



CITY PLANNING COMMISSION

January 25, 2006, Calendar No. Supplemental 1

C 050388 ZSM

IN THE MATTER OF an application submitted by Georgetown 19th Street Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 94 spaces on portions of the first floor and cellar of a proposed 9-story commercial building on property located at 527-537 West 18th Street (Block 690, Lots 12 and 54), in C6-2 and C6-3 Districts, within the Special West Chelsea District (Subareas D & E), Community District 4, Borough of Manhattan.

The application was filed by Georgetown 19th Street Development LLC on March 23, 2005 for a special permit pursuant to Section 13-561 of the Zoning Resolution for a 94-space accessory parking garage on the ground floor and cellar levels of a new commercial office building.

BACKGROUND

The project site is an approximately 29,400 square foot through-block zoning lot comprised of two tax lots (12 and 54). The site occupies a full blockfront on the east side of Eleventh Avenue between West 18th and West 19th streets. An approximately 200,000 square-foot, as-of-right office building is under construction on the site.

The project site is currently located within the Special West Chelsea District (SWChD) and is split by a zoning district boundary. The entirety of Lot 54 and a majority of Lot 12 are located within a C6-3 zoning district, designated as Subarea D of the SWChD. The remainder of Lot 12 is located within a C6-2 zoning district, designated as Subarea E.

Land uses surrounding the project site are predominantly commercial in nature with limited residential use. The subject block contains a mix of two and three-story commercial buildings, including a nightclub, an arts center, and a surface parking lot occupying the Tenth Avenue blockfront. The High Line elevated rail structure crosses the eastern portion of the block and is being converted into a new public open space. Across West 18th Street, to the south of the project site, is full-block surface parking lot currently used by the US Drug Enforcement Agency. To the west of the project site, across Route 9A, is the Hudson River Park bikeway and pedestrian path and the Chelsea Piers sports and entertainment complex.

The larger area around the project site is primarily commercial between Tenth and Eleventh avenues and includes a large number of art galleries north of West 20th Street. East of the project site the nature of the area becomes more residential. The Chelsea Historic District, located east of Tenth Avenue at West 20th Street, is a relatively uniform area of tree-lined streets and 4 and 5-story walk up residential buildings. The New York City Housing Authority Fulton Houses development is located east of the project site along Ninth Avenue between West 16th and West 19th streets. The Fulton Houses site includes several 7-story buildings and three large, 25-story towers.

The applicant is requesting a special permit to facilitate construction of a 94-space accessory parking garage within a commercial office building that is currently under

construction. The building will serve as the global headquarters for InterActiveCorp and will eventually house approximately 635 employees.

The approximately 23,100 square foot garage would be located on the cellar level of the building and would be accessed via a two-way, 20-foot wide ramp located on West 19th Street, which is a one-way, eastbound street. Ten reservoir spaces would be located on the ramp and cellar level of the garage. Seventeen stacker spaces would be located within the proposed garage.

ENVIRONMENTAL REVIEW

This application (C 050388 ZSM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05DCP062M. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on September 26, 2005.

UNIFORM LAND USE REVIEW

This application (C 050388 ZSM) was certified as complete by the Department of City Planning on September 26, 2005, and was duly referred to Community Board 4 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 4 held a public hearing on this application on November 2, 2005, and on that date, by a vote of 33 to 0 with 0 abstentions and 0 present but not eligible, adopted a resolution recommending approval of the application.

Borough President Recommendation

The Manhattan Borough President did not submit a recommendation for this application.

City Planning Commission Public Hearing

On December 7, 2005 (Calendar No. 2), the City Planning Commission scheduled December 21, 2005 (Calendar No. 32), for a public hearing on this application (C 050388 ZSM), which was continued to January 11, 2006 (Calendar No. 29). There was one speaker in favor of the application and no speakers in opposition.

The applicant's counsel briefly described the project and the planned use of the new commercial office building on the site.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for special permit (C 050388 ZSM) is appropriate.

The Commission acknowledges that the garage would serve the anticipated 635 employees of the InterActiveCorp headquarters building that is currently under construction on the project site. The Environmental Assessment Statement prepared for this project indicated that the office headquarters would generate a demand for approximately 100 parking spaces for employees and visitors during peak hours. The Commission notes that the proposed 94-space parking garage would accommodate the entirety of this peak demand without utilization of off-site parking resources.

The Commission recognizes that there is limited existing public parking in the immediate vicinity and that there is limited capacity within these facilities for the anticipated traffic to be generated by the proposed garage. The nearest parking facilities are located at Pier 61 and at two parking lots on the block to the north of the project site. The applicant's environmental assessment statement indicates that area parking facilities

are already utilized at approximately 85 percent of capacity. Furthermore, the Commission recognizes that the recently adopted rezoning of the area between Tenth and Eleventh avenues may lead to new residential and commercial development on lots that now provide parking and that these new developments will themselves generate additional demand for parking spaces. The anticipated conversion of the High Line elevated rail structure into a public open space and continued growth of the West Chelsea art gallery district may create further demand for parking in the area of the new development. The Commission therefore believes that the proposed garage would appropriately serve the needs of the employees and visitors of the InterActiveCorp building.

The Commission notes that the Environmental Assessment Statement prepared for the applicant indicated that the proposed garage would generate a maximum net increase of 29 vehicle trips per hour in the peak hours. These additional trips will not create serious traffic congestion in the area and the streets providing access to the garage can accommodate these additional trips. The proposed garage would be accessed via West 19th Street, which is a one-way, eastbound street. Traffic entering the garage would approach from the south via Eleventh Avenue, also known as the West Side Highway, which is a major arterial street. Vehicles approaching the garage from the north would turn off Eleventh Avenue at West 18th Street and make a U-turn to reach West 19th Street. Vehicles exiting the garage would proceed eastbound on West 19th Street to Tenth Avenue, which is a one-way northbound avenue. Vehicles cannot continue east across

Tenth Avenue because West 19th Street is one-way westbound east of Tenth Avenue. As a result, all of the vehicles entering and exiting the garage will travel on West 19th Street, Tenth Avenue, Eleventh Avenue, none of which can be considered to be local residential streets. The Commission further notes that the required number of reservoir spaces (10 spaces) will be provided on the ramp and cellar level of the garage.

FINDINGS

The City Planning Commission hereby makes the findings pursuant to Section 13-561 (Accessory off-street parking spaces) of the Zoning Resolution.

1. That such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the use to which they are accessory;
2. That, within the vicinity of the site, there are insufficient parking spaces available;
3. That the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement;
4. That the facility is so located as to draw a minimum of vehicular traffic to and through local residential streets; and
5. That adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces.

RESOLUTION

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

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 201 of the New York Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by Georgetown 19th Street Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 94 spaces on portions of the first floor and cellar of a proposed 9-story commercial building on property located at 527-537 West 18th Street (Block 690, Lots 12 and 54), in C6-2 and C6-3 Districts, within the Special West Chelsea District (Subareas D & E), Community District 4, Borough of Manhattan is approved, subject to the following conditions:

- 1) The property that is the subject of this application (C 050388 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Philip Habib and Associates., filed with this application and incorporated in this resolution:

<i>Drawing No.</i>	<i>Title</i>	<i>Last Date Revised</i>
Sheet 2 of 2	Parking Plan	August 08, 2005

- 2) Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
- 3) Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
- 4) All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
- 5) Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any

portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

- 6) Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 050388 ZSM), duly adopted by the City Planning Commission on January 25, 2006 (Calendar No. Supplemental 1), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
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