

TECHNICAL MEMORANDUM
WATER STREET UPGRADES TEXT AMENDMENT
CEQR No. 16DCP084M
April 22, 2016

A. INTRODUCTION

The New York City Economic Development Corporation (NYC EDC), the Alliance for Downtown New York (ADNY), and the New York City Department of City (NYC DCP) propose a zoning text amendment to Section 91-80 (Public Access Areas) and Appendix A of the Special Lower Manhattan District, Section 37-625 (Design changes), and Section 37-73 (Kiosks and Open Air Cafes) of the New York City Zoning Resolution. The proposed action would facilitate the infill of existing arcades for retail use and the improvement of existing plazas by CPC certification and authorization in the Water Street commercial corridor in Community District 1, Manhattan. The directly affected area is comprised of portions of 13 blocks located in C6-9, C5-3, C5-5, and C6-4 zoning districts within the Special Lower Manhattan District (SLMD.) The directly affected area contains two designated New York City historic districts that are also listed on the State and National Register of Historic Places — the Fraunces Tavern Block Historic District and the Stone Street Historic District. The directly affected area is also contiguous to the State and National Register listed Wall Street Historic District and the New York City designated South Street Seaport Historic District.

An Environmental Assessment Statement (EAS) for the proposed zoning text amendment was completed on January 18, 2016 and a Negative Declaration was issued on January 19, 2016. A Revised EAS, completed on April 22, 2016, considered further City Planning Commission (CPC) modifications to the proposed zoning text amendment. These modifications to the proposed zoning text amendment are detailed and analyzed in Section B below.

B. DESCRIPTION OF THE POTENTIAL MODIFICATIONS AND ANALYSIS

The potential CPC Modifications consist of changes in the following areas: 1) Clarifying edits to the language and wording throughout the proposal 2) Addition of a community board referral for certifications 3) Clarification that permitted residential uses on the ground floor are limited to lobbies 4) Clarification of the periodic compliance reporting requirement for plazas 5) Clarification of the signage requirements for indoor public spaces 6) Expansion of the requirement for multiple establishments for the longest frontage of infill to apply to all arcades 7) Removal of Use Group 5A (hotel rooms) from the uses permitted within arcade infill. Each of these is described below.

1) CLARIFYING EDITS TO THE LANGUAGE AND WORDING THROUGHOUT THE PROPOSED ZONING TEXT AMENDMENT

Various text edits are proposed throughout the zoning text amendment. These text edits are not substantive in nature and would not have the potential to result in environmental impacts.

2) ADDITION OF A COMMUNITY BOARD REFERRAL FOR CERTIFICATIONS

Per the proposed zoning text, all Chairperson certification applications will be submitted to and reviewed by the affected Community Board for a maximum period of 45 days. The CPC Chairperson shall not issue a certification for the application during the Community Board review period, unless the Community Board has submitted to the CPC Chairperson comments regarding such proposal or informed the Chairperson that the Community Board has no comments.

This change is procedural in nature and would not have the potential to result in environmental impacts.

3) CLARIFICATION THAT PERMITTED RESIDENTIAL USES ON THE GROUND FLOOR ARE LIMITED TO LOBBIES

This change clarifies that residential uses on the ground floor are limited to lobbies. In the environmental assessment, no new dwelling units were assumed; only the expansion of existing dwelling units on the second level of one site were considered. This change would not impact the amount of residential space in either the No Action or With Action Scenario.

4) CLARIFICATION OF THE PERIODIC COMPLIANCE REPORTING REQUIREMENT FOR PLAZAS

This is procedural and would not have the potential to cause environmental impacts.

5) CLARIFICATION OF THE SIGNAGE REQUIREMENTS FOR INDOOR PUBLIC SPACES

Under the revised text, public space signage for through block arcades will include the name of the street to which the through block connection passes.

This change to the proposed zoning text would not have the potential to cause environmental impacts.

6) EXPANSION OF THE REQUIREMENT FOR MULTIPLE ESTABLISHMENTS TO APPLY TO ALL ENLARGEMENTS AND EXCLUSION OF USE GROUP 5A FROM LOCATING WITHIN INFILL.

The expanded requirement for multiple establishments to apply to all enlargements would require more than one establishment and would encourage the creation of smaller stores. The environmental assessment assumed that new retail would not be destination retail and would serve the surrounding community; further clarifying this assumption in the zoning text amendment would not have the potential to result in environmental impacts.

7) REMOVAL OF USE GROUP 5A (HOTEL ROOMS) FROM THE USES PERMITTED WITHIN ARCADE INFILL.

The proposed zoning text would exclude Use Groups 5A (but would continue to allow Use Group 5B) from locating within infill.

The location of hotel rooms on the ground floor was considered highly unlikely and therefore was not analyzed in the environmental assessment. Therefore, this text clarification further supports this assumption and would not have the potential to result in environmental impacts.

C. CONCLUSION

The Potential CPC Modifications to the proposed zoning text would not result in any new or different environmental impacts than those disclosed in the EAS.