

Special West Chelsea District Rezoning and High Line Open Space EIS
CHAPTER 1: PROJECT DESCRIPTION

INTRODUCTION

The proposed action analyzed in this Final Environmental Impact Statement (FEIS) consists of applications for both zoning map and text amendments (refer to Figure 1-1, Proposed Zoning and Appendix A for the proposed text amendments in their entirety) and Acquisition and Site Selection actions to facilitate the proposed High Line publicly accessible open space.

In addition to an analysis of the proposed action, the FEIS also analyzes a range of alternatives to the proposed action. Among the alternatives considered, Alternative F, the *Revised Affordable Housing Alternative*, which is described and analyzed in Chapter 23, “Alternatives,” was proposed by the New York City Department of City Planning (DCP) largely in response to public comments received during the land use review process, and is, therefore, under particularly active consideration by the lead agency, the City Planning Commission (CPC). The *Revised Affordable Housing Alternative* is entirely new and replaces the Affordable Housing Alternative contained in the DEIS. Upon completion of the environmental review process, it is possible, in accordance with SEQRA and CEQR, that the CPC will select an alternative, rather than the proposed action. The modified ULURP application [(N 050161(A) ZRM) and (C050162(A) ZMM)] for the zoning map and text amendments (analyzed in Alternative F) were filed by the DCP on March 3, 2005 and are contained in their entirety in Appendix A.1.b.

The New York City Department of City Planning (NYC DCP) is proposing to rezone portions of the West Chelsea area in Manhattan Community District 4 (refer to Figure 1-2, Existing Zoning). The rezoning area is generally bounded by W. 30th Street, W. 17th Street, Tenth Avenue, and Eleventh Avenue (the rezoning area also includes the east side of Tenth Avenue between W. 16th and W. 18th Streets to a point 400 feet east of Tenth Avenue). The proposed action, discussed in detail below, would change the existing M1-5 zoning district, mapped over much of the rezoning area, to C6-2, C6-3 and C6-4 zoning districts and the existing MX-3 zoning district (M1-5/R8-A and M1-5/R9A mixed-use districts), mapped between W. 22nd and W. 24th Streets, to C6-2A and C6-3A zoning districts. The existing M1-5 district would be retained in the midblocks between W. 20th and W. 22nd Streets and W. 24th and W. 27th Streets. The proposed action also includes zoning text amendments to Article IX (Special Purpose Districts) of the New York City Zoning Resolution (ZR) pertaining to the establishment of the Special West Chelsea District (refer to Appendix A for the proposed text amendments in their entirety). The proposed zoning map and text amendments would require approval by the ~~City Planning Commission (CPC)~~ and the City Council.

Also included in the proposed action is the acquisition and site selection action of the High Line to facilitate its conversion to a publicly accessible open space. This includes the High Line elevated

Figure 1-1
Proposed Zoning

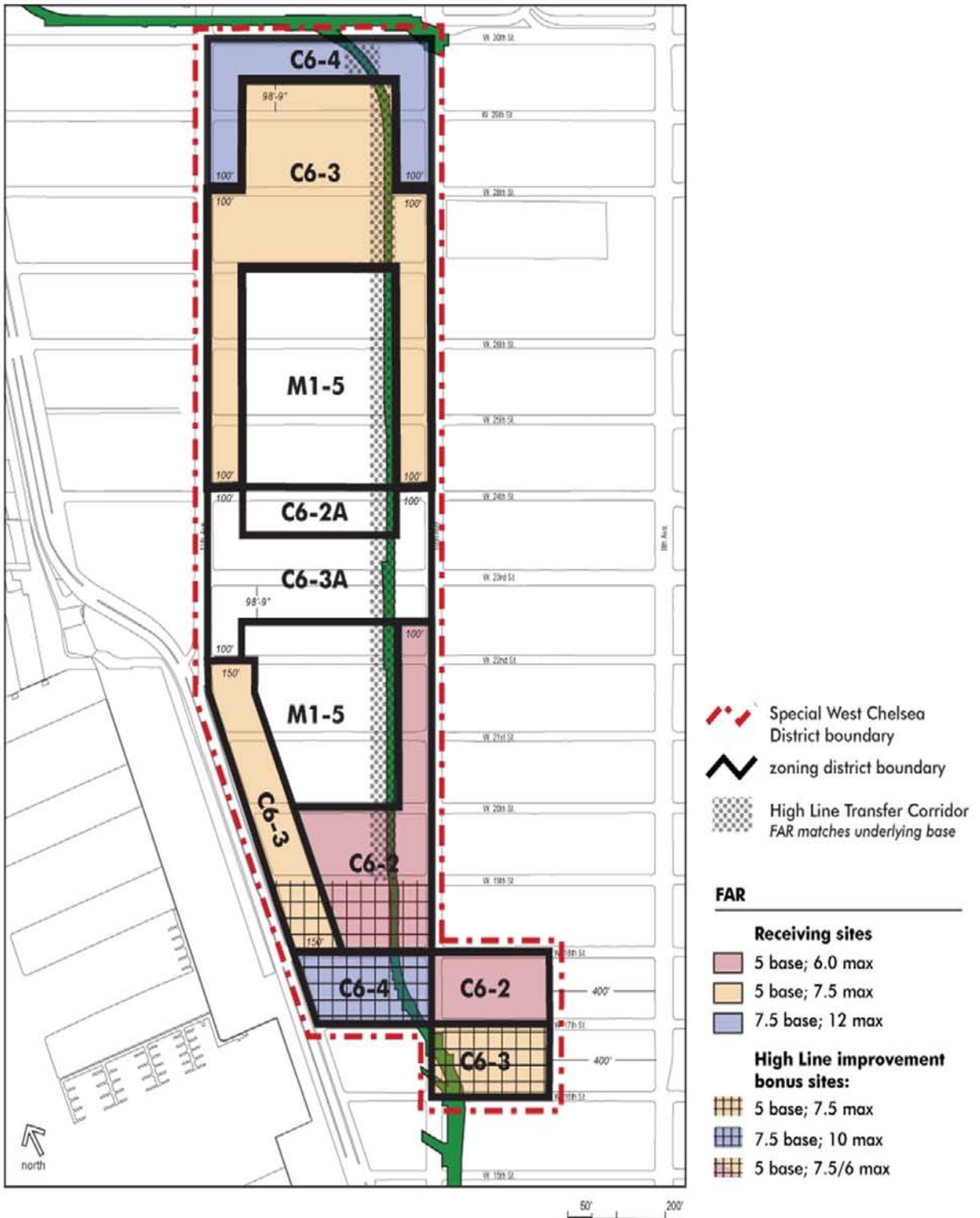
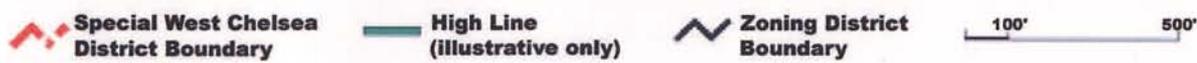
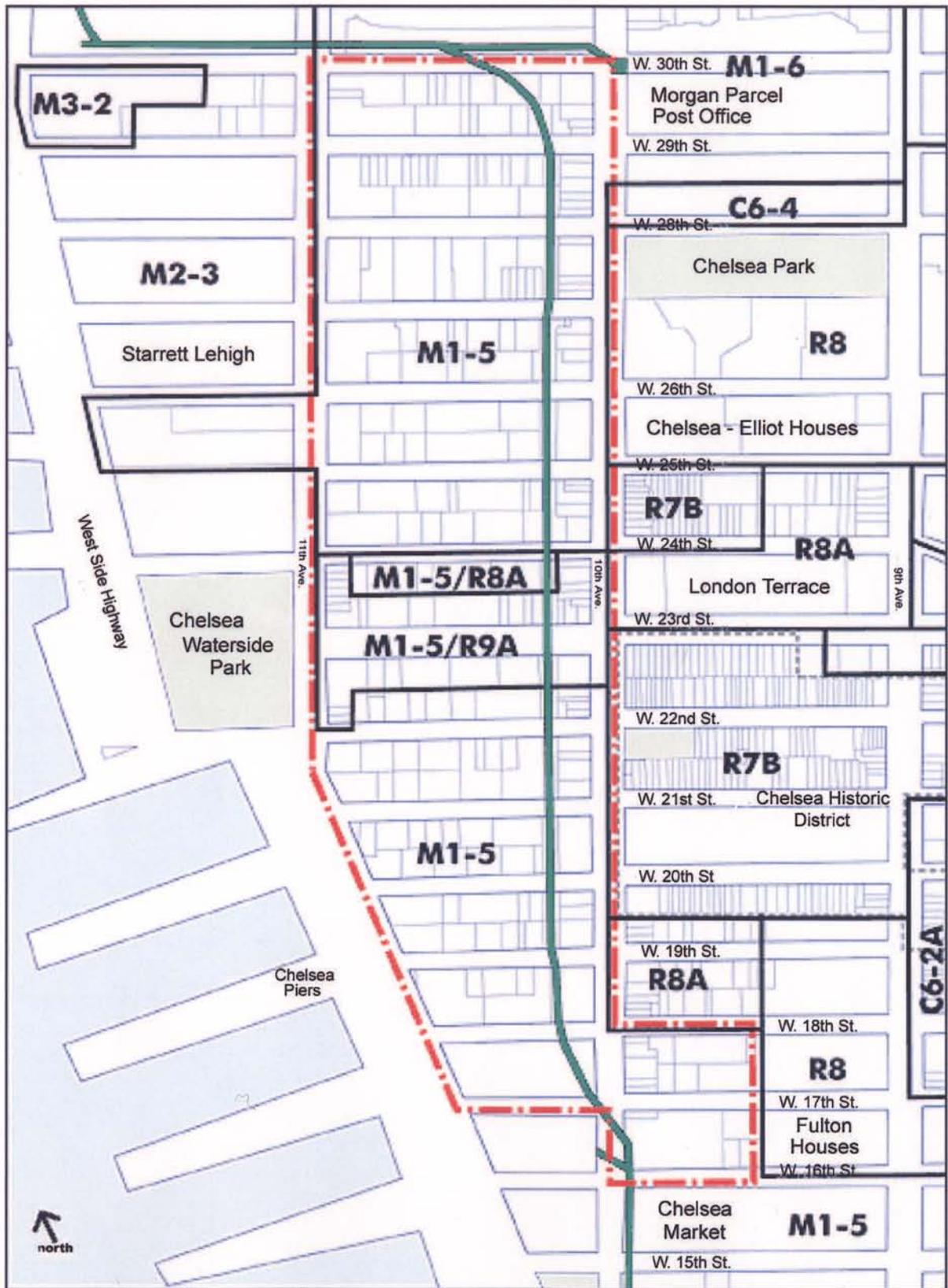


Figure 1-2
Existing Zoning



structure extending from Eleventh Avenue and W. 30th Street to its southern terminus at Gansevoort Street. It also includes the Post Office spur north of W. 30th Street and east of Tenth Avenue. The entire length of the High Line open space would be publicly accessible. The section of the High Line west of Eleventh Avenue is not part of the proposed action. Accordingly, the proposed action area includes the rezoning area and the portion of the High Line that would be acquired by the City to facilitate its conversion to publicly accessible 6.7 5.9-acre open space. Regulations specific to the Special District would include: a mechanism to allow the transfer of floor area from lots occupied by the High Line and immediately to the west, to designated receiving sites for new residential and commercial development; special bulk controls to regulate the height and massing of buildings throughout the Special District; and a floor area bonus in exchange for providing access to and improvement of the High Line open space.

It should be noted that portions of the West Chelsea project area are also included as part of the FGEIS for the No. 7 Subway Extension-Hudson Yards Rezoning and Development Program: the portion of the High Line north of W. 30th Street falls within the proposed Special Hudson Yards District; the segment of Eleventh Avenue, between W. 24th and W. 30th Street is part of the proposed alignment of the No. 7 Subway Extension; and the western portion of Block 697 (bounded by W. 25th and W. 26th Streets and Tenth and Eleventh Avenues) will be acquired for use by New York City Transit (NYCT) to serve as the launch site of the tunnel boring machine during subway construction, and, after completion of the subway, to provide for ancillary subway system space. The creation of the proposed High Line publicly accessible open space and the use of zoning bonuses related to improvements of the High Line and the transfer of development rights from the High Line Transfer Corridor, included in the proposed action, are contingent on the City receiving a Certificate of Interim Trail Use (CITU) for the High Line. The CITU is necessary to allow the City to change the High Line to a non-railroad use as the federal government has jurisdiction over railroad corridors used for interstate commerce, including inactive lines such as the High Line [refer to 49 CFR § 1152.29(d)(1)]. In December, 2002, the City filed a request with the Surface Transportation Board (STB) for a CITU for the High Line, which was still pending at the time the EIS was being prepared.

In the event a CITU is not issued, the proposed High Line publicly accessible open space would not be created and the transfer of development rights mechanism and the floor area bonus for High Line Access and Improvement would not be available, as those provisions of the proposed Special District are contingent on the CITU. Therefore, this ~~DEIS~~ FEIS considers two scenarios for analysis: one in which the CITU is issued and the High Line is converted to publicly accessible open space; and a second scenario (“Base FAR Scenario”) in which the CITU is not issued, the High Line remains in its current state and any zoning bonuses and transfer of development rights associated with the High Line would be unavailable. Both of these scenarios are described in greater detail below.

PURPOSE AND NEED

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 finest art gallery districts. The majority

of the galleries are located on the midblocks 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.

Despite this change in use, however, West Chelsea continues to be dominated by underused buildings, auto-related uses and parking lots. This is due primarily to the existing zoning, which permits commercial and manufacturing uses but prohibits residential use. As a result, the vibrant residential core of Chelsea, located to the east of Tenth Avenue, has not been able to move west. The rezoning of W. 23rd Street in West Chelsea in 1999 and the subsequent construction of three residential buildings on this block is testament to the strong housing demand in West Chelsea. The proposed rezoning would allow for new residential and commercial uses in West Chelsea, while encouraging the continued growth of the area's vibrant art gallery district.

A prominent reminder of West Chelsea's industrial history is the High Line elevated rail line, constructed in 1930 and running generally parallel to Tenth Avenue. Unused since 1990 and now covered with flora, the City, in partnership with the non-profit Friends of the High Line, is developing plans for the reuse of the structure for public open space. The City has applied to the federal STB for a CITU to convert the High Line into public open space. The proposed rezoning would provide mechanisms to facilitate the reuse of the High Line, and ensure compatible development adjacent to the new open space.

In summary, the purpose of the proposed action is to:

- Encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood;
- Encourage the development of residential uses along appropriate avenues and streets;
- Encourage and support the growth of arts-related uses;
- Facilitate the restoration and reuse of the High Line elevated rail line as an accessible, public open space through special height and setback regulations, High Line improvement bonuses and the transfer of development rights from the High Line transfer corridor;
- Ensure that the form and use of new buildings relate to and enhance neighborhood character and the High Line open space;
- Create and provide a transition to the lower-scale Chelsea Historic District to the east and the Hudson Yards area to the north.

The proposed zoning map and text amendments would provide opportunities for new residential development on underutilized and vacant land, formerly used for manufacturing, where there is no longer a concentration of industrial activity and where strong demand for housing exists. It would permit a range of densities and building types that are appropriate to the existing built character both within West Chelsea and along its edges. Generally, the proposed rezoning is divided into areas of

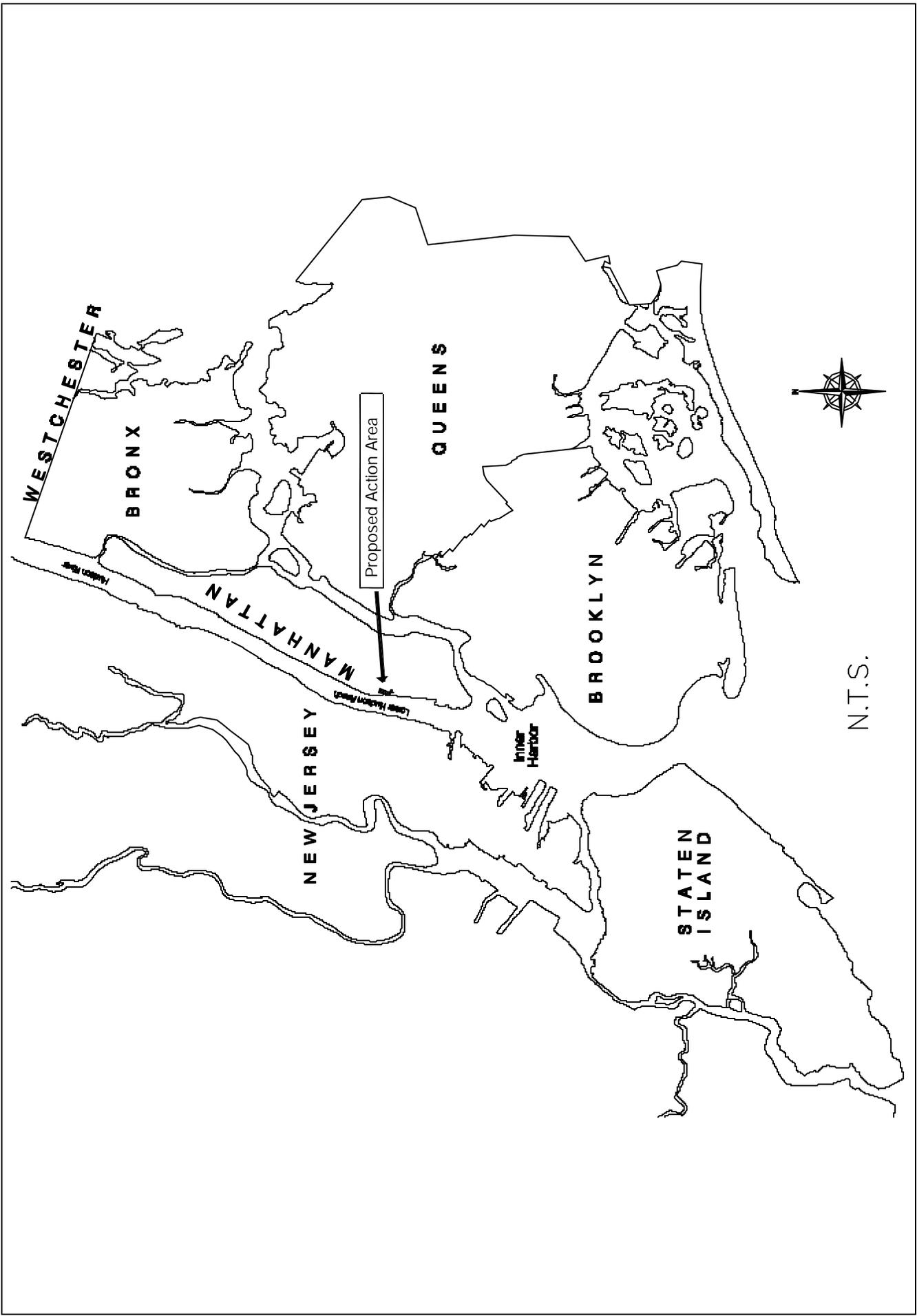
lower- and medium-density districts that mandate street wall buildings with maximum building heights, and medium- and higher-density districts that permit a tower-on-a-base form. In addition, special bulk regulations for developments adjacent to the High Line would ensure light, air and views surrounding the structure are protected. The proposed zoning map and text amendments would bring existing non-conforming residential uses into conformance and allow for their enlargement. In addition, it would prohibit residential use in the area's midblock core in order to deter displacement of art galleries and commercial and industrial uses. In general, the proposed action would provide the land use controls necessary for appropriate residential development and the continued presence of viable commercial and compatible uses within those areas where such uses are clustered.

DESCRIPTION OF THE PROPOSED ACTION

West Chelsea is located on the far west side of Manhattan along the Hudson River, lying between the West Village and the Gansevoort Historic District to the south and the Hudson Yards area to the north. The project area's location within New York City is shown in Figure 1-3, Location Map. As its name suggests, it forms the western edge of the Chelsea neighborhood, though in many respects it is distinguished from the rest of Chelsea by its historical land use and the characteristics of its built environment. As noted above, the rezoning area in which the proposed Special West Chelsea District would be established encompasses 13 whole and 2 partial blocks. The rezoning area boundary is shown in Figure 1-4. The tax blocks and lots in the rezoning area are listed in Table 1-1.

The proposed action would allow residential and commercial uses along Tenth and Eleventh Avenues and the midblocks between W. 16th and W. 20th Streets, and W. 27th and W. 30th Streets. C6 districts would be mapped within the rezoned areas, permitting residential and a broad range of commercial uses, consistent with the existing mixed use character of West Chelsea.

The zoning changes would permit the lowest density (maximum 6.0 FAR) in the areas closest to the low-scale Chelsea Historic District – along the west side of Tenth Avenue between W. 18th and W. 22nd Streets, the east side of Tenth Avenue between W. 17th and W. 18th streets, and the midblocks between W. 18th and W. 20th Streets. Densities would increase away from the Historic District, to medium density (maximum 7.5 FAR) along Tenth Avenue to the north of W. 24th Street and south of W. 18th Street, Eleventh Avenue, and the midblocks between W. 27th and W. 29th streets. The highest densities (maximum 10 and 12 FAR) would be permitted along the edges of the Special District, on the full block site bounded by W. 17th and W. 18th Streets, Tenth and Eleventh Avenues, and at the northern edge of the Special District, as West Chelsea transitions to the higher densities proposed in the adjacent Special Hudson Yards District.



SPECIAL WEST CHELSEA DISTRICT REZONING AND HIGH LINE OPEN SPACE EIS

**Figure 1-3
Project Location**

Project Area: Rezoning Area Boundary and High Line Open Space Area



LEGEND

— — — Rezoning Area

Scale: 1 inch = 900 feet



Table 1-1, List of Blocks and Lots Affected by Proposed West Chelsea Rezoning

Block	Lot
689 (all lots):	17
690 (all lots):	12, 20, 29, 40, 42, 46, 54
691 (all lots):	1, 11, 15, 19, 22, 24, 25, 27, 29, 33, 35, 37, 39, 41, 43, 50
692 (all lots):	7, 11, 15, 19, 23, 27, 28, 30, 41, 47, 51, 52, 53, 57, 61, 63
693 (all lots):	1, 8, 10, 14, 18, 23, 28, 31, 34, 36, 37, 44, 46, 48, 56, 59, 64, condominium no. 1134 (old 51) [1001 to 1014]
694 (all lots):	1, 2, 5, 7, 9, 12, 14, 17, 30, 31, 32, 33, 39, 40, 42, 47, 58, 60, 61, 65, condominium no. 964 (old 20)
695 (all lots):	1, 3, 4, 6, 7, 12, 15, 23, 26, 27, 30, 31, 34, 35, 37, 39, 40, 44, 47, 57, 59, 65, 67, 68, 69, 70, condominium no. 979 (old 36), condominium no. 1019 (old 24) [1999-00]
696 (all lots):	1, 10, 13, 20, 28, 32, 33, 35, 37, 38, 42, 44, 49, 53, 54, 58, 65, condominium no. 1228 (old 16) [1001, 1002]
697 (all lots):	1, 5, 8, 10, 13, 23, 27, 31, 42, 47, 56, 60
698 (all lots):	1, 6, 10, 16, 18, 28, 32, 35, 37, 40, 44, 47, 49, 54, 56, 57, 61, 141
699 (all lots):	1, 5, 9, 14, 22, 23, 24, 25, 26, 27, 31, 32, 33, 37, 44, 49, 63, condominium no. 672 (old 30) [1001 to 1005]
700 (all lots):	1, 9, 18, 27, 29, 30, 31, 32, 34, 36, 38, 40, 42, 44, 45, 47, 48, 49, 53, 54, 55, 56, 57, 59, 60, 61
701 (all lots):	1, 16, 22, 23, 24, 28, 30, 33, 35, 36, 37, 42, 43, 45, 52, 55, 56, 58, 59, 62, 68, 70
714: (partial):	1, 14, 16, 31 (partial), 63
715: (partial):	1, 2, 3, 5, 7, 10 (partial), 50, 59, 60, 63, 64

The proposed action would ensure that the majority of new development in West Chelsea is consistent with the high street wall loft and walk-up apartment building character of the area. Minimum and maximum streetwall heights and overall building heights would be mandated, with the lowest heights (120 feet) required in the lowest density districts adjacent to the Chelsea Historic District, and slightly higher heights (135 feet and 145 feet) in the medium density districts. Special bulk regulations for developments adjacent to the High Line would ensure that light, air and views are protected, but would also provide for a variety of building forms to allow for a dynamic visual experience along the length of the High Line. A tower-on-a-base form would also be permitted where appropriate – on the sites adjacent to the 25-story Fulton Houses towers between W. 16th and W. 18th Streets, across from Chelsea Piers and the Hudson River waterfront between W. 17th and W. 22nd Streets, and in the areas just south of Hudson Yards.

The proposed acquisition and site selection actions include the portion of the High Line extending from W. 30th Street and Eleventh Avenue on the north to its southern terminus at Gansevoort Street, including the portions of the High Line that intersect 5 blocks south of the rezoning area. The portion proposed to be converted to publicly accessible open space extends from the south side of W. 30th Street to the High Line’s southern terminus at Gansevoort Street.

The Dia Art Foundation recently announced plans to relocate from its existing space on W. 22nd Street to a new facility to be built on property located at 820 Washington Street, at the southern entrance to the High Line. The 820 Washington Street property is presently owned by the City and its disposition to Dia is subject to public review and requires City approval. Dia is considering either selling or leasing its W. 22nd Street buildings if the 820 Washington Street proposal is approved by the City.

Zoning Map Amendments

The proposed action would establish the Special West Chelsea District, a special purpose zoning district designated by the letters WCh. The proposed district would consist of C6-2, C6-2A, C6-3, C6-3A, C6-4, and M1-5 underlying zoning districts and would contain special provisions regarding use and bulk. These special provisions would apply to new developments and enlargements and are discussed in greater detail below under *Zoning Text Amendments*.

The Special District would include 13 whole and two partial blocks in Manhattan Community District 4. The area would include all of the blocks bounded by W. 30th Street on the north, Tenth Avenue on the east, W. 17th Street on the south, and Eleventh Avenue on the west. It would also include parts of two blocks bounded by W. 18th Street on the north, a line 400 feet east of and parallel to Tenth Avenue on the east, W. 16th Street on the south, and Tenth Avenue on the west.

The proposed action would change the existing M1-5 zoning district, mapped over much of the rezoning area, to C6-2, C6-3 and C6-4 zoning districts. The existing M1-5/R8-A and M1-5/R9A mixed-use districts, mapped between W. 22nd and W. 24th Streets, would be changed to C6-2A and C6-3A zoning districts. The existing M1-5 district would be retained in the midblocks between W. 20th and W. 22nd Streets and W. 24th and W. 27th Streets.

More specifically, the proposed action would rezone portions of the existing M1-5 district, which allows light manufacturing and commercial uses with an FAR of 5.0, to a C6-2 zoning district. The C6-2 district would generally be mapped along the west side of Tenth Avenue, between W. 18th and W. 22nd Streets, the midblock area between W. 18th and W. 20th Streets, and the east side of Tenth Avenue between W. 17th and W. 18th Streets. The C6-2 zoning district allows commercial and residential uses to an FAR of 6.0.

A portion of the M1-5 district would be changed to a C6-3 district, which permits commercial and residential uses built to an FAR of 7.5. The proposed C6-3 zoning district would be mapped along the west side of Tenth Avenue, from W. 24th to W. 28th Streets, the east side of Eleventh Avenue, between W. 18th and W. 28th Streets, the east side of Tenth Avenue, between W. 16th and W. 17th Streets and the midblocks generally between W. 27th and W. 30th Streets.

The remaining portions of the M1-5 district proposed to be rezoned would be changed to a C6-4 zoning district, which allows commercial and residential uses built to an FAR of 10. The C6-4 district would be mapped along the south side of W. 30th Street, between Tenth and Eleventh

Avenues, the east side of Eleventh Avenue, between W. 28th and W. 30th Streets, the west side of Tenth Avenue, between W. 28th and W. 30th Streets and the full-block bounded by W. 17th and W. 18th Streets and Tenth and Eleventh Avenues. With the exception of the block between W. 17th and W. 18th Streets, the C6-4 District would also allow utilization of the Inclusionary Housing Bonus, which permits an increase from 10 to 12 FAR.

The MX-3 Special Mixed-Use District, which is comprised of an M1-5/R8A district and an M1-5/R9A district, is currently mapped along W. 23rd Street and the south side of W. 24th Street. Both the M1-5/R8A and M1-5/R9A allow commercial and manufacturing uses to a maximum FAR of 5.0. However, the M1-5/R8A district allows residential and community facility uses at 6.02 and 6.50 FAR, respectively, while the M1-5/R9A district allows residential and community facility uses at 7.52 FAR. The proposed action would change the existing MX-3 district to contextual C6-2A and C6-3A zoning districts and incorporate them into the Special West Chelsea District. The existing M1-5/R8A zoning district would be changed to a C6-2A zoning district, which would be mapped over the midblock area along the south side of W. 24th Street. The C6-2A district would allow commercial and residential uses to an FAR of 6.0 and 6.02, respectively. The existing M1-5/R9A district, generally located along W. 23rd Street, the east side of Eleventh Avenue between W. 22nd and W. 24th Streets and the west side of Tenth Avenue, between W. 22nd and W. 24th Streets, would be changed to a C6-3A zoning district. The C6-3A district allows commercial and residential uses built to an FAR of 7.5 and 7.52, respectively. Both of these districts are contextual zoning districts, which include height and setback requirements intended to maintain compatibility with adjacent buildings and the overall built character of the area.

The existing M1-5 zoning district allows accessory parking at a rate of one space per 4,000 square feet of floor area (or 100 spaces, whichever is less). With the proposed action, the entire Special District would be subject to the parking provisions of the proposed underlying C6-2, C6-2A, C6-3, C6-3A, C6-4 and M1-5 zoning districts. The maximum number of accessory residential parking spaces allowed by the underlying C6 zoning districts is 20 percent of the number of dwelling units (or 200 spaces, whichever is less). For commercial and community facility uses, the maximum number of accessory parking spaces is one space per 4,000 square feet of floor area (or 100 spaces, whichever is less).

Portions of the rezoned areas would have both a base floor area ratio (FAR) and a maximum FAR. Under the proposed Special District regulations, the FAR in these portions could be increased to the maximum through the purchase of development rights from the proposed Special District's High Line Transfer Corridor. In addition, floor area could be increased through bonuses related to access to, improvement, and enhancement of the High Line. The base FAR for a C6-2 district is 5.0 and the maximum FAR is 6.0. The base FAR for a C6-3 district is 5.0 and the maximum FAR is 7.5. The base FAR for a C6-4 district is 7.5 and the maximum FAR is 10.0. The FAR could also increase in the C6-4 districts in the northern blocks of the Special District through use of current Inclusionary Housing Bonus provisions.

As described in greater detail in subsequent chapters of the ~~DEIS~~ FEIS, the proposed zoning map amendments include the placement of an (E) Designation on several tax lots identified as development sites and expected to be redeveloped as a result of the proposed action. An (E) designation would be placed on the amended zoning map to denote certain parcels where the proposed action has the potential to result in significant adverse hazardous materials, air quality, or noise impacts. The (E) designation would ensure that these properties would not be redeveloped unless necessary remedial measures are implemented. Potential Development Sites 46 through 53, currently located in the MX-3 mixed-use district, mapped as part of the Chelsea Rezoning (CEQR No. 99DCP030M), contain noise attenuation requirements mandated by the MX-3 district, pursuant to ZR Section 123-32. As part of the proposed action, the MX-3 district would be eliminated and mapped with underlying contextual C6-2A and C6-3A zoning districts. In order to ensure that the noise attenuation requirements continue to apply to these sites once the MX-3 district is eliminated, these sites have been included in both the future with and future without the proposed action. No incremental development is expected on these sites as a result of the proposed action.

Zoning Text Amendments

The proposed action includes an amendment to Article IX (Special Purpose Districts) of the New York City Zoning Resolution (ZR) pertaining to the establishment of the Special West Chelsea District (refer to Appendix A for the proposed text amendments in their entirety).

The proposed Special West Chelsea District includes modifications to the underlying density, use and bulk regulations to further the goals of the special district. The Special District would be divided into nine subareas (Subareas A through I) differing from one another in density and bulk (shown in Figure 1-5, Special West Chelsea District and Subareas). A High Line Transfer Corridor would also be mapped within the Special District, specifying the lots from which floor area could be transferred (shown in Figure 1-6, High Line Transfer Corridor Location).

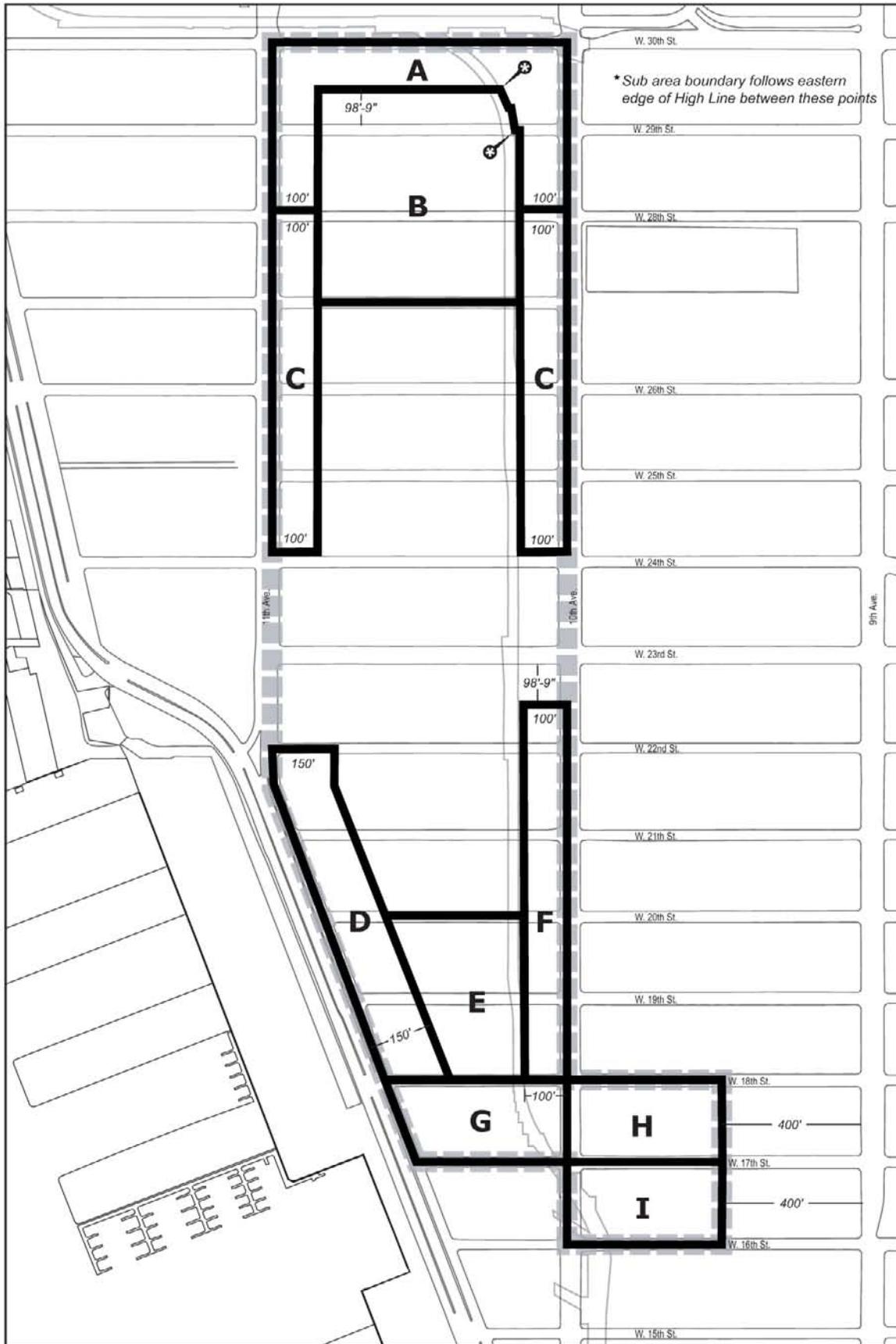
FLOOR AREA REGULATIONS

Floor Area Ratio by Subareas

- * C6-2, C6-3, and C6-4 districts would have both basic maximum floor area ratios (FAR) for commercial, community facility, and residential uses, which could be increased to a total maximum allowable FAR through three possible mechanisms: 1) increase in FAR via transfer of development rights from High Line Transfer Corridor; 2) increase in FAR via High Line Improvement Bonus; and 3) Increase in FAR via Inclusionary Housing Bonus. Typical regulations regarding floor area or density bonuses for plazas would not apply. The permitted basic and total FARs would vary according to Subarea, as shown in Table 1-2. In certain subareas, more than one increase in FAR would be permitted.

Note 1: Within Subareas A, B, and E, the applicable basic maximum FAR of that portion of the zoning lot within the High Line Transfer Corridor may be increased up to a maximum

Figure 1-5
Special West Chelsea District and Sub Areas



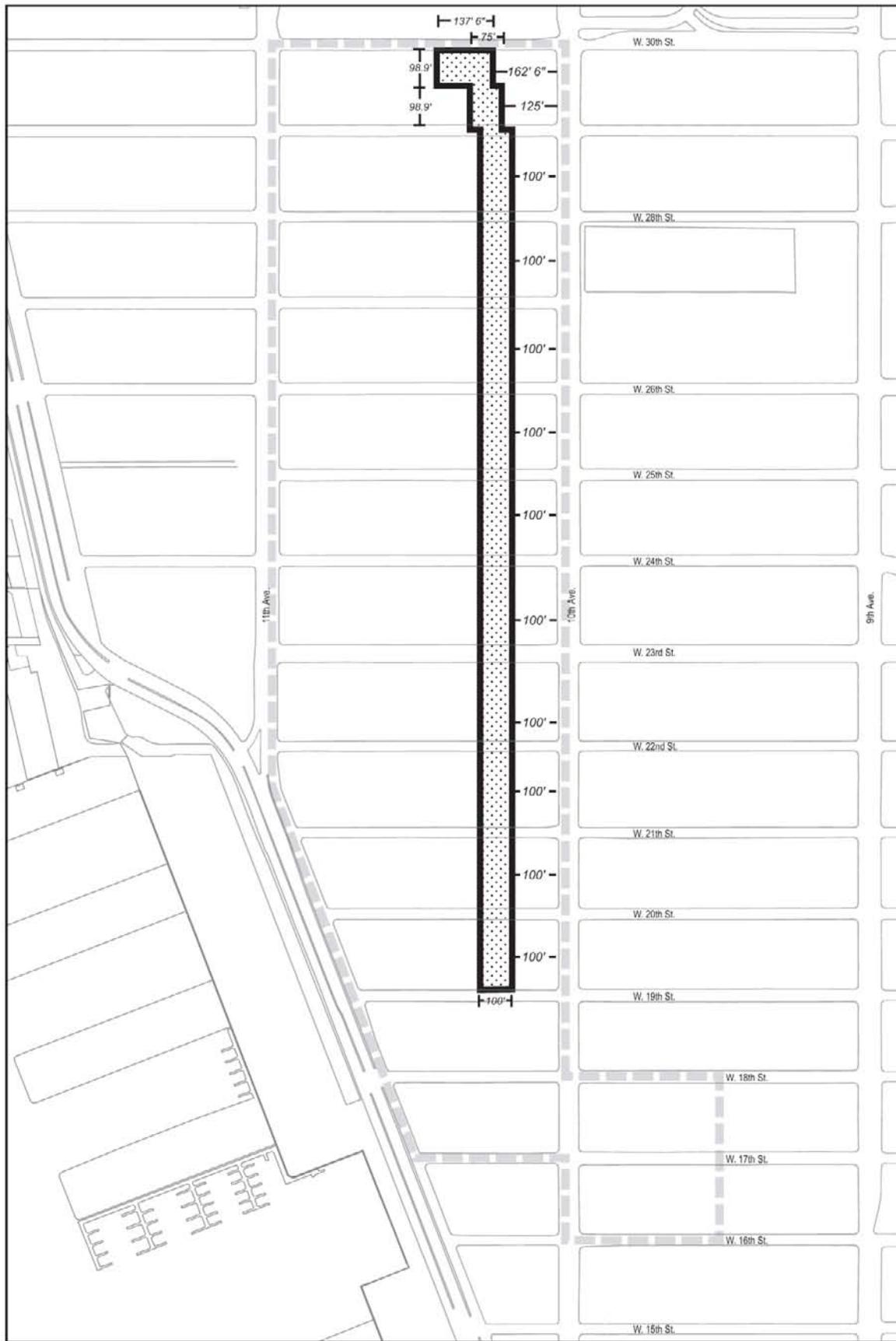
Special West Chelsea District boundary

Sub Area boundary

50' 200'



Figure 1-6
High Line Transfer Corridor



Special West Chelsea District boundary

High Line Transfer Corridor

50' 200'

north

of 1.0, provided that all of the permitted floor area within the High Line Transfer Corridor has been transferred to an eligible receiving site, the portion of the zoning lot within the Transfer Corridor is vacant, except for any portions of the High Line, and a contribution of \$50.00 per square foot of bonus floor area has been made to the High Line Improvement Fund. Such bonus floor area shall only be used for permitted commercial use.

Table 1-2, Proposed WC District Maximum FAR by Subarea

Sub-area	Basic Max. FAR	Underlying Zoning	FAR Increase via Transfer of Development Rights from High Line Transfer Corridor	FAR Increase via High Line Bonuses	FAR Increase via Inclusionary Housing Bonus	Max. FAR allowable
A	7.5	C6-4	2.5	See Note 1	2.0	12.0
B	5.0	C6-3	2.5	See Note 1	--	7.5
C	5.0	C6-3	2.5	--	--	7.5
D	5.0	C6-3	2.5	See Note 2	--	7.5
E	5.0	C6-2	1.0	See Notes 1 & 2	--	6.0
F	5.0	C6-2	1.0	See Note 2	--	6.0
G	7.5	C6-4	--	2.5*	--	10.0
H	5.0	C6-2	1.0	--	--	6.0
I	5.0	C6-3	1.0	1.5*	--	7.5

Note 2: For zoning lots fronting on W. 18th Street and located partially in Subareas D, E and F, floor area may be transferred across district and subarea boundaries in accordance with Section 77-22 (Floor Area Ratio) irrespective of the date on which the #zoning lot# was created. In addition, the High Line improvement bonus may be permitted on such zoning lot, and the maximum permitted floor area specified in Table 1-2 shall be permitted for each subarea. Section 77-22.

* For zoning lots occupied by the High Line between W. 16th and W. 19th Streets the Chairperson of the City Planning Commission may allow, by certification, the applicable base maximum FAR to be increased up to the amount shown in Table 1-2. Prior to the filing of any building permit, instruments in a form acceptable to the City must be executed ensuring that a contribution has been deposited in the High Line Improvement Fund at an amount equal to \$50.00 per square foot of bonus area. The following additional improvements would also be required:

- W. 16th to W. 17th streets: Stair and elevator access to the High Line, and a service facility for the High Line that includes public restrooms, and storage/refuse areas.
 - W. 17th to W. 18th streets: Stair and elevator access to the High Line, publicly-accessible, at-grade plaza fronting on Tenth Avenue.
 - W. 18th to W. 19th streets: Stair and elevator access to the High Line.
- * Inclusionary Housing Bonus: The regulations of the Inclusionary Housing bonus (ZR Section 23-90) would apply to Subarea A, which would be mapped with a C6-4 district. In Subarea A, this bonus would permit an FAR increase of up to 2.0 with a maximum FAR of 12.0. The Inclusionary Housing bonus provision requires that affordable housing be provided, pursuant to zoning provisions.
- * For all zoning lots or portions thereof located outside of Subareas A through I, the maximum floor area ratios of the applicable underlying district would apply.

High Line Transfer Corridor

The High Line Transfer Corridor (HLTC) would be approximately 100 feet wide, located between W. 19th and W. 30th streets, and encompass lots occupied by the High Line and lots immediately to the west of the High Line. Floor area from the Corridor could be transferred to receiving sites in Subareas A through F, H and I. Special regulations for the HLTC include the permitted use of the transferred floor area, required High Line access easement volumes, enhancement of the space beneath the High Line, and floor area bonuses.

- * Maximum Base FAR: The maximum base FAR of the underlying zoning would applying the C6-2A and C6-3A districts. However, the maximum base of 5.0 FAR would apply in the M1-5, C6-2, and C6-3 districts, and the maximum base of 7.5 FAR would apply in the C6-4 districts.
- * Floor Area Transfer: Permitted floor area from zoning lots, or portions thereof, located in the HLTC may be transferred from a granting site to a receiving site in Subareas A through F, H, and I. The transferred floor area would be less any floor area to remain on the granting site and irrevocably reduces the amount of floor area that may be transferred from the granting site. In addition, the maximum amount of floor area transferred to a receiving site from a granting site must not exceed the FAR permitted on the receiving site through such transfer, as shown in Table 1-2.
- * Permitted Use of Transferred Floor Area: Floor area transferred from a granting site within the HLTC may be used for any use allowed on the receiving site in accordance with the underlying zoning designation and the provisions of the Special District..

- * Floor Area Bonus: As described above, for portions of zoning lots within the HLTC, the Chair of the City Planning Commission may allow, by certification, the applicable maximum FAR to be increased by an amount equivalent to the area of that portion of the zoning lot within the High Line Transfer Corridor, up to a maximum of 1.0 FAR, provided that (1) all permitted floor area available on the granting site has been transferred to an eligible receiving site; (2) the granting site is vacant; and (3) instruments in a form acceptable to the City are executed ensuring that a contribution be deposited in a High Line Improvement Fund at the time of filing for a building permit for any development or enlargement that anticipates using such increased floor area. The contribution shall be \$50.00 per square foot of floor area as of the effective date of the amendment. Such bonus floor area may only be used for permitted commercial use, which must be located within the High Line Transfer Corridor and may not exceed the level of the High Line bed. Such bonus floor area may not be used for public parking lots or parking garages.

- * Floor Area Transfer Contingency: The creation of the High Line Transfer Corridor and the opportunity to transfer development rights from granting sites to receiving sites is contingent on the issuance of a Certificate for Interim Trail Use (CITU), to be issued by the federal Surface Transportation Board in order to permit the City’s proposal to convert the former freight railroad line into a publicly accessible open space. If the CITU is not issued, only the base FAR shown in Table 1-2 would apply in the subareas.

BULK REGULATIONS

In order to ensure new development is consistent with the existing built character of West Chelsea, and to enhance the future reuse of the High Line open space, standard regulations regarding height, setback, and street wall location would be modified for portions of the Special District. The bulk regulations would generally be divided into areas that require a street wall and a maximum building height, and areas where a tower form would be permitted.

Required street wall and maximum building height:

The following subareas and zoning districts would be regulated by bulk controls that require minimum and maximum street walls, and a maximum building height.

Subarea B:

- * *Base Height*: The required street wall is a minimum base height of 60 feet and a maximum base height of 95 feet. The required setback from the street wall must have a depth of at least 15 feet from a narrow street.

- * *Maximum Height*: the maximum building height would be 135 feet.

Subareas C and F:

- * *Base height:* In Subarea C, the required street wall portion of a building within 100 feet of Tenth or Eleventh avenues must be a minimum base height of 125 feet and a maximum base height of 145 feet. In Subarea F, the required street wall portion of a building within 100 feet of Tenth Avenues must be a minimum base height of 105 feet and a maximum base height of 125 feet.
- * *Maximum height:* No building or other structure may exceed the maximum base height (145 feet within Subarea C; 120 feet within Subarea F), which also serves as the maximum building height
- * *Lowered street wall requirement:* To preserve light, air and views adjacent to the High Line, a lowered street wall would be required at the corner of Tenth Avenue and a narrow street for any development or enlargement that occupies at least one corner of the Tenth Avenue block front and extends along the Tenth Avenue frontage of the zoning lot for at least 170 feet (not including existing buildings to remain). The lowered street wall would have a maximum height of 45 feet and a minimum height of 35 feet and extend for 25 to 30 percent of the Tenth Avenue frontage. The lowered street wall would extend along the adjoining narrow street for at least 50 feet from Tenth Avenue. Beyond 50 feet from Tenth Avenue, excluding the portion of the building within 25 feet of the east side of the High Line, such portion of the building may not exceed a height of 45 feet.

Subarea E:

- * *Base height:* The required street wall portion of a building must be a minimum base height of 60 feet and a maximum base height of 105 feet. The required setback from the street wall must have a depth of 15 feet from the street line for all portions of a building that exceed a maximum height of 105 feet.
- * *Maximum height:* The maximum permitted building height would be 120 feet.
- * *Modification of bulk regulations:* Special regulations apply to developments or enlargements on a zoning lot fronting on West 18th Street and located partially in Subareas D, E and F, and where floor area has been transferred from Subareas D to Subareas E and/or F. On such lots, a maximum of 60 percent of the aggregate width of street walls may rise without setback to a maximum building height of 250 feet, provided a minimum of 40 percent of the aggregate width of street walls is located no less than 5 feet and no more than 10 feet from the street line and rises without setback to a minimum height of 60 feet and a maximum height of 85 feet.

Subareas H:

- * *Base height:* Within 100 feet of Tenth Avenue, the street wall portion of any development shall rise without setback to a minimum of 60 feet and a maximum of 85 feet.
- * *Maximum height:* The maximum permitted building height would be 120 feet.

C6-2A and C6-3A districts

Within these districts, underlying height and setback regulations would apply, except as modified for zoning lots within the High Line Transfer Corridor, as specified below. The underlying regulations of the C6-2A districts require a street wall between 60 and 85 feet, and a height limit of 120 feet. The underlying regulations of the C6-3A districts require a street wall between 60 and 102 feet, and a height limit of 145 feet. Furthermore, on narrow streets beyond 50 feet of a wide street, portions of buildings that exceed the applicable maximum base height must set back at least 15 feet from the street wall of the building at a height not lower than 60 feet.

M1-5 Districts

In lieu of the underlying height and setback regulations for M1-5 districts, the regulations of a C6-3A district would apply, except as modified for zoning lots within the High Line Transfer Corridor, as specified below. Furthermore, on narrow streets beyond 50 feet of a wide street, portions of buildings that exceed the maximum base height of 95 feet must set back at least 15 feet from the street wall at a height not lower than 60 feet. A maximum height of 135 feet is mandated.

Tower-on-a-base form:

The following subareas would be regulated by a minimum and maximum base heights, and permit towers to penetrate a sky exposure plane.

Subareas A and D:

- * *Base height:* The required street wall is a minimum base height of 60 feet and a maximum base height of 85 feet. The required setback from the street wall must have a depth of at least 10 feet from a wide street or at least 15 feet from a narrow street.

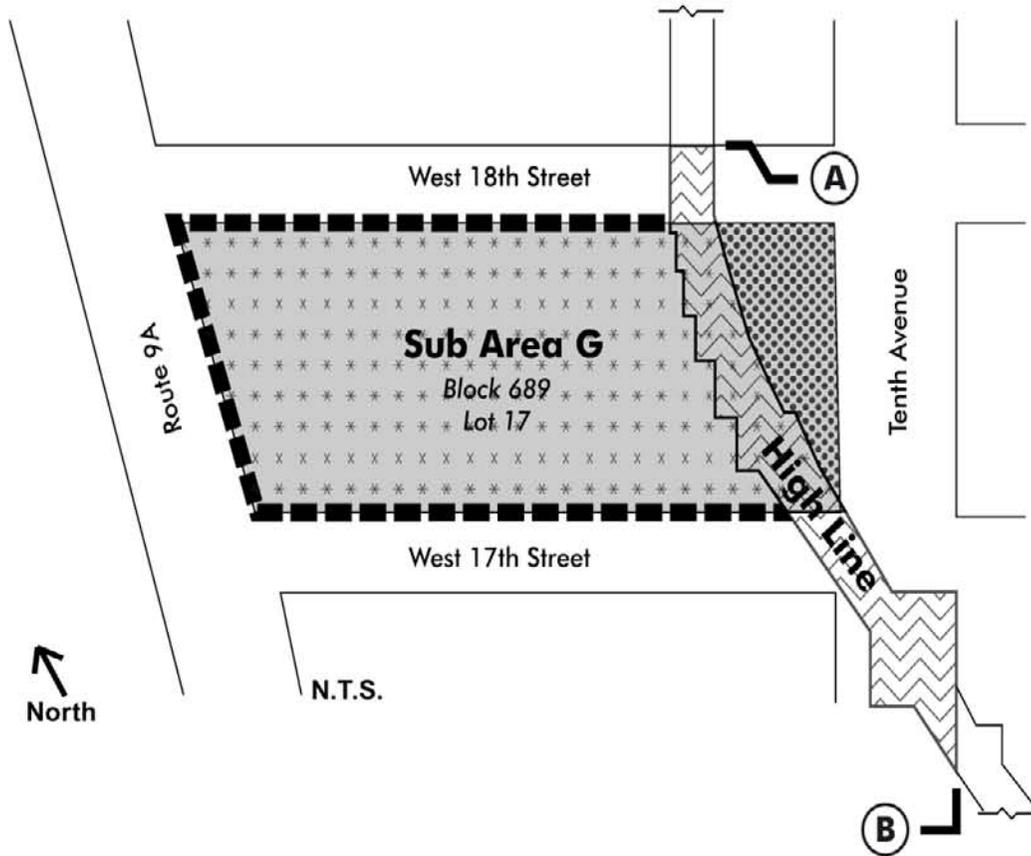
For zoning lots in Subarea D that occupy an entire Eleventh Avenue block front, street walls with a minimum base height of 60 feet must be located within ten feet of all street lines and must extend along at least 70 percent of each narrow street frontage of the zoning lot and along the entire Eleventh Avenue frontage of the zoning lot, except for those portions within ten feet of a narrow street.

- * *Sky exposure plane:* No portion of a building or other structure that exceeds the maximum base height may penetrate a sky exposure plane that begins above the street line at the maximum base height and rises over the zoning lot at a ratio of 2.7 feet of vertical distance to one foot of horizontal distance on a narrow street and 5.6 feet of vertical distance to one foot of horizontal distance on a wide street.
- * *Tower controls:* Buildings or portions thereof that occupy between 30 and 40 percent of the lot area of the zoning lot may penetrate the sky exposure planes described above. Such portions of buildings must set back at least 10 feet from wide streets and 15 feet from narrow streets. The highest four stories or 40 feet, whichever is less, of such buildings may occupy less than 30 percent of the lot area. On zoning lots with less than 20,000 square feet of lot area, such buildings or portions thereof may occupy more than 40 percent of the lot area, pursuant to Section 33-454 (Towers on small lots).

Subarea G:

- * *Base height:* The street wall portion of any development shall rise without setback to a minimum of 60 feet and a maximum of 85 feet. However, a maximum of 65 percent of street wall on a narrow street and 40 percent of the street wall on a wide street may set back at a minimum of 40 feet.
- * *Tower controls:* No portion of a building or other structure may exceed a height of 85 feet except for two towers, referred to as Tower East and Tower West. Both towers must set back at least 10 feet from any street wall facing a wide street and at least 15 feet from any street wall facing a narrow street. Such set backs must be provided at a height not lower than 60 feet, except that on a narrow street such set backs may be provided at a height not lower than 40 feet for a maximum length of 35 percent of the aggregate width of street walls facing such narrow streets, and on a wide street such setbacks may be provided at a height not lower than 40 feet for a maximum length of 40 percent of the aggregate width of street walls facing such wide streets. Tower East must be located in its entirety within 140 feet of the Tenth Avenue street line, and Tower West must be located in its entirety within 200 feet of the Eleventh Avenue street line. Tower East may not exceed a building height of 290 feet and Tower West may not exceed a building height of 390 feet. A maximum of 50 percent of the street wall of Tower West may rise without setback from a narrow street line. Such portion of the street wall must be located a minimum of 15 feet and a maximum of 20 feet from the narrow street line.
- * The location of any building or other structure on the zoning lot would be restricted to the area to the west of the eastern edge of the High Line.
- * Figure 1-7 shows Subarea G requirements.

Figure 1-7
Sub Area G Requirements



-  sub area G
-  required street wall
-  required public plaza area
-  area where building is permitted
-  required High Line improvement area

boundaries of High Line improvement area

- (A)** Curb Line, north side of West 18th Street
- (B)** Curb Line, east side of Tenth Avenue

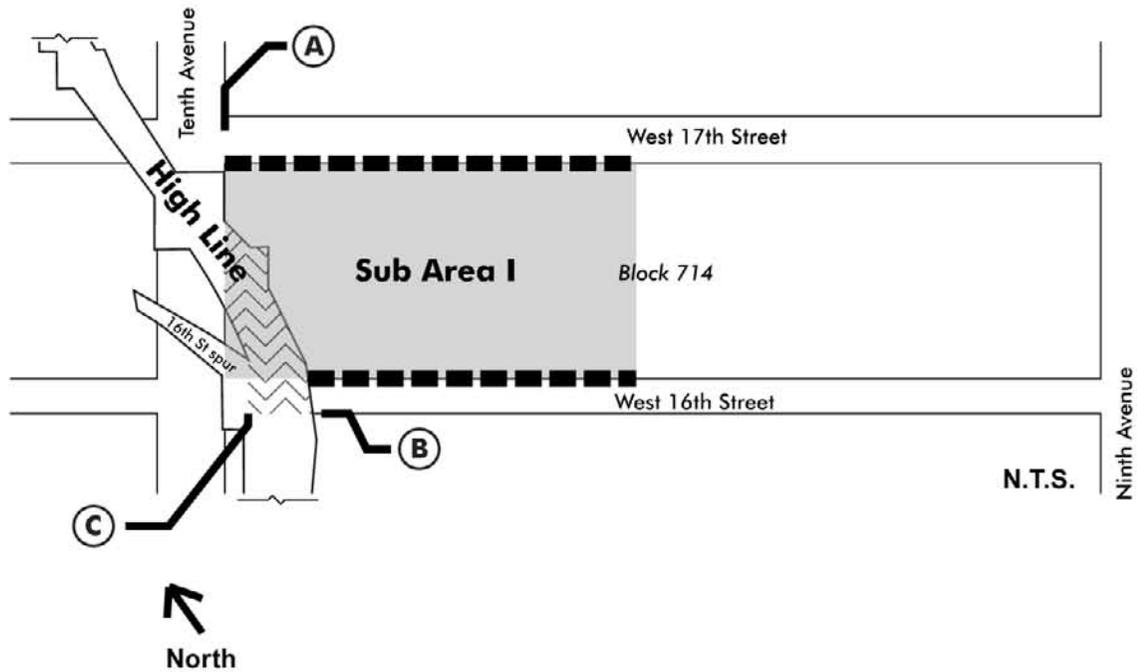
(High Line improvement area also includes Required Public Plaza area as indicated above)

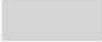
Subarea H:

- * *Base height:* Within Subarea H (more than 100 feet of Tenth Avenue) and Subarea I, the street wall portion of any development shall rise without setback to a minimum of 60 feet and a maximum of 85 feet.
- * *Sky exposure plane:* For development in Subarea H, no portion of a building or other structure that exceeds the maximum base height may penetrate a sky exposure plane that begins above the street line at the maximum base height and rises over the zoning lot at a ratio of 2.7 feet of vertical distance to one foot of horizontal distance on a narrow street and 5.6 feet of vertical distance to one foot of horizontal distance on a wide street.
- * *Tower controls:* Buildings or portions thereof that occupy between 30 and 40 percent of the lot area of the zoning lot may penetrate the sky exposure planes described above. Such portions of buildings must set back at least 10 feet from wide streets and 15 feet from narrow streets. The highest four stories or 40 feet, whichever is less, of such buildings may occupy less than 30 percent of the lot area. On zoning lots with less than 20,000 square feet of lot area, such buildings or portions thereof may occupy more than 40 percent of the lot area, pursuant to Section 33-454 (Towers on small lots).

Subarea I:

- * *Base height:* The street wall portion of any development shall rise without setback to a minimum of 60 feet and a maximum of 85 feet. No street wall would be required along Tenth Avenue (the requirements of Subarea I are shown in Figure 1-8). Within 300 feet of Tenth Avenue, the street wall provisions would apply along a minimum of 85 percent of the West 16th and West 17th St. frontages.
- * *Special controls within 300 feet of Tenth Avenue:* The maximum building height within 300 feet of Tenth Avenue is 120 feet, except for one building which may rise no higher than 250 feet, provided it is located in its entirety within 85 feet of West 17th St. and does not exceed 175 feet in length as measured parallel to West 17th St.
- * *Sky exposure plane:* For development more than 300 feet east of Tenth Avenue in Subarea I, no portion of a building or other structure that exceeds the maximum base height may penetrate a sky exposure plane that begins above the street line at the maximum base height and rises over the zoning lot at a ratio of 2.7 feet of vertical distance to one foot of horizontal distance on a narrow street and 5.6 feet of vertical distance to one foot of horizontal distance on a wide street.
- * *Tower controls:* Buildings or portions thereof that occupy between 30 and 40 percent of the lot area of the zoning lot may penetrate the sky exposure planes described above. Such portions of buildings must set back at least 10 feet from wide streets and 15 feet from narrow



-  sub area I
-  required street wall
-  required High Line improvement area

boundaries of High Line improvement area

- (A) Curb Line, east side of Tenth Avenue
- (B) Curb Line, south side of West 16th Street
- (C) Line separating main portion of High Line from 16th Street spur

streets. The highest four stories or 40 feet, whichever is less, of such buildings may occupy less than 30 percent of the lot area. On zoning lots with less than 20,000 square feet of lot area, such buildings or portions thereof may occupy more than 40 percent of the lot area, pursuant to Section 33-454 (Towers on small lots).

Table 1-3 summarizes the proposed minimum and maximum base height regulations by subarea.

Table 1-3, Minimum and Maximum Base Heights within Subareas A through I

Subarea	Minimum Base Height (in feet)	Maximum Base Height (in feet)
A, G, H, I	60*	85
B	60	95
C for #zoning lots# or portions thereof beyond 100 feet of a #wide street#	60	95
C for #zoning lots# or portions thereof within 100 feet of a #wide street#	125	145
D	60	90
E	60	105
F for #zoning lots# or portions thereof beyond 100 feet of a #wide street#.	60	95
F for #zoning lots# or portions thereof within 100 feet of a #wide street#.	105	120

* In Subarea G, a maximum of 35 percent of the street wall on the narrow street and 40 percent of the street wall on the wide street may set back at a minimum of 40 feet.

High Line Frontage Regulations

Special regulations for height, setback, and open area requirements would apply for zoning lots within or adjacent to the HLTC and for buildings with High Line frontage. The High Line frontage of a building is defined as that portion of a building that is located within 15 feet of the west side and 25 feet of the east side of the High Line. Special bulk regulations would ensure that development adjacent to the High Line could both connect to the structure, to enliven the proposed open space, and setback from the structure, to allow light and air to reach the High Line open space, and help ensure that the open space acts as a quiet retreat from the surrounding urban activity.

East side of the High Line:

- * *Subarea A:* Buildings located on the east side of the High Line must set back at the level of the High Line bed for a minimum of 60 percent of the length of the High Line frontage. A

maximum of 40 percent of the length of the High Line frontage of such building may rise above the level of the High Line bed to a maximum height of 20 feet above the level of the High Line bed, as shown in Figure 1-9, Street Wall and High Line Frontage Regulations in Subarea A.

- * *Subareas C and F and C6-3A Districts:* For zoning lots that extend for less than 120 feet along the east side of the High Line, buildings located east of and within 25 feet of the High Line may not exceed the level of the High Line bed, as shown in Figure 1-10 Street Wall and High Line Frontage Regulations in Subarea C and F.

For zoning lots that extend for at least 120 feet along the east side of the High Line, special regulations apply. Buildings located within 25 feet of the High Line must set back at the level of the High Line bed for a minimum of 60 percent of the aggregate length of the High Line frontage. A maximum of 40 percent of the High Line frontage of such building may rise without setback above the level of the High Line bed.

- * *Narrow lots:* The above provisions would not apply to any zoning lot that, on the effective date of amendment, has an eastern boundary located wholly within 35 feet of the eastern edge of the High Line.

West side of the High Line:

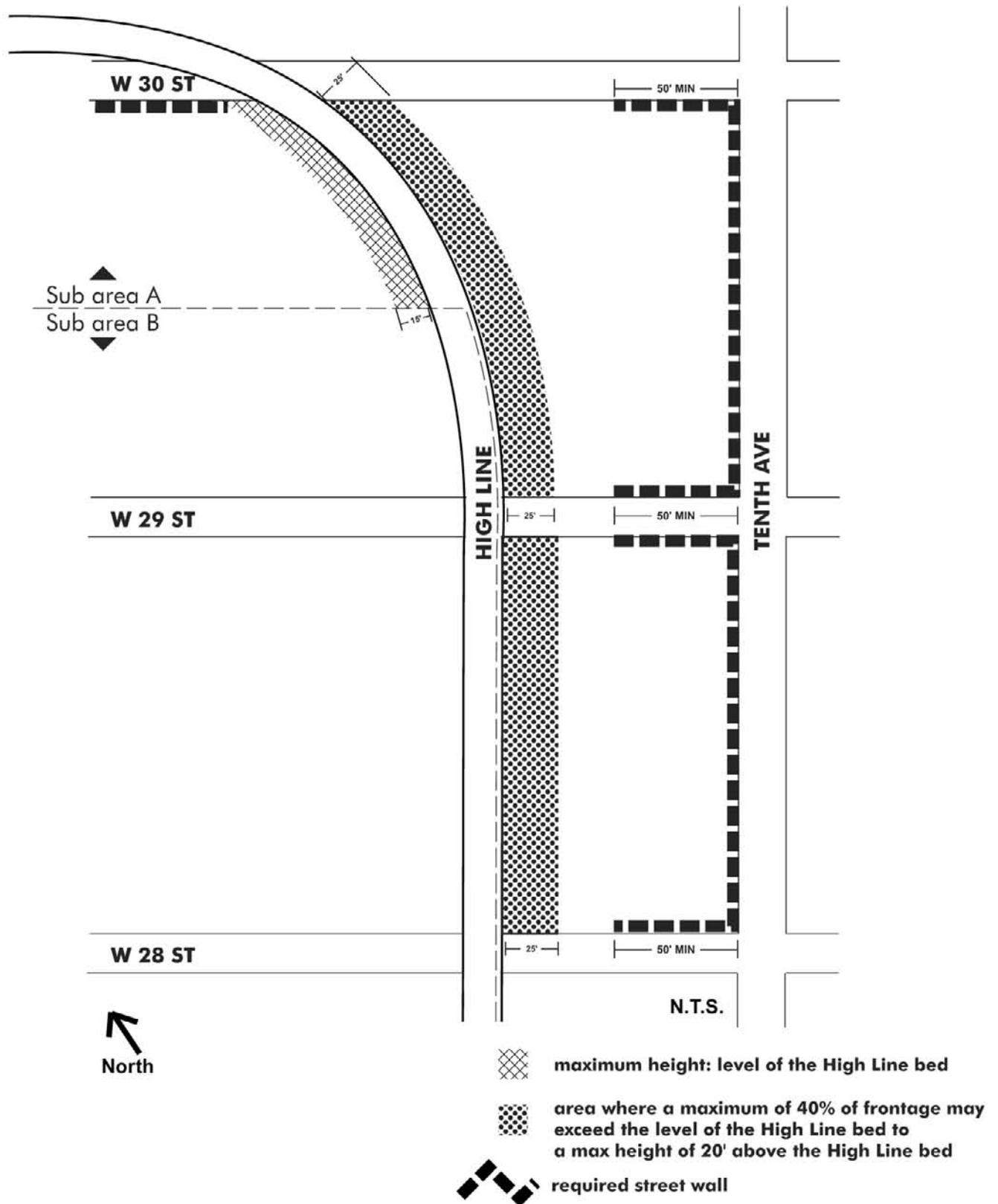
- * Special regulations apply for developments on zoning lots on the west side of the High Line and adjacent to the High Line. For such buildings, the portion of the building within 15 feet of the High Line structure may rise no higher than the level of the High Line bed before setback. A setback with a depth of at least 15 feet must be provided from the High Line.

Open area requirements in Subareas A, C, and F:

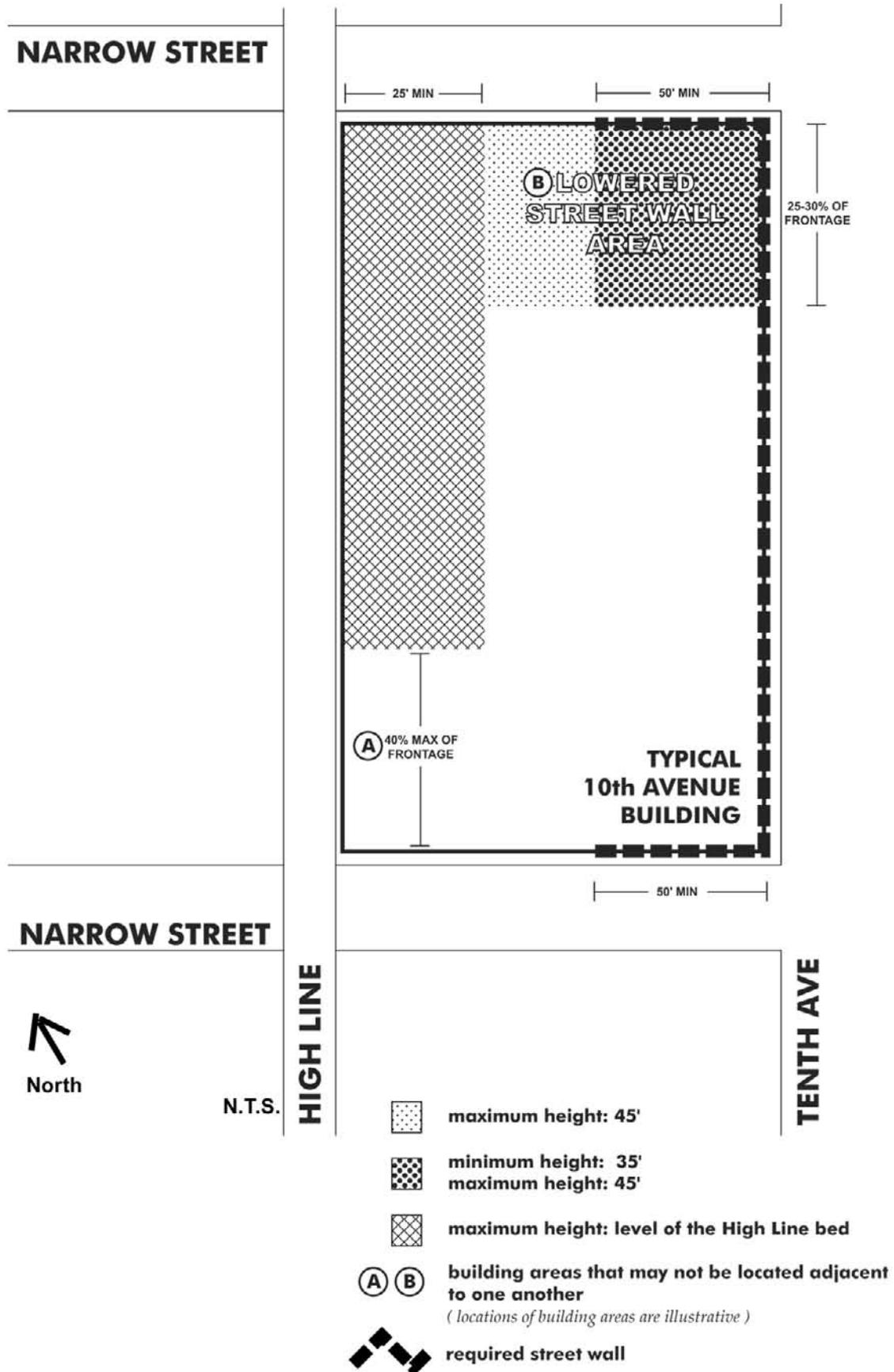
At least 20 percent of the lot area of developments on a zoning lot occupied by the High Line, or adjacent to a zoning lot occupied by the High Line, would be required to be landscaped open area. This requirement would help to create a landscaped buffer between the High Line and adjacent development, and would also encourage compatible, adjacent uses, such as outdoor cafes.

- * *Open Area Requirements:* The open area must be located directly adjacent to the High Line and must be located at an elevation not to exceed the elevation of the High Line bed. Open areas may be screened and/or separated from the public areas of the High Line by a wall, fence, or plantings, extending not higher than 8 feet above the High Line bed. Any High Line access structure may be located within such required open area, and open air cafes and kiosks may also be located in the open area, provided that they occupy in the aggregate no more than 75 percent of the required open area.

Street Wall Height and High Line Frontage Regulations in Sub Area A



Street Wall and High Line Frontage Regulations in Sub Areas C and F



Additional Bulk Regulations

Authorization for Bulk Modification: The City Planning Commission could authorize modification of the street wall and setback regulations for developments and enlargements on lots occupied by or adjacent to the High Line, provided that the street frontage of the zoning lot adjacent to but exclusive of the portion occupied by the High Line is no more than 40 feet, and that the Commission finds that the modification would result in a better distribution of bulk and would not adversely effect access to light and air for surrounding public areas.

Restrictions on development above the High Line: Within the Special District, the High Line must remain open and unobstructed from the High Line bed to the sky, except for structures constructed on the High Line specifically intended to enhance its use by the public.

Permitted obstructions: Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a sky exposure plane or a maximum height limit, subject to size limitations. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). However, dormers may not exceed the maximum building height in Subareas C and F, where the maximum base height and maximum building height are the same.

Mechanical Screening Requirement: All mechanical equipment located at the level of the High Line bed or above and within 15 feet of such level that is within the High Line frontage must be screened and buffered with no intake or exhaust fans facing directly onto the High Line.

USE REGULATIONS

To encourage the development of West Chelsea as a dynamic mixed use neighborhood, the Special District would modify underlying use regulations to allow for greater flexibility in the types and location of non-residential uses, and ensure that new development enhanced pedestrian and commercial activity along Tenth Avenue and adjacent to the High Line open space.

- * **Tenth Avenue Ground Floor Use and Transparency Requirements:** Special ground floor use and glazing regulations would apply to any building or other structure fronting on Tenth Avenue in the Special West Chelsea District. Uses located on the ground floor level would be limited to commercial uses permitted by the underlying district and museums and non-commercial art galleries. Each ground floor street wall must be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. A minimum of 50 percent of such area must be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

- * **Security Gates:** All security gates that are swung, drawn, or lowered to secure commercial or community facility premises must, when closed, permit visibility of at least 75 percent of the area covered by such gate, when viewed from the street.
- * **Sign Regulations:** Sign regulations of a C1 district would apply to signs located within 50 feet of the High Line in lieu of the sign regulations of the underlying district. However, within 25 feet of the east side and 15 feet of the west side of the High Line, the C1 sign regulations would be modified to permit signs to be located 25 feet above the level of the High Line bed. No signs would be permitted affixed to or resting upon the High Line except as pursuant to a signage plan authorized by the City Planning Commission, provided that the Commission finds that such signage enhances the use of the High Line, provides needed directional and informational signage, will be integrated into the larger design of the High Line open space, and will not adversely affect surrounding development.
- * **Transparency requirements in Subareas A, C, and F:** To ensure that development adjacent to the High Line enhances the open space, a minimum of 50 percent of a building's High Line frontage, measured from the level of the High Line bed, must be glazed and transparent and at least 75 percent of the glazed surface must be fully transparent.
- * **Requirements for non-transparent surfaces in Subareas A, C and F:** Any portion of such High Line frontage that is 40 feet or more in length and contains no transparent element between the level of the High Line bed and an elevation of 12 feet above the level of the High Line bed, must be planted with vines or other plantings or contain artwork.
- * **Screening and Landscaping Requirement:** Screening and landscaping requirements would apply within the HLTC to areas where floor area has been transferred from a granting site and the resulting site is left predominantly vacant. Open or vacant areas would be required to be screened by a fence that is at least 75 percent open and extending between six and eight feet in height. Alternatively, a planting strip may be provided that is at least four feet wide and densely planted with shrubs. Portions of zoning lots that are open or vacant and located beneath the High Line would be subject to the same screening requirements, with the exception that planting strips would not be permitted. In all cases, chain link fences and fences containing barbed or razor wire would not be permitted.
- * **Museums and non-commercial art galleries:** Museums and non commercial art galleries would be permitted as-of-right within M1 districts with no limitation on floor area per establishment.
- * **Location of non-residential use:** ZR Section 32-422 (Location of floors occupied by non-residential uses) would be modified to permit non-residential uses on the same story as a residential use or on a story higher than that occupied by residential uses, provided that the non-residential uses:

(a) are located in a portion of the building that has separate direct access to the street with no access to the residential portion of the building at any story;

(b) are not located directly over any portion of a building containing a dwelling unit, except that this limitation shall not preclude the location of:

(1) residential lobby space below or on the same story as non-residential uses; or

(2) a commercial use that fronts on the High Line and is located within five feet of the level of the High Line bed.

- * **Warehouse Use:** Warehouse uses would be permitted to be located in Subarea G on a story wholly below curb level. As a Use Group 16 use (ZR Section 32-25, paragraph D, Heavy Service, Wholesale, or Storage Establishments), warehouses are not permitted in C6 districts.
- * **Accessory off-street parking spaces:** Accessory off-street parking space for governmental offices may be located on a zoning lot other than the same zoning lot as the use to which such spaces are accessory, provided such spaces are located within Subarea G and in a facility, or portion thereof, that is entirely below curb level and that such parking does not exceed 377 spaces.

HIGH LINE ACCESS EASEMENT VOLUMES

Within the Special West Chelsea District and for developments or enlargements on any zoning lot through which the High Line passes, an easement volume to facilitate public pedestrian access to the High Line via stairway and elevator (hereinafter referred to as “primary access”), would be required on any zoning lot that has more than 5,000 square feet of lot area. In the High Line Transfer Corridor, an easement volume to facilitate public pedestrian access to the High Line via stairway (hereinafter referred to as “secondary access”), must be provided on any zoning lot where floor area has been transferred.

Location Requirements:

- * A primary access easement volume may be located within a building or within open areas on the zoning lot, provided such volume is within 15 feet of a narrow street line. Such volumes must be at least 18 feet six inches in length and ten feet in width; however, the minimum area of such volume would be 350 square feet. The height of such volume would extend from a point at least ten feet below curb level to a point at least 15 feet above the level of the High Line bed. A primary access easement volume may also replace a previously provided secondary access easement volume, and such secondary access easement volume may then be terminated. Floor space occupied by such access easement volume would be exempted from the definition of floor area.

- * Secondary access easement volumes must be located within 15 feet of a narrow street line and directly adjacent to the High Line for a minimum length of 25 feet. Such volumes would have a minimum width of ten feet. The height of such volume would extend from curb level to a point at least ten feet above the level of the high Line bed.

Other Requirements:

- * All access easement volumes must be accessible either directly from a public sidewalk or through a publicly traversable way through the zoning lot directly connecting with a public sidewalk. Such publicly traversable ways must be a minimum of eight feet in width and must be maintained by the property owner. The access easement volume may be temporarily used by the owner of such zoning lot for any permitted use until such time as required for access purposes.

Waiver of Requirement:

- * Primary access easements would not be required if a primary access easement is already provided on the same block, and secondary access easements would not be required if a primary or secondary access easement has already been provided on the same block. Furthermore, primary and/or secondary access easements would not be required where the Chairperson of the City Planning Commission certifies that:
 - (1) the minimum dimensions required for the access easement volume, described below, cannot be accommodated within 33 feet six inches of a street line for primary access easements and 40 feet of a street line for secondary access easements; or
 - (2) a secondary easement is already provided on the same zoning lot and is sufficient in size or has been enlarged to be sufficient in size to accommodate the requirements for primary easements; or
 - (3) for primary or secondary easements, access has already been constructed on the same block or street frontage that meets the location and access requirements for primary or secondary volumes, as applicable, and meets all standards for persons with disabilities; or
 - (4) for primary or secondary easements, construction documents for the High Line open space have been developed that specify the opposite side of the same street frontage as an access location.

Termination of Easement:

- * If a High Line access easement volume is determined to no longer be required on a zoning lot, such volume may be terminated. To terminate a volume, the City Planning Commission

must notify the Department of Buildings and the owner in writing. Any area reserved for such easement within a building or other structure may be used for any permitted use. Any open area reserved for such easement must be maintained as an open area.

Site Selection and Acquisition of the High Line

The proposed action would also include the site selection and acquisition of the High Line rail structure and associated easement, located in Manhattan Community Districts 2 and 4 (Blocks 644 to 646, 712 to 714, and 689 to 702) to facilitate the conversion to a new public open space.

The proposed acquisition site consists of a portion of an unused, elevated freight rail structure as well as its associated rail easement. The portion of the rail line that is the subject of the proposed selection and acquisition traverses 22 blocks, beginning at Gansevoort Street and running north to the eastern curb line of Eleventh Avenue, just north of its intersection with West 30th Street. Between Gansevoort and West 14th Streets, the High Line runs just to the west of and parallel to Washington Street. Between West 14th and West 16th Streets, the High Line runs along the eastern side of Tenth Avenue. The High Line crosses Tenth Avenue at West 17th Street and then runs approximately 100 feet west of Tenth Avenue north to West 29th Street then curves westward, crosses West 30th Street and then runs west to Eleventh Avenue. The easement associated with the High Line structure is a box easement that extends generally from the underside of the structure to a point approximately 20 feet above the existing track surface. The rail structure and box easement are generally coterminous and vary in width from approximately 30 to 90 feet. The portion of the High Line west of Eleventh Avenue would not be acquired and is therefore not included in the proposed action.

The High Line structure is generally constructed of steel columns that support a concrete ‘bathtub’ that rests atop the structure. The concrete bathtub is filled with an aggregate gravel material, into which the ties and rails are set. After rail service was discontinued in 1980, the upper surface of the line was colonized by grasses, shrubs, vines, and trees and is now predominantly covered by flora on most portions of the line.

The High Line structure is generally located on and above private property, except at the city-owned Gansevoort Market Building and where the line crosses streets. The properties traversed by the High Line are generally zoned M1-5, with the exception of the portion of the line between West 22nd and West 24th Streets, which traverses properties currently within a designated Special Mixed Use (MX-3) district with M1-5/R8A and M1-5/R9A zoning. Land uses beneath the High Line structure are primarily auto-related and include parking lots, vehicle loading spaces, and automobile servicing and repair establishments.

The proposed public open space would include the High Line structure and easements as well as improvements, constructions, and appurtenances typical of a public open space including, but not limited to, walkways, vegetation, seating, lighting, artwork and sculpture, water features and fountains, earthworks, restroom facilities, drinking fountains, trash receptacles, kiosks, stairways, elevators, and ramps.

It should be noted that the proposed High Line open space area was estimated to be 6.7 acres during preliminary project planning, and this was the acreage indicated in the Draft EIS. However, since the issuance of the DEIS, project design efforts, including a survey, have proceeded and a more accurate measurement of 5.9 acres for this area has been identified and is used in the Final EIS. This reflects a correction in the area's measurement, not an alteration in the boundaries of the High Line to be included in the site selection and acquisition actions and conversion to open space. The proposed High Line open space as described in the Draft EIS remains the same, apart from the corrected acreage.

REQUIRED APPROVALS

The following approvals are required for the proposed action:

- NYC City Planning Commission (CPC) approval for an amendment to the zoning map.
- CPC approval for a zoning text amendment.
- CPC approval for Site Selection and Acquisition of the High Line, to facilitate the creation of the a publicly accessible ~~6.7~~ 5.9-acre open space on the High Line.
- As a portion of the area directly affected by the proposed action is located within the designated boundaries of New York City's Coastal Zone, Department of City Planning assessment for compliance of the proposed action with the Local Waterfront Revitalization Program (LWRP) is required.

The proposed rezoning is a discretionary public action which is subject to both the Uniform Land Use Review Procedure (ULURP), as well as City Environmental Quality Review (CEQR). ULURP is a process that allows public review of proposed actions at four levels: the Community Board; the Borough President; the City Planning Commission and, if applicable, the City Council. The procedure mandates time limits for each stage to ensure a maximum review period of seven months. Through CEQR, agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment.

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

A reasonable worst-case development scenario (RWCDs) for both “future No-Action” and “future With-Action” conditions will be analyzed for an analysis year, or Build year, of 2013. A ten-year period¹ is typically believed to be the length of time over which developers would act on the change in zoning and the effects of the proposed action would be felt.

¹ Substantive work on the environmental analyses herein began in 2003, resulting in an analysis year of 2013. Where appropriate, existing conditions have been updated to reflect current 2004 conditions.

The future With-Action scenario identifies the amount, type, and location of development that is expected to occur by 2013 as a result of the proposed action. The future without the action (or No-Action) scenario identifies similar development projections for 2013 absent the proposed action. The incremental difference between the With-Action and No-Action scenarios serves as the basis for the impact analyses.

To determine the scenarios, standard methodologies have been used following *CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions. These methodologies have been used to identify the amount and location of future residential, commercial, and community facility growth. In projecting the amount and location of new residential development, several factors have been considered, including known development proposals, current housing market demands, and NYC DCP's standard "soft site" criteria, described below, for identifying likely development sites. In formulating the projections, NYC DCP is aware that there is a large demand for new housing in the area, but that the demand has been constrained by zoning that does not permit such development as-of-right. The first step in establishing the development scenarios was to identify those sites where new development could reasonably be expected to occur.

Demand for new manufacturing space is limited, not only in the proposed rezoning area, but throughout the City. Consistent with current trends in the area, it is expected that there would be very limited development of new manufacturing space as well as minimal expansions of existing industrial businesses.

In identifying the RWCDs, a set of criteria were established and all sites that met the criteria were identified. Development sites were identified based on the following criteria:

New Development Sites

- ▶ Lots constructed to half or less than the permitted FAR under current zoning (for the No-Action condition) and those constructed to half or less than the permitted FAR under the proposed zoning (for the With-Action condition). If a development site is as a whole built to less than the permitted FAR under current zoning, but one or two lots of several are built to more than half the currently permitted FAR those lots were included in the site for the purposes of the No-Action condition.
- ▶ Individual, assembled, or partially assembled lots of 5,000 square feet or larger.
- ▶ Single lots adjacent to an assembled development site that, if the lot were acquired, would occupy an entire block frontage, were included in the development site.
- ▶ Lots, regardless of size, located in areas where a change of permitted use could induce development.

Conversion Sites

- ▶ Existing industrial and commercial buildings with little or no reinvestment provide the greatest potential for conversions to residential use.

Enlargement Sites

- ▶ Existing residential buildings which do not fill the maximum bulk envelope and are not adjacent to projected development sites, were assumed to have the potential to enlarge.

The following uses and types of buildings that meet these criteria were excluded from the development scenario because they are very unlikely to be redeveloped as a result of the proposed rezoning:

- ▶ The sites of schools (public and private) and churches. All schools and churches that meet the development site criteria are built to less than half the permitted FAR under the current zoning designation. They have not been rebuilt or expanded despite the ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these substantial community structures.

The following assumptions were made in developing the RWCDS:

- ▶ The average dwelling unit size is assumed to be 850 square feet for new construction, reflecting the type of units that are currently being constructed or proposed for this area.
- ▶ Ground floor totals assume that 10 percent of the ground floor area is circulation space.
- ▶ The average dwelling unit size is assumed to be 1,000 square feet for buildings with residential conversions or enlargements.
- ▶ Ground floor commercial (retail) is assumed to be 90 percent of the existing first floor area, with the additional 10 percent as circulation space.

Future No-Action Conditions

In the future without the proposed action, the existing zoning controls would remain in place. It is expected that the West Chelsea area would experience nominal growth in commercial and light manufacturing uses. Most of the projected growth is expected to include commercial conversions, including the continued development of gallery and office space, as well as hotel development, consistent with existing trends in West Chelsea and the Gansevoort Meat Market area to the south. The No-Action condition includes 101 DUs, ~~271,578~~ 378,913 sf of retail space, ~~976,847~~ 956,947 sf of office space, 131,100 sf of hotel space, ~~40,809~~ 74,818 sf of storage/warehouse space, ~~395,005~~ 302,365 sf of parking and auto-related uses, 28,838 sf of community facility space and ~~25,064~~ 4,080

sf of vacant land. It should be noted that revisions to the No-Action condition were made between the DEIS and the FEIS to reflect changes to existing conditions occurring since original data collection and to make corrections to land use categorizations.

As described above, the proposed action would eliminate the MX-3 Special Mixed-Use District, mapped as part of the Chelsea Rezoning (CEQR No. 99DCP030M), and change it to underlying contextual C6-2A and C6-3A zoning districts. Mixed-use districts require 35 dBA noise attenuation for residential developments. In order to ensure that the appropriate level of noise attenuation is provided for these sites once the mixed-use district is eliminated, Potential Development Sites 46 through 53 have been included in both the future with and the future without the proposed action conditions under the reasonable worst-case development scenario. No incremental development is expected on these sites as a result of the proposed action.

In addition to the development expected on the projected development sites, there are several other actions and projects expected to occur in either the rezoning area or the surrounding areas by the 2013 analysis year. These developments have the potential to affect conditions in the rezoning area and the surrounding study areas analyzed for the various areas of environmental concern considered in this ~~DEIS~~ FEIS.

Among these projects is the No. 7 Subway Extension - Hudson Yards Rezoning and Development Program, located north of the rezoning area. This action directly affects an area generally encompassing the blocks bounded by W. 43rd Street on the north, Hudson River Park on the west, W. 28th and W. 30th streets on the south, and Seventh and Eighth Avenues on the east. It involves a number of zoning text and map amendments to permit medium- to high-density development and a broader range of land uses than currently allowed and an extension of the No. 7 subway from its current terminus at Times Square into the Hudson Yards, serving new development including an expanded and modernized Javits Convention Center, a new multi-use sports, exhibition, and entertainment facility, a substantial amount of new open space, and other facilities. These and other No-Action projects are described in Chapter 2, “Land Use, Zoning, and Public Policy” and their effects on environmental conditions, as applicable, are discussed in other chapters in the ~~DEIS~~ FEIS.

Future With-Action Conditions

The elimination of most of the existing M1-5 district and mapping of the proposed Special District, with its underlying C6-2, C6-3, and C6-4 regulations, would enable existing manufacturing, storage and auto-related uses to remain, but would also encourage retail and higher density residential development at various locations throughout the rezoning area. Specifically, NYC DCP identified 53 development sites, of which 25 are projected development sites likely to be developed by 2013. The With-Action condition on the 25 projected development sites includes 4,809 DUs, ~~564,254~~ 574,128 sf retail space, 160,000 sf office space, 76,425 sf of accessory parking for off-site government use, and 227,564 sf community facility space. For analysis purposes, it is assumed that these projected development sites would provide the maximum accessory parking allowed as-of-

right under the proposed zoning, which is 0.2 spaces per DU and 1 space per 4,000 zsf of commercial and community facility space.

This RWCDS is based on the above soft-site criteria, the large number of available sites within the rezoning area and the assumption that recent trends in the adjacent Chelsea neighborhood to the east would expand into West Chelsea. In addition, most uses on the projected development sites that are expected in the future without the proposed action would be removed, although in a few cases such No-Action uses would remain.

In addition to the 25 projected development sites, there are 28 potential development sites. If development does not occur on the projected development sites, the same overall amount of development could occur instead on some or all of the potential development sites. Although considered possible sites for future development based on the “soft” site criteria described above, these sites are considered less likely to be developed over the ten year analysis period. Site conditions, location, and market demand are among the factors contributing to the more limited likelihood for redevelopment of potential development sites.

The locations of the projected and potential development sites are shown in Figure 1-11. Site data are presented in Table 1-4 and development scenario data for the future without the proposed action, future with the proposed action, and incremental net change in development for all the sites are presented in Table 1-5.

Figure 1-11
Projected and Potential Development Sites



Development Sites

Reasonable Worst Case Development Scenario

- proposed special district boundary
- 11 projected sites
- 12 potential sites

100' 500'

Table 1-4, Projected and Potential Development Sites Data

PROJECTED DEVELOPMENT SITES DATA							
Site	Address	Block & Lot #	Lot Area (sf)	Site	Address	Block & Lot #	Lot Area (sf)
1	306-10 11th Ave.	701; 1	27,950	14	540-42 W. 21st St.	692; 53, 57	13,770
2	329-37 10th Ave.	701; 30, 33, 35-37, 42, 43, 45	49,973	15	521-527 W. 20th St.	692; 28, 30	27,600
3	282-98 11th Ave.	700; 1	24,425	16	100 11th Ave.	691; 11	12,525
4	547-59 W. 27th St.	699; 5	17,275	17	516-34 W. 20th St.	691; 43, 50	20,700
5	507-17 W. 27th St.	699; 22-27, 44	44,418	18	153-65 10th Ave.	691; 25, 27, 29, 33, 35	32,775
6	299-311 10th Ave.	699; 29, 31-33, 37	19,749	19	511-525 W. 18th St.	690; 12, 20, 54	52,370
7	246-260 11th Ave.	698; 1	34,198	20	131 10th Ave.	690; 29	23,000
8	502 W. 27th St.	698; 32, 35, 37, 40, 141	20,509	21	99-111 10th Ave.	689; 17	76,425
9	507 W. 25th St.	697; 27, 31	29,635	22	456 W. 18th St.	715; 1-3, 60, 63-65	22,976
10	550 W. 25th St.	696; 58	17,281	23	447-53 W. 17th St.	715; 5, 7	11,500
11	239-55 10th Ave.	696; 32, 33, 35, 37, 38	17,391	24	96-112 10th Ave.	714; 1, 63	55,255
12	144-60 11th Ave.	693; 1, 64	22,300	25	437 W. 16th St.	714; 14, 16	11,591
13	550 W. 21st St.	692; 7, 61, 63	17,020				
POTENTIAL DEVELOPMENT SITES							
Site	Address	Block & Lot	Lot Area (sf)	Site	Address	Block & Lot	Lot Area (sf)
26	532-38 W. 30th St.	701; 59, 62, 68, 70	29,619	40	210-16 11th Ave.	696; 65	9,875
27	518-30 W. 30th St.	701; 52, 55, 56, 58	17,280	41	202-08 11th Ave.	696; 1	9,800
28	525-39 W. 29th St.	701; 16, 22, 23	18,926	42	500-512 W. 23rd St.	694; 30-33, 39, 40	9,742
29	515-27 W. 29th St.	701; 24, 28	14,812	43	515-33 W. 19th St.	691; 15, 19, 22, 24	22,425
30	534-50 W. 29th St.	700; 53-57, 59-61	22,196	44	516-24 W. 19th St.	690; 42, 46	13,800
31	524-32 W. 29th St.	700; 48, 49	12,344	45	436-42 W. 18th St.	715; 50, 59	23,843
32	512-22 W. 29th St.	700; 42, 44, 45, 47	14,811	46	522-48 W. 23rd St.	694; 58, 60, 61, 65	43,750
33	529-39 W. 28th St.	700; 9	22,218	47	182-88 Eleventh Ave.	695; 1, 3, 4	10,000
34	517-27 W. 28th St.	700; 18	14,812	48	543-49 W. 23rd St.	695; 7, 12, 57	32,094
35	313-27 10th Ave.	700; 29-32, 34, 36	19,738	49	508 W. 24th St.	695; 44	7,406
36	554 W. 28th St.	699; 1, 63	22,229	50	514 W. 24th St.	695; 47	7,406
37	537 W. 27th St.	699; 9	24,687	51	540 W. 24th St.	695; 59	7,406
38	526-90 W. 28th St.	699; 14, 49	29,625	52	194-200 Eleventh Ave.	695; 67-70	7,427
39	220-40 11th Ave.	697; 1	19,750	53	524 W. 23rd St.	694; 47	14,3

Table 1-5, West Chelsea FEIS: Reasonable Worst-Case Development Scenario

March 29, 2005

POTENTIAL DEVELOPMENT SITES

Assumptions:

Ground floor circulation deduction 10%
 Unit size - new development (sf) 850
 Unit size - conversions (sf) 1,000

site description:				Existing conditions:								No-Action conditions								With-Action conditions								Increment																	
site:	address:	block:	lot(s):	lot(s) area:	floor area:	zoning:	built FAR:	permitted FAR:	DUs:	comm FA:	stor / mfg FA:	parking / auto FA:	community facility FA:	vacant FA:	DUs:	retail FA:	office FA:	Hotel FA:	stor / mfg FA:	parking / auto FA:	community facility FA:	vacant FA:	zoning:	proposed FAR:	DUs:	retail FA:	office FA:	Hotel FA:	res conv FA:	retail conv FA:	stor / mfg FA:	parking / auto FA:	community facility FA:	vacant FA:	DUs:	retail FA:	office FA:	Hotel FA:	stor / mfg FA:	parking / auto FA:	community facility FA:	vacant FA:	comments:		
26	314-316 Eleventh Ave	701	68	17,275	34,593	M1-5	2.0	5.0			34,593								34,593					C6-4	12.0	224	15,548											224	15,548					Retail on first floor.	
	312 Eleventh Ave	701	70	2,469	2,469	M1-5	1.0	5.0				2,469												C6-4	12.0	32	2,222											32	2,222					Retail on first floor.	
	534-538 W 30 ST	701	62	7,406	3,469	M1-5	0.5	5.0			3,469													C6-4	12.0	96	6,665										96	6,665					Retail on first floor.		
	532 W 30 ST	701	59	2,469	15,447	M1-5	6.3	5.0		15,447															C6-4	12.0	32	2,222										32	2,222		-15,447				Retail on first floor.
	subtotal:			29,619	55,978					15,447	38,062	2,469							15,447	38,062	2,469				12.0	384	26,657									384	26,657		-15,447	-38,062	-2,469				
27	530 W 30 ST	701	58	2,469	0	M1-5	0.0	5.0				2,469												C6-4	12.0	32	2,222											32	2,222					Retail on first floor.	
	526-528 W 30 ST	701	56	4,937	5,000	M1-5	1.0	5.0				5,000												C6-4	12.0	64	4,443										64	4,443					Retail on first floor.		
	524 W 30 ST	701	55	2,468	2,500	M1-5	1.0	5.0				2,500												C6-4	12.0	32	2,221										32	2,221						Retail on first floor.	
	518-522 W 30 ST	701	52	7,406	7,406	M1-5	1.0	5.0				7,406													C6-4	12.0	96	6,665									96	6,665							Retail on first floor.
subtotal:			17,280	14,906							17,375								17,375					12.0	224	15,552									224	15,552			-17,375						
28	529-539 W 29 ST	701	16	13,989	14,100	M1-5	1.0	5.0				14,100												C6-3	7.5	107	12,590											107	12,590					Retail on first floor.	
	527 W 29 ST	701	22	2,468	9,532	M1-5	3.9	5.0		9,532															C6-3	7.5	19	2,221									19	-7,311						Retail on first floor.	
	525 W 29 ST	701	23	2,469	7,182	M1-5	2.9	5.0		7,182															C6-3	7.5	19	2,222								19	-4,960							Retail on first floor.	
subtotal:			18,926	30,814					16,714	14,100								16,714	14,100					7.5	145	17,033								145	319			-14,100							
29	527 W 29 ST	701	24	9,875	55,000	M1-5	5.6	5.0			55,000													C6-3	7.5	68			45,125	8,888						68	0							Conversion: comm under no-build, res conversion + expansion under build. Retail on first floor.	
	515 W 29 ST	701	28	4,937	32,238	M1-5	6.5	5.0		32,238	0														C6-3	7.5	33		27,301	4,443						33	0							Conversion: comm under no-build, res conversion + expansion under build. Retail on first floor.	
subtotal:			14,812	87,238					32,238	55,000								13,331	72,426					7.5	101			72,426	13,331					101	0										
30	550 W 29 ST	700	61	2,468	6,500	M1-5	2.6	5.0	2	2,468														C6-3	7.5	19	2,221										19	-247					Retail on first floor.		
	548 W 29 ST	700	60	2,469	2,500	M1-5	1.0	5.0				2,500													C6-3	7.5	19	2,222									19	2,222						Retail on first floor.	
	546 W 29 ST	700	59	2,468	2,900	M1-5	1.2	5.0				2,900													C6-3	7.5	19	2,221									19	2,221						Retail on first floor.	
	542-544 W 29 ST	700	57	4,937	3,500	M1-5	0.7	5.0			3,500														C6-3	7.5	38	4,443									38	4,443							Retail on first floor.
	540 W 29 ST	700	56	2,419	6,913	M1-5	2.9	5.0			6,913														C6-3	7.5	18	2,177								18	-4,736								Retail on first floor.
	538 W 29 ST	700	55	2,498	4,432	M1-5	1.8	5.0			4,423														C6-3	7.5	19	2,248								19	-2,175								Retail on first floor.
	536 W 29 ST	700	54	2,468	6,500	M1-5	2.6	5.0			2,468														C6-3	7.5	19	2,221								19	-247							Retail on first floor.	
534 W 29 ST	700	53	2,469	7,200	M1-5	2.9	5.0	1			6,350													C6-3	7.5	19	2,222								18	2,222								Retail on first floor.	
subtotal:			22,196	40,445					3	16,272	3,500	5,400	6,350					3	16,272					7.5	170	19,976							167	3,704			-3,500	-5,400	-6,350						
31	526-532 W 29 ST	700	49	9,875	9,875	M1-5	1.0	5.0		9,875														C6-3	7.5	76	8,888									76	-988							Retail on first floor.	
	524 W 29 ST	700	48	2,469	2,469	M1-5	1.0	5.0		2,469															C6-3	7.5	19	2,222								19	-247								Retail on first floor.
subtotal:			12,344	12,344					12,344									12,344						7.5	95	11,110								95	-1,234										
32	522 W 29 ST	700	47	2,469	3,513	M1-5	1.4	5.0		3,513														C6-3	7.5	19	2,222									19	2,222							Retail on first floor.	
	518 W 29 ST	700	45	4,937	4,938	M1-5	1.0	5.0				4,938													C6-3	7.5	38	4,443								38	4,443								Retail on first floor.
	516 W 29 ST	700	44	2,468	2,465	M1-5	1.0	5.0				2,465													C6-3	7.5	19	2,221								19	2,221								Retail on first floor.
	512 W 29 ST	700	42	4,937	5,338	M1-5	1.1	5.0		5,338															C6-3	7.5	38	4,443								38	-895								Retail on first floor.
subtotal:			14,811	16,254					8,851	7,403							5,338	3,513						7.5	114	13,330							114	7,992	-3,513					-7,403					
33	529-539 W 28 ST	700	9	22,218	22,500	M1-5	1.0	5.0			22,500													C6-3	7.5	170	19,996									170	19,996							Retail on first floor.	
34	517-527 W 28 ST	700	18	14,812	15,000	M1-5	1.0	5.0			15,000													C6-3	7.5	113	13,331									113	13,331								Retail on first floor.
35	313 Tenth Ave	700	29	2,467	11,809	M1-5	4.8	5.																																					

Incremental Difference between With-Action and No-Action

The proposed action is expected to result in a net increase of approximately 4,708 DUs, ~~219,507~~ 146,411 sf of local retail space, ~~73,169~~ 48,804 sf of destination retail space (together local and destination retail include ~~292,676~~ 195,215 sf of retail space) and 198,726 sf of museum (community facility) space and a net decrease of ~~816,847~~ 796,947 sf of office space, 131,100 sf of hotel space, ~~40,809~~ 74,818 sf of storage/warehouse space, ~~318,580~~ 225,940 sf of parking uses and ~~25,064~~ 4,080 sf of vacant land. The incremental difference provides the basis for the environmental review of the proposed action. Table 1-6 below presents the No-Action and With-Action conditions and the incremental difference between the two conditions for the 25 projected development sites in total.

Table 1-6, Summary of Land Uses on the West Chelsea Projected Development Sites Under No-Action, With-Action, and Action Increment

LAND USE TYPE	2013 NO ACTION	2013 WITH ACTION	ACTION INCREMENT
Residential	101 DUs	4,809 DUs	4,708 DUs
Retail	<u>378,913</u> sf	<u>574,128</u> sf	<u>195,215</u> sf
Office	<u>956,947</u> sf	160,000 sf	<u>-796,947</u> sf
Hotel	131,100 sf	0 sf	-131,100 sf
Storage/Manufacturing	<u>74,818</u> sf	0 sf	<u>-74,818</u> sf
Parking/Auto (1)	<u>302,365</u> sf	76,425 sf	<u>-225,940</u> sf
Community Facility (museum)	28,838 sf	227,564 sf	198,726 sf
Vacant	<u>4,080</u> sf	0 sf	<u>-4,080</u> sf

Notes: (1) With Action scenario parking/auto SF listed in this table does not include permitted accessory parking expected to be provided at rate of 0.2 spaces per DU and 1 space per 4,000 sf of commercial and community facility.

In terms of income mix, it is expected that approximately 4,051 DUs of the project-generated units would be market-rate units, occupied by high income households and 657 DUs would be occupied by low- and moderate-income households, consistent with current development patterns in the area. This estimate is based on the assumption that developers would utilize voluntary mechanisms such as 80-20 financing and use of the Inclusionary Housing bonus to generate these units.

Base FAR Scenario

In addition to the With-Action condition for the proposed action described above, the ~~DEIS~~ FEIS also considers a Base FAR Scenario. As discussed above, the creation of the proposed High Line publicly accessible open space and the use of zoning bonuses related to improvements of the High

Line and the transfer of development rights from the High Line Transfer Corridor, proposed as part of the West Chelsea rezoning, are contingent on the City receiving a CITU for the High Line. The CITU is necessary to allow the City to change the High Line to a non-railroad use as the federal government has jurisdiction over railroad corridors used for interstate commerce, including inactive lines such as the High Line [refer to 49 CFR § 1152.29(d)(1)]. In 2002 the City filed a request with the STB for a CITU for the High Line, which was still pending at the time this ~~DEIS~~ FEIS was being prepared.

In the event a CITU is not issued, the proposed High Line publicly accessible open space would not be created and the transfer of development rights mechanism and the floor area bonus for High Line Access and Improvement would not be available, as those provisions of the proposed Special District are contingent on the CITU. While this scenario is considered unlikely, it is possible that, following the adoption of the proposed action, the proposed High Line open space would not be created. As a result, the maximum permitted FAR would be lower than the FAR allowed under the proposed action because the zoning bonuses and development rights transfers associated with the High Line would be unavailable. While this outcome is unlikely, it is possible, and therefore, this “Base FAR Scenario” is assessed for its potential environmental effects in this ~~DEIS~~ FEIS.

While the availability of the proposed FAR bonuses would be contingent on the issuance of the CITU, it should be noted that other proposed zoning regulations intended to create development compatible with the proposed High Line open space, including the various height and setback regulations described above, would still apply. The applicability of these regulations is not contingent on the CITU.

Development assumed under the Base FAR Scenario would occur on the same 25 projected development sites as the proposed action, but would result in somewhat less residential development since zoning bonuses and transfer of development rights associated with the High Line would be unavailable; however, all other land use projections would be identical to those anticipated under the proposed action’s RWCDS. The With-Action condition under the Base FAR Scenario includes approximately 3,142 dwelling units.

The net increase in residential development for the Base FAR Scenario is 3,041 dwelling units. The increment for all other land uses is the same as that of the proposed action: an increase of approximately ~~219,507~~ 146,411 sf of local retail space, ~~73,169~~ 48,804 sf of destination retail space (together local and destination retail include ~~292,676~~ 195,215 sf of retail space) and 198,726 sf of museum (community facility) space and a decrease of approximately ~~816,847~~ 796,947 sf of office space, 131,100 sf of hotel space, ~~40,809~~ 74,818 sf of storage/warehouse space, ~~318,580~~ 225,940 sf of parking uses and ~~25,064~~ 4,080 sf of vacant land. Table 1-7 provides a summary and comparison of the incremental development generated under both scenarios.

For certain technical areas where impacts are site-specific, the Base FAR Scenario would have the same effects as the Proposed Action. This includes: Historic Resources; Hazardous Materials; Natural Resources; Waterfront Revitalization Program; Energy; Noise; Construction; and Public

Health. For these technical areas, no additional analysis is necessary for the Base FAR Scenario and only explanatory text in each applicable chapter explaining that the effects of the Base FAR Scenario are expected to be the same as the proposed action will be provided.

For technical areas where impacts are density-specific and where the proposed action is not expected to result in significant adverse impacts, detailed analysis of the Base FAR Scenario will not be provided. Instead, each applicable chapter of the ~~DEIS~~ FEIS will include a qualitative discussion of the effects of the Base FAR Scenario as compared to the proposed action.

For density-specific technical areas where there are significant adverse impacts resulting from the proposed action, the ~~DEIS~~ FEIS will provide detailed analyses that are focused on areas where impacts are expected.

Table 1-7, Comparison of Proposed Action and Base FAR Scenario			
	PROPOSED ACTION INCREMENT	BASE FAR SCENARIO INCREMENT	DIFFERENCE
Total DUs	4,708 DUs	3,041 DUs	1,667 DUs
Low-Moderate Income DUs	657 DUs	415 DUs	242 DUs
Retail	<u>195,215</u> sf	<u>195,215</u> sf	0
Community Facility	198,726 sf	198,726 sf	0
Office	<u>-796,947</u> sf	<u>-796,947</u> sf	0
Hotel	-131,100 sf	-131,100 sf	0
Storage/manufacturing	<u>-74,818</u> sf	<u>-74,818</u> sf	0
Parking/Auto Use (1)	<u>-225,940</u> sf	<u>-225,940</u> sf	0
Vacant Space	<u>-4,080</u> sf	<u>-4,080</u> sf	0

Notes: (1) 76,425 sf of parking to be designated as “off-site accessory government parking” would be retained on Projected Development Site 21.