



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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Christine Berthet
Chair

Jesse R. Bodine.
District Manager

November 30, 2015

Carl Weisbrod, Chair
City Planning Commission
22 Reade Street
New York, New York 10007

Re: **Zoning for Quality and Affordability**
N160049ZRY (proposed zoning text amendment)

Dear Chair Weisbrod,

At its full board meeting on November 4th, 2015, Manhattan Community Board 4 (MCB4) reviewed the application by the New York City Department of City Planning (the "Applicant") for the proposed Citywide Zoning Text Amendment to create a Mandatory Inclusionary Housing Program (MIH).

The Board by a vote of 39 in favor, 0 opposed, 0 abstention and 0 present but not eligible **recommended to deny unless** the following modifications changes are made to the proposed Zoning for Quality and Affordability zoning text amendment (ZQA).

Background and Context

The Community Board has long understood the importance of affordable and senior housing in the communities of Chelsea, Hudson Yards and Clinton/Hell's Kitchen. Our concerns are based on 40 years of community planning and the creation of four Special Zoning Districts.

Special Clinton District

Adopted by the Board of Estimate¹ in 1973, the Special Clinton District ("SCD") was one of the first Special Purpose Districts created. The SCD allowed dense residential and commercial to proceed in the Perimeter Areas (along 8th Avenue and West 42nd Street) while establishing a Preservation Area, with specific height limits, in the neighborhood's core (west of 8th Avenue to west of 10th Avenue, from West 43rd to West 56th Streets) Notably, the SCD was the first district to feature a zoning bonus for the creation of affordable housing as well as the first to include protections against tenant harassment. The SCD's tenant anti-harassment provisions (requirements for Certificates of No Harassment (CONH)) prevented owners from altering or

¹ Until 1990, the Board of Estimate was the precursor body to the City Council for final approval of zoning actions.

demolishing building in which harassment had been documented. That provision has been an ongoing deterrent against wholesale tenant displacement.

The Chelsea Plan—rezoning of East Chelsea

Adopted as a rezoning by City Council in 1996, the Chelsea 197-a Plan the community was community initiative to craft compromises and trade-offs to balance the competing needs for development and preservation in East Chelsea, a 64-block area between 14th and 34th Streets west of Sixth Avenue. The Chelsea Plan was a set of recommendations for zoning changes intended to create housing opportunities and to balance new development with the preservation of neighborhood context. The Plan embraced contextual zoning, establishing requirements for streetwalls, height and setback and building heights. These provisions were carefully calibrated on 6th, 7th and 8th Avenues and the side streets dependent on upon the built context which ranged from lofts and 6 to 8 story apartment buildings to 5 to 3 story tenements and brownstones.

Special Hudson Yards District

Adopted by the City Council in 2005, the Special Hudson Yards District (SHYD) was created to foster commercial and residential development west of 8th Avenue from West 30th to West 41st Streets in a former manufacturing zone. The SHYD allows the highest density of commercial development of any district in the City of New York. It established a series of zoning mechanisms and bonuses to create revenue for the city's Hudson Yards Infrastructure Corporation service bonds used primarily for the construction of #7 line subway extension and its station on West 34th Street. After negotiations with the MCB4 and the City Council, the SHYD was amended to include provisions for affordable housing production and development, through Inclusionary Housing, demolition restrictions and anti-harassment provisions (requirements for Certificates of No Harassment (CONH) in the final zoning text. In 2009, The SHYD was amended to include the Western Railyards (WRY), the site of the failed football stadium plan. That amendment included further provisions for affordable housing both on and off site. During both zoning actions, height, set back and court and streetwall provisions were carefully calibrated among all subdistricts in the SHYD.

Special West Chelsea District

Adopted by the City Council in 2005, the Special West Chelsea District (SWCD) was created to facilitate the Highline Park and foster commercial and residential development in Chelsea west of 10th Avenue from West 23rd to West 15th Streets in a former manufacturing zone. The SWCD also established a series of zoning mechanisms for transfer of development rights for properties encumbered by the Highline. After negotiations with the MCB4 and the City Council, the SHYD was amended to include provisions for affordable housing production and development, through Inclusionary Housing, demolition restrictions and anti-harassment provisions (requirements for Certificates of No Harassment (CONH)) in the final zoning text. During both zoning actions, height, set back and court and streetwall provisions were carefully calibrated for all subdistricts in the SWCD

Application

The City proposes city-wide amendments to the Zoning Resolution that will:

- Increase available floor area for developments that include affordable senior housing

- Remove parking requirements for affordable housing developments
- Modify height and setback restrictions in contextual districts

Elements of the Application

Senior Housing

Affordable Senior Housing

- Change name of the zoning definition “non-profit residence for the elderly” to “affordable independent residence for seniors”
- Allow approximately 20% more floor area for “non-profit residences for the elderly” in R8 through R10 districts and numerous medium density contextual districts
- Increase permitted unit density in “affordable independent residence for seniors”

Long-Term Care Facilities

- Create a new definition for “long term care facilities” and add this designation to Use Group 3, Community Facilities
- Allow all “long-term care facilities” in R3 through R10 districts, including nursing homes, as-of-right
- Extend proposed FAR increase for “affordable independent residences for seniors” to “long term care facilities” in districts R3 through R10 as-of-right
- Require special permits for development of “long-term care facilities” in R1 and R2 districts

Mixing of Residence and Care Facilities

- Clarify calculations for requirements and floor area deductions under Quality Housing
- Allow use of residential FAR caps for mixed developments with residential units and Non-profit Institutions with Sleeping Accommodations and Long-Term Care Facilities, instead of typical reduced FAR for mixed use facilities in order to provide a ‘spectrum of care’ for senior residents
- Clarify calculation of dwelling unit factor in buildings with residential and community facility uses
- Remove restriction that community facilities cannot be on the same floor or above residential uses in special districts. Maintain restriction for commercial uses

Height and Setback Modifications

Affordable Senior Housing and Long-term Care Facility Building Envelopes

- Increase permitted FAR by approximately 20% in R6 through R10 districts for affordable senior housing and long term care facilities
- Permit greater height and number of stories for uses other than residential where higher FAR is permitted for buildings with 20% or greater affordable senior housing and long term care facility uses
- Increase base height to conceal increase in overall additional building height
- Permit shared accessory spaces for affordable senior housing in rear yards and ground

floors in districts other than “B” districts

- Remove the height restriction of the width of abutting street and change to maximum permitted by the contextual envelope for narrow buildings (less than 45 feet)
- In R6 through R10 non-contextual districts, permit a more flexible “alternative Quality Housing building envelope” for sites where infrastructure creates barrier

Inclusionary Housing Building Envelopes

- Permit greater maximum height for full use of FAR available through the IH program
- Increase base height to conceal increase in overall additional building height
- Permit shared accessory spaces in rear yards and ground floors in districts other than “B” districts
- Remove the Sliver Law height restriction of the width of abutting street and change to maximum permitted by the contextual envelope for narrow buildings (less than 45 feet)

Ground Floors

- Increase ground floor height to allow buildings with residential units on the ground floor to elevate unit windows above street level and to allow for the addition of retail spaces which require heights greater than the maximums currently in place.
- Increase maximum height of Quality Housing buildings by 5 feet if the second floor begins at 13 feet or higher in all contextual zoning districts except R7B and R8B
- Allow a floor area exemption of up to 100sf for ramps in a residential floor lobby

Street Walls

- For medium density contextual districts, require buildings to locate their streetwall only in relation to directly adjacent buildings
- Reduce maximum setback from 15 feet off of the property line to 10 feet
- Clarify line-up provisions for buildings with architectural features such as bay windows in “B” districts
- Add street wall requirements beyond 50 feet of a wide street in high density districts
- Permit window recesses and structural expression within one foot from the street wall
- Allow deeper projections for a limited percentage of the street wall’s overall width
- In R6 through R10 districts, modify required width to depth ratio to 1:1 for courts less than 30 feet and remove restrictions for courts wider than 30 feet
- Add streetwall requirements beyond 50 feet of a wide street in high density commercial districts
- Wholly residential buildings must comply with more stringent streetwall commercial regulations in commercial districts
- Remove special line-up provision whereby narrow buildings in a commercial district have to line up with adjacent buildings so that they may better conform to conditions in the area.

Corner Buildings

- Increase maximum permitted lot coverage to 80% to 100% for buildings within 100 feet of a corner in R6 through R10 districts
- Allow portions of buildings in a high density district that are also within 25 feet of a low

density district to build either a maximum height of 75 feet or the maximum base height of the zoning district, whichever is less

Setback Requirements

- Remove rear yard setback requirements from Quality Housing buildings
- Reduce required front setback above base height by 1 foot for every foot it is set back from the property line, but maintain a 5 foot minimum setback

Building Envelopes and Number of Stories

- Increase maximum base height in some districts by 5 feet, consistent with maximum overall height increase
- Establish a maximum number of stories that can be built in a zoning district in concert with maximum building height
- Increase maximum building height by 5 to 10 feet in R9 and R10 districts
- Align Quality Housing optional regulations on wide streets with comparable “A” districts and narrow street regulations in “B” districts
- Allow for Quality Housing option building envelope in former study areas in non-contextual areas
- Adjust building envelopes in Special Zoning Districts where special building envelope and maximum FAR rules are not explicitly stated so that the maximum building envelopes are in line with the changes proposed for Quality Housing.

Unit Size and Configuration

- Remove 400sf minimum apartment size to provide greater unit type flexibility and allow unit density factor to govern
- Reduce density factor in R8 through R10 districts to 680sf
- Remove various double-paned window requirements from Zoning Resolution as they restrict use of higher efficiency window and are already mandated by building code
- Allow the Office of Environmental Remediation to modify sound-attenuated window requirements based on site conditions

Irregular Site Conditions

- Adjust rear yard and lot coverage requirements to allow for shallower rear yards and higher lot coverage
- Provide greater flexibility for street walls on acutely angled lots
- Reduce lot slope requirement from 10% to 5% for use of sloping base plane
- Reduce separation of multiple buildings on a single lot from 60 feet to 40 feet
- Create a new BSA special permit for Quality Housing on an irregular lot with additional flexibility for sites with predominately affordable housing

MCB4 Proposed Actions and Recommendations

Senior Housing

The provision of a wide array of housing options for seniors is essential to fostering communities in which seniors can receive a spectrum of services as they age in place. These proposed changes will ensure that senior housing meets the diverse needs and capabilities of our seniors.

MCB4 supports:

Affordable senior housing

Updating the definition of Senior Housing brings current usage into the Zoning Resolution. Promoting affordable housing through increased density in bulk and unit density makes development more financially feasible. However, such incentives to meet the need for affordable housing for seniors must be tempered by neighborhood context. Such bulk and height increases are not appropriate to all districts in a neighborhood. Social needs should not be met at the expense of light and air, livable streets and neighborhood scale.

- *Changing name of the zoning definition “non-profit residence for the elderly” to “affordable independent residence for seniors”*
- *Increased unit density for non-profit residences for the elderly*

Long-Term Care Facilities

Allowing long-term care facilities to be developed, with fewer restrictions, will remove barriers to providing much needed care for seniors in our community. However, such incentives to meet the need for long term care facilities must be tempered by neighborhood context. Such bulk and height increases are not appropriate to all districts in a neighborhood. Social needs should not be met at the expense of light and air, livable streets and neighborhood scale.

- *The new definition in the Zoning Text of long-term care facilities*
- *Allowing all “long-term care facilities” in R3 through R10 districts, including nursing homes, as-of-right*

The mixing of residential and care facilities

This set of changes enables facilities; with mixed uses that address the changing care needs senior have over time, to be developed.

- *Clarification of calculations for requirements and floor area deductions under Quality Housing and calculation of dwelling unit factor in buildings with residential and community facility uses*
- *Allowing use of residential FAR caps for mixed developments with residential units and Non-profit Institutions with Sleeping Accommodations and Long-Term Care Facilities, instead of typical reduced FAR for mixed use facilities in order to provide a ‘spectrum of care’ for senior residents*
- *Removing restrictions prohibiting community facilities not to be on the same floor or above residential uses in special zoning districts. (this restriction will be maintained for commercial uses*

Height and Setback Modifications

MCB4 supports:

Affordable Senior Housing and Long-term Care Facility Building Envelopes

These zoning text changes will enable better use of rear yards and ground floors for senior housing and more flexible building envelopes.

- *Shared accessory spaces for affordable senior housing in rear yards and ground floors in districts other than “B” districts*
- *In R6 through R10 non-contextual districts, permit a more flexible “alternative Quality Housing building envelope” for sites where infrastructure creates barrier*

Inclusionary Housing--building envelopes.

These zoning text changes will enable better use of rear yards and ground floors for senior housing.

- *Shared accessory spaces for affordable senior housing in rear yards and ground floors in districts other than “B” districts*

Ground Floors

These zoning text changes will enable ground floors at lower than street level by exempting a limited FAR for accessible ramps.

- *A floor area exemption of up to 100sf for ramps in a residential floor lobby*

Street Walls

These zoning text changes will enable corner buildings to better fit into their neighborhood context on 7th and 9th Avenues in Chelsea, on 9th Avenue lower Hell’s Kitchen and on 11th Avenue from West 42nd to West 54th Streets.

- *For medium density contextual districts, requiring buildings to locate their streetwall only in relation to directly adjacent buildings*
- *Reducing maximum setback from 15 feet off of the property line to 10 feet*
- *Clarifying line-up provisions for buildings with architectural features such as bay windows in “B” districts*
- *Adding street wall requirements beyond 50 feet of a wide street in high density districts (R8 through R10).*
- *Permit window recesses and structural expression within one foot from the street wall*
- *Allow deeper projections for a limited percentage of the street wall’s overall width*
- *In R6 through R10 districts, modify required width to depth ratio to 1:1 for courts less than 30 feet and remove restrictions for courts wider than 30 feet*
- *Add streetwall requirements beyond 50 feet of a wide street in high density commercial districts*
- *Requiring wholly residential buildings to comply with more stringent streetwall commercial regulations in commercial districts*
- *Removing special line-up provision whereby narrow buildings in a commercial*

district have to line up with adjacent buildings so that they may better conform to conditions in the area.

Corner Buildings

These zoning text changes will enable corner buildings to better fit into their neighborhood context on 7th and 9th Avenues in Chelsea, on 9th Avenue lower Hell's Kitchen and on 11th Avenue from West 42nd to West 54th Streets.

- *Increasing maximum permitted lot coverage to 80% to 100% for buildings within 100 feet of a corner in R6 through R10 districts*
- *Allowing portions of buildings in a high density district that are also within 25 feet of a low density district to build either a maximum height of 75 feet or the maximum base height of the zoning district, whichever is less*

Setback Requirements

These allowances will grant flexibility in setback modifications while also preserving the quality of street life, which is the overarching goal of setback requirements.

- *Removing rear yard setback requirements from Quality Housing buildings*
- *Reducing required front setback above base height by 1 foot for every foot it is set back from the property line, but maintain a 5 foot minimum setback*

Building Envelopes and Number of Stories

Aligning the set of options and regulations that govern the various districts in MCB4 allows for simpler, more accessible guidelines.

- *Aligning Quality Housing optional regulations on wide streets with comparable "A" districts and narrow street regulations in "B" districts*
- *Allowing for Quality Housing building envelope option in former study areas in non-contextual areas*
- *Adjusting building envelopes in Special Zoning Districts where special building envelope and maximum FAR rules are not explicitly stated so that the maximum building envelopes are in line with the changes proposed for Quality Housing.*

Unit Size and Configuration

These zoning text changes will provide for greater flexibility in unit sizes, greater density and allow for a wider array of household sizes in buildings. The window requirements are now embodied Building Code and Office of Environmental Remediation requires flexibility in sound attenuation requirements.

- *Removing 400sf minimum apartment size to provide greater unit type flexibility and allow unit density factor to govern*
- *Reduce density factor in R8 through R10 districts to 680sf*
- *Remove various double-paned window requirements from Zoning Resolution as they restrict use of higher efficiency window and are already mandated by Building Code*
- *Allow the Office of Environmental Remediation to modify sound-attenuated window requirements based on site conditions*

Irregular Site Conditions

These zoning text changes will enable more flexibility to develop shallow and acutely angled lots.

- *Adjust rear yard and lot coverage requirements to allow for shallower rear yards and higher lot coverage*
- *Provide greater flexibility for street walls on acutely angled lots*

MCB4 cannot support the following provisions of the ZQA unless the modifications and conditions below are met:

Affordability Time Limits on Senior Housing

In the City’s current proposed ZQA zoning text, there is no permanent affordability restriction for non-profit residences for the elderly or long-term care facilities that are not also Inclusionary Housing.

- *MCB4 recommends that non-profit residences for the elderly or long-term care facilities which receive as of right 20% FAR increases should be permanently affordable. If the additional bulk is permanent, the affordability should be permanent as well.*

Affordable Senior Housing and Long-term Care Facility Building Envelopes

Absent zoning text guaranteeing permanent affordability, **MCB4 cannot support:**

- *Extending proposed FAR increases for “affordable independent residences for seniors” to “long term care facilities” in districts R3 through R10 as-of-right*
- *The proposed increases in floor area in R8 through R10 districts as a method of fostering the development of affordable senior housing.*

Inclusionary Housing Building Envelopes

These provisions curtail MCB4’s efforts to ensure that the character of our neighborhoods is preserved and opens the door for out-of-scale developments and sliver buildings. **MCB4 cannot support:**

- **Removing the Sliver Law height restrictions of the width of abutting street and change to maximum permitted by the contextual envelope for narrow buildings (less than 45 feet)**

Building Envelopes and Number of Stories

The changes below will threaten MCB4’s efforts to ensure that quality, contextual buildings of adequate scale continue to be built in our neighborhood. **MCB4 cannot support wholesale zoning text changes to:**

- *Increasing maximum base height in some districts by 5 feet, consistent with maximum overall height increase*
- *Establishing a maximum number of stories that can be built in a zoning district in concert with maximum building height*
- *Increasing maximum building height by 5 to 10 feet in R9 and R10 districts*

However, MCB4’s support is qualified as noted below.

For the Special Zoning Districts and areas noted below affected by the proposed Zoning Text Modifications in the ZQA, MCB4 requests the City Planning Commission modify the proposed Zoning Text to include to **establish hard Building and Streetwall Height Limits in the:**

- **Special Clinton District**—Subarea C2 in the SCD (11th Avenue, West 43rd and West 44th Streets, 10th 11th Avenues)
- **Special Hudson Yards District**—Subareas D4 & D5 (Hell’s Kitchen Subdistrict) of the SHYD
- **Special West Chelsea District**—West 23rd Street between 10th and 11th Avenues
- **East Chelsea**—an irregular geographic area in East Chelsea from West 14th to West 30th Streets, from the west side of 6th Avenue to the east side 10th Avenue rezoned under the 1996 Chelsea Plan (197-a and 197-c).

Special Clinton District (SCD) –in 2009, as part the rezoning of Western Railyards, the Mayor and the City Council agreed to study rezone West Clinton, a manufacturing area primarily west of 10th Avenue, including 11th Avenue from West 43rd to West 54th Streets and 43rd/44th Street corridor between 10th and 11th Avenues. The goals of such rezoning, which had long been requested by the community, were:

- promoting residential development, with accompanying provisions for affordable housing through Inclusionary Housing
- neighborhood preservation by extending of the Preservation Area in midblocks
- ensuring neighborhood context through heights limits and streetwall requirements

The agreement also called for the rezoning application to be jointly submitted by the Department of City Planning and MCB4.

After a 2 year study process, marked by careful and thoughtful negotiation by both parties, an application was certified and adopted in 2011. The midblocks were put in the Preservation Area with height limit of 66 feet, the east side of 11th Avenue was rezoned to R8A, with height limit of 120 feet and streetwalls between 60 and 80 feet to respect and tie into the adjacent Preservation Area, and the 43rd/44th corridor, provided a transition block between the high density C6-4 corridor on West 42nd and the Preservation Area to the north. The blocks west of 11th Avenue, requested by the community to be rezoned residential, remained manufacturing but with a height limits of 135 feet and use restrictions prohibiting hotel use.

Ever since that action, The Clinton/Hell’s Kitchen community has been vigilant in monitoring compliance to those zoning changes. The proposed ZQA proposes to undo that 2 year effort along with the community and political compromises it represents. MCB4 cannot support such an action.

Instead MCB4 requests that SCD 96-31 be modified to include Zoning Text to establish height and setback limits in Subarea C2 of the SCD consistent with the adopted 2011 West Clinton Rezoning.²

² Attached proposed SCD Zoning text amendment (**Appendix A**)

East Chelsea—MCB4 requests the establishment of Building and Streetwall Height Limits in a geographic area of East Chelsea in areas rezoned under the 1996 Chelsea Plan. The Chelsea Plan, adopted by the City Council in May 1996, was a set of recommendations for zoning changes intended to create housing opportunities and to balance new development with the preservation of neighborhood context within a 64-block area between 14th and 34th Streets west of Sixth Avenue. With the Chelsea Plan the community undertook the task of deciding what compromises and trade-offs best balanced the two competing needs.

East Chelsea was subjected to the same intensive review that West Chelsea received during the subsequent creation of the Special West Chelsea District (SWCD). The designated subareas in the SWCD, which have text-based height limits, are not affected by the proposed ZQA Zoning Text Amendment. However, the areas rezoned³ through Chelsea Plan (197-a and 197-c), would be fully subject to the proposed building height and setback increases.

MCB4 requests that a geographic area⁴, previously rezoned under the Chelsea 197-a Plan (as modified by DCP and adopted as a 197-c rezoning by the City Council on May 22, 1996), establish height and setback limits in the Zoning Text consistent with that 1996 plan.⁵

Special Hudson Yards District (SHYD)—In 2005, after working with MCB4 from 2001, the City Council adopted rezoning of 38 blocks of former manufacturing area on the Westside of Manhattan to create the SHYD. The 196 pages of zoning text are extremely detailed and specific regulations governing the transfer of development rights from the Eastern Railyards, establishing a District Improvement Bonus, providing for subway improvements and sidewalk widening, acquiring park land and new streets and establishing Inclusionary Housing zones. The text even specifically calls out requirements for percentage of glass in storefronts.

A main effort of the Clinton/Hell’s Kitchen community was the preservation of the neighborhood’s main street, 9th Avenue, and the residential tenement midblocks between 9th and 10th Avenues from West 35th to West 41st Streets.

All these efforts were codified in an agreement between the Mayor and City Council, the Hudson Yards Points of Agreement (HYPOA)⁶. In that agreement, the reduction of proposed height and establishment of streetwall requirements to respect the context of the existing 4 and 5 story tenements in those blocks was accomplished through mapping an R8A zone in the Hell’s Kitchen Subdistrict (areas D4 and D5 of the SHYD). The existing tenements were also protected from demolition under 93-91, and therefore will continue to be the built context. Whereas in Special West Chelsea District (SWCD) hard heights were embedded in the zoning text, in the SHYD, Hell’s Kitchen Subdistrict, heights are a function of the underlying zoning.

The R8A zone was a compromise since its height limit of 120 feet well exceeded the heights the 4 and 5 story tenements, at 50 and 60 feet respectively. But the R8A streetwall requirement, at 60 to 80 feet, made reinforced the built context. Two sites, (one on West 39th and 9th, the other

³ Attached affected rezoned areas with height and setback increases (**Appendix B**)

⁴ Attached East Chelsea affected zoning boundary map (**Appendix C**)

⁵ Attached 1996 Chelsea Plan (**Appendix D**)

⁶ HYPOA attached, dated January 10, 2005 (**Appendix E**)

midblock on West 37th) have been completed to date, with two other large sites on West 35th currently under construction. These 4 sites comprise 603 new apartments completed or currently under construction.

Increasing the height limit, even by 5 feet, in district which currently creates buildings twice the size of neighboring buildings, is simply not needed to ensure constructability. Even more damaging to neighborhood context would be the proposed increase in streetwall heights, currently 60 to 80 feet, to 100 feet. Such streetwalls would be double the height of adjacent 5 story tenements, dwarfing them in scale. Such a streetwall height is more appropriate to a loft district, not a medium density residential district, where infill will occur in protected built context.

MCB4 requests that SHYD, 93-542 be modified to include Zoning Text to establish height and setback limits consistent those established in the 2005 Hudson Yards Rezoning.⁷

Special West Chelsea District (SWCD)—Also in 2005, after working with MCB4 from 2003, the City Council adopted a rezoning of 17 blocks of former manufacturing area in West Chelsea Manhattan to create the SWCD. The 96 pages of zoning text are extremely detailed and specific regulations governing the transfer of development rights from the Highline, establishing subdistricts for bonuses or requirements for Highline access or improvements, acquiring park land and establishing Inclusionary Housing zones. The text even specifically calls out Highline adjacency volumes and permitted massings.

The main effort of the Chelsea community was balancing the proposed new development with establishing height limits and street wall requirements to respect the existing neighborhood context along 10th and 11th Avenues and the side streets from West 15th to West 30th Streets. The result was a SWCD with 10 subdistricts each setting forth specific and exacting requirements for massing, height and streetwalls.

All these efforts were codified in an agreement between the Mayor and City Council, the West Chelsea Points of Agreement (WCPOA)⁸. In that agreement, the western portion of West 23rd Street fronting 11th Avenue was rezoned and became part of Subdistrict C to include the height and streetwall requirements of the 11th Avenue corridor. However, the West 23rd Street corridor (from midblock West 22nd to West 24th Streets, 10th Avenue to 150 feet east of 11th Avenue) remained governed only by the underlying zoning. That zoning is a combination of C6-2A and C6-3A zones, R8A and R9A equivalents respectively⁹.

ZQA would increase in the C6-2A zone the streetwalls from the current 60 to 85 feet to 105 feet, an increase of 2 stories, but in the C6-3A only an increase of 3 feet. It would also increase the overall building height in of C6-2A from 120 feet to 125 feet and in the C6-3A from 145 feet to 155 feet, also an increase of 1 story. Again, as part of the overall negotiation on the SWCD, this corridor was left in the underlying zoning, without hard streetwall and height text limits, since the underlying zoning met community context. Changing the underlying zoning changes the

⁷ Attached proposed SHYD Zoning text (**Appendix F**)

⁸ Attached, dated June 20, 2005 (**Appendix G**)

⁹ Attached underlying zoning map, West 23rd Street Corridor (**Appendix H**)

context.

MCB4 requests that SWCD 98-423 and 98-50, be reverted to the original zoning text which includes height and setback limits in the West 23rd Street Corridor established and consistent with the agreements made in 2005 West Chelsea Rezoning.¹⁰

Ground Floors

MCB4 has seen extensive new construction throughout our entire district. A great deal of that construction has included ground floor commercial space, both on avenues and narrow side streets. These spaces have been occupied by all types of businesses (see appendix J), which are successful within the existing building envelopes and height controls. ***The ability to have successful commercial space is a function of the local retail market, not ceiling height.***

Creating higher ceiling heights for commercial spaces will create out of scale first floors to the context of surrounding existing buildings. Context creates one city of different style and periods, zoning should seek to harmonize, not emphasize their difference. MCB4 cannot support:

- ***Increase ground floor height to allow buildings with residential units on the ground floor to elevate unit windows above street level and to allow for the addition of retail spaces which require heights greater than the maximums currently in place.***
- ***Increase maximum height of Quality Housing buildings by 5 feet if the second floor begins at 13 feet or higher in all contextual zoning districts except R7B and R8B***

This proposed text should be deleted from the proposed ZQA.

Conclusion

The proposed ZQA zoning text is flawed at best. It is a one-size-fits-all approach for a complex city made up of diverse neighborhoods and districts, each with different and fine-grained needs. The approach is a blunt instrument for different communities whose real estate markets are simply not same. Encouraging residential development, for both market and affordable housing, requires different tools for Jerome Avenue in the Bronx, Atlantic Avenue in Brooklyn or 11th Avenue on the Westside of Manhattan.

The proposed ZQA zoning text ignores the context of decades of rezoning efforts on the Westside of Manhattan in the Chelsea, Hell's Kitchen and Clinton neighborhoods. All of these efforts balanced increased density and preservation of context in order to allow the city to grow while ensuring neighborhood survival and managing change. Since 1969, for nearly 50 years, our communities have worked in depth with rezoning and development proposals. Zoning and planning for the Westside of Manhattan in MCD4 must be developed within that context.

ZQA lumps together needed text changes to encourage the development of affordable senior housing with wholesale changes to contextual zones throughout the city. Its companion proposal, MIH, demands permanent affordability for a zoning bonus for bulk, yet grants the same bonus

¹⁰ Attached proposed SWCD Zoning text (**Appendix I**)

for senior housing with no such requirement. Such a basic contradiction of housing policy seeking permanent affordability makes no sense.

Proposed Changes in height, setback, and streetwall take into account only the current zoning district, not the built context within it. Running throughout the proposed text are the claims that such text changes are needed to allow for successful development. That may be the case in some areas of the city. However, residential development is galloping ahead under the current regulations in West Chelsea and Hudson Yards. It states ground floor commercial spaces cannot be properly developed within the current zoning envelope, when the reality is that on the Westside, recent developments include commercial spaces that are currently occupied by stores paying premium rents.

The proposal needs extensive revision to make it responsive to the diverse needs of the hundreds communities which make up the City of New York.

MCB4 looks forward to continuing discussions with the Department of City Planning, the Manhattan Borough President and the City Council on the proposed Zoning for Quality and Affordability zoning text. With revisions and modifications, taking the historical context of the past 10 years of city and private sector initiated zoning actions into account, MCB4 believes we can all work together to adequately address the needs and concerns of Chelsea, Hell’s Kitchen and Clinton communities of the Westside of Manhattan.

Sincerely,



Christine Berthet
Board Chair



Jean-Daniel Noland, Co-Chair
Clinton/Hell’s Kitchen Land Use Committee



Betty Mackintosh, Co-Chair
Chelsea Land Use Committee



Lee Compton, Co-Chair
Chelsea Land Use Committee



Joe Restuccia, Co-Chair
Housing, Health & Human Services Committee

[Signed 11/25/2015]
Barbara Davis, Co-Chair
Housing, Health and Human Services Committee

cc: J. Nadler, US Congress
B. Hoylman, State Senate
A. Espaillat, State Senate
D. Gottfried, State Assembly
L. Rosenthal, State Assembly
C. Johnson, City Council
H. Rosenthal, City Council
V. Been, HPD
L. Carroll, HPD
D. Hernandez, HPD
E. Hsu-Chen, DCP
F. Ruchala, DCP
K. Grebowiec-Hall, DCP

APPENDIX A – Special Clinton District Proposed Text Amendments to ZQA

96-31

Special Regulations in R8 Districts

(a) In R8 Districts, other than R8A Districts, in Western Subarea C2, including #Commercial Districts# mapped within such R8 Districts, the following special regulations shall apply:

(1) the provisions of Sections 96-101 (Floor area regulations) and 96-104 (Height and setback regulations); and

(2) the provisions of Section 96-102 (Lot coverage regulations), except that for all portions of a #zoning lot# located in Other Areas and more than 100 feet from the #street line# of a #wide street#, the maximum #lot coverage# shall not exceed 70 percent of the portion of the #zoning lot# in Other Areas.

(3) Within 100 feet of a #wide street#, the #street wall# of a #building or other structure# shall rise without setback to a minimum height of 60 to maximum 85 feet or the height of the #building#, whichever is less, and a maximum height of 120 feet.

(b) In R8A Districts in Western Subarea C2, including #Commercial Districts# mapped within such R8A Districts, the following special regulations shall apply:

96-32

Special Regulations in R9 Districts

In R9 Districts in Western Subarea C2, the provisions of Section 23-633 (Street wall location and height and setback regulations in certain districts) for R9A Districts shall apply to all #buildings or other structures#. In #Commercial Districts# mapped within R9 Districts in Western Subarea C2, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) for C2-7A Districts shall apply to all #buildings or other structures#.

Notwithstanding the provisions of paragraph (c) of Section 23-011 (Quality Housing Program), in all such R9 Districts and #Commercial Districts# mapped within such R9 Districts, the provisions of paragraph (b) of Section 23-011 shall apply.

(a) Inclusionary Housing Program

- (1) R9 Districts in Other Areas, west of Tenth Avenue, shall be #Inclusionary Housing designated areas# pursuant to Section 12-10 (DEFINITIONS) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.

Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any #zoning lot# containing a #residential use# shall not exceed a base #floor area ratio# of 6.0, except that such base #floor area ratio# may be increased to a maximum #floor area ratio# of 8.0 through the provision of #affordable housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90. However, any units for which a #floor area# increase has been earned pursuant to Section 23-90 shall be located within the #Special Clinton District#.

- (2) Optional provisions for #large-scale general developments# within Western Subarea C2

For #developments# or #enlargements# located within the #blocks# bounded by West 51st Street, 11th Avenue, West 53rd Street and 10th Avenue, the special optional regulations as set forth in paragraph (a)(2) of this Section, may modify the provisions of Section 23-952 (Floor area compensation in Inclusionary Housing

APPENDIX A – Special Clinton District Proposed Text Amendments to ZQA

designated areas).

The #residential floor area# of a #development# or #enlargement# may be increased by 0.833 square feet for each one square foot of #moderate income floor area#, or by 0.625 square feet for each one square foot of #middle income floor area#, provided that for each square foot of such #floor area compensation#, there is one square foot of #floor area compensation#, pursuant to Section 23-952. However, the amount of #affordable housing# required to receive such #floor area compensation# need not exceed the amounts specified as follows. If #affordable housing# is provided for both #low income# and #moderate income households#, the amount of #moderate income floor area# need not exceed 15 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, on the #zoning lot#, provided that the amount of #low income floor area# is at least 10 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, on the #zoning lot#. If #affordable housing# is provided for both #low income households# and #middle income households#, the amount of #middle income floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, on the #zoning lot#, provided that the amount of #low income floor area# is at least 10 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, on the #zoning lot#.

For the purposes of this paragraph (a)(2), #low income floor area# may be considered #moderate income floor area# or #middle income floor area#, and #moderate income floor area# may be considered #middle income floor area#.

(b) #Uses# in Western Subarea C2 located within a #largescale general development#

- (1) In a C2-5 District mapped within an R9 District within Western Subarea C2, the following #uses#, when located wholly within a #large-scale general development#, shall be considered permitted #uses#:

From Use Group 8:

APPENDIX A – Special Clinton District Proposed Text Amendments to ZQA

Lumber stores, with no limitation on #floor area#

From Use Group 10:

Photographic or motion picture production Studios

From Use Group 12:

Art galleries, commercial

From Use Group 13:

Theaters

From Use Group 16:

Automotive service establishments

From Use Group 17:

Scenery construction.

- (2) #Uses# permitted pursuant to paragraph (b)(1) shall be subject to the #commercial bulk# regulations of Article III, that are applicable to a C2-5 District mapped within an R9 District.
- (3) The supplemental #use# provisions of Section 32-421 shall not apply to #commercial uses# located in a #building# with frontage on West 52nd Street.

(c) #Building# height and #setback#

Within 100 feet of a #wide street#, the #street wall# of a #building or other structure# shall rise without setback to a minimum height of 60 to maximum 102 feet or the height of the #building#, whichever is less, and a maximum height of 145 feet.

(e) (d) Height and setback modification

For any #development# or #enlargement# subject to the provisions of Section 74-681 (Development within or over a railroad or transit right-of-way or yard), the

APPENDIX A – Special Clinton District Proposed Text Amendments to ZQA

City Planning Commission may permit the modification of the applicable height and setback regulations, the open area planting requirements of Section 23-892 (In R6 through R10 Districts), and the permitted obstructions in #rear yard# or #rear yard equivalent# regulations of Section 23-44, provided that:

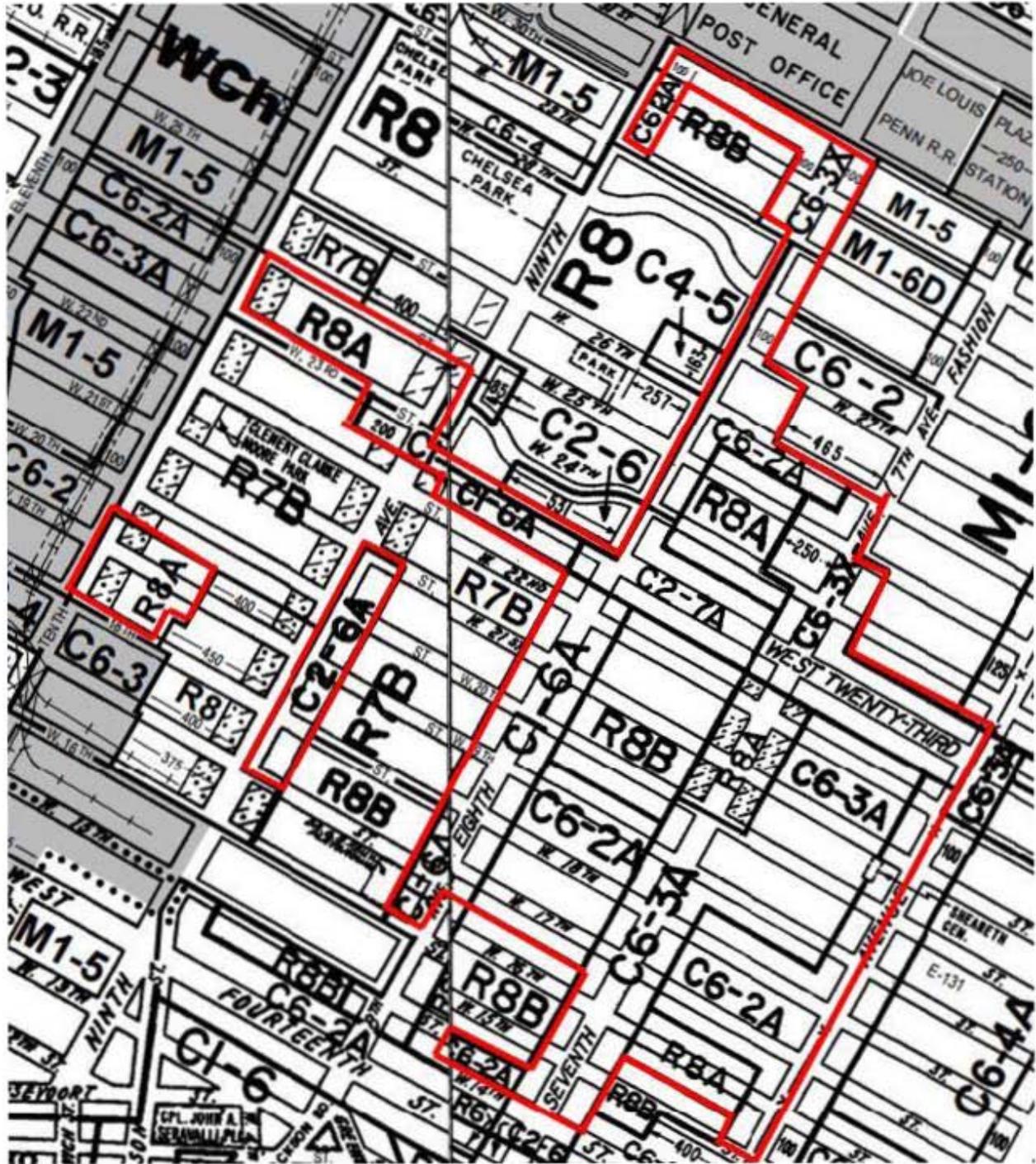
Appendix B

Affected Zones in East Chelsea

Height and Setback Limits to be retained consistent with 1996 Chelsea Plan

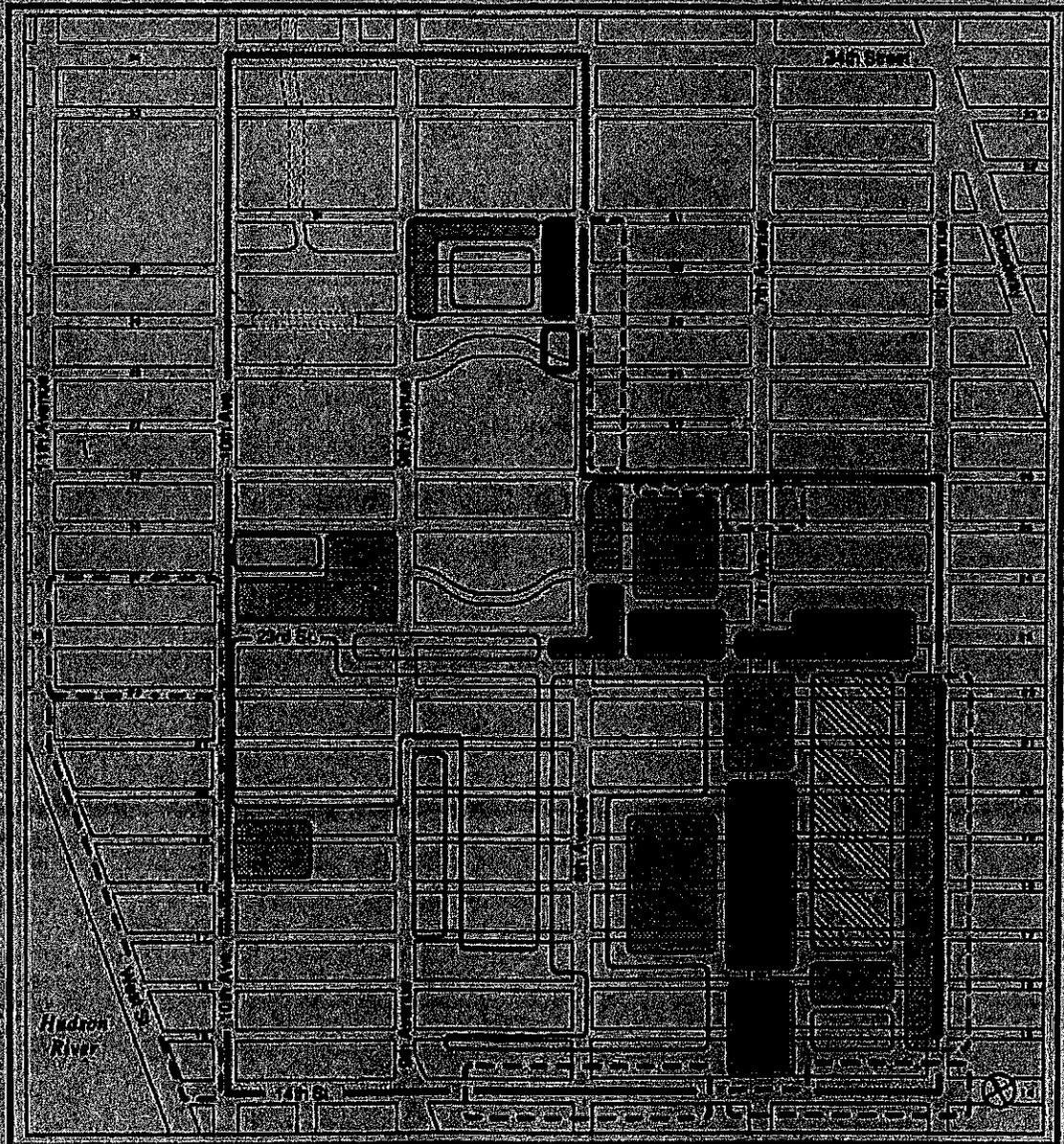
| Zone | Residential Zone Equivalent | Existing | | | Proposed by ZQA | | |
|-------|-----------------------------|-----------------|-----------------|---------------------|-----------------|-----------------|--|
| | | min base height | Max Base height | Max building height | min base height | Max Base height | Max building height w/Inclusionary or Senior Housing |
| R8A | | 60 | 85 | 120 | 105 | 145 | |
| C1-6A | R7A | 60 | 85 | 100 | 75 | 105 | |
| C6-2A | R8A | 60 | 85 | 120 | 105 | 145 | |
| C6-3A | R9A | 60 | 102 | 145 | 125 | 175 | |
| C6-3X | R9X--wide street | 105 | 120 | 170 | 145 | 205 | |
| | R9X--narrow street | 60 | 120 | 160 | 145 | 205 | |

APPENDIX C - East Chelsea Affected Zoning Boundary Map



The Chelsea Plan

CB 4 Chelsea 197-a Plan:
A Contextual Zoning Proposal to
Create Housing Opportunities



Community Board 4 / Borough of Manhattan • New York City

The Chelsea Plan

**Community Board 4 Chelsea 197-a Plan:
A Contextual Zoning Proposal to
Create Housing Opportunities**



City of New York

Rudolph W. Giuliani, Mayor

Department of City Planning

Joseph B. Rose, Director

Summer 1996

NYC DCP 96-17

INTRODUCTION

Under Section 197-a of the New York City Charter, community boards may propose plans for the development, growth and improvement of land within their districts. Pursuant to the Charter, the City Planning Commission developed and adopted standards and rules of procedure for 197-a plans. Once approved by the Commission and adopted by the City Council, 197-a plans are intended to serve as policy guides for subsequent actions by city agencies.

Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities, as modified by the City Planning Commission, is the second community board 197-a plan to be adopted by the city.

This report provides information for those interested in the plan's policies and recommendations. It may also be of interest to other community boards considering the 197-a process.

This report contains three sections:

1. The City Council resolution, dated May 22, 1996, adopting the plan as modified by the City Planning Commission.
2. The City Planning Commission report, including its consideration and resolution, dated April 10, 1996, approving and modifying the 197-a plan.
3. The proposed *Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities*, as originally submitted by Manhattan Community Board 4 on April 28, 1994. Maps and tables of information are included for reference.

Section 1

City Council Resolution

**City Council resolution, dated May 22, 1996, adopting
report recommending approval of the 197-a plan as
modified by the City Planning Commission**

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1723

Resolution approving the decision of the City Planning Commission on Non-ULURP No. N 940614 NPM, a Section 197-a Plan for Chelsea (L.U. No. 983).

By Council Members Eisland and Fields

WHEREAS, the City Planning Commission filed with the Council on April 15, 1996 its decision dated April 10, 1996 (the "Decision"), on the Plan, *Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities*, submitted by Manhattan Community Board 4, pursuant to Section 197-a of the New York City Charter (Non-ULURP No. N 940614 NPM) (the "Plan");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the Council held a public hearing on the Decision and Plan on May 16, 1996;

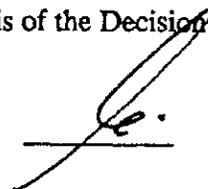
WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Plan; and

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration, issued on August 17, 1995 (CEQR No. 95DCP047M);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-a and 197-d of the City Charter and on the basis of the Decision and Plan, the Council approves the Decision.

A handwritten signature in black ink, appearing to be 'E.' with a flourish, positioned above a horizontal line.

Page 2
N 940614 NPM
Reso. No. 1723 (L.U. No. 983)

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on May 22, 1996, on file in this office.



.....
City Clerk, Clerk of Council

Section 2

City Planning Commission Report

City Planning Commission's consideration and resolution,
dated April 10, 1996, approving and modifying the 197-a plan

CITY PLANNING COMMISSION

April 10, 1996/Calendar No. 23

N 940614 NPM

IN THE MATTER OF a Plan concerning Chelsea, in Manhattan Community District #4, submitted by Manhattan Community Board #4, for consideration pursuant to Section 197-a of the New York City Charter. The proposed plan for adoption is called, "Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities," CB4, borough of Manhattan.

BACKGROUND

In 1986, the Chelsea Preservation and Planning Committee, established by Community Board 4 (CB4), contracted with Columbia University to develop planning recommendations for the Chelsea community. The resulting report, *Chelsea Today, Chelsea Tomorrow: A Plan for Preservation and Development*, formed the basis for the Board's original 197-a Plan, which was submitted to the Department of City Planning (DCP) on July 1, 1987.

On June 11, 1992, in accordance with the City Planning Commission's newly adopted 197-a rules, Community Board 4 notified the Department of its intent to resubmit the Plan with minor modifications. The Chelsea Planning and Preservation Committee revised portions of the Plan and, after a public hearing and adoption by the Board on April 6, 1994, submitted the revised Plan, called *Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities*, to DCP on April 28, 1994.

PLAN DESCRIPTION

The study area of Manhattan Community Board 4's proposed 197-a Plan comprises 64 blocks bounded generally by Tenth Avenue on the west; 14th Street on the south; Sixth Avenue (from 14th to 26th streets) and Eighth Avenue (from 26th to 34th streets) on the east; and 26th Street (from Sixth to Eighth avenues) and 34th Street (from Eighth to Tenth avenues) on the north. However, the Plan does not address several manufacturing districts and those residential and commercial districts within the study area for which the existing non-contextual zoning designations are considered appropriate. Zoning changes are recommended for slightly more than half of the total study area.

The 197-a Plan states the sponsor's goals: to provide for orderly growth and change; to provide opportunities for new, economically-integrated housing; to preserve the existing low-income housing stock; to prevent significant displacement of residents and businesses; to preserve ethnic and economic diversity; to protect residential areas from commercial intrusion; to preserve the character and visual unity of Chelsea; to preserve the traditional urban form and scale of the community; and to protect the [Chelsea] Historic District and other areas of historic character.

To reach these goals, the Plan suggests a series of changes to the city's zoning map, and two possible zoning text changes. Most of the proposed zoning map changes would replace non-contextual zoning districts with contextual zoning districts at existing and reduced levels of density. In general, the Plan would lower allowable density for the area surrounding and

including the Chelsea Historic District and then step up density going eastward towards Midtown. The Plan would also replace certain commercial zoning districts with residential districts and local commercial overlays. Special zoning is proposed for the existing M1-5M and M1-6 midblock areas between Sixth and Seventh avenues from 18th to 26th streets. On vacant lots and lots occupied by parking facilities in that area, the Plan proposes to permit R10A residential development with a mandatory 30 percent requirement for low- and moderate-income housing.

THRESHOLD REVIEW AND DETERMINATION

Pursuant to Section 3.010 of the 197-a rules, Department of City Planning staff conducted a threshold review of the Plan and, on June 16, 1994, informed Community Board 4 of certain deficiencies with regard to form and content, indicated additional information needed to correct the deficiencies, and provided some of that information to the Board. The Board agreed to add the requested information and did so on August 24, September 20, and October 3, 1994.

On October 24, 1994, the City Planning Commission determined that the Chelsea 197-a Plan met threshold standards with the condition that the Plan's soft site, use conformance, and bulk compliance data and analyses be corrected before proceeding to environmental review. The Plan was revised and resubmitted on February 24, 1995, and environmental review commenced.

ENVIRONMENTAL REVIEW

This application (N 940614 NPM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., City Environmental Quality Review (CEQR) Rules of Procedures of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 95DCP047M. The lead agency is the City Planning Commission.

After a review of the potential environmental impact of the proposed action, a Negative Declaration was issued on August 17, 1995. It was determined that the proposed action would have no significant effect on the quality of the environment.

On August 17, 1995, the Plan (N 940614 NPM) was duly referred to Community Board 4 and the Borough President for their review and comment, in accordance with Article 6 of the rules for processing Section 197-a Plans.

COMMUNITY BOARD PUBLIC HEARING

As sponsor of the Plan, Community Board 4, which had previously held two public hearings prior to submitting the plan, exercised its prerogative of not holding a third public hearing, pursuant to Article 6.020 of the rules for processing Section 197-a plans.

At its monthly Board meeting held on October 11, 1995, the Board adopted a resolution

reaffirming its support of the Plan, "as a model for preserving a community and making underutilized areas within it available for providing new affordable housing, and as representing the desires of Chelsea residents."

BOROUGH PRESIDENT RECOMMENDATION

The Borough President of Manhattan considered this application and, in light of the two previous public hearings held by Community Board 4, pursuant to Article 6.021 of the rules for processing Section 197-a plans, elected not conduct a further public hearing on the plan.

On December 19, 1995 the Borough President of Manhattan submitted written comments recommending "rapid adoption and implementation" of the proposed Plan. She also stated, "In order for this process to be meaningful, the Commission must not only adopt the 197-a Plan, but must direct the Department of City Planning to move forward quickly with a 197-c zoning map application for Chelsea."

The Borough President's report states, "The present zoning does not adequately safeguard the long-term identity and stability of Chelsea, or create opportunities for appropriate growth in this successful and diverse community. The zoning permits buildings radically out of scale and character with the present neighborhood. Such inappropriate development can displace residents, businesses and institutions, and erode the historic character that is such an asset to the neighborhood."

She further noted, "The ... Plan would do much to inhibit these negative impacts while providing opportunities for appropriate new development. The Plan encourages the development of new economically integrated housing, while preserving the character of the Chelsea community. The Borough President supports the stated goals of the Plan, and considers the proposed contextual zoning map changes effective tools to implement these goals."

CITY PLANNING COMMISSION PUBLIC HEARING

On January 31, 1996, (Calendar No. 3), the City Planning Commission scheduled February 14, 1996 for a public hearing on this application (N 940614 NPM). The hearing was duly held on February 14, 1996, (Calendar No. 12).

There were 17 speakers in favor of the Plan and one speaker in favor of the Plan with conditions.

The Chairperson of Community Board 4 described the area affected by the Plan's proposals, indicated strong support for the Plan, and introduced the next two speakers who supported the Department's proposal to modify the Plan's detailed zoning recommendations with a "Neighborhood Planning Framework," but were concerned that it not be too general. The former Chairperson of CB4 summarized the history of the Plan's development and reiterated the Plan's goals which she said generally were to preserve the area's diverse physical and cultural heritage and to promote new, particularly affordable, housing in East Chelsea. The

area's built character, she expressed, becomes generally denser starting at the Chelsea Historic District and going east. In "park-poor" Chelsea, she said, "the sky is our park." She noted the cooperative working relationship between representatives of the Community Board and representatives of the Department of City Planning. Referring to the still unresolved issues between the sponsor and the Department (particularly the level of density proposed for Eighth Avenue from the 23rd Street intersection north to 25th Street and the affordable housing proposal for the East Chelsea area), she wished for some way to ensure, not just encourage, development of affordable housing in the southern section of East Chelsea.

The Chairperson of CB4's Chelsea Planning and Preservation Committee stated that Eighth Avenue between 23rd and 26th streets is as much a part of the "psychological heart" of Chelsea as the section below 23rd Street. The concern for this stretch, he said, is as much over base streetwall height as it is over total building height.

A representative of the Manhattan Borough President reiterated her strong support of the Plan, which, she noted, her office helped to produce and update. She urged the Commission to support the Plan, particularly the affordable housing component, whatever the final mechanism identified to achieve that goal.

The City Council Member representing the 3rd Council District noted the many years of volunteer time and work devoted to the production of the Plan, including extensive outreach

to the community. He requested language in the modification which would clearly result in the production of affordable housing units in the East Chelsea area.

A representative of the Assembly Member representing the 64th Assembly District called Chelsea a special place, and urged approval of the Plan. A spokesperson for the U.S. Representative representing the 8th Congressional District noted the Plan's vision of preserving and protecting the character of the area and urged approval.

A representative of the State Senator representing the 30th Senate District was strongly supportive of the Plan and requested in particular that the mixed-income provisions in East Chelsea be approved. A representative of the State Senator representing the 27th Senate District supported the Plan, and noted concerns about the density proposed by the Department for the intersection of Eighth Avenue and 23rd Street, and the need to identify the appropriate mechanism that would result in affordable housing units being built in East Chelsea without the possible displacement of remaining manufacturing uses there.

Three representatives of block associations or councils of block associations spoke in favor of the Plan. One noted concern about the increased level of allowable density on Seventh Avenue, which had been proposed by DCP as a modification of the Plan. Another was particularly supportive of the Plan's proposal to lower the level of allowable density in the area surrounding a row of twelve townhouses on 24th Street, which are designated landmarks. The third was concerned about the increased level of allowable density along

23rd Street proposed by the Department.

A representative of the Historic Districts Council called the Plan a model for other neighborhoods by outlining a preservation and growth strategy for areas not necessarily appropriate for designation as historic districts, but whose varieties of scale may be in need of some level of protection. A representative of the Municipal Art Society's Planning Committee supported the Plan, in particular the protection it offers to the Chelsea Historic District, the allowance of new complementary development in the rest of the neighborhood, particularly the preservation of the low-rise scale along Eighth Avenue south of 23rd Street, and the inclusion of new low-income housing units. She especially noted the productive collaborative effort undertaken by representatives of the sponsors and representatives of the Department of City Planning.

A representative of a Chelsea local Democratic Party club supported the Plan, particularly the inclusionary housing provisions. He noted that the community has previously supported housing initiatives serving the elderly, persons with AIDS, and families with children, etc. A representative of the Metropolitan Housing Council noted the unmet need for low- and moderate-income housing which the Plan seeks to address. A senior block organizer noted the changes in her neighborhood over the years and believes the Plan offers the best hope for retaining an integrated population mix, particularly the Spanish-speaking community.

One speaker spoke in support of the plan but with conditions. The president of the Council

of Chelsea Block Associations reported that while her organization was unable to take a unified stand on the Plan, she herself supported the provisions safeguarding the retention of "sky and air." However, she testified that the Plan does little to encourage exciting new development and that it looks to the past and not to the future. She urged that inclusionary housing provisions be discretionary, not mandatory. She also supported the study proposed for the industrial area west of Tenth Avenue, but requested the inclusion of the industrial area east of Tenth Avenue, in the southwest corner of the study area.

There were no other speakers and the hearing was closed.

Four written statements were received. The Real Estate Board of New York, Inc. (REBNY) commended Community Board 4 for proposing a Plan that includes both preservation and new housing development. The Board believes the Plan is not bold enough and should more aggressively provide opportunities for increasing the supply of new housing as soon as possible. REBNY suggested considering an increase of 1.5 to 3 FAR along Eighth Avenue from 14th to 31st streets and from 14th to 25th streets between Sixth and Eighth avenues. Finally, it noted the success of existing housing programs, such as the 80/20 program, in developing economically-integrated communities, and suggested that inclusionary housing should be an optional bonus, not a requirement.

The 23rd Street Association submitted a statement in support of preserving the character of the Chelsea neighborhood and generally supported many aspects of the Plan. The

Association advocates the proposed modifications to increase allowable density along 23rd Street from Sixth to Eighth avenues, and also recommends increases on Seventh Avenue between 14th and 23rd streets. The Association opposes the elimination of C6 zoning on portions of Seventh Avenue, on Eighth Avenue north of 23rd Street, and on 23rd Street between Seventh and Eighth avenues.

The Chairman of Manhattan Community Board 5, which adjoins the study area, sent a statement which quoted from a Board resolution adopted on February 8, 1996, "that Community Board 5 supports the goals and concepts of the Chelsea 197-a Plan and looks forward to reviewing the Plan in detail after the Department of City Planning prepares a zoning map application to implement these recommendations."

A representative of the 500 Block West 19th St. Block Association wrote in support of the Plan, noting that it seeks to preserve the best of what is without stultifying the best of what may be. In particular, he noted that rezoning West Chelsea, west of Tenth Avenue, to allow residential development, would be a logical, pro-active move that would benefit the whole city.

CONSIDERATION

The Commission has reviewed *Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities*. It commends the efforts of Community Board 4 and the goals articulated in its neighborhood planning document. The Commission also commends the cooperation between the Plan's sponsors and the Department staff in developing the Neighborhood Planning Framework. The Commission notes that the process helped facilitate the general concurrence of Community Board 4 with all of the modifications made by the Commission, save one.

In general, the 197-a Plan recommends replacing non-contextual zoning districts with contextual zoning districts at existing and reduced levels of density. The Plan also recommends replacing certain commercial zoning districts with residential districts and local commercial overlays. For the existing midblock areas between Sixth and Seventh avenues from 18th to 26th streets, currently zoned M1-5M and M1-6, the Plan proposes that vacant lots and lots occupied by parking facilities be developed at R10A density with a mandatory low-income housing requirement.

Conceptually, the Commission finds broad agreement with several aspects of the Plan that would further the goal of neighborhood preservation by retaining most of the existing manufacturing zoning districts; retaining non-contextual residential zoning districts for those areas where it is appropriate; mapping contextual residential and commercial zoning districts

in most other areas; and complementing the built character of the Chelsea Historic District.

Beyond these areas of broad agreement, the Commission believes that the Plan raises two primary issues of concern: the appropriateness of using a Section 197-a Plan to put forward what is essentially, by virtue of its specificity, a Section 197-c rezoning action; and the appropriateness of some of the proposals themselves. Taken together, the proposed zoning changes, in the Plan as originally submitted, do not do enough to balance the desirable neighborhood preservation goals with opportunities for new housing. Furthermore, while the Commission applauds and supports the 197-a Plan's desire to provide for mixed-income housing, it believes the Plan's proposal for the creation of special zoning in East Chelsea -- to restrict new residential development to certain sites and mandate an inclusionary housing component -- raises significant legal and policy issues.

The purpose and intent of Section 197-a is to provide a community with a mechanism to articulate policy to guide future specific governmental decisions, such as zoning map changes. The specific zoning districts and boundaries proposed in the Chelsea Plan, as originally submitted, present a specific implementation scheme for achieving certain land use goals, which the Charter requires be examined through a 197-c process, which allows for more rigorous technical analysis and environmental review than that required for a 197-a Plan. While the Plan contains considerable data and technical information, the Commission believes the specificity of the recommended zoning changes in the Plan as originally submitted is not appropriate for a 197-a Plan.

In order to respond to the concern of undue specificity, the Commission believes that it is appropriate to modify the Plan with the "Neighborhood Planning Framework" that is appended to the Commission's approval of the Plan. The Framework text articulates policy goals relating to general densities, use and other planning elements for each subarea outlined on the attached map titled, "*Map A: Chelsea Neighborhood Planning Framework.*" This approach would achieve many of the community's goals by providing guidance for future map amendments where compliance and conformance levels could be examined in greater detail allowing for selection of appropriate zoning districts and boundaries. For example, the 197-a Plan proposes R8B with an overlay on Eighth Avenue between 14th and 23rd streets. While the Commission supports contextual zoning at a lower density in this area, it believes that other districts permitting similar density, such as a C1-6A district, should be examined before determining the precise zones. As another example, the 197-a Plan proposes an inconsistent depth for a district proposed along one portion of Eighth Avenue. In this instance, the Framework simply proposes that "contextual zoning at a reduced density" be mapped in that subarea. The specific zoning and boundary determinations would be addressed during follow-up mapping actions, with the Framework serving as a guide.

Major issues which arose in the course of the Department's review of the Plan and their resolution, are addressed below. Community Board 4 adopted a resolution on April 2, 1996 approving all the Framework's modifications to the Plan except one (Subarea 15c, see below). Numbers refer to subarea designations on the attached *Map A: Chelsea Neighborhood Planning Framework.*

The Commission strongly supports the Plan's neighborhood preservation goals, but it believes the Plan needs to do more to provide adequate opportunities for new housing development. The Plan would reduce significantly or retain existing permitted densities in most of the areas between Seventh and Tenth avenues yet expand housing opportunities only for the areas between Sixth and Seventh avenues. The Commission believes that the Neighborhood Planning Framework should modify the Plan in ways that would ensure appropriate opportunities for new housing to serve the community and to address citywide housing needs. Accordingly, the Commission recommends the following areas for moderate density increases: Eighth Avenue from 22nd/23rd to 24th streets (Subarea 15c); 23rd Street between Seventh and Eighth avenues (Subarea 15e); and Seventh Avenue from 16th to 20th streets (Subarea 19e). It recommends more substantial density increases for: 23rd Street between Sixth and Seventh avenues (Subarea 14); Seventh Avenue from 14th to 16th streets (Subarea 17); and possibly Eighth Avenue north of 29th Street (Subarea 16w).

The Commission also believes that the East Chelsea special area (Subarea 18), and three of the future study areas recommended in the Framework (Subareas 22n and 22s: areas west of Tenth Avenue, and Subarea 24: Seventh Avenue between 25th and 26th streets), can offer important opportunities for new housing which would offset density decreases elsewhere in Chelsea. For all of these areas, the Commission believes that, by mapping contextual zoning districts, increased densities can be achieved without impairing neighborhood character.

The 197-a Plan proposes an East Chelsea Special Zoning area to allow new residential

construction on vacant lots and sites occupied by parking lots and parking garages, and to require 30 percent affordable housing in new development. The Commission supports the community's encouragement of mixed-income housing. However, the proposal for providing low-income housing in this area raises serious legal and policy concerns. The sponsors of the Plan believe that their proposal should be seen as an incentive or bonus, since new residential development is not currently permitted. The Commission, however, believes that the inclusionary housing aspect of the proposal amounts to a mandatory requirement, since it would be the *only* way one might develop one's property for new residential use. While the Commission recognizes the citywide need for low-income housing, it believes there is no basis for requiring a select group of property owners to provide this housing in the absence of an established nexus between their development and the need for the housing. Moreover, the Commission is concerned that such mandatory requirements would limit the feasibility of any housing development. The Commission also believes that all property within a defined area should be treated alike, and that permitting residential use on selected parcels is not sound planning policy. Accordingly, the Commission has modified this proposal, through the Neighborhood Planning Framework, to allow residential uses -- in the M1-5M district south of 23rd Street (Subarea 18) -- without distinguishing between vacant and other lots. The Commission notes that the M1-6 area north of 23rd Street between Sixth and Seventh avenues is more industrial in character, and that new residential uses would not be appropriate. South of 23rd Street, however, the M1-5M area is characterized by a substantial residential presence and a relatively low level of industrial employment.

In this East Chelsea area, follow-up mapping actions would determine appropriate densities and address any potential displacement issues. The Commission recommends, in conjunction with the Plan's implementation, that the City, together with the community and other appropriate parties, examine a wide range of mechanisms to promote economically integrated housing, including zoning incentive programs, tax incentives, and governmental policies and funding. The Commission further recommends that the Department establish a task force of appropriate agencies, community representatives, and housing development representatives (profit and non-profit), to examine mixed-income housing strategies for this area. Mapping proposals for this subarea should not be advanced until the task force has developed its recommendations.

The Commission also supports the proposals to study the manufacturing-zoned areas west of Tenth Avenue. It encourages the Department to proceed first with a study of the 23rd Street corridor (Subarea 22n), which serves as a gateway to the waterfront, and then, resources permitting, with a study of the manufacturing-zoned area to the south (Subarea 22s). The Commission recommends that specific boundaries be determined at the time the study and mapping actions are initiated. Another study area (Subarea 24), wholly within CD4 in the area of Seventh Avenue between 25th and 26th streets, was identified subsequent to the Plan's submission, and therefore no data was gathered for it.

Other areas included in the 197-a Plan which abut adjacent community districts are also designated as future study areas. The Commission believes that the appropriate use and

density of these areas should be determined in the course of follow-up studies and formal consultations with the affected Community Boards. These areas include the east side of Eighth Avenue north of 26th Street (Subarea 16e), 14th street between Sixth and Ninth avenues (Subareas 21e and 21w), and the east side of Sixth Avenue between 15th and 22nd streets (Subarea 20e).

The Commission also modifies the Plan to provide several other more modest changes that it believes would more closely reflect the area's built character, a goal of the Plan. For example, the 197-a Plan recommends rezoning from C6-2 to R8B the mid-blocks bounded by Seventh and Eighth avenues and roughly 23rd to 25th streets (Subarea 6). Whereas the compliance rate under R8B would be less than 50 percent, the R8A density level reflected in the Neighborhood Planning Framework would result in a satisfactory compliance level and an appropriate built form. A similar determination and modification was made for the midblock frontages along 16th Street between Sixth and Seventh avenues (Subarea 12n).

The Commission notes that the 197-a Plan recommends a new zoning district -- C6-2AM -- for portions of Sixth Avenue (Subarea 20w) and 23rd Street. The intent of this designation is to provide a contextual zone for the C6-2M district. The Commission believes that contextual zoning is appropriate, but that maintaining the manufacturing preservation component of the C6-2M district is no longer needed in these areas due to the predominance of commercial and residential use.

The Framework has seven categories of recommendations. A brief description of the broad categories and discussion of the Framework's consistency with the Plan and any Commission modification are provided below.

No change proposed at this time: Substantially in agreement with the 197-a Plan proposals, this recommendation applies to most manufacturing areas, the more northerly commercial districts, and postwar "towers in the park" residential developments.

Map contextual zoning at reduced density: This recommendation applies to much of the study area and is consistent with many of the Plan's density recommendations. The Commission finds this recommendation for several of these subareas, especially Subarea 3: Eighth Avenue south of 23rd Street, and Subarea 10: 23rd Street west of Eighth Avenue, to be appropriate only if there is increased allowable density elsewhere in the study area as identified in the Framework. In the Framework, the Commission modifies recommendations for other subareas to respond to this concern. The Commission notes that, although both Subarea 3 and Subarea 10 are on wide streets with good subway access, reduced density would be appropriate because of their unique character in the heart of Chelsea. The Commission also notes that the FAR compliance for an R7B density in Subarea 1 would be less than 70 percent, but that potential non-compliance could be reduced depending on final determination of boundaries.

Map contextual zoning at existing density: The Framework is generally consistent with the

Plan. However, it modifies the Plan's recommendations in a few areas where substantial levels of non-compliance would occur, or where reduced density was considered inappropriate. The Commission notes its modification for the Eighth Avenue frontage between 24th and 25th streets (Subarea 15n), the midblocks of 24th and 25th streets between Seventh and Eight avenues (Subarea 6), and the midblock of 16th Street between Sixth and Seventh avenues (Subarea 12n), all of which the Plan proposed for R8B (reduced density).

Map contextual zoning at greater density: The 197-a Plan did not propose any areas where permitted density would be increased. To balance downzoning proposed for much of the 197-a area, the Commission has modified the Plan to call for increased densities in certain areas: the 23rd Street corridor from Sixth Avenue to Eighth avenues (Subareas 14 and 15e), the intersection of Eighth Avenue and 23rd Street (Subarea 15c), Eighth Avenue north of 29th Street (Subarea 16w), and Seventh Avenue between 14th and 20th streets (Subareas 17 and 19e). The Commission believes these areas are appropriate for increased density for a number of reasons including their built character, transportation access and/or historic importance as a center of the community.

The sponsors of the Plan concur with these modifications except for the intersection of Eighth Avenue and 23rd Street (Subarea 15c). Currently zoned for 6.02 FAR, this location at the intersection of two wide streets atop a subway stop is appropriate for a modest increase in density. The southwest corner currently contains a building of approximately 10 FAR. The Commission notes that, on the site most likely to be redeveloped at this intersection, the

difference between an R8A (6.02 FAR) and an R9A (7.5 FAR) building is two stories and approximately 40 housing units. The Commission believes that this area is able to accommodate this additional development. The Commission also notes the community's desire to reinvigorate this general area as the center of Chelsea, and believes that this modest increase in density will help achieve that goal.

Allow new residential uses; encourage mixed-income housing: For the proposed East Chelsea special zoning area south of 23rd Street (Subarea 18), the Commission recommends zoning that would permit as-of-right new residential construction and conversions without the existing manufacturing preservation requirement. The Commission supports the encouragement of mixed-income housing in this area and the exploration of all mechanisms, including mechanisms other than zoning, to achieve this goal. As described previously, the Commission opposes mandatory inclusionary housing, but strongly recommends that a task force be convened, subsequent to the approval and modification of this Plan, to develop optional mixed-income housing strategies for this area.

Map residential zoning to reflect large-scale housing development: This recommendation applies to a corner of Penn South Houses on Eighth Avenue between 28th and 29th streets (Subarea 23), currently zoned C6-2, in order to provide a better match to its built character.

Study Further: Several areas at the edges of the study area are located in Community District 2 (Subareas 21w and 21e: south side of 14th Street) and Community District 5 (Subarea 20e:

east side of Sixth Avenue; and Subarea 16e: east side of Eighth Avenue north of 26th Street). Because data was not supplied for these areas, subsequent mapping actions should address both sides of the streets in conjunction with the respective Community Boards. The Commission also recommends that any future mapping actions incorporate the 23rd Street corridor west of Tenth Avenue (Subarea 22n) to reinforce this street as a gateway to the waterfront and to implement a balanced map amendment for the area. In the interest of timely implementation of the mapping actions, the manufacturing-zoned area to the south of West 23rd Street (Subarea 22s) could be studied in a second phase. The southern border of the 23rd Street study area should be determined when the study is initiated.

As noted above, the Commission commends the cooperation between the Plan's sponsors and the Department staff in developing the Neighborhood Planning Framework. The Commission notes that the process helped facilitate the general concurrence of Community Board 4, as reflected in its April 2, 1996 resolution, with all of the modifications made by the Commission, save one. The one exception is the modification of the recommendation for the intersection of Eighth Avenue and 23rd Street, where the Commission supports higher density contextual zoning than currently permitted and the Community Board continues to believe the existing density appropriate. The Commission considered the Board's strong viewpoints on the matter but supports the recommendation of the Department for moderately greater density, as contributing to an overall balancing of the various aspects of the Plan.

On balance, the Plan now sets forth a comprehensive set of guidelines for future development

in the area with an appropriate mix of "neighborhood preservation" and "housing opportunity" areas. The Commission encourages this collaborative process to continue to ensure the timely implementation of the 197-a Plan through specific zoning actions. The Commission further proposes this productive collaboration as a replicable model for formulating, analyzing, reviewing, and implementing 197-a efforts by other communities. In conclusion, the Commission believes that the *Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities*, as modified by the "Chelsea Neighborhood Planning Framework," is an appropriate neighborhood planning document that provides useful guidelines for future actions by public agencies, particularly future zoning map changes.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant effect on the environment, and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-a of the New York City Charter, that the Plan, *Community Board 4 Chelsea 197-a Plan: A Contextual Zoning Proposal to Create Housing Opportunities*, submitted by Manhattan Community Board 4, is approved with the following modifications:

Whereas, approved 197-a Plans guide the future actions of public agencies; and

Whereas, approved 197-a Plans can not preclude subsequent actions by the City Planning Commission and the City Council in their review of possible future applications under other charter-described processes; and

Whereas, almost all of the recommendations in this 197-a Plan require subsequent approval of 197-c (ULURP) Zoning Map Change applications, which have their own defined review procedures;

The Plan is hereby modified by replacing the specific zoning proposals contained in the Plan with the following Chelsea Neighborhood Planning Framework, in order that this approved and modified Plan provide general policies regarding land use and development in the

Chelsea area. The subarea numbers refer to the attached map (*Map A: Chelsea Neighborhood Planning Framework*). The subarea boundaries shown on the attached map are approximate. Although not noted for each subarea, the Plan recommends and the Framework concurs with the mapping of local commercial zoning districts or overlay zoning districts on most avenues and wide streets in proposed residential zoning districts.

Chelsea Neighborhood Planning Framework:

Subarea 1

Existing Zoning: R8 and R7-2¹

197-a Plan: R7B

CPC approval or modification: Map contextual zoning at a reduced density generally consistent with the recommendation of the 197-a Plan as originally submitted by Community Board 4.

Subarea 2

Existing Zoning: R8

197-a Plan: R7A

CPC approval or modification: Map contextual zoning at a reduced density generally

¹The existing allowable residential FAR for all of the Framework's subareas is 6.02, with two exceptions. 1.) Subarea 1 is a mix: one section is 6.02 FAR and another section has a range of .87 to 3.44 FAR. 2.) Some of the subareas recommended for future study are in M zones; new residential floor area is not currently allowed in these districts.

consistent with the recommendation of the 197-a Plan as originally submitted by Community Board 4, with the exception of the block between 16th and 17th streets.

Subarea 3

Existing Zoning: R8 and C6-2M

197-a Plan: R8B

CPC approval or modification: Map contextual zoning at a reduced density generally consistent with the recommendation of the 197-a Plan as originally submitted by Community Board 4, but providing for a more flexible envelope along Eighth Avenue.

Subarea 4

Existing Zoning: R8

197-a Plan: R7B

CPC approval or modification: Map contextual zoning at a reduced density generally consistent with the recommendation of the 197-a Plan as originally submitted by Community Board 4.

Subarea 5

Existing Zoning: C6-2

197-a Plan: R8B

CPC approval or modification: Map contextual zoning at a reduced density generally consistent with the recommendation of the 197-a Plan as originally submitted by Community

Board 4.

Subarea 6

Existing Zoning: C6-2

197-a Plan: R8B

CPC approval or modification: Map contextual zoning at existing density, incorporating the north side of 25th Street, similar in character to the facing blockface.

Subarea 7

Existing Zoning: R8

197-a Plan: R8A

CPC approval or modification: Map contextual zoning at existing density.

Subarea 9²

Existing Zoning: R8

197-a Plan: R8A

CPC approval or modification: Map contextual zoning at existing density.

Subarea 10

Existing Zoning: R8

¹ There is no Subarea 8 in this final version.

197-a Plan: R7A

CPC approval or modification: Map contextual zoning at a reduced density generally consistent with the recommendation of the 197-a Plan as originally submitted by Community Board 4.

Subarea 11

Existing Zoning: C6-2M

197-a Plan: R8A and C2 overlay

CPC approval or modification: Map contextual zoning at existing density.

Subareas 12n and 12s

Existing Zoning: C6-2M

197-a Plan: R8B

CPC approval or modification: Map contextual zoning at existing density (Subarea 12n); map contextual zoning at a reduced density (Subarea 12s) generally consistent with the recommendation of the 197-a Plan as originally submitted by Community Board 4.

Subarea 13

Existing Zoning: C6-2

197-a Plan: C6-2A and R8B (portion of Ninth Avenue frontage)

CPC approval or modification: Map C6 contextual zoning at existing density, and include the northeast corner of 29th Street and Ninth Avenue.

Subarea 14

Existing Zoning: C6-2 and C6-2M

197-a Plan: C6-2AM (intended to be a contextual equivalent of the existing C6-2M)

CPC approval or modification: Map C6 contextual zoning at substantially greater density (9.0 FAR) to encourage new housing opportunities and to better reflect the built character.

Subarea 15e

Existing Zoning: C6-2 and C6-2M

197-a Plan: R8A with a C2 overlay

CPC approval or modification: Map contextual zoning at moderately greater density (7.5 FAR) to encourage new housing opportunities and to better reflect the built character.

Efforts should be made to reinvigorate this block at the center of Chelsea. The Commission notes that mapping a C2 district would result in some commercial floor area non-compliance, and that the appropriate commercial zone should be determined as part of follow-up mapping actions.

Subarea 15c

Existing Zoning: C6-2M, C6-2 and R8

197-a Plan: R8A with a C2 overlay, with R8B on the southeast corner of 23rd Street and Eighth Avenue.

CPC approval or modification: Map contextual zoning at moderately greater density (7.5 FAR) to encourage new housing opportunities at a density that takes advantage of this

location at the intersection of two wide streets atop a subway entrance.

Subarea 15n

Existing Zoning: C6-2

197-a Plan: R8B and C6-2A

CPC approval or modification: Map contextual zoning at existing density, and as part of the follow-up mapping action, consider a moderate increase in density from the midline between 25th and 26th streets in conjunction with subarea 16e to the north.

Subareas 16e and 16w

Existing Zoning: C6-2

197-a Plan: C6-2A (subarea 16w)

CPC approval or modification: Conduct a future study in consultation with Community Boards 4 and 5 to develop final recommendations for subareas 16e and 16w together. Preliminary analysis suggests mapping contextual zoning at greater density in subarea 16w (7.5 to 9 FAR).

Subarea 17

Existing Zoning: C6-2M

197-a Plan: R8X

CPC approval or modification: Map contextual zoning at substantially greater density (9.0 FAR), reflecting built character. Follow-up mapping actions should examine conformance

issues to determine appropriateness of, and boundaries for, a C2 District to replace the existing C6 district.

Subarea 18

Existing Zoning: M1-5M

197-a Plan: Create the East Chelsea Special Zoning area to allow new residential construction on sites now occupied by vacant lots, parking lots, and parking garages and mandate 30 percent affordable housing in new development.

CPC approval or modification: Allow new residential uses without distinguishing between vacant and other lots, and encourage mixed-income housing, modifying the recommendation of the 197-a Plan as originally submitted by Community Board 4. Follow-up mapping actions should determine appropriate densities and address potential displacement issues. In conjunction with plan implementation, the City, together with the community, should examine a wide range of mechanisms to promote economically integrated housing, including zoning incentive programs, tax incentives, and governmental policies and funding. It is recommended that a task force be formed of appropriate agency and community representatives, and housing development representatives (profit and non-profit), to develop mixed-income housing strategies for this area. Mapping proposals for this area should not be advanced until the task force has developed its recommendations.

Subarea 19w

Existing Zoning: C6-2M

197-a Plan: C6-2A

CPC approval or modification: Map contextual zoning at existing density.

Subarea 19e

Existing Zoning: C6-2M

197-a Plan: C6-2A.

CPC approval or modification: Map contextual zoning at a moderately greater density (7.5 residential FAR) to encourage new housing opportunities. The department store use located on Seventh Avenue between 16th and 17th streets should remain in the C6 district.

Subarea 20e and 20w

Existing Zoning: C6-2M

197-a Plan: C6-2AM (20w)

CPC approval or modification: Conduct a future study in consultation with Community Boards 4 and 5 to develop final recommendations for subareas 20w and 20e together. Preliminary analysis suggests mapping contextual zoning at existing density without manufacturing preservation provisions on the west side of Sixth Avenue (20w).

Subarea 21e and 21w

Existing Zoning: C6-2M

197-a Plan: On the north side of 14th street, C6-2AM from Sixth to Seventh avenues, and R8B west of Seventh Avenue.

CPC approval or modification: Study both sides of 14th Street in consultation with Community Boards 2 and 4. When the study is initiated, make a determination whether to extend the western boundary of 21w to Ninth Avenue.

Subareas 22n and 22s

Existing Zoning: M1-5

197-a Plan: No recommendations

CPC approval or modification: Conduct future studies of these M1-5 districts west of Tenth Avenue to determine whether new residential uses would be appropriate as part of the overall Neighborhood Planning Framework. The first phase (23rd Street between Tenth and Eleventh avenues) should be examined as part of the Plan's implementation, with the specific southern boundary determined at the time of study initiation. The M1-5 area south to 14th street (22s) is recommended for a Phase II study, and could include additional manufacturing-zoned areas east of Tenth Avenue, depending on availability of resources.

Subarea 23

Existing Zoning: C6-2

197-Plan: Map R8

CPC approval or modification: Map residential non-contextual zoning at existing density.

Subarea 24

Existing Zoning: M1-6

197-a Plan: No recommendations

CPC approval or modification: Conduct a study in conjunction with the Plan's implementation to determine whether new residential uses would be appropriate as part of the overall Neighborhood Planning Framework, balancing neighborhood preservation areas with new housing opportunity areas.

The above resolution (N 940614 NPM), duly adopted by the City Planning Commission on April 10, 1996 (Calendar No. 23), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

JOSEPH P. ROSE, Chairman

VICTOR G. ALICEA, Vice-Chairman

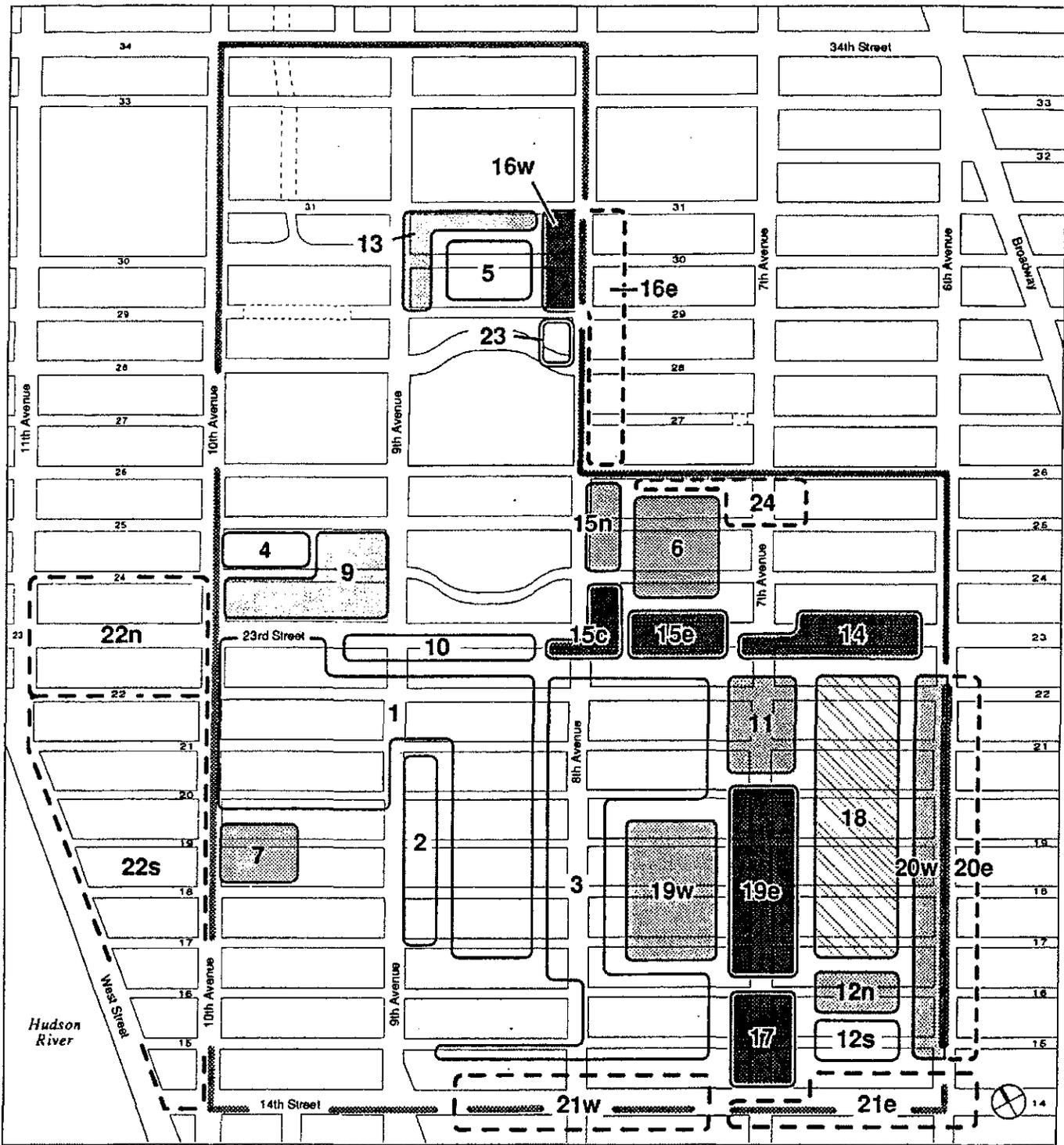
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Commissioners



Map A: Chelsea Neighborhood Planning Framework

- | | | | |
|--|---|---|---|
|  | map contextual zoning at reduced density |  | map residential zoning to reflect large-scale housing development |
|  | map contextual zoning at existing density |  | study further |
|  | map contextual zoning at greater density |  | 197-a plan study area |
|  | allow new residential uses; encourage mixed-income housing | | |

NOTES: 1). Numbers on map refer to subareas identified in CPC report dated April 10, 1996 (Calendar No. 23). 2). There is no subarea 8. 3). Subarea boundaries shown are approximate. 4). Changes in zoning district designations and boundaries can only be finalized through the approval of Zoning Map Change (Section 197-c) applications.

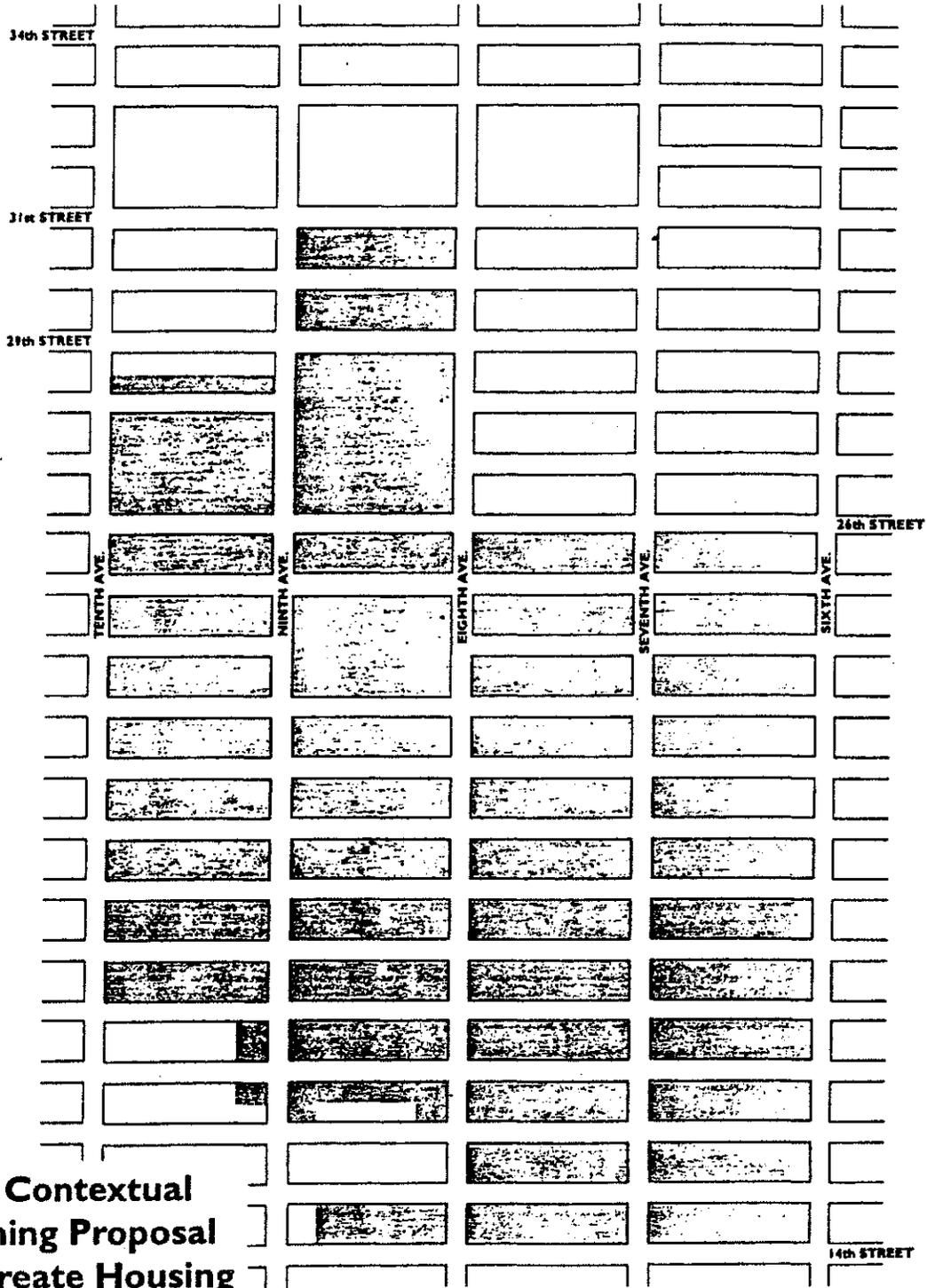
*Approval and Modification of
Community Board 4 Chelsea 197-a Plan*

Section 3

Community Board 4 Proposed 197-a Plan

*Community Board 4 Chelsea 197-a Plan:
A Contextual Zoning Proposal to Create Housing Opportunities,
submitted April 28, 1994*

CHELSEA 197-a PLAN



**A Contextual
Zoning Proposal
to Create Housing
Opportunities**

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ACKNOWLEDGEMENTS

This document is being submitted by Manhattan Community Board No. 4 as a community-sponsored plan under Section 197-a of the New York City Charter. An account of its creation and adoption is incorporated in the document under the section Community Board Planning for Chelsea.

The present document was prepared by the Chelsea Preservation and Planning Committee of the Board, with assistance provided by the Office of the Manhattan Borough President, particularly Pepi Ertag, David Freudenthal and Fern Betel. The soft site and conformance data were gathered by Jordan Most, MSUP, under the supervision of Dr. Elliott Sclar of the Columbia University Graduate School of Architecture, Planning and Preservation. Frank Cheney of the Manhattan Office of the NYC Department of City Planning provided valuable assistance with the soft site analysis and use conformance data. This work was sponsored by the Manhattan Borough President, Ruth W. Messenger as well as Council Member Thomas K. Duane, who has been involved from the beginning in the development and support of the plan. Larry Quinn, a neighborhood resident, performed the tedious but necessary task of data entry. The demographic and census data as well as other data and documents support the rationale of the plan. This information is contained in Appendices A through F following the narrative.

The first version of the Plan, filed in 1987, was prepared by Dr. Sclar and Judy McClain, MSUP, following the guidelines laid out by the Zoning Study subcommittee set up by Thomas K. Duane, then the second Chair of the Chelsea Preservation and Planning Committee. The active members of this group were Edward Kirkland, Michael Kramer, Charles Ayes, and Ross Graham. The data used for this first version of the plan were those gathered for the Chelsea Studio of the School led by Dr. Sclar and Dr. Saskia Sassen in the previous year. These data are no longer available and are not used as a basis for this document. The current version of the Plan varies only in a few substantive details and in presentation from the previous one.

The task of planning for Chelsea has been carried on by the Chelsea Preservation and Planning Committee since its first Chair, Edward Jones. The work has been supported by successive Board Chairs: Mary Brendle, Ruth Kahn, Peter Schleissner, Peter Oblatz, Alice Olson, and the current Chair, Ross Graham. The principal author of the plan is Edward Kirkland, current chair of the Chelsea Preservation and Planning Committee. Many members of the Committee, past and present, have contributed to the work. Among the staff of the Board who have worked to help the Plan over the years are William Ryan, William Floyd, Noreen Doyle, Simon Firestone, and Julia Fitzgerald. The Board thanks them all, as well as the members of the community, too numerous to name, and the elected officials and their staffs who have supported and worked for the Plan.

EXECUTIVE SUMMARY

Chelsea, the southern section of Manhattan Community Board No. 4, may be divided into two sections: the historic residential community roughly east of Tenth Avenue that is the subject of the present plan, and the old waterfront manufacturing area to the west that is the object of another planning effort now under way.

The diversity of Chelsea in building types and population is due to a long development. The old center planned around the General Theological Seminary by Clement Clarke Moore is still largely intact but has been surrounded over the years by an area largely residential but with some commercial buildings that gradually scales upward towards the Manhattan spine. The mixed population of the old waterfront community has been joined by more recent arrivals, both Latinos and persons seeking to revive the area. Housing projects and recent development have caused displacement, threats to historic character, and community controversy.

The Community Board, responding to long-held concerns, worked with Professor Elliott Sclar of Columbia University to plan for the area, producing the first version of the Plan after wide consultation in the community, and filing it under Section 197-a in 1987. The plan had widespread support in the community, but encountered difficulties in gaining acceptance at City Planning. With the Charter revisions and the new 197-a regulations, and supported by updated technical data, the Plan is being refiled with only minor changes after new consultations.

Goals of the Chelsea Plan:

- * Provide for orderly change and growth
- * Provide opportunities for new, economically integrated housing
- * Preserve the existing low-income housing stock
- * Prevent significant displacement of residents and businesses
- * Preserve ethnic and economic diversity
- * Protect residential areas from commercial intrusion
- * Preserve the character and visual unity of Chelsea
- * Preserve the traditional urban form and scale of the community
- * Protect the Chelsea Historic District and other areas of historic character

The purpose of the Chelsea Plan is to establish a framework in which development, particularly of economically integrated housing, can take place without destroying the integrity and character of the community and what is valuable within it. Residential Chelsea is a community whose character is based on the low-scale row-house blocks around the historic core, and the somewhat more varied street-wall development that scales upward to the east of it. The core and some of the outer areas contain buildings of architectural quality and streetscapes that are important to preserve.

The long-run identity and stability of Chelsea are threatened by rapid development under the present zoning that would replace existing buildings by significantly larger ones, thus causing loss of neighborhood character and major displacement. The process would cut up Chelsea with towers, break neighborhood visual and social bonds, threaten loss of economic and ethnic diversity, and diminish the low-income housing stock. Appropriate rezoning of Chelsea would prevent many of these impacts and provide a framework in which orderly development could occur and affordable housing be created in underutilized areas.

The Chelsea Plan proposes to establish contextual zoning to replace the present height-factor zoning. Building heights would be scaled across the entire community (except the tower developments, which are mostly north of 23rd Street), from low height in and around the Chelsea Historic District eastward across the avenues, following the more varied built environment upward towards the loft buildings at the eastern edge. This addresses the goals oriented toward community preservation, while allowing some flexibility in many areas and even an upzoning near the Garment District. This pattern makes possible special zoning oriented toward development of economically integrated housing in the underutilized M-zones between Sixth and Seventh Avenues. Here residential developments at the height of the old loft buildings would be allowed on certain sites on condition of providing a significant proportion of affordable units on site. These provisions would provide more units than soft sites under the present zoning.

The Plan covers only traditionally residential Chelsea, roughly the section east of Tenth Avenue, where the existing zoning almost everywhere is at an FAR of 6.02 (R8, C6-2, C6-2M) with no contextual zoning. Many map changes involve only the replacement of height-factor zoning with the contextual equivalent: other lower bulk (FAR) to preserve the existing built environment.

- * The historic core between Tenth Avenue and the Eighth Avenue corridor is zoned at a protective level of a maximum streetwall of 60 feet (R7B), with buffer strips at somewhat higher scale. This protects the Chelsea Historic District, the landmarked row on 24th Street, and their surroundings.
- * The outer portions of this residential area west of the Seventh Avenue corridor are mostly zoned at a slightly higher scale (R8B), with other changes made to preserve context and protect the central residential block of Chelsea from commercial intrusion.
- * Seventh Avenue is zoned slightly higher in a scale designed to protect its residential quality and relatively low scale (mostly R8A, some C6-2A, a higher R8X in the south). An upzoning is proposed in the plan has been adopted with some modification just south of the Garment District north of 23rd Street.

- * Fourteenth Street and the old residential blocks to the north are zoned to protect their low-rise residential character. This is the location of the oldest Latino community in the city. East of Seventh Avenue, the different scale and commercial character of the street are supported by appropriate zoning.
- * Twenty-third Street is varied in character and is zoned to support its dominantly residential character in most places and its existing scale, while preserving relationships to the blocks to the north and south (eastward from Ninth Avenue: R7A, R8A, C6-2AM).
- * North of 23rd Street, two low-rise residential subareas, psychologically cut off from the main block of residential Chelsea (just to the north between Seventh and Eighth Avenues and at the far north of Chelsea on 29th and 30th Streets between Eighth and Ninth Avenues), are protected (R8B) and minor adjustments made to preserve contextuality.
- * Chelsea east of Seventh Avenue contains many of the old department stores of the Ladies' Mile Historic District along Sixth Avenue, which are to be protected with contextual zoning (C6-2AM), and an under-utilized manufacturing district just to the west, which offers a location for affordable housing.
- * East Chelsea Special Zoning: in the midblocks between Sixth and Seventh Avenues between the midline of 18th and 19th Streets and 26th Street (excluding commercial 23rd Street), residential developments will be allowed on vacant or parking lots and parking garages with a bulk and form based on the tall loft buildings in the area (a kind of optional R10A envelope) on the principal condition that development will provide at least 30% of the units for low- and moderate income housing.

OVERVIEW

The Chelsea Community

Chelsea is located on the West Side of Manhattan just north of Greenwich Village, from which it is separated by 14th Street. Except for the Hudson River on the west, its other boundaries are less clearly defined: to the north, the 34th Street corridor; to the east, the Garment District and the mixed commercial and industrial district on both sides of Fifth Avenue. Chelsea consists of two main sections: the original residential community east of the pre-nineteenth-century shoreline, roughly along Tenth Avenue; and the largely manufacturing area to the west built mostly on landfill and involved with the waterfront uses that were long the economic heart of the community, but that have largely disappeared.

These two areas present two very different situations and are subject to different pressures. They have been the object of two different planning processes by Community Board 4. The area east of Tenth Avenue is the subject of the present plan; the western area is the subject of a recently completed planning study commissioned by the Community Board. This study will be the principal basis of a second plan that the Board hopes to complete soon in cooperation with the Department of City Planning and the Manhattan Borough President's Office. This planning effort will eventually include the entire Community District.

The study area of the Chelsea Community Plan therefore includes 60 blocks located north of 14th Street, extending between Eighth and Tenth Avenues north to 34th Street, and between Sixth and Eighth Avenues, north to 26th Street. The eastern boundary of the area is that of Board 4.

The Evolution of Chelsea

The great diversity of the community's population and built environment is the product of a history of over 150 years. The historic core of Chelsea was the community planned in 1835 by Clement Clarke Moore, author of "A Visit from Saint Nicholas", on the Hudson River estate that his grandfather had named "Chelsea". Observing with dismay the approach of the street grid of the growing city, he donated the block between Ninth and Tenth Avenues and 20th and 21st Streets to the General Theological Seminary of the Episcopal Church under the name of Chelsea Square and divided the blocks surrounding it into lots for rowhouses, requiring deep planted front yards and high building standards on lots he sold. This mid-nineteenth century core has remained surprisingly intact, except for a few apartment houses. The central part of it forms the present Chelsea Historic District.

As the spreading city surrounded his development, it brought low-scale, largely residential buildings on all sides except to the west, where the coming of the Hudson

River Railroad along Tenth Avenue (the original shoreline), spurred industrial activity on the filled land along the waterfront. With the elevated railroad in the 1870's came an increase of commerce and population. This is reflected by the growth of somewhat larger tenements and industrial buildings near the waterfront and was accompanied by a varied ethnic and economic mix typical of waterfront districts.

As the city continued to grow northward its center moved in the 1890's to the area around 23rd Street. Its brief tenure as the entertainment center of the day left some larger buildings in eastern Chelsea along what was for some years the "Main Street of New York". Nearby and farther to the south along Sixth Avenue grand department stores dominated the shopping area called the "Ladies' Mile." As the City's center moved further north, the large buildings of the old stores housed such industries as printing and ancillary trades for the growing garment center. The entertainment center survived mainly in the form of an artistic community whose most visible monument is the Chelsea Hotel on 23rd Street near Seventh Avenue.

Although scattered apartment buildings had appeared before, the boom of the 1920's was the first to threaten seriously the traditional scale of Chelsea. Large manufacturing buildings rose to the west along what was then the center of the Manhattan waterfront and in the growing Garment District along Seventh Avenue. A developer began a row of residential towers along Seventh Avenue north of 14th Street and replaced the old rowhouse block called London Terrace, north of 23rd Street between Ninth and Tenth Avenues, with a huge apartment block. The Depression stopped this development trend abruptly and froze most of Chelsea in the pattern it kept until the Second World War. The old core area around the Seminary, as well as the area along and just north of 14th Street that was developed at the same time and scale as Greenwich Village, largely remained at the original scale. East of the industrial district between the waterfront and Tenth Avenue the built environment of Chelsea now scaled gradually upward from its original height in its oldest sections towards the massive loft buildings on the edge of Midtown.

The population pattern, too, remained largely unchanged in character during this period. Everywhere among the dominantly Irish working-class community that had become established in the nineteenth century along the waterfront were families and individuals stemming from a multitude of sources-- from descendants of the original householders to immigrants who had recently slipped off a boat lying at one of the piers. A variety of religious and other institutions, some of them still surviving, testified to this diversity. One major change was the establishment of a Latino population that became a significant element of the community. This was marked by the first Latino church in the city on 14th Street, which became a center for a community long known as "Little Spain." The Latino community grew rapidly in the midst of the renewed activity along the waterfront and in the manufacturing areas that took place during and after the Second World War and drew large numbers of varied groups to Chelsea.

After the war Chelsea shared citywide trends such as the move to suburbanization and the decline of urban manufacturing along with the attendant weakening of the older ethnic communities. Most disruptive to the community was the loss of the maritime life that had been at its heart, as passenger shipping declined and freight shipping moved out of Manhattan starting in the 1950's. Parking lots began to appear, particularly in the loft area east of Seventh Avenue. Urban reformers, seeing the decay of older housing and the sites that were available through the decline of manufacturing, started the construction of a series of public housing projects on blocks between Ninth and Tenth Avenues both north and south of the old community core near 23rd Street. The new middle class created by postwar education and prosperity, seeking affordable and potentially attractive housing in which to raise their children, found bargains in Chelsea's rowhouses, especially in the handsome historic core planned by Clement Moore, and began a movement toward recovery that has continued to the present day.

These changes brought new concerns and new controversies to Chelsea. Long-term residents were displaced by the loss of job opportunities, by the arrival of newcomers, and by subsidized high-rise buildings designed to provide affordable housing for those living and working in the area. New and old residents alike were disturbed at the visual effect of the new towers and the concomitant loss of familiar buildings, neighbors and institutions. The new "brownstoners" sought to prevent the loss of traditional community character and of the historic architecture and scale of the handsome streets on which they lived.

The largest and bitterest of the controversies about community preservation was the effort to stop the large Penn South urban renewal project that proposed the demolition of at least six full blocks between Eighth and Ninth Avenues north of 23rd Street, and their replacement by middle-income towers. This unsuccessful attempt to save a traditional neighborhood and its residents involved neighborhood groups and institutions, as well as the famous activist Sol Alinsky, and left Chelsea disheartened and divided for years. More modest and more successful attempts to preserve historic character and avoid displacement due to high-rise buildings were the efforts led by groups like block associations and the Council of Chelsea Block Associations. These led to the designation of the Chelsea Historic District in 1970 and its extension in 1979, as well as the landmarking of some individual buildings, particularly a group of low rowhouses on 24th Street just east of Tenth Avenue. On another front, the Housing Committee of the relatively new Community Board and local organizations such as the Chelsea Coalition on Housing struggled to deal with harassment, displacement, and relocation case by case.

Community Board Planning for Chelsea

By 1984, Community Board No. 4 had concluded that reacting to these issues one by one was ineffective and decided that to preserve the Chelsea community it needed

to undertake the kind of pro-active planning that it believed community boards had been set up to perform. The Board had played a significant part in the effort that had established the Special Clinton District to protect the low-rise, largely working-class community of Clinton that forms the northern part of the Board District. With this model in mind it set up a committee to take planning measures to protect what was valuable in the Chelsea community, to maintain the traditional housing and businesses in the area, and to provide for growth and new housing in a manner that would avoid the community destruction that was occurring in such areas as the Upper East Side.

The Chelsea Preservation and Planning Committee thus created explored several possibilities. An approach was made to the Department of City Planning, which offered to conduct a study of Chelsea with a view to rezoning. However, early discussions made it clear that the study would be based on a principle--balancing a down-zoning on the side streets with an up-zoning on the avenues and wide streets to encourage market-rate housing at the larger scale these thoroughfares were presumed to support--that threatened to foster many of the consequences the community sought to avoid.

The Board, believing it had reached a dead end, sent out a request for expressions of interest and received a response from Professor Elliott Sclar of the Graduate School of Architecture, Planning and Preservation of Columbia University. As a result, he and his colleague, Professor Saskia Sassen, directed a planning studio in the spring of 1986 that produced a report entitled Chelsea Today, Chelsea Tomorrow: A Plan for Preservation and Development that won an award from the American Institute of Planners.

The report was presented to the community at a public meeting on June 7, 1986, and widely distributed within the Board's constituency. During the following year the Committee started to build on its findings to draw up the outline of a plan that would meet the broad goals of preservation of historic character and community form, protection of the existing low-income housing stock, and provision of new affordable housing at a reasonable scale. In this process the Board reached out to almost every group in Chelsea-- block associations, housing advocates, tenant associations in the major developments and the active merchants' associations. Meetings and private discussions were held with almost all elements of the Chelsea community. A preliminary version of the plan was presented at a public meeting on January 29, 1987, and comments there were taken account of in the preparation of the final plan.

While there was not universal agreement with all parts of the plan, the participants clearly believed that their views were heard and considered. All elected officials of the community and the bulk of local organizations supported the plan, and many participated vigorously in the process of refinement and adoption. An independent

advocacy organization, Save Our Chelsea, was formed by housing advocates to influence and promote the plan. A significant number of modifications were made and ideas developed as the process continued up to the moment of adoption by the Board. The process culminated in a major public hearing on May 4, 1987, where approximately 40 members of an audience of over 160 spoke, all supporting the plan as a whole, although some expressed reservations about individual provisions. On its regular meeting on May 6, 1987, after amendments had been made to respond to the concerns of several block associations and similar groups, the Board adopted the plan for filing under Section 197-a of the City Charter.

The Board had chosen this then little-used approach in the hope that the provisions of this section of the Charter, specifically allowing for submission by Community Boards of plans for adoption by the City Planning Commission and the Board of Estimate, would provide a means by which Boards and the communities they represented could gain consideration and adoption of plans that were based on their goals and their understanding of their communities. Broader needs and plans would clearly be safeguarded since local plans would have to be reviewed and adopted by city-wide authorities.

Acceptance of the Chelsea Community Plan and other community-initiated proposals ran into a number of obstacles. At that time the Charter did not clearly define the nature of 197-a plans. In addition, Department of City Planning took the position that, under state and city environmental review laws, most 197-a plans suggesting zoning map changes would require costly and time-consuming environmental reviews to be completed by Community Board sponsors.

The revised Charter approved by the voters in 1989 required the City to establish rules for the form and content of 197-a plans, as well as the process by which such plans would be reviewed by relevant city agencies. On June 26, 1991, the City Planning Commission approved the Rules for the Processing of Plans Pursuant to Section 197-a. The Community Board had joined other civic organizations in testimony and in discussions with City Planning Commissioners in an effort to ensure that these regulations met the intentions of the Charter and the needs of Community Boards. Article 4 of these rules sets forth standards for the form and content, as well as sound planning policies, that must be satisfied in proposed plans prior to a positive threshold determination by the City Planning Commission.

The plan's recommendations are, except in a few details, the same as those submitted in 1987. The text has been extensively rewritten with the following goals: to make explicit the principles on which it is based, to explain and reorganize the proposed zoning changes, to refine the plan to reflect the relatively few changes in the area and the analysis of the new, updated data, and to add material to ensure conformance with the requirements of the Rules for the Processing of Plans Pursuant to Section 197-a.

Frequent contacts with groups and individuals in the community assure the Board of continued support for the Plan throughout Chelsea. Tables at block parties and street fairs, informal discussions at meetings of local organizations, and other activities have maintained an interest and awareness of the Plan over the period of data-gathering and revision. The most visible of these activities has been the preparation of a video intended to portray the community and the feelings of its residents about their neighborhood and its character. Photography of the neighborhood and interviews with its residents were set up, and the Plan and the video discussed at a large public meeting attended by over 50 people on December 11, 1992, at which many members of the public were individually interviewed. It is expected that the video, which has encountered technical problems, will be completed shortly,

In the course of community discussions leading up to the refile of the Plan, it became clear that some residents were concerned that the Plan did not address what they perceived as the most pressing threat to the Chelsea community--the diminished quality of life caused by the presence of discos on the fringes of the historic residential area. Although no discos were located within the study area and any zoning action to regulate them, especially through a 197-a plan, would presumably require more time and encounter more obstacles than passage of pending Council legislation, many persons in areas near discos believed Board action was desirable. There was considerable discussion of the issue in neighborhood groups and at meetings of the Chelsea Preservation and Planning Committee in which members of the public participated. At the public hearing on the Plan before the regular meeting of the Community Board on March 2, held during a snowstorm that prevented many members of the Board and the public from attending, two of the six speakers pressed this point. The hearing was continued in April because of the weather.

At a public meeting on the plan on March 30th, sponsored by the Chelsea Housing Group and attended by about thirty persons, discussions continued and a pledge was made by the Chair of the Chelsea Preservation and Planning Committee that the Board would act promptly to consider zoning recommendations designed to regulate the location of discos within areas close to residences, and would then begin an open planning process for the areas zoned for manufacturing west of Tenth Avenue.

At the continued public hearing held before the next Board meeting on April 6, 1994, seven persons spoke in favor of the Plan. At this time, the principal proponent of incorporating zoning provisions against discos read a statement withdrawing opposition to the current version of the Plan in view of the Board's pledge to take prompt, but separate, action on these other issues. At the regular meeting of the Board immediately following, the Plan was adopted for submission under Section 197-a of the City Charter by a vote of 27 in favor and none opposing or abstaining.

GOALS OF THE PLAN

This planning process resulted in a series of goals around which the community as a whole could unite. These goals are intended to provide a framework in which the needs of Chelsea can be met while at the same time furthering those of Manhattan and New York City.

To provide for orderly change and growth.

Any community must change in order to live, but massive replacement of the existing building stock over a short period entails the destruction of community identity. Zoning, except in areas where it is important to preserve historic or aesthetic quality by restrictions enforcing strict retention of scale or use, must therefore allow flexibility for adaptation of existing structures and replacement of those that are no longer useful. Potential locations for new development-- and in particular for needed housing--can be found in underutilized areas where sites are available that are vacant or the reuse of which will not interfere with other legitimate goals.

To provide opportunities for new, economically-integrated housing.

New housing in Chelsea has been consistently market rate. The waiting list for subsidized housing is prohibitively long; for the one large middle-income cooperative, the waiting list is currently closed. Young people that wish to have children usually have to move out of Chelsea, a hardship that is also a threat to community continuity. New or adapted housing must be provided for individuals and families of all types and backgrounds to serve the community and the city as a whole without creating displacement or disturbing other community goals. Ghettos of any type must be avoided.

To preserve the existing low-income housing stock.

The existing housing stock in Chelsea includes a number of tenements and SRO buildings. The city has already paid a high price for encouraging replacement of such buildings by upscale housing. Present zoning and market trends would continue this process in Chelsea in the next real estate boom.

To prevent significant displacement of residents and businesses.

In order to minimize displacement, zoning must not encourage replacement of sound buildings by new structures. The present zoning or proposals that would increase bulk on major thoroughfares encourages such replacement. Besides individual hardship, displacement of persons with low income or social handicaps is likely to lead to homelessness. Massive displacement of businesses as well as residents such as has been seen in some redeveloped areas breaks social bonds and threatens community character and even identity.

To preserve ethnic and economic diversity.

Displacement and the loss of low-income housing stock inevitably reduce economic diversity, and usually ethnic diversity as well, since immigrants and other newcomers usually cannot afford expensive housing. In Chelsea the older residents are often members of ethnic communities that were once strongly represented but that no longer form a sufficient presence to provide bonds that can prevent their remaining

members from dispersal. Of particular concern to the Board is the Latino community on and north of 14th Street. This, the oldest established such community in the city, is threatened by any replacement of the existing low-rise and low-rent housing and by displacement pressures on its institutions, largely located on 14th Street.

To protect residential areas from commercial intrusion.

It is essential to reinforce the main residential block of Chelsea that extends between Seventh and Tenth Avenues northwards from 14th Street as far as 30th Street, together with the overlapping residential strip north of 14th Street contiguous to Greenwich Village. Some long-standing residential streets in these areas are zoned for commercial uses. This has allowed some intrusions that have threatened the character of residential streets and encouraged displacement. In view of the current spread of sex-related businesses, partly as a result of their dispersion from Times Square, it is especially urgent to avoid inappropriate commercial zoning in residential areas in order to prevent destruction of their character through the presence of such establishments.

To preserve the character and visual unity of Chelsea.

Chelsea is a low-rise community in which, like many traditional communities, the avenues and wide streets are not built to significantly higher bulk than the midblocks. More recent construction has until the last few years reflected the pre-1961 zoning regulations, which encouraged higher coverage, lower-rise buildings, rather than the regulations adopted in 1961 which promoted "tower in the park" development. In order to preserve the resulting character and perception of community unity, zoning must not allow erection of the walls of taller buildings on main thoroughfares that alter the "feel" of the community, dominate lower areas near them, and psychologically cut off one midblock from another and isolate subsections of the community.

To preserve the traditional urban form and scale of the community.

The shape of Chelsea is a distinct urban form, rising gradually from the low-scale of the historic center upwards towards its edges at the midtown spine and the Garment District. The human scale of most of the community and this distinctive form give Chelsea an identity as an attractive and livable community that would be destroyed by future development on an inappropriate model. The diminution of light and air, particularly in view of the lack of open spaces in the traditionally built portion of Chelsea, would severely diminish the quality of life in the community.

To protect the Historic District and other areas of historic character.

The Historic District contains rows of buildings of great quality surrounding the valuable open space of the campus of the General Theological Seminary. The undesignated area largely east of the Seminary contains many buildings of almost equal quality and streets of similar attractive character. The erection of buildings in and near this area at a bulk permitted by the present zoning has already diminished this ambiance, which forms a valuable resource for the city. Similar considerations on a lesser scale apply to the landmarked row in the 400 block of West 24th Street. The late nineteenth-century department stores on Sixth Avenue in the Ladies' Mile Historic District on the eastern edge of the community need a zoning that will discourage inappropriate enlargements and surroundings.

ANALYSIS

The purpose of the Chelsea 197-a Plan is to establish a framework that provide opportunities for development, particularly of affordable housing, in ways that will preserve the existing community and reinforce its character. The Board recognizes that communities can and must change and that the economic basis of the city entails constant adaptation to new requirements. The city will thrive, however, only if the communities that comprise it can maintain their identity in this constant flux; it will be worth living in only if these communities maintain a character that will give them attractiveness and cohesion.

Residential Chelsea is a community whose character is anchored by the low-rise row-house areas of the historic core in and around the Chelsea Historic District and elsewhere in the neighborhood, especially in the south near Greenwich Village. These areas are consistent in scale and mass and create a distinctive urban image. A survey by the Landmarks Preservation Commission recognized that over 30 percent of the buildings in Chelsea are of significant architectural quality. The bulk of these buildings are in or near the Chelsea Historic District, which occupies an irregular area between Eighth and Tenth Avenues south of 23rd Street including most of 20th, 21st, and 22nd Streets.

The somewhat higher buildings that dominate the eastern part of the community are still interspersed with lower buildings and form a transition to the higher bulk of the loft area on Chelsea's eastern edge. This area contains a mix of building types and uses that has contributed to Chelsea's diversity and visual attractiveness. It is dominated by such housing types as rowhouses, tenements, and low and mid-rise elevator buildings. On most avenues and major cross-streets commercial uses dominate at the ground-floor. Loft buildings are located primarily on the eastern fringes of the study area along the edge of the Garment District as well as further south in the old manufacturing district between Sixth and Seventh Avenues where the East Chelsea Special Zoning is proposed. They contain residential as well as non-residential uses. The consistent pattern of street walls lining up with neighboring buildings that exists on wide streets, avenues and midblocks adds to the attractiveness and unity of the area. The anomalies in the street wall pattern primarily occur where there has been large scale residential development and thus dominate the area from 23rd to 29th Streets between Eighth and Tenth Avenues.

The Board perceives the long-term identity and stability of Chelsea as threatened by the rapid out-of-scale development that the late Seventies and Eighties brought to Manhattan, and that experience has shown is likely to recur in the next period of economic prosperity. Such development, possible under the present zoning, threatens the character of a neighborhood such as Chelsea by replacing the existing buildings with ones that are of different character and scale and by displacing the residents, businesses and institutions. The historic character that forms such a valuable asset of the community is thus diminished. The visual unity of a largely low-rise community

is cut up, and larger neighborhoods are reduced to smaller segments. The ethnic and economic mix, produced by a long and varied history, is inevitably replaced by a more homogeneous population, while former residents lose their homes and the bonds that hold groups together. The stock of low-income housing is further depleted. The institutions that expressed the spirit of a community and maintained its unity are dispersed or destroyed.

Means to maintain the living diversity and continuity of the community, the flexibility necessary to facilitate growth and change and meet the urgent need for affordable housing, but that do not encourage displacement or destroy community character and identity must be found. In particular, housing must be provided in a manner that allows for all elements of the community to maintain their place within it and preserve diversity and integration. The Board sees underutilized portions of the area as locations where new economically and ethnically integrated affordable housing can be developed without displacement and without destroying community form and integrity.

The proposals which follow are the specific responses to the goals and issues outlined here. They were developed in studies by the Board's consultants and by wide discussions within the community.

PROPOSALS

General Principles

The Chelsea Community Plan proposes to replace the present height-factor zoning by contextual zoning throughout the entire community. This zoning scales upward gradually eastward, following the built environment, from the surviving historic core area in and around the Chelsea Historic District, including the landmarked houses on 24th Street. The avenues and wide streets are zoned at a bulk similar to that of the midblocks, following the scale of current development. This means that the concept of contextuality is applied at the level of the entire diverse community, rather than only a homogeneous subsection. The only exceptions are based on the differing built environment of the housing projects and the middle-income urban renewal development: the context here is that of the tower, and the current zoning, which is appropriate, is preserved. As a group, these do not significantly impinge on the contextual unity of the rest of Chelsea.

This portion of the proposed zoning clearly fulfills most of the goals directly concerned with community preservation. In combination with some changes from commercial to residential, it protects a few potentially threatened areas. By allowing a looser fit in the zoning as the plan proceeds eastward and outward from the historic core, in areas where building scale is less uniform, it allows a significant degree of flexibility for development, and an upzoning on the edge of the Garment District allows new development at an increase in scale.

Another basic provision is intended to meet the goals directed toward development and affordable housing. The manufacturing district between Sixth and Seventh Avenues in East Chelsea has gradually lost much of its true manufacturing uses since at least the Second World War. There has been little activity except attempts at conversions to residential use, successful or not, and a few specialized small buildings. The recent development of the older buildings of the Ladies' Mile as a commercial district, and in particular the revival of the old Sixth Avenue department stores as a shopping destination, show that this relatively bleak area has gained the potential for reuse. The plan proposes that on parking garages and empty lots in this area, residential development be allowed at a scale comparable to that of the surrounding loft buildings on condition of providing a significant proportion of low-and moderate-income housing in the new development on site. The scale of these loft-style buildings forms an appropriate edge for the residential community to the west, which rises in scale as it approaches Seventh Avenue.

The present zoning in the part of Chelsea covered by this plan is almost exclusively residential and commercial at a FAR of 6.02 (R8, C6-2, C6-2M). The only exceptions are a small area of R7-2 within the Chelsea Historic District (3.44 FAR), and the East Chelsea loft districts that are the subject of special provisions. All the changes,

except for those in this East Chelsea manufacturing zone, involve the replacement of this zoning by contextual districts. These changes will be detailed moving eastward from the historic, largely low-rise core between Eighth and Tenth Avenues. Each area is described in a section that is introduced by an overview and then gives the details of the proposed zoning.

The existing commercial overlays in residential areas are planned to remain. Where changes are made from commercial to residential zoning, C2 overlays are to be mapped on the avenues and wide streets (14th and 23rd Streets) since this zoning corresponds to the uses currently allowed and significantly present on the lower floors on these streets.

The existing and the proposed zoning are laid out on maps at the back of the plan booklet. The descriptions of the contextual zones proposed are taken from the revisions of the Quality Housing Zoning text that are now in effect which show no major differences from the effective envelope previously in force in the zoning categories proposed.

This general replacement of the current zoning by contextual zones entails many changes. In many cases, as where the current zoning is a rough fit to the existing built environment, it will mean no change in allowable bulk as existing zoning categories are replaced by their contextual equivalents. In other instances, it may mean some loss of the currently allowable bulk. In most of these cases, where historic or aesthetic quality or community character is designed to be preserved by the new zoning, the Board believes, as has been shown in other places, that the loss of the ability to enlarge a building or to replace it with a larger one is compensated for in the long run by the rise in value due to the enhanced quality of the neighborhood.

The Core Area Between Tenth and Eighth Avenues

Overview. The goal here is to protect the Chelsea Historic District and the undesignated areas around it that are low-rise and of similar character to the Historic District itself with zoning that will discourage inappropriate infill buildings or enlargements on the few vacant lots or other possible developable sites. Similar protection is to be afforded to the row of landmarked rowhouses on the north side of 24th Street a little east of Tenth Avenue and the low-rise buildings of the same period around them. Buffer strips on the edges of the low district, where current development is slightly higher, are provided through transitional zoning based on the current development scale.

Central Area. The proposed zoning for the central area to be protected is R7B, a contextual zone devised for narrow streets with an FAR of 3 and maximum streetwall height of 60 feet and a total building height of 75 feet. This corresponds to the current built environment and allows some flexibility. The Chelsea Historic District

is small and, especially between Eighth and Ninth Avenues, very irregular in shape and inadequate to protect the remaining historic core. To maintain its quality it is essential to protect not only the District itself but also the streets around it by zoning closely fitting the built environment.

The area bounded by Tenth Avenue and the hundred-foot line west of Eighth Avenue and comprising the entire Chelsea Historic District west of Ninth Avenue, the east blockfronts of Ninth Avenue from the midline of 22nd and 23rd Streets to 21st Street, and the midblocks between the hundred-foot lines of Ninth and Eighth Avenues between the midline of 22nd and 23rd Streets and the midline of 17th and 16th Streets is to be changed to R7B. This includes almost the entire Historic District and an area to its east of similar character and scale. The present zoning is R8, except for a small area of R7-2 in the midblocks of the Historic District, which is close in FAR to that here proposed more widely for the area.

Buffer strips. Two strips bordering this area and on wide thoroughfares show slightly higher development at a varying scale. One is the hundred-foot strip on the south side of 23rd Street stretching between the east boundary of the Historic District west of Ninth Avenue and the western hundred-foot line of Eighth Avenue. It is located between the lower-scale area described in the preceding paragraph and the large London Terrace and Penn South developments on the north side of 23rd Street. The other is the hundred-foot strip on the east side of Ninth Avenue between 21st and 16th Streets, including a small part of the Historic District and other buildings at widely varying scale. For these buffer strips, the Board proposes a zoning of R7A, a zone devised for wide streets and with an FAR of 4, maximum base height of 65 feet, and building height of 80 feet. The present zoning is R8.

Directly to the south of the western part of the Historic District and east of Tenth Avenue, a largely residential area currently zoned R8 extends southwards to 18th Street and includes part of the Fulton Houses, a low-income development west of Ninth Avenue. Although the housing project directly abuts the Historic District near Ninth Avenue, the small area directly east of Tenth is developed with low- to mid-rise buildings that can be the basis of a buffer area for this portion of the District. The Board proposes to map this area as R8A, a contextual zone with an FAR of 6.02 and maximum streetwall height of 85 feet and building height of 120 feet that is the best fit for this mixed area and offers a transition from the Historic District. In the original version of this plan, the Board proposed R8B here, but several R8 developments were built at the end of the boom so that conformance with the earlier proposed zoning is now poor. The portion of the residential area extending southwards along the west side of Ninth Avenue and covering part of the housing project should remain the present R8.

Area around 24th Street Houses. To the north of 23rd Street between Ninth and Tenth Avenues lies a mixed area including the block-filling London Terrace

development and a lower scale block to the north which is between this huge building and the Elliott-Chelsea Houses, a low-income development north of 25th Street. On the north side of 24th Street are 12 landmarked houses, 437 to 459, that form a low row set deeply back from the street and creating a remarkable enclave. In order to protect this group and the adjacent buildings of similar size and age on the Tenth Avenue blockfront to the west as well as the 25th Street rowhouses at the back of the landmarked houses, the Board proposes a zoning of R7B, as with the similarly scaled Historic District. This will also help safeguard light and air for the partially completed Chelsea Recreation Center just to the east of the low houses on 25th Street. This facility is mapped as parkland, and is designed to have a glass roof over its pool, and facilities elsewhere on the roof.

To the east, the remainder of the block between 24th and 25th Street is built to a somewhat higher scale, to which R8A is the appropriate contextual zoning. The Board thus proposes R8A for the eastern portion of the block and for the overscaled London Terrace block to the south, for which this zoning will not significantly reduce compliance. This entire area is currently zoned R8,

The Outer Portions of the Historic Residential Area

Overview. Eastward from the historic core, along several blocks on Eighth Avenue below 23rd Street and extending at least part way to Seventh Avenue, is a residential area built to a mixed scale, largely low-rise but including a significant proportion of somewhat larger buildings than the historic core itself. This area was not part of Clement Moore's property, and was therefore not subject to the development controls he laid down. It extends southwards to 14th Street along Eighth Avenue itself, where it joins the historic residential area along 14th Street west of Seventh Avenue. In between, extending from the midline of 19th and 20th Streets southwards to the midline of 16th and 17th Streets, is a tongue of the commercial loft district that covers much of eastern Chelsea. This loft district has long contained many residential buildings; some streets are almost completely residential, and conversions to residential uses have been frequent. The area as a whole requires mapping with contextual zoning at a slightly higher bulk than the core and also reinforcement of its dominantly residential character in order to support its place in the major block of residential Chelsea.

Northern residential area. In the residential area now zoned R8 the Board proposes a contextual zoning of R8B, a contextual zone with an FAR of 4 and with maximum building height of 75 feet and streetwall height of 60 feet. This is appropriate to the somewhat uneven, but largely low-scale built environment. This area includes most of Eighth Avenue between 14th and 23rd Streets to the 100-foot line to its west. The avenue here, with a few largely recent exceptions, is built to a scale that is the same or often lower than that of the midblocks on either side, and maintaining the felt relationship between this avenue that functions in many ways as the Main Street of

Chelsea and the blocks near it is important to the wholeness of the community.

Old commercial loft district. In most of the tongue of the commercial loft district and extending eastward to its present eastern boundary at the 100-foot line east of Seventh Avenue, commercial uses still survive but are gradually being supplanted by residential ones both on the avenue and to the west. The low-rise Old Chelsea Post Office, an early example of the brick neo-Georgian functionally adapted Federal Government building listed on the National Register of Historic Places, fits well into this context. Here, a contextual zoning of C6-2A, with the same envelope as R8A and corresponding to the built environment, should replace the present zoning of C6-2M. The Board believes that removing the loft protection of non-residential space in this zone is an appropriate measure of flexibility that, while reasonably protecting the surviving non-residential uses as long as they are viable, will in the long run afford opportunities for residential conversions and development that will provide new housing and reinforce the central block of residential Chelsea, in which this area is now an anomaly.

Southern residential area. At the south boundary of this commercially-zoned area at the midline of 16th and 17th Streets, the residential corridor of Eighth Avenue is constricted on the west side by the large former Port Authority Building, mapped as part of the manufacturing zone to the west but now almost exclusively commercial in use. Residential uses at the same largely rowhouse scale as in the north extend to the east and south of this block-filling building, and the change in zoning from R8 to R8B in these residential areas should extend to the 14th Street corridor.

Changes to residential zoning. Two other changes in this area are proposed to increase zoning compliance with current uses and protect the residential areas from disruptive intrusions. The northwest corner of the commercial loft district reflects in residential use and built environment the area to the north and west. This area, defined by a line drawn from the northern boundary of the district on the midline of 20th and 19th Streets at a point approximately 230 feet east of Eighth Avenue southward parallel to the Avenue as far as 18th Street, and then westerly along the street to the hundred-foot line of Eighth Avenue, should be zoned R8B to match the adjacent already residentially-zoned area to its west. Similarly, the north side of 22nd Street between Eighth Avenue and the west hundred-foot line of Seventh Avenue should be changed from C6-2 to R8B to correspond with the existing bulk and uses and to be consistent with the similar area to the south side of the street. The intrusion on a former parking lot of a nine-plex movie theater has already done considerable harm to the character of this residential street. A C2 commercial overlay would remain on Eighth Avenue from 18th to 23rd Streets to allow the present storefront uses.

Seventh Avenue

Overview. Under existing zoning, Seventh Avenue south of the Garment District is zoned for mid-rise commercial uses that do not correspond to the current uses and scale. The avenue, except for parts of the area located within the old commercial loft district just described, shows almost exclusively residential uses at a varying scale, largely low but interspersed, especially towards the south, by the towers erected at some corners in the boom of the Twenties and more recently. The Board believes that these residential uses must be recognized and protected to preserve the integrity of residential Chelsea, and a scale must be established that is in harmony with the built environment and forms a transition between the low-rise areas to the west and the higher areas to the east and north. The commercial district should remain (as proposed in the previous section) in the area where it roughly corresponds to present uses. Rezoning here is at the contextual equivalents of the present bulk.

Edge of Garment District. At the northern end of the Seventh Avenue corridor within Board No. 4, just south of the Garment District, the Board supported an upzoning from C6-2 to C6-3X, a new contextual zone defined in the recent revisions of the Quality Housing Zoning Text as with a residential FAR of 9 (commercial FAR 6) and maximum street wall height of 120 feet and building height of 170 feet in this wide street location. In the Plan this zone was to be mapped from the south end of the high-bulk M1-6 district abutting it on 25th Street southwards to the midline of 23rd and 24th Streets, where the scale changes to the mixed one of the 23rd Street corridor. Recently this rezoning was approved, but the southern boundary of the new zoning was set at 23rd Street. The new mapping forms a transition between the higher buildings to its north and the generally lower built envelope of Seventh Avenue to the south and affords some opportunities for new development.

Contextual changes to the south. At the 23rd Street corridor, which will be treated later, and further south to 20th Street on the east side (on the west side the midline of 19th and 20th Streets in order to pick up the existing northern boundary here of the western tongue of the present C6-2M district), the Board proposes an R8A zoning that fits the residential character and built environment as a whole. This replaces the current C6-2M here, which does not correspond to current reality or to any likely future. Current storefront uses will be protected by a C2 overlay. South of this line, however, mixed residential and commercial uses and a varied building scale call for the preservation of the commercially zoned district in contextual form as proposed in the preceding section.

From the midline of 16th and 17th Streets, which corresponds to the existing south boundary of this C6-2M district to the west and to an existing change in use to residential at a higher scale, and extending south to 14th Street, the Board proposes a change from the present C6-2M mapping to R8X with a C2 commercial overlay. This contextual zone, with an FAR of 6.02 and three envelope options with a

maximum streetwall height of 150 feet, corresponds to the uses and built environment in this area, and is not so high as to isolate excessively the low blocks to the east and west.

The Fourteenth Street Corridor and the Blocks to the North

Overview. 14th Street, which this Board shares with Board 2 to the south, is mixed in character. In the area westward from Seventh Avenue it is the location of the oldest Latino community in the city, of which there survive some institutions and businesses and a considerable, largely low-income, population in the blocks directly north. The Board believes that is important to protect this community, which is now diminishing (cf. Appendix A) from dispersal and gentrifying pressures, including redevelopment. To provide a framework from within which this community may survive, it is mandatory to preserve and protect the present housing stock, institutions, and businesses from displacement pressures. While residential zoning at low bulk is appropriate in this western section, further east the vigorous low-price shopping area extending towards Union Square must be supported.

14th Street proper. To ensure these goals, the present scale and uses of 14th Street must be maintained, especially on the north side, located within this Board and where most of the supporting resources of the Latino community are now located. For this reason, as well as to maintain the relationship to the low-rise areas to the north cited before, the Board proposes the extension southwards to 14th Street of the low zoning at R8B of the residential blocks to the north between the west hundred-foot line of Seventh Avenue and Eighth Avenue. This area was originally developed in the expansion of the city northwards from Greenwich Village and has much the same scale and character. 14th Street west of Seventh Avenue as far as Ninth Avenue is largely built at the same scale and with dominantly residential uses often in handsome, if run-down old houses, especially on the north side. It too should be rezoned to R8B with an appropriate commercial C2 overlay. Only scattered commercial uses, mostly on first floors, interrupt this dominantly rowhouse character, which surrounds the landmarked Andrew Norwood House and into which the low landmarked former New York Savings Bank was designed to fit. This character is reinforced by an FAR of less than 3 except for a commercial tower at the northeast corner of Eighth Avenue. The existing zoning of C6-2M is so widely mapped in this diverse but largely residential area as not to fit actual use or scale at all accurately and restricts appropriate flexibility of use without a clear or achievable purpose.

The character of 14th Street changes at Seventh Avenue and further eastward, where new large residential buildings and then the vigorous 14th Street commercial area begin. Here, the current zoning of C6-2M is appropriate as to use and bulk, but it should be modified to be contextual. The zoning category C6-2AM is yet to be defined, but on the example of the envelope of C6-2A it would fit here, allowing adequate flexibility to this commercial strip.

14th Street forms the southern boundary of Chelsea and of Board No. 4. The Greenwich Village side of the street is part of Community Board No. 2, which has taken its own planning initiative in the western part of its District. These proposals are not directly adjacent to the area of this plan. However, the general similarities of scale and use on both sides of the street, with a few exceptions, as well as the preservation-oriented zoning of Board No. 2's proposals and of much actual zoning in Greenwich Village, suggest that extending to both sides of the street the zoning here proposed would be appropriate.

Residential midblocks to north. The midblocks of 15th and 16th Streets to the north between Sixth and Seventh Avenues are low-rise, almost exclusively residential blocks like those to the west across Seventh Avenue. They show especially charming streetscapes recalling those in Greenwich Village to the south. The former House and School of Industry on 16th Street, now a residence for the developmentally disabled, is a designated landmark set among other interesting low brick buildings. These blocks must be protected from unsuitable intrusions by rezoning from the inappropriate C6-2M to the R8B that fits the actual scale and use.

Twenty-third Street

Overview. This main cross street of Chelsea with its subway stations, institutions, and shopping is central to the community. West of the Eighth Avenue corridor it is essentially a residential street, low-rise on the south but with the large developments of Penn South and London Terrace on its northern side. Between Seventh and Eighth Avenues, it shows the elements of a community center with such institutions as a YMCA, a Carnegie Library, and the famous--and landmarked--Chelsea Hotel. Eastward lies a mix of residential and commercial uses. The scale is mixed, but corresponds to a large degree to that of the blocks to the north and south. To maintain the visual connection with the surroundings on which it depends, and to avoid further psychological separation of the parts of Chelsea to the north (which are already somewhat isolated in feeling by the tower form of Penn South on the west and the dominant scale of the Garment Center buildings on the north and east), it is proposed to zone this important street at a contextual equivalent of the present bulk. The zoning should reflect the largely residential uses, except for an appropriate commercial overlay on this wide street and the nearby avenues.

Zoning west to east. This goal would be accomplished by zoning the block of 23rd Street between Eighth Avenue and the hundred-foot line east of Seventh Avenue R8A, the contextual residential equivalent of the anomalous present C6-2 on the north side and C6-2M on the south, in order to preserve an appropriate context for the older buildings of the historic community group. To the west, it is proposed to map the residential southwest corner of Eighth Avenue at R8A to continue this contextual district westward to meet the lower strip of R7A to the west. The zoning of the north side of the street, part of the Penn South development, is unchanged.

C2 commercial overlays should be mapped where upper-floor uses are changed in order to reflect actual conditions on this street that shifts gradually from residential to commercial as one goes eastward.

From the east hundred-foot line of Seventh Avenue, it is proposed to map a C6-2AM district east to Sixth Avenue. This new contextual equivalent of the present zoning of C6-2M would fit the present area with its mix of commercial and residential uses and largely street-wall buildings of various heights approaching the old commercial area of the Ladies' Mile to the east. In order to preserve the streets to the north and the south, which have in some places different uses from 23rd Street itself, the corridor along the street throughout the central section should be contained within the midlines of the adjoining blocks.

North of 23rd Street

Overview. The eastern boundary of Board No. 4 runs along Sixth Avenue as far north as 26th Street, then westward along this street, and then northward along Eighth Avenue. This line roughly follows the edge of the Garment District, which is mostly within Board No. 5. West of Eighth Avenue, northern Chelsea is cut off psychologically by the towers of Penn South and the Elliott-Chelsea Houses. The height-factor zoning of these developments fits their form, and is not to be changed. There are, however, two subareas, just north of 23rd Street and at the north end of residential Chelsea, where the old rowhouse form largely survives and must be protected in order that these areas maintain their traditional form and their connection with the historic community.

24th and 25th Street. The first is the blocks of 24th and 25th Streets between Eighth Avenue and the Seventh Avenue corridor. Here, except for a few large institutional buildings, the old rowhouse scale and character persist and should be protected by mapping the R8B appropriate to their scale and use in place of the current C6-2 that would allow commercial intrusions and out-of-scale developments. Just to the north of the midblocks is a small M1-5 district extending across 26th Street into Board No. 5. Since this is a rough fit to the loft buildings on the south side of 26th Street and effectively protects the grandfathered low-rise residential uses on the 25th Street, no change is proposed in accordance with the aim of the plan to avoid zoning that would impinge on manufacturing uses.

Eighth Avenue. Along the east side of Eighth Avenue northwards from the 23rd Street corridor is a strip of mixed, dominantly residential use, largely at low-scale. Here, opposite the buildings of Penn South, which are set well back from the avenue just north of 23rd Street, the striking open character of Eighth Avenue and the visual connection with the low-rise midblocks to the east should be preserved by extending the proposed midblock R8B zoning of 24th and 25th Streets westward to the Avenue, with a C2 commercial overlay on the avenue. (This is a change from the first version

of the Plan, where the less appropriate C6-2A was proposed here.) This strip extends northward from the this point into Board No. 5 as far as 31st Street. In this area, where the buildings of Penn South are closer to the Avenue and the character of the neighborhood on and east of the Avenue changes gradually to higher bulk and largely commercial uses, the contextual equivalent, C6-2A, of the current C6-2 would form an appropriate transition between the midblocks to the east and the Penn South towers directly to the west.

North Chelsea. An island of low-rise, largely residential development is formed by the blocks north of Penn South from 29th to 31st Street between Ninth and Eighth Avenues. In order to preserve the traditional form of this northern edge of residential Chelsea and to discourage displacement in this area that contains a number of our rapidly vanishing SRO's, it is imperative to protect the current residential uses on the north side of 29th Street and on the midblock of 30th street directly to the north. 29th Street offers an extraordinary rowhouse-block face to the open spaces around the towers to its south and provides the only reminder of the original context of the landmarked Church of the Holy Apostles on Ninth Avenue a little to the south. On 30th street a few recent R8 developments, rising abruptly from setbacks from the street wall, give a textbook demonstration of the desirability of contextual zoning in order to maintain community character, but the bulk of the streetscape is intact and should be preserved by zoning at the appropriate R8B. A C2 overlay would protect current storefront uses on Eighth and Ninth Avenues.

On the south side of 31st Street and on the avenues on either side southward to the midline of 29th and 30th Streets, commercial uses and a higher built environment here and nearby make C6-2A, the contextual equivalent of the existing zoning, appropriate. (This includes the southeast corner of 30th Street and Ninth Avenue, now mapped R8 like the rest of this subarea.) This zoning would also preserve a portion of the original low scale of the surroundings of the landmarked old General Post Office. This building is to be restored for use as a new Amtrak station, a project listed as to be supported in part with capital funds in long-term City projections.

Two notes. The northeast corner of the Penn South development at 29th Street and Eighth Avenue has the inappropriate zoning of C6-2 where a residential tower stands. Compliance should be increased by remapping this as the R8 of the rest of the development, since the proposed zoning to the north would leave the current zoning here an isolated anomaly.

In the first version of this plan it was proposed to rezone the southern half of the block between Tenth and Ninth Avenues and 28th and 29th Streets from C6-4 to R8. This was designed to support a tentative but never completed agreement between the community and the Postal Service to provide housing on the south side of the block next to a postal truck yard. Completion of a large mail facility on the entire block has rendered this proposal moot, and the Board thus sees no purpose in making any

proposal concerning the mapping of this block

East Chelsea

Overview. The area of Chelsea between Seventh and Sixth Avenues forms a transition between the largely low-rise residential areas to the west and the bulky lofts to the north and east historically associated with the garment industry. The area along Sixth Avenue, which here forms the eastern boundary of Board No. 4 south of 26th Street, is occupied between 23rd and 18th Streets by the grand old department stores of the Ladies' Mile Historic District, most of which are in the process of being restored and retenanted. Farther to the south some residential uses are found. The mostly old and handsome buildings along the Avenue must be protected by a more contextual zoning. The redevelopment of this area has created a context in which the blocks nearby seem open to new life. Westward toward Seventh Avenue lies an old loft area that has remained largely inactive during good and bad times alike except for changes toward commercial and residential uses. The significant number of vacant lots and parking garages here suggests an opportunity for affordable housing at a higher bulk without adversely affecting existing occupants or uses or the built environment.

Sixth Avenue. The historic buildings along Sixth Avenue south of 23rd Street, not all of which are within the Ladies' Mile Historic District, must be protected from the threat of the inappropriate enlargements that have been occasionally proposed. This can be accomplished by replacing the current zoning of C6-2M, appropriate for the uses, by the new contextual equivalent, C6-2AM, suitable to the bulk. This would connect with similar zoning on 14th and 23rd Streets. While the east side of the Avenue is within Board No. 5, this zoning would appear appropriate for both sides of this extraordinary historic streetscape. North of 23rd Street a proposal to rezone the M1-6 zone on the Avenue is currently undergoing environmental review. Board No. 4 has been critical of this proposal, believing this area is not homogeneous and that approaches like that proposed below would be more fruitful for the southern part of the area.

The old loft zone. The area between the hundred-foot lines of Sixth and Seventh Avenues north of 17th Street and both north and south of 23rd Street is an old manufacturing zone in which grandfathered residential buildings, commercial services, and residential uses in lofts are widely dispersed. Significant truly industrial uses are in general limited to a small number of buildings. Many of these and other buildings are not well maintained. In many streets there are large, bulky loft buildings that are not in conformance with the M1-5M mapped south of 23rd Street. These buildings, which are also found in the M1-6 district north of 23rd Street, establish a streetscape that is very different from that of the parts of Chelsea to the west.

South of 19th Street the character becomes different and significant activity is visible. At 18th Street comes a lower scale and, on the south side, a landmarked group of old stables for which the present bulk provides an appropriate context. 17th Street is dominated by the buildings of a well-known clothing store and by residentially converted lofts. The area to the north, however, has seen little development activity, except for residential and commercial conversions and a few special cases like the entrance of service organizations. Several applications for variances for residential buildings have been filed in the past. For years there have been many vacant lots, almost all of which are used for parking. The current zoning has clearly impeded the development that has occurred all around it.

East Chelsea Special Zoning

Overview. In this area, between the hundred-foot lines of Sixth and Seventh Avenues and north of the midline of 18th and 19th Streets and both north and south of the hundred-foot lines of 23rd Street up to the Board boundary at 26th Street, the Board sees an opportunity to provide economically-integrated housing on under-utilized sites without disturbing existing uses. These uses are in almost every case compatible with residential uses. Direct displacement of industrial uses could not occur under these proposals, and in the actual context significant indirect displacement would be unlikely. (The south boundary of the area has been moved south from 19th Street in the original plan in order to maximize eligible sites within the appropriate context.)

Proposals for housing. The Board proposes the following provisions (slightly restated from the first version of the plan) for this area which would allow as-of-right residential uses on certain sites. The present zoning would remain in force, but offering residential construction as an option.

1. The lot or lots that are to be developed are vacant or used exclusively for parking vehicles at the date of the adoption of this plan by Community Board No. 4.
2. The development will provide not less than 30 percent of its units for low- and moderate-income housing, either as a government or not-for-profit sponsored development or as a private development, constructed and operated on the basis of the Inclusionary Housing provisions for on-site new construction as adapted for this case, particularly in Sections 23-92, 23-94, and 23-941 as modified and expanded as required.
3. The proposed development meets bulk and design requirements based on those of R10A for wide streets, with a commercial overlay, perhaps required, on the ground floor to allow for commercial uses typically found in the area. These provisions would help maintain the loft-style streetwall character and the current mixed-use ambiance.

4. If the development is adjacent to a designated city landmark or historic district, the Landmarks Preservation Commission shall have certified that the development will have no adverse impact on the landmark or historic district.

These provisions, in effect a kind of optional R10A overlay with commercial uses on the ground floor, can be embodied in Special District regulations, as proposed in the first version of the plan, or in generic zoning that might prove a model for the treatment of similarly underutilized manufacturing districts elsewhere in the city. In particular the Board has suggested that these provisions might be adapted to the southern part of the area along Sixth Avenue to the north of 23rd Street that is now in CEQRA for rezoning as a better way of attaining the goals sought by that action and of reducing its adverse impacts.

Analysis of the East Chelsea Housing Proposals. The Board believes that these proposals would form the most effective and appropriate method within the parameters of the plan of producing a significant amount of new housing, and in particular of affordable housing. Only here, in the eastern portion of Chelsea, would the built environment, with many loft buildings, and the urban form of Chelsea permit under the principles of this plan tall buildings that would make a significant contribution to new housing of any kind. Since there are relatively few vacant lots in the rest of the study area, almost any new construction outside this area would mean direct displacement. Only here are there a significant number of vacant lots and buildings used only for parking--properties involving no significant displacement and the development of which would have the incidental desirable effect of working toward implementation of clean-air policies. The only direct displacement would be of parking businesses, which involve few jobs. Current uses are almost all essentially commercial or else producer services (business support services) of the types supporting the central business district that are discussed in the study Chelsea Today, Chelsea Tomorrow. These uses are compatible with residences, and the limitation of new residential development to strictly defined sites means that indirect displacement would be minimal.

To allow residential buildings on these East Chelsea sites without further specific provisions designed to ensure a significant proportion of affordable housing would in all probability produce mostly market-rate housing under most economic conditions. A residential overlay alone, even in the general presence of subsidy programs for affordable housing, would thus not meet the essential criterion of fitting new such housing into the fabric of the existing neighborhood. For this reason the Plan limits the residential option to subsidized housing or affordable housing cross-subsidized by market-rate housing on site. By incorporating zoning provisions that require permanence of the affordable units created the Plan avoids the recurring problem of the limited term of many subsidy programs and the resulting loss of affordable housing and community diversity.

The model for this zoning is the inclusionary housing provisions of the Zoning Resolution, which give an optional bulk bonus if low and moderate income housing is provided within a defined local area. These proposals offer a bulk bonus in the southern part of this East Chelsea area and what by analogy might be called a "use bonus" in all parts of this area on condition of providing affordable housing on site. The principle of restriction of options on the basis of defined current use of a site that is used in this plan is found in current zoning, particularly in mixed-use districts, as in the case of residential uses in loft districts, the provisions for expansion of manufacturing uses in residential districts, or the so-called "Dutch Kills" zoning. The restrictive declaration for Riverside South requires as an essential condition for residential development the provision of significant proportions of affordable housing on the site.

Linkage conditions requiring the provision of affordable housing as a condition for developing sites have been used in such jurisdictions as Jersey City, Boston, and San Francisco. In this plan, however, the existing underlying zoning remains and development under it is in no way restricted. A recent survey by the American Planning Association (Agenda for America's Communities. Topic: Housing, April 1994) lists a number of other relevant initiatives, notably in Virginia and particularly in the Washington suburban counties of Arlington and Fairfax. These provisions use a variety of incentives and restrictions to support developments providing affordable housing. Aspen, Colorado, has an affordable housing district exempting developers from many restrictions if they build no less than 70% deed-restricted affordable units.

The Board believes that its proposals are capable of providing a significant amount of new housing, of which a large proportion would be affordable housing. It appears from Appendix E that more units could be developed under these provisions and the soft sites available under the proposed zoning than on soft sites under current zoning. Units developed under these proposals, as has been stated, would not entail either direct replacement of or indirect pressure on any existing units and would provide, unlike ordinary redevelopment or conversion of sites elsewhere in Chelsea, affordable housing in an economically-integrated context.

The Board believes the provisions for private development in this area are realistic. The demand for housing in Manhattan is continually high and the supply of land available to meet it notoriously limited. Value of land in this area is low; indeed there have been almost no transactions or development, except for a handful of residential conversions and special cases. The area is becoming more attractive and visible as Sixth Avenue becomes a location for upscale discount shopping and a consciousness of its identity grows, commercially as the Flatiron District and historically as the Ladies' Mile. East Chelsea is better served than other parts of the community by transportation with subways under both Sixth and Seventh Avenues. The local tracks of the Sixth Avenue subway in particular are underutilized. Other residential infrastructure in this section of Chelsea is of approximately at the same level of

adequacy as elsewhere in the area, as has been recognized in the analyses for the Department of City Planning's proposals for rezoning of Sixth Avenue north of 23rd Street.

The combination of these factors means that housing in the area will be marketable and the option to build residential buildings on these sites will become attractive to developers if conditions are favorable for residential building in general. Inclusionary housing provisions, like those currently in the Zoning Resolution, depend on favorable market conditions to produce housing. In the last boom, when the first version of the plan was prepared, some small developers expressed interest in working under these proposals. Proposals that utilize private enterprise to achieve public goals are in harmony with present political thinking.

General subsidy programs supporting affordable housing, such as 80/20 housing, and other more narrowly-focused programs would make building under these provisions more feasible, especially under economic conditions less favorable to general residential construction. In order for such programs to be focussed in practice on a specific area like this, it must be capable of being distinctively characterized. Provisions like those proposed here, especially if presented as a model, would enable this. In addition, both public and private agencies are seeking locations for subsidized housing like that also allowed here, while Fair Share procedures could ensure that excessive concentration of such facilities for special populations would not come to prevent the economic and social integration that this plan seeks to maintain.

The Board is not wedded to details of these proposals, as whether the area should form a special district or be the subject of generic zoning provisions. Other details, like the commercial ground floor and the exact form of the inclusionary proposals, are deliberately left to be worked out in conjunction with the Department. It believes, however, that the general form of zoning proposals outlined here is the best means available to attain the goals it seeks and that they are in accordance with precedents used in New York City and elsewhere.

APPENDIX A
Analysis of Census Data

Population Trends

Chelsea's small population increase between 1980 and 1990, which is 1% less than the population in 1970, can be attributed to the increasing attractiveness of the neighborhood as a place to live and the simultaneous small increase in Chelsea's housing stock -- both new construction and the conversion of loft buildings for residential use. Generally, the greatest increase in population was measured in the areas of Chelsea which were most active in producing new housing units.

The Chelsea Study Area has a population of 41,432 people according to the 1990 census: an increase of 1.5% since 1980. This shows a reverse of the 2.6% decline in population that this area experienced from 1970-1980 and brings the population back to almost the 1970 level. This overall district change in population, however, does not appropriately represent the actual changes that occurred within individual census tracts. Certain tracts in this area had much greater variations in population. From 1980-1990, the change in population among census tracts ranged from a 9.4% increase in tract 97 (the area that extends from 26th to 30th Streets between Eighth and Tenth Avenues) to a 7.5% decrease in the population of tract 83 (the area that extends from 17th to 18th Streets between Eighth and Tenth Avenues). During this time period, tracts 81 and 87 (the area between Sixth and Eighth Avenues from 14th to 22nd Streets) also experienced large increases in population, 6.6% and 5.8%, respectively.

In comparison, the population of Manhattan and New York City decreased from 1970 to 1980 by 2.8% and 10.4%, respectively, while from 1980 to 1990 the population increased 4.1% in Manhattan and 3.6% citywide. Thus, the fluctuations in population experienced by Chelsea over the past two decades reflected those experienced by both the borough and the City.

TABLE 1
TOTAL POPULATION
1970 - 1990

| Census Tract | 1970 Population | 1980 Population | % Change 1970-1980 | 1990 Population | % Change 1980-1990 |
|--------------|--------------------|--------------------|-----------------------|--------------------|-----------------------|
| 81 | 6,972 | 7,098 | 1.8 | 7,570 | 6.7 |
| 83 | 4,309 | 3,884 | -9.9 | 3,591 | -7.5 |
| 87 | 5,154 | 4,740 | -8.0 | 5,013 | 5.8 |
| 89 | 6,351 | 5,800 | -8.7 | 5,611 | -3.3 |
| 91 | 2,769 | 4,308 | 55.6 | 4,451 | 3.3 |
| 93 | 10,353 | 9,164 | -11.3 | 8,920 | -2.7 |
| 91 | 4,682 | 4,397 | -6.1 | 4,809 | 9.4 |
| 103 | 1,336 | 1,428 | 6.9 | 1,467 | 2.7 |
| Total | 41,908 | 40,819 | -2.6 | 41,432 | 1.5 |

Source: U.S. Census, 1970-1990

Race and Ethnicity

Chelsea's racial and ethnic composition has remained relatively constant over the past two decades. In 1990, approximately 68% of the residents were White, 21% Latino, and 7% African-American. From 1980 to 1990 Chelsea became slightly more white and less inclusive of minorities. While White residents increased by 2.4%, African-American and Latino residents decreased by 3.1% and 4.6%, respectively. These changes were contrary to those experienced by Manhattan and New York City as a whole. In Manhattan, from 1980 to 1990, White and African-American residents decreased by 1.6% and 2.7%, respectively, while the Latino residents increased by 2.5%. In New York City, from 1980 to 1990, Whites decreased by 9.2%, while African-Americans and Latinos increased by 1.2% and 4.5%, respectively.

Household and Age Composition

The average household size in Chelsea, in 1990, was 1.6 persons per household. This number is below both the Manhattan and New York City average of 2.5 persons per household. The median age in Chelsea, from 1980 to 1990, has remained constant at 38 years. It is, however, above both the Manhattan and New York City median ages, 35.9 years and 33.7 years, respectively. Across individual tracts, the median age in 1990 ranges from 35.7 to 48.9 years, which is narrowed from the 1980 range of 32.3 to 54.6 years.

The largest age cohort in Chelsea is 25 to 34 years, while the cohort of 35 to 44 years has seen the greatest increase over the past decade--53.6%. Over the past decade Chelsea has experienced a 25% decline in the number of families with children ages 5 to 19 years. Meanwhile, the number of residents under 5 years has increased 17%. This confirms anecdotal evidence that while there are fewer families with young children, the area is experiencing somewhat of a baby boom.

TABLE 2
AGE CHARACTERISTICS
1980 - 1990

| Cohort | 1980 Population | % of Total Population | 1990 Population | % of Total Population | % Increase 1980-1990 |
|---------|-----------------|-----------------------|-----------------|-----------------------|----------------------|
| Under 5 | 1,083 | 2.7 | 1,266 | 3.1 | 16.9 |
| 5 - 9 | 1,139 | 2.8 | 947 | 2.3 | -16.9 |
| 10 - 14 | 1,271 | 3.1 | 994 | 2.4 | -21.8 |
| 15 - 19 | 1,854 | 4.5 | 1,276 | 3.1 | -31.2 |
| 20 - 24 | 3,499 | 8.6 | 2,801 | 6.8 | -20.0 |
| 25 - 34 | 10,291 | 25.2 | 10,104 | 24.4 | -1.8 |
| 35 - 44 | 5,676 | 13.9 | 8,721 | 21.1 | 53.7 |
| 45 - 54 | 4,544 | 11.1 | 4,992 | 12.1 | 9.9 |
| 55 - 64 | 4,370 | 10.7 | 3,823 | 9.2 | -12.5 |
| 65 - 74 | 4,142 | 10.2 | 3,282 | 7.9 | -20.8 |
| 75+ | 2,988 | 7.3 | 3,094 | 7.5 | 3.6 |
| Total | 40,819 | 100 | 41,432 | 100 | 1.5 |

Source: U.S. Census, 1980 - 1990

Median Income

The 1990 median income in Chelsea was \$31,600, 2% below the Manhattan median of \$32,262 and 6% above the median for New York City of \$29,823. The median income of census tracts 83 and 97, which contain much of Chelsea's four public-housing projects and a number of SRO's, was below that of both the borough and the city. The 1990 median income in Chelsea shows a dramatic increase of 133% from the 1980 figures, suggesting the progress of gentrification. In 1980, the median income of each census tract was drastically below both the borough and the city median income, the median

income of individual tracts ranging from \$10,618 to \$16,168, while the borough median was \$23,305 and the City's was \$23,221.

Housing Market Activity

From 1980 to 1990, the number of housing units in Chelsea increased by 2.3%. Tracts 87 and 89 (that is, from 18th to 22nd Streets between Sixth and Eighth Avenues), and Tract 97 (from 26th to 30th Streets between Eighth and Tenth Avenues) experienced the greatest growth in housing units, 20%, 10%, and 14%, respectively, which reflects new construction and some conversions. Tracts 91 (from 22nd to 26th Streets between Sixth and Eighth Avenues) and 103 (from 30th to 34th Streets between Eighth and Tenth Avenues) experienced the greatest loss of housing units, a 13% and 15% decrease, a loss of tenements, SRO's, and some residential lofts. From 1970 to 1980, the number of housing units in Chelsea increased by 6%. These figures reflect the trend of new construction of market-rate housing on the one hand and the loss of SRO and small low-rental buildings on the other. In some cases this has been the result of direct replacement.

The increases in the number of housing units in Chelsea were above the slight increase in New York City, but below Manhattan's increase of 10% from 1970-1980 and 4% from 1980-1990. However, the declining increase in the number of housing units in Chelsea over the past two decades is in keeping with the declining increase in Manhattan.

TABLE 3
YEAR ROUND HOUSING UNITS
1970 - 1990

| Census Tract | 1970 # of Units | 1980 # of Units | % Increase 1970-1980 | 1990 # of Units | % Increase 1980-1990 |
|--------------|--------------------|--------------------|-------------------------|--------------------|-------------------------|
| 81 | 4,170 | 4,744 | 13.8 | 4,897 | 3.2 |
| 83 | 1,800 | 1,815 | .08 | 1,954 | 7.7 |
| 87 | 2,927 | 2,794 | -4.5 | 3,344 | 19.7 |
| 89 | 3,254 | 3,175 | -2.4 | 3,496 | 10.1 |
| 91 | 1,859 | 3,066 | 64.9 | 2,673 | -12.8 |
| 93 | 6,063 | 5,719 | -5.7 | 5,321 | -7.0 |
| 97 | 2,453 | 2,517 | 2.6 | 2,868 | 14.0 |
| 103 | 847 | 1,032 | 21.8 | 882 | -14.5 |
| Total | 23,373 | 24,862 | 6.4 | 25,435 | 2.3 |

Source: U.S. Census, 1980 - 1990

Public and Publicly-Aided Housing

Public and publicly-aided housing form a significant 23% of all housing stock in Chelsea. As of 1982, 5,786 of all housing units in Chelsea had been publicly assisted by some program. These programs take many different forms, including state tax exemption, public housing owned and managed by the New York City Housing Authority, various mortgage insurance programs, federal direct loan and rent subsidy programs and city loan and alternative management programs. This housing accounts for a significant part of the ethnic and economic diversity of Chelsea.

Penn Station South Houses ("Penn South"), a middle-income cooperative project with 2,820 units was completed in 1962. The project extends from 23rd Street to 30th Street between Eighth and Ninth Avenues and accounts for 11% of Chelsea's housing stock. Chelsea's four public housing projects contain 2,045 units of housing-- 8% of all housing in Chelsea. Elliott Houses, completed in 1947, was the first public-housing project developed in the Study Area. Chelsea Houses and Chelsea Houses Addition were completed in the mid-1960's. The three projects contain 1,129 units of housing. They are bounded by West 25th Street, Ninth Avenue, West 27th Street and Tenth Avenue. Fulton Houses, located in southwest Chelsea, was completed in 1965, contains 938 housing units, and is bounded by Ninth and Tenth Avenues between 16th and 19th Streets.

APPENDIX B
Landmarks and Historic Districts

Chelsea's character is largely defined by its historic building stock of residential and commercial/industrial architecture. This plan is designed to encourage preservation of these resources and provide them with an appropriate environment. A number of the buildings within the study area have been recognized through local and Federal/State designation and listing processes.

The following list represents the landmark properties and historic districts within the Study Area designated by the New York City Landmarks Preservation Commission (LPC) or listed on the National Register of Historic Places (NRHP) as of March 1994. All of them, and their contexts, are discussed in the text covering the area in which they are located.

Andrew Norwood House, 241 West 14th Street (LPC, NRHP).

New York Savings Bank (heard as Goldome Bank; now under renovation for the Central Carpet Co.), 301 West 14th Street (LPC).

New York House and School of Industry (now Young Adults Institute), 120 West 16th Street (LPC).

West 18th Street Stables, 126, 128, 130-132, 136, and 140 West 18th Street (LPC).

U.S. Post Office--Old Chelsea Branch, 217 West 18th Street (NRHP).

Hotel Chelsea (originally Chelsea Apartments), 222 West 23rd Street (LPC, NRHP).

West 24th Street Houses, 437-459 West 24th Street (LPC, NRHP).

Church of the Holy Apostles, 300 Ninth Avenue, at 28th Street (LPC, NRHP).

U.S. General Post Office (now James A. Farley Building), block bounded by Eighth and Ninth Avenues between 31st and 33rd Streets (LPC, NRHP).

Chelsea Historic District--including the Chelsea Historic District Extension (LPC, NRHP), shown on the zoning maps.

Ladies Mile Historic District (LPC), only the western edge of which, on the west side of Sixth Avenue between 18th and 23rd Streets, is included in the Study Area.

Source: Landmarks Preservation Commission
New York State Historic Preservation Office

APPENDIX C
Facilities and Services

Education

Chelsea is well provided with educational facilities. The Study Area is part of Community School District 2 and has a substantial number of underutilized school seats. Two elementary schools serve the area: P.S. 33, on Ninth Avenue between 26th and 27th Streets; and P.S. 11, on 21st Street between Eighth and Ninth Avenues. They have utilization rates of 59% and 61%, respectively. I.S. 70, a middle school, situated on 17th Street between Eighth and Ninth Avenues, has a utilization rate of 62%.

Although high schools serve students on a city-wide basis, there are three specialized high schools in the Study Area: Fashion Industries High School, on 24th Street between Seventh and Eighth Avenues; High School For the Humanities, on 18th Street between Eighth and Ninth Avenues; and Liberty High School, on 18th Street between Seventh and Eighth Avenues. A number of private and parochial schools are also located in Chelsea: Corlears School, Guardian Angel School, Hampton-Lakewood School, The Lorge School, St. Columbia School, and, just east of Sixth Avenue, St. Francis Xavier High School.

TABLE 4
SCHOOLS SERVING THE AREA

| School/Address | Grades | Year Built | Enrollment | Capacity | Utilization |
|---------------------------------|--------|------------|------------|----------|-------------|
| P.S. 33 281 Ninth Avenue | K-5 | 1951 | 393* | 661 | 59% |
| P.S. 11 320 West 21st Street | K-5 | 1925 | 640** | 1050 | 61% |
| I.S. 70 333 West 17th Street | 6-9 | 1966 | 527 | 851 | 62% |

* P.S. 33 enrollment figure also includes 39 special education students.

** P.S. 11 enrollment figure also includes 179 I.S. 17 students.

Source: Education Section, NYC Department of City Planning. Data as of October 1992.

Public Libraries

The Muhlenberg Branch Library is located on West 23rd Street, between Seventh and Eighth Avenues. From its central position, the library services most of the Study Area within its one-half mile radius

catchment zone. The Jefferson Market Library, on Sixth Avenue between Ninth and Tenth Street, services the southern end of the Study Area. It appears that the two libraries serving Chelsea can accommodate increases in local population.

Police and Fire Stations

The Chelsea Study Area cuts across three different police precincts. The 10th Precinct Police Station, on 20th Street between Seventh and Eighth Avenues, covers most of the Study Area west of Seventh Avenue. The 14th Midtown South Precinct, on 35th Street between Eighth and Ninth Avenues, and the 13th Precinct, on 21st Street between Second and Third Avenues, serve the northeast corner of Chelsea and the blocks between Sixth and Seventh Avenues, respectively.

There are three fire stations in or within close proximity of the Chelsea Study Area: Engine 3 Ladder 12, on 19th Street between Sixth and Seventh Avenues; Engine 34 Ladder 21, on 38th Street between Ninth and Tenth Avenues; and a rescue company on 18th Street between Fifth and Sixth Avenues.

Health and Social Services

Chelsea contains a variety of supporting services in the fields of health, day-care and recreation for children, adolescents and the elderly. For example, Hudson Guild Neighborhood House, almost a century old, provides the community with a variety of social programs for all age groups. The McBurney YMCA, on 23rd Street between Seventh and Eighth Avenues with a recently opened annex on 18th Street between Sixth and Seventh Avenues, serves a wide and varied population. There are senior centers in Fulton Houses and Penn South.

APPENDIX D
Recreation and Open Space

Community Board No. 4 ranks 57th out of 59 Boards in open space with .17 acres of space per 1000 residents instead of the standard city standard 1.5 acres. Chelsea has even less open space than Community Board 4 as a whole with .01 acres per 1000 population. This deficit, however, will be somewhat mitigated by the esplanade and park the Hudson River Park Conservancy plans to construct along the Hudson River edge throughout Chelsea. This Hudson River Park is scheduled to be supported in part by city capital funds in the long-range budget projections. It will incorporate the bikeway/walkway the Route 9A project will build as part of the new highway. A park node along the waterfront will be created by enlarging the present Thomas F. Smith Park at the west end of 23rd Street and incorporating Piers 62 through 64. The nearby Chelsea Piers project will provide active recreational opportunities and further water access.

While this proposed Hudson River Park and associated developments will safeguard the openness of the waterfront and provide active and passive recreation and green space in the community as a whole, the lack of open space within the historic residential area, which is at some distance from the waterfront, means that the replacement of low-rise buildings by higher buildings would significantly decrease the quality of life by the reduction of light and air. Chelsea would thus become a less attractive neighborhood.

It should be noted that the proposed residential development in the East Chelsea Special Zoning area would have a significant open space resource not listed in the following table since it is just outside the study area. This is Madison Square Park, which is located at 23rd Street and Fifth Avenue, one block to the east, at present not heavily used.

TABLE 5
PUBLICLY-ACCESSIBLE OPEN SPACE

| Name or Address | Owner/Agency | Features | Acres | |
|--|-----------------------------|---|-------------------------|------|
| Clement Clark Moore Park | NYC Dept. of Parks & Rec. | Playground equip., sitting areas | .47 | |
| Chelsea Park | NYC Dept. of Parks & Rec. | Courts, sitting areas | .49 | |
| Dr. Gertrude B. Kelly Park | NYC Dept. of Parks & Rec. | Playground equip., courts, sitting areas | .51 | |
| 427 West 17th Street (Fulton Houses) | NYC Housing Authority | Playground equip., courts, sitting areas | .96 | |
| 401-419 West 19th Street (Fulton Houses) | NYC Housing Authority | Playground equip., courts, sitting areas | .20 | |
| Elliott/Chelsea Houses | NYC Housing Authority | Courts, sitting area | 1.55 | |
| Dr. Lena Baumgartner Health Center Plaza | NYC Dept. of Health | Sitting area | .37 | |
| P.S. 11 Playground | NYC Board of Education | Playground equip., courts, sitting areas; accessible to public except during school hours | .43 | |
| P.S. 33 Playground | NYC Board of Education | Playground equip. | .14 | |
| Penn South Houses | 28th Street | ILGWU, Inc. | Sitting areas, walkways | 4.44 |
| | 26th Street | ILGWU, Inc. | Sitting areas | 1.09 |
| | 23rd Street | ILGWU, Inc. | Sitting areas | .31 |
| Thomas F. Smith Park | NYC Dept. of Transportation | Sitting areas | 1.08 | |
| Total Acreage | | | 12.04 | |

Source: Department of City Planning

APPENDIX E
Soft Site Analysis and Potential Development;
Zoning Bulk Compliance and Use Conformance

Definition and Criteria for Selection of Soft Sites

A "soft site" is defined as a site that is considered likely to be redeveloped for a higher density use -- on the presumption that such redevelopment would maximize the site's economic return. A "hard site", by contrast, is not likely to be redeveloped. Analyses were undertaken to identify soft sites within the study area. The lots identified within the study area as soft sites possess *all* of the following physical characteristics:

- I. It is below 50% built-to-bulk (built below 50% of the maximum density presently allowed under the applicable zoning);
- II. It is at least 45 feet wide;
- III. It is either non-residential in use or it has fewer than six residential units;
- IV. It is not planned open space.

The Soft Site Analysis identified soft sites under the existing zoning and under the proposed zoning. The number of soft sites under existing and proposed zoning are represented in the two charts below as well as on the attached maps. We have also listed all soft sites under existing and proposed zoning by block and lot numbers.

NOTE: The assessed areas were grouped according to the proposed zoning: either R7A, R7B, R8A, R8B, and the R10A overlay in the East Chelsea Special District. This appeared to be the clearest basis for understanding the effect of the rezoning on the number of soft sites available under the existing and proposed conditions.

While the proposed zoning increases the potential amount of overall allowable residential floor area, a few sites that are soft under the existing zoning become hard under the proposed zoning. In particular, where the proposed zoning reduces the allowable FAR, some buildings that were below the 50% built-to-bulk ratio under the existing zoning now surpass 50% built-to-bulk. The East Chelsea Special Zoning area, covering much of the M1-5M and the M1-6 districts between Sixth and Seventh Avenues and permitting new residential development on sites that are vacant or contain parking lots or parking garages, ten new soft sites would be created.

The attached maps identify the soft sites under both existing and proposed zoning. Since the soft sites under both the existing and proposed zoning are arranged according to the proposed zoning, base maps with the proposed zoning are used for both cases.

TABLE 6
NUMBER OF SOFT SITES UNDER EXISTING ZONING

| Proposed Zone | Currently Zoned as | # of Soft Sites |
|-------------------------|--------------------|-----------------|
| R7A | R8 | 0 |
| R7B | R7-2, R8 | 5 |
| R8A | R8, C6-2M | 5 |
| R8B | R8, C6-2M | 17 |
| R10A Overlay | M1-5M, M1-6 | 0 |
| Total Soft Sites | | 27 |

Source: NYC Department of City Planning
Manhattan Community Board No. 4

Location of Soft Sites Under Existing Zoning by Block and Lot Numbers:

| | | | |
|------------|--|------------|--|
| R7A | No sites | R8B | Block 716, Lot 7 Block 716, Lot 13 Block 716, Lot 57 Block 716, Lot 66 Block 717, Lot 5 Block 717, Lot 7 Block 738, Lot 10 Block 738, Lot 33 Block 738, Lot 54 Block 742, Lot 39 Block 743, Lot 47 Block 764, Lot 12 Block 768, Lot 12 Block 770, Lot 76 Block 771, Lot 29 Block 791, Lot 60 Block 791, Lot 72 |
| R7B | Block 717, Lot 60 Block 717, Lot 77 Block 720, Lot 45 Block 743, Lot 70/72 Block 746, Lot 28 | | |
| R8A | Block 722, Lot 71 Block 772, Lot 47 Block 772, Lot 66 Block 772, Lot 72 Block 773, Lot 1 | | |

TABLE 7
NUMBER OF SOFT SITES UNDER PROPOSED ZONING

| Proposed Zone | # of Soft Sites |
|---------------------------|-----------------|
| R7A | 0 |
| R7B | 4 |
| R8A | 5 |
| R8B | 15 |
| R10A Overlay | 10 |
| Total # Soft Sites | 34 |

Source: NYC Department of City Planning
Manhattan Community Board No. 4

Location of Soft Sites Under Proposed Zoning by Block and Lot Numbers:

| | | | | | |
|------------|--|------------|--|--------------------|---|
| R7A | No sites | R8B | Block 716, Lot 7 Block 716, Lot 13 Block 716, Lot 57 Block 716, Lot 66 Block 717, Lot 5 Block 717, Lot 7 Block 738, Lot 33 Block 742, Lot 39 Block 743, Lot 47 Block 764, Lot 12 Block 768, Lot 12 Block 770, Lot 76 Block 771, Lot 29 Block 791, Lot 60 Block 791, Lot 72 | R10 Overlay | Block 794, Lot 55 Block 795, Lot 1 Block 795, Lot 56 Block 796, Lots 48-53 Block 796, Lot 63 Block 797, Lot 7/9 Block 797, Lot 24 Block 797, Lot 74/75 Block 800, Lot 49 Block 800, Lot 71 |
| R7B | Block 717, Lot 77 Block 720, Lot 45 Block 743, Lot 70/2 Block 746, Lot 28 | | | | |
| R8A | Block 722, Lot 57 Block 772, Lot 47 Block 772, Lot 66 Block 772, Lot 72 Block 773, Lot 1 | | | | |

Housing Units Created in Potential Development Sites

The number of potential housing units permitted is a function of the soft sites that exist under the zoning. The rezoning proposed in the Chelsea Plan will permit the creation of more housing units than allowed under the existing zoning, by creating additional sites for residential development.

Overall, the proposed zoning will allow the development of 676 additional housing units; 2,260 housing units could be created under the proposed zoning, compared to the potential development of 1,584 units under the existing zoning. The following charts document the number of potential housing units permitted under the existing and proposed zoning. The lot groupings are identical to the soft site analysis. The number of units is based throughout on an average dwelling size of 800 square feet. This number is chosen as a reasonable floor area for affordable apartments. The proportions of affordable units allowable under the two zonings is, of course, not significantly altered by the choice of floor area.

TABLE 8
HOUSING UNITS PERMITTED UNDER EXISTING ZONING

| Proposed Zone | Currently Zoned as | # of Units |
|--------------------------|--------------------|------------|
| R7B | R7-2, R8 | 373 |
| R8A | R8, C6-2M | 405 |
| R8B | R8, C6-2M | 806 |
| Total # of Housing Units | | 1,584 |

Source: NYC Department of City Planning
Manhattan Community Board No. 4

TABLE 9
HOUSING UNITS PERMITTED UNDER PROPOSED ZONING

| Proposed Zone | # of Units |
|----------------------------|--------------|
| R7B | 160 |
| R8A | 380 |
| R8B | 471 |
| R10A Overlay | 1,249 |
| Total Housing Units | 2,260 |

Source: NYC Department of City Planning
Manhattan Community Board No. 4

In the western portion of the Study Area (zoned R7B, R8A, and R8B), the rezoning would reduce the potential number of housing units by 573. However, the optional R10A (10 FAR) overlay proposed for certain sites in the eastern portion of the Study Area would create 1,249 additional housing units. Furthermore, thirty percent of the units created in this area would be for low- and moderate-income housing. Because more units could be created, the proposed zoning would realize the goals of facilitating development and creating a significant amount of affordable housing. See Tables 10 and 11 for further analysis of housing units.

TABLE 10
NUMBER OF HOUSING UNITS PERMITTED UNDER EXISTING ZONING
BY BLOCK AND LOT

| Proposed Zone | Block | Lot # | Existing Zoning | Existing FAR | Lot Dimensions | | Lot Area | # of Units |
|---------------|-------|-------|-----------------|---------------|----------------|-------|----------|------------|
| | | | | | Width | Depth | | |
| R7B | 717 | 60 | R7-2/R8 | 3.44/ 6.02 | Irr. | Irr. | 8,170 | 51 |
| | 717 | 77 | R8 | 6.02 | 100 | 109 | 10,900 | 82 |
| | 720 | 45 | R8 | 6.02 | 50 | 99 | 4,950 | 37 |
| | 743 | 70/72 | R8 | 6.02 | 175.2 | 120 | 21,024 | 158 |
| | 746 | 28 | R8 | 6.02 | 59.4 | 98.9 | 5,875 | 44 |
| R8A | 722 | 57 | R8 | 6.02 | 170 | 98.9 | 16,813 | 127 |
| | 772 | 47 | C6-2M | 6.02 | 75 | 98.9 | 7,418 | 56 |
| | 772 | 66 | C6-2M | 6.02 | 49.4 | 98.9 | 4,886 | 37 |
| | 772 | 72 | C6-2M | 6.02 | 50 | 98.9 | 4,945 | 37 |
| | 773 | 1 | C6-2 | 6.02 | 197.6 | 100 | 19,760 | 149 |
| R8B | 716 | 7 | R8 | 6.02 | 50 | 92 | 4,600 | 35 |
| | 716 | 13 | R8 | 6.02 | 91.8 | 92 | 8,446 | 64 |
| | 716 | 57 | R8 | 6.02 | 100 | 92 | 9,200 | 69 |
| | 716 | 66 | R8 | 6.02 | 100 | 63.8 | 6,380 | 48 |
| | 717 | 5 | R8 | 6.02 | Irr. | Irr. | 3,800 | 29 |
| | 717 | 7 | R8 | 6.02 | 50 | 92 | 4,600 | 35 |
| | 738 | 10 | C6-2M | 6.02 | 75 | 103.5 | 7,762 | 58 |
| | 738 | 33 | C6-2M | 6.02 | 45 | 125 | 5,625 | 64 |
| | 738 | 54 | R8 | 6.02 | 50 | 103.3 | 5,165 | 39 |
| | 742 | 39 | R8 | 6.02 | 69.8 | 104 | 7,259 | 55 |
| | 743 | 47 | R8 | 6.02 | 80.6 | 125 | 10,075 | 76 |
| | 764 | 12 | C6-2M | 6.02 | 50 | 103.3 | 5,165 | 39 |
| | 768 | 12 | C6-2M | 6.02 | 45.6 | 90.4 | 4,122 | 31 |
| | 770 | 76 | R8 | 6.02 | 50.1 | 108.5 | 5,436 | 41 |
| | 771 | 29 | R8 | 6.02 | 50 | 98.9 | 4,945 | 37 |
| | 791 | 60 | C6-2M | 6.02 | 50 | 103.3 | 5,165 | 39 |
| | 791 | 72 | C6-2M | 6.02 | 62.6 | 103.3 | 6,467 | 49 |
| Total: | | | | | | | | 1,584 |

Source: NYC Department of City Planning
 Manhattan Community Board No. 4

TABLE 11
NUMBER OF HOUSING UNITS PERMITTED UNDER PROPOSED ZONING
BY BLOCK AND LOT

| Proposed Zone | Block | Lot # | Existing Zoning | Proposed FAR | Lot Dimensions | | Lot Area | # of Units |
|---------------|-------|-------|-----------------|--------------|----------------|-------|-----------|------------|
| | | | | | Width | Depth | | |
| R7B | 717 | 77 | R8 | 3 | 100 | 109 | 10,900 | 41 |
| | 720 | 45 | R8 | 3 | 50 | 99 | 4,950.00 | 19 |
| | 743 | 40/72 | R8 | 3 | 175.2 | 120 | 21,024.00 | 79 |
| | 746 | 28 | R8 | 3 | 59.4 | 98.9 | 5,874.66 | 22 |
| R8A | 722 | 57 | R8 | 6.02 | 170 | 98.9 | 16,813.00 | 127 |
| | 772 | 47 | C6-2M | 6.02 | 75 | 98.9 | 7,417.50 | 56 |
| | 772 | 66 | C6-2M | 6.02 | 49.4 | 98.9 | 4,885.66 | 37 |
| | 772 | 72 | C6-2M | 6.02 | 50 | 98.9 | 4,945.00 | 37 |
| | 773 | 1 | C6-2 | 6.02/4 | 197.6 | 100 | 19,760.00 | 124 |
| R8B | 716 | 7 | R8 | 4 | 50 | 92 | 4,600.00 | 23 |
| | 716 | 13 | R8 | 4 | 91.8 | 92 | 8,445.60 | 42 |
| | 716 | 57 | R8 | 4 | 100 | 92 | 9,200.00 | 46 |
| | 716 | 66 | R8 | 4 | 100 | 63.8 | 6,380.00 | 32 |
| | 717 | 5 | R8 | 4 | Irr. | Irr. | 0.00 | 19 |
| | 717 | 7 | R8 | 4 | 50 | 92 | 4,600.00 | 23 |
| | 738 | 33 | C6-2M | 4 | 45 | 125 | 5,625.00 | 43 |
| | 742 | 39 | R8 | 4 | 69.8 | 104 | 7,259.20 | 36 |
| | 743 | 47 | R8 | 4 | 80.6 | 125 | 10,075.00 | 50 |
| | 764 | 12 | C6-2M | 4 | 50 | 103.3 | 5,165.00 | 26 |
| | 768 | 12 | C6-2M | 4 | 45.6 | 90.4 | 4,122.24 | 21 |
| | 770 | 76 | R8 | 4 | 50.1 | 108.5 | 5,435.85 | 27 |
| | 771 | 29 | R8 | 4 | 50 | 98.9 | 4,945.00 | 25 |
| | 791 | 60 | C6-2M | 4 | 50 | 103.3 | 5,165.00 | 26 |
| | 791 | 72 | C6-2M | 4 | 62.6 | 103.3 | 6,466.58 | 32 |
| R10A | 794 | 55 | M1-5M | 10 | 130 | 100 | 13,000 | 163 |
| | 795 | 1 | M1-5M | 10 | Irr. | Irr. | 8,084 | 101 |
| | 795 | 56 | M1-5M | 10 | 43 | 92 | 3,956 | 49 |
| | 796 | 48-53 | M1-5M | 10 | 232 | 92 | 21,344 | 267 |
| | 796 | 63 | M1-5M | 10 | 89 | 92 | 8,188 | 102 |
| | 797 | 79 | M1-5M | 10 | 100 | 98.9 | 9,890 | 124 |
| | 797 | 24 | M1-5M | 10 | 95.11 | 98.9 | 9,406 | 118 |
| | 797 | 74/75 | M1-5M | 10 | 50 | 98.9 | 4,945 | 62 |
| | 800 | 49 | M1-6 | 10 | Irr. | Irr. | 15,641 | 196 |
| | 800 | 71 | M1-6 | 10 | 55 | 98.9 | 5,440 | 68 |
| Total | | | | | | | | 2,260 |

Source: NYC Department of City Planning
 Manhattan Community Board No. 4

Zoning Bulk Compliance

The standard methodology used to determine whether a specific zoning designation is appropriate for an area is to consider the quantity of existing buildings that would comply with the bulk, streetwall and use requirements of the proposed zone. Data for streetwall compliance was weighted by total streetwall frontage of each lot, while FAR data was weighted by total square feet of lot size. Compliance data by number of buildings is also available upon request and, while less accurate as a whole, does not allow a few large buildings to outweigh the compliance of a large number of small buildings that represent a historic character in which the larger buildings are intrusions.

While compliance under the proposed zoning is somewhat reduced, it still remains high for each new zone. The following tables describe the percentages of complying buildings or lots under the existing and proposed zoning for those portions of the Study Area to be rezoned R7A, R7B, R8A and R8B. The lot groupings are identical to the soft site and housing unit analyses. The raw data on which these tables are based are available. .

**TABLE 12
BULK AND STREETWALL COMPLIANCE**

Area #1: R7A zone at Ninth Avenue between 16th and 21st Streets. (Part of Blocks 740-744)
1919 feet of streetwall. 94, 895 square feet of lot area.

| | |
|--------------------------------|--------------------------------|
| Existing Zoning: R8 (6.02 FAR) | Proposed Zoning: R7A (4.0 FAR) |
| Minimum Streetwall: None | Minimum Streetwall: 40' |
| Maximum Streetwall: 85' | Maximum Streetwall: 65' |

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|---|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 1760 | 92 | 1130 | 59 | 630 | 33 | 159 | 8 | 1760 | 92 | 88,605 | 93 | 69,145 | 73 |

Area #2: R7A zone West of Eighth Avenue to West of Ninth Avenue between 22nd & 23rd Streets. Part of Blocks 720-746
1196 feet of streetwall. 98,801 square feet of lot area.

| | |
|--------------------------------|--------------------------------|
| Existing Zoning: R8 (6.02 FAR) | Proposed Zoning: R7A (4.0 FAR) |
| Minimum Streetwall: None | Minimum Streetwall: 40' |
| Maximum Streetwall: 85' | Maximum Streetwall: 65' |

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 1099 | 92 | 744 | 62 | 180 | 15 | 272 | 23 | 924 | 77 | 81,773 | 83 | 74,423 | 75 |

Area #3: R7B zone East of Tenth Avenue Between 24th and 25th Streets (Part of Block 722)
 674 feet of streetwall. 46,942 square feet of lot area.

Existing Zoning: R8 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R7B (3.0 FAR)
 Minimum Streetwall: 40'
 Maximum Streetwall: 60'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|-----|------------------|----|----------------------|----|----------------------|---|----------------------|-----|-------------------------|-----|-----------------------|-----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square ft) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 674 | 100 | 416 | 62 | 258 | 38 | 0 | 0 | 674 | 100 | 46,942 | 100 | 46,942 | 100 |

Area #4: R7B zone West of Eighth to Tenth Avenues from 16th to 23rd Streets. (Part of Blocks 717-720 & 740-746)
 13,374 feet of streetwall. 1,178,239 square feet of lot area.

Existing Zoning: R8 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R7B (3.0 FAR)
 Minimum Streetwall: 40'
 Maximum Streetwall: 60'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|--------------------------|----|--------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Compliance (square feet) | | Compliance (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 12,329 | 92 | 10,439 | 78 | 1293 | 10 | 1643 | 12 | 11732 | 87 | 1,074,159 | 91 | 814931 | 69 |

Area #5: R8A zone from 23rd to 25th Streets from Ninth to Tenth Avenues. (Part of Blocks 721 & 722)
 3308 feet of streetwall. 268,778 square feet of lot area.

Existing Zoning: R8 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R8A (6.02 FAR)
 Minimum Streetwall: 60'
 Maximum Streetwall: 85'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 1162 | 35 | 586 | 18 | 576 | 17 | 2146 | 65 | 1162 | 35 | 95,528 | 36 | 95,528 | 36 |

Area #6: R8A zone West of Eighth to Tenth Avenues from 16th to 23rd Streets. (Part of Blocks 717-720 & 740-746)
 4886 feet of streetwall. 299,410 square feet of lot area.

Existing Zoning: C6-2 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R8A (6.02 FAR)
 Minimum Streetwall: 60'
 Maximum Streetwall: 85'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 3867 | 79 | 1556 | 32 | 2311 | 47 | 1019 | 21 | 3867 | 79 | 214,676 | 72 | 214,676 | 72 |

Area #7: R8A zone East of Tenth Avenue between 18th and 19th Streets. (Part of Blocks 716-17)
 1341 feet of streetwall. 97,517 square feet of lot area.

Existing Zoning: R8 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R8A (6.02 FAR)
 Minimum Streetwall: 60'
 Maximum Streetwall: 85'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|---|----------------------|----|-------------------------|-----|-------------------------|-----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 1291 | 96 | 245 | 19 | 1016 | 78 | 50 | 3 | 1291 | 96 | 97,517 | 100 | 97,517 | 100 |

Area #8: R8B zone West of Sixth Avenue between Fourteenth and Sixteenth Streets. (Part of Blocks 790-92)
 2380 feet of streetwall. 239,470 square feet of lot area.

Existing Zoning: C6-2 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R8B (4.0 FAR)
 Minimum Streetwall: 55'
 Maximum Streetwall: 60'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 2270 | 95 | 904 | 38 | 771 | 32 | 705 | 30 | 1675 | 70 | 215,780 | 90 | 114,479 | 48 |

Area #9: R8B zone from 23rd to 25th Streets from Seventh to Eighth Avenue. (Part of Blocks 773-74)
 1902 feet of streetwall. 177,965 square feet of lot area.

Existing Zoning: C6-2 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R8B (4.0 FAR)
 Minimum Streetwall: 55'
 Maximum Streetwall: 60'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 1188 | 62 | 593 | 31 | 453 | 24 | 856 | 45 | 1046 | 55 | 127,079 | 71 | 94,470 | 53 |

Area #10: R8B from 29th to 30th Streets from Eighth to Ninth Avenues. (Part of Blocks 753-54)
 2102 feet of streetwall. 198,628 square feet of lot area

Existing Zoning: C6-2 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R8B (4.0 FAR)
 Minimum Streetwall: 55'
 Maximum Streetwall: 60'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 1784 | 85 | 346 | 16 | 1372 | 65 | 384 | 18 | 1718 | 82 | 165,958 | 84 | 136,456 | 69 |

Area #11: R8B Zone from 14th to 22nd Streets from Seventh to Eighth Avenues. (Part of Blocks 738, 740-46, & 764-72)
 15,153 feet of streetwall. 1,153,317 square feet of lot area.

Existing Zoning: R8 (6.02 FAR)
 Minimum Streetwall: None
 Maximum Streetwall: 85'

Proposed Zoning: R8B (4.0 FAR)
 Minimum Streetwall: 55'
 Maximum Streetwall: 60'

| STREETWALL | | | | | | | | | | BULK | | | |
|------------------|----|------------------|----|----------------------|----|----------------------|----|----------------------|----|-------------------------|----|-------------------------|----|
| Existing Zoning | | Proposed Zoning | | | | | | | | Existing Zoning | | Proposed Zoning | |
| Complying (feet) | | Complying (feet) | | Below Minimum (feet) | | Above Maximum (feet) | | Below Maximum (feet) | | Complying (square feet) | | Complying (square feet) | |
| # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| 14,643 | 97 | 6116 | 40 | 6789 | 45 | 2248 | 15 | 12,905 | 85 | 1,113,013 | 97 | 778,252 | 67 |

Source: NYC Department of City Planning
 Manhattan Community Board No. 4

Use Conformance Analysis

There are three areas where the plan proposes changes from commercial to residential zoning. In these, commercial uses that are in conformance with existing zoning would be in non-conformance under the proposed zoning, except where they would be allowed in commercial overlays. One area is the proposed R8A zone that runs along Seventh Avenue between 19th and 23rd Street, and along 23rd Street from Seventh to Ninth Avenue. The second area is the proposed R8X zone along Seventh Avenue between 14th and 17th Streets. The final area is the proposed R8B zone along 14th Street between Seventh and Ninth Avenue.

Under the existing zoning in these areas, fully commercial buildings, fully residential buildings, community facility buildings, and mixed use buildings are permitted. Therefore, under the existing zoning, all current uses are conforming, and conformance is 100%. Under the proposed zoning, pursuant to Section 32-421 of the Zoning Resolution, in mixed use buildings used partially for residential or community facility uses, permitted commercial uses may not be located above the first story. Also, under the proposed zoning, no more than 2.0 FAR of commercial uses may be located in any building. Therefore, all commercial uses above the ground floor in mixed use buildings and all commercial uses above the second floor in fully commercial buildings would be legally non-conforming under the proposed zoning.

Table 13, which follows, indicates use conformance under proposed zoning in the three areas.

TABLE 13
USE CONFORMANCE IN CERTAIN AREAS UNDER PROPOSED ZONING

Area #1: 23rd Street and Seventh Avenue

Existing zoning: C6-2, C6-2M, C6-3X Proposed Zoning: R8A with commercial overlay

| Type | Category | Total | Conforming # | Conforming % |
|------------------------------|-----------------------------------|-----------|--------------|--------------|
| Fully Commercial Buildings | Buildings | 3 | 1 | 33 |
| | Total Floor Area (square ft) | 46,357 | 14,610 | 32 |
| Mixed Use Buildings | Buildings | 57 | 46 | 80 |
| | Commercial Floor Area (square ft) | 238,285 | 85,853 | 36 |
| | Total Floor Area (square ft) | 1,772,470 | 1,620,038 | 91 |
| Community Facility Buildings | Buildings | 2 | 2 | 100 |
| | Total Floor Area (square ft) | 141,997 | 141,997 | 100 |
| All Buildings | Buildings | 62 | 49 | 79 |
| | Commercial Floor Area (square ft) | 284,642 | 100,463 | 35 |
| | Total Floor Area (square ft) | 1,818,827 | 1,634,648 | 90 |

Area #2: 7th Avenue

Existing Zoning: C6-2M Proposed Zoning: R8X

N.B. All buildings in this area are mixed use buildings.

| Category | Total | Conforming # | Conforming % |
|-------------------------------------|--------------|---------------------|---------------------|
| Buildings | 14 | 10 | 71 |
| Commercial Floor Area (Square feet) | 140,583 | 104,284 | 74 |
| Total Floor Area (Square feet) | 1,315,569 | 1,279,270 | 97 |

Area #3: 14th Street

Existing Zoning: C6-2M Proposed Zoning: R8B

| Type | Category | Total | Conforming # | Conforming % |
|------------------------------|-------------------------------------|---------|--------------|--------------|
| Fully Commercial Buildings | Buildings | 3 | 1 | 33 |
| | Total Floor Area (Square feet) | 173,725 | 36,493 | 21 |
| Mixed Use Buildings | Buildings | 21 | 20 | 95 |
| | Commercial Floor Area (Square feet) | 95,292 | 92,422 | 97 |
| | Total Floor Area (Square feet) | 371,017 | 368,147 | 99 |
| Residential Buildings | Buildings | 9 | 9 | 100 |
| | Total Floor Area (Square feet) | 82,667 | 82,667 | 100 |
| Community Facility Buildings | Buildings | 3 | 3 | 100 |
| | Total Floor Area (Square feet) | 34,900 | 34,900 | 100 |
| All Buildings | Buildings | 36 | 33 | 92 |
| | Commercial Floor Area (Square feet) | 269,017 | 128,915 | 48 |
| | Total Floor Area (Square feet) | 662,309 | 522,207 | 79 |

Source: NYC Department of City Planning
Manhattan Community Board No. 422

APPENDIX F
Consistency with Wider City Goals

Conformance with Sound Planning Policy

The Chelsea Plan has been concerned throughout with long-term consequences, as is shown by the concentration on the impact of long-term land-use issues governed by zoning on a community. The provisions for rezoning focus on preserving the present low-income housing stock, on providing opportunities for appropriate development and affordable housing, and on improving the physical environment by preserving a community and its historic buildings through rezoning. The maintenance of economic opportunities is evident in the provision of commercial space through overlays and other appropriate zoning wherever commercial activity is viable in this dominantly residential area. Care has explicitly been taken not to diminish or impinge on any manufacturing zoning, which provides jobs and opportunities for residents of the area and others.

Relationship to Applicable Policy Documents

The Chelsea 197-a Plan is consistent with goals set forth in the following planning policy documents produced by the City of New York: the City Planning Commission's Planning and Zoning Report; the Strategic Policy Statements issued by both the Mayor and the Manhattan Borough President, and the Mayor's Ten-Year Capital Strategy.

As a community-sponsored 197-a plan, the rezoning proposal is consistent with both Strategic Policy Statements and with the Planning and Zoning Report, which all support locally-initiated plans as a mechanism to empower communities and involve them in a proactive planning process. The most recent Mayor's Strategic Policy Statement emphasized such goals of the Chelsea Plan as producing and preserving affordable housing, strengthening neighborhoods through coordinated planning, using innovative techniques to encourage private developers to add to the stock of affordable housing, and using contextual zoning to protect neighborhood scale and character. The Manhattan Borough President's Strategic Policy Statement notes her commitment to strengthening public involvement through community-based planning, cites her efforts to redirect zoning and land-use policy to foster greater social and economic equity and improved protection of the environment, and affirms her support of planning designed to avoid displacement caused by gentrification, to encourage economic as well as racial/ethnic integration, and to preserve neighborhood context while providing opportunities for new housing.

The Planning and Zoning Report acknowledges the importance of reinforcing neighborhood fabric while accommodating opportunities to create new housing. The Commission is also cited as committed to scale zoning so as to preserve neighborhoods and to expand opportunities for rehabilitated housing. Related issues cited in the Report are the inappropriate mapping of commercial overlays and the obsolete mapping of commercial

districts, and the need to address quality of life issues and preserve neighborhood streetscapes through zoning. The creation of housing -- especially low-income housing -- is emphasized in this document and the Mayor's Ten-Year Capital Strategy. The Chelsea 197-a Plan balances the community's desire to preserve neighborhood scale and character against the citywide need for the development of new housing. By mapping contextual zones at appropriate densities and creating opportunities for development the rezoning would encourage new residential development in appropriate locations.

The Manhattan Borough President's Strategic Policy Statement recognizes the potential of zoning as a tool for preserving, stabilizing and strengthening communities. According to City Planning's Planning and Zoning Report, accommodating change in built-up neighborhoods, while maintaining the qualities that make neighborhoods desirable, is one of the major challenges in shaping the City's land use policies. Thus the Planning and Zoning Report indicates that sound planning seeks to weave new development into the fabric of a community at an appropriate scale, and at densities suitable to the available infrastructure. Recognizing that Quality Housing Zoning codifies certain physical characteristics -- housing type, lot size, yards, and height -- that form the built fabric of a neighborhood, the Report mandates similar development in the future. The proposed community-wide contextual zoning would be an effective tool in realizing these goals.

With regard to the Plan's goals of preserving the existing stock of affordable housing and providing new, the Manhattan Borough President's Strategic Policy Statement notes that New York City is experiencing a housing crisis of staggering proportions, affecting large numbers of middle-, moderate- and low-income families. The Mayor's Ten Year Capital Strategy, cites the need for affordable housing in New York City, and notes that the City is currently operating under a \$5.1 billion Ten-Year Housing Plan. Furthermore, the Strategy calls for producing more than 250,000 units of low-, moderate- and middle-income housing.

All of these policy documents state that new development opportunities should enhance the ethnic and economic diversity in our City's neighborhoods. The Planning and Zoning Report recognizes the need for a comprehensive inclusionary program to promote the economic integration of communities. Chelsea's diversity is reflected in its existing housing stock, which includes a mix of low-, moderate-, middle- and market-rate housing. The Chelsea rezoning plan would preserve this diversity by promoting the retention of existing housing and would reinforce it by providing new development opportunities for both market-rate and subsidized housing, using inclusionary-housing provisions to attain these goals.

Fair Geographic Distribution of City Facilities (Fair Share)

Analysis of the zoning shows that the Chelsea rezoning would not hinder the City's Fair Share policies. The rezoning of a few specified areas from commercial to residential districts will preclude the siting of some city facilities, such as offices and transportation/public parking facilities. However, it will not adversely affect the fair distribution of these city facilities to Chelsea because Chelsea presently contains many city facilities. For many types of facilities such as Sanitation facilities the Board ranks high in city listings. Alternative sites in the remaining commercial and manufacturing districts in Chelsea in and out of the Study Area. will remain available to locate such facilities, and many city facilities can be located in the proposed extended residential zones. The small residential facilities that current thinking regards as preferable for many populations can more easily be located in the proposed lower-density zoning. These proposed residential zones would permit those facilities included in Use Groups 3 and 4 of the Zoning Resolution; e.g., welfare centers, homeless shelters and drug rehabilitation centers. (See attached lists: *Community Facility Uses*; and *Public and Private Facilities in Manhattan Community Board No. 4*.)

Although the rezoning will remove a few opportunities for siting city facilities in Chelsea, it will also create new opportunities for siting facilities that do not currently exist. For example, in an effort to meet a citywide need for affordable housing, the new residential development targeted for East Chelsea is mandated to provide 30% low- and moderate-income housing and is explicitly designed to provide locations for subsidized housing developments. If low- and moderate-income units were sponsored by the City, this rezoning would facilitate the siting of these affordable units.

Community Facility Uses

Community facilities are not defined in the Zoning Resolution. Instead, a list of uses are provided that divide community facilities into two categories, Use Groups 3 and 4.

Use Group 3 can be characterized as institutionally oriented and in many cases permits sleeping accommodations. These uses include:

Community Facility Uses

- *Colleges or universities including professional schools but excludes business colleges and trade schools
- *College or school dormitories or fraternity or sorority houses
- *Adult homes under jurisdiction of New York Board or Social Welfare
- *Libraries, museums, or non-commercial art galleries
- *Monasteries, convents or noviates
- *Non-profit hospital staff dwellings
- *Nursing homes and health-related facilities, sanitariums, non-profit institutions with sleeping accommodations

- *Schools

Accessory uses

Use Group 4 can be characterized as community oriented, some open uses and do not permit sleeping accommodations. These uses include:

Community Facility Uses

- *Churches, rectories and parish houses
- *Non-commercial clubs
- *Community center or settlement houses
- *Government-operated health centers or independent out-of-hospital facilities
- *Medical offices or group medical centers including dentistry or osteopathy limited to the first story
- *Monasteries, convents, noviates used only for living purposes and that have been part of a religious institution prior to 1961
- *Non-commercial recreation centers
- *Non-profit hospital staff dwellings
- *Non-profit or voluntary hospitals and related facilities
- *Philanthropic or non-profit institutions without sleeping accommodations
- *Proprietary hospitals and related facilities, except animal hospitals
- *Seminaries
- *Welfare centers

Open uses

- *Agriculture uses
- *Cemeteries
- *Golf courses
- *Outdoor tennis courts
- *Public parks or playgrounds or private parks
- *Railroad or transit right-of-way

Accessory uses

Public and Private Facilities in Manhattan Community Board No. 4

City Facilities in Manhattan Community Board No. 4

Detention/Criminal Justice facilities

- ** Alternative to Detention Center (youth) - 147-49 West 22nd St.

Police

Midtown South Precinct - 357 West 35th Street

- ** 10th Precinct - 230 West 20th Street

Troop B Mounted Unit - 625 West 42nd Street

Midtown North Precinct - 306 West 54th Street

Fire

Engine Company #34, Ladder #21 - 440 West 38th Street

- ** Engine #3, Ladder 12, Battalion #7 - 146 West 19th Street

Rescue Company 1 - 530 West 43rd Street

Fire Marshall Base - 522 West 45th Street

Sanitation

Citywide Auxiliary Field Force - Pier 59

Manhattan Borough Repair Shop - currently at 613-619 W. 29th St., to be moved to 164-180 12th Avenue

- ** Sanitation Field Office - 136-146 W. 20th Street

- ** Sanitation Field Office - 218 W. 17th Street

Pier 97 and extending upland to 786 12th Avenue (650 W. 57th Street) - outdoor parking

Pier 99 - Solid Waste Transfer Station

Public Schools

- ** P.S. 11 - 320-340 West 21st Street
- ** P.S. 33 - 281 Ninth Avenue
- P.S. 51 - 520 West 45th Street
- P.S. 111 - 440 West 53rd Street
- P.S. 58 - 317 West 52nd Street
- ** I.S. 70 - 330 West 17th Street
- JHS 17 - 328 West 48th Street
- ** Fashion Industries HS - 225 West 24th Street
- ** HS of the Humanities - 351 West 18th Street
- HS of Communication and Graphic Arts - 439 West 49th St.
- ** Liberty HS - 250 West 18th Street
- Park West High School - 525 West 50th Street

Social Service

- ** Chelsea Health Center - 303 Ninth Avenue - health services, run by Dept. of Health
- 330 West 34th Street - HRA/Division of AIDS Services offices with caseworkers seeing clients

Parks and Gardens

- Clinton Community Garden - 430-43 West 48th Street
- Community Garden 722 11th Avenue
- ** Chelsea Park - 294 10th Avenue
- DeWitt Clinton Park - W. 52-54 Streets, 11th - 12th Aves.
- ** Clement Clark Moore Park - 480-82 West 22nd Street
- ** Gertrude B. Kelly Playground - 317 West 16th Street
- May Matthews Playground - 437-43 West 45th Street

McCaffrey Playground - 341-355 West 43rd Street

Hell's Kitchen Park - 10th Avenue, 47-48th Streets

** Penn South Playground - 313 8th Avenue

Ramon Aponte Park - 345-349 West 47th Street

Libraries

** Muhlenberg Library - 209 West 23rd Street

Columbus Library - 742 10th Avenue

The Annex Building - 521 West 43rd Street

City Agency Parking Facilities

Pier 60 - parking for Dept. of Transportation

Pier 76 - Parking for Dept. of Transportation

Pier 79 - Parking for NYPD

496 11th Avenue - Outdoor parking/NYPD

260 11th Avenue - outdoor parking/HRA

806-14 9th Avenue - indoor parking/MTA

522 West 45th Street - outdoor parking/DOT

Public Housing

** Robert Fulton Houses - 16th-20th Streets, 9th-10th Avenue

** Elliott-Chelsea Houses, Chelsea Addition - 25th-28th, 9th-10th Avenues

Harborview Terraces - 54th-56th Streets, 10th-11th Avenues

Other City Offices

Mayor's Office of Midtown Enforcement - 330 West 42nd St.

Dept. of Transportation field office - 601 West 50th St.

Group Residences for Special Needs Populations

- ** ACRMD facility at 333 W. 14th Street - Residence for 6 developmentally disabled and retarded adults
- ** Fleming House - 443 West 22nd Street - Residence for approximately 40 frail elderly
- ** Covenant House, Rights of Passage - 346 W. 17th Street - Long term residence, counseling and training programs for homeless youth
- ** Young Adult Institute - 120 W. 16th St. - residence for mentally retarded youth
- ** The Associated Blind - 135 W. 23rd St.
Clinton Gardens - 404 W. 54th Street - residence for seniors with on-site social services
- ** St. Zita's Village - 143 W. 14th Street - 46 beds for senior women
- ** Sisters of the Good Shepherd - 251 W. 14th Street - residence for 25 senior women
- ** Daytop Village - 226 W. 20th Street - supportive housing for seniors (65 beds)
- ** Bowery Mission - 218 W. 15th Street - home for 12-20 female ex-prostitutes and drug addicts
- ** Project Return - 133 W. 21st St. - residential and outpatient drug treatment programs
- ** St. Francis II - 155 W. 22nd St. - permanent SRO with 112 units for mentally ill
- ** St. Francis III - 148 8th Avenue (at 17th St.) - permanent SRO for mentally ill, 80 people
- ** (Planned) Volunteers of America - 226-228 West 20th St. - residence for formerly homeless PWAs
- ** (Planned) American Baptist Churches and Settlement Housing Fund - 527-531 W. 22nd Street residence for 50 formerly homeless PWAs.
454-458 West 35th Street (planned) - mixed 49 supported SRO residence for formerly homeless and low income individuals including the mentally ill
Fountain House Residence - 347 West 37th street - permanent and transitional housing for 39 homeless mentally ill
Urban Pathways' Sun Hotel - 606 8th Avenue - permanent residence for 42 mentally ill homeless women, psych, medical, counseling and other services provided onsite
Contemporary Guidance Services - 440 West 41st Street - Permanent Housing for 12 developmentally disabled adults

Holland Hotel - 351 West 42nd Street - Approved permanent housing for 296 homeless individuals including, 40 mentally ill, 40 with AIDS and 216 recovered substance abusers

Manhattan Plaza Complex - 9th to 10th Avenues, 42nd to 43rd Street, scattered site housing for 4 individuals with AIDS

Manhattan Plaza Complex - 9th to 10th Avenues, 42nd to 43rd Street, scattered site housing for 4 developmentally disabled adults

Times Square Hotel, 43rd Street and 8th Avenue - permanent housing for 650 individuals including 200 current SRO residents, 50 homeless with AIDS, 200 homeless and 200 working homeless to be referred by local unions

Samaritan Village - 327 West 43rd Street (to open in 1993) - Residential treatment center for 52 substance abusers

Fountain House Apartments - 424 West 47th Street - permanent housing for 33 mentally ill adults

Fountain House's Wanake Residence - 359 West 47th Street - Transitional housing for 36 homeless, mentally ill adults

Fountain House - 425 West 47th, residence for 24 mentally ill

Fountain House's Independent Living Center - 441 West 47th Street - permanent housing for 19 mentally ill adults

Fountain House permanent housing for 18 mentally ill adults, in scattered apartments within a one block radius from 425 West 47th Street

Independent Living Association (ILA) - 317 West 48th Street - planned single family residence for 14 developmentally disabled adults

Salvation Army Adult Rehabilitation - 535 West 48th Street - Residential treatment center for 192 substance abusers, job training, counseling, medical and referral services. Work program at 536 West 46th Street.

Postgraduate Center - 516-518 West 50th Street - Permanent housing for 20 mentally ill

Hannah House - 343 West 51st Street - residence for 2 senior citizen homeless women, and transitional housing for 16 women in the 20's

St. Clare's AIDS Hospice - 426 West 52nd Street - residence for 11 individuals with AIDS

NY Foundation for Senior Citizens - 54th Street between 9th and 10th Avenues - approved permanent residence for 100 frail, and well, elderly including social services on site

Fountain House - 300 West 55th Street - Residence for 5 mentally ill

Temporary Residences and Shelters for Homeless

Shelter for 9 battered women - to protect the women, address in Clinton cannot be disclosed

** Allerton Hotel - 302 W. 22nd St. Tier II facility (200 people)

** Allerton Annex 350 West 23rd St. - Hotel

Covenant House - 460 West 41st Street - transitional housing for 160 teens, counseling, schooling and referral

Urban Pathways' Travelers Hotel, 274 West 40th (8th Avenue) -- Transitional housing for 36 homeless women, food pantry, medical, psych and other social services

The Dwelling Place, 409 West 40th Street - Shelter for 24 homeless women

Covenant House, 460 West 41st Street - Transitional housing for 160 homeless teens (including teen mothers and children)

Red Cross Emergency Family Center - 515 West 41st Street - Transitional housing for 294 women and children

Center for Children and Families (Safe Space) - 447 West 47th Street - Approved transitional housing for 15 homeless teens testing HIV positive

Manhattan Bowery - 448 West 48th Street - Transitional housing for 57 homeless mentally ill

Homes for the Homeless aka Midtown Interfaith Family Inn - 521 West 49th Street - transitional residence for 83 mothers with children

St. Paul's House - 335 West 51st Street - Shelter for 10 men, food pantry, clothing counseling and referral services 7 days a week

Alexandra Abrams House (Women In Need WIN) - 341 West 51st Street - Transitional housing for 75 women and children, medical, counseling and referral services

Covenant House Residence aka Rites of Passage - 427 West 52nd Street - Transitional housing for 68 teen mothers and children

Trinity Presbyterian Church (and Partnership for the Homeless) - 422 West 57th -shelter for 6 men

St. Paul's Church (and Partnership for the Homeless) - 415 West 59th St. - shelter for 10 men

Drug and Alcoholism Treatment Programs:

- ** Greenwich House - 151 W. 19th Street - Outpatient alcohol treatment program
- St. Clare's AIDS Outpatient and Methadone Clinic - 426 W. 52nd Street
- St. Luke's Methadone Clinic 400 W. 59th Street - outpatient clinic for adults
- St. Luke's Alcohol Clinic - 353 W. 57th St. - outpatient clinic for adults
- ACGA - 333 West 57th Street -- Approved outpatient clinic for 70 substance abusers
- Richard Koepfel Methadone Treatment Program - 311 West 35th St. - methadone clinic for approximately 1000 individuals with heroin addiction
- WIN Substance Abuse Center - 406 West 40th Street services for 40-50 women with alcohol substance abuse problems including medical, psychiatric, job training and other social services
- Salvation Army - 536 West 46th - work program for residents from West 48th Street residential treatment center for alcohol substance abuse
- Beth Israel's Marie Nyswander Center - 721 9th Avenue (49th St.) - methadone program for 175 substance abusers
- National Recovery Institute (formerly Veritas Therapeutic Community) - 455 West 50th Street - Residential treatment facility for 80 substance abusers
- National Recovery Institute a/k/a Veritas Therapeutic Community - 458 West 50th Street - outpatient therapy
- AREBA Casriel - 500 West 57th Street - Residential treatment center for 80 substance abusers
- Barnett Association - 330 West 58th Street - drug treatment outpatient for adults
- Smithers Alcoholic Treatment Center - 410 West 58th Street - residential treatment/rehab for 43 adults

Food and Basic Services for Homeless and other Poor:

- ** Peter's Place - 123 W. 23rd Street - drop-in center for homeless
- ** Church of the Holy Apostle - 296 Ninth Avenue - soup kitchen
- ** Our Lady of Guadalupe - 229 W. 14th St. - soup kitchen
- ** St. Peter's Episcopal Church - 346 W. 20th St. - food pantry and clothing distribution

Metro Baptist Church - 410 West 40th Street - food kitchen for 42 adults

Manhattan Bowery and Partnership for the Homeless - Port Authority Bus Terminal South Wing at 41st and 9th Avenue - Walk in center offering referral services to 40/day homeless individuals

Times Square Church "Upper Room" - SW corner of 41st Street and 8th Avenue -drop in center

Times Square Church, "The Raven" Soup Kitchen - traveling soup kitchen, one major site is the Port Authority Bus Terminal

Urban Pathways' Open Door - 402 West 41st St. - walk in center for 175 homeless offering food, counseling, medical, and other social services

7th Day Adventists - 410 West 45th Street - food kitchen

St. Luke's Church - 308 West 46th Street - food kitchen, sanctuary for battered women and children, clothing

Sacred Heart Church - 457 West 51st - food kitchen

Counseling and Referral Services:

- ** Our House at St. Peter's Episcopal Church - 346 W. 20th St. - advocacy, counseling, referrals and medical care for youth and adults
 - ** GMHC - 129 W. 20th Street
 - ** AIDS Family Service of NY - 150 W. 26th Street
 - ** AIDS Resource Center - 275 Seventh Ave.
 - ** Puerto Rican Family Institute - 145 W. 15th Street - preventive and mental health services to Latino children and families at risk of placement in foster care
 - ** Federation of the Handicapped - 211 W. 14th Street - vocational education, counseling, etc. to emotionally and developmentally disabled and substance abusers
 - ** Veterans Assistance Center - 252 7th Avenue - job placement assistance for veterans and other eligibles
 - ** Center for Employment Training - 346 W. 17th St.
 - ** Committee for Hispanic Children and Families - 140 W. 22nd St. - day care, training and referral services
- Postgraduate Center - 344 West 36th Street - clinic for the mentally ill, membership

between 450-500 with approximately 200-300/day coming to clinic

Manhattan Bowery Medical/psych outreach van - one major site is the Port Authority Bus Terminal

Project Help - 450 West 48th Street - day facility for 25 homeless mentally ill adults offering medical/psych, counseling, and other social services

Covenant House's teenage outreach van - one major site is the Port Authority Bus Terminal

Fountain House "Club House" - 425 West 47th Street - center offering services to 380/daily, domiciled and homeless mentally ill including counseling, job training and social center. Total membership is approximately 800 individuals.

Rheedlen Place - 457 West 51st Street - medical, psychiatric care, job training, counseling and referral services to families

Westside Health Clinic - 789 9th Avenue - walk-in clinic offering medical and psychiatric help to youth

St. Lukes/Roosevelt Hospital - 428 W. 59th St. - onsite outpatient clinic for the mentally ill offering services to adults daily

Senior Citizen Services:

** Fulton Senior Center - 119 Ninth Avenue - Food and recreation programs, home care evaluations and services

** Penn South Senior Center - 290 Ninth Avenue - programs for seniors

Project Find/Coffeehouse - 551 Ninth Avenue

Project Find Clinton Senior Center - 530 W. 55th Street -lunch and recreation

Crossroads at St. Luke's - 306 W. 46th Street - lunch and recreation

Multi-service Centers:

** Hudson Guild - 441 West 26th Street

** McBurney YMCA - 215 West 23rd Street

Hartley House - 413 West 46th Street

Day Care and Headstart Centers:
(funded by Agency for Child Development)

- ** Hudson Guild - 441 W. 26th Street
- Children's DCC - JHS 17 - 328 W. 48th St.
- Polly Dodge Center - 538 W. 55th
- Hartley House - 413 W. 46th St.
- American Red Cross - 515 W. 41st St.

(Headstart)

Plaza Headstart - 410 W. 40th St.

- ** Hudson Guild Headstart - 459 and 441 W. 26th St.

Correctional Facility:

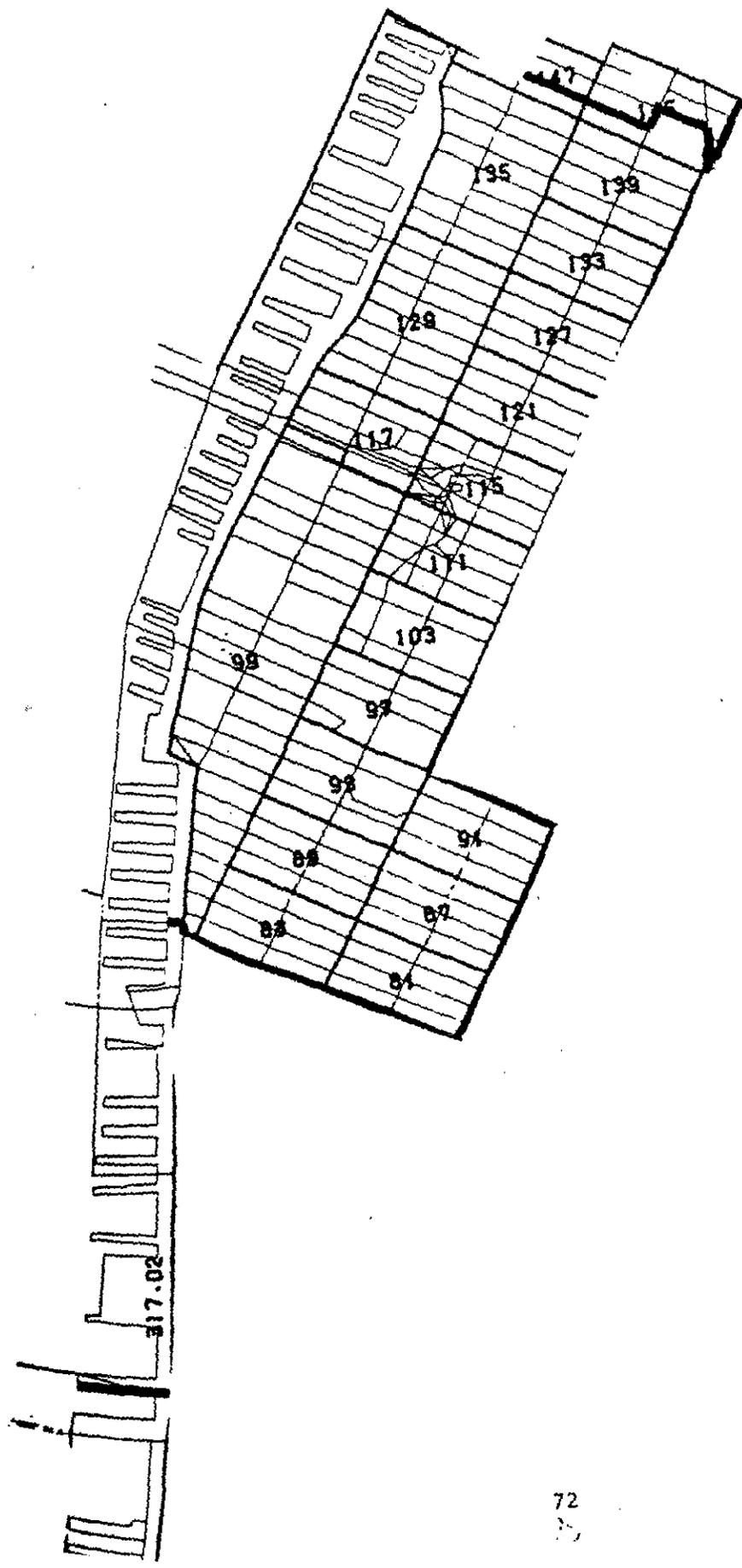
Bayview Correctional Facility - 550 W. 20th Street - State correctional facility with 197 beds

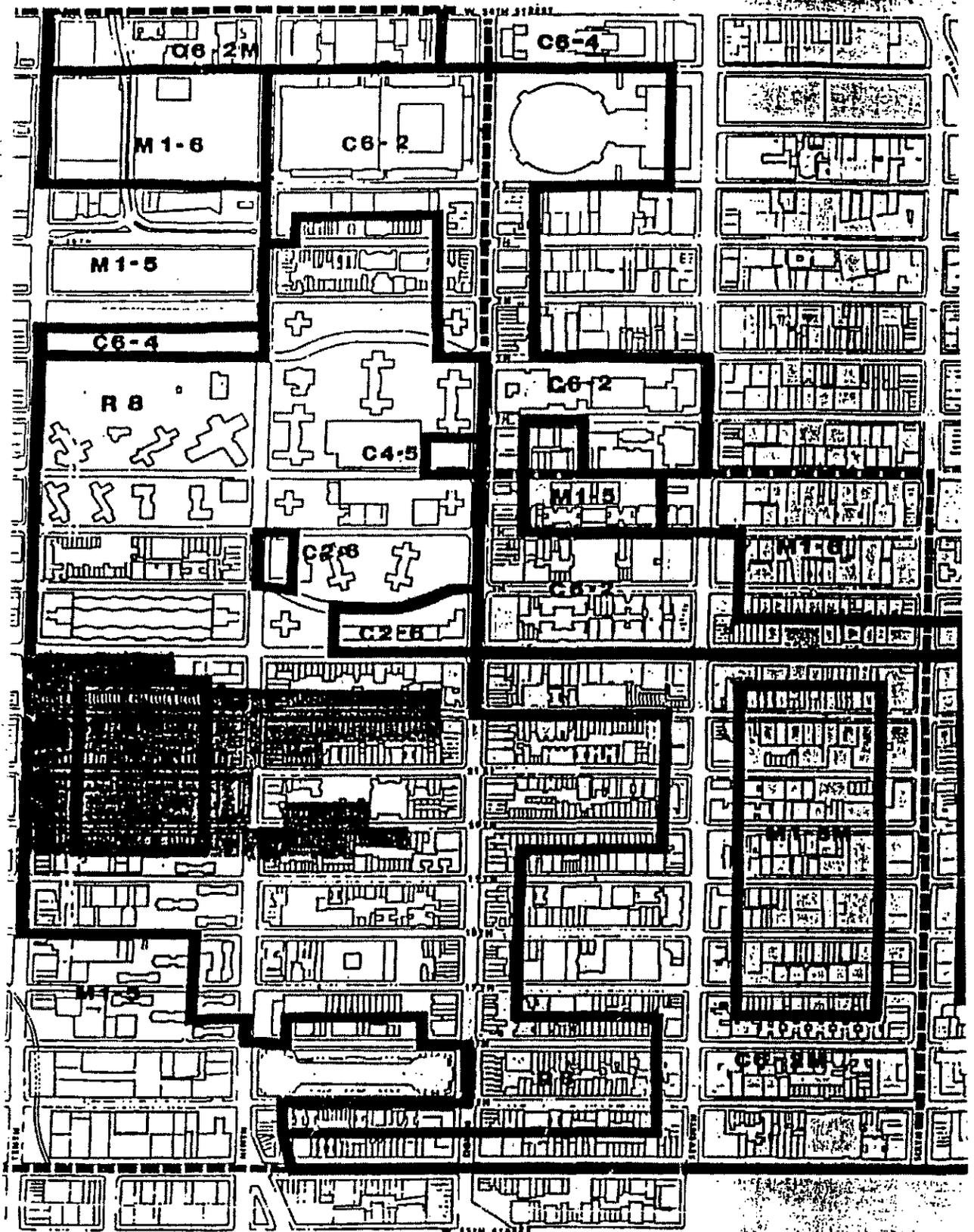
Health-related Facilities:

- ** St. Vincent's Hospital Chelsea Clinic - 365 W. 25th Street (privately run)
- St. Clare's Hospital - 451 W. 51st Street
- St. Clare's AIDS Hospice - 426 West 52nd Street
- St. Luke's/Roosevelt Hospital - 555 W. 57th Street
- West Side Health Clinic - 789 Ninth Avenue - walk-in clinic with medical and psychiatric help to children and youth

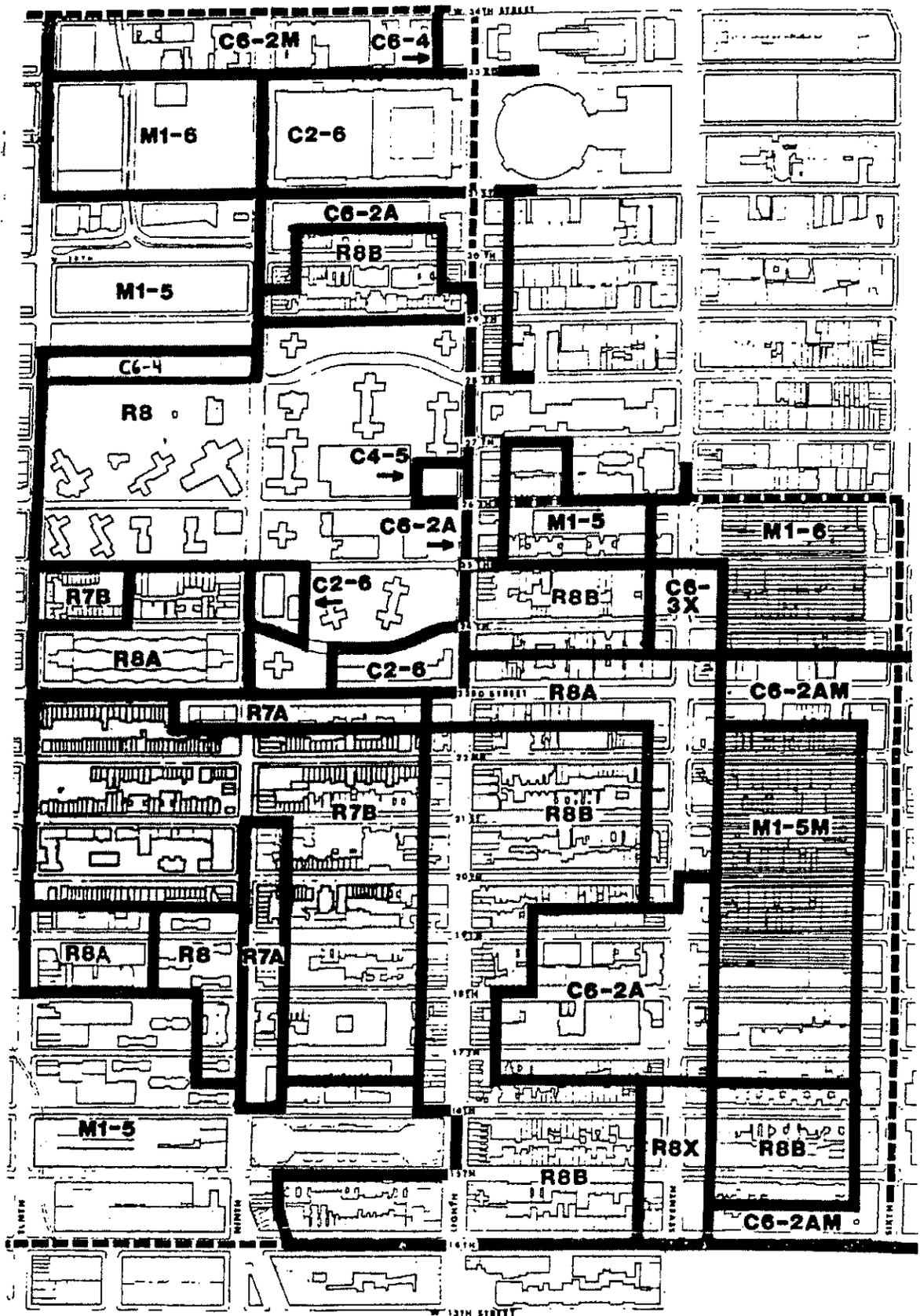
Source: Manhattan Community Board No. 4

1990 CENSUS TRACTS

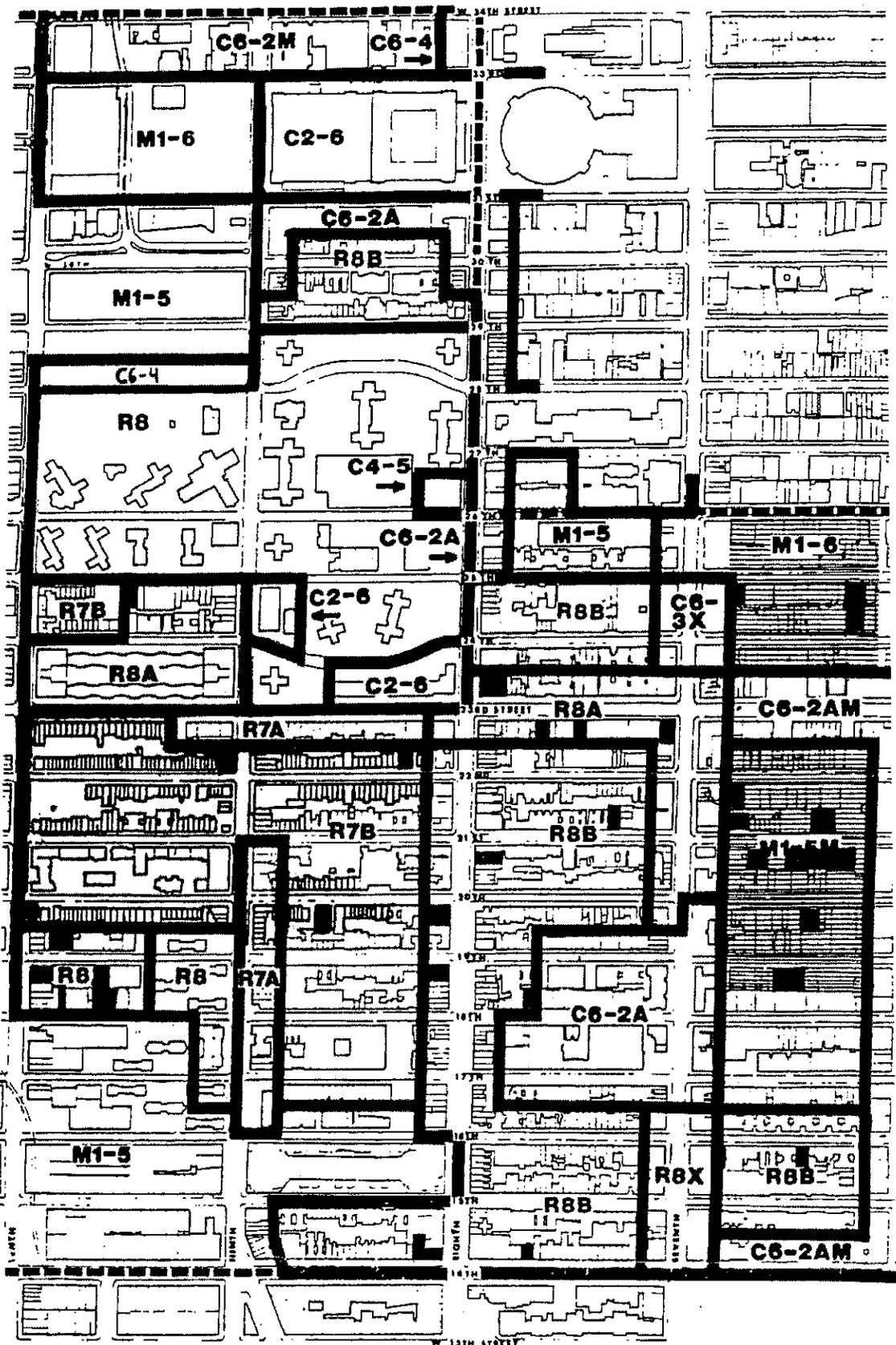




HISTORIC DISTRICT
CHELSEA'S EXISTING ZONING



 HISTORIC DISTRICT
 SPECIAL DISTRICT
CHELSEA ZONING PLAN



SOFT SITES UNDER PROPOSED ZONING

POINTS OF AGREEMENT*

1. FINANCING

a. General

The Administration agrees to the financing plan adjustments made separately by the Budget Director and the Council, described in a separate document.

b. District Improvement Fund/Bonus

i. Uses West of 11th Avenue

The Administration agrees that no funds generated by the District Improvement Bonus will be used to pay for any improvements to the sites housing the New York Sports and Convention Center, the Jacob K. Javits Convention Center, the full-block park located between 33rd and 34th Street, or the community porch on the 33rd Street right-of-way. The Administration agrees to provide further language to emphasize that the District Improvement Fund cannot be used in any way to connect to or benefit the Javits Center or the New York Sports and Convention Center. Limitations to the use of the District Improvement Fund are described in the modified zoning text.

ii. Uses for neighborhood parks

The Administration agrees that the District Improvement Fund may be used to pay for neighborhood parks.

iii. Future of the District Improvement Fund

The Administration agrees that funds generated by the District Improvement Bonus will be used only to pay debt service on debt issued by the Hudson Yards Infrastructure Corporation (HYIC). Any excess in any given year will flow directly to the City's general fund for uses in the district consistent with the zoning resolution. Once the HYIC debt is fully repaid, all payments into the District Improvement Fund will flow directly to the City's general fund for uses in the district consistent with the zoning resolution.

iv. Sequencing of bonuses

The Administration agrees to alter the sequence of the District Improvement Bonus and the Inclusionary Housing Bonus so that the two bonuses are available to developers on a pari passu basis, in two tiers. The change is described in detail in the modified zoning text.

* As we have discussed, some of the items set forth in the Points of Agreement will require changes to the zoning resolution which may be made by the Council now, while other items may require additional follow-up action by the Administration, the City Council, the Planning Commission and other parties. Where follow-up action is needed, such follow-up is subject to review and consideration under applicable procedures, including land use and environmental review, and the receipt of applicable consents. We are confident that we can continue to work together to achieve the goals stated in the Points of Agreement.

v. Changes in per square foot payment into District Improvement Fund

The Administration agrees to the process for changes in the payment level into the District Improvement Fund, as detailed in the modified zoning text.

2. GOVERNANCE

a. HYIC

The HYIC board consists of the Deputy Mayor for Operations, the Deputy Mayor for Economic Development & Rebuilding, the Budget Director, the Speaker of the City Council, and the City Comptroller. The HYIC's powers are limited to ensuring the appropriate capture of designated revenue sources and the use of these revenue sources for debt service on authorized debt and other commitments of the HYIC. The HYIC is subject to the requirements of the Open Meetings Law. The Speaker, as member of the HYIC board, will receive appropriate notice of meetings and other actions by HYIC. The HYIC will commit to making annual reports to the Speaker and the Council of the projects financed by the HYIC, the amount of financing issued by HYIC for each project, related debt service and the status of projects.

b. Development entity

The precise form of the entity that will manage the development of the Hudson Yards has not been determined. The Administration agrees that any development entity will include the same board members as the HYIC plus a representative of Community Board 4, the local Councilmember, the Manhattan Borough President, the Commissioner of the Department of Housing Preservation & Development, the Commissioner of the Department of Parks and Recreation, the Commissioner of the Department of Small Business Services, the Chair of the City Planning Commission, and the President of the Economic Development Corporation. The development entity will be subject to the requirements of the Open Meetings Law. The development entity will commit to making annual reports to the Mayor and the Council of the development entity's budget for the upcoming fiscal year, together with its annually prepared financial statements. There will also be formed a Hudson Yards Community Advisory Board, to include representatives of the affected communities.

3. AFFORDABLE HOUSING

a. Total number of units

The table below summarizes the expected units that will be generated by the zoning incentives and other components of the Administration's proposal for affordable housing in the Hudson Yards. These unit totals will change slightly subject to recalculation of the market-rate and affordable housing build out under lower density in the Hell's Kitchen midblock area, as described in 4(b).

| | # OF NEW UNITS | # OF PRESERVED UNITS |
|---|--------------------------------|-----------------------------|
| ERC proposal | 2,220 (36% of total) | 333 (5% of total) |
| Revised Administration proposal | | |
| 80/20 Expansion of 421(a) exclusion zone 80/20 and inclusionary housing combo | 2,031 | |
| Inclusionary housing Tiering of inclusionary bonus | 411 | 421 |
| Public sites Site M NYCHA Studio City | 150 155 600 | |
| Total | 3,337 (54% of total) | 421 (7% of total) |

b. Harassment provisions

The Administration agrees to the harassment provisions provided separately, as part of a follow-up corrective action.

c. 421-a exclusion zone

The Administration would support Council action to expand the 421-a exclusion zone, in order to make the construction of affordable housing more likely. A proposed bill has been provided separately.

d. Permit City, State, and Federal programs in inclusionary program

The Administration agrees to allow developers to count affordable units created toward both the 80/20 requirement and the Inclusionary Housing Bonus. The Administration also agrees to allow developers to access any and all housing subsidy programs for the construction or rehabilitation of inclusionary housing. This will allow the Administration to increase the share of affordable units required under the inclusionary program and will result in both greater incentives for the production of affordable housing and permanent affordability for all affordable units in 80/20 buildings that make use of the inclusionary bonus.

e. Tiering of inclusionary bonus to higher income levels

The Administration agrees to allow developers to provide inclusionary housing units to higher income levels in exchange for providing more affordable units, as detailed in the modified zoning text.

f. Public sites

i. Site M

The Administration agrees to develop affordable housing on "Site M" located on the west side of 10th Avenue between 40th and 41st Streets. The Administration anticipates that this site will generate 150 affordable units, including 48 low-income units (up to 60% of

AMI) 51 moderate-income units (up to 135% of AMI), and 51 middle-income units (up to 165% of AMI). All units will be permanently affordable. HPD and the Hudson Yards development entity will lead the development of the site.

ii. NYCHA site

The Administration agrees, subject to HUD approval, to develop affordable housing on the “NYCHA Harborview Site” located at 56th Street just west of 11th Avenue. The Administration anticipates that this site will generate 155 affordable units, including 63 low-income units (up to 60% of AMI), 46 moderate income units (up to 135% AMI) and 46 middle income units (up to 165% of AMI). The new building will be no taller than the existing Harborview towers. The Administration and the Council will work together to select one of the following options for limiting the height of the tower: reducing the number of units or constructing a second building on additional space within Harborview to maintain the same unit total. All units will be permanently affordable. NYCHA and HPD will lead the development of the site.

iii. Studio City site

The Administration agrees to develop affordable housing on the “Studio City Site” located between 44th and 45th Streets, between 10th and 11th Avenues. The Administration anticipates that this site will generate 600 affordable units, including 120 low-income units (up to 60% of AMI), 240 moderate-income units (up to 135% of AMI), and 240 middle-income units (up to 165% of AMI). The Hudson Yards development entity will lead development of the site, working in close cooperation with HPD.

g. Citywide affordable housing fund

The Administration agrees to create an affordable housing fund of up to \$45 million – to be managed by HPD – using the proceeds received from the disposition of the Studio City site for affordable moderate- and middle-income housing in the Hudson Yards area and citywide. The fund also may be used to augment funding for construction and renovation at P.S. 51 on the Studio City site.

h. Income averaging

The Administration agrees to work with the Council and unions to find acceptable ways to allow income averaging whenever possible.

4. DENSITY

a. Commercial density

i. FAR at “four corners” at 34th Street at 10th/11th Avenues

The Administration agrees to establish a maximum FAR of 33 for each site, with an overall limitation of 7,363,600 square feet on the four corners by limiting the permitted distribution from the Eastern Rail Yards to 3,238,000. This represents a density reduction of 200,000 square feet.

ii. Limiting maximum permitted FAR on 11th Avenue

The administration agrees to limit the maximum FAR to 21.6 between 36th and 38th streets and to 20.0 between 38th and 41st streets. This results in a density reduction of more than one million square feet, as detailed in the table below:

| SITE | MAXIMUM FAR | ZONING FLOOR AREA REDUCTION (SF) |
|--------------|-------------|----------------------------------|
| 1069A | 20 | 332,640 |
| 711A | 20 | 147,200 |
| 710A | 20 | 277,656 |
| 709A | 21.6 | 153,163 |
| 708A | 21.6 | 139,416 |
| Total | | 1,050,075 |

iii. Commercial overlay between 9th and 10th Avenues

The Administration agrees to restrict commercial uses in residential buildings to one floor. However, a stand-alone two-story commercial building would be permitted due to scope issues. The Administration also agrees to create language excluding conversion to retail where there are existing ground floor residential tenants, as part of a follow-up corrective action.

iv. Along 10th Avenue

The Administration agrees to alter the proposal so that developers on the west side of 10th Avenue can exceed 13 FAR (up to a maximum of 15 FAR) only with the provision of community facilities. This will result in a commercial density reduction of approximately 500,000 square feet.

v. Theater bonus

The Administration agrees to restrict the Theater Bonus to the south side of 42nd Street between 11th Avenue and Dyer Avenue.

vi. Site at NW Corner of 42nd Street and 8th Avenue

The Administration will upzone this site from an FAR of 14.4 to a higher FAR to be determined with the Council.

b. Residential density

The Administration agrees to modify the zoning of the Hell's Kitchen midblocks between 9th and 10th Avenues between 35th and 40th Streets to R-8A, which will reduce the maximum density from 7.5 FAR to 6.0 FAR.

5. OTHER PLANNING ISSUES

a. Neighborhood open space

i. Height bonus for open space

The Administration agrees to reduce the height bonus for provision of open space in the Hell's Kitchen midblocks from a maximum height of 200 feet to 180 feet. For sites affected by this change between 36th and 38th Streets, the Administration agrees to work with the Council to meet the resulting funding gap (if any).

ii. Port Authority sites

The Administration will establish a task force with the Council and the community to work toward creating open space on Port Authority sites in the Hell's Kitchen midblocks. This task force will undertake detailed site analysis to identify optimal locations for open space within the blocks bounded by 34th and 38th Streets. The task force will engage in discussions with the Port Authority, and participate in design and construction oversight. The task force will also consider management and governance options, including but not limited to park mapping, deed restrictions, or conveyance to a non-profit organization. In the event that negotiations with the Port Authority do not result in open space on their sites, the Administration agrees to work with the Council to acquire privately-owned sites for open space.

b. Subdistrict naming

The Administration agrees to rename the Tenth Avenue Corridor Subdistrict as part of the Hell's Kitchen Subdistrict.

c. Follow-up corrective actions

The Administration agrees that the local Councilmember and Community Board 4 will be co-applicants on all follow-up corrective actions, with any disagreements between the two being resolved by the local Councilmember.

d. Special permits

i. Parking requirements

The Administration agrees that parking garage construction in excess of the minimum will be subject to a special permit. This minimum provides a modest range to account for site-specific conditions. The Administration also agrees to the grandfathering of developments in the 42nd Street Perimeter Area with building permits prior to 12/31/04.

ii. Public access improvements

The Administration agrees to make this a special permit in the Hudson Yards area, but without generating a bonus.

e. Community facilities

The Studio City site will house an expanded elementary school to serve the area. The Administration has provided a separate letter detailing funding requirements for this school.

6. CONTRACTING AND EMPLOYMENT

a. Dedicated oversight

The Department of Small Business Services (DSBS) will create a special, focused office (“the Office”) to lead M/WBE contracting and minority employment initiatives in the Hudson Yards area. The key activities of the Office are described below in 6(b) and 6(c).

b. M/WBE

i. M/WBE certification partnerships

To maximize the number and value of Hudson Yards contracting opportunities available to City certified M/WBEs, the Office will seek to establish reciprocal certification agreements with the other public entities contracting for goods and services in the Hudson Yards district, such as the MTA.

ii. Bid matching and information sharing for Hudson Yards opportunities

The Office will apply DSBS’ database and bid matching/alert process to Hudson Yards contracting opportunities. E-mail alerts will be sent to certified M/WBEs to inform them of new Hudson Yards opportunities as they arise. The Office also will promote usage of DSBS’ online, searchable database of M/WBEs by Hudson Yards contractors and businesses.

iii. Technical assistance and preparation for contracting opportunities

The Office will tailor and target DSBS’ existing M/WBE technical assistance program for anticipated Hudson Yards contracting opportunities. This involves two major components. The first is identification of the types of goods and services contracting opportunities that are likely to arise in both the short- and long-term through Hudson Yards developers, businesses and tenants. The second component is the creation of a technical assistance curriculum to build M/WBE capacity to be competitive for such anticipated contracting opportunities.

iv. Private sector alliances linking M/WBEs to Hudson Yards opportunities

Building on DSBS’ current private sector partnership strategies, the Office will seek to connect M/WBEs to diversity contracting programs of major private sector developers, businesses and tenants in the new Hudson Yards district. The Office will also work with DSBS’ M/WBE Advisory Committee to develop such linkages.

v. Further actions

The Administration understands that the Council intends to release a disparity study in the near future. Once the disparity study is released, the Administration is prepared to consider programs specifically designed for growing M/WBE participation, as appropriate in light of the results of the disparity study.

The Administration has demonstrated its commitment to increasing the successful participation of M/WBEs in public and private sector contracting opportunities. So far, the Administration has dramatically simplified and shortened the certification process, increased the number of certified companies, and created certification partnerships with other public entities. The Administration also has created an on-line searchable database of M/WBEs, and modified small purchase procurements to insure their participation. In addition, the Administration has extended its initiatives beyond the public sector by linking its M/WBE program to private sector diversity contracting programs and forming a M/WBE Advisory Board of business and community leaders.

In partnership with the City Council, the Administration is committed to further growing M/WBE success by building upon these foundational efforts. The Administration is exploring a range of options to do that, such as a certification partnership with New York State, and additional private sector partnerships.

The Administration recognizes that other public entities have implemented race and/or gender based strategies, such as: adopting M/WBE goals or utilization plans for a municipality and/or its agencies; or requiring prime contractors to create M/WBE utilization plans or achieve M/WBE subcontracting goals. However, the Administration also recognizes that adoption of any of these options, or any other race or gender based program, would be premature prior to the release of the City Council's forthcoming disparity study.

Following the release of the City Council's forthcoming disparity study, the Administration is prepared to consider M/WBE program options such as these, or other program enhancements. We will evaluate program options in light of the results of the study, which covers the period of 1998-2002, as well as the achievements of the City's revitalized M/WBE program during the past two years. Our approach will be cognizant of the critical need to ensure that M/WBEs in construction and other industries have a full and fair opportunity to share in the success of the Hudson Yards project.

c. Workforce Participation

i. Pre-apprenticeship programs

The Administration and the Office will work with the Council towards an agreement with trade unions to establish and fund a pre-apprenticeship program that links economically disadvantaged New Yorkers from throughout the five boroughs to union careers in the construction trades. Specific eligibility criteria (e.g., language, math and literacy skills), training program curricula and program scale will be established through collaboration with the building trade unions, with scale based on demand for construction labor generated by Hudson Yards development.

ii. Job placement

The Office will coordinate large-scale hiring initiatives linking New York City job seekers to employment opportunities in the Hudson Yards district. These initiatives may be based at the Workforce1 Career Centers in each of the five boroughs, in collaboration with Community Based Organizations to assist with outreach to economically disadvantaged job seekers and/or communities. DSBS may eventually establish a Workforce1 Career Center affiliate in the Hudson Yards district.

93-542

Height and setback in Subareas D4 and D5

In Subareas D4 and D5 of Hell’s Kitchen Subdistrict D, the underlying height and setback regulations shall apply, except that:

- (a) the rooftop regulations set forth in Section 93-41 shall apply;
- (b) within the C2-5 District of Subarea D4, #commercial uses# shall be limited to two #stories# or a height of 30 feet, whichever is less;
- (c) within the C1-7A District of Subarea D5, recesses in the #street wall# of any #building# facing Ninth Avenue shall not be permitted within 20 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except as provided for permitted corner articulation; and

(d) within 100 feet of a #wide street#, the #street wall# of a #building or other structure# shall rise without setback to a minimum height of 60 to max 85 feet or the height of the #building#, whichever is less, and a maximum height of 120 feet.

~~(d)~~ (e) the regulations set forth in paragraph (d) of Section 23-692 (Height limitations for narrow buildings or enlargements) shall be modified to allow portions of #buildings# with #street walls# less than 45 feet in width to reach the height of the tallest #abutting building# without regard to the width of the #street# onto which such #building# fronts.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

DANIEL L. DOCTOROFF
DEPUTY MAYOR FOR
ECONOMIC DEVELOPMENT AND REBUILDING

June 20, 2005

Speaker Gifford Miller
New York City Council
City Hall
New York, NY 10007

Re: West Chelsea – City Council ULURP Actions

Dear Mr. Speaker:

Attached to this letter is a "Points of Agreement" reflecting recent discussions between the Administration and the City Council with respect to the consideration by the City Council of the West Chelsea zoning and related ULURP actions.

As we have discussed, some of the items set forth in the Points of Agreement will require changes to the zoning resolution which may be made by the Council now, while other items may require additional follow-up action by the Administration, the City Council, the Planning Commission and other parties. Where follow-up action is needed, such follow-up is subject to review and consideration under applicable procedures, including land use and environmental review, and the receipt of applicable approvals. We are confident that we can continue to work together to achieve the goals stated in the Points of Agreement.

The cooperation and input that we have received from members of the City Council thus far has been extremely valuable. We look forward to working further with you, and the entire Council, as the project progresses.

Sincerely,

A handwritten signature in cursive script that reads "Daniel L. Doctoroff".

Daniel L. Doctoroff

WEST CHELSEA – IMPROVEMENTS AT THE CITY COUNCIL

- **More affordable housing:** Increases the percentage of units projected to be affordable from 17% projected under the proposal approved by the City Planning Commission to at least 22% (more if the pursuit of affordable housing development on other publicly owned sites is successful). In total the number of affordable units has increased from 900 after the approval of the City Planning Commission (out of 5,329 total units) to 1,195 (out of 5,557 total units), or a 33% increase in the number of affordable units. In addition an affordable housing fund of up to \$10 million will create more units in the Community Board. Although the West Chelsea rezoning incorporates all of the programs and principles of recent rezonings, the final percentage is lower due to the requirements associated with transforming the High Line into public open space, the preservation of manufacturing zoning in the mid-blocks, and the dearth of large public sites. The comparable percentage adjusting for these requirements is 27% affordable.
- **Preservation of existing affordable housing:** Preserves additional 4% of units through anti-harassment provisions.
- **More permanent affordable housing:** Significantly increases the number of *permanent* affordable housing units from 295 affordable units (~33%) to about 900 affordable units (~63%).
- **Greater certainty of affordable housing production:** Extension of 421-a exclusion zone and allowing use of programs helps to insure developers actually build affordable housing.
- **More diverse range of incomes for affordable housing:** Of the roughly 900 affordable housing units created through the inclusionary housing program and on public sites, over 40% will be targeted toward moderate and middle income families.
- **Reduced height:** The maximum height limit on Tenth Avenue between W. 24th and W. 28th Street will be reduced to 125 feet. All new development along this stretch of Tenth Avenue will not exceed the height of the historic Williams Warehouse.
- **Further study:** Commits the Administration to examine possible further rezonings and historic preservation in the area.
- **MWBE participation:** Commits the Department of Small Business Services to using every tool at its disposal to ensure the participation of MWBEs in both the redevelopment of the High Line and the broader development of West Chelsea.

The Council achieved these improvements while ensuring the preservation and restoration of the High Line, a unique public open space that will represent a 15% increase in parkland in Council District 3, and that will provide a striking amenity for community residents, New Yorkers, and visitors from around the world.

In conjunction with the above, an agreement by property owners and developers representing approximately 75% of the projected housing units in the West Chelsea area will ensure that building services workers in the area will receive prevailing wages, benefits, and other protections.

WEST CHELSEA – POINTS OF AGREEMENT¹

1. AFFORDABLE HOUSING

a) 421-a exclusion zone

The Administration would support Council action to expand the 421-a exclusion zone to cover the entirety of the rezoning area as well as the land to the west, as detailed in the attached proposed bill, in order to increase the utilization of the 80/20 program, thereby making the construction of onsite affordable housing more likely.

b) Anti-harassment

The Administration agrees to work with the Council to extend the anti-harassment provisions developed for the Hudson Yards area to multiple dwellings in appropriate portions of the West Chelsea rezoning area as part of a follow-up corrective action.

c) Public sites

The Administration agrees, subject to HUD and any other necessary public approvals, to develop affordable housing on the Chelsea-Eliot NYCHA site located on the northwest corner of West 25th Street and Ninth Avenue. The Administration anticipates that this site will generate 128 affordable units, targeted to middle and moderate income families. All units will be permanently affordable. A portion of the units to be developed may be set aside for NYCHA residents or households on the waiting list through Section 8. Existing parking spaces on the site will be replaced by underground parking in the new development, corresponding to zoning and NYCHA regulations as required.

The Administration agrees, subject to HUD and any other necessary public approvals, to develop affordable housing on the Fulton Houses NYCHA site located on West 18th Street between Ninth and Tenth Avenues. The Administration anticipates that this site will generate 100 affordable units, targeted to middle and moderate income families. All units will be permanently affordable. A portion of the units to be developed may be set aside for NYCHA residents or households on the waiting list through Section 8. Existing parking spaces on the site will be replaced by underground parking in the new development, corresponding to zoning and NYCHA regulations as required.

Development on Fulton Houses at West 18th Street would displace a large trash compactor. After extensive site review, it has been determined that the only appropriate place for its relocation would be to the parking lot on the north side of West 19th Street, which does not front any residential building, but is a shallow lot, with a depth of only 75 feet and existing residential

¹ As we have discussed, some of the items set forth in the Points of Agreement will require changes to the Zoning Resolution which may be made by the Council now, while other items may require additional follow-up action by the Administration, the City Council, the City Planning Commission and other parties. Where follow-up action is needed, such follow-up is subject to review and consideration under applicable procedures, including land use and environmental review, and the receipt of applicable consents. We are confident that we can continue to work together to achieve the goals stated in the Points of Agreement.

buildings on the lot line to the north. With a required rear yard of 30 feet, the remaining space for development on the West 19th Street site would not allow for an economically-feasible multi-family building. In the event that in the future the Department of Sanitation should determine that its lot located on 20th Street between 6th and 7th Avenues is no longer needed for operational purposes, the Administration will pursue the development of affordable housing on the site. Alternatively if it is decided to dispose of the site for another purpose (subject to Council approval) the Administration will pursue options under which the disposition of the site can be used to augment funds administered by HPD for affordable housing within the West Chelsea area. The Department of Sanitation agrees to examine within the next twelve months options identified by the community for relocating operations from this site.”

d) Permit City, State, and Federal programs in inclusionary program

The Administration agrees to allow developers to count affordable units created toward both the 80/20 requirement and the Inclusionary Housing Bonus in both the C6-3 and C6-4 districts. The Administration also agrees to allow developers to access any and all housing subsidy programs for the construction or rehabilitation of inclusionary housing. This will allow the Administration to increase the share of affordable units required under the inclusionary program and will result in both greater incentives for the production of affordable housing and permanent affordability for all affordable units in 80/20 buildings that make use of the inclusionary bonus.

e) Tiering of inclusionary bonus to higher income levels

The Administration agrees to allow developers to provide inclusionary housing units to higher income levels in exchange for providing more affordable units, as detailed in the modified zoning text.

f) Affordable Housing Fund

The Administration agrees to create a West Chelsea Affordable Housing Fund for affordable housing production in the community board. After 90% of the High Line Transfer Corridor floor area transfers to receiving sites or is otherwise used, developments may be able to purchase floor area from the City, or an entity to be established by the City, for the portion of the bonus that can be achieved only through the purchase of High Line Transfer air rights (5 to 6 FAR in C6-2, 5 to 6.25 FAR in C6-3, and 6.5 to 9.15 FAR in C6-4). The price of the floor area will be to comparable to the price of air rights at such time as 90% of the High Line Transfer Corridor floor area has been exhausted. Preliminary projections, using \$150 psf as an estimated cost of the bonus, show that the proceeds could generate up to \$10 million. However, price fluctuations may allow the fund to be higher or lower than this estimation. The fund can be used toward land acquisition for affordable housing production and to serve households at moderate and middle incomes.

g) Community preference

All affordable housing units created through the inclusionary program or on public sites will be subject to HPD’s standard 50% community preference requirements.

h) Conversions

The Administration agrees to introduce an Inclusionary Housing Bonus for conversions that mirrors the inclusionary housing density bonuses and income tiers in for new constructions buildings in each district. If a potential conversion building is overbuilt above the maximum

allowable residential FAR, such building will only be able to achieve their residential maximum density through inclusionary zoning.

Total number of affordable units

| | AFFORDABLE UNITS |
|---|---|
| CPC proposal | 900 (17% of total) |
| Revised proposal | |
| 80/20 (non-IHB) | 298 |
| Permanent inclusionary | 669 |
| Public sites | 228 |
| Total | 1195 (22% of total) |
| Preservation (Anti-harassment provisions) | 230 (4% of total) |
| Total | 1195+230 (22% of total + 4% preserved) + \$10 million fund |

Matrix of Density Bonuses

| | C6-2* | C6-3 | C6-4 |
|---------------------------------|--------------|-------------|-------------|
| CPC proposal | FAR | FAR | FAR |
| 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 |
| Total Inclusionary Bonus | 0.35 | 0.85 | 2.85 |
| Revised proposal | | | |
| 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 |
| Total Inclusionary Bonus | | 1.25 | 2.85 |

* C6-2 areas with a maximum of 6 FAR only, not including areas with 5 FAR maximum.

2. OTHER ZONING

a) Height

The Administration agrees to reduce the maximum height on Tenth Avenue between 24th and 28th Streets from 145 feet to 125 feet.

b) Adjust bonuses to maintain sufficient capacity for High Line floor area, increase High Line improvements, and increase amount of inclusionary housing

- i. Increase the Inclusionary Housing Bonus in C6-3 from 0.85 FAR (13%) to 1.25 FAR (20%) and require 10%-12.5%-15% affordable, depending on income levels served.
- ii. Provide that the top-tier of the C6-4 bonus between 9.15-12 FAR (31%) bonus can only be achieved through inclusionary housing and require 20%-25%-30% affordable, depending on income levels served.
- iii. Increase the High Line improvement bonus for Subarea I from 1.5 FAR to 2.5 FAR consistent with other High Line improvement bonus sites.

c) Further study

The Administration agrees that the Department of City Planning will study the areas to the immediate west and south of the rezoning area to consider possible future actions deemed appropriate for the neighborhood. As requested by Community Board 4, the Department would study the area bounded by Eleventh and Twelfth Avenues, between West 22nd and 29th Street, and West 15th and 17th Streets, between Tenth and Eleventh Avenues. The Department also believes it would be appropriate to include in the study the eastern blockfront of Tenth Avenue between West 15th and West 16th Streets. A letter from the Chair of the City Planning Commission has been provided.

d) Historic preservation

The Administration agrees that the Landmarks Preservation Commission will evaluate the community's historic preservation proposal and determine whether the area merits designation as a historic district or individual landmarks. The Commission will complete its assessment and make its recommendations by the end of FY 2006. A letter from the Executive Director of the Landmarks Preservation Commission has been provided.

3. MWBE CONTRACTING AND CONSTRUCTION OPPORTUNITY

a) Bid matching and information sharing for High Line and West Chelsea Special District ("West Chelsea") opportunities

The Department of Small Business Services (DSBS) will apply DSBS' database and bid matching/alert process to High Line sub-contracting and West Chelsea contracting opportunities. E-mail alerts will be sent to certified MWBEs to inform them of new High Line and West Chelsea opportunities as they arise. DSBS also will promote usage of DSBS' online, searchable database of MWBEs by High Line and West Chelsea contractors and businesses.

b) Technical assistance and preparation for contracting opportunities

DSBS will target its MWBE technical assistance program to anticipated High Line and West Chelsea contracting opportunities. This involves two major components. The first is identification of the types of goods and services contracting opportunities that are likely to arise in both the short- and long-term through High Line and West Chelsea developers, businesses and tenants. The second component is connecting MWBE contractors that provide such goods and services to DSBS' technical assistance curriculum to build their capacity to be competitive for such anticipated contracting opportunities.

c) Promoting MWBE participation during the pre-bid process

In connection with New York City Economic Development Corporation's (EDC) mandatory pre-bid meetings for High Line contracting opportunities, EDC shall encourage MWBE contracting and subcontracting on the High Line project by promoting DSBS' procurement and technical assistance programs for MWBEs and by organizing networking sessions between potential prime contractors and MWBE contractors to facilitate subcontracting opportunities.

d) Additional MWBE efforts

The Administration has demonstrated its commitment to increasing the successful participation of MWBEs in public and private sector contracting opportunities. So far, the Administration has dramatically simplified and shortened the certification process, increased the number of certified companies, and created certification partnerships with the State of New York and other public entities. The Administration also has created an on-line searchable database of MWBEs, and modified small purchase procurements to insure their participation. In addition, the Administration has extended its initiatives beyond the public sector by linking its MWBE program to private sector diversity contracting programs and forming a MWBE Advisory Board of business and community leaders. In partnership with the City Council, the Administration is committed to further growing MWBE success by building upon these foundational efforts.

The Administration recognizes that other public entities have implemented race and/or gender based strategies, such as: adopting MWBE goals or utilization plans for a municipality and/or its agencies; or requiring prime contractors to create MWBE utilization plans or achieve MWBE subcontracting goals. However, the Administration also recognizes that adoption of any of these options, or any other race or gender based program, would be premature until an evaluation of the City Council's disparity study has been completed.

Since the release of the City Council's disparity study, the Administration has been analyzing the study, as well as MWBE program enhancement options such as those described above. While a range of race and gender based options remain under consideration, in response to the disparity study, the Administration has already begun to expand its MWBE capacity building initiatives by offering new classes on bonding, responding to RFPs, forming joint ventures, finance, marketing, and legal issues. Also, City agencies have been holding networking events with MWBEs about specific City contracting opportunities.

Overall, the Administration's MWBE program strategy will be cognizant of the critical need to ensure that MWBEs in construction and other industries have a full and fair opportunity to share in the success of City-led development initiatives throughout the City, including the High Line project and new residential development in West Chelsea.

e) Commission on Construction Opportunity

As part of the Administration's continuing efforts to ensure that all New Yorkers benefit from economic development initiatives, the Mayor created a "Commission on Construction Opportunity" earlier this year. The Commission is comprised of private developers and contractors, including minority and women-owned businesses, union representatives, advocates, and government officials. It is co-chaired by Deputy Mayors Walcott and Doctoroff, and also includes seven City Commissioners, and Congressman Charles Rangel.

The Commission is charged with ensuring that all New Yorkers, particularly minorities, women, returning veterans and recent high school graduates, are well-prepared for and have access to quality, permanent jobs in construction in both the private and public sectors during the expected construction boom over the next ten years – driven by projects such as the development of West Chelsea and the restoration of the high Line. The Commission is looking at how these major development projects can provide long-term careers in construction for New Yorkers, rather than just temporary jobs on a single project.

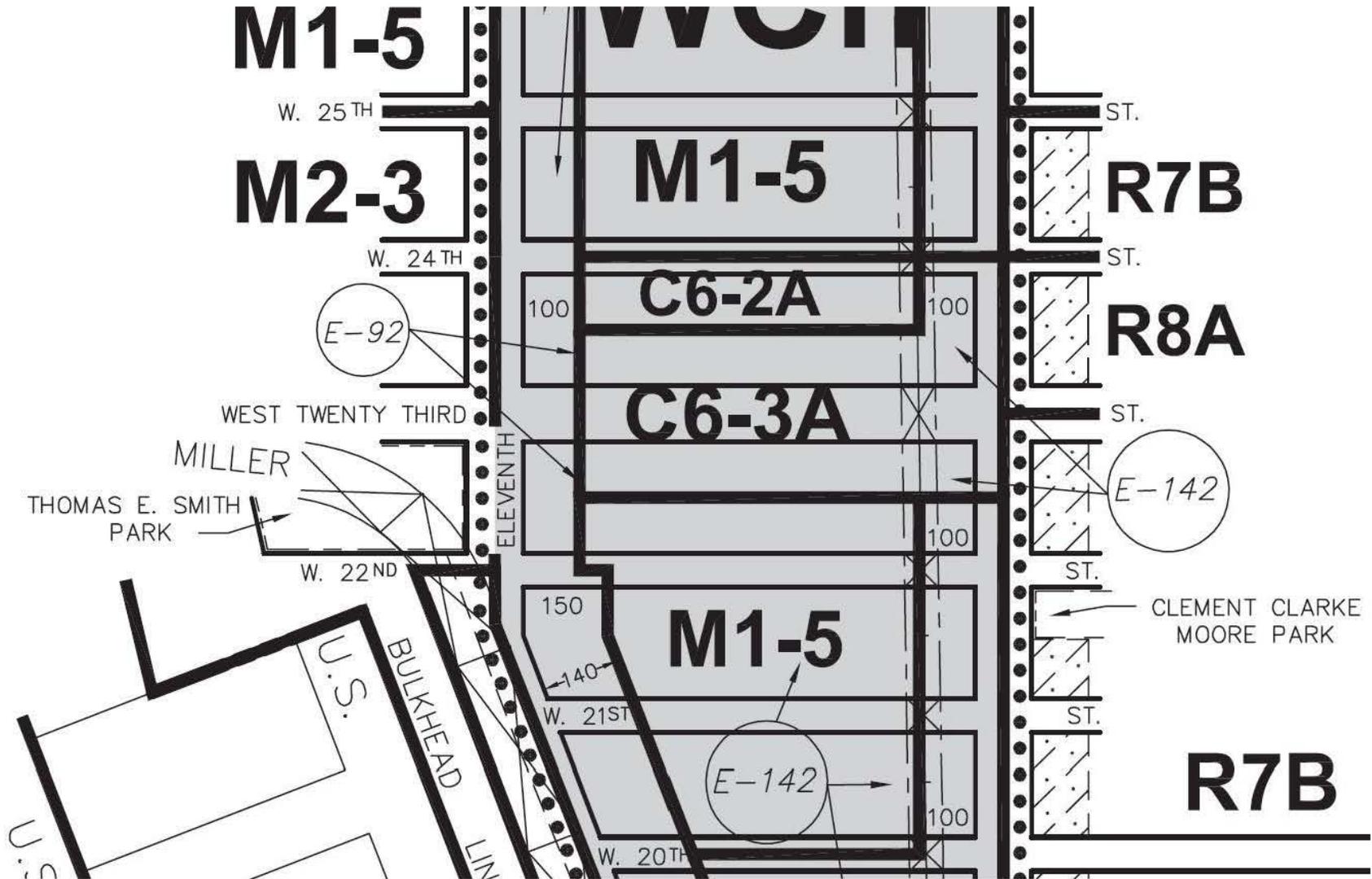
Since the Mayor's March 7th announcement of the formation of the Commission, the Commission has already met twice, in March and May, and is scheduled to meet again in July and September. While still in its early stages, the Commission is looking at a multi-pronged strategy, including increasing the number of apprentice slots, recruiting minorities and women for these slots, creating the infrastructure to prepare them and ensuring their success over the long term. The Administration is optimistic that thanks to this unique multi-sector partnership, New Yorkers from all boroughs will benefit from current and future private and public sector construction opportunities in West Chelsea and elsewhere.

4. BUILDING SERVICES WORKERS

Private developers in the West Chelsea neighborhood, the Service Employees International Union, Local 32BJ, the Mayor's Office, and the City Council have agreed to the following principles:

- a) All Building Service workers, such as porters, handypersons, doorpersons, security officers, watchpersons, elevator operators and starters, building cleaners, concierges, and building superintendents, who are employed at newly constructed residential buildings are entitled to a fair wage and benefits, taking into consideration the specific circumstances of each new building.
- b) With respect to buildings of 50 or more residential units where less than 50% of the apartments in a building are dedicated to housing that is affordable to individuals or families with a gross household income at or below 125% of the Area Median Income of the New York, NY PMSA, as determined by the U.S. Department of Housing and Urban Development Income, Building Service Employees should receive a wage not less than the "prevailing wage."
- c) Collective bargaining is the most appropriate mechanism to determine the wages and benefits for Building Service Employees at all newly constructed residential buildings in the West Chelsea neighborhood.

APPENDIX H – 23rd Street Underlying Zoning



APPENDIX I – Special West Chelsea District Proposed Text Amendments to ZQA

98-423

Street wall location, minimum and maximum base heights and maximum building heights

The provisions set forth in paragraph (a) of this Section shall apply to all #buildings or other structures#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through (g) of this Section.

* * *

(a) For all #buildings#

(1) #Street wall# location provisions

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along such entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section. On #narrow street# frontages, beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along at least 70 percent of the #narrow street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section.

* * *

(2) Maximum #building# heights

(i) For C6-2A and C6-3A Districts

~~In C6-2A and C6-3A, the maximum base height, maximum #building# height and the maximum number of #stories# shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for the residential equivalent of an R8A and R9A District, respectively. For #developments# or #enlargements# providing #affordable independent residences for seniors#, where at least 20 percent of the #floor area# of the #zoning lot# is allocated to such #use#, such maximum heights and number of #stories# may be modified in accordance with the provisions of paragraph (a) of Section 23-664 for such districts' applicable residential equivalent. Separate maximum #building# heights are set forth within such Sections for #developments# or #enlargements# with #qualifying ground floors# and for those with #non-qualifying ground floors#, as defined in Section 23-662.~~

APPENDIX I – Special West Chelsea District Proposed Text Amendments to ZQA

Minimum and Maximum Base Height and Maximum Building Height by District or Subarea

| District or Subarea | Minimum Base Height (in feet) | Maximum Base Height (in feet) | Maximum #Building# Height (in feet) |
|---------------------|-------------------------------|-------------------------------|-------------------------------------|
| <u>C6-2A</u> | <u>60</u> | <u>85</u> | <u>120</u> |
| <u>C6-3A</u> | <u>60</u> | <u>102</u> | <u>145</u> |

APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

213 Seventh Avenue

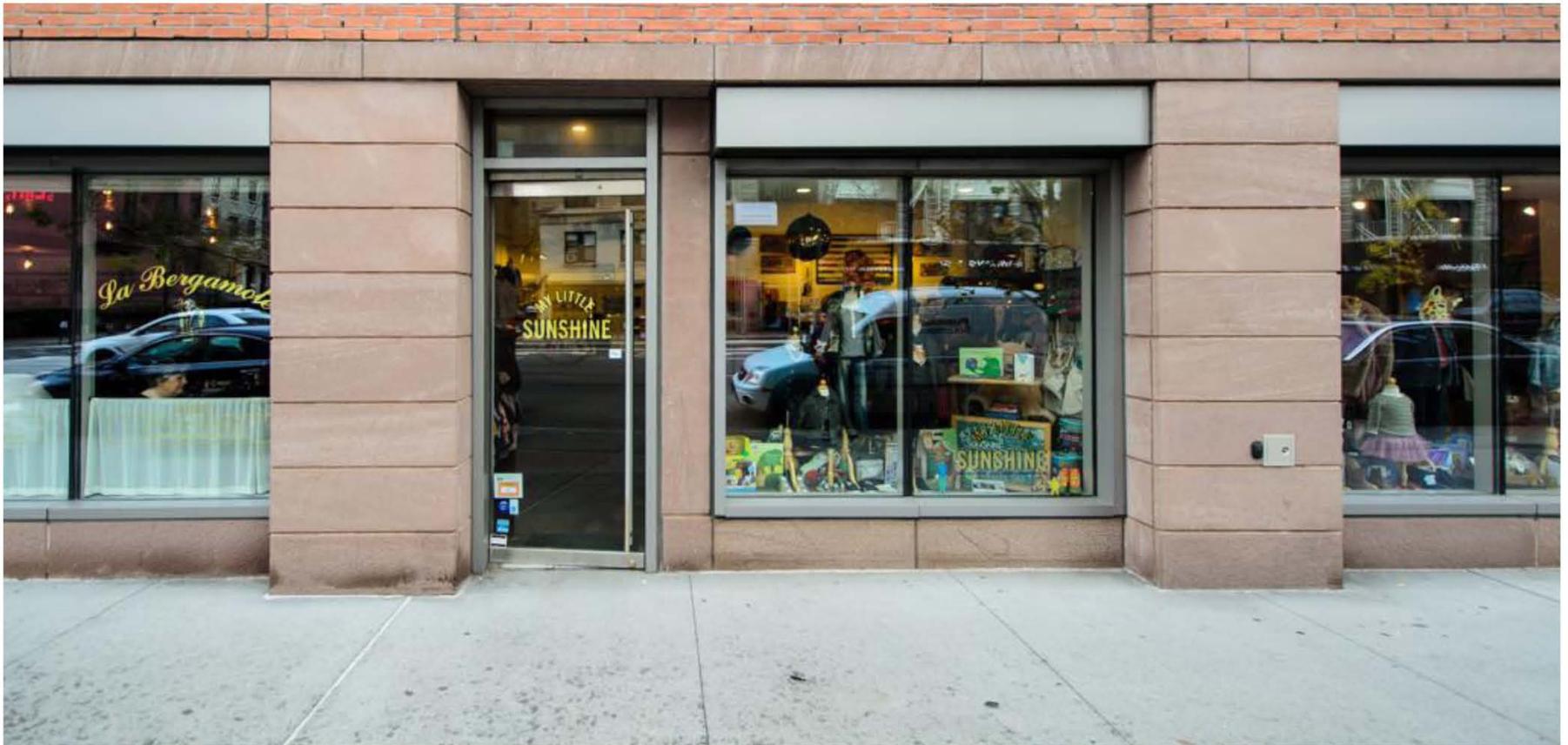


APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

176 - 172 Ninth Avenue



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits
177 Ninth Avenue



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

197 Ninth Avenue



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

231 Tenth Avenue



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

Tenth Avenue - West 17th to 24th Streets



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

500 West 23rd Street



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

154 Tenth Avenue



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

456 19th Street



APPENDIX J – Examples of Quality Ground Floor Retail with Existing Height Limits

401 West 25th Street

