



West Chelsea Zoning Proposal - **Approved!**

Introduction

On June 23, 2005, the City Council approved the Department of City Planning's proposals for zoning text and map amendments affecting the West Chelsea area in Community District 4 Manhattan. The area is bounded generally by Tenth and Eleventh Avenues from West 30th Street south to West 16th Street. The proposal would create the Special West Chelsea District to provide opportunities for new residential and commercial development, facilitate the reuse of the High Line elevated rail line as a unique linear open space, and enhance the neighborhood's thriving art gallery district. [Modifications by the City Council are described here.](#)

Facilitated in large measure by the West Chelsea rezoning, the City Parks and Planning Departments, are working closely with the [Friends of the High Line](#) on the \$85 million restoration and conversion of Manhattans High Line into a lush green linear park located on the West Side. Section I will be open to the public in Spring 2009.

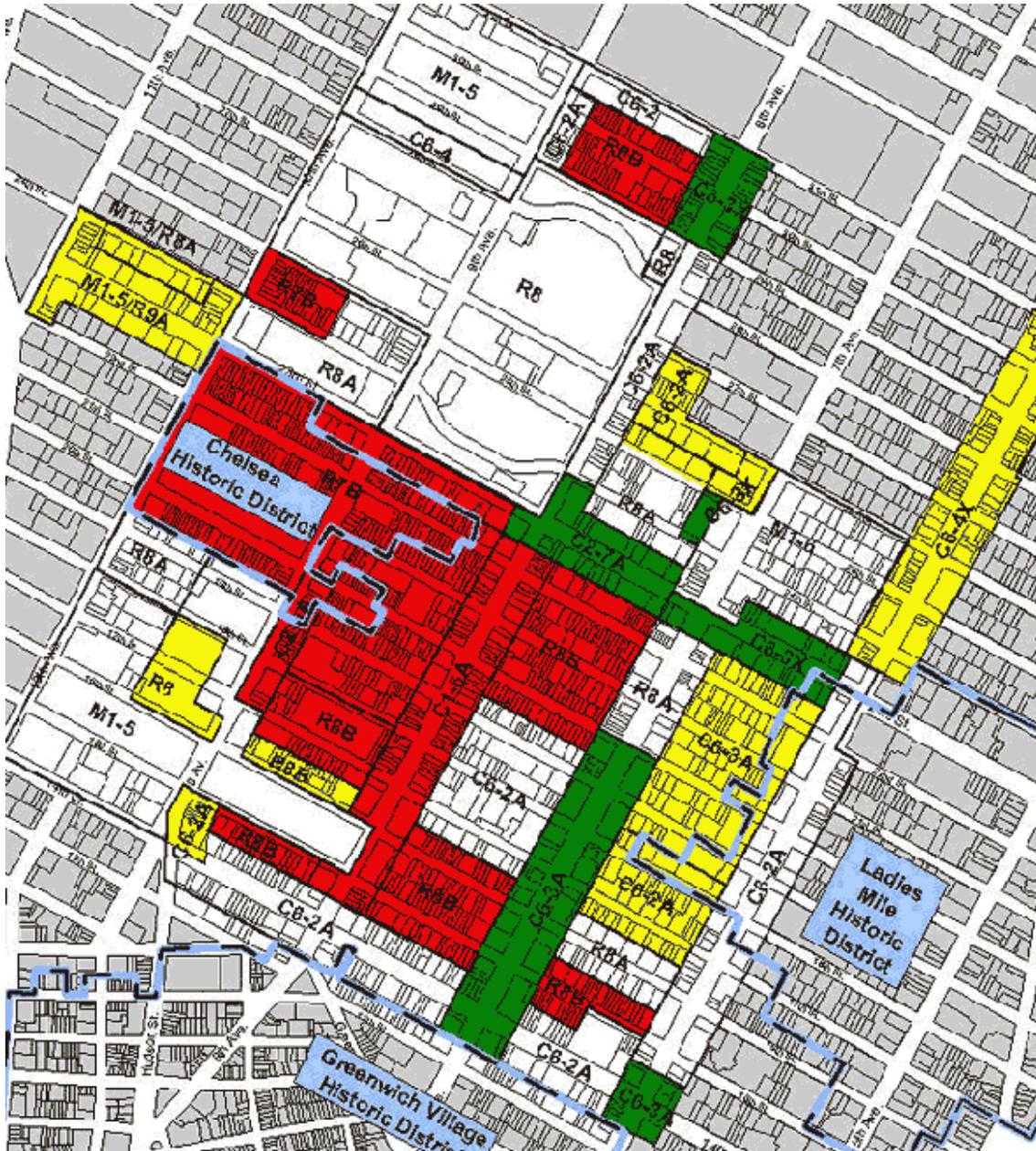


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Background & Existing Conditions

Planning background

In 1999, in accord with the recommendations of Community Board 4 in its adopted 197-A plan, a large portion of Chelsea, primarily east of Tenth Avenue, was rezoned both to preserve its scale and to facilitate residential development at appropriate locations. As part of that rezoning, the West 23rd Street corridor extending to Eleventh Avenue in West Chelsea was rezoned to a mixed manufacturing-residential district. At that time, the Department of City Planning committed to re-examining West Chelsea's zoning at a later date. The Special West Chelsea District proposal follows up on that commitment.

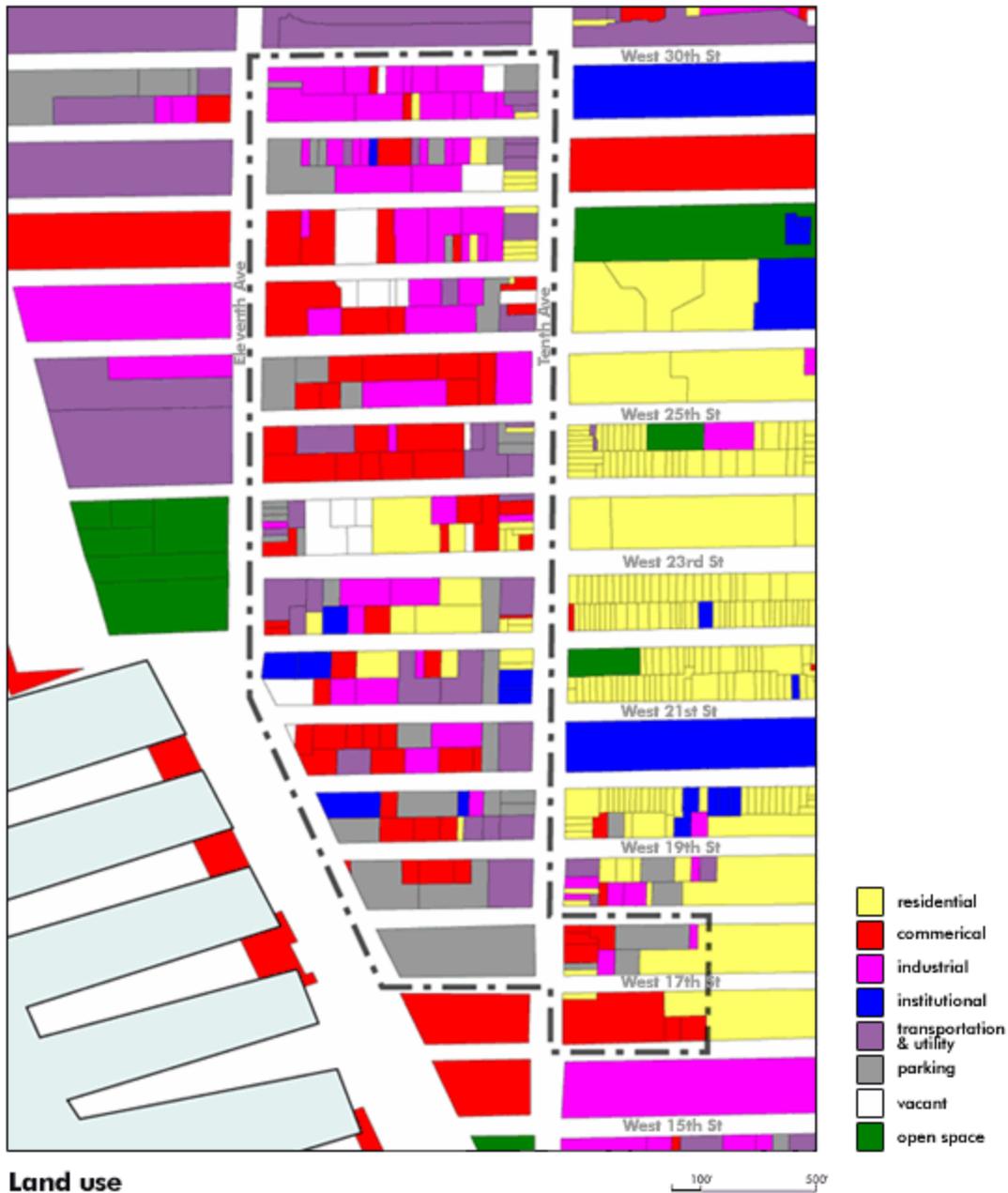


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Background & Existing Conditions

Land Uses

West Chelsea is an area in transition. Manufacturing uses, especially in the central and southern portions of the area, have in large part given way to auto-related uses, including auto-repair, parking, and vehicle storage. A significant number of commercial uses, primarily in the form of art galleries and museums, have located on the midblocks and along Eleventh Avenue. Residential use is heaviest to the east of Tenth Avenue within the Chelsea Historic District and in the Fulton and Chelsea/Elliott Houses. Additional residential use, a result of the 1999 rezoning, can be seen along the West 23rd Street corridor between Tenth and Eleventh Avenues.





Land use - auto-related and vacant

100 500

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Background & Existing Conditions

Varied Built Character

West Chelsea contains buildings of diverse character. The primary building forms include three to five-story walkup residential buildings along Tenth Avenue and large loft buildings along the avenues and midblocks. Large, tower buildings are located immediately adjacent to West Chelsea in the Fulton and Chelsea/Elliot Houses and London Terrace developments. Other dominant building types include lower-scale garage and auto-repair facilities as well as open, surface parking lots.

Three to five story walk-ups



Tenth Avenue, looking north from West 23rd Street



Tenth Avenue between West 21st and West 22nd Streets

High-streetwall loft buildings



Otis Elevator Building, Eleventh Avenue and West 26th Street



Baron Building, Eleventh Avenue and West 25th Street

Towers



Fulton Houses, West 16th Street
between Ninth and Tenth Avenues



London Terrace, West 23rd Street
between Ninth and Tenth Avenues

Auto-related uses



West 18th Street between Tenth
and Eleventh Avenues



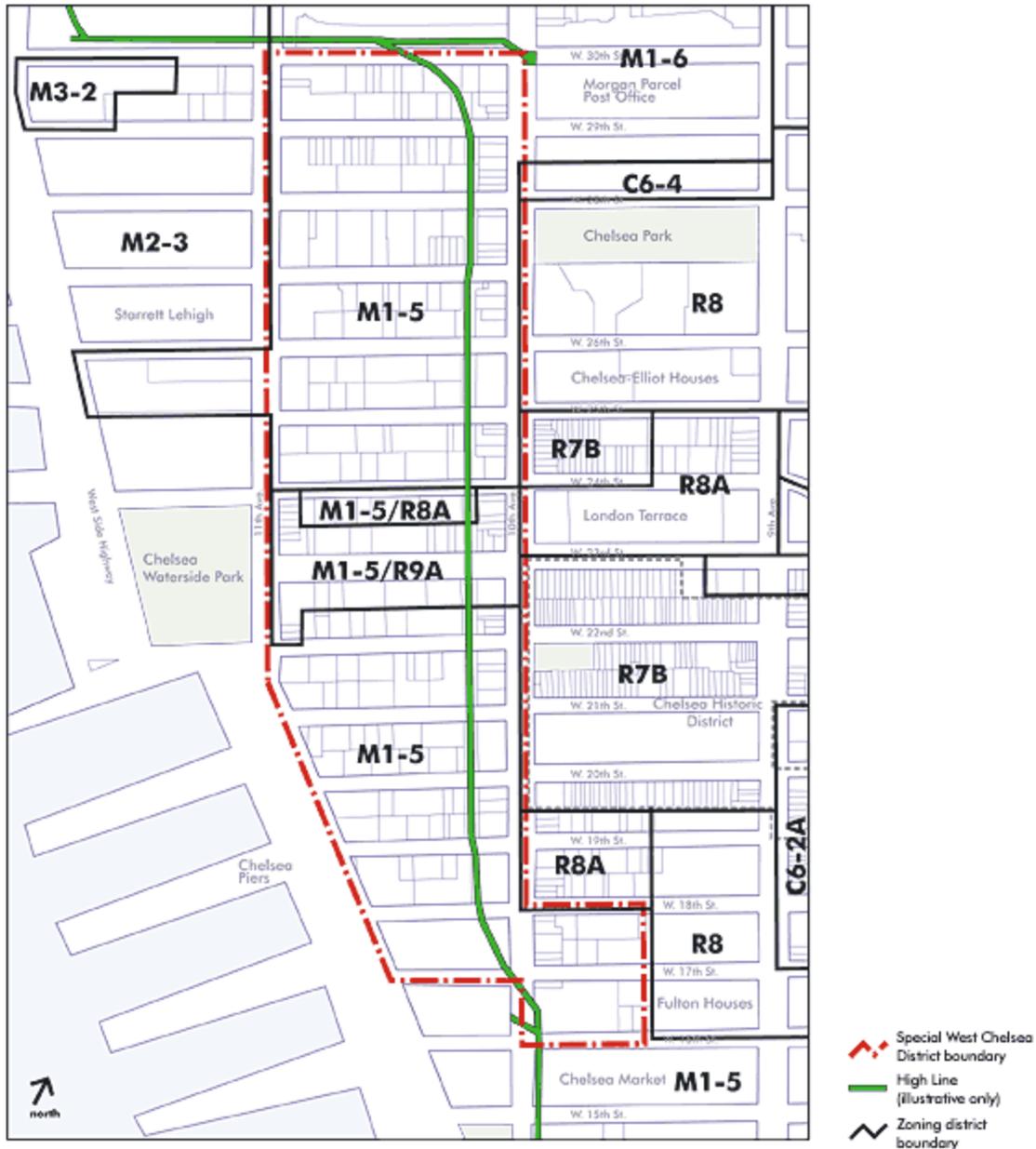
Tenth Avenue and West 18th Street

West Chelsea Zoning Proposal - **Approved!**

Background & Existing Conditions

Existing Zoning

The bulk of the West Chelsea area is currently zoned for light manufacturing and commercial uses, with a zoning designation of M1-5 and a maximum allowable floor area ratio (FAR) of 5.0. The 23rd Street corridor was rezoned in 1999 from M1-5 to M1-5/R9A and M1-5/R8A to allow mixed manufacturing and residential uses. Medium-performance M2-3 manufacturing districts are located to the west across Eleventh Avenue. Residential zoning districts are located across Tenth Avenue to the east within the Chelsea Historic District, Chelsea/Elliott Houses, Fulton Houses, and other residential areas.



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Background & Existing Conditions

The High Line

The High Line is an elevated rail structure that was constructed between 1929 and 1934 to serve the industrial and manufacturing districts along the west side of Manhattan. The High Line has not been used for rail transport since 1980 and portions of the line were demolished in the 1960's and again in 1991. The line currently extends for 22 blocks (approximately 1.4 miles) from Gansevoort Street northwards to West 34th Street. The primary line and its spurs contain approximately 6.7 acres of elevated area occupied by gravel, grasses, shrubs, and, in some places, trees. The line varies in width and elevation, but is generally between 30 and 50 feet in width and 25 feet in height.

The reuse of the High Line as an elevated open space is a critical component of the city's plan for the west side of Manhattan. The City of New York is currently working with CSX (the current owners of the railroad), local property owners, and the Friends of the High Line on a plan to transfer control of the High Line to the City and to rehabilitate and repurpose the High Line as a significant public open space.



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Update June 23, 2005:

City Council Adoption with Modifications

On June 23, 2005, the City Council approved the three ULURP applications for the West Chelsea/High Line proposal. The adopted actions include Zoning Map and Zoning Text amendments and Site Selection and Acquisition for public open space.

- Zoning Text Amendment– Creating a new Special West Chelsea District and specifying bulk and use controls unique to West Chelsea; eliminating the Special Mixed Use (MX-3) District. View the [Adopted Modified Zoning Text Amendment \(N 050161\(A\) ZRM\)](#).
- Zoning Map Amendment – Rezoning portions of the West Chelsea area from M1-5 light manufacturing zoning to allow mixed commercial and residential development; eliminating the existing Special Mixed Use (MX-3) District. View the [Adopted Modified Zoning Map Change \(C 050162\(A\) ZMM\)](#).
- Acquisition and site selection of the High Line by the city to facilitate its reuse as a public open space (C 050163 PCM).

The City Council approval includes modifications to affordable (Inclusionary) housing, bulk and density, as follows:

Density Modifications

The modifications eliminate the Inclusionary Housing bonus in the C6-2 district, as an alternative to the transfer of floor area from the High Line Transfer Corridor, while increasing the Inclusionary Housing bonus in C6-3. In the C6-4 in the north, the base FAR was decreased from 7.5 to 6.5 FAR, and any increase in residential FAR above 9.15 would be only through the Inclusionary Housing bonus. The modifications are presented in the table below:

	C6-2	C6-3	C6-4
	FAR	FAR	FAR
As adopted by the City Planning Commission			
Base FAR	5	5	7.5
Through High Line Transfer	5.65	6.65	9.15
Through High Line Transfer / IHB	6	7.5	10
Through IHB			12
As modified by the City Council			
Base FAR	5	5	6.5
Through High Line Transfer	6	6.25	9.15
Through High Line Transfer / IHB		7.5	
Through IHB			12

Affordable Housing

Section 98-26 has been revised to encourage the development of affordable housing in the Special West Chelsea District. In brief, the revisions allow the following:

- *Permit City, State, and Federal programs in Inclusionary Program:* Public housing subsidy programs (including

80/20) may be used for the construction or rehabilitation of inclusionary housing. This modification will result in both greater incentives for the production of affordable housing and permanent affordability for more affordable units.

- *Tiering of inclusionary housing bonus to higher income levels:* In exchange for providing more affordable units, housing for higher income levels (moderate- and middle-income) is allowed under the inclusionary program.
- *Conversions:* The Inclusionary Housing Program, and the bonus and density provisions for new construction, would now be made applicable to conversions.
- *Affordable Housing Fund:* After 90% of the High Line Transfer Corridor floor area is transferred to the receiving sites or is otherwise used, as an alternative to the High Line transfer, an increase in floor area would be permitted in exchange for contributions to an Affordable Housing Fund. The contribution amount per square foot would be determined by the City Planning Commission at the time that the fund is established.

Bulk Modifications

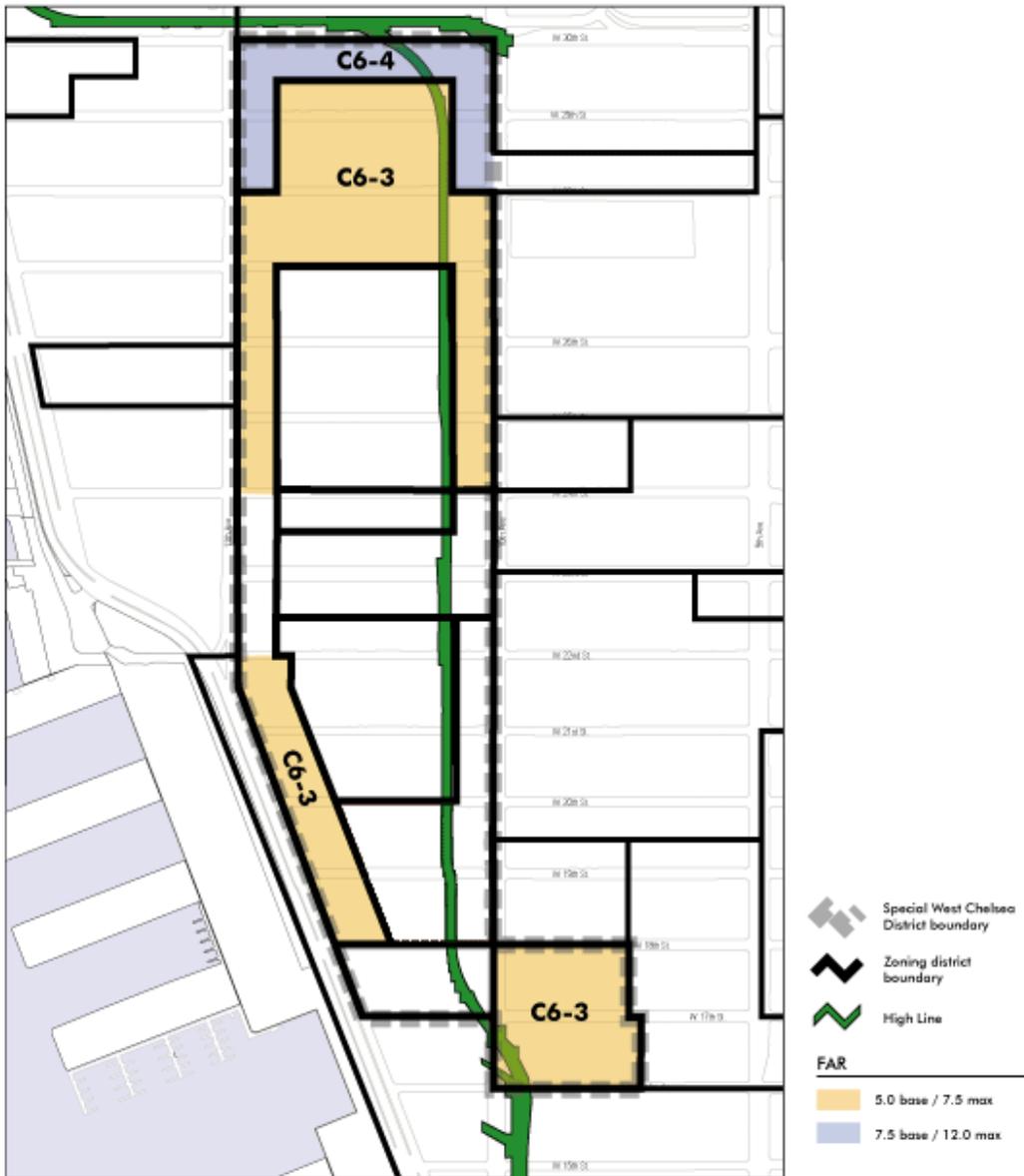
- 10th Avenue, 24th – 28th streets (C6-2 District): The maximum streetwall height was reduced from 145 to 125 feet to ensure new development relates to the scale of existing buildings along this portion of 10th Avenue.



Illustrative projected build out under proposed Special West Chelsea District controls.

Modified Inclusionary Housing Program

Inclusionary housing provisions were modified by the City Planning Commission and the City Council within the Special West Chelsea District to provide additional opportunities for the creation of housing for lower-, middle- and moderate-income households. Lots which have transferred floor area from the High Line Transfer Corridor would be permitted to further increase floor area through the provision of inclusionary housing in C6-3 and C6-4 districts. The preservation option of the inclusionary housing program was modified to encourage the use of this option, and the use of public subsidies was made available to encourage the use of the Inclusionary Program and ensure permanency. The use of 80/20 financing and changes to the Inclusionary Housing Bonus (IHB) described above would generate approximately 1,000 units of affordable housing as a consequence of the creation of the Special District.

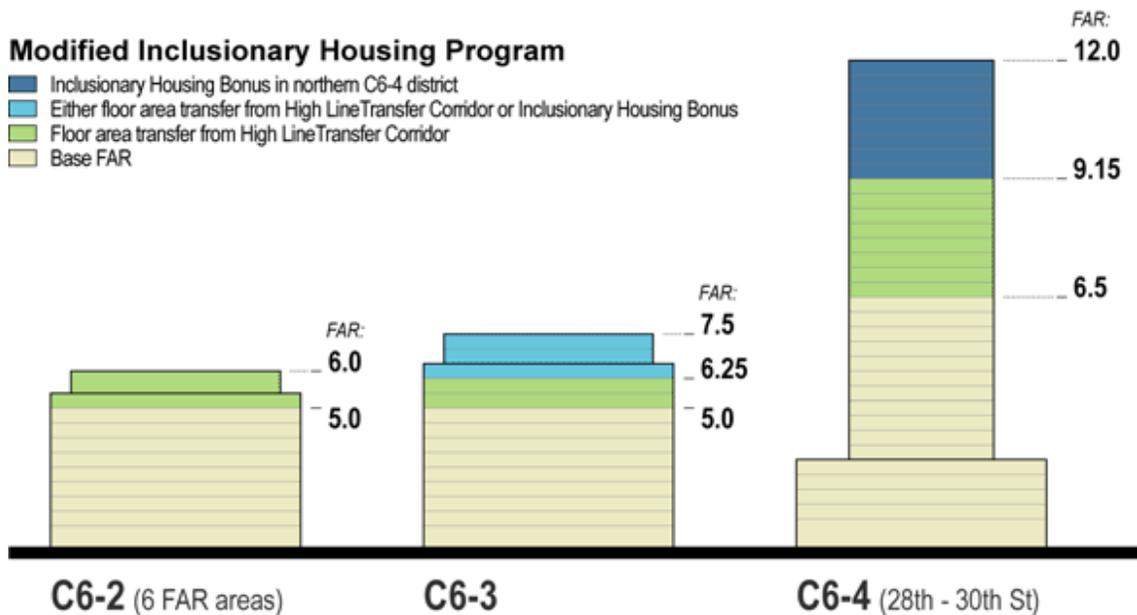


**SPECIAL WEST CHELSEA DISTRICT
MODIFIED INCLUSIONARY HOUSING AREAS**

Areas within the Special West Chelsea District where the modified Inclusionary Housing program would be available.

Modified Inclusionary Housing Program

- Inclusionary Housing Bonus in northern C6-4 district
- Either floor area transfer from High Line Transfer Corridor or Inclusionary Housing Bonus
- Floor area transfer from High Line Transfer Corridor
- Base FAR



A portion of the increment between the base and the maximum FAR in C6-3 and C6-4 districts would be required to come from High Line Transfer Corridor development rights. The remaining portion of the increment could be achieved via the HLTC transfer or the Modified Inclusionary Housing bonus in the C6-3 district, and exclusively via the Modified Inclusionary Housing bonus in the C6-4 district.

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CPC Approval with Modifications - May 25, 2005

On May 25, 2005, the City Planning Commission approved the 3 ULURP applications for the West Chelsea/High Line proposal. (Read the CPC Report: [N 050161\(A\) ZRM](#), [C 050162 \(A\) ZMM](#) and [C 050163 PCM](#)). The West Chelsea/High Line application presents several actions for approval by the City Planning Commission (CPC). The adopted actions include Zoning Map and Zoning Text amendments and site selection and acquisition for public open space. The Zoning Text amendments were approved with further modifications.

- Zoning Text Amendment– Creating a new Special West Chelsea District and specifying bulk and use controls unique to West Chelsea; eliminating the Special Mixed Use (MX-3) District. View the [Adopted Modified Zoning Text Amendment \(N 050161\(A\) ZRM\)](#).
- Zoning Map Amendment – Rezoning portions of the West Chelsea area from M1-5 light manufacturing zoning to allow mixed commercial and residential development; eliminating the existing Special Mixed Use (MX-3) District. View the [Adopted Modified Zoning Map Change \(C 050162\(A\) ZMM\)](#).
- Acquisition and site selection of the High Line by the city to facilitate its reuse as a public open space (C 050163 PCM).

The approved Zoning Text amendments include modifications that were made to respond to concerns raised during the public review process. These modifications are listed below:

Affordable Housing – Section 98-26

- A portion of the increase in floor area between the base and maximum FAR could now be achieved through use of the Inclusionary Housing Program in C6-2, C6-3 and C6-4 districts
- The Preservation Option in the Inclusionary Housing Program would be modified to increase its use

Bulk and Density modifications – Section 98-22

- 10th Avenue, 19th/20th – 22/23rd streets (C6-2 District)
 - The maximum FAR was reduced from 6 to 5 FAR and maximum permitted height was reduced from 120 to 80 feet to ensure new development relates to the lower scale Chelsea Historic District.
- 10th Avenue (east side), 17th – 18th streets (C6-3 District)
 - To compensate for the reduction in density across from the Chelsea Historic District, this portion of the rezoning area would be changed from a C6-2 to a C6-3 district, the maximum FAR would increase from 6 to 7.5 FAR, and the maximum permitted height would increase from 120 to 135 feet.
- 10th Avenue, 24th – 28th streets (C6-2 District)
 - The maximum streetwall height was reduced from 145 to 125 feet to ensure new development relates to the scale of existing buildings along this portion of 10th Avenue.
- 11th Avenue, 18th – 22nd streets (C6-3 District)
 - The 30 to 40 percent tower coverage regulations were replaced with a maximum tower width of 150 feet and a maximum height of 250 to encourage more slender towers.
- 11th Avenue, 22nd – 24th streets (C6-3 District)
 - The 145 foot height limit was replaced with a tower form regulated by a maximum tower width of 150 feet and a maximum height of 250 to encourage slender towers.
- 30th Street (C6-4 District)

The streetwall was reduced from a 60 to 85 foot range to a 40 to 60 foot range to create a better relationship between the base of new buildings on the south side of West 30th Street and the height of the High Line on the north side of West 30th Street.

- The width of towers above a height of 220 feet are regulated by a maximum width of 150 feet to ensure more slender towers.

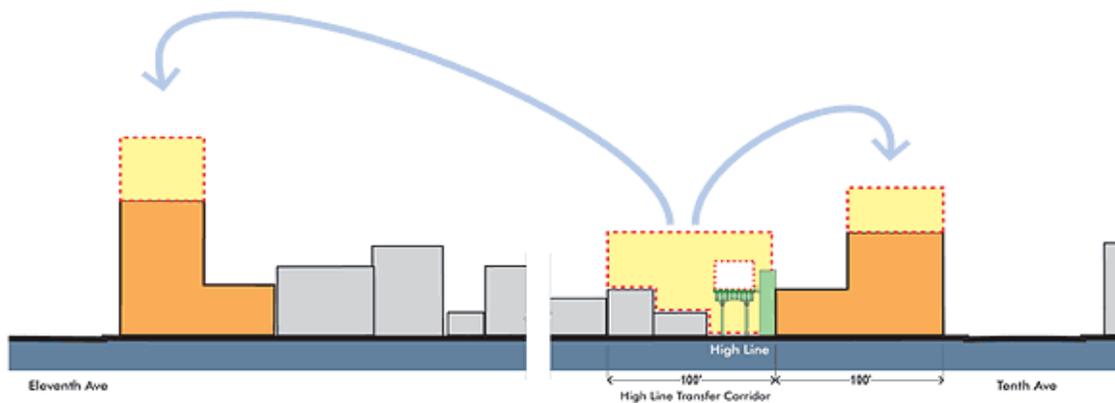
West Chelsea Zoning Proposal - **Approved!** Proposal

The High Line

The West Chelsea rezoning proposal contains provisions intended to enhance the proposed High Line open space and to ensure that adjacent developments engage with and relate to the High Line. To encourage preservation of light and air around the High Line, the proposal would allow development rights to be transferred from High Line properties to designated receiving sites within the Special West Chelsea District. New development along Tenth Avenue, adjacent to the High Line, would also be subject to a series of building bulk and [use controls](#) to encourage connections to the High Line and the preservation of light, air and views.

The rezoning proposal would create a High Line Transfer Corridor (HLTC). The HLTC would generally be 100-feet wide and would contain the entire High Line structure and portions of adjacent lots between West 18th and West 30th Streets (indicated on the [Proposed Zoning map](#)). Owners of property within the HLTC would be permitted to transfer their development rights, equivalent to the base FAR for the property, to designated receiving sites within the Special District. The construction of stair access to the High Line would be required as a condition of the transfer on some properties.

Separate site selection and acquisition actions would transfer control of the High Line to the City and would facilitate the implementation of a master plan design for the High Line open space.



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Use, Density, and Bulk Regulations

The Special West Chelsea District would permit residential and commercial development along Tenth and Eleventh Avenues and on some of the midblocks, outside the core of the neighborhood's art gallery district. Regulations governing building height and setback respond to the unique features of West Chelsea, including the neighborhood's many early 20th century loft buildings, the adjacent Chelsea Historic District, and the Hudson River waterfront.



C6-4 area

The area on the south side of West 30th Street and along Tenth and Eleventh Avenues, extending south to West 28th Street, is rezoned to C6-4. The base FAR within the C6-4 zone would be 6.5 FAR and could be increased to 9.15 with acquisition of development rights from the High Line Transfer Corridor (HLTC) and up to 12.0 FAR with the modified [Inclusionary Housing](#) bonus. Tower-on-a-base forms would be permitted. Higher densities within the C6-4 areas would provide an appropriate transition to the high density commercial development planned within the Hudson Yards area to

the north. Special floor area controls would apply to the C6-4 site located between West 17th and West 18th Streets. See the High Line Improvement Bonus section below for more details.

C6-3 areas

The midblocks between West 27th and West 29th Streets, the Tenth Avenue frontage between West 24th and West 28th Streets, and the Eleventh Avenue frontage between West 18th and West 28th Streets would be rezoned to C6-3. The base FAR for the C6-3 areas would be 5.0 and could be increased to 7.5 with acquisition of development rights from the HLTC and through the modified Inclusionary Housing bonus.

Bulk controls within the C6-3 zones between West 27th and West 29th Streets would require high-[street walls](#) loft-like building forms that respond to the existing built context established by the ABC Warehouse and the Otis Elevator Building. Bulk controls across from the Chelsea Piers would permit slender, tower-on-a-base forms that would allow buildings to rise above the Chelsea Piers while allowing increased light and air to penetrate into the midblock gallery district.

C6-2 areas

The midblocks between West 18th and West 20th Streets, the Tenth Avenue frontage between West 18th and West 22nd Street, and the area east of Tenth Avenue between West 17th and West 18th Streets would be rezoned to C6-2. The base FAR within the C6-2 areas would be 5.0 and could be increased to 6.0 with acquisition of development rights from the HLTC. However, to reflect the lower-scale Chelsea Historic District east of Tenth Avenue, the C6-2 district along Tenth Avenue between West 20th and West 22nd streets would have a maximum density of 5.0 FAR.

The C6-2 district would serve as a scale transition from the higher density development that would be permitted along Eleventh Avenue and south of West 18th Street and the lower-scale Chelsea Historic District to the east of Tenth Avenue. [Additional bulk controls](#) for lots adjacent to the High Line would preserve views, light, and air for the proposed High Line open space while reflecting the varied built context of Tenth Avenue.

C6-3A / C6-2A areas

The M1-5/R9A and M1-5/R8A districts along West 23rd and West 24th Streets were rezoned from M1-5 in 1999. The Special West Chelsea District proposal would rezone portions of these two districts to reflect the changing nature of the corridor and its increasingly residential character. Neither area would be receiving sites for floor area from the High Line Transfer Corridor.

The existing M1-5/R9A district along Eleventh Avenue between West 22nd and West 24th Streets, along West 23rd Street between Tenth and Eleventh Avenues, and along Tenth Avenue generally between West 21st and West 24th Streets would be rezoned to C6-3A. The maximum allowable FAR's within this district are 6.0 for commercial uses, 7.52 for residential uses, and 7.5 for community facility uses.

The existing M1-5/R8A district on the midblock south side of West 24th Street would be rezoned to C6-2A. The maximum allowable FAR's within this district are 6.0 for commercial uses, 6.02 for residential uses, and 6.5 for community facility uses.

M1-5 areas

The existing M1-5 manufacturing districts, which permit commercial and light manufacturing uses, would be retained in the core of the gallery district on the midblocks between West 20th and West 22nd Streets and between West 24th and West 27th Streets. Within these areas, museums would be permitted as-of-right to reinforce the arts-related uses of the neighborhood. Additional bulk controls would require street walls within the M1-5 district to ensure that new development conforms to the existing built context.

High Line Improvement Bonus areas

In recognition of the unique condition of the High Line between West 16th and 19th streets, where it broadens and crosses over 10th Avenue, adjacent development on these blocks could receive additional floor area through the provision of significant improvements to the High Line. Improvements include stair and elevator access on all three blocks, public restrooms and maintenance space at West 16th Street, an at-grade public plaza on 10th Avenue between West 17th and 18th streets, and restoration, remediation, and implementation of the High Line open space between West 16th and 20th streets. Uses of the High Line Improvement Bonus would result in implementation of 20 percent of the High Line open space, at perhaps its most prominent location.

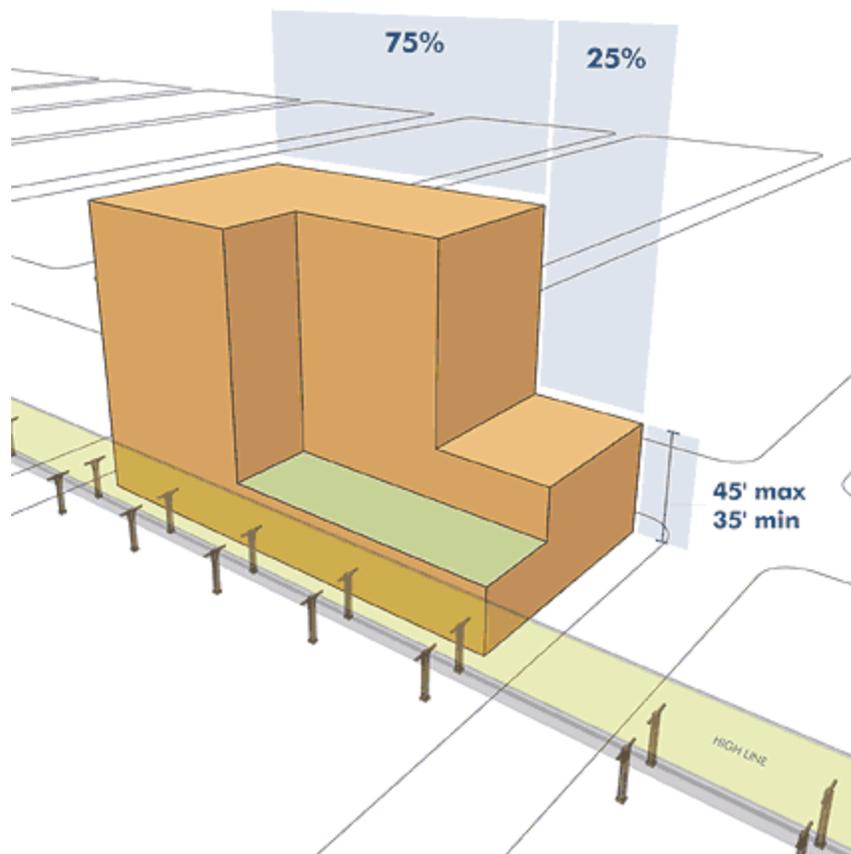
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High Line Adjacency Controls:

Development sites located between Tenth Avenue and the High Line would be subject to additional bulk controls. These controls would facilitate the reuse of the High Line as a public open space by preserving views, light, and air and by providing regular public access points from ground level to the High Line level.

Tenth Avenue Building Frontages

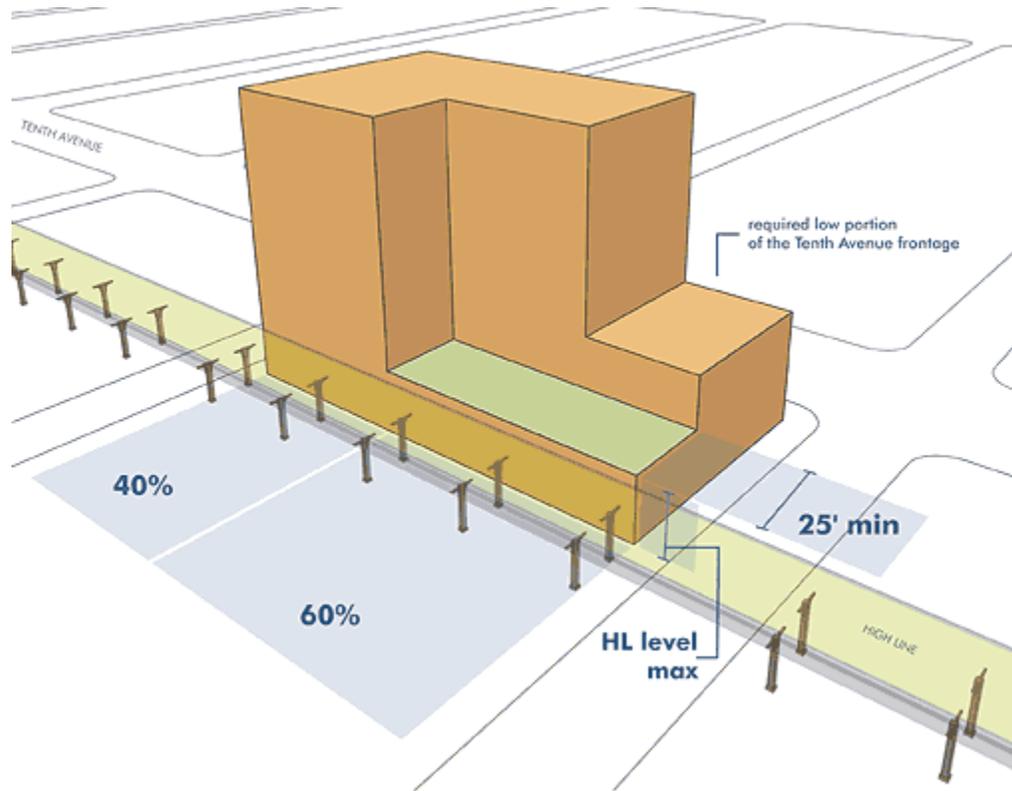
Consistent with the existing built character of walk-up apartment buildings and high streetwall loft buildings, bulk controls along Tenth Avenue would mandate a mix of low and high streetwalls and would help preserve light, air, and views for the High Line open space. Under these frontage regulations, the street wall of a building along Tenth Avenue could rise to between 35 feet and 45 feet in height for 25% of its Tenth Avenue frontage. This lowered streetwall would be required to be located at a street intersection. The remaining 75% of the street wall could rise to the maximum allowable building height.



NOTE: Tenth Avenue controls would apply only to developments that occupy at least 170 feet of the block front on Tenth Avenue

High Line Building Frontages

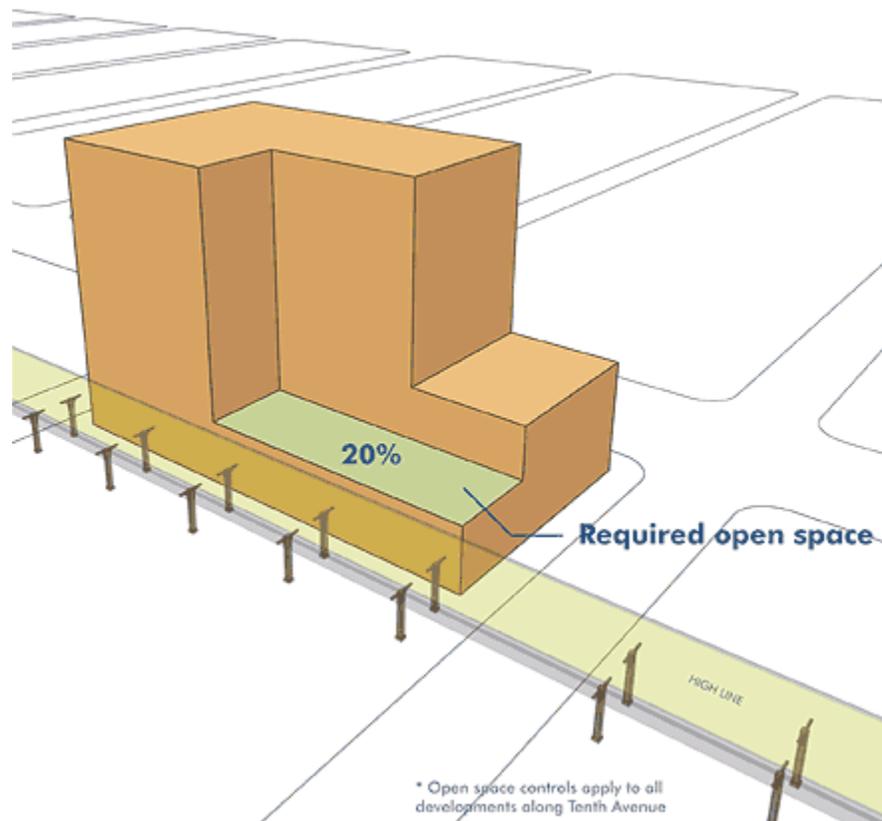
To create a varied experience along the length of the High Line open space, portions of buildings would be required to set back from the High Line while other portions of buildings would be permitted to rise directly adjacent to, and connect with, the High Line. A maximum of 40% of a building's High Line frontage would be permitted to rise to the maximum allowable building height directly adjacent to the High Line structure. The remaining 60% (minimum) of a building's High Line frontage would be permitted to rise no higher than the level of the High Line before setting back a minimum of 25 feet.



NOTE: High Line controls described above would apply only to developments that occupy at least 120 feet of the eastern High Line frontage.

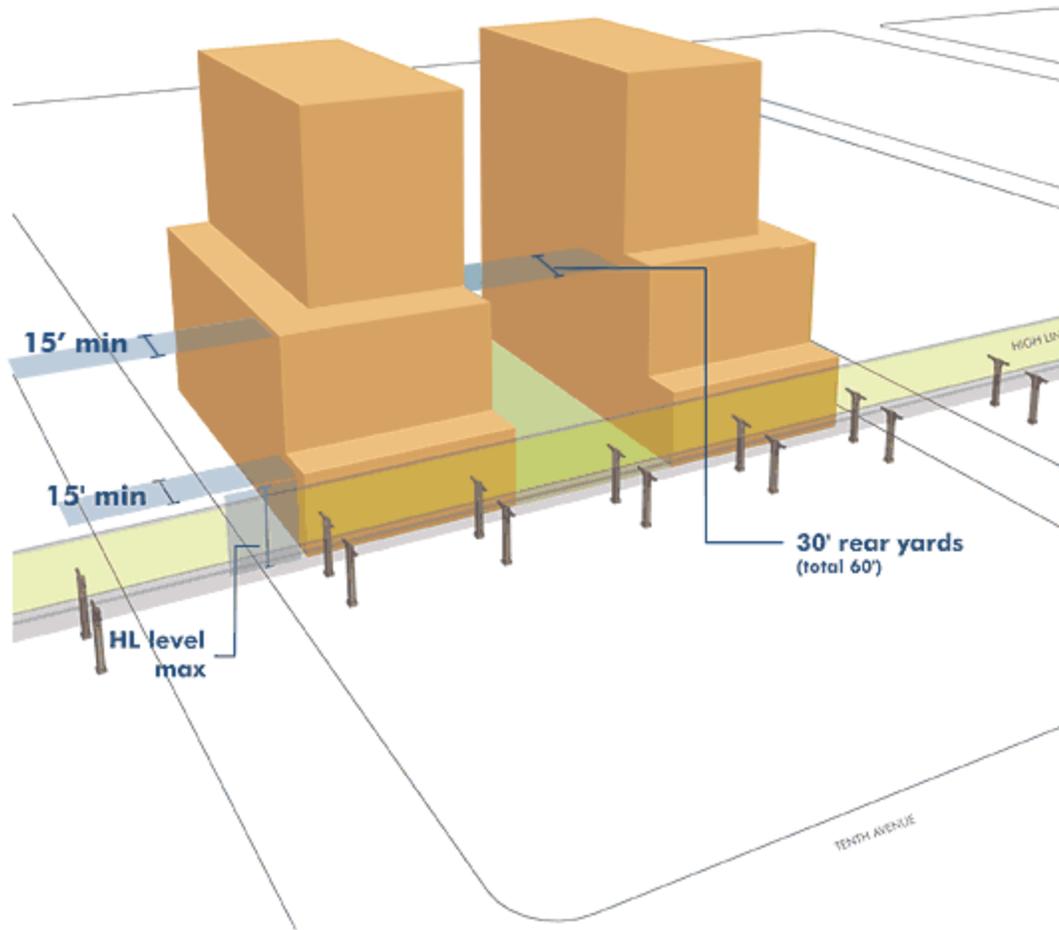
High Line Adjacency Controls: Required Open Space

A minimum of 20% of the lot area would be required to be reserved as landscaped open space. To provide a visual extension of the High Line, the required open space would be located adjacent to and at a height not to exceed the level of the High Line. The required open space could not front on Tenth Avenue and could be used as a public or private space.



High Line Adjacency Controls: West Side of the High Line

Within 15 feet of the west side of the High Line structure, buildings could rise no higher than the level of the High Line. For lots that occupy more than 60 feet of narrow street frontage, an additional 15 foot setback would be required at the base height.



West Chelsea Zoning Proposal - **Approved!** EIS - Final Environmental Impact Statement

This Final Environmental Impact Statement (FEIS) has been prepared in conformance with applicable laws and regulations, including Executive Order No. 91, New York City Environmental Quality Review (CEQR) regulations, and follows the guidance of the *CEQR Technical Manual*, October 2001.

The FEIS includes review and analysis of all impact categories identified in the *CEQR Technical Manual*, including a description and analysis of the proposed action and its environmental setting; the environmental impacts of the proposed action, including its short- and long-term effects, and typical associated environmental effects; identification of any significant adverse environmental effects that can be avoided through incorporation of corrective measures into the proposed action; a discussion of alternatives to the proposed action; the identification of any irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented; and a description of any necessary mitigation measures proposed to minimize significant adverse environmental impacts.

The Draft Environmental Impact Statement (DEIS) for the proposed action was accepted as complete by the New York City Department of City Planning as lead agency on December 20, 2004. Public notice of completion of the DEIS and a public hearing on the DEIS was published in the City Record, Environmental News Bulletin, and New York Sun on March 16, 2005.

The City Planning Commission held a public hearing at the Tribeca Performing Arts Center of the Borough of Manhattan Community College, Theatre Two, 199 Chambers Street, Manhattan, on April 6, 2005 at 10 AM. The period for public review remained open until April 18, 2005.

The FEIS reflects all substantive comments made on the DEIS during the public hearing and subsequent comment period. The comments are summarized and responded to in Chapter 27 "Response to Comments." Changes to the text and graphics of the FEIS were also made in response to comments. In addition, Chapter 23, "Alternatives" of the FEIS has been modified to add an analysis of a Revised Community Board 4 Alternative and a Revised Affordable Housing Alternative. The Revised Affordable Housing Alternative (Alternative F) was developed by the Department of City Planning in response to comments received during the public review process for the DEIS. This alternative reflects the Department's modified ULURP application [(N 050161(A) ZRM) and (C050162(A) ZMM)] for the zoning map and text amendments. This alternative reflects changes made in regard to bulk, density and affordable housing. This alternative modifies and replaces the Affordable Housing Alternative analyzed in the DEIS.

The FEIS also includes one new appendix, Appendix H, which contains all written comments received during the public review period. In addition, the zoning text amendment for the Revised Affordable Housing Alternative has been added to Appendix A and the reasonable worst-case development scenario has been added to Appendix G.

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Appendix D –The Metropolitan Transportation Authority Letter of Resolution (No. 7 Subway)	(0.5mb)
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Appendix H – Written Comments on the DEIS	(11.0mb)

West Chelsea Zoning Proposal - **Approved!**

Timeline

Project Component:	Milestone Date:
Department of City Planning Certification	December 20, 2004
Community Board Review	
CB 2 Vote (Contact Board 212-979-2272 for more details)	January 20, 2005
CB 4 Vote (Contact Board 212-736-4536 for more details)	February 2, 2005
Department of City Planning filing of modified applications	March 3, 2005
Borough Board and Borough President	
Borough Board Vote	March 17, 2005
Borough President Recommendation	March 29, 2005
City Planning Commission	
Public Hearing	April 6, 2005
Adoption of applications	May 25, 2005
City Council Adoption	June 23, 2005