A. PROJECT IDENTIFICATION

West End Enterprises, LLC and West 60th Street Associates, LLC, the applicant, proposes to rezone the western half of the block bounded by West End Avenue, West 61st Street, Amsterdam Avenue, and West 60th Street (Block 1152) (see Figure 1-1). In addition, the applicant is requesting a special permit for a public parking garage, a special permit for a general large-scale development, and a zoning text amendment. The proposed rezoning, special permits, and text amendment (collectively, "the proposed action") would facilitate the construction of a new residential building with ground-floor retail, community facility use, and below-grade parking.

The proposed mixed-use development would be constructed on Lots 5, 8, 10-13, 43, 52, 53, and 55 of Block 1152 (the "project site"). Until recently, the project site contained a mix of uses, including motor vehicle repair shops, surface parking, and warehouse and commercial uses. These uses have been demolished and the site is now vacant. The applicant merged Lots 56 and 57, which are developed with two 5-story residential buildings, with the project site to create a combined zoning lot (the "combined zoning lot"). This would allow a portion of the unused development rights from Lots 56 and 57 to be used in developing the proposed project. The rezoning area would consist of Lots 1, 5, 8, 10-13, a portion of Lot 43, Lots 52, 53, 55-58, and 61. The additional lots in the rezoning area are occupied by The Heschel School (Lot 1), a 4-story car dealership (Lot 61), and a 1-story motor vehicle repair shop (Lot 58).

The proposed zoning text amendment would affect areas located within C6-1, C6-2, and C6-3 zoning districts. These zoning districts are located within areas of Manhattan Community Districts 1-8 and 12, Queens Community District 12, and Brooklyn Community District 2.

If approved, the proposed project would be completed in 2008.

PROPOSED ACTION

A more detailed description of the proposed action follows:

- **Rezoning**. The applicant is seeking an amendment to the New York City zoning map to rezone the western portion of Block 1152 from M1-6 to C4-7/C6-2 (Lots 1, 5, 8, 10-13, a portion of Lot 43, Lots 52, 53, 55-58, and 61 would be rezoned [see Figures 1-2 and 1-3]). The area within 100 feet of the West End Avenue street frontage would be rezoned to a C4-7 zoning district (Lots 1 and 61), which permits a floor area ratio (FAR) of 10, bonusable to 12 pursuant to New York City's Inclusionary Housing provisions, and the remainder of the area to be rezoned would be mapped with a C6-2 zoning district, which permits an FAR of 6.02 (the "rezoning"). As stated above, the project site has been merged with Lots 56 and 57 to create a combined zoning lot. This permits a portion of the unused development rights from Lots 56 and 57 to be used in developing the proposed project.
- **Special Permits**. The applicant is requesting a special permit pursuant to Zoning Resolution (ZR) Section 74-52 for a public parking garage and a special permit pursuant to ZR Section 74-74 as proposed to be amended (see below) for a general large-scale development (collectively, the "special permits").

- **Text Amendment**. The applicant is requesting a text amendment to the provisions of Section 74-743 to modify the applicable "height factor" and "open space ratio" requirements in certain large-scale developments. The proposed text amendment would apply to future general large-scale developments located partially in a C6-1, C6-2, or C6-3 district. The text amendment would allow the City Planning Commission to permit developments at their maximum floor area ratio without regard to "height factor" or "open space ratio" requirements provided that certain requirements relating to the amount of open space and quality of landscaping provided on-site are met. (The proposed text is provided on page 22-2, in Chapter 22, "Conceptual Analysis of the Proposed Text Amendment.")

The applicant is participating in the Brownfield Cleanup Program (BCP) administered by the New York State Department of Environmental Conservation (NYSDEC). In addition to the actions described above, the applicant will enter into a restrictive declaration that ensures that if the Brownfield Cleanup agreement is terminated, any development of the project site would proceed under the oversight of the New York City Department of Environmental Protection with respect to the testing and remediation of hazardous materials.

The proposed action would also include the placement of "(E) Designation" the projected development sites located on Lots 58 and 61 to ensure that (1) the potential for those sites to contain contaminated materials is addressed prior to any redevelopment, and (2) the building design for any subsequent redevelopment of these sites incorporates adequate measures to meet CEQR requirements for building attenuation.

(E) Designations would also be placed for noise on the project site (Block 1152, Lots 5, 8, 10-13, 43, 52, 53, and 55) and the projected development sites (Block 1152 Lots 56, 57, 58, and 61), to ensure an acceptable interior noise environment.

To avoid the potential for significant adverse air quality impacts from stationary sources, (E) Designations were incorporated into the proposed action to ensure that the heating, ventilating and air conditioning stack(s) would be placed at the appropriate distance from the affected projected development sites, specifically Block 1152, Lots 56, 57, and 58.

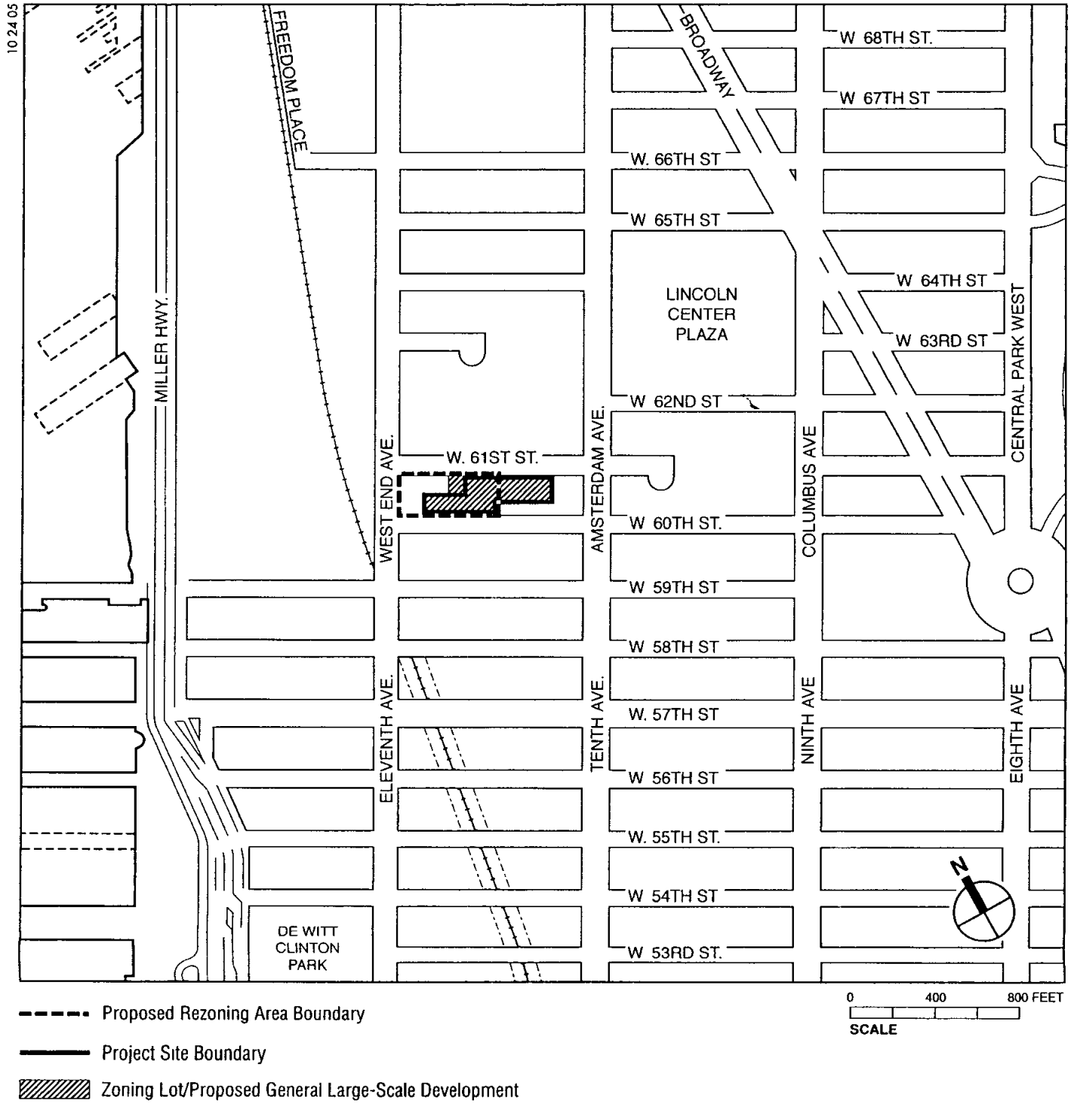
PROPOSED PROJECT

The proposed action is being requested to allow a new residential building to be constructed on the project site. The building would include a total of approximately 481,425 gross square feet (gsf) containing 342 residential units; 4,420 gsf of medical office space; 10,340 gsf of ground-floor retail space; and 200 parking spaces, of which 121 would be accessory parking spaces and 79 would be public parking spaces.

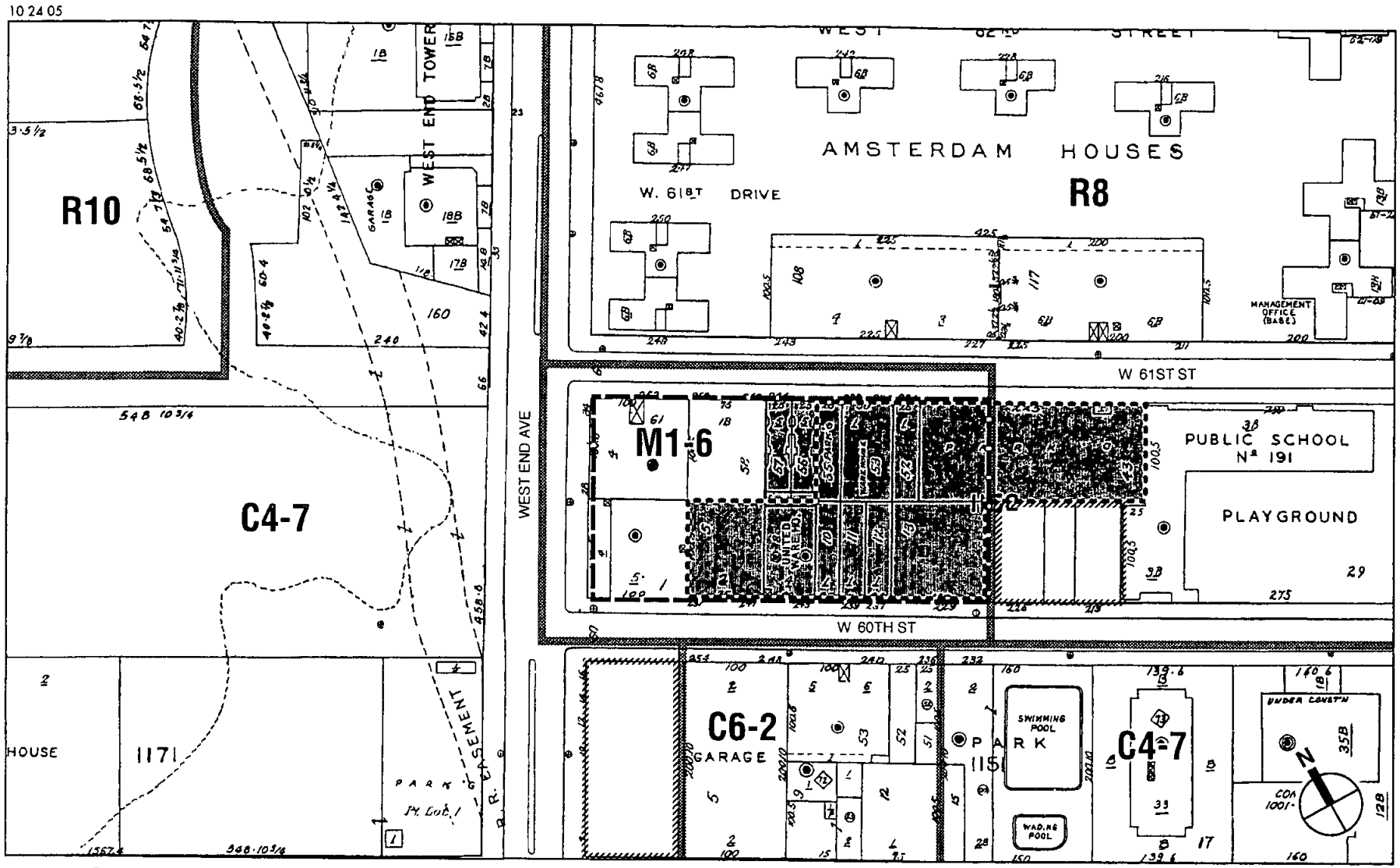
Figure 1-4 shows the proposed site plan, Figure 1-5a shows the proposed ground-floor plan, and Figures 1-5b and 1-5c show the proposed parking garage. Figures 1-6, 1-7, and 1-8 show the building elevations, and Figures 1-9 and 1-10 show illustrative views of the project.

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

For purposes of providing a conservative City Environmental Quality Review analysis, a reasonable worst-case development scenario was prepared for the proposed action (see Table 1-1). While the applicant proposes to construct 342 units on the project site, under the reasonable worst-case development scenario it is assumed that 559 units would be constructed on the project site. This is based on the maximum allowed dwelling units as per zoning (i.e., the project sponsor would construct larger apartments than required under zoning).



Project Location
Figure 1-1



Proposed Rezoning Area Boundary

Project Site Boundary

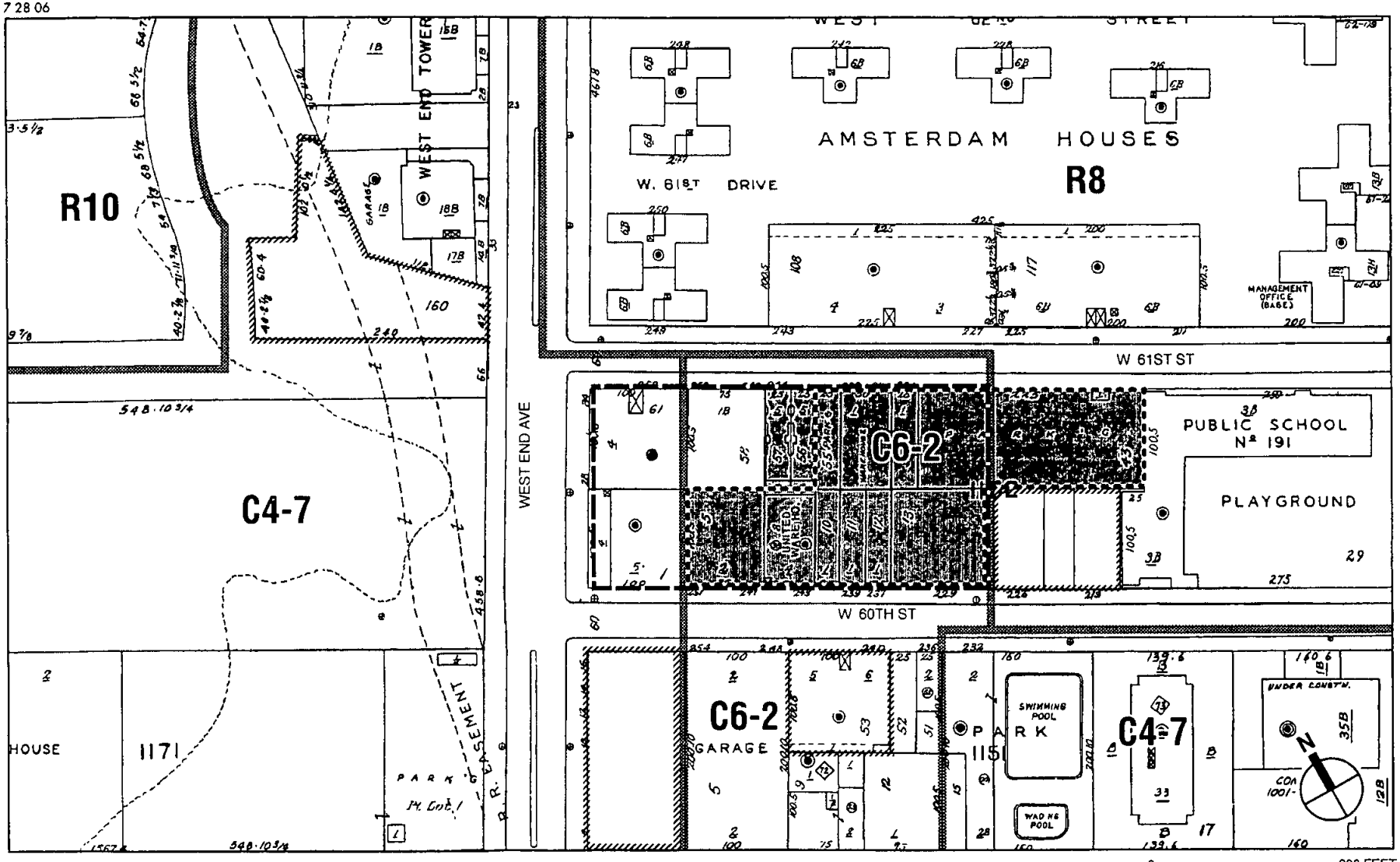
Zoning Lot/Proposed General Large-Scale Development

Zoning District Boundary

Sites Currently Under Construction

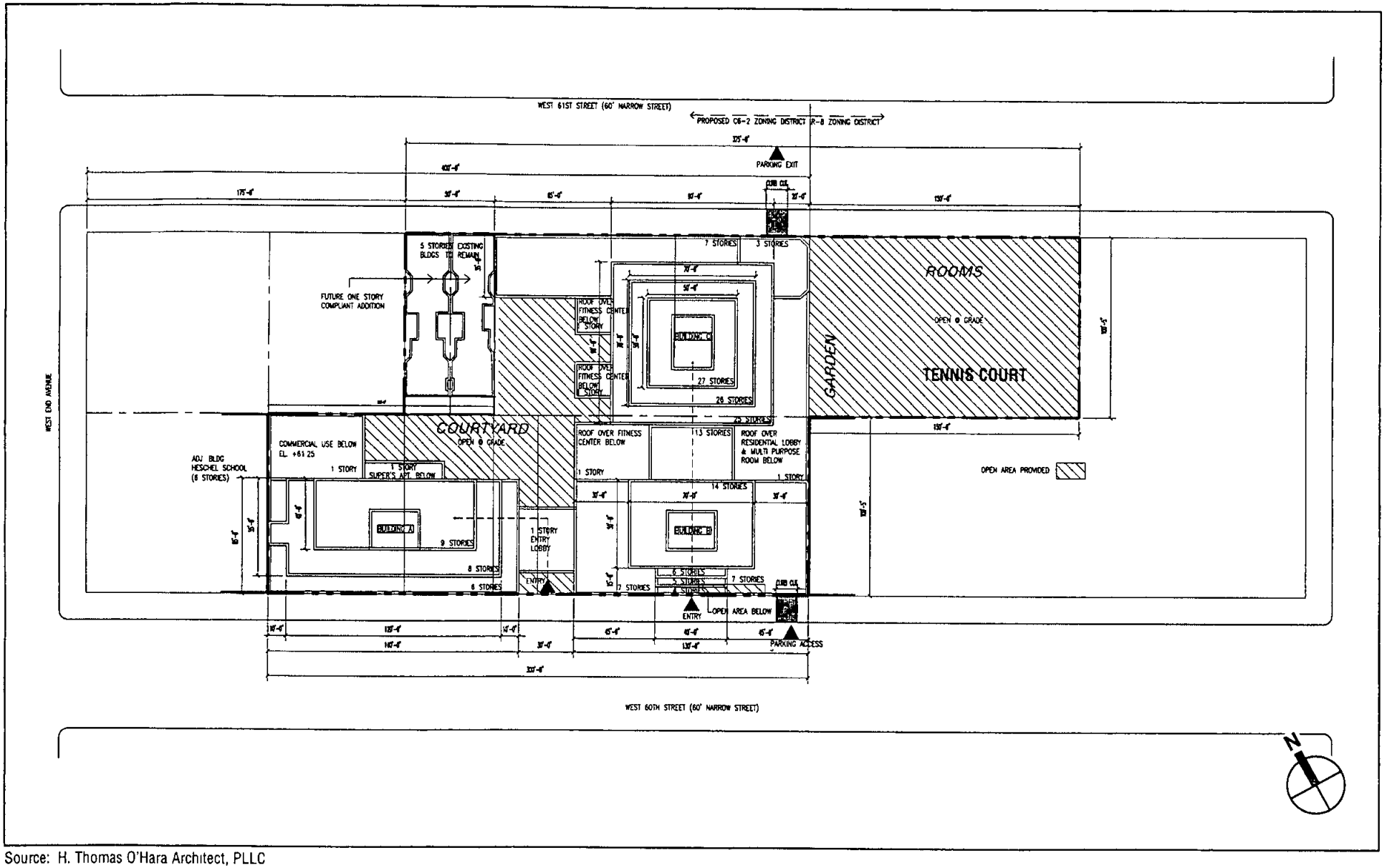
West 61st Street Rezoning
Project and Citywide GLSD Text Amendment

Existing Zoning
Figure 1-2



West 61st Street Rezoning
Project and Citywide GLSD Text Amendment

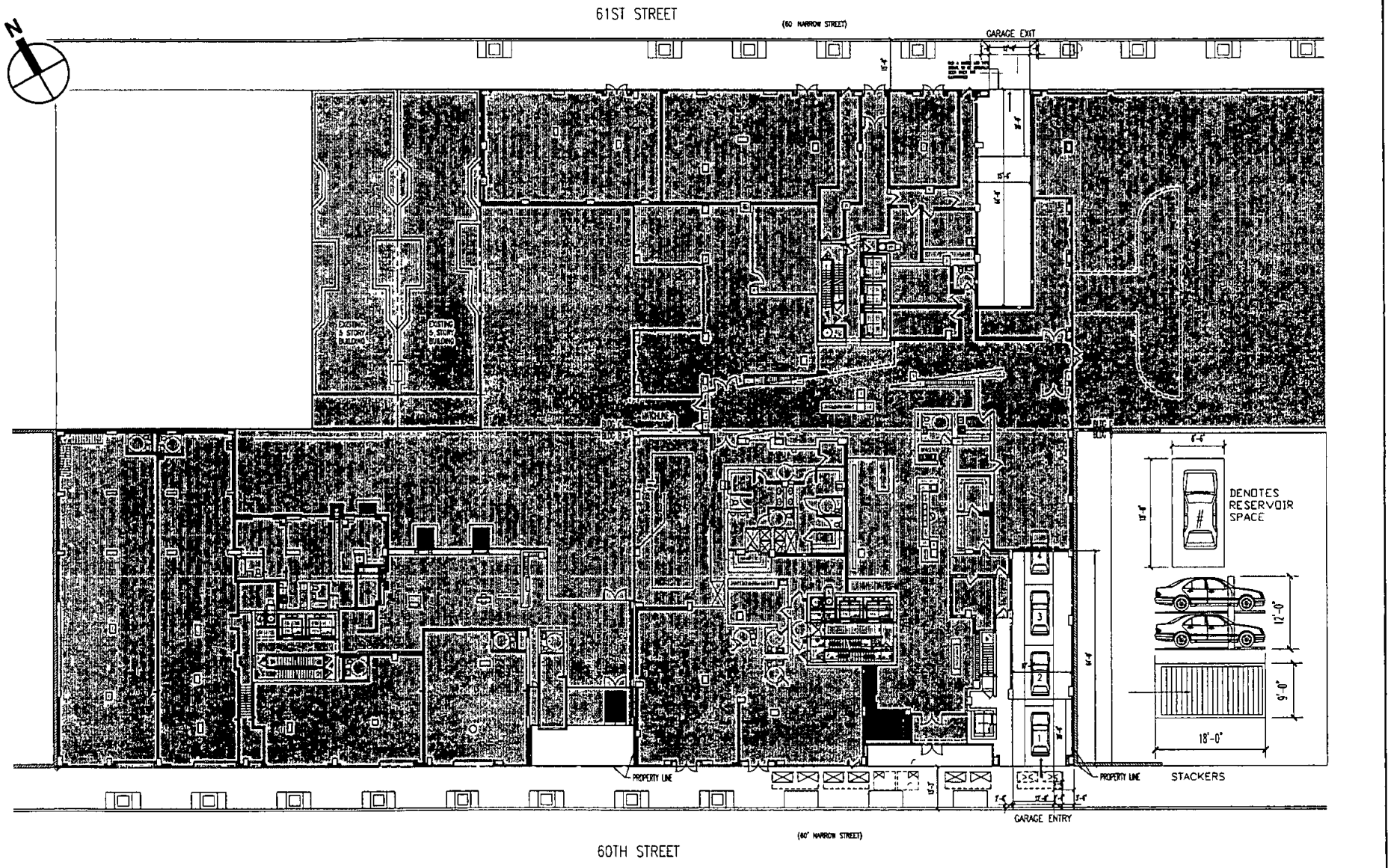
Proposed Zoning
Figure 1-3



Source: H. Thomas O'Hara Architect, PLLC

West 61st Street Rezoning
Project and Citywide GLSD Text Amendment

Proposed Site Plan
Figure 1-4

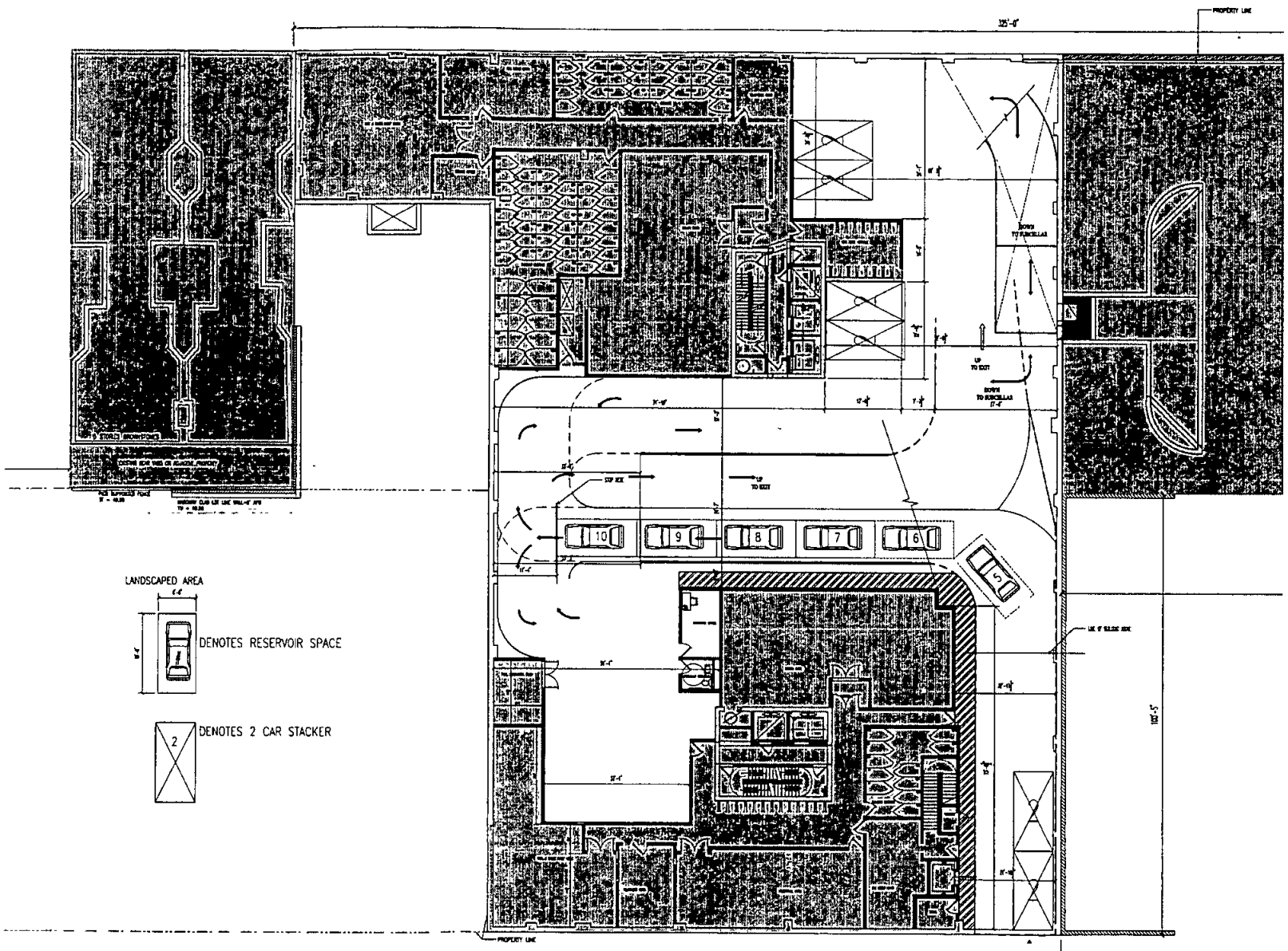


Source: H. Thomas O'Hara Architect, PLLC

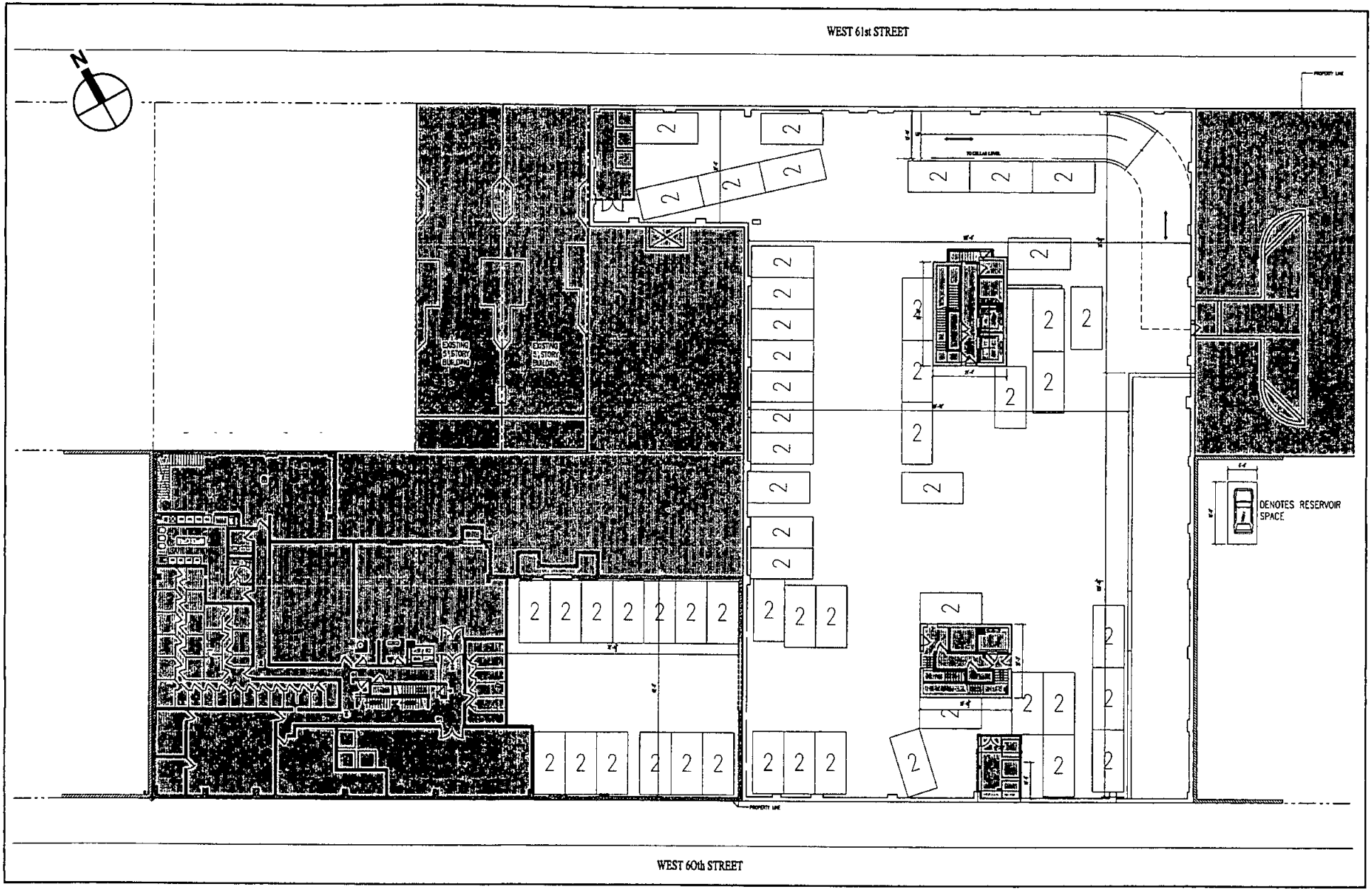
West 61st Street Rezoning
Project and Citywide GLSD Text Amendment

Proposed Ground-Floor Plan
Figure 1-5a

8 1.06

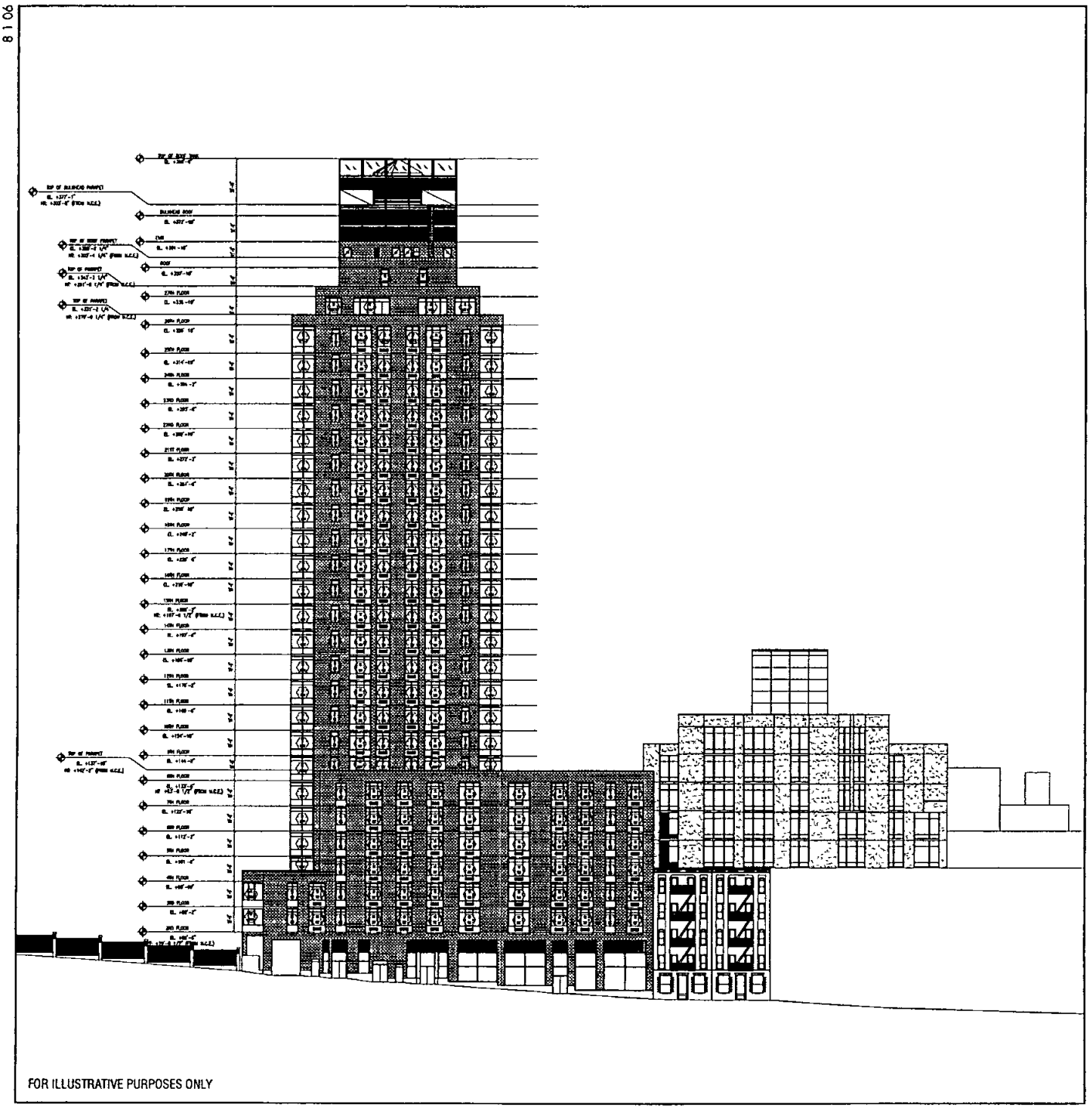


Illustrative Parking Plans
Cellar Level
Figure 1-5b



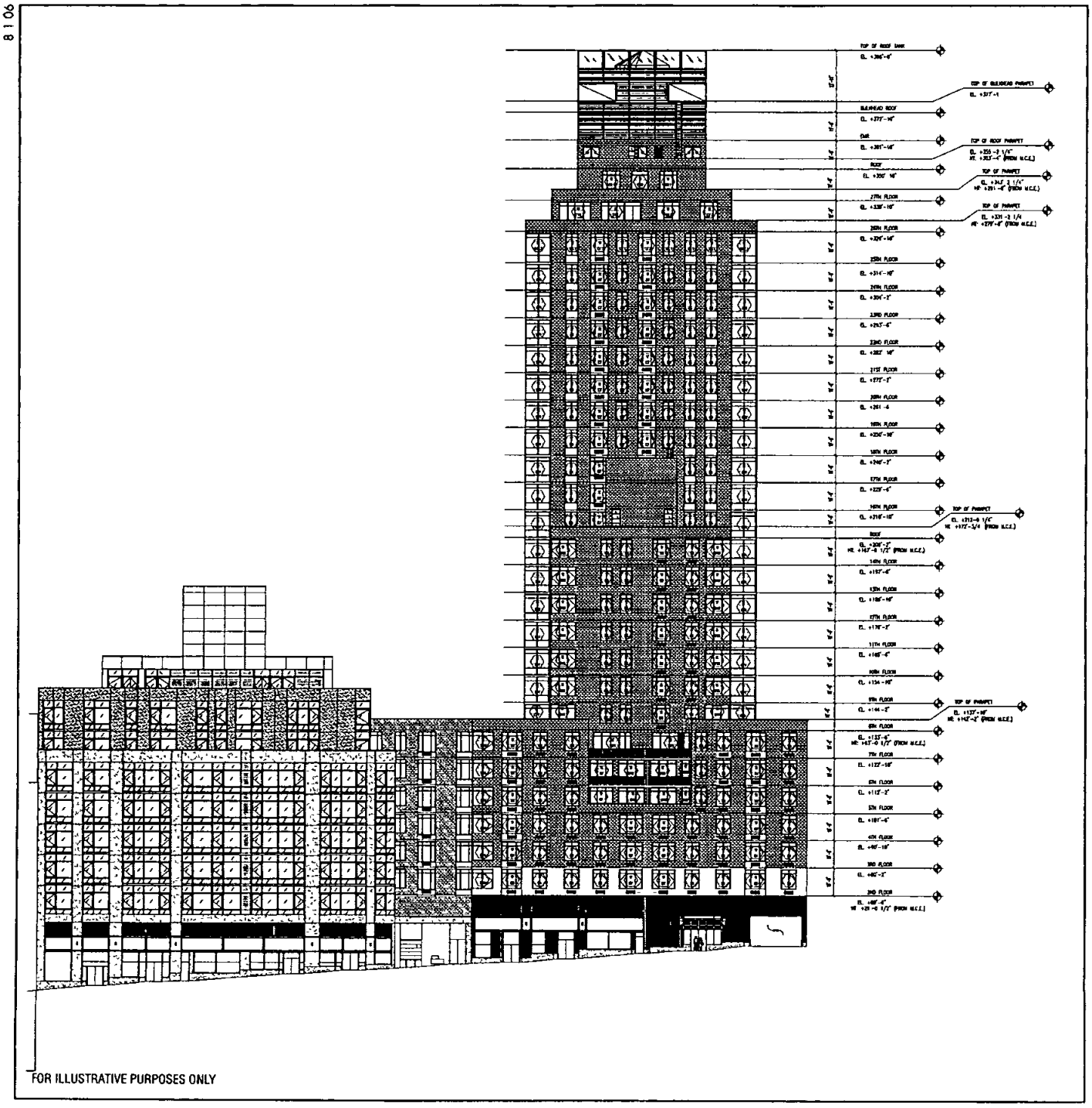
Illustrative Parking Plan
Subcellar Level
Figure 1-5c

8 1 06



Source. H. Thomas O'Hara Architect, PLLC

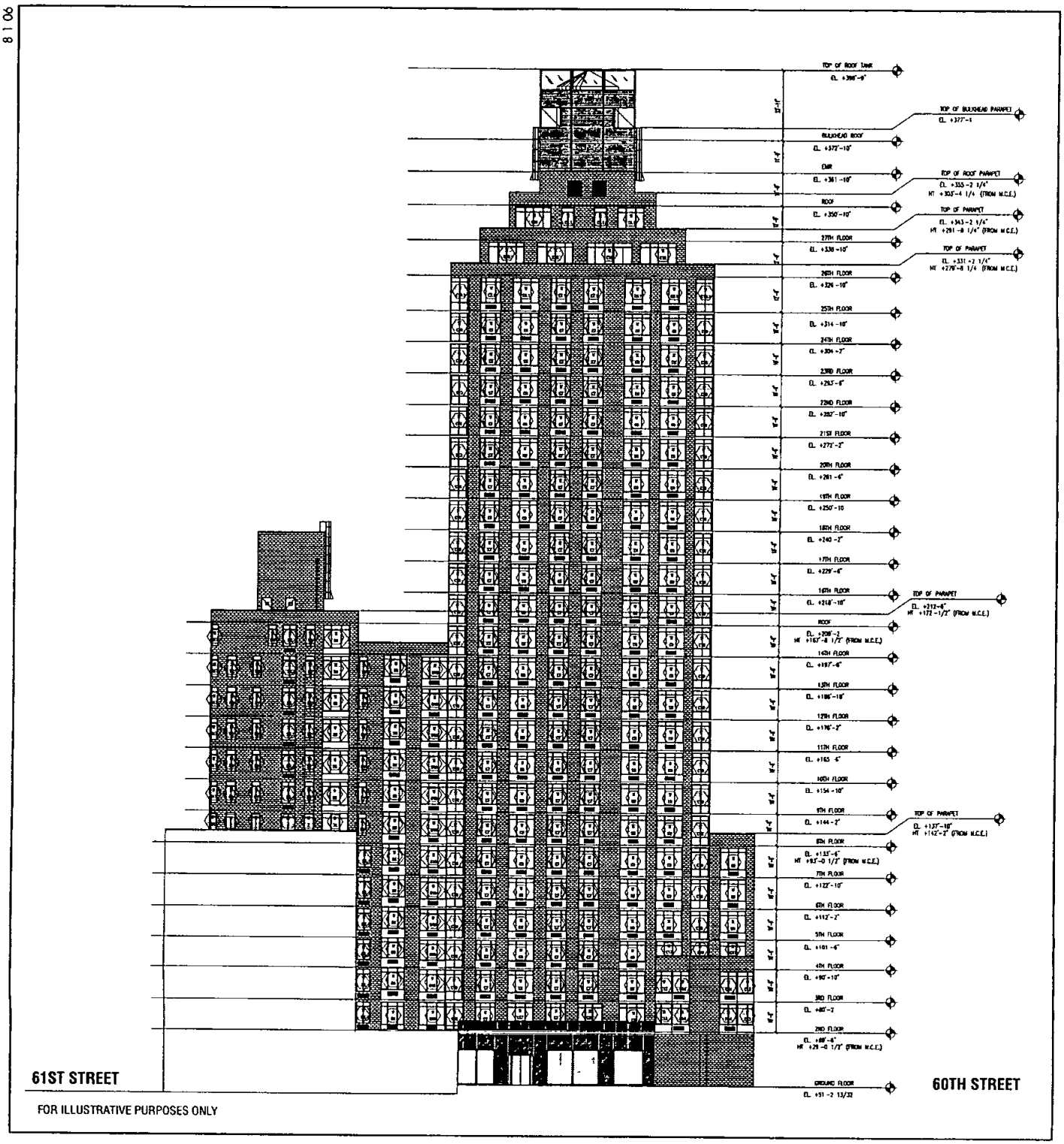
Building Elevation
61st Street
Figure 1-6



Source H Thomas O'Hara Architect, PLLC

Building Elevation
60th Street
Figure 1-7

8 1 06



Source: H Thomas O'Hara Architect, PLLC

Building Elevation
60th Street to 61st Street
Figure 1-8

10.24.05



Illustrative View of the Project
60th Street
Figure 1-9

10.24.05



Illustrative View of the Project
60th Street
Figure 1-10

In addition to the units on the project site, it is assumed in the reasonable worst-case development scenario that Lots 58 and 61 are redeveloped and that two penthouse units are constructed on Lots 56 and 57. Currently, these two lots contain a one-story motor vehicle repair shop (Lot 58) and a recently vacated 4-story building formerly occupied by Potamkin Volkswagen (Lot 61). Based on the proposed action, these two lots could be redeveloped with a total of 251 residential units and a middle school of approximately 100,000 gsf. The development on Lot 58 is assumed to be 10 stories in height (approximately 105 feet). The development on Lot 61 is assumed to be 31 stories in height (approximately 340 feet). Figure 1-11 shows an illustrative diagram of the reasonable worst-case development scenario.

The reasonable worst-case development scenario is summarized in Table 1-1.

Table 1-1
Reasonable Worst-Case Development Scenario

Lot	Proposed Zoning	Allowable Floor Area Ratio (FAR)	Projected Use
Project Site			
5, 8, 10-13, 43, 52, 53, 55	C6-2/R8	6.02	559 Residential Units* 121 Accessory Parking Spaces 79 Public Parking Spaces 4,420 gsf Medical Office 10,340 gsf Retail
Projected Development Sites			
58	C6-2	6.02	61 Residential Units
56, 57			2 Penthouse Units
1	C4-7	10.0**	The RWCDS assumes that the existing Heschel School will remain on Lot 1 and that any excess floor area would be transferred to Lot 61.
61			100,000 gsf Middle School 190 Residential Units
Total Reasonable Worst-Case Development Scenario			**812 Residential Units** **121 Accessory Parking Spaces** **79 Public Parking Spaces** **4,420 gsf Medical Office** **10,340 gsf Retail** **100,000 gsf Middle School**

Notes:
* Residential units assume 740 square feet per unit, as per the New York City Zoning Resolution.
** Bonusable to 12.0 FAR in Community Board 7 for inclusionary housing projects; the reasonable worst-case development scenario assumes that the projected development is an inclusionary housing project

PROPOSED BUILDING DESIGN

The building would be massed to contain a 27-story tower (approximately 304 feet in height to the top of the parapet*) and three mid-rise components of 7 (approximately 93 feet), 9 (approximately 138 feet) and 14 (approximately 173 feet) stories, respectively.

* All heights are measured from the mean curb elevation to the top of the parapet. The mean curb elevation at West 60th Street is 40.46 feet. At West 61st Street, the mean curb elevation is 51.49 feet.

The proposed project would have entrances on both West 60th and West 61st Streets. Specifically, there would be two residential entrances on West 60th Street. The ground-floor retail space is planned to contain neighborhood stores and be located on West 60th Street. The medical office space is planned to be located on West 61st Street. Vehicles would enter the parking garage on West 60th Street and exit the garage on West 61st Street. The site currently has 12 curb cuts. The proposed project would eliminate all 12 curb cuts and create two—one on each street at the garage entrance/exit.

The private open spaces would be at-grade and landscaped. The open space to be developed on a portion of Lot 43 would contain a tennis court and four "English" style garden rooms for use by building residents (see Figure 1-12). The garden rooms would include seating areas and plantings. The fence along this open space would be predominantly open to provide visual interest along this segment of the street (see Figure 1-13). It would be set back 24 inches to allow for public seating. The proposed courtyard that would be developed on portions of Lots 5, 8, 10, and 55 would also be landscaped and would contain seating for residents as well as a water feature.

B. ENVIRONMENTAL REVIEW

The proposed zoning map change and special permits are subject to the City's land use and environmental review processes, described below.

UNIFORM LAND USE REVIEW PROCEDURE

The City's Uniform Land Use Review Procedure (ULURP), mandated by Sections 197-c and 197-d of the City Charter, is a process specifically designed to allow public review at four levels: Community Board, Borough President, CPC, and City Council. The procedure sets time limits at each review with a maximum period of approximately 7 months.

The process begins with certification by the Department of City Planning (DCP) that the ULURP application is complete. The application is then referred to the Community Board in which the project takes place (for the proposed project, Manhattan Community Board 7). The Community Board has up to 60 days to review the proposal, hold a public hearing, and adopt a resolution regarding the proposal. Next, the Borough President has up to 30 days to perform the same steps. CPC then has up to 60 days, and during that time, a ULURP public hearing is held. When a Draft Environmental Impact Statement (DEIS) accompanies the ULURP application, as with this proposal, the CEQR public hearing is held jointly with the ULURP hearing. Comments made at the DEIS public hearing are incorporated into an FEIS; the FEIS must be completed at least 10 days before any action by the CPC on the ULURP application. CPC then forwards the application to the City Council. Following the Council's vote, the Mayor, at his discretion, may choose to veto the action. The City Council can override that veto.

ENVIRONMENTAL REVIEW

The lead agency is required to take a "hard look" at the environmental effects of a proposed action and, to the maximum extent practicable, avoid or mitigate adverse impacts on the environment, as consistent with social, economic, and other essential considerations. The EIS identifies and analyzes the significant environmental effects of a proposed action and how those effects could be avoided or minimized, providing a means for agencies to consider environmental factors and choose among alternatives in their decision-making processes.

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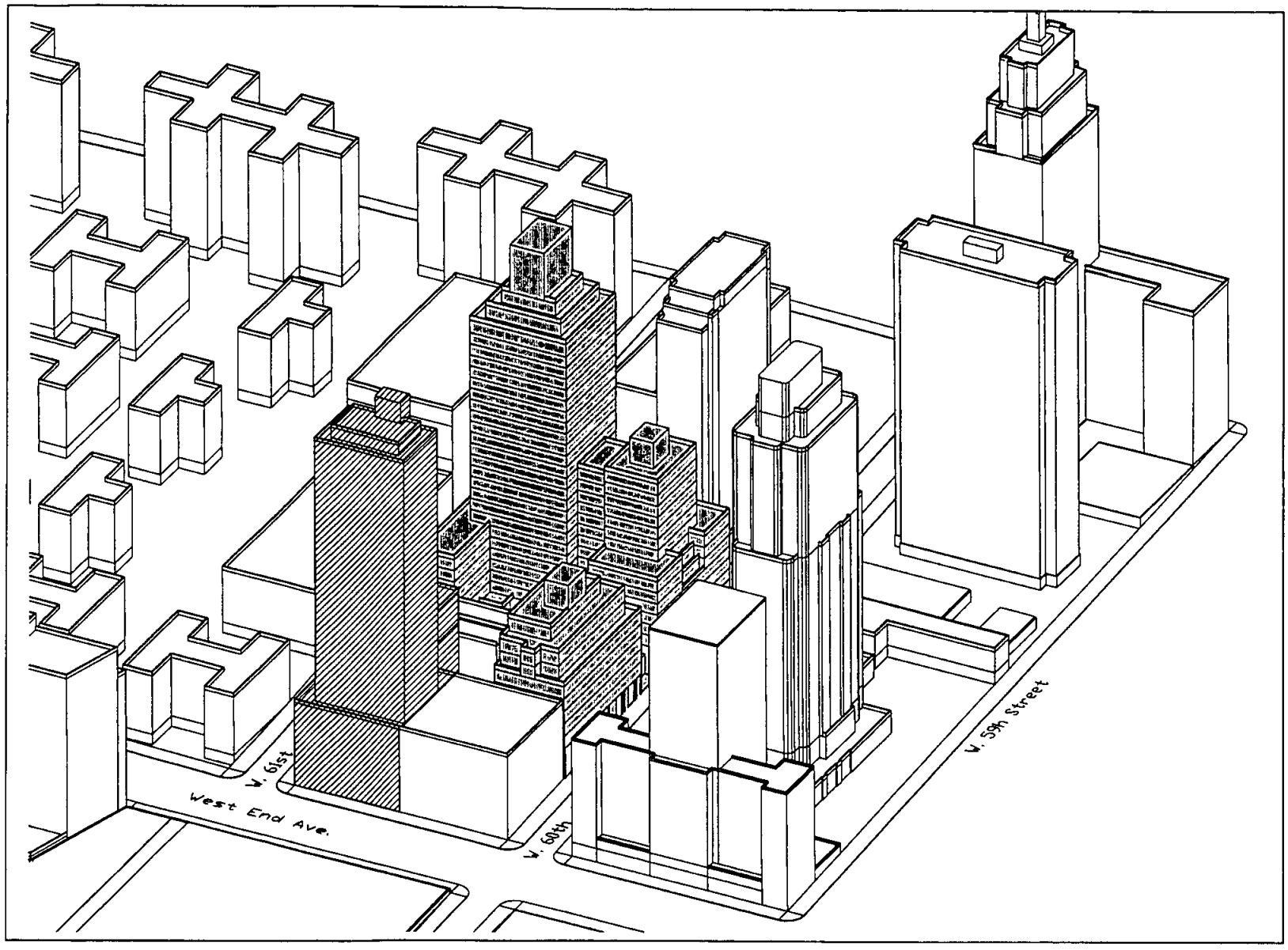
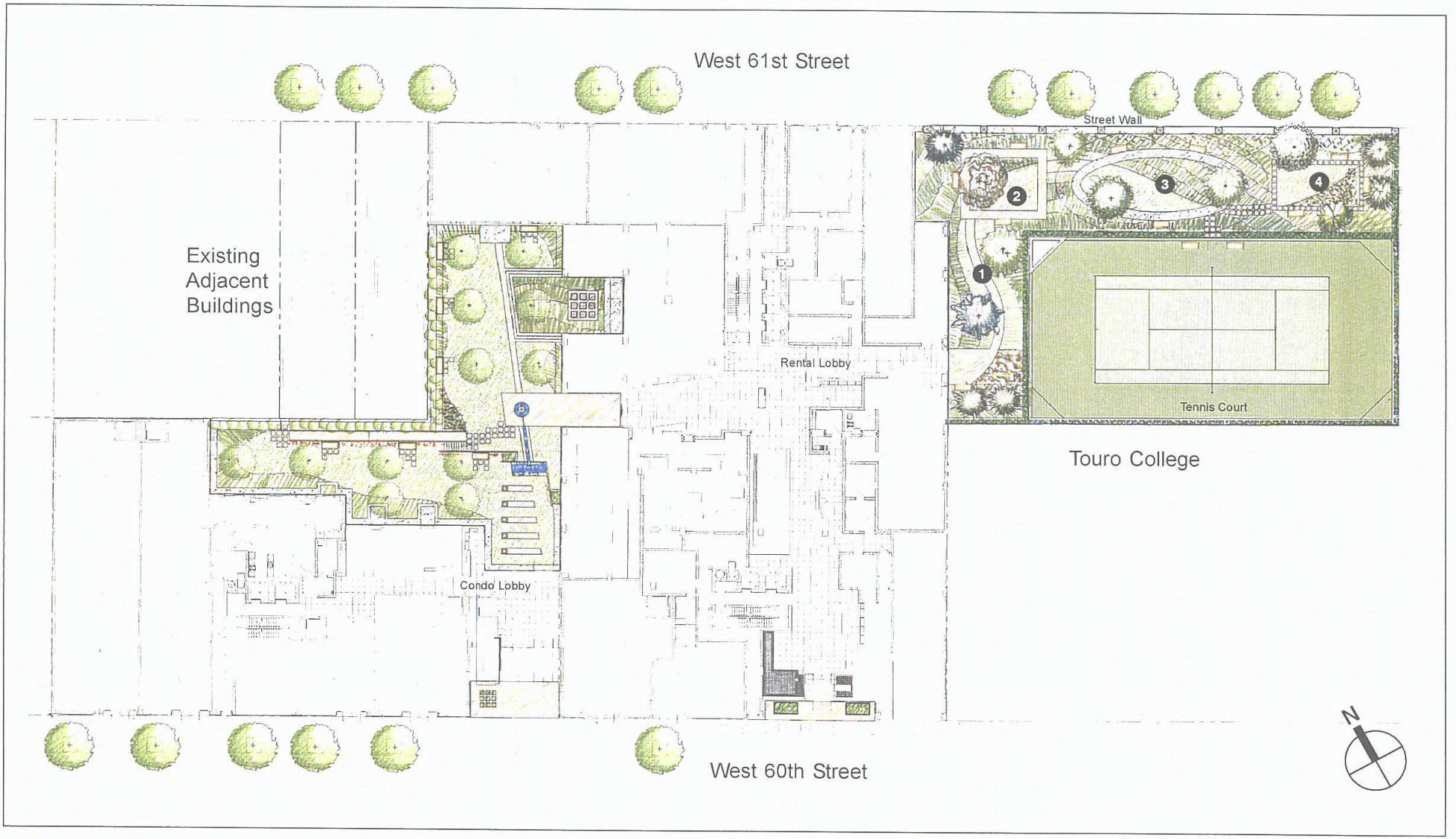


Proposed Project

RWCDS

Illustrative View of the Proposed Project and Reasonable Worst Case Development

Figure 1-11

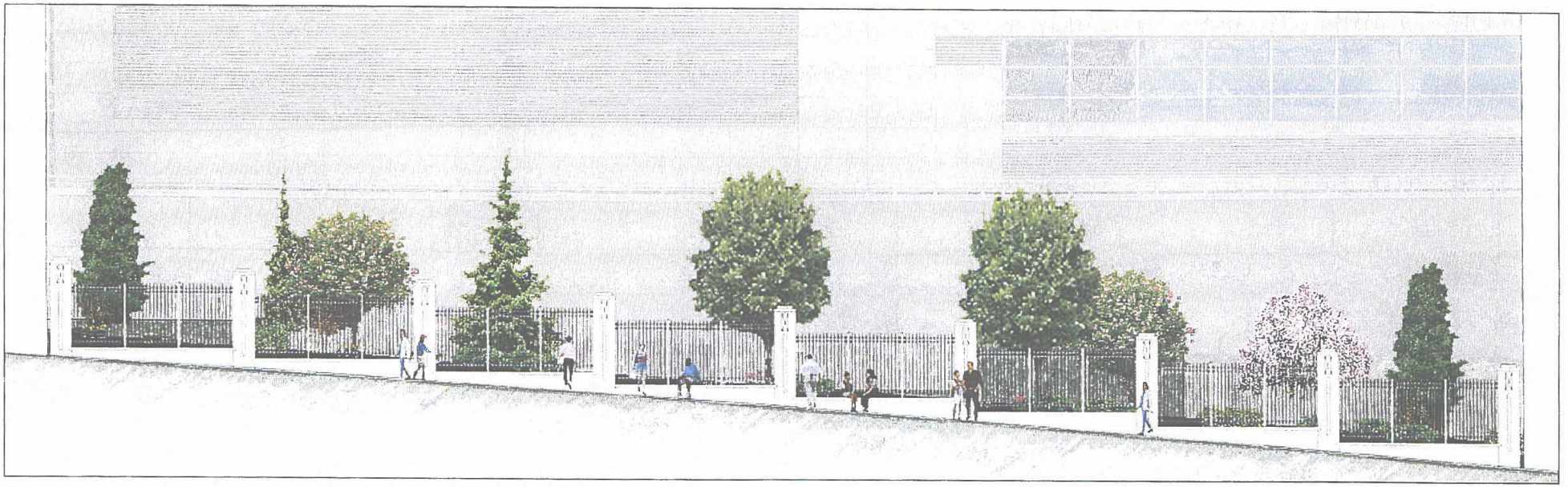


1 Garden Rooms

Proposed Open Areas
Figure 1-12

7.21.06





West 61st Street Rezoning
Project and Citywide GLSD Text Amendment

Proposed West 61st Street Wall Design

Figure 1-13

In disclosing impacts, the EIS considers the proposed action's effects on the environmental setting. Because the project would be occupied in 2008, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assess current conditions (2004) and forecast these conditions to 2006 for the purposes of determining potential impacts. The analyses of both the No Build and Build conditions also include other future developments, as identified in Chapter 2, "Land Use, Zoning, and Public Policy."

The CEQR process provides a mechanism for decision makers to understand the environmental consequences, the alternatives, and the need for mitigating significant impacts. CEQR rules guide environmental review through the following steps:

- Establish a Lead Agency. Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. The lead agency is typically the agency with primary responsibility for the proposed action. Because DCP is the agency primarily responsible for zoning actions and special permits, it is the lead agency for this proposal.
- Determine Significance. The lead agency's first decision is to determine whether the proposed action may have a significant impact on the environment. This is based on an Environmental Assessment Statement (EAS). After review of the EAS, DCP, on behalf of CPC, determined that this proposal could have a significant adverse effect on the environment, requiring an EIS be prepared. DCP issued a Positive Declaration on November 16, 2005 and a revised Positive Declaration on March 8, 2006.
- Scoping. Once the lead agency has issued a Positive Declaration, it then issues a draft scope of work for the EIS. "Scoping" is the process of establishing the type and extent of the environmental impact analyses to be studied in the EIS. CEQR requires all scoping meetings to be public. A public scoping meeting was held for the proposed project on April 6, 2006, and a final scope of work, reflecting comments made during scoping, was issued on August 4, 2006.
- DEIS. In accordance with the final scope of work, a DEIS is prepared. The lead agency reviews all aspects of the document, calling on other City agencies to participate as it deems appropriate. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review. When a DEIS is required, it must be certified as complete before the ULURP application can proceed. The Notice of Completion for this project was published August 4, 2006.
- Public Review. Publication of the Notice of Completion of the DEIS starts public review. During this period, which must extend for a minimum of 30 days, the public may review and comment on the DEIS either in writing or at a public hearing. As noted above, when the CEQR process is coordinated with ULURP, the hearings are typically held jointly. The lead agency must publish a notice of the hearing at least 14 days before it takes place, and must accept written comments for at least 10 days following the close of the hearing. All substantive comments become part of the CEQR record and must be summarized and responded to in the FEIS.
- FEIS. After the close of the public comment period for the DEIS, the lead agency prepares an FEIS. This document must include a summary restatement of each substantive comment made about the DEIS with a response. Once the lead agency determines that the FEIS is complete, it issues a Notice of Completion and circulates the FEIS.

- Findings. The lead agency adopts a formal set of written findings, reflecting its conclusions about the potential significant adverse environmental impacts of the proposed action, potential alternatives, and mitigation measures. The findings may not be adopted until 10 days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions.

C. ANALYSIS FRAMEWORK

For purposes of the EIS analysis, the future baseline or No Build condition in 2008 assumes that none of the discretionary actions proposed as part of the West 61st Street Rezoning project are adopted. In the absence of the proposed action, the project site would remain undeveloped. However, independent of the proposed action, the applicant is participating in the Brownfields Cleanup Program administered by NYSDEC. The applicant was accepted into the BCP on April 19, 2005, and NYSDEC and the New York State Department of Health approved an Interim Remedial Work Plan on June 16, 2006 and a Remediation Work Plan on July 5, 2006 (see Appendix A). Remediation of the site in accordance with these plans is scheduled to commence in July 2006. As part of the Remediation Work Plan, immediately following excavation of the site, a building foundation and cellar/subcellar walls will be constructed to prevent and/or minimize the recontamination of the remediated areas of the site. Therefore, in the future No Action condition, the applicant will remediate the project site under this program, and the project site will be vacant except for the building foundation and cellar/subcellar walls. ✷