

1 **New Business**

Item #: 29

2  
3 December XX, 2014

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

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

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13 Dear Chair Weisbrod:

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

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19 **Background**

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21 At the November 19, 2014 City Planning Commission hearing on the cited ULURP applications,  
22 commissioners raised questions regarding the impact of the amendment of ZR 98-41 to clarify  
23 the location of rear yard equivalents on a proposed development at 510 West 21<sup>st</sup> Street, and on  
24 the impact of CB4's recommendation to exclude the west side of Ninth Avenue between West  
25 15<sup>th</sup> and West 16<sup>th</sup> Streets from the amendment to ZR 14-44 to allow unenclosed sidewalk cafes  
26 on wide streets in the SWCD.

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

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

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

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

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

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

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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 15<sup>th</sup> and 16<sup>th</sup> 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.

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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.

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65 CB4 reaffirms its request that the west side of Ninth Avenue between West 15<sup>th</sup> and 16<sup>th</sup> Streets  
66 be excluded from the proposed amendment.

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71 Christine, Lee, Betty

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