



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

REVISED NEGATIVE DECLARATION

Supersedes the Negative Declaration Issued on April 11, 2016¹

Project Identification

CEQR No. 16DCP091M
ULURP Nos. 160147ZRM,
160149ZAM, 160148ZSM
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

W. 29th Street Parking and Text Amendment

The Applicant, 221 W29 Residential LLC, is seeking a special permit to New York City Zoning Resolution (ZR) Sections 13-45 (Special Permits for Additional Parking Spaces) and 13-451(a) (Additional Parking Spaces for Residential Growth), a zoning text amendment to add a new ZR Section (ZR Section 42-486) to modify streetscape requirements in M1-6D districts, and an authorization pursuant to the proposed text amendment. Collectively, the proposed actions would facilitate a proposal by the Applicant to construct a 45 space accessory parking garage within an approximately 90,681 gross square feet (gsf) 21-story mixed-use building planned at 217-221 West 29th Street (Block 779, Lots 27 and 28, the "project site"). The project site is located within an M1-6D zoning district in the Chelsea neighborhood of Manhattan, Community District 5.

While the area affected by the proposed text amendment includes the entire M1-6D zoning district, bounded by the south side of West 30th Street to the north, west of Seventh Avenue to the east, the north side of West 28th Street to the south and east of Eighth Avenue to the west, the proposed amendment would be expected to affect the project site, Manhattan Block 779, Lots 27 and 28, and potentially two additional sites: Block 778, Lots 25 and 27, and Block 779, Lots 53, and 55. M1-6D zoning districts currently allow light manufacturing, commercial, and residential uses. ZR Section 42-485 (Streetscape Provisions in Manufacturing Districts) requires that commercial ground floor uses

¹ This Revised Negative Declaration addresses a modification by the City Planning Commission to the proposed zoning text amendment, that occurred after the Negative Declaration was issued on April 11, 2016. This document also includes a clarification related to the future No Action Scenario. The modification to the proposed zoning text amendment and clarification related to the future No Action Scenario are described in the Supporting Statement of this Revised Negative Declaration.

extend along a minimum of 50 percent of the width of the street frontage of the zoning lots and to a depth of at least 30 feet from the street wall. The proposed text amendment would modify the applicability of these streetscape provisions of ZR Section 42-485, and would create an authorization to reduce the minimum required frontage. The actions would affect zoning lots such as the project site, that meet the following criteria: (1) have street frontage of less than 75 feet but more than 50 feet; (2) are unable to meet the 50 percent retail frontage requirement because of their programming requirements; and (3) where entrances to off-street parking or loading facilities are located along such street frontage.

The proposed text amendment and authorization would permit the proposed building at the project site to be occupied with retail frontage to a width of 26 feet and a depth of between 19 and 28 feet. The proposed special permit would allow the future parking garage to contain 45 parking spaces; 19 parking spaces would otherwise be permitted, but not required, per the regulations set forth in ZR Section 13-11(a), which states that accessory off-street parking spaces for residential uses are allowed in an amount equal to 20% of the total number of dwelling units.

In total, the proposed actions would allow for the project site to be developed with a 45-space accessory parking garage within a planned mixed-use building totaling approximately 90,681 gsf and containing: 80,750 gsf of Use Group (UG) 2 residential uses (95 dwelling units), with 20 percent of the residential floor area being affordable; and 735 gsf of UG 6 commercial (local retail) space. The proposed parking would be located on the ground and sub-cellar levels. Five parking spaces would be located on the ground floor. The cellar would contain accessory storage space and amenity space for the residential units. The sub-cellar would contain 40 parking spaces. The existing curb-cut, which currently extends across the entire length of the site (approximately 60 feet), would be narrowed to 15 feet for the proposed parking garage entrance. Absent the proposed actions, for analysis purposes, the Applicant would redevelop the project site pursuant to the existing zoning provisions, with an 80,750 gsf mixed use building, containing 95 residential units, 4,485 gsf of retail and lobby spaces on the ground floor, and no parking spaces. The cellar and sub-cellar space would be utilized for accessory residential amenity and retail storage uses.

The analysis year for the proposed project is 2018.

In addition to facilitating the proposed project at the project site, the proposed actions have the potential to facilitate development at two other parcels: Manhattan Block 779, Lots 53 and 55 ("Site 2"); and Block 778, Lots 25 and 27 ("Site 3"), which are not under the control of the Applicant. Site 2 contains two, 2-story buildings totaling 11,603 gsf of commercial floor area. Site 3 contains a 2-story wholesale supply facility (Lot 27) and a 2-story building with ground floor retail and second floor office space (Lot 25). For these properties to be redeveloped with mixed use buildings that provide parking, future authorizations under the proposed text amendment (ZR Section 42-486) would be required. The proposed text amendment would only affect the proposed ground floor uses of the development sites. All other aspects would be governed by existing zoning. A conceptual analysis has been conducted which considers the potential for these properties to be redeveloped under the proposed ZR Section 42-486. As a result of the proposed text amendment, Site 2 could be redeveloped with 3,820 gsf of parking area (19 spaces), 81,218 gsf of residential uses, and 739 gsf of commercial retail uses at the ground floor. Site 3 could be redeveloped with 3,700 gsf of parking area (19 spaces), 78,701 gsf of

commercial uses, and 716 gsf of commercial retail uses at the ground floor. Absent the proposed action, it is assumed that these sites would be redeveloped pursuant to the existing zoning provisions, which could result in the development an 81,218 gsf mixed use building containing no parking on Site 2, and a 78,701 gsf building containing no parking on Site 3. Combined with the project site, the proposed actions could result in 16,520 gsf of parking area (83 spaces), and 240,669 gsf of commercial and residential uses. The total incremental increase that could be developed as a result of the proposed action is 16,520 gsf of parking area (83 spaces).

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 Revised Environmental Assessment Statement, dated September 2, 2016, prepared in connection with the ULURP Application (Nos. 160147ZRM, 160149ZAM, and 160148ZSM). The City Planning Commission has determined that the proposed actions 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. In 2011, the CPC adopted the West 28th Street Rezoning (CEQR No. 10DCP004M). In connection with the West 28th Street Rezoning proposal, an Environmental Assessment Statement was issued on April 21st, 2011. An (E) designation (E-276) related to hazardous materials, air quality and noise was assigned to Projected Development Site 5 (Block 779, Lots 27 and 28). The (E) designation would continue to apply to these sites.
2. Subsequent to the issuance of an Environmental Assessment Statement (EAS) on April 8, 2016 and a Negative Declaration on April 11, 2016, a Revised EAS was issued on September 2, 2016. The Revised EAS considers a City Planning Commission modification to the authorization pursuant to the proposed zoning text amendment. The Commission modification adds a finding to the proposed authorization that would encourage, to the greatest extent feasible, the provision of a ground floor (in buildings located in M1-6D districts seeking the proposed authorization), that meets the height requirements of a qualifying ground floor under the NYC Zoning Resolution Zoning for Quality and Affordability requirements.

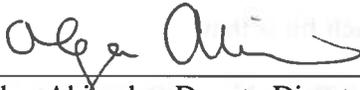
The Revised EAS also includes a clarification in the analysis framework related to the future No Action Scenario. The Applicant has filed as-of-right plans approved by the Department of Buildings (DOB), but, absent the proposed actions, the Applicant has stated that the current development may face several different outcomes, including the possibility that no parking will be provided on the project site. The Revised EAS therefore explains that for analysis purposes, it was conservatively assumed that absent the proposed actions, development on the project site would not contain accessory parking spaces.

As detailed in the Revised EAS, it was determined that the change to the proposed text amendment and the clarified analysis framework would not have the potential for significant adverse impacts on the environment and would not alter the conclusions of the previous environmental review.

3. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

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

Should you have any questions pertaining to this Revised Negative Declaration, you may contact Annabelle Meunier at (212) 720-3426.



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

Date: September 2, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: September 6, 2016