



IN THE MATTER OF an application submitted by DDG 532 West 20th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an attended accessory off-street parking garage with a maximum capacity of 10 spaces on the ground floor of a proposed residential building, on property located at 532 West 20th Street (Block 691, Lot 50), in a C6-2 District, within the Special West Chelsea District, Borough of Manhattan, Community District 4.

This application for a special permit was filed by DDG 532 West 20th Street LLC on April 13, 2016. The requested special permit would facilitate the provision of up to ten accessory parking spaces within a residential development at 532 West 20th Street in the Chelsea neighborhood of Manhattan.

BACKGROUND

532 West 20th Street is comprised of a single 4,600 square foot zoning lot (Block 691, Lot 50) located on the south side of West 20th Street between Tenth and Eleventh Avenues. The existing one-story building was completed in 1900 and is currently occupied by the Anton Kern Art Gallery. The site has 50 feet of street frontage on West 20th Street, which is a 60-foot wide westbound street with one travel lane and curbside parking.

The development site and surrounding area were rezoned in 2005 as part of a larger effort to encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood (N 050161(A) ZRM). The project area, including the development site, was rezoned from an M1-5 to a C6-2 District in order to allow for residential uses and a broad range of commercial uses consistent with the growing mixed use character of West Chelsea. The boundaries of the C6-2 District are delineated by a line midway between West 22nd and West 23rd Streets, Tenth Avenue to the east, West 18th Street to the south, a line 140 feet easterly of Eleventh Avenue, West 20th Street and a line 100 feet west of Tenth Avenue.

This rezoning also established the Special West Chelsea District through amendments to both the zoning text (N 050161(A) ZRM) and zoning map (C 050162(A) ZMM). The Special District is divided into ten subareas, A through J, each of which has varying density and bulk regulations to respond to

differing contexts. The development site is located within Subarea E, which allows a base FAR of 5.0 with a total allowable bonus of 1.0 FAR from either the High Line Transfer Corridor or High Line Improvement Bonus, both of which can increase the maximum FAR to 6.0. Bulk regulations in Subarea E allow an overall building height of 120 feet and a street wall height of 105 feet, and were intended to provide a transition between the towers permitted to the west along Eleventh Avenue and the lower density buildings in the Chelsea Historic District to the east.

The proposed action would facilitate the provision of up to ten attended accessory residential parking spaces on the ground floor level of a new 11-story residential development containing nine dwelling units. The building will front on West 20th Street and will rise to an overall height of 120 feet. Though the design is not yet finalized, the proposed building would contain approximately 27,019 square feet of floor area (5.89 FAR) and would be developed under the as-of-right bulk regulations pertaining to C6-2 Districts within Subarea E of the Special West Chelsea District. The ground floor level will cover the entire lot and will contain the residential lobby, mechanical space, and the proposed garage.

The entrance to the proposed garage would occupy nine feet of frontage along the ground floor, and would include a new curb cut along West 20th Street to allow for access and egress by means of a two-way driveway. This curb cut would be 12 feet wide (nine feet without splays) and would replace the current curb condition, which is a single dropped curb for the majority of the site frontage. The garage would be attended and would contain five at-grade parking spaces, above which would be five additional spaces on stackers, for a total of up to ten spaces. In total, the proposed facility would utilize approximately 3,529 square feet for parking, with 1,672 square feet of access zone and 1,092 square feet of parking zone surface area in addition to 765 square feet for the five stacker tray surfaces.

Residential parking spaces within the Manhattan Core (Community Districts 1-8) are permitted based on the number of dwelling units in the development. Section 13-11(a) allows a maximum number of accessory off-street parking spaces for residential use in an amount equal to 20 percent of the total number of dwelling units in Community District 4. The proposed development would contain nine dwelling units, which would allow two accessory parking spaces as-of-right. The applicant requests a special permit pursuant to Sections 13-45 (Special Permits for Additional Parking Spaces) and 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to provide for eight

additional parking spaces above the as-of-right maximum for an attended, accessory residential parking facility with a total of ten spaces on the development site.

ENVIRONMENTAL REVIEW

This application (C 160275 ZSM) 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 16DCP149M. The lead is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on July 25, 2016.

UNIFORM LAND USE REVIEW

This application (C 160275 ZSM) was certified as complete by the Department of City Planning on July 25, 2016, and was duly referred to Manhattan Community Board 4 and the Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 4 held a public hearing on this action on October 5, 2016, and by a vote of 26 in favor, 9 opposed, and 2 abstaining, the Board adopted a resolution recommending approval of the application with the conditions that “residents not be permitted to sublet their parking spaces and that spaces not purchased by residents be rented to non-residents only on a monthly basis.” The Community Board also noted their objections to the Department of City Planning’s parking ratio methodology, which they stated is not appropriate for the West Chelsea area.

Borough President Recommendation

This application (C 160275 ZSM) was considered by the Borough President of Manhattan, who on November 2, 2016 recommended approval of the application. The Borough President reiterated the

Community Board's concerns about the Department's parking methodology, asking the Department and the City Planning Commission to "consider a more robust set of factors in the parking methodology analysis."

City Planning Commission Public Hearing

On November 2, 2016 (Calendar No. 1), the City Planning Commission scheduled November 16, 2016, for a public hearing on this application (C 160275 ZSM). The hearing was duly held on November 16, 2016 (Calendar No. 7). There were five speakers in favor of the application and none in opposition.

The applicant's land use attorney provided an overview of the proposed as-of-right development and parking facility. She outlined the applicant's response to the conditions of approval listed by the Community Board and confirmed that any spaces not purchased or licensed by a residential unit owner would be made available to the public on a month-to-month contractual basis. She also stated that the condo documents for the proposed building would prohibit the subleasing of parking spaces unless they are offered as a part of a package with a sublet apartment.

A representative for the applicant's architect provided information about the design and operations of the proposed parking facility.

Two representatives of the applicant's environmental consultant team addressed the findings required for the parking special permit and the residential growth parking study.

A representative of the applicant's development team confirmed the statements made by the other speakers earlier in the hearing.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 160275 ZSM) was reviewed by the City Coastal Commission 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 30, 2013 and by the New York State Department of State

on February 3, 2016, 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 15-083.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the grant of a special permit to allow eight accessory parking spaces beyond the two permitted as-of-right is appropriate.

West 20th Street is a one-way westbound street with one moving lane and one curbside parking lane on each side, which ensures that vehicles exiting the garage will not need to cross oncoming traffic. West 20th Street has no lanes designated for specific types of vehicles, such as bicycle or bus lanes, and primarily provides access for local traffic across the Manhattan street grid. Given these conditions, and the fact that the garage is intended for use only by unit owners of the building and nearby residents and will not accommodate transient users, the Commission believes that the garage will not interfere with the efficient functioning of streets or create serious traffic congestion in the area.

The entrance to the parking facility is located on the mid-block, which will make pedestrians aware of vehicles entering the garage via the proposed curb cut and provide adequate on-street space for vehicles queuing to access the parking facility. Due to the small number of parking spaces being requested and the relatively low volume of pedestrians on this portion of West 20th Street, there are minimal opportunities for interruptions of pedestrian flow associated with the proposed parking facility. Pedestrians will be alerted when vehicles exit the garage through visible and audible warning devices at the entrance of the garage. This configuration and warning system will effectively curtail vehicular and pedestrian conflicts related to the proposed garage.

The Commission notes that historic certificates of occupancy indicate that the site was used as a storage garage and motor vehicle repair shop prior to its current use as an art gallery. There are numerous active and inactive curb cuts located on this section of West 20th Street, with many loading docks and parking facilities that reflect the formerly industrial character of the neighborhood. Ground floor

parking spaces within the proposed facility would be hidden from the street by the residential lobby at the front of the building, and the presence of the facility would not be inconsistent with the character of the existing streetscape.

The Commission received the Community Board 4 resolution and the Manhattan Borough President letter, both of which conditioned their approval of the proposed action on recommendations regarding the operations of the proposed parking facility: specifically, that residents be prohibited from subleasing their parking spaces and that any spaces not purchased by residents only be made available to nearby residents on a monthly basis. The Commission notes the receipt of a letter from a representative of the applicant on Wednesday, November 23rd. This letter described the applicant's commitment to make parking spaces available to either owners of units within the building or nearby residents, and to not permit the subleasing of these spaces except in the circumstance where the subleasing of a unit is offered in a package together with a parking space. The letter also stated that parking spaces not purchased by residents of the building would be rented to nearby residents only on a month-to-month contractual basis, and that any month-to-month customer would be required to relinquish their space within 30 days' notice if an incoming resident would like to use a parking space and none are available. These limitations will be drafted and included within the documents governing the condominium. The Commission believes that, as such, the parking facility would not be subject to varying levels of vehicular traffic and will serve the parking needs of area residents with a more regular schedule of usage. This, combined with the small number of parking spaces being requested, will facilitate the efficient movement of vehicles between the garage and West 20th Street.

The applicant documented the new and eliminated residential units and off-street parking spaces within one-third of a mile from the development site between 2005 and 2017, the project's anticipated build year, to demonstrate that the request for eight additional accessory parking spaces is reasonable and not excessive in regard to recent trends in residential development and the provision of parking. Using data from the Department of Buildings, the Department of Consumer Affairs, and additional research performed by the applicant, the study found that between 2005 and 2017, the ratio of the change in off-street parking spaces to the change in residential units without the proposed ten parking spaces and nine residential units is 17.1 percent. With the proposed development, that ratio would increase to 17.7 percent. The Commission notes that this number is below 20 percent, which is the ratio of new off-street parking spaces to new residential units permitted in developments in Manhattan Community District 4.

The Commission therefore believes that the request for eight additional residential accessory parking spaces is reasonable and not excessive in regard to recent trends in residential development and the provision of parking.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) of the Zoning Resolution:

- (1) the location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;
- (3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;
- (4) for #public parking garages#, that where any floor space is exempted from the definition of #floor area#, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion; and
- (5) such parking facility will not be inconsistent with the character of the existing streetscape.

The City Planning Commission hereby makes the following findings pursuant to Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution:

1. the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:
 - (1) the increase in the number of #dwelling units#; and
 - (2) the number of both public and #accessory# off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the

reduction, if any, in the number of such spaces in existing parking facilities. In making this determination, the Commission may take into account off-street parking facilities for which building permits have already been granted, or which have obtained City Planning Commission special permits pursuant to Section 13-45.

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, the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by DDG 532 West 20th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an attended accessory off-street parking garage with a maximum capacity of 10 spaces on the ground floor of a proposed residential building, on property located at 532 West 20th Street (Block 691, Lot 50), in a C6-2 District, within the Special West Chelsea District, Borough of Manhattan, Community District 4, is approved, subject to the following conditions:

1. The property that is the subject of this application (C 160275 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plan, prepared by HTO Architect, PLLC, filed with this application and incorporated in this resolution:

Drawing No.

Title

Last Date Received

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 160275 ZSM), duly adopted by the City Planning Commission on December 12, 2016 (Calendar No. 15), 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.

CARL WEISBROD, Chairman
KENNETH J. KNUCKLES, Esq., Vice-Chairman
RAYANN BESSER, ALFRED C. CERULLO, III,

**MICHELLE R. DE LA UZ, JOSEPH I. DOUEK,
RICHARD W. EADDY, CHERYL COHEN EFFRON,
HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ, Commissioners**



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Gale A. Brewer, Borough President

November 2, 2016

**Recommendation on
ULURP Application No. C 160275 ZSM – 532 West 20th Street
by DDG 532 West 20th Street LLC**

PROPOSED ACTIONS

DDG 532 West 20th Street LLC (the “applicant”) seeks approval of a **special permit** pursuant to Section 13-45 and Section 13-451 of the City of New York Zoning Resolution (ZR) to allow an accessory off-street parking garage with a maximum capacity of 10 spaces on the ground floor of a proposed nine-unit residential building located at 532 West 20th Street (Block 691, Lot 50), in a C6-2 District in Subarea E within the West Chelsea Special Purpose District of Manhattan Community District 4.

The special permit requires that all of the applicable conditions of ZR § 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES) be met and that the findings of §13-45 and 13-451 have been met. These findings are as follows:

- (1) the location of the vehicular entrances and exits to such parking facility will not unduly interrupt the flow of pedestrian traffic associated with uses or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;
- (2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of streets, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;
- (3) such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;
- (4) for public parking garages, that where any floor space is exempted from the definition of floor area, such additional floor space is needed in order to prevent excessive on-street parking demand and relieve traffic congestion;
- (5) such parking facility will not be inconsistent with the character of the existing streetscape; and
- (6) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:
 - (a) the increase in the number of dwelling units; and

- (b) the number of both public and accessory off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the reduction, if any, in the number of such spaces in existing parking facilities.

PROJECT DESCRIPTION

The project site comprises a 4,600 square foot tax lot on Block 691, which is bounded by West 20th Street to the north, Tenth Avenue to the east, West 19th Street to the south, and Eleventh Avenue to the west. The applicant is seeking a special permit pursuant to ZR § 13-45 and 13-451 to build an accessory parking garage with a maximum of 10 spaces in a proposed residential building. The project site's existing one-story building is occupied by the Anton Kern art gallery, which has plans to relocate to Midtown.

Background

In 2005, the City Planning Commission (CPC) approved a zoning text amendment to create the Special West Chelsea District, and a zoning map change to accompany the new special purpose district. The project site and surrounding area were rezoned from an M1-5 District to a C6-2 District in order to permit a broad range of uses consistent with the growing mixed use character of West Chelsea.

Proposed Development

The applicant proposes to construct an approximately 27,019 (5.89 FAR) square foot residential apartment building with nine dwelling units and ten enclosed parking spaces in the ground floor garage. The building will be 11 stories and 120 feet in height.

The building will be as-of-right, complying with the C6-2 District maximum building height for Subarea E of the Special West Chelsea District. It will cover the entire lot, and the proposed garage will occupy approximately 3,529 square feet. The garage will contain five at-grade spaces and five spaces on stackers above, and a booth for the attendant who will maneuver cars into the parking stackers. One curb cut of 12 feet in width will be located on the south side of West 20th Street for egress and ingress by means of a two-lane driveway.

Area Context

The project site is located in a C6-2 zoning district in Manhattan Community District 4 on the south side of West 20th Street between 10th and 11th Avenues. The project is within Subarea E of the Special West Chelsea District, and the C6-2 District comprises subareas E, F, and G, and is bounded by a line midway between West 22nd and West 23rd Streets, Tenth Avenue to the east, West 18th Street to the south, a line 140 feet easterly of Eleventh Avenue, West 20th Street, and a line 100 feet west of Tenth Avenue.

Land uses in the area include commercial, mixed residential and commercial, and industrial uses. In the 1990s gallery owners began to convert old loft buildings and garages into art galleries, transforming West Chelsea into an arts district. More recently, the area has seen significant growth in restaurants and bars. Residential uses include walk-up tenements, multi-family residential buildings along Tenth Avenue, and loft buildings converted for residential use. Immediately to the west of the project site is the State-owned Bayview Prison site, which is subject to an RFP by Empire State Development (ESD) for adaptive reuse.

The closest subway line is the A C E line on Eighth Avenue, which is two and a half blocks to the east. The nearest of these stations are the West 23rd Street local stop and the express train at West 14th Street. The M12 bus runs north along Twelfth Avenue and south along Eleventh Avenue from Columbus Circle to Abington Square in the West Village; the M11 bus runs north and south from the West Village to Riverbank Park along Tenth and Ninth Avenues; the M23 bus runs crosstown along 23rd Street in both directions; and the M14D bus runs crosstown along 14th Street from Chelsea Piers to the Lower East Side.

Proposed Actions

The applicant seeks a Parking Special Permit pursuant to ZR § 13-45 and 13-451 to allow additional accessory parking spaces for residential growth in order to construct a 10-space accessory residential parking garage. Only two spaces are permitted as-of-right for nine dwelling units. No reservoir spaces are required.

The applicant's residential growth parking study analysis is attached with their certification packet documents, and it shows that absent the proposed project, the residential growth parking ratio for the study period 2005 to 2017 is 17.1 percent (244 parking spaces to 1,428 residential units). With the proposed project, the residential growth parking ratio would increase to 17.7 percent (254 spaces to 1,437 units).

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on October 5, 2016, Manhattan Community Board 4 (CB4) approved a resolution recommending **approval with conditions** of the application for a special permit to allow a 10-space accessory parking garage, by a vote of 26 in favor; 9 opposed; and 2 abstaining. CB4's recommendation is based on the belief that the small number of additional spaces asked for in the special permit meets the findings and would have a minimal impact on the neighborhood. The conditions are that the building's owners not be permitted to sublet their parking spaces and that any spaces not bought by residents be made available to the public only on a monthly rental basis.

CB4 also underscored their general objections to the Department of City Planning's parking calculation methodology as it pertains to West Chelsea, which they have raised numerous times in the past. As West Chelsea was a manufacturing district with an oversupply of off-street parking at the beginning of the ten-year look-back period, there is doubt over the suitability of

those numbers as a benchmark for the appropriate number of parking spaces for the neighborhood today.

BOROUGH PRESIDENT’S COMMENTS

Alongside CB4, the Borough President has called on the Department of City Planning and the City Planning Commission to consider a more robust set of factors in the parking methodology analysis. These include the absolute availability of parking, the supply of parking prior to the ten-year look-back and the current capacity and utilization rate of parking facilities in the neighborhood, access to mass transit and distance from arterial roadways; and, finally, to evaluate the garage design and its interface with the pedestrian realm. In particular, recommendations from this office on prior parking special permits have stressed the importance of considering the utilization rate of parking facilities prior to the ten-year look-back period. This would provide a more complete picture of the parking needs of an area, and better account for neighborhoods like West Chelsea that had an abundance of surface parking ten years ago.

The Borough President believes that proximity to mass transit and distance from arterial roadways should also be a major consideration of the parking methodology. In this case, while the project site is served by public transportation, it is also located in the periphery of the borough; the nearest subway line is two and a half avenue blocks to the east. The project site does not enjoy easy access to multiple regional transportation systems, as do some other parking special permit project sites that have come before this office. Thus, it seems to be an appropriate location for light, destination-based car storage and usage.

As per the conditions raised by the Community Board, the applicant also proposes that the owners of the parking spaces would not be allowed to sublet their spaces, and that upon sale of their residential unit, they would also give up their parking spaces. Furthermore, should any of the ten spaces go unpurchased by the owners of the residential units, they would be made available to the public only on a monthly rental basis.

The applicant meets the individual findings for a special permit pursuant to ZR §13-45 and 13-451 as currently structured by the Zoning Resolution. Our office believes that the eight additional parking spaces would not unduly interrupt the flow of pedestrian traffic, result in any undue conflict between pedestrian and vehicular movements, interfere with the functioning of streets, create serious congestion, or otherwise substantially impact the neighborhood. Based on these findings and the additional considerations the Borough President has for these proposals, the Borough President recommends approval of the special permit. However, the Borough President once again urges the Department of City Planning and the City Planning Commission to reconsider the parking calculation methodology to include a more robust set of factors.

BOROUGH PRESIDENT’S RECOMMENDATION

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Therefore, the Manhattan Borough President recommends **approval** of ULURP Application No. C 160275 ZSM.

A handwritten signature in black ink that reads "gale A. Brewer". The signature is written in a cursive, lowercase style for the first name and a mix of uppercase and lowercase for the last name.

Gale A. Brewer
Manhattan Borough President



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Delores Rubin
Chair

JESSE R. BODINE
District Manager

September 28, 2016

Carl Weisbrod, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

**Re: ULURP Application No. C 160275 ZSM
Special Permit for a 10-Space Accessory Parking Garage at 532 West 20th Street**

Dear Chair Weisbrod:

Manhattan Community Board 4 (CB4) recommends approval of the application with two conditions for a special permit under ZR 13-45 and ZR 13-451 for an increase in the number of parking spaces at 532 West 20th Street from two to ten. The Board's recommendation is based on the belief that the small number of additional spaces (eight) meets the special permit findings and will have a minimal impact on the neighborhood. The two conditions are that the building's owners not be permitted to sublet their parking spaces and that any spaces not bought by residents be made available to the public only on a monthly rental basis. This recommendation reflects the consensus of both the Board's Chelsea Land Use Committee and Executive Committee, neither had a quorum, and is subject to ratification at its Full Board meeting on Wednesday, October 5th.

Background

The proposed development at 532 West 20th Street is an as-of-right eleven-story building occupying Block 691 Lot 50 in a C6-2 district in Subarea E of the Special West Chelsea District. The development will have nine residential units. There will be no commercial space. Under ZR 13-11(a) the site is permitted two accessory parking spaces for the residential units. The proposed garage will be entirely on the ground floor and will include a booth for a 24/7 attendant. It will have five stackers each accommodating two cars. All of the parking spaces are intended to be accessory parking spaces to be used by the residents of the proposed development. If any spaces are not purchased by the condo-owners, they will be made available to non-residents but only on a month to month basis. Transient parking would not be permitted. If a resident requests a parking space, a monthly rental space would be given to the resident with a thirty day notice to the renter. The garage includes ten bike racks; five are required.

Analysis

The Board believes that the applicant has shown that the project complies with the required findings including pedestrian traffic, street functioning and traffic congestion. West 20th Street is one-way westbound. A pedestrian walkway across Twelfth Avenue at West 20th Street is on the north side of West 20th Street, across the street from the site under consideration. Safety measures for the proposed garage include a speed bump, a stop sign and a striped pedestrian path in the garage. The new building would decrease the curb cut on West 20th from the existing 55-foot width to a 12 foot width. The applicant predicts that three cars in the morning would be going in and out of the garage, three in the afternoon and three in the evening.

ZR 13-45(d) requires compliance with the additional finding set out in ZR 13-451, that "the number of off-street parking spaces in the proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility..."

The Department of City Planning (DCP) addressed the issue of reasonableness by developing methodology to calculate a "parking ratio." The calculation of the parking ratio requires consideration of new residential dwelling units and new and lost parking spaces during a ten year look-back period through the completion of the proposed facility. The application guidelines also state, "Additionally, the City Planning Commission...may take into account levels of vacancy in existing parking facilities within the area of the proposed parking facility." The applicant has calculated that during a 10-year "look back" period, there was an increase of 244 spaces and an increase of 1,428 residential units resulting in a parking ratio of 17.1 percent. The proposed parking garage would increase the parking ratio to 17.7 percent, below the target ratio of 20 percent established by DCP.

CB4 Objections to Department of City Planning's Parking Ratio Methodology

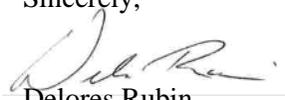
As we have written before, CB4 believes that the DCP methodology is not appropriate for the West Chelsea area. At the beginning of the mandated ten year look-back period, the West Chelsea area was a manufacturing district with a large over-supply of off-street parking caused by warehousing vacant lots as parking pending favorable economic and social conditions for development of the lots. These parking spaces were not fully utilized except on special occasions, such as events at Madison Square Garden. There also were few residences within the one-third mile study area of the proposed development, and even fewer legal ones. Thus, these parking spaces largely accommodated transient users, not residential users. (See additional issues CB4 raised in its August 10, 2015 letter about ULURP application C 150309). At an October 21, 2015 meeting attended by several CB4 members, two representatives from the Manhattan Borough President's Office, DCP Manhattan Office Director and two other planners, CB4 raised these issues about DCP's methodology for calculating additional parking spaces for residential growth. It was our understanding that DCP would revisit this methodology, particularly ZR 11-21, exceptions to guidelines for unique site or project considerations. We would appreciate DCP letting us know if there has been any progress in re-examining the methodology for the West Chelsea area.

Conclusions and Recommendation

Despite CB4's objections to DCP's methodology to calculate the residential growth parking ratio, the Board believes that the number of proposed off-street parking spaces for 532 West 20th Street would have minimal impact on the neighborhood and would not create dangerous or congested conditions. We recommend approval of this special permit with the conditions that residents not be permitted to sublet their parking spaces and that spaces not purchased by residents be rented to non-residents only on a monthly basis.

September 27, 2016

Sincerely,



Delores Rubin
Chair
Manhattan Community Board 4



John Lee Compton, Co-Chair
Chelsea Land Use Committee



Betty Mackintosh, Co-Chair
Chelsea Land Use Committee

cc: Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council
DDG Partners

DDG 532 West 20th Street LLC
60 Hudson Street, Suite 1803
New York, NY 10013

November 23, 2016

Hon. Carl Weisbrod, Chair
New York City Planning Commission
120 Broadway
31st Floor
New York, NY 10271

Re: 532 West 20th Street Special Permit
(C 160275 ZSM)

Dear Chair Weisbrod:

This letter is in response to questions raised by the Commissioners at the public hearing of November 16, 2016. DDG 532 West 20th Street LLC is the applicant for a special permit for additional parking spaces for residential growth pursuant to Sections 13-45 and 13-451 of the Zoning Resolution of the City of New York. This will permit an attended accessory garage providing 10 spaces with 5 stackers ("Garage") in a 9-unit residential building that will be constructed as a matter of right ("Building"). The Building will be a condominium.

We intend to operate the Garage in the following manner: Parking spaces will first be offered to residential unit owners for sale or license. The condominium board or the sponsor will own the unpurchased parking spaces. If a residential unit owner has purchased a parking space and chooses to sell his/her apartment, he/she must either sell the parking space back to the condominium board or sponsor or to the purchaser of the unit. Residents will not be permitted to sublease their parking spaces unless the space is subleased in conjunction with the sublease of a unit within the Building.

Any spaces that are not purchased or licensed by a residential unit owner can be made available to the public on a month-to-month contractual basis, at the discretion of the condominium board or sponsor. If an incoming resident would like to use a parking space but none are available, any month-to-month customer would be required to relinquish his/her space within 30 days of receipt of written notice from the incoming residential tenant in accordance with the requirements of the New York State Multiple Dwelling Law (Article 3 Section 60) and Section 13-21 of the Zoning Resolution of the City of New York.

These limitations will be drafted and included within the documents governing the condominium.

I hope that this information is helpful to the Commission in its deliberations.

Sincerely,



Christopher J. Prokop
Authorized Signatory
DDG 532 West 20th Street LLC