

# **ENVIRONMENTAL ASSESSMENT STATEMENT**

## **515 W. 18TH STREET GARAGE SPECIAL PERMIT**

**CEQR No. 19DCP013M**

**Lead Agency: NYC Department of City Planning**

**Applicant:  
18th Highline Associates, LLC**

**Prepared by:  
Philip Habib & Associates**

**January 21, 2019**

# **515 W. 18th Street Garage Special Permit**

## **Environmental Assessment Statement (EAS)**

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## City Environmental Quality Review

## ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency ([see instructions](#))

## Part I: GENERAL INFORMATION

PROJECT NAME **515 W. 18th Street Garage Special Permit**

## 1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)  
**19DCP013M**

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)  
**190213 ZSM**OTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)

## 2a. Lead Agency Information

NAME OF LEAD AGENCY

**NYC Department of City Planning**

## 2b. Applicant Information

NAME OF APPLICANT

**18th Highline Associates, LLC,  
c/o The Related Companies, LP**

NAME OF LEAD AGENCY CONTACT PERSON

**Robert Dobruskin, AICP**

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

**Philip A. Habib, Philip Habib & Associates, P.E., P.C.**ADDRESS **120 Broadway, 31st floor**ADDRESS **102 Madison Avenue, 11th floor**CITY **New York**STATE **NY**ZIP **10271**CITY **New York**STATE **NY**ZIP **10016**

TELEPHONE

**+1.212.720.3425**

EMAIL

**rdobrus@planning.nyc.gov**

TELEPHONE

**+1.212.929.5656**

EMAIL

**phabib@phaeng.com**

## 3. Action Classification and Type

## SEQRA Classification

☐ UNLISTED☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): **6 NYCRR 617.4(b)(9)**Action Type (refer to [Chapter 2](#), "Establishing the Analysis Framework" for guidance)☒ LOCALIZED ACTION, SITE SPECIFIC☐ LOCALIZED ACTION, SMALL AREA☐ GENERIC ACTION

## 4. Project Description

The application is for a special permit pursuant to Zoning Resolution Section 13-451 to allow a 180-space below-grade accessory parking garage in a planned new mixed residential-commercial development. Apart from the proposed parking, the development will be advanced on an as-of-right basis, including permitted accessory parking. There will be two building wings, a 10-story east building wing and a 21-story west building wing, connected at the ground floor and cellar containing a total of approximately 181 dwelling units and approximately 18,000 gsf of retail space. Under No-Action conditions there would be approximately 41 accessory parking spaces in the parking area. The building is expected to be completed in 2020.

## Project Location

BOROUGH **Manhattan**COMMUNITY DISTRICT(S) **4**STREET ADDRESS **515 W. 18th Street; alternate addresses: 131 10th Avenue; 501-525 W. 18th Street (odd numbers); 500-510 W. 19th Street (even numbers)**TAX BLOCK(S) AND LOT(S) **690: 20 and 29 (development site)**ZIP CODE **10011**DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS **Development site is an L-shaped double-corner lot with frontage on W. 19th Street, Tenth Avenue, and W. 18th Street**

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY

**C6-2 (Special West Chelsea District)**ZONING SECTIONAL MAP NUMBER **8b**

## 5. Required Actions or Approvals (check all that apply)

City Planning Commission: ☒ YES☐ NO☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)☐ CITY MAP AMENDMENT☐ ZONING CERTIFICATION☐ CONCESSION☐ ZONING MAP AMENDMENT☐ ZONING AUTHORIZATION☐ UDAAP☐ ZONING TEXT AMENDMENT☐ ACQUISITION—REAL PROPERTY☐ REVOCABLE CONSENT☐ SITE SELECTION—PUBLIC FACILITY☐ DISPOSITION—REAL PROPERTY☐ FRANCHISE☐ HOUSING PLAN & PROJECT☐ OTHER, explain:

☒ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION **13-451**

**Board of Standards and Appeals:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**Department of Environmental Protection:** ☐ YES ☒ NO If "yes," specify:

**Other City Approvals Subject to CEQR** (check all that apply)

☐ LEGISLATION

☐ RULEMAKING

☐ CONSTRUCTION OF PUBLIC FACILITIES

☐ 384(b)(4) APPROVAL

☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:

☐ POLICY OR PLAN, specify:

☐ FUNDING OF PROGRAMS, specify:

☐ PERMITS, specify:

**Other City Approvals Not Subject to CEQR** (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION  
AND COORDINATION (OCMC)

☐ LANDMARKS PRESERVATION COMMISSION APPROVAL

☐ OTHER, explain:

**State or Federal Actions/Approvals/Funding:** ☐ YES ☒ NO If "yes," specify:

**6. Site Description:** The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.

**Graphics:** The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.

☒ SITE LOCATION MAP

☒ ZONING MAP

☒ SANBORN OR OTHER LAND USE MAP

☒ TAX MAP

☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

**Physical Setting** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): **46,000 sf (development site lot area)**

Waterbody area (sq. ft.) and type: **0 sf**

Roads, buildings, and other paved surfaces (sq. ft.): **46,000 sf**

Other, describe (sq. ft.): **0 sf**

**7. Physical Dimensions and Scale of Project** (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): **29,350 gsf (surface area occupied by the proposed 180 parking spaces will be built under No-Action conditions; no net change in building area)**

NUMBER OF BUILDINGS: **part of 1 building**

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): **29,350 gsf in an approximately 420,501 gsf development**

HEIGHT OF EACH BUILDING (ft.): **Cellar level (approximately 15 feet deep) in a 250-foot tall (roof height) development**

NUMBER OF STORIES OF EACH BUILDING: **Garage access ground floor, parking spaces cellar level, in a 21-story development**

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO

If "yes," specify: The total square feet owned or controlled by the applicant:

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length)

VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

**8. Analysis Year** [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): **2020**

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: **18 months (same as under No-Action conditions)**

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

**9. Predominant Land Use in the Vicinity of the Project** (check all that apply)

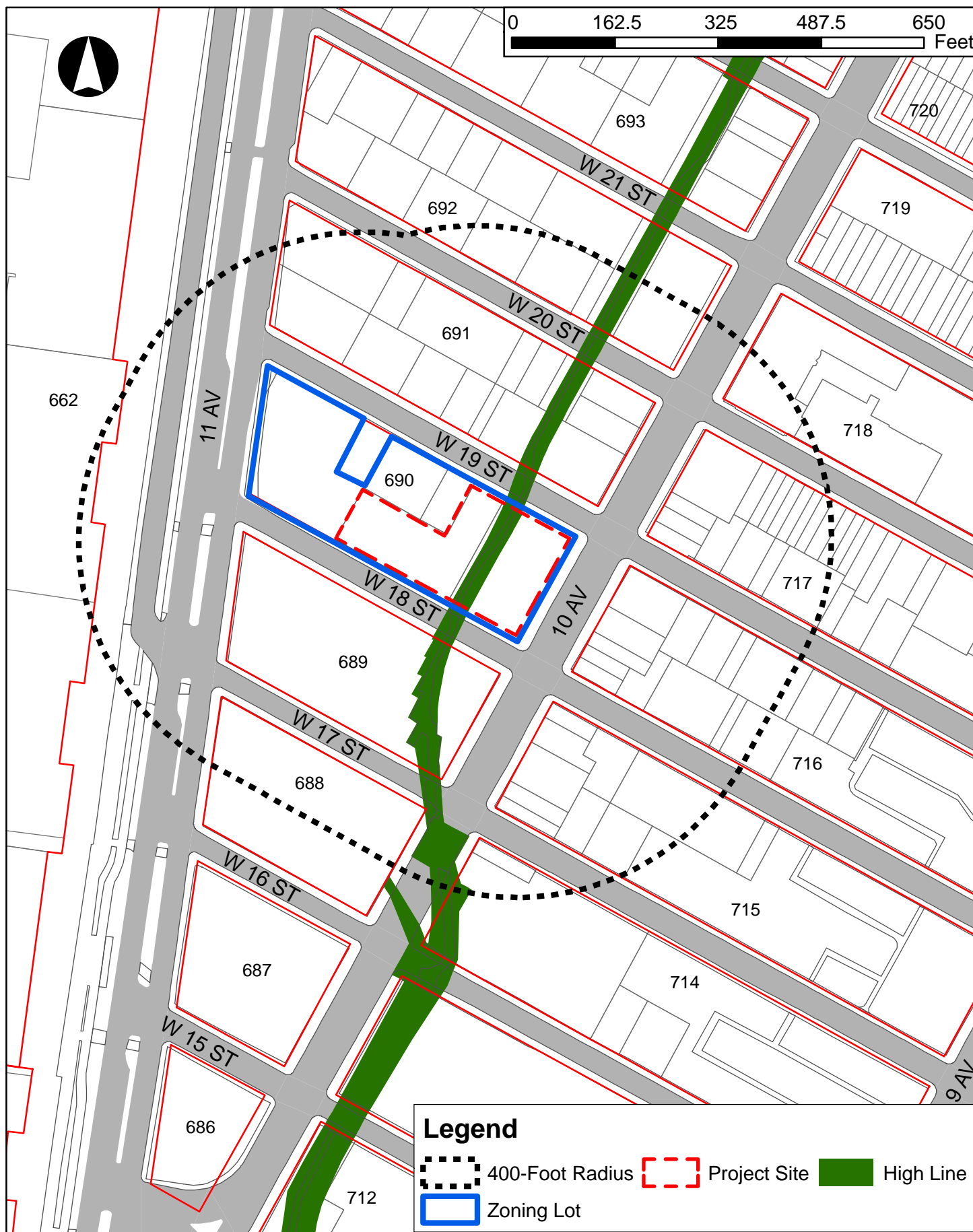
☒ RESIDENTIAL

☐ MANUFACTURING

☒ COMMERCIAL

☒ PARK/FOREST/OPEN SPACE

☒ OTHER, specify: **mixed uses**

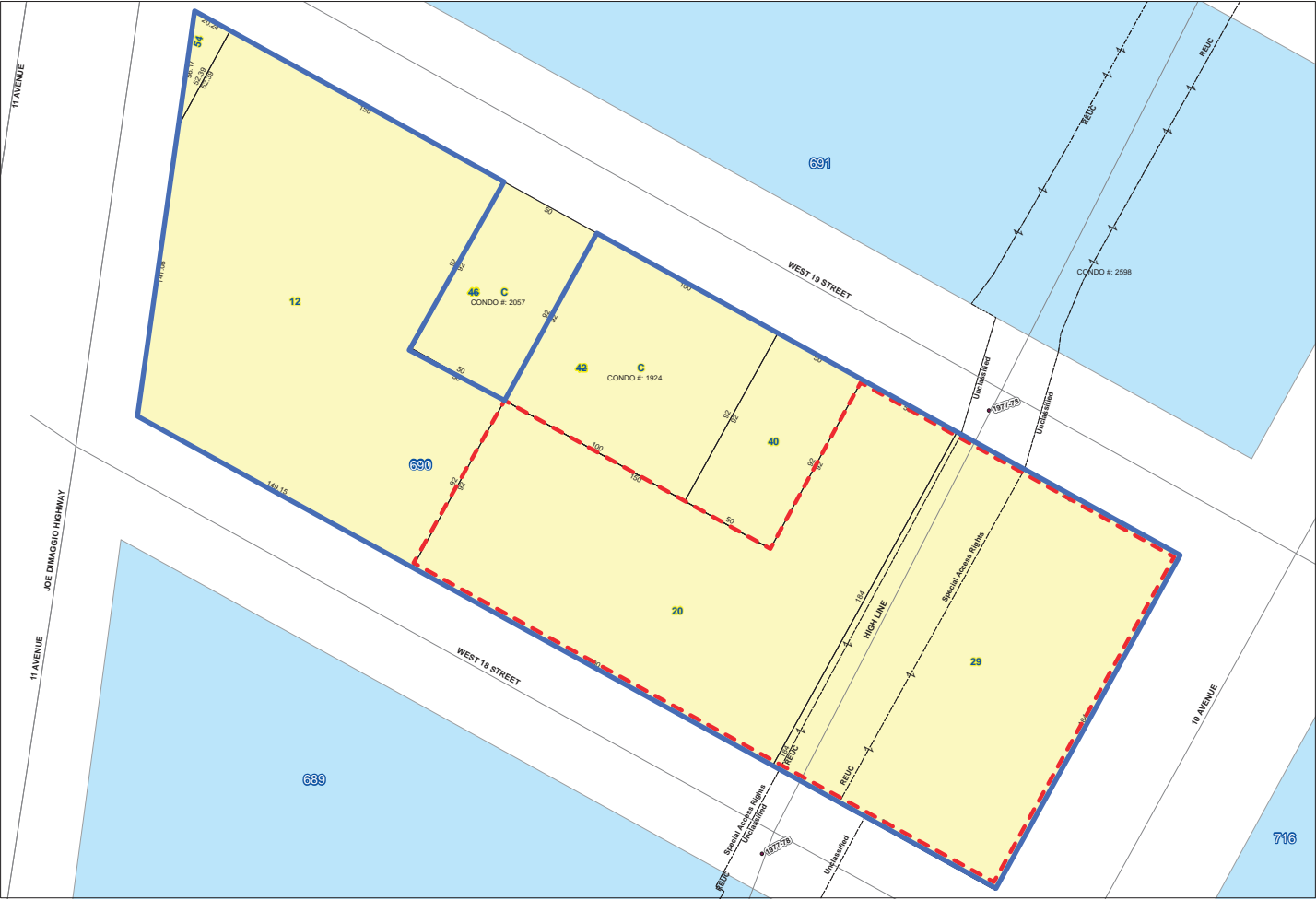




NYC Digital Tax Map  
Effective Date : 04-04-2016 09:52:45  
End Date : Current  
Manhattan Block: 690



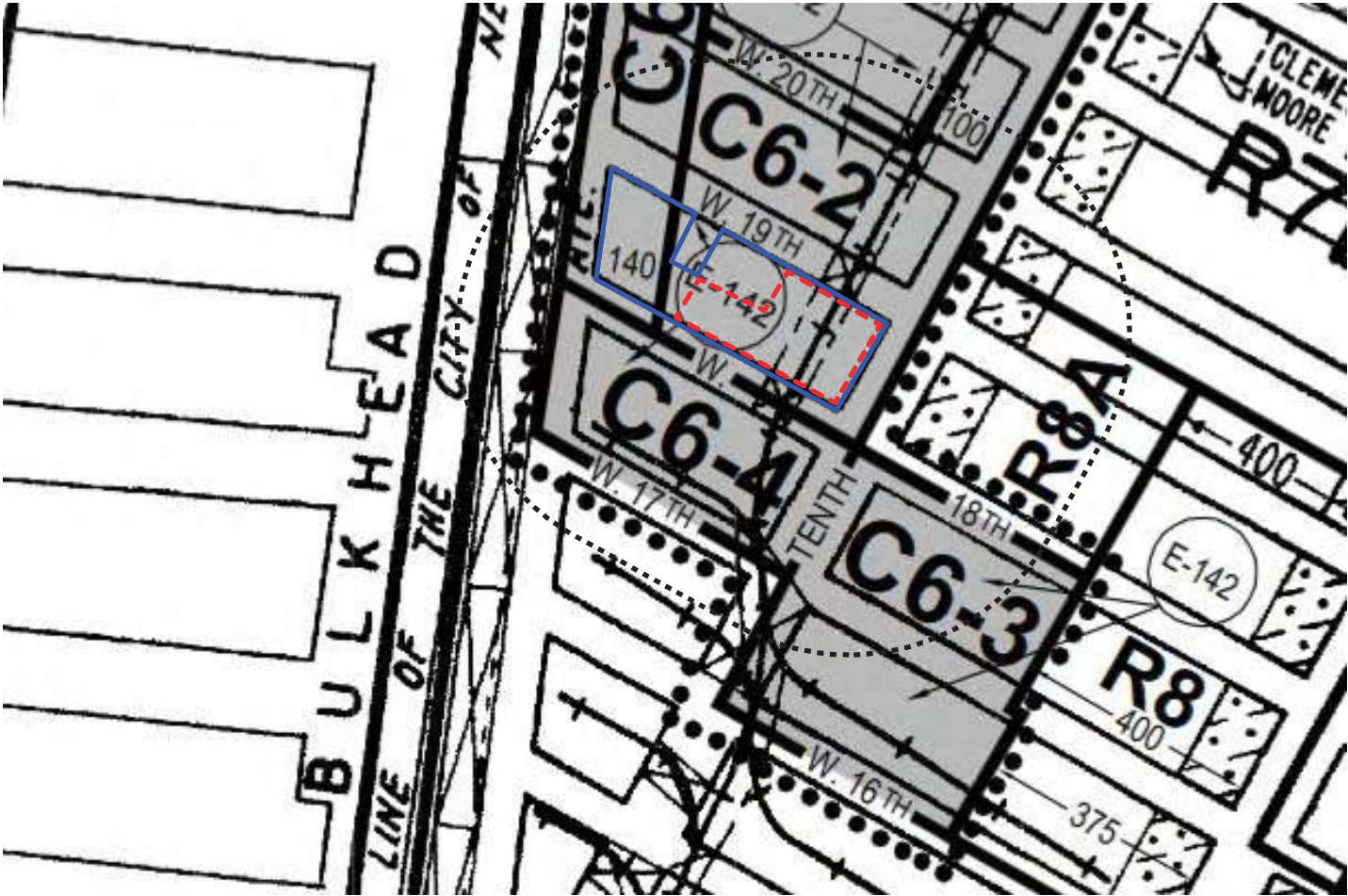
- Legend**
- Streets
  - Miscellaneous Text
  - Possession Hooks
  - Boundary Lines
  - Lot Face Possession Hooks
  - Regular
  - Underwater
  - Tax Lot Polygon
  - Tax Block Polygon
  - Boundary of Development site
  - Zoning Lot



04.75 5 10 22.5 30 Feet







Legend

- Boundary of Development site
- Zoning Lot

C1-1	C1-2	C1-3	C1-4	C1-5	C2-1	C2-2	C2-3	C2-4	C2-5







Existing Conditions



Looking towards development site from 10th Ave



Looking toward development site from W.19th St under the High Line



Looking north towards development site from the High Line



Photos taken on 12/03/18



Looking northwest towards development site from W. 18th St





Looking southeast towards development site and W. 19th St from the High Line



Photos taken on 12/03/18



Looking west towards development site from 10th Ave



Looking east towards development site from W. 19th St



Looking west towards development site from the High Line

## DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>LAND USE</b>				
<b>Residential</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures		Multi-family elevator	Multi-family elevator	No change
No. of dwelling units		181	181	No change
No. of low- to moderate-income units		0	0	No change
Gross floor area (sq. ft.)		382,580 gsf	382,580 gsf	No change
<b>Commercial</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)		Local retail	Local retail	No change
Gross floor area (sq. ft.)		18,000 gsf	18,000 gsf	No change
<b>Manufacturing/Industrial</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
<b>Community Facility</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
<b>Vacant Land</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	Under construction			
<b>Publicly Accessible Open Space</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	High Line public open space intersects site	High Line public open space intersects site	High Line public open space intersects site	
<b>Other Land Uses</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>PARKING</b>				
<b>Garages</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces		0	0	No change
No. of accessory spaces		41	180	+139
Operating hours		24/7	24/7	No change
Attended or non-attended		Attended	Attended	No change
<b>Lots</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
<b>Other</b> (includes street parking)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>POPULATION</b>				
<b>Residents</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify number:		299	299	No change
Briefly explain how the number of residents was calculated:	Estimated at 1.65 per unit; per 2010 Census data, persons per household for Community District 4			

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>Businesses</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. and type		1 or more retail establishments	1 or more retail establishments	No change
No. and type of workers by business		54 retail workers	54 retail workers	No change
No. and type of non-residents who are not workers		Retail patrons; number not available	Retail patrons; number not available	No change
Briefly explain how the number of businesses was calculated:	N/A; retail workers estimated 3 per 1,000 gsf			
<b>Other</b> (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
<b>ZONING</b>				
Zoning classification	C6-2 (WCh)	C6-2 (WCh)	C6-2 (WCh)	No change
Maximum amount of floor area that can be developed	348,000 zsf	348,000 zsf	348,000 zsf	No change
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Land Use: a mix of commercial, mixed residential-commercial, and residential uses predominate. The area also includes sites undergoing redevelopment. The High Line elevated open space also intersects the area. Zoning: Predominant zoning districts within a 400-foot radius of the development site include C6-2 (SWCD), C6-3 (SWCD), C6-4 (SWCD), R7B, R7B/C2-5, R8A, R8A/C2-5, and M1-5.	Land Use: similar to existing condition, but with completion of redevelopment projects including mixed use on full block to the south and Women's Building (community facility) at W. 20th St. & 11th Ave. Zoning: No change to zoning map designations are anticipated, but for analysis purposes it is assumed the SWCD Subareas D/E/G zoning text amendment would be adopted.	Same as No-Action condition.	No change
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

**Part II: TECHNICAL ANALYSIS**

**INSTRUCTIONS:** For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.


	YES	NO
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," complete the <a href="#">Consistency Assessment Form</a> . <b>See Attach. C &amp; Appendix B</b>		
<b>2. SOCIOECONOMIC CONDITIONS:</b> <a href="#">CEQR Technical Manual Chapter 5</a>		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units or 200,000 square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer both questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
<b>i. Direct Residential Displacement</b>		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Indirect Residential Displacement</b>		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input type="checkbox"/>
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Direct Business Displacement</b>		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	<input type="checkbox"/>	<input type="checkbox"/>



	YES	NO
<ul style="list-style-type: none"> <li>Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Indirect Business Displacement</b>		
<ul style="list-style-type: none"> <li>Would the project potentially introduce trends that make it difficult for businesses to remain in the area?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Effects on Industry</b>		
<ul style="list-style-type: none"> <li>Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. COMMUNITY FACILITIES: <a href="#">CEQR Technical Manual Chapter 6</a></b>		
<b>(a) Direct Effects</b>		
<ul style="list-style-type: none"> <li>Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b) Indirect Effects</b>		
<b>i. Child Care Centers</b>		
<ul style="list-style-type: none"> <li>Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in <a href="#">Chapter 6</a>)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Libraries</b>		
<ul style="list-style-type: none"> <li>Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in <a href="#">Chapter 6</a>)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the additional population impair the delivery of library services in the study area?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Public Schools</b>		
<ul style="list-style-type: none"> <li>Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in <a href="#">Chapter 6</a>)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Health Care Facilities</b>		
<ul style="list-style-type: none"> <li>Would the project result in the introduction of a sizeable new neighborhood?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the project affect the operation of health care facilities in the area?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Fire and Police Protection</b>		
<ul style="list-style-type: none"> <li>Would the project result in the introduction of a sizeable new neighborhood?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>If "yes," would the project affect the operation of fire or police protection in the area?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. OPEN SPACE: <a href="#">CEQR Technical Manual Chapter 7</a></b>		
<b>(a)</b> Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b)</b> Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(c)</b> If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(d)</b> Is the project located within a well-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(e)</b> If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(f)</b> If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(g)</b> If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
<ul style="list-style-type: none"> <li>If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
<ul style="list-style-type: none"> <li>o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. SHADOWS:</b> <a href="#">CEQR Technical Manual Chapter 8</a>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the <a href="#">GIS System for Archaeology and National Register</a> to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. <b>See Attach. B</b>		
<b>7. URBAN DESIGN AND VISUAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 10</a>		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, please provide the information requested in <a href="#">Chapter 10</a> .		
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the <a href="#">Jamaica Bay Watershed</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Jamaica Bay Watershed Form</a> and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in <a href="#">Appendix 1</a> (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: <b>See Attach. B</b>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? <b>See Attach. B</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>10. WATER AND SEWER INFRASTRUCTURE:</b> <a href="#">CEQR Technical Manual Chapter 13</a>		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) If the proposed project located in a <a href="#">separately sewer area</a> , would it result in the same or greater development than that listed in Table 13-1 in <a href="#">Chapter 13</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If the project is located within the <a href="#">Jamaica Bay Watershed</a> or in certain <a href="#">specific drainage areas</a> , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewer or currently unsewered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
<b>11. SOLID WASTE AND SANITATION SERVICES:</b> <a href="#">CEQR Technical Manual Chapter 14</a>		
(a) Using Table 14-1 in <a href="#">Chapter 14</a> , the project's projected operational solid waste generation is estimated to be (pounds per week): <b>n/a</b>		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): <b>n/a</b>		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ? <b>See Attach. B &amp; Appendix D</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of <a href="#">Chapter 16</a> for more information.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in <a href="#">Chapter 17</a> ? (Attach graph as needed)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. <b>See Attach. B</b>		
<b>15. GREENHOUSE GAS EMISSIONS:</b> <a href="#">CEQR Technical Manual Chapter 18</a>		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in <a href="#">Chapter 18</a> ?	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
<ul style="list-style-type: none"> <li>o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See <a href="#">Local Law 22 of 2008</a>; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. <b>See Attach. B</b>		
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in <a href="#">Chapter 20</a> , "Public Health." Attach a preliminary analysis, if necessary.		
<b>18. NEIGHBORHOOD CHARACTER:</b> <a href="#">CEQR Technical Manual Chapter 21</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in <a href="#">Chapter 21</a> , "Neighborhood Character." Attach a preliminary analysis, if necessary. <b>See Attach. B</b>		
<b>19. CONSTRUCTION:</b> <a href="#">CEQR Technical Manual Chapter 22</a>		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in <a href="#">Chapter 22</a> , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. <b>See Attach. B</b>		
<b>20. APPLICANT'S CERTIFICATION</b>		
<p>I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.</p> <p>Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.</p>		
APPLICANT/REPRESENTATIVE NAME Philip A. Habib, P.E., P.C.	SIGNATURE 	DATE 1/21/19

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.



**Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)**

**INSTRUCTIONS:** In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

**Potentially  
Significant  
Adverse Impact**

IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?

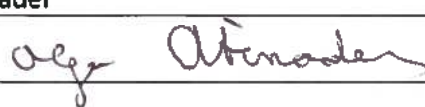
☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

- ☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).
- ☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.
- ☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see [template](#)) or using the embedded Negative Declaration on the next page.

**4. LEAD AGENCY'S CERTIFICATION**

TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE January 25, 2019
SIGNATURE 	

**NEGATIVE DECLARATION (Use of this form is optional)**

**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

**Reasons Supporting this Determination**


The above determination is based on information contained in this EAS, which that finds the proposed project and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

**1. Land Use, Zoning, and Public Policy:** A Land Use, Zoning and Public Policy analysis is included in this EAS. The Proposed Action involves a Special Permit pursuant to Zoning Resolution Section 13-451 to allow a 180-space below grade accessory parking garage within an otherwise as-of-right planned new mixed-use development. The analysis concludes that the Proposed Action would not present significant adverse impacts related to land use, zoning, or public policy. The Proposed Action would not directly displace any land uses so as to adversely affect surrounding land uses. The Proposed Action would not create land uses or structures that would be incompatible with the underlying zoning, nor would it cause a substantial number of existing structures to become nonconforming. The Proposed Action would not result in land uses that conflict with any applicable public policies.

**2. Transportation:** The Proposed Action would not exceed the thresholds identified in the *CEQR Technical Manual*. The Proposed Action would not generate 50 or more vehicle trips, 200 or more transit trips, and 200 or more pedestrian trips in the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours. Accordingly, the Proposed Action would be unlikely to result in any significant adverse transportation impacts.

**3. Hazardous Materials, Air Quality, and Noise:** The development site is subject to (E) designation E-142 dated June 23, 2005, established in connection with the Special West Chelsea District Rezoning (CEQR No. 03DCP069M). The (E) designation continues to remain in full force and effect, and with the (E) designation requirements in place, the conclusions of the prior CEQR review remain unchanged that no significant adverse impacts related to hazardous materials, air quality, or noise would result from the Proposed Action.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE January 25, 2019
SIGNATURE 	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE January 28, 2019
SIGNATURE	



**ATTACHMENT A:  
PROJECT DESCRIPTION**

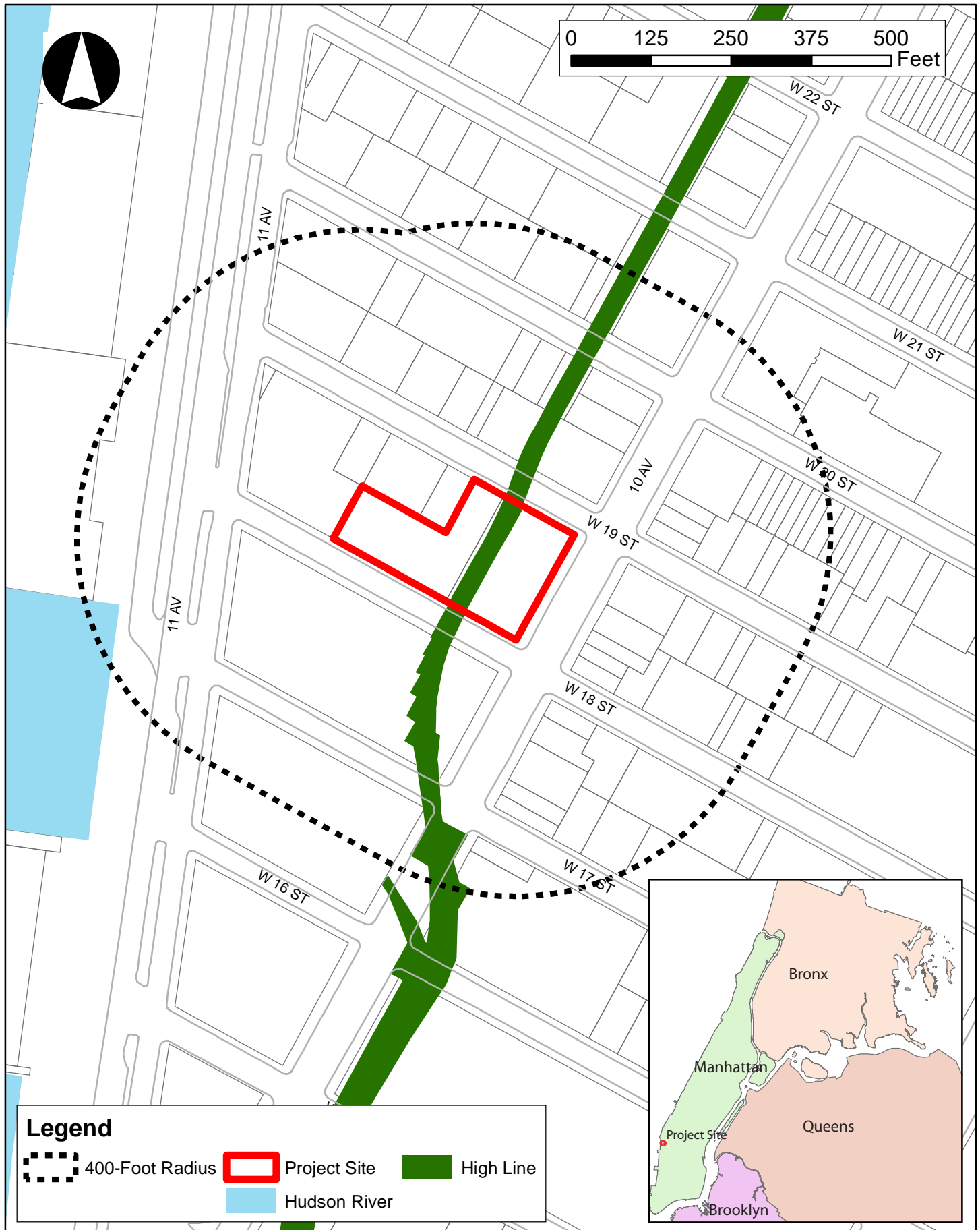
## **A. INTRODUCTION**

This Environmental Assessment Statement (EAS) has been prepared in support of a Land Use Review Application filed with the New York Department of City Planning (DCP). The applicant, 18th Highline Associates, LLC, is seeking a zoning special permit pursuant to Section 13-451 of the New York City Zoning Resolution (ZR § 13-451), “Additional Parking Spaces for Residential Growth,” (the “proposed action”). The proposed action would allow a 180-space accessory parking garage with attended-park operation to be provided in a new development currently under construction on an as-of-right basis on the development site at 515 W. 18th Street in the West Chelsea neighborhood in Manhattan Community District 4. Under No-Action conditions, the mixed-use building on the development site would include approximately 181 dwelling units (DUs), approximately 18,000 gsf of retail space, and approximately 41 accessory parking spaces (the maximum permitted on an as-of-right basis). Apart from the 139-space incremental increase in parking capacity, the proposed action would not result in any other changes to the development; there would be no change in overall building area, footprint, cellar volume, building envelope, curb cut location, residential units, retail area, or number of building employees. Space occupied by the incremental 139 spaces under With-Action conditions would be used for storage and other accessory functions under No-Action conditions. The building will be completed in 2020, including the proposed garage. The NYC Department of City Planning is serving as the lead agency for environmental review.

## **B. PROJECT AREA EXISTING CONDITIONS**

The development site at 515 W. 18th Street, which consists of Block 690, Lots 20 and 29, is an L-shaped, approximately 46,000-square-foot (sf) double-corner lot. It has approximately 184 feet of frontage on Tenth Avenue, approximately 325 feet of frontage on W. 18th Street, and approximately 175 feet of frontage on W. 19th Street. (Refer to Figure A-1, Development Site Dimensions and Figure 5, Development Site Aerial Photo.) The addresses associated with the site include 131-135 Tenth Avenue (odd numbers only), 501-525 W. 18th Street (odd numbers only), and 500-510 W. 19th Street (even numbers only).

The High Line public open space extends through the site in an approximately 30-foot wide right-of-way pursuant to an easement extending parallel to and approximately 90 feet west of Tenth Avenue, with its deck approximately 30 feet above grade. The garage would be accessed via a two-way curb cut on W. 18th Street.



On an as-of-right basis, the development site is currently undergoing construction of a new 420,501-gsf mixed-use development on the site. Lot 29 was until recently used for vehicle/equipment storage and formerly operated as a public parking lot with a licensed capacity of 250 spaces. Lot 20 was occupied by two 2-story, full-lot coverage buildings with a total of approximately 46,000 gsf until 2017, when they were demolished. Building tenants included a commercial art gallery and a storage garage for vehicles. The development site is enclosed by wood construction fencing.

The entire development site is zoned C6-2 and is located within the Special West Chelsea District, a special purpose zoning district abbreviated WCh.

Table A-1 summarizes information about the development site.

**Table A-1, Development Site**

<b>Block &amp; Lot</b>	<b>Lot Area</b>	<b>Frontage</b>	<b>Existing Condition</b>	<b>Zoning</b>
690; 20	23,000 sf	200' on W 18 St; 50' on W 19 St	Vacant; site under construction	C6-2 (WCh)
690; 29	23,000 sf	184' on 10 Ave; 125' on W 18 St; 125' on W 19 St	Vacant; site under construction	
690, 20, 29 (easement)	n/a	n/a	The High Line structure and easement extends through the development site	
<b>690; 20, 29 (total)</b>	<b>46,000 sf</b>	<b>184' on 10 Ave; 325' on W 18 St; 175' on W 19 St</b>	<b>Vacant at-grade, intersected by High Line</b>	

The development site is part of a zoning lot that also includes all other tax lots on Block 690 except for Lot 46 (aka Lot 7502). As such, the zoning lot also includes Lots 12, 40, 42 (aka 7501), and 54. Overall, the zoning lot has a total area of approximately 89,184 sf.

#### *Special West Chelsea District Rezoning*

The development site was rezoned as part of the Special West Chelsea District Rezoning adopted in 2005 (ULURP Nos. N 050161(A) ZRM and N 050162(A) ZMM). The rezoning changed the development site's zoning from an M1-5 district to a C6-2 district within the Special West Chelsea District, which was established at the same time as the zoning map amendment. For the environmental review of the rezoning, the development site was divided into two separate projected development sites. As such, development of the site pursuant to the rezoning was included in the reasonable worst case development scenario (RWCDs) analyzed in the *Special West Chelsea District and High Line Open Space FEIS* (CEQR No. 03DCP069M). Lot 29 was identified as "Projected Development Site 20." Lot 20 was identified as forming part of "Projected Development Site 19," which also included Lots 12 and 54 located on the western portion of the block. However, Lots 12 and 54 were developed as an office building, the IAC/InterActiveCorp. headquarters, which opened in 2007 and therefore not developed with residential use as projected for RWCDs purposes.

Subsequent to the issuance of the *FEIS*, a "Technical Memorandum" dated June 22, 2005, was issued to reflect changes to the Special West Chelsea District Rezoning application prior to its

final adoption. The Tech Memo supersedes the *FEIS* in terms of identifying the environmental requirements applicable to the development site. Per the Tech Memo, the development site is subject to (E) designation requirements for hazardous materials, air quality, and noise. Refer to Attachment B, “Supplemental Screening” for details about the (E) designation requirements.<sup>1</sup>

### *Zoning*

As noted, the development site is zoned C6-2 (WCh). The portion of the development site within 98.75 feet of Tenth Avenue is in Subarea G of the Special District, an area of 18,400 sf. The portion of the development site more than 98.75 feet from Tenth Avenue is in Subarea E of the Special District, an area of 27,600 sf. In both of these subareas, the maximum permitted floor area ratio (FAR), with bonus, is 6.0. In Subarea D, in which a portion of the zoning lot is located, the maximum FAR, with bonus, is 7.5. As applicable to the development site, the required building base in Subarea G must be 60 to 105 feet tall and the maximum permitted building height is 120 feet and in Subarea E, a set of controls apply with varying base and maximum heights apply, including allowing buildings to rise without setback to a maximum height of 250 feet along 60 percent of the W. 18th Street frontage within the subarea.

The “Manhattan Core” parking requirements outlined in Article I, Section 3 of the ZR are applicable to the development site and as such, any new development may provide accessory parking spaces equivalent to 20 percent of the number of new dwelling units and may provide one accessory parking space for every 4,000 sf of retail floor area.

## **C. PROPOSED ACTION**

The proposed action consists of one City Planning Commission (CPC) zoning special permit, which is a discretionary action subject to the Uniform Land Use Review Procedure (ULURP). This special permit is pursuant to ZR § 13-451, “Additional Parking Spaces for Residential Growth” to allow the new development on the development site to provide 180 accessory parking spaces with attended-park operations. The new development would be permitted approximately 41 accessory parking spaces as-of-right. Therefore, as a result of the proposed action there would be a 139-space incremental increase in parking on the development site.

Table A-2 summarizes the required approval that comprises the proposed action.

The new development would not require any other discretionary actions; it would comply with other zoning regulations including those related to use, density, and bulk.

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<sup>1</sup> The June 22, 2005 Technical Memorandum is provided in Appendix C.

**Table A-2, Summary of Required Approvals**

<b>TYPE OF ACTION</b>	<b>BRIEF DESCRIPTION</b>
Zoning Special Permit Pursuant to ZR § 13-451	To allow the proposed development to provide 180 accessory parking spaces, exceeding the maximum allowed as-of-right, which is approximately 41 spaces. The additional parking would address growth in residential demand from the development under construction on the development site and other new residential developments in the surrounding area, which would ease demand on the area's system of off-street parking facilities which have not met the 20% ratio of increased spaces relative to new residential development units permitted under the Manhattan Core regulations.

#### **D. PROPOSED PROJECT/REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDs)**

A RWCDs for the development site has been identified in order to assess the environmental effects that could occur as a result of the proposed action. This includes the amount, type, and location of development that is expected to occur in both No-Action and With-Action conditions. The net incremental difference between the With-Action and No-Action serves as the basis for the environmental impact analyses.

##### **No-Action Conditions**

Under the RWCDs No-Action scenario, the 420,501-gsf building under construction on the development site would be completed on an as-of-right basis pursuant to the C6-2 (WCh) zoning.

The development will include approximately 181 DUs, with 382,580 gsf (328,277 zsf) of residential space, excluding accessory parking area, and approximately 18,000 gsf (14,744 zsf) of retail space. It would provide 41 accessory parking spaces, the maximum permitted as-of-right, in approximately 19,921 gsf of area, including approximately 1,350 gsf of ground floor access area and approximately 18,571 gsf of cellar level access and parking area. The development will be 250 feet tall (roof height), with permitted mechanical elements on the roof. The development will include cellar space excavated to a depth of approximately 15 feet below grade. The cellar space will include back-of-house space and accessory residential amenity areas, storage, and parking.

The development is expected to be completed and occupied in 2020.

Figure A-2 shows the RWCDs No-Action cellar level garage plan, which is allowed as-of-right and has been filed with DOB. Refer to Table A-3, which summarizes the RWCDs for No-Action, With-Action, and Net Increment condition.





Table A-3, RWCDs

	No-Action Conditions	With-Action Conditions	Net Increment
<b>Residential Units</b>	181	181	0
<b>Retail Space</b>	18,000 gsf	18,000 gsf	0
<b>Parking Spaces</b>	41 spaces	180 spaces	+139 spaces
<b>Parking Area</b>	19,921 gsf surface area 0 gsf raised tray area <u>19,921 gsf total area</u>	29,350 gsf surface area 6,732 gsf raised tray area <u>36,082 gsf total area</u>	+9,429 gsf surface area +6,732 gsf raised tray area <u>+16,161 total area</u>
<b>Curb Cut</b>	1; on W. 18 St	1 on W. 18 St.	No change; same location
<b>Building Height</b>	250 feet	250 feet	0
<b>Cellar Depth</b>	15 feet (1 level)	15 feet (1 level)	0

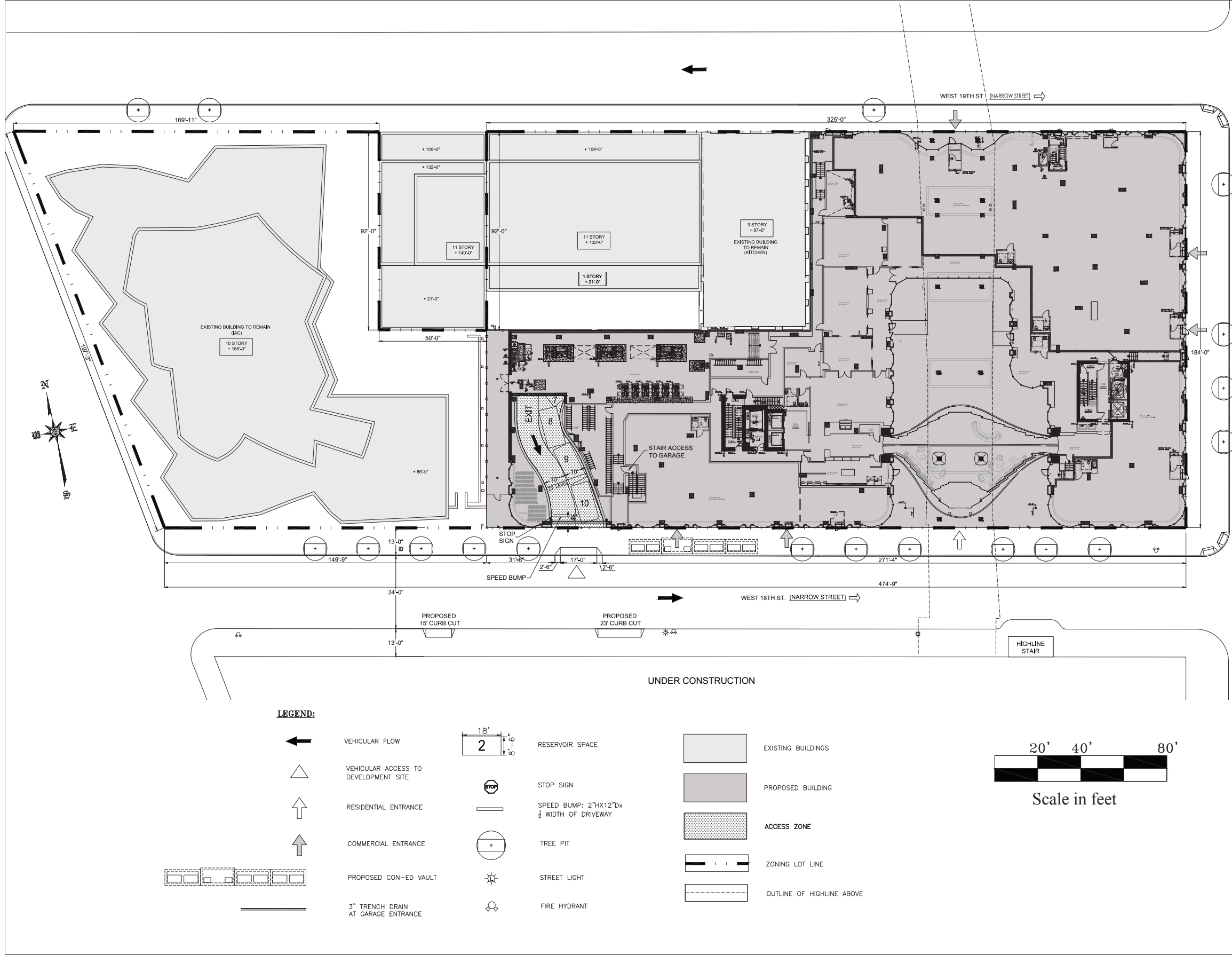
### Garage Operations

Under both No-Action and With-Action conditions, motorists using the garage will enter and exit the garage via a 22-foot wide (including splays) curb-cut on W. 18th Street. A two-way vehicular ramp will connect the street access to the cellar level. The inbound ramp lane will provide the required 10 reservoir parking spaces. Upon arriving at the end of the 10-reservoir-space ramp and access way, vehicles will reach a stop line where they will be met by a parking attendant who will take the vehicle to be parked as the garage will be an entirely attended-park facility. Under RWCDs No-Action conditions the garage will operate with 41 conventional attended-park spaces, while under RWCDs With-Action condition it will operate with 180 spaces in a mix of conventional and double-height vehicle stackers.<sup>2</sup> Motorists will travel between the cellar and the ground floor via elevator and at the ground floor a passage will connect the elevator landing with the residential lobby with access to upper floor elevators for building residents and W. 18th Street for garage patrons who do not live in the building. The building will also provide stairs from the garage to the ground floor as a second means of egress. Refer to Figure A-3, Ground Floor Parking Plan, which would be the same configuration for both RWCDs No-Action and RWCDs With-Action conditions.

### **With-Action Conditions**

With the proposed action, the development would have 180 accessory parking spaces in a mix of conventional and double-height stacker spaces with access at the ground floor and parking area in the cellar level. The garage would include 29,350 gsf of surface area, including approximately 1,350 gsf of ground floor access area and approximately 28,000 gsf of cellar level access and parking area. In addition, it would provide 6,732 gsf of parking area on the raised trays in 44 stackers. Overall, including both surface area and raised trays of stackers, the With-Action garage would provide 36,082 gsf of garage area. The 180 spaces would include 44 spaces on the raised trays of 44 double-height stackers and 136 surface spaces, of which 44 spaces would be beneath the raised stacker trays. Refer to Figure A-4, With-Action Cellar Level, which is consistent with the special permit application plans. The garage would have the same operational characteristics as described under No-Action conditions. The other elements of the building program would not change, except that the additional surface area

<sup>2</sup> Double-height vehicle stackers can park one vehicle on the raised platform tray and one vehicle at floor level beneath the raised platform tray.



515 WEST 18TH STREET  
ACCESSORY PARKING GARAGE

NEW YORK, NEW YORK

APPLICANT:  
18th Highline Associates, LLC

TRANSPORTATION ENGINEER:  
Philip Habib & Associates  
102 Madison Avenue 11th Fl  
New York, NY 10016  
Tel: 212-929-5656

NOTES:

Pedestrian Circulation

Cashier's booths and car pick-up and patron waiting areas shall be located so as to provide patron security and safety enroute to and at these locations.

Pedestrian routes to and from garage access points shall be provided and be clearly posted. These routes shall have warning devices placed at all potential pedestrian/vehicular conflict points.

Stop signs and visual and audible warning devices shall be placed at all vehicular egress points (at sidewalks).

Accessibility for the Disabled:  
Garages shall conform to Local Law 58 of 1987 and to the Americans With Disabilities Act of 1991.

1	1/10/2019	DCP Comments
NO.	DATE	REVISION

515 West 18th Street Parking Garage

GROUND LEVEL/  
SITE PLAN

DATE	PROJECT NO.
10/11/2018	1553

DRAWN BY: S.W.  
CHECKED BY: P.H.

1 OF 2



NEW YORK, NEW YORK

APPLICANT:  
18th Highline Associates, LLC

**TRANSPORTATION ENGINEER:**  
Philip Habib & Associates  
102 Madison Avenue 11th Fl  
New York, NY 10016  
Tel: 212-929-5656

**NOTES:**

### Pedestrian Circulation

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Accessibility for the Disabled:  
Garages shall conform to Local Law 58 of 1987  
and to the Americans With Disabilities Act of 1991.

**LEGEND:**



VEHICULAR FLOW



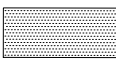
RESERVOIR SPACE



## DOUBLE HEIGHT VEHICLE STACKER

11/11/2019

CORES, MECHANICAL, ELECTRICAL  
OTHER SPACE NOT SUBJECT TO  
REQUESTED SPECIAL PERMIT PURSUANT  
TO ZR SECTION 13-45 & 13-451



ACCESS ZONE



PEDESTRIAN AREA

No.	DATE	REVISION

515 West 18th Street Parking Garage

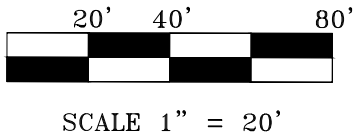
## CELLAR LEVEL PARKING PLAN

DATE 10/11/2018

PROJECT NO. 1553

DRAWN BY: S.W.  
CHECKED BY: P.H.

2 OF 2



occupied by the expanded parking garage under RWCDs With-Action conditions would not be used for storage and other accessory functions, as would be the case under RWCDs No-Action conditions.

Table A-3 summarizes the RWCDs With-Action condition.

### **Net Increment**

The program for the planned development will be the same under both RWCDs No-Action and RWCDs With-Action conditions, as the scope of the proposed action would only affect the number of parking spaces provided in the development and the amount of garage space. As such, the proposed action would result in an approximately 139-space increase in parking. The number of DUs, amount of retail space, curb cut location, and building volume would not change. The only physical change to the development would occur in the use of some of the below-grade space. The proposed action would result in a shift in 9,429 gsf of surface area from storage and other accessory functions to accessory parking and the addition of 6,732 gsf of double-height stacker raised tray area, which would not be present under No-Actions conditions, resulting in a total increase of 16,161 gsf of garage area. It should be noted that the cellar depth will be the same under both RWCDs No-Action and RWCDs With-Action conditions. As discussed in the “Hazardous Materials” section of Attachment B, the development site is required to comply with the hazardous materials requirements of an (E) designation and is being enrolled in the state’s Brownfield Cleanup Program (BCP). As such, any development of the site will require that excavation of soil and its off-site disposal will be conducted pursuant as part of a remedy approved by NY State Department of Environmental Conservation (NYSDEC) and the NYC Office of Environmental Remediation (OER). There would be no incremental change in the volume of excavation and the handling of excavated soil and other below-grade materials.

Table A-3 includes a summary of program and building information for the RWCDs Net Increment.

### **E. PURPOSE AND NEED**

Without the proposed action, the site would provide only the maximum number of spaces permitted as-of-right for the development, i.e., 41 spaces, which the applicant believes would not fully address the new building’s anticipated site-generated parking demand. The parking Special Permit would enable the building to provide additional parking spaces and it is the applicant’s opinion that this would make productive use of its cellar space. The applicant also believes that the additional parking would serve demand from other residents in the surrounding area which has experienced substantial new residential development while the supply of residential parking in recent years has not kept pace with the level permitted as-of-right. Several of the new developments have replaced public parking facilities and some new residential developments in the vicinity have not provided permitted parking.



**ATTACHMENT B:  
SUPPLEMENTAL SCREENING**



## **A. INTRODUCTION**

This Environmental Assessment Statement (“EAS”) has been prepared in accordance with the guidelines and methodologies presented in the 2014 *City Environmental Quality Review (“CEQR”) Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, require that a detailed technical analysis be undertaken. Using these guidelines, preliminary screening assessments were conducted for the proposed action to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Form identifies those technical areas that warrant additional assessment. For those technical areas that warranted a “Yes” answer in Part II of the EAS Form, including Land Use, Zoning, and Public Policy; Historic and Cultural Resources; Hazardous Materials; Transportation; Air Quality; Noise; Neighborhood Character; and Construction, supplemental screening assessments are provided in this attachment. The supplemental screening assessments contained herein identified that a preliminary assessment is required in the area of Land Use, Zoning, and Public Policy. That assessment is provided in Attachment C. Per the screening assessments provided in this attachment, more detailed analyses of the following technical areas are not required: Historic and Cultural Resources; Hazardous Materials; Transportation; Air Quality; Noise; Neighborhood Character; and Construction.

The remaining technical areas detailed in the *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial *CEQR* thresholds and/or are unlikely to result in significant adverse impacts. These areas screened out from any further assessment include: Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Urban Design and Visual Resources; Natural Resources; Water and Sewer Infrastructure; Solid Waste and Sanitation Services; Energy; Greenhouse Gas Emissions; and Public Health.

Table B-1 presents a summary of analysis screening information for the proposed action.

As described in Attachment A, “Project Description”, the applicant is seeking a zoning special permit to allow a 180-space accessory parking garage in the new development that is being constructed on the development site on an otherwise as-of-right basis. Apart from an increase in the amount of parking that is permitted as-of-right (41 spaces), there would be no change in the building program as a result of the proposed action. The proposed garage would use an attendant park system with a mix of conventional attended-park and double-height stacker spaces. Refer to Attachment A for details. It is anticipated that the building, including the proposed garage, would be completed and occupied in 2020.

Table B-1. Summary of CEQR Technical Areas Screening

<b>CEQR TECHNICAL AREA</b>	<b>SCREENED OUT PER EAS FORM</b>	<b>SCREENED OUT PER SUPPLEMENTAL SCREENING</b>	<b>FURTHER ASSESSMENT REQUIRED</b>
Land Use, Zoning, & Public Policy			X <sup>1</sup>
Socioeconomic Conditions	X		
Community Facilities and Services	X		
Open Space	X		
Shadows	X		
Historic & Cultural Resources		X	
Urban Design & Visual Resources	X		
Natural Resources	X		
Hazardous Materials		X	
Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation - Traffic & Parking - Transit - Pedestrians	 X X	 X	
Air Quality - Mobile Sources - Stationary Sources		 X X	
Greenhouse Gas Emissions	X		
Noise		X	
Public Health	X		
Neighborhood Character		X	
Construction		X	

<sup>1</sup> A preliminary assessment of Land Use, Zoning, and Public Policy, including a consistency assessment for the Waterfront Revitalization Program (WRP), is provided in Attachment C, "Land Use, Zoning, and Public Policy."

For the purposes of SEQRA/CEQR, the proposed action is classified as a Type I action.

## **B. SUPPLEMENTAL SCREENING AND SUMMARY OF DETAILED ANALYSES**

### **Land Use, Zoning, & Public Policy**

Following *CEQR Technical Manual* guidance, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, including any future changes in zoning that could cause changes in land use, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. In addition, the preliminary assessment should include a basic description of the project facilitated by the proposed actions in order to determine whether a more detailed assessment of land use would be appropriate. This information is essential for conducting the other environmental analyses and provides a baseline for determining whether detailed analysis is appropriate. *CEQR* requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas. As such the *CEQR Technical Manual* does not require a detailed land use and zoning assessment for a project such as the proposed action which has only a limited effect

on land use on a single site and does not require detailed analysis of any other technical areas. The preliminary assessment of land use, zoning, and public policy is provided in Attachment C, “Land Use, Zoning, and Public Policy,” for informational purposes and to demonstrate that more detailed analysis is not warranted.

In addition, as the development site is located within the City’s designated coastal zone, a Waterfront Revitalization Program (WRP) coastal zone consistency assessment is also provided for the proposed action in Attachment C. As discussed in Attachment C, the proposed action would not result in any significant adverse impacts on land use, zoning, and public policy.

## **Historic and Cultural Resources**

Historic resources are defined as districts, buildings, structures, sites and objects of historical, aesthetic, cultural, and archaeological importance. This includes properties that have been designated or are under consideration as New York City Landmarks or Scenic Landmarks or are eligible for such designation; properties within New York City Historic Districts; properties listed on the State and/or National Register of Historic Places (S/NR); and National Historic Landmarks. According to the *CEQR Technical Manual* guidelines, a study area defined by a radius of 400 feet from the boundaries of the project site is typically adequate to assess potential impacts on historic/architectural resources. Archaeological resources are assessed only for areas proposed for development, if they would entail in-ground disturbance.

### Architectural Resources

An assessment of architectural resources is usually required for projects that are located adjacent to historic or landmarked structures, or are located within a locally or nationally recognized historic district. The development site is not a historic or landmark structure and is not located within a locally or nationally recognized historic district. However, the development site is intersected by the High Line, which, according to NYC Landmarks Preservation Commission (LPC) is eligible for S/NR listing. The High Line is subject to a “box easement” that includes the structure and a volume that extends beneath the structure and extends above to a point above bed of the structure.

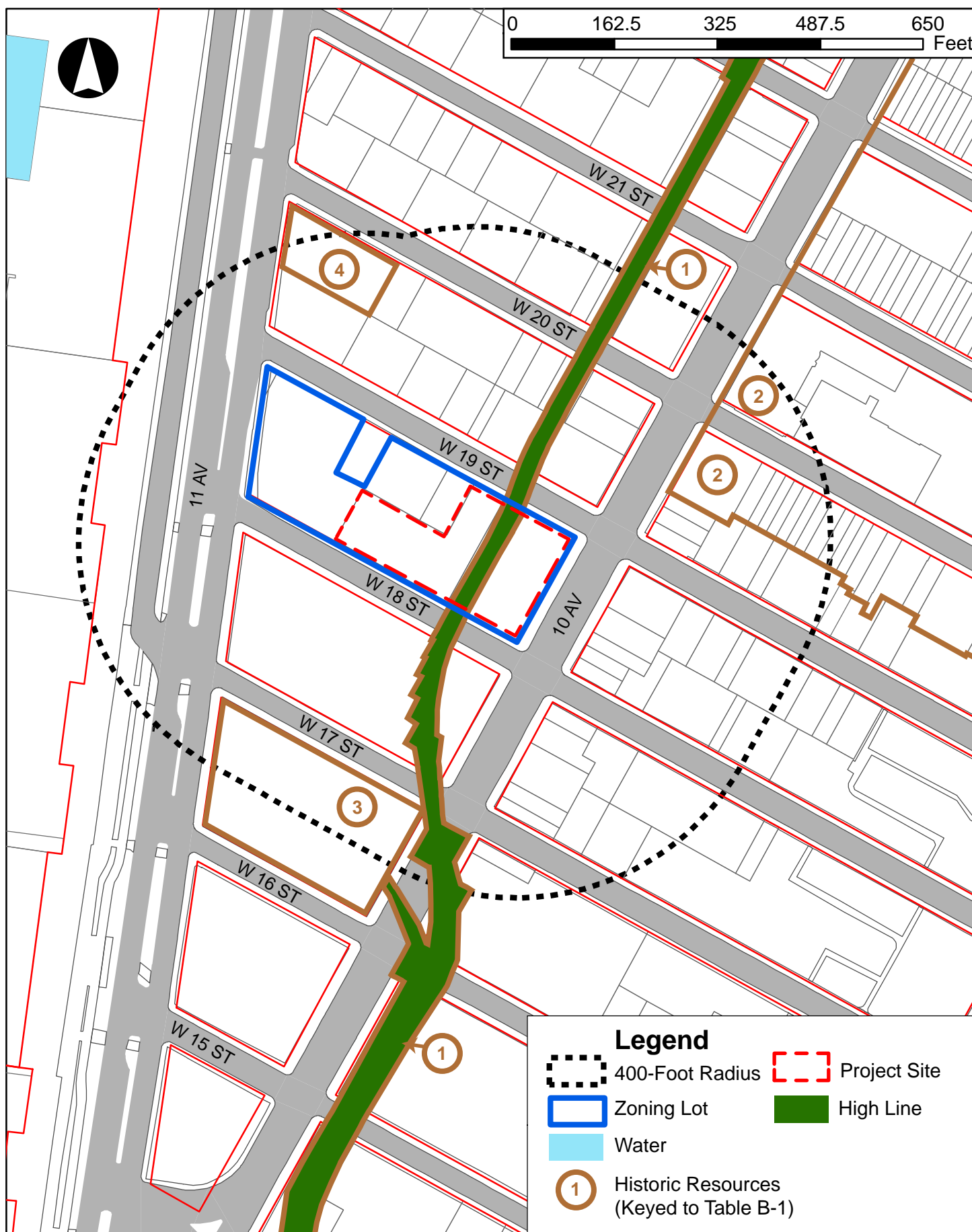
In addition, there are other historic resources located within the 400-foot radius historic resources study area. These include a portion of the Chelsea Historic District, which is both S/NR-listed and LPC-designated, the S/NR-listed Merchants Refrigerating Company Warehouse, and two properties that are considered eligible for S/NR-listing.

Table B-1 identifies these historic resources located within the historic resources study area. The properties identified in Table B-1 are shown in Figure B-1.

### *High Line*

Completed in 1934 as an elevated freight rail line, and used for that purpose until 1980, the currently extant structure extends from W. 34th Street between Eleventh Avenue and Twelfth Avenue to Gansevoort Street and Washington Street. In the vicinity of the development site it is approximately 30 feet wide and extends midblock, parallel and approximately 90 feet west of

## Study Area Historic Resources



Tenth Avenue. It extends directly through the development site. After remaining vacant for over two decades, it was extensively altered and converted into a public open space, with Section 1, from Gansevoort Street to W. 20th Street, opening in 2009, Section 2, from W. 20th Street to W. 30th Street, opening in 2011, and Section 3, also known as the High Line at the Rail Yards, from W. 30th Street to W. 34th Street, opening in 2014.

**Table B-1, Historic Resources**

No.	Name	Address	Status	Location
1	High Line	Extends from W. 34 St. to Gansevoort St.	S/NR-eligible	Extends through Development Site; subject to easement
2	Chelsea Historic District	Multiple properties on all or part of 8 blocks	S/NR-listed, NYC DL	170' from Development Site
3	(former) Merchants Refrigerating Co. Warehouse	501 W. 16 St. (full block site)	S/NR-listed	304' from Development Site
4	Seamen's House YMCA (later Bayview Correctional Facility)	550 W. 20 St.	S/NR-eligible	270' from Development Site

LPC determined in 2014 that the High Line is S/NR-eligible (refer to LPC's Environmental Review letter provided in Appendix A).

#### *Chelsea Historic District*

The Chelsea Historic District encompasses all or part of the eight blocks bounded by W. 23rd Street on the north, Eighth Avenue on the east, W. 19th Street on the south, and Tenth Avenue on the west. Per the historic district designation reports, this area primarily consists of buildings planned and developed by Clement Clarke Moore on his riverside estate Chelsea. These original buildings were mostly constructed during the 1830s to 1850s pursuant to restrictive covenants, which resulted in a sense of quality and homogeneity with a harmonious uniformity of building dimensions, materials, quality of construction, and relations of buildings to each other and to the streetscape.

The closest historic district property to the development site, 460 W. 20th Street, is occupied by a mixed residential-commercial completed about 1999, which replaced a non-historic filling station property.

The historic district was originally designated by LPC in 1970 and LPC expanded it to its current boundaries in 1981. In each case, the National Register listing following LPC actions (1977 for original listing and 1982 for the expanded boundary).

#### *(former) Merchants Refrigerating Co. Warehouse*

The Merchants Refrigerating Company Warehouse, which was S/NR-listed in 1985, is located on the block bounded by W. 17th Street, Tenth Avenue, W. 16th Street, and Eleventh Avenue (Block 688, Lot 7501). The building's addresses include 501 W. 16th Street, 99 Tenth Avenue, and 520 W. 17th Street, and it is located one block south of the project site. There is a spur of the High

Line connected to the building that branches off the main line near where it crosses Tenth Avenue in front of the resource. It was constructed in 1916-1918 as a cold storage warehouse, representing the then state of the art in this type of facility. John B. Snook & Sons architectural firm designed the building, which is 11 stories tall and constructed of reinforced concrete with an exterior of buff-colored brick, terra cotta, granite, and cast stone designed in a simplified Renaissance revival style. It covers the entire block and therefore follows its trapezoidal shape. The facades are divided vertically into three sections by cornices or banding, separating floors 1 to 3, 4 to 10, and 11. It is now occupied by offices and mini-storage space

### Archaeological Resources

The proposed action would not have the potential to result in any effects on archaeological resources. The approval of the proposed garage special permit would not result in any incremental change in excavation and in-ground disturbance as compared to conditions under No-Action conditions. (As noted in Attachment A, the applicant is currently constructing the planned building on the site, having completed excavation and construction of foundations earlier in 2018.) Furthermore, LPC, in its review of this site as part of a broader review of all projected and potential development sites for the *Special West Chelsea District Rezoning and High Line Open Space FEIS*, determined that the area is not archaeologically sensitive for prehistoric and historic archaeological resources.

### ***Effects of the Proposed Action***

According to the *CEQR Technical Manual*, generally, if a proposed action would affect those characteristics that make a resource eligible for New York City Landmark designation or S/NR listing, this could be a significant adverse impact. The historic resources in the study area are significant both for their architectural quality as well as for their value as part of the City's historic development. The proposed action was assessed in accordance with guidance in the *CEQR Technical Manual* (Chapter 3F, Part 420), to determine (a) whether there would be a physical change to any designated property or its setting as a result of the proposed action, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence).

### ***Assessment of Direct Effects, Construction Effects, and Indirect Effects***

The proposed action would have no direct effects as the development site is not an architectural historic resource and is not located in a designated or listed historic district and has not been identified as part of an eligible historic district.

As for the High Line, which intersects the development site subject to an easement, all development on lots intersected by the High Line must be reviewed and approved by the NYC Department of Parks and Recreation (NYC Parks) to ensure that the design as submitted will not compromise the structural integrity of the High Line, impede on the maintenance or operation of the High Line, and will comply with all pertinent Department of Buildings (DOB) requirements. As part of this process, NYC Parks sent a memorandum dated December 17, 2017 to DOB, stating it has no objections to the issuance of a building permit for foundation and support of excavation

work for the development site. As noted therein, any subsequent permit applications for the site also require NYC Parks review and approval. With these required protective measures in place, the new building to be completed on the development site, with or without the proposed garage special permit, will not have any direct effects on the High Line.

In addition, the proposed action would not have construction or indirect effects on any architectural historic resources as it would only involve construction changes within the interior of the building that is being constructed on the development site on an otherwise as-of-right basis.

With or without the proposed action, the new building on the development site will be completed and is required to comply with all applicable construction regulations to protect nearby historic resources and those related to the High Line noted above. With this and other required processes in place, protection of nearby historic resources would be provided under both No-Action and With-Action conditions. Accordingly, there would be no incremental change in the construction effects of the development site's new building on historic architectural resources.

In conclusion, the proposed action does not have the potential to result in significant adverse historic and cultural resources impacts and no further analysis is necessary.

### **Hazardous Materials**

As defined in the *CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile organic compounds, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) an action would increase pathways to their exposure; or (c) an action would introduce new activities or processes using hazardous materials.

#### (E) Designation

The development site is subject to (E) designation E-142 dated 06/23/05, which was established in connection with the Special West Chelsea District Rezoning (CEQR No. 03DCP069M) to ensure that no significant adverse impacts related to hazardous materials would occur as a result of redevelopment on this site.

For new developments, enlargements of existing buildings, or changes in use, the DOB will not issue a building permit for grading, excavation, foundation, alteration, building, or any other permit for the site which permits soil disruption, or issue a temporary or permanent Certificate of Occupancy that reflects a change in Use Group until the environmental requirements of the (E) designation are satisfied. For hazardous materials, the (E) designation requires as a condition of site development: hazardous materials investigation, testing, and as appropriate remediation. These requirements must be complied with to the satisfaction of the New York City Office of Environmental Remediation (OER).

### Brownfield Cleanup Program (BCP)

The applicant has enrolled the development site in the Brownfield Cleanup Program (BCP), which is administered by the New York State Department of Environmental Conservation (NYSDEC). The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on “greenfields.” A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant. Contaminants include hazardous waste and/or petroleum.

As part of the BCP, under NYSDEC supervision subject to its approvals, an applicant conducts a Remedial Investigation of the development site and identifies a selected remedy to address contamination as the site is redeveloped. The selected remedy is detailed in a Remedial Action Work Plan (RAWP). As excavation of a development site is advanced, the selected remedy is implemented and, upon successful completion, NYSDEC issues a Certificate of Completion (CoC) before occupancy of the site is permitted. OER accepts documentation of the BCP process completion as satisfying the requirements of (E) designations for hazardous materials.

### Development Site Remediation Measures

As of December 2018, the applicant has demolished the buildings on the development site and completed excavation and foundation work for the planned new development. As part of this, the applicant also conducted remediation measures to address contamination on the development site in compliance with the requirements of the (E) designation and the BCP.<sup>1</sup> This remedy, which was memorialized in a NYSDEC-approved Remedial Action Work Plan and a NYSDEC-issued Decision Document (both dated September 2017) will attain a level of cleanup to allow the proposed residential, commercial, and accessory parking uses. The applicant anticipates that the CoC will be issued by the end of 2018. As such, the development site remediation will be completed and confirmed by the issuance of the CoC under both No-Action and With-Action conditions.

In addition to the NYSDEC approval in September 2017 as required for the BCP process, OER issued a Notice to Proceed (NTP) dated November 30, 2017, as required by the (E) designation, stating that implementation of the hazardous materials remedy may proceed. This document further stated: “At the conclusion of remedial activities required under this action, the Zoning Resolution and §24-07 of the Rules of the City of New York requires that OER issue a Notice of Satisfaction signifying that all remedial action requirements established for this project have been satisfied prior to issuance of the Certificate of Occupancy or Temporary Certificate of Occupancy by Department of Buildings.” Once NYSDEC issues the CoC, it is anticipated that OER will issue the Notice of Satisfaction.

With these measures in place, the potential for significant adverse hazardous materials impacts on the development site under RWCDs No-Action or RWCDs With-Action conditions would be precluded.

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<sup>1</sup> See “Notice of No Objection: Support of Excavation (SOE) Only, 515 West 18th Street,” June 30, 2017, issued by OER to DOB, which references the site’s enrollment in the BCP, in Appendix A.



## Conclusion

Development of the site is contingent on the applicant satisfying the requirements of the (E) designation, which the applicant intends to achieve by completing the BCP. The development site is subject to an (E) designation for hazardous materials and is being remediated under NYSDEC oversight as part of the BCP, which will be formally documented with the issuance of the CoC. As site occupancy may not occur until NYSDEC issues the CoC and OER issues a Notice of Satisfaction confirming that all required remedial activities have been implemented, no potential for significant adverse impacts related to hazardous materials would occur as a result of development under No-Action or With-Action conditions. No further assessment in this EAS is warranted.

## **Transportation**

The objective of a transportation analysis is to determine whether a proposed action may have a potentially significant adverse impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking or goods movement.

The *CEQR Technical Manual* identifies minimum incremental development densities that potentially require a transportation analysis. Development at less than the development densities shown in Table 16-1 of the *CEQR Technical Manual* generally result in fewer than 50 peak-hour vehicle trips, 200 peak-hour subway/rail or bus transit riders, and 200 peak-hour pedestrian trips, where significant adverse impacts are considered unlikely. In Zone 1 (which includes the project site) the development thresholds include an increment of 85 parking spaces for new off-street parking facilities, which the proposed action exceeds.

According to the *CEQR Technical Manual*, if an action would result in development greater than one of the minimum development density thresholds in Table 16-1 of the 2014 edition of the *CEQR Technical Manual*, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. In most areas of the city, including the project area, if the proposed action is projected to result in fewer than 50 peak-hour vehicle trips, 200 peak-hour subway/rail or bus transit riders, or 200 peak-hour pedestrian trips, it is unlikely that further analysis would be necessary. If these trip-generation screening thresholds are exceeded, a Level 2 (Project-generated Trip Assignment) Screening Assessment should be prepared to determine if the proposed action would generate or divert 50 peak-hour vehicle trips through any intersection, 200 peak-hour subway trips through a single station, 50 peak-hour bus trips on a single bus route in the peak direction, or 200 peak-hour pedestrian trips through a single pedestrian element. If any of these Level 2 screening thresholds are met or exceeded, detailed analysis for the respective mode is required.

A travel demand forecast was prepared for the proposed action, based on the RWCDs No-Action 41-space accessory garage, RWCDs With-Action 180-space public garage, in order to identify the incremental travel demand associated with the action's 139-space net increment. The purpose of this forecast is to determine if the proposed action would result in 50 or more action-generated vehicle trips, 200 or more action-generated transit trips, or 200 or more pedestrian action-generated

trips. This forecast is detailed in a technical memorandum provided in Appendix D, “Transportation Planning Factors.”

As summarized in the memo, the proposed action would generate less than 50 vehicle trips, less than 200 transit trips, and less than 200 pedestrian trips in the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours. Accordingly, the proposed action would be unlikely to result in any significant adverse transportation impacts and no further analysis is warranted.

## **Air Quality**

According to the guidelines provided in the *CEQR Technical Manual*, air quality analyses are conducted in order to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by “mobile sources,” pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., “stationary sources.” As per the *CEQR Technical Manual*, an air quality assessment should be carried out for actions that can result in either significant adverse mobile source or stationary source air quality impacts.

### *(E) Designation*

In order to preclude the potential for significant adverse impacts related to air quality due to development on the project site, as part of the 2005 West Chelsea Rezoning, (E) designations for air quality were recorded for the development site. The RWCDS for the *Special West Chelsea District and High Line Open Space* (“West Chelsea RWCDS”) project identified the Lot 20 portion of the development site as part of Projected Development Site 19, which also included other tax lots. The West Chelsea RWCDS identified the Lot 29 portion of the development site as Projected Development Site 20. The (E) designation for air quality for these sites included the following HVAC stack restrictions (must locate the HVAC stack no closer to the edge of roof than the distance than the distance indicated): Site 19 – if fuel oil 2 is used, 80 feet, if natural gas is used, no restriction beyond what is required by the Building Code; Site 20 – if fuel oil 2 is used, 50 feet, if natural gas is used, 34 feet. As there are different requirements for the two tax lots that comprise the development site, the applicant has consulted with OER and prepared an Air Quality Remedial Action Plan (Air Quality RAP). In its NTP dated November 30, 2017 (see discussion above under “Hazardous Materials”), OER indicated that the Air Quality RAP is “acceptable to this office.” No further assessment in this EAS is warranted.

### Stationary Source

Stationary source impacts could occur with actions that create new stationary sources or pollutants. These can include major and industrial sources, subject to an “air toxics” analysis, such as emission stacks for industrial plants, hospitals, or other large institutional uses. Stationary sources also include emissions from building boiler stacks used for heating/hot water, ventilation, and air conditioning (“HVAC”) systems, that can affect surrounding uses. Impacts from boiler emissions associated with a development are a function of fuel type, stack height, minimum distance of the stack on the source building to the closest building of similar or greater height, building use, and

the square footage size of the source building. In addition, stationary source impacts can occur when new sensitive uses are added near existing or planned emissions stacks, or when new structures are added near such stacks and those structures change the dispersion of emissions from the stacks so that they affect surrounding uses.

None of the circumstances described in the previous paragraph would apply to the proposed action. The proposed action would not change permitted uses on the C6-2 (WCh) zoned site and, as discussed in Attachment A, an as-of-right development with the same residential and commercial development programs and fewer accessory parking spaces would be developed on the site under RWCDs No-Action conditions. As such, the proposed action would not introduce a new sensitive receptor for air toxics emissions. It also should be noted that when the site was rezoned in 2005 as part of the West Chelsea Rezoning, the *EIS* for that action conducted an air toxics analysis and determined that there would be no impacts from air toxics on any of the projected or potential development sites, including the project site. Furthermore, as noted above, the (E) designation recorded against the project site would ensure that development on the project site would not result in any significant adverse boiler emissions impacts.

### Mobile Source

Per the EAS Form, further analyses of air quality mobile sources from action-generated and/or action-diverted vehicle trips and from on-site stationary sources has been screened out in accordance with *CEQR Technical Manual* assessment screening thresholds. As noted above, the proposed action would not generate 50 or more auto vehicle trips through any intersection. As such, the proposed action would not exceed the applicable screening threshold for mobile sources, which is 170 peak hour auto trips.

### *Garage Emissions*

As the proposed action would result in a parking garage of greater than 85 parking spaces that would mechanically ventilate vehicle emissions to a vent, per *CEQR Technical Manual* Chapter 17, "Air Quality," Section 210, a consultation with the lead agency is recommended to determine whether an air quality analysis should be conducted. As detailed analyses of garages of comparable or larger size and capacity than the proposed garage have been found to not result in significant adverse impacts due to garage emissions, the proposed action would not have the potential to result in significant adverse garage emissions impacts and therefore detailed analysis for the proposed action is not warranted.

### **Noise**

The principal types of noise sources affecting the New York City environment are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building heating, ventilating and air conditioning systems), and construction noise. The *CEQR Technical Manual* states that the initial impact screening for noise considers whether the project would: (1) generate any mobile or stationary sources of noise; and/or (2) be located in an area with existing high ambient noise levels.

*(E) Designation*

As part of the West Chelsea Rezoning, in 2005 the City recorded an (E) designation against the project site, as a form of institutional control, to ensure that any new development there will provide acceptable interior noise levels and therefore preclude the potential for significant adverse noise impacts. For new developments, enlargements of existing buildings, or changes in use, DOB will not issue a temporary or final certificate of occupancy until the environmental requirements of the (E) designation are satisfied.

The project site's (E) designation is listed in the Zoning Resolution Appendix C, Table 1, Environmental Requirements, as "E-142", and states "Window Wall Attenuation & Alternate Ventilation." The West Chelsea Rezoning CEQR Technical Memorandum dated June 22, 2005, issued subsequent to the *FEIS*, identified a 40-dBA required attenuation value for the Lot 20 portion of the project site and a 35-dBA required attenuation value for the Lot 29 portion of the project site, with a closed window condition (requiring alternate means of ventilation), needed to provide acceptable interior noise levels, which is defined as 45 dBA for residential uses. As there are different requirements for the two tax lots that comprise the development site, the applicant has consulted with OER and prepared a Noise Remedial Action Plan (Noise RAP). In its NTP dated November 30, 2017 (see discussion above under "Hazardous Materials"), OER indicated that the Noise RAP is "acceptable to this office." No further assessment in this EAS is warranted.

With the (E) designation for noise in place for the project site, the potential for significant adverse noise impacts in the new development that would be occupied on the project site under No-Action or With-Action conditions would be precluded.

Stationary Source

Per the EAS Form, the proposed action would not result in the introduction of any sensitive noise receptor to the development site and it would not create any substantial stationary noise source. Additionally, the vehicle parking facilitated by the proposed action would be located in enclosed areas, below the lowest floor occupied by residential units in the new development.

Mobile Source

As indicated on the EAS Form, the proposed action would generate or re-route vehicular traffic. However, as discussed above under "Transportation," the proposed action would not generate 50 or more auto vehicle trips through any intersection. Therefore, the proposed action would not result in a doubling of noise passenger car equivalents (PCE) values on any street link, as the streets surrounding the project site that would process the highest concentration of action-generated volumes are public rights-of-way that carry significant vehicular traffic. The *CEQR Technical Manual* states that if existing Noise PCE values are not increased by 100 percent or more, it is likely that the proposed project would not cause a significant adverse vehicular noise impact, and therefore, no further vehicular noise analysis is needed.



### *Assessment*

As the development site is subject to an (E) designation for noise and the proposed action would not introduce a new noise receptor and would not create a substantial new stationary or mobile noise source, the proposed action would not have the potential to result in significant adverse noise impacts and a detailed analysis is not warranted.

### **Neighborhood Character**

As the EAS is providing a preliminary assessment of land use, zoning, and public policy (Attachment C), a preliminary screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted.

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct “personality.” According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. Per the analyses provided in this EAS, although the proposed project required supplemental screening or preliminary assessment of some of these technical areas, there would be no project-generated significant adverse impacts.

The *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the proposed project would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the *CEQR Technical Manual* indicates that neighborhood character impacts are rare and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

As the proposed project would not be considered to have any significant effects on any of the technical areas relating to neighborhood character, a neighborhood character assessment can be screened out, and no significant adverse neighborhood character impacts would occur. Therefore, no additional analysis is warranted for neighborhood character.

### **Construction**

Construction impacts, although temporary, can include disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Based on *CEQR Technical Manual* guidelines, where the duration of construction is expected to be short-term (less than two years), any impacts resulting from construction generally do not require detailed assessment. Duration of construction on the project site would be approximately the same under both No-Action and With-Action conditions. Construction of the proposed 180-space garage (139-space increment over the 41 spaces provided under No-Action conditions) would involve internal fit-out and finishes of space. This work,

which would be initiated upon approval of the application, would occur concurrently with fit-out and finishes for other portions of the development and there would be similar, though less extensive, construction activity in this area of the building under No-Action conditions.

While there will not be a substantial incremental change in the construction schedule as a result of the proposed action, a preliminary screening of construction impacts resulting from the project is recommended because the proposed action could be involved with construction activities that may require the short-term closing, narrowing, or otherwise impeding of traffic, transit or pedestrian elements (roadways, parking spaces, sidewalks, crosswalks, corners, etc.) along streets bordering the site. In addition, construction activities on the site are occurring within 400 feet of historic and cultural resources, as identified in the “Historic and Cultural Resources” section above.

The majority of construction activities will take place Monday through Friday, although the delivery or installation of certain equipment could occur on weekend days. Hours of construction are regulated by DOB and apply in all areas of the City. In accordance with those regulations, almost all work could occur between 7 AM and 6 PM on weekdays, although some workers arrive and begin to prepare work areas before 7 AM. Occasionally, Saturday or overtime hours could be required to complete time-sensitive tasks. Weekend work requires a permit from the DOB and, in certain instances, approval of a noise mitigation plan from NYCDEP under the City’s Noise Code.

#### Preliminary Screening

All incremental construction activities generated by the proposed action would occur internally within the structure as there would be no change in the amount of excavation, in the building envelope, curb cut location, or configuration of garage ramp. Construction impacts are usually important when construction activity could affect the integrity of historical and archaeological resources, hazardous materials, traffic conditions, air quality, and noise conditions. A discussion of these areas of concern is provided below for informational purposes.

#### *Historic and Cultural Resources*

As described in the “Historical and Cultural Resources” section above, the proposed action would not have the potential to have construction effects on any architectural or archaeological resources as it would only involve construction changes within the interior of the building under construction on the development site.

#### *Hazardous Materials*

As described in the “Hazardous Materials” section above, the development site is subject to an (E) designation for hazardous materials, which requires OER review and approval before DOB permits can be issued, is being enrolled in the NYSDEC-administered BCP, and OER has issued an NTP for the site, based on its acceptance of relevant hazardous materials documents including a CHASP. Accordingly, the development of the site requires investigation and a remedy that is protective of human health and the environment consistent with the proposed use of the property.

*Transportation*

The development site is a double corner lot with frontage on W. 19th Street, Tenth Avenue, and W. 18th Street. The site is not located in a Central Business District (CBD) or along a major thoroughfare. During construction the sidewalks along the streets adjacent to the site may need to be closed at times in order to accommodate construction vehicles, equipment, and supplies. If sidewalk closure is necessary, Jersey barriers or other protective structures would be erected and a covered pedestrian walkway would be created to accommodate pedestrian traffic around the property. Short-term closure of the parking lanes adjacent to the project site also may be necessary. These would be considered to routine closures that would be addressed by a permit (and pedestrian access plan) to be issued by the NYC Department of Transportation (DOT) Office of Construction Mitigation and Coordination (OCMC) at the time of closure so that impacts are not expected to occur. Standard practices would be followed to ensure safe pedestrian and vehicular access to nearby buildings and along affected streets and sidewalks. During construction, access to all adjacent businesses, residences, and other uses would be maintained according to the regulations established by the DOB. In addition, it is not anticipated that all vehicle moving lanes adjacent to the site would need to be closed during construction.

Vehicular access to/from the project site for construction vehicles would be via eastbound W. 18th and W. 19th Streets and northbound Tenth Avenue. (To the west of the development site, W. 18th Street is accessible from northbound and southbound Eleventh Avenue/Route 9A and W. 19th Street is accessible from northbound Eleventh Avenue/Route 9A.) An analysis of transportation impacts from action-generated construction is not required as the incremental construction period is less than two years and most construction traffic would take place outside of the AM and PM traffic peak hours in the vicinity of the site due to typical construction hours.

Accordingly, the proposed action would not result in any significant adverse transportation impacts during project construction.

**ATTACHMENT C:  
LAND USE, ZONING, AND PUBLIC POLICY**

## **A. INTRODUCTION**

Under 2014 *City Environmental Quality Review (CEQR) Technical Manual* guidance, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project, and determines whether that proposed project is compatible with those conditions or may affect them. Similarly, the analysis considers the proposed project's compliance with, and effect on, the area's zoning and other applicable public policies.

The proposed action consists of an application for a City Planning Commission (CPC) Zoning Special Permit pursuant to Section 13-451 of the New York City Zoning Resolution (ZR § 13-451), "Additional Parking Spaces for Residential Growth" (the "proposed action"). The proposed action would allow a 180-space accessory parking garage to be provided in a new development being constructed on an as-of-right basis at 515 W. 18th Street in the West Chelsea neighborhood in Manhattan Community District 4. The development site, which consists of Block 690, Lots 20 and 29, is a double corner lot with frontage on Tenth Avenue, W. 18th Street, and W. 19th Street. The full range of addresses associated with the site includes 131 Tenth Avenue, 501-525 W. 18th Street (odd numbers), and 500-510 W. 19th Street (even numbers).

As discussed in Attachment A, "Project Description", the as-of-right, 420,501-gsf building planned for the development site will be 250 feet tall (roof height). It will have approximately 181 dwelling units (DUs) and approximately 18,000 gsf of retail space. The development will include one cellar level with approximately 36,579 gsf of space, at a depth of approximately 15 feet below grade. On an as-of-right basis, the development is permitted to have 41 accessory parking spaces. The site is being developed with a 22-foot wide curb cut on W. 18th Street, providing two-way vehicular access to the below-grade parking spaces via a ramp. This represents the RWCDs No-Action condition for the development site, which is the baseline against which the effects of the With-Action condition will be compared.

With the proposed action, the on-site parking garage would have 180 spaces, while the residential and retail program, building envelope, area and volume of below-grade space, and curb cut location would not change. This represents the RWCDs With-Action condition for the site. Accordingly, the RWCDs Increment for the proposed action is a net increase of 139 parking spaces. The development is expected to be completed in 2020 under both RWCDs No-Action and RWCDs With-Action conditions.



The development site is part of a zoning lot that also includes all other tax lots on Block 690 except for Lot 46 (aka Lot 7502). As such, the zoning lot also includes Lots 12, 40, 42 (aka 7501), and 54. Overall, the zoning lot has a total area of approximately 89,184 sf.

## **B. PRINCIPAL CONCLUSION**

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidance for determining impact significance set forth in the *CEQR Technical Manual*, are anticipated in the future with the proposed action in the primary and secondary study areas. The proposed action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with existing or anticipated land uses, zoning, or public policy in the secondary study area. The proposed action would not create land uses or structures that would be incompatible with the underlying zoning, nor would it cause a substantial number of existing structures to become non-conforming. The proposed action would not result in land uses that conflict with public policies applicable to the primary study area.

The proposed action would only increase the number of parking spaces provided by the development, compared to conditions in the future without the proposed action. Thus, the only physical change to the development would occur in the use of some below-grade space of the planned building. The cellar depth will be the same under both RWCDs No-Action and RWCDs With-Action conditions.

Under No-Action conditions, the development would provide 41 accessory parking spaces, occupying 19,921 gsf of surface area, including 1,350 gsf on the ground floor and 18,571 gsf on the cellar level. Under With-Action conditions, the development would provide 180 accessory parking spaces, occupying 29,350 gsf of surface area, including 1,350 gsf on the ground floor and 28,000 gsf on the cellar level. In addition, under With-Action the garage would include 44 double height stackers with a total of 6,732 gsf of area on the raised stackers tray, result in a total garage area of 36,082 gsf. The incremental change due to the proposed action would be an increase of 139 accessory parking spaces and an increase of 9,429 gsf of surface area devoted to parking; the incremental space would be used for storage and other accessory functions under No-Action conditions.

## **C. METHODOLOGY**

The land use, zoning, and public policy analysis has been conducted in accordance with the methodology presented in the *CEQR Technical Manual*. Per CEQR guidance, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. A preliminary public policy analysis should also be prepared to determine the potential of the proposed project to alter or conflict with applicable public policies. As the development site is located within the City's Coastal Zone boundaries, an assessment for consistency with the City's Waterfront Revitalization Program is provided.

In accordance with the *CEQR Technical Manual*, the assessment describes existing and anticipated future conditions at a level necessary to understand the relationship of the proposed action to such conditions, assesses the nature of any changes to these conditions that would be created by the proposed action, and identifies those changes, if any, that could be significant or adverse. The assessment discusses existing and future conditions with and without the proposed project in the 2020 analysis year for a primary study area and a secondary study area.

Existing land uses were identified by reviewing a combination of sources including field surveys, secondary sources such as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2018, online Geographic Information Systems (GIS) databases including the New York City Open Accessible Space Information System (<http://www.oasisnyc.net>) and the New York City Department of City Planning's (DCP's) Zoning and Land Use (ZoLa) application (<http://gis.nyc.gov/doitt/nycitymap/>). New York City zoning maps and the *Zoning Resolution of the City of New York* were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the future RWCDs No-Action and RWCDs With-Action conditions. Relevant public policy documents were utilized to describe existing public policies pertaining to the development site and surrounding study area.

### **Analysis Year**

It is anticipated that the proposed 180-space accessory parking garage and the otherwise as-of-right building that it would be located within would be operational by 2020. As such, the analysis year for environmental analysis purposes is 2020. The future RWCDs No-Action and RWCDs With-Action conditions account for land use and development projects, zoning proposals, and public policy initiatives that are expected to be implemented in the study area by 2020.

### **Study Area Definition**

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning and public policy is related to the type and size of the proposed project, as well as the location and context of the area that could be affected by the project. Study area radii vary according to these factors, with suggested study areas ranging from 400 feet for a small project to a half-mile for a large project. In accordance with the *CEQR Technical Manual* guidance, land use, zoning, and public policy are addressed and analyzed for two geographical areas: (1) the development site, also referred to as the primary study area, and (2) a secondary study area. The secondary study area for this project extends approximately 400 feet from the boundary of the development site.

The secondary study area for this project extends approximately 400 feet from the boundary of the development site. As shown in Figure C-1, the secondary study area extends north to the north side of W. 20th Street, east to the midblock area between Ninth and Tenth Avenues, south to the south side of W. 17th Street, and west to the west side of Eleventh Avenue (State Route 9A). As such, it includes all or parts of tax Blocks 714, 715, 716, 717, 718, 662, 688, 689, 690, 691, and 692.



## **D. PRELIMINARY ASSESSMENT**

### **1. Existing Conditions**

#### **Land Use**

##### **Development Site**

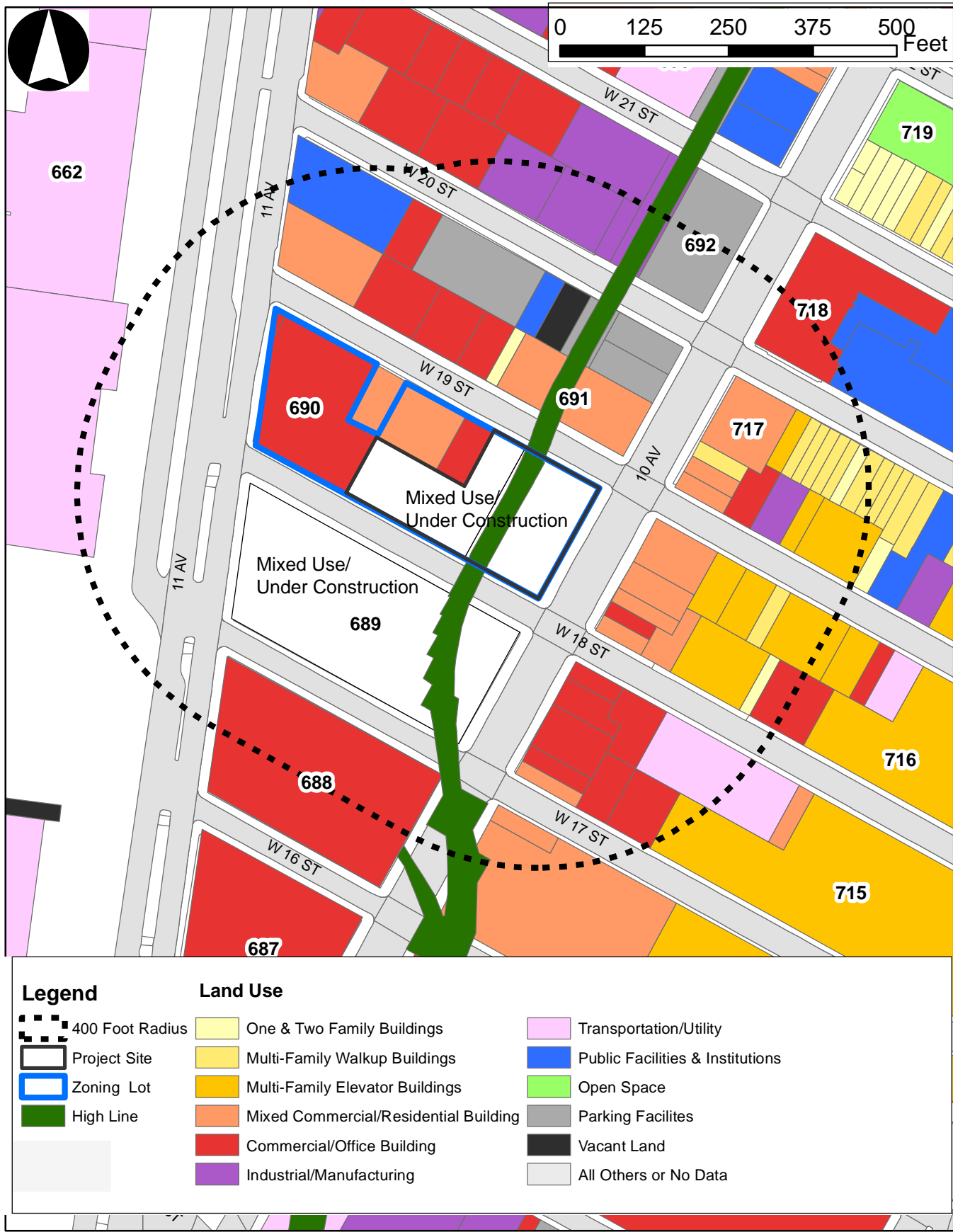
The development site is located at 515 W. 18th Street (Block 690, Lots 20 and 29) is an L-shaped double-corner lot that occupies roughly half of the block. The 46,000-sf site has 325 feet of frontage on W. 18th Street, 184 feet of frontage on Tenth Avenue, and 175 feet of frontage on W. 19th Street. The High Line, the elevated public open space that was originally a freight railroad viaduct, extends through the site.

On an as-of-right basis, the development site is currently undergoing construction of a new 420,501-gsf mixed-use development on the site. The development site is an assemblage of two properties that have had different uses in recent years. The 23,000-sf Lot 20 is an L-shaped midblock through-lot with 200 feet of frontage on W. 18th Street and 50 feet of frontage on W. 19th Street. Until 2017 it was occupied by two, 2-story commercial/industrial buildings. Curb cuts facilitating vehicular access to these former buildings include 4 on W. 18th Street and 2 on W. 19th Street. The 23,000-sf Lot 29 is a rectangular shaped lot with 175 feet of frontage on W. 18th and W. 19th Streets and 184 feet of frontage on Tenth Avenue. Lot 29 was most recently used as an open vehicle storage lot, but until recently was occupied by a 250-space public parking lot. Curb cuts facilitating vehicular access include 1 on W. 18th Street and 2 on Tenth Avenue.

##### **Study Area**

As shown in Figure C-2, the study area is comprised of a range of uses including mixed residential-commercial buildings, commercial buildings, and residential buildings. The full-block property directly south of the development site is currently undergoing construction of an apartment complex with ground floor retail and public open space linked to the High Line. The High Line extends through the study area; north of W. 18th Street it extends parallel to and approximately 90 feet west of Tenth Avenue, while south of W. 18th Street its alignment shifts by approximately 45 degrees to the southeast and it crosses Tenth Avenue south of W. 17th Street. Access points to the High Line within the study area include stairways at W. 18th Street and W. 20th Street. (The closest elevator is at W. 16th Street and Tenth Avenue.)

Lot sizes vary throughout the study area. Three of the blocks consist of a single property: the full block parking lot immediately south of the development site on the block bounded by W. 18th Street, Tenth Avenue, W. 17th Street, and Eleventh Avenue; the commercial, full lot coverage building occupied by offices and self-storage on the block bounded by W. 17th Street, Tenth Avenue, W. 16th Street, and Eleventh Avenue (former Merchants Refrigerating Company warehouse); and the General Theological Seminary occupies the block bounded by W. 21st Street, Ninth Avenue, W. 20th Street, and Tenth Avenue, but consists of multiple buildings and grounds, including a residential development. Elsewhere in the study area, the blocks west of Tenth Avenue





mostly consist of large lots wider than 25 feet, while the blocks east of Tenth Avenue consist of a mix of larger lots and smaller, “house lots” that are 25 feet or narrower in width.

The study area is experiencing a trend of increased, large lot, multi-story mixed residential-commercial developments, similar to what is planned on the development site. For example, on the west side of Tenth Avenue between W. 20th and W. 21st Streets, 500 W. 21st Street is a 32-DU building with ground floor retail completed in 2015 that previously had a vehicle storage use.

## **Zoning**

### Development Site

The development site was rezoned as part of the Special West Chelsea District Rezoning adopted in 2005 (ULURP Nos. N 050161(A) ZRM and N 050162(A) ZMM). The rezoning changed the development site’s zoning from an M1-5 district to a C6-2 district within the Special West Chelsea District (WCh) that was established at the same time as the zoning map amendment. The rezoning area included all of the blocks bounded by W. 30th Street on the north, Tenth Avenue on the east, W. 17th Street on the south, and Eleventh Avenue on the west and also included parts of the two blocks bounded by W. 18th Street on the north, Ninth Avenue on the east, W. 16th Street on the south, and Tenth Avenue on the west.<sup>1</sup> The portion of the development site within 100 feet of Tenth Avenue lies within the special district’s Subarea G and the portion more than 100 feet from Tenth Avenue lies within Subarea E.

Uses allowed as-of-right by the development site’s C6-2 (WCh) zoning include residential (Use Groups 1 and 2), community facilities (Use Groups 3 and 4) and commercial (Use Groups 5 to 12). Manufacturing and general commercial uses are not permitted, though pre-existing non-conforming uses are grandfathered. The maximum permitted base floor area ratio (FAR) is 5.0 and the maximum permitted FAR with bonus is 6.0 (the same maximums apply to both Subareas E and G). The WCh special district regulations include specific controls on building bulk, particularly for buildings located on lots adjacent to or directly traversed by the High Line. The “Manhattan Core” parking requirements outlined in Article I, Section 3 of the ZR are applicable to the development site and as such, any new development may provide accessory parking spaces equivalent to 20 percent of the number of new dwelling units and may provide one accessory parking space for every 4,000 sf of retail floor area.

### Study Area

Besides C6-2 (WCh), other zoning district designations present in the study area include C6-3 (WCh), C6-4 (WCh), R7B, R8A, M1-4 (WCh), M1-5, and M2-3. The R7B and R8A, which are located in the portion of the study area east of Tenth Avenue, include C2-5 commercial overlays along Tenth Avenue. The M2-3 district is mapped on the waterfront north of W. 16th Street in the special district, the area occupied by the Chelsea Piers (only a small portion of this area lies within the study area).

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<sup>1</sup> Subsequently, the Special West Chelsea District has expanded to include all of the block bounded by W. 16th Street, Ninth Avenue, W. 15th Street, and Tenth Avenue and part of the block bounded by W. 15th Street, Ninth Avenue, W. 14th Street, and Tenth Avenue.

## Public Policy

According to the *CEQR Technical Manual*, a proposed project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the primary and secondary study areas. If the proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary. Besides zoning, the only other public policy applicable to the development site is NYC's Local Waterfront Revitalization Program (WRP). An overview of the WRP is provided below.

### Local Waterfront Revitalization Program

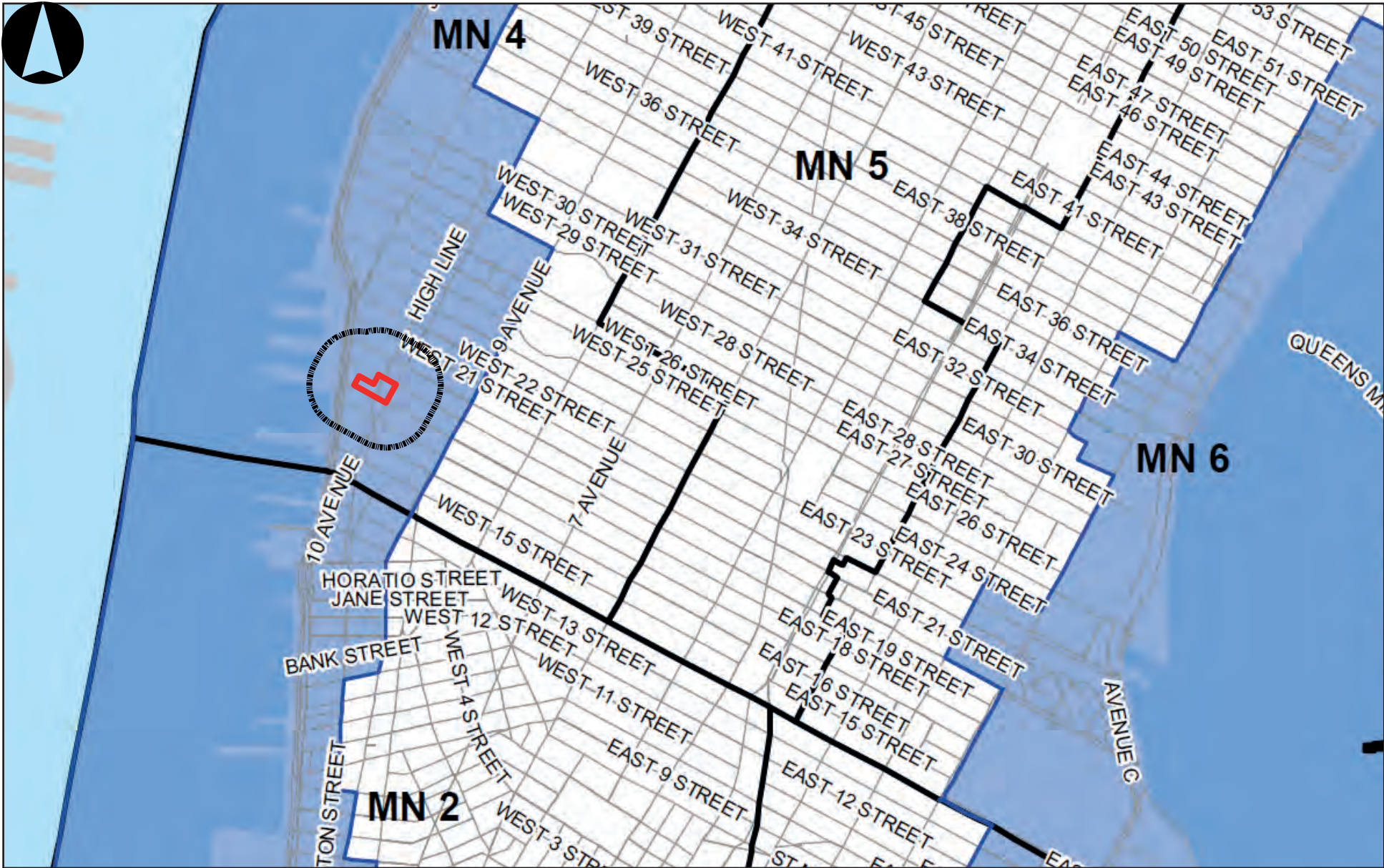
As shown in Figure C-3, the development site is located within the City's designated coastal zone. Proposed projects that are located within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's WRP.

### *Legislative and Regulatory Background*

The federal Coastal Zone Management Act (CZMA) of 1972 was enacted to support and protect the distinctive character of the waterfront and to set forth standard policies for reviewing proposed development projects along coastlines. The program responded to City, State, and Federal concerns about the deterioration and inappropriate use of the waterfront. In accordance with the CZMA, New York State adopted its own Coastal Management Program (CMP), which provides for local implementation when a municipality adopts a local waterfront revitalization program, as is the case in New York City. The New York City WRP is the City's principal coastal zone management tool. The WRP was originally adopted in 1982 and approved by the New York State Department of State (NYSDOS) for inclusion in the New York State CMP. The WRP encourages coordination among all levels of government to promote sound waterfront planning and requires consideration of the program's goals in making land use decisions. NYSDOS administers the program at the State level, and DCP administers it in the City. The WRP was revised and approved by the City Council in October 1999. In August 2002, NYSDOS and federal authorities (i.e., the U.S. Army Corps of Engineers [USACE] and the U.S. Fish and Wildlife Service [USFWS]) adopted the City's ten WRP policies for most of the properties located within its boundaries.

In October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in Vision 2020: The New York City Comprehensive Waterfront Plan, released in 2011. The changes solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the U.S. to incorporate climate change considerations into its Coastal Zone Management Program. They also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. The New York State Secretary of State approved the revisions to the WRP on February 3, 2016. The U.S.

Coastal Zone Boundary



400-Foot Radius



Development Site

Secretary of Commerce concurred with the State's request to incorporate the WRP into the New York State CMP.

### *New York City Panel on Climate Change: Projections*

In 2013, the New York City Panel on Climate Change (NPCC) released a report (Climate Risk Information 2013: Observations, Climate Change Projections, and Maps) outlining New York City-specific climate change projections to help respond to climate change and accomplish PlaNYC goals. The NPCC report predicted future City temperatures, precipitations, sea levels, and extreme event frequency for the 2020s and 2050s. While the projections will continue to be refined in the future, current projections are useful for present planning purposes and to facilitate decision-making in the present that can reduce existing and near-term risks without impeding the ability to take more informed adaptive actions in the future. Specifically, the NPCC report predicts that mean annual temperatures will increase by 2 to 3°F and by 4 to 6.5°F by the 2020s and 2050s, respectively; total annual precipitation will rise by 0 to 10 percent and 5 to 15 percent by the 2020s and 2050s, respectively; sea level will rise by 4 to 11 inches and 11 to 31 inches by the 2020s and 2050s, respectively; and by the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration. Coastal flooding is also very likely to increase in frequency, extent, and elevation.

### Assessment

As the development site lies within the coastal zone, the proposed action must be assessed for its consistency with the policies of the City's WRP. A WRP consistency assessment is provided below under Section D.3, "Future With the Proposed Action." The WRP Consistency Assessment Form is provided in Appendix B.

## **2. No-Action Conditions**

### **Land Use**

The trend of new residential development replacing vacant and underutilized non-residential properties is expected to continue in the study area. On the development site, a 420,501-gsf new mixed-use building with approximately 181 DUs and approximately 18,000 gsf of retail space, will be completed on the development site.

Elsewhere in the study area, there is an apartment complex under construction immediately south of the development site at 76 Eleventh Avenue. This development, which is branded The XI and is expected to be completed by the end of 2019, will have approximately 236 DUs in a 36-story and 26-story towers. It will also include a 137-key hotel and retail space. The developer and the Friends of the High Line are constructing a public open space on the portion of the block east of the High Line. At the northwest corner of the study area, Empire State Development Corporation is sponsoring the conversion of the state-owned institutional building at 112 Eleventh Avenue/550 W. 20th Street into the Women's Building, a community facility that is expected to open after the proposed action's 2020 build year.

## **Zoning**

According to the *CEQR Technical Manual*, a preliminary assessment of zoning should identify any changes in zoning that could cause a change in land use. There are currently no pending zoning map or text amendments that would affect any site within the study area. Furthermore, there are no known possible applications. Accordingly, it is anticipated that the existing zoning for the development site, and the study area as a whole will remain in effect without any changes in the 2018 analysis year.

## **Public Policy**

As noted above, the only public policy applicable to the development site is the WRP, which has been addressed above. There are no expected changes in any other public policies under No-Action conditions that would affect the development site.

### **3. With-Action Conditions**

#### **Land Use**

The proposed action would not introduce a new land use. It would only result in an increase in the amount of parking on the development site as compared to RWCDs No-Action conditions. Accordingly, the proposed action would not have a significant adverse impact on land use.

#### **Zoning**

The parking special permit would allow the development to provide more parking spaces than allowed as-of-right pursuant to ZR Section 13-451, “Additional parking spaces for residential growth.” This allows the CPC to increase permitted parking provided it makes certain findings, including: that either (a) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to: (1) the increase in the number of dwelling units; and (2) the number of both public and accessory off-street parking spaces, or (b) the proposed ratio of parking spaces to dwelling units in the proposed development or enlargement does not exceed: (1) 20 percent of the total number of dwelling units, where such units are located within Community District 1, 2, 3, 4, 5 or 6; or (2) 35 percent of the total number of dwelling units, where such units are located within Community District 7 or 8.

In support of the application for this special permit, the applicant prepared a “residential growth” parking study for the area within a one-third mile radius of the development site. In order to identify the ratio of recent off-street residential parking spaces to recent residential units developed in the study area, the study focused on changes in conditions since 2007 through the anticipated 2020 Build year. The study found with the 180 spaces that would be provided as a result of the proposed action that this ratio would be well below 20 percent and as such the proposed larger garage would help to meet the need for residential parking in this area which has experienced substantial new residential development. A number of new developments in this area have been in new buildings that replaced public parking lots. There have also been several existing non-



residential buildings converted to residential use, which do not provide parking. Based on the findings of the parking study, the proposed 180-space parking garage would be reasonable and not excessive in relationship to recent trends in close proximity to the development site as the project satisfies the required residential growth finding for the special permit.

Accordingly, the proposed action would not result in any significant adverse zoning impacts.

### **Public Policy**

As discussed above, the only public policy applicable to the proposed action is the WRP.

Per the Consistency Assessment Form provided in Appendix B, the following WRP policies warranted further assessment: 1; 1.3; 6; and 6.2. Therefore, these policies are addressed below.

In addition, Policies 7; 7.1; 7.2; and 7.3, which concern hazardous materials are typically of concern for new development projects and require consistency assessment. However, as discussed in the “Hazardous Materials” section of Attachment B, the development site is currently undergoing site remediation pursuant to a Remediation Action Work Plan (RAWP), Construction Health and Safety Plan (CHASP), and other required procedures as a “Volunteer” in the Brownfield Cleanup Program (BCP) administered by the NY State Department of Environmental Conservation (NYSDEC). Pending successful completion of site remediation, NYSDEC will issue a Certificate of Completion that the cleanup objectives necessary to permit the planned use of the site have been achieved. This will also serve to satisfy the hazardous materials requirements of the (E) designation. Per the requirements of the (E) designation, DOB will not issue any temporary or permanent certificate of occupancy for the site until OER issues a Notice that the requirements of the (E) designation have been satisfied. As such, the concerns identified under Policies 7; 7.1; 7.2; and 7.3, are being addressed for the planned development on the site under both the No-Action and With-Action conditions. The incremental change that would occur with the proposed action, an increase in parking space and the change in the use of some cellar from storage and other accessory uses to increased parking area, would not have any effects on hazardous materials. Accordingly, the proposed action does not have the potential to affect hazardous materials and therefore Policies 7; 7.1; 7.2; and 7.3 are not applicable to the proposed action.

### Consistency Assessment

*Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.*

The proposed action would not directly result in any additional commercial or residential development, but would support and facilitate new residential development by providing parking spaces in response to new residential demand. The proposed special permit would allow a 180-space parking garage in a new as-of-right apartment building being built near the waterfront. The development is occurring pursuant to rezonings that were intended to spur new residential development on underutilized and vacant land. The as-of-right development is permitted 41 accessory parking spaces and therefore the effect of the proposed action would be to increase the



amount of on-site parking by approximately 139 spaces. The proposed action is expected to ease demand for residential parking on other facilities in the area, as the rate of new residential parking in the area has fallen well below the as-of-right rate of 0.2 new spaces per each new residential unit. The as-of-right rate is also similar to the rate of vehicles per household for the Manhattan Core, 26 percent, as indicated by Census data cited in the *Manhattan Core Public Parking Study* issued by DCP in 2011. Therefore, the proposed action is consistent with this policy.

*Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.*

The proposed expanded garage would be located in an area well-served by relevant public facilities and infrastructure, including roadways and traffic control devices to facilitate traffic flow and safety. Furthermore, other infrastructure, such as a well-developed network of sidewalks and other pedestrian facilities and transit services help to minimize the frequency of vehicle use so that vehicles can remain parked in the garage and minimize their effects on traffic conditions.

*Policy 6: Minimize loss of life, structures and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.*

#### Flood Insurance Rate Maps and Base and Design Flood Elevations

The Federal Emergency Management Agency (FEMA) issued updated Preliminary Flood Insurance Rate Maps (PFIRMs) for New York City dated 1/30/2015. These were intended to replace the currently effective FIRMs issued by FEMA in 1983 with revisions dated 2007. However, the City filed a technical appeal of the PFIRMs and FEMA subsequently announced that it agreed with the City's findings, and would work with the City to revise the PFIRMs and issue new maps in the coming years that better reflect current flood risk. They identify the 100-year (1 percent annual chance) floodplain with the 100-year flood water levels projected to reach the specified base flood elevations (BFEs). The 100-year floodplain is also called a Special Flood Hazard Area (SFHA). They also identify the 500-year (with an annual probability of flooding between 0.2 percent and 1 percent) floodplain. FEMA does not identify the BFE for the 500-year floodplain. Areas within the 100-year floodplain are subject to NYC Building Code and FEMA flood-resistant construction requirements. These include requirements that all habitable space be located above the design flood elevation (DFE); permitted uses below the DFE include parking, storage, and access areas.

There are two general types of 100-year floodplains: (1) "V"/"VE" zones with the added hazard of high-velocity wave action with a projected wave height of 3 feet or more; and (2) "A"/"AE" zones, which are projected to be inundated with the 100-year flood but without wave action from waves of 3 feet or more. In V and A zones BFEs have not been established, while in VE and AE zones a BFE for the 100-year flood has been established. The PFIRMs also introduced a new area designated by a boundary called the Limit of Moderate Wave Action (LiMWA). This zone is the portion of an A/AE Zone where moderate wave action with projected wave heights between 1.5 and 3 feet are expected during the base flood event.

The City of New York has adopted the BFEs<sup>2</sup> specified in either the PFIRMs or the currently effective FIRMs as revised in 2007, with the more restrictive of the two, i.e., having a higher BFE, applicable until new effective FIRMs are available for the purposes of determining compliance with all flood-proofing requirements and for establishing base plane elevations for new buildings to measure their compliance with zoning building height requirements.<sup>3</sup>

#### Project Area Location in PFIRM 100-year Floodplain

Based on available survey information, the project area currently has an elevation of approximately 6 to 9 feet above the North American Vertical Datum of 1988 (NAVD 88).

As defined in both 2015 PFIRM and the 2007 effective FIRM, part of the development site is within the 100-year floodplain and is designed an “AE” zone with a BFE of 11’ NAVD 88. This indicates an area of high flood risk. As a portion of the development site is located within the boundary of the 100-year floodplain, the City’s Building Code and FEMA special requirements for the 100-year floodplain are applicable. In the case of the development site, the base plane used for measuring building height for zoning purposes may be set at the BFE, i.e., 11’ NAVD 88, rather than the average ground elevation and the DFE is measured as the being 1 foot above the BFE, i.e., 12’ NAVD 88. Refer to Figure C-4, which shows the boundaries of the 100-year and 500-year floodplains in relation to the development site.

As noted above in the “Existing Conditions” section discussing the WRP, the NPCC predicts that mean annual temperatures will increase by 2 to 3°F and by 4 to 6.5°F by the 2020s and 2050s, respectively; total annual precipitation will rise by 0 to 10 percent and 5 to 15 percent by the 2020s and 2050s, respectively; sea level will rise by 4 to 11 inches and 11 to 31 inches by the 2020s and 2050s, respectively; and by the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration. Coastal flooding is also very likely to increase in frequency, extent, and elevation. Based on these projections, all of the development site will be located within the 100-year floodplain by the 2020s and will remain so in the 2050s (see Figures C-5 and C-6, respectively), but BFEs are not indicated in the NPCC prediction. The NPCC recommends assessing the impacts of projected sea level rise on the lifespan of projects. Because of limitations in the accuracy of flood projections, the NPCC recommends that these 2020s and 2050s maps not be used to judge site-specific risks and advises that they are subject to change.

#### Detailed Assessment

Pursuant to guidance recently issued by DCP, three basic steps are provided for this assessment: (1) identify vulnerabilities and consequences; (2) identify adaptive strategies; and (3) assess policy consistency.

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<sup>2</sup> PFIRM elevations are measured in feet above the North American Vertical Datum of 1988 (NAVD 88).

<sup>3</sup> See “Coastal Climate Resilience: Designing for Flood Risk”, Department of City Planning, City of New York, June 2013, for additional information. Online at: [http://www1.nyc.gov/assets/planning/download/pdf/plans-studies/sustainable-communities/climate-resilience/designing\\_flood\\_risk.pdf](http://www1.nyc.gov/assets/planning/download/pdf/plans-studies/sustainable-communities/climate-resilience/designing_flood_risk.pdf)

## NPCC 2015 Floodplain Preliminary FIRM

**Legend**

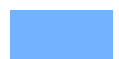
400-foot Radius



Development Site



High Line



Hudson River








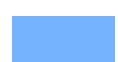
2015 100-Year Floodplain Preliminary FIRM



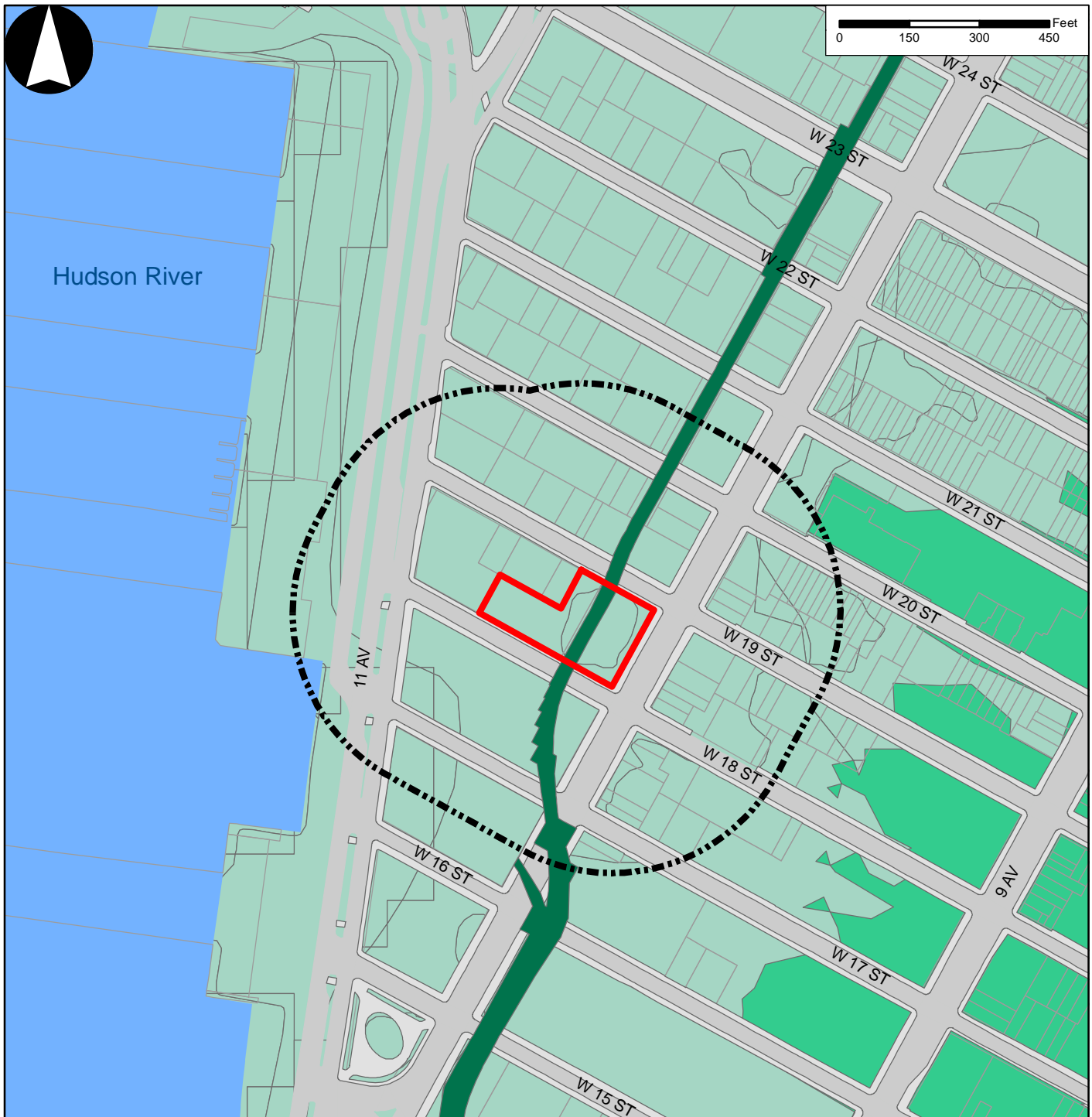
2015 500-Year Floodplain Preliminary FIRM








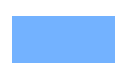
## Legend

- |                                                                                     |                  |                                                                                     |                                      |
|-------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------|--------------------------------------|
|  | 400-foot Radius  |  | 2020s 100-Year Floodplain Projection |
|  | Development Site |  | 2020s 500-Year Floodplain Projection |
|  | High Line        |                                                                                     |                                      |
|  | Hudson River     |                                                                                     |                                      |





## Legend

- |                                                                                                      |                                                                                                                          |
|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
|  400-foot Radius  |  2050s 100-Year Floodplain Projection |
|  Development Site |  2050s 500-Year Floodplain Projection |
|  High Line        |                                                                                                                          |
|  Hudson River     |                                                                                                                          |

### *Identify Vulnerabilities and Consequences*

For this assessment, building features are defined in one of four categories: (1) *vulnerable*: project features that have the potential to incur significant damage if flooded; (2) *critical*: project features that if damaged would have severe impacts on the project and its ability to function as designed; (3) *potentially hazardous*: project features that if damaged or made unsecure by flooding could potentially adversely affect the health and safety of the public and the environment; and (4) *other*: project features that are entirely open and unenclosed spaces, except the open storage of potentially hazardous materials, which may be damaged by flooding, but are not likely to present significant consequences and are more easily repaired.

The Flood Elevation Worksheet was prepared for the proposed action and is provided in Appendix B. This is a tool which identifies current and future flood elevations in relation to the elevations of the site and project features, presenting a range of future flood elevations as affected by sea level rise (SLR), from high (90th percentile) to low (10th percentile). In other words, “high” refers not to the predicted likelihood, which is estimated at approximately one in ten, but to being a high-end projected increase in flood elevation and as such physically higher than the “low” projections. Conversely, the “low” projection is more likely to occur, estimated at an approximately nine in ten probability.

As the project area is not located on the shoreline, with a distance of approximately 360 feet from the Hudson River to the closest part of the development site, the mean higher high water (MHHW) level of the closest tide gauge station, which is The Battery station, is used to estimate the site’s baseline MHHW level.

As shown in the “1% Flood Elevation + Sea Level Rise” graph below, the parking and other accessory uses on the cellar and the first floor lobby, retail, and accessory uses on the first floor (vulnerable features that are permitted to be below the DFE) will be located below the 1 percent flood elevation and are projected to remain so in future. The lowest critical mechanical space on the raised first floor (a critical feature that must be at or above the DFE) is located above the 1 percent flood elevation but is projected to be located below the 1 percent flood elevation in the 2050s under the mid-range (50th percentile) sea level rise projection and by 2100 it is projected to be located below the 1 percent flood elevation under the high-range (90th percentile) projection. As also shown in the graph, the lowest residential units on the second floor (a critical feature that must be at or above the DFE) is located above the 1 percent flood elevation and is projected to remain above the 1 percent flood elevation through to 2100.<sup>4</sup>

Refer to Figure C-7, an illustrative building section, depicts the location of building vulnerable and critical features relative to the 1 percent flood elevation.

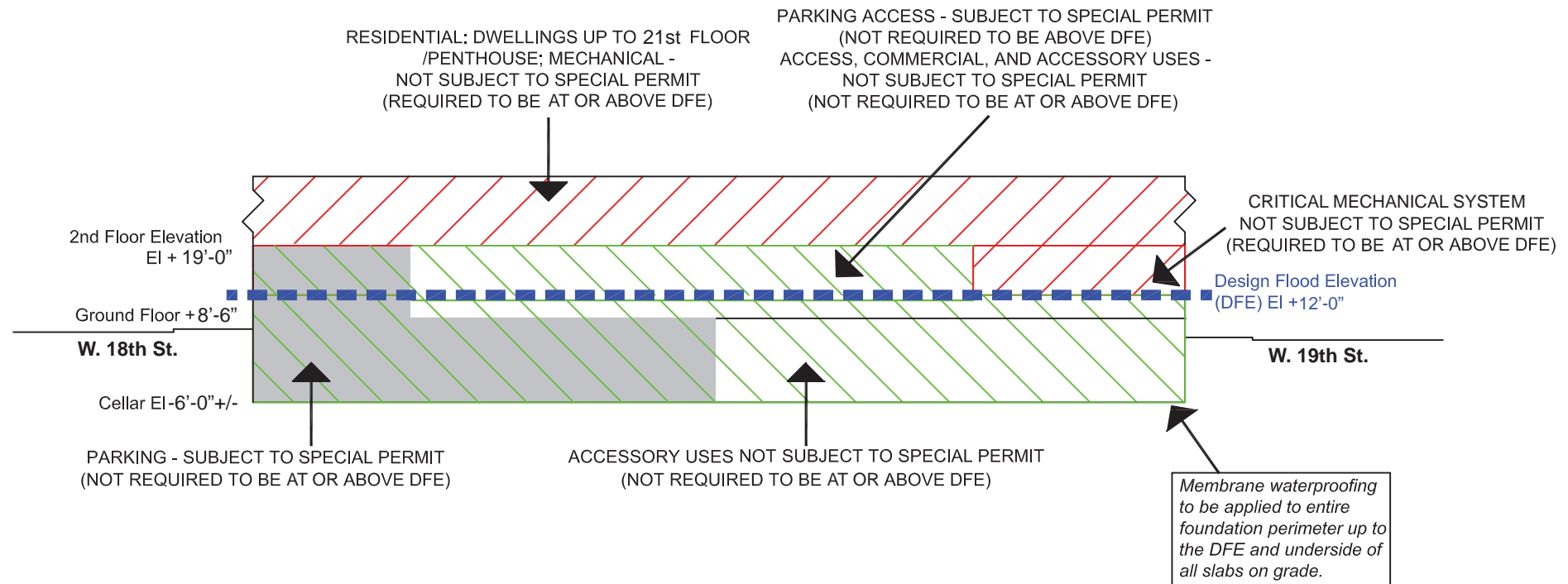
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<sup>4</sup> The Flood Elevation Worksheet also generated a “Mean Higher High Water + Sea Level Rise” graph; however, per the DCP Guidance document, given that the development site is not located on the shoreline, that information is not considered in this assessment.





## Illustrative North-South Section: Uses in Relation to Design Flood Elevation (DFE)

*This section illustrates the vertical location of uses relative to the DFE and their requirements related thereto. For illustrative purposes only.*

**Legend:**

 Use permitted to be located below the DFE

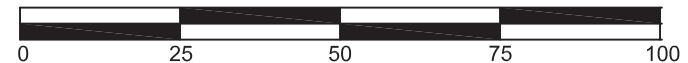
 Use required to be at or above the DFE

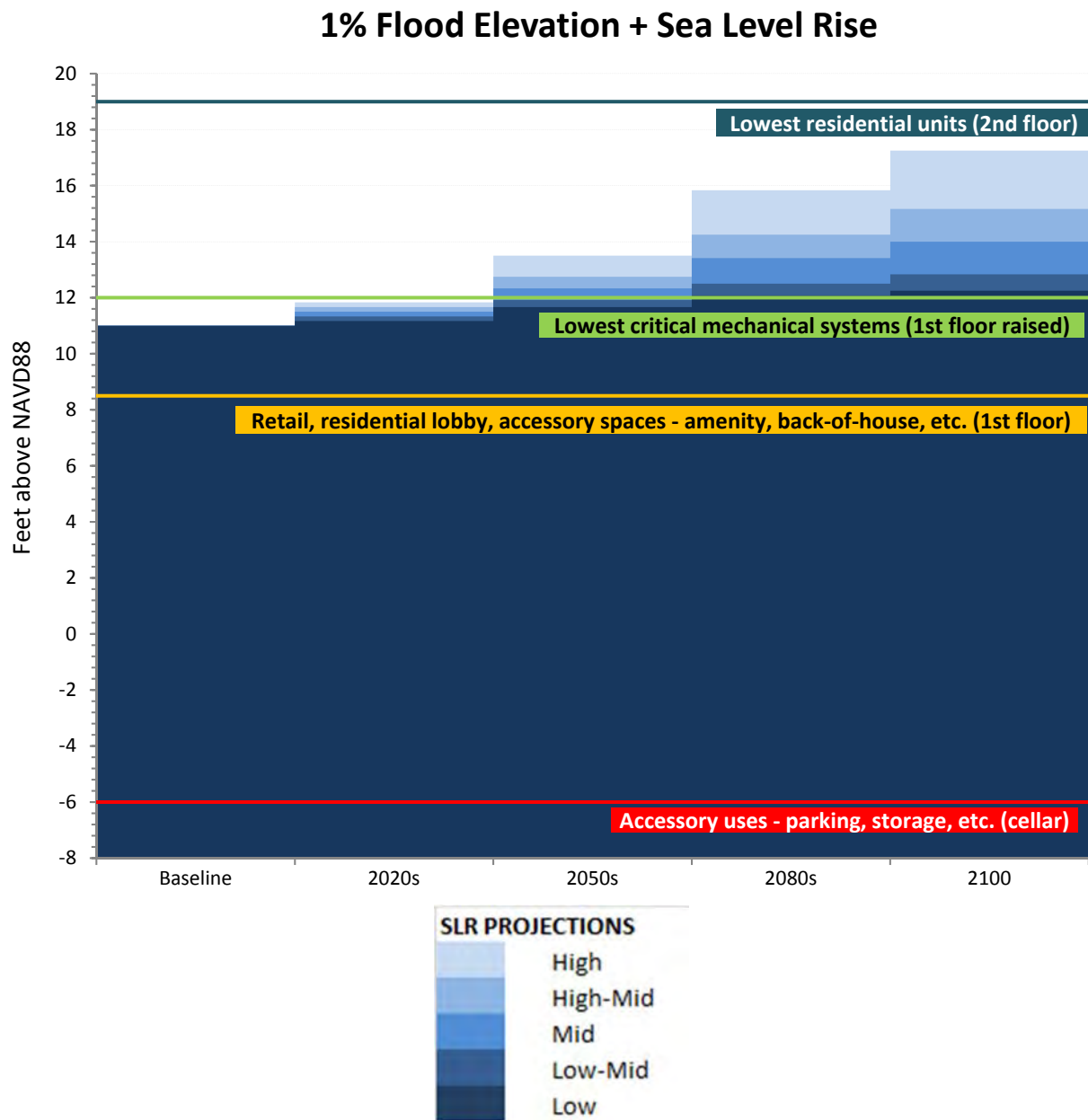
 Garage area subject to special permit (not required to be above DFE)

Note: Per Building Code regulations applicable to this building and site; design flood elevation is 1-foot above base flood elevation (BFE); for this site BFE = 11'-0" NAVD 88, as indicated on the Preliminary Flood Insurance Rate Map, dated 1/30/2015

All elevations shown are NAVD 88

Scale (in feet):





Potential consequences of the first floor lobby, retail, and accessory spaces being located within the 1 percent annual chance floodplain include flood damage to property and building structure, loss of inventory, or potentially increased flood insurance costs.

#### *Identify Adaptive Strategies*

The development site is partly within 1 percent annual chance floodplain and therefore the mixed-use development currently under construction on the development site is required to meet NYC Building Code requirements for flood resistant construction. As such, only uses allowed below the DFE will be placed in that portion of the development, including parking, access, retail, and non-

critical mechanical systems. However, these building portions will need to comply with applicable floodproofing requirements. All critical elements required to be at or above the DFE will be located accordingly.

Should the DFE rise in the future and critical elements are thereby located below the DFE, adaptive strategies such as retrofits could be pursued to wet floodproof the ground floor and cellar, or to dry floodproof the exterior, reinforce the foundation, and install flood prevention systems (either temporary “demountable” or permanently installed, including “flip-up” systems that are recessed when not in use, flood gates/shutters), potentially in conjunction with an emergency flood protection plan. The nature of such retrofits would depend on the specific change to the BFE, possible future changes to Building Code flood regulations, City-led infrastructure measures to address such changes, and other considerations that are unknown at this time. As such, the nature of such retrofits cannot be characterized definitively for this assessment. Additionally, as noted above, the NPCC recommends that these projections of future 1 percent floodplain elevations not be used to judge site-specific risks and they are subject to change.

Coastal floodplains are influenced by astronomic tide and meteorological forces and not by fluvial (river) flooding, and as such are not affected by the placement of obstructions within the floodplain. Therefore, the construction and operation of the development in which the proposed expanded garage would be located will not exacerbate future projected flooding conditions.

#### *Assess Policy Consistency*

The proposed action advances Policy 6.2. All new vulnerable or critical features would be protected through future adaptive actions that would incorporate flood damage reduction elements. (No potentially hazardous features are anticipated with the proposed action but should such features be included they also would be subject to future adaptive actions.)

#### **Summary**

The proposed action would not result in any significant adverse land use, zoning, and public policy impacts.

**APPENDIX A:**  
**AGENCY CORRESPONDENCE**



**OFFICE OF ENVIRONMENTAL REMEDIATION**

100 Gold Street – 2<sup>nd</sup> Floor  
New York, New York 10038

**Daniel Walsh, Ph.D.**  
**Director**

Tel: (212) 788-8841

**NOTICE TO PROCEED**  
**DOB Job Number NB-121191147**

November 30, 2017

Re: 515 West 18<sup>th</sup> Street: 501 West 18<sup>th</sup> Street, 508-510 West 18<sup>th</sup> Street, 511-525 West 18<sup>th</sup> Street  
Manhattan Block 690, Lots 20 and 29  
Hazardous Materials, Air Quality, and Noise “E” Designation  
E-142: Highline / West Chelsea Rezoning - CEQR 03DCP069M - 6/23/2005  
OER Project Number 15EHAN268M, NYS BCP Site #C231093

Dear Manhattan Borough Commissioner:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice to Proceed for the above-referenced Department of Buildings Job Number. This correspondence is provided pursuant to OER’s responsibilities as established in Chapter 24 of Title 15 of the Rules of the City of New York and Section 11-15 of the Zoning Resolution of the City of New York. 18<sup>th</sup> Highline Associates, LLC (the applicant) is enrolled in the New York State Department of Conservation Brownfield Cleanup Program (NYSDEC BCP), Site No. C231093, and has filed a Remedial Action Work Plan (RAWP) dated September 2017 with NYSDEC. The Applicant has also submitted a Noise remedial action plan, Air Quality remedial action plan, and NYSDEC-issued Decision Document dated September 6, 2017 approving of the NYSBCP remedial action work plan that are acceptable to this Office, and has prepared a Construction Health and Safety Plan for implementation on this project. OER’s Decision Document that defines the remedial actions required for this project has been prepared and filed and is available on request.

At the conclusion of remedial activities required under this action, the Zoning Resolution and §24-07 of the Rules of the City of New York requires that OER issue a Notice of Satisfaction signifying that all remedial action requirements established for this project have been satisfied prior to issuance of the Certificate of Occupancy or Temporary Certificate of Occupancy by Department of Buildings.

If you have any questions or comments, please feel free to contact Sarah Pong at 212-442-8342.

Sincerely,

Maurizio Bertini, Ph.D.  
Assistant Director

cc: Frank Monterisi, 18<sup>th</sup> Highline Associates, LLC – [fmonterisi@related.com](mailto:fmonterisi@related.com)  
Luigi Russo, R.A. – [tfurman@slcearch.com](mailto:tfurman@slcearch.com)  
Alana Carroll, Integral Consulting Inc. - [acarroll@integral-corp.com](mailto:acarroll@integral-corp.com)  
Ken Shook, Longman Lindsey - [kens@longmanlindsey.com](mailto:kens@longmanlindsey.com)  
Gardiner Cross, NYSDEC – [gardiner.cross@dec.ny.gov](mailto:gardiner.cross@dec.ny.gov)  
Daniel Walsh, Shaminder Chawla, Zach Schreiber  
Sarah Pong, PMA-OER

**APPENDIX B:**  
**WRP CONSISTENCY ASSESSMENT FORM**



## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM

### Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the [New York City Waterfront Revitalization Program](#) (WRP) which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

#### A. APPLICANT INFORMATION

Name of Applicant: 18th Highline Associates, LLC, c/o The Related Companies, LP

Name of Applicant Representative: Philip Habib, P.E., Philip Habib & Associates, PE, PC

Address: 102 Madison Avenue, 11th floor, New York, NY 10016

Telephone: 212.929.5656 Email: phabib@phaeng.com

Project site owner (if different than above): \_\_\_\_\_

#### B. PROPOSED ACTIVITY

*If more space is needed, include as an attachment.*

##### I. Brief description of activity

The proposed action would allow a 180-space accessory parking garage with attended-park operation to be provided in a new development currently under construction on an as-of-right basis on the development site at 515 W. 18th Street in the West Chelsea neighborhood in Manhattan Community District 4. Under No-Action conditions, the mixed-use building on the development site would include approximately 181 dwelling units (DUs), approximately 18,000 gsf of retail space, and approximately 41 accessory parking spaces (the maximum permitted on an as-of-right basis). Apart from the 139-space incremental increase in parking capacity, the proposed action would not result in any other changes to the development; there would be no change in overall building area, footprint, cellar volume, building envelope, curb cut location, residential units, retail area, or number of building employees. Space occupied by the incremental 139 spaces under With-Action conditions would be used for storage and other accessory functions under No-Action conditions.

##### 2. Purpose of activity

Without the proposed action, the site would provide only the maximum number of spaces permitted as-of-right for the development, i.e., 41 spaces, which the applicant believes would not fully address the new building's anticipated site-generated parking demand. The parking Special Permit would enable the building to provide additional parking spaces and it is the applicant's opinion that this would make productive use of its cellar space. The applicant also believes that the additional parking would serve demand from other residents in the surrounding area which has experienced substantial new residential development while the supply of residential parking in recent years has not kept pace with the level permitted as-of-right. Several of the new developments have replaced public parking facilities and some new residential developments in the vicinity have not provided permitted parking.

### C. PROJECT LOCATION

Borough: Manhattan Tax Block/Lot(s): Block 690, Lots 20 & 29

Street Address: 515 W. 18th St.; full range: 131-135 10th Av.; 501-525 W. 18th St.; 500-510 W. 19th St.

Name of water body (if located on the waterfront): Not applicable.

### D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

#### City Actions/Approvals/Funding

##### City Planning Commission

☒ Yes ☐ No

- |                                                           |                                                      |                                            |
|-----------------------------------------------------------|------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> City Map Amendment               | <input type="checkbox"/> Zoning Certification        | <input type="checkbox"/> Concession        |
| <input type="checkbox"/> Zoning Map Amendment             | <input type="checkbox"/> Zoning Authorizations       | <input type="checkbox"/> UDAAP             |
| <input type="checkbox"/> Zoning Text Amendment            | <input type="checkbox"/> Acquisition – Real Property | <input type="checkbox"/> Revocable Consent |
| <input type="checkbox"/> Site Selection – Public Facility | <input type="checkbox"/> Disposition – Real Property | <input type="checkbox"/> Franchise         |
| <input type="checkbox"/> Housing Plan & Project           | <input type="checkbox"/> Other, explain: _____       |                                            |
| <input checked="" type="checkbox"/> Special Permit        |                                                      |                                            |
- (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: \_\_\_\_\_

##### Board of Standards and Appeals

☐ Yes ☒ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
- (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: \_\_\_\_\_

##### Other City Approvals

- |                                                            |                                                                   |
|------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Legislation                       | <input type="checkbox"/> Funding for Construction, specify: _____ |
| <input type="checkbox"/> Rulemaking                        | <input type="checkbox"/> Policy or Plan, specify: _____           |
| <input type="checkbox"/> Construction of Public Facilities | <input type="checkbox"/> Funding of Program, specify: _____       |
| <input type="checkbox"/> 384 (b) (4) Approval              | <input type="checkbox"/> Permits, specify: _____                  |
| <input type="checkbox"/> Other, explain: _____             |                                                                   |

#### State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: \_\_\_\_\_ Permit type and number: \_\_\_\_\_
- ☐ Funding for Construction, specify: \_\_\_\_\_
- ☐ Funding of a Program, specify: \_\_\_\_\_
- ☐ Other, explain: \_\_\_\_\_

#### Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: \_\_\_\_\_ Permit type and number: \_\_\_\_\_
- ☐ Funding for Construction, specify: \_\_\_\_\_
- ☐ Funding of a Program, specify: \_\_\_\_\_
- ☐ Other, explain: \_\_\_\_\_

Is this being reviewed in conjunction with a [Joint Application for Permits?](#)

☐ Yes

☒ No

## E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☒ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☒ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☒ No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2) ☒ Yes ☐ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2) ☒ Yes ☐ No
6. Is the project located adjacent to or within a special area designation? See [Maps – Part III](#) of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
  - ☐ Significant Maritime and Industrial Area (SMIA) (2.1)
  - ☐ Special Natural Waterfront Area (SNWA) (4.1)
  - ☐ Priority Martine Activity Zone (PMAZ) (3.5)
  - ☐ Recognized Ecological Complex (REC) (4.4)
  - ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

## F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the [NYC Waterfront Revitalization Program](#). When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

		Promote	Hinder	N/A
<b>I</b>	<b>Support and facilitate commercial and residential redevelopment in areas well-suited to such development.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Promote	Hinder	N/A
<b>2</b>	<b>Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3</b>	<b>Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.1.	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4</b>	<b>Protect and restore the quality and function of ecological systems within the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Promote	Hinder	N/A
<b>5</b>	<b>Protect and improve water quality in the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6</b>	<b>Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i> ) into the planning and design of projects in the city's Coastal Zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7</b>	<b>Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8</b>	<b>Provide public access to, from, and along New York City's coastal waters.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9</b>	<b>Protect scenic resources that contribute to the visual quality of the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10</b>	<b>Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: 18th Highline Associates, LLC / Philip Habib, P.E.

Address: 102 Madison Avenue, 11th floor

Telephone: 212.929.5656

Email: phabib@phaeng.com

Applicant/Agent's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the [NYS Department of State Office of Planning and Development](#) and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

### **New York City Department of City Planning**

Waterfront and Open Space Division  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271  
212-720-3525  
[wrp@planning.nyc.gov](mailto:wrp@planning.nyc.gov)  
[www.nyc.gov/wrp](http://www.nyc.gov/wrp)

### **New York State Department of State**

Office of Planning and Development  
Suite 1010  
One Commerce Place, 99 Washington Avenue  
Albany, New York 12231-0001  
(518) 474-6000  
[www.dos.ny.gov/opd/programs/consistency](http://www.dos.ny.gov/opd/programs/consistency)

## Applicant Checklist

- ☒ Copy of original signed NYC Consistency Assessment Form
- ☒ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☒ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.

## NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Worksheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT [www.nyc.gov/wrp](http://www.nyc.gov/wrp)

Enter information about the project and site in highlighted cells in Tabs 1-3. HighTab 4 contains primary results. Tab 5, "Future Flood Level Projections" contains background computations. The remaining tabs contain additional results, to be used as relevant. Non-highlighted cells have been locked.

Background Information	
Project Name	515 W. 18th Street Garage Special Permit
Location	Development Site: 515 W. 18th St.
Type(s)	<input checked="" type="checkbox"/> Residential, Commercial, Community Facility <input checked="" type="checkbox"/> Parkland, Open Space, and Natural Areas <input type="checkbox"/> Tidal Wetland Restoration <input type="checkbox"/> Critical Infrastructure or Facility <input type="checkbox"/> Industrial Uses <input type="checkbox"/> Over-water Structures <input type="checkbox"/> Shoreline Structures <input type="checkbox"/> Transportation <input type="checkbox"/> Wastewater Treatment/Drainage <input type="checkbox"/> Coastal Protection
Description	The proposed action would allow a 180-space accessory parking garage with attended-park operation to be provided in a new development currently under construction on an as-of-right basis on the development site at 515 W. 18th Street, in Manhattan Community District 4. Under No-Action conditions, the mixed-use building on the development site would include approximately 181 dwelling units (DUs), approximately 18,000 gsf of retail space, and approximately 41 accessory parking spaces (the maximum permitted on an as-of-right basis). Apart from the 139-space incremental increase in parking capacity, the proposed action would not result in any other changes to the development.
Planned Completion date	2020

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email [wrp@planning.nyc.gov](mailto:wrp@planning.nyc.gov), using the message subject "Policy 6.2 Worksheet Error."

Last update: June 7, 2017

Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	2.28	2.28	NAVD88	NOAA Tides & Currents, The Battery
1% flood height	11.00	11.00	NAVD88	2015 FEMA pFIRMS
As relevant:				
0.2% flood height	14.00	14.00	NAVD88	Estimate based on 1% flood height
MHW	1.96	1.96	NAVD88	NOAA Tides & Currents, The Battery
MSL	-0.20	-0.20	NAVD88	NOAA Tides & Currents, The Battery
MLLW	-2.77	-2.77	NAVD88	NOAA Tides & Currents, The Battery

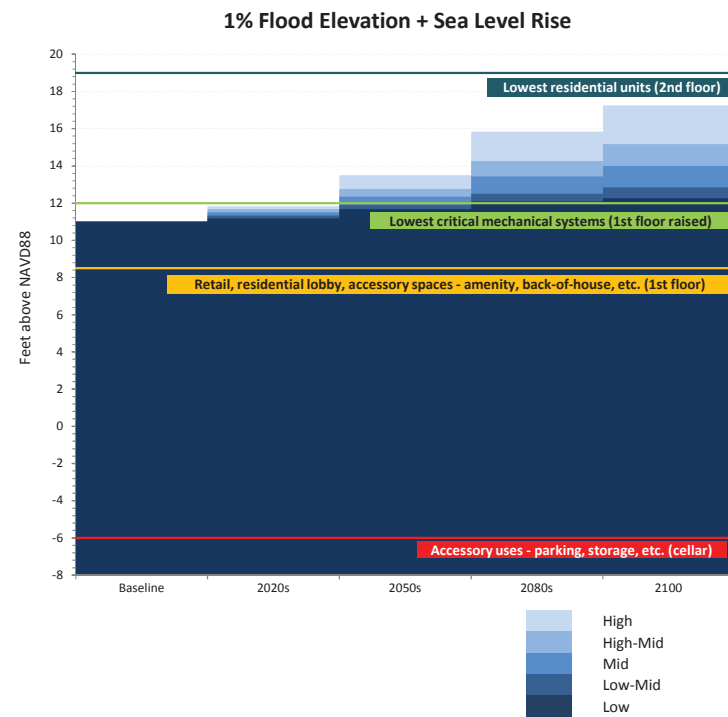
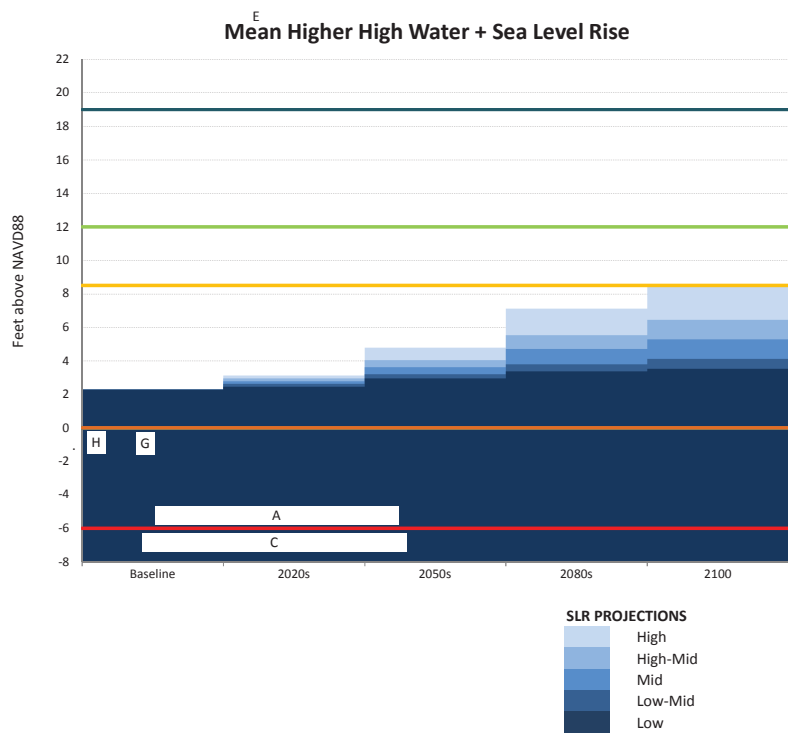
Data will be converted based on the following datums:

Datum	FT (NAVD88)
NAVD88	0.00
NGVD29	-1.10
Manhattan Datum	1.65
Bronx Datum	1.51
Brooklyn Datum (Sewer)	0.61
Brooklyn Datum (Highway)	1.45
Queens Datum	1.63
Richmond Datum	2.09
Station	-3.29
MLLW	0.00

**Describe key physical features of the project.**

Feature <i>(enter name)</i>	Feature Category				Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88	Ft Above MHHW	Ft Above 1% flood height	Ft Above 0.2% flood height
A	<input checked="" type="checkbox"/> Vulnerable	<input type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other	2080	-6.0	Feet	NAVD88	-6.0	-6.0	-8.3	-17.0	-20.0
Accessory uses - parking, storage, etc. (cellar)													
B	<input checked="" type="checkbox"/> Vulnerable	<input type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other	2080	8.5	Feet	NAVD88	8.5	8.5	6.2	-2.5	-5.5
Retail, residential lobby, accessory spaces - amenity, back-of-house, etc. (1st floor)													
C	<input type="checkbox"/> Vulnerable	<input checked="" type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other	2080	12.0	Feet	NAVD88	12.0	12.0	9.7	1.0	-2.0
Lowest critical mechanical systems (1st floor raised)													
D	<input type="checkbox"/> Vulnerable	<input checked="" type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other	2080	19.0	Feet	NAVD88	19.0	19.0	16.7	8.0	5.0
Lowest residential units (2nd floor)													
E	<input type="checkbox"/> Vulnerable	<input type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other			Feet	NAVD88					
Description of Planned Uses and Materials													
F	<input type="checkbox"/> Vulnerable	<input type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other			Feet	NAVD88					
Description of Planned Uses and Materials													
G	<input type="checkbox"/> Vulnerable	<input type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other			Feet	NAVD88					
Description of Planned Uses and Materials													
H	<input type="checkbox"/> Vulnerable	<input type="checkbox"/> Critical	<input type="checkbox"/> Potentially Hazardous	<input type="checkbox"/> Other			Feet	NAVD88					
Description of Planned Uses and Materials													

Assess project vulnerability over a range of sea level rise projections.



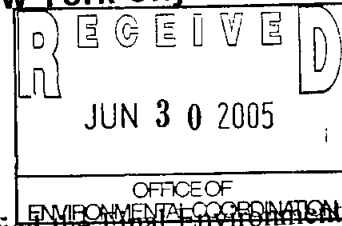
**APPENDIX C:**  
**WEST CHELSEA REZONING TECHNICAL MEMORANDUM: JUNE 22, 2005**



# TECHNICAL MEMORANDUM

## Proposed Modifications to Special West Chelsea District Zoning Map and Text Amendments Application at New York City Council (N 050161(A) ZRM)

June 22, 2005



The City Planning Commission (CPC), acting as lead agency, certified the Final Environmental Impact Statement (FEIS) for the Special West Chelsea District Rezoning and High Line Open Space project as complete on May 13, 2005. The FEIS assessed the effects of the proposed action as well alternatives to the proposed action, including Alternative F (the Revised Affordable Housing Alternative).

Subsequent to completion of the FEIS, a Technical Memorandum, dated May 25, 2005, was prepared to assess the potential effects of proposed modifications by the CPC to the Special West Chelsea District Rezoning ULURP No. (N 050161(A) ZRM). The CPC modifications generally related to height, setback and bulk regulations and did not change permitted density or floor area transfer mechanisms. They did not affect the total amount of development analyzed under Alternative F in the FEIS, which consisted of the following: 5,329 total dwelling units (DUs), of which 768 would be low-moderate income affordable housing units; 229,976 sf of retail; 198,726 sf of community facility; and decreases of 812,394 sf of office; 131,100 sf of hotel; 136,802 sf of storage/manufacturing; 228,409 sf of parking/auto; and 4,080 sf of vacant space. Additional changes to lot coverage and existing adult use establishments did not change permitted density or floor area transfers. Development under the CPC modifications occurred on the same 28 projected and 25 potential development sites as under Alternative F. Furthermore, the CPC modifications did not affect the creation and design of the proposed 5.9-acre public open space on the High Line. The May 25, 2005 Technical Memorandum concluded that the CPC modifications would not result in significant adverse environmental impacts not already identified in the FEIS.

On May 25, 2005, the CPC voted to adopt Alternative F, with the proposed modifications assessed in the May 25 technical memorandum.

Pursuant to the City's Uniform Land Use Review Procedure, the New York City Council (the "Council") has now proposed certain additional amendments to the CPC-approved Special West Chelsea District Rezoning. These are described below and their potential for creating significant adverse environmental impacts not already identified in the FEIS is assessed herein.

# **I. DESCRIPTION OF COUNCIL MODIFICATIONS**

## Zoning Text Amendments

### 1. Modifications of permitted maximum height

- Subarea C maximum building height would be reduced from 145 feet to 125 feet.

### 2. Modifications of density increases

The mechanisms to increase from base to maximum FAR would be modified from the CPC adopted application as follows:

- C6-2 districts: the inclusionary housing bonus (IHB) is eliminated for increasing from base FAR to maximum FAR.
- C6-3 districts: the base FAR would remain at 5.0; this could be increased to 6.25 through High Line Transfer (was 6.65); with High Line Transfer/IHB a maximum FAR of 7.5 would be allowed (no change in maximum FAR).
- C6-4 districts: the base FAR would be reduced from 7.5 to 6.5; FAR could be increased up to 9.5 through the High Line Transfer, same as under the CPC application; FAR could be further increased to 12.0 through the IHB, a change in the mechanism. The IHB would not apply to the C6-4 district in Subarea H, where the maximum FAR would remain 10.0.
- Subarea I: the High Line Improvement Bonus eligible in Subarea I would increase from 1.5 to 2.5 FAR.

These changes are summarized in tabular form below.

CPC Adopted	C6-2	C6-3	C6-4*
	FAR	FAR	FAR
Base FAR	5	5	7.5
Through High Line Transfer	5.65	6.65	9.15
Through High Line Transfer / IHB	6	7.5	10
Through IHB			12
<b>Council Modifications</b>			
Base FAR	5	5	6.5
Through High Line Transfer	6	6.25	9.15
Through High Line Transfer / IHB		7.5	
Through IHB			12

\* Does not apply to C6-4 district in Subarea H

Additional changes to affordable housing provisions would include the following:

- \* Permit City, State, and Federal programs in inclusionary program
- \* Tiering of inclusionary bonus to higher income levels
- \* Affordable housing fund – After 90 percent of the High Line Transfer Corridor floor area is transferred to receiving sites or is otherwise used, as an alternative to the High Line transfer, an increase in floor area would be permitted in exchange for contributions to an Affordable Housing Fund. The contribution amount per square foot would be determined by the City Planning Commission at the time that the fund is established.
- \* Inclusionary bonus also applies to conversions.

The proposed Council modifications do not include any zoning map changes.

## **II. POTENTIAL FOR SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS FROM PROPOSED CHANGES TO ALTERNATIVE F**

### **Changes to Reasonable Worst Case Development Scenario due to Council Modifications**

There would be no change in the overall amount of net development expected to occur as a consequence of the Council modifications as compared to Alternative F and the CPC approved modifications. Development would occur at the same density on the 28 projected and 25 potential development sites identified for Alternative F and the CPC approved modifications. This includes increases of 5,329 DUs; 229,976 sf of retail; 198,726 sf of community facility; and decreases of 812,394 sf of office; 131,100 sf of hotel; 136,802 sf of storage/manufacturing; 228,409 sf of parking/auto; and 4,080 sf of vacant space.

However, the changes in FAR bonus mechanisms related to affordable housing units are expected to result in a higher number of affordable units. While Alternative F and the CPC approved modifications would generate 768 new affordable dwelling units, the Council modifications would generate 967 new affordable dwelling units. As the overall number of net dwelling units would remain at 5,329, the number of market rate units would be 4,362 as compared to 4,561.

Therefore, while the effects of the Council modifications would be generally similar to those of Alternative F and the CPC approved modifications, technical areas affected by the number of affordable housing units would experience somewhat different effects under the Council modifications. This would include technical areas affected by the size of the action-generated population, as low-moderate income units are expected to have somewhat larger household sizes than market-rate units.

The change in building heights in Subarea C, along Tenth Avenue, would result in changes to Sites 6, 8, and 11. These sites would be developed with 125-foot tall buildings rather than 145-

foot tall buildings anticipated under the CPC approved modifications. The height change would not affect Projected Development Site 9, also located along Tenth Avenue in Subarea C, which is currently occupied by an approximately 125-foot commercial building which would be converted to residential and retail uses under With-Action conditions.

#### **A. Land Use, Zoning, and Public Policy**

The proposed modifications would alter height regulations in Subarea C. This would result in somewhat shorter buildings on some development sites than proposed under the CPC Modifications. Sites with the shorter maximum building heights would have the same regulations as originally contained in Alternative F in the FEIS. There would be no changes to the proposed zoning map amendment or to the proposed density regulations analyzed for Alternative F. The land uses expected as a result of these modifications would be the same as expected under Alternative F, except that there would be a greater number of affordable housing units. There would be 967 affordable housing units, 199 more than the 768 affordable housing units anticipated under Alternative F and the CPC modifications. The Council modifications would also result in the creation of a 5.9-acre publicly accessible open space on the High Line.

As the overall amount of projected development with the Council Modifications generally would be the same as Alternative F, although involving a higher number of affordable housing units, the land use, zoning, and public policy effects would be substantially similar. As was the case with Alternative F and the CPC modifications, the proposed Council modifications would have positive effects on land use and would not result in significant adverse impacts to land use, zoning, or public policy.

#### **B. Socioeconomic Conditions**

The proposed Council modifications would result in the same general socioeconomic effects as would occur under Alternative F and the CPC modifications. Under the Council modifications, 199 more affordable housing dwelling units would be developed although the overall amount of residential development would be the same, with 5,329 net DUs. The increased number of affordable housing units would result in 172 additional residents, for a net total of 9,572 action-generated residents as compared to 9,400 for Alternative F and the CPC modifications. In addition, the net change in non-residential development would be the same as with Alternative F and the CPC modifications. Therefore, the socioeconomic benefits to businesses generated by the increase in residential development for the Council modifications would be very similar to those generated by Alternative F and the CPC modifications. The effects with respect to direct and indirect displacement effects on residents and businesses, and effects on specific industries would be the same.

As would be the case for Alternative F and the CPC modifications, the proposed Council modifications would have positive effects on socioeconomic conditions and would not result in significant adverse impacts related to socioeconomic conditions.

### **C. Community Facilities and Services**

Although there would be no change in the overall number of net dwelling units, the proposed Council modifications would result in 967 affordable housing units, as compared to 768 for Alternative F and the CPC modifications. As a result, there would be 172 more residents generated, with 9,572 under the Council modifications as compared to 9,400 for Alternative F and the CPC modifications. As there would be more affordable housing units and a larger overall population, the Council modifications have the potential to have greater effects on community facilities and services than those previously identified for Alternative F in the FEIS. These effects are identified and assessed below.

#### Elementary and Intermediate Schools

Under the Council modifications, there would be 552 additional elementary school students, as compared to 548 for Alternative F. As a result, in Region 3 of CSD 2 the utilization rate for elementary schools would increase over No-Action conditions, from 125 percent with a shortfall of 649 seats, to a utilization rate of 147 percent with a shortfall of 1,201 seats (compared to 147 percent and a deficiency of 1,197 seats with Alternative F). In CSD 2 as a whole, the elementary school utilization rate would increase over No-Action conditions, from 109 percent with a shortfall of 1,334 seats, to a utilization rate of 112 percent and a deficiency of 1,886 seats. As with Alternative F, the Council modifications would result in a greater than 5 percent increase in the deficiency of available elementary schools seats over No-Action conditions (85 percent and 41 percent, respectively) and therefore it would result in a significant adverse impact on public elementary schools in Region 3 and CSD 2 as a whole.

Under the Council Modifications, there would be 116 additional intermediate school students, as compared to 114 for Alternative F. For intermediate schools in Region 3 of CSD 2, the utilization rate would increase over No-Action conditions, from 93 percent with 61 available seats, to a utilization rate of 107 percent with a shortfall of 55 seats (compared to 107 percent and a deficiency of 53 seats with Alternative F). As there is not expected to be a deficit under No-Action conditions, a percentage increase in deficiency cannot be calculated. However, the deficit in seats at intermediate schools in Region 3 under this alternative in 2013 would be relatively small both in absolute terms and as a percentage of total capacity, since it would be only 2 seats more than the Alternative F demand. Therefore, as with Alternative F, the Council modifications would not have a significant adverse impact on intermediate schools in Region 3.

For intermediate schools in CSD 2 as a whole, the utilization rate would increase over No-Action conditions, from 117 percent with a shortfall of 1,164 seats, to a utilization rate of 119 percent with a shortfall of 1,280 seats (compared to 119 percent and a deficiency of 1,278 seats with Alternative F). As with Alternative F, the Council modifications would result in a greater than 5 percent increase in the deficiency of available intermediate school seats over No-Action conditions (10 percent) and therefore it would result in a significant adverse impact on public intermediate schools in CSD 2.

### High Schools

With the Council modifications, there would be approximately 179 new high school students within the proposed action area. As a result, there would be a shortfall of 2,104 seats in Manhattan high schools, with utilization at 104 percent of capacity. This represents a 9 percent increase in deficiency of high school seats over the No-Action conditions. This is slightly higher than Alternative F, which would result in a shortfall of 2,100 seats, also with a utilization rate of 104 percent, and a 9 percent increase in deficiency of high school seats over the No-Action conditions. The Council modifications, like Alternative F, result in a greater than 5 percent increase in deficiency in high school seats, potentially indicating a significant impact. However, since students may elect to attend high schools throughout the city, and could be accommodated without constraining overall capacity, no significant adverse impact to high schools in Manhattan is expected to occur as a result of the Council modifications (as is the case for Alternative F).

### Libraries

With a net increase of 4,362 market-rate and 967 affordable housing DUs, the Council modifications would generate 9,572 new residents in the Muhlenberg Branch catchment area. Under No-Action conditions, the population in the Muhlenberg Branch catchment area would be 154,420 new residents by year 2013. Under the Council modifications, the population would increase to 163,992. This represents an increase of 6.2 percent residents over the No-Action population. The Council modifications increase would be 0.1 percentage point higher than Alternative F, which would add 9,400 residents, a 6.1 percent increase over the No-Action population.

As discussed in Chapter 4 of the FEIS, if a proposed action would increase the study area population by 5 percent or more over No-Action levels, a significant impact could occur if this increase would impair the delivery of library services. Significant impacts would warrant consideration of mitigation. However, as stated in the *No. 7 Subway Extension - Hudson Yards Rezoning and Development Program FGEIS (November 2004, CEQR No. 03DCP031M)*, the New York Public Library (NYPL) has indicated that projected increases in local library population attributed to the Hudson Yards project (through complete build-out in 2025), the West Chelsea rezoning, and other developments in the area could be accommodated by the library system's existing resources (the Hudson Yards library analysis included the Columbus Branch library at 742 Tenth Avenue, as well as the Muhlenberg Branch). In addition, the proximity of the Jefferson Market Branch Library as well as Midtown Manhattan's Central Libraries, with their extensive resources, to the West Chelsea proposed action area would help to absorb demand on library resources in the proposed action area. Therefore, as with Alternative F analyzed in the FEIS, no significant adverse impact to public libraries is expected to occur as a result of the Council modifications.

### Health Care Facilities

With 967 affordable housing units, the Council modifications would generate 2,418 new residents to add to the health care facility demand in the outpatient health care facilities study area. The Council modifications would generate 1,581 visits, a 1.9 percent increase over No-



Action conditions compared to an increase of 1,256 emergency room (ER) visits, representing a 1.5 percent increase for Alternative F over No-Action conditions. As a result, it is expected that the number of ER visits would increase from 84,102 (No-Action conditions) to 86,758 (Council modifications) at study area hospitals. As is the case with Alternative F, because the increase in generated ER visits for this alternative is still less than a 5 percent increase over No-Action conditions and given the availability of many outpatient ambulatory facilities in the study area, no significant adverse impacts on health care services are expected as a result of the Council modifications.

#### Publicly Funded Day Care

With 967 affordable housing units, the Council modifications would generate 116 children under age 12 eligible for publicly funded day care. As a result, the net unmet demand in the study area would increase from 121 under No-Action conditions to 237 slots, a 49 percent increase in demand as a percentage of capacity over No-Action conditions (compared to a net unmet demand of 213 slots under the proposed action, and a 39 percent increase in demand as a percentage of capacity over No-Action conditions). As is the case with Alternative F, the Council modifications would result in an increase of five percent or more over capacity, and therefore a significant adverse impact to publicly funded day care service in the study area could occur in 2013 as a result.

#### Police and Fire Services

As noted in Chapter 4 of the FEIS, the NYPD and the FDNY routinely evaluate their resources in response to changes in population, crime levels and other local factors. Similar to Alternative F, the Council modifications would not displace or eliminate any existing NYPD or FDNY facilities and would not result in a significant adverse impact on police and fire protection in the study area.

#### Conclusion

As describe above, the Council modifications would result in significant adverse impacts to elementary schools in CSD 2 of Region 3 and in Region 3 as a whole, as well as to intermediate schools in Region 3 as a whole, and to publicly funded day care. These impacts would also occur under Alternative F (and the CPC modifications). The Council modifications' impacts would occur at a minimally higher magnitude but could be addressed by the same mitigation measures as identified in the FEIS. As also described above, the proposed Council modifications would not result in any significant adverse impacts to community facilities and services not already identified in the FEIS for Alternative F.

### **D. Open Space**

As discussed above, the Council modifications would generate 9,572 residents, 172 more than Alternative F and the CPC modifications. As there would be larger overall action-generated population, the Council modifications have the potential to have greater effects on open space

than those previously identified for Alternative F in the FEIS. These effects are identified and assessed below.

The Council modifications would generate up to 9,572 new residents, an increase of 172 over the 9,400 residents generated by Alternative F. These modifications would result in the same amount of open space as the proposed action, with 28.81 active acres, 64.11 passive acres, and 92.92 total acres.

With a study area population of 79,071, as compared to 78,899 under Alternative F, and the same amount of open space as Alternative F, the Council modifications would have 1.18 acres per 1,000 residents. This would be a decrease of 0.07 acres per 1,000 residents (6 percent) compared to the No-Action condition. This is the same open space rate as under Alternative F. The active open space ratio for the Council modifications would be 0.36 acres per 1,000 residents, a decrease of 0.05 acres (12 percent) compared to the No-Action condition. Under Alternative F, the active open space ratio was 0.37 acres per 1,000 residents. Under both Alternative F and the Council modifications, the percentage decrease would be approximately 12 percent. The passive open space ratio would be 0.81 acres per 1,000 residents, a decrease of 0.02 acres (3 percent) compared to the No-Action condition. Under Alternative F, the passive open space ratio and the percentage decrease are the same as the Council modifications (0.81 acres per 1,000 residents and a 3 percent decrease, respectively).

Like Alternative F, the Council modifications would not result in significant adverse open space impacts. Although the Council modifications would generate more residents as compared to Alternative F, the open space ratios would be very similar. As with Alternative F, significant adverse open space impacts are not expected because the proposed action would add approximately six acres of new publicly accessible open space on the High Line. Therefore, the proposed modifications would not result in any significant adverse impact to open space resources not already identified in the FEIS for Alternative F.

## **E. Shadows**

The proposed Council modifications would alter height, setback, and other bulk regulations in portions of the proposed action area as compared to the CPC modifications. Specifically, buildings on Projected Development Sites 6, 8, and 11 would be reduced from a maximum height of 145 feet to a maximum height of 125 feet. Consequently, the shadows cast from these development sites as a result of the Council modifications would be shorter as compared to the CPC modifications.

With the Council modifications, the same significant adverse shadow impacts expected under Alternative F would occur. The impacts to the Church of the Guardian Angel and the chapel located on the grounds of the General Theological Seminary are not attributed to buildings on Projected Development Sites 6, 8 and 11. The impacts to these resources are attributed to development sites located to the south and west of the resources. Therefore, no additional shadow impacts would occur with the Council modifications and they would not result in any significant adverse shadows impacts not already identified in the FEIS for Alternative F.

## **F. Historic Resources**

As there would be no change in the number, floor area, and type of construction on the 53 projected and potential development sites as a result of the proposed modifications, there would be no changes to the effects on historic resources as identified for Alternative F in the FEIS. The reduced heights on Sites 6, 8, and 11 and overall increase in the proportion of affordable housing units would not substantively change the effects on historic resources. With the proposed Council modifications, the same significant adverse historic resources impacts as expected for Alternative F would occur. The proposed modifications would not result in any significant adverse impact to historic resources not already identified in the FEIS for Alternative F.

## **G. Urban Design and Visual Resources**

Under the proposed Council modifications, some maximum permitted building heights would be changed from the regulations included in the CPC modifications. In Subarea C permitted heights would decrease from 145 to 125 feet.

The Council modifications would result in the same overall amount of net development, though a higher proportion of affordable housing units would be developed as compared to Alternative F and the CPC modifications. As a result, there would be a higher number action-generated residents and a commensurately higher level of sewage generated. As discussed below, the Council modifications would generate 1.21 million gallons per day (mgd) as compared to 1.19 mgd generated by Alternative F. This change in sewage generation is a negligible increase. As discussed in Chapters 11 and 23 of the FEIS, an assessment of future water quality conditions in 2010 and 2025 was prepared for the *Hudson Yards Final Generic Impact Statement (FEIS)*, to assess the effects of future development in the North River WPCP drainage area, including Hudson Yards related development and West Chelsea development. That analysis concluded that with increased CSO events, CSO volumes, and CSO pollutant loadings, these changes would have no significant adverse impacts on water quality and water quality conditions would continue to meet the standards and uses established, where applicable, for Class I waters. Therefore, like Alternative F, with the Council modifications, it is reasonable to conclude that occasional CSO discharges from outfalls serving the West Chelsea area and from effluent flows from the North River Water Pollution Control Plant (NRWPCP), even if discharging a higher concentration of sewage than under current conditions, would not result in significant adverse impacts to water quality in the Hudson River. Based on the amount of development anticipated under the Council modifications, as compared to Hudson Yards, even with the potential additional CSO events that may occur under future conditions, it would be reasonable to conclude that potential effects on water quality would be small and would not result in significant adverse impacts to water quality or wildlife in the Hudson River.

As was the case for Alternative F analyzed in the FEIS, the proposed Council modifications would have significant and positive changes on urban design and visual resources and would not result in significant adverse impacts to urban design and visual resources.

## **H. Neighborhood Character**

The proposed Council modifications generally would have the same effects on the elements that contribute to neighborhood character as Alternative F and the CPC modifications. The proposed Council modifications would not result in any significant adverse impacts not already identified in the FEIS for Alternative F on land use, urban design/visual resources, historic resources, socioeconomic conditions, traffic, and noise.

As was the case for Alternative F analyzed in the FEIS, the proposed Council modifications would not result in significant adverse impacts to neighborhood character and would result in an overall improvement to neighborhood character.

## **I. Hazardous Materials**

The proposed Council modifications would involve the same 53 projected and potential development sites and the same incremental development as under Alternative F analyzed in the FEIS (and under the CPC modifications). With the Council modifications, (E) designations for hazardous materials would be mapped on the same tax lots as identified for Alternative F in the FEIS (refer to Table 1). Therefore, as was the case for Alternative F, the proposed modifications would not result in significant adverse impacts to hazardous materials.

## **J. Natural Resources**

The Council modifications would result in development on the same 53 projected and potential development sites that would be affected by Alternative F and the CPC modifications. As Alternative F would not result in significant adverse impacts to natural resources due to site-specific effects, the Council modifications also would not result in significant adverse impacts on natural resources.

The Council modifications would result in the same overall amount of net development, though a higher proportion of affordable housing units would be developed as compared to Alternative F and the CPC modifications. As a result, there would be a higher number action-generated residents and a commensurately higher level of sewage generated. As discussed below, the Council modifications would generate 1.21 million gallons per day (mgd) as compared to 1.19 mgd generated by Alternative F. This change in sewage generation is a negligible increase. As discussed in Chapters 11 and 23 of the FEIS, an assessment of future water quality conditions in 2010 and 2025 was prepared for the *Hudson Yards Final Generic Impact Statement (FEIS)*, to assess the effects of future development in the North River WPCP drainage area, including Hudson Yards related development and West Chelsea development. That analysis concluded that with increased CSO events, CSO volumes, and CSO pollutant loadings, these changes would have no significant adverse impacts on water quality and water quality conditions would continue to meet the standards and uses established, where applicable, for Class I waters.

Therefore, like the proposed action and Alternative F, for the Council modifications it is reasonable to conclude that occasional CSO discharges from outfalls serving the West Chelsea area and from effluent flows from the North River Water Pollution Control Plant (NRWPCP), even if discharging a higher concentration of sewage than under current conditions, would not result in significant adverse impacts to water quality in the Hudson River. Based on the amount of development anticipated under the Council modifications, as compared to Hudson Yards, even with the potential additional CSO events that may occur under future conditions, it would be reasonable to conclude that potential effects on water quality would be small and would not result in significant adverse impacts to water quality or wildlife in the Hudson River.

As with Alternative F and the CPC modifications, the proposed Council modifications would not result in any significant adverse natural resources impacts.

#### **K. Waterfront Revitalization Program**

The Council modifications, like Alternative F, are compatible with the City's Local Waterfront Revitalization Program (LWRP). The changes to building heights and affordable housing FAR bonus mechanisms contained in the proposed Council modifications would not alter the conclusion presented in the May 25 Technical Memorandum.

As was the case for Alternative F analyzed in the FEIS, the proposed Council modifications would encourage appropriate land uses and open space amenities within the coastal zone and would be consistent with the 10 LWRP policies

#### **L. Infrastructure**

The Council modifications would result in a somewhat higher demand on the City's water supply and wastewater management systems compared to Alternative F; however, as under Alternative F and the CPC modifications, significant adverse impacts to infrastructure are not anticipated. With respect to stormwater management, the Council modifications are not expected to result in significant adverse impacts. Under both Alternative F and the Council modifications, the potential for CSO events would continue, given the increased sewage flows from projected development. However, these discharges are not likely to result in flooding in the basements of buildings, nor, as discussed above under "Natural Resources," are they likely to affect water quality and wildlife in the Hudson River.

With 172 more residents generated by the Council modifications as compared to Alternative F and the CPC modifications (9,572 compared to 9,400), there is a slightly greater demand placed on the City's water supply and wastewater management systems, as discussed below.

##### Water Supply

Under the Council modifications, total water usage on the projected development sites would be approximately 2,064,064 gpd (2.06 mgd), resulting in a net increase of approximately 1.62 mgd

over No-Action levels. This compares to a total water usage of 2.05 mgd and a net increase of 1.60 for Alternative F as analyzed in the FEIS. The Council modifications' incremental demand would represent an increase of 0.13 percent of the City's current water demand of 1.2 billion gpd (1,200 mgd). As with the 0.13 incremental increase associated with Alternative F, this relatively small incremental demand is not large enough to significantly impact the ability of the City's water system to deliver water. As such, the Council modifications, like Alternative F, would not result in significant adverse impacts upon the City's water supply nor would it affect local water pressure.

#### Wastewater Management

Under the Council modifications, sanitary sewage flows generated by the projected developments would be approximately 1.21 mgd (compared to 1.19 for Alternative F), an incremental increase of approximately 0.97 mgd over No-Action levels (compared to 0.95 mgd for the proposed action). This increment represents about 0.74 percent of the existing average wastewater flows at the North River WPCP and 0.57 percent of the its SPDES permitted flows (as compared to the proposed action's 0.72 percent and 0.56 percent, respectively). With North River WPCP operating substantially below capacity, the increase in sanitary sewage resulting from this alternative, as with the proposed action, is not anticipated to adversely impact WPCP operations nor cause it to exceed its design capacity or SPDES permit flow limit. As such, neither this alternative nor the proposed action would result in significant adverse impacts upon the City's sanitary sewage and wastewater management system.

#### **M. Solid Waste and Sanitation Services**

With 172 more residents generated by the Council modifications as compared to Alternative F and the CPC modifications (9,572 compared to 9,400), there is a potential for greater solid waste and sanitation services effects to occur. (As the non-residential development generated by the Council modifications would be exactly the same as Alternative F, the non-municipal solid waste generation would be the same and further assessment is not warranted.)

Under the Council modifications, it is estimated that the 28 projected development sites would generate approximately 163,605 pounds of municipal solid waste per week (81.8 tons), a net increase of 160,671 pounds per week (80.3 tons) over No-Action conditions. This would be somewhat higher than Alternative F, which would generate a net increase of 157,747 pounds of municipal solid waste per week (78.9 tons).

According to the *CEQR Technical Manual*, the typical DSNY collection truck for residential refuse carries approximately 12.5 tons of waste material. Therefore, like Alternative F, the Council modifications would generate solid waste equivalent to approximately 1 truck load per day (assuming a seven-day week), which is not expected to overburden the DSNY's solid waste handling services. Accordingly, as with Alternative F, the Council modifications would not result in significant adverse impacts to municipal solid waste services.



## **N. Energy**

The proposed Council modifications would not affect density. Therefore, energy demand would be the same as under Alternative F (energy demand is calculated by residential square footage rather than the number of residents). As was the case for Alternative F analyzed in the FEIS, the proposed modifications would not result in significant adverse energy impacts.

## **O. Traffic and Parking**

The proposed Council modifications would not affect density and result in new or different amounts of floor area on any development site. Therefore, the net vehicle trips and parking demand generated under the modifications would be the same as under Alternative F. Furthermore, there would be no change to traffic patterns or circulation. Therefore, the proposed modifications would not result in any significant adverse impacts to traffic and parking not already identified in the FEIS for Alternative F.

## **P. Transit and Pedestrians**

The proposed Council modifications would not affect density, and therefore would not change the net subway, bus, and pedestrian trips generated by Alternative F. Therefore, the proposed modifications would not result in any significant adverse transit and pedestrian impacts not already identified in the FEIS for Alternative F.

## **Q. Air Quality**

### ***Mobile Sources***

As noted above, the proposed Council modifications would not affect the density and projected floor area on any identified development sites, and therefore would not change the net vehicle trips generated by Alternative F. The effects on air quality from mobile sources would not be affected by the Council modifications. Therefore, they would not result in any significant adverse mobile source air quality impacts not already identified in the FEIS for Alternative F.

### ***Stationary Sources***

#### ***HVAC Source Impact Analysis.***

Like Alternative F and the CPC modifications, the proposed Council modifications would entail (E) designations for stationary source air quality and therefore would not result in significant adverse air quality impacts.

Table 2 presents the results of the HVAC source impact analysis and is provided at the end of this memorandum. As shown in Table 2, with the proposed Council modifications, Projected

Development Site 5 would no longer require an (E) designation for emissions associated with HVAC systems. Provided below is a list of all properties which would receive (E) designations for air quality under the proposed modifications.

- Requires a minimum offset distance for the stack locations for either natural gas or No. 2 fuel oil, as specified in Table 2 --- (columns two and three):  
Block 701; Lot 1 (Site 1)  
Block 699; Lot 5 (Site 4)  
Block 699; Lot 30\*, 31\*, 32\*, 33, 37\* (Site 6)  
Block 698; Lot 1 (Site 7)  
Block 696; Lot 58 (Site 10)  
Block 692; Lot 57 (Site 14)  
Block 691; Lots 43, 50 (Site 17)  
Block 691, Lots 25, 27, 29, 33, 35, 37 (Site 18)  
Block 690; Lot 29 (Site 20)  
Block 715; Lots 1\*, 2, 3, 60, 63, 64, 65 (Site 22)  
Block 715; Lots 5,7 (Site 23)  
Block 714; Lots 14,16 (Site 25)  
Block 701; Lots 59,62,68,70 (Site 26)  
Block 701; Lots 24,28 (Site 29)  
Block 700; Lots 53,54,55,56,57,59,60,61 (Site 30)  
Block 700; Lots 48,49 (Site 31)  
Block 700; Lots 42,44,45,47 (Site 32)  
Block 700; Lot 9 (Site 33)  
Block 699; Lots 14,49 (Site 38)  
Block 696; Lot 65 (Site 40)  
Block 691; Lots 15,19,22,24 (Site 43)  
Block 690; Lots 42,46 (Site 44)  
Block 715; Lots 50,59 (Site 45)  
Block 695, Lots 1,3,4 (Site 47)  
Block 695, Lots 67, 68, 69, 70 (Site 52)  
Block 694, Lot 47 (Site 53)
- Requires the exclusive use of natural gas (or a minimum offset distance for the stack location(s) if No. 2 fuel oil is used), as specified in Table 2 --- (columns four and five):  
Block 701, Lots 30,33, 35\*, 37,42,43 (Site 2)  
Block 698, Lots 32,35,37, 40,41 (Site 8)  
Block 697, Lots 27,31 (Site 9)  
Block 6901, Lots 12,20,54 (Site 19)  
Block 690; Lots 1,63 (Site 36)  
Block 695, Lots 7, 12, 57 (Site 48)

Lots containing existing residential buildings, expected to remain under With-Action conditions, would not be mapped with an (E) designation for air quality. These properties are indicated with an asterisk (\*).

The results of the analysis conducted for the Council modifications are provided in Table 2 below. Like Alternative F, the Council modifications would cause no violations of applicable air quality standards (i.e., maximum predicted total concentrations of each pollutant, including background, of NO<sub>x</sub>, SO<sub>2</sub>, and PM<sub>10</sub> are less than the corresponding NAAQS).

#### *Cumulative Impacts from HVAC Sources:*

The following four clusters were evaluated to determine the potential impact from the combined effects of the HVAC emissions from development sites on other nearby development sites.

Cluster #1: projected development sites 6, 8 – comprising a total floor area of 273,167 square feet with a stack height of 128 feet;

Cluster #2: projected development sites 12, 13, and 16 – comprising a total floor area of 356,688 square feet with a stack height of 253 feet.

Cluster #3: projected and potential development sites 22, 23, and 45 – comprising a total floor area of 428,109 square feet with a stack height of 138 feet.

Cluster #4: potential development sites 46, 47, and 52 – comprising a total floor area 455,386 of square feet with a stack height of 253 feet.

The results of the analysis indicate that the potential air quality impacts of combined emissions from these HVAC clusters, using either No. 2 fuel oil or natural gas, would not be significant (i.e., would not cause a violation of an NAAQS).

#### *Potential Impacts on Existing Land Uses*

Like the results for Alternative F presented in the FEIS, the Council modifications would not cause significant adverse impacts to nearby sensitive land uses.

All buildings considered under the proposed Council modifications are either taller than existing land uses in the immediate vicinity of the rezoning area boundary or the change in building heights proposed under the Council modifications would not alter the conclusions (with respect to existing sensitive land uses) contained in the FEIS for Alternative F or the May 25, 2005 technical memorandum. As such, emissions from the heating systems of the projected or potential development sites would not impact existing residential buildings (i.e., would not cause a violation of an NAAQS).

#### *Impacts of Existing Emission Source on Projected and Potential Development Sites*

Like the results for Alternative F presented in the FEIS, with the Council modifications no significant adverse impacts are expected to any of the development sites from existing land uses.

The potentially significant combustion sources identified in the FEIS would not affect any projected or potential development sites identified under the Council modifications. The heights of the buildings that were identified as being potentially affected by existing emission sources either did not change or the height relationships between the projected and potential developments and existing land uses that were considered in the FEIS would not change.

#### *Air Toxics Analysis:*

Like Alternative F, under the Council modifications air toxic emissions from existing industrial or manufacturing sources in the study area would not result in significant adverse air quality impacts to any projected or potential development site. The manufacturing and industrial facilities identified in the FEIS for the proposed action would potentially affect the same development sites under Alternative F and the Council modifications.

#### **R. Noise**

With the proposed modifications, the same amount of development would occur at the same density on the 53 projected and potential development sites, as analyzed for Alternative F in the FEIS. With the proposed modifications, (E) designations for noise window wall attenuation would be mapped on the same tax lots as identified for Alternative F in the FEIS (refer to Tables 3 and 4). Therefore, as was the case for Alternative F, the proposed modifications would not result in significant adverse noise impacts.

#### **S. Construction Impacts**

The proposed Council modifications would result in the same development density on the 53 projected and potential development sites as analyzed for Alternative F in the FEIS. Apart from some changes in building height, setback, and related bulk regulations that would affect building envelopes, the constructions effects with the proposed modifications would be the same as for Alternative F analyzed in the FEIS. As these changes would not significantly change the nature of site construction, the Council modifications would not result in any significant adverse construction impacts not already identified in the FEIS for Alternative F.

#### **T. Public Health**

As with Alternative F analyzed in the FEIS, the proposed Council modifications would not result in significant adverse public health impacts, as they would not significantly impact the various technical areas that comprise public health, namely, air quality, hazardous materials, solid waste management, and noise. With the Council modifications, the hazardous materials testing and remediation requirements, air quality measures, and noise attenuation required by the proposed (E) designations would be implemented.

#### **U. Mitigation**

As the proposed Council modifications would result in the same significant adverse impacts identified under Alternative F, the same mitigation measures for community facility, traffic and transit impacts identified in the FEIS for Alternative F would apply to the proposed modifications.

## **V. Unavoidable Adverse Impacts**

The proposed Council modifications would result in the same unavoidable adverse impacts identified in the FEIS for Alternative F with respect to shadows and historic resources.

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
1	701	1	Projected	Manhattan Mini-Storage 541 W29th St	Storage	Appendix A List Automobile Service Station	1934 Bromley	Yes
2	701	30	Projected	Enterprise 30th Street Parking, LLC 505-509 W29th St	Parking Garage	Appendix A List Metal Processing	1934 Bromley	Yes
2	701	33	Projected	505 W29th St	Storage/Vacant	Appendix A List Metal Processing	1934 Bromley	Yes
2	701	35*	Projected	Terminal Food Shop 329 10th Ave	Del	Appendix A List Metal Processing	1934 Bromley	No
2	701	35*	Projected	501 29th St	Residential / Commercial	Appendix A List Metal Processing	1934 Bromley	No
2	701	36	Projected	331 Tenth Ave	Parking Lot	Appendix A List Metal Processing	1934 Bromley	Yes
2	701	37	Projected	333 Tenth Ave	Auto Sales (lot)	Appendix A List Metal Processing	1934 Bromley	Yes
2	701	42	Projected	Enterprise 30th Street Parking, L.L.C. 343 10th Ave	Parking Lot	Appendix A List Metal Processing	1934 Bromley	Yes
2	701	43	Projected	502 W30th St	Manufacturing /Vacant	Appendix A List Metal Processing	1934 Bromley	Yes
3	700	1	Projected	Kaz Systems 282 11th Ave	Parking Lot	Adjacent App A Auto Service	2004 Field Survey	Yes
3	700	1	Projected	David's Auto Service 282 11th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
3	700	1	Projected	Brownfield Auto 298 11th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
4	699	5	Projected	547 W27th St	Art Gallery	Adjacent App A Iron Works	1897 Bromley	Yes
5	699	22	Projected	517 W27th St	Office Space	Adjacent App A Iron Works	1897 Bromley	Yes
5	699	23	Projected	515 W27th St	Office Space	Adjacent App A Iron Works	1897 Bromley	Yes
5	699	24	Projected	Coim Construction 513 W27th St	Office Space	Adjacent App A Iron Works	1897 Bromley	Yes
5	699	25	Projected	511 W27th St	Art Gallery	Adjacent App A Metal Processing	2004 Field Survey	Yes
5	699	26	Projected	509 W27th St	Scrap Metal Processing	Appendix A List Metal Processing	2004 Field Survey	Yes
5	699	27	Projected	Central Iron & Metal 507-9 W27th St	Scrap Metal Processing	Appendix A List Metal Processing	2004 Field Survey	Yes
5	699	44	Projected	Bungalow 8 518 W27th St	Bar/Restaurant	Adjacent App A Iron Works	1897 Bromley	Yes
5	699	44	Projected	Leonard Powers, Inc 514-20 W27th St	Industrial/Storage	Adjacent App A Iron Works	1897 Bromley	Yes
6	699	30*	Projected	503 W27th St	Residential	Adjacent App A Metal Processing	2004 Field Survey	No
6	699	30*	Projected	Brite Bar 297 10th Ave	Bar/Restaurant	Appendix A List Motor Freight Station	1955 Bromley	No
6	699	31*	Projected	Bongo 299 10th Ave	Residential/Retail	Appendix A List Motor Freight Station	1955 Bromley	No



Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
6	699	32*	Projected	Punjabi Food Junction 301 10th Ave	Residential/Retail	Adjacent App A Auto Service	2004 Field Survey	No
6	699	33	Projected	City/Gas Auto Repair 303-309 10th Ave	Auto Gas/Service Repair	Appendix A List Automobile Service Station	2004 Field Survey	Yes
6	699	37*	Projected	10th Ave Gourmet 311 10th Ave	Residential/Retail	Adjacent App A Auto Service	2004 Field Survey	No
7	698	1	Projected	246-60 11th Ave	Office Space	Adjacent App A Brass Works	1897 Bromley	Yes
8	698	32	Projected	Firestone Bear Auto Center 279 10th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
8	698	35	Projected	The Friendly Group 287 10th Ave	Taxi Mgmt	Appendix A List Automobile Rental	2004 Field Survey	Yes
8	698	37	Projected	Marquee 289 10th Ave	Bar/Restaurant	Adjacent App A Auto Service Station	1934 Bromley	Yes
8	698	40	Projected	Paul Kasmin 293 10th Ave	Art Gallery	Adjacent App A Auto Service Station	1934 Bromley	Yes
8	698	141	Projected	502 W27th St	Residential	Appendix A List Automobile Service Station	1934 Bromley	Yes
9	697	27	Projected	501-9 W25th St	Parking/auto/ vacant	Adjacent App A Iron Works, Lumber Yard	1897 Bromley	Yes
9	697	31	Projected	Kantora Galley 259 10th Ave	Storage/ Commercial	Adjacent App A Iron Works, Lumber Yard	1897 Bromley	Yes
10	696	58	Projected	550 W25th St	Auto/Pkg/Vacant	Adjacent App A Coal Yard	1897 Bromley	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
11	696	28	Projected	511 W24th St	Commercial/Auto	Appendix A List Adj to RR ROW	2004 Field Survey	Yes
11	696	32	Projected	Kwik Farms 239 10th Ave	Gas Station	Appendix A List Gasoline Service Station	2004 Field Survey	Yes
11	696	33	Projected	Chandler Auto Repair 245-7 10th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
11	696	35	Projected	249 Parking Corp 249 10th Ave	Parking Garage	Adjacent App A Auto Service	2004 Field Survey	Yes
11	696	37	Projected	Pepe Giallo 253 10th Ave	Restaurant	Adjacent App A Auto Service	2004 Field Survey	Yes
11	696	38	Projected	World Class Audio 255 10th Ave	Auto Service	Appendix A List Automobile Service Station	2004 Field Survey	Yes
11	696	38	Projected	Marty's Auto Body 500 W25th St	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
12	693	1	Projected	144-50 11th Ave	Building for Lease (office/commercial)	Adjacent lots to the north, lot 64, has a Glass Manufacture past use	1934 Bromley, Jan 1955 Man Address Direct.	Yes
12	693	64	Projected	Chelsea Art Museum 150-54 11th Ave	Art Gallery	Glass Manufacture past use	1934 Bromley	Yes
13	692	7	Projected	545-7 W20th St	Art Gallery	Adjacent App A Auto Service	Jan 1955 Manhattan Address Directory	Yes
13	692	7	Projected	120 11th Ave	Mixed Use (Residential/Office)	Appendix A List Metal Processing	Jan 1955 Manhattan Address Directory	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
13	692	61	Projected	Lot 61 550 W21st St	Bar/Restaurant	Appendix A List Metal Processing	Jan 1955 Manhattan Address Directory	Yes
13	692	63	Projected	130 Eleventh Ave	Unknown (appears vacant)	Appendix A List Metal Processing	2004 Field Survey	Yes
14	692	53	Projected	540 W21st St	Office Space	Appendix A List Metal Processing	Jan 1955 Manhattan Address Directory	Yes
14	692	57	Projected	Eyebeam 548 W21st St	Art Gallery	Appendix A List Metal Processing	Jan 1955 Manhattan Address Directory	Yes
15	692	28	Projected	521-527 W20th St	Auto Service Garage	Appendix A Auto Service	2004 Field Survey	Yes
15	692	30	Projected	169-83 10th Ave	Construction Equipment Leasing	Adjacent App A Auto Service	2004 Field Survey	Yes
15	692	30	Projected	Manhattan Collision 507 W20th St	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
16	691	11	Potential	100 11th Ave	Parking Lot	Appendix A List Gas Storage	1897 Bromley	Yes
17	691	43	Projected	516 W20th St	Parking Garage	Appendix A List Gas Storage	1897 Bromley	Yes
17	691	50	Projected	Anton Kern 532 W20th St	Art Gallery	Appendix A List Gas Storage	1897 Bromley	Yes
18	691	25	Projected	W19th Street	Parking Lot	Appendix A List Automobile Service Station	1934 Bromley	Yes
18	691	27	Projected	505 W19th Street	Parking Lot	Appendix A List Automobile Service Station	1934 Bromley	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
18	691	29	Projected	Mendon Truck Leasing 153 Tenth Ave	Retail/Auto	Appendix A List Automobile Service Station	1934 Bromley	Yes
18	691	33	Projected	Edison Park 161-5 Tenth Ave	Parking Lot	Appendix A List Automobile Service Station	1934 Bromley	Yes
18	691	35	Projected	165 Tenth Ave	Parking Lot	Adjacent Appendix A List Automobile Service Station	1934 Bromley	Yes
18	691	37	Projected	504 W20th St	Parking Lot	Adjacent Appendix A List Automobile Service Station	1934 Bromley	Yes
19	690	12	Projected	Corner W18th St	New Construction (Residential Turner Construction)	Appendix A List Gas Storage	1897 Bromley	Yes
19	690	20	Projected	Roxy 515 W18th St	Bar/Restaurant	Appendix A List Gas Storage	1897 Bromley	Yes
19	690	20	Projected	Chelsea MTP Operating, LLC 511-25 W18th St	Parking Lot	Appendix A List Gas Storage	1897 Bromley	Yes
19	690	54	Projected	96 11th Ave	New Construction (Residential Turner Construction)	Adjacent Appendix A List Gas Storage	1897 Bromley	Yes
20	690	29	Projected	131 Tenth Ave	Parking Lot	Appendix A List Adj to RR ROW	1897 Bromley	Yes
21	689	17	Projected	99-111 10th Ave	Parking Lot	Appendix A List Gas Storage	1897 Bromley	Yes
22	715	1*	Projected	457 W17th St	Residential/Retail	Adjacent App A Gas Storage	1897 Bromley	No

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
22	715	2	Projected	Red Rock West Saloon 116 10th Ave	Bar/Restaurant	Adjacent App A Gas Storage	1897 Bromley	Yes
22	715	3	Projected	The Park 118 10th Ave	Bar/Restaurant	Adjacent App A Gas Storage	1897 Bromley	Yes
22	715	60	Projected	Lux 456 W18th St	Art Gallery	Adjacent App A Gas Storage	1897 Bromley	Yes
22	715	63	Projected	464 W18th	New Development (128 10th Ave restaurant)	Adjacent App A Gas Storage	1897 Bromley	Yes
22	715	63	Projected	Star on 18 128 10th Ave	Restaurant	Adjacent App A Gas Storage	1897 Bromley	Yes
22	715	64	Projected	124 10th Ave	Parking Garage	Adjacent App A Gas Storage	1897 Bromley	Yes
23	715	5	Projected	453 W17th St	Commercial	Adjacent App A Gas Storage	1897 Bromley	Yes
23	715	7	Projected	447 W17th St	Unknown	Adjacent App A Gas Storage	1897 Bromley	Yes
24	714	1	Projected	Bimmy's 455 W16th St	Deli	Appendix A List Motor Freight Station	1955 Bromley	Yes
24	714	1	Projected	Chelsea Garden Center 455 W16th St	Nursery	Appendix A List Motor Freight Station	1955 Bromley	Yes
24	714	1	Projected	458 W17th St	Residential/Retail	Appendix A List Motor Freight Station	1955 Bromley	Yes
24	714	1	Projected	Atlantic Theater 453 W16th St	Office Space	Adjacent App A Auto Service	2004 Field Survey	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
24	714	1	Projected	Heavenly Body Works 441-55 W16th St	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
24	714	63*	Projected	112 Tenth Ave	Residential/Retail	Adjacent App A Auto Service	2004 Field Survey	No
25	714	14	Projected	437 W16th St	Office Space	Adjacent App A Auto Service	2004 Field Survey	Yes
25	714	16	Projected	437 W16th St	Auto Service	Adjacent App A Auto Service	2004 Field Survey	Yes
26	701	59	Projected	Eurotech Construction/Painting 532 W30th St	Office Space	Appendix A List Adj to RR ROW	Aug 1934 Manhattan Address Directory	Yes
26	701	62	Projected	Eastern Connection 534 W30th St	Shipping / Packing	Adjacent App A Sign Painting	2004 Field Survey	Yes
26	701	68	Projected	Cabinetry / Millwork 314 11th Ave	Industrial	Appendix A List Furniture Manufacture	2004 Field Survey	Yes
26	701	68	Projected	Midtown Neon Sign Corp 550 W30th St	Retail / Manufacturing	Appendix A List Sign Painting Shops	2004 Field Survey	Yes
26	701	70	Projected	CNC Auto Repair 312 11th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
27	701	45	Potential	506-526 W30th St	Hot Dog Vending/Storage	Appendix A List Metal Processing	1934 Bromley	Yes
27	701	52	Potential	518-522 W30th St	Auto/Pkg/Storage	Appendix A List Adj to RR ROW	Aug 1934 Manhattan Address Directory	Yes
27	701	55	Potential	524 W30th St	Parking	Appendix A List Adj to RR ROW	Aug 1934 Manhattan Address Directory	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
27	701	56	Potential	526-528 W30th St	Parking	Appendix A List Adj to RR ROW	Aug 1934 Manhattan Address Directory	Yes
27	701	58	Potential	530 W30th St	Parking	Appendix A List Adj to RR ROW	Aug 1934 Manhattan Address Directory	Yes
28	701	16	Potential	Enterprise 30th St Parking, LLC 529-539 W29th St	Parking Garage	Appendix A List Furniture Manufacture	Aug 1934 Manhattan Address Directory	Yes
28	701	22	Potential	Briggs Robinson Gallery 527 W29th St	Art Gallery	Adjacent App A Furniture Manufacture	2004 Field Survey	Yes
28	701	23	Potential	Cabinet Maker 525 W29 St	Industrial / Commercial	Appendix A List Furniture Manufacture	2004 Field Survey	Yes
29	701	24	Potential	Tuck it 517 W29 St	Storage	Adjacent App A Furniture Manufacture	2004 Field Survey	Yes
29	701	28	Potential	Courier Network International Systems 515 W29th St	Retail / Art Gallery	Appendix A List Welding Shops	Aug 1934 Manhattan Address Directory	Yes
30	700	53	Potential	Pentacostal Church 534 W29th St	Religious	Adjacent App A List Coal Storage	1934 Bromley	Yes
30	700	54	Potential	John Young Studios 536 W29th St	Art Gallery	Adjacent App A List Coal Storage	1934 Bromley	Yes
30	700	55	Potential	Elite Investigation 538 W29th St	Office Space	Adjacent App A List Coal Storage	1934 Bromley	Yes
30	700	56	Potential	Alona Kagan Gallery 540 W29th St	Art Gallery	Adjacent App A Garbage Reduction	2004 Field Survey	Yes
30	700	57	Potential	Action Carling 542 W29th St	Garbage Disposal	Appendix A List Garbage Reduction	2004 Field Survey	Yes



Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
30	700	59	Potential	546 W29th St	Auto Service Garage	Adjacent App A Auto Service	2004 Field Survey	Yes
30	700	60	Potential	Avi Taxi Repair 546-8 W29th St	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
30	700	61	Potential	550 W29th Street	Office Space	Adjacent App A Auto Service	2004 Field Survey	Yes
31	700	48	Potential	524 W29th St	Office / Retail	Adjacent App A Auto Service	2004 Field Survey	Yes
31	700	49	Potential	Sean Kelly Art Gallery 526-28 W29th St	Art Gallery	Adjacent App A List Coal Storage	1934 Bromley	Yes
32	700	42	Potential	512 W29th St	Night Club	Adjacent App A Motor Freight Station	1955 Bromley	Yes
32	700	44	Potential	Technik 1 516 W29th St	Auto Electronics	Adjacent App A Auto Service	2004 Field Survey	Yes
32	700	45	Potential	518 W29th St	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
32	700	47	Potential	LA Ideal / Regent Maintenance Corp 522 W29th St	Manufacturing / Commercial	Adjacent App A Auto Service	2004 Field Survey	Yes
33	700	9	Projected	NY Builders Supply Corp 545 W28th St	Masonry Yard	Appendix A List Lumber Processing	2004 Field Survey	Yes
33	700	9	Projected	NY SUV Auto Body 547 W28th St	Parking Lot / Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
34	700	18	Projected	Kamco Supply Corp 517 W28th St	Lumber Yard	Appendix A List Lumber Processing	2004 Field Survey	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
35	700	29*	Potential	Taxi Mgmt, Inc 313 10th Ave	Residential/ Office Space	Appendix A List Automobile Service Station	1934 Bromley	No
35	700	30*	Potential	Medina 315 10th Ave	Residential / Retail/ Restaurant	Appendix A List Automobile Service Station	1934 Bromley	No
35	700	30*	Potential	315 10th Ave	Residential	Appendix A List Automobile Service Station	1934 Bromley	No
35	700	31*	Potential	IMP Mgmt 317 10th Ave	Residential/ Taxi Mgmt	Appendix A List Automobile Rental Establishments	2004 Field Survey	No
35	700	31*	Potential	317 10th Ave	Residential/ Retail Space	Adjacent App A Auto Rental	2004 Field Survey	No
35	700	31*	Potential	317 10th Ave	Residential / Retail Space	Appendix A List Automobile Service Station	1934 Bromley	No
35	700	32	Potential	Evan Auto, Inc 321 10th Ave	Auto / Towing	Appendix A List Automobile Service Station	2004 Field Survey	Yes
35	700	32	Potential	Evan Auto, Inc 319 10th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
35	700	34	Potential	323 Tenth Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
35	700	36	Potential	10th Ave Tire Shop 327 10th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
36	699	1	Potential	Manhattan Motors 270 11th Ave	Auto Dealer	Appendix A List Automobile Rental	2004 Field Survey	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
36	699	63	Potential	554 W28th St	Commercial / Art Gallery	Adjacent App A Auto Rental	2004 Field Survey	Yes
37	699	9	Potential	537 W27th St	Vacant Lot	Appendix A List Iron Works	1897 Bromley	Yes
38	699	14	Potential	CTX 538 W28th St	Industrial	Adjacent lot to the east, lot 49, has an Iron Works	1897 Bromley	Yes
38	699	49	Potential	Crobar 531 W27th St	Bar/Restaurant	Appendix A List Iron Works	1897 Bromley	Yes
38	699	49	Potential	Scores 533-35 W27th St	Bar/Restaurant	Appendix A List Iron Works	1897 Bromley	Yes
39	697	1	Potential	220-40 11th Ave	Parking Lot	Lumber Yard, Adj Iron Works	1897 Bromley	Yes
40	696	65	Potential	210 Art 210 11th Ave	Art Gallery / Commercial	Appendix A List Coal Yard	1897 Bromley	Yes
40	696	65	Potential	Stricoff Fine Art 564 W25th St	Art Gallery / Commercial	Appendix A List Coal Yard	1897 Bromley	Yes
41	696	1	Potential	202-8 11th Ave	Storage	Adjacent App A Coal Yard	1897 Bromley	Yes
42	694	30*	Potential	505 W22nd St	Residential	Appendix A List Adj to RR ROW	2004 Field Survey	No
42	694	31*	Potential	West Chelsea Veterinary Hospital 203 10th Ave	Residential / Medical	Appendix 5, §24-04a	Jan 1955 Manhattan Address Directory	No
42	694	32*	Potential	Tia Pol 205 10th Ave	Bar/Restaurant	Adjacent App A Motor Freight Station	1934 Bromley	No
42	694	32*	Potential	205 10th Ave	Residential	Appendix A List Automobile Service	Jan 1955 Manhattan Address Directory	No

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
42	694	33	Potential	207 10th Ave	Construction / Auto	Adjacent App A Auto Service	2004 Field Survey	Yes
42	694	39	Potential	Exxon 215 10th Ave	Gas Station	Appendix A List Gasoline Service Station	2004 Field Survey	Yes
42	694	40	Potential	512 W23rd St	Parking Lot	Adjacent App A Auto Service	2004 Field Survey	Yes
43	691	15	Potential	531 W19th St	Art Gallery	Appendix A List Gas Storage	1897 Bromley	Yes
43	691	19	Potential	David Zwerner 525 W19th St	Art Gallery	Appendix A List Gas Storage	1897 Bromley	Yes
43	691	22	Potential	Sidney Samuels 517 W19th St	Commercial Heating Cooling	Appendix A List Gas Storage	1897 Bromley	Yes
43	691	22	Potential	Chelsea Studio Gallery 518 W19th St	Art Gallery	Appendix A List Gas Storage	1897 Bromley	Yes
43	691	24	Potential	515 W19th St	Art Gallery / Residential	Adjacent App A Gas Storage	2004 Field Survey	Yes
44	690	42	Potential	516-22 W19th St	Warehouse / Commercial	Adjacent App A Gas Storage	1897 Bromley	Yes
44	690	46	Potential	524 W19th St	Art Gallery / Commercial	Adjacent App A Gas Storage	1897 Bromley	Yes
45	715	50	Potential	Midtown Chelsea Center 436 W18th St	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
45	715	59	Potential	Verizon 438-54 W18th St	Office/Commercial Space	Adjacent App A Auto Service	2004 Field Survey	Yes
46	694	58	Potential	536 W23rd St	Commercial Space	Adjacent App A Auto Service	2004 Field Survey	Yes
46	694	60	Potential	548 W23rd St	Commercial Space	Adjacent App A Auto Service	2004 Field Survey	Yes
46	694	61	Potential	522 W23rd St	Commercial Space	Adjacent App A Auto Service	2004 Field Survey	Yes
46	694	65	Potential	Uhaul 170 11th Ave	Storage	Appendix A List Glass/Furniture Manufacture	1897 Bromley	Yes
47	695	1	Potential	Privilege 182 11th Ave	Bar/Restaurant	Adjacent App A Auto Service	1934 Bromley	Yes

Table 1, West Chelsea: Hazardous Materials (E) Designation for Alternative F With Proposed Modifications by the CPC								
Site	Block	Lot	Development Site	Address	Current Land Use	CEQR Reference	Source	(E) Designation Warranted
47	695	3	Potential	Chelsea Inn 184 11th Ave	Hotel/Deli	Adjacent App A Auto Service	1934 Bromley	Yes
47	695	4	Potential	188 11th Ave	Office/Storage Space	Adjacent App A Auto Service	2004 Field Survey	Yes
48	695	7	Potential	New Construction	Residential/Retail	Adjacent App A Lumber Processing	1897 Bromley	Yes
48	695	12	Potential	Bula Gallery 541 W23rd St	Art Gallery	Adjacent App A Lumber Processing	1897 Bromley	Yes
48	695	57	Potential	536 W24th St	Construction	Adjacent App A Lumber Processing	1897 Bromley	Yes
49	695	44	Potential	MetroVision Production 508 W24th St	Office Space	Appendix A List Adj to RR ROW	1934 Bromley	Yes
50	695	47	Potential	PlexiCraft 514 W24th St	Commercial	Appendix A List Lumber Processing	1897 Bromley	Yes
51	695	59	Potential	W24th St	Construction	Adjacent App A Lumber Processing	1897 Bromley	Yes
52	695	67	Potential	200 11th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
52	695	68	Potential	CC Auto 198 11th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
52	695	69	Potential	196 11th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
52	695	70	Potential	Apple Auto 194 11th Ave	Auto Service Garage	Appendix A List Automobile Service Station	2004 Field Survey	Yes
53	694	47	Potential	Manhattan Mini- Storage 530 W23rd St	Storage	Appendix A List Gasoline Service Station	1934 Bromley	Yes

(\*) Lots indicated with an asterisk (\*) are not expected to be redeveloped under the proposed action, as they contain existing residential buildings. Therefore, they would not be mapped with an (E) Designation. These lots would transfer air rights to adjacent lots within the development site. Note as action-induced development is not expected on Site 14, the lots comprising this site would not receive hazardous materials (E) designations.

**TABLE 2 – RESULTS OF HVAC SOURCE IMPACT ANALYSIS WITH PROPOSED COUNCIL MODIFICATIONS**

<b>HVAC Source Identification</b>	<b>CEQR Screening Results for No. 2 Fuel Oil</b>	<b>CEQR Screening Results for Natural Gas</b>	<b>ISC3 Modeling Results for No. 2 Fuel Oil<sup>(1)</sup></b>	<b>ISC3 Modeling Results for Natural Gas<sup>(1)</sup></b>
Site 1	73 feet <sup>(1)</sup>	49 feet <sup>(1)</sup>	N/A	N/A
Site 2	Fail <sup>(3)</sup>	Fail <sup>(3)</sup>	79 feet <sup>(4)</sup>	Pass
Site 3	Pass	Pass	---	---
Site 4	62 feet <sup>(1)</sup>	45 feet <sup>(1)</sup>	N/A	N/A
Site 5	---	---	---	---
Site 6	48 feet <sup>(1)</sup>	31 feet <sup>(1)</sup>	N/A	N/A
Site 7	82 feet <sup>(1)</sup>	56 feet <sup>(1)</sup>	N/A	N/A
Site 8	Fail <sup>(3)</sup>	Fail <sup>(3)</sup>	63 feet <sup>(4)</sup>	Pass
Site 9	Fail <sup>(3)</sup>	Pass	90 feet <sup>(4)</sup>	---
Site 10	48 feet <sup>(1)</sup>	34 feet <sup>(1)</sup>	N/A	N/A
Site 11	Pass	Pass	---	---
Site 12	Pass	Pass	---	---
Site 13	Pass	Pass	---	---
Site 14	40 feet <sup>(1)</sup>	25 feet <sup>(1)</sup>	N/A	N/A
Site 15	Pass	Pass	---	---
Site 16	Pass	Pass	---	---
Site 17	46 feet <sup>(1)</sup>	34 feet <sup>(1)</sup>	N/A	N/A
Site 18	30 feet <sup>(1)</sup>	18 feet <sup>(1)</sup>	N/A	N/A
Site 19	Fail <sup>(3)</sup>	Fail <sup>(3)</sup>	80 feet <sup>(4)</sup>	Pass
Site 20	50 feet <sup>(1)</sup>	34 feet <sup>(1)</sup>	N/A	N/A
Site 21 <sup>(2)</sup>	---	---	---	---
Site 22†	54 feet <sup>(1)</sup>	40 feet <sup>(1)</sup>	N/A	N/A
Site 23†	40 feet <sup>(1)</sup>	---	N/A	N/A
Site 24	Pass	Pass	---	---
Site 25†	40 feet <sup>(1)</sup>	26 feet <sup>(1)</sup>	N/A	N/A
Site 26	85 feet <sup>(1)</sup>	65 feet <sup>(1)</sup>	N/A	N/A
Site 27†	---	---	---	---
Site 28 <sup>(2)</sup>	---	---	---	---

Site 29	40 feet <sup>(1)</sup>	25 feet <sup>(1)</sup>	N/A	N/A
Site 30	55 feet <sup>(1)</sup>	38 feet <sup>(1)</sup>	N/A	N/A
Site 31	46 feet <sup>(1)</sup>	30 feet <sup>(1)</sup>	N/A	N/A
Site 32	45 feet <sup>(1)</sup>	30 feet <sup>(1)</sup>	N/A	N/A
Site 33	57 feet <sup>(1)</sup>	41 feet <sup>(1)</sup>	N/A	N/A
Site 34	Pass	Pass	---	---
Site 35 <sup>(2)</sup>	---	---	---	---
Site 36	Fail <sup>(3)</sup>	Pass	79 feet <sup>(4)</sup>	---
Site 37 <sup>(2)</sup>	---	---	---	---
Site 38	76 feet <sup>(1)</sup>	50 feet <sup>(1)</sup>	N/A	N/A
Site 39 <sup>(2)</sup>	---	---	---	---
Site 40 <sup>(2)</sup> ‡	29 feet <sup>(1)</sup>	17 feet <sup>(1)</sup>	---	---
Site 41 ‡	---	---	---	---
Site 42 <sup>(2)</sup>	---	---	---	---
Site 43	45 feet <sup>(1)</sup>	39 feet <sup>(1)</sup>	N/A	N/A
Site 44	38 feet <sup>(1)</sup>	32 feet <sup>(1)</sup>	N/A	N/A
Site 45	62 feet <sup>(1)</sup>	45 feet <sup>(1)</sup>	N/A	N/A
Site 46	Pass	Pass	---	---
Site 47	31 feet <sup>(1)</sup>	19 feet <sup>(1)</sup>	N/A	N/A
Site 48	Fail <sup>(3)</sup>	Fail <sup>(3)</sup>	79 feet <sup>(4)</sup>	Pass
Site 52	24 feet <sup>(1)</sup>	17 feet <sup>(1)</sup>	N/A	N/A
Site 53	46 feet <sup>(1)</sup>	35 feet <sup>(1)</sup>	N/A	N/A

Notes:

1 Some sites are immediately adjacent to each other and the analysis could not be further refined without additional design data; therefore the minimum distance for which the source would pass the CEQR screening procedures was provided for these sites using CEQR monographs. The following (E) designation would be placed on these development sites. Any new development on the property must locate the HVAC stack no closer to the edge of roof than the distance indicated.

2 Building is taller than nearby buildings, no analysis is required.

3 For sites that failed the CEQR screening procedures, a detailed ISC3 modeling analysis was performed.

4 The following (E) designation would be placed on these development sites. Any new development on the property must either locate the HVAC stack no closer to the edge of roof (on the highest tier) as indicated or use natural gas as the type of fuel for the HVAC systems.

‡As explained in the memorandum to the project file dated 6/21/05, corrected (E) designation requirements, where applicable, have been provided above in Table 2.

**Table 3, Required Attenuation Values for Alternative F With Proposed Council Modification: Projected Developmental Sites (the representative monitoring site is shown next to the address)**

Site Number	Address	Block Number	Lot(s) Number	Build Max L <sub>10</sub> (dBA)	Attenuation Required
1 **	306-310 Eleventh Ave (S1)	701	1	75.7	40 **
2 **	505 W 29 ST (S4)	701	33	79.5	40 **
	329 Tenth Ave (S4)	701	35***	79.5	40 **
	331 Tenth Ave (S4)	701	36	79.5	40 **
	333 Tenth Ave (S4)	701	37	79.5	40 **
	337 Tenth Ave (S4)	701	42	79.5	40 **
	502-504 W 30 ST (S4)	701	43	79.5	40 **
	509 W 29 ST (S4)	701	30	79.5	40 **
3 **	282-298 Eleventh Ave (S1)	700	1	75.7	40 **
	282-298 Eleventh Ave (S1)	700	1	75.7	40 **
4	547-559 W 27 ST (S2)	699	5	73.9	30
5	514-520 W 28 ST (S2)	699	44	73.9	30
6	503 W. 27th St. (S4)	699	30***	79.5	35
	299 Tenth Ave (S4)	699	31***	79.5	35
	301 Tenth Ave (S4)	699	32***	79.5	35
	303-309 Tenth Ave (S4)	699	33	79.5	35
	311 Tenth Ave (S4)	699	37***	79.5	35
7	246-260 Eleventh Ave (S5)	698	1	76.2	35
8	279 Tenth Ave (S4)	698	32	79.5	35
	285 Tenth Ave (S4)	698	35	79.5	35
	289 Tenth Ave (S4)	698	37	79.5	35
	293 Tenth Ave (S4)	698	40	79.5	35
9	259 Tenth Ave (S4)	697	31	79.5	35
10	550 W 25 St (S2)	696	58	73.9	30
11	507 W. 24th St (S4)	696	28	79.5	35
	239 Tenth Ave (S4)	696	32	79.5	35
	245 Tenth Ave (S4)	696	33	79.5	35
	249 Tenth Ave (S4)	696	35	79.5	35
	253 Tenth Ave (S4)	696	37	79.5	35
	255 Tenth Ave (S4)	696	38	79.5	35
12	144-150 Eleventh Ave (S8)	693	1	82.7	40
	154-160 Eleventh Ave (S8)	693	64	82.7	40
13	130 Eleventh Ave (S8)	692	63	82.7	40
	550 W 21 ST (S8)	692	61	82.7	40
	550 W 21 ST (S8)	692	7	82.7	40
14	542 W 21 ST (S6)	692	57	73.3	30
	540 W 21 ST (S6)	692	53	73.3	30
15	169-183 Tenth Ave (S7)	692	30	75.4	35
	521-527 W 20 ST (S7)	692	28	75.4	35
16	100 Eleventh Ave (S8)	691	11	82.7	40
17	532-534 W 20 ST (S6)	691	50	73.3	30
	516-530 W 20 ST (S6)	691	43	73.3	30
18	153 Tenth Ave (S7)	691	29	75.4	35
	161 Tenth Ave (S7)	691	33	75.4	35



Site Number	Address	Block Number	Lot(s) Number	Build Max L <sub>10</sub> (dBA)	Attenuation Required
	165 Tenth Ave (S7)	691	35	75.4	35
	510 W 19 ST (S7)	691	25	75.4	35
	505 W 19 ST (S7)	691	27	75.4	35
	504 W 20 ST (S7)	691	37	75.4	35
19	96 Eleventh Ave (S8)	690	12	82.7	40
	80-92 Eleventh Ave (S8)	690	54	82.7	40
	511-525 W 18 ST (S8)	690	20	82.7	40
	511-525 W 18 ST (S8)	690	20	82.7	40
20	131 Tenth Ave (S7)	690	29	75.4	35
	131 Tenth Ave (S7)	690	29	75.4	35
21	99-111 Tenth Ave (S8)	689	17	82.7	40
22	128 Tenth Ave (S7)	715	63	75.4	35
	124 Tenth Ave (S7)	715	64, 65	75.4	35
	118 Tenth Ave (S7)	715	3	75.4	35
	116 Tenth Ave (S7)	715	2	75.4	35
	118 Tenth Ave (S7)	715	1***	75.4	35
	456 W 18 ST (S7)	715	60	75.4	35
23	453 W 17 ST (S9)	715	5	74.9	30
	447 W 17 ST (S9)	715	7	74.9	30
24	112 Tenth Ave (S7)	714	63***	75.4	35
	96 Tenth Ave (S7)	714	1	75.4	35
25	437 W 16 ST (S9)	714	14	74.9	30
	437 W 16 ST (S9)	714	16	74.9	30
26	314-316 Eleventh Ave (S1)	701	68	75.7	35
	312 Eleventh Ave (S1)	701	70	75.7	35
	534-538 W 30 ST (S1)	701	62	75.7	35
	532 W 30 ST (S1)	701	59	75.7	35
33	529-539 W 28 ST (S2)	700	9	73.9	30
34	517-527 W 28 ST (S2)	700	18	73.9	30

\*\* The affect of additional trucks at the Morgan Annex was taken into consideration. Window / wall attenuation requirements were increased by 5 dBA along the assigned routes of Morgan Annex truck traffic.

\*\*\* These lots are not expected to be redeveloped under the proposed action, as they contain existing residential buildings.

Note: as action-induced development is not expected on Site 14, the lots comprising this site would not receive noise attenuation (E) designations.

**Table 4, Required Attenuation Values for Alternative F with Proposed Council Modifications: Potential Development Sites (the representative monitoring site is shown next to the address)**

Site Number	Address	Block Number	Lot(s) Number	Build Max L <sub>10</sub> (dBA)	Attenuation Required
27 **	530 W 30 ST(S2)	701	58	73.9	35 **
	526-528 W 30 ST(S2)	701	56	73.9	35 **
	524 W 30 ST(S2)	701	55	73.9	35 **
	518-522 W 30 ST(S2)	701	52	73.9	35 **
	506 W 30 ST (S2)	701	45	79.5	35 **
28 **	529-539 W 29 ST(S2)	701	16	73.9	35 **
	527 W 29 ST(S2)	701	22	73.9	35 **
	525 W 29 ST(S2)	701	23	73.9	35 **
29 **	527 W 29 ST (S2)	701	24	73.9	35 **
	515 W 29 ST (S2)	701	28	73.9	35 **
30 **	550 W 29 ST (S2)	700	61	73.9	35 **
	548 W 29 ST (S2)	700	60	73.9	35 **
	546 W 29 ST (S2)	700	59	73.9	35 **
	542-544 W 29 ST (S2)	700	57	73.9	35 **
	540 W 29 ST (S2)	700	56	73.9	35 **
	538 W 29 ST (S2)	700	55	73.9	35 **
	536 W 29 ST (S2)	700	54	73.9	35 **
	534 W 29 ST (S2)	700	53	73.9	35 **
31 **	526-532 W 29 ST (S2)	700	49	73.9	35 **
	524 W 29 ST (S2)	700	48	73.9	35 **
32 **	522 W 29 ST (S2)	700	47	73.9	35 **
	518 W 29 ST (S2)	700	45	73.9	35 **
	516 W 29 ST (S2)	700	44	73.9	35 **
	512 W 29 ST (S2)	700	42	73.9	35 **
33	529-539 W 28 ST (S2)	700	9	73.9	30
34	517-527 W 28 ST (S2)	700	18	73.9	30
35 **	313 Tenth Ave (S4)	700	29***	79.5	40 **
	315 Tenth Ave (S4)	700	30***	79.5	40 **
	317 Tenth Ave (S4)	700	31***	79.5	40 **
	319-321 Tenth Ave (S4)	700	32	79.5	40 **
	323 Tenth Ave (S4)	700	34	79.5	40 **
	327 Tenth Ave (S4)	700	36	79.5	40 **
36	262-280 Eleventh Ave (S1)	699	1	75.7	35
	554 W 28 ST (S1)	699	63	75.7	35
	526-590 W 28 ST (S1)	699	49	75.7	35
37	537 W 27 ST (S2)	699	9	73.9	30
38	535-538 W 27ST (S2)	699	14	73.9	30
	526-590 W 28 ST (S2)	699	49	73.9	30
39	220-240 Eleventh Ave (S5)	697	1	76.2	35
40	210-216 Eleventh Ave (S4)	696	65	79.5	35
41	202-208 Eleventh Ave (S5)	696	1	76.2	35
42	505 W 22 ST (S4)	694	30***	79.5	35
	203 Tenth Avenue (S4)	694	31***	79.5	35
	205 Tenth Avenue (S4)	694	32***	79.5	35

Site Number	Address	Block Number	Lot(s) Number	Build Max L <sub>10</sub> (dBA)	Attenuation Required
	207 Tenth Avenue (S4)	694	33	79.5	35
	500 W 23 ST (S4)	694	39	79.5	35
	512 W 23 ST (S4)	694	40	79.5	35
43	527-533 W 19 ST (S6)	691	15	73.3	30
	521-525 W 19 ST (S6)	691	19	73.3	30
	517-519 W 19 ST (S6)	691	22	73.3	30
	515 W 19 ST (S6)	691	24	73.3	30
44	524 W 19 ST (S6)	690	46	73.3	30
	516-522 W 19 ST (S6)	690	42	73.3	30
45	442 W 18 ST (S9)	715	59	74.9	30
	436 W 18 ST (S9)	715	50	74.9	30
46*	536 W 23 ST	694	58	77.5	35
	548 W 23 ST	694	60	77.5	35
	522 W 23 ST	694	61	77.5	35
	170 Eleventh Ave	694	65	77.5	35
47*	182 Eleventh Ave	695	1	77.5	35
	186 Eleventh Ave	695	3	77.5	35
	188 Eleventh Ave	695	4	77.5	35
48*	549 W 23 ST	695	7	77.5	35
	543 W 23 ST	695	12	77.5	35
	536 W 24 ST	695	57	77.5	35
49*	508 W 24 ST	695	44	77.5	35
50*	514 W 24 ST	695	47	77.5	35
51*	540 W 24 ST	695	59	77.5	35
52*	200 Eleventh Ave	695	67	77.5	35
	198 Eleventh Ave	695	68	77.5	35
	196 Eleventh Ave	695	69	77.5	35
	194 Eleventh Ave	695	70	77.5	35
53*	524 W 23 ST	694	47	77.5	35

\* Mixed-use development on Potential Development Sites 46 through 53 requires 35 dBA window-wall attenuation, as per the EAS for the *Chelsea Rezoning (CEQR No. 99DCP030M)*. In order to ensure that the 35 dBA noise attenuation is provided once the mixed-use zoning district is eliminated, the Max L<sub>10</sub> (77.5 dBA) recorded in the above referenced EAS is used for these potential development sites

\*\* The affect of additional trucks at the Morgan Annex was taken into consideration. Window / wall attenuation requirements were increased by 5 dBA along the assigned routes of Morgan Annex truck traffic.

\*\*\* These lots are not expected to be redeveloped under the proposed action, as they contain existing residential buildings.

**THE COUNCIL OF THE CITY OF NEW YORK**  
**RESOLUTION NO. \_\_\_\_**

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 050161 (A) ZRM, an amendment to the text of the Zoning Resolution relating to the elimination of the Special Mixed Use District-3 and the creation of the Special West Chelsea District in Article IX, Chapter 8, Manhattan (L.U. No. 502).**

**By Council Members Katz and Avella**

WHEREAS, the City Planning Commission filed with the Council on May 31, 2005 its decision dated May 25, 2005 (the "Decision"), on the application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 050161 (A) ZRM) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 050162 (A) ZMM (L.U. No. 501), amendment to the Zoning Map; and C 050163 PCM (L.U. No. 503) a site selection and acquisition;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 15, 2005;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion ratified was issued on May 13, 2005, with respect to this application together with the Technical Memorandum, dated May 25, 2005, prepared with respect to further modifications adopted by the City Planning Commission (CEQR No. 03DCP069M);

---

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) the FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) consistent with social, economic and other essential considerations, including the provision of affordable housing, from among the reasonable alternatives thereto, Alternative F set forth in the FEIS and the Technical Memorandum, dated May 25, 2005 is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, including the effects disclosed in the FEIS; and
- (3) Adverse environmental impacts disclosed in the FEIS with respect to Alternative F will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable; and

The Decision, FEIS and the Technical Memorandum dated May 25, 2005, constitutes the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision with the following modifications:

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in Underline is new, to be added;

Matter in ~~Strikeout~~ is old, to be deleted;

Matter in [ ] is deleted by City Council

Matter in **bold double underline** is new, to be added by City Council

Matter within # # is defined in Section 12-10;

\* \* \* indicate where unchanged text appears in the Zoning Resolution

\* \* \*

11-12

Establishment of Districts

\* \* \*

### **Establishment of the Special United Nations Development District**

\* \* \*

### **Establishment of the Special West Chelsea District**

In order to carry out the special purposes as set forth in Article IX, Chapter 8, the #Special West Chelsea District# is hereby established.

\* \* \*

### **12-10 DEFINITIONS**

\* \* \*

### **Special United Nations Development District**

\* \* \*

### **Special West Chelsea District**

The "Special West Chelsea District" is a Special Purpose District designated by the letters "WCh" in which special regulations set forth in Article IX, Chapter 8, apply. The #Special West Chelsea District# appears on #zoning maps# superimposed on other districts and, where indicated, its regulations supplement or supersede those of the districts on which it is superimposed.

\* \* \*

### **32-44 Air Space over a Railroad or Transit Right-of-way or Yard**

### **32-441 Definitions**

Words in italics are defined in Section 12-10 or, if applicable exclusively to this Section, in this Section or in Section 98-01.

**32-442**

**Use of railroad or transit air space**

C1 C2 C3 C4 C5 C6 C7 C8

\* \* \*

- (c) Notwithstanding the above, the #High Line# , as defined in Section 98-01 of this Resolution shall be governed by the provisions of Section 98-17 ( Air Space Over a Railroad or Transit Right of Way or Yard).

\* \* \*

**42-462**

**Use of railroad or transit air space**

M1 M2 M3

\* \* \*

- (c) In an M1-1 District, on the #block# bounded by Vanderbilt Avenue, Atlantic Avenue, Carlton Avenue and Pacific Street in the borough of Brooklyn, the City Planning Commission may authorize the #use# of #railroad or transit air space# for an open vehicle storage establishment provided the Commission makes the following findings:

\* \* \*

- (d) Notwithstanding the above, the #High Line# , as defined in Section 98-01 of this Resolution shall be governed by the provisions of Section 98-17 ( Air Space Over a Railroad or Transit Right of Way or Yard).

\* \* \*

*All of the following text is new but not underlined.*

**Article IX - Special Purpose Districts**

**Chapter 8**

**Special West Chelsea District**

## **98-00**

### **GENERAL PURPOSES**

The "Special West Chelsea District" established in this Resolution, is designed to promote and protect public health, safety, general welfare and amenity. These general goals include among others, the following specific purposes:

- (a) to encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood;
- (b) to encourage the development of residential uses along appropriate avenues and streets;
- (c) to encourage and support the growth of arts-related uses in West Chelsea;
- (d) to facilitate the restoration and reuse of the #High Line# elevated rail line as an accessible, public open space through special height and setback regulations, #High Line# improvement bonuses and the transfer of development rights from the #High Line# Transfer Corridor;
- (e) to ensure that the form and use of new buildings relates to and enhances neighborhood character and the #High Line# open space;
- (f) to create and provide a transition to the lower-scale Chelsea Historic District to the east;
- (g) to create and provide a transition to the Hudson Yards area to the north; and
- (h) to promote the most desirable use of land in the area and thus to conserve the value of land and buildings, and thereby protect the City's tax revenues, consistent with the foregoing purposes.

## **98-01**

### **Definitions**

Definitions specially applicable to this Chapter are set forth in this Section. The definitions of other defined terms are as set forth in Section 12-10 (DEFINITIONS).

### **High Line**



The “High Line” shall for the purposes of this resolution refer to the elevated rail line structure and associated elevated easement located between Gansevoort Street and West 30<sup>th</sup> Street.

**High Line bed**

The “High Line bed” is the highest level of the horizontal surface (platform) of the #High Line# elevated rail line structure as of (the effective date of amendment), as shown in Diagram 7, in Appendix C of this Chapter. For the purposes of this Chapter, the level of the #High Line bed# is the average level of the #High Line bed# on a #zoning lot# over which the #High Line# passes.

**High Line frontage**

“High Line frontage” is that portion of a #building# that faces and is located within 15 feet of the west side and 25 feet of the east side of the #High Line#.

**High Line Transfer Corridor**

The “High Line Transfer Corridor” is an area within which the #High Line# is located, as specified in Appendix B of this Chapter, where development rights may be transferred to receiving sites in certain Subareas in the #Special West Chelsea District#, pursuant to the provisions of Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive.

**98-02**

**General Provisions**

The provisions of this Chapter shall apply to any #zoning lot#, or portion thereof, within the #Special West Chelsea District#, except that the provisions of Section 98-17 (Air Space over a Railroad or Transit Right-of-way or Yard) and Section 98-11 (Special Regulations for #Developments# and #Enlargements# Above, Beneath or Adjacent to the #High Line#) shall also apply to any #zoning lot# south of the #Special West Chelsea District# over which the #High Line# passes. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

The provisions regarding the transfer of #floor area# set forth in Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive, and the #High Line Improvement Bonus# in Subareas D, E, and F, and G and I set forth in Section 98-25 shall be effective upon the issuance of a final and binding Certificate of Interim Trail Use (CITU) by the Federal Surface Transportation Board and the execution of a trail use agreement between the City and CSX Transportation, Inc., or its successor, with respect to the #High Line#, or upon a determination by the Office of the Corporation Counsel that the restoration and reuse of

the #High Line# as an accessible, public open space has been obtained pursuant to an alternative mechanism which protects the interests of the city.

Upon transfer of the #High Line# to the City pursuant to ULURP application C 050163 PCM and in accordance with such CITU and trail use agreement, the following shall apply:

- (a) the provisions regarding the issuance of building permits set forth in Section 98-26 (Special Regulations for #Developments# and #Enlargements# Above, Beneath or Adjacent to the #High Line#) shall be effective; and
- (b) any area within the tax lot located at Section 3, Block 8224, Lot 111, as of (effective date of amendment), which is separated from other portions of such tax lot by bounding streets, shall be considered a separate #zoning lot#; and
- (c) Underlying #use# and bulk regulations shall not apply to #uses# and #buildings and other structures# constructed on the #High Line# specifically in connection with its use as a public open space.

## 98-03

### District Plan and Maps

The regulations of this Chapter are designed to implement the #Special West Chelsea District# Plan.

The District Plan includes the following maps and illustrative diagrams in Appendices A, B, and C:

Appendix A Special West Chelsea District and Subareas

Appendix B High Line Transfer Corridor Location and Floor Area Ratio

Appendix C Illustrative Diagrams of the High Line and Building Envelopes for Sites Adjacent to the High Line

- Diagram 1 Street wall and High Line frontage regulations in Subareas C, F, and G
- Diagram 2 Street wall and High Line frontage regulations in Subarea A
- Diagram 3 Subarea H requirements
- Diagram 4 High Line Improvement Area for Zoning Lots Divided by District Boundaries in Subareas D, E and G

Diagram 5      Subarea I requirements between West 16<sup>th</sup> and West 17<sup>th</sup>  
                                         streets

Diagram 6      High Line Access Easement Volume Parameters

Diagram 7      High Line bed and frontages

Appendix D    Special Regulations for Zoning Lots Utilizing the High Line Improvement  
                                         Bonus in Subarea H

Appendix E    Special Regulations for Zoning Lots Utilizing the High Line Improvement  
                                         Bonus and Located Partially Within Subareas D, E and G, or within  
                                         Subarea I

The maps and diagrams are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of illustrating requirements or specifying locations where the special regulations and requirements set forth in the text of this Chapter shall apply.

#### **98-04**

##### **Subareas and High Line Transfer Corridor**

In order to carry out the provisions of this Chapter, nine Subareas (Subareas A through I), and a #High Line Transfer Corridor# are established within the #Special West Chelsea District#.

Within each of the Subareas and the #High Line Transfer Corridor#, certain special regulations apply that do not apply within the remainder of the #Special West Chelsea District#. The locations of the nine Subareas are detailed in Appendix A of this Chapter. The location of the #High Line Transfer Corridor# is detailed in Appendix B of this Chapter,

The Subareas and the #High Line Transfer Corridor# are subject to all other regulations of the #Special West Chelsea District# and the underlying district regulations except as otherwise specified in this Chapter.

#### **98-05**

##### **Applicability of District Regulations**

#### **98-051**

##### **Applicability of Chapter 1 of Article 1**

- (a)      Within the #Special West Chelsea District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any

#development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

- (1) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
  - (2) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.
- (b) Section 11-332 (Extension of period to complete construction) shall apply, except that notwithstanding the provisions of paragraph (a) of such Section, in the event that other construction for which a building permit has been lawfully issued and for which construction has been commenced but not completed on (effective date of amendment), such other construction may be continued provided that the construction is completed and a temporary or permanent certificate of occupancy is obtained not later than (one year after effective date of amendment).

#### **98-10**

### **SPECIAL USE AND PARKING REGULATIONS WITHIN THE SPECIAL WEST CHELSEA DISTRICT**

#### **98-11**

### **Special Regulations for Developments and Enlargements Above, Beneath or Adjacent to the High Line**

The Commissioner of Buildings shall not issue any building permit for demolition, excavation or foundation work to be performed above or beneath the #High Line# or within 25 feet of support structures of the #High Line#, except by determination by such Commissioner that such work would not adversely affect the structural integrity of the #High Line# and by determination by the City agency or official designated by the Office of the Mayor for such purpose, that such work would not adversely affect the City's ability to inspect and maintain as necessary to ensure the structural integrity of the #High Line#.

#### **98-12**

## **Modification of Use Regulations in C6 Districts**

### **98-121**

#### **In Subarea H**

In Subarea H, the provisions of Section 32-25 (Use Group 16), paragraph D. (Heavy Service, Wholesale, or Storage Establishments) are modified to permit, in #C6 Districts#, warehouse #uses# only in #cellars# located wholly below #curb level#.

### **98-122**

#### **Location Within Buildings**

In any #C6 District# in the #Special West Chelsea District#, the provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit non-#residential uses# on the same #story# as a #residential use# or on a story higher than that occupied by #residential uses#, provided that the non-#residential uses#:

- (a) are located in a portion of the #building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and
- (b) are not located directly over any portion of a #building# containing #dwelling units#, except this limitation shall not preclude the location of:
  - (1) #residential# lobby space below or on the same #story# as non-#residential uses#; or
  - (2) a #commercial use# that fronts on the #High Line# and is located within five feet of the level of the #High Line bed#.

### **98-123**

#### **Adult Establishments**

The provisions of Section 52-77 (TERMINATION OF ADULT USE ESTABLISHMENTS) shall not apply to any #adult establishment# that located within the Special West Chelsea District after October 25, 1995 and prior to May 25, 2005, and which, as of May 25, 2005 and (day prior to effective date of amendment), was an existing #use# and conformed to all provisions of Section 42-01 (SPECIAL PROVISIONS FOR ADULT ESTABLISHMENTS) applicable to M1-5 districts.

### **98-13**

#### **Modification of Use Regulations in M1 Districts**

In the #Special West Chelsea District#, the provisions of Section 42-10 (USES PERMITTED AS-OF-RIGHT) and 42-30 (USES PERMITTED BY SPECIAL PERMIT)

are modified to permit, as-of-right, without limitation, in M1 Districts, museums and non-commercial art galleries as listed in Use Group 3.

#### **98-14**

##### **Ground Floor Use and Transparency Requirements on Tenth Avenue**

The special ground floor #use# and glazing regulations of this Section apply to that portion of a #building or other structure# fronting on Tenth Avenue in the #Special West Chelsea District#.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 25 feet of the #street line# shall be limited to #commercial uses# permitted by the underlying district or museums or non-commercial art galleries as listed in Use Group 3. A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space or entryways. In no event shall the length of #street# frontage occupied by lobby space or entryways exceed, in total, 40 feet or 50 percent of the building's total #street# frontage, whichever is less.

For any #development# or #enlargement#, each ground floor #street wall# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of such ground floor #street wall# surface. The lowest point at any point of transparency that is provided to satisfy the requirements of this Section shall be not higher than two feet above the level of the adjoining sidewalk or public access area and shall be no less than eight feet in height measured from such lowest point. Not less than 50 percent of such ground floor #street wall# surface shall be glazed with transparent materials, and up to 20 percent of such ground floor #street wall# may be glazed with translucent materials.

#### **98-141**

##### **Transparency requirements within Subareas H and I**

The transparency requirements of this Section shall apply to all portions of #developments# and #enlargements# within the #High Line frontage# of Subareas H and I, except for such portions that contain #dwelling units#. At least 70 percent of the area of such frontage, to be measured from a point not lower than four feet and not higher than eight feet above the level of the #High Line bed# shall be glazed and transparent and at least 75 percent of such glazed surface shall be fully transparent.

#### **98-15**

##### **Security Gates**

All security gates installed after (effective date of amendment) that are swung, drawn, or lowered to secure #commercial# or #community facility# premises shall, when closed, permit visibility of at least 75 percent of the façade area covered by such gate, when viewed from the #street#, except that this provision shall not apply to entrances or exits to parking facilities.

#### **98-16 Signs**

The #sign# regulations of the underlying districts in the #Special West Chelsea District# shall not apply to #signs# located within 50 feet of the #High Line#, except for signs located entirely below the level of the #High Line# bed. In lieu thereof, the #sign# regulations of a C1 district shall apply, except that #accessory signs# located within the #High Line frontage# may have a maximum height of 20 feet above the level of the #High Line bed#.

No signs affixed to or resting upon the #High Line# shall be permitted, except as pursuant to a signage plan for the #High Line#, as authorized by the City Planning Commission, provided the Commission finds that such signage plan will:

- (a) enhance the use of the #High Line# by providing signage that is consistent with the use of the #High Line# as a public open space;
- (b) provide, at a minimum, directional, informational, and interpretive signage consistent with the use of the #High Line# as a public open space;
- (c) be integrated with the design of the #High Line# open space; and
- (d) not adversely affect development adjacent to the #High Line# and in the surrounding neighborhood

#### **98-17 Air Space Over a Railroad or Transit Right-of-way or Yard**

For the purposes of this Resolution, the #High Line# shall not be considered a railroad or transit right-of-way and the provisions of Sections 32-44 (Air Space over a Railroad or Transit Right-of-way or Yard) and 42-462 (Air Space over a Railroad or Transit Right-of-way or Yard) shall not apply.

#### **98-18 Parking Regulations in Subarea H**

#Accessory# off-street parking spaces for existing or new governmental offices may be located on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided such spaces are located within Subarea H and in a facility, or portion thereof, that is entirely below #curb level# and that no more than 377 spaces are provided within such facility. For purposes of this Section, the governmental offices on Block 688, Lots 1001-1002 (as of the effective date) may have up to 377 #accessory# off-street parking spaces in such facility.

#### **98-19**

##### **Lighting**

All exterior light sources located within the #High Line frontage# shall be shielded from direct view from the #High Line#.

#### **98-20**

##### **FLOOR AREA AND LOT COVERAGE REGULATIONS**

The #floor area# provisions of this Section 98-20, inclusive, shall apply. Furthermore, special #floor area# transfer provisions are set forth in Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive.

#### **98-21**

##### **Maximum Floor Area Ratio outside of Subareas**

For all #zoning lots# or portions thereof located outside of Subareas A through I, the maximum #floor area ratios# of the applicable underlying district shall apply.

#### **98-22**

##### **Maximum Floor Area Ratio and Lot Coverage in Subareas**

For all #zoning lots# or portions thereof located in Subareas A through I, the maximum #floor area ratios#, #open space ratios# and #lot coverages# of the applicable underlying district shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for #commercial#, #community facility#, and #residential uses#, separately or in combination, shall be as specified in the following table. For #residential use#, the maximum #lot coverage# shall be 70 percent for #interior# or #through lots# and 80 percent for #corner lots#, except that no maximum #lot coverage# shall apply to any #zoning lot# comprising a #corner lot# of 5,000 square feet or less. For the conversion



to #dwelling units# of non-#residential buildings# or portions thereof, where the total #residential floor area# on the #zoning lot# will exceed the applicable basic maximum #floor area ratio# specified in the following table, such excess #residential floor area# shall only be permitted pursuant to the Section 98-26 (Modifications to Inclusionary Housing Program).

**TABLE A**  
**Maximum Floor Area Ratio by Subarea**

Subarea	Basic maximum #floor area ratio#	Increase in FAR pursuant to Section 98-30 (HIGH LINE TRANSFER CORRIDOR)	Increase in FAR pursuant to Section 98-25 (High Line Improvement Bonuses)	Inclusionary Housing		Maximum permitted #floor area ratio#
				Minimum FAR required to be transferred (note 1)	Increase in FAR pursuant to Section 98-26 (Modifications to Inclusionary Housing Program)	
A	[7.5] <u>6.5</u>	[2.5] <u>2.65</u>	(note 2)	[1.65] <u>2.65</u>	2.85	12.0
B	5.0	2.5	(note 2)	[1.65] <u>1.25</u>	[0.85] <u>1.25</u>	7.5
C	5.0	2.5	NA	[1.65] <u>1.25</u>	[0.85] <u>1.25</u>	7.5
D (note 5)	5.0	2.5 (note 3)	2.5 (note 3)	[1.65] <u>1.25</u>	[0.85] <u>1.25</u>	7.5
E	5.0	1.0 (note 3)	1.0 (notes 2 & 3)	[0.65] <u>NA</u>	[0.35] <u>NA</u>	6.0
F	5.0	NA	NA	NA	NA	5.0
G	5.0	1.0 (note 3)	1.0 (note 3)	[0.65] <u>NA</u>	[0.35] <u>NA</u>	6.0
H	7.5	NA	2.5	NA	NA	10.0
I	5.0	2.5	NA	[1.65] <u>1.25</u>	[0.85] <u>1.25</u>	7.5
I (note 4)	5.0	[1.0] <u>NA</u>	[1.5] <u>2.5</u>	[0.65] <u>NA</u>	[0.35] <u>NA</u>	7.5

Note 1  
Minimum #floor area ratios# required to be transferred pursuant to Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive, before Inclusionary Housing #floor area# bonus can be utilized.

Note 2

In Subareas A, B, and E, the applicable basic maximum #floor area ratio# of that portion of the #zoning lot# that is within the #High Line Transfer Corridor# may be increased up to a maximum of 1.0, and the applicable maximum permitted #floor area ratio# increased accordingly, by certification of the Chairperson of the City Planning Commission, pursuant to Section 98-35 (High Line Transfer Corridor Bonus).

Note 3

For certain zoning lots located in Subareas D, E, and G, the provisions of Section 98-25 (#High Line# Improvement Bonus) may apply in lieu of the provisions of Section 98-30 (HIGH LINE TRANSFER CORRIDOR), subject to the provisions of Section 98-24 (Special Floor Area Rules for Zoning Lots Divided by District Boundaries in Subareas D, E, and G).

Note 4

For #zoning lots# over which the #High Line# passes.

Note 5

For #zoning lots# between West 22<sup>nd</sup> Street and West 24<sup>th</sup> Street, the maximum #floor area ratio# shall be 7.5, and no #floor area# increases shall be permitted.

**98-23**

**Special Floor Area and Lot Coverage Rules for Zoning Lots Over Which the High Line Passes**

#Lot coverage# requirements shall not apply to the portion of the #zoning lot# that lies directly beneath the #High Line#. The remaining portion of the #zoning lot# shall be considered a separate #zoning lot# for the purposes of calculating maximum #lot coverage#. Easement volumes provided in accordance with the provisions of Section 98-60 (SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS) and access structures constructed therein, as well as any structure required pursuant to Appendix D or E in relation to an increase in the basic maximum #floor area # ratio of a #zoning lot# pursuant to Section 98-25 (#High Line# Improvement Bonus), shall not be considered #floor area# or #lot coverage#.

However, at or above the level of the #High Line bed#, #lot coverage# requirements shall apply to the entire #zoning lot#.

**98-24**

**Special Floor Area Rules for Zoning Lots Divided by District Boundaries in Subareas D, E and G**

For #zoning lots# fronting on West 18<sup>th</sup> Street and located partially in Subarea D, partially in Subarea E and partially in Subarea G, #floor area# may be transferred across zoning district and subarea boundaries without restriction. Either the provisions of Section 98-30 (HIGH LINE TRANSFER CORRIDOR) or Section 98-25 (High Line Improvement Bonus) may apply to such #zoning lot#, as applicable, and the maximum permitted #floor area ratio# specified in the table in Section 98-22 shall apply, as applicable, for each subarea.

#### **98-25**

##### **High Line Improvement Bonus**

For #zoning lots# located between West 16th and West 19th streets over which the #High Line# passes, the applicable basic maximum #floor area ratio# of the #zoning lot# may be increased up to the amount specified in Section 98-22 (Maximum #Floor Area Ratio# in Subareas), provided that:

- (a) Prior to issuing a building permit for any #development# or #enlargement# on such #zoning lot# that anticipates using #floor area# that would increase the applicable basic maximum #floor area ratio# by up to an amount specified in Section 98-22, the Department of Buildings shall be furnished with a certification by the Chairperson of the City Planning Commission that: (1) a contribution has been deposited into an escrow account or similar fund established by the City (the #High Line # Improvement Fund), or such contribution is secured by letter of credit or other cash equivalent instrument in a form acceptable to the City. Such contribution shall be used at the direction of the Chairperson solely for improvements to the #High Line# within the #High Line# improvement area applicable to such #zoning lot#, with such contribution being first used for improvements within that portion of the #High Line# improvement area on such #zoning lot#. Such contribution shall be made in accordance with the provisions of Appendix D or E, as applicable; and (2) a declaration of restrictions executed by all #parties in interest# to the #zoning lot# as defined in paragraph (f)(4) of the definition of #zoning lot# under Section 12-10 (DEFINITIONS), including and incorporating such other instruments as are necessary to assure that the City's interest in the restoration and reuse of the #High Line# as an accessible public open space is protected, as determined by the Department of City Planning in consultation with the Office of the Corporation Counsel, is filed and recorded in the Office of the Register of the City of New York; and (3) all additional requirements of Appendix D or E, as applicable with respect to issuance of a building permit, have been met.
- (b) Prior to issuing a certificate of occupancy for any portion of a #development# or #enlargement# on a #zoning lot# located between West 17<sup>th</sup> and West 18<sup>th</sup> streets over which the #High Line# passes that would increase the applicable basic

maximum #floor area ratio# by up to an amount specified in Section 98-22, the Department of Buildings shall be furnished by a certification by the Chairperson of the City Planning Commission that:

- (1) if required pursuant to agreement with the City under Appendix D, #High Line# improvements within the #High Line# improvement area for such #zoning lot# have been performed in accordance such agreement;
- (2) if elected by the Owner, structural and remediation work has been performed on the #High Line# within the #High Line# improvement area for such #zoning lot#, in accordance with Appendix D;
- (3) At-Grade Plaza Work has been performed on such #zoning lot# in the area shown in Diagram 3 of Appendix C, in accordance with Appendix D;
- (4) stairway and elevator access work has been performed on such #zoning lot# in the At-Grade Plaza area shown in Diagram 3 of Appendix C, or that an additional contribution to the #High Line# Improvement Fund to fund performance of such work has been made, in accordance with Appendix D; and
- (5) all other applicable requirements of Appendix D have been met.

For temporary certificates of occupancy, certification with respect to performance of work shall be of substantial completion of the work as determined by Chairperson. For permanent certificates of occupancy, certification with respect to performance of work shall be of final completion of the work, as determined by the Chairperson. In the event of a failure to perform work timely or to otherwise satisfy the requirements of this subsection, no temporary or permanent certificate of occupancy shall be issued for #floor area# above the applicable basic maximum #floor area# for the #zoning lot# specified in Section 98-22, and the City may perform all such work in accordance with the provisions of Appendix D.

- (c) Prior to issuing a certificate of occupancy for any portion of a #development# or #enlargement# on a #zoning lot# located between West 16<sup>th</sup> and 17<sup>th</sup> streets or between West 18th and 19th streets over which the #High Line# passes that incorporates #floor area# that would increase the applicable basic maximum #floor area ratio# by up to an amount specified in Section 98-22, the Department of Buildings shall be furnished by a certification by the Chairperson of the City Planning Commission that:

- (1) if required pursuant to agreement with the City under Appendix E, #High Line# improvements within the #High Line# improvement area for such #zoning lot# have been performed in accordance such agreement;
- (2) if elected by the Owner, structural and remediation work has been performed on the #High Line# within the #High Line# improvement area for such #zoning lot#, in accordance with Appendix E;
- (3) stairway and elevator access work has been performed on such #zoning lot #, in accordance with Appendix E;
- (4) for #zoning lots# located between West 16th and 17th streets over which the #High Line# passes, #High Line# Service Facility Work has been performed, in accordance with Appendix E; and
- (5) all other applicable requirements of Appendix E have been met.

For temporary certificates of occupancy, certification with respect to performance of work shall be of substantial completion of the work as determined by Chairperson. For permanent certificates of occupancy, certification with respect to performance of work shall be of final completion of the work, as determined by the Chairperson. In the event of a failure to perform work timely or to otherwise satisfy the requirements of this subsection, no temporary or permanent certificate of occupancy shall be issued for #floor area# above the applicable basic maximum #floor area# for the #zoning lot# specified in Section 98-22, and the City may perform all such work in accordance with the provisions of Appendix E.

## **98-26**

### **Modifications of Inclusionary Housing Program**

The provisions of Section 23-90 (INCLUSIONARY HOUSING) are modified within the #Special West Chelsea District#, as set forth in this Section.

## **98-261**

### **Definitions**

[For the purposes of Section 23-943 (Preservation option), t]The following definitions in Section [23-92]

23-93 shall be modified:

### **Administering Agent**

**The #administering agent# is not required to be a not-for-profit organization, if the #floor area# of the #standard units# comprising the #lower income housing#**

constitutes less than half of the total #residential floor area# or #community facility floor area used# as a not-for-profit institution with sleeping accommodations in the #building#.

#### Fair Rent

At initial occupancy of #lower income housing# that is occupied by a #moderate income household# or a #middle income household# as defined in this Section, "fair rent" shall include an annual rent for each such housing unit equal to not more than 30 percent of the annual income of the tenant of such housing (the "30 Percent Standard").

Upon renewal of a lease for such an existing tenant in #lower income housing#, #fair rent# (the "Rent Stabilization Standard") is not more than the then-current #fair rent# for such housing plus a percentage increase equal to the percentage increase for a renewal lease of the same term permitted by the Rent Guidelines Board for units subject to the rent stabilization law.

After initial occupancy, upon rental of #lower income housing# to a new tenant, #fair rent# is not more than the higher of:

- (1) the then-currently applicable "30 Percent Standard"; or
- (2) the Rent Stabilization Standard.

In order for rent to be #fair rent#, the following must also apply:

There shall be no additional charge to the tenant for the provision of heat and electric service, except that the Commissioner of Housing Preservation and Development may approve a #lower income housing plan# making a #lower income#, #moderate income# or #middle income household# responsible for the payment of utilities as long as the sum of the following do not exceed 30 percent of said #lower income#, #moderate income# or #middle income household's# income :

- (1) the initial #fair rent#; and
- (2) the monthly costs of a reasonable compensation for these utilities, by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary and healthful living environment.

**However, the Commissioner of Housing Preservation and Development may determine that rents satisfying the requirements of city, state or federal programs assisting #lower income housing# will be considered "fair rent", provided that such rents do not exceed 30 percent of a #moderate income# or #middle income household#'s income, as applicable, and provided further that upon expiration or termination of the requirements of the city, state or federal program, rent increases and re-rentals shall be subject to the higher of the then-currently applicable 30 Percent Standard or the Rent Stabilization Standard.**

"Fair rent" shall include, in addition to that rent permitted pursuant to Section [23-92] **23-93**, the payment of principal and interest on mortgage debt, and #lower income#, **#moderate income# or #middle income** housing# may secure such debt, provided that, as of the date of the approval of the #lower income housing plan#, the Commissioner of Housing Preservation and Development finds that the total annual rent, when such interest and principal payments are deducted, is in compliance with the requirements of Section [23-94(c)] **23-95(c)** of this Resolution, **and provided that the lender agrees to enter into a written agreement which subordinates such debt to the provisions of the #lower income housing plan#.**

#### Lower Income Household

[A "lower income household" is a #family# having an income equal to or less than the following proportion:

$$\frac{125}{80}$$

of the income limits (the "80 Percent of SMSA Limits") for New York City residents established by the U. S. Department of Housing and Urban Development pursuant to Section 3(b)(2) of the United States Housing Act of 1937, as amended, for lower income families receiving housing assistance payments.]

#Lower income households# shall also include all existing households in tenancy, provided such households occupy units that are within a #building# in which rents for all occupied units are regulated by City [and] or State law, and the aggregate maximum permitted annual rent roll for such occupied units, divided by the number of occupied units, is less than 30 percent of the applicable income limit for a #lower income household# as provided in this Section. In determining the applicable income limit for such #lower income households#, the Commissioner of Housing Preservation and Development may make adjustments, consistent with the U.S. Department of Housing and Urban Development regulations, for the number of persons residing in each unit.

#### **Lower income housing**

For the purposes of this Section, "lower income housing" shall include #standard units# assisted under city, state or federal programs, where such housing is occupied or to be occupied by #lower income#, #moderate income# or #middle income households#.

**Moderate income household**

For the purposes of this Section, a "moderate income household" is a #family# having an income equal to or less than the following proportion:

$$\frac{125}{80}$$

of the income limits (the "80 Percent of SMSA Limits") for New York City residents established by the U. S. Department of Housing and Urban Development pursuant to Section 3(b)(2) of the United States Housing Act of 1937, as amended, for lower income families receiving housing assistance payments.

**Middle income household**

For the purposes of this Section, a "middle income household" is a #family# having an income equal to or less than the following proportion:

$$\frac{175}{80}$$

of the income limits (the "80 Percent of SMSA Limits") for New York City residents established by the U. S. Department of Housing and Urban Development pursuant to Section 3(b)(2) of the United States Housing Act of 1937, as amended, for lower income families receiving housing assistance payments.

[Section 23-93 shall be modified so that the applicable ratio for Preservation in Column B shall be 1.5:1.

Section 23-943, paragraph (a) shall be modified to provide that the #administering agent# shall not be required to verify the income of households in tenancy as of the date upon which the Commissioner of Housing Preservation and Development approves the #lower income housing plan#.]

**98-262**

**Floor area increase**

[In accordance with the provisions set forth in Section 98-22 (Maximum Floor Area Ratio and Lot Coverage in Subareas), the maximum permitted #residential floor area



ratio# for #developments# or #enlargements# that have increased their permitted #floor area# through the transfer of development rights from the #High Line Transfer Corridor# by the minimum amount specified in the table in Section 98-22, may further increase their permitted #floor area# through the provision of Inclusionary Housing, as modified in this Section 98-26, to the maximum amount specified in such table].

For #developments# or #enlargements# that have increased their permitted #floor area# through the transfer of development rights from the #High Line Transfer Corridor# by the minimum amount specified in the table in Section 98-22 (Maximum Floor Area Ratio and Lot Coverage in Subareas), and for conversions of non-#residential buildings# or portions thereof to #dwelling units# where the total #residential floor area# on the #zoning lot# will exceed the applicable basic maximum #floor area ratio# specified in the table in Section 98-22, such maximum permitted #floor area# may be increased through the provision of Inclusionary Housing as modified in this Section 98-26, inclusive, to the maximum amount specified in the table in Section 98-22, provided that:

(a) In C6-4 Districts:

- (1) at least 20% of the total #floor area# on the #zoning lot# is occupied by #lower income households#, or
- (2) at least 10% of the total #floor area# on the #zoning lot# is occupied by #lower income households# and at least 15% of the total #floor area# on the #zoning lot# is occupied by #moderate income households#, or
- (3) at least 10% of the total #floor area# on the #zoning lot# is occupied by #lower income households# and at least 20% of the total #floor area# on the #zoning lot# is occupied by #middle income households#.

(b) In C6-3 Districts:

- (1) at least 10% of the total #floor area# on the #zoning lot# is occupied by #lower income households#, or
- (2) at least 5% of the total #floor area# on the #zoning lot# is occupied by #lower income households# and at least 7.5% of the total #floor area# on the #zoning lot# is occupied by #moderate income households#, or
- (3) at least 5% of the total #floor area# on the #zoning lot# is occupied by #lower income households# and at least 10% of the total #floor area# on the #zoning lot# is occupied by #middle income households#.

Where #lower#, #moderate# or #middle income housing# is provided on a #zoning lot# other than the #zoning lot# occupied by the compensated #development#, the percentage of #residential floor area# required to be occupied by such households pursuant to this Section shall be determined as a percentage of the #residential floor area# on the #zoning lot# of such compensated #development#, inclusive of #floor area# bonused pursuant to this Section.

However, in those subareas or portions thereof where the Inclusionary Housing Program is applicable, and where the Chairperson of the Department of City Planning has certified that at least 90 percent of the total development rights within the #High Line Transfer Corridor# have been transferred pursuant to Section 98-30, no transfer of #floor area# pursuant to Section 98-30 shall be required, and the basic maximum #floor area ratio# of the #development# or #enlargement# may be increased by [up to 1.0 in Subareas E and G, and on any #zoning lot# located in Subarea I over which the #High Line# passes;] up to 2.5 in Subareas B, C, and D and on any #zoning lot# located in Subarea I over which the #High Line# does not pass, and up to [4.5] 5.5 in Subarea A, in accordance with the provisions of paragraph (c) of this Section.

(c) Affordable Housing Fund

Where the Chairperson of the City Planning Commission determines that more than 90 percent of the #floor area# eligible for transfer through the provisions of Section 98-30 (HIGH LINE TRANSFER CORRIDOR) have been transferred in accordance with such provisions, the Chairperson shall allow, by certification, an increase in #floor area# on any receiving site as specified in Section 98-33 (Transfer of Development Rights From the High Line Transfer Corridor), up to the amount that otherwise would have been permitted for such receiving site pursuant to Section 98-30, provided that instruments in a form acceptable to the City are executed ensuring that a contribution be deposited in the West Chelsea Affordable Housing Fund. Such fund shall be administered by the Department of Housing Preservation and Development and all contributions to such fund shall be used for the #development#, acquisition or rehabilitation of #lower#, #moderate# or #middle income housing# located in Community District 4 in the Borough of Manhattan. The execution of such instruments shall be a precondition to the filing for or issuing of any building permit for any #development# or #enlargement# utilizing such #floor area# increase. Such contribution amount, by square foot of #floor area# increase shall be determined, at the time of such Chairperson's certification, by the Commission by rule, and may be adjusted by rule not more than once a year.

98-263  
Lower Income Housing Requirements

#Developments# that increase #floor area# in accordance with the provisions of Section 98-262 shall comply with the lower income housing requirements of Section 23-95, except as modified in this paragraph (c).

(a) The provisions of Section 23-95(b) shall apply, except that in addition, incoming households of #standard units# in #lower income housing# may be #moderate# and #middle income households#, and sublessees of a #moderate# or #middle income household# may also be a #moderate# or #middle income household#.

Furthermore, on and after the issuance of a certificate of occupancy for #lower income housing#, the #administering agent# shall have a duty to rent such housing to #lower#, #moderate# or #middle income households#, as provided in this Section and in the approved #lower income housing plan#.

This duty to rent shall be satisfied by the #administering agent#, if such agent has in fact rented all such units to #lower#, #moderate# or #middle income households#, as provided in this Section, or has, in good faith, made a continuing public offer to rent such units at rents no greater than the rents authorized by this program or otherwise at law.

(b) The provisions of Section 23-95(d) shall apply, except that prior to renting #lower income housing#, the #administering agent# shall verify the income of each household to occupy such housing, to assure that the households are #lower#, #moderate# or #middle income households# as provided by this Section. The #administering agent# shall submit an affidavit to the Commissioner of Housing Preservation and Development upon initial occupancy and annually thereafter attesting that all incoming occupants of #lower income housing# are #lower#, #moderate# or #middle income households# as required by the provisions of this Section and in the approved #lower income housing plan#.

(c) The provisions of Section 23-95(g) (Insurance) may be modified by the Commissioner of Housing Preservation and Development to provide priority for lenders participating in the financing of #lower income housing# that is assisted under city, state or federal programs.

(d) Permits and certificate of occupancy

The requirements of Section 23-94(f) shall not apply. In lieu thereof, the provisions of this paragraph (d) shall apply.

No building permit for any portion of the #compensated development# that utilizes #floor area# bonused pursuant to Section 93-232 (Floor area increase) shall be issued until the Commissioner of Housing Preservation and

Development certifies that an acceptable #lower income housing plan# has been filed and approved.

No temporary certificate of occupancy shall be issued for any portion of the #compensated development# that utilizes #floor area# bonused pursuant to Section 93-232 until a temporary certificate of occupancy for each unit of #lower income housing# that is the subject of the #lower income housing plan# accepted by the Commissioner of Housing Preservation and Development has been issued. No permanent certificate of occupancy shall be issued for any portion of the #compensated development# that utilizes #floor area# bonused pursuant to Section 93-232 until a permanent certificate of occupancy for each unit of #lower income housing# that is the subject of the #lower income housing plan# accepted by the Commissioner of Housing Preservation and Development has been issued.

Prior to the issuance of any temporary or permanent certificate of occupancy for any portion of the #compensated development# that utilizes #floor area# bonused pursuant to Section 93-232 the Commissioner of Housing Preservation and Development shall certify that the #lower income housing# is in compliance with the #lower income housing plan#.

(e) The provisions of Sections 23-951, 23-952 and 23-953 shall apply, except that with respect to Section 23-951(a), 23-952(b) and 23-953(a), #lower income housing# shall be maintained and leased to #lower#, #moderate# or #middle income households#, as provided in this Section, for the life of the increased #floor area#, and in accordance with the approved #lower income housing plan#. Furthermore, the size and distribution requirements of Section 23-951(b) may be waived by the Commissioner of Housing Preservation and Development to facilitate the #development# of #lower income housing#, and Section 23-953(a) shall be modified to provide that the #administering agent# shall not be required to verify the income of households in tenancy as of the date upon which the Commissioner of Housing Preservation and Development approves the #lower income housing plan#.

98-30  
HIGH LINE TRANSFER CORRIDOR

98-31  
Purposes

The #High Line Transfer Corridor#, established within the #Special West Chelsea District#, is intended to enable the transfer of development rights from properties over which and immediately to the west of where the #High Line# passes and thereby permit light and air to penetrate to the #High Line# and preserve and create view corridors from the #High Line# bed.

## **98-32**

### **General Provisions**

The location of the #High Line Transfer Corridor# is specified in Appendix B of this Chapter.

In the #High Line Transfer Corridor#, special regulations relating to the transfer of #floor area# are set forth in Sections 98-33 through and 98-35 inclusive.

## **98-33**

### **Transfer of Development Rights From the High Line Transfer Corridor**

In the #Special West Chelsea District#, a “granting site” shall mean a #zoning lot#, or portion thereof, in the #High Line Transfer Corridor#. A “receiving site” shall mean a #zoning lot#, or portion thereof, in any subarea other than Subareas F and H. #Floor area# from a granting site may be transferred to a receiving site in accordance with the provisions of this Section.

#### **(a) Notification**

Prior to any transfer of #floor area#, the Department of City Planning shall be notified in writing of such intent to transfer #floor area#. Such notification shall be made jointly by the owners of the granting and receiving sites and shall include:

- (1) #floor area# zoning calculations for the granting and receiving site, and
- (2) a copy of the distribution instrument legally sufficient in both form and content to effect such a distribution, and
- (3) if applicable, a certified copy of the instrument creating a secondary #High Line# access easement volume, pursuant to the provisions of Section 98-63.

Notices of restrictions in a form acceptable to the Department of City Planning shall be filed by the owners of the granting and receiving sites in the Office of the

Register of the City Of New York, indexed against the granting and receiving sites, certified copies of which shall be submitted to the Department of City Planning. Notice by the Department of City Planning of its receipt of certified copies thereof shall be a pre-condition to issuance by the Commissioner of Buildings of any building permit for any #development# or #enlargement# on the receiving site.

(b) #Floor area#

The maximum amount of #floor area# transferred from a granting site located outside of a subarea shall not exceed the maximum #floor area ratio# permitted for a #commercial use# on such granting site, less any existing #floor area# to remain on such granting site.

The maximum amount of #floor area# transferred from a granting site located in a subarea shall not exceed the basic maximum #floor area ratio# specified for the applicable subarea in the Table in Section 98-22 (Maximum Floor Area Ratio in Subareas), less any existing #floor area# to remain on such granting site.

Each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be transferred from the granting site by the amount of #floor area# transferred.

The amount of #floor area# transferred to a receiving site from a granting site in the #High Line Transfer Corridor# shall not exceed the #floor area ratio# permitted on the receiving site through such transfer, pursuant to the Table in Section 98-22 (Maximum Floor Area Ratio in Subareas).

(c) #Use#

#Floor area# transferred from a granting site within the #High Line Transfer Corridor# may be used for any #use# allowed on the receiving site in accordance with the underlying zoning designation and the provisions of this Chapter.

(d) Stairway easement requirement

As a condition for the transfer of #floor area#, an easement volume to facilitate pedestrian access to the #High Line# via stairway shall be provided in accordance with the provisions of Section 98-60 (SPECIAL ACCESS REGULATIONS FOR ZONING LOTS OVER WHICH THE HIGH LINE PASSES OR ADJACENT TO THE HIGH LINE) and Section 98-63 (Recording of the #High Line# Access Easement Volume).

(e) Restrictive Declaration

As a condition for the transfer of #floor area#, and in order to assure that the City's interest in the restoration and reuse of the #High Line# as an accessible public open space is protected, a declaration of restrictions, executed by all #parties in interest# of the granting lot as defined in paragraph (f)(4) of the definition of #zoning lot# under Section 12-10 (DEFINITIONS), and including and incorporating such other instruments as are necessary to accomplish such purposes, as determined by the Department of City Planning in consultation with the Office of the Corporation Counsel, shall be filed and recorded in the Office of the Register of the City of New York. Notice by the Department of City Planning of receipt of certified copies of such recorded declaration shall be a pre-condition to issuance by the Commissioner of Buildings of any building permit, including any foundation or alteration permit, for any #development# or #enlargement# on the receiving site. Such recorded declaration shall be in addition to the Notice of Restrictions required pursuant to subdivision (a) of this Section.

#### **98-34**

##### **Screening and Landscaping Requirements for Vacant Sites**

Any #zoning lot# within the #High Line Transfer Corridor# that has transferred #floor area# pursuant to Section 98-33 (Transfer of Development Rights From the #High Line# Transfer Corridor), and is 50 percent or more vacant shall be screened from the street and/or landscaped in accordance with the provisions of this Section; except that #zoning lots# occupied by #buildings# that extend along at least 85 percent of the #street# frontage of the #zoning lot# and are located within five feet of the #street line# are not required to provide screening or landscaping.

Such open or vacant areas on #zoning lots# shall be screened from the street by a fence or gate with a surface that is at least 75 percent open, extending not less than six feet and not higher than eight feet above finished grade; or alternatively, by a planting strip at least four feet wide and densely planted with evergreen shrubs at least four feet high at the time of planting or of a variety expected to reach a height of six feet within three years, or by both. Chain link and fences containing barbed wire or razor wire shall be prohibited. For portions of #zoning lots# located beneath the #High Line# planting strips shall be prohibited.

#### **98-35**

##### **#High Line Transfer Corridor# Bonus**

For #zoning lots#, or portions thereof, within the #High Line Transfer Corridor#, the applicable basic maximum #floor area ratio# of that portion of a #zoning lot# that is within the #High Line Transfer Corridor# may be increased up to a maximum of 1.0, for

an amount of #floor area# equivalent to the area of that portion of the #zoning lot# located within the #High Line Transfer Corridor#, provided the Chairperson of the City Planning Commission has certified that:

- (a) all the permitted #floor area# on that portion of the #zoning lot# that is within the #High Line Transfer Corridor# has been transferred to an eligible receiving site, in accordance with the provisions of Section 98-33 (Transfer of Development Rights From the #High Line# Transfer Corridor);
- (b) that such granting site is vacant; and
- (c) a contribution has been deposited into the #High Line# Improvement Fund established under Section 98-25, to be used at the direction of the Chairperson of the City Planning Commission to assure that the #High Line# is restored and reused as a public accessible open space.

No #building# permit for any #development# or #enlargement# that anticipates using such increased #floor area# may be issued unless and until such certification has been made.

Such contribution amount shall be \$50.00 per square foot of #floor area# as of (the effective date of amendment) and shall be adjusted July 1 of the following year and each year thereafter, by the City or its designee, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics.

Such bonus #floor area# shall only be used for a permitted #commercial use#, which shall be located in that portion of the #zoning lot# that is within the #High Line Transfer Corridor#; however, #public parking lots# and #public parking garages# at or above #curb level# shall not be permitted; and the height of any #development# or #enlargement# within the #High Line Transfer Corridor# shall not exceed a height of 3 feet 6 inches above the level of the #High Line bed#.

#### **98-40**

### **SPECIAL YARD, HEIGHT AND SETBACK, AND MINIMUM DISTANCE BETWEEN BUILDINGS REGULATIONS**

#### **98-41**

### **Special Rear Yard Regulations**

The #yard# regulations of the underlying district shall apply, except that no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is



contiguous on one side to two #corner lot# portions and such #zoning lot# occupies the entire #block# frontage of the #street#.

## **98-42**

### **Special Height and Setback Regulations**

The height and setback regulations of the underlying district shall not apply, except as set forth in this Section 98-42, inclusive. Furthermore, for any #zoning lot# located within or adjacent to the #High Line Transfer Corridor#, the provisions of Section 98-50, inclusive, shall also apply. All heights shall be measured from the #base plane#, unless otherwise specified.

## **98-421**

### **Obstruction over the High Line**

Within the #Special West Chelsea District#, the #High Line# shall remain open and unobstructed from the #High Line bed# to the sky, except for improvements constructed on the #High Line# in connection with the use of the #High Line# as a public open space.

## **98-422**

### **Special rooftop regulations**

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings or other structures# within the #Special West Chelsea District# except as modified as follows:

#### **(a) Permitted Obstructions**

Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a #sky exposure plane# or a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage, or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). However, dormers may not exceed the maximum #building# height in Subareas F, C and G where the maximum base height and maximum #building# height are the same.

(b) Ventilation and mechanical equipment

All mechanical equipment located within 15 feet of the level of the #High Line# bed that is within 25 feet of the #High Line#, measured horizontally, or within the #High Line frontage#, as applicable, shall be screened and buffered with no intake or exhaust fans or vents facing directly onto the #High Line#.

**98-423**

**Street wall location, minimum and maximum base heights and maximum building heights**

The provisions set forth in paragraph (a) of this Section shall apply to all #developments# and #enlargements#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through (f) of this Section.

- (a) On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along such entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in Table A of this Section. On #corner lots# with both #wide# and #narrow street# frontage, a #street wall# with a minimum height of 15 feet shall be located on a #narrow street line# beyond 50 feet of its intersection with a #wide street# and extend along such entire #narrow street# frontage of the #zoning lot#. On all other #narrow street# frontages, the #street wall# shall be located on the #street line# and extend along at least 70 percent of the #narrow street# frontage of the #zoning lot# up to at least the minimum base height specified in Table A of this Section.

Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above a height of 12 feet, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except that, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

For #developments# that occupy the entire #block# frontage of a #street# and provide a continuous sidewalk widening along such #street line#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes

of this Section. The #street wall# location provisions of this Section shall not apply along that portion of any #street# frontage:

- (1) over which the #High Line# passes;
- (2) occupied by existing #buildings# to remain, unless such #buildings# are vertically #enlarged#; or
- (3) between the #High Line# and a #side lot line#, where such frontage measures less than 20 feet.

All portions of #buildings or other structures# that exceed the applicable maximum base height specified in Table A shall provide a setback at a height not lower than the applicable minimum base height. A setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of permitted recesses in the #street wall#.

No #building or other structure# shall exceed the maximum #building# height specified in Table A.

(b) Subareas A and D

(1) #Street wall# location

In Subarea D, for #buildings# that do not include towers as set forth in paragraph (b)(3) of this Section, the #street wall# location provisions set forth in paragraph (a) shall not apply to any #zoning lot# that occupies the entire Eleventh Avenue #block# front. In lieu thereof, #street walls# with a minimum base height of 60 feet shall be located within ten feet of all #street lines# bounding such #zoning lot# and extend along at least 70 percent of each #street# frontage of the #zoning lot#.

(2) Setback provisions

The setback provisions for portions of #buildings# above the maximum base height set forth in paragraph (a) of this Section shall not apply. In lieu thereof, no portion of a #building or other structure# that exceeds the applicable maximum base height shall penetrate a #sky exposure plane# that begins above the #street line# at the maximum base height and rises over the #zoning lot# at a ratio of 2.7 feet of vertical distance to one foot of horizontal distance on a #narrow street#; and 5.6 feet of vertical distance to one foot of horizontal distance on a #wide street#.

(3) Tower provisions

Any #building#, or portion thereof, which in the aggregate occupies not more than 40 percent of the #lot area# of the #zoning lot# and penetrates the #sky exposure planes# set forth in paragraph (b)(2) of this Section is hereinafter referred to as a "tower". Such towers are permitted provided they are set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#, and provided no other portion of the #building# exceeds the applicable maximum base height. In addition, the following rules shall apply:

- (i) For #zoning lots# with less than 20,000 square feet of #lot area#, such tower may occupy more than 40 percent of the #lot area# of the #zoning lot# in accordance with the provisions of Section 33-454 (Towers on small lots).
- (ii) Any #story# within the highest 40 feet of such tower (the penthouse portion), shall not exceed 85 percent of the gross area of the highest #story# directly below such penthouse portion
- (iii) In Subarea A, such tower shall occupy at least 30 percent of the #lot area# of the #zoning lot#, except that such minimum #lot coverage# requirement shall be reduced to 25 percent above a height of 220 feet. However, no minimum #lot area# requirement shall apply to the highest four #stories# or 40 feet of such #building#, whichever is less.
- (iv) In Subarea A, the maximum length of any #story# located above a height of 220 feet shall not exceed 150 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 220 feet. Any side of such rectangle shall not exceed 150 feet.
- (v) In Subarea A, for any #zoning lot# with more than 75 feet of #narrow street# frontage in which a #side lot line# is located within an area bounded by a line 200 feet east of and parallel to Eleventh Avenue and a line 410 feet east of and parallel to Eleventh Avenue, no tower portion of a #building# shall be located closer than 25 feet to such #side lot lines#.
- (vi) In Subarea D, the maximum #building# height shall be 250 feet, and the maximum length of any #story# located above the maximum base height shall not exceed 150 feet. Such length shall

be measured by inscribing within a rectangle the outermost walls at the level of each #story# wholly or partially above the maximum base height. Any side of such rectangle shall not exceed 150 feet. However, for #zoning lots# that occupy the entire Eleventh Avenue #block# front, a portion of the #street wall# may rise above the maximum base height without setback from Eleventh Avenue provided the aggregate width of the Eleventh Avenue #street wall# does not exceed 100 feet.

(c) Subareas C, F and G

In Subareas C, F and G, for #zoning lots# with wide and narrow street frontage, no #street wall# is required beyond 50 feet of a wide street. Furthermore, for any #development# or #enlargement# that occupies at least one corner of the Tenth Avenue #block# front and extends along the Tenth Avenue frontage of the #zoning lot# for at least 170 feet, exclusive of existing #buildings# to remain, a lowered #street wall# shall be provided for any #building# that exceeds 45 feet in height. Such lowered #street wall# shall have a maximum height of 45 feet and a minimum height of 35 feet and extend along the Tenth Avenue frontage for a width not less than 25 percent and not more than 30 percent of the #aggregate width of street walls# facing Tenth Avenue. Such lowered #street wall# portion of the Tenth Avenue frontage shall be located at the intersection of Tenth Avenue and a #narrow street#. Such lowered #street wall# shall extend along such #narrow street line# for a distance of at least 50 feet from Tenth Avenue. Beyond 50 feet of Tenth Avenue, excluding the #High Line frontage# of a #building#, such portion of the #building# shall not exceed a height of 45 feet.

The provisions of this Section, relating to the location and height of the lowered #street wall# portion of the Tenth Avenue frontage of a #development# are illustrated in Diagram 1 (Street Wall and #High Line# Frontage Regulations in Subareas C, F and G), in Appendix C of this Chapter.

**In Subarea C, for #zoning lots# with Tenth Avenue frontage between West 24<sup>th</sup> Street and West 28<sup>th</sup> Street, the maximum #building# height shall be 125 feet.**

(d) Subarea E

The #street wall# location provisions set forth in paragraph (a) shall not apply to any #development# or #enlargement# on a #zoning lot# fronting on West 18<sup>th</sup> Street and located partially in Subareas D, E and G, where #floor area# has been transferred pursuant to Section 98-24. A maximum of 60 percent of the West 18<sup>th</sup> Street frontage within Subarea E may rise without setback to a maximum #building# height of 250 feet and a minimum of 20 percent of the West 18<sup>th</sup> Street

frontage within Subarea E shall rise without setback to a minimum height of 60 feet and a maximum height of 85 feet and be located within 10 feet of the #street line#.

(e) Subarea H

No #building or other structure# shall be located east of the #High Line#.

No portion of a #building or other structure# shall exceed a height of 85 feet except for two #buildings#, or portions of #buildings#, hereinafter referred to as Tower East and Tower West. At or above the base height, both such towers shall be set back at least 10 feet from any #street wall# facing a #wide street# and at least 15 feet from any #street wall# facing a #narrow street#. Such set backs shall be provided at a height not lower than 60 feet, except that such set backs may be provided at a height not lower than 40 feet, provided at least 65 percent of the #aggregate width of street walls# facing #narrow streets# and at least 60 percent of the #aggregate width of street walls# facing #wide streets# have a minimum base height of 60 feet.

Tower East shall be located in its entirety within 240 feet of the Tenth Avenue #street line#, and Tower West shall be located in its entirety within 200 feet of the Eleventh Avenue #street line#. Tower East shall not exceed a height of 290 feet and Tower West shall not exceed a height of 390 feet. No portion of Tower East shall be located closer than 25 feet to any portion of Tower West.

A maximum of 50 percent of the #street wall# of Tower West may rise without setback from a #narrow street line#. Such portion of the #street wall# shall be located a minimum of 15 feet and a maximum of 20 feet from the #narrow street line#.

(f) Subarea I

In that portion of Subarea I located within 300 feet of Tenth Avenue between West 16<sup>th</sup> Street and West 17<sup>th</sup> Street, the #street wall# location provisions set forth in paragraph (a) shall not apply along Tenth Avenue, as illustrated in Diagram 5 (Subarea H Requirements), of Appendix C of this Chapter, but shall apply along a minimum of 85 percent of the West 16<sup>th</sup> Street and West 17<sup>th</sup> Street frontages. No portion of a #building or other structure# located within 300 feet of Tenth Avenue shall exceed a height of 120 feet, except for one #building# which may have a height not to exceed 250 feet provided such #building# is located in its entirety between 10 feet and 90 feet of West 17<sup>th</sup> Street and has a length that does not exceed 175 feet when measured parallel to the West 17<sup>th</sup> Street #street line#.

In all other portions of Subarea I, the provisions of paragraph (a) shall apply.

**TABLE A**  
**Minimum and Maximum Base Height and Maximum Building Height**  
**by District or Subarea**

<b>District or Subarea</b>	<b>Minimum Base Height (in feet)</b>	<b>Maximum Base Height (in feet)</b>	<b>Maximum Building Height (in feet)</b>
<b>C6-2A</b>	60	85	120
<b>C6-3A</b>	60	102	145
<b>A within 100 feet of a #wide street#</b>	60	85	See paragraph (b)
<b>A beyond 100 feet of #wide street#</b>	40	60	See paragraph (b)
<b>B</b>	60	95	135
<b>M1-5</b>	50	95	135
<b>C for #zoning lots# with only #narrow street# frontage</b>	60	110	110
<b>C for #zoning lots# with Tenth Avenue frontage</b>	105 See paragraph (c)	125 See paragraph (c)	145 See paragraph (c)
<b>C for #zoning lots# with Eleventh Avenue frontage</b>	125 See paragraph (c)	145 See paragraph (c)	145 See paragraph (c)
<b>D</b>	60	90	250 See paragraph (b)
<b>E</b>	60	105 See paragraph (d)	120 See paragraph (d)
<b>F</b>	60 See paragraph (c)	80 See paragraph (c)	80 See paragraph (c)
<b>G for #zoning lots# with only #narrow street# frontage</b>	60	95	95
<b>G for #zoning lots# with #wide street# frontage</b>	105 See paragraph (c)	120 See paragraph (c)	120 See paragraph (c)
<b>H</b>	60 See paragraph (e)	85 See paragraph (e)	See paragraph (e)
<b>I within 300 ft of Tenth Ave</b>	60	85	120

District or Subarea	Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum Building Height (in feet)
between W. 16 <sup>th</sup> St. and W. 17 <sup>th</sup> St.			See paragraph (f)
I all other areas	60	105	135

#### **98-424**

##### **Authorization to modify height and setback regulations**

For #zoning lots# located entirely within 75 feet of the west side of the #High Line#, the City Planning Commission may authorize the modification of height and setback regulations set forth in Section 98-40 and 98-50, inclusive, and the transparency requirements set forth in Sections 98-141 and 98-54. The Commission shall find that such modification will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public areas.

The Commission may prescribe appropriate conditions and safeguards to enhance the character of the surrounding area.

#### **98-43**

##### **Special Distance Between Buildings Regulations**

The provisions of Section 23-70 (MINIMUM REQUIRED DISTANCE BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT) shall not apply.

#### **98-50**

##### **SPECIAL HEIGHT AND SETBACK, OPEN AREA AND TRANSPARENCY REGULATIONS FOR ZONING LOTS WITHIN OR ADJACENT TO THE HIGH LINE TRANSFER CORRIDOR**

#### **98-51**

##### **Height and Setback Regulations on the East Side of the High Line**

###### **(a) Subarea A**

At least 60 percent of the aggregate length of the eastern #High Line frontage# of a #building# shall set back at the level of the #High Line bed#. Not more than 40 percent of the aggregate length of such #High Line frontage# may rise above the



level of the #High Line bed#. No portion of such #High Line frontage# shall exceed a maximum height of 20 feet above the level of the #High Line bed#, as illustrated in Diagram 2 (Street Wall and #High Line# Frontage Regulations in Subarea A) in Appendix C, of this Chapter.

- (b) In C6-3A Districts, and in Subareas C, F and G

For #zoning lots# extending less than 120 feet along the eastern side of the #High Line#, no portion of the eastern #High Line# frontage of a #building# shall exceed a height of 3 feet 6 inches above the level of the #High Line bed#.

For #zoning lots# that extend for at least 120 feet along the eastern side of the #High Line#, no portion of the eastern #High Line# frontage of the #building# shall exceed a height of 3 feet 6 inches above the level of the #High Line bed#, except that a maximum of 40 percent of such #High Line# frontage# may rise without setback above a height of 3 feet 6 inches above the level of the #High Line bed# provided such portion of the #building# is not located directly between the #High Line# and any #street wall# of a #building# that is subject to a maximum height of 45 feet in accordance with paragraph (a) (Subareas C, F and I) of Section 98-441 (Street wall location and minimum base heights).

However, the provisions of this paragraph (b) shall not apply to any #zoning lot# existing on (the effective date of amendment) where the greatest distance between the eastern side of the #High Line# and a #side lot line# east of the #High Line# is 35 feet when measured parallel to the nearest #narrow street line#.

## 98-52

### Height and Setback Regulations on West Side of High Line

In C6-2A, C6-3A and M1-5 Districts, and in Subareas A, B and E, no portion of the western #High Line frontage# of a #building#, including parapets, shall exceed a height of 3 feet 6 inches above the level of the #High Line bed#.

For any #zoning lot# or portion thereof with more than 60 feet of width measured perpendicular to the west side of the #High Line#, the following rules shall apply to any #building# containing #residences#:

- (a) At least 60 percent of the aggregate length of that portion of the #building# located above a height of 3 feet six inches above the level of the #High Line bed# and facing the #High Line# shall be located between 15 and 20 feet of the west side of the #High Line# and extend up to at least the applicable minimum base height specified in Table A of Section 98-423, and

- (b) No #building# or portion thereof that exceeds the applicable maximum base height specified in Table A of Section 98-423 shall be located within 30 feet of the #High Line#.

Chain link fences and razor wire shall not be permitted within the western #High Line frontage#.

### 98-53

#### Required Open Areas on the East Side of the High Line

At least 20 percent of the #lot area# of any #development# or #enlargement# on a #zoning lot#, or portion thereof, within C6-3A Districts or within Subareas A, C, F or G and over which the #High Line# passes or adjacent to a #zoning lot# over which the #High Line# passes, shall be landscaped open area, pursuant to the requirements of paragraph (a) (Open area requirements), and (b) (Permitted obstructions) of this Section. Such open area shall be located directly adjacent to the #High Line# with its longest side adjacent to the #High Line# and shall be located at an elevation not to exceed a height of 3 feet 6 inches above the level of the #High Line bed# adjacent to the #zoning lot#. At no point shall such open area be located within 50 feet of Tenth Avenue.

- (a) Open area requirements

All required open areas shall:

- (1) have no portion used as a driveway, vehicular access way or for parking, and shall be screened from off-street loading and service areas;
- (2) be landscaped with shrubs, vines, flowers, ground cover, trees, and/or plants in planters over a minimum of 25 percent of the required open area;
- (3) be maintained by the building owner who shall be responsible for the maintenance of the open area including, but not limited to, the repair of all amenities, litter control and the care and replacement of vegetation within the zoning lot; and
- (4) have all mechanical equipment which is located at the same elevation as the open area, or within 15 feet of the level of the open area, screened and buffered with no intake or exhaust fans facing directly onto the required open area.
- (5) Open area screening

Required open areas may be screened from the public areas of the #High Line# by a wall, fence, or plantings extending not higher than 8 feet above the average elevation of the open area. All screening materials must be substantially transparent. For the purposes of this Section, substantially transparent screening is defined as transparent, or non-opaque, in an evenly distributed fashion for at least 75 percent of its area. Chain link fences and razor wire shall not be permitted. Vegetated screening, such as shrubs, vines, and other plantings, may be completely covered by vegetation and opaque, provided that any underlying surface is substantially transparent.

In addition, such screening material shall be maintained in good condition at all times, may be interrupted by normal entrances and/or exits, and shall have no signs hung or attached thereto, other than those permitted in Section 98-16 (Signs).

(b) Permitted obstruction

Only the following shall be permitted to obstruct a required open area:

- (1) Any #High Line# access structure providing pedestrian access to the #High Line#, by stairway or elevator;
- (2) Those items listed in paragraph (g)(1)(Permitted obstructions) of Section 37-04 (Requirements for Urban Plazas); and
- (3) Open air cafes and kiosks, provided that open air cafes may occupy in the aggregate no more than 75 percent of such required open area.

**98-54**

**Transparency Requirements on the East Side of the High Line**

The transparency requirements of this Section shall apply to the #High Line frontage# portion of #developments# and #enlargements# located in C6-3A Districts and within Subareas A, C, F and G except for such portions that contain #dwelling units#. At least 50 percent of the area of such frontage, to be measured from a point not lower than four feet and not higher than eight feet above the level of the #High Line bed# shall be glazed and transparent and at least 75 percent of such glazed surface shall be fully transparent.

**98-55**

**Requirements for Non-Transparent Surfaces on the East Side of the High Line**

Any portion of such #High Line frontage# that is 40 feet or more in length and contains no transparent element between the level of the #High Line bed# and an elevation of twelve (12) feet above the level of the #High Line bed#, shall be planted with vines or other plantings or contain artwork. Such elements shall substantially cover the applicable non-transparent portion of the #High Line frontage#.

## 98-60

### SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS

## 98-61

### High Line Access Easement Volume Requirement

For all #developments# or #enlargements# within the Special West Chelsea District, an easement volume to facilitate public pedestrian access to the #High Line# via stairway and elevator (hereinafter referred to as “primary access”), shall be provided on any #zoning lot# over which the #High Line# passes that, on or after (the date of referral of zoning text amendment) has more than 5,000 square feet of #lot area#.

In the #High Line Transfer Corridor#, an easement volume to facilitate public pedestrian access to the #High Line# via stairway (hereinafter referred to as “secondary access”), shall be provided on any #zoning lot# from which #floor area has been transferred pursuant to Section 98-33 unless a primary access easement has been provided pursuant to this Section 98-61.

However, a primary access easement shall not be required if a primary access easement is already provided on the same #block# and a secondary access easement shall not be required if a primary or secondary access easement has already been provided on the same #block#. Furthermore, primary and/or secondary access easements shall not be required where the Chairperson of the City Planning Commission certifies that:

- (a) the minimum dimensions required for the access easement volume pursuant to paragraph (a) of Section 98-62 cannot be accommodated within 33 feet six inches of a #street line# for primary access easements and 40 feet of a #street line# for secondary access easements; or
- (b) in the case of a primary easement, a secondary easement is already provided on the same #zoning lot# and such easement is sufficient in size or has been enlarged to be sufficient in size to accommodate the provisions for primary access easements as specified in Section 98-62; or

- (c) for primary or secondary easements, access has already been constructed, or, an access volume has been dedicated, on the same #block# or on the same #street# frontage, and that such access or access volume meets the location and access requirements for primary or secondary access easements, as specified in Section 98-62(a) and (b), and meets all standards, as applicable, for persons with disabilities; or
- (d) for primary or secondary easements, construction documents for the #High Line# open space have been developed by the City that specify the same #street# frontage as an access location; or
- (e) such #development# or #enlargement# is located wholly within an M1-5 district and no portion of such #development# or #enlargement# has more than 10,000 square feet of #floor area# and is located within 5 feet of the #High Line#.

## 98-62

### High Line Access Easement Regulations

The provisions of this Section shall apply to any #zoning lot# providing an access easement volume, as follows:

- (a) Location and Minimum Dimensions
  - (1) Primary access easement volume
- (2) Secondary access easement volume

A primary access easement volume may be located within a #building# or within open areas on the #zoning lot#, including open areas required pursuant to Section 98-53 (Required Open Areas on the East Side of the High Line), provided such volume is within 15 feet of a #narrow street line#. The minimum length of such volume shall be 18 feet six inches and the minimum width shall be ten feet; however, the minimum area of such volume shall be 350 square feet. The height of such volume shall extend from a point at least ten feet below #curb level# to a point at least 15 feet above the level of the #High Line bed#. A primary access easement volume may also replace a previously provided secondary access easement volume, and such secondary access easement volume may be terminated pursuant to Section 98-64. Such minimum dimensions are illustrated in Diagram 6 (#High Line# Access Easement Volume Parameters) of Appendix C of this Chapter.

A secondary access easement volume shall be located within 15 feet of a #narrow street line# and directly adjacent to the #High Line# for a minimum length of 25 feet. Such volume shall have a minimum width of ten feet. The height of such volume shall extend from #curb level# to a point at least ten feet above the level of the #high Line bed#.

(b) Access

All access easement volumes shall be accessible either directly from a public sidewalk or through a publicly traversable way through the #zoning lot# directly connecting with a public sidewalk. Such publicly traversable way shall meet the following requirements:

- (1) The required width of the publicly traversable way shall be a minimum of eight feet.
- (2) No portion of the publicly traversable way shall be interrupted or occupied by an off-street parking or loading area.
- (3) The access easement volume shall be visible from the public sidewalk or the publicly traversable way.
- (4) The publicly traversable way shall be maintained by the property owner in good repair.
- (5) The publicly traversable way shall be fully accessible to persons with disabilities.
- (6) The publicly traversable way shall be open and accessible to the public at all times when a stairway and/or elevator located within the associated access easement volume is open and accessible to the public.

(c) Permitted obstructions

Any access structure within the access easement volume, or any weather protection provided by an overhang or roofed area over such access easement volume, accessory to the access structure, shall be considered permitted obstructions within required #yards# or open areas.

(d) Permitted #uses#

An access easement volume required on a #zoning lot# pursuant to the provisions of this Chapter may be temporarily used by the owner of such #zoning lot# for any permitted #use# until such time as required by the City of New York or its

designee for access purposes. Such permitted use shall be limited to non-residential #uses# where such access easement volume is within a #building#. Where such access easement volume is within an open area, such area shall be landscaped, or may be improved in accordance with the provisions of subparagraphs (g)(1), (g)(2) and (g)(3) (Permitted obstructions), of Section 37-04 (Requirements for Urban Plazas), except that in the case of open air cafes and kiosks the provisions of paragraph (g) (3) shall be modified as follows: a certification shall not be required pursuant to paragraphs (g)(5) and (g)(6).

Improvements or construction of a temporary nature within the easement volume shall be removed by the owner of such #zoning lot# prior to the time at which public use of the easement areas is required. A minimum notice of six months in writing shall be given by the City of New York or its designee to the owner of the #zoning lot#, in order to vacate the tenants of such temporary #uses#.

(e) Legally Required Windows

The minimum distance between any legally required window in a portion of a #building# used for #residential use# and an access easement volume shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window for the full width of the rough window opening.

**98-63**

**Recording of High Line Access Easement Volume**

An instrument in a form acceptable to the Department of City Planning creating a #High Line# access easement volume shall be recorded in the Office of the City Register; a certified copy of which shall be submitted to the Department of City Planning.

Notice by the Department of City Planning of its receipt of a certified copy of an instrument establishing any access easements required pursuant to this Chapter shall be a precondition to issuance by the Commissioner of Buildings of any building permits including any foundation or alteration permit for any #development# of #enlargement# on a site pursuant to Section 98-60 for primary access easements. Receipt of a certified copy of an instrument creating a secondary access easement shall be provided in conjunction with notification, pursuant to Section 98-33(a).

**98-64**

**Termination of High Line Access Easement Volume**

In the event that the City Planning Commission notifies the Department of Buildings and the owner in writing that a #High Line# access easement volume is not required on a

#zoning lot# under the final construction plans for the restoration and reuse of the #High Line# as an accessible, public open space, the restrictions imposed on such #zoning lot# by the provisions of Section 98-61 (High Line Access Easement Volume Requirement) shall lapse, following receipt of notification thereof by the owner, and the owner shall have the right to record an instrument reciting the consent of the City Planning Commission to the extinguishment of the easement volume. On termination of the #High Line# access easement volume requirement which has been certified pursuant to this Section, any area reserved for such easement within a #building or other structure# may be used for any #use# permitted pursuant to the provisions of this Chapter and such area shall not be considered #floor area#; and any open area reserved for such easement shall be maintained as an open area and shall be subject to the open area requirements of Section 98-53 (Required Open Areas on the East Side of the High Line).

#### **APPENDIX D**

##### **Special Regulations for Zoning Lots Utilizing the High Line Improvement Bonus in Subarea H**

This Appendix sets forth additional requirements governing #zoning lots# located within Subarea H between West 17th and 18th streets over which the #High Line# passes with respect to a #development# or #enlargement# which involves an increase in the applicable basic maximum #floor area ratio# of the #zoning lot# up to the amount specified in Section 98-22 (Maximum #Floor Area Ratio# in Subareas), with respect to: (1) the issuance of a building permit for such #development# or #enlargement# pursuant to subparagraph (a) of Section 98-25 (High Line Improvement Bonus); and (2) the performance or funding of improvements as a condition of issuance of temporary or permanent certificates of occupancy pursuant to subparagraph (b) of Section 98-25 for #floor area# in such #development# or #enlargement# which exceeds the basic maximum #floor area ratio# of the #zoning lot#. The term "parties in interest" as used herein shall mean "parties-in-interest", as defined in paragraph f(4) of the definition of #zoning lot# under Section 12-10 .

(a) Requirements for Issuance of Building Permit Under Paragraph (a) of Section 98-25

(1) As a condition of issuance of a building permit under Paragraph (a) of Section 98-25:

- (i) Owner shall, subject to reduction pursuant to the other provisions of this Appendix D, deposit into the #High Line# Improvement Fund, or secure by letter of credit or other cash equivalent instrument in a form acceptable to the City, a contribution of \$50.00 per square foot of #floor area# which exceeds the basic



maximum #floor area ratio# of the #zoning lot#, up to the amount specified in Section 98-22;

- (ii) all parties-in-interest shall execute a restrictive declaration including easements to the City providing for: the location of and public access to and use of the At-Grade Plaza and the stairway and elevator that will provide access to the #High Line#, as shown in Diagram 3 of Appendix C, such easement area for the At-Grade Plaza to include the entire area of the #zoning lot# east of the #High Line# and such easement area as it relates to such stairway and elevator to be at least 2,500 square feet and in a location and configuration acceptable to the City; access for the potential performance by the City of work under the provisions set forth below; and maintenance and repair of the stairway and elevator. Such declaration shall incorporate by reference the maintenance and operating agreement referred to in paragraph (iii) below; and
- (iii) Owner shall execute a maintenance and operating agreement for the At-Grade Plaza,

The easements and agreement described herein shall remain in force and effect irrespective of whether certificates of occupancy are issued pursuant to Section 98-25, paragraph (b).

- (2) Upon the request of Owner, the City in its sole discretion, may elect to have Owner perform all #High Line# improvements ( i.e., non-structural and non-remediation work) at its own expense within the #High Line# improvement area on such #zoning lot# and over #streets# contiguous to such #zoning lot#. In that event, certification under Section 98-25, paragraph (a), shall also be made upon execution of an agreement by Owner, approved by the Chair of the City Planning Commission, to perform such improvements, the cost of which shall be refunded or credited from the contribution to the #High Line# Improvement. Such agreement may require Owner to reimburse the City for the costs of a full-time resident engineer to supervise such work.
- (3) The location of #floor area# which would exceed the basic maximum #floor area ratio# and be subject to the provisions of Section 98-25 shall be considered to be the topmost portion of the #development# or #enlargement# unless, at the time of certification pursuant to Section 98-25, paragraph (a), Owner designates, subject to the concurrence of the Chairperson of the City Planning Commission, an alternate location.

**APPENDIX D:  
TRANSPORTATION PLANNING FACTORS**



## **Philip Habib & Associates**

Engineers and Planners • 102 Madison Avenue • New York, NY 10016 • 212 929 5656 • 212 929 5605 (fax)

### **TECHNICAL MEMORANDUM**

**TO:** New York City Department of City Planning

**FROM:** Philip Habib & Associates  
on Behalf of 18th Highline Associates, LLC, c/o Related Companies

**DATE:** January 15, 2019

**PROJECT:** 515 W. 18th Street Garage Special Permit EAS (PHA #1553)

**RE:** Transportation Planning Factors

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#### **I. INTRODUCTION**

The applicant, 18th Highline Associates, LLC, is seeking a zoning special permit pursuant to New York City Zoning Resolution Section (“ZR §”) 13-451, “Additional Parking Spaces for Residential Growth,” (the “proposed action”). The proposed action would allow a 180-space public parking garage, with attended-park operation, to be provided within a new 420,501-gross-square-foot (gsf) mixed-use development that is currently under construction on an as-of-right basis at 515 W. 18th Street (Block 690, Lots 20 and 29) in the West Chelsea neighborhood in Manhattan Community District 4 (CD4). Under the No-Action conditions, the mixed-use building on the development site would include approximately 181 dwelling units (DUs), approximately 18,000 gsf of retail space, and approximately 41 accessory parking spaces (the maximum permitted on an as-of-right basis). Under the With-Action conditions, the attended parking garage would include a total of 180 parking spaces (an incremental increase of 139 spaces, as compared to the No-Action conditions). Apart from this change, there would be no changes to the development site between No-Action and With-Action conditions; there would be no change in overall building area, footprint, building envelope, residential and commercial development program, number of building employees, curb cut location or use, garage ramp configuration, or parking surface area. Under both No-Action and With-Action conditions, the on-site garage would be accessed via midblock curb cut and two-way ramp on W. 18th Street between Tenth Avenue and Eleventh Avenue (State Route 9A).

As the proposed project exceeds the applicable off-street parking threshold specified in Table 16-1 of the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, a screening assessment is necessary to determine if detailed analyses of traffic and parking, transit, and

pedestrians are warranted. Per *CEQR Technical Manual* guidance, the screening assessment consists of a two-level process including a Level 1 Project Trip Generation Screening Assessment and a Level 2 Project-generated Trip Assignment Screening Assessment. This memorandum summarizes the transportation planning factors to be used for an analysis of traffic, parking, transit, and pedestrian conditions for the proposed project and the resulting screening analyses.

#### Development Site Conditions

The development site is located at 515 W. 18th Street (Block 690, Lots 20 and 29) in CD4. The development site is an “L”-shaped, approximately 46,000-square-foot (sf) double-corner lot. It has approximately 184 feet of frontage on Tenth Avenue, approximately 325 feet of frontage on W. 18th Street, and approximately 175 feet of frontage on W. 19th Street. The addresses associated with the site include 131 Tenth Avenue, 501-525 W. 18th Street (odd numbers), and 500 to 510 W. 19th Street (even numbers). The High Line extends through the development site, and there is a stairway providing access to the elevated public open space across the street from the site on the south sidewalk of W. 18th Street.

Under both RWCDs No-Action conditions (41 parking spaces) and RWCDs With-Action conditions (180 spaces), the parking garage at the development site will be operated as an attended-park facility.

## **II. DEVELOPMENT DENSITY THRESHOLD SCREENING**

The *CEQR Technical Manual* identifies minimum development densities that potentially require transportation analysis. Development at less than the development densities shown in Table 16-1 of the *CEQR Technical Manual* generally result in fewer than 50 peak-hour vehicle trips, 200 peak-hour subway/rail or bus transit riders, and 200 peak-hour pedestrian trips, where significant adverse impacts are considered unlikely. If these trip-generation screening thresholds are exceeded, a Level 2 (Project-generated Trip Assignment) Screening Assessment should be prepared to determine if the proposed action would generate or divert 50 peak-hour vehicle trips through any intersection, 200 peak-hour subway trips through a single station, 50 peak-hour bus trips on a single bus route in the peak direction, or 200 peak-hour pedestrian trips along a single pedestrian element. If any of these Level 2 screening thresholds are met or exceeded, detailed analysis for the respective mode is required.

The proposed project, located in Manhattan Parking Zone 1, exceeds the 85-space development threshold for off-street parking facilities. However, as the project would not involve any incremental change to the residential or commercial development programs, only the parking screening threshold is applicable to the proposed action.

#### Traffic and Parking

As the proposed project exceeds the 85-space development density screening threshold for off-street parking, a Level 1 (Project Trip Generation) Screening Assessment has been prepared.

## Transit and Pedestrians

As noted above, the proposed action would only exceed the development density screening threshold for off-street parking and there would be no incremental change in the residential or retail development programs. Few, if any, trips by garage patrons would be made via transit, thus the proposed action would not have the potential to result in significant adverse transit impacts and no further transit assessment is warranted. Any transit or pedestrian trips by staff would be negligible, as the expected incremental increase in parking employees is expected to be approximately four employees per day.

The proposed parking garage would be used by not only building residents, but also by residents of nearby buildings, and visitors to the area (transient parkers) who would travel on foot to and from the garage. As the proposed garage would generate pedestrian trips, a Level 1 (Project Trip Generation) Screening Assessment was prepared.

### **III. LEVEL 1 (PROJECT TRIP GENERATION) SCREENING**

#### **TRAFFIC**

##### **RWCDS No-Action Conditions**

Under the RWCDS No-Action Conditions, an as-of-right building containing approximately 181 dwelling units (DUs), approximately 18,000 gsf of local retail space, and approximately 41 off-street parking spaces would be constructed at the development site. The proposed 41-space off-street parking garage would be accessory to the proposed residential and retail uses. Therefore, it was conservatively assumed that only building residents and retail patrons would utilize the garage.

##### **RWCDS With-Action Conditions**

Under RWCDS With-Action conditions, the proposed project would include approximately 180 off-street accessory parking spaces. Although classified as accessory, they would be available to non-site users. The residential and retail development programs would be the same as under RWCDS No-Action conditions, i.e., 181 DUs and 18,000 gsf of local retail space.

Under the RWCDS With-Action scenario, it was conservatively assumed that during the overnight period (when residential parking demand peaks,) the 180 spaces would be fully utilized by both building residents and residents of other buildings in the area. This is consistent with the “residential growth” parking study prepared for the applicant’s ULURP application, which demonstrated that the supply of residential parking has not grown proportionally with the increase in demand for residential parking in the vicinity of the project site.

Given that the surrounding area has a rate of approximately 0.261 autos per household<sup>1</sup>, it is estimated that the garage would serve the parking demand and resulting vehicular trips generated by a total of approximately 690 DUs, i.e., 690 DUs @ 0.261 vehicles/DU, results in 180 vehicles. As such, this would include the 181 DUs in the development site building and approximately 512 DUs from other buildings that do not provide parking. Consistent with DCP's Manhattan Core Residential Growth parking study analysis methodology, these 512 DUs could be located anywhere within a one-third-mile radius of the development site's zoning lot. These would include units completed within the study area between the project's "lookback" year of 2007 and the Build year of 2020 as well as units that pre-date 2007 whose residents parked in area public parking facilities that have been eliminated since 2007, including the public parking lot on the development site that had a licensed capacity of 250 spaces. For illustrative purposes, buildings in the surrounding areas which cumulatively have 512 DUs but which do not have any on-site parking spaces are shown on Figure 1 and listed in Table 1, along with the development site and its 181 DUs.

It is conservatively assumed for CEQR purposes that spaces not used by residents during the day would be available for public use by non-residents. The RWCDs No-Action and RWCDs With-Action conditions are summarized below in Table 2.

### **Net Project-generated Trips**

As compared to the RWCDs No-Action Condition, the RWCDs With-Action condition would result in the net addition of 139 parking spaces. In order to identify the resulting incremental change in site-generated vehicle trips, the parking demand was forecasted for the site under both RWCDs No-Action and RWCDs With-Action conditions.

The analysis conservatively assumes that under the RWCDs No-Action condition, the accessory parking garage would be used only by residents and a negligible number of on-site retail users. The analysis assumes that the 41-space facility would have an overnight residential parking utilization rate of 100 percent. Based on the residential parking pattern from the *Hudson Yards FEIS, 2004*, a weekday and Saturday parking accumulations were forecast for the on-site as-of-right development. The residential parking demand was forecast based on 2012-2016 *American Community Survey (ACS) Means of Transportation to Work* data for residents within a quarter-mile radius of the development site.<sup>2</sup>

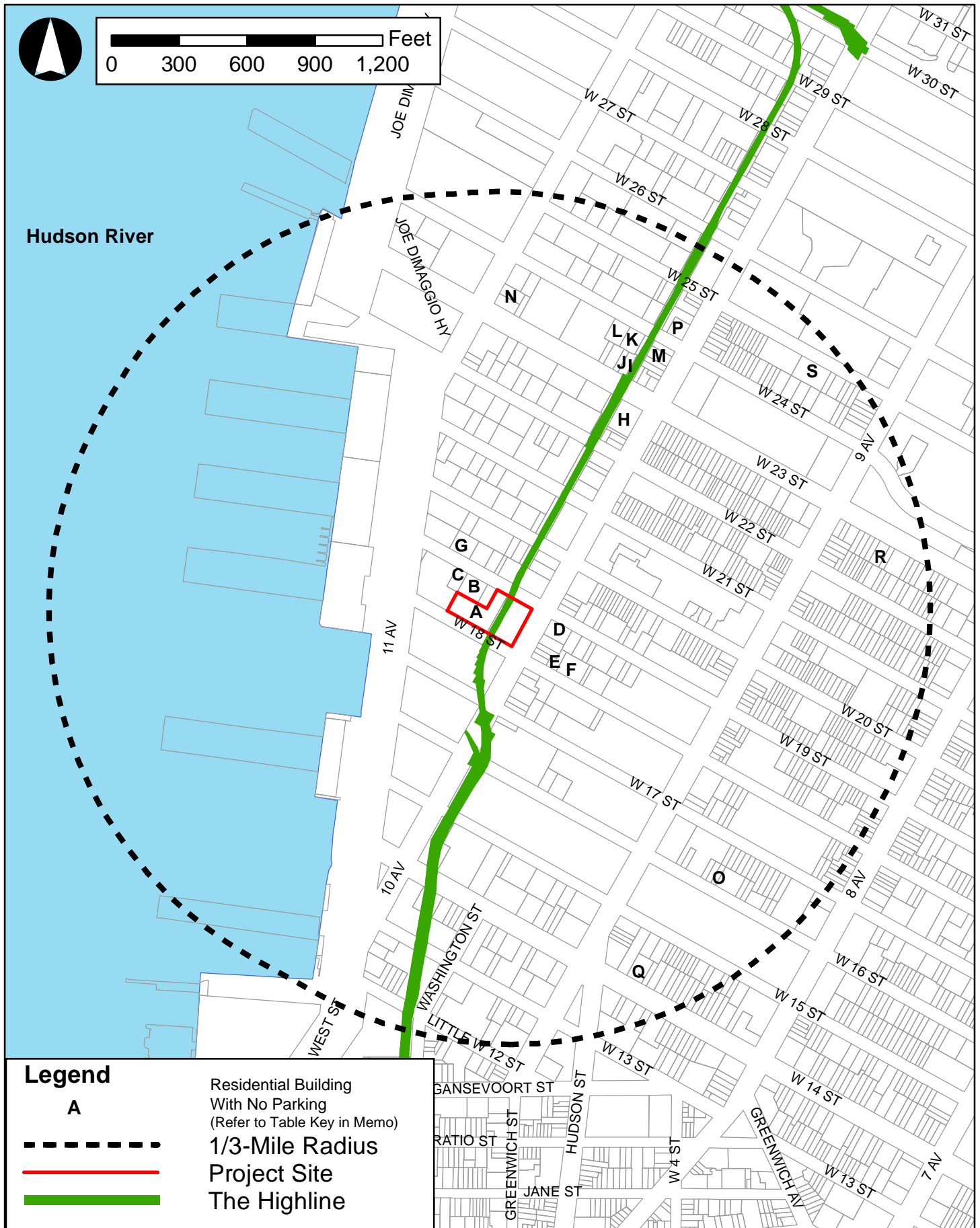
For RWCDs With-Action conditions, it is assumed that the proposed 180-space public parking garage would be utilized by both residential users and transient users (typically commuters and other visitors). Consistent with the ULURP application findings (parking study memo), it is assumed that the 180-space garage would be fully utilized during the overnight period by both

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<sup>1</sup> Quarter-mile study area: Source: US Census American Community Survey, 5-year data 2012-2016, for Manhattan Census Tracts 79, 83, 89, 93, 99.

<sup>2</sup> The residential means-of-transportation-to-work auto mode split is 7.4% within the quarter-mile study area. Source: US Census American Community Survey, 5-year data 2012-2016, for Manhattan Census Tracts 79, 83, 89, 93, 99.

Residential Buildings Served by Proposed Garage (Illustrative)



on-site residents and residents in the surrounding community. Similar to the No-Action condition, the residential parking pattern was based on the *Hudson Yards FEIS*.

**Table 1:**

**515 W. 18th St. Garage Special Permit EAS**

**Illustrative List of Buildings Served by Proposed Garage**

Map Key	BBL	Address	DU's	Parking Spaces
A	1-00690-0020	515 W 18 St*	181	180
B	1-00690-7501	520 W 19 St	25	0
C	1-00690-7502	524 W 19 St	8	0
D	1-00716-7505	140 10 Av	22	0
E	1-00716-7500	459 W 18 St	10	0
F	1-00716-7503	447 W 18 St	46	0
G	1-00691-7501	535 W 19 St	57	0
H	1-00694-0039	500 W 23 St	111	0
I	1-00695-7507	515 W 23 St	11	0
J	1-00695-7505	519 W 23 St	11	0
K	1-00695-0044	508 W 24 St	15	0
L	1-00695-0047	514 W 24 St	14	0
M	1-00695-7504	231-33 10 Av	22	0
N	1-00695-0004	188 11 Av	11	0
O	1-00740-0010	343 W 16 St	8	0
P	1-00696-0032	239 10 Av	11	0
Q	1-00738-7504	345 W 14 St	37	0
R	1-00746-7510	350 W 23 St	14	0
S	1-00722-7501	418-26 W 25 St	79	0
<b>TOTAL</b>			693	180

\* Development Site

NB: Per Area Census data indicating a rate of 0.261 vehicles/HH, 693 DU's would generate a demand for approximately 180 parking

**Table 2: Development Site RWCDs No-Action and RWCDs With-Action Conditions**

RWCDs No-Action			RWCDs With-Action			RWCDs Increment		
DUs	Retail gsf	Parking spaces	DUs	Retail gsf	Parking spaces	DUs	Retail gsf	Parking spaces
181	18,000	41	181	18,000	180	--	--	+139

As the proposed garage would operate as a facility open to the public under the RWCDs With-Action conditions, it is further assumed that, to the extent feasible, any spaces that become available during the day would be utilized by transient users. The parking demand for transient



garage users was forecast based on parking patterns collected at a public parking facility located approximately 1.2-miles east of the development site at 7 W. 21st Street in October 2013. This parking pattern was also used for the parking analysis of the 7 W. 21st Street garage special permit EAS (CEQR No. 15DCP009M).

#### RWCDS No-Action Vehicle Trips

As previously discussed, the as-of-right 41-space accessory garage is conservatively assumed to be fully utilized by residential parkers overnight under the RWCDS No-Action conditions. As it is conservatively assumed that there would be no transient parkers utilizing the garage, the hourly auto trips would be relatively low with 8, 4, and 10 vehicle trips during the weekday AM (8:00 AM – 9:00 AM), midday (12:00 PM – 1:00 PM), and PM (5:00 PM – 6:00 PM) peak hours, respectively (refer to Table 3.) Similarly, there would be 8 auto trips during the Saturday midday peak hour (12:00 PM – 1:00 PM) (refer to Table 4.)

**Table 3: RWCDS No-Action Weekday Parking Accumulation**

Time Period	In	Out	Total	Accumulation	Parking Supply
12-6 AM	1	1	2	41	41
6-7	0	0	0	41	41
7-8	1	3	4	39	41
8-9	1	7	8	33	41
9-10	1	4	5	30	41
10-11	2	3	5	29	41
11-12	2	2	4	29	41
12-1 PM	2	2	4	29	41
1-2	2	2	4	29	41
2-3	2	2	4	29	41
3-4	3	2	5	30	41
4-5	4	2	6	32	41
5-6	7	3	10	36	41
6-7	6	2	8	40	41
7-8	3	2	5	41	41
8-9	3	3	6	41	41
9-10	1	1	2	41	41
10-11	1	1	2	41	41
11-12	1	1	2	41	41
<b>Total</b>	<b>43</b>	<b>43</b>			

**Source:** Residential accumulation pattern based on *Hudson Yards FEIS, 2004*.

**Table 4: RWCDS No-Action Saturday Parking Accumulation**

Time Period	In	Out	Total	Accumulation	Parking Supply
12-6 AM	2	2	4	41	41
6-7	0	0	0	41	41
7-8	1	2	3	40	41
8-9	2	4	6	38	41
9-10	3	4	7	37	41
10-11	3	4	7	36	41
11-12	4	4	8	36	41
12-1 PM	4	4	8	36	41
1-2	4	4	8	36	41
2-3	4	4	8	36	41
3-4	4	3	7	37	41
4-5	5	2	7	40	41
5-6	4	3	7	41	41
6-7	4	4	8	41	41
7-8	3	3	6	41	41
8-9	2	2	4	41	41
9-10	2	2	4	41	41
10-11	2	2	4	41	41
11-12	1	1	2	41	41
<b>Total</b>	<b>54</b>	<b>54</b>			

**Source:** Residential accumulation pattern based on *Hudson Yards FEIS, 2004*.

### RWCDS With-Action Vehicle Trips

Under RWCDS With-Action conditions, the proposed 180-space garage would be fully utilized overnight by residents, consisting of a mix of building residents and residents of other nearby buildings. During the day, it is conservatively assumed that some transient parkers, such as commuters and other visitors to the area, would utilize available capacity at the garage. Tables 5a, 5b, and 5c show the With-Action weekday accumulation patterns for the residential users, transient users, and the combined total usage, respectively. As shown in Table 5c, there would be 57, 27, and 64 vehicle trips generated by residential and transient users combined under RWCDS With-Action conditions during the weekday AM (8:00 AM – 9:00 AM), midday (12:00 PM – 1:00 PM), and PM (5:00 PM – 6:00 PM) peak hours, respectively.

Tables 6a, 6b, and 6c show the Saturday accumulation patterns for the With-Action residential users, transient users, and the combined pattern, respectively. As shown below in Table 6c, during the Saturday midday peak hour (12:00 PM – 1:00 PM) under RWCDS With-Action conditions, there would be 46 auto trips.

**Table 5a: RWCDS With-Action Weekday Parking Accumulation – Residential Users**

Time Period	In	Out	Total	Accumulation
12-6 AM	6	6	12	180
6-7	0	2	2	178
7-8	2	12	14	168
8-9	6	32	38	142
9-10	6	19	25	129
10-11	8	11	19	126
11-12	8	8	16	126
12-1 PM	9	9	18	126
1-2	9	9	18	126
2-3	8	8	16	126
3-4	12	8	20	130
4-5	19	8	27	141
5-6	31	13	44	159
6-7	25	14	39	170
7-8	14	11	25	173
8-9	14	10	24	177
9-10	3	6	9	174
10-11	6	2	8	178
11-12	5	3	8	180
<b>Total</b>	<b>191</b>	<b>191</b>		

**Source:** Residential accumulation pattern based on *Hudson Yards FEIS, 2004*.

**Table 5b: RWCDS With-Action Weekday Parking Accumulation – Transient (Non-Residential) Users**

Time Period	In	Out	Total	Accumulation
12-6 AM	0	0	0	0
6-7	1	0	1	1
7-8	3	0	3	4
8-9	18	1	19	21
9-10	11	1	12	31
10-11	9	2	11	38
11-12	5	3	8	40
12-1 PM	6	3	9	43
1-2	3	2	5	44
2-3	3	4	7	43
3-4	3	7	10	39
4-5	3	9	12	33
5-6	3	17	20	19
6-7	3	12	15	10
7-8	1	4	5	7
8-9	1	5	6	3
9-10	1	2	3	2
10-11	0	1	1	1
11-12	0	1	1	0
<b>Total</b>	<b>74</b>	<b>74</b>		

**Source:** Weekday transient accumulation pattern based on average mid-week (Tuesday-Thursday) data collected in October 2013 at the 7 W. 21st Street public parking garage; used in *7 W. 21st St. TPF Memo*.

**Table 5c: RWCDs With-Action Weekday Parking Accumulation – All Users**

Time Period	In	Out	Total	Accumulation	Parking Supply
12-6 AM	6	6	12	180	180
6-7	1	2	3	179	180
7-8	5	12	17	172	180
8-9	24	33	57	163	180
9-10	17	20	37	160	180
10-11	17	13	30	164	180
11-12	13	11	24	166	180
12-1 PM	15	12	27	169	180
1-2	12	11	23	170	180
2-3	11	12	23	169	180
3-4	15	15	30	169	180
4-5	22	17	39	174	180
5-6	34	30	64	178	180
6-7	28	26	54	180	180
7-8	15	15	30	180	180
8-9	15	15	30	180	180
9-10	4	8	12	176	180
10-11	6	3	9	179	180
11-12	5	4	9	180	180
<b>Total</b>	<b>265</b>	<b>265</b>			

**Table 6a: RWCDs With-Action Saturday Parking Accumulation – Residential Users**

Time Period	In	Out	Total	Accumulation
12-6 AM	6	6	12	180
6-7	1	2	3	179
7-8	2	7	9	174
8-9	7	16	23	165
9-10	12	19	31	158
10-11	12	19	31	151
11-12	16	16	32	151
12-1 PM	18	18	36	151
1-2	16	16	32	151
2-3	16	16	32	151
3-4	20	13	33	158
4-5	23	10	33	171
5-6	16	12	28	175
6-7	16	16	32	175
7-8	16	11	27	180
8-9	9	9	18	180
9-10	7	7	14	180
10-11	7	7	14	180
11-12	6	6	12	180
<b>Total</b>	<b>226</b>	<b>226</b>		

**Source:** Residential accumulation pattern based on *Hudson Yards FEIS, 2004*.

**Table 6b: RWCDS With-Action Saturday Parking Accumulation – Transient (Non-Residential) Users**

Time Period	In	Out	Total	Accumulation
12-6 AM	5	5	10	0
6-7	0	0	0	0
7-8	1	0	1	1
8-9	2	0	2	3
9-10	3	0	3	6
10-11	5	2	7	9
11-12	4	2	6	11
12-1 PM	7	3	10	15
1-2	5	4	9	16
2-3	4	6	10	14
3-4	3	6	9	11
4-5	2	7	9	6
5-6	1	5	6	2
6-7	1	3	4	0
7-8	3	3	6	0
8-9	2	2	4	0
9-10	3	3	6	0
10-11	2	2	4	0
11-12	1	1	2	0
<b>Total</b>	<b>54</b>	<b>54</b>		

**Source:** Weekday transient accumulation pattern based on data collected at the 7 W. 21<sup>st</sup> Street public parking garage; Saturday average in October 2013; used in 7 W. 21<sup>st</sup> St. TPF Memo.

**Table 6c: RWCDS With-Action Saturday Parking Accumulation – All Users**

Time Period	In	Out	Total	Accumulation	Parking Supply
12-6 AM	11	11	22	180	180
6-7	1	2	3	179	180
7-8	3	7	10	175	180
8-9	9	16	25	168	180
9-10	15	19	34	164	180
10-11	17	21	38	160	180
11-12	20	18	38	162	180
12-1 PM	25	21	46	166	180
1-2	21	20	41	167	180
2-3	20	22	42	165	180
3-4	23	19	42	169	180
4-5	25	17	42	177	180
5-6	17	17	34	177	180
6-7	17	19	36	175	180
7-8	19	14	33	180	180
8-9	11	11	22	180	180
9-10	10	10	20	180	180
10-11	9	9	18	180	180
11-12	7	7	14	180	180
<b>Total</b>	<b>280</b>	<b>280</b>			

### Incremental Vehicle Trips

As shown below in Table 7, there would be an incremental increase of 49, 23, 54, and 38 vehicle trips generated or diverted by the proposed action during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. This incremental increase includes vehicle trips by residents (both on-site and from nearby residences) utilizing the garage, and visitors to the area, i.e., transient parkers. Although the incremental parking demand for the 180-space garage likely would be present within the West Chelsea area under RWCDs No-Action conditions, it was conservatively assumed that all incremental trips would be new trips generated as a result of the proposed action.

As the maximum number of action-generated vehicle trips is projected to be 54 in the weekday PM peak hour, above the Level 1 50-trip screening threshold, a level 2 Project Generated Trip Assignment Screening Assessment was prepared to determine whether a detailed traffic analysis is warranted and is detailed below in section IV.

**Table 7: Peak Hour Vehicle Trips**

	RWCDs No-Action			RWCDs With-Action			RWCDs Increment		
	In	Out	Total	In	Out	Total	In	Out	Total
<b>Weekday AM</b>	1	7	8	24	33	57	23	26	<b>49</b>
<b>Weekday Midday</b>	2	2	4	15	12	27	13	10	<b>23</b>
<b>Weekday PM</b>	7	3	10	34	30	64	27	27	<b>54</b>
<b>Saturday Midday</b>	4	4	8	25	21	46	2	17	<b>38</b>

### **PEDESTRIANS**

According to the *CEQR Technical Manual*, detailed pedestrian analyses are not required if the proposed development is projected to result in less than 200 peak hour pedestrian trips. As previously discussed, the parking garage at the development site would be publicly accessible under the RWCDs With-Action conditions. Therefore, vehicle trips generated by off-site users, including residents of nearby buildings and transient users, would also generate pedestrian trips at the development site. As such, inbound vehicle trips to the development site by off-site users would result in outbound pedestrian trips from the site, and vice versa. Under the No-Action conditions, to be conservative it is assumed that the parking garage would not be publicly accessible and no pedestrian trips would be generated by off-site users.

As shown below in Table 8, the proposed 180-space garage would generate 63, 30, 70, and 51 pedestrian trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively under the With-Action condition. As the residential (181 DU) and commercial (18,000 gsf) development programs are the same under both the No-Action and With-Action conditions, the incremental increase in pedestrian trips would be negligible. As the *CEQR Technical Manual* Level 1 screening threshold of 200 pedestrian trips per peak hour is not

exceeded during any of the four peak hour periods, a Level 2 screening analysis is not warranted and significant adverse impacts would be unlikely.

**Table 8: RWCDS With-Action Peak Hour Increment Pedestrian Trips**

<b>PEAK HOUR</b>	<b>Off-site Resident Vehicle Trips<sup>1</sup></b>	<b>Off-site Resident Ped. Trips<sup>2</sup></b>	<b>Transient (non-residential) Vehicle Trips<sup>3</sup></b>	<b>Transient (non-residential) Ped. Trips<sup>2</sup></b>	<b>Total, Ped Trips</b>
<b>Weekday AM</b>	38	42	19	21	63
<b>Weekday MD</b>	18	20	9	10	30
<b>Weekday PM</b>	43	48	20	22	70
<b>Sat. MD</b>	36	40	10	11	51

<sup>1</sup> Off-site resident vehicle trips from Table 5a (RWCDS With-Action weekday AM, MD, & PM) and Table 6a (RWCDS With-Action Sat. MD). It was conservatively assumed that all residential vehicle trips made during peak hours would generate pedestrian trips.

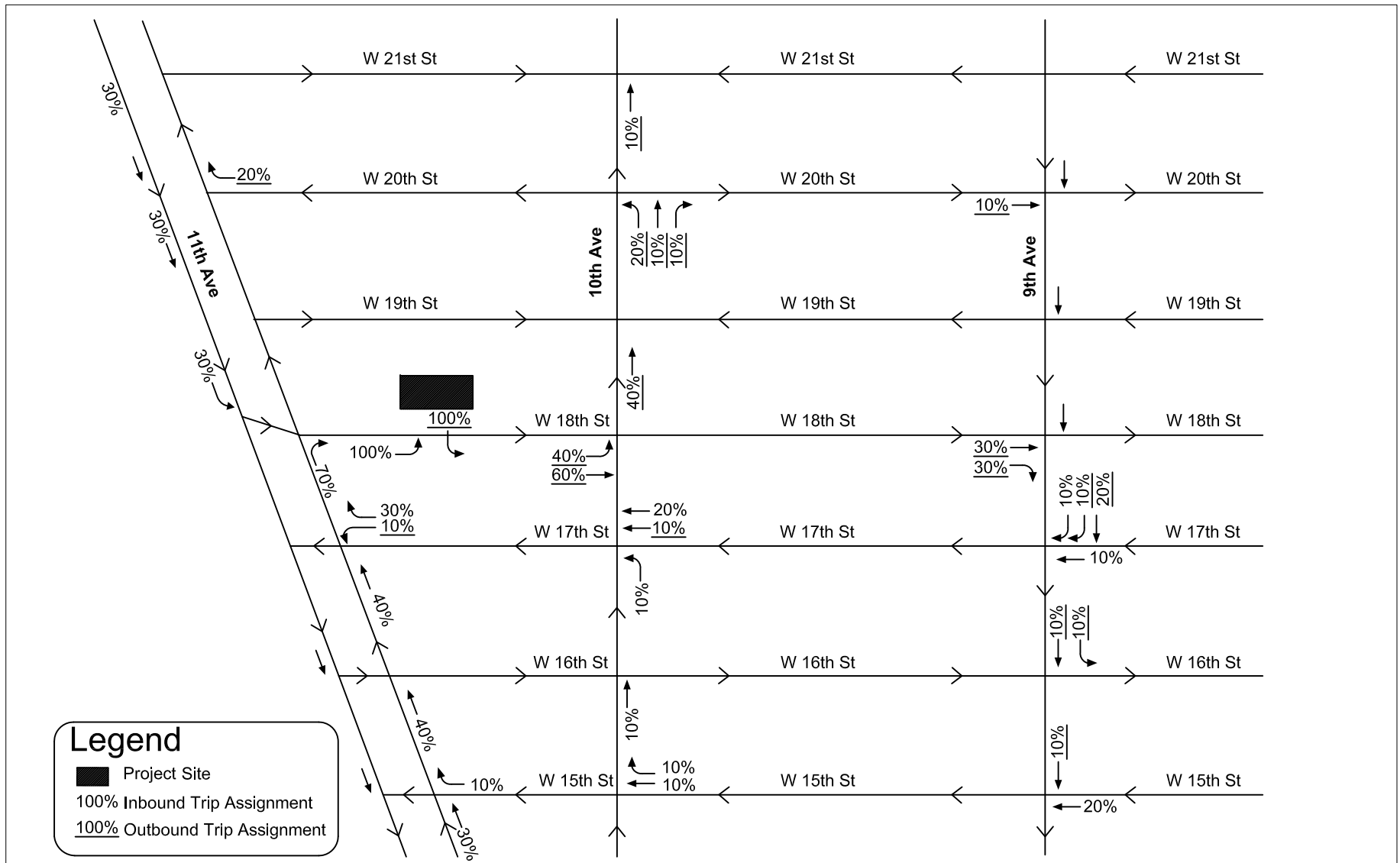
<sup>2</sup> Vehicle trips converted to pedestrian trips using a vehicle occupancy of 1.1, as per American Community Survey 2012-2016 data for Manhattan Census Tracts 79, 83, 89, 93, 99.

<sup>3</sup> Transient (non-residential) Vehicle Trips from Table 5b (RWCDS With-Action weekday AM, MD, & PM) and Table 6b (RWCDS With-Action Sat. MD).

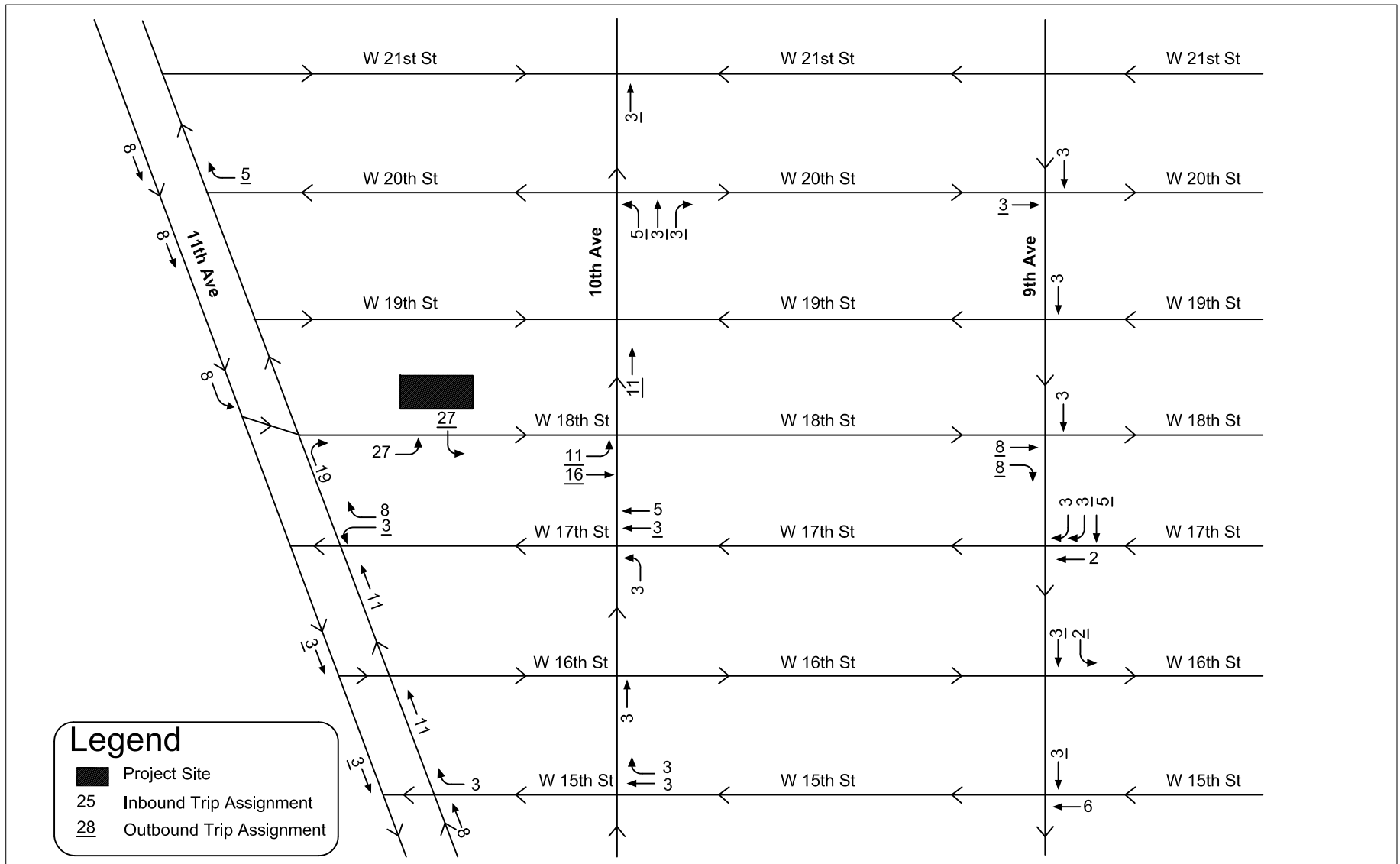
#### **IV. LEVEL 2 (PROJECT-GENERATED TRIP ASSIGNMENT) SCREENING: TRAFFIC**

As discussed above, a Level 2 (Trip Assignment) Screening Assessment is required for the proposed action for traffic in the weekday PM peak hour as the proposed action would generate an hourly increment of 54 vehicle trips. This includes 27 inbound vehicle trips and 27 outbound vehicle trips. A trip assignment for the project increment during those peak hours was prepared to determine if any single intersection would process 50 or more action-generated vehicular trips and therefore require detailed traffic analysis.

The 27 inbound vehicular trips to the garage were assigned from the surrounding street network to the garage's single entry/exit curb cut on W.18th Street. Conversely, the 27 outbound vehicle trips were assigned from the W. 18th Street curb cut to the surrounding network. Reflecting the pattern of the streets in the vicinity of the development site, all 27 vehicles entering the garage via W. 18th Street would travel to the site eastbound via the intersection of Eleventh Avenue and W. 18th Street approaching from north or south on Eleventh Avenue and all 27 vehicles exiting the garage via the W. 18th Street driveway would travel from the site eastbound to the intersection of W. 18th Street and Tenth Avenue. It is anticipated that vehicles traveling to and from the site's garage would be well distributed in terms of trip origin/destination points. As such, given the one-way street pattern and central location, no single intersection would process all action-generated incremental vehicular trips. Figure 2 shows the projected trip assignment patterns for action-generated trips and Figure 3 shows the assignments of action-generated trips for the weekday PM peak hour. As shown in Figure 3, no intersection would process 50 or more action-generated vehicular trips in a single peak hour. The intersections of Eleventh Avenue/ W. 18th Street and Tenth Avenue/ W. 18th Street would process the greatest number of such trips, with 27 trips in the weekday PM peak hour.







As the proposed action would not exceed the Level 2 screening threshold, detailed traffic and parking analysis is not warranted and, per the *CEQR Technical Manual*, no significant adverse traffic and parking impacts would be expected to occur.

## **V. CONCLUSION**

Transportation forecasts were prepared for the proposed project under both the RWCDS No-Action and RWCDS With-Action conditions. Consistent with the findings of the residential growth analysis prepared for the “Residential Growth” parking special permit ULURP application, it is expected that the proposed garage would be used primarily by residents of the proposed building and residents from the surrounding area. As discussed in detail in the ULURP application, the growth of residential off-street parking in the surrounding area has not increased proportionally with the growth of residential parking demand associated with new residential developments. In addition to the residential demand, transient (non-residential) users are also expected to utilize the garage under RWCDS With-Action conditions.

As detailed in this memo, the proposed action would not exceed the 50-vehicle Level 1 (Trip Generation) screening threshold for traffic or the 200-person trip Level 1 screening threshold for pedestrians during analyzed peak hours, except for the PM peak hour in which the proposed action is expected to generate a net increment of 54 vehicles. A Level 2 (Project-Generated Trip Assignment) screening determined that no intersection would process 50 or more project-generated vehicle trips. Therefore, detailed traffic analysis is not warranted. As per the *CEQR Technical Manual*, a detailed parking assessment is not needed if the threshold for traffic analysis is not exceeded. In addition, the proposed action would not exceed the development density screening thresholds for transit. Accordingly, detailed transportation analyses are not warranted for the proposed action as significant adverse transportation impacts are not likely.