CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

September 2, 2014

Project Identification
CEQR No. 15DCP037M
ULURP Nos. ULURP No. 150101ZMM and N150102ZRM
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Olga Abinader
(212) 720-3493

West 15th Street/Special West Chelsea District Expansion

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 14th and West 15th Streets, and Ninth and Tenth Avenues in the West Chelsea neighborhood in Manhattan, Community District 4. The proposed Special West Chelsea District extension (the "Project Area") is bounded by West 14th and West 15th streets, and Ninth and Tenth Avenues (Block 712, Lots 1, 6, 11, 36, 38, 40, 42, 46, and 51 and part of Lots 26, 27, and 29). In addition, the proposal includes text amendments related to street wall regulations, rear yard provisions, maximum building heights, and unenclosed sidewalk cafés that would apply to the 17 blocks within the Special West Chelsea District and proposed extension area, generally bounded by West 14th Street to the south, West 30th Street to the north, Eleventh Avenue to the east, and Tenth Avenue to the west. 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, and would have no effect on the amount of development that could take place in the Project Area or the overall district.

The Proposed Action includes the following:

Zoning Map Amendment

- To extend the Special West Chelsea District to the block that is directly south of the district, 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"). It should be noted that with the proposed incorporation of the Project Area into the Special West Chelsea District, the underlying zoning district designation, M1-5, will remain.

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 applicable to corner lots located outside of a Special West Chelsea District subarea and containing narrow street frontages, by requiring that beyond 50 feet of an intersection along a wide street, buildings at applicable lots contain street walls that extend along the street line for at least 70% of their zoning lot's narrow street frontage for up to at least the minimum base height required; 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;
- 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.

While the Proposed Action would not increase the amount of allowable floor area, a range of development alternatives could occur as a result of the proposal. Therefore, for conservative analysis purposes, two reasonable worst case development scenarios ("RWCDS 1" and "RWCDS 2") have been identified. For environmental assessment purposes, projected development was identified as being likely to occur on two sites pursuant to the Proposed Action, "Development Site 1" (Block 712, Lots 36 and 38) and "Development Site 2" (Block 712, Lots 1 and 6).

Under RWCDS 1, Development Site 1 (Block 712, Lot 36 and 38) would be developed with a commercial building consisting of 83,450 gross square feet (gsf) with a base height of 50 feet and an overall height of 252 feet in the future without the Proposed Action (the "no-action scenario"), In future with the Proposed Action (the "with-action scenario") the proposed 83,450 gsf commercial building would reach a height of 135 feet. As the overall effect of the Proposed Action is a modification in the permitted height and bulk, there is no net increment between the no-action and with-action scenarios under RWCDS 1.

RWCDS 2 differs from RWCDS 1 in that it considers an additional development site (Block 712,

excluding the segment of the block beyond 325 feet east of Tenth Avenue and south of the block centerline (the "Project Area"). It should be noted that with the proposed incorporation of the Project Area into the Special West Chelsea District, the underlying zoning district designation, M1-5, will remain.

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 applicable to corner lots located outside of a Special West Chelsea District subarea and containing narrow street frontages, by requiring that beyond 50 feet of an intersection along a wide street, buildings at applicable lots contain street walls that extend along the street line for at least 70% of their zoning lot's narrow street frontage for up to at least the minimum base height required; 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;
- 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.

While the Proposed Action would not increase the amount of allowable floor area, a range of development alternatives could occur as a result of the proposal. Therefore, for conservative analysis purposes, two reasonable worst case development scenarios ("RWCDS 1" and "RWCDS 2") have been identified. For environmental assessment purposes, projected development was identified as being likely to occur on two sites pursuant to the Proposed Action, "Development Site 1" (Block 712, Lots 36 and 38) and "Development Site 2" (Block 712, Lots 1 and 6).

Under RWCDS 1, Development Site 1 (Block 712, Lot 36 and 38) would be developed with a commercial building consisting of 83,450 gross square feet (gsf) with a base height of 50 feet and an overall height of 252 feet in the future without the Proposed Action (the "no-action scenario"), In future with the Proposed Action (the "with-action scenario") the proposed 83,450 gsf commercial building would reach a height of 135 feet. As the overall effect of the Proposed Action is a modification in the permitted height and bulk, there is no net increment between the no-action and with-action scenarios under RWCDS 1.

RWCDS 2 differs from RWCDS 1 in that it considers an additional development site (Block 712,

Lot 1 and 6) and assumes that certain administrative actions would be sought, resulting in a difference of bulk configuration on both sites. Under RWCDS 2 for Development Site 1 (Block 712, Lot 36 and 38), it is assumed that 22,479 sf of floor area would be transferred from an under-built building adjacent to the south (Block 712, Lot 29). Development Site 1 would be improved with a 297-foot, 105,929 gsf commercial building in the no-action scenario. In the with-action scenario, Development Site 1 would be developed with a 105, 929 gsf commercial building, with a reduced overall height of 135 feet. Development Site 2 (Block 712, Lot 1 and 6) consists of an existing commercial 111' foot-tall, 241,567 gsf building containing office and light manufacturing uses, and a single story 16,558 gsf retail building. Under RWCDS 2, it is assumed that an administrative certification from the Department of City Planning pursuant to ZR Section 43-121 (Expansion of Existing Manufacturing Buildings) would be sought to expand the floor area available to Development Site 2 by 30,724 gsf. In the no-action scenario, the western portion (Lot 1) of the existing building at Development Site 2 would be enlarged with a 34-foot tall, 30,724 expansion, for a total building height of 145 feet and a total gross square footage of 272,291 gsf. In the with-action scenario, the 30,724 sf addition would be in the form of a 24-foot enlargement, for a total building height of 135 feet. As with RWCDS 1, no net square footage increment between the no-action and with-action scenarios under RWCDS 2 would result; the overall effect of the Proposed Action is a change in the height and bulk of the development.

The analysis year for the Proposed Action is 2024.

The Proposed Action includes (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 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.

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.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated August 29, 2014, prepared in connection with the ULURP Application (Nos. 150101ZMM and N150102ZRM). The City Planning Commission has determined that the Proposed Action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for air quality would ensure that the Proposed Action would not result in significant adverse impacts related to air quality.

2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, please contact Lauren Hamid-Shapiro of the Department of City Planning at (212) 720-3426.

Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: August 29, 2014

Carl Weisbrod, Chairman
City Planning Commission

Date: September 2, 2014