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**Gale A. Brewer, Borough President**

September 7, 2021

**Recommendation on Non-ULURP Application Nos. C210408ZMM and N210409ZRM  
Starrett-Lehigh and Terminal Warehouse  
By RXR SL Owner LLC and Terminal Fee Owner LP**

**PROPOSED ACTIONS**

RXR SL Owner LLC and Terminal Fee Owner LP (the “Applicants”) seek approval for the following actions:

- A zoning map amendment to extend the Special West Chelsea District, including adding a new Subarea K to the District;
- A zoning text amendment to modify use, loading, and signage requirements as well as sidewalk café regulations; and
- A change in zoning for the Project Area from M2-3 to M2-4.

The actions would apply to the Starrett-Lehigh building, located at 601 West 26<sup>th</sup> Street (Block 672, Lot 1) and the Terminal Warehouse building located at 261 Eleventh Avenue (Block 673, Lot 1) (collectively, the “Project Area”). The Project Area is located in the Chelsea neighborhood in Manhattan Community District 4.

Changes to the zoning map should be evaluated for consistency and accuracy. Appropriateness for growth, improvement, and development of the neighborhood and borough should also be considered. Amendments to the Zoning Resolution should be evaluated based on appropriateness and benefits to the affected communities.

**BACKGROUND**

The Project Area is part of the West Chelsea Historic District, which was designated by the Landmarks Preservation Commission (LPC) in 2008. That designation noted area’s significance as an industrial neighborhood that was home to several prominent companies in the nineteenth and twentieth centuries. The Terminal Warehouse is a contributing building within the historic district, while the Starrett-Lehigh building received an individual designation from the LPC in 1986.

The Special West Chelsea district was established in 2005 with the purpose of guiding development and the activation of the High Line—specifically, encouraging residential and commercial development. In 2012, the special district was expanded to facilitate an office and hotel expansion in the Chelsea Market building. In 2013, the Department of City Planning (DCP) completed a study of three additional areas that could be annexed to the special district. In 2015, one of those areas, bounded by West 14<sup>th</sup> and West 15<sup>th</sup> Streets and Ninth and Tenth Avenues, was added to the District. Another one of the areas, which the report recommended further study

of, was an area bounded by West 24<sup>th</sup> and West 30<sup>th</sup> Streets and Eleventh and Twelfth Avenues—an area that includes the project Area.

The 2015 action, which was undertaken by DCP, also included a provision to allow sidewalk cafes on wide streets within the District.

## **PROPOSED DEVELOPMENT**

### **Area Context**

The Project Area is located within a mixed-use district that includes new residential development alongside older manufacturing buildings as well as commercial and mixed-used buildings. The High Line is located to the north and east of the Project Area, while Hudson River Park is located to its west. While new development spurred by the creation of the Special West Chelsea District has brought more traffic and pedestrian activity, little pedestrian activity has made its way to the area immediately surrounding the Project Area.

### **Site Description**

The Project Area includes two blocks bounded by West 26<sup>th</sup> and West 28<sup>th</sup> Streets and Eleventh and Twelfth Avenues. The two blocks in that area are each occupied by a building: the Starrett-Lehigh building on the block to the south, and the Terminal Warehouse on the block to the north. Both buildings are currently in an M2-3 zoning district and exceed the district's maximum FAR of 2.0. The Starrett-Lehigh Building is 19 stories and 269 feet in height with an approximate FAR of 14.8. The Terminal Warehouse is 9 stories and 85 feet in height and an approximate FAR of 7.3. The Starrett-Lehigh building includes some light manufacturing uses, storage and warehousing, as well as office spaces. While the Terminal Warehouse includes some office and eating and drinking establishments, the building is mostly vacant. That building is currently undergoing capital work that includes converting approximately 500,000 square feet into office space.

Buildings in M2 zoning districts may also be required to provide additional loading berths if they have a change in use. The Starrett-Lehigh building includes 10 loading spaces along West 26<sup>th</sup> Street. However, these spaces do not meet the loading berth requirements set forth in the Zoning Resolution. The Terminal Warehouse has removed all of its exterior loading spaces and created a single, indoor loading area that has access from West 28<sup>th</sup> Street.

### **Project Description**

The proposed zoning text amendment would allow both of the buildings in the Project Area to convert up to 25% of their square footage into the new uses as part of a new, proposed Subarea K. Subarea K would not permit residential, hotel, or other sleeping accommodations. The following use groups would be allowed in the Subarea:

- Use Groups 3 and 4 (with the exception of those that include sleeping accommodations);
- Some Use Group 6A uses - larger than 10,000 square feet;
- Use Groups 6C, 9A, and 12B; and

- Some Use Group 10A uses, with restrictions on size. – only 15% of the building’s floor area

The Starrett-Lehigh building contains a total of 1,835,150 gross square feet, with a maximum 458,787 square feet permitted for conversion. The Terminal Warehouse contains a total of 1,140,387 gross square feet, with a maximum 285,096 square feet permitted for conversion.

Currently, the Special West Chelsea District allows sidewalk cafes only on wide streets. The proposed zoning text would also allow them on West 27<sup>th</sup> Street. The Applicants have represented that they are in discussion with the Department of City Planning to determine whether the agency’s Open Restaurants text amendment application would achieve the same goal as their proposed text provision, and whether it could be withdrawn from the application.

The Applicants also propose to modify certain requirements, including:

- Eliminating the need for new loading berths for changes of use that would require it;
- Allow for the placement of signage on the chamfered corners of the Starrett-Lehigh building and increase the maximum height of any illuminated signage from 58 feet to 75 feet<sup>1</sup>;

The proposed new M2-4 zoning district would reduce the degree of noncompliance for both buildings by increasing the maximum FAR from 2.0 to 5.0.

Neither building would include a public parking garage. Additionally, collectively, they would provide 800 bicycle parking spaces.

## **COMMUNITY BOARD RESOLUTION**

At its July 28, 2021 meeting, Manhattan Community Board 4 (MCB4) voted to recommend approval of the Application but listed conditions under its approval, including that the Applicants:

- Reduce proposed Use Group 10A uses or designate a minimum area (square feet) for specific uses to preclude big box retail, and encourage local employment and neighborhood scale uses. Such uses might include light manufacturing with showrooms, incubator space, special education programs, and art production/retail sales;
- Provide solution(s) to improve pedestrian safety on West 26<sup>th</sup> Street;
- Involve MCB4 in the study of delivery operations to develop plan to minimize conflicts between trucks, pedestrians and cyclists;
- Involve MCB4 in discussions with Hudson River Park Friends to connect the Hudson River Park to the project site;
- Mitigate adverse impact for pedestrians on West 25<sup>th</sup> Street between Eighth and Ninth Avenues;
- Install outdoor restaurants and cafes only in parking lanes, not on sidewalks;

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<sup>1</sup> Placement of such signage would still require approval from the Landmarks Preservation Commission.

- Place bike racks on parking lanes, not sidewalks; consider opening bike storage rooms to the public; and
- Install street trees on east end of West 26<sup>th</sup> Street and on Eleventh Avenue.

In a letter dated June 18, 2021, the Applicants noted that they were working to address some of these concerns, including working with the Department of Transportation (DOT) to determine the feasibility of a midblock crossing and discussing the placement of street trees and bike parking with the LPC.

## **BOROUGH PRESIDENT'S COMMENTS**

I believe that this application presents a good balance between honoring and preserving West Chelsea's manufacturing history while facilitating new uses that are harmonious with the area. West Chelsea has seen significant change since the 2005 rezoning, and this project will bring that change—and greater activity—farther west.

While I support this project, I believe that it should also plan for the increase in traffic and pedestrian flow. I understand that the Applicants have been in conversation with DOT regarding the loading berths on West 26<sup>th</sup> Street. However, Manhattan Community Board 4 has thoughtfully pointed to the fact that when trucks are loading into the Starrett-Lehigh building, they not only block the sidewalk and force pedestrians to cross West 26<sup>th</sup> Street; they also make it difficult for pedestrians to see oncoming traffic before crossing the street. While this may be a small issue now, the proposed actions would increase street activity on these two blocks, and I believe that the Applicants should work with the DOT to provide a safe solution for pedestrians. A good example is a mid-block crossing on West 65<sup>th</sup> Street between Broadway and Amsterdam Avenue that was created by Lincoln Center in order to address pedestrian safety between two sites on their campus. This crossing allows people a more direct route than going to the end of the block to cross the street, and then walking back to the midblock.

I am pleased to learn that RXR, the owner of the Starrett-Lehigh building, works with local artists and nonprofit groups to promote their work through various short-term events. Artists in our city need space but are often not able to afford it—especially in Manhattan. I believe that the availability of vacant space as both buildings go through their lease-up processes offers a great opportunity to attract short-term users. These users could include artists who need work and exhibit space, but it could also include nonprofits that need short-term programming and even storage space. Volunteers of America runs Operation Backpack, a program to provide students with grade-specific school supplies and uses different spaces within the Starrett-Lehigh building every year to do their work. I am hopeful that the Applicants can replicate this model wherever possible, including at the Terminal Warehouse, where most of the building is vacant.

Finally, I also hope that the Terminal Warehouse does not opt to implement a shuttle bus system for its building tenants. I believe users of both of these buildings should walk and make use of the hundreds of bike parking spaces and the bike concierge program that the Terminal Warehouse proposes to offer. There is also a Citibike station located at 11<sup>th</sup> Avenue and West 27<sup>th</sup> Street and the M23 and M12 buses, which take passengers to across Manhattan and north and south, respectively. Offering a private shuttle option would negate some of the benefits of

revitalizing these two buildings. Our city needs more people to walk, bike, and take public transportation and patronize businesses, galleries, and public spaces.

### **BOROUGH PRESIDENT'S RECOMMENDATION**

I therefore recommend **approval of the application with the following conditions:**

- The Applicants agree to work with DOT to plan for and implement a midblock crossing at West 26<sup>th</sup> Street;
- The Applicants commit to providing space to artists and nonprofits, both on an ongoing basis for events, but also to make available untenanted vacant space in both buildings while the Applicants are going through their lease-up processes;
- The Terminal Warehouse agree not to offer bus shuttle service to its tenants, and that Starrett-Lehigh reduce or eliminate its service.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, flowing style with a large initial "G" and "A".

Gale A. Brewer  
Manhattan Borough President