



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

Project Identification

CEQR No. 15DCP039M
ULURP No. 150147ZSM
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

520 West 28th Street

The Applicant, 28th Highline Associates, LLC, is seeking a special permit pursuant to Section 13-45 “Special Permits for Additional Parking Spaces” and Section 13-451 of the New York City Zoning Resolution (ZR), “Additional Parking Spaces for Residential Growth.” The proposed action would facilitate a proposal by the Applicant to provide a 29-space accessory parking garage with an automated parking system within a mixed use building currently under construction on an as-of-right basis pursuant to Department of Building (DOB) permits. The proposed special permit applies to portions of the ground floor, cellar and sub-cellar levels of the building undergoing construction at the project site¹, 520 W. 28th Street (Block 699, Lot 43). The project site is located within a C6-3 Zoning District in Subarea B of the Special West Chelsea District (WCh) in the West Chelsea neighborhood of Manhattan, Community District 4. The project site is directly adjacent to the High Line, and is located within the High Line Transfer Corridor (“HLTC”).

The project site (Lot 43), an approximately 22,219 square foot (sf), “L” shaped through lot, has frontage along W. 28th Street and W. 27 Street and is accessed by three curb cuts located along W.

¹ The project site was rezoned in 2005 as part of the Special West Chelsea District Rezoning (ULURP Nos. N050161(A) ZRM and N050162(A) ZMM) from an M1-5 zoning district to a C6-3 zoning district. In connection with this rezoning, an E-Designation (E-142) related to hazardous materials and noise was assigned to Block 699, Lot 44. Since 2005, Lot 44 has been merged with and incorporated into Lot 43 (the project site). Consistent with Section 11-15 of the NYC Zoning Resolution, E-142 therefore applies to the project site.

28th and W. 27th Streets. Lot 43 is part of a larger, 34,563 square feet (sf) zoning lot that includes adjoining properties on Block 699 (Lots 22, 24, 37, 42). Uses on the adjoining lots include: a 2-story industrial building (Lot 22), a 2-story commercial building (Lot 24), a 4-story building with ground floor retail and residential on the upper floors (Lot 37), and a vacant site (Lot 42).

Currently, construction of the building cellar and sub-cellar levels is ongoing. The 188,691 gross square foot (gsf) development under construction is expected to include 40 market residential units (137,769 sf), and 11,213 gsf of retail uses, 11 accessory parking spaces located in the cellar level of the building and accessory storage in the sub-cellar. The three existing curb cuts along W. 28th and W. 27th Streets are expected to be removed, and replaced with a new proposed 12' curb cut located along W. 28th Street, to provide access to the development.

The proposed special permit pursuant to ZR Section 13-451 would allow the number of parking spaces of the proposed building to be increased from 11 to 29 spaces. The parking spaces would be distributed in the cellar and sub-cellar levels of the proposed garage. The proposed garage would utilize the same curb cut as the as-of-right development. The proposed project is anticipated to be completed in 2016.

Absent the proposed action, 11 accessory parking spaces would occupy the cellar level of the development and accessory storage space would occupy the sub-cellar level.

Statement of No Significant Effect

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 13, 2015 prepared in connection with the ULURP Application (No. 150147ZSM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement

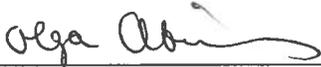
The above determination is based on an environmental assessment which finds that:

1. The requirements set forth by the E-designation (E-142) previously issued in connection with the Special West Chelsea District Rezoning (see footnote 1 above) would continue to apply to the project site pursuant to review by the New York City Office of Environmental Remediation.
2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Ingrid Young at (212) 720-3425.



Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: 2/13/2015

Carl Weisbrod, Chairman
City Planning Commission

Date: 2/17/2015