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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 JHC

DATE: May 22, 1995

RE: DCP CEQR No. 95DCP053M
ULURP No. 950443ZMM

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. 95DCP053M, the East 14th Street Zoning Map Amendment. 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 which includes an expanded section on historic resources.

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CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

DCP CEQR No. 95DCP053M
ULURP No.950443ZMM

Name, Description and Location of Proposal:
East 14th Street Zoning Map Amendment
Community Boards 3 and 6, Manhattan

This project involves the proposed zoning map amendment by the Department of City Planning that would rezone the East 14th Street corridor between University Place and Avenue C, in Manhattan Community Districts 3 and 6, from C6-1 to C1-9A, C6-3X, and C6-2A; and from R7-2 to C1-6A, and C1-7A. The objectives of this proposal are to strengthen the retail character of the corridor, provide new opportunities for residential development, and ensure that the bulk form of all future buildings is consistent with the predominant built form.

The existing C6-1 district, which allows 6 FAR of commercial development, 6.5 FAR for community facilities, and 3.44 FAR for residential development, would be rezoned to a C1-9A designation along both sides of Third Avenue between East 13th Street and East 15th Street, C6-3X extending from the midblock between East 13th and East 14th streets to East 15th Street, and from the eastern edge of the Special Union Square District to 100 feet west of Third Avenue. A C6-2A district would be designated on the 13th Street midblock between Third and Fourth Avenues.

The proposed C1-9A zoning designation is an extension of the C1-9 district to the north along Third Avenue. C1-9A allows up to 10 FAR for residential or community facility use but includes only 2 FAR for commercial use, mandating ground floor retail. C1-9A also allows use of the inclusionary housing bonus to provide up to two additional FAR. C1-9A requires a 125 to 150 foot streetwall and allows a maximum building height of 210 feet .

The proposed C6-3X zoning designation would allow a maximum residential or community facility FAR of 9, and up to 6 FAR for commercial use. A 105 to 120 foot streetwall is required with a maximum building height of 160 feet. The C6-2A proposed for the East 13th Street midblock in this subarea provides a transition to the lower scale neighborhoods to the south. C6-2A permits a maximum residential or community facility FAR of 6.02 with up to 6 FAR of commercial use, mandates a 60 to 85-foot streetwall and allows a maximum building height of 120 feet. For most of the area which extends from 100 feet east of Third Avenue to 100 feet east of Avenue B, a C1-6A zoning designation is proposed. This designation would extend from the north side of East 13th Street to the midblock between 14th and 15th streets. The C1-6A zone allows a maximum of 3.44 FAR for residential or community facility use and 2 FAR for commercial use, requires a streetwall

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40 to 65 feet in height and allows a maximum building height of 80 feet.

For the First Avenue frontages between 13th and 15th streets a C1-7A designation is proposed. C1-7A is a contextualized extension of the current C1-7 to the north along First Avenue. The C1-7A zone allows a maximum residential or community facility FAR of 6.02 including up to 2 FAR for commercial use and mandates, on a wide street, a 60 to 85 foot streetwall, with a maximum height of 120 feet.

Differences Between Existing and Proposed Zoning Controls

The proposed zoning map amendment would result in changes in permitted bulk and use within portions of the area being rezoned. These changes are described below:

In the area proposed to be rezoned to C1-9A from C6-1, the allowable residential bulk would increase from 3.44 FAR to 10/12 FAR (C1-9A allows up to 10 FAR for residential or community facility use but includes only 2 FAR for commercial use, mandating ground floor retail; C1-9A also allows use of the inclusionary housing bonus to provide up to two additional FAR), the allowable community facility bulk would increase from 6.5 FAR to 10 FAR, and the allowable commercial bulk would decrease from 6 FAR to 2 FAR.

In the area proposed to be rezoned to C6-3X from C6-1, the allowable residential bulk would increase from 3.44 FAR to 9 FAR, the allowable community facility bulk would increase from 6.5 FAR to 9 FAR, and the allowable commercial bulk would remain at 6 FAR.

In the area proposed to be rezoned to C6-2A from C6-1, the allowable residential bulk would increase from 3.44 FAR to 6 FAR, the allowable community facility bulk would remain at 6.5 FAR, and the allowable commercial bulk would remain at 6 FAR.

In the area proposed to be rezoned to C1-6A from R7-2, the allowable residential bulk would increase from 3.44 FAR to 4 FAR, the allowable community facility bulk would decrease from 6.5 FAR to 4 FAR, and the allowable commercial bulk would remain the same on the 14th Street frontages and avenues. On the 13th Street midblocks, where commercial uses are not currently permitted, the maximum commercial FAR would be 2.

In the area proposed to be rezoned to C1-7A from R7-2, the allowable residential bulk would increase from 3.44 FAR to 6 FAR, the allowable community facility bulk would remain at 6.5 FAR, and the allowable commercial bulk would remain at 2 FAR.

Proposed "E" Designations for Noise

The proposed rezoning also includes "e" designations for noise on thirteen lots that are part of the five projected development sites in the Future Action Condition. These "e" designation are

proposed for the following blocks and lots:
Block 559, Lots 22, 27-32, and 35
Block 896, Lots 1-5
Block 921, Lot 36

The "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, future residential uses 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). 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: 5/18/95

Joseph B. Rose, Chairman
City Planning Commission

Date: 5/22/95