



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

OFFICE OF THE CHAIR

**NEGATIVE DECLARATION**

April 23, 2007

**Project Identification**

CEQR No. 07DCP060M  
ULURP Nos. 070427 ZMM and N070428 ZRM  
SEQRA Classification: Type I

**Lead Agency**

City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Robert Dobruskin

**Name, Description, and Location of Proposal:**

Upper West Side Rezoning

The New York City Department of City Planning (DCP) proposes an amendment to the zoning map to rezone approximately 51 blocks in the Upper West Side neighborhood of Manhattan, Community District 7. The proposed rezoning area is generally bounded by West 97<sup>th</sup> Street and West 110<sup>th</sup> Street, Riverside Drive and Central Park West. The proposed rezoning would change existing R8 and R7-2 districts to R9A, R8A, and R8B contextual zoning districts, which would better reflect the area's existing built character.

In addition, DCP is proposing a zoning text amendment to Zoning Resolution Section 23-90 to apply an Inclusionary Housing Bonus to the proposed R9A district along Broadway. The proposed text amendment would create incentives for the development of affordable housing.

The amendments to the Zoning Map are as follows:

- A change from an R8 district to an R9A district;
- A change from an R8 district to an R8A district;
- A change from an R8 district to an R8B district;
- A change from an R7-2 district to an R8 district;
- A change from an R7-2 district to an R8A district;
- A change from an R7-2 district to an R8B district;

The proposed action is intended to respond to community concerns that recent residential development in the area has been inconsistent with the established scale and built character of the neighborhood. Accordingly, the primary purpose of the proposed action is to establish contextual zoning districts to promote development that corresponds with the existing scale and built character of the rezoning area. The proposed action would

provide opportunities for new residential development which reflects the area's existing character and incentives for affordable housing in new developments on Broadway through the Inclusionary Housing Program.

The proposed action is projected to result in a net increase of approximately 199 residential units, 289 square feet of commercial space, and a decrease of 23,161 square feet of community facility space. A total of nine projected development sites and twenty potential development sites have been identified in the rezoning area. The analysis year for the proposed action is 2017.

To avoid the potential for significant adverse air quality impacts related to HVAC emissions, the proposed rezoning includes (E) designations for air quality on five projected development sites and thirteen potential development sites. Accordingly, (E) designations will be mapped on the following parcels:

Block 1844, Lot 52  
Block 1862, Lot 3  
Block 1869, Lot 13  
Block 1870, Lot 43  
Block 1872, Lots 11, 19, 20, 52, 54  
Block 1873, Lots 10, 42  
Block 1874, Lot 22  
Block 1876, Lots 12, 17, 49, 58  
Block 1877, Lot 15, 16, 17, 48, 49, 50, 51, 52, 59, 61, 63  
Block 1893, Lots 39, 43, 50

The text for the (E) designations is as follows:

Block 1893, Lots 39, 43, 50 (Projected Development Site 1)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 155 and 75 feet for Oil No. 4 and No. 2, respectively, from the lot line facing Riverside Drive, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1844, Lot 52 (Projected Development Site 4)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 80 and 60 feet for Oil No. 4 and Oil No.2, respectively, from the lot line facing Columbus Avenue, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1877, Lots 15, 16, 17, 48, 49, 50, 51, 52, 59 (Projected Development Site 5)  
**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 85 and 25 feet for Oil No.4 and Oil No. 2, respectively, from the lot line facing West 106th Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1876, Lot 58 (Projected Development Site 6)  
**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 90 and 65 feet for Oil No. 4 and No. 2, respectively, from the lot line facing West 104th Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1876, Lots 17, 49 (Projected Development Site 7)  
**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 85 and 60 feet for Oil No. 4 and Oil No. 2, respectively, from the lot line facing West 104th and West 105th Streets, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1862, Lot 3 (Potential Development Site 11)  
**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 80 and 60 feet for Oil No.4 and Oil No. 2, respectively, from the lot line facing Columbus Avenue, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1877, Lot 61 (Potential Development Site 14)  
**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 100 for Oil No. 4 from the lot line facing West 105th Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1877, Lot 63 (Potential Development Site 15)  
**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 100 and 70 feet for Oil No. 4 and Oil No.2, respectively, from the lot**

**line facing West 105th and West 106th Streets, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1876, Lot 12 (Potential Development Site 16)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 and 55 feet for Oil No.4 and Oil No. 2, respectively, from the lot line facing West 104th Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1874, Lot 22 (Potential Development Site 19)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 125 feet for Oil No. 4 from the lot line facing West 103rd Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1873, Lot 42 (Potential Development Site 20)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 45 feet for Oil No. 4 from the lot line facing West 102nd Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1873, Lot 10 (Potential Development Site 21)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 25 feet for Oil No.4 from the lot line facing West 101st Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1872, Lot 54 (Potential Development Site 22)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet for Oil No. 2 from the lot line facing West 100th Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Block 1872, Lot 52 (Potential Development Site 23)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are**

located at least 95 and 65 feet for Oil No. 4 and Oil No.2, respectively, from the lot line facing West 100th and West 101st Streets, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1872, Lot 11 (Potential Development Site 24)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 95 and 65 feet for Oil No.4 and Oil No. 2, respectively, from the lot line facing West 100th and West 101st Streets, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1872, Lots 19, 20 (Potential Development Site 26)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 85 and 60 feet for Oil No. 4 and No. 2, respectively, from the lot line facing West 100th Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1870, Lot 43 (Potential Development Site 28)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 100 and 65 for Oil No 4 and No. 2, respectively, from the lot line facing West 98th Street, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1869, Lot 13 (Potential Development Site 29)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 and 45 feet for Oil No.4 and Oil No. 2, respectively, from the lot line facing Broadway, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

With the placement of the (E) designations for HVAC emissions on the above properties, the proposed action would not result in significant adverse stationary source air quality impacts.

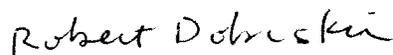
**Statement of No Significant Effect:**

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 April 19, 2007 prepared in connection with the ULURP Application Nos. 070427 ZMM and N070428 ZRM. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

**Supporting Statement:**

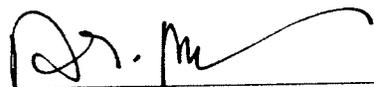
The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Brad Kieves at (212) 720-3417.



\_\_\_\_\_  
Robert Dobruskin, Director  
Environmental Assessment & Review Division  
Department of City Planning

Date: April 19, 2007



\_\_\_\_\_  
Amanda M. Burden, AICP, Chair  
City Planning Commission

Date: April 23, 2007