

CITY COUNCIL
LAND USE DIVISION

2015 JUN -2 A 11: 11



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NYC COUNCIL

2015 JUN -2 A 10: 52

SPEAKER'S OFFICE

June 1, 2015

City Council
City Hall
New York, NY 10007

**Re: 510-512 West 23rd Street
ULURP No. N 090311 ZRM
Borough of Manhattan**

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated May, 26, 2015, from the City Council regarding the proposed modifications to above-referenced application submitted by 22-23 Corp. c/o Park It Management for a text amendment. In accordance with Section 197-d(d) of the New York City Charter, the Commission has determined that the City Council's proposed modifications raise no land use or environmental issues requiring further review.

The report and recommendation was adopted by the Commission on June 1, 2015.

Best Regards,


Carl Weisbrod

C: E. Hsu-Chen
D. DeCerbo
A. Laremont
J. Harris

Carl Weisbrod, Chairman
City Planning Commission
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(212) 720-3200 FAX (212) 720-3219
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THE COUNCIL
THE CITY OF NEW YORK
LAND USE DIVISION
250 BROADWAY, ROOM 1602
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RAJU MANN
DIRECTOR

PHONE: 212-788-7335
RMann@council.nyc.gov

May 26, 2015

BY HAND

Honorable Carl Weisbrod, Chairman
City Planning Commission
22 Reade Street, 2nd Flr. - 2W
New York, New York 10007-1216

**RE: Application No.: N 090311 ZRM
(505-512 West 23rd Street/West Chelsea Text Amendment)**

Dear Chairman Weisbrod:

On May 21, 2015, the Land Use Committee of the City Council, by a vote of 22-0-0 recommended modification of the City Planning Commission's decision in the above-referenced matter. Pursuant to Section 197-d(d) of the City Charter and Section 11.70 of the Rules of the Council, I hereby file the proposed modification with the Commission.

Matter in **bold double-underlined** is new, added by the Council.

(b) #Floor area#

The maximum amount of #floor area# transferred from a granting site located outside of a subarea shall not exceed the maximum #floor area ratio# permitted for a #commercial use# or #residential use# on such granting site **as of [insert the effective date of amendment]**, **whichever is greater**, less any existing #floor area# to remain on such granting site.

The maximum amount of #floor area# transferred from a granting site located in a subarea shall not exceed the basic maximum #floor area ratio# specified for the applicable subarea in the table in Section 98-22 (Maximum Floor Area Ratio and Lot Area in Subareas), less any existing #floor area# to remain on such granting site.

Each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be transferred from the granting site by the amount of #floor area# transferred. The amount of #floor area# transferred to a receiving site from a granting site in the #High Line Transfer Corridor# shall not exceed the #floor area ratio# permitted on the receiving site through such transfer, pursuant to the table in Section 98-22.

Honorable Carl Weisbrod, Chairman
N 090311 ZRM
May 26, 2015
Page 2 of 2

Please feel free to contact me at (212) 788-7312 if you or your staff has any questions in this regard.

Sincerely,



Anne F. McCaughey
General Counsel

RECEIVED BY: _____

DATE: _____

TIME: _____

Encl.

- c: Members, City Planning Commission
- Raju Mann, Director, Land Use Division
- Peter Janosik, Senior Project Manager
- Anita Laremont, Esq., DCP
- Danielle J. DeCerbo, DCP
- File



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

REVISED NEGATIVE DECLARATION

Supersedes the Negative Declaration Issued on January 20, 2015 and the
Revised Negative Declaration issued on May 4, 2015¹

Project Identification

CEQR No. 10DCP048M
ULURP No. N090311ZRM
SEQRA Classification: Type I

Lead Agency

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

Name, Description and Location of Proposal:

510-512 W23rd St Text Amendment

The applicant, 22-23 Corp. c/o Park-It Management, requests a zoning text amendment pursuant to (ZR) Section 98-33(b) "Transfer of Development Rights from the High Line Transfer Corridor (HLTC)." The proposed action would allow sites that (a) are located within the Special West Chelsea (WCh) District HLTC, and are situated outside of a WCh Subarea, (b) are zoned C6-2A or C6-3A, and (c) have transferable floor area ("granting sites") as of June 23, 2005 to transfer their maximum allowable unused residential or commercial floor area, whichever is greater, to "receiving sites." Eligible receiving sites are sites located in C6-2, C6-3, or C6-4 zoning districts in WCh Subareas "A" through "E," "G" and "I." The proposed text amendment would permit the granting sites' full allowable unused residential floor area to be transferred to receiving sites within the Special West Chelsea District; per the current regulations, only allowable commercial floor area may be transferred from granting sites within the Special West Chelsea HLTC. The affected area is generally bounded by W. 24th Street to the north, W. 22nd Street to the south, 11th Avenue to the west and 10th Avenue to the east, in the Special West Chelsea District of Manhattan, Community District 4.

In order to assess the impacts associated with the proposed action, a Reasonable Worst Case Development Scenario (RWCDs) was established. A "granting site" (Block 694, p/o Lot 40), and a "receiving site" (Block 696, Lot 35) were identified. The granting site is currently occupied with New York City Fire Department Ambulance EMS parking station and vehicular storage. The

¹ This Revised Negative Declaration addresses a modification by the City Council to the proposed text amendment, as noted in the supporting statement of this document.

receiving site is currently occupied with a 23,760 gross square feet (gsf) 5-story public parking garage.

As a result of the proposed action, it was anticipated that the granting site would transfer a maximum of 8,668 gsf of unused floor area to the receiving site. It was assumed that new development on the proposed receiving site would consist of a 37,125 gsf mixed-use building containing 38 dwelling units (32,175 gsf of residential uses) and 4,950 sf of ground floor retail. The analysis year for the proposed action is 2017.

Absent the proposed action, it is anticipated that the uses on the granting site would remain as existing conditions. It is also anticipated that, absent the proposed action, the property at receiving site would be converted to a mixed-use building containing 22 residential units (18,810 gsf of residential uses) and 4,950 gsf of ground floor retail uses.

Statement of No Significant Effect

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Revised Environmental Assessment Statement, dated March 17, 2015 prepared in connection with the ULURP Application (No. N090311ZRM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement

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

1. In 2005, the CPC adopted the Special West Chelsea District Rezoning (ULURP Nos. N050161(A) ZRM, and C050162ZMM). In connection with Special West Chelsea District Rezoning, an Environmental Impact Statement (CEQR 03DCP069M) was issued on May 13, 2005 and Technical Memorandum was issued on June 22, 2005. An E-Designation (E-142) related to hazardous materials and noise was assigned to receiving site 1 (Block 696, Lot 35). The E-designation (E-142) for hazardous materials and noise would ensure that the proposed action will not result in significant adverse impacts related to hazardous materials, air quality and noise.
2. A Revised Environmental Assessment Statement (EAS) issued on March 17, 2015 reflects a correction in the description of the sites expected to be affected by the proposed action. Block 695, Lot 28 and Block 691, Lot 50 had previously been included in the list of lots affected by the proposed action. At the time of certification, it was found that these two sites would not be expected to be affected by the proposed action. As detailed in the Revised EAS, it was determined that the corrections to the affected area would not have the potential for significant adverse impacts on the environment and would not alter the conclusions of the previous environmental review.
3. Since the issuance of the Revised Environmental Assessment Statement on March 17, 2015 and Revised Negative Declaration on May 4, 2015, the City Council Land Use Committee

voted to recommend modification to the application on May 21, 2015. The Council recommends stipulating that the maximum amount of floor area that can be transferred is that permitted as of the date of the adoption of the Special West Chelsea District, or June 23, 2005. This modification would not alter the conclusions of the Revised Environmental Assessment Statement.

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

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

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



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

Date: 5/29/2015



Carl Weisbrod, Chairman
City Planning Commission

Date: 6/1/2015

