



CITY PLANNING COMMISSION

September 29, 2010/Calendar No. 7

C 100437 ZMM

IN THE MATTER OF an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, changing from a C6-1 District to a C1-6A District property bounded by 12th Street, a line 100 feet easterly of Washington Street, a line midway between West 11th Street and Perry Street, Greenwich Street, West 10th Street, a line 150 feet easterly of Washington Street, a line 125 feet northerly of West 10th Street, and Washington Street, Borough of Manhattan, Community District 2, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on May 28, 2010. The proposed rezoning would affect portions of six blocks in the far western part of the West Village ('the Far West Village'). The proposed rezoning area is generally bounded by the east side of Washington Street approximately between West 10th and West 12th Streets, extending eastward to include the west side of Greenwich Street between West 11th and West 10th streets.

The proposed zoning map amendment would change the existing non-contextual C6-1 zoning district to a contextual C1-6A zoning district and is intended to: (1) address the disparity between the commercial and residential FAR allowed in the C6-1 district; and (2) encourage new development that reflects existing neighborhood character and scale.

The proposal responds to community concerns relating to potential out-of-character development by establishing maximum allowable building heights and required streetwalls, similar to the strongly established built context throughout the rezoning area. In addition, the proposed C1-6A zoning district responds to community concerns relating to the density of certain uses, such as hotels, that are not consistent with the predominantly residential neighborhood.

BACKGROUND

The Far West Village was traditionally a manufacturing area that for many years was connected to the working waterfront along the Hudson River. The streets and avenues extending inland

from West Street were developed with a variety of structures including factories, storage warehouses and stables. Many of these buildings are of high architectural quality and have since been converted to residential use. In addition, concentrations of row houses remain from the neighborhood's early years. All but one property within the proposed rezoning area falls within the boundaries of either the Greenwich Village Historic District or the Greenwich Village Historic District Extension, designated in 1969 and 2006 respectively.

The proposed rezoning area contains predominantly residential uses. The eastern frontage of Washington Street between West 10th Street and West 12th Street is generally developed with three to five-story apartment buildings and locally-serving ground floor retail uses. The area between Washington and Greenwich Streets, between Perry Street and West 10th Street, has a greater variety of building types, including some larger warehouse buildings which have been converted to residential use.

ZONING MAP AMENDMENT

The proposed rezoning area is currently zoned C6-1, a non-contextual medium-density commercial district that also allows residential and community facility development. The C6-1 District allows a commercial FAR of 6.0; a residential FAR of 3.44, and a community facility FAR of 6.5. Streetwall and overall building heights are not regulated in the C6-1 district, except as governed by the sky exposure plane, which begins at a front wall height of 85 feet. Buildings built pursuant to the C6-1 regulations may also be set back from the streetline and rise without setbacks in the form of a tower. The existing C6-1 district allows a broad range of commercial uses (Use Groups 6-12), including destination retail, office buildings, and entertainment facilities, which are inconsistent with the predominantly small-scale, locally-serving retail found in the proposed rezoning area.

The proposed zoning map amendment would change the C6-1 zoning district to a contextual C1-6A district to encourage new development reflective of existing neighborhood character and scale and to address the disparity between the commercial and residential FAR allowed in the C6-1 district. Contextual zoning districts place strictly defined building envelope requirements on new residential developments, establish maximum building heights and mandate continuous

streetwalls with setbacks above specified base heights. The proposed C1-6A district would establish an 80 foot allowable maximum building height, and a minimum and maximum streetwall height of 40 feet and 65 feet, respectively. Above streetwalls, buildings would be required to set back 10 feet from the streetline. These controls are proposed to help ensure that new development throughout the rezoning area relate to the area's existing scale and character and support and reinforce the Landmark Preservation Commission's historic district designations.

The C1-6A zoning district allows commercial uses up to a maximum 2.0 FAR, residential uses up to a maximum 4.0 FAR, and community facility uses up to a maximum 4.0 FAR. In addition, allowable uses in the C1-6A zoning district are limited to those intended to serve the local retail needs of the immediate surrounding residential neighborhood.

Of the 57 lots in the subject rezoning area, 54 lots or 95 percent would comply with the 2.0 commercial FAR in the proposed C1-6A district; 47 lots or 82 percent would comply with the 4.0 residential FAR; and 52 lots or 91 percent would comply with the 80 foot height limit. Three lots would contain non-conforming commercial uses.

ENVIRONMENTAL REVIEW

The subject application (C 100437 ZMM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et. seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 10DCP047M. The lead is the City Planning Commission.

After a study of the environmental impact of the subject application (C 100437 ZMM), a Negative Declaration was issued on June 7, 2010.

UNIFORM LAND USE REVIEW

This application (C 100437 ZMM) was certified as complete by the Department of City Planning on June 7, 2010, and was duly referred to Community Board 2 and to the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 2 held a public hearing on this application (C 100437 ZMM) on July 8, 2010 and on July 22, 2010, by a vote of 37 in favor, 0 opposed and none abstaining adopted a resolution in favor of the application.

Borough President Recommendation

This application (C 100437 ZMM) was considered by the Borough President, who issued a recommendation to approve the application on August 30, 2010.

City Planning Commission Public Hearing

On August 25, 2010, (Calendar No. 2), the City Planning Commission scheduled September 15, 2010 for a public hearing on this application (C 100437 ZMM). The hearing was duly held on September 15, 2010, (Calendar No. 16). There were two speakers in favor of the application and none in opposition.

A representative of Community Board 2, speaking in favor of the application, commented on the collaborative effort between the Community Board and the Department of City Planning to achieve the zoning map amendment. The speaker noted that the rezoning expanded on the Far West Village rezoning approved in 2005. A representative of the Manhattan Borough President's Office, also speaking in favor of the application, summarized the proposal and noted that it was highly responsive to community concerns.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 10-042. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this amendment of the Zoning Map (C 100437 ZMM) is appropriate.

The Commission notes that the existing C6-1 zoning district allows for the construction of tall, slender buildings that are setback from the streetline and that this building form is at odds with the low-rise streetwall buildings that characterize the proposed rezoning area. The Commission believes that the existing zoning's permitted density and flexible bulk regulations could result in new out-of-character development that would detract from the special character of this area of the Far West Village.

The Commission further notes that, due to the disparity in allowable floor area ratios, the existing C6-1 district encourages commercial and community facility uses, rather than residential uses. The Commission believes that this is inconsistent with existing residential character in the rezoning area, where buildings occupied entirely with residential uses or with a mix of residential uses and ground floor commercial uses comprise a total of 79 percent of the lots. The Commission believes that the existing zoning could encourage changes to the residential character of the neighborhood over time.

The Commission believes that by requiring height limits and streetwalls reflective of the existing walk-up apartment buildings, loft buildings, and row houses, the proposed C1-6A district would reinforce the historic development patterns of the neighborhood and would establish predictable

building forms that are compatible with the existing built context. The Commission notes that the building forms promoted by the C1-6A district would also more closely align with the land use objectives in the Greenwich Village and Greenwich Village Extension historic districts.

The Commission further notes that the densities allowed by C1-6A zoning district would better reflect the existing residential character of this area of the Far West Village. The Commission believes that the significant reduction in the commercial FAR from 6.0 to 2.0 would acknowledge the change in use which has occurred in the rezoning area over the past several decades, while still allowing the continued development and growth of locally serving retail uses. Additionally, the slight increase in allowable residential FAR from 3.44 to 4.0 would further reinforce the existing residential character of the area.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 12a, changing from a C6-1 District to a C1-6A District property bounded by 12th Street, a line 100 feet easterly of Washington Street, a line midway between West 11th Street and Perry Street, Greenwich Street, West 10th Street, a line 150 feet easterly of Washington Street, a line 125 feet northerly of West 10th Street, and Washington Street, Borough of Manhattan, Community District 2, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

The above resolution (C 100437 ZMM), duly adopted by the City Planning Commission on September 29, 2010 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES ESQ., Vice Chairman

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
NATHAN LEVENTHAL, ANNA HAYES LEVIN, KAREN A. PHILLIPS, Commissioners

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

Application # C 100437 ZMM
CEQR # 10DCP046M
Community District No. 02 Borough: Manhattan
Community District No. ___ Borough: ___
Project Name: **Washington & Greenwich Streets Rezoning**

INSTRUCTIONS

1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, changing from a C6-1 District to a C1-6A District property bounded by 12th Street, a line 100 feet easterly of Washington Street, a line midway between West 11th Street and Perry Street, Greenwich Street, West 10th Street, a line 150 feet easterly of Washington Street, a line 125 feet northerly of West 10th Street, and Washington Street, Borough of Manhattan, Community District 2, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

Applicant(s):

NYC Department of City Planning
Manhattan Borough Office
22 Reade Street, 6th Fl.
New York, NY 10007
P: 212-72-3480

Applicant's Representative:

Adam Wolff, Deputy Director

Community Board No. 2 Borough: **Manhattan**

Borough Board

Date of public hearing: 7/8/10

Location: NYU Silver Bldg. 32 Waverly Pl., Room 507

Was a quorum present? YES NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Vote adopting recommendation taken: 7/22/10

Location: Elizabeth Irwin H.S., 40 Chardon St. Astorarium

RECOMMENDATION

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

See attached resolution

Voting

In Favor: 37 Against: 0 Abstaining: 0

Total members appointed to the board: 50

Robert Humley
Community/Borough Board Officer

District Manager
Title

7/26/10

Date

v.012006w

* Indicates application was certified by the CPC pursuant to Section 197-C(c) of the City Charter.

Jo Hamilton, *Chair*
Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

July 23, 2010

Amanda Burden, *Chair*
Department of City Planning
22 Reade Street
New York, New York 10007

Adam Wolff, *Deputy Director*
Department of City Planning
22 Reade Street, 6th Floor West
New York, New York 10007

Dear Chair Burden and Mr. Wolff:

At its Full Board meeting on July 22, 2010, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

Department of City Planning proposal for a rezoning in the West Village (as requested by Community Board #2) located on the east side of Washington Street between West 10th and West 12th Streets, extending eastward to include the west side of Greenwich Street between West 10th and West 11th streets. The proposal will change the C6-1 district to C1-6A.

WHEREAS, There has been strong community support for this proposal, And

WHEREAS, The City Planning staff had numerous meetings with the Community Board and with our elected officials, and developed a plan that is supported by the Community Board and the Community, And,

WHEREAS, The current zoning has encouraged out of context development, And

WHEREAS, The proposed plan is consistent with the 2005 rezoning of the adjacent area, And

WHEREAS, The proposed rezoning will introduce Contextual zoning that is consistent with existing conditions and will provide a better mix of allowed uses, And,

WHEREAS, The compliance study shows that the significant majority of the existing buildings are compliant with the new zoning, And

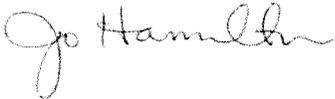
WHEREAS, There will be no significant environmental impacts as a result of the proposed rezoning,

THEREFORE BE IT RESOLVED, That CB#2, Man. thanks the Department of City Planning for working with the Community Board to develop a rezoning plan that is appropriate for the area and And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a rezoning in the West Village (as requested by CB#2, Man.) located on the east side of Washington Street between West 10th and West 12th Streets, extending eastward to include the west side of Greenwich Street between West 10th and West 11th streets. The proposal will change the C6-1 district to C1-6A.

Vote: Unanimous, with 37 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.



Jo Hamilton, Chair
Community Board #2, Manhattan



David Reck, Chair
Land Use and Business Development Committee
Community Board #2, Manhattan

JH/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, CB2 Liaison, Man. Borough President's office
Lolita Jackson, Manhattan Director, CAU
Vivian Awner, Community Board Liaison, Dept. of City Planning
Lorna Edwards, Land Use Review Unit, Dept. of City Planning
Jeff Mulligan, Executive Director, Board of Standards & Appeals
Magdi Mossad, P.E., Man. Borough Commissioner, NYC Department of Buildings
Applicant

SV/JM/JH/Manh

Borough President Recommendation

City Planning Commission
22 Reade Street, New York, NY 10007.
Fax # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application #: C 100437 ZMM

Docket Description:

C 100369 ZMM- IN THE MATTER OF an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, changing from a C6-1 District to a C1-6A District property bounded by 12th Street, a line 100 feet easterly of Washington Street, a line midway between West 11th Street and Perry Street, Greenwich Street, West 10th Street, a line 150 feet easterly of Washington Street, a line 125 feet northerly of West 10th Street, and Washington Street, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

COMMUNITY BOARD NO: 2

BOROUGH: Manhattan

CITY PLANNING COMMISSION
2010 AUG 30 PM 3:56
DEPT OF CITY PLANNING

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached



BOROUGH PRESIDENT

8/30/10
DATE



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

CITY PLANNING DEPT. ST-1
2010 AUG 30 PM 3:57
DEPT. OF CITY PLANNING

SCOTT M. STRINGER
BOROUGH PRESIDENT

August 30, 2010

**Recommendation on
ULURP Application No. C 100437 ZMM –
“Washington & Greenwich Streets Rezoning” (a.k.a. Far West Village Rezoning)
by the New York City Department of City Planning**

PROPOSED ACTION

The Department of City Planning (“DCP”) seeks approval of a **Zoning Map amendment** (C 100437 ZMM) relating to an area within the Far West Village neighborhood of Manhattan Community District 2. The proposed action area is comprised of all or part of six blocks generally bounded by West 12th Street (to the north); West 10th Street (to the south); Greenwich Street (to the east); and Washington Street (to the west). DCP proposes to change an existing C6-1 district to a C1-6A district in order to preserve the area’s existing scale and promote development that is compatible with predominant uses. The proposed rezoning area, with the exception of one lot, is within either the Greenwich Village Historic District or the Greenwich Village Historic District Extension.

PROJECT DESCRIPTION

DCP proposes to amend the Zoning Map to change the zoning designation for a six-block area from a C6-1 district to a C1-6A district. The subject area includes the east side of Washington Street between West 10th and West 12th streets, extending eastward to include the west side of Greenwich Street between West 10th and West 11th streets. The proposed rezoning plan was formulated to respond to longtime concerns, expressed by the local community board and other community members, regarding the increasing presence of out-of-scale development and an influx of new proposed commercial uses that are inconsistent with the neighborhood’s residential character.

The predominant land use in the area is residential use, consisting of entirely residential single- or multi-family buildings and mixed-use residential buildings with ground-floor retail spaces. The neighborhood’s prevailing low- to mid-rise built form includes three- to five-story apartment buildings as well as former factory buildings, storage warehouses and stables, which were constructed to support this area’s historical commercial waterfront.

The area's current zoning was adopted in 1981 to permit increased opportunities for loft conversion and residential uses in this area while also allowing the continuation of traditional commercial uses. The existing C6-1 district is a medium-density commercial zoning district that also allows residential and community facility uses. It is a height factor district, which encourages a tower-in-the-park building form and lacks street wall requirements and maximum building heights. The C6-1 district has a maximum FAR of 3.44 for residential uses, 6.0 for commercial uses, and 6.5 for community facility uses. DCP proposes to replace the existing C6-1 zoning district with a C1-6A zoning district. C1-6A districts allow a maximum FAR of 2.0 for commercial uses and 4.0 for residential and community facility uses, require street walls of 40 to 65 feet, and limit maximum building heights to 80 feet.

The Environmental Assessment Statement ("EAS") indicates that under a Reasonable Worst Case Scenario Development, the proposed actions would result in 8 "projected" development sites¹ and 7 "potential" development sites by an analysis year of 2020. It is anticipated that a "With-Action condition" would consist of 100 residential units (99,500 SF of residential area) and 26,187 SF of commercial space on the projected development sites. The With-Action condition would represent a net increment from a "No-Action condition" of 47 residential units (34,334 SF of residential area) with an associated population increase of 89 residents. In addition, there is a projected net reduction in commercial area of 56,897 SF. On June 7, 2010, the City Planning Commission issued a Negative Declaration, which determined that the proposed action will have no significant adverse effect on the quality of the environment.

COMMUNITY BOARD'S RECOMMENDATION

At its Full Board meeting on July 22, 2010, Manhattan Community Board 2 recommended approval of the application by a unanimous vote of 37 in favor.

BOROUGH PRESIDENT'S COMMENTS

This part of the Far West Village contains a varied built character that reflects its development as one of the City's oldest neighborhoods and reflects the area's historical land uses. The value of its historic character has been officially recognized by the City, as almost all of the proposed rezoning area lies within an LPC-designated historic district.

The outdated height factor zoning in the Far West Village lacks contextual bulk controls that promote development consistent with the neighborhood's unique built character. Consequently, continued development under the existing zoning may result in developments that do not maintain the neighborhood's scale. By setting forth bulk requirements that reinforce the street wall and limit maximum street wall and building heights, the proposed zoning will promote a contextual bulk envelope for development that should preserve the area's low- to mid-rise scale; it will also encourage a more predictable form of development for this neighborhood.

¹ Projected developments are considered more likely to occur during the analysis period than potential developments. The EAS used the projected developments in analyzing potential density-related impacts and both projected and potential development when analyzing site-specific potential impacts.

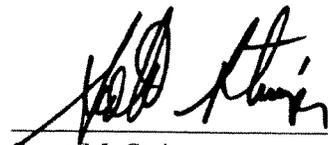
At the time the C6-1 district was mapped in this neighborhood, the intention of the zoning was to balance the growth of residential uses and then-current commercial uses. Since that time, many commercial buildings have undergone conversion and traditional manufacturing uses have relocated. Consequently, the neighborhood has grown into a primarily residential area with local-serving retail uses. The current permitted commercial density, as well as community facility density, incentivizes out-of-character developments such as hotels. These more intensive uses often result in conflicts with the existing residential community. The proposed zoning district, which would reduce commercial density and equalize residential and community facility densities, would promote uses that are more compatible with the existing residential character such as neighborhood-oriented retail establishments.

DCP has worked collaboratively with Community Board 2, local community groups, and local elected officials to put forward a contextual rezoning of this neighborhood that preserves the existing scale and character of both the built environment and predominant uses. The rezoning addresses community concerns by promoting building forms and uses that are consistent with the existing building stock and prevailing residential uses. DCP should be commended for producing a rezoning plan that is highly responsive to community concerns.

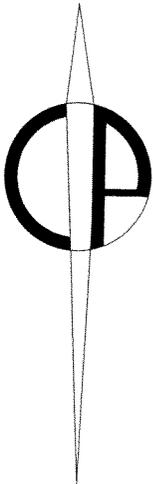
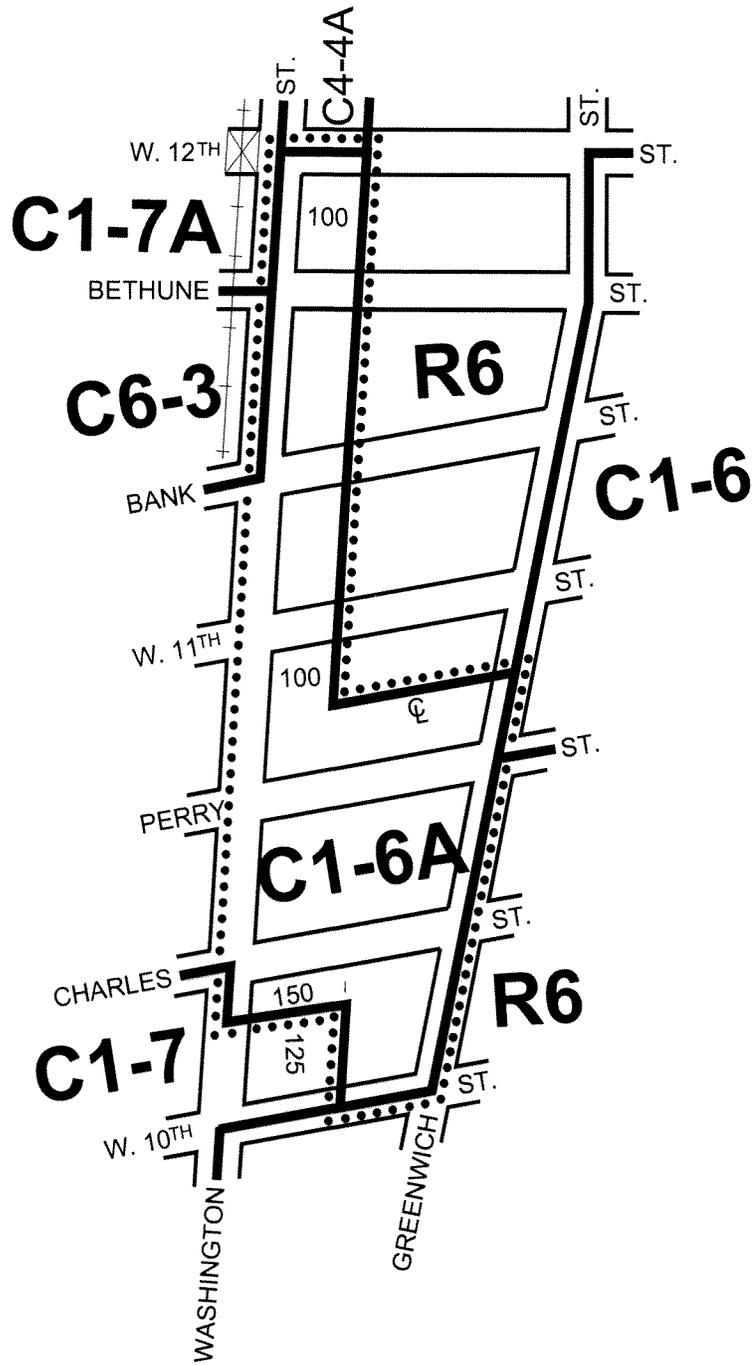
BOROUGH PRESIDENT'S RECOMMENDATION

The proposed zoning map change will reinforce the area's existing built character and addresses community concerns.

Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 100437 ZMM.



Scott M. Stringer
Manhattan Borough President

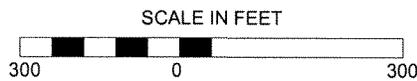


CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
12a

BOROUGH OF
MANHATTAN

S. Voyages
 S. Voyages, R.A. Director
 Technical Review Division

New York, Certification Date
 JUNE 7, 2010



- NOTE:**
- Indicates Zoning District Boundary.
 -** The area enclosed by the dotted line is proposed to be rezoned by changing from a C6-1 District to a C1-6A District.