUIRED, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

4) ADDRESS: 407 West 14th Street, BBL: 1007120026, LPC FINDINGS: DESIGNATED LPC HISTORIC DISTRICT; PERMIT FROM THE LPC PRESERVATION DEPARTMENT REQUIRED, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

5) ADDRESS: 405 West 14th Street, BBL: 1007120027, LPC FINDINGS: DESIGNATED LPC HISTORIC DISTRICT; PERMIT FROM THE LPC PRESERVATION DEPARTMENT REQUIRED, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

6) ADDRESS: 401 West 14th Street, BBL: 1007120029, LPC FINDINGS: DESIGNATED LPC HISTORIC DISTRICT; PERMIT FROM THE LPC PRESERVATION DEPARTMENT REQUIRED, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

7) ADDRESS: 400 West 15th Street, BBL: 1007120036, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

8) ADDRESS: 404 West 15th Street, BBL: 1007120038, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

9) ADDRESS: 408 West 15th Street, BBL: 1007120040, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

10) ADDRESS: 412 West 15th Street, BBL: 1007120042, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

11) ADDRESS: 422 West 15th Street, BBL: 1007120046, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

12) ADDRESS: 436 West 15th Street, BBL: 1007120051, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY W/IN NATIONAL REGISTER HD

Gina Santucci amended 8/27/2014

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 29824_FSO_ALS_08222014.doc

For Internal Use Only: WRP no. 14-072
Date Received: _____ DOS no. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: New York City Department of City Planning
2. Address: 22 Reade Street, 6th Floor West
3. Telephone: 212-720-3480 Fax: 212-720-3488 E-mail: _____
4. Project site owner: NA

B. PROPOSED ACTIVITY

1. Brief description of activity:

   To expand the Special West Chelsea District to include property fronting the south side of West 15th Street between Ninth and Tenth avenues.

2. Purpose of activity:

   To protect the low-rise character of block, it is appropriate to extend the WCh to include the south side of West 15th Street between Ninth and Tenth Avenues.

3. Location of activity: (street address/borough or site description):

   The south side of West 15th Street between Ninth and Tenth Avenues (Block Block 712, Lots 1, 6, 11, 26, 27, 29, 36, 38, 40, 42, 46, and 51)

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

   No

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

   No

6. Will the proposed project require the preparation of an environmental impact statement?
   Yes _____ No ____✔____ If yes, identify Lead Agency:

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

   Zoning Map Amendment
   • The special district will be extended to include the block bounded by West 14th and West 15th streets, and Ninth and Tenth avenues, excluding the segment of the block beyond 325 feet east of Tenth Avenue and south of the block centerline.

   Zoning Text Amendment
   • to Appendix A of Article IX, Chapter 8 to expand the Special West Chelsea District to include the Project Area, as described above;
   • to Appendix B of Article IX, Chapter 8 to expand Special West Chelsea District to include the Project Area, as described above.

C. COASTAL ASSESSMENT

Location Questions:	**Yes**	**No**
1. Is the project site on the waterfront or at the water's edge?		✔
2. Does the proposed project require a waterfront site?		✔
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?		✔

Policy Questions	**Yes**	**No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)		✔
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	✔	
6. Will the action result in a change in scale or character of a neighborhood? (1.2)		✔

Policy Questions cont'd	Yes	No
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)		✔
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)		✔
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)		✔
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)		✔
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)		✔
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)		✔
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)		✔
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)		✔
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)		✔
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)		✔
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)		✔
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)		✔
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)		✔
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1and 9.2)		✔
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)		✔
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)		✔
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)		✔
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)		✔
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)		✔
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)		✔
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)		✔
28. Would the action cause violations of the National or State air quality standards? (5.2)		✔

Policy Questions cont'd	Yes	No
29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)		✔
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)		✔
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)		✔
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	✔	
33. Would the action result in any construction activities that would lead to erosion? (6)		✔
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)		✔
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)		✔
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)		✔
37. Would the proposed project affect a non-renewable source of sand ? (6.3)		✔
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)		✔
39. Would the action affect any sites that have been used as landfills? (7.1)		✔
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)		✔
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)		✔
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)		✔
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	✔	
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)		✔
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)		✔
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)		✔
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)		✔
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)		✔
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)		✔
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)		✔

Policy Questions cont'd	Yes	No
51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)		✓
52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)	✓	

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: Erik Botsford, Deputy Director, Manhattan Office

Address: NYC Department of City Planning

22 Reade Street, New York NY 10007 Telephone 212-720-3480

Applicant/Agent Signature: _____ Date: 8/29/14

APPENDIX B

MODIFICATION TO PROPOSED TEXT AMENDMENT

A. INTRODUCTION

Since the issuance of the Environmental Assessment Statement on August 29, 2014 and the September 2, 2014 Negative Declaration, new information became available that would suggest that the proposed text amendment related to Zoning Resolution (ZR) Section 98-41 (Rear Yard regulations) may affect a current enlargement proposal for a property located within the Special West Chelsea District (510 West 22nd Street; Manhattan Block 693, Lots 23 and 2 ; the "project site"). In response to this information, the City Planning Commission (CPC) is now considering a modification to the proposed text amendment to Zoning Resolution (ZR) Section 98-41, Special Rear Yard Regulations.

The purpose and intention of the original text amendment to ZR 9 -41 (the "current proposal") was to clarify that for all new developments in the Special West Chelsea District, where rear yard equivalents are required, they shall be provided at the mid-block. With the proposed modification, pre-existing buildings located within M1-5 Districts and situated entirely within 150 feet of the west side of the High Line in the Special West Chelsea District, may be enlarged pursuant to Section 43-28 of the underlying M1-5 District regulations.

As disclosed below, the proposed modification would neither alter the conclusions of the August 29, 2014 EAS nor the September 2, 2014 Negative Declaration and would not result in any significant adverse environmental impacts.

B. DESCRIPTION OF THE CURRENT PROPOSAL

Text Amendment (Current Proposal)

Under the certified application, ZR Section 98-41 would be amended as follows:

> The #yard# regulations of the underlying district shall apply, except as modified in this Section, inclusive. ~~that~~ In all districts, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions and such #zoning lot# occupies the entire #block# frontage of the #street#. Where a #rear yard equivalent# is required by either Section 23-532 (Required rear yard equivalents) or 43-28 (Special provisions for through lots), it shall be provided only as set forth in paragraph (a) of such Section, as applicable.

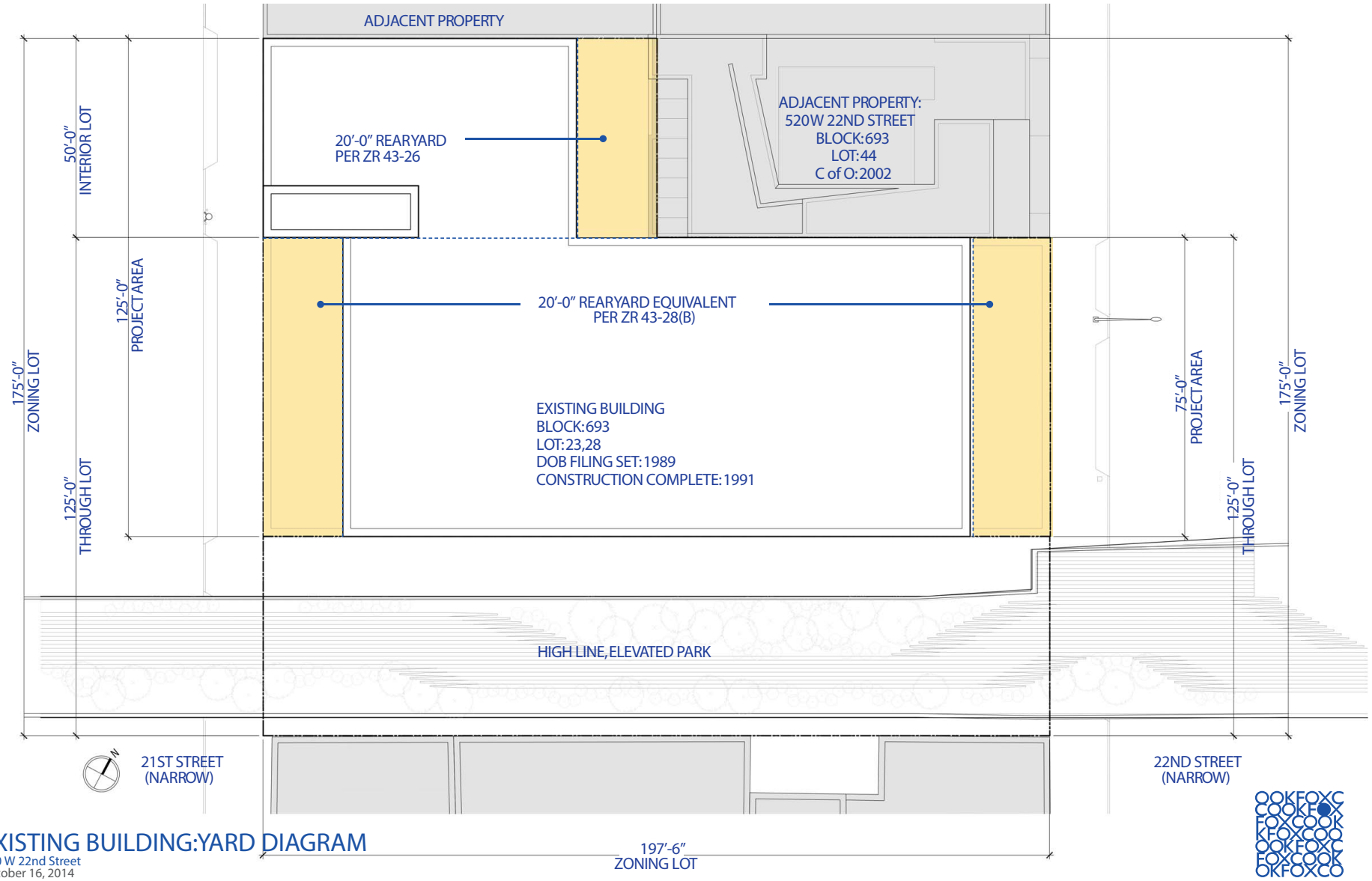
The text amendment as proposed pursuant to ZR Section 98-41 (Special Rear Yard Regulations) clarifies that where the rear yard equivalents are required, particularly on through-lots, they shall be provided at the mid-block. The text amendment adds language to clarify the intent of this requirement.



510 W. 22nd Street

Figure 1

Tax Map



EXISTING BUILDING:YARD DIAGRAM
510 W 22nd Street
October 16, 2014

510 W. 22nd Street

Figure 2

Existing Building Yard Diagram

C. DESCRIPTION OF THE PROPOSAL, AS MODIFIED

Modified Text Amendment

As indicated above, the City Planning Commission (CPC) is now considering a modification to the proposed text amendment to permit the enlargement of existing buildings per the underlying M1-5 District regulations. The modified text would read as follows:

> The #yard# regulations of the underlying district shall apply, except as modified in this Section, 98-41. ~~that~~ In all districts, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions and such #zoning lot# occupies the entire #block# frontage of the #street#. Where a #rear yard equivalent# is required by either Section 23-532 (Required rear yard equivalents) or Section 43-28 (Special Provisions for Through Lots), it shall be provided only as set forth in paragraph (a) of either of such Sections, as applicable. However, in M1-5 Districts, a #building# existing prior to [effective date of text amendment] may be #enlarged# pursuant to Section 43-28, paragraph (b), provided that such #building# is on a #zoning lot# located entirely within 150 feet of the west side of the High Line.

With the proposed modification, pre-existing buildings located within M1-5 Districts and situated entirely within 150 feet of the west side of the High Line in the Special West Chelsea District, would have the ability to be enlarged pursuant to Section 43-28 of the underlying M1-5 District regulations.

D. AFFECTED AREA

Applicability of the Proposed Modification

The proposed modification would apply to the project site at 510 West 22nd Street alone, since there are no other through-lot zoning lots zoned M1-5 (SWCD) located entirely within 150 feet of the west side of the High Line with existing buildings that could be enlarged pursuant to ZR Section 49- 28(b).

Project Site conditions

The project site is a 19,750-square-foot (sf) property located immediately west of the High Line. It is an L-shaped property with 125 feet of frontage on W. 21st Street and 75 feet of frontage on W. 22nd Street. The eastern side lot line is 150 feet west of Tenth Avenue and is immediately west of the west side of the High Line. The western side lot line extending from W. 21st Street is 275 feet west of Tenth Avenue and 125 feet west of the west side of the High Line. The western side lot extending from W. 22nd Street is 225 feet west of Tenth Avenue and 75 feet west of the west side of the High Line. For zoning purposes, the eastern 75-foot wide portion of the site is a through lot and the western 50-foot wide portion of the site is an interior lot. (Refer to Figure 1, Tax Map.)

The site is currently developed with a 5-story building that is currently vacant. A certificate of occupancy from 1991 indicates that at that time the building was occupied by Use Group 16 uses, including warehousing, vehicle repair/storage, and storage.

It should be noted that the project site is part of a zoning lot that also includes the adjoining property to the east, Block 693, Lot 28, a 50-foot wide rectangular through lot over which the High Line passes.

Project Site Zoning History

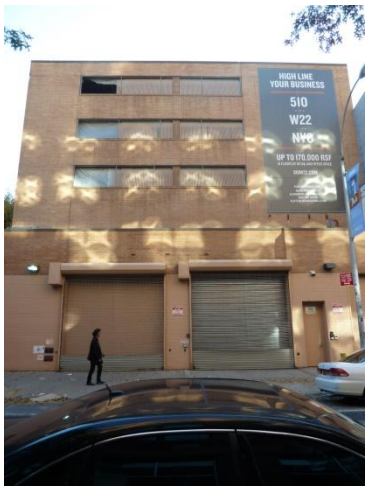
The project site was zoned M1-5 as part of the 1961 Zoning Resolution. The site's zoning designation remained M1-5 until 2005, when it was incorporated into the then newly established SWCD although the underlying M1-5 zoning remained in place. The existing building on the project site was developed prior to the adoption of the SWCD regulations.

Project Site Existing Building

The existing building at the project site is built to the front lot line along both the W. 21st Street and W. 22nd Street frontages. The building has a 1-story tall streetwall along its entire 75-foot long W. 22nd Street frontage and the 75-foot long eastern portion of its E. 21st Street frontage. Above the 1-story streetwalls on both street frontages, the building has 20-foot setbacks and then rises an additional four stories, to a total height of approximately 67 feet. However along the 50-foot long western portion of the W. 21st Street frontage, which is not a through lot as that portion of the site has a rear lot line coinciding with the centerline of the block, the building rises the full 5-story height without a setback. Refer to the photos below.



W. 21st Street Frontage



W. 22nd Street Frontage

Under M1-5 zoning, per ZR Section 43-28, "Special Provisions for Through Lots," through lots (such as the through lot portion of the project site) must provide a rear yard equivalent. The rear yard equivalent may be provided in one of three ways: per ZR Section 43-28(a) – in the interior of the lot; per ZR Section 43-28(b) along both street lines of the lot; or per ZR Section 43-28(c) along both side lot lines. The portion of the building that is a through lot complies with ZR Section 43-28(b) rear yard requirement by providing the rear yard equivalent along both street lines, i.e, as the setback area above the first floor. This setback is 20 feet deep, which is the minimum distance required. The portion of the building located at the street line is a permitted obstruction in a rear yard equivalent, pursuant to ZR Section 43-23(b).

For the portion of the site which is an interior lot, i.e., the western 75-foot long frontage along W. 21st Street, a rear yard extending 20 feet from the rear lot line is provided in compliance with ZR Section 43-26, "Minimum Required Rear Yards." (Refer to Figure 2, Existing Building Yard Diagram.)

Albanese Development, the entity that controls the project site, is planning an enlargement of the existing building that would expand the building vertically above the existing 5-story portion of the building. The planned design would maintain the existing rear yard equivalent areas, including the required rear yard equivalents along the street lines in the through lot portion of the site. The enlarged building would be occupied by commercial uses. (Refer to Figure 3, Proposed Building Yard Diagram.)

Development Under the "Text Amendment (Current Proposal) Scenario"

Under the current scenario, the planned, single-tower enlargement at the project site would need to be modified to comply with rear yard equivalent regulations as specified in ZR Section 98-41. f the certified application was adopted, the planned enlargement of the existing building would be considered to create a new non-compliance with ZR Section 98-41 and therefore the applicant's planned design would not be allowed on an as-of-right basis. A provision of the certified application would amend the yard regulations such that the enlargement of the existing building, as proposed would no longer be permitted on an as-of-right basis.

The proposed text amendment would require that a rear yard equivalent be provided at the midblock. Any enlargement on the through lot portion of the project site would need to be "split" into two separate tower portions that provide a minimum open area of 40 feet at the block center and reduce the usable floor plate of the building.

Development Under the "Modified Text Amendment Scenario"

Under this scenario, the building at the project site could be enlarged vertically above the existing 5-story portion of the building, and maintain the existing rear yard equivalent areas, including the required rear yard equivalents along the street lines in the through lot portion of the site. (Refer to Figure 3, Proposed Building Yard Diagram.)

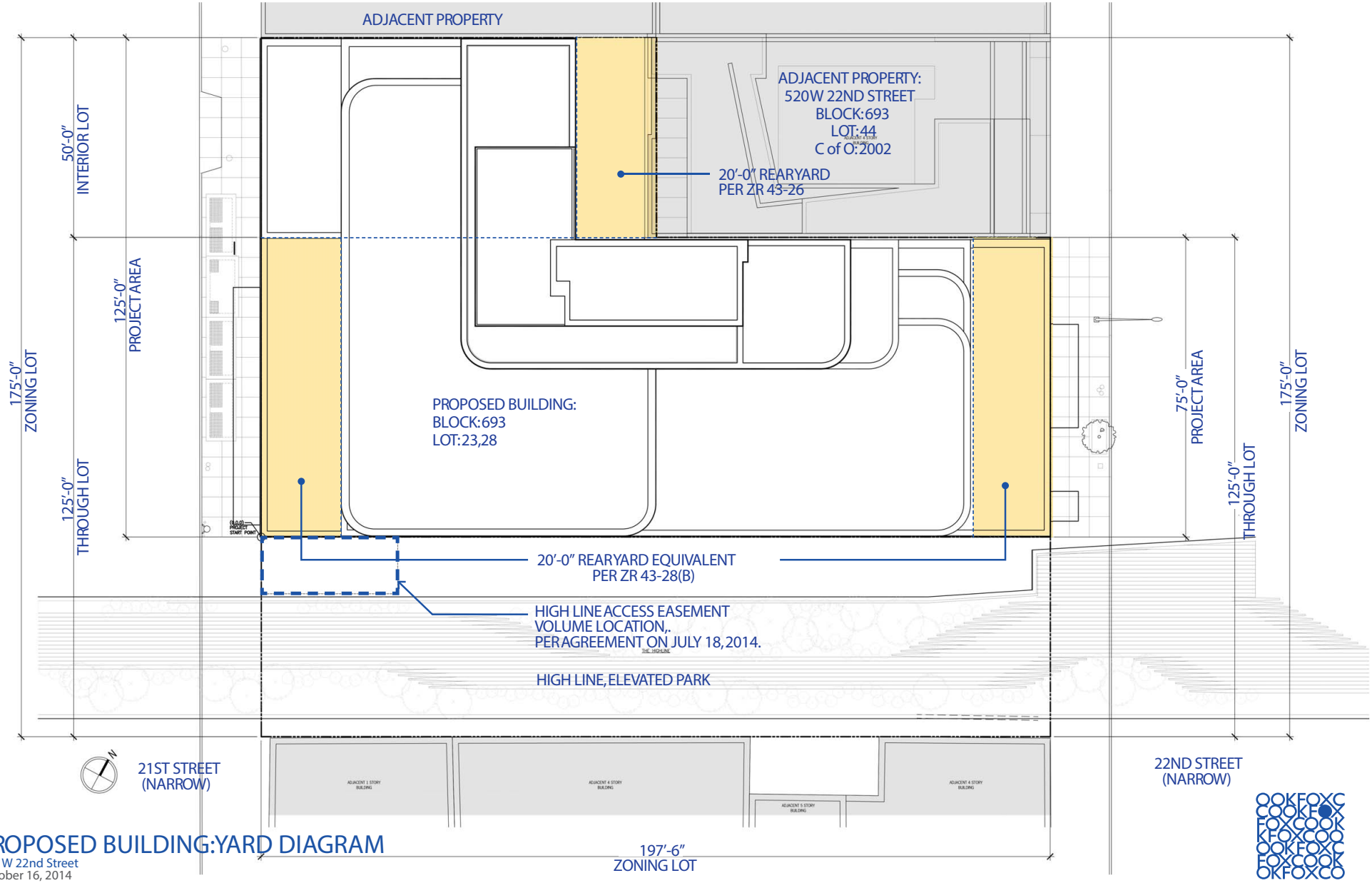
The overall height and floor area permitted by the underlying districts would be the same under the certified application and modified text amendment scenarios, but it is expected that the floor area and the rear yard equivalent would be configured differently.

E. ASSESSMENT

A conceptual discussion of the areas of Land Use, Zoning, Public Policy; Historic and Cultural Resources; Urban Design and Visual Resources; Air Quality and Neighborhood Character is provided below for conservative analysis purposes. Overall, the proposed modification would not result in significant adverse impacts, nor would it change the conclusions of the analyses provided in the remaining sections of this Environmental Assessment Statement.

Land Use, Zoning, Public Policy

In the future with the proposed modification, development on the project site would proceed in a framework that is consistent with the built form found in surrounding blocks. Relative to the future without the proposed modification, the amendment would implement rear yard requirements that are in line with the regulations of existing WCh M1-5 zoning districts and contextually correspond to the area's building stock. Because it does not alter basic development potential, the proposed modification would not lead to an increase in development at the project site, nor result in the creation of any new floor area or encourage different uses.



PROPOSED BUILDING:YARD DIAGRAM

510 W 22nd Street
October 16, 2014

510 W. 22nd Street

Figure 3

Proposed Building Yard Diagram

Historic and Cultural Resources

Aside from the location of the rear yard and configuration and configuration of the enlargement above the existing building, the amount, type, and relative location of development at the project site is expected to remain the same. The key effect of the proposed modification would be to modify applicable rear yard controls on the project site. Any in-ground disturbance, under the current proposal and the proposed modification is expected to be the same. Development would proceed in a framework that is consistent with the built form requirements that are in line with the bulk regulations of existing WCh M1-5 zoning districts and contextually correspond to the study area's historic building stock. Since development and in-ground disturbance of these sites is expected to be relatively similar under both scenarios, the modified proposal is not expected to result in significant adverse impacts to historic and cultural resources; no further analysis is necessary.

Urban Design and Visual Resources

The proposed modification would not change permissible building scale, allow an increase in permitted floor area, involve a general large-scale development, or result in substantial changes to the built environment of a historic district or components of a historic building that contributes to the resource's historic significance. The proposed modification would modify rear yard equivalent regulations, which are expected to strengthen street walls. Therefore, the proposed modification would not be anticipated to result in significant adverse effects to urban design.

Air Quality

The proposed modification would not change the permissible building heights for the project site, and would not result in stationary or mobile sources of pollutant emissions that could have an effect on ambient air quality. Therefore, the proposed modification would not be anticipated to result in significant adverse effects to air quality.

Neighborhood Character

The proposed modification is consistent with the existing neighborhood character and is not expected to modify the defining elements of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects. Therefore the proposed modification would not result in any adverse impacts and further analysis is not warranted.

Conclusion

As indicated above, the proposed text modification would not result in significant adverse impacts, nor would it change the conclusions of the analyses provided in the remaining sections of this Environmental Assessment Statement.

Matter in underline is new, to be added.
Matter in ~~strikeout~~ is to be deleted.
Matter with # # is defined in Section 12-10.
* * * indicates where unchanged text appears in the Zoning Resolution.

Article 1
GENERAL PROVISIONS

*** * ***

Chapter 4
Sidewalk Cafe Regulations

*** * ***

14-40
AREA ELIGIBILITY FOR SIDEWALK CAFES

*** * ***

14-44
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
* * *		
United Nations Development District	No	Yes
West Chelsea District	No	Yes[5]

[1] #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue

[2] #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway

[3] #Enclosed sidewalk cafes# are allowed in Subdistrict B

[4] #Unenclosed sidewalk cafes# are allowed on the east side of Malcolm X Boulevard between West 125th and West 126th Streets, on the west side of Malcolm X Boulevard between West 124th and West 125th Streets and on the east side of Fifth Avenue between East 125th and East 126th Streets

[5] #Unenclosed sidewalk cafes# are only allowed on #wide streets#

*** * ***

ARTICLE IX
SPECIAL PURPOSE DISTRICTS

* * *

Chapter 8
Special West Chelsea District

* * *

98-40
SPECIAL YARD, HEIGHT AND SETBACK, AND MINIMUM DISTANCE BETWEEN BUILDINGS REGULATIONS

98-41
Special Rear Yard Regulations

The #yard# regulations of the underlying district shall apply, except as modified in this Section, 98-41. that In all districts, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions and such #zoning lot# occupies the entire #block# frontage of the #street#. Where a #rear yard equivalent# is required by either Section 23-532 (Required rear yard equivalents) or Section 43-28 (Special Provisions for Through Lots), it shall be provided only as set forth in paragraph (a) of either of such Sections, as applicable. However, in M1-5 Districts, a #building# existing prior to [effective date of text amendment] may be
#enlarged# pursuant to Section 43-28, paragraph (b), provided that such #building# is on a #zoning lot# located entirely within 150 feet of the west side of the High Line.

98-42
Special Height and Setback Regulations

* * *

98-423
Street wall location, minimum and maximum base heights and maximum building heights

The provisions set forth in paragraph (a) of this Section shall apply to all #buildings or other structures#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through (g) of this Section.

(a) On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along such entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section. On ~~#corner lots# with both #wide# and~~ #narrow street# frontages, beyond 50 feet of their intersection with a #wide street#, the #street wall# ~~with a minimum height of 15 feet~~ shall be located on the ~~#narrow street line# between 50 and 100 feet from its intersection with a #wide street#. On #zoning lots# with only #narrow street# frontages, the #street wall# shall be located on the~~ #street line# and extend along at least 70 percent of the #narrow street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section.

Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above a height of 12 feet, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except that, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

* * *

~~Minimum and Maximum Base Height and Maximum Building Height by District or Subarea~~

MINIMUM AND MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT BY DISTRICT OR SUBAREA

District or Subarea		Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum #Building# Height (in feet)
C6-2A		60	85	120
C6-3A		60	102	145
M1-5		50	95	135
Subarea A	within 50 feet of a #wide street#	60	85	____[1]
	between 50 and 100 feet of a #wide street#	15	85	____[1]
	for #zoning lots# with only #narrow street# frontage	40	60	____[1]
Subarea B		60	95	135
Subarea C	for #zoning lots# with only #narrow street# frontage	60	110	110
	for #zoning lots# with Tenth Avenue frontage	105[2]	125[2]	~~145~~125[2]
	for #zoning lots# with Eleventh Avenue frontage	125[2]	145[2]	145[2]
Subarea D		60	90	250[1]
Subarea E		60	105[3]	120[3]
Subarea F		60[2]	80[2]	80[2]
Subarea G	for #zoning lots# with only #narrow street# frontage	60	95	95
	for #zoning lots# with #wide street# frontage	105[2]	120[2]	120[2]
Subarea H		60[4]	85[4]	____[4]
Subarea I	within 300 ft. of Tenth Ave. between W. 16th St. & W. 17th St.	60	85	120[5]
	all other areas	60	105	135
Subarea J	Midblock Zone	NA	110[6]	130[6]
	Ninth Avenue Zone	NA	130[6]	135[6]
	Tenth Avenue Zone	NA	185[6]	230[6]

[1] see Section 98-423, paragraph (b)
[2] see Section 98-423, paragraph (c)
[3] see Section 98-423, paragraph (d)
[4] see Section 98-423, paragraph (e)
[5] see Section 98-423, paragraph (f)
[6] see Section 98-423, paragraph (g)

* * *

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Article I
GENERAL PROVISIONS

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Chapter 4
Sidewalk Cafe Regulations

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AREA ELIGIBILITY FOR SIDEWALK CAFES

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Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

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ARTICLE IX
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98-42
Special Height and Setback Regulations

* * *

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Street wall location, minimum and maximum base heights and maximum building heights

The provisions set forth in paragraph (a) of this Section shall apply to all #buildings or other structures#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through (g) of this Section.

(a) On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along such entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section. On ~~#corner lots# with both #wide# and~~ #narrow street# frontages, beyond 50 feet of their intersection with a #wide street#, the #street wall# ~~with a minimum height of 15 feet~~ shall be located on the ~~#narrow street line# between 50 and 100 feet from its intersection with a #wide street#. On #zoning lots# with only #narrow street# frontages, the #street wall# shall be located on the~~ #street line# and extend along at least 70 percent of the #narrow street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section.

Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above a height of 12 feet, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except that, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

* * *

MINIMUM AND MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT BY DISTRICT OR SUBAREA

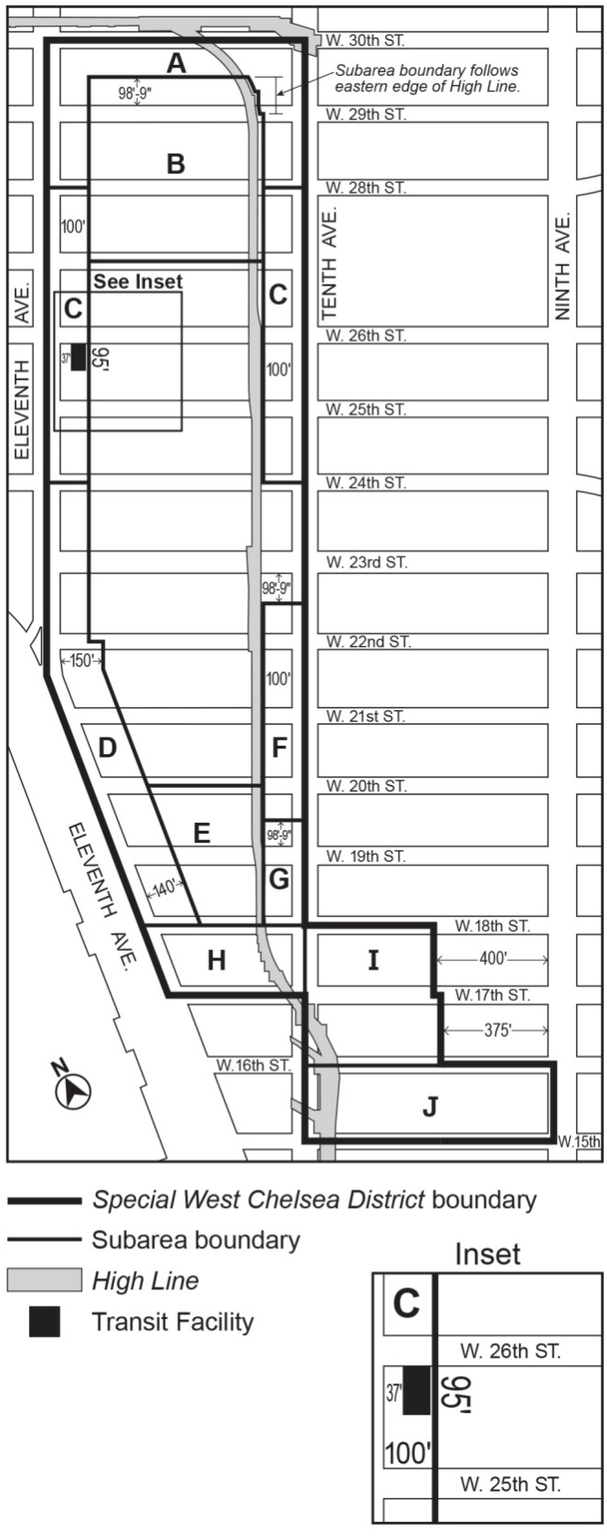
District or Subarea		Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum #Building# Height (in feet)
C6-2A		60	85	120
C6-3A		60	102	145
M1-5		50	95	135
Subarea A	within 50 feet of a #wide street#	60	85	____[1]
	between 50 and 100 feet of a #wide street#	15	85	____[1]
	for #zoning lots# with only #narrow street# frontage	40	60	____[1]
Subarea B		60	95	135
Subarea C	for #zoning lots# with only #narrow street# frontage	60	110	110
	for #zoning lots# with Tenth Avenue frontage	105[2]	125[2]	~~145~~125[2]
	for #zoning lots# with Eleventh Avenue frontage	125[2]	145[2]	145[2]
Subarea D		60	90	250[1]
Subarea E		60	105[3]	120[3]
Subarea F		60[2]	80[2]	80[2]
Subarea G	for #zoning lots# with only #narrow street# frontage	60	95	95
	for #zoning lots# with #wide street# frontage	105[2]	120[2]	120[2]
Subarea H		60[4]	85[4]	____[4]
Subarea I	within 300 ft. of Tenth Ave. between W. 16th St. & W. 17th St.	60	85	120[5]
	all other areas	60	105	135
Subarea J	Midblock Zone	NA	110[6]	130[6]
	Ninth Avenue Zone	NA	130[6]	135[6]
	Tenth Avenue Zone	NA	185[6]	230[6]

[1] see Section 98-423, paragraph (b)
[2] see Section 98-423, paragraph (c)
[3] see Section 98-423, paragraph (d)
[4] see Section 98-423, paragraph (e)
[5] see Section 98-423, paragraph (f)
[6] see Section 98-423, paragraph (g)

* * *

[Text map to be deleted]

Appendix A
Special West Chelsea District and Subareas (98A)



APPENDIX C

Since the issuance of the Environmental Assessment Statement (EAS) on August 29, 2014 and the September 2, 2014 Negative Declaration, and subsequent to the issuance of the Revised EAS and Revised Negative Declaration on December 17, 2014, the New York City Council modified the proposed text amendment to Zoning Resolution (ZR) Section 14-44, Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted. The modification excludes the western blockfront of Ninth Avenue between West 16th and West 15th Streets from the areas where unenclosed sidewalk cafes are permitted (See Figure 4).

Compared to the proposed action, the overall effect of this modification would be to reduce the areas along Ninth Avenue where unenclosed sidewalk cafes would be allowed. The proposed zoning map amendment would not result in new or increased development in the affected area, nor would it affect the type, amount or location of future development.

The likely effects of the proposed would not raise the potential to meet or exceed thresholds for potential environmental impacts for any of the impact categories in the CEQR Manual. The proposed modification to the text amendment to (ZR) Section 14-44 would not have the potential for significant adverse impacts on the environment and would not alter the conclusions of the previous environmental review.

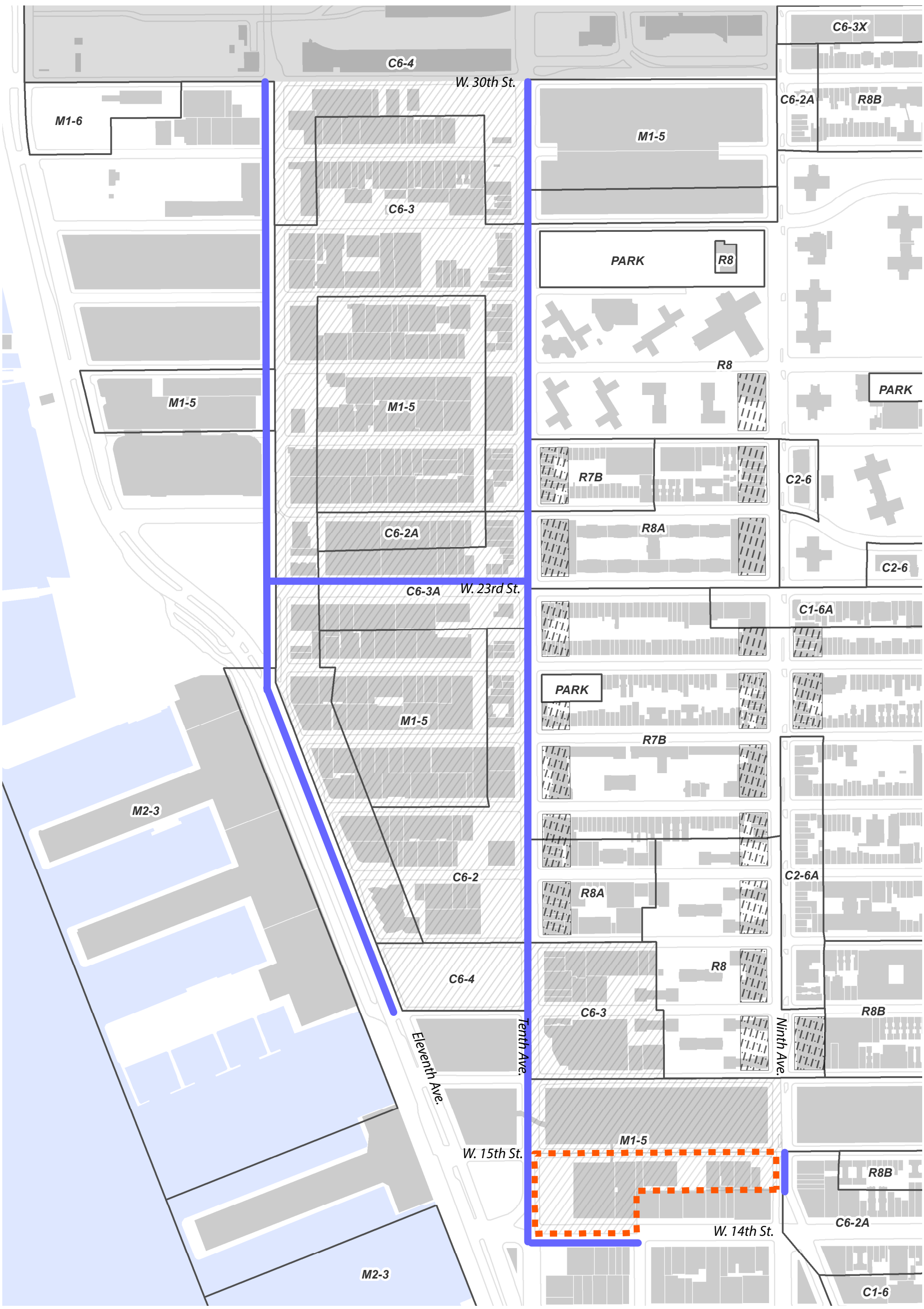


Figure 4

West 15th Street/
Special West Chelsea District Expansion

Unenclosed Cafes

Updated January 13, 2015, per City Council Modification