



## 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					
<b>PROJECT NAME</b> Starrett-Lehigh and Terminal Warehouse Rezoning					
<b>1. Reference Numbers</b>					
CEQR REFERENCE NUMBER (to be assigned by lead agency) 21DCP103M			BSA REFERENCE NUMBER (if applicable) N/A		
ULURP REFERENCE NUMBER (if applicable) Pending			OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA) N/A		
<b>2a. Lead Agency Information</b>			<b>2b. Applicant Information</b>		
NAME OF LEAD AGENCY NYC Department of City Planning			NAME OF APPLICANT RXR SL Owner LLC and Terminal Fee Owner LP		
NAME OF LEAD AGENCY CONTACT PERSON Olga Abinader, Director EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON RXR SL Owner LLC Caroline G. Harris GoldmanHarris LLC 475 Park Avenue South, Suite 2803 New York, NY 10016 212-935-1622 charris@goldmanharris.com  Terminal Fee Owner LP Elise Wagner, Partner Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas New York, NY 10036 212-715-9189 ewagner@kramerlevin.com		
ADDRESS 120 Broadway, 31 <sup>st</sup> Floor			ADDRESS		
CITY New York	STATE NY	ZIP 10271	CITY	STATE	ZIP
TELEPHONE 212-720-3300	EMAIL oabinad@planning.nyc.gov		TELEPHONE	EMAIL	
<b>3. Action Classification and Type</b>					
<b>SEQRA Classification</b>					
<input type="checkbox"/> UNLISTED <input checked="" type="checkbox"/> TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):					
<b>Action Type</b> (refer to <a href="#">Chapter 2</a> , "Establishing the Analysis Framework" for guidance)					
<input type="checkbox"/> LOCALIZED ACTION, SITE SPECIFIC		<input checked="" type="checkbox"/> LOCALIZED ACTION, SMALL AREA		<input type="checkbox"/> GENERIC ACTION	
<b>4. Project Description</b>					
The Applicants, RXR SL Owner LLC and Terminal Fee Owner LP, are seeking a zoning map amendment to rezone the project area from M2-3 to M2-4 and extend the Special West Chelsea District (WCh) over the project area and create a new subarea; and zoning text amendments to modify certain use, bulk, and parking and loading requirements in the new subarea (Subarea K). Together, these are known as the proposed actions.					
The project area consists of Block 672, Lot 1 and Block 673, Lot 1, and the proposed actions would allow the Applicants to lease the existing Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types by expanding the Use Groups that would be allowed within the project area.					
The project area consists of two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1). Both blocks are located within an M2-3 zoning district.					

Block 672 is occupied by the existing Starrett-Lehigh Building (601 West 26th Street), which was constructed in 1930-1931. The Starrett-Lehigh Building has an existing built floor area ratio (FAR) of 14.79 and contains approximately 1.8 million gross square feet of space (1,835,150 gsf). It varies in height from 11 stories (approximately 140 feet) on the western portion of the building to 19 stories at the eastern portion (approximately 219 feet). Current building tenants include design firms, multimedia agencies, directors, photographers, artists, and publishers.

Block 673 is occupied by the existing Terminal Warehouse (261 Eleventh Avenue). Terminal Warehouse has an existing FAR of approximately 7.3 and contains approximately 1.14 million gsf (1,140,387 gsf). It was originally constructed as a shipping and warehousing center and is now occupied by a mix of retail, restaurants, office space and self-storage. The building is 7-9 stories (85 feet) in height.

The proposed actions would allow additional uses within the following Use Groups to be located within the Starrett-Lehigh and Terminal Warehouse buildings, and make related zoning text changes: Use Groups 3A, 4A, 6C, 9A, 10A that are either not permitted or permitted with restrictions in the underlying M2-3 district. No residential use (UG 2); uses that include sleeping accommodations of any kind in UG 3 and UG4; or hotels (UG 5) would be permitted.

Together the proposed actions would:

- Allow additional uses within the two buildings
- Allow certain modifications to the M2-3 signage regulations;
- Require a Chairperson Certification to establish the maximum number of required loading berths for each building, without respect for the change of use of any floor area.

**Project Location**

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 4	STREET ADDRESS 601 West 26th Street; 261 Eleventh Avenue
TAX BLOCK(S) AND LOT(S) Block 672, Lot 1 and Block 673, Lot 1		ZIP CODE 10011

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The project area consists of two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1).

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M2-3	ZONING SECTIONAL MAP NUMBER 8b
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**5. Required Actions or Approvals** (check all that apply)

- City Planning Commission:**  YES  NO  UNIFORM LAND USE REVIEW PROCEDURE (ULURP)
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> CITY MAP AMENDMENT   | <input type="checkbox"/> ZONING CERTIFICATION      | <input type="checkbox"/> CONCESSION        |
| <input checked="" type="checkbox"/> ZONING MAP AMENDMENT  | <input type="checkbox"/> ZONING AUTHORIZATION      | <input type="checkbox"/> UDAAP             |
| <input checked="" 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 type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE: |  |  |

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**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)

- |  |  |
|--|--|
| <input type="checkbox"/> LEGISLATION                       | <input type="checkbox"/> FUNDING OF 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 PROGRAMS, specify:     |
| <input type="checkbox"/> 384(b)(4) APPROVAL                | <input type="checkbox"/> PERMITS, specify:                 |
| <input type="checkbox"/> OTHER, explain:                   |  |

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

<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL <input type="checkbox"/> OTHER, explain:
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**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.*

<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
<input checked="" type="checkbox"/> 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.): 124,100 and 136,000	Waterbody area (sq. ft.) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): 1,835,150 and 1,129,200	Other, describe (sq. ft.):

**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):

NUMBER OF BUILDINGS: 2	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 1,835,150 gsf and 1,140,387 gsf
HEIGHT OF EACH BUILDING (ft.): 140' to 219' and 78' to 160'	NUMBER OF STORIES OF EACH BUILDING: 19 and 9

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: Starrett Lehigh: 124,100 sf  
Terminal Warehouse: 136,000 sf

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

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): 2024

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: N/A

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

<input type="checkbox"/> RESIDENTIAL	<input checked="" type="checkbox"/> MANUFACTURING	<input checked="" type="checkbox"/> COMMERCIAL	<input type="checkbox"/> PARK/FOREST/OPEN SPACE	<input type="checkbox"/> OTHER, specify:
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**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 type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures	N/A	N/A	N/A	
No. of dwelling units	N/A	N/A	N/A	
No. of low- to moderate-income units	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
<b>Commercial</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 the following:				
Describe type (retail, office, other)	Eating or drinking establishments, office, showrooms, retail	Eating or drinking establishments, office, showrooms, retail	Eating or drinking establishments, office, showrooms, destination retail, local retail	
Gross floor area (sq. ft.)	1,979,373	2,648,537	2,534,497	-114,040
<b>Manufacturing/Industrial</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," specify the following:				
Type of use	Storage, truck terminal, factory, warehouse	Storage, truck terminal, factory, warehouse	Storage, truck terminal, factory, warehouse	
Gross floor area (sq. ft.)	772,967	327,000	143,485	-183,515
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any unenclosed activities, specify:		N/A	N/A	
<b>Community Facility</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Type	N/A	N/A	Academic space and medical office	
Gross floor area (sq. ft.)	N/A	N/A	297,555	297,555
<b>Vacant Land</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:	N/A	N/A	N/A	
<b>Publicly Accessible Open Space</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 type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	N/A	N/A	N/A	
<b>Other Land Uses</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:	223,197 sf of vacant space	N/A	N/A	
<b>PARKING</b>				
<b>Garages</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	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Attended or non-attended	N/A	N/A	N/A	
<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	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
<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:	N/A	N/A	N/A	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>POPULATION</b>				
<b>Residents</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 number:	N/A	N/A	N/A	
Briefly explain how the number of residents was calculated:				
<b>Businesses</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 the following:				
No. and type	Under existing conditions, the Starrett Lehigh Building has 1,508,150 sf of commercial and 327,000 sf of manufacturing space.  Under existing conditions, the Terminal Stores Warehouse has 471,223 sf of commercial uses, including retail, 445,967 sf of storage space, and 211,810 sf is vacant.	Starrett Lehigh Building: No change from existing.  Terminal Stores Warehouse: new office space and retail, including food and beverage uses in place of storage or vacant space. No change in total square footage.	Starrett Lehigh Building: 1,189,876 sf of office space; 275,173 sf of destination retail; 165,164 sf academic space; 143,485 sf of retail; and 18,352 sf medical office.  Terminal Stores Warehouse: 855,290 sf of office space; 171,058 sf of destination retail; 102,635 sf academic space; and 11,404 sf of medical office. No Change in total square footage.	No change in overall floor area. Number and type of businesses TBD.
No. and type of workers by business	7,745 office workers, 129 retail workers, and 357 manufacturing workers	9,879 office workers, 537 retail workers, and 327 manufacturing workers	8,181 office workers, 1,468 retail workers, 143 manufacturing workers, 92 academic workers, and 89 medical office workers	-770 workers
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	<p>In the existing condition and No-Action scenarios, the Starrett Lehigh Building has 1,508,150 sf of commercial and 327,000 sf of manufacturing space. Of the commercial space, it is assumed that 43,000 sf is retail, for which there is one employee per 333.3 gsf, and the remainder is office, for which there is one employee per 250 gsf. It is also assumed that all manufacturing space is industrial, for which there is one employee per 1,000 gsf. In the With-Action condition, it is assumed that destination retail generates one employee per 333.3 gsf, academic space generates one employee per 11.4 students (see below), and medical office generates one employee per 333.3 gsf.</p> <p>In the existing condition, the Terminal Warehouse Building has 471,223 sf of commercial and 445,967 sf of manufacturing space. It is assumed all commercial is office, for which there is one employee per 250 gsf, and all manufacturing space is storage, for which there is one employee per 15,000 gsf. In the No-Action condition, it is assumed that 136,000 sf of the commercial space is retail, for which there is one employee per 333.3 gsf, and the remaining space is office. In the With-Action condition, it is assumed that destination retail generates one employee per 333.3 gsf, academic space generates one employee per 11.4 students (see below), and medical office generates one employee per 333.3 gsf.</p>			
<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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If any, specify type and number:	N/A	N/A	1,040 students	1,040 students
Briefly explain how the number was calculated:	Assumed one student per 275 gsf.			

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>ZONING</b>				
Zoning classification	M2-3	M2-3	M2-3/WCh	
Maximum amount of floor area that can be developed	2.0	2.0	2.0	No change.
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	The predominant land use and zoning classifications include transportation and utility (to the north and south), industrial and manufacturing (to the south), park (to the west) commercial and office buildings (to the east) and multi-family elevator buildings (to the northeast).	Same as existing.	Same as existing.	
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.				

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## EAS Figures





**Figure 1 Site Location Map**



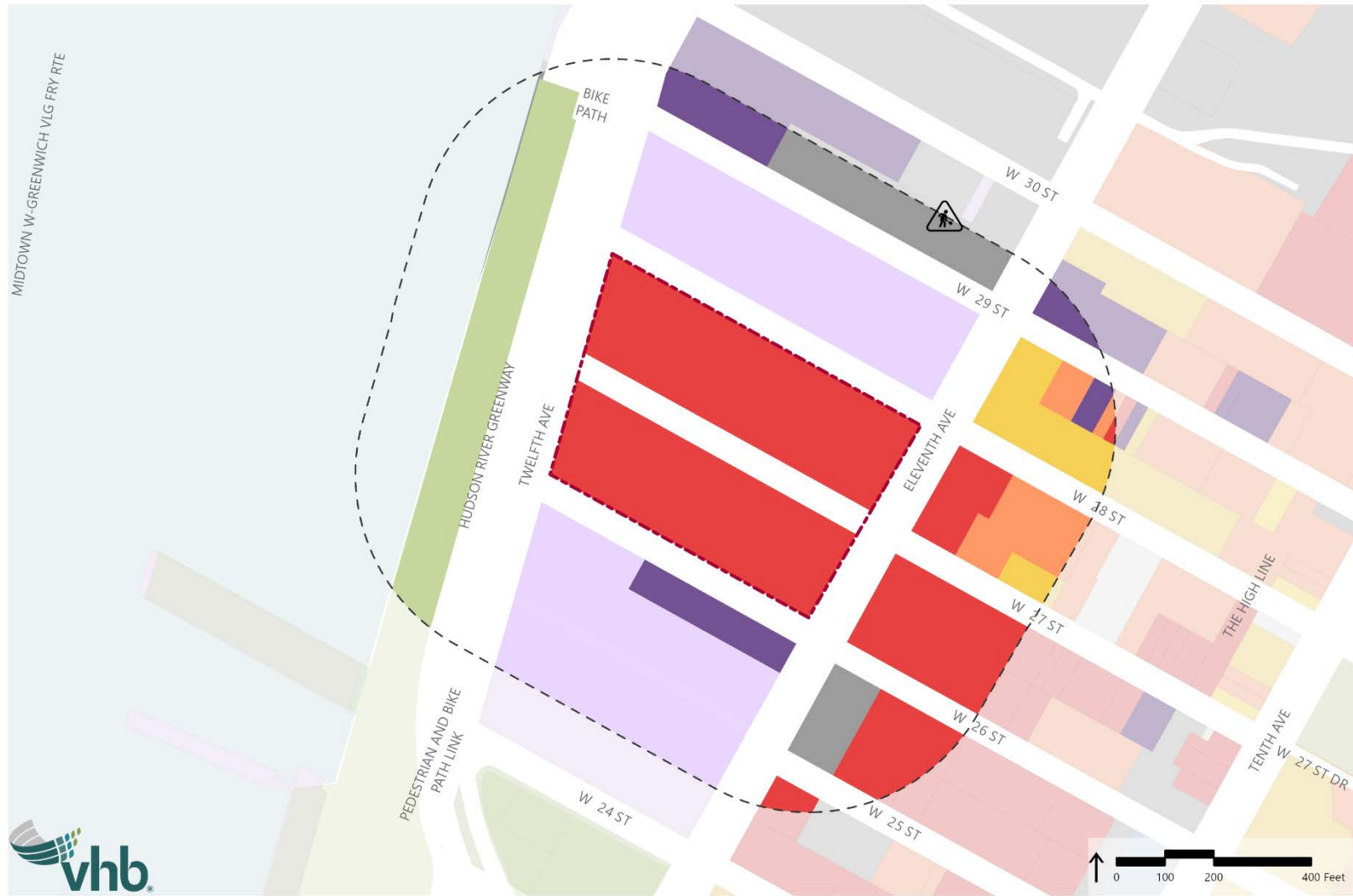
-  Project Area
-  Open Spaces

Figure 2 Tax Map



-  Project Area
-  Study Area Radius
-  # Tax Block
-  # Lot Number

**Figure 3 Land Use Map**



- |                                   |                            |                    |
|-----------------------------------|----------------------------|--------------------|
| Project Area                      | Commercial                 | Vacant Land        |
| 400-foot radius                   | Industrial / Manufacturing | Hydrography        |
| Multi-Family Residence (Elevator) | Transportation / Utility   | Under Construction |
| Mixed Commercial & Residential    | Parking Facilities         |                    |

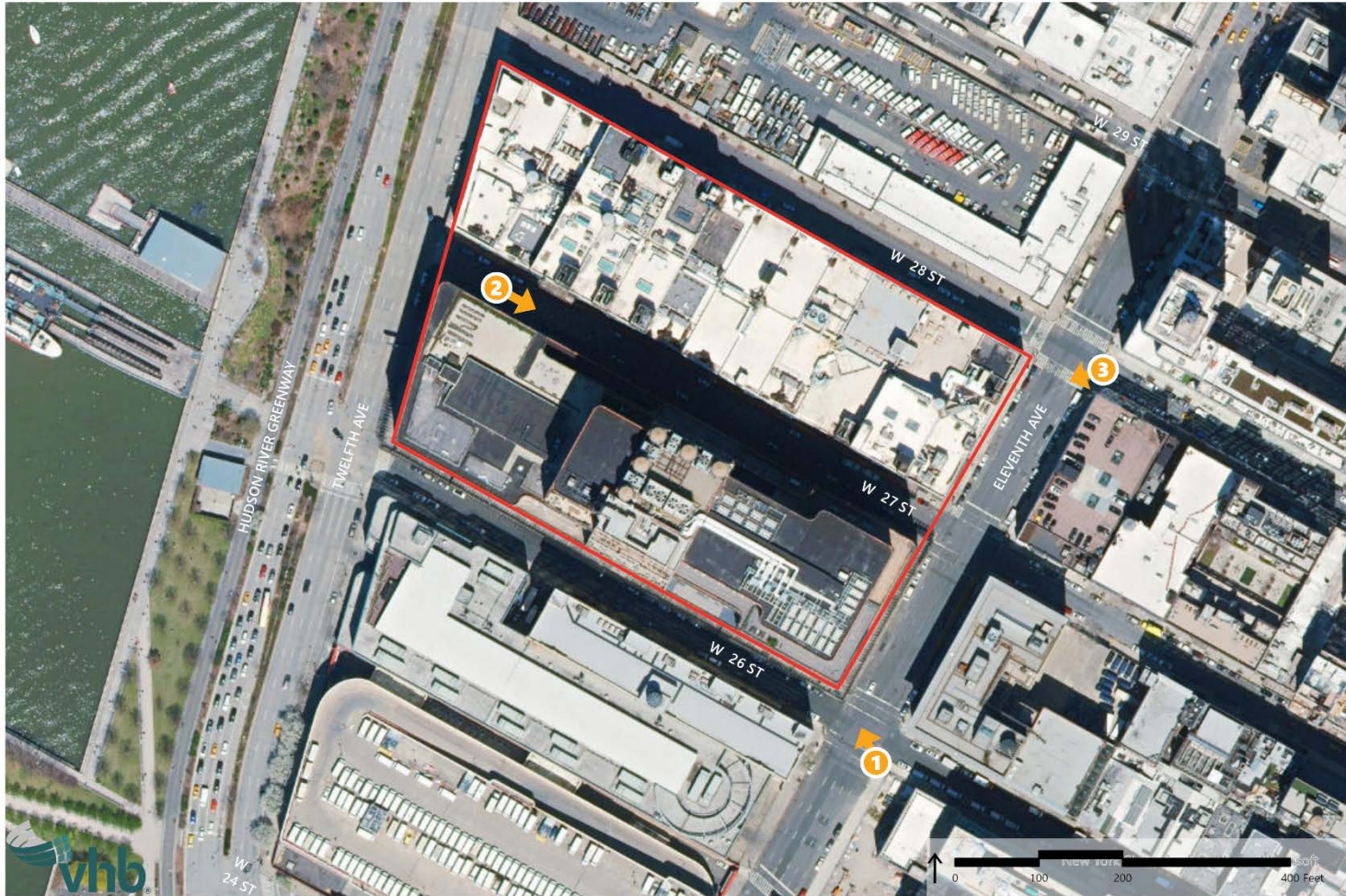
**Figure 4 Zoning Map**



**Figure 5 Proposed Zoning Map**



Figure 6 Photo Key



- Photo Location
- ▭ Project Area

**Photo 1** View of Starrett-Lehigh Building from Eleventh Avenue and West 26th Street looking northwest



Photo Captured October 6, 2020

**Photo 2** View of Starrett Lehigh and Terminal Warehouse from West 27th Street looking east



Photo Captured October 6, 2020

**Photo 3** View of Starrett-Lehigh and Terminal Warehouse from Eleventh Avenue and West 28th Street looking southwest



Photo Captured October 6, 2020

**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 checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" 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>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"/>
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
enhance, or otherwise protect it?		
<b>iv. Indirect Business Displacement</b>		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>
o 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?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Effects on Industry</b>		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. COMMUNITY FACILITIES: <a href="#">CEQR Technical Manual Chapter 6</a></b>		
<b>(a) Direct Effects</b>		
o 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b) Indirect Effects</b>		
<b>i. Child Care Centers</b>		
o 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> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o 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?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Libraries</b>		
o 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> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Public Schools</b>		
o 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> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o 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?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Health Care Facilities</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Fire and Police Protection</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<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:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
percent?	<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?</li> </ul> Please specify:	<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>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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<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 sewerred 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 sewerred or currently unsewerred?	<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): 33,870		
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): -52,815,784		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input 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> ?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
o 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
o 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 checked="" type="checkbox"/>	<input type="checkbox"/>
o 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 type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Part II		
<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"/>
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-	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
<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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
<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 checked="" type="checkbox"/>	<input 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. See Part II - Technical Analysis		
<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. See Part II - Technical Analysis		
<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 type="checkbox"/>	<input checked="" 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.		

**20. APPLICANT'S CERTIFICATION**

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.

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.

APPLICANT/REPRESENTATIVE NAME Caroline G. Harris	SIGNATURE <i>Caroline G. Harris</i>	DATE 11/24/2020
Elise Wagner	<i>Elise Wagner</i>	11/24/20

**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.

IMPACT CATEGORY	Potentially Significant Adverse Impact	
	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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Air Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Neighborhood Character	<input checked="" type="checkbox"/>	<input 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?

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 Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE December 11, 2020
SIGNATURE 	

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



# Part I: Project Description

## Introduction

The Applicants, RXR SL Owner LLC and Terminal Fee Owner LP, are seeking a zoning map amendment to rezone the project area from M2-3 to M2-4 and include the extension of the Special West Chelsea District (WCh) over the project area and create a new subarea. In conjunction with the zoning map amendments the Applicants are seeking zoning text amendments to modify certain use, signage, sidewalk cafes, and loading requirements in the new subarea. The proposed actions would facilitate a proposal by the Applicants to permit broader uses than currently allowed under existing zoning and place caps on the amount of floor area that could be occupied by certain uses. The proposed actions would allow the Applicants to lease space in the existing Starrett-Lehigh and Terminal Warehouse buildings to a more diverse range of tenant types, such as local and destination retail, academic or university space, and medical offices (Use Groups 3A, 4A, 6C, 9A, and 10A), giving the Applicants the flexibility needed to respond to changes in the economy over the long term. Furthermore, it would allow for some modifications to M2 signage regulations and establish the maximum number of required loading berths for each building.

## Project Area

The project area consists of two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1, see **Figure 1-1**). Both blocks are located within an M2-3 zoning district.

- › Block 672 is occupied by the existing Starrett-Lehigh Building (601 West 26th Street), which was constructed between 1930 and 1931. The Starrett-Lehigh Building has an existing built floor area ratio (FAR) of approximately 14.79 and contains approximately 1.8 million gross square feet of space (1,835,150 gsf). It varies in height from 11 stories (approximately 140 feet) on the western portion of the building to 19 stories at the eastern portion (approximately 219 feet). Current building tenants include design firms, multimedia agencies, directors, photographers, artists, and publishers.
- › Block 673 is occupied by the existing Terminal Warehouse building (261 Eleventh Avenue). The Terminal Warehouse building has an existing FAR of approximately 7.3 and contains approximately 1.14 million gsf (1,140,387 gsf). It was originally constructed in 1891 as a shipping and warehousing center and is now occupied by a mix of retail, restaurants, office space, and self-storage. The building is between 7 and 9 stories (85 feet) in height.

The project area is located within the West Chelsea Historic District, which was designated on July 15, 2008 (LP-02302), and the Starrett-Lehigh Building is also an individually designated landmark structure (New York City Landmark designated on October 7, 1986). The Starrett-Lehigh Building and the Terminal Warehouse are both eligible for listing on the

State and National Register of Historic Places according to the State Historic Preservation Office's Cultural Resource Information System.

Both buildings are occupied by a number of different businesses—eating and drinking establishments, office, and showroom space (Use Groups 6, 7, and 9); and storage, warehouse, and studio space. The Starrett-Lehigh Building has manufacturing (Use Groups 16 and 17).

RXR SL Owner, LLC is currently undertaking an as-of-right project that will transform approximately 43,000 square feet of the Starrett-Lehigh Building's ground floor into the Starrett-Lehigh Market. The renovated space will include approximately 40,000 sf of commercial space, including 13,000 sf of food hall use and 5,000 sf of event and exposition space. Two new entrances will be provided on 26th Street and on Eleventh Avenue. As part of this project, new storefronts will be opened at the ground floor on the Eleventh Avenue frontage, as approved by the LPC.

Terminal Fee Owner, LP is currently planning an as-of-right project at the Terminal Warehouse building and has obtained a Certificate of Appropriateness from LPC.

Figure 1-1 Site Location Map



## Proposed Actions

The proposed actions would consist of the extension of the WCh over the project area, the creation of a new subarea (Subarea K), and a change in the underlying district from M2-3 to M2-4. Subarea K would allow additional uses within the following Use Groups (Use Group K uses) to be located within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6C, 9A, 10A. At present, these uses are either not permitted or are permitted with restrictions in the underlying M2-3 and proposed M2-4 districts. No residential use (Use Group 2); uses that include sleeping accommodations of any kind in Use Group 3 and Use Group 4; or hotels (Use Group 5) would be permitted. The aggregate floor area for all uses in Use Group 10A (including clothing or clothing accessory stores, department stores, dry goods or fabric stores, furniture stores, and variety stores) will not be permitted to exceed 15 percent of the total floor area for each building.

The total maximum floor area of all Use Group K uses that are not already allowed in the M2 district will not be permitted to be greater than 25 percent of the existing floor area of the existing buildings (uses listed both in Use Group K and permitted in M2-4 districts shall not be counted towards the maximum floor area of all Use Group K uses). The maximum floor area for all Use Group 10A uses on any zoning lot will not be permitted to be greater than 15 percent of the existing floor area of the existing buildings. The text amendment would also permit a physical cultural establishment to be as-of-right without requiring approval from the Board of Standards and Appeals. Sidewalk cafes will be permitted on Eleventh Avenue and West 27th Street.

The proposed subarea text would also allow certain modifications to the M2 signage regulations, of height and angle at the corners of Eleventh Avenue and West 26th, West 27th, and West 28th Streets:

- › The portion of the street frontage of the zoning lot within 15 feet of the intersection of two streets shall be referred to as the corner zone.
- › Section 42-562 of the Zoning Resolution (restriction on angle and height above curb level) shall not apply to signage within the proposed corner zone.

However, Section 42-543 of the Zoning Resolution would still be applicable to the corner zone. This would result in a signage height allowance of 75 feet above the curb level and the allowance for signs to be oriented within 90 degrees of a commercial or residential district boundary..

The proposed subarea text would also require a Chairperson Certification to establish the maximum number of required loading berths for each building, without respect for the change of use of any floor area.

The change in the underlying district of the subarea from M2-3 to M2-4 would also make the buildings more complying in terms of FAR and bulk regulations. The text would increase the maximum floor area ratio from 2.0 FAR to 5.0 FAR and would allow the Applicants to reconstruct their buildings up to 5.0 FAR in case of a catastrophic loss.

## Project Purpose and Need

Currently, the project area is mapped within an M2-3 District, which has use regulations geared towards traditional medium performance manufacturing uses prevalent in the 1960s, including industrial and semi-industrial uses, and severely limited retail options. These limitations on retail do not serve the needs of current and prospective tenants of the buildings and limit the potential pool of tenants. The proposed actions would allow the Applicants to lease space in the existing Starrett-Lehigh and Terminal Warehouse buildings to a more diverse range of tenant types, such as local and destination retail, academic or university space, and medical offices (Use Groups 3A, 4A, 6C, 9A, and 10A). In addition, the large number of the recent mixed-use developments and projected mixed-use residential developments in the surrounding West Chelsea area will result in a large increase in residents and workers that will require such increased local goods and services to support their needs. The proposed actions would also establish a connection, from a planning perspective, for pedestrians traveling between West Chelsea, Hudson Yards, and Hudson River Park.

The change in the underlying district of the subarea from M2-3 to M2-4 would also make the buildings more complying in terms of FAR and bulk regulations. The text would increase the maximum floor area ratio from 2.0 FAR to 5.0 FAR and would allow the Applicants to reconstruct their buildings up to 5.0 FAR in case of a catastrophic loss. The current FARs of the Starrett Lehigh Building and Terminal Warehouse are 14.79 and 7.30 respectively, which predate the zoning that was put in place in 1961.

## Analysis Framework and Reasonable Worst-Case Development Scenario

For the purpose of the environmental analyses, the No-Action condition represents the future absent the proposed actions and serves as the baseline by which the proposed actions (or With-Action condition) are compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

### Analysis Year

An analysis year of 2024 will be used in the EIS. This accounts for overall project approval through the ULURP process in 2021 and approximately 18 months to two years thereafter for the Applicants to lease space in their respective buildings to a more diverse range of tenant types. For the purposes of environmental review, the conservative 18 to 24-month lease up and occupancy is assumed. In reality, the Applicants expect a more gradual re-tenanting of the buildings with the new uses. Terminal Warehouse, with its as-of-right renovation (see "The Future Without the Proposed Actions (No Action Condition)"), is expected to have new tenants in the short term, including the more diverse tenants allowed under the proposed actions; the Starrett-Lehigh Building, due to existing leases, is expected to have new tenants with new uses over time as leases expire. In both buildings, there is no construction period to account for in determining the build year since any construction needed would be interior construction to fit out tenant space, typical of any building that changes tenants.

## Reasonable Worst-Case Development Scenario (RWCDs)

The proposed actions would allow the following:

- › Within the Starrett-Lehigh Building, up to 25 percent of gross floor area (or approximately 459,000 sf of the building) to contain tenants consistent with the Use Groups 3A, 4A, 6C, 9A, and 10A (Subarea K uses that are not already allowed in the M2 district). All Use Group 10A uses shall not be greater than 15 percent of gross floor area (or approximately 275,000 sf).
- › Within the Terminal Warehouse building, up to 25 percent of gross floor area (or approximately 282,000 sf of the building) to contain tenants consistent with the Use Groups 3A, 4A, 6C, 9A, and 10A (Subarea K uses that are not already allowed in the M2 district). All Use Group 10A uses shall not be greater than 15 percent of gross floor area (or approximately 171,000 sf).

Generally, the Use Groups listed above fall into four main categories of uses: local retail, destination retail, academic or university space, and medical office. These main categories represent a range of uses with varying trip generation characteristics. Based on these main categories, a Reasonable Worst-Case Development Scenario (RWCDs) was identified to provide the framework for analysis in the EIS (see **Table 1**). Specifically, it shows the mix of the four main use categories to be analyzed in the environmental review. The RWCDs considers the full amount of destination retail that could be included in each building; all retail in the RWCDs is treated as destination retail, since destination retail generates a higher number of vehicle trips. The RWCDs also considers academic and medical office space. Taken together, this mix provide a reasonable estimation of both vehicular and pedestrian/subway trip generation such that the potential for significant adverse transportation impacts across modes is studied.

**Table 1 Comparison of the With-Action and No-Action Conditions (RWCDs for Analysis) in GSF**

	No-Action			With-Action			Increment
	S-L	TW	N-A Total	S-L	TW	W-A Total	
Commercial Office	1,465,150	1,004,387	2,469,537	1,189,876	855,290	2,045,166	(424,371)
Retail (Local)	43,000	136,000	179,000	43,000	-	43,000	(136,000)
Retail (Destination)				275,273	171,058	446,331	446,331
Manufacturing	327,000	-	327,000	143,485	-	143,485	(183,515)
Academic	-	-	-	165,164	102,635	267,799	267,799
Medical Office	-	-	-	18,352	11,404	29,756	29,756
<b>Total Per Building</b>	<b>1,835,150</b>	<b>1,140,387</b>	<b>2,975,537</b>	<b>1,835,150</b>	<b>1,140,387</b>	<b>2,975,537</b>	<b>0</b>

## Identification of Development Sites

As discussed above, the proposed actions would affect just the project area, which includes the Starrett-Lehigh Building and Terminal Warehouse, located on the two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1). No other sites would be affected. The proposed actions would not result in new construction, demolition, or significant physical alteration of either building.

## Future Without the Proposed Actions (No-Action Condition)

Absent the proposed actions, the Starrett-Lehigh Building will remain in its existing condition and will continue to be tenanted with businesses consistent with Use Groups 6A, 6B, 7, 9, 16, and 17, as permitted in M2 districts. The as-of-right Starrett-Lehigh Market project (i.e., the transformation of approximately 43,000 square feet of the Starrett-Lehigh Building's ground floor into commercial space, including food hall use and event and exposition space) will be completed in early 2021.

Also in the No-Action condition, the Terminal Warehouse building will be altered by converting approximately 500,000 square feet of storage into new office space and repositioning the ground floor to include food and beverage retail uses permitted under current zoning. As part of this full-building repositioning, approximately 200,000 square feet will be carved out of the building to create a double height space and a courtyard and will be added back as a rooftop addition on the western portion of the building. The re-allocation of floor area will not result in an increase in zoning floor area. The owner will undertake a restoration of the building—including façade repairs, window replacement, cornice repairs, fire escape removal, and reintroduction of historic details, such as window shutters.

The No-Action scenario conforms to existing zoning and reflects completion of RXR SL Owner LLC's ongoing build-out of the Starrett-Lehigh Building's ground floor (Starrett-Lehigh Market) and Terminal Fee Owner LP's completion of its conversion and repositioning plans, which will both occur absent the proposed actions.

## Future With the Proposed Actions (With-Action Condition)

In the future with the proposed actions, broader uses than currently allowed under existing zoning would be permitted within the project area, and the Applicants would be able to lease space in the existing Starrett-Lehigh and Terminal Warehouse buildings to a more diverse range of tenant types. Because specific tenants have not been identified, the EIS will consider a mix of uses consistent with the RWCDs described above.

## Public Review Process

The proposed project described above is subject to public review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, as well as City Environmental Quality Review (CEQR) procedures.



## Part II: Supplemental Analyses

### Additional Technical Information for EAS Full Form

An analysis framework has been established to assess the potential for the proposed actions to result in significant adverse environmental impacts.

Based on existing conditions, observed trends, and known and expected changes, a development scenario was prepared for the future without the proposed actions (No-Action condition) in the 2024 analysis year. The No-Action condition is used as a baseline to identify the potential impacts of the proposed actions. From the possible development scenarios that were considered both reasonable and likely to occur as a result of the proposed actions the one with the worst environmental effects is analyzed in the future with the proposed actions (With-Action condition) as the Reasonable Worst-Case Development Scenario (RWCDs).

The potential impacts of the proposed actions on the environment are determined based on a comparison of the No-Action condition to the With-Action condition. A summary of the comparison, or analysis framework, is provided in **Table 1**.

**Table 1 Comparison of Uses in the No-Action and With-Action Conditions/RWCDs in GSF**

	No-Action			With-Action			Increment
	S-L	TW	N-A Total	S-L	TW	W-A Total	
Commercial Office	1,465,150	1,004,387	2,469,537	1,189,876	855,290	2,045,166	(424,371)
Retail (Local)	43,000	136,000	179,000	43,000	-	43,000	(136,000)
Retail (Destination)	-	-	-	275,273	171,058	446,331	446,331
Manufacturing/Storage	327,000	-	327,000	143,485	-	143,485	(183,515)
Academic	-	-	-	165,164	102,635	267,799	267,799
Medical Office	-	-	-	18,352	11,404	29,756	29,756
<b>Total Per Building</b>	<b>1,835,150</b>	<b>1,140,387</b>	<b>2,975,537</b>	<b>1,835,150</b>	<b>1,140,387</b>	<b>2,975,537</b>	<b>0</b>

Overall, the changes in the mix of uses as the Starrett-Lehigh Building and Terminal Warehouse are expected to be a reduction in commercial office use of approximately 424,371 gsf, an increase in retail (both local and destination) of 310,331 gsf, a decrease in manufacturing use of 183,515 gsf, and an introduction of approximately 267,799 gsf of academic use and 29,756 gsf of medical office use.

Provided below are preliminary screening analyses based on the guidelines presented in the 2014 *CEQR Technical Manual*, to determine whether further analysis of a given technical area is necessary to determine the potential for significant adverse environmental impacts. For those areas where further analysis is warranted, the **Draft Scope of Work (DSOW)** provides information on how these topics will be evaluated in the Environmental Impact Statement (EIS).

## Land Use, Zoning, and Public Policy

According to the *CEQR Technical Manual*, a land use analysis is warranted for projects that would affect land use or change zoning on a site. Because the proposed actions would rezone the project area and because the project is located within the City's coastal zone, an analysis of land use, zoning, and public policy is warranted and is provided in **Appendix A**. As demonstrated in **Appendix A**, the proposed actions would not result in a significant adverse impact on land use, zoning, and public policy, and no further assessment is warranted.

## Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

According to the *CEQR Technical Manual*, the principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increase rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry.

### Direct and Indirect Residential Displacement (1, 3)

Because neither the Starrett-Lehigh Building nor the Terminal Warehouse contain residential uses and because the proposed actions would not include residential units, analysis of direct and indirect residential displacement is not warranted.

### Direct Business Displacement and Adverse Effects on a Specific Industry (2, 6)

The proposed actions would not result in the development of new floor area but would instead allow the Applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types.

No uses that are currently present or permitted on either site would be discontinued. As is the case in buildings throughout the City, it is possible that certain businesses would not have leases renewed over time or would elect not to renew a lease due to rent increases over time. This would not be considered direct displacement pursuant to CEQR because the allowance of additional uses on the sites would not preclude any existing businesses or uses from remaining on the sites. Therefore, analyses of direct business displacement are not warranted. And, because the proposed actions are not expected to affect existing uses or conditions within a specific industry, an analysis of adverse effects on specific industries is not warranted.

## Indirect Business Displacement Due to Increased Rents (4)

The proposed actions would not result in the development of new floor area but would instead allow the Applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types (the repurposed floor area is assumed to total approximately 743,884 gsf across the two buildings). Overall, the proposed actions would not result in an increase of commercial uses on the existing sites, and therefore, a preliminary assessment of indirect business displacement due to increased rents is not warranted.

## Indirect Business Displacement Due to Retail Market Saturation (5)

The proposed actions could result in an increase of destination retail use on the sites that would exceed the 200,000-sf threshold set forth in the *CEQR Technical Manual* for an assessment of indirect business displacement due to retail market saturation. According to the *CEQR Technical Manual*, the purpose of this type of assessment is to “determine whether the project may capture the retail sales in a particular category of goods to the extent that the market for such goods would become saturated as a result, potentially resulting in vacancies and disinvestment on neighborhood commercial streets.” Based on an initial desktop survey of the retail environment within a ¼ mile radius of the project area, it was found that the primary retail category is art galleries as part of the Chelsea Arts District.<sup>1</sup> The proposed project is not located in the Chelsea Arts District and is not expected to offer goods within a retail category that would compete with the nearby art galleries. Therefore, the proposed project would not be expected to draw substantial sales away from the nearby businesses. As such, the proposed project would not result in disinvestment on local retail streets.

Therefore, while the project would allow for more than 200,000 sf of destination retail use, a preliminary assessment of indirect business displacement due to retail market saturation is not warranted since the proposed actions are not anticipated to capture the retail sales in any particular category of goods that would result in the market for such goods becoming saturated or result in increased vacancies in the neighborhood.

## Community Facilities and Services

The *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility (e.g., schools, libraries, health care facilities, child care facilities, police and fire protection services) or if it would have an indirect effect by introducing new populations that would overburden existing facilities.

The proposed actions would not result in the physical alteration or displacement of any community facilities, nor would they result in a new residential population that would create new demands for community facilities, such as public schools, childcare centers, libraries, health care facilities, and police/fire services. Therefore, the proposed actions have no potential to result in significant adverse impacts to community facilities and no further analysis is warranted.

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<sup>1</sup> <http://chelseagallerymap.com/>

## Open Space

### Introduction

The *CEQR Technical Manual* recommends performing an open space assessment if a project would result in either a direct or indirect effect on open space.

A proposed action would have a direct effect on an open space if it causes the physical loss of public open space because of encroachment onto the space or displacement of the space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or results in increased noise or air pollutant emissions, odor, or shadows that would affect the usefulness of a public open space, whether on a permanent or temporary basis. A proposed action can also directly affect an open space by enhancing its design or increasing its accessibility to the public.

Indirect effects may occur when the population generated by the proposed action overtaxes the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished. The *CEQR Technical Manual* provides different thresholds for the assessment of indirect effects based on whether the area is considered underserved or well-served in terms of open space. Based on open space maps provided in the manual, the project area is considered neither underserved nor well-served, and as such, the threshold for an analysis of potential indirect effects is whether the proposed actions would result in more than 200 residents or 500 employees.

### Direct Effects

The proposed actions would not result in any direct effects on open space. The proposed actions would allow the Applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types.

### Indirect Effects

As residential uses are not currently allowed and would not be allowed in the future with the proposed actions, the RWCDs would not introduce more than 200 residents to the project area. In terms of the non-residential population, as shown in **Table 2**, the proposed actions would not result in an increase of more than 500 workers to the study area. Therefore, no further analysis is warranted, and the proposed actions would not result in significant adverse open space impacts.

**Table 2 Number of Employees in the Existing, No-Action, and With-Action Conditions**

<b>Starrett-Lehigh</b>	<b>Existing GSF</b>	<b>Employees</b>	<b>No-Action GSF</b>	<b>Employees</b>	<b>With- Action GSF</b>	<b>Students</b>	<b>Employees</b>	<b>Difference</b>
Commercial Office <sup>1</sup>	1,465,150	5,861	1,465,150	5,861	1,189,876	-	4,760	(1,101)
Manufacturing (Industrial) <sup>2</sup>	327,000	327	327,000	327	143,485	-	144	(183)
Retail (local) <sup>4</sup>	43,000	130	43,000	130	43,000	-	130	-
Retail (destination) <sup>4</sup>	-	-	-	-	275,273	-	826	826
Academic <sup>5</sup>	-	-	-	-	165,164	667	59	59
Medical Office <sup>6</sup>	-	-	-	-	18,352	-	56	56
<b>Total</b>	<b>1,835,150</b>	<b>6,318</b>	<b>1,835,150</b>	<b>6,318</b>	<b>1,835,150</b>	<b>667</b>	<b>5,975</b>	<b>(343)</b>

<b>Terminal Warehouse</b>	<b>Existing GSF</b>	<b>Employees</b>	<b>No-Action GSF</b>	<b>Employees</b>	<b>With- Action GSF</b>	<b>Students</b>	<b>Employees</b>	<b>Difference</b>
Commercial Office <sup>1</sup>	471,223	1,885	1,004,387	4,018	855,290	-	3,422	(596)
Manufacturing (storage) <sup>3</sup>	445,967	30	-	-	-	-	-	-
Retail (local) <sup>4</sup>	-	-	136,000	409	-	-	-	(409)
Retail (destination) <sup>4</sup>	-	-	-	-	171,058	-	514	514
Academic <sup>5</sup>	-	-	-	-	102,635	373	33	33
Medical Office <sup>6</sup>	-	-	-	-	11,404	-	34	35
Vacant	211,810	-	-	-	-	-	-	-
<b>Total</b>	<b>1,129,000</b>	<b>1,915</b>	<b>1,140,387</b>	<b>4,427</b>	<b>1,140,387</b>	<b>373</b>	<b>4,004</b>	<b>(423)</b>
<b>Grand Total</b>		<b>8,233</b>		<b>10,745</b>			<b>9,972</b>	<b>(766)</b>

Notes:

- <sup>1</sup> Assumes 1 employee per 250 gsf
- <sup>2</sup> Assumes 1 employee per 1,000 gsf
- <sup>3</sup> Assumes 1 employee per 15,000 gsf
- <sup>4</sup> Assumes 1 employee per 333.3 gsf
- <sup>5</sup> Assumes 1 employee per 11.4 students
- <sup>6</sup> Assumes 1 employee per 333.3 gsf

**Table 3 Employees by Sector in the No-Action and With-Action Conditions**

	No-Action			With-Action			Increment
	Starrett-Lehigh	Terminal Warehouse	Total	Starrett-Lehigh	Terminal Warehouse	Total	
Office	5,861	4,018	9,879	4,760	3,422	8,182	-1,697
Retail	130	409	539	956	514	1,470	+931
Manufacturing	327	-	327	144	-	144	-183
Academic	-	-	-	59	33	92	+92
Medical Office	-	-	-	56	35	91	+91
Total Per Bldg	6,318	4,427		5,975	4,004		-766
Grand Total	10,745			9,979			-766

## Shadows

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, sunlight-sensitive natural features, or historic resources with sun-sensitive features.

The proposed actions would result in new uses within an existing building (Starrett-Lehigh) and within the envelope of a building expansion that is planned on an as-of-right basis (Terminal Warehouse). The proposed actions would not result in an increase in any building height and there would be no construction of buildings greater than 50 feet in height. Therefore, the proposed actions would not result in significant adverse environmental impacts related to shadows and further assessment of this issue is not warranted.

## Historic and Cultural Resources

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is warranted if there is the potential to affect either archaeological or architectural resources; the manual further recommends that a historic resources assessment be prepared if a proposed action would result in any of the following actions: in-ground disturbance; new construction, demolition, or significant physical alteration of any building, structure, or object; the change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; or the screening or elimination of publicly accessible views, even if no known historic resources are located nearby.

Archaeological resources are physical remains, usually subsurface, of the prehistoric, Native American, and historic periods—such as burials, foundations, artifacts, wells, and privies. Archaeological resources are considered only in those areas where new in-ground disturbance is likely to occur. The project area contains the existing Starrett-Lehigh Building and Terminal Warehouse, and no new in-ground disturbance is anticipated as a consequence of the proposed actions. Therefore, an assessment of archaeological resources is not warranted.

Architectural resources generally include historically important buildings, structures, objects, sites, and districts. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements). The Starrett-Lehigh Building and Terminal Warehouse are located within the New York City Landmark West Chelsea Historic District, and the Starrett-Lehigh Building is an individual New York City Landmark.

The proposed actions would not result in new construction, demolition, or significant physical alteration of either building, nor would they result in a change in scale, visual prominence, or visual context of the two buildings. However, since the Starrett-Lehigh Building and Terminal Warehouse are located within the New York City Landmark West Chelsea Historic District, and the Starrett-Lehigh Building is an individual New York City Landmark, information on these resources and those within the surrounding area will be provided in the EIS (see the **DSOW**).

## Urban Design and Visual Resources

According to the methodologies of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a project site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared. Visual resources within a quarter mile of the project area include Hudson River Park and the Chelsea Waterside Park.

By allowing certain modifications to the M2 signage regulations the proposed actions could result in a physical change that would be perceptible to pedestrians. However, the potential signage modifications are limited to modifications to the M2 signage regulations, of height and angle at the corners of Eleventh Avenue and West 26th, West 27th, and West 28th Streets:

- › The portion of the street frontage of the zoning lot within 15 feet of the intersection of two streets shall be referred to as the corner zone.
- › Section 42-562 of the Zoning Resolution (restriction on angle and height above curb level) shall not apply to signage within the proposed corner zone.

However, Section 42-543 of the Zoning Resolution would still be applicable to the corner zone. This would result in a signage height allowance of 75 feet above the curb level within the corner zone and the allowance for signs to be oriented within 90 degrees of a commercial or residential district boundary.

Beyond the above potential signage modifications, there would be no modifications to the building form or bulk of the existing Starrett-Lehigh building or the Terminal Warehouse's as-of-right expansion. The *CEQR Technical Manual* identifies a building's street walls, size, shape, setbacks, lot coverage, and placement on the zoning lot and block as the major elements that play a role in the experience of the streetscape. The proposed actions would

not affect these elements, nor would there be changes to the other components that contribute to an area's urban design: the street network, the area's open spaces and natural features, and wind conditions that may affect pedestrian comfort and safety. Furthermore, the areas of modification would not be perceptible from the visual resources within the study area. Therefore, given the limited nature of the potential signage modifications, no adverse impacts to urban design or visual resources are expected as a result of the proposed actions and further analysis is not warranted.

## Natural Resources

As stated in the *CEQR Technical Manual*, a natural resource is defined as a plant or animal species and any area capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the City's environmental balance (e.g., surface and groundwater, wetlands, landscaped areas, gardens, and built structures used by wildlife). An assessment of natural resources is appropriate if a natural resource exists on or near the project site, or if there is a potential for impacts related to stormwater and shadows. The project area consists of two existing buildings—the Starrett-Lehigh Building and Terminal Warehouse—in a fully developed area of Manhattan. Therefore, the proposed actions would not have the potential to affect natural resources, and no further analysis is warranted.

## Hazardous Materials

According to the *CEQR Technical Manual*, a hazardous materials assessment is conducted when elevated levels of hazardous materials exist on a site, when an action would increase pathways to their exposure, either human or environmental, or when an action would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure.

The proposed actions would not involve any subsurface disturbance. Any interior renovations that would occur within the buildings to accommodate new tenants would comply with applicable federal, state, and local, including Department of Buildings, requirements for abatement of asbestos, lead-based paints, or other potential hazards, should any be present. A Phase I Environmental Site Assessment (ESA) was prepared in August 2018 for the Terminal Warehouse Building and identified no Recognized Environmental Concerns (RECs). This report is under review by the lead agency in coordination with the New York City Department of Environmental Protection (DEP) and will be summarized in the EIS as part of a Hazardous Materials assessment along with a report specific to the Starrett-Lehigh Building (see the **DSOW**).

## Water and Sewer Infrastructure

According to the *CEQR Technical Manual*, a water and sewer infrastructure assessment analyzes whether a proposed action may adversely affect New York City's water distribution or sewer system and, if so, assesses the effects of the action to determine whether the impact is significant.

## Water Supply

According to the *CEQR Technical Manual*, a preliminary water supply infrastructure analysis is necessary if the project would result in an exceptionally large demand for water (i.e., over 1 million gallons per day [gpd]), or is located in an area that experiences low water pressure (i.e., areas at the end of the water supply distribution system such as the Rockaway Peninsula and Coney Island). The project area is not located in an area that experiences low water pressure, and the RWCDs would result in an incremental water demand of approximately 57,081 gpd (see **Table 4**) as compared with the No-Action condition. A preliminary water supply analysis is not warranted since the projected water demand for the With-Action condition does not exceed the CEQR threshold of 1 million gpd.

**Table 4 RWCDs Water-Supply Demand and Sewage Generation by Use**

Starrett-Lehigh			No-Action		With-Action	
Rate (gpd/sf)			sf	Consumption (gpd)	sf	Consumption (gpd)
Commercial Office	Domestic	0.1	1,465,150	146,515	1,189,876	118,988
	Air Conditioning	0.17		249,067		202,279
Manufacturing (industrial)	Domestic	0.23	327,000	75,210	143,485	33,002
	Air Conditioning	0.17		55,590		24,392
Retail (local)	Domestic	0.24	43,000	10,320	43,000	10,320
	Air Conditioning	0.17		7,310		7,310
Retail (destination)	Domestic	0.24			275,273	66,066
	Air Conditioning	0.17				46,796
Academic <sup>1</sup>	Domestic	0.24			165,164	39,639
	Air Conditioning	0.17				28,078
Medical Office <sup>2</sup>	Domestic	0.1			18,352	1,835
	Air Conditioning	0.17				3,120
<b>Total Water-Supply Demand</b>				<b>544,021</b>	<b>581,825</b>	
<b>Total Sewage Generation</b>				<b>232,045</b>	<b>269,849</b>	

Terminal Warehouse			No-Action		With-Action	
Rate (gpd/sf)			sf	Consumption (gpd)	sf	Consumption (gpd)
Commercial Office	Domestic	0.1	1,004,387	100,439	855,290	85,529
	Air Conditioning	0.17		170,746		145,399
Retail (local)	Domestic	0.24	136,000	32,640		-
	Air Conditioning	0.17		23,120		-
Retail (destination)	Domestic	0.24			171,058	41,054
	Air Conditioning	0.17				29,080
Academic <sup>1</sup>	Domestic	0.24			102,635	24,632
	Air Conditioning	0.17				17,448
Medical Office <sup>2</sup>	Domestic	0.1			11,404	1,140
	Air Conditioning	0.17				1,939
<b>Total Water-Supply Demand</b>				<b>326,944</b>	<b>346,222</b>	
<b>Total Sewage Generation</b>				<b>133,079</b>	<b>152,356</b>	

<b>Grand Total Water-Supply Demand</b>	<b>870,965</b>	<b>928,046</b>
<b>Grand Total Sewage Generation</b>	<b>365,124</b>	<b>422,205</b>

Notes:

<sup>1</sup> Academic uses assume retail rates

<sup>2</sup> Medical offices assumes commercial office rates

## Wastewater and Stormwater

With regard to wastewater and stormwater conveyance, the *CEQR Technical Manual* states that a preliminary infrastructure analysis would be needed if a project that is located in a combined sewer area within Manhattan would result in incremental development over the No-Action scenario of more than 1,000 residential units or 250,000 sf of commercial, public facility, and institution and/or community facility space. As shown in **Table 5**, the RWCDs would result in approximately 57,081 gpd of additional wastewater flows to the combined system. This level of new demand would not be considered a significant increase in demand. With the proposed actions, there would be no change between the No-Action and With-Action conditions in terms of the sites' pervious or impervious surfaces. Therefore, no further analysis is warranted.

**Table 5 RWCDs Water-Supply Demand and Sewage Generation**

		No-Action	With-Action	Difference (gpd)
Starrett-Lehigh	Water-Supply Demand	544,021	581,825	37,804
	Sewage Generation	232,045	269,849	37,804
Terminal Warehouse	Water-Supply Demand	326,944	346,222	19,277
	Sewage Generation	133,079	152,356	19,277
<b>Total Water-Supply Demand</b>		<b>870,965</b>	<b>928,046</b>	<b>57,081</b>
<b>Total Sewage Generation</b>		<b>365,124</b>	<b>422,205</b>	<b>57,081</b>

## Solid Waste and Sanitation Services

The *CEQR Technical Manual* states that an assessment of solid waste and sanitation services is warranted if an action would have the potential to result in a substantial increase in solid waste production that could overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, actions resulting in substantial waste generation, defined as 50 tons (100,000 pounds) per week or more, warrant additional analysis for effects on solid waste and sanitation services. **Table 6** below provides an estimate of on-site solid waste generation based on *CEQR Technical Manual* guidance.

As shown in the **Table 6** below, based on the average daily solid waste generation rates provided in Table 14-1 of the *CEQR Technical Manual*, it is estimated that the RWCDs would result in incremental solid waste generation of approximately 16.9 tons (33,870 pounds) of solid waste per week. Therefore, the proposed actions would not result in significant adverse environmental impacts related to solid waste and sanitation and further assessment of this issue is not warranted.

**Table 6 RWCDs Expected Solid Waste Generation**

Use	Square Footage	Employees	Rate (lbs/Employee or Student/wk)	Total Solid Waste (lbs/wk)
<b>No-Action</b>				
Commercial Office	2,469,537	9,878	13	128,416
Manufacturing (Industrial)	327,000	327	125	40,875
Local Retail	179,000	537	79	42,427
<b>No-Action Total</b>				<b>211,718</b>
<b>With-Action</b>				
Commercial Office	2,045,166	8,181	13	106,349
Manufacturing (Industrial)	143,485	143	125	17,936
Local Retail	43,000	129	79	10,192
Destination Retail	446,331	1,339	79	105,791
Educational Facility	267,799	1,040	4	4,160
Medical Office	29,756	89	13	1,161
<b>With Action Total</b>				<b>245,588</b>
<b>Increment</b>				<b>33,870</b>

## Notes:

- Commercial office and medical office rates conservatively assume the "Office Building" solid waste generation rate rather than the single office rate. Solid waste generation rate for academic use conservatively assumes CEQR's highest school rates ("public intermediate school" or "private school 6-12").
- Employee generation rate assumptions are as follows: Commercial Office assumes 1 employee per 250 gsf; Local and Destination Retail uses assume 1 employee per 333 gsf; Manufacturing (Industrial) assumes 1 employee per 1,000 gsf; Medical Office assumes 1 employee per 333.3 gsf; student population estimates rates are based on SCA data for public schools.

## Energy

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts is only required for projects that would significantly affect the transmission or generation of energy or that would result in substantial consumption of energy. The proposed actions would not affect the transmission or generation of energy. Based on factors provided in Table 15-1 of the *CEQR Technical Manual*, the RWCDs is expected to consume approximately 52,815,784 fewer British Thermal Units (BTUs) per year in comparison to the No-Action condition (see **Table 7**). Therefore, the effect of the proposed actions on the transmission or generation of energy does not require further analysis, as the proposed actions would not have the potential to result in significant adverse impacts.

**Table 7 RWCDs Energy Use**

Starrett-Lehigh		No-Action		With-Action		Difference
Rate (gsf/Mbtu)		gsf	Mbtu/sf	gsf	Mbtu/sf	Mbtu/sf
Commercial Office	216.3	1,465,150	316,911,945	1,189,876	257,370,179	(59,541,766)
Manufacturing (industrial)	554.3	327,00	181,256,100	143,485	79,533,736	(101,722,365)
Retail (local)	216.3	43,000	9,300,900	43,000	9,300,900	-
Retail (destination)	216.3	-	-	275,273	59,541,550	59,541,550
Academic	250.7	-	-	165,164	41,406,615	41,406,615
Medical Office	216.3	-	-	18,352	3,969,538	3,969,538
Total		507,468,945		451,122,517		(56,346,428)

Terminal Warehouse		No-Action		With-Action		Difference
Rate (gsf/Mbtu)		gsf	Mbtu/sf	gsf	Mbtu/sf	Mbtu/sf
Commercial Office	216.3	1,004,500	217,248,908	855,290	184,999,227	(32,249,681)
Retail (local)	216.3	136,000	29,416,800	-	-	(29,416,800)
Retail (destination)	216.3	-	-	171,058	36,999,845	36,999,845
Academic	250.7	-	-	102,635	25,730,595	25,730,595
Medical Office	216.3	-	-	11,404	2,466,685	2,466,685
Total		246,665,708		250,196,352		3,530,644

Grand Total		754,134,653		701,297,239		(52,815,784)
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## Transportation

According to the *CEQR Technical Manual*, detailed transportation analyses may be warranted if a proposed project results in 50 or more vehicle trips and/or 200 or more transit/pedestrian trips during a given peak hour.

Based on a preliminary assessment, it is expected the RWCDs would generate an increase of more than 50 vehicular trips in one or more peak hours and generate 50 or more vehicles per hour during one or more of the peak hours through one or more intersections. Therefore, the proposed actions have the potential to result in significant adverse traffic impacts, and a detailed traffic analysis will be conducted in the EIS, as described in the **DSOW**. Also, as described in the DSOW, the EIS will document changes in off-street parking utilization in the future No-Action and With-Action conditions, and will include a parking assessment to determine whether the RWCDs would result in excess parking demand, and whether there are enough off-street parking spaces in the study area to accommodate that excess demand.

Based on the preliminary travel demand forecast, the RWCDs is expected to generate more than 50 new bus passenger trips in a direction on one or more bus routes and 200 new subway trips at one or more stations. Therefore, the proposed actions have the potential to result in significant adverse impacts related to transit, and bus and subway analyses will be conducted in the EIS, as detailed in the DSOW.

Based on the preliminary travel demand forecast, the RWCDs is expected to generate an increase of more than 200 pedestrian trips in one or more of the peak hours, including walk-only trips and walk trips from nearby subway stations and bus stops to the project sites.

Although these pedestrian trips would be distributed throughout the area, some concentrations of these new pedestrian trips would exceed the 200-trip *CEQR Technical Manual* threshold during one or more peak hours along corridors in the immediate vicinity of the project area and along corridors that connect to area transit services. Therefore, the proposed actions have the potential to result in significant adverse pedestrian impacts and a detailed pedestrian analysis will be conducted in the EIS, as described in the DSOW. In addition, an analysis of vehicular and pedestrian safety at high accident locations in the transportation study area will be conducted as part of the EIS.

## Air Quality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project. As discussed in the *CEQR Technical Manual*, a proposed project may potentially result in the following types of air quality impacts:

- › Potential impacts from mobile sources introduced by a project.
- › Potential impacts from potential air pollutant sources introduced by a project, such as:
  - Emissions from a project's heating, ventilation, and air conditioning (HVAC) system
  - Emissions from a project's enclosed parking garage.
- › Potential impacts on the proposed project from either manufacturing/processing facilities or large/major sources that are located near the project site.

The proposed actions would not result in the development of new floor area but would instead allow the Applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types.

As discussed above in **Transportation**, the RWCDs is expected to result in an increase in the number of vehicles traveling to and from the project area; therefore, the potential for changes in vehicular travel associated with the proposed actions to result in significant mobile source (vehicle-related) air quality impacts will be assessed (see the **DSOW**).

The proposed actions would not result in changes to either the Starrett-Lehigh Building's HVAC system or the Terminal Warehouse HVAC system. According to the Energy Information Administration fuel consumption data, the change in uses in both buildings will not significantly change fuel consumption and, thus, emissions. There are no industrial sources within a 400-foot radius of the project area and no large or major emission sources within a 1,000-foot radius of the project area. The proposed actions would also not affect parking at either building. Therefore, an analysis of stationary sources is not necessary.

## Greenhouse Gas Emissions and Climate Change

According to the *CEQR Technical Manual*, GHG assessments are appropriate for projects in New York City requiring an EIS that would result in the development of 350,000 square feet or greater. Because the proposed actions involve the change of uses within existing buildings, it would not exceed this threshold.

Depending on the sensitivity, location, and useful life of development resulting from a proposed action, it may be appropriate to include discussion of the potential effects of climate change in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for sites located within the current 100- or 500-year flood zone, as delineated in the FEMA PFIRMs, or within future 100-year flood zones as projected by the New York City Panel on Climate Change, as appropriate. The project area is located within the coastal zone boundary and is also located within the current 100- or 500-year flood zone, as delineated in the FEMA PFIRMs. However, because the proposed actions are proposed with the purpose of allowing a more diversified mix of uses to occupy portions of the existing Starrett-Lehigh Building and within the envelope of Terminal Warehouse's as-of-right expansion, and since no physical alterations to either building would result from the proposed actions, an assessment of climate change will not be provided in the EIS.

## Noise

As discussed in the 2014 *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would introduce noise-sensitive receptors in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

The RWCDs would result in additional vehicular trips to and from the project area; therefore, an assessment of potential noise impacts from mobile sources on existing noise receptors is warranted (see the **DSOW**).

In terms of stationary sources, no changes to either the Starrett-Lehigh Building or Terminal Warehouse rooftop or mechanical equipment are proposed as part of the actions, and therefore, no analysis of noise from either building's stationary sources is warranted. In terms of building attenuation, the proposed actions are proposed with the purpose of allowing a more diversified mix of uses to occupy portions of the existing Starrett-Lehigh Building and within the envelope of the Terminal Warehouse as-of-right expansion. Therefore, no further analysis warranted.

The proposed actions would allow new noise-sensitive uses such as academic and community facility space (such as medical office space) to be located within the Starrett-Lehigh Building and Terminal Warehouse. Therefore, an assessment of whether these receptors would be located within an area with high ambient noise levels is warranted (see the **DSOW**).

## Public Health

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise, an assessment of public health will be provided in the EIS, as described in the **DSOW**.

## Neighborhood Character

As discussed in the *CEQR Technical Manual*, an analysis of neighborhood character is warranted when a project has the potential to result in significant adverse impacts in 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. In addition, an assessment may be warranted when there is a combination of moderate effects in these technical areas that, when considered together, may affect the defining elements of neighborhood character. Because the proposed actions have the potential to result in moderate effects in some of these technical areas and because there is the potential for significant adverse effects, a neighborhood character analysis is warranted. See the **DSOW**.

## Construction

Construction impacts, although temporary, can include disruptive and noticeable effects resulting from an action. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are considered when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise levels, and area air quality conditions. In addition, because soils may be disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the potential construction impacts that could result from contamination.

A construction assessment is typically warranted for construction activities (a) lasting longer than two years; (b) located along an arterial highway or major thoroughfare; (c) involving the closing, narrowing, or otherwise impeding of traffic, transit, or pedestrian elements; (d) involving multiple buildings; (e) involving the operation of several pieces of diesel equipment in a single location; (f) resulting in the closure or disruption of a community facility service; (g) located within 400 feet of a historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resources; and/or (i) occurring on multiple sites in the same geographic area.

The Proposed Actions would involve interior renovations within buildings designated as historic resources. These renovations have been evaluated and approved by the Landmarks Preservation Commission which issued a Certificate of Appropriateness. The extent of construction that could result from the proposed actions would consist of interior renovations to accommodate new tenants. This type of construction is ongoing at any given time in buildings throughout the City and would not involve closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements. New disruptive or construction activities involving noisy diesel equipment would not occur as a consequence of the proposed actions. Therefore, the proposed actions would not result in significant adverse environmental impacts related to construction and further assessment of this issue is not warranted.

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## **Appendix A: Land Use, Zoning and Public Policy**



# A

## Land Use, Zoning, and Public Policy

This section considers the potential for the proposed actions to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by the proposed actions and determines whether the proposed actions are compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers the proposed actions' compatibility with zoning regulations and other public policies applicable to the area.

### Introduction

The applicant proposes to extend the West Chelsea District over the project area, create a new subarea (Subarea K), and change the underlying district from M2-3 to M2-4. Subarea K would allow additional uses within the following Use Groups (Use Group K uses) to be located within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6C, 9A, 10A. In addition to allowing broader uses than currently allowed under existing zoning, which would enable the Applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types, the proposed subarea text would also allow certain modifications to the M2 signage regulations, of height and angle at the corners of Eleventh Avenue and West 26th, West 27th, and West 28th Streets.

According to the *CEQR Technical Manual*, a land use and zoning analysis is warranted for projects involving a change in land use or zoning on a site or if a project is located within the City's coastal zone. This chapter provides an assessment of existing and future conditions with and without the proposed actions for the project area and study area, which are described in detail below.

## Methodology

The purpose of this assessment is to examine the effects of the proposed actions and determine whether they would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidelines of the *CEQR Technical Manual* and examines the proposed actions' consistency with land use patterns and development trends, zoning regulations, and other applicable public policies. As described in **Part I: Project Description**, in order to assess the possible effects of the proposed actions, a Reasonable Worst-Case Development Scenario (RWCDs) was established for both the current zoning (No-Action) and proposed zoning (With-Action) conditions for the 2024 analysis year. The incremental difference between the No-Action and With-Action conditions on the project area is the basis of the impact category analyses in this assessment.

Under CEQR guidelines, an 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. This analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for an assessment (Section 320). According to the *CEQR Technical Manual*, a land use and zoning assessment:

- › Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- › Characterizes the land use development trends in the area surrounding the project area that might be affected by the proposed action; and
- › Determines whether the proposed project is compatible with those trends or may alter them.

Existing land uses were identified through review of a combination of sources, including the New York City Department of Buildings and the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2016 Geographic Information Systems (GIS) databases utilized include the New York City Open Accessible Space Information System ([www.oasisnyc.net](http://www.oasisnyc.net)) and NYC Department of City Planning Zoning and Land Use map<sup>1</sup>. New York City zoning maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts within the study area and provided the basis for the zoning evaluation of the No-Action and With-Action Conditions. Applicable public policies were identified and the proposed actions' consistency with those policies was evaluated.

The following assessment method was used to determine the potential for the proposed project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

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<sup>1</sup> <https://zola.planning.nyc.gov/about/?layer-groups=%5B%22building-footprints%22%2C%22commercial-overlays%22%2C%22street-centerlines%22%2C%22subway%22%2C%22tax-lots%22%2C%22zoning-districts%22%5D#9.72/40.7125/-73.733>

1. Establish a "study area", a geographic area surrounding the project area to determine how the proposed actions may affect the immediate surrounding area. For this assessment, a study area of 400 feet surrounding the project area was used. This study area is generally bounded by midblock between West 29th Street and West 30th Street to the north, the Hudson River to the west, midblock between West 24th Street and West 25th Street to the south, and the midblock between Eleventh Avenue and Tenth Avenue to the east.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy.
3. Assess the proposed actions' potential effects on Land Use, Zoning and Public Policy to determine whether the proposed actions are consistent with or conflicts with area land uses, zoning, or the identified policies.
  - If a proposed action could conflict with the identified policies, a detailed assessment would be conducted; or
  - If the proposed action is found to not conflict with the identified policies, no further assessment is needed.

## Assessment

### Existing Conditions

#### Land Use

##### *Project Area*

The project area consists of Manhattan Block 672, Lot 1 and Block 673, Lot 1. The project area is located in the West Chelsea area of Manhattan within Community District 4. The project area contains two buildings that span the entirety of the blocks in which they are located—the Starrett-Lehigh Building and Terminal Warehouse.

Block 672 is occupied by the Starrett-Lehigh Building (601 West 26th Street), which was constructed between 1930 and 1931. The Starrett-Lehigh Building has an existing built floor area ratio (FAR) of approximately 14.79 and contains approximately 1.8 million gross square feet of space (1,835,150 gsf). It varies in height from 11 stories (approximately 140 feet) on the western portion of the building to 19 stories at the eastern portion (approximately 219 feet). The building is occupied by a number of different businesses that include office, showroom, and manufacturing tenants. At the Starrett-Lehigh Building, an as-of-right project is currently underway to transform approximately 43,000 square feet of the building's ground floor into the Starrett-Lehigh Market (see **No-Action Condition**, below).

Block 673 is occupied by the Terminal Warehouse (261 Eleventh Avenue). Terminal Warehouse has an existing FAR of approximately 7.3 and contains approximately 1.14 million gsf (1,140,387 gsf). The building is between 7 and 9 stories (85 feet) in height and was originally constructed in 1891 as a shipping and warehousing center; it is now occupied by a mix of retail, restaurants, office space, and self-storage.

### **Study Area**

As indicated in **Table A-1** and **Figure A-1**, land uses in the study area are predominantly commercial and transportation/utility oriented. A number of uses take up large portions of the surrounding blocks.

The blocks to the north of West 28th Street contain industrial/manufacturing and transportation/utility uses. Immediately north of the project area is a two-story building with a large parking lot for the storage and loading of Con Edison vehicles and a natural gas fueling station. Farther north there is a private bus parking facility and a site at 601 West 29th Street undergoing construction (the “Tower A” development, see **No-Action Condition**, below). To the northeast there is a self-storage building and several mixed-use multifamily elevator buildings with ground floor retail and parking facilities. Much of the ground-floor retail space is currently vacant.

To the east of the project area on the two blocks between West 28th Street and West 26th Street, land uses are mostly composed of commercial and residential uses. There is a mix of multi-story commercial and office buildings, including an indoor car dealership and six- to seven-story office and gallery buildings.

Southeast of the project area is a vacant lot that is slated for commercial construction (see **No-Action Condition**, below). There are also some mid-sized office buildings, mixed commercial buildings, and retail-only buildings, many containing gallery spaces. The ground floor commercial spaces have a mix of local retail uses, such as supply stores and gallery spaces, and many are currently vacant. To the south of the project area is an area dominated by industrial/manufacturing and transportation/utility uses, including a self-storage building that has some ground floor gallery spaces, a Department of Sanitation repair building, and a United States Postal Service center.

To the west of the project area is Twelfth Avenue (West Side Highway) and the Hudson River Greenway. The West Side Highway is a major thoroughfare and connects the study area to the Henry Hudson Parkway to the north and Battery Tunnel to the south. In the study area it is seven lanes across with parking on the eastern curb, with medians dividing the lanes and separating it from the Hudson River Greenway. The Greenway, which extends the length of Manhattan’s west side, is a major bike and pedestrian route, with a two-way bike path and a promenade along the waterfront. As discussed above, the Greenway has bike and pedestrian facilities, and is landscaped with gardens and lawns. There are also some commercial uses on the greenway including two restaurants, one on land and one on a pier. A second pier has a sailing and boating business and is walkable to pedestrians.

**Table A-1 Study Area Generalized Land Uses**

Land Use	Number of Tax Lots <sup>2</sup>	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)
Multifamily Elevator Residence	2	6%	130,718	8%
Mixed Commercial and Residential	4	11%	44,506	3%
Commercial and Office	15	43%	408,035	26%
Industrial/Manufacturing	5	14%	172,360	11%
Transportation Utility	3	9%	328,501	21%
Open Space and Recreation <sup>3</sup>	1	3%	107,751	7%
Parking Facilities	1	3%	172,81	1%
Vacant Land	4	11%	350,093	22%
<b>Total</b>	<b>35</b>	<b>100%<sup>1</sup></b>	<b>1,559,245</b>	<b>100%<sup>1</sup></b>

Source: Map PLUTO 19v1

<sup>1</sup> Numbers may not add up to 100% due to rounding<sup>2</sup> All lots intersecting the 400-foot radius study area were included in analysis<sup>3</sup> Area of Hudson River Greenway included here as reference even though it is not a lot.

## Zoning

### *Project Area*

The project area is located in a M2-3 District that spans most of the area from West 29th Street to West 22nd Street from the waterfront to Eleventh Avenue. M2 districts have use regulations geared towards traditional medium performance manufacturing uses prevalent in the 1960s, including industrial and semi-industrial uses, with limited retail options. M2-3 Districts allow for a 2.0 FAR and no parking is required.

**Figure A-1 Land Use Map**



### Study Area

Much of the study area is mapped within a M2-3 district as described above, but it also intersects with other manufacturing and commercial districts, as well as special district overlays (see **Figure A-2**). **Table A-2** provides a summary of existing zoning regulations for each of the existing zoning districts within the study area.

**Table A-2 Study Area Existing Zoning Designations**

District	Definition/General Use	Maximum FAR
<b>Manufacturing Districts</b>		
M1-5	M1-5 districts are light manufacturing districts that allow for manufacturing, commercial, and community facility uses. Uses typically include woodworking, repair, wholesale service and storage facilities. Offices, retail, and houses of worship are also allowed. No parking is required.	M: 5.0 C: 5.0 CF: 6.5
M1-6	M1-6 districts are light manufacturing districts that allow for manufacturing, commercial, and community facility uses. Uses typically include woodworking, repair, wholesale service and storage facilities. Offices, retail, and houses of worship are also allowed. No parking is required.	M: 10.0 C: 10.0 CF: 10
M2-3	M2-3 Districts are medium intensity manufacturing districts and uses are limited to manufacturing and some commercial uses. No parking is required.	M: 2.0 C: 2.0
<b>Commercial Zoning Districts</b>		
C6-3	C6-3 districts are high bulk commercial districts that include headquarters, large hotels, department stores, and entertainment facilities. R9 is the residential district equivalent. No accessory parking is required.	C: 6.0 CF: 10 R: 0.99 – 8.0 <sup>1</sup>
C6-4	C6-3 districts are general central commercial zoning that are typically mapped over major business districts and include headquarters, large hotels, department stores, and entertainment facilities. R10 is the residential district equivalent. No accessory parking is required.	C: 10.0 CF: 10.0 R: 10.0-12.0 <sup>1</sup>
C6-4X	C6-4X districts are high bulk commercial districts that allow towers above a building base and include headquarters, large hotels, department stores, and entertainment facilities. R10X is the residential district equivalent. No accessory parking is required.	C: 10.0 CF: 10.0 R: 10.0-12.0 <sup>1</sup>
<b>Special Districts</b>		
WCh	Special West Chelsea District	
HRP	Special Hudson River Park District	

Source: New York City Zoning Resolution

Notes:

R= Residential; C= Commercial; CF= Community Facility; M= Manufacturing

<sup>1</sup> Max residential FAR is subject to height factor and tower regulations, bonuses can also be achieved for inclusionary housing

<sup>2</sup> In the East Midtown Subdistrict, transient hotels listed in Use Group 5 require a CPC special permit

An M1-5 district is mapped over the block just south of the project area as well as the eastern portion of the study area midblock between Eleventh and Tenth Avenues. As described in the

above table, they are intended for areas with light industries, which in this area manifests largely as commercial art galleries and offices, and manufacturing uses either in the form of self-storage facilities or large city-owned facilities. M1-6 districts are similar, and one is mapped in the northwestern corner of the study area and contains a bus parking facility.

A C6-3 district is mapped to the east of the project area. As described above, these districts allow for a range of commercial and residential buildings with high bulk. A C6-4 and C6-4X district are also mapped in the study area to the north surrounding Hudson Yards. These allow greater bulk than C6-3 and are intended for commercial areas that serve a larger region.

The Special West Chelsea District (WCh), bounded generally by Tenth and Eleventh Avenues between West 16th and West 30th Streets, was established in 2005 to encourage the development of a mixed residential and commercial area centered around the High Line open space. The specific purposes of the district were:

- › To encourage and guide the development of West Chelsea as a dynamic mixed-use neighborhood;
- › To encourage the development of residential uses along appropriate avenues and streets;
- › To encourage and support the growth of arts-related uses in West Chelsea;
- › 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;
- › To ensure that the form and use of new buildings relates to and enhances neighborhood character and the High Line open space;
- › To create and provide a transition to the lower-scale Chelsea Historic District to the east;
- › To create and provide a transition to the Hudson Yards area to the north; and
- › 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.

To achieve these goals, the Special West Chelsea District contains regulations to facilitate the public's enjoyment of the High Line including a floor area transfer mechanism to preserve light, air and views as well as floor area bonuses related to access and open space development. Special bulk regulations were put in place to reflect the conditions along the High Line and the areas surrounding West Chelsea, including the Hudson River to the west, the higher-density Special Hudson Yards District to the north just outside the study area, and the lower-scale Chelsea Historic District to the east. Inclusionary Housing regulations were established to facilitate development of affordable housing in the area.

A second, smaller special district, the Special Hudson River Park District, is located north of the project area. The district was established in 2016 to promote the repair and rehabilitation of piers, bulkheads, and infrastructure within Hudson River Park and their development with air rights transfers within these districts. The site within the study area mapped with this district is a "receiving site", which means it has received transferred floor area from a "granting site" within Hudson River Park; the "granting site" runs along the waterfront from West 21st Street to West 17th Street that contains Chelsea Piers.

**Figure A-2 Zoning Map**



## Public Policy

There is one public policy applicable to the project area – the City’s Waterfront Revitalization Program.

The project area is located within the Coastal Zone Boundary. The Waterfront Revitalization Program (WRP) is the City’s principal Coastal Zone management tool and establishes a broad range of public policies for the City’s coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The WRP was originally adopted in 1982. Subsequent revisions include incorporation of climate change and sea level rise considerations to increase the resiliency of the waterfront area, promotion of waterfront industrial development as well as commercial and recreational waterborne activities, increased restoration of ecologically significant areas, and best practices for the design of waterfront open spaces.

## No-Action Condition

### Land Use

#### *Project Area*

In the future without the proposed actions (the No-Action condition), the Starrett-Lehigh Building will continue to be tenanted with office, showroom, and manufacturing tenants (Use Groups 6A, 6B, 7, 9, 16, and 17), as permitted in M2 districts. The as-of-right project to transform approximately 43,000 square feet of the Starrett-Lehigh Building’s ground floor into the Starrett-Lehigh Market will be complete and will include approximately 40,000 sf of commercial space of which 13,000 sf would be a food hall and 5,000 sf would be event and exposition space. Two new entrances will be provided on 26th Street and on Eleventh Avenue, and new storefronts will be opened at the ground-floor on the Eleventh Avenue frontage, as approved by the LPC.

In the No-Action condition, Terminal Warehouse will be altered, consistent with New York City Landmarks Preservation Commission (LPC) approval,<sup>2</sup> by converting approximately 500,000 square feet of storage space into new office space and repositioning the ground floor to include food and beverage retail uses permitted under current zoning. As part of this full-building repositioning, approximately 200,000 square feet will be carved out of the building to create a double height space and a courtyard; this floor area will be added back as a penthouse on the western portion of the building. The re-allocation of floor area will not result in an increase in zoning floor area. The owner will undertake a restoration of the building, including façade repairs, window replacement, cornice repairs, fire escape removal, and reintroduction of historic details, such as window shutters.

#### *Study Area*

Within the study area, there are two planned developments that are expected to be complete by the 2024 build year. These include the Tower A and Hudson Arts Building

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<sup>2</sup> LPC approved this No-Action project on January 21, 2020.

developments (see **Table A-3**). These developments will introduce land uses already found in the study area.

**Table A-3 No-Action Projects Within 400-Foot Study Area**

No.	Location	Description	Commercial zoning		Build Year
			floor area (SF)	Res. Units	
1	601 West 29th Street	Tower A	9,496	938	2023
2	220 Eleventh Avenue	Hudson Arts Building	200,000	-	2022
<b>Study Area Total</b>			<b>209,496</b>	<b>938</b>	

Source: Department of Buildings Active Major Construction

### Zoning

In the future without the Proposed Actions, no changes to zoning are expected to occur in the project area or in the study area.

### Public Policy

In the No-Action condition, the policies governing the study area are not expected to change.

### With-Action Condition

#### Land Use

The proposed actions would allow the Applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of commercial and community facility uses (Use Groups 3A, 4A, 6C, 9A, 10A), which include uses such as local and destination retail, academic or university space, and medical offices. The proposed actions would not result in a change in land uses different than those already in the study area, as a C6-3 district is immediately adjacent to the project area and allows for all of the land uses that the proposed actions would allow.

The area has changed substantially since the 1960’s when zoning was established for industrial and semi-industrial uses in the area. There is a trend towards mixed-use and commercial development in the study area, with recent and ongoing development in the area also introducing a new residential population. These developments have resulted in an increase in residents and workers that require local goods and services, which are currently limited within the study area. The increase in commercial and residential development in the area, proximity to business districts such as Hudson Yards and Midtown, access to robust transportation infrastructure and greenways, make the uses that could be introduced by the proposed actions compatible with surrounding land use. Therefore, no significant impacts to land use as a result of the proposed actions are expected and further analysis is not warranted.

## Zoning

The proposed actions would consist of the extension of the WCh over the project area, the creation of a new subarea (Subarea K), and a change in the underlying district from M2-3 to M2-4. Subarea K would allow additional uses within the following Use Groups (Use Group K uses) to be located within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6C, 9A, 10A. At present, these uses are either not permitted or are permitted with restrictions in the underlying M2-3 and proposed M2-4 districts.

No residential use (Use Group 2); uses that include sleeping accommodations of any kind in Use Group 3 and Use Group 4; or hotels (Use Group 5) would be permitted. The aggregate floor area for all uses in Use Group 10A (including clothing or clothing accessory stores, department stores, dry goods or fabric stores, furniture stores, and variety stores) will not be permitted to exceed 15 percent of the total floor area for each building.

The total maximum floor area of all Use Group K uses that are not already allowed in the M2 district will not be permitted to be greater than 25 percent of the existing floor area of the existing buildings (uses listed both in Use Group K and permitted in M2-4 districts shall not be counted towards the maximum floor area of all Use Group K uses). The maximum floor area for all Use Group 10A uses on any zoning lot will not be permitted to be greater than 15 percent of the existing floor area of the existing buildings. The text amendment would also permit a physical cultural establishment to be as-of-right without requiring approval from the Board of Standards and Appeals. Sidewalk cafes would be permitted on Eleventh Avenue and West 27th Street.

The proposed subarea text would also allow certain modifications to the M2 signage regulations, of height and angle at the corners of Eleventh Avenue and West 26th, West 27th, and West 28th Streets:

The proposed subarea text would also require a Chairperson Certification to establish the maximum number of required loading berths for each building, without respect for the change of use of any floor area.

The change in the underlying district of the subarea from M2-3 to M2-4 would also make the buildings more complying in terms of FAR and bulk regulations. The text would increase the maximum floor area ratio from 2.0 FAR to 5.0 FAR and would allow the Applicants to reconstruct their buildings up to 5.0 FAR in case of a catastrophic loss.

Overall, the proposed actions would allow a more diverse range of commercial and community facility uses (Use Groups 3A, 4A, 6C, 9A, 10A) to be located in two existing buildings. As discussed under Land Use, these uses would be compatible with uses in the study area and the larger West Chelsea neighborhood. Therefore, as the proposed actions would affect just the project area and would allow compatible uses, no significant adverse zoning impacts would result, and further analysis is not warranted.

## Public Policy

In accordance with the guidelines of the *CEQR Technical Manual*, an evaluation of the proposed actions' consistency with the WRP policies will be undertaken and reviewed by the Department of City Planning. This preliminary evaluation requires completion of the WRP Consistency Assessment Form (CAF), which contains a series of questions designed to screen out those policies that would have no bearing on a consistency determination for a

proposed action (see **Consistency Assessment Form**). The CAF lists the WRP policies and indicates whether the proposed actions would promote or hinder that policy, or if that policy would not be applicable. For any policies which may be affected, this section provides additional information. As detailed in the **Consistency Assessment**, the proposed actions would be consistent with WRP policies;

The Waterfront Open Space Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, found that the actions would not substantially hinder the achievement of any WRP policy and determined the proposed actions to be consistent with the WRP policies (WRP #17190).

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## 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: \_\_\_\_\_

Name of Applicant Representative: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

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

### B. PROPOSED ACTIVITY

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

#### 1. Brief description of activity

#### 2. Purpose of activity

**C. PROJECT LOCATION**

Borough: \_\_\_\_\_ Tax Block/Lot(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

Name of water body (if located on the waterfront): \_\_\_\_\_

**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 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 Maritime 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.4	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 type="checkbox"/>
1.5	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"/>	

		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 type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
3.1.	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 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 type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 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 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 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 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 type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

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  
212-720-3696  
[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.
- Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at [www.nyc.gov/wrp](http://www.nyc.gov/wrp)

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## Appendix B: Consistency Assessment

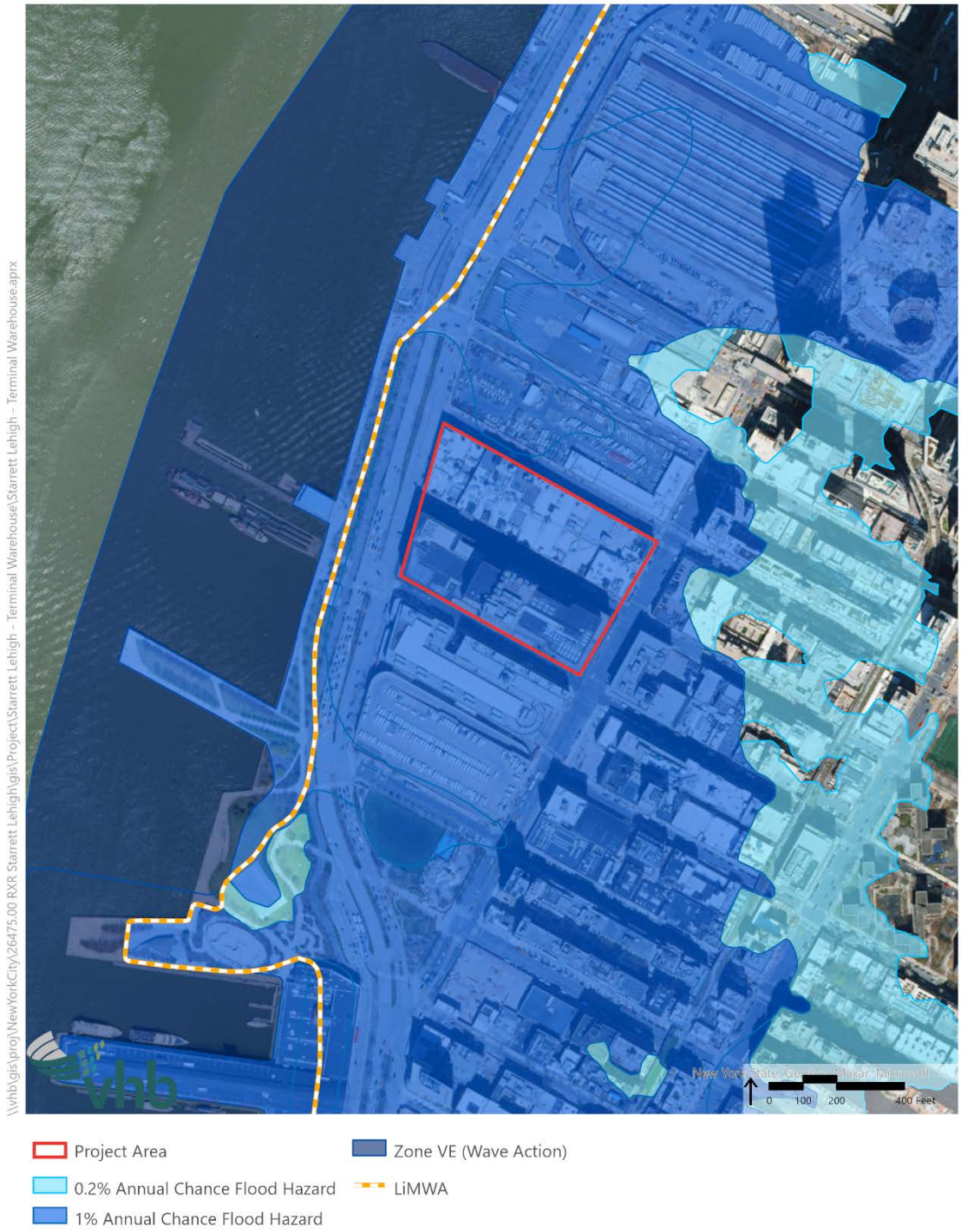


## WRP Consistency Assessment

The New York City Waterfront Revitalization Program (WRP) establishes the City's policies and objectives for maximizing benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The project area is located within the City's Coastal Zone (**Figure B-1**) and the proposed actions are consequently subject to the policies of New York City's WRP.

The WRP Consistency Assessment Form (CAF) is used to identify the relevant WRP policies; the CAF is included in this appendix. For all relevant policies, a written assessment to determine consistency with the applicable WRP policy is provided. The Department of City Planning is reviewing this consistency assessment.

**Figure B-1 Flood and Coastal Zone Map**



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

### **Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.**

As described in **Section 1, Project Description**, the project area is developed with two existing buildings:

- › The Starrett-Lehigh Building (601 West 26th Street), which was constructed between 1930 and 1931. Current building tenants include design firms, multimedia agencies, directors, photographers, artists, and publishers.
- › Terminal Warehouse (261 Eleventh Avenue), which was originally constructed as a shipping and warehousing center in 1891 and is now occupied by a mix of retail, restaurants, office space, and self-storage.

The proposed actions would allow space in the two buildings to be leased to a more diverse range of tenant types, such as local and destination retail, academic or university space, and medical offices (Use Groups 3A, 4A, 6C, 9A, and 10A); these uses are consistent with land uses in the area surrounding the two buildings. Therefore, the proposed actions would be consistent with Policy 1.1.

### **Policy 1.2: Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.**

As described above, the proposed actions would allow the two buildings to be leased to a more diverse range of tenant types, such as local and destination retail, academic or university space, and medical offices (Use Groups 3A, 4A, 6C, 9A, and 10A); these uses are consistent with land uses in the area surrounding the two buildings and would support the growing residential population in the area as well as visitors to the nearby Hudson River Park. Therefore, the proposed actions would be consistent with Policy 1.2.

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

As referenced in **Part II, Supplemental Analysis**, the Project Area is within an area that is sewered. The surrounding area is well-served by public transportation. Therefore, the proposed actions would be consistent with Policy 1.3.

### **Policy 1.5 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.**

See Policy 6.2.

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

**Policy 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.**

See response to WRP Policy 6.2, below.

**Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city's Coastal Zone.**

The proposed actions would allow the two buildings to be leased to a more diverse range of tenant types, such as local and destination retail, academic or university space, and medical offices (Use Groups 3A, 4A, 6C, 9A, and 10A).

Guidance provided by DCP includes a detailed methodology to determine the consistency of a project with Policy 6.2. This guidance identifies three basic steps to determine the consistency of a project with this policy: (1) identify vulnerabilities and consequences; (2) identify adaptive strategies; and (3) assess policy consistency.

### ***1. Identify vulnerabilities and consequences***

**1(a). Complete the Flood Elevation Worksheet to identify current and future flood elevations in relation to the elevations of the site and project features.**

See attached Flood Evaluation Worksheet.

**1(b). Identify any project feature that may be located below the elevation of the 1-Percent Floodplain over the lifespan of the project under any sea level rise scenario.**

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 actions and is provided in this Appendix. This tool identifies current and future flood elevations in relation to the elevations at the Starrett-Lehigh Building and Terminal Warehouse and building features,

presents a range of future flood elevations in relation to the elevations of the project area and building features, and presents a range of future flood elevations as affected by sea level rise, from high (90th percentile) to low (10th percentile), where the “high estimate” represents a high-end projected increase in flood elevation.

According to the NYC Panel on Climate Change (NPCC), sea level rise projections in the middle range (25th to 75th percentile) in NYC are likely to have an increase of 4 to 8 inches by the 2020s, 11 to 21 inches by the 2050s, 18 to 39 inches by the 2080s, and 22 to 50 inches by 2100. Under the “high estimate” scenario (90th percentile), sea level rise projections reach 10 inches by the 2020s, 30 inches by the 2050s, 58 inches by the 2080s, and 75 inches by 2100. Sea level rise projections are relative to a 2000–2004 base period (the most recent projections from the NPCC were issued in 2015).

According to 2013 Preliminary Flood Insurance Rate Maps (FIRMs), the project area is located within the National Flood Insurance Program’s (NFIP) 1% annual chance flood hazard area, as mapped in the Preliminary Flood Insurance Rate Maps (PFIRM) for New York County, dated 12/04/2013 (panel number 3604970069G). A base flood elevation of the 100-year floodplain is 10 feet NAVD88. Based on the NPCC “high estimate” scenario, the 1% annual chance flood BFE for the area nearest the project area could increase up to 10.83 feet in the 2020s, 12.50 feet in the 2050s, 14.83 feet in the 2080s, and up to 16.25 feet by 2100 (NAVD88) as compounded by sea level rise projections (see **Table B-1** and the attached **Flood Evaluation Worksheet**).

**Table B-1 100-year Floodplain Elevations with Sea Level Rise**

Decade	Low Estimate – 10th percentile (ft)	Mid-Range – 25th to 75th percentile (ft)		High Estimate – 90th percentile (ft)
2020	10.17	10.33	10.67	10.83
2050	10.67	10.92	11.75	12.50
2080	11.08	11.50	13.25	14.83
2100	11.25	11.83	14.17	16.25

Source: NPCC

The Starrett-Lehigh Building and Terminal Warehouse are anticipated to have a lifespan of about another 50 years, or until 2074, when adaptive reuse in the form of major rehabilitation or reconstruction is assumed.

As shown in the attached **Flood Evaluation Worksheet**, the ground floor of Terminal Warehouse, categorized as a vulnerable feature, has an elevation of 8’ 2” NAVD 88 and is located below the current 1% annual chance flood elevation. The Terminal Warehouse critical infrastructure, including mechanical, electrical plumbing equipment, and IT equipment are elevated to 19’4” NAVD 88, well outside of the 1% annual chance flood elevation in any scenario from present to 2100.

The ground floor of the Starrett-Lehigh Building, categorized as a vulnerable feature, has an elevation of 8’ 2” NAVD 88 and is located below the current 1% annual chance flood elevation. Critical infrastructure is located on the cellar (-10’ 11” NAVD 88), ground, and mezzanine levels. The cellar has boilers and gas connections, the ground floor has generators, and the mezzanine level has fuel tanks.

**1(c). Identify any vulnerable, critical, or potentially hazardous features that may be located below the elevation of Mean Higher High Water over the lifespan of the project under any sea level rise scenario.**

Based on the range of sea level rise predictions described above, Mean Higher High Water (MHHW) at the National Oceanic and Atmospheric Administration (NOAA) Station nearest the project area (Battery Station #8518750) could range up to 8.86 feet NAVD88 by 2100 under the “high estimate” (90th percentile) scenario (see **Table B-2**). Current tidal and flood heights of the Battery NOAA Station is 2.61 feet NAVD88, as adjusted for changes in sea level since the 1983-2001 tidal epoch.

As shown in the attached **Flood Evaluation Worksheet**, the ground floor of the Terminal Warehouse and Starrett Lehigh Buildings would be within the MHHW and high sea level rise projections for 2100 (8.86’ NAVD 88). However, this is beyond the expected lifespan of the buildings. The critical infrastructure at Terminal Warehouse would be elevated well out of the MHHW projections for any sea level rise scenario across the building’s lifespan. At the Starrett-Lehigh Building, certain critical infrastructure is below current MHHW and would continue to remain below MHHW in future scenarios.

**Table B-2 Mean Higher High-Water Elevations with Sea Level Rise**

Decade	Low Estimate – 10th percentile (ft)	Mid-Range – 25th to 75th percentile (ft)		High Estimate – 90th percentile (ft)
2020	2.78	2.94	3.28	3.44
2050	3.28	3.53	4.36	5.11
2080	3.69	4.11	5.86	7.44
2100	3.86	4.44	6.78	8.86

Source: NPCC, NOAA

**1(d). Describe how any additional coastal hazards are likely to affect the project, both currently in the future, such as waves, high winds, or debris.**

Wave action hazards (i.e., Zone VE or Coastal A Zone) are not designated for the project area. Therefore, storm impacts due to waves, high winds, or debris would not be expected to affect the project features.

**2. Identify adaptive strategies**

**2(a). For any features identified in Step 1(b), identify adaptive strategies:**

As discussed above, the Terminal Warehouse is an existing building that was constructed in 1891, and the ground floor is below the current 1% annual chance floodplain. As part of an as-of-right repositioning of the building, the Terminal Warehouse is being altered (re-tenanting the building with conforming uses and carving out a portion of the building’s interior and reallocating the space within a rooftop addition on the western portion of the building). In connection with this as-of-right project, Terminal Warehouse is being designed to minimize risk and enable continuous business operation in a flood event. The cellar and ground floors will be dry floodproofed with hydrostatic slabs, flood walls, deployable flood barriers, and flood doors for all office areas. As discussed above, critical infrastructure will be

raised above all flood event and SLR scenarios. Incoming utilities and infrastructure will be waterproofed with hardening, back flow prevention, and sealed foundation penetrations. There will also be flood vents and a post-flood dewatering system for select areas to prevent long-term or structural damage.

The Starrett Lehigh building was built in 1931 and certain resiliency measures have been implemented at the building. These measures include a flood plank system surrounding the building to be deployed in the case of a flood event and a deployable flood gate at the 27th Street ramp that leads to below-grade space (this flood gate goes to a height of 11' 2" NAVD 88). These measures would protect the site's critical infrastructure from flood events projected for mid-range SLR estimates through the 2050's and low estimates for the 2080's; the building would still be at risk from higher estimates in later years.

If further retrofits of vulnerable elements of the buildings are required prior to the 2070's, there are further adaptive strategies that can be undertaken. Measures to adapt and protect the buildings would rely on the implementation of best practices and technology available at that time. These may include but not limited to structural changes such as additional dry flood-proofing of the ground floor areas, considering the implementation of a passive barrier strategy to protect vulnerable features, and incorporating marine glass into the lower level facades. Operational changes may include moving vulnerable uses to a higher elevation.

The Climate Resiliency Guidelines developed by the Mayor's Office of Recovery and Resiliency recommend designing adaptive strategies for project's with features below the projected elevation of the "middle range estimate" MHHW (50th percentile) scenario and sea level rise combined, over a project's anticipated useful life. The MHHW compounded by the effects of sea level rise in the 50th percentile scenario at the project area is projected to be 5.03 feet NAVD88 by year 2080. The ground floors of the Terminal Warehouse and Starrett Lehigh buildings are elevated to 8.2 feet. Some critical infrastructure within the Starrett Lehigh building is located below current MHHW levels, but flooding would have to exceed the street elevation (8' 2" NAVD 88) to enter the cellar through the ramp, and that is not expected under any scenario. Therefore, adaptive strategies that consider projected MHHW levels are not necessary.

**2(b). Describe any additional measures being taken to protect the project from additional coastal hazards such as waves, high winds, or debris.**

As discussed above, wave action hazards (i.e., Zone VE or Coastal A Zone) have not been designated for the project area.

**2(c). Describe how the project would affect the flood protection of adjacent sites, if relevant. How would the project lead to increased flooding on adjacent sites? How would the project protect upland sites from coastal hazards? Does the project complement or conflict with planned, adjacent flood protection projects?**

Because the floodplain within NYC is controlled by astronomic tide and meteorological forces (e.g., nor'easters and hurricanes) and not by fluvial flooding, the proposed actions would not have the potential to adversely affect the floodplain or result in increased coastal flooding at adjacent sites or within the study area. The extent of construction that could result from the proposed actions would consist of interior renovations to accommodate new

tenants. Therefore, the proposed actions would not change the built environment in the area and are not expected to exacerbate future projected flooding conditions on adjacent sites.

### ***3. Assess policy consistency***

Based on this information, the proposed actions are consistent with Policy 6.2. As described above, vulnerable features of the Starrett Lehigh and Terminal Warehouse buildings that could be located within the 1% annual chance flood in the 2080's, such as the ground floors, will be protected through resiliency measures and renovated according to NYC Building Code. Critical project features below the 1% chance annual flood include the Starrett Lehigh building will be protected through deployable flood walls. These sites could also be made resilient in the future through the implementation of site-specific adaptive strategies such as those described above.

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## Flood Evaluation Worksheet

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. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.

Background Information	
Project Name	Starrett-Lehigh and Terminal Warehouse Rezoning
Location	Manhattan Block 672, Lot 1 and Block 673, Lot 1
Type(s)	<input checked="" type="checkbox"/> Residential, Commercial, Community Facility <input 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 Applicants, RXR SL Owner LLC and Terminal Fee Owner LP, are seeking a zoning map amendment to rezone the project area from M2-3 to M2-4 and include the extension of the Special West Chelsea District (WCh) over the project area and the creation of a new subarea (Subarea K). The Applicant is also seeking zoning text amendments to modify certain signage, sidewalk cafe, and loading requirements in the new subarea.
Planned Completion Date	2024
Expected Project Lifespan	50+ years

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."

Last update: Sept. 7, 2018

**Establish current tidal and flood heights.**

	FT (NAVD88)	Feet	Datum	Source
MHHW	2.61	<b>2.61</b>	<b>NAVD88</b>	<i>Appendix A, The Battery</i>
1% flood height	10.00	<b>10.00</b>	<b>NAVD88</b>	<i>FEMA PFIRM</i>
Design flood elevation	11.00	<b>11.00</b>	<b>NAVD88</b>	
<i>As relevant:</i>				
0.2% flood height	-->			

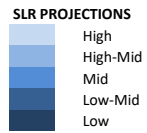
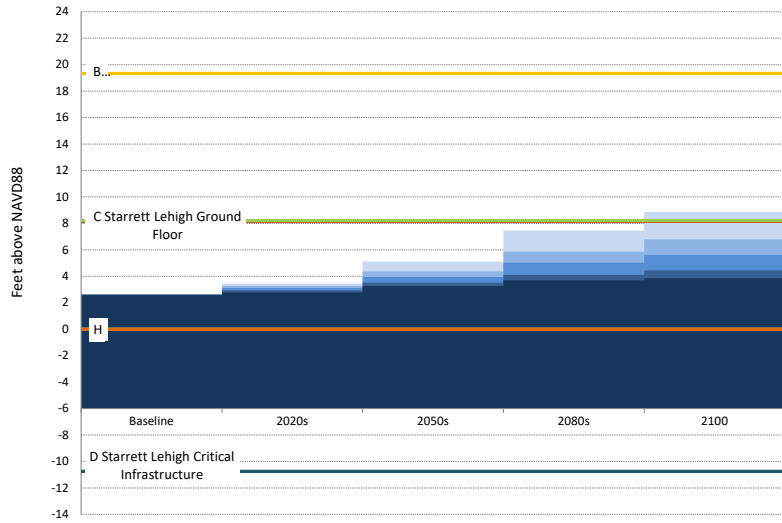
*Data will be converted based on the following datums:*

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



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

Mean Higher High Water + Sea Level Rise



1% Flood Elevation + Sea Level Rise

