

**Revised
Environmental Assessment Statement
and Supplemental Report***

for

**510-512 W. 23rd Street
Zoning Text Amendment**

Prepared by:

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**Originally Filed January 15, 2015
REVISED March 17, 2015**

***Supersedes the EAS issued on January 15, 2015**



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

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

Part I: GENERAL INFORMATION					
PROJECT NAME 510-512 West 23 rd Street (REVISED)					
1. Reference Numbers					
CEQR REFERENCE NUMBER (to be assigned by lead agency) 10DCP048M			BSA REFERENCE NUMBER (if applicable)		
ULURP REFERENCE NUMBER (if applicable) N090311ZRM			OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA)		
2a. Lead Agency Information			2b. Applicant Information		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT 22/23 Corp. c/o Park-It Management		
NAME OF LEAD AGENCY CONTACT PERSON Olga Abinader			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Jeremiah (Jed) H. Candreva c/o Troutman Sanders LLP		
ADDRESS 22 Reade Street			ADDRESS The Chrysler Building, 405 Lexington Avenue		
CITY New York	STATE NY	ZIP 10007	CITY New York	STATE NY	ZIP 10174
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-704-6292	EMAIL jed.candreva@troutmansanders.com	
3. Action Classification and Type					
SEQRA Classification					
<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):					
Action Type (refer to Chapter 2 , "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	
4. Project Description					
<p>The applicant, 22-23 Corp. c/o Park-It Management, requests a text amendment to the provisions of the Special West Chelsea District, Zoning Resolution (ZR) Section 98-33(b)). The proposed action would allow a site with transferable floor area ("granting site") to transfer the maximum allowable residential or commercial floor area, whichever is greater, to sites that are eligible to received additional floor area, ("receiving sites") in the Special West Chelsea District in Manhattan, Community District 4. The proposed text amendment would apply to a granting site that is located within the Special West Chelsea District High Line Transfer Corridor (HLTC), located outside of Special West Chelsea District Subareas, and zoned either C6-2A or C6-3A. The proposed text amendment would also apply to receiving sites in all or portions of Subareas "A" through "E," "G" and "I" and that are located within C6-2, C6-3, or C6-4 zoning districts within the Special West Chelsea District. The proposed action is not expected to result in any potential significant adverse environmental impacts. However, during the course of the review, if the potential for significant adverse impacts exists, the applicant agree to incorporate all requisite measures identified to fully mitigate such impacts.</p>					
Project Location					
BOROUGH Manhattan		COMMUNITY DISTRICT(S) 4		STREET ADDRESS 510-512 West 23 rd Street	
TAX BLOCK(S) AND LOT(S) Granting Site: Block 694, Lot 40. Receiving Site: Block 696, Lot 35.			ZIP CODE 10011		
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS South side of West 23 rd Street between Tenth and Eleventh Avenues					
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C6-3A/C6-2A Special West Chelsea District				ZONING SECTIONAL MAP NUMBER 8b	
5. Required Actions or Approvals (check all that apply)					

City Planning Commission: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNIFORM LAND USE REVIEW PROCEDURE (ULURP)		
<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 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: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
<input type="checkbox"/> VARIANCE (use)		
<input type="checkbox"/> VARIANCE (bulk)		
<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		
Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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:		
State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:		
6. Site Description: <i>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.</i>		
Graphics: <i>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.</i>		
<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input 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 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.):	Waterbody area (sq. ft.) and type:	
Roads, buildings, and other paved surfaces (sq. ft.):	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): 12,834 gsf.		
NUMBER OF BUILDINGS: 1	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): n/a	
HEIGHT OF EACH BUILDING (ft.): n/a	NUMBER OF STORIES OF EACH BUILDING: n/a	
Does the proposed project involve changes in zoning on one or more sites? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
If "yes," specify: The total square feet owned or controlled by the applicant: Granting Site (Block 694, Lot 40) has a lot area of 5,702 square feet; and		
The total square feet not owned or controlled by the applicant:		
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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): 2017		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF MULTIPLE PHASES, HOW MANY?		

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

- RESIDENTIAL MANUFACTURING COMMERCIAL PARK/FOREST/OPEN SPACE OTHER, specify:

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
LAND USE				
Residential	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures		Receiving Site 1 would be converted to residential use.	Receiving Site 1 would be enlarged with additional residential use.	Receiving Site 1 would be enlarged by 4 stories.
No. of dwelling units		Receiving Site 1, 22 units.	Receiving Site 1, 38 units.	16 additional units on Receiving Site 1.
No. of low- to moderate-income units				
Gross floor area (sq. ft.)		18,810	32,175	13,365
Commercial	<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)	Receiving Site 1 is used for public parking.	The ground floor of Receiving Site 1 would be used for retail purposes	The ground floor of Receiving Site 1 would be used for retail purposes	No change
Gross floor area (sq. ft.)	Receiving Site 1 contains approximately 23, 760 square feet of floor area.	Receiving Site 1 would be contain 4,950 square feet of retail use.	Receiving Site 1 would continue to contain 4,950 square feet of retail use.	No change
Manufacturing/Industrial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	<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:				
Publicly Accessible Open Space	<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):				
Other Land Uses	<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:				
PARKING				
Garages	<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:				
No. of public spaces	120	0	no change from no action	- 120
No. of accessory spaces				
Operating hours	24			
Attended or non-attended	Attended			

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Lots	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (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:				
POPULATION				
Residents	<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:				
Briefly explain how the number of residents was calculated:				
Businesses	<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. and type				
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Other (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	C6-3A & C6-2A	C6-3A & C6-2A	C6-3A & C6-2A	No change
Maximum amount of floor area that can be developed	7.5 & 6.0	7.5 & 6.0	7.5 & 6.0	7.5 & 6.0
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential and commercial	Residential and commercial	Residential and commercial	No change
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input 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 Consistency Assessment Form .		
2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5		
(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.		
i. Direct Residential Displacement		
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 checked="" 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 checked="" type="checkbox"/>
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes:”		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>
iii. Direct Business Displacement		
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 checked="" 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?		
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
v. Effects on Industry		
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 checked="" 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 checked="" type="checkbox"/>
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
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) Indirect Effects		
i. Child Care Centers		
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 Chapter 6)	<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 checked="" 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 checked="" type="checkbox"/>
ii. Libraries		
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 Chapter 6)	<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 checked="" type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Public Schools		
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 Chapter 6)	<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 checked="" 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 checked="" type="checkbox"/>
iv. Health Care Facilities		
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 checked="" type="checkbox"/>
v. Fire and Police Protection		
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 checked="" type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) 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"/>
(g) 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 checked="" 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 checked="" type="checkbox"/>

	YES	NO
percent?		
<ul style="list-style-type: none"> o If “yes,” are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify: 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. SHADOWS: CEQR Technical Manual Chapter 8		
(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.		
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(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 GIS System for Archaeology and National Register 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. The Granting Site is located within the High Line Transfer Corridor, which is in proximity to the existing High Line. The proposed action will have no effect upon the High Line and is consistent with and in furtherance of the existing transfer provisions of the Special West Chelsea District for sites within such High Line Transfer Corridor.		
7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual Chapter 10		
(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 Chapter 10 .		
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ?	<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 Jamaica Bay Watershed ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete the Jamaica Bay Watershed Form and submit according to its instructions .		
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(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"/>
(c) If the proposed project located in a <u>separately sewerred area</u> , would it result in the same or greater development than that listed in Table 13-1 in Chapter 13 ?	<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 <u>Jamaica Bay Watershed</u> or in certain <u>specific drainage areas</u> , 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.		
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week):		
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 checked="" type="checkbox"/>
12. ENERGY: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs):		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? **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 Chapter 16 for more information.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<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 Chapter 17 ? (Attach graph as needed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(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"/>

	YES	NO
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008 ; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary.		
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21		
(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 type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(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 Chapter 22 , "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 <i>Jeremiah H. Casanova</i>	SIGNATURE 	DATE <i>3-17-15</i>
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PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

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

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

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

Potentially Significant Adverse Impact

IMPACT CATEGORY	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 type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

YES NO

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

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

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

4. LEAD AGENCY'S CERTIFICATION

TITLE Deputy Director, EARD	LEAD AGENCY NYC Department of City Planning
NAME Olga Abinader	DATE March 17, 2015
SIGNATURE 	

EAS Supplemental Project Information

Revised March 17, 2015

I. DESCRIPTION OF PROPOSED ACTION

The applicant, 22-23 Corp. c/o Park-It Management, requests a text amendment to the provisions of the Special West Chelsea District, Zoning Resolution (ZR) Section 98-33(a)). The proposed action would allow a site with transferable floor area (“granting site”) to transfer the maximum allowable residential or commercial floor area, whichever is greater, to sites that are eligible to receive additional floor area, (“receiving site”) in the Special West Chelsea District in Manhattan, Community District 4.¹ The proposed text amendment would apply to granting sites that are located within the Special West Chelsea District High Line Transfer Corridor (HLTC), are located outside of Special West Chelsea District Subareas, and that are either zoned C6-2A or C6-3A. The proposed text amendment would also apply to receiving sites in all or portions of Subareas “A” through “E,” “G” and “I” and that are located within C6-2, C6-3, or C6-4 zoning districts within the Special West Chelsea District.

A Granting site has been identified as block and lot 694/40 and a receiving site has been identified as block and lot 696/35. The proposed action would allow the floor area transfer of a total of approximately 8,668 square feet from the granting site within the HLTC to the receiving site.

Proposed Zoning Text Amendment

Current HLTC regulations with respect to transfer of development sites are summarized below:

- Pursuant to ZR Section 98-33(b), the maximum amount of floor area that can be transferred from a “granting site” located outside of a Subarea is the maximum floor area ratio permitted for a commercial use on the “granting site.”
- “Granting sites” located outside of Subareas, but within C6-2A zoning districts in the HLTC, can currently transfer a maximum floor area ratio of 6.0, the maximum commercial FAR.
- In the C6-2A zoning district, the maximum allowable residential FAR is 6.02, leaving 0.02 FAR that cannot be transferred from such “granting site.”
- “Granting sites” located outside of Subareas, but within the C6-3A zoning district, can transfer a maximum floor area ratio of 6.0, the maximum commercial FAR.
- In the C6-3A zoning district, the residential FAR is higher at 7.52, leaving 1.52 FAR that cannot be transferred from such “granting site.”

¹ Currently, the Zoning Resolution text allows HLTC granting sites to transfer the maximum amount of commercial floor area, but not residential floor area, to receiving sites.

The proposed zoning text amendment would permit the maximum commercial FAR or maximum residential FAR, whichever is greater, to be transferred from a “granting site” within the High Line Transfer Corridor outside of Subareas. The proposed text amendment would permit additional floor area from the “granting site” in the C6-2A and C6-3A zoning districts to be transferred to a “receiving site,” increasing the floor area available for transfer in the High Line Transfer Corridor.

The proposed text amendment to the provisions of the Special West Chelsea District (WCh) would permit the transfer of as-of-right residential floor area from those parcels located outside of all sub-areas and within the High Line Transfer Corridor (HTC) that are zoned C6-2A and C6-3A (see, Appendix A Special West Chelsea District and Subareas and Appendix B High Line Transfer Corridor Location attached hereto and made a part hereof).

These parcels are located in the 100 foot wide HTC between West 22nd and West 23rd Street. More specifically, this area includes:

- The northern half of the HTC between 22nd and 23rd Street (C6-3A).

Description of the Affected Area

Long characterized as an area dominated by light manufacturing, storage and auto-related uses, West Chelsea has emerged in the last decade as one of the City’s predominant art gallery districts. The majority of the galleries are located on the mid blocks between W. 20th and W. 27th streets in converted loft buildings and garages. In tandem with these galleries has been an increase in ground floor restaurants, bars and nightclubs, adding to a significant increase in pedestrian activity. Areas adjacent to West Chelsea have also become destination points, including the Chelsea Piers, Chelsea Waterside Park and Hudson River Park to the west, and the retail, eating and drinking establishments of the Gansevoort Market to the south.

Since the 2005 Special West Chelsea District zoning was enacted, new residential uses have been constructed in the area, making the neighborhood a 24-hour, mixed-use environment.

A prominent reminder of West Chelsea’s industrial history is the High Line elevated rail line, constructed in the 1930s and running generally parallel to Tenth Avenue. The City acquired the full High Line structure from Gansevoort Street to the south to West 34th Street to the north, and ground was broken on the new park in April 2006, with the first section (Gansevoort to West 20th streets) opened to the public in 2009. The second section (West 20th to West 30th streets) opened in June 2011. Groundbreaking for construction of the third section was celebrated on the High Line at the Hudson Rail Yards in September of 2012. Construction proceeds in three phases, with the first phase projected to open in 2014. Since its opening, the High Line south of West 30th Street has become one of New York’s top destinations. The High Line runs directly over the applicant’s property, 510-512 West 23rd Street (Block 694, Lot 40), between West 22nd Street and West 23rd Street.

Purpose and Need for Proposed Action

The proposed text is narrowly tailored to limit its applicability to the small portion of the High Line Transfer Corridor (HLTC) mapped within C6-2A and C6-3A districts that are outside of all subareas of the WCH (see Zoning Map 8b and Appendix B High Line Transfer Corridor attached hereto as Attachment A).

The purpose of the proposed text is to permit the transfer of floor area from such granting sites pursuant to their maximum as-of-right residential floor area ratio. Today, the provisions of the WCH limit such transfers to the maximum as-of-right commercial floor area (i.e., 6.0 FAR). The proposed text would permit the transfer of the as-of-right residential floor area of 6.02 in the C6-2A district (an increase of .02 FAR) and 7.52 in the C6-3A district (an increase of 1.52 FAR).

II. REASONABLE WORST CASE DEVELOPMENT SCENARIO

The proposed action would affect sites falling into two categories: the “granting” sites and the “receiving” sites. The granting and receiving sites affected by the proposal are described below.

Granting Site

The granting site affected by the proposed action comprise the applicant’s property at 510-512 West 23rd Street (Block 694, Lot 40) (“Granting Site”). Granting Site is mapped within a C6-3A zoning district. The property at 510 West 24th Street (Block 695, Lot 43) is in the C6-2A zoning district has transferred all available floor area and has been granted a 1.0 FAR bonus pursuant to Section 98-35, and is therefore ineligible to utilize any increase in floor area resulting from the proposed action.

Granting Site : 510-512 West 23rd (Block 694, Lot 40)

The property controlled by the applicant, at 510-512 West 23rd Street (Tax Lot 40 in Block 694) has a lot area of approximately 10,911 square foot and is a through-lot site which fronts on both West 22nd and West 23rd Streets between Tenth and Eleventh Avenues. The southern half of this site (which is comprised of approximately 5,209 square feet of lot area) is zoned M1-5 (WCH). The northern half (which is comprised of approximately 5,702 square feet of lot area) is zoned C6-3A (WCH). Only the northern half of the zoning lot, the portion in the C6-3A district, is affected by the proposed action.

This site is currently tenanted by an FDNY EMS station pursuant to a five-year lease with the City. The site is occupied by trailers and EMS vehicles. The current lease expires on June 30, 2015. The proposed text amendment would make available approximately 8,668 square feet of floor area for transfer (i.e., 5,702 times 1.52). Pursuant to and irrespective of the proposed action, this site has to date previously transferred approximately 34,069 square feet of floor area to an eligible receiving site. If and to the extent that all excess floor area is transferred from this site to an eligible receiving site, the applicant reserves the right to seek and obtain a Certification pursuant to ZR 98-35 for an additional 1.0 FAR to construct a complying 1-story commercial structure on this site.

This property was the subject of a Site Selection and Acquisition application (ULURP No. C 120177 PCM, CEQR No. 12FDO001M) by the NYC Department of Citywide and Administrative Services and the FDNY. The application was approved, and the FDNY entered into a long-term lease to operate an EMS ambulance station. This use could remain as-of-right with or without the approval of the requested text amendment. As a requirement of the process to transfer floor area from a site within the HLTC, the applicant's property has also received a Chairperson's Certification that a High Line Access Easement is not required on the site, as it fronts on West 23rd Street, pursuant to ZR Section 98- 61(f) (ULURP No. N 070410 ZCM).

This site was previously analyzed as part of potential Development Site 42 in the New York City Department of City Planning's Special West Chelsea FEIS.

Transferrable Floor Area Available from Granting Site :

The affected granting site described above currently has residual residential FAR (1.52FAR) that is not transferable per the current zoning regulations. This condition is not found in other areas of the High Line Transfer Corridor. With the proposed text amendment, the additional 1.52 FAR would be transferred to a "receiving site" described below.

Receiving Site

This RWCDS is based on soft-site criteria (a "soft site" is a property where development is likely to occur, given ownership or current land uses, i.e., vacant, parking, substantially under- built), the number of available sites within the rezoning area that could serve as "receiving sites" and recent development neighborhood trends in the real estate market.

Receiving Site : 249 Tenth Avenue (Block 696, Lot 35)

The property located at 249 Tenth Avenue has been identified as a potential receiving site expected to receive floor area from Granting Site (i.e., 510-512 West 23rd Street). Two factors have contributed to the treatment of 249 Tenth Avenue as a potential receiving site for analysis purposes: (i) the applicant controls this site; and (ii) the site is currently under built.

249 Tenth Avenue is currently improved with a five story public parking garage that contains approximately 23,760 square feet of floor area (i.e., 4.8 FAR based upon a lot area of approximately 4,950). This site is located in a C6-3 (WCH Subarea C) zoning district. 5.0 FAR of floor area is permitted as-of-right. 7.5 FAR of floor area is permitted through a transfer of floor area or inclusionary housing.

This site was previously analyzed as part of projected Development Site 11 in the New York City Department of City Planning's Special West Chelsea FEIS.

Build Year

For analysis purposes, a 2017 build year is assumed; this represents the earliest possible date for a potential transfer of the residual floor area arising from the proposed text amendment is likely to occur.

NO-ACTION SCENARIO

In the future without the proposed action, the existing provisions of the Special West Chelsea District would continue to regulate the allowable uses and development of the eligible granting and receiving sites.

Granting Site : 510-512 West 23rd (Block 694, Lot 40)

The applicant's granting site anticipates FDNY existing uses would remain. Therefore, no change in the existing conditions is projected to occur in the No-Action Scenario.

Receiving Site : 249 Tenth Avenue (Block 696, Lot 35)

Under the no-action scenario it is assumed that a conversion of the 23,760 square foot building from commercial to residential uses would occur on an as-of-right basis. A total of 18,810 square feet would be utilized for 22 residential units (assuming a dwelling unit standard of 850 square feet) and 4,950 square feet would be utilized for ground floor retail.

WITH-ACTION SCENARIO

In the future with the proposed action, the existing provisions of the Special West Chelsea District would continue to regulate the allowable uses and development of the eligible granting and receiving sites.

Granting Site: 510-512 West 23rd (Block 694, Lot 40)

The applicant has no plans to improve this property in the future with the proposed action. If and to the extent that all excess floor area is transferred from this site to an eligible receiving site, the applicant reserves the right to seek and obtain a Certification pursuant to ZR 98-35 for an additional 1.0 FAR to construct a complying 1-story structure which may be used for any conforming use pursuant to the Zoning Resolution.

Receiving Site : 249 Tenth Avenue (Block 696, Lot 35)

The existing five-story building would be converted to residential uses and enlarged with an 12,375 square feet of floor area (4 stories), (consisting of 8,668 square feet from Granting Site

and 3,707 square feet to be transferred from another granting site in the HLTC). Under the Special West Chelsea regulations, the enlargement would need to be set back from the Highline, which borders the site to the west.

The building would consist of a total of 37,125 square feet and an FAR of 7.5. 32,175 square feet would be utilized for residential uses (38 dwelling units) and 4,950 square feet would be utilized for ground floor retail. The approximate height of the building would be 102'.

For analysis purposes, it is assumed that the site would provide an increment of sixteen residential apartments compared to the no-action scenario.

III. LAND USE, ZONING AND PUBLIC POLICY

According to the *CEQR Technical Manual*, a Land Use, Zoning and Public Policy assessment should be conducted if the action would result in a significant change in land use or would substantially affect regulation or policies governing land use, or if analyses requiring land use information are being performed in any other technical area.

The proposed action would have no significant adverse impacts on land use, zoning or public policy conditions. Therefore, no further analysis is required. Notwithstanding, the following has been provided for information purposes:

Long characterized as an area dominated by light manufacturing, storage and auto-related uses, West Chelsea has emerged in the last decade as one of the City's predominant art gallery districts. The majority of the galleries are located on the mid blocks between W. 20th and W. 27th streets in converted loft buildings and garages. In tandem with these galleries has been an increase in ground floor restaurants, bars and nightclubs, adding to a significant increase in pedestrian activity. Areas adjacent to West Chelsea have also become destination points, including the Chelsea Piers, Chelsea Waterside Park and Hudson River Park to the west, and the retail, eating and drinking establishments of the Gansevoort Market to the south.

Since the 2005 Special West Chelsea District zoning was enacted, new residential uses have been constructed in the area, making the neighborhood a 24-hour, mixed-use environment.

A prominent reminder of West Chelsea's industrial history is the High Line elevated rail line, constructed in the 1930s and running generally parallel to Tenth Avenue. The City acquired the full High Line structure from Gansevoort Street to the south to West 34th Street to the north, and ground was broken on the new park in April 2006, with the first section (Gansevoort to West 20th streets) opened to the public in 2009. The second section (West 20th to West 30th streets) opened in June 2011. The third section on the High Line recently opened in the fall of 2014. Since its opening, the High Line south of West 30th Street has become one of New York's top destinations. The High Line runs directly over the applicant's property, 510-512 West 23rd Street (Block 694, Lot 40), between West 22nd Street and West 23rd Street.

Zoning History:

In 1999, in accord with the recommendations of Community Board 4 in its adopted 197-A plan, a large portion of Chelsea, primarily east of Tenth Avenue, was rezoned both to preserve its scale and to facilitate residential development at appropriate locations (ULURP nos. N 990452 ZRM and C 990453 ZMM, CEQR no. 99DCP030M). As part of that rezoning, the West 23rd Street corridor extending to Eleventh Avenue in West Chelsea was rezoned to a mixed manufacturing-residential district. At that time, the Department of City Planning committed to re-examining West Chelsea's zoning at a later date. Accordingly, the granting sites were rezoned to create a new MX-3 District and these sites were zoned M1-5/R8A and M1-5/R9A. The MX-3 district contained no limitations on the transfer of residential floor area and the M1-5/R8A and M1-5/R9A zones are the same residential equivalent zones that correspond to today's C6-3A and C6-2A district designations.

The WCh proposal followed up on City Planning's commitment to re-examine zoning in West Chelsea. Accordingly, on June 23, 2005, the City Council approved the Department of City Planning's proposals for zoning text and map amendments affecting the West Chelsea, thereby establishing the WCh (ULURP nos. N 050161 ZRM, C 050162 ZMM, 050163 PCM, N 050161 (A) ZRM, C 050162 (A) ZMM, CEQR no. 03DCP069M). The WCh is bounded generally by Tenth and Eleventh Avenues from West 30th Street south to West 16th Street. The stated rationale for City Planning's proposal was to provide opportunities for new residential and commercial development, facilitate the reuse of the High Line elevated rail line as a unique linear open space, and enhance the neighborhood's thriving art gallery district.

The WCh established the existing C6-3A and C6-2A zoning districts (see current Zoning Map 8b attached hereto and made a part hereof). Although the WCh established 10 subareas (as noted above), WCh excluded the granting sites from these sub-areas thereby permitting these granting sites to continue to be developed to their maximum residential and commercial floor area without restriction. (See ZR 98-21.)

The maximum floor area permitted on these sites (located outside of a subarea) is:

- In C6-2A Zones = 6.02 Residential FAR
6.0 Commercial FAR
6.5 Community Facility FAR

- In C6-3A Zones = 7.52 Residential FAR
6.0 Commercial FA
7.5 Community Facility FAR

The WCh designated these sites as granting sites by virtue of their location proximate to the High Line (they are located in the above-referenced HTC). "The purpose of which was intended to

enable the transfer of floor area from those properties in the HTC to permit light and air to penetrate to both the High Line and to preserve and create view corridors from the High Line.

However, the provisions of ZR Section 98-33(b) limits the amount of floor area that can be transferred from such granting sites (located outside of a subarea) to the maximum permitted floor area for commercial use on such granting site.

In other words, the maximum floor area permitted to be transferred from the C6-3A and C6-2A granting sites is 6.0. It is important to note, however, that such transferred floor area may be utilized for any permitted use on the receiving site. See ZR – 98-33(c). In other words, the restrictions of ZR 98-33(b) do not affect use of the transferred floor area, only the density to be so transferred.

Proposed Text Amendment:

The proposed text would amend ZR 98-33(b) WCh to permit the transfer of floor area from a “granting site” located outside of a sub-area and within a C6-2A and/or C6-3A zoning district pursuant to the greater of the maximum floor area ratio permitted for residential or commercial use on such site.

The proposed text amendment would affect only those lots that are located within the HTC, outside of a Subarea and that are zoned C6-2A and C6-3A.

In other words, the maximum floor area permitted to be transferred is as follows:

In C6-2A Zones = 6.02 FAR (an increase of .02); and
In C6-3A Zones = 7.52 FAR (an increase of 1.52).

IV. SHADOWS

According to the *CEQR Technical Manual*, a Shadows assessment should be conducted if an action may reasonably be expected to result in new shadows that are of a length that are capable of reaching a publicly accessible open space.

As part of the adoption of the 2005 West Chelsea zoning map and zoning text amendments that pre-dated the proposed action, the City Planning Commission adopted the findings associated with the West Chelsea FEIS. Each of the above-noted receiving sites was previously identified in the West Chelsea FEIS as projected Development Site 11 and projected Development Site 17. Further, the RWCDs for each of these sites indicates potential improvement that is not of sufficient scale or height to result in significant adverse shadow impact.

It is projected that Receiving Site will be converted to residential use in the no-build condition and that such site will be enlarged by 4 stories (12,375 square feet) in the build condition.

The proposed action would not result in new shadows long enough to reach a publicly accessible open space. Therefore, no further analysis is required and no significant adverse impacts on shadow conditions would occur.

V. HISTORIC RESOURCES

According to the *CEQR Technical Manual*, a Historic Resources assessment should be conducted if an action may reasonably be expected to result in an in-ground disturbance, which is defined as any disturbance to an area not previously excavated, or new construction, demolition, or physical alteration to any building.

The area affected by the proposed text amendment (Block 694 Lot 40, and Block 695 Lot 28 and 43) is located wholly outside of both the LPC designated Chelsea Historic District and the West Chelsea Historic District. The portion of the High Line located on these affected lots is eligible for listing on the State and National Register of Historic Places.

As part of the adoption of the 2005 West Chelsea zoning map and zoning text amendments that pre-dated the proposed action, the City Planning Commission adopted the findings associated with the West Chelsea FEIS. Each of the above-noted receiving sites was previously identified in the West Chelsea FEIS as projected Development Site 11 and projected Development Site 17.

Development Site 11 (part of Receiving Site) is located in proximity to the State/National Register eligible High Line. The High Line is an elevated freight rail line transformed into a public park on Manhattan's West Side. It is owned by the City of New York, and maintained and operated by Friends of the High Line. Founded in 1999 by community residents, Friends of the High Line fought for the High Line's preservation and transformation at a time when the historic structure was under the threat of demolition. It is now the non-profit conservancy working with the New York City Department of Parks and Recreation to make sure the High Line is maintained as an extraordinary public space for all visitors to enjoy. To date the High Line has not been designated as a NYC Landmark. Should this resource become designated, any construction adjacent to it would be subject to the procedures of Building Code Section 27-166 and PPN #10/88. Receiving Site (Block 696 Lot 35) is also adjacent to the West Chelsea Historic District.

The Receiving Site will not result in any adverse impacts to any designated State/National Register historic resources or any sites that are eligible for listing on the state or national register of historic resources. Therefore, no further analysis is required and no significant adverse impacts on historic resources would occur.

VI. HAZARDOUS MATERIALS

According to the *CEQR Technical Manual*, a Hazardous Materials assessment is not required if no elevated levels of hazardous materials exist on a site, the proposed action does not increase pathways to their exposure, either human or environmental, and the proposed action does not

introduce new activities or processes using hazardous materials resulting in an increased risk of human or environmental exposure. The proposed action meets this three part test.

As part of the adoption of the 2005 West Chelsea zoning map and zoning text amendments (CEQR No. 03DCP069M) that pre-dated the proposed action, the City Planning Commission mapped an (E) designation (E-142) on Receiving Site (Block 696, Lot 35) to ensure that no significant adverse impacts related to hazardous materials would occur as a result of redevelopment on this site. For hazardous materials, the (E) designation requires as a condition of site development: hazardous materials investigation, testing, and as appropriate remediation. These requirements must be complied with to the satisfaction of OER.

All future changes of use and new development on Receiving Site are subject to the requirements of E-142 as a condition precedent to the receipt of building permits to either change such use or for such new development.

Therefore, no further analysis is required and no significant adverse impacts on hazardous materials conditions would occur.

VII. AIR QUALITY

According to the *CEQR Technical Manual*, an Air Quality assessment should be conducted if an action may reasonably be expected to result in significant mobile source air quality impacts or stationary source air quality impacts by creating new stationary sources of pollutants, such as emission stacks.

As part of the adoption of the 2005 West Chelsea zoning map and zoning text amendments (CEQR No. 03DCP069M) that pre-dated the proposed action, the City Planning Commission previously identified Receiving Site in the West Chelsea FEIS as projected Development Site 11.

The proposed action would not result in significant mobile source air quality impacts or stationary air quality impacts. Therefore, no further analysis is required and no significant adverse impacts on air quality would occur.

VIII. NOISE

According to the *CEQR Technical Manual*, in many instances, it is possible to determine that a proposed action would not have the potential for a significant noise impact simply from its proposed physical characteristics, and that it is not necessary to conduct any detailed noise analyses. If the basic analysis does not identify the potential for significant impacts, no further noise analysis would be necessary and it can be stated that the proposed action would not result in a significant noise impact.

As part of the adoption of the 2005 West Chelsea zoning map and zoning text amendments (CEQR No. 03DCP069M) that pre-dated the proposed action, the City Planning Commission mapped an (E) designation (E-142) on Receiving Site (Block 696, Lot 35) to ensure that no significant adverse impacts related to noise would occur as a result of redevelopment on this

site. Receiving Site was previously identified in the West Chelsea FEIS as projected Development Site. With respect to noise, E-142 includes conditions relating to window wall attenuation and alternate means of ventilation.

All future changes of use and new development on Receiving Site (Block 696, Lot 35) is subject to the requirements of E-142 as a condition precedent to the receipt of building permits to either change such use or for such new development.

The proposed action would not result in a significant noise impact. Because there is no potential for significant impacts, no further noise analysis is necessary.

For Internal Use Only:

Date Received: _____

WRP no. 13-143

DOS no. _____

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 designated coastal zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

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, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: 22/23 Corp. c/o Park-It Management
2. Address: c/o Troutman Sanders LLP, 405 Lexington Avenue, New York NY 10174 Att: Jeremiah H. Candreva
3. Telephone: 212 704-6292 Fax: _____ E-mail: jed.candreva@troutmansanders.com
4. Project site owner: _____

B. PROPOSED ACTIVITY

1. Brief description of activity:
The applicant requests a text amendment to the provisions of the Special West Chelsea District, Zoning Resolution (ZR) Section 98-33(b). The proposed action would allow sites with transferable floor area ("granting site") to transfer the maximum allowable residential or commercial floor area, whichever is greater, to a site that is eligible to receive additional floor area ("receiving site"). The proposed text amendment would apply to a granting site located within the High Line Transfer Corridor, outside of all subareas and zoned either C6-2A or C6-3A.
2. Purpose of activity:
The proposed zoning text amendment would permit the maximum commercial FAR or maximum residential FAR, whichever is greater, to be transferred from a granting site located within the High Line Transfer Corridor, outside of subareas and zoned either C6-2A or C6-3A.
3. Location of activity: (street address/borough or site description):
The granting site has been identified as block and lot (694/40) and receiving site has been identified at block/lot (696/35). The proposed action would allow the floor area transfer of a total of approximately 8668 square feet from the granting site to the receiving site.

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

N/A

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).
No.

6. Will the proposed project require the preparation of an environmental impact statement?
Yes _____ No If yes, identify Lead Agency:

7. Identify city discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

The proposed text amendment to the provisions of the Special West Chelsea District (WCh) would permit the transfer of as-of-right residential floor area from those parcels located outside of all sub-areas and within the High Line Transfer Corridor (HTC) that are zoned C6-2A and C6-3A (see, Appendix A Special West Chelsea District and Subareas & Appendix B High Line Transfer Corridor Location attached hereto and made a part hereof).

These parcels are located in the 100 foot wide HTC between West 22nd and West 24th Street. More specifically, this area includes:

- The northern half of the HTC between 22nd and 23rd Street (C6-3A); and

The HTC located between 23rd and 24th Street (half of which is zoned C6-3A and half of which is zoned C6-2A).

C. COASTAL ASSESSMENT

Location Questions:	Yes	No
1. Is the project site on the waterfront or at the water's edge?	_____	<input checked="" type="checkbox"/>
2. Does the proposed project require a waterfront site?	_____	<input checked="" type="checkbox"/>
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	_____	<input checked="" type="checkbox"/>
Policy Questions	Yes	No

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)	_____	<input checked="" type="checkbox"/>
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	<input checked="" type="checkbox"/>	_____
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	_____	<input checked="" type="checkbox"/>

Policy Questions cont'd

	Yes	No
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)	_____	✓
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)	_____	✓
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)	_____	✓
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)	_____	✓
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	_____	✓
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)	_____	✓
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)	_____	✓
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)	_____	✓
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)	_____	✓
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)	_____	✓
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)	_____	✓
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)	_____	✓
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)	_____	✓
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)	_____	✓
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)	_____	✓
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)	_____	✓
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)	_____	✓
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)	_____	✓
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)	_____	✓
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)	_____	✓
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)	_____	✓
28. Would the action cause violations of the National or State air quality standards? (5.2)	_____	✓

Policy Questions cont'd

Yes No

29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	_____	✓
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)	_____	✓
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)	_____	✓
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	✓	_____
33. Would the action result in any construction activities that would lead to erosion? (6)	_____	✓
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)	_____	✓
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	_____	✓
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	_____	✓
37. Would the proposed project affect a non-renewable source of sand ? (6.3)	_____	✓
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)	_____	✓
39. Would the action affect any sites that have been used as landfills? (7.1)	_____	✓
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)	_____	✓
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)	_____	✓
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	_____	✓
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	_____	✓
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)	_____	✓
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)	_____	✓
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)	_____	✓
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	_____	✓
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)	_____	✓
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	_____	✓
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	_____	✓

Policy Questions cont'd

Yes No

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

D. CERTIFICATION

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

"The proposed activity complies with New York State's 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 Name: 22/23 Corp. c/o Park-It Management

Address: c/o Troutman Sanders LLP, 405 Lexington Avenue, New York NY 10174 Att: Jeremiah H. Candreva

Telephone 212 704 6292

Applicant/Agent Signature: 

Date: 1-13-15

WATERFRONT REVITALIZATION PROGRAM

The project site is located within the New York City Coastal Zone and, as such, is subject to review for its consistency with the City's Waterfront Revitalization Program. In accordance with the guidelines of the *CEQR Technical Manual*, a preliminary evaluation of the Proposed Action's consistency with the new WRP policies was undertaken. This preliminary evaluation requires completion of the Consistency Assessment Form (CAF); the questions in the CAF are designed to screen out those policies that would have no bearing on a consistency determination for a proposed action. For any questions that warrant a "yes" answer or for which an answer is ambiguous, an explanation should be prepared to assess the consistency of the proposed action with the noted policy or policies.

In October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in Vision 2020: The New York City Comprehensive Waterfront Plan, released in 2011. The changes will solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the U.S. to incorporate climate change considerations into its Coastal Zone Management Program. They will also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable, working waterfront. The revisions to the WRP are currently pending State and Federal approval in order to go in to effect. As indicated by DCP, these revisions are expected to be adopted in the near future.

Per the recently revised WRP, the following policies warranted further assessment: 1.1; 6; and 10. Therefore, these policies are addressed below.

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

The proposed action would allow sites with transferable floor area ("granting sites") to transfer the maximum allowable residential or commercial floor area, whichever is greater, to sites that are eligible to receive additional floor area, ("receiving sites") in the Special West Chelsea District in Manhattan, Community District 4.¹ The proposed text amendment would apply to granting sites that are located within the Special West Chelsea District High Line Transfer Corridor (HLTC), are located outside of Special West Chelsea District Subareas, and that are either zoned C6-2A or C6-3A. The proposed text amendment would also apply to receiving sites in all or portions of Subareas "A" through "E," "G" and "I" and that are located within C6-2, C6-3, or C6-4 zoning districts within the Special West Chelsea District.

Granting site has been identified as block and lot 694/40 and receiving site has been identified as block and lot 696/35. The proposed action would allow the floor area transfer from the granting site within the HLTC to the receiving site. For analysis purposes, it is assumed that the proposed action would facilitate an additional 16 residential dwelling units on the Receiving Site.

¹ Currently, the Zoning Resolution text allows HLTC granting sites to transfer the maximum amount of commercial floor area, but not residential floor area, to receiving sites.

The portion of the City's coastal zone that coincides with the Receiving Site does not contain any natural or topographic features, contains a complete street grid and is today improved with existing structures. Therefore, this area continues to be appropriate for the incremental residential use that would be facilitated by the Proposed Action.

1.1 Encourage commercial and residential redevelopment in appropriate coastal zone areas.

See response to Policy 1, above.

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

The Granting Site is located within the FEMA Floodplain (AE Zone, BFE 11) according to the Preliminary Flood Insurance Rate Maps (2013). The Receiving Site is in the Shaded X Zone (500-year Floodplain). Consequently, the design and construction of the improvements to be built on these sites will comply with the applicable provisions of the NYC Building Code requirements as such requirements relate to construction within designated floodplains. Therefore, the proposed action would minimize the potential for public and private losses due to flood damage and reduce the exposure of public utilities to flood hazards. There are no proposed buildings identified as part of the requested zoning text amendment. However in the future, should the Applicant propose any development within the Floodplain, they would be required to comply with the applicable provisions of the NYC Building Code requirements.

The pending sub-policy 6.2 states that the integration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) must be included in the planning and design of all projects in the City's coastal zone. Specifically, the revised policy would ask that "in the planning of projects, vulnerabilities to and impacts of sea level rise, coastal flooding and storm surge over the lifespan of the proposed project should be assessed". Based on the future 100-year and 500-year flood zones for the 2050s, Receiving Site 1 will also be included in the 100-year floodplain based on the low end Sea Level Rise projections (.58') The other sites would expect to see an increase in the Base Flood Elevation associated with the 100-year storm ranging from .58 to 2.58 feet by 2050.

POLICY 10: Protect, preserve and enhance resources significant to the historical, archaeological, architectural and cultural legacy of New York City coastal area.

The area affected by the proposed text amendment is located wholly outside of both the LPC designated Chelsea Historic District and the West Chelsea Historic District. The portion of the High Line located on these affected lots is eligible for listing on the State and National Register of Historic Places.

As part of the adoption of the 2005 West Chelsea zoning map and zoning text amendments that pre-dated the proposed action, the City Planning Commission adopted the findings associated

with the West Chelsea FEIS. Each of the above-noted receiving sites was previously identified in the West Chelsea FEIS as projected Development Site 11 and projected Development Site 17.

Development Site 11 (part of the Receiving Site) is located in proximity to the State/National Register eligible High Line. The High Line is an elevated freight rail line transformed into a public park on Manhattan's West Side. It is owned by the City of New York, and maintained and operated by Friends of the High Line. Founded in 1999 by community residents, Friends of the High Line fought for the High Line's preservation and transformation at a time when the historic structure was under the threat of demolition. It is now the non-profit conservancy working with the New York City Department of Parks and Recreation to make sure the High Line is maintained as an extraordinary public space for all visitors to enjoy. To date the High Line has not been designated as a NYC Landmark. Should this resource become designated, any construction adjacent to it would be subject to the procedures of Building Code Section 27-166 and PPN #10/88. The Receiving Site (Block 696 Lot 35) is also adjacent to the West Chelsea Historic District.

The receiving sites will not result in any adverse impacts to any designated State/National Register historic resources or any sites that are eligible for listing on the state or national register of historic resources. Consequently, the proposed action is consistent with Policy 10.

Matter in underline is new, to be added.

Matter in ~~strikeout~~ is to be deleted.

Matter with # # is defined in Section 12-10.

* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE IX
SPECIAL PURPOSE DISTRICTS

* * *

Chapter 8
Special West Chelsea District

* * *

98-33
Transfer of Development Rights from the High Line Transfer Corridor

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

* * *

(b) #Floor area#

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

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

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

The amount of #floor area# transferred to a receiving site from a granting site in the #High Line Transfer Corridor# shall not exceed the #floor area ratio# permitted on the receiving site through such transfer, pursuant to the table in Section 98-22.

(c) #Use#

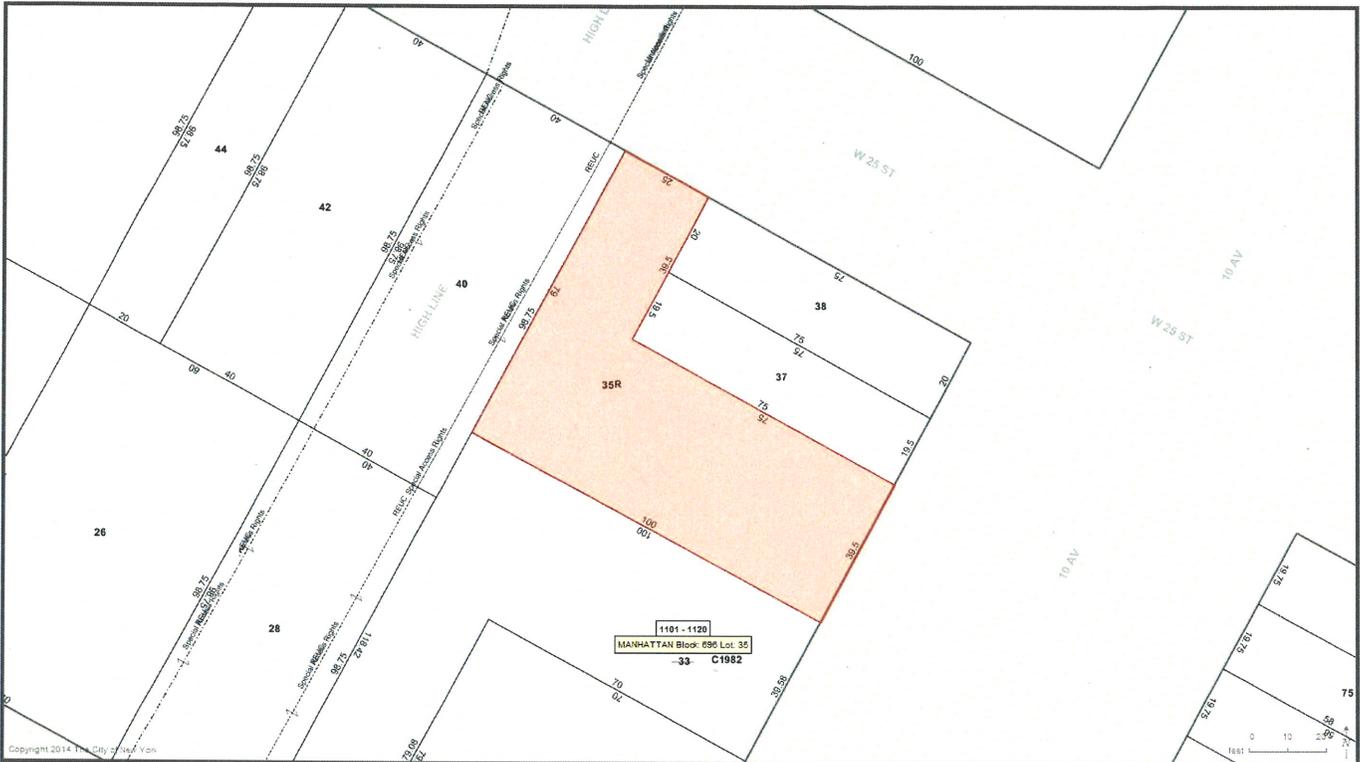
* * *

Receiving Site 1 249 Tenth Avenue (Block 696, Lot 35)	EXISTING CONDITION	NO-ACTION CONDITION	WITH- ACTION CONDITION	INCREMENT
LAND USE				
Residential	No	Yes	Yes	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units		22	38	16
No. of low- to moderate-income units		0	0	No Change
Gross floor area (sq. ft.)		18,810	32,175	12,375
Commercial	Yes	Yes	Yes	
If "yes," specify the following:				
Describe type (retail, office, other)	Parking Garage	Retail	Retail	No Change
Gross floor area (sq. ft.)	23,760	4,950	4,950	No Change
Manufacturing/Industrial	No	No	No	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	No	No	No	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	No	No	No	
If "yes," describe:				
Other Land Uses	No	No	No	
If "yes," describe:				
PARKING				
Garages	Yes	No	No	
If "yes," specify the following:				
No. of public spaces	128	0	0	No Change
No. of accessory spaces	12	0	0	No Change
Lots	No	No	No	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
ZONING				
Zoning classification	C6-3	C6-3	C6-3	No Change
Maximum amount of floor area that can be developed	37,125	37,125	37,125	No Change
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Mixed Use	Mixed Use	Mixed Use	No Change



	Borough Boundary	C50	Condo Flag/Condo Number
	Tax Block Boundary	A50	Air Right Flag/Lot Number
50	Tax Block Number	S50	Subterranean Right Flag/Lot Number
	Tax Lot Boundary	R	REUC Flag
50	Tax Lot Number		Under Water Tax Lot Boundary
50	Condo FKA Tax Lot Number		Other Boundary
50.5	Tax Lot Dimension		Possession Hook
+/-5.5	Approximate Tax Lot Dimension	Misc	Miscellaneous Text
	Condo Units Range Label		Small Tax Lot Dimension
	Building Footprint		Surface Water

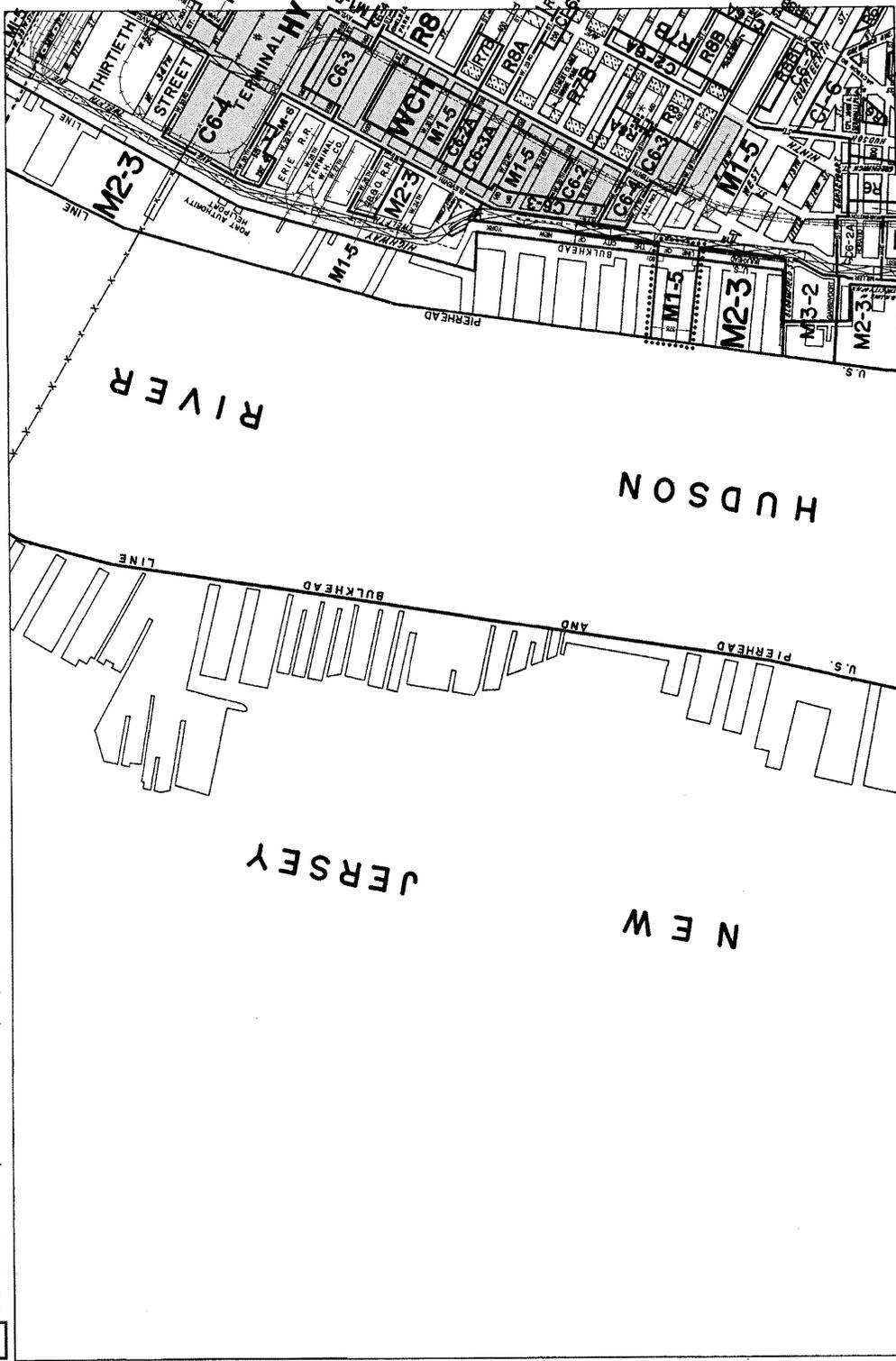
Granting Site #1
Block 694, Lot 40



	Borough Boundary	C50	Condo Flag/Condo Number
	Tax Block Boundary	A50	Air Right Flag/Lot Number
50	Tax Block Number	S50	Subterranean Right Flag/Lot Number
	Tax Lot Boundary	R	REUC Flag
50	Tax Lot Number		Under Water Tax Lot Boundary
50	Condo FKA Tax Lot Number		Other Boundary
50.5	Tax Lot Dimension		Possession Hook
+/-5.5	Approximate Tax Lot Dimension	Misc	Miscellaneous Text
	Condo Units Range Label		Small Tax Lot Dimension
	Building Footprint		Surface Water

Receiving Site #1
 Block 696, Lot 35

Click blue box on map to view sketch map of proposed map change



NOTE: STREETS FOR THE STREET MAP CHANGE C 040508MM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP 8b

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
 The number(s) and/or letter(s) that follows on R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT
 C – COMMERCIAL DISTRICT
 M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
 The letter(s) within the shaded area designates the special purpose district and is described in the text of the Zoning Resolution.

..... AREA(S) REZONED

Effective Date(s) of Rezoning:
 *12-10-2013 C 140001 ZMM
 04-09-2013 C 130100 ZMM

Special Requirements:
 For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
 For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
 For Inclusionary Housing designated projects on this map, see APPENDIX F.

MAP KEY

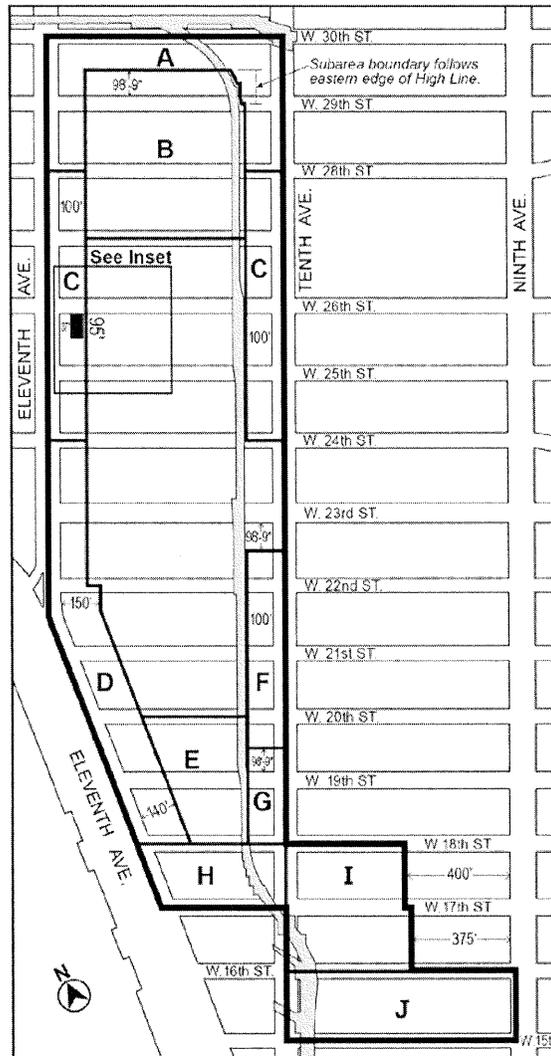
8a	8c
8b	8d
12a	12c

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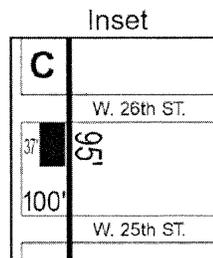
NOTE: Zoning information shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

(11/13/12)

Appendix A
Special West Chelsea District and Subareas (98A)

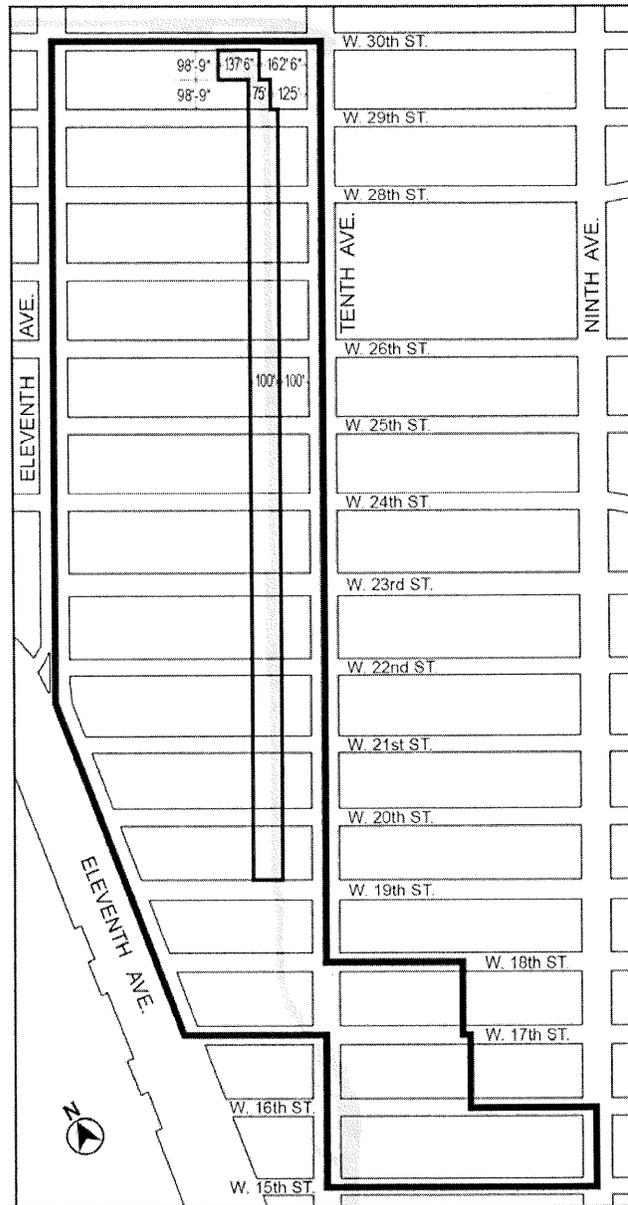


- Special West Chelsea District boundary
- Subarea boundary
- High Line
- Transit Facility



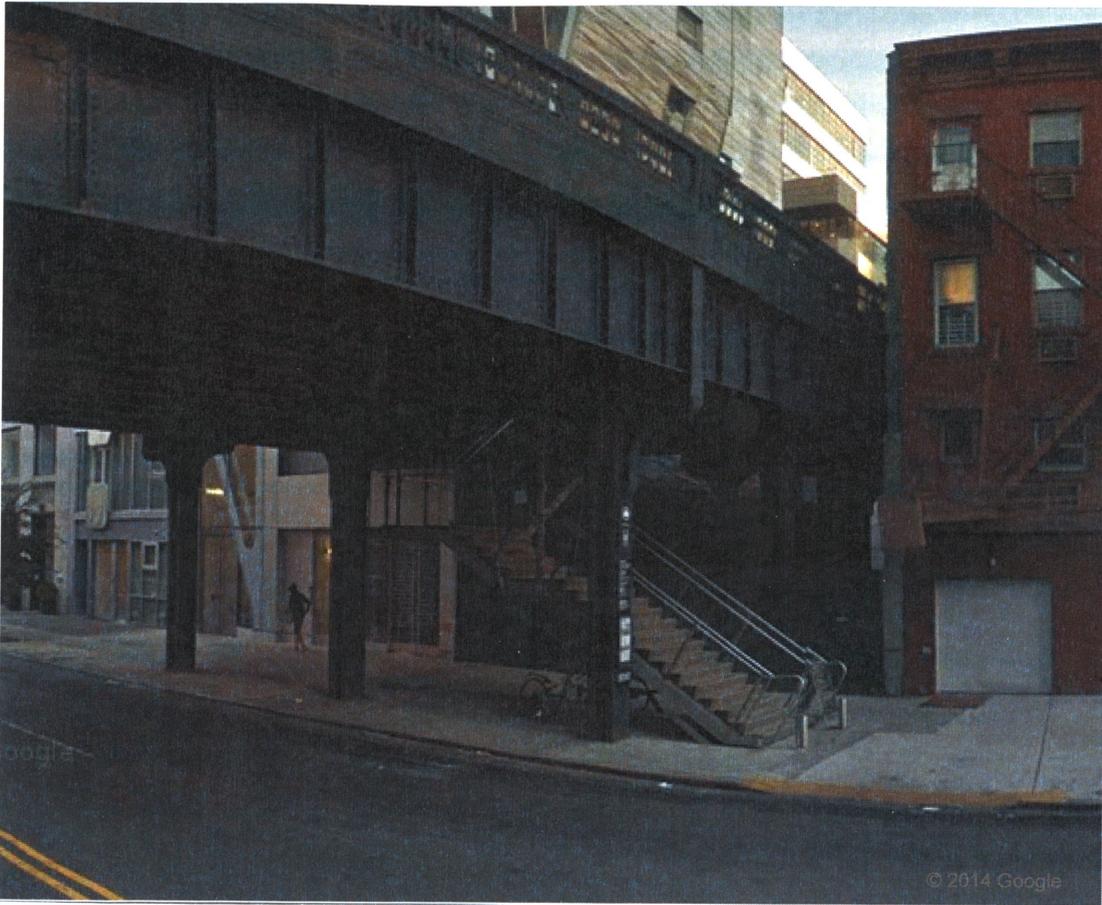
(11/13/12)

Appendix B
High Line Transfer Corridor Location (98B)



-  Special West Chelsea District
-  High Line Transfer Corridor
-  High Line

510 West 23rd Street



511 West 23rd Street

249 10th Avenue



532-34 West 20th Street

