

1 **New Business**

Item #: 29

2 December XX, 2014

3
4
5 Carl Weisbrod, Chair
6 City Planning Commission
7 22 Reade Street
8 New York, NY 10007
9

10 **Re: ULURP Applications Nos. C 150101 ZMM and N 150102 ZRM**
11 **Special West Chelsea Expansion**

12 Dear Chair Weisbrod:

13 At its regularly scheduled Full Board Meeting on December 3, 2014, Manhattan Community
14 Board 4, voted by roll call __ in favor, __ opposed, __ abstaining and __ present not eligible to
15 approve the following comments on the cited ULURPs.

16 **Background**

17 At the November 19, 2014 City Planning Commission hearing on the cited ULURP applications,
18 commissioners raised questions regarding the impact of the amendment of ZR 98-41 to clarify
19 the location of rear yard equivalents on a proposed development at 510 West 21st Street, and on
20 the impact of CB4's recommendation to exclude the west side of Ninth Avenue between West
21 15th and West 16th Streets from the amendment to ZR 14-44 to allow unenclosed sidewalk cafes
22 on wide streets in the SWCD.

23 **CB4 Recommendation on the Amendment to ZR 98-41**

24 The board recognizes that the proposed amendment to ZR 98-41 to clarify that where rear yard
25 equivalents are required they shall be provided at the mid-block would preclude the proposed
26 enlargement at 510 West 21st Street. CB4 agrees with the staff of the Department of City
27 Planning (DCP) that the proposed enlargement is appropriate, but is concerned that the proposed
28 remedy [TBD] not permit inappropriate development at other sites in the SWCD.

29 DCP staff replied to this concern, "(Counsel) for the developer has indicated that the proposed
30 modification would only apply to the subject building. We at DCP have further surveyed the
31 M1-5 districts in WCh and have confirmed that this appears to be the case: applicability is
32 limited to the 510 W 21 St property in question."

33 As we have noted, the two ULURPs under consideration would expand the SWCD to include
34 only one of several blocks that CB4 has repeatedly asked to be included in the SWCD.
35 Therefore, we must consider the potential effect of the proposed remedy on the blocks that have
36 not yet been included in the SWCD. Since CB4 believes that the likely future rezoning of these
37 blocks will be commercial rather than manufacturing, they would not be affected by [*the*
38 *proposed remedy*].

47 CB4 recommends approval of [*the remedy*].
48

49 **CB4 Recommendation on excluding Ninth Avenue between West 15th and 16th from the
50 Amendment to ZR 14-44**

51
52 The proposed amendment to ZR 14-44 would allow unenclosed sidewalk cafes on wide streets in
53 the SWCD. In its response to the cited ULURPs, CB4 recommended that the west side of Ninth
54 Avenue between West 15th and 16th Streets be excluded. CB4 believes that because of the
55 extremely high levels of pedestrian traffic on this block it is not an appropriate site for a sidewalk
56 cafe. At the public hearing, commissioners questioned whether CB4's recommendation would
57 unfairly impact an existing sidewalk cafe by changing the zoning.
58

59 The Chelsea Market block was incorporated into the SWCD in November 2012. This action
60 precluded sidewalk cafes from this block, as they are from all blocks in the SWCD. Thus, there
61 have been no legal sidewalk cafes on this block since November 2012. CB4's recommendation
62 to exclude this block from the amendment to ZR 14-44 would not be an unfair change, but rather
63 would maintain the current status.
64

65 CB4 reaffirms its request that the west side of Ninth Avenue between West 15th and 16th Streets
66 be excluded from the proposed amendment.
67
68
69
70
71 Christine, Lee, Betty
72
73
74

DRAFT