

A. INTRODUCTION

This chapter provides a description of the existing land use, zoning, and public policy conditions in the primary and secondary study areas, which are defined as the locations where the direct and indirect effects of the Proposed Project, respectively, may occur. The purpose of this chapter is to examine the effects of the Proposed Project and determine whether it would result in any significant adverse impacts on land use, zoning, and public policy. According to the 2021 *City Environmental Quality Review Technical Manual (CTM)*, a land use and zoning analysis is warranted for actions facilitating a change in zoning. As the Rezoning and Midblock Bulk Alternatives involve a change in zoning, and the Non-Rezoning Alternative could potentially involve a zoning override to New York City zoning requirements (a “Mayoral Zoning Override” or “MZO”), a detailed analysis is warranted.

As discussed in **Chapter 02.0, “Project Alternatives,”** there are three feasible alternatives under consideration for implementation of the Proposed Project. These include: Alternative 2 – the Rezoning Alternative; Alternative 3 – the Non-Rezoning Alternative; and Alternative 4 – the Midblock Bulk Alternative. A discussion of Alternative 5 – the Rehabilitation and Infill Alternative, which has been determined to be infeasible, is presented in **Chapter 05.22, “Rehabilitation and Infill Alternative Analysis.”** Refer to **Chapter 04.0, “Analysis Framework,” Table 04.0-4,** for information on the analysis approach for the three feasible alternatives for each technical area.

Study Area Definition

To identify and assess the direct and indirect effects of the Proposed Project, this analysis has defined three study areas within which the Proposed Project would have the potential to directly or indirectly affect land use or land use trends. Direct effects are those that occur as a direct result of a proposed project, while indirect effects are generally wider-range consequences and include such effects as changes in land use trends. Following guidance provided in the *CTM*, these include primary and secondary study areas. There are two primary study areas, which are coterminous with the Project Sites, i.e., the Fulton Houses Project Site primary study area and the Elliott-Chelsea Houses Project Site primary study area. For the purposes of this chapter, the Project Sites will be referred to as the primary study areas for the remainder of this chapter. These primary study areas are subject to the Proposed Project and the discretionary approvals required to facilitate it, which are summarized in **Chapter 01.0, “Purpose and Need for the Proposed Project.”**

As described in **Chapter 04.0,** based on consultation with the New York City Department of City Planning (DCP), the Uniform Land Use Review Procedure (ULURP) approvals that would in part facilitate the implementation of the Rezoning Alternative and the Midblock Bulk Alternative are expected to affect a slightly larger geographic area than the Project Sites on two of the four Fulton Houses Project Site blocks and both of the Elliott-Chelsea Houses Project Site blocks, as shown in **Figures 04.0-3a and 04.0-3b,** respectively. However, additional development beyond what

currently exists on these sites, referred to as the Other Properties, is not expected to occur due to a variety of factors detailed in **Chapter 04.0**. Furthermore, if, as discussed above, an MZO is required to facilitate the Non-Rezoning Approval, it would not affect the Other Properties. Accordingly, for the purposes of defining study areas, the Other Properties are part of the secondary study area.

The secondary study area is identified as properties that could experience indirect impacts because of the Proposed Project. The appropriate size of the secondary study area for land use, zoning, and public policy is related to the type and size of the proposed development, as well as the location and context of the area that could be affected by the Proposed Project. Study area boundaries vary according to these factors, with suggested study areas ranging from radii of 400 feet for a small project to 0.5 miles for larger projects. Given the geographic scope of the Proposed Project and the scale of the proposed development relative to the density of the surrounding area, a ¼-mile radius from the primary study areas has been selected as the basis for a secondary study area. For analysis purposes, the secondary study area boundary has been modified as appropriate to include lots that either fully or have more than 50 percent of their lot area within a ¼-mile radius of each primary study area, and to exclude lots where the reverse is true. **Figure 05.01-1** shows the study areas.

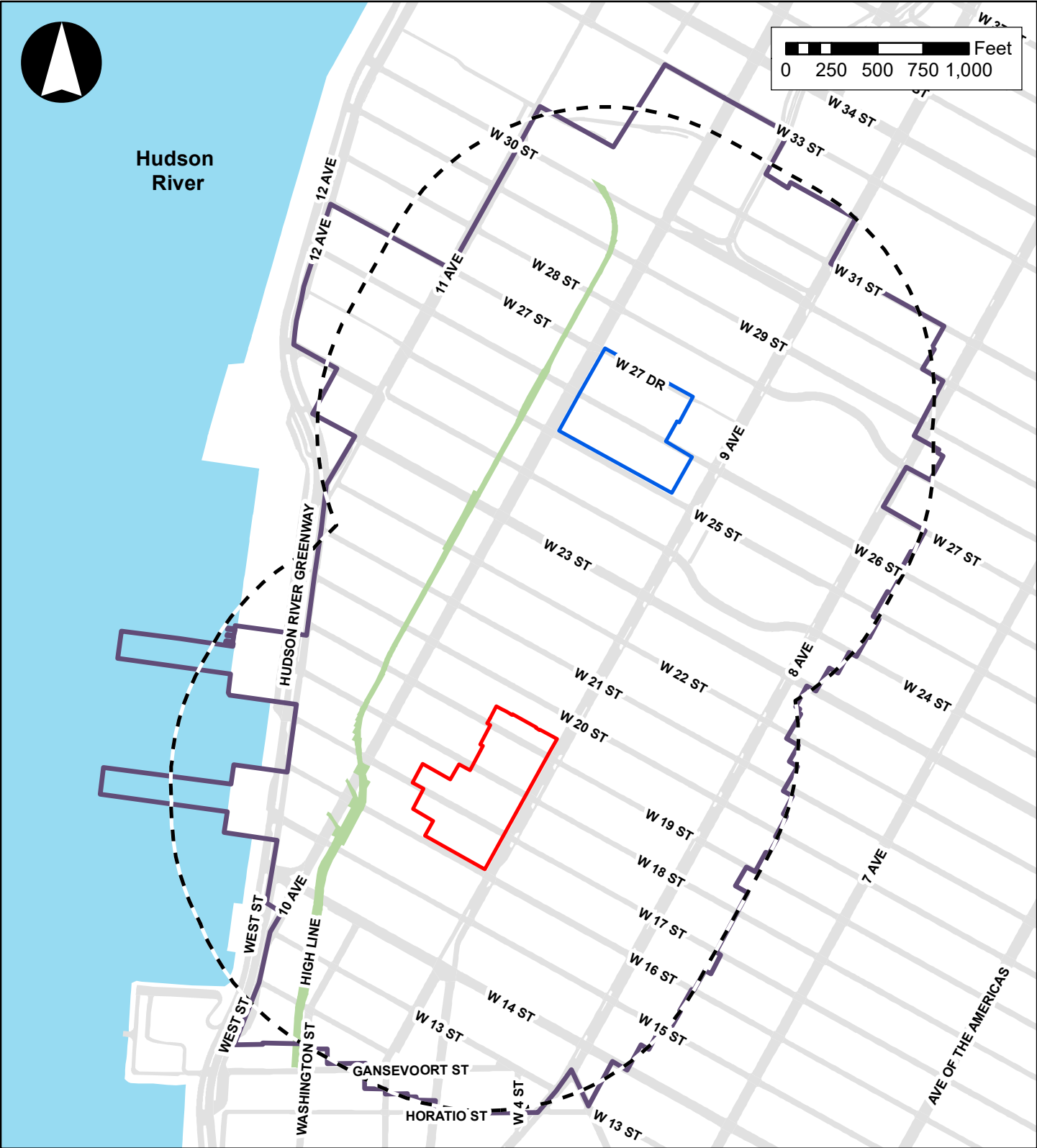
The ¼-mile radius study area is generally bound by lots fronting 8th Avenue to the east, W. 31st and W. 33rd Streets to the north, West Street and the Hudson River to the west, and Gansevoort and Horatio Streets to the south. It encompasses substantial portions of the Chelsea neighborhood and the Meatpacking District, as well as the southern portion of the newly developed Hudson Yards, as shown in **Figure 05.01-1**.

Study Area Data Sources

Existing land uses in the study area were identified through review of a combination of sources including field surveys and the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2023 and websites, such as NYCityMap (<http://gis.nyc.gov/doitt/nycitymap/>). New York City Zoning Maps and the Zoning Resolution of the City of New York (ZR) were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the No-Action Alternative, Rezoning Alternative, Non-Rezoning Alternative, and Midblock Bulk Alternative. Relevant public policy documents, recognized by DCP and other City agencies were utilized to describe existing public policies pertaining to the study areas.

B. PRINCIPAL CONCLUSIONS

No significant adverse impacts on land use, zoning, or public policy, are anticipated as a result of the Rezoning Alternative, the Non-Rezoning Alternative, and the Midblock Bulk Alternative at the Project Sites (the primary study areas) or within a ¼-mile radius (secondary study area) pursuant to applicable guidance and methodologies. Refer to **Section E, "Environmental Effects,"** for further information.



Source: NYC DCP (PLUTO 2023v1); DOITT (2022)

Legend

- Elliott-Chelsea Houses
- Fulton Houses
- 1/4-Mile Radius
- Land Use Study Area

C. METHODOLOGY

Per the *CTM*, the assessment forecasts land use, zoning, and public policy conditions for the No-Action Alternative, including identifying developments and other relevant changes anticipated to occur by 2041. This serves as the baseline condition against which the incremental changes associated with the development alternatives are measured. Then, the assessment forecasts land use, zoning, and public policy conditions with the completion of the Proposed Project under the Rezoning Alternative, the Non-Rezoning Alternative, and the Midblock Bulk Alternative, and determines the potential for significant adverse impacts on land use, zoning, and public policy.

Though the Proposed Project would predominantly involve the introduction of uses already present on the primary study areas, i.e., residential and community facility uses, under the Rezoning Alternative and the Midblock Bulk Alternative it would include the addition of commercial uses that are not currently permitted as-of-right on a portion of the primary study areas. In addition, the Proposed Project under the Rezoning Alternative and the Midblock Bulk Alternative would result in increases in residential density and modifications to height and setback that are not currently allowed as-of-right on the primary study areas. Accordingly, a detailed assessment is necessary to provide a sufficient description and assessment of the Proposed Project's effects on land use and zoning. In addition, a detailed assessment is needed to sufficiently inform other technical reviews and determine whether changes in land use could affect conditions analyzed in those technical areas. Therefore, this chapter includes a detailed analysis that involves a thorough description of existing land uses within the directly affected area and the surrounding study area. The detailed analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the Proposed Project to such conditions, assesses the nature of any changes on these conditions that would be created by the Proposed Project, and identifies those changes, if any, that could be significant and adverse.

D. AFFECTED ENVIRONMENT

Regulatory Context

Pursuant to *CTM* methodologies and in compliance with federal regulations, this chapter examines the Proposed Project's consistency with land use patterns and development trends, zoning regulations, and other applicable public policies.

Land Use and Zoning

Federal and State

Local land use is not generally regulated by federal and state regulations, however regulations related to floodplain management interface with local zoning. Applicable federal floodplain management regulations and policies are discussed below under Public Policy.

New York City

Land use in New York City is regulated by the ZR, which is a set of municipal regulations. New York City's ZR divides land into districts where similar rules are in effect. Zoning regulations are assigned to these districts based on relevant land use issues.

The means for amending City's zoning map and the principal means for adopting text amendment modifications to the ZR is through ULURP. The New York City Charter identifies actions that are subject to review by the New York City City Planning Commission (CPC) and, for some actions, the City Council, through ULURP, such as zoning map amendments and special permits under the jurisdiction of the CPC. In addition, zoning text amendments, though not formally part of ULURP are subject to a very similar review process.

ULURP is a standardized procedure whereby certain applications affecting the land use of the city are publicly reviewed. The Charter establishes a public review period for these applications.

Public Policy

In addition to zoning, officially adopted and promulgated public policies also describe the intended use applicable to an area or particular site(s) in New York City. These include Urban Renewal Plans, 197-a Plans, Industrial Business Zones (IBZs), the New York City Comprehensive Waterfront Plan, the Criteria for the Location of City Facilities (Fair Share criteria), Solid Waste Management Plan, Business Improvement Districts (BIDs), the New York City Landmarks Law, Housing Our Neighbors: A Blueprint for Housing and Homelessness, the Waterfront Revitalization Program (WRP), and *OneNYC 2050*. Some of these policies have regulatory status, while others describe general goals. They can help define the existing and future context of the land use and zoning of an area.

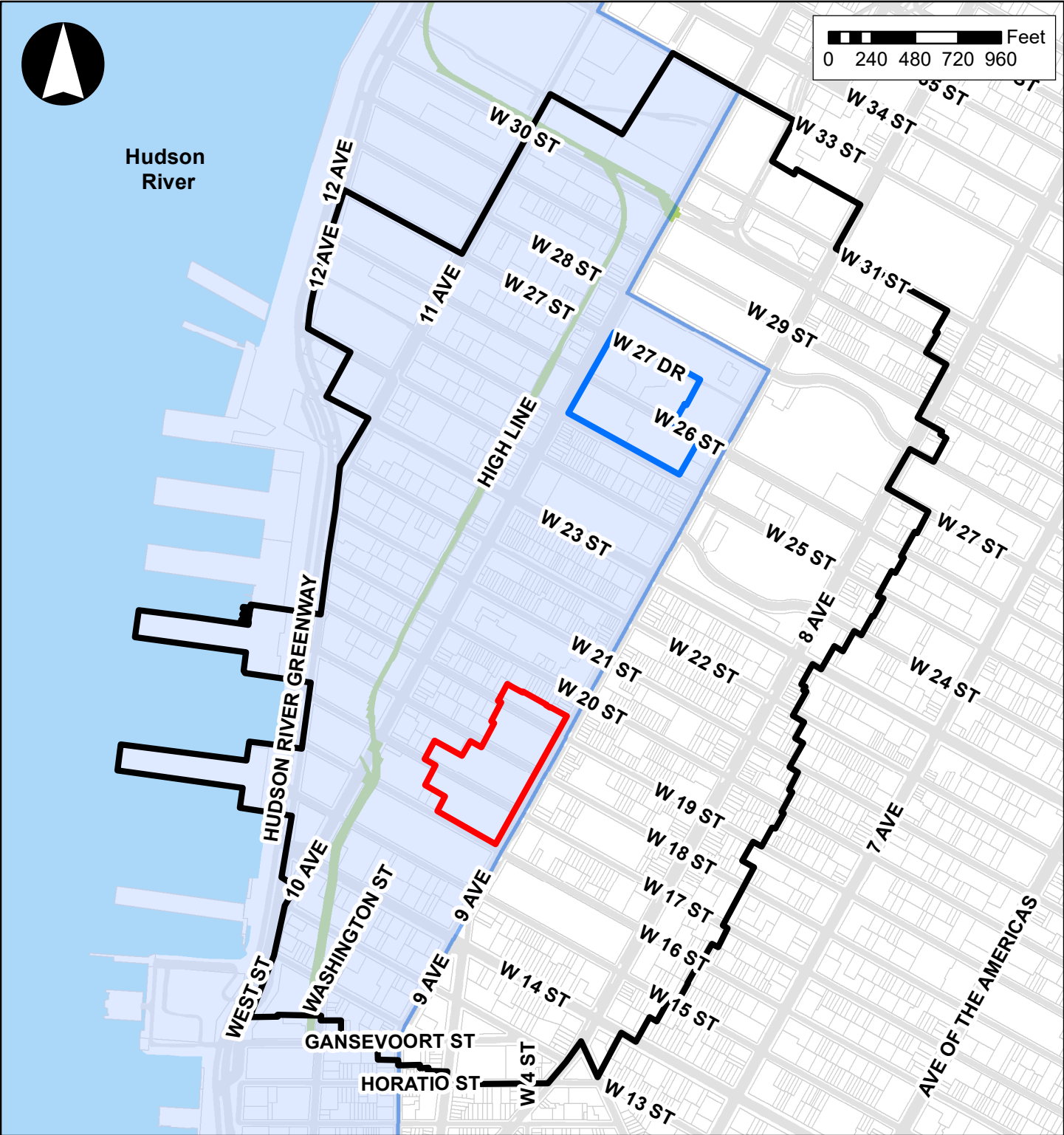
Public Policies Applicable to the Project Sites and/or the Study Area

The primary study areas lie within areas subject to the Manhattan Community Board 4 (CB 4) Chelsea 197-a Plan, *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, WRP, and the *OneNYC 2050* Plan, and a portion of the primary study areas are within the boundaries of the Meatpacking District BID. Portions of the secondary study area are within the Hudson Yards Hell's Kitchen Alliance BID and the 34th Street Partnership BID. As detailed below, certain federal policies are applicable to the Proposed Project due to the required HUD approval. Apart from these public policies, the primary study areas and/or the secondary study area are not located within any other applicable public policy areas.

Federal, State, and New York City Integrated Coastal Zone Management Policies

Waterfront Revitalization Program (WRP)

As illustrated in **Figure 05.01-2**, the primary study areas are located within the City's designated Coastal Zone, as are portions of the secondary study area. Projects that are located within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's WRP. It should be noted that the primary study areas are not located directly on



Source: NYC DCP (PLUTO 2023v1); DOITT (2022)

Legend

-  Elliott-Chelsea Houses
-  Fulton Houses
-  Land Use Study Area
-  NYC Coastal Zone Boundary

the waterfront, but rather, at their closest, approximately 950 feet from the Hudson River, but are still within the Coastal Zone Boundary.

Legislative and Regulatory Background

The federal Coastal Zone Management Act (CZMA) of 1972 was enacted to support and protect the distinctive character of the waterfront and to set forth standard policies for reviewing proposed development projects along coastlines. The program responded to City, State, and Federal concerns about the deterioration and inappropriate use of the waterfront. In accordance with the CZMA, New York State adopted its own Coastal Management Program (CMP), which provides for local implementation when a municipality adopts a local waterfront revitalization program, as is the case in New York City. The New York City WRP is the City's principal coastal zone management tool. The WRP was originally adopted in 1982 and approved by the New York State Department of State (NYSDOS) for inclusion in the New York State CMP. The WRP encourages coordination among all levels of government to promote sound waterfront planning and requires consideration of the program's goals in making land use decisions. NYSDOS administers the program at the State level, and DCP administers it at the City level. The WRP was revised and approved by the City Council in October 1999. In August 2002, NYSDOS and federal authorities (i.e., the US Army Corps of Engineers [USACE] and the US Fish and Wildlife Service [USFWS]) adopted the City's ten WRP policies for most of the properties located within its boundaries.

In October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in [*Vision 2020: The New York City Comprehensive Waterfront Plan*](#), released in 2011. The changes solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the US to incorporate climate change considerations into its Coastal Zone Management Program. They also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. The NYSDOS approved the revisions to the WRP on February 3, 2016. The US Secretary of Commerce concurred with the State's request to incorporate the WRP into the New York State CMP.

New York City Panel on Climate Change: Projections

In 2013, the New York City Panel on Climate Change (NPCC) released a report (*Climate Risk Information 2013: Observations, Climate Change Projections, and Maps*) outlining New York City-specific climate change projections to help respond to climate change and accomplish PlaNYC goals, which are described below. The 2013 NPCC report predicted future City temperatures, precipitations, sea levels, and extreme event frequency for the 2020s and 2050s. Subsequently, in January 2015, the Second NPCC (NPCC2) released an updated report that presented the full work of the NPCC2 from January 2013 to 2015 and includes temperature, precipitation, sea level, and extreme event frequency predictions for the 2081 to 2100 time period. While the projections will continue to be refined in the future, current projections are useful for present planning purposes and to facilitate decision-making in the present that can reduce existing and near-term risks without impeding the ability to take more informed adaptive actions in the future. Specifically, the NPCC2 report predicts that mean annual temperatures will increase by 2.0 to 2.9°F, 4.1 to 5.7°F, 5.3 to 8.8°F, and 5.8 to 10.4°F by the 2020s, 2050s, 2080s, and 2100,

respectively;¹ total annual precipitation will rise by one to eight percent, four to 11 percent, five to 13 percent, and -one to +19 percent by the 2020s, 2050s, 2080s, and 2100, respectively;² sea level will rise by four to eight inches, 11 to 21 inches, 18 to 39 inches, and 22 to 50 inches by the 2020s, 2050s, 2080s, and 2100, respectively;³ heat waves and heavy downpours are also very likely to become more frequent, more intense, and longer in duration, with coastal flooding very likely to increase in frequency, extent, and elevation.⁴

Federal Flood Risk Management Standard (FFRMS)

As detailed in **Chapter 05.08, “Natural Resources,”** federal Executive Order (EO) 13690, as amended including EO 14030, established the Federal Flood Risk Management Standard (FFRMS) to improve the nation’s resilience to current and future flood risks, which are anticipated to increase over time due to the effects of climate change and other threats.

Related to this and of relevance to the Proposed Project, HUD established a new final rule on April 23, 2024 which, inter alia, revised HUD’s regulations governing floodplain management and FFRMS implementation. This includes providing a process for determining the extent of the FFRMS floodplain.⁵ The FFRMS floodplain is defined as areas designated as having an elevated flood risk during the anticipated life of the project based on a climate informed science approach (CISA).⁶ The rule establishes a preference for the use of CISA to determine the floodplain of concern for HUD-funded projects, when possible.⁷ The rule also states that when preparing an EIS, an analysis of sea level rise and other climate impacts utilizing and other climate risk tools will be required. Additionally, projects within the FFRMS floodplain are required to complete the 8-Step Process unless exempted under 24 CFR 55.12 or 55.13 or permitted to complete an abbreviated 5-step process under 24 CFR 55.14. The 8-Step Process is used to ensure HUD and responsible entities consider how their actions affect floodplains and/or wetlands. The rule also allows for public notices required for environmental reviews to be published online on appropriate

¹ Horton, R., D. Bader, Y. Kushnir, C. Little, R. Blake & C. Rosenzweig. 2015. New York City Panel on Climate Change 2015 Report Chapter 1: Climate Observations and Projections. Ann. N.Y. Acad. Sci. 1336: 18–35.doi: <https://doi.org/10.1111/nyas.12586> (with corrigendum).

² Horton, R., Bader, D., Kushnir, Y., Little, C., Blake, R. and Rosenzweig, C. (2015), New York City Panel on Climate Change 2015 Report Chapter 1: Climate Observations and Projections. Ann. N.Y. Acad. Sci., 1336: 18-35. <https://doi.org/10.1111/nyas.12586>

³ Horton, Radley, Little, Christopher, Gornitz, Vivien, Bader, Daniel, Oppenheimer, Michael. New York City Panel on Climate Change 2015 Report Chapter 2: Sea Level Rise and Coastal Storms. Ann. N.Y. Acad. Sci., 1336 (2015) 36-44. <https://www.nyc.gov/assets/planning/download/pdf/applicants/wrp/wrp-2016/nyc-wrp-appendixd.pdf>

⁴ The NPCC uses three time slices (the 2020s, 2050s, and 2080s) centered around a given decade. For example, the 2050s time slice refers to the period from 2040 to 2069. Thirty-year time slices are required for temperature and precipitation to minimize the effects of natural variability, which is largely unpredictable. For sea level rise, 10-year time slices are sufficient due to smaller natural variability. Projections for temperature and precipitation are relative to the 1971 to 2000 baseline period. Projections for sea level rise are relative to the 2000 to 2004 baseline period.

⁵ FR–6272–P–01 Floodplain Management and Protection of Wetlands; Minimum Property Standards for Flood Hazard Exposure; Building to the Federal Flood Risk Management Standard, <https://www.federalregister.gov/d/2024-06246>

⁶ CISA is defined as “The elevation and flood hazard area that result from using the best-available, actionable hydrologic and hydraulic data and methods that integrate current and future changes in flooding based on climate science.” <https://www.fema.gov/floodplain-management/intergovernmental/federal-flood-risk-management-standard>

⁷ “Federal Flood Risk Management Standard.” Content current as of September 5, 2024. https://www.hud.gov/program_offices/comm_planning/environment_energy/ffrms

government websites. Concurrent and in coordination with the EIS, the 8-Step Process is being implemented for the Proposed Project as portions of the Project Sites are determined to lie in the FFRMS floodplain.

In its role as RE, HPD, in consultation with other agencies and consistent with *Climate Resiliency Design Guidelines (CRDG) - Version 4.1*, issued by NYC Mayor's Office of Climate and Environmental Justice (May 2022), has identified a methodology for identifying the FFRMS floodplain and for determining the appropriate design flood elevation (DFE) to be used for the FFRMS floodplain for projects subject to FFRMS. The DFE is determined by adding 4 feet, 4 inches, to the base flood elevation (BFE) specified in the current Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRMs) or preliminary flood insurance rate maps (PFIRMs) (whichever is higher), for sites currently in the 100-year floodplain or the closest 100-year floodplain elevation for sites (such as the Project Sites) that are not currently in the 100-year floodplain. As the City has not identified future BFEs, sites that are at an elevation at or below the DFE identified under this method are determined to be in the FFRMS floodplain and as such HUD's April 23, 2024 final rule requires that newly constructed or substantially improved structures within this newly defined floodplain be elevated or floodproofed to this higher FFRMS floodplain elevation for protection.

For the EIS, the methodology will be applied to the Proposed Project's first-stage buildings, which are new Fulton 1 building and new Elliott-Chelsea 1 building; they are further identified in **Chapter 02.0** and are the same under the Rezoning Alternative, Non-Rezoning, and Midblock Bulk Alternative. As the methodology for defining the DFE, federal regulations, local laws, and/or the best-available actionable data likely will change in the coming years, at this time the DFE for later stages buildings is not identified. However, based on NPCC projections, it is likely that future DFE(s) will be higher than at present. In any event, the later stages buildings would be constructed to, at a minimum, meet the DFE flood protective design requirements applicable at the time.

Given the relationship between FFRMS and the WRP, particularly WRP Policy 6.2, in terms of planning to address future floodplain risks, this chapter integrates a discussion of the applicability of the FFRMS requirements in the WRP Policy 6.2 consistency assessments provided below to avoid repetition or a fragmentation.

Other Federal Regulations

As applicable, this chapter has also been prepared to provide determinations and compliance findings required for US Department of Housing and Urban Development (HUD)-assisted projects, per title 24 of the Code of Federal Regulations (CFR), part 58, including: Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 United States Code (USC) 4001-4128 and 42 USC 5154a]; Coastal Zone Management Act, sections 307(c) & (d); and Executive Order 11988, Floodplain Management, particularly section 2(a); 24 CFR part 55. In response to the federal Coastal Zone Management Act and other federal regulations, including those cited above, NY State and City established coastal zone management policies, including the state and local WRP. The Proposed Project must be assessed for its consistency with the WRP; this chapter includes the WRP consistency assessment and the NYC WRP Consistency Assessment Form is provided in **Appendix B.1**.

Other federal regulations that must be considered for HUD-assisted projects are not applicable to the Proposed Project under any of the development alternatives, including: 24 CFR part 51 subpart D (regarding Airport Hazards); Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]; and Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR part 658. The primary study areas are not located on or in close proximity to airports, coastal barriers, or farmland and the Proposed Project does not have the potential to affect these types of areas.

New York City Specific

Business Improvement Districts (BIDs)

A BID is an area where local commercial stakeholders oversee and fund the maintenance, improvement, and promotion of their commercial district. Their services can include street cleaning and maintenance, public safety and hospitality, marketing and events, capital improvements, beautification, advocacy, and business development. Each BID is run by a not-for-profit organization with a Board of Directors. BID programs and services are funded by a special assessment billed to non-residential property owners within a district. There is one BID located partly within the Fulton Houses primary study area and partly within the secondary study area and two BIDs located partly within the secondary study area.

34th Street Partnership Business Improvement District

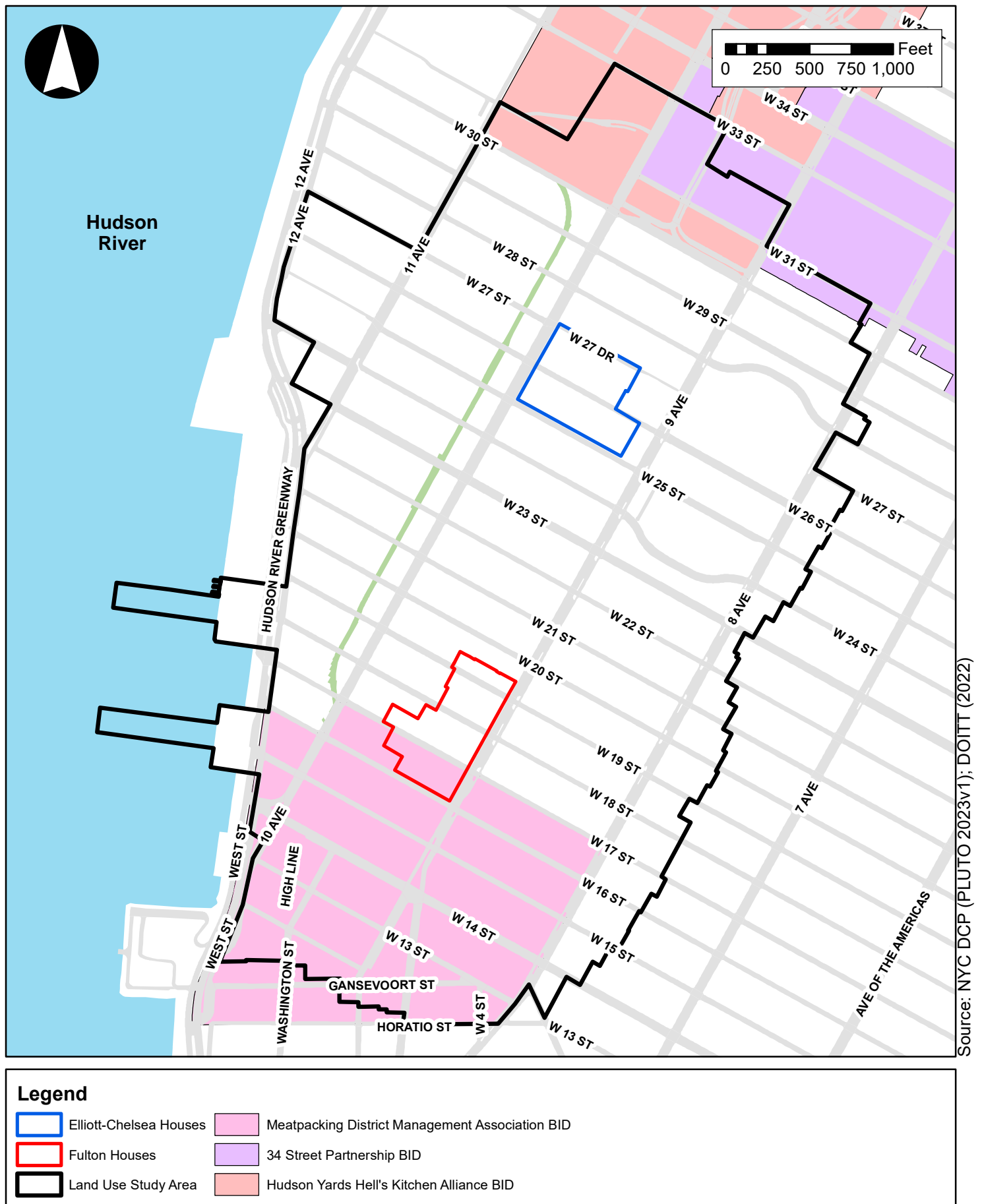
The 34th Street Partnership is a BID that was established in 1992. The BID's area is a 31-block area bound by W. 30th Street and W. 36th Street and ranging from 10th Avenue to Park Avenue. As shown in **Figure 05.01-3**, a small portion of the secondary study area encompasses the 34th Street Partnership on Blocks 729 and 754.

Hudson Yards Hell's Kitchen Alliance Business Improvement District

The Hudson Yards Hell's Kitchen Alliance is a BID that was established in 2013. The area of this BID is bound by W. 30th Street and W. 42nd Street and ranges from 9th Avenue to 11th Avenue. As shown in **Figure 05.01-3**, a small northern portion of the secondary study area encompasses the Hudson Yards Hell's Kitchen Alliance on Blocks 702 and 728.

Meatpacking District Management Association Business Improvement District

The Meatpacking District Management Association is a BID that was established in 2015, and since then has been serving businesses, residents, and visitors of the Meatpacking District. The area of this BID is bound by W. 17th Street to the north, 8th Avenue to the east, Horatio Street to the south, and West Street to the west. It operates a variety of programs such as community events and entertainment to street cleaning and tree planting. It also pays large attention to placemaking with its pedestrian oriented district plan, open streets program and newly developed open spaces along 9th Avenue. As shown in **Figure 05.01-3**, a large part of the secondary study area encompasses the Meatpacking District Management Association. Moreover, the southernmost block of the Fulton Houses on Block 714 is within this BID's boundaries.



Community Board 4 Chelsea 197-a Plan

Manhattan Community Board 4 (CB4) issued the Chelsea 197-a Plan “A Contextual Zoning Proposal to Create Housing Opportunities” and it was adopted by the City Council as modified by the CPC, on May 22, 1996. The purpose of this plan is to establish a framework that provides opportunities for the development, particularly of affordable housing, in ways that will preserve the existing community and reinforce its character.

The main goals highlighted in the 197-a Plan are: to provide for orderly growth and change; to provide opportunities for new, economically-integrated housing; to preserve 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.

The 197-a Plan suggests replacing commercial zoning districts with residential districts that would have specific commercial overlays. In the same manner, it encourages new residential construction on vacant lots and sites used for parking and establishes a goal of 30% affordable housing for new developments which can be mixed-income housing. This affordable housing percentage goal is similar to that contained in the Mandatory Inclusionary Housing (MIH) program subsequently adopted in 2016.

The 197-a Plan characterizes Chelsea as a mostly lower density Manhattan neighborhood, highlighting the prevalence of traditional low-rise architecture. The Plan also recognizes the scarcity of parks in Chelsea, emphasizing the importance of unobstructed views of the sky for its community and discourages the construction of taller buildings with walls 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.

OneNYC 2050: Building a Strong and Fair City

In April 2019, the City released *OneNYC 2050: Building a Strong and Fair City* (OneNYC 2050), a strategic plan for inclusive growth and climate action in New York City. Building upon its predecessor, *One New York: The Plan for a Strong and Just City* (OneNYC), OneNYC 2050 brings new attention to the fundamental link between climate action and inclusive growth with a focus on creating good-paying jobs, ensuring equitable access to natural resources, guaranteeing the right to quality healthcare and education, and promoting justice by recognizing and repairing the damage caused by historic oppression.

OneNYC 2050 includes progress since 2015, saluting the success of OneNYC’s growth, sustainability, resiliency, and equity initiatives. However, the plan emphasizes that there is still much to be done to address critical challenges like climate change, increasing housing unaffordability, and failing infrastructure. The plan’s eight goals lay the foundation for transformational change:

- **A Vibrant Democracy**, where every New Yorker is welcomed into the City’s civic and democratic life.

- **An Inclusive Economy**, where economic growth creates opportunities for New Yorkers and safeguards the American Dream.
- **Thriving Neighborhoods**, where all communities have safe, affordable housing and are well-served by parks, cultural resources, and other shared spaces.
- **Healthy Lives**, where health inequities based on race and ethnicity are eliminated, and all residents have equal access to health care, clean air, and healthy food.
- **Equity and Excellence in Education**, where diverse and fair schools provide a quality education for every student, and New York serves as a model for education children of all backgrounds.
- **A Livable Climate**, where we no longer rely on fossil fuels and have mitigated the risks posed by climate change.
- **Efficient Mobility**, where affordable, reliable, safe, and sustainable transportation options mean no New Yorker needs to rely on a car.
- **Modern Infrastructure**, where reliable physical and digital infrastructure allows New Yorkers to flourish.

OneNYC 2050 articulates a global perspective on the long-term needs of the City and how we must grow responsibly and sustainably while supporting the well-being of all New Yorkers. The plan is referred to as New York City's Green New Deal, and progress reports will be released yearly.

Where We Live NYC Plan

Through the *Where We Live NYC Plan*, the city has developed a plan to take bold, transformative action to break down barriers to opportunity and build more integrated, equitable, and inclusive neighborhoods throughout New York City. The plan recognizes that intentional policies and practices have created segregation and inequity across the country and in New York City, and that it will take concerted effort from all levels of government, as well as partners in the private and non-profit sectors, to undo legacies of segregation and inequity. The plan is separated into six key goals that will guide the city's work in advancing fair housing through 2025:

- Goal 1 – Combat persistent, complex discrimination with expanded resources and protections;
- Goal 2 – Facilitate equitable housing development in New York City and the region;
- Goal 3 – Preserve affordable housing and prevent displacement of long-standing residents;
- Goal 4 – Enable more effective use of rental assistance benefits, especially in amenity-rich neighborhoods;
- Goal 5 – Create more independent and integrated living options for people with disabilities;
- Goal 6 – Make equitable investments to address the neighborhood-based legacy of discrimination, segregation, and concentrated poverty.

NYCHA Sustainability Agenda

The *NYCHA Sustainability Agenda*, released in September 2021, identified five goals and initiated a release of annual progress reports to review the status of achieving the goals. The five goals include:

- Goal 1: Reduce greenhouse gas (GHG) emissions by 80 percent by 2050
- Goal 2: Cultivate healthy and resilient communities based on design excellence
- Goal 3: Empower residents through community activation and workforce development
- Goal 4: Ensure efficient building operations and resource management
- Goal 5: Leverage all funding and financing toward healthier and decarbonized buildings

Under Goal 5, the *NYCHA Sustainability Agenda* identifies “Bring in more funding through PACT” as one of the strategies for achieving the goal.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

On June 14, 2022, the Adams administration released *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, a comprehensive plan intended to cover the entire spectrum of New Yorkers’ housing needs and options, including City-subsidized affordable housing, public housing, private market-rate housing, and greater support programs for New Yorkers experiencing homelessness. The plan is the result of an extensive stakeholder input and community engagement process, which included direct engagement with New Yorkers who are experiencing or have experienced homelessness. The plan recommends:

- Significantly expand affordable homeownership opportunities and help communities build and maintain wealth;
- Accelerate the creation of supportive housing by completing the 15,000 supportive homes promised by 2030 two years ahead of schedule;
- Transform the New York City Housing Authority (NYCHA) by both delivering much-needed resources for repairs and improving and streamlining the services NYCHA provides residents and the processes by which they do so;
- Break down government silos so that the City’s multiple housing and homelessness agencies can better measure, track, and address homelessness through solutions that include key housing and social service components; and
- Help New Yorkers in shelters move into permanent housing and reducing the risk of return to shelter.

Existing Conditions

Land Use

Primary Study Area

As discussed in **Chapter 01.0**, and **Chapter 04.0**, the two primary study areas consist of the two separate public housing campuses owned and maintained by NYCHA: the Fulton Houses Project Site and the Elliott-Chelsea Houses Project Site. They are located approximately a ¼-mile from each other and are part of the Chelsea neighborhood of Manhattan’s Community District 4. Refer to **Chapters 01.0 and 04.0** for more information, in particular **Section C, “Project Sites”** of **Chapter 04.0**, including **Tables 04.0-1 and 04.0-2** and **Figures 04.0-1 and 04.02**, which provide detailed information about the primary study areas and are incorporated by reference. In summary, the primary study area includes 22 buildings, consisting of 17 residential buildings, one mixed

residential and community facility building, two community facility buildings, and two storage/maintenance garage buildings, ranging from 1 to 25 stories with the tallest building 232 feet tall. The existing uses include 2,056 NYCHA dwelling units (DUs), 56,859 gross square feet (gsf) of neighborhood center space, 10,300 gsf of daycare, and 95 accessory parking spaces.

Secondary Study Area

The secondary study area limits are described above in **Section A, “Introduction.”** Overall, it covers approximately 250 acres of lot area, excluding at-grade public rights-of-way and mapped parkland.

As the primary study areas includes parts of six blocks, the remaining portions of those blocks that are not part of the Fulton and Elliott-Chelsea Houses (FEC) primary study areas lie within the secondary study area. Land uses on the parts of Blocks 714, 715, 716, and 717 that are within the secondary study area, include: residential, mixed commercial residential, commercial/office, institutional with the San Jose Day Nursery on Block 717, transportation/utility occupied by Verizon Wireless, and a vacant lot at the west end of Block 715. Land uses on the parts of Blocks 723 and 724 that are within the secondary study area are residential with some mixed commercial-residential on Block 723, and institutional with Public School (PS) 33, the Chelsea Prep school, on Block 724.

For the secondary study area overall, predominant land uses are residential and commercial uses, reflecting a mixed-use condition found on most blocks. Other uses include public facilities and institutions, such as the General Theological Seminary occupying a portion of the block bound by W. 21st Street, 9th Avenue, W. 20th Street, and 10th Avenue; and transportation/utility uses, namely the US Postal Service Manhattan Vehicle Maintenance Facility at 201 11th Avenue. There is very little vacant land: it comprises only 11 of 1,138 lots equating to 4 percent of the total lot area in the secondary study area. Overall, on most blocks east of 10th Avenue and north of W. 16th Street, residential uses are more prevalent than commercial and other uses, though a few blocks are entirely or substantially occupied by public facilities and institutional uses, such as the Intermediate School 70 building on a midblock through-lot at 333 W. 18th Street, between 9th and 10th Avenues. West of 10th Avenue, on most blocks there is a more heterogeneous pattern distributed among commercial, residential, mixed commercial-residential buildings, and other uses.

There are also a few concentrated enclaves where a single use predominates. This includes a residential area between 8th and 10th Avenues and W. 16th and W. 28th Street, encompassing four major housing complexes (London Terrace, Penn South, Elliott-Chelsea Houses, and Fulton Houses). These are mostly multi-family residential uses, with some open spaces (tower-in-the-park configurations on the primary study areas and Penn South). One block south of the Elliott-Chelsea Houses is the London Terrace apartment complex, with its fourteen 17- to 19-story towers and approximately 1,700 DUs. The Penn South affordable housing cooperative, formally known as the Mutual Redevelopment Houses, is located directly east of the Elliott-Chelsea Houses. Covering most of the land on the blocks from W. 23rd to W. 29th Streets between 8th and 9th Avenues, Mutual Redevelopment Houses consists of ten, 22-story towers and a total of approximately 2,800 DUs. Besides these large residential developments, the secondary study area’s residentially concentrated blocks also include smaller scale residential buildings, including

those found in the Chelsea Historic District (refer to **Chapter 05.06, “Historic and Cultural Resources”**) located north of the Fulton Houses. These buildings include brick and brownstone rowhouses at 437 to 459 W. 24th Street that have 15-foot deep setbacks from the street, which is atypical for this area. Furthermore, there are also mixed commercial-residential buildings, including many of the newer apartment buildings along the High Line such as The Caledonia at 450 W. 17th Street and Ten23 at 500 W. 23rd Street.

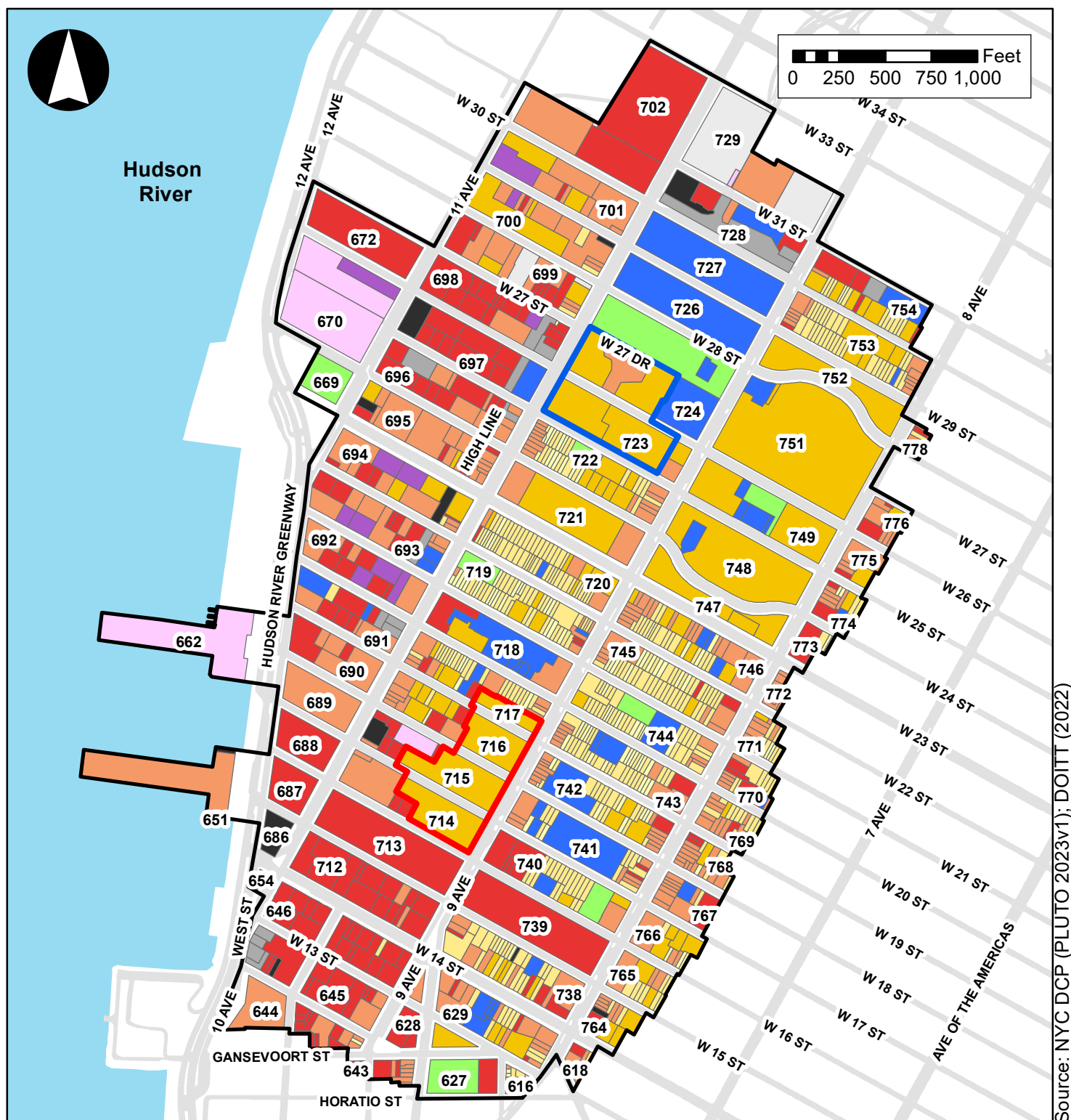
In partial contrast to the heavily residential character of many study area blocks, W. 23rd Street has a mixed land use pattern, with a high proportion of mixed commercial-residential and commercial only buildings. It is one of Chelsea’s main retail corridors extending almost continuously east from 10th Avenue.

Directly south of the Fulton Houses, the Meatpacking District and some nearby blocks have a land use character that is very distinct from the remainder of the primary and secondary study areas. It is predominantly comprised of commercial retail and office buildings, formerly occupied by industrial and manufacturing uses, along with a few mixed commercial-residential buildings and parking facilities. The two city blocks between W. 15th and W. 16th Streets from 10th to 8th Avenues are occupied by Chelsea Market west of 9th Avenue and Google offices east of 9th Avenue, which each encompass one full city block. There are no other major concentrations of commercial and office buildings in the study area, though there are individual buildings dispersed across various locations, including in the northwestern part of the study area, mostly on Blocks 672, 696, 697, 698, 702, and 729. Block 729 is partially occupied by the newly developed 2 Manhattan West, aka Two Manhattan West or 2MW (2 Manhattan West is used for consistency in subsequent references), an office building located at 401 W. 31st Street. This 60-story office building was completed in fall 2023 and is pending full occupancy: it is part of a larger development that covers the two-block area bound by W. 33rd Street, 9th Avenue, W. 31st Street, and 10th Avenue.

As shown in **Table 05.01-1** and represented graphically in **Figure 05.01-4**, residential-only land use accounts for 30 percent of the secondary study area’s total lot area, while mixed commercial-residential accounts for 22 percent of lot area. As such, 52 percent of lot area is occupied by uses that include residential units (130 acres of lot area and 903 lots). After residential and mixed commercial-residential, commercial/office use is the third largest land use in the secondary study area, representing approximately 21 percent of the total lot area (52 acres of lot area and 183 lots).









The next largest land use category by total lot area, transportation and utility, accounts for about 3 acres of lot area and 11 lots, which is about 9 percent of lot area, mostly located on Pier 59 (which is part of Chelsea Piers) for boat rentals, and between W. 24th and W. 26th Street on 11th Avenue for United States Postal Service, a full-block site, and NYC Department of Sanitation use, occupying part of a block.

Other smaller land use categories present in the secondary study area include public facilities and institutions and open spaces which respectively account for 44 lots and 8 lots (8.2 and 3.1 percent of the total lot area). The largest public facility in the area is the USPS Morgan Processing and Distribution Center which occupies two full city blocks north of Chelsea Park, between W. 28th and W. 30th Streets and 9th and 10th Avenues. There are also a range of public and private schools across the secondary study area. There are a number of open spaces throughout the secondary study area of varying sizes, such as the full-block Chelsea Park located directly north of the Elliott-



Source: NYC DCP (PLUTO 2023v1); DOITT (2022)

Legend

- | | | | | | | | |
|--|------------------------|---|---|---|--|--|-----------------------|
|  | Elliott-Chelsea Houses | Land Use |  | Commercial/Office Buildings |  | Parking Facilities | |
|  | Fulton Houses |  | One & Two Family Buildings |  | Industrial/Manufacturing |  | Vacant Land |
|  | Land Use Study Area |  | Multi-Family Walkup Buildings |  | Transportation/Utility |  | All Others or No Data |
|  | Block Number |  | Multi-Family Elevator Buildings |  | Public Facilities & Institutions | | |
| | |  | Mixed Commercial/Residential Buildings |  | Open Space | | |

Chelsea Houses and several smaller parks and playgrounds interspersed among neighborhood buildings such as Dr. Gertrude B. Kelly Playground, a midblock through lot with frontage on W. 16th and W. 17th Streets west of 9th Avenue, see **Chapter 05.04 “Open Space”**.

The other land uses present in the study area include industrial and manufacturing, parking facilities, and vacant lots, although all of these collectively occupy only about 18 acres with 38 lots (7 percent of the total lot area).

The current land use pattern has been shaped by trends that have been in progress for decades, characterized by an increase in residential, commercial/office, and mixed commercial-residential uses, replacing or adaptively reusing older buildings previously occupied by industrial, transportation/utility, and commercial uses (though typically not office or hotel). For example, the Google building at 111 8th Avenue was formerly a Port Authority facility, see **Chapter 05.06** and the recently completed Lantern House apartment building at 515 W. 18th Street replaced commercial/industrial buildings and a parking lot. The site historically was part of the W. 18th Street Gas Works located west of 10th Avenue, an indication of the area’s historic heavy industrial character, particularly west of 10th Avenue.

The land use patterns described above are reflected in land use data for the study area. As shown in **Figure 05.01-4**, the land use study area consists of Tax Blocks 616, 618, 627, 628, 629, 643, 644, 645, 646, 651, 654, 662, 669, 670, 672, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 751, 752, 753, 754, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, and 778. **Table 05.01-1** and **Figure 05.01-4** show the existing generalized land uses within the land use study area.

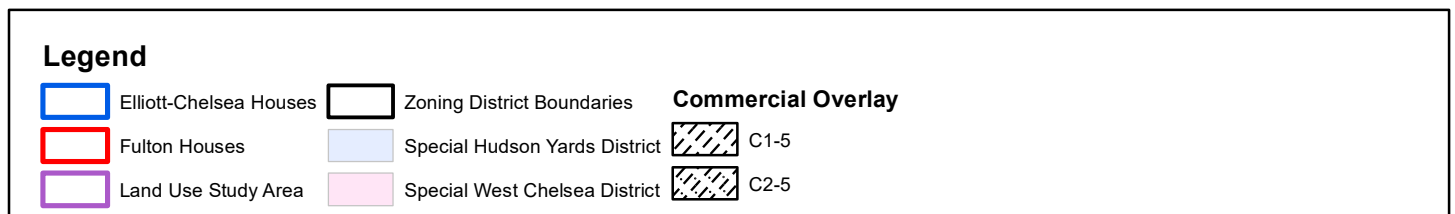
Additional information about building types including lot coverage, number of stories, and building arrangement is provided in **Chapter 05.07, “Urban Design and Visual Resources**. Also, **Chapter 05.02, “Socioeconomic Conditions,”** provides information on the area’s demographics, which notes that the study area’s housing stock includes a mix of owner-occupied housing, market-rate rentals, rent regulated units, affordable housing in mixed income buildings, Mitchell-Lama housing, and public housing. The information in those chapters is incorporated herein by reference.

Zoning

Primary Study Areas Zoning

Overview

The Fulton Houses Project Site is split into multiple zoning designations, mostly being R8, but the western portion includes a C6-3 district within the Special West Chelsea District (WCh), and the eastern portion of the blocks for 100 feet of depth includes a C2-5 overlay, see **Figure 05.01-5**. More specifically, the portion of Block 714 located within 375 feet of 9th Avenue, the portion of Block 715 located within 400 feet of 9th Avenue, and all portions on Blocks 716 and 717 are zoned R8, with the aforementioned C2-5 commercial overlay along 9th Avenue. The portion of Block 714 located 375 feet and further west from 9th Avenue and the portion of Block 715 located 400 feet and further west from 9th Avenue are zoned C6-3 and are in the WCh.



In addition, all zoning districts in the primary and secondary study areas allow residential uses that may be developed as UAP developments. Generally, UAP developments are developments in which the standard applicable residential floor area ratio (FAR) may be increased by approximately 20% (depending on the specific district and location of the proposed development relative to a “wide” street) if such, additional floor area is dedicated to DUs that are income-restricted and affordable to households earning 60 percent of the Area Median Income (AMI).⁸ Adopted as part of the recently approved City of Yes for Housing Opportunity (CHO) zoning text amendment, UAP replaces the former voluntary Inclusionary Housing (IH) program that applied to some areas of the City. Residential floor area that is affordable and/or income-restricted and provided in UAP developments is also defined in the ZR as qualifying affordable housing which, in addition to overall allowances for increased residential floor area, may allow for additional building height in certain districts. Generally, maximum FAR regulations for UAP developments are also applicable to developments that include certain amounts of floor area for qualifying senior housing. Bulk regulations for UAP developments are not applicable in MIH designated areas.

The Elliott-Chelsea Houses Project Site is entirely zoned R8 and does not lie within an MIH area.

As such, residential and certain community facility uses are allowed as-of-right throughout the primary study areas. Commercial uses are not allowed anywhere in the Elliott-Chelsea Houses Project Site, but in the Fulton Houses Project Site retail uses are allowed in building bases along the 9th Avenue corridor and a range of commercial uses are allowed at the western edge of the primary study areas on the southern two blocks bound by W. 19th and W. 17th Streets.

Table 05.01-1: Existing Land Uses within the Secondary Study Area¹

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential						
One & Two-Family Residential	110	9.3%	185,018 sf	1.7%	424,564 sf	1.2%
Multi-Family Walkup Buildings	387	32.7%	931,362 sf	8.5%	2,821,650 sf	7.7%
Multi-Family Elevator Buildings	100	8.5%	2,180,514 sf	20.0%	10,360,826 sf	28.9%
Mixed Commercial-Residential Buildings	306	25.9%	2,361,510 sf	21.7%	13,098,646 sf	35.6%
Commercial/Office Buildings	183	15.5%	2,253,852 sf	20.7%	4,177,968 sf	11.3%
Industrial/Manufacturing	11	0.9%	145,198 sf	1.3%	335,454 sf	0.9%
Transportation/Utility	7	0.6%	980,912 sf	9.0%	630,078 sf	1.7%
Public Facilities & Institutions	44	3.7%	897,331 sf	8.2%	4,454,099 sf	12.1%
Open Space	8	0.7%	341,658 sf	3.1%	103,264 sf	0.3%
Parking Facilities	16	1.4%	192,826 sf	1.8%	148,350 sf	0.4%
Vacant Land	11	0.9%	428,192 sf	3.9%	0 sf	0%
Total	1,183	100.0%	10,898,313 sf	100.0%	36,824,899 sf	100.0%

Note:

¹ Includes all lots fully or mostly within the secondary study area.

Source: NYC Map PLUTO (22v3.1) 2023

Regarding MIH areas, these are designations in the ZR text, as opposed to the Zoning Map, designed to preserve and promote affordable housing within neighborhoods where zoning has been

⁸ <https://www.nyc.gov/site/planning/plans/city-of-yes/city-of-yes-housing-opportunity.page>.

modified to encourage new development. MIH areas, first established in March 2016, mandate a share of new housing in medium- and high-density areas that are rezoned to promote segments of new housing production—whether rezoned as part of a city neighborhood plan or a private rezoning application—to be permanently affordable.⁹

City of Yes for Housing Opportunity (CHO)

In December 2024, the City Council adopted CHO, a citywide zoning text amendment advanced by DCP to expand opportunities for housing. These changes to the City’s ZR enable increased density for more housing and a wider variety of housing types, to address the housing shortage and high cost of housing in New York City.

There are many elements of the CHO zoning text amendment, but of relevance to the Proposed Project, in certain zoning districts, it permits increased residential density, i.e., increased maximum permitted FAR, and increased maximum permitted heights inclusive of mechanical bulkheads with the provision of permanently affordable housing.

Changes to the ZR that affect zoning in the primary and secondary study areas have been accounted for in the description of zoning in this chapter. Furthermore, the zoning effects under the Rezoning Alternative, Non-Rezoning Alternative (including a discussion of CHO), and Midblock Bulk Alternative, are addressed below.

Fulton Houses (Primary Study Area)

The Fulton Houses include a mix of original 1961 ZR map designations and later rezonings. The R8 and R8/C2-5 districts on Blocks 716 and 717 of Fulton Houses have been in place since 1961. Block 715 and the northern half of Block 714 were originally zoned R8 with a C2-5 commercial overlay mapped only to a depth of 100 feet from 9th Avenue. The remaining midblock portions of what is now the Fulton Houses on those two blocks were originally zoned M1-5. The portion of the Fulton Houses to the west remained zoned M1-5 at that time.¹⁰

In 2005, as part of a larger rezoning involving zoning map and text amendments, the portions of Block 714 and 715 located 375 feet and 400 feet west of 9th Avenue, respectively, were rezoned to C6-3 and made part of the newly established WCh.¹¹ The primary study area zoning has not changed since then.

More information on the WCh district is provided below in the discussion of the secondary study area.

Elliott-Chelsea (Primary Study Area)

The R8 zoning of the Elliott-Chelsea Houses has been in place since the adoption of the 1961 ZR.

⁹ <https://www.nyc.gov/site/planning/plans/mih/mandatory-inclusionary-housing.page>.

¹⁰ See CPC application no. 990453ZMM.

¹¹ See CPC application nos. 050162(A)ZMM and 050161(A)ZRM.

Figure 05.01-5 shows the zoning district and primary study area boundaries and **Table 05.01-2** lists and describes the zoning districts present in primary and second study areas. The table provides information about the maximum permitted FAR by use in each zoning district.

Table 05.01-2: Study Area Zoning Districts

District	Definition/General Use	Height & Setback ¹	Use Groups	FAR (max)	PSA	SSA
R8	General residence district mapped in higher density areas of the city with a wide range of building types. Often encompasses many adjacent blocks and thus has wide and narrow street rules. New buildings may be developed under either height factor (HF), standard residential (SR) or qualifying residential (QR) regulations	<u>Street wall</u> SR: 60'-85'/95' QR: 60'-105' <u>Max. Height</u> SR: 115'/135' QR: 145'/175' <u>Alternative bulk regulations for sky exposure plane building are also applicable. These allow street wall heights of 85', initial setbacks of 10'-15', and sky exposure planes of 2.7:1 and 5.6:1</u>	I, II, III(A), III(B), IV(B), IV(C)	SR: 6.02/7.20 QR: 7.20/8.64 C: 0.00 CF: 6.50 M: 0.00	Yes: FH & ECH	Yes
R8/C2-5	C2-5 is a local service district mapped in central areas of Manhattan along major avenues as an overlay on a residence district, to allow local retail and services on first 2 floors.	<u>Street wall</u> SR: 60'-85'/95' QR: 60'-105' <u>Max. Height</u> SR: 115'/135' QR: 145'/175' <u>Alternative bulk regulations for sky exposure plane building are also applicable. These allow street wall heights of 85', initial setbacks of 10'-15', and sky exposure planes of 2.7:1 and 5.6:1</u>	I, II, III(A), III(B), IV(A), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IX(A), IX(C), X	SR: 6.02/7.20 QR: 7.20/8.64 C: 2.00 CF: 6.50 M: 0.00	Yes: FH	Yes
R7B	General residence district that is a contextual medium density district designed to reflect the character and scale of older neighborhoods.	<u>Street wall</u> SR: 40'-65' QR: 40'-65' <u>Max. Height</u> SR: 75' QR: 95'	I, II, III(A), III(B), IV(B), IV(C)	SR: 3.00 QR: 3.90 C: 0.00 CF: 3.00 M: 0.00	-	Yes

District	Definition/General Use	Height & Setback ¹	Use Groups	FAR (max)	PSA	SSA
R7B/ C2-5	See R8/C2-5	<u>Street wall</u> SR: 40'-65' QR: 40'-65' <u>Max. Height</u> SR: 75' QR: 95'	I, II, III(A), III(B), IV(A), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IX(A), IX(C), X	SR: 3.00 QR: 3.90 C: 2.00 CF: 3.00 M: 0.00	-	Yes
R8A	General residence district that is a contextual, high-density district designed to produce buildings that preserve or establish a scale compatible with older, higher density buildings.	<u>Street wall</u> SR: 60'-85' QR: 60-105' <u>Max. Height</u> SR: 125' QR: 145'	I, II, III(A), III(B), IV(B), IV(C)	SR: 6.02 QR: 7.20 C: 0.00 CF: 6.50 M: 0.00	-	Yes
R8A/ C2-5	See R8/C2-5	<u>Street wall</u> SR: 60'-85' QR: 60-105' <u>Max. Height</u> SR: 125' QR: 145'	I, II, III(A), III(B), IV(A), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IX(A), IX(C), X	SR: 6.02 QR: 7.20 C: 2.00 CF: 6.50 M: 0.00	-	Yes
R8B	General residence district that is a contextual medium density district designed to produce buildings that preserve or establish a scale similar to older rowhouses and tenements.	<u>Street wall</u> SR: 55'-65' QR: 55'-85' <u>Max. Height</u> SR: 75' QR: 95'	I, II, III(A), III(B), IV(B), IV(C)	SR: 4.00 QR: 4.80 C: 0.00 CF: 4.00 M: 0.00	-	Yes
C1-6A	Local retail district that is a contextual commercial zoning district with a residential (R7A equivalent) character.	<u>Street wall</u> SR: 40'-75' QR: 40'-85' <u>Max Height</u> SR: 85' QR: 115'	I, II, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IX(A), X	SR: 4.00 QR: 5.01 C: 2.00 CF: 4.00 M: 0.00	-	Yes

District	Definition/General Use	Height & Setback ¹	Use Groups	FAR (max)	PSA	SSA
C2-7A	Local service district contextual commercial zoning district with a residential (R9A equivalent) character.	<u>Street wall</u> SR: 60'-95'/105' QR: 60'-135' <u>Max Height</u> SR: 135'/145' QR: 185'	I, II, III(A), III(B), IV(A), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IX(A), IX(C), X	SR: 7.52 QR: 9.02 C: 2.00 CF: 7.50 M: 0.00	-	Yes
C4-5	General commercial district usually comprised of major and secondary shopping centers and essential services generating considerable traffic. C4-5 is equivalent to a R7-2 district. New residential buildings may be developed under either height factor (HF), standard residential (SR) or qualifying residential (QR) regulations	<u>Street wall</u> SR: 40'-65'/75' QR: 40'-85' <u>Max Height</u> SR: 75'/85' QR: 105'/115' <u>Alternative bulk regulations for sky exposure plane building are also applicable. These allow street wall heights of 85', initial setbacks of 10'-15', and sky exposure planes of 2.7:1 and 5.6:1</u>	II I, III(A), III(B), IV(B), IV(C) V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C), -12 (C)	SR: 3.44 QR: 5.01 C: 3.40 CF: 6.50 M: 3.40	-	Yes
C6-2 (WCh)	General central commercial district that has high-bulk commercial uses but do not generate a large volume of trucking, with special WCh regulations that vary across designated subarea, which include Subareas E, F, & G.	<u>Street wall:</u> <u>Subarea E:</u> 60'-105' <u>Subarea F:</u> 60'-80' <u>Subarea G:</u> 60'-95' (narrow street); 105'-120' (wide street) <u>Max Height:</u> <u>Subarea E:</u> 120' <u>Subarea F:</u> 80' <u>Subarea G:</u> 95' (narrow street); 120' (wide street)	II I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C)	Subarea E: 6.0 Subarea F: 5.0 (except QR: 6.0) Subarea G: 6.0 (As applicable, maximum FAR includes bonuses)	-	Yes

District	Definition/General Use	Height & Setback ¹	Use Groups	FAR (max)	PSA	SSA
C6-2A	Similar to C6-2, but it is equivalent to a contextual R8A district for bulk.	<u>Street wall:</u> SR: 60'-85' QR: 60'-105' <u>Max Height:</u> SR: 125' QR: 145'	II I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C)	SR: 6.02 QR: 7.20 C: 6.00 CF: 6.50 M: 0.00	-	Yes
C6-3 (WCh)	General central commercial district that includes headquarters, hotels, stores, entertainment; with special WCh regulations that vary across designated subareas, which include Subareas B, C, D, & I.	<u>Street wall:</u> Subarea B: 60'-105' Subarea C: 60'-110' (narrow); 105'-125' (10 Av); 125'-145' (11 Av) Subarea D: 60'-95' Subarea I*: 60'-85'/105' <u>Max Height:</u> Subarea B: 145' Subarea C: 110' (narrow), 125' (10 Av), 145' (11 Av) Subarea D: 250' Subarea I*: 120'/135' Lower number for Subarea I applies within 300' of 10th Avenue between W. 16th St. & W. 17th St.	II I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C)	Subarea B, C, D, I: 7.5 (Maximum FAR includes bonuses and developments providing qualifying affordable housing)	Yes (FH)	Yes
C6-3A	Similar to C6-3, but it is equivalent to a contextual R9A district for bulk. C6-3A is equivalent to a contextual R9A district.	<u>Street wall:</u> SR: 60'-95'/105' QR: 60'-135' <u>Max Height:</u> SR: 135'-145' QR: 185'	II I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C)	SR: 7.52 QR: 9.02 C: 6.00 CF: 7.50 M: 0.00	-	Yes

District	Definition/General Use	Height & Setback ¹	Use Groups	FAR (max)	PSA	SSA
C6-3X	Similar to C6-3, but it is equivalent to a contextual R9X district for bulk. C6-3 is equivalent to a contextual R9X district.	<u>Street wall:</u> SR: 60'/105'-125' QR: 60'/105'-155' <u>Max Height:</u> SR: 165'/175' RQ: 215'	II I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C)	SR: 9.00 QR: 10.80 C: 6.00 CF: 9.00 M: 0.00	-	Yes
C6-4 (WCh)	General central commercial district that are high bulk, usually mapped over major business districts with similar facilities to C6-3. C6-4 (WCh) is subject to special regulations, which coincide with those for Subarea H.	<u>Street wall:</u> 60'-85' <u>Max Height:</u> 290'-390'	II I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C)	10.0 (Maximum FAR includes bonuses)	-	Yes
C6-4 (HY)	Similar to a general C6-4 district, but with HY special regulations; Subareas A1, B1 and B2 are in study area.	<u>Special rules apply</u>	II I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C) X, IX, IX(A), IX(C),	Subarea A1 SR: 3.00 QR: 3.60 C: 9.00 CF: 2.00 Total: 11.0 Subareas B1, B2 R: 6.0 C: 21.6 CF: 2.0 Special rules apply	-	Yes

District	Definition/General Use	Height & Setback ¹	Use Groups	FAR (max)	PSA	SSA
M1-5	They are mainly mapped in Manhattan, typically in historically industrial areas. These light manufacturing districts (with high performance) are usually adjacent to residential and commercial districts.	<u>Street wall:</u> 0'-85' <u>Max Height:</u> HF: sky exposure plane, 2.7:1 (narrow street), 5.6:1 (wide street)	I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C), IX (A), IX(C), X,	SR/QR: 0.00 CF: 6.5 C: 5.00 M: 5.00	-	Yes
M2-4	Medium manufacturing district (medium performance). Normally not close to residential districts and no new residences or community facilities are permitted.	<u>Street wall:</u> 0'-85' <u>Max Height:</u> HF: sky exposure plane, 2.7:1 (narrow street), 5.6:1 (wide street)	I, III(A), III(B), IV(B), IV(C), V, VI (retail), VI (service), VII, VIII, IV(A), IV(B), IV(C), IX (A), IX(C), X	SR/QR: 0.00 CF: 0.00 C: 0.00 M: 5.00	-	Yes

Notes:

Parking is not required for these zoning districts in the Manhattan Core, where maximum permitted parking is 0.2 spaces per DU and 1 space per 4,000 sf of floor area of non-residential area.

¹ Pursuant to ZR Section 23-06, established as part of the CHO zoning text amendments, on #zoning lots# where demolition or disposition is subject to approval from the US Department of Housing and Urban Development (HUD) under section 18 of the Housing Act of 1937, where the height of any existing building containing residences exceeds the permitted heights for standard residences (SR), the height factor (HF) and other regulations for sky exposure plane buildings set forth in Section 23-73 shall apply.

Sources:

NYC Zoning Resolution; table provides a generalized summary, refer to ZR for full details

Abbreviations:

PSA: primary study areas; SSA: secondary study area; FH: Fulton Houses; ECH: Elliott-Chelsea Houses; SR: standard residential; QR: qualifying affordable, i.e., UAP, or senior housing; for SR & QR – where two values are provided, the higher number applies to zoning lots or portions thereof within 100 feet of a wide street; C: commercial; CF: community facility; M: manufacturing; QGF: qualifying ground floor. Refer to ZR 12-10 for definitions, WCh: Special West Chelsea District, HY: special Hudson Yards District.

Secondary Study Area Zoning

The secondary study area has a variety of residential, commercial, and manufacturing districts and special districts in some areas.

The residential zoning districts in the secondary study area consist of R8, R8/C2-5, R7B, R7B/C2-5, R8A, R8A/C2-5, and R8B districts. The residential zoning districts are scattered across the secondary study area, but mainly located between 8th and 10th Avenues. As mentioned in the preceding Land Use portion of this chapter, Chelsea has various types of residential buildings and many blocks along 9th and 10th Avenues have commercial overlays.

The commercial zoning districts consist of C1-6A, C2-7A, C4-5, C6-2, C6-2A, C6-3, C6-3A, C6-3X, C6-4 districts. The commercial zoning districts are found throughout the secondary study area, often alongside residential districts east of 10th Avenue, as well as between 10th and 11th Avenues. Most of the C6-3 and C6-4 districts presented here are high density commercial districts meaning that they are intended for commercial areas that serve a larger region.

Additionally, the manufacturing zoning districts consist of M1-5 and M2-4 districts. Most of the Meatpacking District has an M1-5 manufacturing zoning district. The other manufacturing districts are mostly found between 10th and 11th Avenues, with commercial zoning districts around them. These are intended for areas with light industries which are mostly comprised of self-storage and city-owned facilities.

The secondary study area also overlaps with two distinct special zoning districts: the Special West Chelsea District and the Special Hudson Yards District, discussed in more detail below.

Special West Chelsea District (WCh)

As noted above in the description of the WCh, the western parts of the southern two blocks of the Fulton Houses, i.e., the blocks between W. 16th and W. 18th Streets, lie within the WCh. The WCh as originally adopted in 2005 also encompassed the blocks bound by W. 30th Street, 10th Avenue, W. 17th Street, and 11th Avenue. The City created the special district in coordination with plans to convert the High Line from an abandoned elevated freight rail viaduct into an elevated public park. Objectives included providing opportunities for new residential and commercial development, supporting the High Line open space, and preserving certain existing uses such as commercial art galleries. The special district is discussed further in the description of zoning in the secondary study area.

Since its establishment in 2005, the WCh has expanded three times, including first adding the block located south of the Fulton Houses (Block 713) (see CPC application no. 120143ZMM), then adding a portion of the block south of the previous expansion (Block 712) (see CPC application no. 150101ZMM), and most recently adding two blocks bound by W. 28th and W. 26th Streets and 11th and 12th Avenues (see CPC application no. 210408ZMM).

To achieve its objectives, the WCh provides a regulatory framework for the continued development of a dynamic mixed residential-commercial area along the High Line. The regulations are set around different sub areas in order to facilitate the enjoyment of the High Line. Some regulations include floor area bonuses related to access and open space development. The 2005 rezoning also established several IH areas within the special district. As described above, in 2024 the IH program was replaced by the UAP program, which applies to all medium and high density zoning districts permitting residential uses.

Special Hudson Yards District

The Special Hudson Yards District was established in 2005 and it is an area generally bound by 8th and 12th Avenues and W. 30th and W. 41st Streets. The goals of the special district include, among others, to facilitate and guide the development of an environmentally beneficial, transit-oriented business and residence district by facilitating the development of the Hudson Yards area including construction of a platform and new buildings above the sunken railyards in the area,

coordinating high density development with expanded mass transit facilities, improved pedestrian circulation and avoidance of conflicts with vehicular traffic, and provide an open space network.

Public Policy

Refer to the description of public policies in the “Regulatory Context” subsection above for a description of applicable public policies considered in this EIS.

E. ENVIRONMENTAL EFFECTS

Alternative 1 – No-Action Alternative

Land Use

Primary Study Areas

Under the No-Action Alternative, the primary study areas would maintain their existing land uses; refer to **Chapter 02.0**, for details. A summary of existing condition is also provided above in **Section D, “Affected Environment,”** specifically under the subheading “Existing Conditions.”

Secondary Study Area

Existing land use patterns and trends are anticipated to continue in the surrounding area. At the time this EIS is being prepared, there are nine known developments to be completed before 2041. These anticipated developments are summarized in **Table 05.01-3** and shown graphically in **Figure 05.01-6**. This reflects a snapshot-in-time of development that is expected to be completed in the secondary study area by 2041.

Under the No-Action Alternative, it is anticipated that these nine known developments would include 1,317 DUs, 642,261 gsf of retail space (of which 147,809 gsf is local retail space, 20,121 gsf is supermarket, and 474,331 gsf is destination retail space), 2,045,166 gsf of commercial office space, 340 hotel rooms, 318,830 gsf of community facility space, 143,485 gsf of industrial space, and 58 parking spaces.

Among the land use study area developments to be completed under the No-Action Alternative, several notable projects are briefly discussed herein.

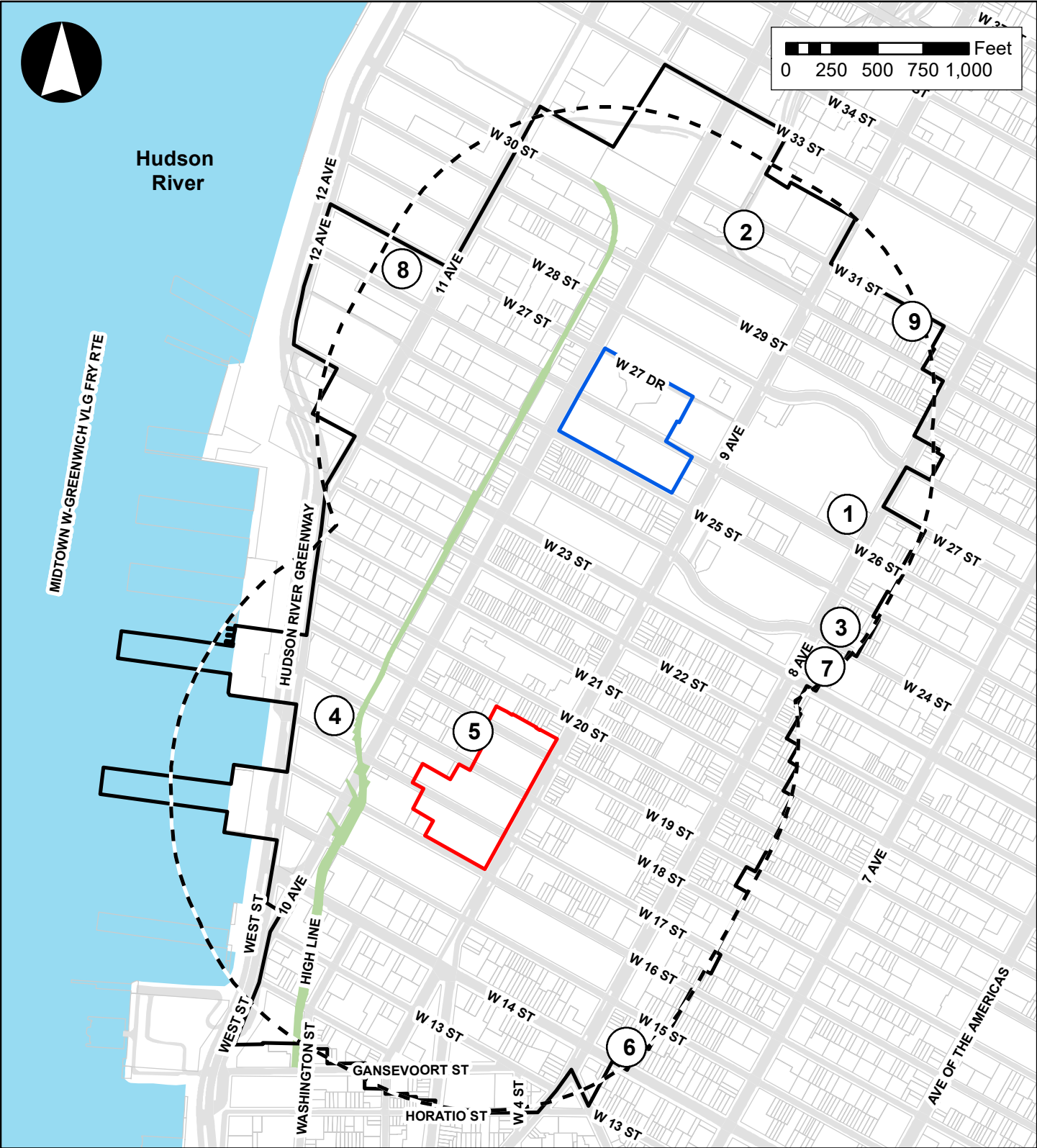
335 8th Avenue

335 8th Avenue is an approximately 134,085-gsf project neighboring the Penn South apartment complex, on 8th Avenue, between W. 26th and W. 28th Streets (Block 751, Lot 1). This will be a 7-story mixed commercial-residential building with 188 DUs and 23,000 square feet of retail use, with a supermarket expected. As part of the Penn South complex, this redeveloped building will offer affordable housing for low-income and middle-income residents. The construction is ongoing, and the anticipated build year is 2025.

Table 05.01-3: No-Action Developments within a ¼-Mile of the Project Sites (Residential and Non-Residential)

Map No.	Location	DUs	Retail (sf) ^a	Commercial Office (sf)	Hotel Rooms	Gym/ Health Club (sf)	Community Facility (sf)	Industrial (sf)	Parking Spaces	# of Floors	Build Year
1	335 8th Av	188	Supermarket: 20,121	-	-	-	Medical Office 1,197	-	-	7	2025
2	432 W 31 st St	0	-	-	220	-	-	-	-	25	2041 ^b
3	280 8 th Av	104	12,801	-	-	-	Community Center 1,104	-	-	12	2025
4	76 11th Av	236	81,008	-	120	-	-	-	58	26/36	2024 ^c
5	428 W 19th St	32	-	-	-	-	-	-	-	11	2024
6	251 W 14th St	25	-	-	-	-	Community Center 576	-	-	11	2024
7	278 8th Av	190	Local: 8,000 Destination 25,000	-	-	-		-	-	14	2024
8	601 W 26th St (Starrett-Lehigh and Terminal Warehouse Building)	-	Local: 43,000 Destination: 446,331	2,045,166	-	-	Community Center: 267,799 Medical Office: 29,756	143,485	0	Starrett-Lehigh: 11- to 19-stories Terminal Warehouse: 7- to 9-stories	2024
9	Penn Station Site 1A	542	6,000	-	-	-	Medical Office 18,398	-	0	N/A	2033
Total		1,317	Local retail 147,809 Destination retail 474,331 Super-market 20,121	2,045,166	340	-	Community Center 269,479 Medical Office 49,351	143,485	58	-	-

Note:^a Local retail unless otherwise specified.^b Build year unavailable; 2041 indicated for conservative analysis purposes.^c Preparation of analyses, including data collection and use of data from other sources, in this EIS occurred primarily during 2024; developments with 2024 build years indicate projects that were not yet completed as EIS analysis was underway and therefore are accounted for as No-Action developments. As such, this ensures that these developments are accounted for in the No-Action Alternative which is the baseline against which the effects of the Proposed Project alternatives are considered.



Legend

Fulton Houses

Elliott-Chelsea Houses

1/4-Mile Radius

Land Use Study Area

1

No-Build Development Sites

Source: NYC DCP (PLUTO 2024v1); DOITT (2022)

278 8th Avenue

278 8th Avenue is an approximately 218,983-gsf project also adjacent to the Penn South apartment complex, but located further south on 8th Avenue, between W. 23rd and W. 24th Streets (Block 773, Lot 1). It will be a 14-story mixed commercial-residential development, with 190 DUs and 33,000 gsf of retail use. The anticipated build year is 2024; see note c in **Table 05.01-3** regarding 2024 completed projects.

428 W. 19th Street

428 W.19th Street is an approximately 56,327-gsf project located on a privately-owned parcel on one of the same blocks as the Fulton Houses (Block 716, Lot 52). It will be an 11-story residential building with 32 DUs. The anticipated build year is 2024.

76 11th Avenue

76 11th Avenue is an approximately 908,240-gsf project located an avenue west of the Fulton Houses, at the intersection of 11th Avenue and W. 17th Street (Block 689, Lot 17). The project includes a 26-story and a 36-story tower and is near the Hudson River. The complex consists of 236 DUs, 120 hotel rooms, 81,008 gsf of retail use, and 58 parking spaces. The build year is 2024.

Penn Station Site 1A

Penn Station Site 1A is a development site associated with Pennsylvania Station Area Civic and Land Use Improvement Project, an initiative of Empire State Development. It is located on the south side of the W. 31st Street midblock between 8th and 9th Avenues. This 275-foot-tall development would include 542 DUs, 6,000 gsf of local retail, and 18,398 gsf of medical office space. The anticipated build year is 2033.

Zoning

Primary Study Areas

Under the No-Action Alternative, no zoning map changes would occur in the primary study areas.

Secondary Study Area

There is currently one planned zoning change in the secondary study area. DCP is advancing the Midtown South Mixed-use Plan, which involves zoning map and text amendments to “to nurture a more vibrant, mixed-use neighborhood, create opportunities for new housing through both ground-up development and conversions, support critical commercial activity and job growth, stabilize the commercial real estate market in the wake of the COVID-19 pandemic and shifting work patterns, and reflect the historic architectural legacy and industrial character of the neighborhood.” It would affect an approximately 127-acre area consisting of all or parts of 42 blocks of the Midtown South neighborhood. While most of this area lies outside the secondary study area, there are four tax lots located on the western end of the block bound by W. 29th Street, 7th Avenue, W. 28th Street, and 8th Avenue that would be rezoned under this proposal that are

located within the secondary study area. As currently proposed, these four lots would be rezoned from M1-6D to a new zoning district, M1-8/R10 and would be part of a newly established Special Midtown South Mixed-Use District, with a proposed maximum FAR of 12.0 for permitted residential, commercial, manufacturing, and community facility uses. DCP issued a Draft Scope of Work for an EIS for this plan on March 19, 2024.¹² On January 21, 2025, the CPC certified this application and it entered public review under ULURP, which typically is a seven-month process. Additional information on this application, if available, will be provided in the Final EIS (FEIS).

Apart from this proposal, for analysis purposes it is anticipated that the existing zoning in the secondary study area would remain in place under the No-Action Alternative. Any future zoning changes would require discretionary land use approvals and, as applicable, would be subject to their own environmental reviews.

Public Policy

There are no anticipated changes to public policy in the primary or secondary study areas under the No-Action Alternative.

It is anticipated that NYCHA would seek to address the goals of the *NYCHA Sustainability Agenda* as they apply to the primary study areas in the No-Action Alternative but NYCHA's ability to deliver healthier and decarbonized buildings is limited by budgetary constraints.

Alternative 2 – Rezoning Alternative and Alternative 4 – Midblock Bulk Alternative

Land Use

Primary Study Areas

Refer to **Chapter 2.0**, for a description of land use in the primary study areas (Project Sites) under the Rezoning Alternative and the Midblock Bulk Alternative. In summary, the incremental (net) change resulting from the Rezoning Alternative and Midblock Bulk Alternative would be an increase of 3,454 DUs, consisting of 1,038 MIH permanently affordable DUs and 2,416 market-rate DUs, 87,223 gsf of community facility neighborhood center, 7,685 gsf of daycare, 13,785 gsf of medical office related uses, 28,784 gsf of local retail, 17,580 gsf of supermarket, and one accessory parking space, with a total building area increase of approximately 3.2 million gsf across the Project Sites. The number of new Section 8 Project-Based Voucher (PBV) DUs for existing NYCHA FEC residents in new buildings across the Project Sites would be 2,056 DUs, the same number of NYCHA DUs that exist currently.

Assessment

In its guidance on impact determinations for land use, the *CTM* advises that many land use changes may be significant, but not adverse and that it is rare that a proposed project would have land use

¹² *Midtown South Mixed-Use Plan: Draft Scope of Work for an Environmental Impact Statement*. March 19, 2024. <https://zap-api-production.herokuapp.com/document/artifact/01QY2C5KKTHPNBA7DUVNAJSZLGMUIOD2R4>.

impacts in the absence of impacts in other technical areas; however, the potential to create significant impacts in other technical areas should not necessarily be confused with a land use impact. As such, a determination of significant adverse land use impacts (as opposed to significant adverse impacts on other technical areas as a consequence of a land use change) are uncommon.

In the primary study areas, under either of these alternatives existing uses, multi-family elevator residential and community facilities uses would remain and be expanded (in replacement buildings), and commercial uses, in the form of local retail, would be introduced. As local retail is a use that is supportive of and complementary to urban residential uses, this would be a compatible land use.

In addition, under the Rezoning and Midblock Bulk Alternatives, the Proposed Project would provide a similar mix of mid- to high-rise residential buildings with surrounding accessory open spaces, which is consistent with the existing conditions and 2041 No-Action Alternative. While the quantity and arrangement of the accessory open spaces would change in the Rezoning and Midblock Bulk Alternatives (refer to **Chapter 05.04**), the accessory open spaces would continue to surround the residential buildings and balance the buildings, thus providing a similar mix of land uses as currently exists today.

Accordingly, the Rezoning Alternative and the Midblock Bulk Alternative would not result in significant adverse land use impacts in the primary study areas.

Secondary Study Area

As noted above in the descriptions of **Section D**, and the No-Action Alternative (in **Section E**), the secondary study area, similar to many nearby parts of Manhattan, has been experiencing a trend of changing land uses that are expected to continue in the future. No additional changes to land use are anticipated within the ¼-mile study area because of the Rezoning Alternative and Midblock Bulk Alternative, as ongoing trends would be expected to continue with or without the Proposed Project.

Assessment

The Rezoning Alternative and the Midblock Bulk Alternative would be compatible with and would reinforce existing patterns and trends of mixed-use and mixed-income development in the secondary study area. This would be achieved by increasing density in a form of “infill” development that reduces the “tower-in-the-park” character of the primary study areas to a condition that results in more contextual buildings with street walls built to the street line. This development typology would be more similar to the existing conditions in most of the secondary study area. This pattern of accessory open spaces interspersed among buildings would reflect a condition similar to what is found in some other parts of the secondary study area, such as Dr. Gertrude B. Kelly Playground (see **Figure 05.01-4**).

The primary study areas are representative examples of post-war Modernist urban renewal architecture, in which wide-scale clearance of older buildings resulted in the development of single-use buildings set back from and not oriented toward the public sidewalk or street line. In New York City and elsewhere, this development typology is no longer favored. Instead, the

traditional street wall, higher lot coverage, and mixed-use character of pre-war development, championed most famously by Jane Jacobs, is now widely considered a desirable form of urban development.

While this built form itself is no longer favored, the preservation of existing affordable housing on these sites remains a high priority. This focus on affordability, along with emphasis on maintaining economically diverse neighborhoods, is reflected by the Rezoning Alternative and the Midblock Bulk Alternative. These alternatives would replace all existing NYCHA DUs with Section 8 PBV DUs that would be set aside for existing NYCHA FEC residents, while also creating new mixed-income housing in mixed-use buildings primarily located at adjacent street lines that would activate the public sidewalk with ground floor commercial and community facility uses. Compared to the No-Action Alternative, with its absence of retail uses and lesser amount of community facility uses, the Rezoning Alternative and the Midblock Bulk Alternative would provide conditions that are more compatible with the storefront blocks found in many parts of Chelsea.

The Rezoning Alternative and the Midblock Bulk Alternative, with their mixture of uses and incomes and orientation of buildings toward the public sidewalk and street, would contribute to and better reflect the contemporary development patterns that are prevalent in most of the secondary study area. While the arrangement of bulk on the Fulton Houses Project Site would differ in terms of where the tallest buildings would be located, i.e., facing 9th Avenue under the Rezoning Alternative or facing midblock cross-streets away from 9th Avenue under the Midblock Bulk Alternative, the effects of the proposed uses would be substantially the same as they would have the same development program and a very similar range of building heights. (Refer to **Chapter 05.07**, which further assesses the urban design characteristics of the Rezoning Alternative and the Midblock Bulk Alternative.) In addition, as noted above, under both alternatives, there would be on-site accessory open space, which would serve building residents and contribute to the varied land use pattern of the neighborhood in a manner akin to both traditional, i.e., pre-mid-20th century, and recent development.

The increased density facilitated by the Rezoning Alternative and the Midblock Bulk Alternative would represent a notable change to the primary study areas, but would be compatible with the secondary study area with its wide range of building heights and densities. The secondary study area includes a number of existing and planned high-rise buildings, including several residential and mixed-use buildings, such as those along the High Line, 8th Avenue, and in Hudson Yards. It also includes high density development, such as the 17- to 19-story London Terrace apartment complex, which has a built FAR of approximately 14.6 and the new 10.0-FAR mixed-use building built at 76 11th Avenue.

The Rezoning Alternative and Midblock Bulk Alternative would be in an area with a well-developed urban fabric of local businesses and services that encourage travel by foot. It is very well served by public transit, including multiple subway lines and stations, bus routes, and an expanding bicycle route network. The Rezoning Alternative and the Midblock Bulk Alternative would be supported by and supportive of the extensive transit infrastructure serving the area and its pedestrian-oriented land use patterns, **see Chapter 05.13 “Transportation.”**

As such, the Rezoning Alternative and the Midblock Bulk Alternative would not result in significant adverse impacts to land use in the secondary study area.

Zoning

Primary Study Areas

As discussed in **Chapter 02.0**, a number of land use actions would be necessary to facilitate the Rezoning Alternative or the Midblock Bulk Alternative, as these alternatives would not be permitted as-of-right under current applicable zoning. These changes are expected to include:

- (a) **Zoning Map Amendment.** This would consist of mapping new underlying zoning districts that would allow the proposed density, by permitting a maximum FAR of 12.0 within 100 feet of avenues and 8.0 along midblocks beyond 100 feet of avenues. It would also include commercial overlay zoning to permit proposed commercial uses in buildings bases along avenue corridors and extending 100 feet into the blocks (there are currently no commercial overlays on the Elliott-Chelsea Project Site). It is expected the zoning map amendment would be the same for both the Rezoning Alternative and the Midblock Bulk Alternative.
- (b) **Zoning Text Amendment.** This would designate the Projects Sites as MIH Areas. The zoning text amendment approval also would remove the WCh designation from the portion of the Project Site located within the special district. These zoning text amendments would be the same for the Rezoning Alternative and the Midblock Bulk Alternative.
- (c) **Large Scale General Development (LSGD) Special Permit(s).** This would consist of approval of one or more LSGD special permits to facilitate the proposed building massings by allowing for, as necessary, distribution of floor area without regard to zoning lot lines or district boundaries and location of buildings without regard for the applicable yard, court, distance between buildings or height and setback regulations. The specific details of the LSGD special permit(s) would differ in terms of the arrangement of bulk on the Fulton Houses Project Site under the Rezoning Alternative and the Midblock Bulk Alternative, but qualitatively they would be similar in that they would involve the same overall density and similar overall building heights. The underlying zoning regulations would apply except as modified by the LSGD special permit to waive certain bulk requirements.

The effects of the Rezoning Alternative and the Midblock Bulk Alternative in terms of zoning would include changes to permitted use, density, height and setback, and designation of MIH areas as compared to the No-Action Alternative.

Use

As discussed above under **Section D**, and shown in **Figure 05.01-5**, most of the Fulton Houses Project Site is zoned R8, with a C2-5 commercial overlay along the 9th Avenue corridor, and the western edges of Blocks 714 and 715 are zoned C6-3 (WCh). As such, residential and community facility uses are allowed as-of-right throughout the Fulton Houses Project Site, with ground floor retail uses allowed along 9th Avenue and a wider range of commercial uses are allowed in C6-3 (WCh) district at the western periphery. With the Rezoning Alternative and Midblock Bulk Alternative, the residential and community facility uses currently permitted under the existing zoning district on site would continue to be allowed throughout the Fulton Houses Project Site and that ground floor retail uses would continue to be permitted along 9th Avenue. It is also possible that the rezoning may introduce additional commercial overlays in areas that are currently zoned residential. Such a change would be consistent with the intended continued use of the primary

study areas as predominantly residential, with some supporting ground-floor commercial and community facility uses in building bases.

The Elliott-Chelsea Houses are currently mapped entirely as R8. Residential and community facility uses are allowed as-of-right and commercial uses are not allowed. The Rezoning Alternative and Midblock Bulk Alternative would add a commercial overlay along 10th Avenue, which would allow ground floor retail uses along the 10th Avenue corridor.

Under the Rezoning Alternative and the Midblock Bulk Alternative, residential and community facility uses would continue to be permitted throughout the primary study areas and ground floor retail uses would continue to be permitted along 9th Avenue in the Fulton Houses Project Site. Ground floor retail uses, which are currently not allowed in the Elliott-Chelsea Houses Project Site, would be permitted along 10th Avenue.

Density

As discussed above under **Section D**, including **Table 05.01-2**, R8 zoning districts, which are mapped on most of the Fulton Houses primary study area and Elliott-Chelsea Houses primary study area, have variable maximum permitted residential FARs, depending on the type of residential building and the zoning lots (or portions thereof) location relative to street types. For standard residences, the maximum FAR is 6.02 and 7.20, on narrow and wide streets, respectively. For qualify affordable or senior housing, the maximum FAR is 7.20 and 8.64, on narrow and wide streets, respectively. With the Rezoning Alternative and the Midblock Bulk Alternative, the primary study areas are anticipated to have a maximum permitted residential FAR of 12.0 within 100 feet of avenues and 8.0 FAR in midblocks beyond 100 feet of avenues. Given that the Project Sites are substantially under built relative to the currently permitted maximum residential density, the overall built FAR of the Project Sites would increase by approximately 5 from approximately 3.5 to approximately 8.5. For context, within the secondary study area, this would be higher than the permitted maximum residential density of some zoning districts and lower than the maximum residential density for others. As shown in **Table 05.01-2**, comparable permitted residential densities in the secondary study area including C6-3X, with a maximum permitted residential FAR of 9.0 for standard residences and 10.8 for qualifying affordable or senior housing, and C6-4 (WCh, Subarea A), with a maximum permitted residential FAR of 9.15 for standard residences and 12.0 for qualifying affordable or senior housing. As such, while the primary study areas would be rezoned to permit higher-density residential development than is allowed in the primary study areas and in some portions of the secondary study area, the Rezoning Alternative and Midblock Bulk Alternative would be within the range of other maximum FARs that are currently permitted in the secondary study area. As discussed above, the residential density proposed in the Rezoning Alternative and Midblock Bulk Alternatives is critical for the provision of additional public benefits, including improving quality of life and housing stability for NYCHA FEC residents, addressing the City's housing shortage, providing financial support to the PACT portion and new affordable housing components of the Proposed Project, and adding new commercial uses, additional community facility uses, and accessory open space for the benefit of the NYCHA residents and the surrounding neighborhood. The Rezoning Alternative and the Midblock Bulk Alternative each address the vital needs to maintain and improve public housing while creating new mixed-income housing.

Height and Setback

As most of the Fulton Houses Project Site and all of the Elliott-Chelsea Houses Project Site are zoned R8, they are subject to a set of height and setback regulations, as recently amended by CHO. In R8 districts, standard height and setback regulations permit minimum base heights of 60 feet, maximum base heights ranging 85-95 feet, and maximum building heights ranging 115-135 feet (depending on distance from a wide street). Buildings with qualifying affordable housing are permitted increased maximum base height of 105-125 feet, and increased maximum building heights of 145-175 feet (depending on distance of a wide street). Greater total building heights are also permitted on “eligible” sites (e.g. those over 20,000 sf, or within close proximity to transit infrastructure, and minimum 10’ setbacks are required on wide streets and 15’ setbacks are required on narrow streets. In addition, optional alternative bulk regulations may be applied, which allow for the development of sky exposure plane buildings, and required 85-feet (or 9-story) street walls, followed by an initial 15-20 foot setback, and thereafter subject to sky exposure planes of 2.7:1 or 5.6:1 (depending on location of building relative to wide or narrow streets). As part of the Rezoning Alternative and the Midblock Bulk Alternative, LSGD special permit(s) would allow for modification of street wall, height, setback, and location of uses on the primary study areas. This action would specify and enforce the dimensions of building volumes but would not change the permitted density. The special permit is intended to provide a better site plan and a better relationship among the Rezoning Alternative and Midblock Bulk Alternative buildings, adjacent streets, surrounding development, and adjacent open areas, than would be possible under standard zoning. The special permits would define the limits of permitted modifications and grant specified zoning relief, which would be memorialized in an approved site plan. The site plan could not be altered without further approval of the CPC. As shown in **Figures 02.0-1a, 02.0-1b, 02.0-3a, and 02.0-3b** in **Chapter 02.0**, the Rezoning Alternative and Midblock Bulk Alternative site plans, and the illustrative massing diagrams provided in **Figures 05.07-4a, 05.07-4b, 05.07-4c, 05.07-4d, 05.07-5a, 05.07-5b** in **Chapter 05.07**, the Rezoning Alternative and Midblock Bulk Alternative would result in a variety of buildings heights and setback configurations across the primary study areas. The resulting street wall and overall building heights that would occur in the primary study areas would fall within the existing range of low, mid, and high rise building forms in the secondary study area, both in terms of what is permitted under zoning and the built environment. While the tallest buildings introduced by the Proposed Project under these alternatives would be among the tallest in the area, they would fall within the existing range of low mid, and high-rise buildings in the secondary study area. For example, other tall buildings include the 68-story commercial office building located at 500 W. 33rd Street and the soon to be completed 26-story and 36-story towers at the 76 11th Avenue mixed residential-commercial development.

The effects of the building volumes are assessed in **Chapter 05.05, “Shadows”** and **Chapter 05.07**. As discussed in **Chapter 05.07**, the Rezoning Alternative and the Midblock Bulk Alternative would not result in significant adverse urban design and visual resources impacts. As disclosed in **Chapter 05.05**, the Rezoning Alternative and the Midblock Bulk Alternative would result in significant adverse shadows impacts on two open space resources, as would the Non-Rezoning Alternative. This indicates that shadows impacts are not specifically triggered by the change to the zoning but rather by the introduction of new high rise buildings irrespective of a zoning change.

Mandatory Inclusionary Housing

The primary study areas do not have any MIH designations. With the Rezoning Alternative and the Midblock Bulk Alternative, all of the primary study areas would be designated an MIH area. As such, any new residential development on the primary study areas under the Rezoning Alternative and the Midblock Bulk Alternative would be required to provide permanent affordable housing in compliance with the MIH program.

CHO

Subsequent to the passage of the CHO amendments, the new underlying zoning districts selected to facilitate the bulk required to construct the Rezoning Alternative and Midblock Bulk Alternatives could permit greater as-of-right development than that which is proposed in the Rezoning Alternative and Midblock Bulk Alternatives. However, agreements to be entered into by NYCHA and the PACT Partner would limit the maximum potential development to the Rezoning Alternative or the Midblock Bulk Alternative such that the maximum as-of-right development permitted under the new zoning districts would not occur. Thus, in effect, notwithstanding its adoption, CHO would not result in increased maximum permitted density or building heights for either of these alternatives. Under either of these alternatives, the maximum permitted building street wall heights, FAR, setbacks, and total building heights would be controlled by a combination of the LSGD special permit and the development agreements between NYCHA and the PACT Partner. Accordingly, with the special permit and these agreements in place, CHO does not have the potential to result in changes to density or bulk on the Project Sites under the Rezoning Alternative and the Midblock Bulk Alternative and as such the adoption of CHO does not have the potential to alter the conclusions of this EIS with respect to these two alternatives.

Assessment

As noted above, the purpose of the rezoning would be to facilitate the Rezoning Alternative or the Midblock Bulk Alternative as defined in **Chapter 02.0**, in terms of permitted use, density (FAR), height and setback, and the creation of additional affordable housing.

These changes would be similar in scope to other rezonings in recent years, particularly since the 2005 rezoning which established the WCh and facilitated the creation of the High Line as a public open space.

As noted above in the land use assessment, the Rezoning Alternative and the Midblock Bulk Alternative would be compatible with the secondary study area. Either would result in development that fits within the range of uses, densities, building forms, and mixed income housing present in and projected in the future in the neighborhood.

Overall, the proposed zoning changes would not substantially vary from existing zoning in the secondary study area, which is relevant to the primary study areas as they generally are considered to be located within the same Chelsea neighborhood, and have similar development characteristics throughout. Those characteristics, most notably extensive public transportation, are supportive of density. As the Rezoning Alternative and Midblock Bulk Alternative would result in zoning that is compatible with the range of existing uses, densities, and building volumes found in the secondary study area and surrounding neighborhood and would facilitate the preservation and

creation of new affordable housing, it would not result in any significant adverse zoning impacts in the primary study areas (Project Sites).

Secondary Study Area

No changes to zoning outside the primary study areas would occur as a result of the Rezoning Alternative or the Midblock Bulk Alternative, apart for a few properties partly or fully located within the proposed rezoning area, because the proposed changes are site-specific changes. As detailed in **Chapter 04.0**, under the heading “Other Properties That Would be Affected by the Rezoning Alternative and Midblock Bulk Alternative,” there would be no change in development on these properties as a result of these alternatives. That assessment is incorporated herein by reference.

Assessment

Apart from the Other Properties that would be affected by the Rezoning Alternative and Midblock Bulk Alternative, there would be no other changes to zoning as a result of these alternatives. As discussed above, the recently adopted CHO zoning text amendment permits increased residential density and increased maximum permitted heights with the provision of permanently affordable housing in certain zoning districts, including some of those found in the secondary study area. No specific developments directly associated with the adoption of CHO in the secondary study area have been identified. Given that CHO is now adopted, it could over the long term result in moderately increased density (FAR) and building volumes as compared to existing conditions. Any additional development that may occur because of CHO would be expected to occur with or without the Proposed Project.

As also noted above, the Rezoning Alternative and Midblock Bulk Alternative would result in zoning that is similar to some secondary study area zoning districts currently existing and which may be adopted in the future under the Midtown South Mixed-Use plan rezoning, which as noted above in the description of zoning under the No-Action Alternative would affect all or parts of 42 blocks though only four tax lots of that rezoning area lie within the secondary study area. These alternatives would not result in significant adverse zoning impacts in the secondary study area.

Public Policy

Community Board 4 Chelsea 197-a Plan

The Rezoning Alternative and Midblock Bulk Alternative are consistent with several of the goals outlined in CB4’s 1996 197-a Plan. These include providing for orderly growth and change, opportunities for new economically integrated housing, preserving low-income housing stock, preventing displacement of residents and businesses, preserving ethnic and economic diversity, and protecting residential areas from commercial intrusion. The Rezoning Alternative and Midblock Bulk Alternative would support the goals of the 197-a Plan as follows:

- The Rezoning Alternative and Midblock Bulk Alternative would establish a unified site plan for portions of six Chelsea blocks that includes residential, commercial, and

community facility uses. The site plan would distribute new buildings and accessory open space that would be memorialized in both NYCHA-PACT Partner development agreements and through a rezoning approval. In this manner, the Rezoning Alternative and Midblock Bulk Alternative would establish a framework for orderly growth and change.

- The Rezoning Alternative and Midblock Bulk Alternative would also create new, economically-integrated housing. It would provide new mixed-income housing containing 3,454 total DUs, of which 1,038 DUs would be affordable housing, with the remainder being 2,416 market-rate DUs. It would also permanently preserve low-income housing stock by replacing all existing 2,056 NYCHA DUs on the primary study areas with Section 8 PBV DUs.
- The existing buildings are substantially deteriorated and in need of repair and rehabilitation to address numerous issues. These conditions would worsen under the No-Action Alternative. By ensuring that existing residents and community facilities on the primary study areas would ultimately be relocated to newly built housing units as part of the Rezoning Alternative and the Midblock Bulk Alternative, they would prevent displacement of residents and businesses and permanently preserve low-income housing stock.
- Regarding temporary relocations that would occur as a result of the Rezoning Alternative and the Midblock Bulk Alternative; as indicated in **Chapter 05.02**, 94 percent of households would move directly from existing to new permanent residences and 6 percent of households would be temporarily relocated nearby to provide continuity of habitation. Likewise, certain community facility spaces would be temporarily relocated nearby until permanent replacement space is completed. As such, this further prevents significant displacement of residents and businesses.
- Regarding the preservation of ethnic and economic diversity, the Rezoning Alternative and Midblock Bulk Alternative would be consistent with this goal in its retention and expansion of affordable housing as directly maintaining and expanding economic diversity in the face of rising market-rate housing costs. As indicated in **Chapter 05.02**, market-rate housing units are occupied by higher income residents. Furthermore, the primary study areas have an ethnically diverse composition which would be maintained with the replacement of the existing NYCHA DUs with new Section 8 PBV DUs.
- The Plan stated concerns about scarcity of parks (which has changed to a degree since the 1996 adoption of the 197-a Plan with the completion of Hudson River Park and the High Line), as part of its goal to preserve the traditional urban form and scale of the community. The Rezoning Alternative and Midblock Bulk Alternative is cognizant of this issue and includes substantially improved accessory open spaces within the primary study areas for the use by residents of the Project Sites.
- Finally, the Rezoning Alternative and Midblock Bulk Alternative would protect residential areas from commercial intrusion by limiting commercial development to ground floor retail and service establishments along avenue corridors.

With respect to the 197-a Plan's goal of preserving the character and visual unity of Chelsea as a low-rise area, development trends in the area since 1996 have, in many regards, resulted in taller and denser buildings distributed among pre-existing smaller, pre-war buildings. As such, Chelsea, particularly in the western portions of the neighborhood where the primary study areas are located, is not a low-rise area, nor were many of the buildings that comprise the primary study areas "low-rise" buildings when the 197-a Plan was completed. Chelsea's character has evolved over the years

to reflect this type of development. It consists of new high-rise development in some areas with lower scale development interspersed. The Rezoning Alternative and Midblock Bulk Alternative would include a mix of several new high- and mid-rise buildings, typically separated by low-scale building bases or open space. These new buildings would replace mid- and high-rise buildings constructed 50-70 years ago. While some newly constructed buildings within the Rezoning Alternative and Midblock Bulk Alternative would be taller than existing buildings, that is not exclusively the case within the secondary study area. For example, the soon-to-be completed apartment complex at 76 11th Avenue reaches a maximum height of 36 stories (402-foot roof height). Additionally, the northernmost portion of the secondary study area includes a 68-story commercial office building located at 500 W. 33rd Street and a 64-story mixed-use commercial and residential building located at 371 9th Avenue. As such, the Rezoning Alternative and Midblock Bulk Alternative reflect evolving development trends in Chelsea that are otherwise generally consistent with the goals of the 197-a plan.

By introducing new development to this particular area of Chelsea, the Rezoning Alternative and Midblock Bulk Alternative would not directly affect the low-rise character found in other parts of Chelsea. The 197-a Plan stated that “taller buildings on main thoroughfares ... 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.” Incorporated into the Rezoning Alternative and Midblock Bulk Alternative are low-rise building bases that echo the historic building form found elsewhere in the neighborhood and by the inclusion of courtyards and other open areas facing the public sidewalks, that would provide visual variation and add a human scale. As such, the proposed design in these alternatives would be consistent with the 197-a Plan. In addition, the replacement of tower-in-the-park development with a more traditional form of development, characterized by street walls and storefront retail, would enhance the neighborhood’s character and visual unity.

Regarding historic resources, as discussed in **Chapter 05.06**, the New York City Landmarks Preservation Commission (LPC) determined that the primary study areas are not eligible for designation as New York City Landmarks, and the New York State Historic Preservation Office (SHPO) confirmed that the Fulton Houses Project Site is not eligible for listing on the State and National Registers of Historic Places (S/NR). However, SHPO determined that the Elliott-Chelsea Houses Project Site is eligible for S/NR-listing. Therefore, the potential effects of the Proposed Project on the Elliott-Chelsea Houses and surrounding historic resources is currently under review pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966. An analysis of alternatives to the redevelopment of the S/NR-eligible Elliott-Chelsea Houses has been prepared and a Section 106 consultation process with interested parties is underway. A draft Memorandum of Agreement (MOA) has been prepared that stipulates how the adverse effects of the Proposed Project on historic properties will be addressed. Pursuant to CEQR, SEQRA, and NEPA, this EIS is also making an impact determination relative to the effects on the Elliott-Chelsea Houses. As discussed in **Chapter 05.06**, with the implementation of a Construction Protection Plan, the Rezoning Alternative and Midblock Bulk Alternative would not have the potential to result in any significant adverse historic resources impacts under NEPA and CEQR to surrounding historic resources, including the Chelsea Historic District immediately north of the Fulton Houses Project Site. Furthermore, with respect to preservation of the traditional urban form and scale or the community, the existing built context of the primary study areas are unique forms of public housing development not otherwise found on typical street blocks in Chelsea. Since the primary study

areas' current built environment differs from the predominating urban form and scale of Chelsea's older areas as described in the 197-a Plan, replacing the primary study area buildings would not substantially change the area's traditional built form.

Accordingly, the Rezoning Alternative and Midblock Bulk Alternative would generally advance the 197-a Plan's goals.

Business Improvement Districts

The Rezoning Alternative and Midblock Bulk Alternative would not have direct effects on the BIDs located within primary and secondary study areas. As noted above, except for a small portion of the Fulton Houses Project Site that lies within the Meatpacking District BID, the primary study areas are not located within the boundary of any BIDs and new commercial uses under the Rezoning Alternative within the Meatpacking BID area would be limited to one local retail space of approximately 10,500 gsf.

More generally, the Rezoning Alternative and Midblock Bulk Alternative would be consistent with the purpose of the area's BIDs in that it would contribute to the economic vitality of local commercial areas by facilitating increased residential development and facilitating investment in the primary study areas building stock. They would do so in part by increasing the residential population which could provide an increase in the customer base for businesses serving the local community. With additional commercial and community facility space, the alternatives would also add employment opportunities and at the same time contribute to the non-residential population that can also serve as potential increased clientele for local businesses. Accordingly, the Rezoning Alternative and Midblock Bulk Alternative would not result in any significant adverse impacts on the study area's BIDs.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

The Rezoning Alternative and Midblock Bulk Alternative would be consistent with the City's Housing Our Neighbors plan, a five-borough, ten-year strategy to build and preserve affordable housing throughout New York City in coordination with strategic infrastructure improvements to foster a more equitable and livable New York City through an extensive community engagement process.

The Rezoning Alternative and Midblock Bulk Alternative aligns with the plan in that it would redevelop and improve the quality of 2,056 existing NYCHA DUs, would create 1,038 DUs of new affordable housing, would replace and expand existing community facilities to broaden the services provided to the local community, and would add new commercial space. This development would be one of the single largest affordable housing initiatives in New York City in decades. More broadly, the Proposed Project, as implemented through either the Rezoning Alternative or Midblock Bulk Alternative, would be a cornerstone of efforts to transform NYCHA by creating a project template for delivering new and permanently affordable and market-rate housing together with much-needed resources for repairs and improving and streamlining the services to residents.

Where We Live NYC Plan

The Proposed Project under the Rezoning Alternative and Midblock Bulk Alternative would support Goals 2, 3, 4, and 6 of the *Where We Live NYC Plan* by redeveloping and improving the quality of 2,056 existing NYCHA DUs and creating up to 1,038 DUs of new affordable housing. With the PACT/RAD model and in particular the inclusion of market-rate housing and commercial space, the Proposed Project would leverage investment from the PACT Partner and provide an ongoing funding source for development and maintenance of the Project Site's affordable housing and amenity spaces. This would facilitate effective use of rental assistance benefits and address inequities from past under investment. Furthermore, the Proposed Project under these alternatives would not hinder the Plan's two other goals. Therefore, the Rezoning Alternative and Midblock Bulk Alternative would be consistent with the applicable goals of the *Where We Live NYC Plan*.

OneNYC 2050: Building a Strong and Fair City

OneNYC 2050 is a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges the City faces. The Rezoning Alternative and Midblock Bulk Alternative are consistent with the City's sustainability goals, including those outlined in OneNYC 2050. Notably, the Rezoning Alternative and Midblock Bulk Alternative would support the plan's land use goals of focusing development in areas that are served by mass transit; increasing walk-to-work opportunities; creating jobs in proximity to established and/or growing residential neighborhoods; fostering walkable retail destinations; and promoting a livable climate with new energy efficient buildings that utilize electric heating to eliminate source emissions of fossil fuels.

The Rezoning Alternative and Midblock Bulk Alternative would introduce additional development near multiple public transit services, including the 14th Street and the 23rd Street subway stations on 8th Avenue, the 18th Street and 28th Street subway stations on 7th Avenue, 23rd Street subway station on 6th Avenue, and the M23 SBS bus route. The area is also served by Citi Bike stations and has access to the City's expanding bicycle lane network. As such, the Rezoning Alternative and the Midblock Bulk Alternative would be consistent and supportive of the applicable goals and objectives of OneNYC 2050.

NYCHA Sustainability Agenda

Under the Rezoning Alternative and the Midblock Bulk Alternative, with the primary study areas redeveloped as part of the PACT program, there would be funding available to assist NYCHA in meeting the goals of the *NYCHA Sustainability Agenda*. As noted in the description provided above under "Regulatory Context" in **Section D**, the plan identifies "bringing in more funding through PACT" as one of the strategies for achieving the goal. See **Chapter 05.15, "Greenhouse Gas Emissions and Climate Change,"** which discusses the Proposed Project's required compliance, under any of the development alternatives, to at minimum comply with City and State laws intended to reduce GHG emissions.

FFRMS

Per federal regulations, federal agency activities and development projects, activities requiring federal licenses or permits, or activities requiring federal financial assistance that may have reasonably foreseeable effects on the Coastal Zone, must be reviewed for consistency with the WRP. As discussed above in **Section D**, the Proposed Project's consistency with FFRMS is integrated into the WRP consistency assessment, in particular WRP Policy 6.2.

Waterfront Revitalization Program (WRP)

The WRP Consistency Assessment Form (CAF) lists the WRP policies and indicates whether the Rezoning Alternative and the Midblock Bulk Alternative would promote or hinder that policy or if that policy would not be applicable. Per the WRP CAF, Policies 1.1, 1.3, 4.6, 5.1, 6.1, 6.2, and 7.2 warrant further assessment and are addressed below. It should be noted that the primary study areas are not located at or near the actual waterfront, but rather approximately 950 feet away from the waterfront at their closest point.

Consistency with Applicable WRP Policies

POLICY 1: **Support and facilitate commercial and residential redevelopment in areas well- suited to such development.**

Policy 1.1: ***Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.***

Although the primary study areas are located in the coastal zone, neither the Fulton Houses Project Site nor the Elliott-Chelsea Houses Project Site are located on the waterfront, but rather approximately 950 feet from the waterfront, at their closest point. They are inland properties located one block (in the case of the Fulton Houses Project Site) or two blocks (in the case of the Elliott-Chelsea Houses Project Site) from the waterfront. These two existing NYCHA campuses serve the Chelsea area (Manhattan Community District 4) with affordable housing buildings.

The Rezoning Alternative and Midblock Bulk Alternative would facilitate commercial and residential redevelopment. This would include comprehensive replacement of the existing NYCHA DUs (along with community facility uses) with new buildings and additional affordable and market-rate residential uses and the introduction of commercial uses (along with expanded community facility uses).

The Rezoning Alternative and Midblock Bulk Alternative would therefore allow redevelopment of sites that are in close proximity to established and newly emerging residential and commercial areas that are well served by public transit, local services, community facilities, and open space.

For these reasons, the Rezoning Alternative and Midblock Bulk Alternative would promote Policy 1.1 of the WRP and would facilitate residential and commercial developments in an area well-suited to such developments.

Policy 1.3: *Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.*

The primary study areas are well suited for residential development, commercial development, and community facility development, as they already contain residential and community facilities and are served by existing public facilities, such as schools, parks, public streets, and public utilities, as well other infrastructure including electricity service and other private utilities.

Additionally, the primary study areas are well served by the existing public facilities and infrastructure services, including multiple subway lines (A, C, E, F, L, M, 1, 2, and 3) and bus routes (M11, M12, M14+, M20, M23SBS), all within walking distance via public sidewalks. In addition, the Rezoning Alternative and Midblock Bulk Alternative would include commercial uses serving project occupants and the surrounding community.

As such, the Rezoning Alternative and Midblock Bulk Alternative would encourage redevelopment in an appropriate area within the coastal zone and are supportive of the WRP Policy 1.3.

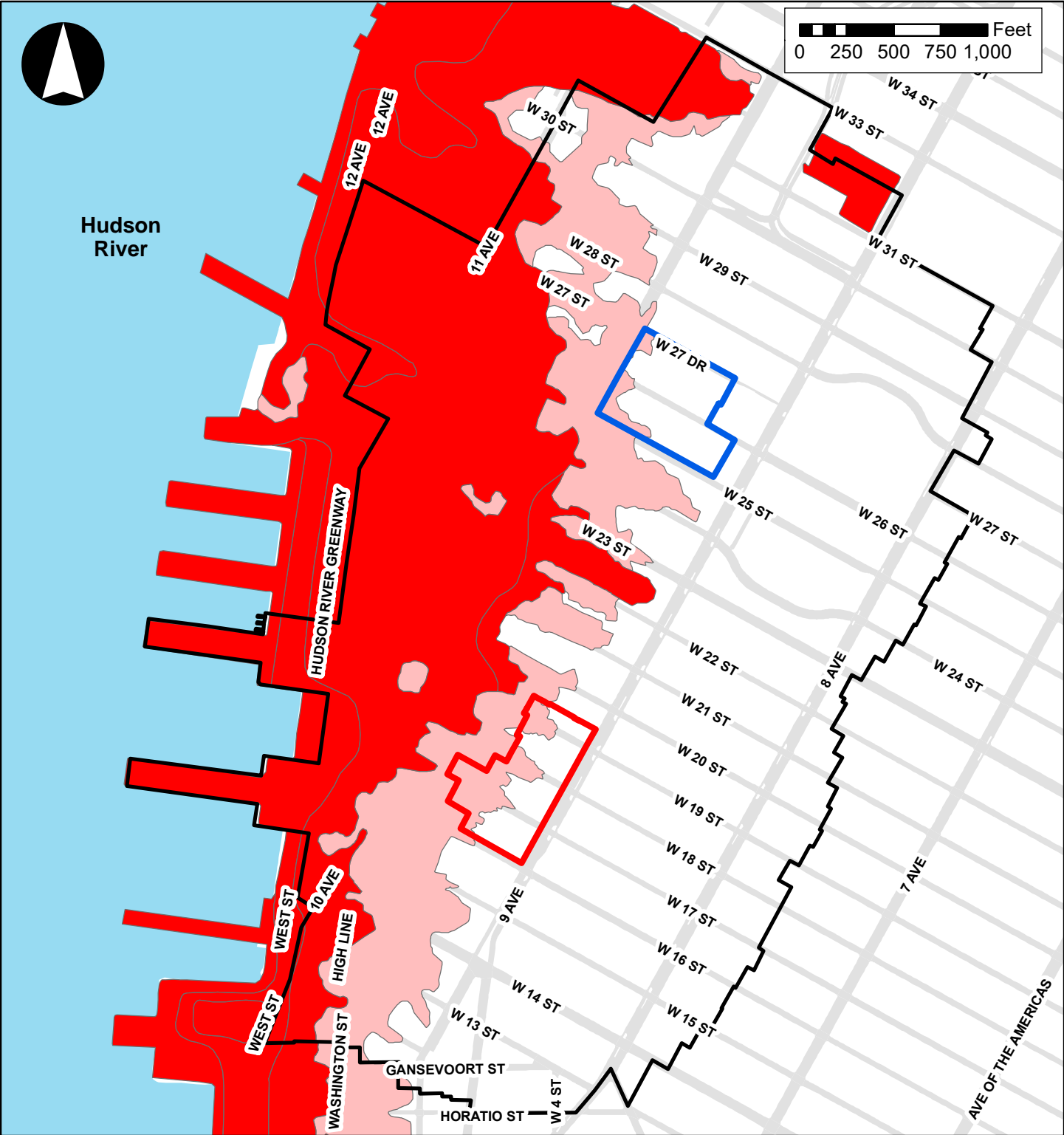
POLICY 4: **Protect and restore the quality and function of ecological systems within the New York City coastal area**

Policy 4.6: *In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location*

As discussed in **Chapter 05.08**, the approximately 12-acre Project Sites and adjacent properties are comprised of an urbanized, built environment with buildings, structures, streets, parking areas, and landscaping located approximately 950 feet to the east of the Hudson River shoreline (at its closest point). The Project Sites are separated from this shoreline by dense, urban streetscapes. Based on the guidance provided for addressing Policy 4.6 compliance,¹³ with one exception, the Project Sites do not contain, are not adjacent to, and do not have the potential to affect ecological resources of concern under WRP Policy 4.6.






As discussed in the WRP Policy 6.2 assessment provided below, a portion of the Project Sites are currently within the FEMA designated 500-year floodplain. By the 2050s the Project Sites are expected to be entirely in the 100-year or 500-year floodplains and by the 2080s a majority of the Project Sites area is expected to be within the 100-year floodplain. Refer to **Figures 05.01-7, 05.01-8, and 05.01-9** for the current, projected 2050s, and projected 2080s floodplain maps, respectively. As such, the design and planning of the accessory open spaces for the Proposed Project under the Rezoning Alternative (5.3 acres) or Midblock Bulk Alternative (4.2 acres), would include consideration of climate change and sea level rise. This would include plant selection, topography, and hydrological connections. The exact programming for the accessory open spaces are in a conceptual stage and design will evolve as needs and priorities are refined, however this is expected include a mosaic of landscaped areas, including open lawns, tree canopies, a plant

¹³ “The New York City Waterfront Revitalization Program June 2016”
<https://www.nyc.gov/assets/planning/download/pdf/planning-level/waterfront/wrp/wrp-2016/nyc-wrp-full.pdf>.



Source: NYC DCP (PLUTO 2023v1); DOITT (2022)

Legend

- | | | | |
|---|------------------------|---|---------------------|
|  | Elliott-Chelsea Houses |  | 100-Year Floodplain |
|  | Fulton Houses |  | 500-Year Floodplain |
|  | Land Use Study Area | | |

palette suitable for inundation with flood waters, rain gardens, ornamental plantings, and other resources that can provide habitat for typical urban species and ameliorate the effects of flooding. Substantial portions of the accessory open space would provide permeable surfaces that allow water to infiltrate back into the ground. It also should be noted that the types of plant species on the Project Sites may change over time in response to conditions.

However, such project elements, particularly hydrological connections, would be constrained in their scope due to the size, urban setting, intended use of accessory open spaces for primarily active and passive recreation, and interspersing of accessory open spaces among buildings across the Project Sites' two campuses.

Apart from the Project Sites' existing and anticipated future floodplain designations, they do not contain nor are they well-suited to provide any of the following which are identified as items of concern in the aforementioned policy guidance: roosting, nesting, and foraging habitat for long-legged wading birds on islands; coastal and maritime forests; functionally related habitat for aquatic species; shorelines, shallows, or intertidal areas; and freshwater streams and potentially connected inland habitats. Further, as it relates to guidance for this policy, the Project Sites do not contain and Proposed Project does not provide opportunities for ecosystem restoration or shoreline and in-water structures.

Accordingly, as applicable, the Proposed Project under the Rezoning Alternative or Midblock Bulk Alternative would be supportive of Policy 4.6.

POLICY 5: Protect and improve water quality in the New York City coastal area.

Policy 5.1 *Manage direct or indirect discharges to waterbodies.*

As discussed in **Chapter 05.08**, the buildings developed under the Proposed Project would be required to comply with City stormwater management regulations applicable at the time of permit filing related to runoff and stormwater release rates to the combined sewer system, which would result in an improvement over the Project Sites' existing stormwater conditions and therefore would be beneficial to the water quality of the Hudson River. Currently those regulations are codified as the Uniform Stormwater Rule, issued in 2022, which increased the amount of stormwater required to be managed on-site and restricts the release rates for all new and redevelopment projects that require a New York City Department of Environmental Protection (DEP) House or Site Connection Proposal. While enforcing more rigorous stormwater quantity and flow rate requirements, the New York City Stormwater Manual (15 RCNY § 19.1, Appendix) issued by DEP, allows for increased flexibility in stormwater management design options to apply a wide range of potential configurations that may be necessary to accommodate various site constraints. These new requirements are expected to remain in effect in the 2041 analysis year. The Unified Stormwater Rule is expected to lead to a substantial improvement in the way that individual new and redeveloped properties manage stormwater compared to the previous 2012 Stormwater Rule. In some cases, stormwater will be entirely prevented from entering the city sewer system through retention and, in most cases, stormwater that does enter the system will be reduced and/or treated and released at a much slower rate, allowing the system to operate more efficiently during peak wet weather events.

To fulfill the requirements of the Unified Stormwater Rule, any development in New York City, public or private, that either disturbs 20,000 sf or more of soil or creates 5,000 sf or more new impervious area is required to prepare a Stormwater Pollution Prevention Plan (SWPPP). Given the size of the Project Sites and the individual buildings proposed, this requirement will apply to the Proposed Project, and a SWPPP will be prepared to satisfy all applicable requirements. A SWPPP is a plan for controlling stormwater runoff and pollutants during the construction and post-construction phases. It identifies potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges. In addition, the SWPPP describes and ensures the implementation of practices which would be used to reduce the pollutants in stormwater discharges. For the construction phase of the project, SWPPPs must include erosion and sediment controls, with fully designed and engineered stormwater management practices with all necessary maps, plans and construction drawings. SWPPPs are prepared in accordance with applicable permit requirements for stormwater management as outlined in the New York City Stormwater Manual; the SWPPP must be reviewed and approved by the DEP in order for a Stormwater Construction Permit to be issued. This process provides standards to ensure that stormwater discharges from certain construction activities do not degrade water quality of the City's water supply.

To ensure long-term water quality, runoff reduction, and no net increase resulting from development, the SWPPP must also identify all post construction stormwater management practices (SMPs) to be constructed as part of a proposed project. Potential SMPs to achieve compliance with SWPPP requirements include vegetative areas, permeable surfaces, rainwater retention areas, gravel bed, perforated pipe, stormwater chamber, storage vault, filtration, infiltration, evapotranspiration, reuse, and detention systems. The SWPPP must also identify appropriate maintenance measures to ensure proper upkeep of any identified SMPs.

Based on the foregoing, including preparation of and compliance with a SWPPP that meets applicable requirements, the Rezoning Alternative and Midblock Bulk Alternative would improve the management and treatment of stormwater from the Project Sites and would be supportive of Policy 5.1

POLICY 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Policy 6.1: *Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.*

See response to Policy 6.2 below for details of the primary study areas' current and projected future floodplain status. Non-structural measures for minimizing losses from flooding erosion on the primary study areas would include approximately 5 acres of accessory open space on the primary study areas with permeable surfaces that allow water to infiltrate back into the ground. In addition, structural management measures would be necessitated by the requirement to comply with City unified stormwater rule (USWR), which as discussed in **Chapter 05.10, "Water and Sewer Infrastructure,"** restricts the amount of stormwater required to be managed on-site and further restricts the release rates for all new and redevelopment projects that require a DEP House or Site

Connection Proposal. In connection with measures discussed below under Policy 6.2, the Rezoning Alternative and Midblock Bulk Alternative would be supportive of Policy 6.1.

Policy 6.2: Integrate consideration to the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city's Coastal Zone.

As outlined in *The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance* document, for site-specific actions that include (or would facilitate the development of) new vulnerable, critical, or potentially hazardous features, the detailed methodology approach should be utilized to assess a project or action's consistency with Policy 6.2 of the WRP. The detailed Policy 6.2 methodology assessment is provided below.

Flood Insurance Rate Maps (FIRMs) and Base and Design Flood Elevations

In 2015, FEMA issued updated PFIRMs for New York City. These maps were intended to replace the currently effective FIRMs issued by FEMA in 1983 with adopted revisions dated 2007. However, the City filed a technical appeal of the PFIRMs and FEMA subsequently announced that it agreed with the City's findings, and would work with the City to revise the PFIRMs and issue new maps in the coming years that better reflect current flood risk. They identify the 100-year (1 percent annual chance) floodplain with the 100-year flood water levels projected to reach the specified BFEs. They also identify the 500-year (with an annual probability of flooding between 0.2 percent and 1 percent) floodplain. FEMA does not identify the BFE for the 500-year floodplain. Areas within the 100-year floodplain are subject to NYC Building Code and FEMA flood-resistant construction requirements that buildings be elevated or floodproofed to the DFE for protection. These requirements include that all habitable space and critical building systems serving them be located above the DFE; permitted uses below the DFE include parking, storage, and access areas or if such spaces are dry floodproofed then any permitted non-residential use may occupy such spaces. The DFE applicable to residential buildings, per recent updates to the Building Code, is measured as the being two feet above the BFE for the 100-year floodplain.

There are two types of 100-year floodplains: "V" zones with the added hazard of high-velocity wave action with a projected wave height of 3 feet or more and "A" zones, which are projected to be inundated with the 100-year flood but without wave action from waves of 3 feet or more. The PFIRMs also introduced a new area defined as the "Coastal A Zone" designated by a boundary called the Limit of Moderate Wave Action (LiMWA). This zone is the portion of an A Zone, also referred to as the "Coastal AE Zone," where moderate wave action with projected wave heights between 1.5 and 3 feet is expected during the base flood event. The City of New York has adopted the BFEs specified in either the PFIRMs or the currently effective FIRMs as revised in 2007, with the more restrictive of the two, i.e., having a higher BFE, applicable until new effective FIRMs are available for the purposes of determining compliance with all flood-proofing requirements and for establishing base plane elevations for new buildings to measure their compliance with zoning building height requirements.

As shown in **Figure 05.01-7**, parts of the Fulton Houses Project Site and parts of the Elliott-Chelsea Houses Project Site are located within the 500-year floodplain, per the 2015 PFIRM. This

indicates an area of moderate to low-risk flood hazard, also known as a Non-Special Flood Hazard Area and identified in the ZR as “moderate-risk flood zone.” As the primary study areas are located outside the boundary of the 100-year floodplain, the City’s Building Code and FEMA special mandatory requirements for the 100-year floodplain are not applicable. Also, as the primary study areas are in the 500-year floodplain, recent changes to the ZR allow the flood-resistant construction elevation (FRCE)/DFE to be set at a height of two feet above the lowest grade adjacent to a building and serve as the base plane for the purposes of measuring building heights, which is intended to help buildings owners proactively incorporate resiliency standards into new building design.

As noted above in **Section D** discussing the WRP, the NPCC predicts:

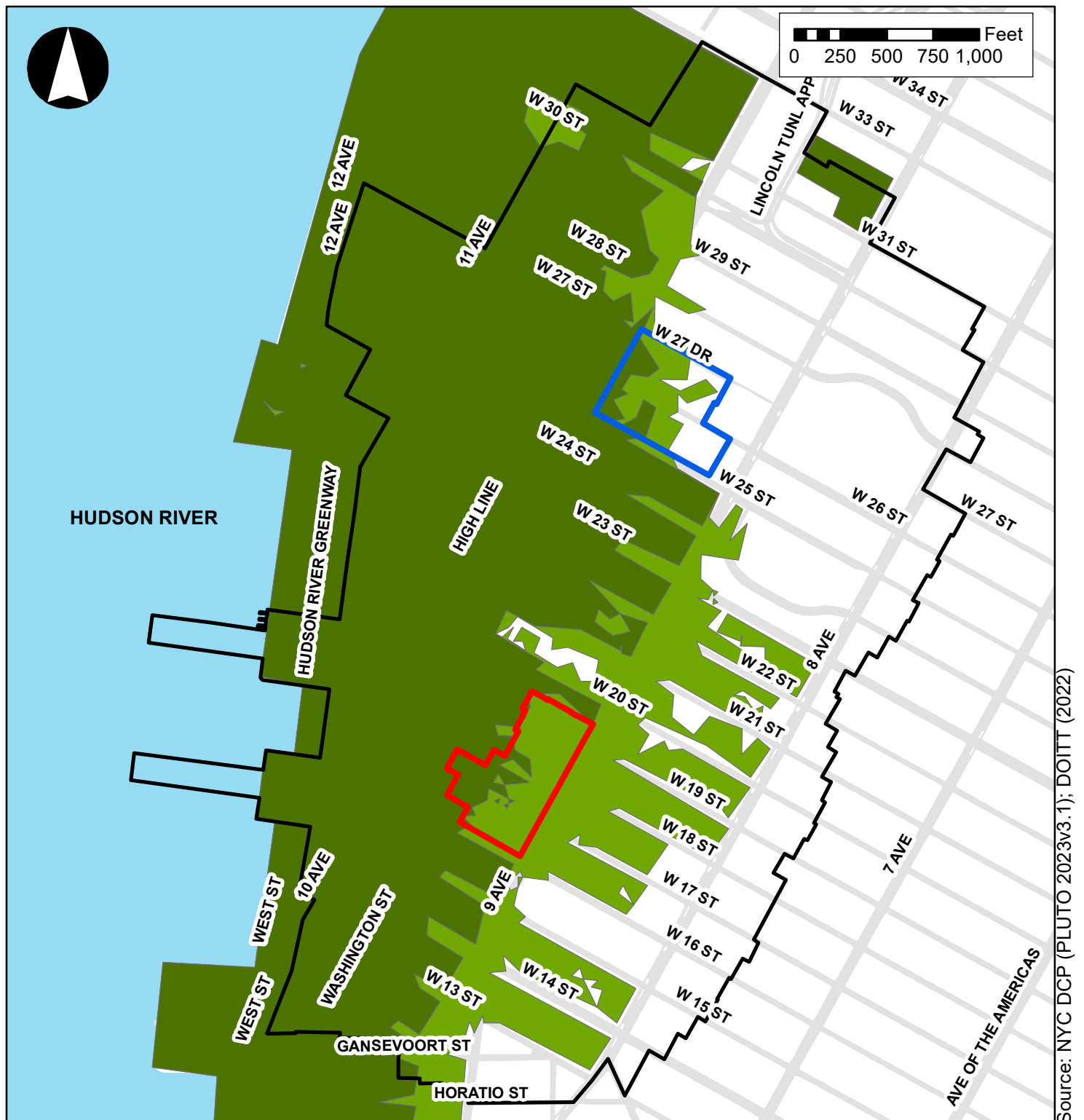
1. Mean annual temperatures will increase by 2 to 2.9°F, 4.1 to 5.7°F, and 5.3 to 8.8 °F by the 2020s, 2050s, 2080s, respectively
2. Total annual precipitation will rise from 1 to 8 percent, 4 to 11 percent, and 5 to 13 percent by the 2020s, 2050s, and 2080s, respectively
3. Sea level will rise by 4 to 8 inches, 11 to 21 inches, and 18 to 39 inches by the 2020s, 2050s, and 2080s, respectively
4. By the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration.

Coastal flooding is also very likely to increase in frequency, extent, and elevation. Based on these projections, by the 2050s, it is indicated that all of the Fulton Houses Project Site would be within the 100- and 500-year floodplains and parts of the Elliott-Chelsea Houses Project Site would be divided between 100- and 500-year floodplains (see **Figure 05.01-8**). Additionally, by the 2080s, almost all of the Fulton Houses would be in the 100-year floodplain and the rest would be in the 500-year floodplain and most of the Elliott-Chelsea Houses would be in either the 100-year or 500-year floodplain (see **Figure 05.01-9**). However, BFEs are not identified in the NPCC prediction. The NPCC recommends assessing the impacts of projected sea level rise on the lifespan of projects. Because of limitations in the accuracy of flood projections, the NPCC recommends that the 2050s and 2080s maps should not be used to judge site-specific risks and advises that they are subject to change.

Pursuant to the FFRMS rules for HUD projects described above in **Section D** and consistent with local guidance, the FFRMS DFE that would be applicable for both the Proposed Project’s first-stage buildings would be +15.33 feet in the North American Vertical Datum of 1988 (NAVD88). This is identified as follows: the existing BFE for the closest 100-year floodplain to the Project Sites is +11 NAVD88 and the DFE is determined by adding 4 feet, 4 inches to the existing BFE. For projects subject to FFRMS review, buildings with ground elevations at or below the FFRMS DFE are currently required to comply with FFRMS flood resistant construction requirements.





Detailed Assessment

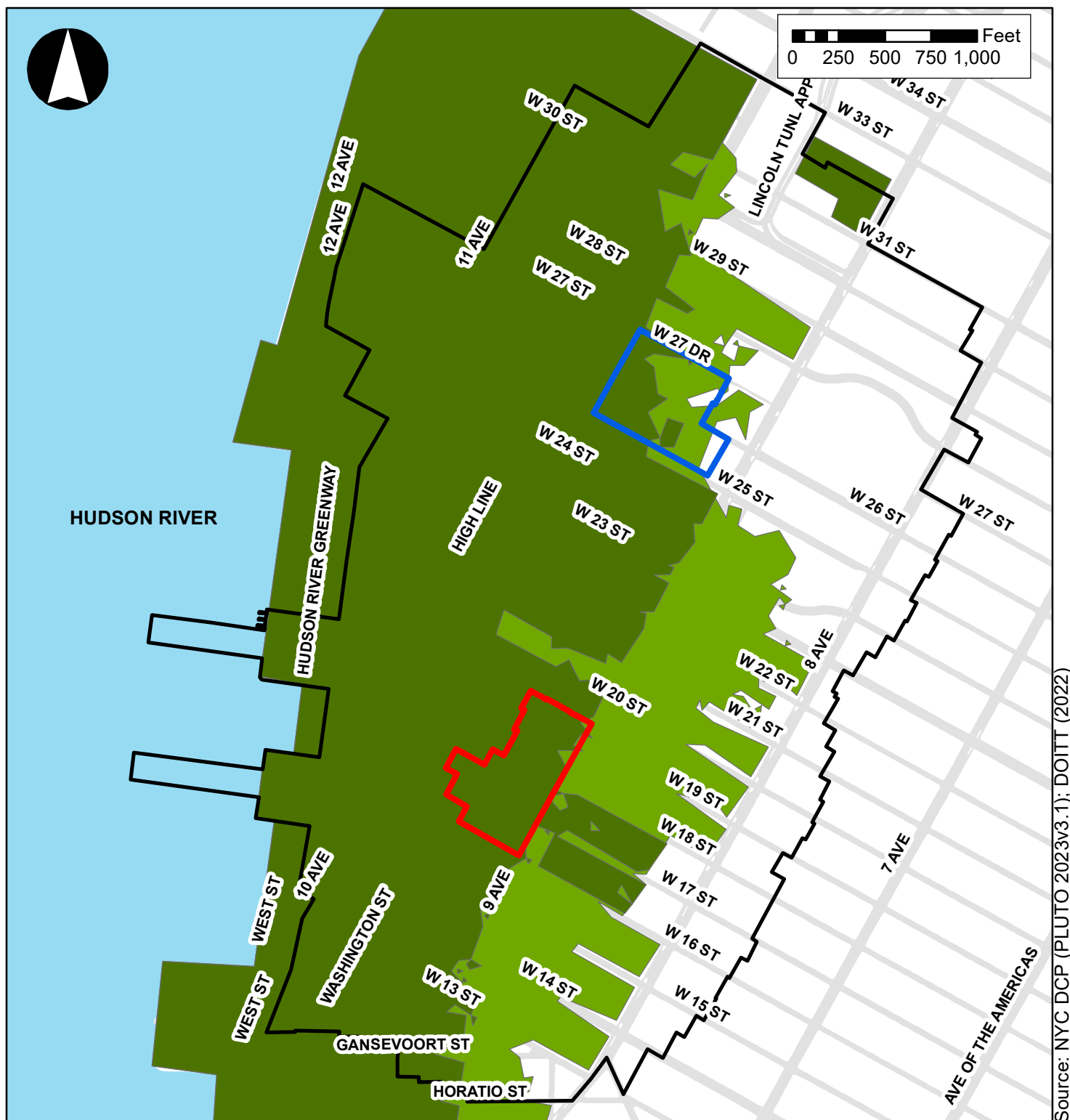
Pursuant to guidance issued by DCP, an assessment of consistency with Policy 6.2 has been prepared consistent with the detailed methodology identified therein. There are three basic steps required under this methodology: (1) identify vulnerabilities and consequences; (2) identify adaptive strategies; and (3) assess policy consistency.



Source: NYC DCP (PLUTO 2023v3.1); DOITT (2022)

Legend

- | | | | |
|---|------------------------|---|---------------------------|
|  | Elliott-Chelsea Houses |  | 2050s 100-Year Floodplain |
|  | Fulton-Houses |  | 2050s 500-Year Floodplain |
|  | Land Use Study Area | | |



Source: NYC DCP (PLUTO 2023v3.1); DOITT (2022)

Legend

- Elliott-Chelsea Houses
- Fulton-Houses
- Land Use Study Area
- 2080s 100-Year Floodplain
- 2080s 500-Year Floodplain

Identify Vulnerabilities and Consequences

For this assessment, building features are defined in one of four categories: (1) vulnerable: project features that have the potential to incur significant damage if flooded; (2) critical: project features that if damaged would have severe impacts on the project and its ability to function as designed; (3) potentially hazardous: project features that if damaged or made unsecure by flooding could potentially adversely affect the health and safety of the public and the environment; and (4) other: project features that are entirely open and unenclosed spaces, except the open storage of potentially hazardous materials, which may be damaged by flooding, but are not likely to present significant consequences and are more easily repaired.

Flood Elevation Worksheets were prepared for the Proposed Project's first-stage buildings (new Fulton 1 and new Elliott-Chelsea 1) and are provided in **Appendix B.1**. This is a tool which identifies current and future flood elevations in relation to the elevations of the site and project features, presenting a range of future flood elevations as affected by sea level rise (SLR), from high (90th percentile) to low (10th percentile). In other words, "high" refers not to the predicted likelihood, which is estimated at approximately one in ten, but to being a high-end projected increase in flood elevation.

Identify Adaptive Strategies

As noted above, the primary study areas are currently located partly within the 500-year floodplain and partly outside it, therefore the City's Building Code and FEMA special mandatory requirements for the 100-year floodplain are not applicable. While the Proposed Project buildings would not be subject to special flood zone requirements under NYC ZR and Building Code, as noted above, under FFRMS, given that the Proposed Project is subject to HUD approval and local guidance applicable thereto, it must be determined if the Proposed Project's first-stage buildings would have to comply with FFRMS flood resistant construction requirements. As also noted above, the later stages buildings would be constructed to, at a minimum, meet the DFE requirements applicable at the time under FFRMS or NYC requirements, whichever is more stringent. A determination of the applicability of FFRMS flood resistant construction requirements for the later stages buildings is not made at this time given the possibility that requirements or projections of future floodplain elevations may be different when the later stages buildings would be developed. Based on NPCC projections, it is likely that the DFE(s) applicable to the Project Sites in the future will be higher than at present.

Based on the results of the Flood Elevation Worksheets, a review of present and forecasted conditions is provided for planning purposes.

Elliott-Chelsea 1 Building

The Elliott-Chelsea 1 building footprint is not currently within the 500-year floodplain as designated in the 2015 PFIRM. It would be built on a site with a varied grade that is approximately +15.49 NAVD88 at a lowest point. As such, Elliott-Chelsea 1 would be entirely above the FFRMS prescribed +15.33 NAVD88 DFE and would not be subject to FFRMS flood resistant construction requirements. Its cellar level, containing community facility uses and related back of house space would be at elevation +3.5 NAVD88. The cellar electrical room would be within the cellar level

but elevated by a half-foot to +4.0 NAVD88. The ground floor, containing residential entry, lobby, and other residential accessory, community facility, mechanical, and back of house space, would be at elevation +16.75 NAVD88. There also would be mechanical spaces on the second floor at an elevation of approximately +28.8 NAVD88. Residential units, which would be located on floors 4 to 39, would have an elevation of approximately +50.0 NAVD88 or higher.

As shown in **Figure 05.01-10**, the mechanical space on the ground floor at +16.75 NAVD88 is forecasted to be in the 1 percent annual chance floodplain in 2100 under the high (90th percentile) sea level rise projection, but is forecasted to remain above the 1 percent annual chance floodplain in 2100 under the other sea level rise projections. The mechanical spaces on the second floor and above are forecasted to remain above the 1 percent annual chance floodplain through 2100 under all sea level rise projections. As shown in **Figure 05.01-10**, the ground/first floor would remain above the elevation of the Mean Higher High Water (MHHW) through 2100 under all sea level rise projections.

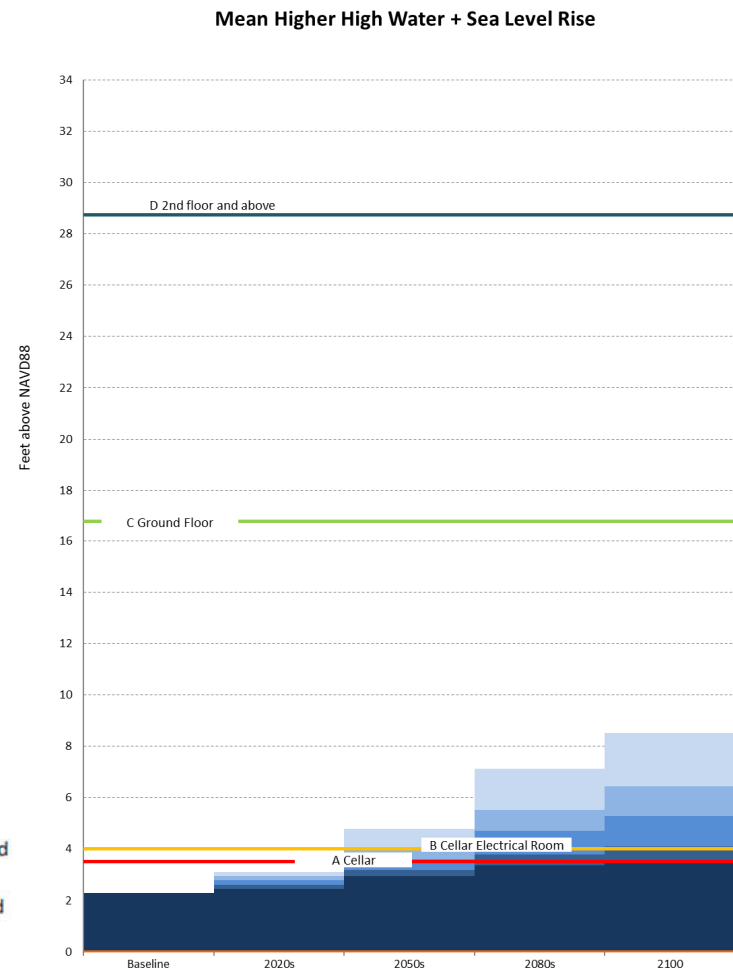
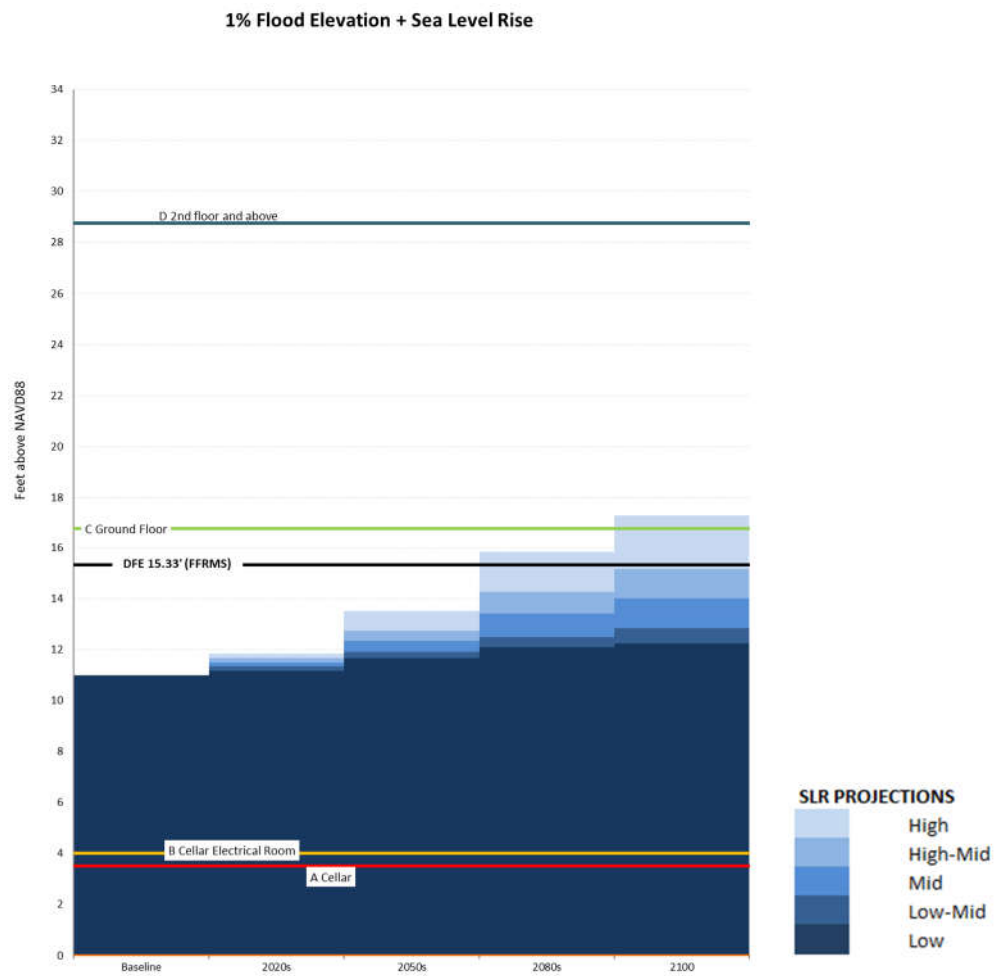
Fulton 1 Building

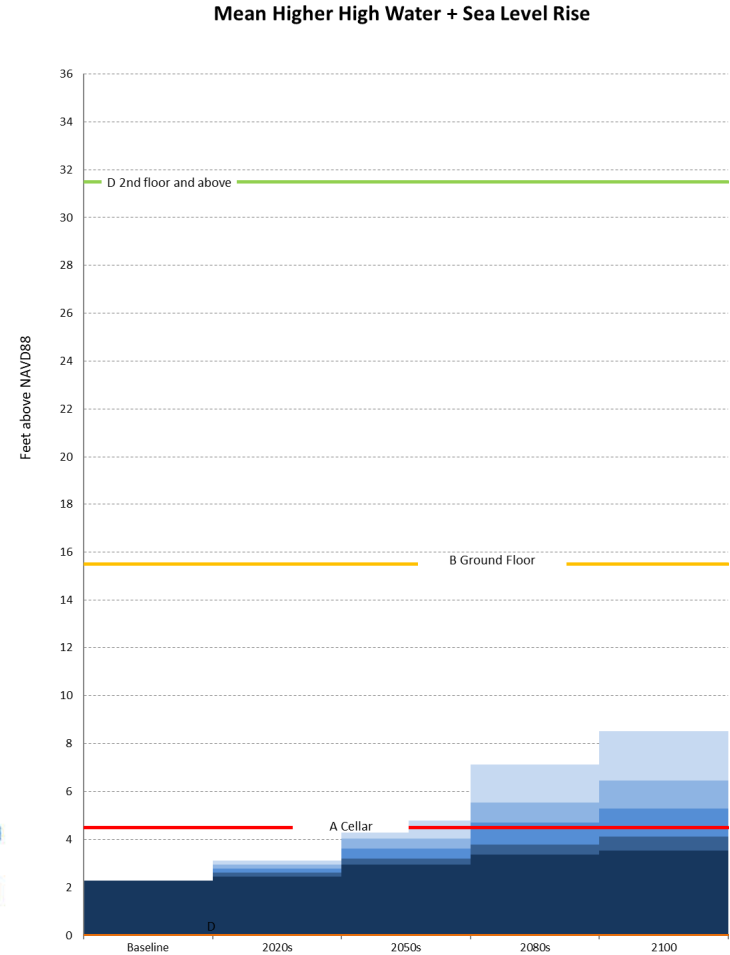
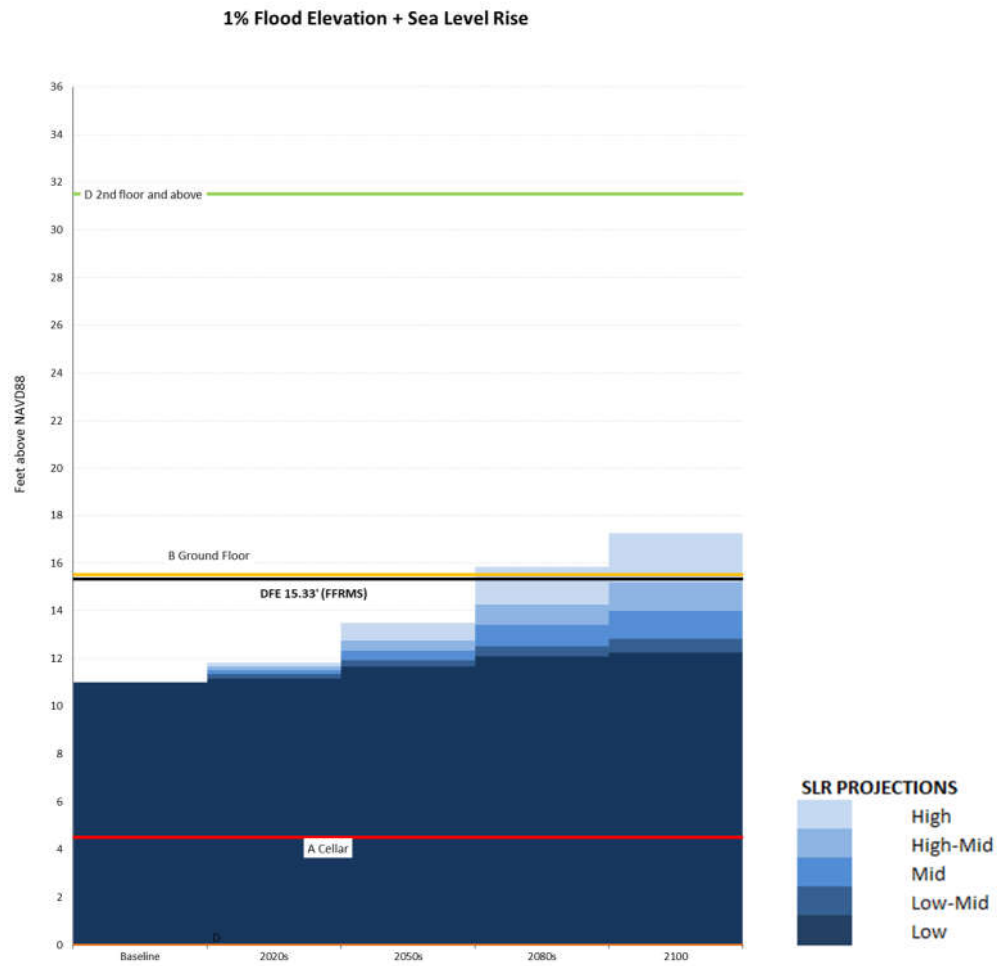
The Fulton 1 building footprint is not currently within the 500-year floodplain as designated in the 2015 PFIRM. It would be built on a site with a varied grade, parts of which are below +15.33 NAVD88. As such, since parts of the Fulton 1 site are below the FFRMS prescribed +15.33 NAVD88 DFE, this building would be subject to FFRMS flood resistant construction requirements. Its cellar level, containing residential accessory space would be at elevation +4.5 NAVD88. These uses are permitted below the FFRMS-mandated DFE of +15.4 NAVD88, provided that the below-DFE space is dry floodproofed.¹⁴ The ground floor, containing residential entry, lobby, and other residential accessory, community facility, commercial, mechanical, electrical, and back of house space, would be at elevation +15.5 NAVD88. As such, this level would be above the FFRMS-mandated DFE. All critical mechanical space would be at this height or higher and residential units, which would be located on floors 2 to 12, would have an elevation of approximately +31.5 NAVD88 or higher.

As shown in **Figure 05.01-11**, the mechanical space on the ground floor at +15.5 NAVD88 is forecasted to be in the 1 percent annual chance floodplain in the 2080s time slice under the high (90th percentile) sea level rise projection, but is forecasted to remain above the 1 percent annual chance floodplain in the 2080s and 2100 under the other sea level rise projections. The residential units on the second floor and above are forecasted to remain above the 1 percent annual chance floodplain through 2100 under all sea level rise projections. As shown in **Figure 05.01-11**, the ground/first floor would remain above the elevation of the Mean Higher High Water (MHHW) through 2100 under all sea level rise projections.

For either Elliott-Chelsea 1 or Fulton 1, in future conditions, the facades of the buildings could be retrofitted to integrate floodgates at facade openings. Potential consequences of the cellar and ground floor community facility and accessory residential spaces being located within the 1

¹⁴ Dry floodproofing is defined by DCP as “method designed to seal a building’s exterior walls to flood waters while ensuring that the building has the ability to resist water loads below the expected level of flooding.” <https://www.nyc.gov/site/planning/zoning/districts-tools/flood-text.page>.





percent annual chance floodplain include flood damage to property, building structure, loss of inventory, or potentially increased flood insurance costs.

If all or parts of the primary study areas are designated as being within the FEMA-designated 100-year floodplain at a future date, vulnerable and critical elements, including mechanical equipment that are required to be at or above the DFE, may need to be elevated, depending on the required DFE NYC zoning and building code regulations as compared to FFRMS required DFE. Additionally, the building facade could be retrofitted to integrate floodgates at the facade openings. However, the nature of such retrofits would depend on the specific change to the BFE, possible future changes to Building Code flood regulations, City-led infrastructure measures to address such changes, and other considerations that are unknown at this time. As such, the nature of such retrofits cannot be characterized at this time.

The buildings, all of which would be mixed-use, would feature non-residential uses (i.e. commercial and community facility) on the ground floors and residential floors above. Potential consequences of the ground floor retail and community facility space that may in the future be located within the 1 percent annual chance floodplain include flood damage to property, building structure, loss of inventory, potentially increased flood insurance costs, or need to relocate to a higher elevation. This is in contrast to existing conditions/No-Action Alternative, in which some of the current buildings have ground floor residential units, e.g., ground floor DUs in Chelsea 1 at 425 W. 25th Street that, if the future DFE is higher than the current ground floor elevation would not be permitted to continue residential occupancy at the current elevation. Such units would require retrofits to raise floors or if that is not feasible would require relocation, which in either case is likely to be costly.

Coastal floodplains are influenced by astronomic tide and meteorological forces and not by fluvial (river) flooding, and as such are not affected by the placement of obstructions within the floodplain. Therefore, the construction and operation of the Rezoning Alternative and Midblock Bulk Alternative would not exacerbate future projected flooding conditions.

Assess Policy Consistency

As warranted, all vulnerable or critical features would be protected through future adaptive actions that would incorporate flood damage reduction elements and compliance with FFRMS flood resistant construction requirements as applicable. No potentially hazardous features are anticipated with the Rezoning Alternative and Midblock Bulk Alternative, but should such features be included they also would be subject to future adaptive actions. Accordingly, the Rezoning Alternative and Midblock Bulk Alternative advances Policy 6.2.

POLICY 7: **Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**

Policy 7.1: ***Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.***

Hillmann Consulting prepared Phase I Environmental Site Assessments (ESAs) for the primary study areas, including a Phase I for the Fulton Houses, April 2022, and a Phase I for the Elliott-Chelsea Houses, May 2022.

The Phase I for the Fulton Houses identified one recognized environmental condition (REC). The REC, which is based on a property historic review, is that “multiple historic uses of potential environmental concern occurred at the Property prior to the 1963-1965 construction of the present Property buildings.” In addition, the Phase I identified one historical recognized environmental condition (HREC). The HREC, which is based on a property regulatory records review, is that the Property has “an NY SPILLS database” listing.

The Phase I for the Elliott-Chelsea Houses identified one REC. The REC, which is based on a property historic review, is that “multiple historic uses of potential environmental concern occurred at the Property prior to the construction of the present Property buildings in the 1940s-1960s.” In addition, the Phase I identified one controlled recognized environmental condition (CREC). The CREC, which is based on a property regulatory records review, is that “Elliott-Houses-NYCHA, 426 West 27th Street is listed on the LTANKS database” for a spill. Also, the Phase I identified one HREC. The HREC, which is based on a property regulatory records review, is that “Chelsea Houses-NYCHA, 431 West 25th Street is listed on the LTANKS, NY SPILLS and UST databases.”

Based on the results of the Phase I ESAs and in consultation with the DEP, Hillmann Consulting prepared a Phase II Workplan and Health and Safety Plan in September 2023 for DEP review. Based on DEP review, Hillmann prepared updated reports in February 2024, including a Remedial Investigation Report (Phase II) and the Remedial Action Work Plan (RAP), and Construction Health and Safety Plan (CHASP). As the Project Sites development would take place in stages, the Phase II, RAP and CHASP cited above were only conducted for the first two buildings to be developed for the Proposed Project, which are the same under the Rezoning, Non-Rezoning, and Midblock Bulk Alternatives. DEP indicated in a letter dated March 6, 2024 that it finds these plans acceptable. DEP also noted that at the completion of the project stage, a Professional Engineer (P.E.)-certified Remedial Closure Report should be submitted for DEP review and approval. The P.E.-certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., transportation/disposal manifests for removal and disposal of soil in accordance with applicable local, state, and federal laws and regulations; two feet of DEP approved certified clean fill/topsoil capping requirement in any landscaped/grass covered areas not capped with concrete/asphalt, installation of vapor barrier, etc.). These conditions will also be included in a legally binding document between NYCHA and the PACT Partner memorializing these obligations with respect to the Project Sites.

Regarding the subsequent stages of the Proposed Project under the Rezoning Alternative or the Midblock Bulk Alternative, the legally binding document will also include requirements for the completion of a site assessment, investigation, identification of a remedial action plan – if any – and implementation of the plan for those subsequent sites. The DEP-approved remedial action must be identified before permits for the demolition of a given building can issued and thereafter proceed and a DEP-approved site closure report is required to be issued before a temporary certificate of occupancy is sought or issued by the NYC Department of Buildings (DOB).

With these requirements in place, under the Rezoning Alternative or Midblock Bulk Alternative, all of the building sites on the Project Sites will be subject to site investigation, testing, remediation (as warranted), and site closure report requirements, subject to DEP review and approvals. Accordingly, the Rezoning Alternative and Midblock Bulk Alternative would not result in any significant adverse hazardous materials impacts. Accordingly, the Rezoning Alternative and Midblock Bulk Alternative would promote Policy 7.1 and related policies. Refer to **Chapter 05.09, “Hazardous Materials,”** for more information and to **Appendix G** for copies of the documents described herein.

Policy 7.2: *Prevent and remediate discharge of petroleum products*

See the response to WRP Policy 7.1 above.

Policy 7.3: *Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources*

See the response to WRP Policy 7.1, above.

Summary

Based on the foregoing assessments, the Rezoning Alternative and the Midblock Bulk Alternative would not result in any significant adverse public policy impacts.

Alternative 3 – Non-Rezoning Alternative

Land Use

Land use conditions under the Non-Rezoning Alternative in both the primary and secondary study areas would be substantially similar to those of the Rezoning and Midblock Bulk Alternatives as described above. The same land uses would be either expanded or introduced in the primary study area, but at a smaller development program and less overall bulk, and the secondary study area would continue to experience a change in land uses with or without the Proposed Project. As with the other two alternatives, the Non-Rezoning Alternative would be compatible with and would reinforce existing patterns and trends of mixed-use and mixed-income development in the secondary study area. Therefore, the determination that the Rezoning and Midblock Bulk Alternatives would not result in significant adverse land use impacts to either the primary or secondary study areas is also applicable to the Non-Rezoning Alternative and further assessment is not warranted.

Zoning

The Non-Rezoning Alternative would not require any discretionary approvals by the CPC pursuant to ULURP and likewise would not require a zoning text amendment. The Non-Rezoning Alternative is designed to utilize substantially all of the permitted floor area allowed for development that uses the optional alternative bulk regulations of Section 23-70, inclusive, of the

ZR.¹⁵ Given that the Project Sites are substantially under built relative to the currently permitted maximum residential density, the overall built FAR of the Project Sites would increase by approximately 2.5 from approximately 3.5 FAR to approximately 6.0 FAR. The potential need for an MZO to facilitate the build out of the Non-Rezoning Alternative to, for example, address non-compliant interim conditions on the primary study areas, due to staged development, is indicated as a potential required approval although at this time an MZO has not been formally requested.

Assessment

The Non-Rezoning Alternative would be developed under the existing zoning and as such would be compatible with existing zoning. An MZO, if needed, is expected to address interim, i.e., temporary, conditions only. As such, the Non-Rezoning Alternative would not result in any significant adverse zoning impacts and no further assessment is warranted.

Public Policy

The conclusion of the public policy assessment, including the WRP, for the Rezoning and Midblock Bulk Alternatives that such alternatives would not result in significant adverse public policy impacts, would also apply to the Non-Rezoning Alternative. The Rezoning and Midblock Bulk Alternatives represent a higher potential for environmental impact than the Non-Rezoning Alternative since the Non-Rezoning Alternative has a smaller development program and less overall bulk. Therefore, as the Rezoning Alternative and Midblock Bulk Alternative would not result in significant adverse impacts to public policy, there is no potential for the Non-Rezoning Alternative to result in a significant adverse impact and no further assessment is warranted.

Summary

Based on the foregoing assessments for the Rezoning Alternative and Midblock Bulk Alternative and their applicability to the Non-Rezoning Alternative, the Non-Rezoning Alternative would not result in any significant adverse land use, zoning, and public policy impacts.

¹⁵ While a UAP development pursuant to the recently-adopted CHO zoning text amendment could, in theory, utilize greater floor area, the viability of such a development is yet to be determined due to site planning constraints. See also the discussion of such a development in **Chapter 04.0**.