



14

Response to Comments on the DEIS

Introduction

This document summarizes and responds to comments on the Draft Environmental Impact Statement (DEIS) for the Starrett-Lehigh Terminal Warehouse project published on June 21, 2021.

City Environmental Quality Review (CEQR) requires a public hearing as part of the environmental review process. Oral and written comments were received during the meeting held by the New York City Department of City Planning on September 22, 2021. Written comments were accepted from issuance of the DEIS through the close of the public comment period, which ended on October 4, 2021. **Appendix B** contains the written comments received on the DEIS. Where relevant and appropriate, the Final Environmental Impact Statement (FEIS) has been modified to incorporate and address substantive public comment on the DEIS.

Section 1 of this document lists the elected officials, organizations, and individuals that provided relevant comments on the DEIS. **Section 2** contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DEIS. Where more than one

commenter expressed similar views, those comments have been grouped and addressed together.

List of Elected Officials, Organizations, and Individuals who Commented on the Draft Scope of Work

Elected Officials

1. Manhattan Borough President Gale A. Brewer, written statement dated September 7, 2021 (Brewer)

Organizations and Interested Public

2. Manhattan Community Board 4, Chelsea Land Use Committee Co-Chairs Paul Devlin and Betty Mackintosh, written statements dated September 21, 2021 and spoken testimony (CB 4)
3. Real Estate Board of New York, Senior Policy & Planning Analyst Madeleine McGrory, written statement dated September 22, 2021 (REBNY)

Comments and Responses on the DEIS

Comments Received in Support of the Proposed Action

Manhattan Borough President Gale Brewer; Manhattan Community Board 4; and Real Estate Board of New York;

Comments Relating to EIS Analyses

- c.1 **The proposed rezoning would allow commercial uses for Use Group 10A, which allows “destination retail,” and the applicant is proposing a maximum of 15% of total floor area in Group 10A. We think 15% of total floor area is too high given the total square footage of these buildings. We are requesting as an alternative that the rezoning limits Use Group 10A to 10% of total floor area, rather than 15%, in addition to the mitigation necessary to overcome an influx of destination retailers. 15% of total floor area would allow over 440,000 square feet of destination retail. This would mean with a 15% cap, this proposed rezoning would allow approximately five large destination retailers on two blocks—retailers such as Target, Walmart, Home Depot, Lowe’s, and Bed Bath & Beyond. This has the potential to turn this area into another 6th Avenue collection of national destination retailers. These large-scale retail uses will alter the unique character of West Chelsea and are not consistent with the goals for the Special District. We know 440,000 SF of retail is simply too much for this neighborhood. The argument that retail will be limited to street level space might be true today, but we are concerned about multi-level retail spaces in the future. (CB 4)**

Response: The Applicants do not believe that the amount of Use Group 10A retail that could potentially occupy the buildings is excessive. This proposal is a rezoning and not a plan for specific uses in these buildings. It is important to maintain flexibility to assure the successful occupation of these historic buildings by diverse tenants over the long term. Maintaining

flexibility for all uses is especially important given the uncertainty in the retail market with Covid-19, let alone further into the 21st Century. As described in the Purpose and Need section of Chapter 1, Project Description of the EIS, this proposal would allow a range of new uses while retaining the M2 district use regulations, permitting occupancy by light manufacturing tenants. At least 75 percent of the buildings would continue to be occupied by uses that are currently as-of-right under M2 zoning districts, and only 25 percent of the zoning floor area of each existing building could be converted to the proposed Use Group K uses. Use Group K uses would include a broad range of retail and community facility uses, including academic institutions, and medical uses as requested by the Community Board before the application was filed. Only 15 percent of building floor area would be permitted for Use Group 10A uses.

Furthermore, the physical characteristics and/or existing tenancy of the buildings are such that, large-format stores are unlikely to be accommodated, especially on the ground floor. For example, in the Terminal Warehouse, there are historic interior walls that cannot be removed, and lend themselves to the creation of smaller spaces. In the Starrett-Lehigh building, the majority of the ground floor is occupied by a tenant with a long-term lease, and much of the rest is designed as a market and expo space, with one larger restaurant. The Applicants intend to reach out to local businesses and retailers to lease space, to host events, and to include the arts in the buildings. They are also focused on making 27th Street an active, pedestrian friendly environmental that interfaces with the buildings. Given these efforts, it is the applicant's opinion that the approach to revitalizing the buildings and neighborhood will prevent the properties as being experienced as "big boxes" even if there are Use Group 10A stores in them.

- c.2 **We urge the applicant to implement solutions to the dangerous pedestrian conditions on West 26th Street. Parked trucks extend into West 26th Street, blocking the sidewalk. Pedestrians are forced to cross the street mid-block, without seeing the oncoming traffic. There are conflicts between trucks, pedestrians and cyclists in this busy two-block area. The applicant is funding a study of delivery operations to develop a plan to minimize these conflicts. CB4 should be involved with this study. (CB 4) I believe that the Applicants should work with the DOT to provide a safe solution for pedestrians in the form of a midblock crossing on West 26th Street (MN BP).**

Response: The EIS did not identify a vehicular or pedestrian safety impact on West 26th Street, or any other location. The EIS does, however, discuss the existing conditions surrounding the loading docks (see Chapter 4, Transportation). As noted in the comment and in Chapter 4, Transportation of the EIS, RXR SL Owner LLC is implementing changes in loading dock operation at the Starrett Lehigh Building. Specifically, these changes involve reducing the number of berths on West 26th and shifting their use to smaller trucks, increasing the number of berths inside the building accessible from Twelfth Avenue and adding a berth inside the building accessible from West 27th Street, programming their use for larger trucks. Pedestrians are currently physically discouraged from walking through the truck loading dock area and instead cross over to the south side of West 26th to continue towards Hudson River Park. Therefore, to improve pedestrian access and safety, in addition to engaging in a loading operations and freight management study with DOT to improve loading operationally, the Applicant has also presented DOT with a proposal for a mid-block

pedestrian crossing, which is under discussion. RXR will continue to engage with the Community Board as the loading and mid-block crossing initiatives progress.

- c.3 **We seek to maximize pedestrian use of sidewalks. So we want outdoor restaurants and bike racks installed only in parking lanes, not on sidewalks. (CB 4)**

Response: Comment noted. This comment is beyond the scope of a CEQR analysis. However, the Applicant would like to note that both of the existing buildings have indoor bicycle rooms to accommodate building tenants – for a total of over 800 bike spaces. Bicycle racks are being provided on the sidewalk in front of Terminal Warehouse in connection with its as-of-right alterations which were approved by the New York City Landmarks Preservation Commission (LPC). LPC did not approve bicycle racks on the perimeter sidewalks of the Starrett-Lehigh Building, which is individually designated.

- c.4 **CB4 appreciates the important benefits of street trees. We are glad that the Terminal Warehouse Building has four existing street trees that will remain and an approved plan for 22 new street trees. LPC has discouraged street trees on the sidewalks adjacent to the Starrett-Lehigh Building. We urge the applicant to re-visit this issue with LPC. (CB 4)**

Response: Comment noted. Street trees are beyond the scope of a CEQR analysis. However, the The owner of the Starrett Lehigh Building would like to note that they will revisit the installation of addition street trees with LPC and New York City Parks.

- c.5 **The Applicants commit to providing space to artists and nonprofits, both on an ongoing basis for events, but also to make available untenanted vacant space in both buildings while the Applicants are going through their lease-up processes. (MN BP)**

Response: Comment noted.

- c.6 **The Terminal Warehouse should not offer bus shuttle service to its tenants, and Starrett-Lehigh should reduce or eliminate its service. (MN BP)**

Response: Comment noted.