Chapter 2: Land Use, Zoning, and Public Policy

A. INTRODUCTION

This chapter considers the potential for the proposed actions to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the 2012 *City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses and development trends in the area that may be affected by the proposed actions and determines whether the proposed actions are compatible with those conditions or may otherwise affect them. The analysis also considers the proposed actions' compatibility with zoning regulations and other applicable public policies in the area.

As described in Chapter 1, "Project Description," the proposed actions include text and map amendments to the New York City Zoning Resolution (ZR) to rezone a portion of Manhattan block 1104 (the "project block") to a C4-7 district; the lots included in the proposed C4-7 district (the "rezoning area") are currently located partially in an M2-3 district and partially within an M1-5 district. The other proposed actions include zoning text amendments to create an Inclusionary Housing (IH) Designated Area in the rezoning area and to allow automobile showrooms and repair shops as permitted commercial uses, a zoning authorization to permit a curb cut on a wide street, and a special permit to allow a parking garage of up to 500 spaces.

The proposed actions would facilitate the development of up to approximately 1.2 million gross square feet (gsf) of residential and other uses on a parcel owned by the Applicant consisting of Lots 31,40, 44, and 55 (the "proposed project site"). The rezoning area includes three other lots (Lots 25, 29, and 36; the "outparcels") that would be affected by the proposed actions. As described in Chapter 1, "Project Description," two Reasonable Worst Case Development Scenarios (RWCDS) have been developed for the proposed actions (see Tables 1-1 and 1-3). The proposed zoning actions are the the same for either scenario. This analysis considers RWCDS 2 (which includes residential and local retail uses, along with hotel, destination retail and medical office uses) for the analysis of potential impacts in terms of land use, since it represents a wider range of uses and would have a greater potential to result in issues of land use compatibility. The land uses that would be developed on the proposed project site under RWCDS 1 (residential and local retail) are also included within the uses assumed for RWCDS 2.

This chapter provides an assessment of existing and future conditions with and without the proposed actions for the rezoning area and a study area surrounding the site, which are described in detail below.

PRINCIPAL CONCLUSIONS

The proposed actions would result in a new development of approximately 1.2 million gsf on the proposed project site with residential, retail, hotel, and medical office uses. A parking garage would also be provided. The residential component would include affordable housing units developed pursuant to the IH Program. The proposed actions could also result in an

approximately 117,612 gsf hotel on the outparcel at the corner of West 56th Street and Eleventh Avenue (Lots 25 and 29). Development with the proposed actions would be compatible in use and scale with the surrounding area, and would continue the existing trend toward higher-density mixed-use development in the study area, particularly new residential units and ground level retail. The proposed actions rezoning the area from M2-3 and M1-5 to C4-7 would be compatible with zoning districts in the surrounding area and would represent an extension of the existing C4-7 district located immediately to the north of the proposed rezoning area. The rezoning would also continue the existing City-wide and local trend of modifying zoning to allow for residential use in many former manufacturing areas where zoning does not currently permit this use. The proposed actions and resulting new development would be compatible with City-wide public policy initiatives that aim toward increasing the supply of housing in the city, reclaiming underutilized industrial land, and expanding access to affordable housing, as well as the initiatives of the expired Special Clinton District to increase the supply of housing in the Clinton area. The proposed actions only apply to the rezoning area and would not affect land use, zoning, or public policy in the study area. Overall, the proposed actions would not result in significant adverse impacts to land use, zoning, and public policy.

B. METHODOLOGY

The study area for this analysis of land use, zoning, and public policy encompasses the area within a ¼-mile of the project rezoning area, because this is the area in which the proposed actions could reasonably be expected to potentially result in significant adverse impacts. The study area extends roughly from West 62nd Street to the north, between Ninth Avenue and Tenth Avenue to the east, West 51st Street to the south, and the Hudson River to the west (see **Figure 2-1**). This study area includes portions of Community District 4 (south of 59th Street) and Community District 7 (north of West 59th Street).

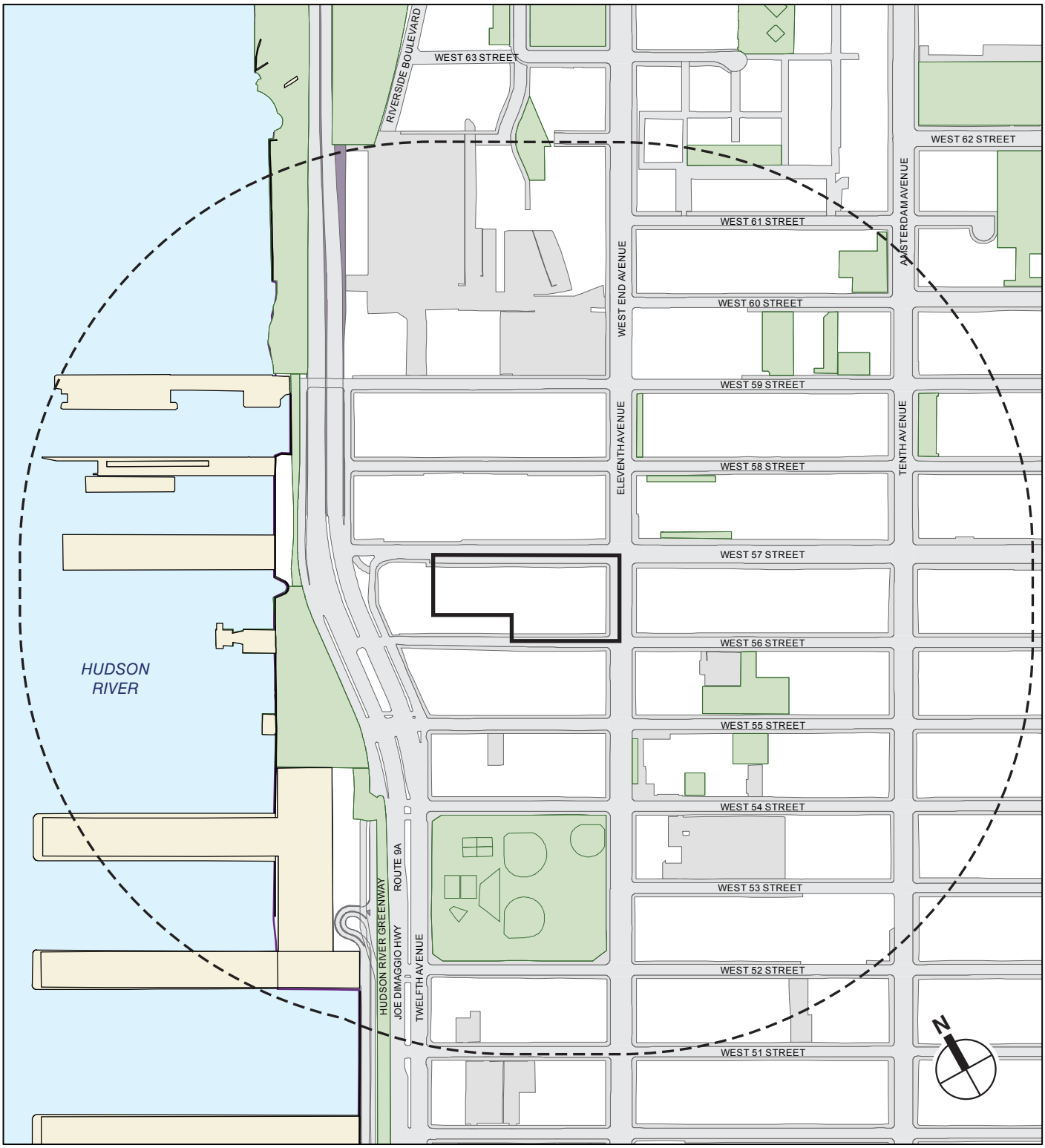
Consistent with the guidance of the *CEQR Technical Manual*, this analysis identifies anticipated changes in land use, zoning, and public policy that are expected to occur independent of the proposed actions by 2017, the proposed actions' build year, and assess any potential adverse impacts to land use, zoning, and public policy that may occur as a result of the proposed actions. Sources for this analysis include the New York City Department of City Planning (DCP), the New York City Department of Buildings (DOB) and recent environmental assessment and impact statements in the area, including the *Riverside Center Final Supplemental Environmental Impact Statement (FSEIS)* (2010) and the *625 West 57th Street FSEIS* (2012).

C. STUDY AREA DEVELOPMENT HISTORY

Beginning in the mid-19th century, the west side of Manhattan, including the study area, became a predominantly industrial area, with manufacturing and shipping businesses attracted to the area by the working Hudson River waterfront and the Hudson River Railroad, which ran a freight line through the area. This industrial development in turn attracted residential tenements that housed the area's industrial workers; by the early 20th century, tenement blocks dominated the area north of West 30th Street into the West 60s, as far east as Sixth Avenue. Primarily a working-class neighborhood, the area was dubbed "Hell's Kitchen" due to its reputation as one of the toughest parts of the city.

Industrial uses remained prominent in the area until the mid-20th century, while tenement uses saw a gradual decline with the emergence of the Midtown Manhattan business district east of Eighth Avenue. With the decline of the shipping industry following World War II and the

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Rezoning Area

Study Area Boundary (1/4-Mile Perimeter)

Land Use Study Area

Figure 2-1

reduced importance of the working waterfront, industrial uses declined and precipitated a worsening of housing conditions in the area. Between the late 1940s and late 1960s, the area saw redevelopment under a number of urban renewal projects intended to restore the housing stock and introduce new public facilities by clearing blocks of factories, stores, and tenements. Among the projects created by these urban renewal projects were the Amsterdam Houses, a public housing complex located between West 61st and West 64th Streets and Amsterdam and West End Avenues, Fordham University's Lincoln Center Campus, and Lincoln Center for the Performing Arts.

The study area saw a second period of redevelopment beginning in the 1980s, with the rehabilitation of former tenement buildings and the construction of new multi-family apartment buildings, particularly in the area of the Lincoln Center campus. This redevelopment continued in the following decades, with the Hudson River waterfront attracting large residential projects, such as the ongoing Riverside South project constructed on a portion of the former Hudson River Railroad freight yard located between West 60th Street and West 72nd Street, and public open space (Hudson River Park and Riverside Park South). Other major projects have continued to transform the area, many of which were built on former industrial sites and required rezoning or other land use actions. More recent residential/mixed-use projects in the area have included the Helena, on the north side of West 57th Street across from the proposed rezoning area, 10 West End Avenue at 59th Street and Eleventh Avenue, and Mercedes House at 770 Eleventh Avenue.

D. EXISTING CONDITIONS

LAND USE

REZONING AREA

The rezoning area is located on a portion of the block bounded by West 57th Street, Eleventh Avenue, West 56th Street, and Twelfth Avenue. The rezoning area encompasses seven tax lots that are occupied by commercial and auto-related uses. This includes the proposed project site (the lots controlled by the Applicant) and the three outparcel lots.

Proposed Project Site

Lot 55, located on the northern side of the block adjacent to West 57th Street, is developed with a 1-story auto repair facility; Lot 44, also on the northern side of the block, is a 4-story garage used partially for public parking (approximately 1,000 spaces) and partially as an auto repair facility. Lot 40 is a through lot extending between West 57th Street and West 56th Street in the mid-block area, containing a 2-story structure used as an auto showroom and repair shop operated by Acura of Manhattan. Lot 31, another through lot with frontages on West 57th Street and Eleventh Avenue, is developed with several low (1- and 2-story) structures and an open parking lot and is used as an auto showroom operated by Lexus of Manhattan.

Outparcels

The remaining lots within the rezoning area are low buildings with a mix of commercial spaces. Lot 29, located on the southeast corner of the block at the intersection of West 56th Street and Eleventh Avenue, is developed with a 6-story commercial building: the ground floor is occupied by an auto showroom (an extension of the Lexus of Manhattan facility on Lot 31), while the upper floors contain a recording studio and office space. Lot 25, on the southern end of the block

facing West 56th Street, contains a 3-story office building. Lot 36, located on the northeast corner of the block at the intersection of West 57th Street and Eleventh Avenue, contains a 5-story building with a restaurant on the ground floor and office space on the upper floors.

REMAINDER OF THE PROJECT BLOCK

Just west of the rezoning area is a 4-story building owned by the New York City Department of Sanitation (DSNY) and operated as a vehicle maintenance and storage facility. The building faces Twelfth Avenue, and extends to the block immediately to the south; a portion of the DSNY facility is located directly above West 56th Street.

STUDY AREA

As shown in **Figure 2-2**, the study area surrounding the project site contains a wide variety of land use and building types, including commercial uses, medium- and high-density residential uses, auto-related facilities, and institutional community facility uses. The Clinton area[1] can generally be divided into two sections separated by Tenth Avenue: the western side, which surrounds the rezoning area and has seen redevelopment in the past 20 years, and the eastern side, which is an older neighborhood generally built to a lower scale.

Clinton West of Tenth Avenue

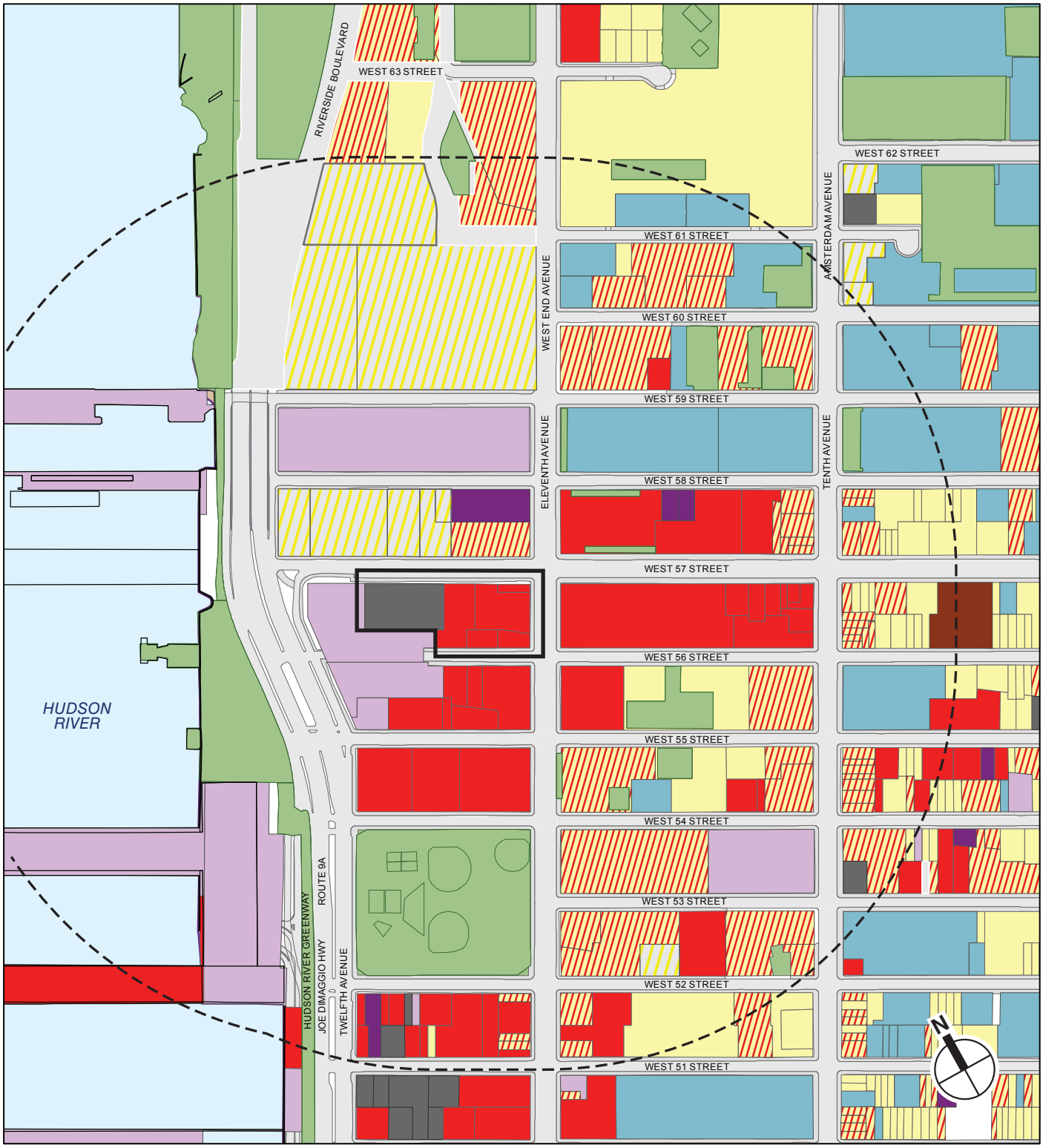
The area immediately surrounding the rezoning area is predominantly commercial in nature, with a mix of different types of commercial activity, and built to varying scales. The area along Eleventh Avenue contains several auto showrooms and repair shops, both located in low (2- or 3-story) buildings or on the ground floors of taller (between 6 and 10 stories) buildings containing office space on the upper floors; these taller buildings are largely former warehouses or manufacturing space that have been converted. This area also contains a 3-story television studio occupying on the eastern side of Eleventh Avenue between West 56th Street and West 57th Street.

The block located immediately to the north of the rezoning area, opposite West 57th Street, contains the Helena, a recently constructed 38-story apartment building, and a 6-story self-storage facility, both located on the eastern side of the block facing Eleventh Avenue; the western end of the block is vacant land currently undergoing construction in connection with the 625 West 57th Street project, discussed below under the "Future Without the Proposed Actions." The area to the north of the rezoning area above West 59th Street and to the south below West 55th Street contains more residential uses, both those introduced to the area during the period of urban renewal and those introduced more recently as part of a trend toward new high-density residential development. The northern residential area includes the Amsterdam Houses, a public housing complex operated by the New York City Housing Authority (NYCHA) bounded by West 64th Street, Amsterdam Avenue, West 61st Street, and West End Avenue,[2] as well as tall (up to 37 stories) multi-family apartment buildings with ground-level local retail (such as pharmacies and grocery stores). Most of the high-rise apartment buildings were constructed in

[1] The terms "Clinton" and "Hell's Kitchen" are generally used interchangeably to refer to the area of Manhattan west of Midtown and north of the Chelsea area.

[2] North of West 59th Street, Tenth Avenue becomes Amsterdam Avenue and Eleventh Avenue becomes West End Avenue.

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Rezoning Area

Study Area Boundary (1/4-Mile Perimeter)

Land Use

- *Commercial and Office Buildings*
- *Hotels*
- *Industrial and Manufacturing*
- *Open Space and Outdoor Recreation*
- *Parking Facilities*
- *Public Facilities and Institutions*
- *Residential*
- *Residential with Commercial Below*
- *Transportation and Utility*
- *Vacant Land*
- *Vacant Building*
- *Under Construction*

0 500 FEET

SCALE

Existing Land Use

Figure 2-2

the last 20 years, including buildings located north of West 61st Street and west of West End Avenue that were constructed as part of the Riverside South development project. Two sites in this northern residential area, the Riverside Center project site and 625 West 57th Street, are currently under construction with new high-rise residential buildings.

The southern residential area is largely located near De Witt Clinton Park, an open space operated by the New York City Department of Parks and Recreation (DPR) that occupies to the two city blocks bounded by the West 54th Street, Eleventh Avenue, West 52nd Street, and Twelfth Avenue. As in the northern residential area, this includes residential projects built during the period of urban renewal, such as the Harborview Terrace development, NYCHA residences occupying two 14- to 15-story buildings in the midblock area between Tenth Avenue and Eleventh Avenue from West 56th Street and West 54th Street, and the Clinton Towers on the east side of Eleventh Avenue between West 55th Street and West 54th Street. It also includes recently built high-rise residential buildings, such as the Mercedes House, a 32-story building with 720 dwelling units located on the east side of Eleventh Avenue between West 54th Street and West 53rd Street.

Concurrent with the new trend toward residential development in the area has been an expansion of public facilities in the area, particularly educational facilities. John Jay College of Criminal Justice, a part of the City University of New York, occupies the block bounded by West 59th Street, Tenth Avenue, West 58th Street, and Eleventh Avenue; the western portion of the site is a recently constructed addition containing approximately 513,000 gsf of classroom, lecture hall, and forensic laboratory space. The Abraham Joshua Heschel School is located on the east side of West End Avenue between West 60th Street and West 61st Street; this includes recently completed expansion space as well. Other recent public facility developments include the expansion of DPR's 59th Street recreation center (now known as the Gertrude Ederle Recreation Center), which contains an indoor pool and other athletic facilities.[1]

The western area contains other public facilities associated with the Hudson River waterfront. This includes Piers 92 and 94, located between West 55th Street and West 52nd Street, which contains a trade show and convention center facility, and a portion of Hudson River Park known as Clinton Cove Park located to the north of Pier 94. There is still active waterfront use in the area: DSNY operates the Marine Transfer Station at Pier 99, located at West 59th Street, and a portion of Pier 92 is used cruise ship embarking and disembarking. The area also contains a power plant operated by Con Edison, which occupies the block bounded by West 59th Street, Eleventh Avenue, West 58th Street, and Twelfth Avenue.

Clinton East of Tenth Avenue

The eastern portion of Clinton contains predominantly residential uses built to a lower scale than the western portion of the neighborhood. Small walk-up apartment buildings (3 to 6 stories) are the predominant form of the residential buildings, particularly along the Tenth Avenue frontage; the mid-block areas also contain several elevator apartment buildings (between 10 and 17 stories). Tenth Avenue is also an active local retail corridor, with most of the residential buildings fronting on the Avenue containing small retail facilities such as restaurants and drug stores on the ground floor.

[1] Construction of the Recreation Center has been completed, and it is expected to re-open to the public by May 2013.

In addition to residential uses, the area contains several community facility uses along the Tenth Avenue frontage. This includes Independence High School between West 56th Street and West 55th Street, St. Luke's Roosevelt Hospital between West 59th Street and West 58th Street, John Jay College's North Hall between West 60th Street and West 58th Street and West 59th Street, and Fordham University's Lincoln Center Campus north of West 60th Street. The area also contains one hotel: the 17-story Holiday Inn New York City-Midtown-57th Street, located in the midblock area between West 57th Street and West 56th Street.

ZONING

PROJECT BLOCK

The project block, as well as the block immediately to the south, is partially zoned M1-5 and partially zoned M2-3; the majority of the rezoning area is located within the M2-3 district, although portions of Lots 40, 44 and 55 are located within the M1-5 district. M1-5 districts permit light industrial uses that meet high performance standards, such as warehouses and small manufacturing shops, and are intended as "buffer" zones between commercial or residential areas and heavier industrial activity. M2-3 districts permit heavier industrial activities that may produce nuisances such as noise, vibration, or smoke. Offices and most retail uses are permitted in both M1-5 and M2-3 districts, although hotels and some community facility uses are only permitted in M1-5 districts. Residential uses are not permitted in M1-5 or M2-3 districts (see **Table 2-1** and **Figure 2-3**).

Special Clinton District

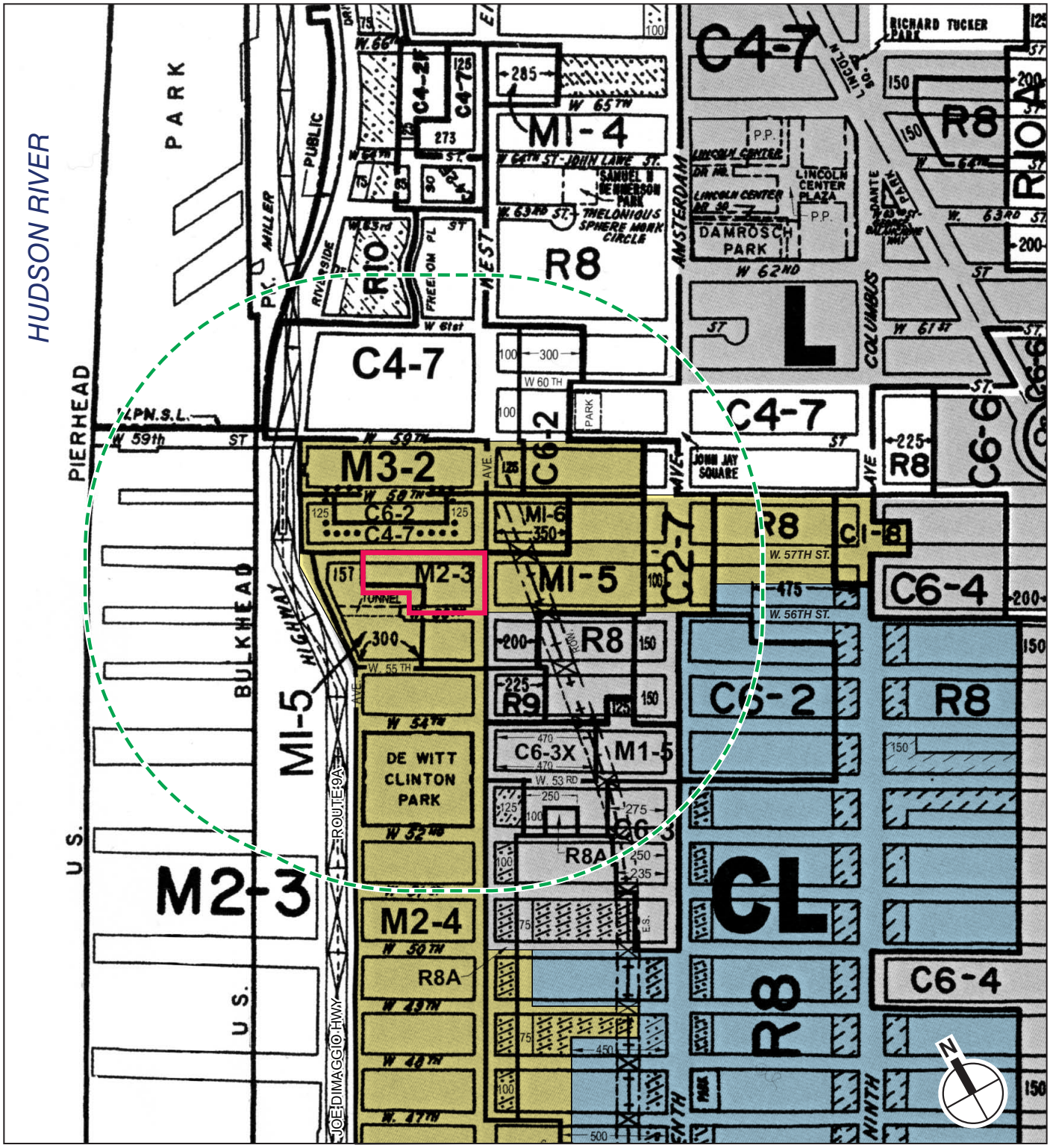
The project block and rezoning area are also located within Special Clinton District near the District's northern boundary. This special zoning district was established in 1974 with the goals of preserving and strengthening the residential character of the Clinton community, restricting demolition of buildings suitable for development or rehabilitation, ensuring that the area is not adversely affected by new development and that development is appropriate for the area, and improving the built environment through the provision of amenities such as street trees in connection with development. The special district encompasses the area bounded by West 59th Street, Eighth Avenue, West 41 Street, and Twelfth Avenue.

The Special Clinton District is divided into three sub-areas: the preservation area, the perimeter area, and other areas.[1] The preservation area is the eastern half of the District and the perimeter area falls on the southern, eastern, and northeastern peripheries of the District. The remaining western and northern portions of the District are designated "other."

The three sub-areas outline the locations where additional limitations or controls guide development in the District. Within the preservation area, development is restricted through more limited bulk regulations; special lot coverage, yard, and height regulations also apply. The regulations for the preservation area also include special limits on the demolition or alteration of

[1] Several sections of the District, including the majority of the area bounded by West 56th Street, Tenth Avenue, West 50th Street, and Eleventh Avenue, are designated as "excluded areas." In excluded areas, the regulations of the District are limited, and some of the excluded areas are exempted from all District regulations.

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Rezoning Area

Study Area Boundary (1/4-Mile Perimeter)

Zoning District Boundary

C1-5 Overlay

C2-5 Overlay

L *Lincoln Center Special Purpose District*

CL *Clinton Special Purpose District*

Special Clinton District: Preservation Area Subdistrict

Special Clinton District: Other Area Subdistrict

Existing Zoning
Figure 2-3

Table 2-1
Zoning Districts in the Study Area

Zoning District	Maximum FAR[1]	Uses/Zone Type
Residential Districts		
R8	0.94 to 6.02 residential 6.5 community facility	General residence district, high-density housing.
R8A	6.02 residential 6.5 community facility	Contextual residence district, high-density housing, compatible with existing older neighborhoods.
R9	0.99 to 7.52 residential 10.0 community facility	General residence district, high-density housing.
R10	10.0 residential[2] 10.0 community facility[2]	General residence district. High-density residential, community facility.
Commercial Districts		
C2-7	2.0 commercial 0.99 to 7.52 residential 10.0 community facility	Commercial district, predominantly residential in character.
C4-7	10.0 commercial[2] 10.0 residential[2,3] 10.0 community facility[2]	Medium-density general commercial (such as department stores and theaters), high-density residential and community facility.
C6-2	6.0 commercial[2] 0.94 to 6.02 residential 6.5 community facility[2]	General commercial district outside central business district, wide range of commercial uses as well as residential and community facility uses.
C6-3	6.0 commercial[2] 7.5 residential 10.0 community facility[2]	General office district, wide range of high-bulk commercial uses requiring a central location.
C6-3X	6.0 commercial 9.0 residential 9.0 community facility	Contextual office district, wide range of high-bulk commercial uses requiring a central location.
C2-5 overlay	2.0 commercial (in R6 to R10 districts) Residential and community facility bulk follows regulations of mapped residential district	Local shopping and services.
Manufacturing Districts		
M1-5	5.0 commercial 5.0 manufacturing 6.5 community facility	Light manufacturing and most commercial uses, strict manufacturing performance standards; residential uses not permitted.
M1-6	10.0 commercial[2] 10.0 manufacturing[2] 10.0 community facility[2]	Light manufacturing and most commercial uses, strict manufacturing performance standards; residential uses not permitted.
M2-3	2.0 commercial 2.0 manufacturing	Medium manufacturing and most commercial uses, moderate manufacturing performance standards; residential uses not permitted.
M2-4	5.0 commercial 5.0 manufacturing	Medium manufacturing and most commercial uses, moderate manufacturing performance standards; community facility uses, residential uses, and hotels not permitted.
M3-2	2.0 manufacturing 2.0 commercial	Heavy manufacturing uses that generate noise, traffic, or pollutants; community facility and residential uses not permitted.

Notes:
1. FAR is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 sf with a FAR of 1 has an allowable building area of 10,000 sf. The same lot with an FAR of 10 has an allowable building area of 100,000 sf.
2. Up to 20 percent increase for plaza bonus.
3. Up to 12.0 FAR with Inclusionary Housing bonus.

Source: *New York City Zoning Resolution*.

existing residential buildings. Within the perimeter area, special urban design and residential tenant relocation regulations apply. In the "other" areas, the regulations of the underlying zoning generally apply without additional limitations or controls, excepting R8, R8A, R9, and M2-4 districts. In all areas, the District imposes mandatory tree planting provisions.

The project block, including the rezoning area, is located in the "other" area at the northern periphery of the Special District. Because the Special District does not include modifications to M1-5 and M2-3 regulations in "other areas," the underlying zoning regulations on the project block generally apply with only limited additional regulations provided through the District, such as the District-wide tree planting provisions.

STUDY AREA

The study area contains a mix of residential, commercial, and manufacturing zoning districts; in addition, most of the study area (south of West 59th Street) is located within the Special Clinton District described above.

Residential Districts

The residential zoning districts within the study area (R8, R8A, R9 and R10) are generally located along the northern and eastern edges of the study area (north of West 61st Street and east of Tenth Avenue) as well as in the area between Tenth Avenue and Eleventh Avenue around De Witt Clinton Park. R8 districts are higher-density residential zoning districts that permit tower-type residential buildings up to a maximum of 6.02 FAR. R8 districts also contain a Quality Housing option that applies special lot coverage and height limit regulations to produce lower buildings set at or near the street line. R8A districts are contextual districts under which the Quality Housing bulk, lot coverage, and height and setback regulations are mandatory rather than optional. Community facility use is permitted up to 6.5 FAR in both R8 and R8A districts.

R9 and R10 districts are among the city's highest density residential districts, and are mapped along major thoroughfares, predominantly in Manhattan. In R9 districts, residential uses are permitted up to 7.52 FAR. Similar to a R8 district, buildings in R9 districts can follow the lot coverage and height and setback regulations of either a Height Factor option or a Quality Housing option, with the Quality Housing option typically producing lower buildings with high lot coverage set at or near the street line. R10 districts permit residential uses up to 10.0 FAR, the highest residential density in the city. R10 districts utilize Tower-on-a-base regulations on wide streets and Tower regulations on narrow streets under which a building may penetrate the sky exposure plane (the most common mechanism for governing building heights and setbacks), in addition to a Quality Housing option. For buildings to which the regulations of the Inclusionary Housing Program apply, residential bulk is increased to 8.0 FAR in R9 districts and 12.0 in R10 districts. Community facility uses are permitted up to 10.0 FAR in both R9 and R10 districts.

Commercial Districts

The commercial districts in the study area (C2-7, C4-7, C6-2, C6-3, and C6-3X) are generally located on study area's northern and eastern edges. Commercial districts permit a variety of commercial uses, including office space and retail, and residential uses to create areas of mixed activities and building types.

C2-7 districts are lower density districts that are predominantly residential in character. The regulations of a R9 district, described above, apply for residential uses; commercial uses are limited to 2.0 FAR, resulting in higher-density residential development with limited commercial uses, particularly local retail facilities such as grocery stores or restaurants. C4-7 districts are higher-density districts that permit a more even balance of commercial and residential uses; C4 districts are generally located in regional commercial centers outside of central business districts.

Both commercial and residential uses are permitted up to 10.0 FAR in C4-7 districts (applying the regulations of R10 districts, described above, as the residential equivalent) resulting in a wider variety of commercial uses, including office space and destination retail such as department stores, alongside residential uses.[1]

C6 zones are typically located in predominantly commercial and entertainment districts that are well served by mass transit. Commercial uses are permitted up to 6.0 FAR in both C6-2 and C6-3 districts. R8 regulations (up to 6.02 FAR) apply for residential uses in C6-2 districts, while R9 regulations (up to 7.52 FAR) apply in C6-3 districts as the residential equivalents. C6-3 districts also permit higher-density community facility uses: 10.0 FAR, as compared to 6.5 FAR in C6-2 districts.[2] C6-3X districts are contextual districts located in Manhattan that permit a higher level of residential development and a lower level of community facility development as compared to a C6-3 district (9.0 FAR for both uses).

In additional to the underlying commercial districts described above, the study area contains C2-5 overlay districts, particularly along Tenth Avenue and Eleventh Avenue at the southern edge of the study area. C2-5 overlays are mapped along streets in residential districts and provide for local retail and services, such as grocery stores, restaurants, beauty parlors, and other businesses that cater to the surrounding neighborhood. These commercial uses are permitted to a maximum of 2.0 FAR and are located in individual structures or on the first two floors of mixed buildings that contain residential uses on the upper floors.

Manufacturing Districts

The study area contains several manufacturing districts. This includes the M1-5 and M2-3 districts described above, as well as M1-6, M2-4, and M3-4 districts. M1-6 is the highest density manufacturing district and is mapped only in Manhattan, with light industrial, commercial, and certain community facility uses all permitted up to 10.0 FAR.[3] M2-4 districts are similarly to M2-3 districts and permit more disruptive industrial activities, but at a higher density (5.0 FAR for manufacturing and commercial uses, as compared to 2.0 FAR in M2-3 districts). M3-2 districts are reserved for areas of heavy industry that have a high potential to generate nuisance effects on surrounding areas; in the study area, the M3-2 district is limited to the Con Edison power plant described above.

Special Clinton District

As described above, the portion of the study area south of West 59th Street is located within the Special Clinton District. The underlying zoning districts are variously located within the preservation area and other area subdistricts, as well as within excluded areas. Within the study area, the Districts regulations apply on all zoning districts located with the preservation subdistrict, which must comply with restricted development regulations, and the portion of the M2-4 district in the study area that is within the other area subdistrict, which must follow special

[1] Community facility developments in C2-7 districts and both commercial and community facility developments in C4-7 districts receive a bonus of up to 20 percent FAR with the provision of a public plaza.

[2] The public plaza bonus applies to commercial and community facility developments in in both C6-2 and C6-3 districts.

[3] The public plaza bonus applies to all uses in M1-6 districts.

height and setback regulations. District-wide regulations, such as the tree planting provisions, apply to all areas within the District.

PUBLIC POLICY

PROJECT BLOCK

The project block (including the rezoning area) is located within the Special Clinton District, described above. There are no other public policies specifically affecting the project block or the rezoning area.

STUDY AREA

Clinton Urban Renewal Area

A portion of the study area was located within the Clinton Urban Renewal Area (URA), which was established in 1969 and expired in October 2009. The Clinton URA was bounded by West 56th Street to the north, Tenth Avenue to the east, West 50th Street to the south, and Eleventh Avenue to the west. The URA was intended to:

- Create low- and moderate-income housing;
- Retain existing tenants while allowing a mix of land uses;
- Provide a comprehensive plan for the distribution and quantity of new construction in the area;
- Provide open space in the form of a single public urban square;
- Center high-density residential development in the area of De Witt Clinton Park, and;
- Provide urban design guidelines for the bulk and distribution of new construction to reconcile the community's needs for more building with its preservation tradition.

Specifically, the plan proposed to develop only low-rise structures along Tenth Avenue to match the character of the Special Clinton District; to encourage higher-density development on Eleventh Avenue; and to complete infill construction on the remaining available residential and retail sites.

Hudson River Waterfront Revitalization

The Hudson River waterfront, including a portion located within the study area, is the focus of a State- and City-led effort to convert the underutilized former industrial waterfront into a public open space amenity with the objective of creating continuous open space in Manhattan along the Hudson River with connections to upland parcels. The initiative has resulted in the construction of Hudson River Park and Riverside Park South, which are partially completed and are undergoing continued expansion and development.

CITYWIDE PUBLIC POLICY INITIATIVES

In addition to the public policies listed above, several citywide public policy initiatives apply to both the project block (including the rezoning area) as well as the study area, but are not specific to these areas.

PlaNYC

In 2011, the Mayor's Office of Long Term Planning and Sustainability released an update to *PlaNYC: A Greener, Greater New York*. It includes policies to address three key challenges the City faces over the next 20 years, including population growth, aging infrastructure, and global climate change. Elements of the plan are organized into six categories—land, water, transportation, energy, air quality, and climate change—with corresponding goals and objectives for each. While an assessment of a project's consistency with PlaNYC is not required under CEQR, except in cases of large-scale public projects, the core elements of PlaNYC are summarized below for informational purposes.

- ***Land:*** In order to accommodate the approximately 1 million residents expected to arrive to the City by 2030, PlaNYC strives to create more housing while increasing access to units for low- and moderate-income residents. It also aims to reclaim underdeveloped industrial land and to improve quality of life through improved access to open space. Its affordability initiatives include expanding inclusionary housing programs, developing new financing strategies, preserving the existing supply of affordable housing, and encouraging home ownership.
- ***Water:*** Lack of recreational access to water bodies and aging drinking water infrastructure are significant challenges to quality of life in the City. PlaNYC aims to improve water quality by opening 90 percent of the City's waterways to public access, preserving natural areas, and reducing water pollution. The plan also aims to create critical backup systems to ensure the long-term reliability of the City's potable water systems.
- ***Transportation:*** To support the long-term growth of the City while reducing congestion, PlaNYC calls for aggressive investment in transportation infrastructure and improved access to transit, including the utilization of alternative funding sources to provide grants for state-of-good-repair projects and to alleviate the funding gaps for critical transit expansion projects.
- ***Energy:*** Energy prices and carbon emissions continue to increase as a result of an aging infrastructure, market conditions, and growth. PlaNYC will implement a two-pronged strategy to meet energy challenges. First, the City will promote clean energy plants, both the construction of new facilities and the rehabilitation of older inefficient plants, and the creation of a market for renewable energy sources. Second, the City will target large consumers to accelerate efficiency upgrades and reduce overall energy demand.
- ***Air Quality:*** The City fails to meet certain State and Federal air quality standards. PlaNYC seeks to reduce automobile travel, improve the efficiency of power plants and buildings, and implement natural resource strategies such as planting trees. Cumulatively, these policies aim to improve the City's air quality.
- ***Climate Change:*** PlaNYC's strategies to improve the efficiency of the City's energy supply and consumption, reduce congestion, improve transit access, and reduce emissions will together reduce greenhouse gases. In developing and implementing these strategies, the plan aims to reduce greenhouse gas emissions by 30 percent. The plan also recognizes the imminent effects of climate change and includes provisions to protect the City's natural and built structures from catastrophic weather events.

New Housing Marketplace Plan

The New Housing Marketplace Plan, announced in 2004, aimed to create and preserve 165,000 units of affordable housing in the City by 2013. As part of this extended plan, the New York

City Department of Housing Preservation and Development (HPD) was charged with the responsibility of introducing new tools and incentives to create affordable housing throughout the City. Key goals of the plan include the preservation of 73,000 units of affordable housing; the creation of 92,000 new units of affordable housing; and the development of innovative strategies that maximize land available for affordable housing development throughout the City.

Local Waterfront Revitalization Program

Pursuant to federal legislation, New York State and New York City have adopted policies aimed at protecting resources in the coastal zone.[1] New York City's Waterfront Revitalization Program contains 10 major policies, each with several objectives focused on improving public access to the waterfront; reducing damage from flooding and other water-related disasters; protecting water quality, sensitive habitats (such as wetlands), and the aquatic ecosystem; reusing abandoned waterfront structures; and promoting development with appropriate land uses. CPC certifies whether a proposed project is in compliance with the City's Waterfront Revitalization Program.

Plan for the Manhattan Waterfront

The *Plan for the Manhattan Waterfront*, issued by DCP in 1993, is a detailed study of Manhattan's waterfront conducted in conjunction with the *New York City Comprehensive Waterfront Plan*, issued by DCP in 1992, which reviewed the state of the City's waterfront and articulated a long-range vision that includes increased public recreational use of the waterfront. The *Plan for the Manhattan Waterfront* endorsed the proposals for the creation of the Hudson River Park, described above, which was in the planning stage when the *Plan* was completed.

E. THE FUTURE WITHOUT THE PROPOSED ACTIONS

LAND USE

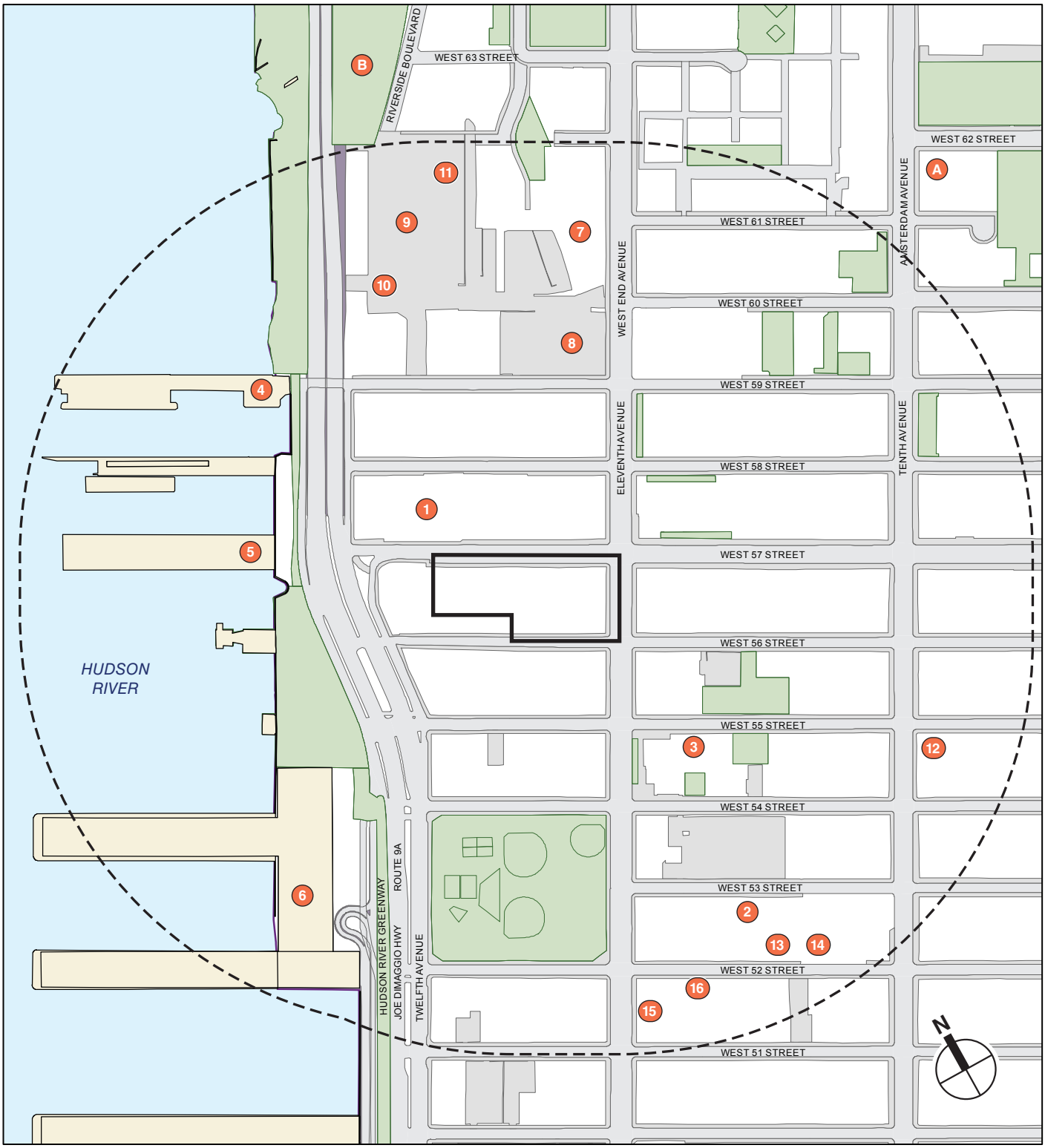
REZONING AREA

Absent the proposed actions, the lots located within the rezoning area would remain in their current built form, with a mix of commercial and auto-related uses, including parking garage space, auto showrooms and repair shops, a restaurant, and office space.

STUDY AREA

There are several projects within the ¼-mile study area that will alter the built nature of the area and are expected to be complete by 2017. In particular, the recent trend of large-scale residential development in the area is expected to continue, with large residential projects featuring high-rise buildings, some of which are currently under construction. **Table 2-2** describes the 13 development projects within the study area, as well as two projects adjacent to the land use study area, and **Figure 2-4** shows their locations.

[1] Portions of the study area are located within the City's Coastal Zone (CZ) boundary; the project block, including the rezoning area, is not located within the CZ boundary.



2017 No Build Projects

606 WEST 57TH STREET

Figure 2-4

Table 2-2
Projects Within and Adjacent to the ¼-Mile Study Area Expected to be Complete by 2017

Map Ref. No.[1]	Project Name	Location/ Address	Development Program	Status/ Build Year[2]
1	625 West 57th Street	Twelfth Avenue between West 58th Street and West 57th Street	New mixed-use building and conversion of existing buildings to residential and retail uses, totally 863 dwelling units (151 affordable units), 62,000 gsf of retail, 28,000 gsf community facility, and 285 accessory parking spaces	2015
2*	530-548 West 53rd Street (Clinton URA Site 7)	West 53rd Street between Tenth Avenue and Eleventh Avenue	New residential building with 106 dwelling units (low-, moderate- and middle-income units)	2016
3	Harborview Terrace Expansion	525 West 55th Street	Residential development with 320 dwelling units (mixed-income) and 37 accessory parking spaces	2017
4	Pier 99	Hudson River at West 59th Street	Conversion of existing facility to accept commercial waste	2017
5	Pier 97	Hudson River at West 57th Street	1-acre addition to Hudson River Park open space with recreational lawn and playground	2017
6	Piers 92 & 94	Hudson River between West 52nd Street and West 54th Street	Expansion of trade show facility with up to 40,000 gsf of new space; conversion of portions of Pier 92 from passenger ship terminal to trade show space; new waterfront esplanade	2017
7	Riverside Center Building 2	West 61st Street between West End Avenue and Freedom Place South	Mixed-use building with 446 dwelling units, 15,635 gsf retail, and 151,598 gsf public school	2015
8	Riverside Center Building 5	West 60th Street between West End Avenue and Freedom Place South	Mixed-use building with 455 dwelling units, 61,580 gsf retail, and 250-room hotel	2015
9	Riverside Center Building 1	West 61st Street between Freedom Place South and Riverside Boulevard	Mixed-use building with 809 dwelling units, 104,432 gsf office space, and 42,233 gsf retail	2016
10	Riverside Center Open Space	Riverside Boulevard between West 59th Street and West 61st Street	2.75 acres of active and passive open space, including water feature, seating, landscaping, play area, and central plaza	2017
11	40 Riverside Boulevard	Riverside Boulevard and West 61st Street	Mixed-use development with 520 dwelling units (188 affordable units), 4,581 gsf office space, 7,168 gsf retail, and 535 parking spaces	2014
12	824 Tenth Avenue	Tenth Avenue and West 55th Street	Expansion of existing store for 1,000 gsf to 2,800 gsf	2017
13	533-541 West 52nd Street	West 52nd Street between Tenth Avenue and Eleventh Avenue	New residential building with 100 dwelling units	2013
14*	525 West 52nd Street (Clinton URA Site 7)	West 52nd Street between Tenth Avenue and Eleventh Avenue	New residential building with 405 dwelling units (81 affordable units) and 21,000 gsf commercial	2016
15	Irish Arts Center, 726 Eleventh Avenue	Eleventh Avenue between West 51st Street and West 52nd Street	Expansion of cultural arts center with 42,000 gsf of space	2016
16*	556-560 West 52nd Street (Clinton URA Site 7)	West 52nd Street between Tenth Avenue and Eleventh Avenue	Rehabilitation of existing building to include 22 dwelling units (low- and moderate-income housing)	2016
Adjacent to ¼-Mile Study Area				
A	Fordham Center Master Plan—Phase I	Amsterdam Avenue and West 62nd Street	Mixed-use development with 876 dwelling units, 382,667 gsf academic space, 695-bed student dormitory, and 205 parking spaces	2014
B	Riverside Park South	Riverside Boulevard between West 61st Street and West 68th Street	Expansion of park with 9.6 acres of passive and active open space	2017

Notes: 1. See **Figure 2-4**
2. Projects for which an expected date of completion date is not available are assumed to be complete by the proposed actions' Build year of 2017.
* Clinton Urban Renewal Area (URA) Site 7 projects are currently in planning stages but not approved.

Sources: AKRF, Inc. site visit March 2013; *Riverside Center FSEIS,* October 2010; *625 West 57th Street FSEIS*, December 2012; NYC Department of Buildings; NYC Department of City Planning

The largest projects in the study area are located on the blocks immediately to the north of the project block, an extension the large-scale residential development that has occurred along the Hudson River waterfront in the past 20 years. 40 Riverside Boulevard, currently under construction, is the last parcel to be developed with a mixed residential and commercial building

as part of the original Riverside South project previously described. A continuation of Riverside South, known as Riverside Center, received public approvals in 2012 and is currently undergoing preliminary construction. This project consists of five buildings and open space built in a campus setting on the block bounded by West 61st Street, West End Avenue, West 58th Street, and Riverside Boulevard, to be constructed in phases. The total project will include 2,500 dwelling units, 140,168 gsf of retail, and 104,432 gsf of office space as well as a school, an auto showroom, a hotel, and a below-grade garage, with a final expected completion date of 2018. Based on the phased construction schedule, three of the buildings (Buildings 1, 2, and 5, occupying the eastern and northern sides of the campus) as well as the open space component are expected to be complete by 2017.

The most recently introduced project to the study area is 625 West 57th Street, located on the block immediately to the north of the project site, which received public approval in February, 2013 and is currently under construction. The project consists of a new approximately 450-foot-tall triangular tower on the vacant western end of the block and the conversion of an existing self-storage facility on the eastern side of the block, totaling up to 863 dwelling units, 80,000 gsf of office space, 62,000 gsf of retail, 28,000 gsf of community facility space, and 285 accessory parking spaces.

Additional residential growth within the study area may occur as a result of a planned redevelopment project being undertaken by HPD on the two blocks bounded by West 53rd Street, Tenth Avenue, West 51st Street, and Eleventh Avenue. This HPD project includes the rehabilitation of a building located at 556-560 West 52nd Street and the construction of two new buildings located at 530-548 West 53rd Street and 525 West 52nd Street with affordable housing (including units for low-, moderate-, and medium-income households). These sites were previously Site 7 within the expired Clinton Urban Renewal Area (URA), discussed above. This project is currently in the planning stages and has not undergone public review. It is included here as a potential project for informational purposes. For most technical areas of this EIS, where relevant, it may be included in the Future Without the Proposed Actions if that approach would result in a more conservative outcome. For transportation, the project may be included if more information becomes available between DEIS and FEIS.

In addition to a high level of residential development, new open space resources are expected to be introduced to the study area by 2017. This includes open space projects associated with large-scale residential developments (Riverside Park South and the Riverside Center open space area) as well as the continuation of the Hudson River Waterfront Revitalization initiative described above. Current projects associated with the Waterfront Revitalization initiative includes the conversion of former industrial piers located within Hudson River Park to recreational use.

ZONING

As part of the 625 West 57th Street project described above, a portion of the block located immediately to the north of the project block was rezoned from an M1-5 district to a C6-2 district; this map amendment went into effect in February, 2013. There are currently no other changes to zoning expected in the study area. Zoning in the study area will remain a mix of residential, commercial, and manufacturing districts, and the regulations of the Special Clinton District would remain in their current form. The project block will continue to be zoned M1-5 and M2-3.

PUBLIC POLICY

No changes affecting public policy on the rezoning area, project block, or in the study area are anticipated in the future without the proposed actions.

F. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE

REZONING AREA

The proposed actions would facilitate the development of new buildings in the rezoning area containing a mix of residential, retail, community facility and hotel uses, as well as public parking. The new development would occur on the proposed project site and on one of the outparcel sites, as described below.

Proposed Project Site

With the proposed actions, a new mixed-use tower would be constructed on the project site. This would require demolition of existing structures and redevelopment of the four project site lots, replacing the existing uses on the site. As such, with the proposed actions, the uses on the block would be different from those in the future without the proposed actions. Parking and auto sales and service uses would be replaced with a mix of residential, retail, medical office and hotel uses.

The building on the proposed project site would contain up to approximately 1.2 million gsf of residential, retail, community facility and hotel uses, as well as space for a parking garage. The retail spaces would be accessed from the ground floor along both West 57th Street and Eleventh Avenue. The residential space would be accessed from West 57th Street. With the proposed actions, the regulations of the IH program for Designated Inclusionary Housing Areas would apply to the proposed project site, and 20 percent of the dwelling units would be designated as permanent affordable housing units.

The resulting mix of uses would not be inconsistent with the surrounding blocks and would, in fact, reflect the emerging pattern of the area and would be consistent with land use trends, particularly along Eleventh Avenue and West 57th Street.

Directly north of the site is an existing residential tower and the future site of another primarily residential development, as well as other mixed-use residential buildings along Eleventh Avenue. The proposed project would be compatible with, and an extension of, these uses. Hotel uses, if developed, would be compatible with the surrounding uses as well, and would be consistent with hotel uses farther east on West 57th Street. A hotel use would be appropriate given the area's proximity to destinations that attract tourists and business travelers, such as Lincoln Center for the Performing Arts, the Theater District, and the Midtown business district.

Immediately west of the rezoning area and proposed project site is the DSNY facility. This is a modern building newly constructed in the last few years, and the site was rezoned in 2000 from M3-2 to M1-5, a designation that has relatively high performance standards. In addition, the building that would be constructed on the proposed project site is designed to shift most of the bulk away from Twelfth Avenue, with the tower portion of the building towards Eleventh Avenue. As planned, the residential lobby on West 57th Street would be approximately 250 feet away from the DSNY facility.

The Con Edison 59th Street Station is more than a block away and would be separated from the project site by the development on the intervening block. In any event, the Con Ed Facility exists in a mixed use neighborhood that includes existing and planned portions of Riverside South, the Helena, and other residential/mixed/use developments.

West of the rezoning area is Hudson River Waterfront and Route 9A. The Route 9A corridor provides access for the project, and the redevelopment of the project site with would be compatible with and would support use of the Hudson River Park. Although the project site is not in the coastal zone, it is a prominent location near the waterfront and its redevelopment would contribute to enlivening the waterfront and improving the visual character of the area. Active ground-floor retail and other uses would enhance the pedestrian experience. The proposed garage would also be appropriate given its proximity to Route 9A and the anticipated parking demand, as well as the loss of the existing 1,000-space garage on Lot 44.

The proposed zoning amendment would result in a substantial increase in the development density on the block. However, the proposed density would be consistent with the trends for the area and the proposed zoning would have the same allowable uses and density as the block to the north. In addition, increased density would further enliven the block with new residents, workers, and visitors. Moreover, the residential units would bring a 24-hour population to this far West 57th Street location, which would remain underutilized and less active in the future without the proposed actions.

Outparcels

Projected Development Site

The proposed actions are projected to facilitate, in a reasonable worst-case scenario, the development of a new approximately 117,612 gsf hotel on Lots 25 and 29. Based on a projected design, the building could rise to up to approximately 38 stories and contain space for up to 181 rooms. As noted above for the proposed project site, hotel uses would be compatible with the mix of land uses found in the area.

Lot 36

With the proposed actions, Lot 36 is expected to remain in its present condition with a 5-story commercial building containing a restaurant on the ground floor and office space on the upper floors. Due to the lot's small footprint, it is not projected to support redevelopment with new uses. Similarly, the current building is fully tenanted, indicating that it is fully viable in its current form and will likely remain viable in the future.

STUDY AREA

The proposed actions would only apply to the rezoning area and would not facilitate any other new development in the study area. The remainder of the project block would remain in its current use as a DSNY vehicle maintenance and storage garage. The study area would remain as described in "The Future Without the Proposed Actions," with a mix of uses and a continuation of the ongoing trend of high-density residential development, particularly on the blocks located to the north of the rezoning area. As described above, the proposed actions would continue the existing trends toward high-density mixed-use and residential development and would be compatible with the surrounding area.

Overall, the proposed actions would be compatible with and in support of land uses in the surrounding area and would not result in significant adverse land use impacts.

ZONING

REZONING AREA

The proposed actions include a zoning map amendment that would modify the underlying zoning in the rezoning area, which would become a C4-7 district replacing the entire M2-3

district located on the project block, as well as a small portion of the M1-5 district that lies within the rezoning area's boundaries. As previously discussed, C4-7 districts are higher-density commercial districts that permit a balance of commercial and residential uses, generally located in regional commercial centers outside of central business districts, and apply the regulations of a R10 district as the residential equivalent.

In addition, the proposed actions include text amendments to modify the Special Clinton District (ZR §96-34) as well as ZR Appendix F to designate the rezoning area an IH designated area. With the application of the IH Designated Area program to the rezoning area, the maximum residential FAR would be raised to 12.0 through the provision of lower-income housing units (with a limited amount of commercial uses above the ground floor being added to the base FAR of 9.0). The proposed text amendments would also designate automobile showrooms and repairs as permitted commercial uses.

The modification within the rezoning area would be compatible with zoning in the surrounding area, particularly since it would represent an extension of the existing C4-7 district located immediately to the north. C4-7 is also widely mapped within the study area north of West 59th Street. The IH Designated Area program is consistent with recent rezonings of other Designated Areas in the Clinton Special District, such as the areas east of Eleventh Avenue between West 53rd Street and West 54th Street and between West 48th Street and West 52nd Street. The new developments on the proposed project site and on the projected development site would comply with the regulations of the C4-7 district and the IH Designated Area. Therefore, the proposed actions would not result in significant adverse impacts to zoning.

STUDY AREA

The proposed actions would apply to the rezoning area and would have no effect on zoning in the surrounding area. The remainder of the project block outside of the rezoning area would remain an M1-5 district, and the study area which would remain a mix of residential, commercial, and manufacturing districts. The regulations of the Special Clinton District as they pertain to the study area outside of the rezoning area would not be modified. Therefore, the proposed actions would not result in a significant adverse impact to zoning in the rezoning area or in the surrounding study area.

PUBLIC POLICY

The proposed actions would not result in any changes to public policies affecting the rezoning area or the study area. The land use developments anticipated as a result of the proposed actions would be consistent with the public policies governing the rezoning area and study area. In particular, the proposed actions would be compatible with public policies, including those articulated in PlaNYC, that aim toward increasing the supply of housing in the city, reclaiming underutilized industrial land, and expanding access to affordable housing. The proposed actions would also be compatible with the goals of the former Clinton Urban Renewal Area, particularly the URA's goals of introducing higher-density residential uses in the area along Eleventh Avenue and providing affordable housing units in the area.

Overall, the proposed actions would not result in any significant adverse impacts to public policy governing the rezoning area or the study area. ✷