DRC FILE

E 62

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW

Joseph B. Rose, *Director*
Department of City Planning

MEMORANDUM

TO: Richard Barth

FROM: Jeremiah H. Candreva

DATE: February 8, 1995

RE: DCP CEQR No. 95DCP027M
ULURP No. 940304ZMM

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may or will not have a significant effect on the environment. In accordance with this regulation, the City Planning Commission (CPC) has determined that the proposed action will not have a significant effect on the environment.

Enclosed is the Negative Declaration for DCP No. 94DCP027M. Included in this declaration are supporting statements for the finding that the project will not have a significant effect.

Also included is a revised Environmental Assessment Statement for this proposal.

Enclosure

c: Joseph Rose
City Planning Commission
Annette M. Barbaccia
Ruth Messinger
Gail Benjamin
Lance Michaels
Melanie Meyers
George Wright
Doug Woodward
Eric Kober
Lawrence Parnes
Gina Santucci
Karen Johnson
Susan Wong
Glen Price
Pat Bussey
Manhattan CB #5 Chairperson
Manhattan CB #5 District Manager
Manhattan CB #6 Chairperson
Manhattan CB #6 District Manager

Jeremiah H. Candreva, *Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3420
FAX (212) 720-3495

CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

DCP CEQR No. 95DCP027
ULURP No. 940304 ZMM

Name, Description and Location of Proposal:
East Side Rezoning Proposal
Community Boards 5 and 6, Manhattan

Description of the Proposed Action - ULURP No. 940304 ZMM

This application affects the area generally located between 14th and 34th Streets, east of Park Avenue South. It proposes to shift future development to major north-south avenues and wide crosstown streets, and to establish zoning that is consistent with both the as-built Floor Area Ratios and bulk form on Lexington Avenue and at most midblock locations.

Changes in Designation that would increase Growth Potential

1. 34th Street at the midblock between 2nd and 3rd Avenues and from 1st Avenue to the 2nd Avenue midblock. These locations are currently zoned R8 (maximum residential FAR 6.02) and R9 (maximum residential FAR 7.52) and are proposed to be zoned C1-9 (FAR 10/12);

2. 23rd Street at the midblock between 2nd and 3rd Avenues and from 1st Avenue to the midblock at 2nd Avenue. These locations are currently zoned C6-1 (maximum FAR 6.5 w/ max. res. FAR 3.44) C2-5/R8 (max FAR 6.5 w/max. res. FAR 6.02) and C1-7 (max. FAR 6.5 w/ max. res. FAR 6.02) and
are proposed to be zoned to C2-8A and C1-9A (FAR 10/12). However, commercial FAR would be reduced from 6 to 2 for those areas currently zoned C6-1; and

3. the south west corner of First Avenue and 18th Street which is being upzoned from C1-7 (FAR 6.5) to C1-8 (FAR 10/12) in order to preserve the existing FAR of the Beth Israel campus (other portions of their site are being downzoned).

Changes in Designation that would decrease Growth Potential

1. Lexington Avenue between 26th and 33rd streets is zoned C1-8 and is proposed to be zoned C6-2A. This would reduce residential FAR from 7.52 to 6.02; but would

Joseph B. Rose, *Chairman* (212) 720-3200
22 Reade Street, New York, N.Y. 10007-1216
FAX (212) 720-3219

increase commercial FAR from 2 to 6. Overall FAR would be reduced from 10 to 6.5.

2. along Lexington Avenue at 26th Street. This area is zoned C6-3 (FAR 10 w/ max. res. FAR 7.52) and is proposed to be zoned C6-2A (FAR 6.5 w/ max. res. FAR 6.02);

3. the north side of 22nd Street from the Park Avenue South/Irving Place midblock to the Irving Place/3rd Avenue midblock. This area is zoned C5-2 (FAR 10/12 and is proposed to be zoned R9A which would eliminate commercial use and reduce total and residential FAR to 7.52;

4. the east side of 1st Avenue from 15th to 16th streets and from 18th Street to the 22nd/23rd Street midblock. These areas are zoned C1-7 (FAR 6.5 w/ max. res. FAR 6.02) and are proposed to be zoned C1-6A (FAR 4);

5. most midblock locations between 2nd and 3rd avenues north of 24th Street, between 2nd and 3rd south of 19th Street, and between 1st and 2nd avenues from the 17th/18th street midblock to the 19th/20th Street midblock. These areas are currently zoned R7-2 (FAR 6.5 w/ max. res. FAR 3.44) and are proposed to be zoned R7B (FAR 3), or are zoned R8 (FAR 6.5 w/ max. res. FAR 6.02) and are proposed to be zoned either R8B (FAR 4) or R7B (FAR 3).

Changes in Designation that would maintain existing Growth Potential

1. the Irving Place frontage from the 16th/17th Street midblock to 18th Street on the west side and from 15th to 18th Street on the east side. This area is currently zoned R8 and is proposed to be zoned R8A;

2. most of the Park Avenue South frontage from 17th to 32nd Street and along 23rd Street at Lexington Avenue which is currently zoned C5-2 and is proposed to be zoned C6-4A; and

3. the 3rd Avenue frontage from 15th Street to the 21st/22nd Street midblock is currently zoned C1-9 and is proposed to be zoned C1-9A.

Several changes in designation maintain residential FAR but reduce maximum, commercial and/or community facility FAR. Development in the areas being rezoned is expected to be predominantly

residential (with the exception of the Beth Israel campus) and therefore such decreases in maximum, commercial and/or community facility FARs are not expected to decrease growth potential. These changes are:

1. along 3rd Avenue from the 23rd/24th street midblock to 24th Street on the west side and from the 21st/22nd street midblock to 24th Street on the east side. These areas are zoned C6-4 (FAR 10/12) and are proposed to be zoned C2-8A which would reduce commercial use to 2 FAR;

2. along 3rd Avenue from 24th Street to the 24th/25th Street midblock. This area is zoned C6-4 (FAR 10/12) and is proposed to be zoned C2-8 which would reduce commercial use to 2 FAR;

3. along 23rd Street from the Lexington Avenue midblock to 3rd Avenue and down the west side of 3rd Avenue to the 21st/22nd street midblock. This area is zoned C5-2 (FAR 10/12) and is proposed to be zoned C2-8A which would reduce commercial use to 2 FAR;

4. the Park Avenue South/3rd Avenue midblock area between 20th and 22nd streets and 2nd Avenue from 17th Street to the 21st\22nd Street midblock. These areas are zoned R9 (FAR 10 w/ max. res. FAR 7.52) and are proposed to be zoned R9A (max. FAR 7.52);

5. the west side of 2nd Avenue from the 23rd/24th street midblock to the 33rd/34th street midblock. This area is zoned C1-8 and is proposed to be zoned C1-8A which would reduce maximum and community facility FAR from 10 to 7.52; and

6. the midblock area between Lexington and 3rd avenues south of 24th Street (to midblock) and between 25th and 26th streets. These areas are zoned C6-3 (FAR 10 w/ max. res. FAR 7.52) and are proposed to be zoned C6-3A (FAR 7.52 w/ max. res. FAR 6.0).

Several changes in designation will slightly increase residential FAR but reduce total, commercial and/or community facility FAR. These changes should have no impact on growth potential. They are:

1. the Park Avenue South/Lexington Avenue midblock from 25th to 32nd streets is currently zoned C6-1 and is proposed to be zoned C4-5A. This would increase residential FAR from 3.44 to 4 but would reduce total and community facility FAR from 6.5 to 4;

2. the north and south side of 24th Street between 2nd and 3rd avenues (midblock only) and of 22nd Street between 1st and 2nd Avenues (midblock only) are zoned C6-1 and are proposed to be zoned R8B. This would increase residential FAR from 3.44 to 4 but would reduce community facility FAR from 6.5 to 4 and eliminate commercial use (6 FAR); and

3. the midblock between 1st and 2nd avenues from the 19th/20th street midblock to the 21st/22nd street midblock, the midblock between 2nd and 3rd avenues from 19th Street to the 21st/22nd Street midblock, and between Irving Place and the 3rd Avenue frontage from 18th to 20th streets are currently zoned R7-2 and are proposed to be zoned R8B. This would reduce total and community facility FAR from 6.5 to 4 but would increase residential FAR from 3.44 to 4.

Several of these designation changes will increase residential density and maintain other densities. These designations have been proposed in order to ensure that any in-fill development is consistent with the predominant bulk form of existing buildings in the proposed district. While these designations will increase residential FAR they are not expected to result in any significant additional growth because most buildings in these areas are already built to the proposed density. These changes are:

1. the Irving Place to the Park Avenue midblock area for 1 1/2 blocks north of 15th Street and the midblock between Park Avenue South and Lexington Avenue for 1 1/2 blocks south of 25th Street. These areas are zoned C6-1 (max. res. FAR 3.44) and are proposed to be zoned C6-2A (max. res. FAR 6.02); and

2. the midblock area between 2nd and 3rd avenues from the 21st/22nd street midblock to the 22nd/23rd street midblock, and the Irving Place frontage from 15th Street to the 16th/17th Street midblock. These areas are zoned C6-1 (max. res. FAR 3.44) and are proposed to be zoned R8A (max. res. FAR 6.02);

3. the midblock area between 1st and 2nd avenues from the 14th/15th street midblock to the 17th/18th street midblock. This area is zoned R7-2 (max. res. FAR 3.44) and is

proposed to be zoned R8A (max. res. FAR 6.02).

The zoning proposed for all other locations would result in changes to the permitted bulk form and in some cases to permitted use, but would not change permitted FAR.

Proposed Use Changes

1. Use Groups 7-9 would no longer be permitted along the portions of 34th Street proposed to be rezoned;

2. Use Groups 7, 8 and 12 would be permitted along Park Avenue South and along 23rd Street in those areas which are currently zoned C5-2 and are proposed to be zoned C6-4A;

3. Use Groups 7 and 8 would be permitted and Use Groups 10 and 11 would no longer be permitted along the portion of 23rd Street between Lexington and 3rd Avenues which is currently zoned C5-2 and is proposed to be zoned C2-8A;

4. Use Groups 10-12 would no longer be permitted along the portions of 3rd Avenue between the 21st/22nd street midblock and 24th Street, and along 23rd Street between 3rd Avenue and the 2nd/3rd avenue midblock which is proposed to be zoned C2-8A;

5. Use Group 10-12 would no longer be permitted in the area along 3rd Avenue at 24th Street which is currently zoned C6-4 and is proposed to be zoned C2-8;

6. Use Groups 7-12 would no longer be permitted along 23rd Street between 2nd and 1st avenues in the area zoned C6-1 and proposed to be zoned C1-9A;

7. Use Groups 7-9 would no longer be permitted in the area at 23rd Street and 1st Avenue currently zoned C2-5/R8 and proposed to be zoned C1-9A;

8. Use Groups 5-6 and 9-11 would no longer be permitted in the area north of 22nd Street between Park Avenue South and 3rd Avenue zoned C5-2 and proposed to be zoned R9;

9. Use Groups 5-12 would no longer be permitted in the areas along the west side of Irving Place between 15th and 17th streets and on the north side of 22nd Street

between 2nd and 3rd avenues which is zoned C6-1 and is proposed to be zoned R8A;

10. Use Groups 5-12 would no longer be permitted in the areas north of 22nd Street between 1st and 2nd avenues and south of 24th Street between 2nd and 3rd avenues which are zoned C6-1 and are proposed to be zoned R8B;

11. Use Groups 7 and 11 would no longer be permitted in the Park Avenue South/Lexington midblock area from 25th to 32nd Street which is zoned C6-1 and is proposed to be zoned C4-5A; and

12. Use Groups 7-12 would be permitted along the area of Lexington Avenue between 15th and 33rd Streets which is zoned C1-8 and is proposed to be C6-2A.

Proposed "E" Designations for Noise

The proposed rezoning also includes "e" designations for noise on seven projected and potential development sites where the proposed zoning would increase growth potential. These "e" designation are proposed for the following blocks and lots:

Block 928, Lots 31 and 33
Block 914, Lots 45 and 53
Block 914, Lot 37
Block 915, Lot 19
Block 915, Lots 22 and 23
Block 939, Lots 28-33
Block 940, Lot 31

These "e" designations would require noise attenuation to mitigate the expected impacts from the existing exterior ambient noise levels and to insure that the interior noise levels are at or below 45 dB(A). Mitigation would require a closed window situation with a provision for alternate means of ventilation.

The text of the "e" designation for the proposed sites, listed above, would be as follows:

In order to ensure an acceptable interior noise environment, the sponsor must provide a closed window condition with a minimum of 35 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dB(A) for the worst-case hour (L_{10}). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes but is not limited to central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.

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. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

SUPPORTING STATEMENTS:

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

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

Jeremiah H. Candreva, Director
Environmental Assessment & Review Division
Department of City Planning

Date: 2/3/95

Joseph B. Rose, Chairman
City Planning Commission

Date: 2/6/95