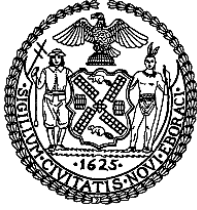


**MANHATTAN COMMUNITY BOARD FOUR**



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January 15, 2021

Olga Abinader, Director  
Environmental Assessment and Review Division  
New York City Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

**Re: Starrett-Lehigh and Terminal Warehouse:  
Comments on Draft Scope for Targeted DEIS**

Dear Ms. Abinader:

On the unanimous recommendation of its Chelsea Land Use Committee, following a duly noticed public hearing at the Committee's meeting on December 21, 2020, Manhattan Community Board 4 (CB4), at its regularly scheduled meeting on January 6, 2021, voted, by a vote of 40 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible to vote, to submit the comments in this letter on the Starrett-Lehigh and Terminal Warehouse Draft Scope of Work for the Preparation of a Targeted Draft Environmental Impact Statement (EIS). CB 4 comments include a request for an Alternative with a greater cap for destination retail uses; more rigorous studies of anticipated visitors, pedestrians, and bicyclists; pedestrian safety measures on West 26<sup>th</sup> Street; addition of street trees; support for artists; and the restoration of parapets on the Terminal Warehouse Building.

**Background**

The Starrett-Lehigh Building and the Terminal Warehouse are located between West 26<sup>th</sup> and West 28<sup>th</sup> Streets, Eleventh and Twelfth Avenues within the West Chelsea Historic District. The Starrett-Lehigh Building was designated a New York City Individual Landmark in 1986.

Neither building is currently located in the nearby Special West Chelsea District (SWCD) which was adopted in 2005. The goals of the SWCD are to facilitate new residential and commercial development and the reuse of the High Line. The SWCD retains manufacturing zoning on the mid-blocks to protect the area's many galleries. The district encompasses the area generally bounded by West 14<sup>th</sup> and West 30<sup>th</sup> Streets between Tenth and Eleventh Avenues.

When the SWCD proposal was finalized, CB4 stated that DCP excluded areas that were important for the integrity of West Chelsea. CB4 continued to advocate for an expanded SWCD. We asked that the blocks with the Starrett-Lehigh Building and the Terminal Warehouse be included. We recommended that the current zoning be replaced with M2-4 (5 FAR) – the same zoning district that this application proposes. DCP conducted a study about excluded areas including the subject site and concluded in 2013 that none of the areas should be added at that time to the district except the Chelsea Market site.

The SWCD currently has 10 sub-areas with specifically tailored zoning for each. In 2013 SWCD subarea J was added to facilitate an expansion of Chelsea Market between West 16<sup>th</sup> and West 17<sup>th</sup> Streets. In 2018 the eastern portion of Block 675, between West 29<sup>th</sup> and West 30<sup>th</sup> Streets, Eleventh and Twelfth Avenues, (one block away from the subject site) was rezoned from M2-3 to C6-4X to facilitate mixed-use development.

CB4 recommended to the Landmarks Preservation Commission approval with conditions or comments for two applications:

- Starrett-Lehigh Building Ground-floor Rehabilitation proposal, June 11, 2019
- Terminal Warehouse Building Renovation and Modification proposal, October 18, 2019.

### **Description of the Proposal**

#### Zoning Action Overview:

- A zoning map amendment to add the project area to the Special West Chelsea District and to create a new subarea (Subarea K)
- A rezoning from M2-3 to M2-4 to facilitate a broader range of uses
- A zoning text amendment to modify certain use, bulk, loading, and signage requirements.

#### Effect of Change in underlying zoning district of M2-3 to M2-4:

- FAR would increase from 2.0 to 5.0
- Applicants could lease space to a more diverse range of tenant types such as local and destination retail, academic or university space, and medical offices.
- Owners could reconstruct their buildings in the event of a catastrophic loss.
- Buildings are currently built at approximately 14.79 FAR at Starrett-Lehigh and 7.3 FAR at Terminal Warehouse; both exceed the existing 2.0 FAR and the proposed 5.0 FAR.
- Parking requirements would be eliminated.

#### The proposed M2-4 zoning would be modified to:

- Include uses permitted in a C6-3 district with some restrictions while retaining M2 uses
- Include no residential uses, hotels, or uses with sleeping accommodations
- Include:
  - All Use Groups 3 and 4 uses (except for those with sleeping accommodations) such as academic and medical office uses
  - All Use Group 6A uses such as food stores, grocery stores, or delicatessen stores, larger than 10,000 square feet
  - All Use Groups 6C, 9A, and 12B such as bookstores, retail clothing stores
  - Use Group 10A uses such as department stores (with FA restrictions)

#### Restrictions for certain uses in both buildings

- The aggregate floor area for all uses in Use Group 10A will not be permitted to exceed 15 percent of the total floor area for each building.
- The total maximum floor area of all Use Group K uses (Use Groups 3A, 4A, 6C, 9A, and 10A) that are not already allowed in the M3 District will not be permitted to be greater than 25 percent of the existing floor area of the existing buildings.

#### Other proposed changes:

- Sidewalk Cafes:
  - Unenclosed sidewalk cafes shall be permitted on West 27<sup>th</sup> Street. Currently, these are permitted in the SWCD on 11<sup>th</sup> and 12<sup>th</sup> Avenues

- Loading Berths:
  - Chairperson’s Certification to establish the maximum number of required loading berths for each building. In lieu of Chairperson’s Certification, a text amendment would waive loading requirements for change of use.
- Physical culture establishments (PCEs):
  - Amendment would permit PCEs such as gyms and fitness facilities to be as-of-right without requiring a special permit approval from the Board of Standards and Appeals.
- Signage:
  - Certain existing provisions would not apply so that signs can be placed on chamfered corners.

**Description of Draft Scope for Targeted EIS**

An Environmental Assessment Statement (EAS) prepared for the proposed actions identified the following technical areas which have been screened out:

- Socioeconomic conditions
- Community facilities
- Open space shadows
- Natural resources
- Hazardous materials
- Water and sewer infrastructure
- Solid waste and sanitation services
- Energy, air quality (stationary source analyses)
- Greenhouse gas emissions and climate change
- Noise (stationary source analyses)
- Construction.

The draft scope of work identifies impact areas for further analyses:

- Historic and cultural resources
- Hazardous Materials
- Transportation
- Air Quality
- Noise
- Public Health
- Neighborhood Character.

**CB4 Comments on Draft Scope**

**Destination Retail Uses**

CB4 is concerned that the proposed zoning could allow too many “destination retail” uses (also known as “big box” uses). These are uses that could alter the unique character of West Chelsea by attracting large chain stores. The Reasonable Worst-Case Scenario (RWCS) shows the possibility of 446,331 square feet of destination retail uses. We understand that the RWCS analysis is not a market plan and is used to estimate the worst impacts that might occur. But the 15 percent cap could allow five destination retail stores such as Target, Walmart, Home Depot, Lowe’s, and Bed Bath & Beyond.

CB4 asks that an Alternative be added to the final scope for the EIS. This Alternative would reduce the restriction of Use Group 10A uses from 15 percent to 10 percent of the total floor area for each building. This Alternative would permit fewer mall-like stores.

## **Transportation**

- Visitors

The final scope should include analyses of the anticipated visitors to both buildings. Their modes of transportation should be projected, and studies should include: pedestrians, bikes, buses, subways and taxis.

The final scope should also include analyses of the use of the 7<sup>th</sup> Avenue subway and the 8<sup>th</sup> Avenue subway at West 23<sup>rd</sup> Street stops. The subway is a popular mode of transportation for people to access both buildings. The study area should be expanded to include these locations and the corresponding streets and avenues that will be utilized by subway users.

- Bikes

Analyses are needed for bike-riding demand, bike parking and bike-share use. Studies should indicate whether there is a need for protected bike lanes and bike-share stations at the curb.

- Pedestrians

Since the project description specifies that “The proposed actions would also establish a connection, from a planning perspective, for pedestrians traveling between West Chelsea, Hudson Yards, and Hudson River Park,” those volumes should be added to the analysis.

Pedestrian analyses must use as a basis the actual and the projected future right of way, taking in account existing and future obstructions on sidewalks: loading docks with protruding trucks, garbage, sidewalk cafes, trees, bike racks, and other obstructions. A central trash area for building users might provide more sidewalk space for pedestrians. An interior trash/recycling storage area would provide even more sidewalk space.

If mitigations for pedestrians are needed: a limit on sidewalk obstructions might be 10 percent of the block face. Approved sidewalk cafes should not obstruct more than 30 percent of the block or leave a 12-foot clear path to the curb (to accommodate trees) whichever is less.

- West 26<sup>th</sup> Street Pedestrian Safety Issue

Already many pedestrians walk on West 26<sup>th</sup> Street; if the new uses in the Starrett-Lehigh Building are successful, certainly a major increase in pedestrians would be expected. A continuing problem has resulted from parked trucks that extend into West 26<sup>th</sup> Street, blocking the sidewalk on the north side of West 26<sup>th</sup> Street. Pedestrians are forced to cross West 26<sup>th</sup> Street to the south side mid-block. A potential solution for this dangerous condition could be creating a marked mid-block pedestrian crosswalk. The New York City Department of Transportation (DOT) has rejected this idea. CB4 asks that the scope for the Targeted EIS include analyses of existing and projected pedestrian usage so DOT could re-visit this issue.

This problem may be somewhat lessened in several months when three of the longest trucks using West 26<sup>th</sup> Street loading docks will instead start using three new Twelfth Avenue loading bays in the Starrett-Lehigh Building. To direct pedestrians from using West 26<sup>th</sup> Street, signage could be installed to encourage them to walk on West 27<sup>th</sup> Street instead. West 27<sup>th</sup> Street is a much safer route because there are fewer loading bays and no long trucks using that side of the building. Signs could be posted on Eleventh and Twelfth Avenues, and within Hudson River Park (HRP). The applicant has been discussing this issue with HRP representatives.

Some other recent ideas to improve pedestrian safety on West 26<sup>th</sup> include the addition of a flag person posted to direct pedestrians away from the West 26<sup>th</sup> Street truck loading area; scheduling truck deliveries for early morning and late-night, times when high pedestrian volumes are not

expected; and establishing and enforcing limited truck parking times. The final scope should include this topic with analyses for solutions.

- Curb Usage

The final scope should include analyses of the anticipated use of curbs due to new uses including the number of deliveries, size of trucks, garbage pickups, limos, and taxi or uber pickups and drop-offs.

- Street Trees

The scope does not mention street trees. We strongly recommend that street trees either be added as a scope topic and/or in an Alternative. Introducing street trees would be a great benefit and reflect the buildings' adaptive reuse without distracting from their historic character.

### **Historical and Cultural Resources**

- Support of Artists

One of the goals of the SWCD is to preserve the area's many art galleries by keeping the manufacturing zoning on the mid-blocks. Art galleries have continued to thrive. In keeping with that intent, CB4 asks that space be reserved in one or both buildings for artists at below-market rents.

- Restoration of the Eleventh Avenue Corner Parapets on Terminal Warehouse Building  
CB4 continues to request that the applicant restore two parapets on the east facade of the Terminal Warehouse building. The final scope for the DEIS should include this action and ensure that no measures identified in the DEIS preclude this restoration.

Historic photos show high parapets simulating corner towers on the north and south corners of the Eleventh Avenue facade of the Terminal Warehouse Building. The complex was designed at a time when New York architects routinely modeled new buildings on medieval or Renaissance precedents. The high corner parapets had arched-corbel brackets based on a defensive feature of medieval fortifications called machicolation. This feature is perhaps most familiarly seen in Florence's Palazzo Vecchio and Sienna's Palazzo Pubblico, above both of which rise flaring towers evoked by the Terminal Warehouse's original smokestack near Eleventh Avenue. Similar but less pronounced machicolation is retained on the surviving central parapet of this facade, but it has largely been lost on the west facade. Reintroducing the high corner parapets over Eleventh Avenue would return the castle form that makes sense of this and other contributing features – most notably the draw-bridge-portal-like, arched, avenue entrance - now seem merely arbitrary. It would also restore the main facade's original picturesque roofline and sense of vertical culmination.

There is a precedent for adding back such features in CD4. Two turrets with domes at the 20<sup>th</sup> Street and 21 Street corners of the Hugh O'Neill Building at 655 Sixth Avenue in the Ladies Mile Historic District were restored in 2006. This building, completed in 1897, was distinguished by a pair of gold-colored domes which were removed between 1917 and 1922<sup>i</sup>. The restoration of the domed turrets was a condition of a Landmarks Preservation Commission approval for the addition of five penthouses on the building's roof as part of a conversion to condominiums<sup>ii</sup>.

The addition of the eastern parapets would result in a more attractive and accurate historic restoration of the Terminal Building's Eleventh Avenue facade. We ask that the scope acknowledge this restoration and not include any measures that would preclude it.

**Conclusion**

CB4 urges the applicants to incorporate our comments in the final scope for the Starrett-Lehigh and Terminal Warehouse Targeted Environmental Impact Statement. An expanded analysis will provide a deeper understanding of the potential impacts of the project.

Sincerely,



Lowell D. Kern  
Chair  
Manhattan Community Board 4 Chelsea Land Use

Betty Mackintosh  
Co-Chair  
Chelsea Land Use

Paul Devlin  
Co-Chair  
Chelsea Land Use

CC: Hon. Corey Johnson, Speaker of the City Council  
Hon. Gale A. Brewer, Manhattan Borough President  
Sarah Carroll, Chair, Landmarks Preservation Commission  
Marisa Lago, Chair, NYC Department of City Planning  
Edith Hsu-Chen, Director, Manhattan Borough Planning Office  
Department of City Planning

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i <https://www.nytimes.com/2006/11/18/nyregion/18domes.html>

ii <https://www.flatirondistrict.nyc/discover-flatiron/flatiron-history/the-hugh-oneill-building>