FRIEDMAN & GOTBAUM LLP

568 BROADWAY SUITE 405
NEW YORK NEW YORK 10012
TEL 212 925 4545
FAX 212 925 5199

September 22, 2014

Received by Central Intake on September 22, 2014

M120228BZSM

By Hand

Mr. Maurice Spreiregen
Central Intake
NYC Department of City Planning
22 Reade Street
New York, NY 10007

Re: Seward Park Mixed-Use Development Project/Sites 1 & 5 Modifications
236 Broome Street (LSGD Site 1 – Block 409 Lot 56) and
394-406 Grand Street (LSGD Site 5 – Block 346 p/o Lot 40) , New York, NY

Dear Mr. Spreiregen:

Enclosed please find a land use application by the New York City Department of Housing Preservation and Development for second minor modification to the ZR Sec. 74-743 large scale general development (LSGD) Special Permit (ULURP No. C 120228 ZSM), which was approved by the City Planning Commission on August 22, 2012 under Calendar # 9. The current application seeks minor modifications to the design controls for Sites 1 and 5 of the Seward Park Mixed-Use Development Project. The submission includes 14 (fourteen) sets of the following materials:

— Land Use Application Form LR, including attachments
— Positive Declaration dated September 7, 2011
— Notice of Completion of FGEIS dated August 10, 2012
— LR Item 3 - Project Description
— Attachment 11 - Applicant's Discussion of Findings
— Official Zoning Sectional Map for project area (12c, 12d)
— Official Tax Map (2 maps)
— Project Area Photographs for both sites
— Area Map (Land Use and Zoning) (LSGD Drawing 006)
— LSGD Drawings as follows:
  - LSGD Site Plan (LSGD Drawing 008) revised August 27, 2014
  - Site 1 Site Plan (LSGD Drawing 101) revised August 27, 2014
  - Site 1 Ground Floor Plan (LSGD Drawing 102) revised August 27, 2014

- Site 1 Building Envelope Diagrams (LSGD Drawing 103)
- Site 5 Zoning Lot Site Plan (LSGD Drawing 501)
- Site 5 Ground Floor Plan (LSGD Drawing 502)
- Site 5 Building Envelope Diagrams (LSGD Drawing 503) revised August 27, 2014

— Site 1 Zoning diagrams (2 sheets) and Renderings (3 sheets) prepared by ShoP Architects dated August 27, 2014, for illustrative purposes only

— Site 5 Proposed Massing NE View (1 sheet) and Renderings (4 sheets) prepared by Beyer Blinder Belle Architects & Planners LLP dated August 27, 2014, for illustrative purposes only

Also enclosed is a CD containing the electronic version of materials listed above.

As always, thank you for your cooperation. Please feel free to call me or Elena Aristova at 212-925-4545 if you have any questions or comments regarding this matter.

Very truly yours,

Shelly S. Friedman

Enclosures

cc:

T. Walters
V. Simmons
K. Van Tessel
C. Wenke
I. Henderson
J. Johnson
B. Baron
W. Wharton
R. Metsky
M. Wetstone
S. Huang
V. Chakrabarti
D. Getman
L. Do

FRIEDMAN & GOTBAUM LLP

568 BROADWAY SUITE 505
NEW YORK NEW YORK 10012
TEL 212 925 4545
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120228 (B) ZSM

CITY PLANNING COMM. SUP.
2015 FEB 25 PM 5:04
DEPT. OF CITY PLANNING

February 25, 2015

REVISED

By Hand

Mr. Maurice Spreiregen
Central Intake
NYC Department of City Planning
22 Reade Street
New York, NY 10007

Re: Seward Park Mixed-Use Development Project/Sites 1 & 5 Modifications
394-406 Grand Street (LSGD Site 5 – Block 346 p/o Lot 40) , New York, NY

Dear Mr. Spreiregen:

We have been advised by the Manhattan Office to submit 14 (fourteen) sets of the following drawings prepared by Beyer Blinder Belle Architects & Planners LLP dated February 23, 2015, which have been revised to reflect minor adjustments to Site 5 dimensions and lot area:

- 001. Zoning Calculations
- 002. Zoning Calculations
- 003. Zoning Calculations (no revisions, last revision date: 08/06/2012)
- 004. Zoning Calculations (no revisions, drawing date March 21, 2012)
- 008. Proposed Site Plan
- 501. Proposed Site Plan – Zoning Lot 5
- 502. Ground Floor Plan – Zoning Lot 5

Also enclosed is a CD containing the electronic version of materials listed above.

As always, thank you for your cooperation. Please feel free to call me or Elena Aristova at 212-925-4545 if you have any questions or comments regarding this matter.

Very truly yours,

Shelly S. Friedman

Enclosures

cc: T. Walters, V. Simmons, K. Van Tassel, I. Henderson, C. Wenke, R. Metsky, M. Wetstone, S. Huang, L. Do

Land Us

Received by Central Intake on September 22, 2014

Department of City Plannir

M-120228BZSM

City Planning will assign and stamp reference numbers here

APPLICATION NUMBER

APPLICATION NUMBER

APPLICATION NUMBER

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

New York City Department of Housing Preservation and Development
APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *

100 Gold Street
STREET ADDRESS

New York NY 10038
CITY STATE ZIP

(212) 863-8658
AREA CODE TELEPHONE # FAX#

Thehbia Walters
APPLICANT'S PRIMARY REPRESENTATIVE

NYC Department of Housing Preservation and Development
REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

100 Gold Street
STREET ADDRESS

New York NY 10038
CITY STATE ZIP

(212) 863-6275 (212) 863-5052
AREA CODE TELEPHONE # FAX#

walterst@hpd.nyc.gov

*** List additional applicants below:**

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

AUTHORIZED REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

ADDITIONAL APPLICANT REPRESENTATIVE:

Shelly S. Friedman, Esq.
Friedman & Gotbaum LLP, 568 Broadway - Ste 505, New York NY 10012 (212) 925-4545 (212) 925-5199
NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX #

2. SITE DATA

(If the site contains more than one property complete the "LR Item 2. Site Data Attachment Sheet.")

See Item 2 - Site Data
STREET ADDRESS

Seward Park Mixed-Use Development Project/ LSGD Sites 1 and 5 Modifications
PROJECT NAME (IF ANY)

6 blocks generally bounded by Suffolk, Broome,Ludlow, Delancey, Ridge, Clinton and Grand Streets
DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

C6-1; R8/C2-5
EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)

12c
ZONING SECTIONAL MAP NO(S).

See Item 2 - Site Data
TAX BLOCK AND LOT NUMBER

Manhattan
BOROUGH

3
COMM. DIST.

n/a
URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO ☑ YES ☐ IF YES, IDENTIFY

3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")

See attached description.

4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

* No supplemental form required

☐	CHANGE IN CITY MAP.....MM	$
☐	ZONING MAP AMENDMENT.....ZM	$
☐	ZONING TEXT AMENDMENT..... ZR	$
☐	ZONING SPECIAL PERMIT.....ZS	$
☐	ZONING AUTHORIZATION.....ZA	$
☐	ZONING CERTIFICATION.....ZC	$
☐	PUBLIC FACILITY, SEL../ACQ.....PF	$
☐	DISPOSITION OF REAL PROP.....PD	$
☐	URBAN DEVELOP'T ACTION.....HA	$
☐	URBAN RENEWAL PROJECT.. .....*	$
☐	HOUSING PLAN & PROJECT.....*	$
☐	FRANCHISE.....*	$
☐	REVOCABLE CONSENT.....*	$
☐	CONCESSION.....*	$
☐	LANDFILL.....*	$
☐	OTHER (Describe)	$
		$

☑ MODIFICATION	C 120228 ZSM	$ 0
☐ FOLLOW-UP	APPLICATION NO.	$
☐ RENEWAL	APPLICATION NO.	$
☐ OTHER	SPECIFY	$

TOTAL FEE (For all actions) $ 0

Make Check or Money Order payable to Department of City Planning.

If fee exemption is claimed check box below and explain

☑ Applicant is a City agency

Has pre-application meeting been held? ☐ NO ☑ YES

If yes J. Kolkmann — DCP Office/Representative; 06/17/2014 — Date of meeting

M120228BZSM

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)

LEAD AGENCY Office of the Deputy Mayor for Economic Development CEQR NUMBER 11DME012M

TYPE OF CEQR ACTION:

☐ TYPE II Type II category: _____ Date determination was made: _____

☑ TYPE I } Has EAS been filed? Yes ☑ No ☐

☐ UNLISTED } If yes, Date EAS filed: 9/7/2011

Has CEQR determination been made? Yes ☑ No ☐

If yes, what was determination? Negative Declaration ☐ CND ..... ☐ Positive Declaration ☑ } Date determination made: 9/7/2011 (Attach Copy)

If Positive Declaration, has PDEIS been filed? Yes

Has Notice of Completion (NOC) for DEIS been issued? Yes (FGEIS) If yes, attach copy.

If PDEIS has not been filed, has final scope been issued? _____ If yes, date issued: _____

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No ☑ Yes ☐

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE

See Attachment to Form LR

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE

N/A

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

10. APPLICANT (Attach authorizing resolution(s), if applicable)

Charles Marcus, Director of Operations — NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

SIGNATURE OF APPLICANT — DATE 9/19/14

New York City Department of Housing Preservation and Development — APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS (Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE — SIGNATURE OF CO-APPLICANT — DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS — CITY — STATE — ZIP — TEL.NO. — FAX

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE — SIGNATURE OF AUTHORIZED REPRESENTATIVE — DATE

AUTHORIZED REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS — CITY — STATE — ZIP — TEL.NO. — FAX

CITY PLANNING COMM. SEC. 2014 SEP 22 AM 11:45 DEPT. OF CITY PLANNING

ADMINISTRATIVE CODE ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 10-154 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

APPLICATION No.

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITYPLANNING COMMISSION ACTIONS RELATED TO SITE

APPLICATION NO.	DESCRIPTION/DISPOSITION/STATUS	CAL. NO	DATE
M 120228(A)ZSM	FIRST MODIFICATION TO ZR SEC. 74-743 LSGD SPECIAL PERMIT TO MODIVY THE DRAWINGS AND RESTRICTIVE DECLARATION TO INCREASE THE SIZE OF THE OPEN SPACE	N/A	Pending
C 120245PPM	DISPOSITION OF CITY-OWNED PROPERTY (BLOCK 346, P/O OF LOT 40; BLOCK 347, LOT 71; BLOCK 352, LOTS 1 AND 28; BLOCK 353, LOT 44; BLOCK 354, LOTS 1 AND 12; AND BLOCK 409, LOT 56), BY HPD TO A FUTURE DEVELOPER OR BY DCAS TO THE NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION (EDC) OR A SUCCESSOR LOCAL DEVELOPMENT CORPORATION, AND WHICH ARE SUBJECT TO A RESTRICTION OF COMPLIANCE WITH THE TERMS OF THE RELATED UDAAP PROJECT SUMMARY (N120236HAM), BOROUGH OF MANHATTAN, COMMUNITY DISTRICT 3.	18	08/22/2012
N 120236HAM	PURSUANT TO ARTICLE 16 OF THE GENERAL MUNICIPAL LAW OF NEW YORK STATE FOR: (A) THE DESIGNATION OF PROPERTIES LOCATED ON ESSEX, DELANCEY, NORFOLK, GRAND, STANTON AND BROOME STREETS (BLOCK 346, PART OF LOT 40; BLOCK 347, LOT 71; BLOCK 352, LOTS 1, 28; BLOCK 352, LOT 44; BLOCK 354, LOTS 1, 12; AND BLOCK 409, LOT 56) AS AN URBAN DEVELOPMENT ACTION AREA; AND (B) AN URBAN DEVELOPMENT ACTION AREA PROJECT FOR SUCH AREA, TO FACILITATE THE DEVELOPMENT OF RESIDENTIAL, COMMUNITY FACILITY AND COMMERCIAL USES, INCLUDING THE REDEVELOPMENT OF THE ESSEX STREET MARKET, BOROUGH OF MANHATTAN, COMMUNITY DISTRICT 3	15	08/22/2012
C 120235ZSM	SPECIAL PERMIT, PURSUANT TO ZR SEC.13-562 AND 74-52, TO ALLOW A PUBLIC PARKING GARAGE ON PROPERTY BOUNDED BY BROOME STREET, CLINTON STREET GRAND STREET AND SUFFOLK STREET (SITE 5, BLOCK 346, P/O LOT 40), IN AN R8/C2-5 DISTRICT	14	08/22/2012
N 120230ZAM	ZR SEC. 74-444(C)(2) AUTHORIZATION FOR MODIFICATION OF SIGNAGE REGULATIONS TO PERMIT SIGNAGE IN COMPLIANCE WITH C6-1 REGULATIONS ALONG CERTAIN STREETS	19	08/22/2012
C 120229ZSM	ZR 74-744 LSGD SPECIAL PERMIT TO (I) ALLOW USE GROUP 10, 11A AND CERTAIN 12A USES IN C2 DISTRICTS WITHIN THE LARGE SCALE DEVELOPMENT PROJECT AND (II) ALLOW COMMERCIAL AND RESIDENTIAL USE TO BE ARRANGED WITHIN THE LARGE SCALE DEVELOPMENT PROJECT WITHOUT REGARD FOR THE LOCATIONAL RESTRICTIONS SET FORTH IN ZR SECTION 32-422	10	08/22/2012
C 120228ZSM	ZR SEC. 74-743 LSGD SPECIAL PERMIT APPLICABLE TO SITES 1 THROUGH 6, TO (I) ALLOW FOR DISTRIBUTION OF FLOOR AREA, LOT COVERAGE AND DWELLING UNITS WITHOUT REGARD TO ZONING LOT LINES OR DISTRICT BOUNDARIES AND (II) ALLOW WAIVERS OF HEIGHT AND SETBACK, MINIMUM BASE HEIGHT, REAR YARD, REAR YARD EQUIVALENT, AND REAR YARD SETBACK REQUIREMENTS, MINIMUM DISTANCE BETWEEN LEGALLY REQUIRED WINDOWS AND ANY WALL IN AN INNER COURT, OUTER COURT, AND PLANTING REQUIREMENTS	9	08/22/2012
N 120227ZRM	AMENDMENT OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK, MODIFYING SECTIONS 74-743 (SPECIAL PROVISIONS FOR BULK MODIFICATIONS) AND 74-744 (MODIFICATION OF USE REGULATIONS) CONCERNING SPECIAL PERMIT REGULATIONS FOR LARGE SCALE GENERAL DEVELOPMENTS, RELATING TO THE FORMER SEWARD PARK EXTENSION URBAN RENEWAL AREA, BOROUGH OF MANHATTAN, COMMUNITY DISTRICT 3	8	08/22/2012
C 120226ZMM	ZONING MAP AMENDMENT FOR A C2-5 COMMERCIAL OVERLAY ON SITES 3, 4, 5 AND 6	7	08/22/2012
C120156MMM	AMENDMENT TO CITY MAP TO REMOVE SECTIONS OF DELANCEY STREET BETWEEN NORFOLK AND CLINTON STREETS AND CLINTON STREET BETWEEN DELANCEY AND GRAND STREETS, THEREBY ALIGNING THE MAPPED STREETS WITH THE EXISTING BUILT STREET CONDITION	17	08/22/2012
C 830816HAM	DESIGNATION OF CITY-OWNED PROPERTIES WITHIN THE SEWARD PARK EXTENSION URBAN RENEWAL AREA SPACES VIA EDC	96	06/22/1983

Land Use Review Application (LR).....Item 2. Site Data

.....
Application No.

Enter all property information on this Attachment Sheet if the site contains more than one property.

TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)	TAX LOT(S) OR TAX LOT RANGE	ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)	
Block 346	p/o Lot 40	135-137 Delancey Street	LSGD SITE 3
Block 346	p/o Lot 40	153-163 Delancey Street	LSGD SITE 4
Block 346	p/o Lot 40	394-406 Grand Street	LSGD SITE 5
Block 347	Lot 71	178 Broome Street	LSGD SITE 6
Block 352	Lot 1	80 Essex Street	LSGD SITE 2
Block 352	Lot 28	85 Norfolk Street	LSGD SITE 2
Block 409	Lot 56	236 Broome Street	LSGD SITE 1

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

POSITIVE DECLARATION

NOTICE OF INTENT TO PREPARE
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

PROJECT:	**LEAD AGENCY:**
Seward Park Mixed-Use Development Project Block 346, Lot 40 Block 347, Lot 71 Block 352, Lots 1, 28 Block 353, Lot 44 Block 354, Lots 1, 12 Block 409, Lot 56 Block 410, Lot 38 Borough of Manhattan CEQR Number: 11DM012M	Office of the Deputy Mayor for Economic Development 253 Broadway, 14th Floor New York, New York 10007

DATE ISSUED: September 7, 2011

TYPE OF ACTION: Type I

NAME, LOCATION, AND DESCRIPTION OF PROPOSAL:
Seward Park Mixed-Use Development Project
Community District 3, Borough of Manhattan

The Office of the Deputy Mayor for Economic Development, in coordination with the New York City Economic Development Corporation (EDC) and the New York City Department of Housing Preservation and Development (HPD), proposes multiple discretionary actions to allow the implementation of an approximately 1.5 million-square-foot mixed-use development on 10 City-owned sites. The 10 proposed development sites are located in Manhattan Community District 3 generally along Delancey and Essex Streets on the Lower East Side. The project site also includes demapped sections of Broome and Suffolk Streets that would be mapped as City streets, and sections of Clinton and Delancey Streets that would be demapped. Sites 2, 3, 4, 5, and 6 are located within the former Seward Park Extension Urban Renewal Area (SPEURA), which was established in 1965 and expired in 2005. Sites 7, 8, 9, and 10 are located within the 2008 East Village/Lower East Side Rezoning area. Site 1 is in neither. In the proposed development, Site 7 would retain its current function as a municipal parking garage that supports the new development across all project sites.

Under a reasonable worst-case development scenario, it is assumed that the proposed actions would result in approximately 900,000 square feet of residential development (comprising approximately 900 dwelling units, of which up to half would be affordable units); up to approximately 600,000 square feet of commercial space (of which some could be community facility uses); approximately 350 parking spaces (with the number of public and accessory spaces to be determined); and an approximately 10,000-square-foot public open space. The commercial space would include up to approximately 195,000 square feet of ground-floor retail, an approximately 25,200-square-foot public market, an approximately 105,000-square-foot hotel, and approximately 274,800 square feet of non-specific commercial uses. Some of the approximately 274,800 square feet currently allocated toward non-specific commercial uses could become community facility uses. Pursuant to the proposed actions, the existing Essex Street Market, which is located on Site 9, would be relocated to a new, expanded, public market facility.

The project site is the largest underdeveloped City-owned site south of 96th Street, and the purpose of adopting the proposed land use actions is to allow for the implementation of a mixed-use development on the project site, which has the following goals: (1) transform several underutilized City-owned properties into a thriving, financially viable, mixed-use development; (2) provide affordable and market-rate housing units, commercial and retail uses, and other neighborhood amenities (e.g., parking, a new larger facility for the public Essex Street Market, and open space); and (3) knit these sites back into the larger, vibrant Lower East Side neighborhood.

The proposed actions would include the disposition of City-owned property to a developer or developers that will be selected pursuant to a Request(s) for Proposals (RFPs), a special permit from the New York City Planning Commission (CPC) for a Large-Scale General Development (LSGD), a special permit for bulk modifications within an LSGD, a special permit for location of accessory parking spaces and loading berths within an LSGD, street mapping and demapping, special permits for public parking facilities, zoning map changes and zoning text amendments, and approval of one or more Urban Development Action Area Project(s) (UDAAP). These actions will require approvals from the CPC through the Uniform Land Use Review Procedure (ULURP). Mayoral and Borough Board approval of the business terms with the developer or developers to be selected pursuant to the RFP(s) would also be required, as applicable.

It is assumed that the proposed actions would be approved by 2012 and, assuming a 10-year build-out period, would be anticipated to be completed by 2022. In the Future without the Proposed Actions, it is expected that existing uses on the projected development sites would remain. In addition, the Future without the Proposed Actions would account for other development projects that are planned to be in place by 2022 absent the proposed actions.

DISCRETIONARY ACTIONS SUBJECT TO CEQR AND SEQRA

The proposed mixed-use development would require multiple City approvals. Some of these are discretionary actions requiring review under the CEQR process. The Office of the Deputy Mayor for Economic Development (ODMED) will be the lead agency for CEQR. The potential discretionary actions that would be required for the proposed project include:

1) Disposition of Sites 1–6 and 8–10 by the City of New York for the purpose of subsequent development;

2) Disposition of a project site or sites as Urban Development Action Areas and approval of the proposed project(s) as a UDAAP(s);
3) Special permit from CPC pursuant to Section 74-74 of the Zoning Resolution (ZR) of the City of New York for a Large-Scale General Development (LSGD), applicable to Sites 1–6;
4) Special permit from CPC pursuant to Section 74-743 for bulk modifications within a LSGD;
5) Special permit from CPC pursuant to Section 74-745 for location of accessory parking spaces and loading berths within a LSGD;
6) Mapping of the demapped section of Suffolk Street between Grand and Delancey Streets and the demapped section of Broome Street between Norfolk and Clinton Streets as new streets through the project site;
7) Demapping of sections of Delancey Street between Norfolk and Clinton Streets and of Clinton Street between Delancey and Grand Streets, which were previously mapped to widen Delancey and Clinton Streets, thereby making the mapped street widths consistent within the project site;
8) Zoning map amendment for a C2-5 commercial overlay on Sites 3, 4, 5, and 6;
9) Zoning text amendment to modify commercial uses for the C2-5 zoning within the boundaries of this LSGD;
10) Special permits from CPC pursuant to ZR Sections 13-562 and 74-52 for public parking facilities; and
11) Mayoral and Borough Board approval of the business terms with the developer or developers to be selected pursuant to a Request for Proposals, pursuant to New York Charter Section 384(b)(4).

In addition, NYCEDC and HPD will coordinate with the Metropolitan Transportation Authority/New York City Transit (NYCT) regarding subway easement areas. Construction financing for the residential buildings may come from a variety of private and public (local, state, and federal sources), including, but not limited to funding from HPD, the New York City Housing Development Corporation, and the United States Department of Housing and Urban Development. In addition, potential construction funding may be provided by New York State Homes & Community Renewal (HCR) and the New York State Housing Finance Agency (HFA).

STATEMENT OF SIGNIFICANT EFFECT:

In accordance with Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), the Office of the Deputy Mayor for Economic Development, lead agency for the referenced project, has determined that the proposed project may have a significant impact on the quality of the human environment. Accordingly, an Environmental Impact Statement (EIS) is required to evaluate and disclose the extent to which impacts may occur.

Aspects that may require evaluation of potential environmental impacts include:

1) The potential for substantial impacts related to land use, zoning, and public policy;
2) The potential for substantial socioeconomic impacts;
3) The potential for substantial impacts to community facilities and services;
4) The potential for substantial open space impacts;
5) The potential for substantial impacts as a result of shadows;
6) The potential for substantial impacts related to historic and cultural resources;

7) The potential for substantial urban design/visual resource impacts;
8) The potential for substantial impacts related to hazardous materials;
9) The potential for substantial impacts related to the water and sewer infrastructure;
10) The potential for substantial impacts related to solid waste and sanitation services;
11) The potential for substantial energy use;
12) The potential for substantial impacts related to transportation;
13) The potential for substantial impacts related to air quality;
14) The potential for substantial greenhouse gas emissions;
15) The potential for substantial impacts related to noise;
16) The potential for substantial impacts related to public health;
17) The potential for substantial impacts related to neighborhood character; and
18) The potential for substantial construction impacts.

Statement in Support of Determination:

The above determination is based on the finding that:

1) The project would require several actions, including a zoning map amendment, zoning text amendment, special permits, and mapping actions, among others; together, the proposed actions would directly affect the land use on 9 of the 10 parcels comprising the site. Therefore, the potential for the proposed project to affect land use, zoning, and public policy will be examined.

2) The project could result in direct or indirect changes to economic activities in the area; therefore, a preliminary assessment of the potential for the proposed project to affect socioeconomic conditions on the project site and in the surrounding neighborhood will be undertaken. In addition, since the proposed project may introduce local- and regional-serving retail in excess of the CEQR threshold of 200,000 square feet, an assessment of indirect business displacement due to retail market saturation will be undertaken.

3) The proposed actions would directly displace a public health facility, and therefore, an analysis of the proposed actions' direct effects on health care facilities will be provided. In addition, the project's new residential population would increase demands on public elementary and intermediate schools and publicly funded day care facilities, and an analysis of the project's indirect effects on these facilities will be undertaken.

4) The proposed actions will exceed CEQR thresholds for a detailed open space analysis. Therefore, a detailed open space analysis will be conducted, and will include a discussion of the creation of new publicly accessible open space within the project site.

5) The proposed project would result in new buildings that would be greater than 50 feet in height. Therefore, a screening-level analysis will be performed to identify the project's potential to have shadow impacts on light-sensitive resources, including public open space as well as historic resources with light-sensitive features. If project-generated shadows would reach any such resources, a full shadows analysis would be performed for those resources.

6) Four buildings on the project site have been determined eligible for S/NR listing (The Essex Street Market located on Sites 2, 8, 9, and 10), and Sites 1 and 7 are located within the boundaries of the S/NR-listed Lower East Side Historic District. In addition, LPC

determined that there appears to be the potential for recovering remains from the 19th-century occupation of Block 346, Lot 40 (Sites 3, 4, and 5), Block 347, Lot 71 (Site 6), and Block 352, Lot 28 (part of Site 2). Therefore, an archaeological documentary study will be performed, as will an analysis of potential effects on architectural resources.

7) Development of the proposed project would result in new buildings on sites that are currently occupied by either parking or low-rise structures. Therefore, an analysis of the proposed actions' effects on urban design and visual resources will be undertaken.

8) Because the proposed project would result in soil disturbance activities, and because a Phase I Environmental Site Assessment indicated that a program of subsurface testing is recommended, an analysis of hazardous materials is warranted and will be provided.

9) The proposed project would exceed the CEQR thresholds for wastewater and stormwater analysis. Therefore, an analysis of potential effects of the proposed project on wastewater and stormwater infrastructure will be provided.

10) The proposed project would introduce new development that would require sanitation services and therefore, an analysis will be provided.

11) The proposed project would not affect the transmission or generation of energy or generate substantial indirect consumption of energy. However, in accordance with the *CEQR Technical Manual*, the EIS will disclose the proposed project's potential energy demand.

12) The proposed project would exceed the thresholds in Table 16-1 of the *CEQR Technical Manual*, and consequently could have significant traffic, parking, pedestrian, and transit impacts. Therefore, a detailed analysis of the potential transportation impacts of the proposed project is warranted and will be required.

13) The proposed project would result in new stationary and mobile sources of pollutant emissions. Stationary sources include fossil fuel-fired heat and hot water systems serving new buildings. Mobile sources would include increased traffic. Therefore, an analysis of the potential air quality impacts of the proposed project is warranted and will be provided.

14) The proposed project would exceed the CEQR analysis threshold for greenhouse gas (GHG) emissions. Therefore, a GHG consistency assessment will be undertaken.

15) The proposed project would introduce new residential uses; therefore, the noise analysis will examine the effects of ambient noise sources on the proposed residential uses.

16) According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any one of these technical areas and a public health assessment is warranted, an analysis will be provided for that specific technical area.

17) Neighborhood character is determined by a number of factors, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. If warranted, an assessment of neighborhood character would be provided.

18) Because the project site is surrounded by narrow streets and sidewalks and is situated proximate to the Williamsburg Bridge, a detailed discussion of the construction

sequencing and logistics of the various sites will be necessary to provide a clear depiction of how vehicular and pedestrian traffic circulation could be affected and to determine what emission and noise protection measures can be put in place. An analysis of potential construction impacts is warranted and will be provided.

Accordingly, the Office of the Deputy Mayor for Economic Development directs that a Draft Generic Environmental Impact Statement be prepared in accordance with 6 NYCRR 617.9(b) and 617.10 and Sections 6-08 and 6-09 of Executive Order No. 91 of 1977, as amended.

Public Scoping:

Public Scoping is a process whereby the public is invited to comment on the proposed scope of analysis planned for the Draft GEIS. A Draft Scope of Work has been prepared outlining analysis methodologies proposed for use in the Draft GEIS.

A public meeting has been scheduled for October 11, 2011 to provide a forum for public comments on this Draft Scope of Work. The public meeting will be held at University Settlement House, 184 Eldridge Street, 2nd floor, at the corner of Rivington Street, New York, NY. The scoping meeting will include both daytime and evening sessions. A daytime session will be held from 3:00 P.M. to 5:30 P.M., and an evening session will begin at 6:30 P.M. Written comments on the Draft Scope of Work will be accepted until 5:00 P.M. on Friday, October 21, 2011.

A copy of the EAS, Positive Declaration, and Draft Scope of Work for the project may be obtained by any member of the public from the:

Mayor's Office of Environmental Coordination
253 Broadway, 14th Floor
New York, New York 10007
Telephone: (212) 788-9956

These documents are also available on the websites of the Mayor's Office of Environmental Coordination and the New York City Economic Development Corporation: www.nyc.gov/oec and www.nycedc.com/sewardpark, respectively.

Requests for additional information may be directed to:

New York City Economic Development Corporation
Marilyn Lee, Assistant Vice-President
110 William Street
New York, NY 10038
mlee@nycedc.com

Written comments will be accepted until 5:00 P.M. on Friday, October 21, 2011, and may be submitted at the public scoping meeting or to Ms. Marilyn Lee at the above address.

The Positive Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Robert R. Kulikowski, Ph.D. September 7, 2011
Assistant to the Mayor

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

NOTICE OF COMPLETION
of the
FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT
for the
SEWARD PARK MIXED-USE DEVELOPMENT PROJECT

Lead Agency:	Office of the Deputy Mayor for Economic Development 100 Gold Street, 2nd Floor New York, NY 10038
CEQR Number:	11DME012M
SEQR Classification:	Type I
Date Issued:	August 10, 2012
Location:	Block 409, Lot 56; Block 352, Lots 1, 28; Block 346, Lot 40; Block 347, Lot 71; Block 354, Lot 1; Block 353, Lot 44; Block 354, Lot 12; Block 410, Lot 38* Community District 2, Borough of Manhattan

* Block 410, Lot 38 is a public parking garage that would not be redeveloped under the proposed actions, but is included for informational purposes

Pursuant to City Environmental Quality Review, Mayoral Executive Order 91 of 1977, as amended, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), and the State Environmental Quality Review Act, Article 8 of the State Environmental Conservation Law and its implementing regulations found in Part 617 of 6 NYCRR (SEQRA), a Final Generic Environmental Impact Statement (FGEIS) has been prepared for the actions described below and is available for public inspection at the offices listed on the last page of this notice. A draft Scope of Work for the Generic Environmental Impact Statement (GEIS) was issued and distributed on September 8, 2011 and the formal public review process for the project was initiated at a public scoping meeting held on October 11, 2011. The scoping meeting was held at University Settlement House in New York, NY to accept oral comments, and written comments were accepted until October 21, 2011. The Final Scope of Work was issued on March 15, 2012 and reflects analyses determined to be appropriate for inclusion in the EIS.

A public hearing on the Draft Generic Environmental Impact Statement (DGEIS) was held on July 11, 2012 at Spector Hall at the New York City Department of City Planning located at 22 Reade Street, New York, NY 10007. The hearing was in conjunction with the City Planning Commission's public hearing on the project's land use applications pursuant to the Uniform Land Use Review Procedure (ULURP). The public comment period on the DGEIS remained open until 5:00 PM on Monday, July 23, 2012.

1. PROJECT DESCRIPTION

The Office of the Deputy Mayor for Economic Development (ODMED), in coordination with the New York City Economic Development Corporation (NYCEDC) and the City of New York Department of Housing Preservation & Development (HPD), is sponsoring an initiative to allow for the implementation of an approximately 1.7 million gross-square-foot (gsf) (1.648 million zoning square foot) mixed-use development on 10 City-owned sites located in Manhattan Community District 3 generally along Delancey and Essex Streets on the Lower East Side. Five of the sites (Sites 2, 3, 4, 5, and 6) are located within the former Seward Park Extension Urban Renewal Area (SPEURA), which was established in 1965 and expired in 2005. Four sites (Sites 7, 8, 9, and 10) are located within the 2008 East Village/Lower East Side Rezoning area. The tenth site (Site 1) is in neither. The 10 City-owned sites and demapped sections of Broome and Suffolk Streets that would be mapped as City streets and sections of Clinton and Delancey Streets that would be demapped encompass the project site ("project site").

The program for the proposed development on Sites 1 through 6 and 8 through 10 is expected to include a variety of mixed-income residential, commercial such as retail and office space, and community or cultural uses. The project would also include provisions for parking and publicly accessible open space. Site 7 has been considered part of the project site since the community planning process commenced in 2008 and all City-owned properties in the area were identified. However, in the proposed development project, Site 7 would retain its current function as a municipal parking garage, which would continue to support the existing neighborhood uses, as well as the potential new program on the development sites.

The project site is the largest underdeveloped City-owned site south of 96th Street, and the purpose of adopting the proposed land use actions is to allow for the implementation of a mixed-use development on the project site, which has the following goals: (1) transform several underutilized City-owned properties into a thriving, financially viable, mixed-use development; (2) provide affordable and market-rate housing units, commercial and retail uses, community facilities and other neighborhood amenities (e.g., parking, a new and expanded facility for the public Essex Street Market, and publicly accessible open space); and (3) knit these sites back into the larger, vibrant Lower East Side neighborhood.

To facilitate the redevelopment project, a number of discretionary actions would be required. Adoption of proposed ULURP actions would involve public review by a number of entities, which include, depending on the action, Manhattan Community Board 3 (CB3), the Manhattan Borough President, the New York City Planning Commission (CPC), and the New York City Council. These actions include zoning map changes and zoning text amendments, zoning special permits, authorization, City map amendment, the disposition of City-owned property, approval of an Urban Development Action Area Project (UDAAP), and an acquisition. Mayoral and Borough Board approval of the business terms with the developer(s) to be selected pursuant to Requests for Proposals (RFPs) may also be required, as applicable. Should the discretionary actions subject to ULURP be approved, an RFP process would commence to solicit proposals for development under the approvals.

SITE DESCRIPTION

The project site contains a mix of parking, active, vacant, and partially vacant commercial uses, and a residential building with 7 occupied units. Within the project area, Suffolk Street is demapped between Grand and Delancey Streets and Broome Street is demapped between Norfolk and Clinton Streets. Sites 1, 3, 4, and 6 are each entirely occupied by surface parking. Sites 2 and 5 also contain surface parking; Site 2 is also occupied by one of the four Essex Street Market buildings; the former market section of the building is vacant, while the storefronts on Delancey Street contain a diner and a liquor store. In addition to surface parking, Site 5 contains three buildings: a walk-up residential building under the jurisdiction of HPD with a ground-floor visitor center for the Lower East Side Jewish Conservancy; a three-story building that is mostly

vacant except for a ground-floor shoe repair store and a former fire station that formerly housed a film prop company and is occasionally used to house furniture sales. Site 7 is a 362-space municipal public parking garage and would retain its current function as a municipal parking garage. Sites 8, 9, and 10 contain the other three Essex Street Market buildings, only one of which now operates as a public retail market. Site 8 contains a vacant building that is used for the storage of refuse generated by the market. The Essex Street Market building on Site 9 is approximately 20,000 square feet, of which approximately 15,000 square feet are the public market. The market currently has 23 vendors. The building, constructed in 1939 to provide an indoor retail market space for pushcart vendors, also contains retail and restaurant space on the Delancey and Rivington Street frontages. Site 10 contains a health clinic run by the Community Healthcare Network (CHN).

SITE PLAN AND URBAN DESIGN

As currently contemplated, the program for the proposed actions would include up to approximately 1.7 million gsf (1.648 million zoning square feet) of mixed-use residential, commercial development, and community facility use.

The proposed development includes relocating the existing Essex Street Market to a new, larger facility. The new public market would be over 29,000 gsf and would accommodate 35 to 65 vendors (depending on the size of each stall). The larger space would create entrepreneurship opportunities for additional vendors and would allow for a variety of vendor price points. A new facility would be an opportunity for capital investment in the market to address many of the physical limitations of the existing facility. The new market would have an improved internal layout, better connections with the street and expanded common gathering areas for public seating and market events. In addition, the new facility would be energy efficient, be fully compliant with the Americans with Disabilities Act, and have improved storage capabilities, garbage handling, and climate control. The City would give existing vendors at the time of the move the first opportunity to relocate their business to the new market facility, when the new facility on Site 2 is complete and ready for occupancy.

The urban design for the proposed development incorporates elements from the building forms of the surrounding neighborhood, which vary from low-rise walk-ups to large towers-in-the-park. The project would incorporate a connected street grid, and new buildings would have retail and residential entrances on multiple sides to create ground-floor activity and provide necessary access. The buildings would incorporate streetwall design characteristics that are intended to activate the pedestrian realm and setback towers that will permit access to light and air. The development project would maximize street-level uses such as retail that support pedestrian activity throughout the development. A publicly accessible open space of approximately 10,000 square feet with a mix of active and/or passive recreation uses would be incorporated into the development as well. The proposed development would include up to 500 parking spaces on up to four sites (Sites 2 through 5).

To allow for comprehensive planning for the project site and to allow flexibility in design and massing, including the ability to distribute floor area across lots and modify bulk distribution, height, and placement of buildings, the project seeks approval of Large Scale General Development (LSGD) special permits that would apply to Sites 1 through 6. The maximum building envelopes would allow potential towers on Sites 2 and 4 of up to 285 feet and 260 feet to the roof parapets, respectively (up to approximately 24 stories each), and building heights of up to 160 feet to the roof parapets (up to approximately14 stories) on Sites 1, 3, 5, and 6. Sites 8, 9, and 10 would be consistent with massing requirements and maximum heights allowable under existing zoning.

The proposed land uses and illustrative massings are intended to be illustrative of a possible configuration of the proposed uses and the possible interactions among those proposed uses across the project site. The eventual built configuration of uses would be subject to change based on the results of the environmental review, the results of developer(s)' response(s) to the RFP(s), market conditions, and further discussion with stakeholders, among other factors.

The City is currently in the process of considering how sustainability measures might be implemented as part of the project. Through an RFP process, the City would look favorably upon proposals that enhance the energy efficiency of buildings, use fewer raw materials, make the best of natural light where appropriate,

improve indoor air quality, and decrease the total impact on the natural and human environment. These designs could include features aimed at reducing energy consumption such as energy-efficient building envelopes, high-efficiency heating, ventilation, and air conditioning (HVAC) systems, incinerators and generators, and window glazing to optimize daylighting and solar heat gain and to reduce heat loss. Housing developments on all sites are expected to be certified under the Enterprise Green Communities Program, or meet equivalent sustainability measures. For sites that may be under the jurisdiction of HPD, the Land Disposition Agreement between HPD and the developer(s) would require a commitment to certification under the Enterprise Green Communities program or to the incorporation of equivalent sustainability measures. For housing developments on City-owned sites that are managed by NYCEDC, the commitment to certification under the Enterprise Green Communities program or to the incorporation of equivalent sustainability measures would be required through the provisions of a contract of sale or long-term lease or other legally binding agreement between NYCEDC and the developer(s).

DISCRETIONARY ACTIONS SUBJECT TO CEQR AND SEQRA

The proposed mixed-use development would require multiple City approvals. Some of these are discretionary actions requiring review under the CEQR process. ODMED is the lead agency for CEQR. The potential discretionary actions that would be required for the proposed development include:

- Disposition: Disposition of Sites 1 through 6 and 8 through 10 by the City of New York for the purpose of subsequent development;
- Urban Development Action Area Project Designation (UDAAP): Designation of Sites 1 through 6 and 8 through 10 as an Urban Development Action Area Project;
- Acquisition: Acquisition of a portion of Site 2 for the sole purpose of the relocated Essex Street Market;
- Zoning Map Change: Zoning map amendment for a C2-5 commercial overlay on Sites 3, 4, 5, and 6;
- Special Permit: Special permit from the CPC pursuant to Section 74-743 of the Zoning Resolution (ZR) of the City of New York for an LSGD, applicable to Sites 1–6 to allow the following in order to achieve a superior site plan:
  - Redistribution of floor area, lot coverage and dwelling units between zoning lots and across zoning district boundaries;
  - Waiver of height and setback regulations;
  - Waiver of rear yard regulations, rear yard equivalent regulations, and rear yard setback regulations;
  - Waiver of minimum base height;
  - Waiver of minimum distance between legally required windows and any wall in an inner court;
  - Waiver of outer court regulations; and
  - Waiver of planting requirements;
- Special Permit: Special permit from the CPC pursuant to ZR Section 74-744 for an LSGD, applicable to Sites 1–6, to allow the following:
  - Waiver of regulations regarding the location of residential uses relative to non-residential use;
  - Waiver of regulations regarding the location of commercial uses; and
  - Permit Use Group 10, 11A, and certain 12A uses in C2 districts;
- Special Permits: Four special permits from the CPC pursuant to ZR Sections 13-562 and 74-52 to allow for the development of up to four public parking garages on Sites 2 through 5;
- Authorization: Authorization pursuant to ZR section 74-744(c)(2) to modify signage regulations to permit C6-1 signage regulations along certain streets;
- Zoning Text Amendment: Zoning text amendment to ZR Sections 74-743 and 74-744 to:

- Eliminate the planting strip requirement in the proposed sidewalk widenings;
- Allow commercial FAR to be shifted from the C6 district to the C2 district;
- Allow Use Group 10, 11A, and certain 12A uses in the C2 zoning district; and
- Allow the modification of certain signage regulations;

- Street Mapping: Mapping of the demapped section of Suffolk Street between Grand and Delancey Streets and the demapped section of Broome Street between Norfolk and Clinton Streets as new streets through the project site; and
- Street Mapping: Demapping of sections of Delancey Street between Norfolk and Clinton Streets and of Clinton Street between Delancey and Grand Streets that were previously mapped to widen Delancey and Clinton Streets, thereby aligning the mapped streets with the existing built street condition.

Mayoral and Borough Board approval of the business terms with the developer or developers to be selected pursuant to RFPs, may also be required, as applicable. In addition, NYCEDC and HPD will coordinate with the MTA-New York City Transit (NYCT) regarding subway easement areas. Construction financing for the residential buildings may come from a variety of private and public (local, state, and federal) sources, including, but not limited to funding from HPD, the New York City Housing Development Corporation, and the United States Department of Housing and Urban Development. In addition, potential construction funding may be provided by other state funding sources, including New York State Homes & Community Renewal (HCR) and the New York State Housing Finance Agency (HFA).

2. ANALYTICAL FRAMEWORK FOR ENVIRONMENTAL REVIEW

In order to address the potential range of responses to the RFP(s), the environmental review analyzes a reasonable worst-case development scenario (RWCDS) that conservatively considers for each impact category the reasonable worst-case potential for environmental effects. While the proposed discretionary actions have been defined, the development program and design specifics under those actions would be dependent on the RFP response(s). Thus, pursuant to CEQR, a FGEIS has been prepared that considers the environmental impacts based on the RWCDS.

A GEIS is a more general EIS that analyzes the impacts of a concept or overall plan rather than those of a specific project plan. The GEIS is useful when the details of a specific impact cannot be accurately identified, as no site-specific project has been proposed, but when a broad set of further projects that fit within the RWCDS is likely to result from the agency's action. It should be noted that the program analyzed in the RWCDS is being used for illustrative and analysis purposes only; a site-specific breakdown is required for the environmental review. This is not meant to indicate an actual development program.

The proposed actions would change the regulatory controls governing land use and development on the project site and would allow the project site to be developed. In accordance with the *CEQR Technical Manual* (January 2012 edition) guidelines, this FGEIS analyzes the proposed actions' potential to generate significant adverse environmental impacts as the redevelopment takes place. The FGEIS considers alternatives that would reduce or eliminate impacts identified in the technical analyses and proposes mitigation for such impacts, to the extent practicable. The proposed actions would permit a range of development options; from among these, the FGEIS will examine the anticipated "reasonable worst-case development scenario."

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

The proposed actions would allow for a range of new developments on the project site. While the actual development will depend on developer proposals and future market conditions, the City has developed a maximum development envelope, or RWCDS, for CEQR analysis purposes. The RWCDS was developed by establishing the maximum buildable floor area allowed under zoning (approximately 1.648 million zoning square feet) and assigning a 60 percent to 40 percent ratio of residential floor area to commercial floor area, in addition to community facilities use. To the extent that actual development proposals exceed the analysis envelope of the RWCDS, they would be subject to additional environmental review, as appropriate. This RWCDS is used as a framework to assess potential impacts.

SITE PROGRAM

Under a reasonable worst-case development scenario, it is assumed that the proposed actions would result in approximately 951,000 gsf of residential development; up to approximately 632,300 gsf of commercial space; approximately 114,000 gsf of community facility or cultural uses; up to 500 parking spaces; and an approximately 10,000-square-foot publicly accessible open space on Site 5. The commercial space would include up to approximately 469,350 gsf of retail (including a grocery store), over 29,000 square feet of public market space, an approximately 97,500-square-foot hotel, and approximately 36,300 gsf of non-specific commercial uses. Note that this site-specific program is illustrative only and for analysis purposes only; and this is not meant to indicate an actual development program. Pursuant to the proposed actions, the existing Essex Street Market, which is located on Site 9, would be relocated to a new, expanded public market facility on Site 2.

Residential

One of the goals of the proposed actions is to allow for the development of a mixed-income residential development. Under the RWCDS, approximately 951,000 gsf of residential development would be developed comprising 900 dwelling units. As contemplated in the RWCDS, these residential units would be developed on all the sites with the exception of Site 2. In accordance with the UDAAP application, half of these dwelling units would be dedicated for affordable housing and would include a mix of affordable housing options such as senior housing. However, for analysis purposes, the FGEIS has not assumed a senior housing component since that would not be the most conservative assumption regarding demand for public school seats or publicly-funded day care services. Senior housing would not be precluded from being built.

Commercial

In order to facilitate development flexibility, a wide range of commercial uses would be allowed under the LSGD plan. These commercial uses, totaling approximately 632,300 gsf, are expected to include retail, such as local and neighborhood services and some retail stores with a larger draw; a public market, which represents the relocation and expansion of the existing Essex Street Market; and other commercial uses such as offices. The FGEIS also includes the analysis of a grocery store and a 200-room hotel since these commercial uses have unique characteristics (particularly related to traffic and pedestrian activities).

Community Facility

The proposed development includes a total of approximately 114,000 gsf of community facility or cultural space that would be distributed among Sites 1 through 6.

Parking and Circulation

Site 7 would remain a municipal public parking garage with a capacity of 362 spaces. In addition, the project proposes the inclusion of up to 500 parking spaces on up to four of the development sites to meet the expected project's demand and to replace a number of existing parking spaces that could be lost as a result of the proposed actions. The proposed development seeks approval for 4 special permits to allow for these additional public parking facilities on Sites 2 through 5 within the LSGD. The RWCDS assumes that Sites 2 through 5 would provide the parking in approximately 314,500 gsf of below-grade space, which is a reasonable worst-case assumption for the maximum amount of below-grade space required to allow up to 500 parking spaces on up to four sites.

ANALYSIS YEARS

It is assumed that the proposed actions would be approved by 2012. Based on a compressed and conservative development timeline, design and construction would be undertaken in a continuous manner and is assumed to span 10 years with a full build-out anticipated to be by 2022. In the future without the proposed actions, it is expected that existing uses on the projected development sites would remain. In addition, the future without the proposed actions would account for other development projects that are planned to be in place by 2022 absent the proposed actions.

3. PROBABLE IMPACTS OF THE PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

Overall, this analysis concludes that the proposed actions would not have any significant adverse impacts on land use, zoning, or public policy.

LAND USE

The proposed actions would have a positive effect on land use by creating an active new mixed-use development with open space on underutilized sites. The new housing, retail, publicly accessible open space, and community facility uses would bring activity to the proposed development sites and would serve both residents of the surrounding area and the larger community. The new uses introduced by the proposed actions would be compatible with the existing and anticipated future mix of residential, retail, and commercial uses in the surrounding area. The height and bulk of the proposed development would complement the existing built fabric and help to knit together surrounding neighborhoods. Therefore, the proposed actions would not result in any significant adverse land use impacts.

ZONING

The proposed actions would include a LSGD special permit, which would allow the proposed development to better integrate the programming of its proposed uses, and would provide flexibility in design and massing. The proposed actions would not change the underlying zoning of the project site, except to map new C2-5 commercial overlay zones on Sites 3, 4, 5, and 6. The proposed commercial overlay zones would be compatible with existing commercial zoning in adjacent areas. The retail uses that could be introduced as a result of the zoning change would be compatible with existing retail uses and the mixed-use character of the study area. The zoning relief (such as height and setback waivers) being sought would facilitate a superior site plan that is responsive to the context of the project site and would complement the surrounding study area. Therefore, the proposed actions would not result in significant adverse zoning impacts.

PUBLIC POLICY

The proposed actions would support and further the objectives of applicable public policies, including the Mayor's New Housing Marketplace Plan, nearby business improvement districts, and PlaNYC 2030. The proposed actions would not result in any significant adverse public policy impacts. The proposed actions would be in broad accordance with CB3's redevelopment guidelines in terms of its mixed-use character, affordable and market housing development, commercial development, urban design plan, parking, and potential for community facility development.

SOCIOECONOMIC CONDITIONS

The analysis presented in this chapter finds that the proposed actions would not result in significant adverse socioeconomic impacts. In accordance with *CEQR Technical Manual* (January 2012 edition) guidelines, this socioeconomic analysis evaluates the RWCDS against six specific elements that can result in significant adverse socioeconomic impacts: (1) direct displacement of residential population on a project site; (2) direct displacement of existing businesses on a project site; (3) indirect displacement of residential population in a study area due to increased rents; (4) indirect displacement of businesses or institutions in a study area due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on specific industries.

DIRECT RESIDENTIAL DISPLACEMENT

A screening-level assessment finds that the proposed actions would not result in significant adverse impacts due to direct residential displacement. The proposed actions would directly displace approximately nine residents who are living in seven dwelling units located in a City-owned rental building at 400 Grand Street (Site 5). The direct displacement resulting from the proposed actions would not be of a scale large enough to alter the demographics and socioeconomic character of the neighborhood. The amount of displacement (nine residents) falls well below the CEQR threshold of 500 displaced residents, and therefore a preliminary assessment is not warranted.

HPD would assign a relocation manager to each of the households that would be displaced and provide each household with an information letter that outlines the benefits available to the household. Eligible residents would receive relocation benefits, which include advisory services, including referrals to comparable and suitable replacement homes and assistance in preparing claim forms; payment for moving expenses; and financial assistance to help buy or rent a replacement home.

DIRECT BUSINESS DISPLACEMENT

A preliminary assessment finds that the proposed actions would not result in significant adverse impacts due to direct business displacement. As part of the proposed actions, the Essex Street Market tenants on Site 9 could relocate to a new market facility on Site 2. Aside from the Essex Street Market relocation, there are an estimated 14 businesses and 107 employees who could be displaced without specific plans or provisions for their relocation within the study area. The retail, parking, eating and drinking, and health care uses that would be displaced are common in the study area such that businesses and consumers would be able to find similar products and services elsewhere in the study area in the future with the proposed actions. The employment that would be lost would not be substantial, and the proposed actions would introduce many new employment opportunities in similar industry sectors. Although these businesses are valuable individually and collectively to the City's economy, their displacement from the project site would not substantially alter the neighborhood's economic activities.

INDIRECT RESIDENTIAL DISPLACEMENT

A preliminary assessment finds that the proposed actions would not result in significant adverse impacts due to indirect residential displacement. The proposed actions would introduce 900 new dwelling units that would be available to households with a mix of incomes; 50 percent of these new units would be affordable. The project-generated population would represent less than 5 percent of the future study area population, and therefore would not introduce a population that could substantially affect residential market conditions in the ¼-mile study area. There is an existing trend toward increased rents in the study area that would exist with or without the proposed actions; the effects of this new housing stock and population are not expected to have a substantial affect on future residential rents in the study area. In addition, the project's affordable housing would expand housing options available to the lower-income residents in the study area, and could balance the upward momentum of rents in the area caused by redevelopment.

INDIRECT BUSINESS DISPLACEMENT DUE TO INCREASED RENTS

A preliminary assessment finds that the proposed actions would not result in significant adverse indirect business displacement impacts due to increased rents. Residential, retail, hotel, community facility uses, and parking are already common in the ¼-mile study area, and there are already existing trends of residential and hotel development in the study area. The proposed actions would contribute to these existing trends, rather than alter economic patterns. Under the RWCDS, approximately 36,300 square feet of non-specific commercial uses would be built on the project site, some of which could be office space. This amount of office space would not be enough of a new economic activity to introduce trends that would alter existing economic patterns.

In the future with the proposed actions, there would be increased foot traffic in the study area, which would benefit existing retail stores, restaurants and galleries in the study area. While the proposed actions could benefit many existing local businesses, increases in pedestrian foot traffic could lead to increased rents in the immediate vicinity of the project site, which in turn could result in the indirect displacement of some existing retail establishments that are not able to capture sales from the increased foot traffic. However, this potential displacement is expected to be limited and would not constitute a significant adverse impact under CEQR. The retail stores that would be vulnerable to indirect displacement are not unique to the study area, and do not have locational needs that would preclude them from relocating elsewhere within the city. The ¼-mile study area already contains a large residential population (an estimated 43,711 residents). Therefore, there would still be the local demand for neighborhood retail and services necessary to maintain the strong retail presence within the study area. The limited indirect retail displacement that could result from increased rents would not be expected to lead to adverse changes to neighborhood character and would not result in significant adverse socioeconomic impacts.

In addition, industrial uses in the ¼-mile study area—including, but not limited to wholesalers, warehouses, and auto repair shops—could be considered potentially vulnerable to indirect displacement. Industrial businesses are typically less compatible with the economic trends that are creating upward rent pressures in the ¼-mile study area; i.e., they tend to not directly benefit in terms of increased business activity from the market forces generating the increases in rent. However, these pressures are already present within the study area and are expected to increase in the future irrespective of the proposed actions. While the proposed actions could result in limited indirect displacement of existing industrial businesses, it would not alter or accelerate trends that would change existing economic patterns in a manner that would result in significant displacement.

INDIRECT BUSINESS DISPLACEMENT DUE TO RETAIL MARKET SATURATION

The proposed actions would not result in significant adverse impacts on neighborhood character due to retail market saturation or competition. The area has a high concentration of employment and encompasses prime tourist destinations that draw shoppers from the region. The proposed actions would add a combination of regional- and local-serving retail that could overlap with the local-serving retail strips in the area, especially those anchored by convenience goods. Therefore, a detailed analysis was conducted. The detailed analysis focused on grocery stores, since they often serve as anchors for retail concentrations and since the RWCDS under the proposed actions could introduce up to a 65,000 square foot grocery store in addition to other stores (e.g., discount department stores) that may offer products that would substantially overlap with typical grocery store offerings. In addition, department stores and home improvement stores were analyzed.

The proposed actions are not expected to alter the number of businesses and services that are located on retail corridors in the ½-Mile Local Trade Area, and vacancy rates are not expected to change in the future. The Lower East Side has a particularly robust retail profile, grounded in a long history of entrepreneurship. The character of retail in the area makes any substantial displacement due to new development and market saturation unlikely. The area contains a broad mix of commercial uses supported by a number of retail spending sources including residents of the Lower East Side and beyond, local workers, day-visitors, and overnight tourists. Overall, the proposed actions would generate increased foot traffic that would benefit existing retail businesses in the ½-Mile Local Trade Area. While the possibility of some limited indirect business displacement due to competition cannot be ruled out, any displacement that might occur would not jeopardize the viability of any local retail strips.

Competitive pressure generated by a chain supermarket would be felt most strongly by major supermarkets in the ½-Mile Local Trade Area. The detailed analysis concludes that there is one grocery store in the ½-Mile Local Trade Area that could experience competitive pressure from a supermarket introduced as part of the RWCDS and that serves as an anchor to a local neighborhood retail concentration. The store could retain its customer base even with the proposed actions due to the density of residential population in surrounding blocks and other factors. However, even if the store was to close due to competition from a grocery store on the project site, the closure would not spur additional vacancies in adjacent storefronts since they are surrounded by high density residential uses so they would continue to experience high levels of foot traffic. Accordingly, the closure would not negatively impact neighborhood character, and would not result in a significant adverse impact due to indirect business displacement from market saturation.

The detailed analysis studied building materials and garden supply stores since they often serve as anchors for retail concentrations and since the RWCDS could introduce a building material and garden supply store. A large-scale building materials and garden supply store on the proposed project site would not draw substantial sales away from stores selling comparable goods in the ½-Mile Local Trade Area. Large-scale home improvement stores tend to draw sales from a broad trade area and from both contractors and households. There are few home improvement stores located in the ½-Mile Local Trade Area and they do not anchor neighborhood retail strips.

The detailed analysis also studied large-scale department stores and discount department stores since they often serve as anchors for retail concentrations and since the RWCDS could introduce a large-scale department store or discount department store. Large-scale department or discount department stores tend to draw sales from a broad trade area. They are not relying on a particular local residential population for their customer base and therefore do not typically have the potential to result in significant adverse impacts due to

indirect business displacement from retail market saturation of the local market. The ½-Mile Local Trade Area does not contain any large-scale department stores, so any such store introduced as part of the proposed actions would be the only one in the trade area. Competitive pressure from this store and other shoppers' goods stores on the project site would be minimal for many shoppers' goods stores in the Local Trade Area. The ½-Mile Local Trade Area includes distinct pockets of shoppers' goods stores, including a concentration of lighting stores on the Bowery, boutique shops in Nolita, stores catering to tourists in Little Italy, and stores in Chinatown catering to the sizable Asian population living in the trade area and beyond. Overall, although there could be some overlap between products offered at existing and proposed project shoppers' goods stores, concentrations of shoppers' goods stores currently located in the ½-Mile Local Trade Area distinguish themselves in different ways (e.g., a focus on tourists, a focus on ethnic populations, a concentration of a particular type of product). Therefore, many of these stores would not be in direct competition with stores expected on the project site.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

A preliminary assessment finds that the proposed actions would not have the potential to have a significant adverse impact on any specific industries in the City. The businesses that would be directly displaced by the proposed actions collectively account for only a small fraction of the total employment and economic activities in the study area, and are not expected to be critical to the viability of any City industries.

COMMUNITY FACILITIES AND SERVICES

Based on a preliminary screening, the proposed actions warrant analysis for direct effects to health care facilities and indirect effects to public elementary and intermediate schools and child care centers. The analysis finds that the proposed actions would not result in any significant adverse impacts on community facilities.

DIRECT EFFECTS ON HEALTH CARE SERVICES

The proposed actions would result in the relocation of the Downtown Health Center, a clinic at 150 Essex Street (on Site 10) that is run by the CHN. The lease between NYCEDC and the CHN allows for the facility to be relocated within its lease term to another location in the immediate area. Because CHN would be relocated in the immediate area, it is expected that it would be able to serve the same population and the extent of service disruption would be minimal. Therefore, the relocation of the Downtown Health Center would not be considered a significant adverse impact.

INDIRECT EFFECTS ON PUBLIC SCHOOLS

The analysis of indirect effects on public schools concludes that the proposed actions would not result in any significant adverse impacts on public elementary or intermediate schools.

The proposed project site is located within Sub-districts 1 and 2 of Community School District (CSD) 1 and Sub-district 1 of CSD 2. The proposed actions would result in the development of 900 residential units in the study area. Based on CEQR student generation rates, the proposed actions would generate approximately 108 elementary school students and 37 intermediate school students in the study area by 2022. Conditions at elementary and intermediate schools in the sub-district study areas in the future without the proposed actions were predicted based on the New York City Department of Education (DOE) enrollment projections and the New York City School Construction Authority (SCA) data on other new development projects in the study areas. The future utilization rate for school facilities was calculated by adding the estimated enrollment from proposed residential developments in the schools study area to DOE's projected enrollment, and then comparing that number with projected school capacity.

Although elementary schools within the three sub-districts analyzed would operate with a shortage of seats in 2022, the proposed actions would introduce a small number of students relative to the overall enrollment of the study area. As a result, they would not substantially increase the elementary school utilization rate. The largest increase in utilization over the No Action condition would be in Sub-district 1 of CSD 2, where the proposed actions would increase the utilization rate by approximately two percent, which is below the CEQR threshold of five percent or more for a significant adverse impact. Because the proposed actions would increase the elementary school utilization rate by less than five percentage points, the proposed

actions would not result in a significant adverse impact on elementary schools in any of the sub-districts analyzed. Therefore, the proposed actions would not result in a significant adverse impact on elementary schools.

With regard to intermediate schools, all three sub-districts analyzed (Sub-districts 1 and 2 of CSD 1 and Sub-district 1 of CSD 2) would operate with surplus capacity at the intermediate school level in 2022. Therefore, the proposed actions would not result in any significant adverse impacts on intermediate schools.

INDIRECT EFFECTS ON CHILD CARE FACILITIES

As discussed below, the proposed actions would not result in any significant adverse impacts on publicly funded child care facilities. The child care analysis was based on current enrollment data from the Administration for Children's Services (ACS) for the child care and Head Start centers closest to the project site. Future conditions were predicted based on the number of new low-income and low/moderate-income housing units expected in the study area. Child care enrollment introduced by the proposed actions was added to conditions in the future without the proposed actions. The proposed actions would introduce approximately 450 low- to middle-income units by 2022. Based on the most recent CEQR child care multipliers, this development would generate approximately 52 children under the age of six who would be eligible for publicly funded child care programs. With the addition of these children, there would be a deficit of slots in the study area by 2022, and the proposed actions would result in an increase in the utilization rate of three percent over the No Action condition. While child care facilities in the study area would operate above capacity, the increase due to the proposed actions would be less than five percentage points and below the CEQR threshold. Therefore, the proposed actions would not result in a significant adverse impact on child care facilities.

OPEN SPACE

DIRECT EFFECTS

The proposed actions would not remove or alter any existing publicly accessible open spaces, nor would they result in any significant adverse shadow, noise, or air quality impacts on any open spaces. On the contrary, the proposed actions would increase the supply of publicly accessible open space in the study area by creating a new 10,000-square-foot (approximately 0.23 acres) publicly accessible open space on Site 5.

INDIRECT EFFECTS

Based on the methodology of the *CEQR Technical Manual*, a preliminary analysis of the proposed actions' indirect effects on open space was conducted to determine the need for a detailed analysis. The preliminary analysis concluded that the proposed actions would not result in a significant adverse impact on open space and that a detailed analysis was not necessary.

The open space ratios for the future with the proposed actions, as with existing conditions and the future without the proposed actions, would continue to fall short of the City's recommended open space ratio guidelines. Because the open space ratios would remain substantially the same in the future with the proposed actions compared to the future without the proposed actions and the proposed actions would introduce new publicly accessible open space to partially offset the additional project-generated demand, the proposed actions would not result in any significant adverse impacts on open space resources in the residential study area and a detailed open space analysis is not required.

SHADOWS

To ensure a conservative shadow analysis, the maximum zoning envelope was used for each of the nine sites that would be redeveloped with new structures. The ultimate development as constructed on each site would be subject to the results of the environmental review, the results of developer(s)' response(s) to an RFP process, and further discussion with stakeholders, among other factors. Each of the zoning envelopes is larger in terms of height, massing, tower locations, and floor area than what could ultimately be built on each development site to allow for flexibility of design, and consequently the actual developments would cast smaller shadows than what would be cast by the maximum zoning envelopes analyzed in the shadow assessment. Three of the Schiff Mall medians, which are located along the center of Delancey Street and

contain rose bushes and other plantings, could experience large extents and durations of incremental shadow during the months of the growing season that would potentially affect the rose bushes' viability, particularly in March and September when the overall length of the day, and therefore the available sunlight, is shorter. However, from early May through mid-August, these medians would receive seven hours or more of direct sun. Therefore, the plantings other than the rose bushes would not be significantly affected by the project-generated shadow. The buildings that would actually be developed on Sites 1, 2, 3, and 4 would not be as large or bulky as the maximum zoning envelopes analyzed in this conservative study, and so the actual extent and duration of incremental shadow would likely be less than what is described here, and the roses may not actually be impacted. Therefore, if a tower is constructed on these sites that would impact the roses, and the roses are still there at the time of construction, then the roses would be replaced with shade tolerant plantings as part of the project.

The P.S. 142 Playground on Delancey Street would experience a little over an hour of new shadow from the proposed actions in the late spring and summer seasons, but it would occur late in the afternoons and would not cause significant adverse impacts. Several other sun-sensitive resources in the study area would receive short durations of incremental shadow and would not be adversely impacted by the proposed actions.

The proposed publicly accessible open space on Site 5 would also experience project-generated shadow. This publicly accessible open space, which would be located on the Broome Street side of Site 5, would experience substantial project-generated shadow throughout the year. This analysis is conservative as it is based on the maximum zoning envelope, which could not be fully built based on the requirements of the LSGD approvals. The actual development on the site would be smaller than the maximum zoning envelope and would likely result in slightly less shadows on the proposed publicly accessible open space in the late spring and summer. However, pursuant to CEQR, shadows cast on the project's proposed open space are not considered significant.

HISTORIC AND CULTURAL RESOURCES

ARCHAEOLOGICAL RESOURCES

In an Environmental Review letter dated August 16, 2011, the New York City Landmarks Preservation Commission (LPC) determined that there is the potential for the recovery of archaeological resources associated with the 19th-century occupation of the following locations within the project site: Block 346, Lot 40 (corresponding to Sites 3, 4, and 5); Block 347, Lot 71 (corresponding to Site 6); and Block 352, Lot 28 (corresponding to part of Site 2). A Phase 1A Archaeological Documentary Study of Sites 2 through 6 was requested by LPC to clarify this initial finding. LPC determined that Site 1, Sites 8 through 10, and the portions of the streets to be mapped and demapped as part of the proposed actions have no archaeological significance, and no in-ground disturbance is proposed for Site 7. Therefore, no further archaeological analysis is warranted for Site 1, Sites 7 through 10, and for the portions of the streets to be mapped and demapped as part of the proposed actions.

In December 2011, a Phase 1A Archaeological Documentary Study of Sites 2, 3, 4, 5, and 6 was prepared. The study concluded that 50 historic lots within Sites 2 through 6 were sensitive for historic-period archaeological resources. The Phase 1A recommended a Phase 1B archaeological investigation to determine the presence or absence of archaeological resources in the areas identified as archaeologically sensitive. These potential archaeological resources could include shaft features (i.e., privies, cisterns, or wells) associated with the residential occupation of these historic lots in the early- to mid-19th century. The Phase 1A was submitted to LPC and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for review and comment. In letters dated January 23, 2012 and January 31, 2012, LPC and OPRHP, respectively, concurred with the findings of the Phase 1A. With implementation of Phase 1B testing and continued consultation with LPC and OPRHP regarding the need for, and implementation of, any Phase 2 and 3 investigations, there would be no significant adverse impacts on archaeological resources from the proposed actions.

At this time, it is not known which sites will be disposed of by which project sponsors, and there will be no specific, defined development projects on each site until a developer or developers are selected pursuant to an RFP process. Further archaeological investigation will be required to be undertaken by the developer(s)

after selection. For sites that may be under the jurisdiction of HPD, remedial measures, including Phase 1B testing, any necessary Phase 2 and 3 investigations, and continued consultation with LPC/OPRHP, will be required to be undertaken by the developer(s) through provisions in the LDA between HPD and the developer(s). For City properties that may be managed by NYCEDC, remedial measures, including Phase 1B testing, any necessary Phase 2 and 3 investigations, and continued consultation with LPC/OPRHP, will be required to be undertaken by the developer(s) through the provisions of a contract for sale or lease, or other legally binding agreement between NYCEDC and the developer(s).

ARCHITECTURAL RESOURCES

The proposed actions would result in significant adverse direct impacts on two architectural resources from development on Sites 2, 5, 8, 9, and 10. Those impacts could be partially mitigated as described below. Further, development of the proposed project could have adverse physical impacts on five architectural resources that are located within 90 feet of proposed construction activities, close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery. In addition, development on Site 1 could result in significant adverse visual and contextual impacts on two architectural resources.

URBAN DESIGN AND VISUAL RESOURCES

The analysis concludes that the proposed actions would not have any significant adverse impacts related to urban design and visual resources. The proposed actions would enhance the pedestrian's experience of the development sites by replacing underutilized buildings and surface parking lots with new active, mixed-use development. The proposed actions would change the urban design and visual character of the study area, but would improve the pedestrian experience by activating currently underdeveloped and under-utilized sites. This change would complement the existing context of the adjacent areas and be consistent with the existing trends of new residential, hotel, and mixed-use development, making the neighborhood more densely developed.

HAZARDOUS MATERIALS

The proposed actions would result in the demolition of existing structures and surface parking areas on Sites 1 through 6 and 8 through 10 followed by subsurface disturbance associated with construction of new structures. Site 7 would not be redeveloped pursuant to the proposed actions and the existing parking garage would remain.

The proposed actions would include appropriate health and safety/remedial measures that would precede or govern demolition, construction, and soil disturbance activities on the development sites, as warranted. With the implementation of these measures, no significant adverse impacts related to hazardous materials would be expected to result from the proposed actions. Following construction, there would be no potential for significant adverse impacts.

WATER AND SEWER INFRASTRUCTURE

This analysis finds that the proposed actions would not result in any significant adverse impacts on the City's water supply, wastewater or stormwater conveyance and treatment infrastructure.

WATER SUPPLY

By 2022, the RWCDS would generate an incremental water demand of 656,392 gallons per day (gpd) as compared to the future without the proposed actions. Based on the projected incremental demand, it is expected that there would be adequate water service to meet the proposed actions' incremental water demand, and there would be no significant adverse impacts on the City's water supply.

SANITARY SEWAGE

By 2022, the RWCDS would generate an incremental 373,844 gpd of sewage over the future without the proposed actions. This volume would not result in an exceedance of the Newtown Creek Wastewater Treatment Plant's capacity, and therefore would not create a significant adverse impact on the City's sanitary sewage conveyance and treatment system. In addition, per the New York Plumbing Code (Local

Law 33 of 2007), low-flow fixtures would be required to be implemented and would help to reduce sanitary flows from the new buildings.

STORMWATER

The overall volume of stormwater runoff and the peak stormwater runoff rate from the project site is anticipated to slightly increase due to the replacement of surface parking areas with buildings; however, 10,000 square feet of publicly accessible open space is proposed on Site 5. With the incorporation of select best management practices (BMPs) such as on-site detention facilities (rooftop detention, underground storage tanks, or tanks within the buildings) or other stormwater source controls, the peak stormwater runoff rates would be reduced from the future without the proposed actions and would not have a significant impact on the downstream City combined sewer system or the City sewage treatment system.

SOLID WASTE AND SANITATION SERVICES

While the proposed actions would generate additional solid waste, no significant adverse impacts on solid waste and sanitation services would result from the proposed actions. The New York City Department of Sanitation is responsible for the collection and disposal of municipal solid waste, including the collection of recyclables generated by residents, some nonprofit institutions, tax exempt properties, and City agencies. Private carters provide these services to commercial and other users. The proposed actions would increase the volume of solid waste and recyclables that would have to be managed, but would not pose a significant strain to overall capacity of the City's municipal and private solid waste system or hamper the provision of adequate sanitation services.

ENERGY

The proposed actions would not have a significant adverse impact on energy systems and services. Although the proposed actions would increase demand on electricity, this increase in demand would be insignificant relative to the capacity of these systems and the current levels of service in the Con Edison service area. Upon completion, development pursuant to the proposed actions would comply with the New York City Energy Conservation Code. In compliance with the code, the basic designs of all buildings would incorporate the required energy conservation measures, including meeting the code's requirements relative to energy efficiency and combined thermal transmittance.

Through an RFP process, the City would look favorably upon proposals that enhance the energy-efficiency of buildings, use fewer raw materials, make the best of natural light where appropriate, improve indoor air quality, and decrease the total impact on the natural and human environment. These designs could include features aimed at reducing energy consumption and greenhouse gas (GHG) emissions.

In addition, housing developments on all sites are expected to be certified under the Enterprise Green Communities Program, or meet equivalent sustainability measures. Therefore, no significant adverse energy impacts would result from the proposed actions.

TRANSPORTATION

TRAFFIC

In accordance with *CEQR Technical Manual* (January 2012 edition) guidelines, a RWCDS was developed to estimate the peak hour vehicular and pedestrian volumes expected as a result of the proposed actions. In the weekday AM peak hour (8:00 to 9:00 AM), the RWCDS would generate 209 vehicle trips arriving at the project sites and 162 vehicle trips leaving the project sites, for a total of 371 vehicle trips. In the weekday midday peak hour (1:00 to 2:00 PM), it would generate 267 inbound vehicle trips plus 260 outbound vehicle trips for a total of 527 vehicle trips. In the weekday PM peak hour (5:15 to 6:15 PM), it would generate 244 inbound vehicle trips plus 296 outbound vehicle trips for a total of 540 vehicle trips. In the Saturday peak hour (3:45 to 4:45 PM), it would generate 250 vehicle trips arriving and 246 vehicle trips leaving, for a total of 496 vehicle trips. Although these volumes are significantly lower than those for several other major EISs in New York City, the number of development parcels, the displacement of existing parking facilities, and the critical nature of potential issues along key corridors like Delancey Street, Grand Street, Essex Street,

and others has made the number of intersections analyzed in this FGEIS comparable to other large-scale EISs in New York City.

Of the 30 study area intersections analyzed (25 signalized and five unsignalized intersections), the proposed actions would cause significant traffic impacts at 13 intersections in the weekday AM peak hour, 11 in the weekday midday peak hour, 15 in the weekday PM peak hour, and 14 in the Saturday peak hour. The number and locations of significant traffic impacts are different than those identified in the DGEIS. Following the issuance of the DGEIS, the New York City Department of Transportation (NYCDOT) adopted and began implementing an area-wide Delancey Street Safety Improvements plan to improve pedestrian, bicycle, and vehicular safety along the Delancey Street corridor, which resulted in traffic pattern changes at several intersections. Additionally, signal timing modifications were proposed by NYCDOT along Allen Street to improve service along the M15 bus line. These changes to the study area's transportation network were incorporated as part of the FGEIS. As a result, some significantly impacted intersections that were mitigated in the DGEIS would be unmitigated in the FGEIS due to the safety oriented changes in the roadway network. Traffic capacity improvements that would be needed to mitigate these significant impacts are addressed below in Section 5, "Mitigation Measures."

TRANSIT

The preliminary screening assessment concluded that a detailed examination of subway line-haul analysis is not warranted. However, bus line-haul analyses and a detailed analysis of station elements at the Delancey Street/Essex Street subway station (F, J, M, and Z lines) were prepared.

The proposed actions would result in significant adverse impacts on bus line-haul levels on the southbound M9 and westbound M14A during the AM peak period and the northbound and southbound M9 during the PM peak period. Potential measures to mitigate the projected significant adverse bus line-haul impacts are described below in Section 5, "Mitigation Measures."

Additional analysis of certain interior transfer and platform stairways was undertaken in the FGEIS. The analysis indicates the proposed actions would not result in the potential for significant adverse impacts on these stairway elements.

PEDESTRIANS

Weekday and Saturday peak period pedestrian conditions were evaluated at key sidewalk, corner reservoir, and crosswalk elements at 22 area intersections. Under the RWCDS, significant adverse pedestrian impacts are anticipated for five pedestrian analysis locations along Delancey Street at Essex and Clinton Streets including the west crosswalk of Delancey and Essex Streets during the midday peak period, the east crosswalk of Delancey and Essex Streets during the midday, PM, and Saturday peak periods, the west sidewalk of Essex Street between Delancey and Broome Streets during the AM and midday peak periods, the east sidewalk of Essex Street between Delancey and Rivington Streets during the midday and Saturday peak periods, and the north crosswalk of Delancey and Clinton Streets during the Saturday peak period.

The pedestrian analysis for the 2022 With Action condition was performed by incorporating the pedestrian activities generated by the project's RWCDS full build-out. In addition, the pedestrian analysis used the narrowest pedestrian walking paths by reducing the available sidewalk widths from obstructions created by subway stair entrances, street furniture and "shy-distances" (i.e., the space left between pedestrians and curbs/building façades) throughout the entire length of that particular sidewalk segment following the *2000 Highway Capacity Manual* guidelines. These assumptions reduced the effective sidewalk widths to approximately 20 to 30 percent of the overall widths available at the two sidewalk locations on Essex Street. The combination of all these factors would result in the potential for significant adverse pedestrian impacts at the two Essex Street sidewalks in the future 2022 With Action condition.

However, it should be noted that the pedestrian analysis presents a RWCDS assessment of future pedestrian levels since the project's development program and design may not materialize to the full extent resulting in different travel patterns at study area's pedestrian facilities.

Measures that can be implemented to mitigate these significant adverse pedestrian impacts are discussed below in Section 5, "Mitigation Measures."

VEHICULAR AND PEDESTRIAN SAFETY

Accident data for the study area intersections were obtained from the New York State Department of Transportation (NYSDOT) for the time period between February 29, 2008 and February 28, 2011. The data obtained quantify the total number of reportable accidents (involving fatality, injury, or more than $1,000 in property damage), fatalities, and injuries during the study period, as well as a yearly breakdown of pedestrian- and bicycle-related accidents at each location. During this three-year period, a total of 587 reportable and non-reportable accidents, 3 fatalities, 475 injuries, and 175 pedestrian/bicyclist-related accidents occurred at the study area intersections; ten study area intersections have been defined as high pedestrian accident locations in the 2008 to 2011 period. These intersections are Allen Street at Delancey Street, Clinton Street at Delancey Street, Essex Street at Delancey Street, Norfolk Street at Delancey Street, Suffolk Street at Delancey Street, Avenue A at Houston Street, Bowery at Houston Street, Allen Street at Grand Street, Clinton Street at Grand Street, and Essex Street at Grand Street. As described earlier, in June 2012, NYCDOT began implementation of the safety plan along the Delancey Street corridor to improve pedestrian, bicycle, and vehicular safety. Once this plan is fully implemented, it is expected that the pedestrian safety conditions at the high accident locations along the Delancey Street corridor will improve. For the remaining high pedestrian accident locations, measures that could be implemented to improve vehicular and pedestrian safety include installation of crosswalk countdown timers, restriping faded crosswalks, and installation of warning signs to alert drivers about the high pedestrian activities at the intersections.

PARKING

The proposed actions are expected to include a total of up to 500 off-street parking spaces within Sites 2, 3, 4, and 5. Parking demands generated by the proposed actions during peak traffic hours would be fully accommodated by the parking garages. The maximum project-generated demand of 257 spaces would be reached during 9-10 AM and 2-3 PM on a typical weekday. The maximum accumulation of 252 spaces for a Saturday would occur between 4-5 PM. In the existing conditions, there are approximately 507 parking spaces (approximately 400 public spaces, and approximately 100 spaces being used by commercial vehicles such as vans and trucks) within surface lots that currently occupy Sites 3, 4, 5, and 6. Approximately 400 public spaces on these four sites would be displaced as part of the proposed actions. In the garages developed under the proposed actions, there would be a surplus capacity of about 240 to 250 spaces which would serve to accommodate a portion of the displaced parkers. Approximately 150 vehicles would need to find parking elsewhere in the area. These vehicles would be accommodated within the 375 to 625 off-street spaces that would be available within off-street lots/garages in the study area.

Among the proposed actions of the ULURP application are four special permits for public parking facilities on Sites 2, 3, 4 and 5. Consistent with the overall limit in the number of spaces that would be permitted under the LSGD, the FGEIS analyzed up to 500 off-street parking spaces in accordance with the *CEQR Technical Manual*. Given that the special permits would allow for flexibility with respect to the distribution of these spaces among Sites 2, 3, 4 and 5, an assessment was conducted to project conditions that could arise if the parking spaces were distributed only on two or three of the sites. That assessment found that the resulting conditions would be generally similar to those in the FGEIS and affected locations could require standard traffic improvements. Based on this analysis, it was determined that the streets providing access to the public parking garages would be adequate to handle traffic generated thereby.

AIR QUALITY

The maximum predicted pollutant concentrations and concentration increments from mobile sources with the proposed actions would be below the corresponding guidance thresholds and ambient air quality standards. The proposed actions' parking facilities would also not result in any significant adverse air quality impacts. Based on a refined stationary source modeling analysis, there would be no potential for significant adverse air quality impacts from the heating and hot water systems for the proposed development. The only fossil fuel that would be used for heating and hot water systems at the development sites included in the proposed actions would be natural gas. In addition, the heat and hot water system stack placement would be restricted for Sites 5 and 9. These requirements could be modified or eliminated in the future if additional air quality modeling shows that the requirements are not needed to meet national and

local ambient air quality standards and thresholds. Future modeling could rely on information that is expected to become available as the design for the proposed sites progresses. For sites that may be under the jurisdiction of HPD, the implementation of fuel use and stack placement requirements will be required to be implemented by the developer(s) through provisions in the LDA between HPD and the developer(s). For City properties that may be managed by the NYCEDC, the implementation of fuel use and stack placement requirements will be required to be undertaken by the developer(s) through provisions of a contract of sale or long-term lease or other legally binding agreement between NYCEDC and the developer(s).

Therefore, there would be no potential for significant adverse impacts on air quality with the proposed actions.

GREENHOUSE GAS EMISSIONS

Total potential GHG emissions associated with the operation of the proposed development are estimated to be 24,508 metric tons of carbon dioxide equivalent (CO_2e) per year, comprising 13,615 metric tons CO_2e per year from building heating and electricity and 10,894 metric tons CO_2e per year from on-road emissions. Note that if the buildings were to be constructed elsewhere to accommodate the same uses as the proposed development, the emissions from the use of electricity, energy for heating and hot water, and vehicle use could equal or exceed those of the proposed development sites, depending on their location, access to transit, building type, availability of buildings for reuse, and energy efficiency measures.

The proposed actions would support the City's transit-oriented development and sustainable transportation goal as the project site is well served by public transportation options, is served by the city's bicycle lane network, and may also provide bicycle storage, showers and changing facilities. Further, the proposed actions would include a mix of uses, including residential and retail, and it is located in an area served by existing retail uses within walking distance.

Through an RFP process, the City would look favorably upon proposals that use fewer raw materials, make the best of natural light where appropriate, improve indoor air quality, and decrease the total impact on the natural and human environment. Housing developments on all sites are expected to be certified under the Enterprise Green Communities Program or to incorporate measures which would achieve equivalent energy efficiency levels. In addition, all housing developments would also reduce construction and demolition waste by at least 25 percent.

All proposed buildings would likely produce heat and hot water using natural gas fired systems, which would produce lower GHG emissions than fuel oil. In addition, the proposed actions would support the City's transit-oriented development and sustainable transportation goal as the project site is well served by public transportation options, including both bus and subway services, is served by the city's bicycle lane network, and may also provide bicycle storage, showers and changing facilities. Further, the proposed actions would include a mix of uses, including residential and retail, and it is located in an area served by existing retail uses within walking distance.

Overall, the proposed actions, therefore, are consistent with the City's citywide GHG reduction goal.

NOISE

The analysis concludes that, given the high levels of noise in the study area resulting from vehicular traffic on nearby roadways, vehicular and rail traffic on the Williamsburg Bridge, and other sources, structures on the proposed development sites would be required to provide between 18 and 34 dBA of window/wall attenuation in order to maintain acceptable interior noise levels. By adhering to specific design measures, development pursuant to the proposed actions would be expected to provide sufficient attenuation to comply with CEQR and HUD interior noise level guidelines.

PUBLIC HEALTH

The proposed actions would not result in significant adverse impacts in the following technical areas: air quality, water quality, hazardous materials, or operational noise.

While during some periods of construction, the proposed actions would result in significant adverse impacts related to noise as defined by CEQR thresholds, the predicted overall changes to noise levels would not be

large enough to significantly affect public health. Therefore, the proposed actions would not result in significant adverse public health impacts.

NEIGHBORHOOD CHARACTER

Currently, the southern portion of the project site is generally inactive and aesthetically unappealing as it primarily includes surface parking uses surrounded by chain-link fencing. The inactivity in the southern portion of the project site is in stark contrast to the surrounding area, which is generally densely developed with a mix of residential, commercial, community facility and open space uses. In the future with the proposed actions, the character of the neighborhood would improve as the gaps in the streetscape of the neighborhood south of Delancey Street would be filled with new, active development. The proposed mix of local retail and destination retail stores in the RWCDS would complement the existing mix of commercial uses in the study area. The mix of uses would also bring a greater level of pedestrian activity to the project sites, making the neighborhood more inviting and appealing to live in and visit.

In addition to the ground floor retail that would activate the streets, the character of the project site would be improved with new street trees that would shade as well as visually enhance the neighborhood and with new public open space on Site 5 that would bring passive and/or active recreational opportunities to the area. Also, the proposed mapping and demapping actions would make the mapped street pattern consistent with the pedestrian's current experience of those areas. The pedestrian environment would be further improved by the widened sidewalks adjacent to Sites 1 through 6.

The proposed actions would also enhance neighborhood character by the relocation and expansion of the Essex Street Market. The larger space would create entrepreneurship opportunities for additional vendors and would continue to allow for a variety of vendor price points. A new facility would be an opportunity for capital investment in the market to address many of the physical limitations of the existing facility. A new market facility would have an improved internal layout, better connections with the street and expanded common gathering areas for public seating and market events. In addition, the new facility would be energy efficient, be fully compliant with the Americans with Disabilities Act, and have improved storage capabilities, garbage handling, and climate control. When the new facility is complete and ready for occupancy, the City would give existing vendors at the time of the move the first opportunity to relocate their business to the new market facility.

Overall, the analysis concludes that the proposed actions would not create a significant adverse impact on neighborhood character. To the contrary, neighborhood character would be improved by replacing underutilized buildings and surface parking lots with new active, mixed-use development.

CONSTRUCTION

For each of the various technical areas presented below, appropriate construction analysis years were selected to represent reasonable worst-case conditions relevant to that technical area, which can occur at different times for different analyses. For example, the noisiest part of the construction may not be at the same time as the heaviest construction traffic. Therefore, the analysis periods may differ for different analysis areas. Where appropriate, the analysis accounted for the effects of project elements that would be completed and operational during the selected construction analysis years.

While the anticipated construction durations have been developed with an experienced New York City construction manager, the discussion is only illustrative as specific means and methods will be chosen at the time of construction. At this time, there are no specific construction programs or designs for any development that is projected to result from the proposed actions. The construction durations are conservatively chosen to serve as the basis of the analyses in this chapter and are representative of the reasonable worst-case for potential impacts. The conceptual schedule represents a very compressed and conservative potential timeline for construction, which shows overlapping construction activities and simultaneously operating construction equipment for development sites in proximity to one another. Thus, the analysis captures the cumulative nature of construction impacts, which would result in the greatest impacts at nearby receptors.

TRANSPORTATION

Traffic

Construction activities would generate the highest amount of construction-related traffic in the third quarter of 2017. Construction-related traffic is expected to occur earlier than the commuter peak hours, typically at 6-7 AM and 3-4 PM, and the total number of vehicle trips generated during construction would be approximately 68 percent and 86 percent lower than the total number of vehicle trips generated by the completed development project during the AM and PM hours, respectively. Nevertheless, a detailed analysis of traffic conditions was completed for nine key intersections near the construction sites, and this analysis indicated that significant adverse traffic impacts could occur at just one location during construction, but at lesser magnitudes than impacts identified under the With-Action condition. Where impacts during construction may occur, measures similar to the ones recommended to mitigate impacts of the proposed actions could be implemented early to aid in alleviating congested traffic conditions. Sidewalk and lane closures would be finalized as the maintenance and protection of traffic (MPT) plans are developed and reviewed with NYCDOT.

Parking

The majority of construction workers are expected to commute to the job site by public transportation; only 29 percent are expected to drive to work. There would be no parking provided for them at the construction sites but the overall peak parking demand for 80 spaces would be accommodated in off-street parking facilities within a quarter-mile distance (about a five-minute walk) from the project site.

Transit

The study area is well served by public transit, including the F, J, M, and Z subway lines at the Essex Street-Delancey Street station. There are also several local bus routes, including the M9, M14A, M15, M21, and M22. Based on the number of projected construction workers being distributed among the various subway and bus routes, station entrances, and bus stops near the project area, only nominal increases in transit demand would be experienced along each of these routes and at each of the transit access locations during hours outside of the typical commuter peak hours of 8-9 AM and 5-6 PM. Hence, there would not be a potential for significant adverse transit impacts attributable to the projected construction worker transit trips. Any temporary relocation of bus stops along bus routes that operate adjacent to the project area would be coordinated with and approved by NYCDOT and NYCT to ensure proper access is maintained.

Pedestrians

Considering that pedestrian trips generated by construction workers would occur during hours outside of the typical commuter peak hours of 8-9 AM and 5-6 PM and would be distributed among numerous sidewalks and crosswalks in the area, the preliminary analysis found that there would not be a potential for significant adverse pedestrian impacts attributable to the projected construction worker pedestrian trips. During the course of construction, sidewalks may be closed for varying periods of time to allow for certain construction activities but pedestrian circulation and access would be maintained through the use of temporary sidewalks or sidewalk bridges. This sidewalk work would be coordinated with and approved by NYCDOT and the New York City Department of Buildings (NYCDOB).

AIR QUALITY

The proposed actions would not result in significant adverse impacts with respect to air quality. A detailed analysis of on-site and on-road emissions determined that annual-average NO_2, CO, and PM_{10} concentrations would be below their corresponding NAAQS. Therefore, construction under the proposed actions would not cause or contribute to any significant adverse air quality impacts with respect to these standards.

Dispersion modeling determined that the maximum predicted incremental concentrations of $PM_{2.5}$ (using a worst-case emissions scenario) would exceed the City's applicable 24-hour interim guidance criterion of 2 micrograms per cubic meter ($\mu g/m^3$) at near-side sidewalk receptor locations and four residential locations. The occurrences of elevated 24-hour average concentrations for $PM_{2.5}$ would be limited in duration, frequency, and magnitude. Therefore, taking into account the limited duration and extent of these predicted

exceedances, and the limited area-wide extent of the 24-hour impacts, it was concluded that no significant adverse air quality impacts for $PM_{2.5}$ would occur from the on-site construction sources.

Because background concentrations are not known and the analysis methodology for mobile and construction sources have not been developed for the new 1-hour NO_2 NAAQS, exceedances of the 1-hour NO_2 standard resulting from construction activities cannot be ruled out. Therefore, measures including diesel equipment reduction, utilization of newer equipment, and idling restriction, would be implemented to the extent feasible and practicable to minimize NO_x emissions from construction activities under the proposed actions.

NOISE AND VIBRATION

Noise

Development pursuant to the proposed actions would result in significant adverse impacts with respect to construction noise. This conclusion is based on a conservative analysis of the construction procedures, including peak quarterly levels assumed to represent each year of construction, a maximum amount of construction equipment assumed to be operational on each development site and at locations closest to nearby receptors, and a compressed construction schedule with a maximum amount of development sites under construction simultaneously.

Construction on the proposed development sites would include noise control measures as required by the New York City Noise Control Code, including both path and source controls. Even with these measures, the results of more detailed construction analyses undertaken for the FGEIS indicate that elevated noise levels are predicted to occur for two or more consecutive years at 13 of the 83 receptor sites analyzed. Affected locations include residential, institutional and open space areas adjacent to the proposed development sites and along routes expected to be traveled by construction-related vehicles to and from the project site. However, most affected buildings have double-glazed windows and air-conditioning, and would consequently be expected to experience interior $L_{10(1)}$ values less than 45 dBA, which would be considered acceptable according to CEQR criteria. At affected locations that do not already have double-glazed windows and air conditioned interiors, $L_{10(1)}$ values resulting from construction may exceed 45 dBA. Additional options for source and path controls would be incorporated into the construction methodology to the extent practicable and feasible. Thus, should the development sites be developed and constructed as conservatively presented in this conceptual schedule, up to three locations could experience significant impacts for certain limited periods during construction. Of the three locations with predicted noise impacts, one location is at a high school and the other two locations are at the outdoor balconies of residential buildings.

At limited times during the construction period, Seward Park High School (350 Grand Street) would be expected to experience significant noise impacts. The FGEIS discloses worst-case construction-related noise impacts at the school. Upon selection of a developer for each of Sites 1, 2, and 3, an additional construction noise analysis shall be completed by the developer(s) of each site, taking into consideration: (1) the specific development project(s) to be constructed; (2) the anticipated construction timeline and sequencing in relation to the other project sites; (3) the proposed construction means and methodologies and any new available technologies that exist at the time of construction to reduce construction noise; and (4) the path and source controls, which are to be implemented in conjunction with the proposed actions. If the additional analyses find that construction at any of the three development sites would continue to have the potential to result in significant noise impacts at Seward Park High School, the developer(s) of the site(s) with the potential to result in significant noise impacts will investigate whether additional path and source controls may be available to mitigate the potential significant impact and the extent to which the impact would be mitigated. If the additional analysis, taking into account the detailed information on construction methodology, timing and sequencing, and any additional path and source controls still shows the potential for significant noise impacts at Seward Park High School resulting from construction at one of the development sites, the developer of that site will explore potential receptor controls for the school facility in consultation with the New York City School Construction Authority. In the event that implementing such receptor controls is not practicable, as determined by ODMED, as the lead agency in consultation with HPD

and/or NYCEDC, the proposed actions would result in a partially mitigated impact on Seward Park High School, as set forth in the FGEIS.

In addition, at the residential building south of Grand Street between Essex and Clinton Streets and the residential building at the southeast corner of Clinton and Grand Streets, balconies on various floors may experience significant noise impacts due to construction for limited portions of the construction period. However, it should be noted that even during the portions of the construction period that would generate the most noise at these balconies, the balconies could still be enjoyed without the effects of construction noise outside of the hours that construction would occur, e.g., during night-time and on weekends. At these outdoor balconies, there would be no feasible or practicable mitigation to mitigate the construction noise impacts. Therefore, these balconies would be considered to experience unmitigated significant noise impacts as a result of construction.

Vibration

Development pursuant to the proposed actions is not expected to result in significant adverse construction impacts with respect to vibration. Use of construction equipment that would have the most potential to exceed the 65 VdB criterion within a distance of 230 feet of sensitive receptor locations (e.g., equipment used during pile driving) would be perceptible and annoying. Therefore, for limited time periods, perceptible vibration levels may be experienced by occupants and visitors to all of the buildings and locations on and immediately adjacent to the construction sites. However, the operations which would result in these perceptible vibration levels would only occur for finite periods of time at any particular location and, therefore, the resulting vibration levels, while perceptible, would not result in any significant adverse impacts.

OTHER TECHNICAL AREAS

Historic and Cultural Resources

Construction would involve subsurface disturbance to areas that have been identified as archaeologically sensitive by the Phase 1A studies. The Phase 1A recommended a Phase 1B archaeological investigation to determine the presence or absence of archaeological resources in the areas identified as archaeologically sensitive. These potential archaeological resources could include shaft features (i.e., privies, cisterns, or wells) associated with the residential occupation of these historic lots in the early to mid-19th century. The Phase 1A was submitted to LPC and OPRHP for review and comment. In letters dated January 23, 2012 and January 31, 2012, LPC and OPRHP, respectively, concurred with the findings of the Phase 1A. With implementation of Phase 1B testing and continued consultation with LPC and/or OPRHP regarding the need for, and implementation of, any Phase 2 and 3 investigations, no significant adverse impacts on archaeological resources would result from construction.

Architectural resources are defined as buildings, structures, objects, sites or districts listed on S/NR or determined eligible for such listing, National Historic Landmarks, NYCLs and Historic Districts, and properties that have been found by the LPC to appear eligible for designation, considered for designation ("heard") by LPC at a public hearing, or calendared for consideration at such a hearing (these are "pending" NYCLs). The proposed actions could have adverse physical impacts on five architectural resources that are located within 90 feet of proposed construction activities, close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery. NYCDOB Technical Policy and Procedure Notice (TPPN) #10/88, applies to New York City Landmarks, properties within New York City Historic Districts, and National Register-listed properties. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent New York City Landmarks and National Register-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. With these required measures, significant adverse construction-related impacts would not occur to the former Norfolk Street Baptist Church (NYCL, S/NR) or to the contributing buildings within the Lower East Side Historic District (S/NR) that are located within 90 feet of project construction. Further, for sites that may be developed under the jurisdiction of HPD, Construction Protection Plans to protect historic resources within

90 feet of construction will be likely required to be developed and implemented in coordination with OPRHP by the developer(s) through provisions in the LDA between HPD and the developer(s).

For the non-designated or listed resources—the potential Clinton, Rivington, Stanton Street Historic District (NYCL-eligible, S/NR-eligible) and the Williamsburg Bridge (S/NR-eligible)—construction under the proposed actions could potentially result in construction-related impacts on the resources. Additional protective measures afforded under TPPN #10/88 would only become applicable if those resources are designated or listed in the future prior to the initiation of adjacent construction or if the adjacent sites are developed under the jurisdiction of HPD. Further, for sites that may be developed under the jurisdiction of HPD, Construction Protection Plans to protect historic resources within 90 feet of construction will be likely required to be developed and implemented in coordination with OPRHP by the developer(s) through provisions in the LDA between HPD and the developer(s). If the resources are not designated or listed and the adjacent sites are developed under the management of NYCEDC, they would not be subject to TPPN #10/88 and may, therefore, be adversely impacted by adjacent development resulting from the proposed actions.

Hazardous Materials

The proposed actions would result in the demolition of existing structures and surface parking areas on Sites 1 through 6 and 8 through 10 followed by subsurface disturbance associated with construction of new structures. Site 7 would not be redeveloped pursuant to the proposed actions and the existing parking garage would remain. The proposed actions would include appropriate health and safety/remedial measures, as warranted, that would precede or govern demolition, construction, and soil disturbance activities on the development sites. With the implementation of these measures, no significant adverse impacts related to hazardous materials would be expected to result from the proposed actions.

Open Space

There are no publicly accessible open spaces within the project site, and no open space resources would be used for staging or other construction activities. The nearest open space is the 0.45-acre Broome Seward Park Extension, which is located on Broome Street between Clinton Street and Ridge Street, approximately 130 feet east of Site 6. At limited times, activities such as excavation and foundation construction may generate noise that could impair the enjoyment of nearby open space users, but such noise effects would be temporary. Construction fences around the project site would shield the park from construction activities. Construction under the proposed actions would not limit access to the park or other open space resources in the vicinity of the project site. Therefore, construction under the proposed actions would not result in significant adverse impacts on open space.

Socioeconomic Conditions

Construction activities could temporarily affect pedestrian and vehicular access. However, lane and/or sidewalk closures would not obstruct entrances to any existing businesses, and businesses are not expected to be significantly affected by any temporary reductions in the amount of pedestrian foot traffic or vehicular delays that could occur as a result of construction activities. Utility service would be maintained to all businesses, although short term interruptions (i.e., hours) may occur when new equipment/infrastructure (e.g., a transformer, or a sewer or water line) is put into operation. Overall, construction activities associated with the proposed actions would not result in any significant adverse impacts on surrounding businesses.

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction also would contribute to increased tax revenues for the City and State, including those from personal income taxes.

Community Facilities

The construction sites would be surrounded by construction fencing and barriers that would limit the effects of construction on nearby facilities. Construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, child care facilities, and health care. Construction of the proposed buildings would not block or restrict access to any facilities in the area, and would not materially affect emergency response times significantly. NYPD and FDNY emergency services and response times would not be materially affected due to the geographic distribution of the police and fire facilities and their

respective coverage areas. As discussed above (See "Noise and Vibration"), at limited times during the entire construction period, Seward Park High School would be expected to experience significant noise impacts. Upon selection of a developer for each of Sites 1, 2, and 3, an additional construction noise analysis shall be completed by the developer(s) of each site, taking into consideration: (1) the specific development project(s) to be constructed; (2) the anticipated construction timeline and sequencing in relation to the other project sites; (3) the proposed construction means and methodologies, and any new available technologies that exist at the time of construction to reduce construction noise; and (4) the path and source controls, which are to be implemented in conjunction with the proposed actions. If the additional analyses find that construction at any of the three development sites would continue to have the potential to result in significant noise impacts at Seward Park High School, the developer(s) of the site(s) with the potential to result in significant noise impacts will investigate whether additional path and source controls may be available to mitigate the potential significant impact and the extent to which the impact would be mitigated. If the additional analysis, taking into account the detailed information on construction methodology, timing and sequencing, and any available additional path and source controls still shows the potential for significant noise impacts at Seward Park High School resulting from construction at one of the development sites, the developer of that site will explore potential receptor controls for the school facility in consultation with the SCA. In the event that implementing such receptor controls is not practicable, as determined by ODMED as lead agency in consultation with HPD and/or NYCEDC, the proposed actions would result in a partially mitigated impact on Seward Park High School, as set forth in this FGEIS.

Land Use and Neighborhood Character

Construction activities would affect land use on the project site but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the nearby area. These disruptions would be temporary in nature and would have limited effects on land uses within the study area, particularly as most construction activities would take place within the project site or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the project site. Overall, while the construction at the site would be evident to the local community, the limited duration of construction would not result in significant or long-term adverse impacts on local land use patterns or the character of the nearby area.

4. ALTERNATIVES

As mandated by both CEQR and SEQRA, this FGEIS examines a No Action Alternative, which describes the conditions that would exist if the proposed actions were not implemented. The second alternative analyzed is the Essex Street Market Alternative, in which the existing Essex Street Market remains in its current facility on Site 9 and there is no additional development on that site. The third alternative is the No Unmitigated Significant Impacts Alternative, which examines alternatives that would avoid unmitigated significant adverse impacts in the areas of historic and cultural resources, traffic, and construction.

NO ACTION ALTERNATIVE

In the future without the proposed actions, it is expected that existing uses on the projected development sites would remain. The future without the proposed actions would account for other development projects that are planned to be in place by 2022 absent the proposed actions. Differences between the proposed actions and the No Action Alternative are described below.

The No Action Alternative would not have a positive effect on land use by creating an active new mixed-use development with open space on underutilized sites. The No Action Alternative would not introduce new housing, retail, publicly accessible open space, community facility uses, and a relocated Essex Street Market assumed in the RWCDS that would bring activity to the proposed development sites and would serve both residents of the surrounding area and the larger community. In addition, the No Action Alternative would not support and further the objectives of applicable public policies, including the Mayor's New Housing Marketplace Plan, nearby business improvement districts, and PlaNYC 2030. The No Action Alternative would also not support CB3's redevelopment guidelines as it would not introduce affordable or market rate housing, commercial development, publicly accessible open space, parking, or community facilities.

While the proposed actions would displace approximately nine residents who are living in seven dwelling units located in a City-owned rental building at 400 Grand Street (Site 5), the No Action Alternative would not result in the direct displacement of any residents. Also unlike with the proposed actions, in which an estimated 14 businesses and 107 employees could be displaced without specific plans or provisions for their relocation within the study area, no businesses would be directly displaced under the No Action Alternative. Under the No Action Alternative, the potential for indirect displacement of some existing retail establishments that may occur with the proposed actions would not occur. However, the No Action Alternative would not result in the increased foot traffic in the study area that would benefit existing retail stores, restaurants and galleries in the study area as the proposed actions would. The No Action Alternative would not provide new market rate and affordable housing that would be developed with the proposed actions.

Unlike the proposed actions, the No Action Alternative would not result in the relocation of the Downtown Health Center, a clinic at 150 Essex Street (on Site 10) that is run by CHN. Under this alternative, there would not be the approximately 114,000 gsf of community facility or cultural uses introduced by the proposed actions.

The No Action Alternative would not increase the supply of publicly accessible open space in the study area by creating a new 10,000-square-foot (approximately 0.23 acres) publicly accessible open space on Site 5, as would occur with the proposed actions. Neither the No Action Alternative nor the proposed actions would result in adverse shadow impacts on any sun-sensitive resource. However, unlike the proposed actions, three of the Schiff Mall medians, which are located along the center of Delancey Street between Ludlow and Suffolk Streets and contain rose bushes and other plantings, and the P.S. 142 Playground on Delancey Street would not experience incremental shadows with the No Action Alternative.

Under the No Action Alternative, the development sites would not be redeveloped, and there would be no potential for significant adverse impact to archaeological or architectural resources. Unlike the proposed actions, the No Action Alternative would not result in significant adverse direct impacts on two architectural resources from development on Sites 2, 5, 8, 9, and 10. The No Action Alternative would also not have the potential for adverse physical impacts on five architectural resources that are located within 90 feet of proposed construction activities, close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery. In addition, since there would be no development on Site 1, unlike with the proposed actions, the No Action Alternative would not result in significant adverse visual and contextual impacts on two architectural resources.

As opposed to the proposed actions, the No Action Alternative would not improve the pedestrian experience by activating currently underdeveloped and under-utilized sites which are surrounded by chain link fencing. Unlike the proposed actions, the No Action Alternative would not serve to fill in the gaps in the streetscape of the neighborhood with new development south of Delancey Street. In addition, the No Action Alternative would not include new street trees that would shade as well as visually enhance the pedestrian experience.

The No Action Alternative would result in a higher rate of stormwater runoff from the project site as compared to the proposed actions, as it would not benefit from the incorporation of select BMPs.

Under the No Action Alternative, it is expected that existing uses on the projected development sites would remain. Although the No Action Alternative would not generate any new vehicular trips, traffic volumes in the study area would be expected to increase as a result of background growth and planned development in the study area. The overall levels of service would be expected to deteriorate slightly for the No Action Alternative as compared to the existing conditions since traffic increases from background growth and other developments in the area would be relatively modest. Under this alternative, all subway station stairways and control area elements would continue to operate at acceptable levels, except for the northeast stairway (S-6) at the Delancey Street and Norfolk Street entrance, and all analyzed bus routes would continue to operate within their guideline capacities. All sidewalk, corner reservoir, and crosswalk analysis locations would continue to operate at acceptable mid-LOS D or better, except at the north crosswalk of Clinton Street and Delancey Street.

The No Action Alternative would not result in the significant adverse traffic impacts at the 13 intersections in the weekday AM peak hour, 11 in the weekday midday peak hour, 15 in the weekday PM peak hour, and 14 in the Saturday peak hour identified under the proposed actions.

The significant adverse pedestrian impacts anticipated for the proposed actions at the intersection of Delancey and Essex Streets and Delancey and Clinton Streets would not occur with the No Action Alternative. Furthermore, the significant adverse transit impacts anticipated for the proposed actions on the M9 and M14A bus routes would also not occur with the No Action Alternative.

Under the No Action Alternative, it is expected that existing uses on the projected development sites would remain. Therefore, unlike the proposed actions, there would be no change in greenhouse gas emissions associated with this alternative.

The No Action Alternative would not introduce the mix of uses that would be developed by the proposed actions, which would bring a greater level of pedestrian activity to the project sites, making the neighborhood more inviting and appealing to live in and visit. The increased pedestrian activity resulting from the proposed actions, which would benefit existing retail stores in the area, would also not occur under the No Action Alternative. As the No Action Alternative would not create a new publicly accessible open space on Site 5, passive and/or active recreational opportunities would not be introduced to the area. Also, the No Action Alternative would not implement the proposed mapping and demapping actions, which would make the mapped street pattern consistent with drivers' and the pedestrians' current experience of those areas. Under the No Action Alternative, certain sidewalks would not be widened as under the proposed actions. The No Action Alternative would not enhance neighborhood character by the relocation and expansion of the Essex Street Market, which would create entrepreneurship opportunities for additional vendors and would continue to allow for a variety of vendor price points.

Under the No Action Alternative, no construction would occur on the project site. Thus, there would not be the potential for impacts of construction with respect to transportation, air quality, noise and vibration, historic and cultural resources, hazardous materials, open space, socioeconomic conditions, community facilities and land use and neighborhood character. Specifically, the No Action Alternative would not result in significant adverse construction traffic impacts at four intersections identified under the proposed actions, or elevated construction noise levels at 13 of the 83 receptor sites analyzed including residential, institutional and open space areas adjacent to the proposed development sites and along routes expected to be traveled by construction-related vehicles to and from the project site. It would not result in the significant adverse construction noise impacts under the proposed actions at up to three of the 13 receptor locations. Unlike the proposed actions, the No Action Alternative would not have the potential for adverse physical impacts on five architectural resources that are located within 90 feet of proposed construction activities, close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery. In addition, the potential for construction-related impacts on the non-designated or listed resources—the potential Clinton, Rivington, Stanton Street Historic District (NYCL-eligible, S/NR-eligible) and the Williamsburg Bridge (S/NR-eligible)—would also not occur under the No Action Alternative.

Under the No Action Alternative, the direct economic benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity would not be realized. The No Action Alternative would also not contribute to increased tax revenues for the City and State, including those from personal income taxes.

ESSEX STREET MARKET ALTERNATIVE

The Essex Street Market Alternative retains the existing public Essex Street Market in its current facility on Site 9, with no new development on that site. Site 2 would be redeveloped as under the proposed actions with the space allocated for the market under the proposed actions used instead for retail, although market uses would not be precluded. At other sites, this Alternative assumes the same uses and same floor area as the proposed actions. Overall, the Essex Street Market Alternative would provide approximately 1.60 million gross square feet of development, approximately 6 percent less total development than with the proposed actions. Similar to the proposed actions, the Essex Street Market Alternative would introduce an

approximately 97,500-square-foot hotel, approximately 36,300 gsf of non-specific commercial uses, and 114,000 gsf of community facility or cultural uses. However, the Essex Street Market Alternative would introduce less residential and retail space compared with the proposed actions. The Essex Street Market Alternative would introduce 875,800 gsf of residential space, approximately 8 percent lower than the 951,000 gsf of residential space that would be introduced by the proposed actions. This alternative would introduce 479,700 gsf of retail space, which is 4 percent less space than the retail and public market space that would be introduced by the proposed actions.

Like the proposed actions, the Essex Street Market Alternative assumes that half of all units on the project site would be affordable housing units. However, as less residential space would be introduced in the future with the Essex Street Market alternative, fewer total units and therefore fewer affordable housing units would be introduced with this alternative compared with the proposed actions.

As discussed above, the Essex Street Market Alternative would retain the existing Essex Street Market on Site 9, with no new development on that site. Under this alternative, the market would continue to be approximately 15,000 sf, which is 14,000 square feet less than the market that would be introduced by the proposed actions. In addition, the physical limitations of the existing market would remain. The facility would continue to be not fully compliant with the Americans with Disabilities Act and have insufficient storage capabilities, garbage handling, and climate control. It is currently anticipated that the market would continue to accommodate approximately 23 vendors. However, addressing these physical shortcomings in the future may require changes to the facility's operations. In addition, this alternative would not include the expanded common gathering areas for public seating and market events.

In the existing condition, garbage from the Essex Street Market is stored on Site 8. With the Essex Street Market Alternative, Site 8 would be redeveloped and would no longer store garbage from the Essex Street Market. Therefore, under this alternative, the Essex Street Market would need to find another garbage handling solution, such as other nearby storage or removing vendor stalls to accommodate a garbage storage room onsite.

Building above the existing market was determined to be infeasible as it would require temporarily closing the existing market to construct columns through the existing structure and would temporarily displace vendors during the construction period. In addition, the new columns and potential spaces (such as a lobby and elevator and mechanical core) for the new structure above would reduce the area available for public market uses and could potentially reduce the number of vendors.

It is assumed that on all sites other than Site 9 the Essex Street Market Alternative would include the same sustainable, green components as those analyzed in the proposed actions.

The site plan, bulk and massing of buildings under the Essex Street Market Alternative would be the same as the proposed actions. However, with this alternative, no new development would occur on Site 9 as the existing Essex Street Market building would be retained. Further differences between the proposed actions and the Essex Street Market Alternative are described below.

Although this alternative would increase the supply of affordable housing available in New York City, which is consistent with City housing policy, fewer dwelling units would be introduced by the Essex Street Market Alternative than the proposed actions. The Essex Street Market Alternative, therefore, would provide fewer affordable housing units than the proposed actions.

The Essex Street Market Alternative would result in many of the same impacts on architectural resources as the proposed actions. However, this Alternative would partially avoid the significant adverse impact on the Essex Street Market as it would retain the existing market building on Site 9.

Like the proposed actions, the Essex Street Market Alternative would generate increased demands on New York City's energy services. However, the Essex Street Market Alternative would demand less energy than the proposed actions, which include development on Site 9. Therefore, the Essex Street Market Alternative would result in lower energy consumption than the proposed actions.

With the Essex Street Market Alternative, the existing Essex Street Market would remain on Site 9 and thus the stack placement requirements for the site, identified for the proposed actions would not apply with this

alternative. Under this alternative, Site 9 would not undergo energy efficiency improvements, but would also not require energy and materials for construction of a new market. This alternative would also result in less development, and therefore the energy and emissions associated with construction and operation of Site 9 would not occur; however, that demand would be accommodated elsewhere (not as part of this project), and may be more or less energy efficient than under the proposed actions.

Travel demand estimates were conducted for the Essex Street Market Alternative. The Essex Street Market Alternative would generate 3,005, 6,441, 6,007, and 7,010 person trips and 357, 522, 520, and 482 vehicle-trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. In comparison, the proposed actions would generate up to 7,403 peak hour person-trips and up to 540 peak hour vehicle-trips. The Essex Street Market Alternative would result in up to 393 fewer peak hour person-trips and up to 20 fewer peak hour vehicle-trips. Overall, the Essex Street Market Alternative is expected to generate one percent to four percent fewer peak hour vehicle-trips compared to the proposed actions. Thus, with the Essex Street Market Alternative, there would be no significant reduction in impacts or the ability to provide mitigation.

As stated above in "Construction," construction activities would result in significant noise impacts at some residential receptors adjacent to the proposed development sites. Since the construction of Site 9 would not begin until 2020 according to the conceptual construction schedule on which the construction noise analysis was based, the conclusions of the construction noise analysis for the years 2016 through 2019 would be unchanged. During 2020 and 2021, construction activities and equipment would be decreased without the construction of Site 9 occurring, and depending on the specific location, noise levels would be the same to somewhat lower as compared to the levels with the proposed actions. Consequently, the Essex Street Market Alternative would be expected to result in the same or possibly slightly fewer significant adverse construction noise impacts as the proposed actions.

NO UNMITIGATED SIGNIFICANT IMPACTS ALTERNATIVE

The proposed actions would result in some partial or unmitigated impacts with respect to historic and cultural resources, traffic, and construction. Therefore, as required by the *CEQR Technical Manual*, alternatives were developed to explore modifications to the proposed actions and reasonable worst-case development scenario that would allow for the mitigation of these impacts.

The No Unmitigated Significant Impacts Alternative would retain the four Essex Street Market buildings on Sites 2, 8, 9, and 10 and the former fire station on Site 5 and would reduce the scale of the building on Site 1. Overall, this alternative would greatly reduce the number of residential units that could be provided, preventing the proposed actions from providing 900 units, of which 450 would be affordable units. This alternative would also reduce the amount of commercial space that could be provided, compromising another of the proposed actions' goals.

The proposed actions would result in significant adverse traffic impacts at intersections within the study area that can not be fully mitigated with practical traffic capacity improvement measures. Because of existing congestion at a number of intersections, even a minimal increase in traffic could result in unmitigated impacts at some locations. A sensitivity analysis determined that the addition of just two vehicle trips turning right along the northbound approach of Essex Street at the intersection with Delancey Street during the PM peak period would create a significant adverse impact that can not be fully mitigated. Thus, almost any new development on the project site would result in unmitigated significant adverse traffic impacts, and no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the goals of the proposed actions.

The proposed actions would result in potential significant adverse pedestrian impacts at the west sidewalk of Essex Street between Delancey and Broome Streets and the east sidewalk of Essex Street between Delancey and Rivington Streets. The potential significant adverse pedestrian impact at the west sidewalk of Essex Street could be fully mitigated by widening the sidewalk from its existing width of 13 feet to 13 feet and 8 inches. For the east sidewalk of Essex Street, the potential significant adverse pedestrian impact could be fully mitigated by widening the sidewalk from its existing width of 13 feet to 13 feet and 7 inches. However, these mitigation measures are not feasible and practicable since there are constraints that would prohibit such widening. Specifically, the presence of subway stairways would preclude any widening towards the

building lines. Although widening the sidewalks by extending them into the roadbed is a potential mitigation measure, NYCDOT does not typically undertake such widening except for extending corners by providing bulbouts; thus, the potential significant adverse sidewalk impacts would be unmitigated.

The pedestrian analysis for the With Action condition was performed by incorporating the pedestrian activities generated by the project's RWCDS full build-out. In addition, the pedestrian analysis used the narrowest pedestrian walking paths by reducing the available sidewalk widths from obstructions created by subway stairs, street furniture, and "shy-distances" (i.e., the space left between pedestrians and curbs/building façades) throughout the entire length of that particular sidewalk segment following the *2000 Highway Capacity Manual* guidelines. These assumptions reduced the effective sidewalk widths to approximately 20 to 30 percent of the overall widths available at the two sidewalk locations on Essex Street. The combination of all these factors would result in the potential for significant adverse pedestrian impacts at the two Essex Street sidewalks in the future With Action condition. However, it should be noted that the pedestrian analysis presents a RWCDS assessment of future pedestrian levels, since the project's development program and design may not materialize to the full extent resulting in different travel patterns at the study area's pedestrian facilities.

A sensitivity analysis determined that even the addition of just one pedestrian trip to the levels in the No Action condition during the AM peak period could result in a significant adverse impact that cannot be mitigated. Thus, any new development in the With Action condition on the project site would result in potential unmitigated significant adverse sidewalk impacts, and no reasonable alternative could be developed to completely avoid such impacts.

Construction of the proposed development would be expected to result in substantially elevated noise levels for two or more continuous years at 13 locations within the study area. However, most affected buildings have double-glazed windows and air-conditioning, and would consequently be expected to experience interior $L_{10(1)}$ values less than 45 dBA, which would be considered acceptable according to CEQR criteria. Of these 13 locations, up to 3 locations, including 350 Grand Street (Seward Park High School) and the outdoor balconies of two residential buildings south of Grand Street near Clinton Street, could experience significant impacts for certain limited periods during construction. The impacts at 350 Grand Street (Seward Park High School) would be avoided if construction were not undertaken on Sites 1, 2, or 3. The unmitigated impacts at the residential balconies would be avoided if construction were not undertaken on Site 5. If construction were not undertaken on Sites 1, 2, 3, or 5, this alternative would fail to meet the goal of the proposed actions to provide 900 residential units, of which 450 would be affordable units, and to provide commercial and retail development as part of a thriving, financially viable, mixed-use development.

5. MITIGATION MEASURES

The preceding sections discuss the potential for significant adverse environmental impacts resulting from the proposed Seward Park Mixed-Use Development Project. Such potential impacts were identified in the areas of historic and cultural resources, transportation, and construction. Measures have been examined to minimize or eliminate these anticipated impacts. These mitigation measures are discussed below.

HISTORIC AND CULTURAL RESOURCES

The proposed actions, through redevelopment, would have significant adverse direct impacts on two architectural resources that have been determined eligible for listing on the State and National Registers of Historic Places (S/NR)—the Essex Street Market and the former fire station at 185 Broome Street. In addition, new development could have significant adverse visual and contextual impacts on the S/NR-listed Lower East Side Historic District and the S/NR-eligible Eastern Dispensary, which also appears to be eligible for New York City Landmark (NYCL) designation.

In accordance with CEQR guidelines, NYCEDC and HPD are undertaking ongoing consultation with LPC regarding the development of mitigation measures for these significant adverse impacts. In addition, because construction financing may come from New York State and/or the United States Department of Housing and Urban Development, NYCEDC and HPD are undertaking ongoing consultation with OPRHP in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks,

Recreation and Historic Preservation Law) and, acting in its capacity as the State Historic Preservation Office, Section 106 of the National Historic Preservation Act of 1966.

Potential mitigation measures that could partially mitigate the impact of the demolition of the Essex Street Market and former fire station may include, to the extent practicable and feasible:

- Historic American Buildings Survey (HABS) documentation. HABS Level I documentation of all four buildings of the Essex Street Market and the former fire station could be conducted by a recognized professional credentialed for preparing such reports, to be submitted to LPC, OPRHP, the New York Historical Society, the Museum of the City of New York, and/or other repositories.
- A site commemoration plan. A permanent interpretive exhibit or exhibits about the Essex Street Market and the former fire station could be developed and installed in the new Essex Street Market facility on Site 2 or in another appropriate location near the project site. This exhibit could document the history of the Essex Street Market and former fire station and could encompass the larger history of the project site neighborhood.
- Architectural salvage. Surveys of the Essex Street Market and former fire station could be conducted to determine if any significant exterior or interior architectural elements could be removed and incorporated into the proposed development.
- Design of the new buildings on Sites 2, 8, 9, and/or 10 to reference the design of the Essex Street Market. This could include incorporating references to such architectural elements of the market buildings as the strip windows and the incised lettering above the entrances.

In addition, NYCEDC and HPD will continue to consult with LPC and/or OPRHP regarding the compatibility of the proposed development on Site 1 with the S/NR-listed Lower East Side District, in which it is located, and with the S/NR-eligible and NYCL-eligible Eastern Dispensary. Although the historic and cultural resources analysis concluded that the proposed developments on Sites 8, 9, and 10 would not have significant adverse visual and contextual impacts on the adjacent potential Clinton, Rivington, Stanton Street Historic District (NYCL-eligible, S/NR-eligible), should there be any State or Federal permitting or funding for development on those sites, HPD and NYCEDC shall consult with OPRHP regarding the compatibility of the proposed developments on Sites 8, 9, and 10 with the historic district.

TRANSPORTATION

TRAFFIC

The proposed actions would result in significant adverse traffic impacts at a number of locations in the traffic study area. The major overall finding of the traffic mitigation analysis is that the majority of the 30 intersections analyzed would either not be significantly impacted or could be mitigated with readily implementable traffic improvement measures, including signal timing and phasing changes, parking regulation changes to gain or widen a travel lane at key intersections, and lane restriping. These measures represent some of the standard traffic capacity improvements that are typically implemented by NYCDOT.

During the weekday AM peak hour, seven of the 30 intersections would remain unmitigated, and one intersection could only be partially mitigated; in the weekday midday peak hour, four intersections would remain unmitigated; in the weekday PM peak hour, seven intersections would remain unmitigated; and in the Saturday peak hour, six intersections would remain unmitigated.

Ten of the thirty intersections would have significant adverse traffic impacts resulting from the proposed actions and could not be fully mitigated in at least one peak hour, including:

- East Houston Street and Chrystie Street/Second Avenue (unmitigated during the weekday AM peak hour).
- East Houston Street and Allen Street/First Avenue (could be partially mitigated during the weekday AM peak hour).
- Delancey Street and Allen Street (unmitigated during the weekday PM peak hour).
- Delancey Street and Ludlow Street (unmitigated during all four peak hours).
- Delancey Street and Essex Street (unmitigated during all four peak hours).

- Delancey Street and Norfolk Street (unmitigated during all four peak hours).
- Delancey Street and Suffolk Street (unmitigated during the weekday PM and Saturday peak hours).
- Delancey Street and Clinton Street (unmitigated during all four peak hours).
- Broome Street and Norfolk Street (unmitigated during the weekday PM peak hour).
- Grand Street and Clinton Street (unmitigated during the weekday AM and Saturday peak hours).

Six of these intersections are along Delancey Street, which is characterized by heavy volumes approaching and leaving the Williamsburg Bridge.

As noted previously, NYCDOT has adopted and begun implementation of an area-wide plan to improve pedestrian, bicycle, and vehicular safety along the Delancey Street corridor including left turn prohibitions, sidewalk expansions, corner "bump-outs" and signal timing changes along Delancey Street to shorten pedestrian crossing distances and to provide pedestrians more green time to safely cross Delancey Street, reconfiguration of Clinton Street south of Delancey Street to allow vehicular traffic to access the Williamsburg Bridge from northbound Clinton Street, and other measures to promote pedestrian and bicycle safety, which will result in traffic pattern changes at several intersections. In addition, signal timing modifications are being proposed by NYCDOT along Allen Street to improve service along the M15 bus line. These changes to the study area's transportation network have been incorporated as part of the FGEIS. As a result, mitigation measures presented in the FGEIS at a number of analysis locations are different than those identified in the DGEIS. Some significantly impacted intersections that were mitigated in the DGEIS would be unmitigated in the FGEIS due to the safety oriented changes in the roadway network described above, particularly along Delancey Street where vehicular traffic capacity would be reduced in order to enhance overall pedestrian, bicycle, and vehicular traffic safety in response to community needs.

Implementation

Each of the traffic capacity improvements described above fall within the jurisdiction of NYCDOT for implementation. The implementation of these measures would result in the loss of approximately seven parking spaces along Essex Street between Rivington and Stanton Streets during the Saturday peak period. No designated truck loading/unloading zones or bus layover space would be affected by the proposed parking modifications for mitigation. If it is determined that on-street parking should be retained at locations where such mitigation was assumed, additional unmitigated traffic impacts could result.

TRANSIT

The proposed actions would result in significant adverse bus line haul impacts on the M9 bus route during both the AM and PM peak periods and the M14A bus route during the AM peak period. While NYCT routinely monitors changes in bus ridership and would make the necessary service adjustments where warranted, these service adjustments are subject to the agencies' fiscal and operational constraints and, if implemented, are expected to take place over time.

PEDESTRIANS

The proposed actions would result in significant adverse pedestrian impacts for five pedestrian analysis locations along Delancey Street at Essex and Clinton Streets including the west crosswalk of Delancey and Essex Streets during the midday peak period, the east crosswalk of Delancey and Essex Streets during the midday, PM, and Saturday peak periods, the west sidewalk of Essex Street between Delancey Street and Broome Street during the AM and midday peak periods, the east sidewalk of Essex Street between Delancey Street and Rivington Street during the midday and Saturday peak periods, and the north crosswalk of Delancey Street and Clinton Street during the Saturday peak period.

Delancey Street and Essex Street

The west crosswalk at this intersection would deteriorate from below mid-LOS D (21.7 SFP) to beyond mid-LOS D (17.2 SFP) during the midday peak period. This significant adverse pedestrian impact could be fully mitigated by restriping the width of this crosswalk from its existing width of 14 feet to 16 feet.

The east crosswalk at this intersection would deteriorate from LOS C (39.6 SFP), LOS C (39.8 SFP) and LOS C (34.5 SFP) to LOS E (14.5 SFP), LOS D (15.4 SFP) and LOS E (13.5 SFP) during the midday, PM

and Saturday peak periods, respectively. This significant adverse pedestrian impact could be fully mitigated by restriping the width of this crosswalk from its existing width of 14 feet to 20 feet.

The west sidewalk of Essex Street between Delancey Street and Broome Street would deteriorate from below mid-LOS D (6.4 PMF) and LOS C (4.6 PMF) to beyond mid-LOS D (10.9 PMF) and LOS D (9.3 PMF) during the AM and midday peak periods, respectively. Subsequent to the issuance of the DGEIS, at NYCDOT's direction, the assignment of pedestrian trips to study area sidewalks and crosswalks was revised to direct more pedestrian trips on Essex Street. These changes resulted in increased project-generated pedestrian trips on Essex Street's sidewalks and crosswalks, and subsequently in potential significant adverse impact at this sidewalk location. The pedestrian analysis for the 2022 With Action condition was performed by incorporating the pedestrian activities generated by the project's RWCDS full build-out. In addition, the sidewalk analysis used the narrowest pedestrian walking paths by reducing the available sidewalk widths from obstructions created by subway stair entrances, street furniture and "shy-distances" (i.e., the space left between pedestrians and curbs/building façades) throughout the entire length of this sidewalk segment following the *2000 Highway Capacity Manual* guidelines. These assumptions reduced the effective sidewalk width to approximately 20 percent of the overall width. The combination of all these factors resulted in the potential for significant adverse sidewalk impact at this location in the future 2022 With Action condition. This potential significant adverse pedestrian impact could be fully mitigated by widening the sidewalk from its existing width of 13 feet to 13feet and 8 inches. However, this mitigation measure is not feasible and practicable since there are constraints that would prohibit such widening. Specifically, the presence of a subway stairway would preclude any widening towards the west side. Although widening the sidewalk by extending it into the roadbed is a potential mitigation measure, NYCDOT does not typically undertake such widening except for extending corners by providing bulbouts; thus, the potential significant adverse sidewalk impact would be unmitigated.

It should be further noted that the pedestrian analysis presents a RWCDS assessment of future pedestrian levels since the project's development program and design may not be fully realized as assumed in the RWCDS in the future conditions, resulting in different travel patterns at this location.

The east sidewalk of Essex Street between Delancey Street and Rivington Street would deteriorate from LOS C (3.7 PMF) and LOS C (5.2 PMF) to LOS D (8.6 PMF) and LOS D (9.8 PMF) during the midday and Saturday peak periods, respectively. As previously discussed, subsequent to the issuance of the DGEIS, the assignment of pedestrian trips to study area sidewalks and crosswalks was revised to direct more pedestrian trips on Essex Street. These changes resulted in increased project-generated pedestrian trips on Essex Street's sidewalks and crosswalks, and subsequently in potential significant adverse impact at this sidewalk location. In addition, the pedestrian analysis for the 2022 With Action condition was performed by incorporating the pedestrian activities generated by the project's RWCDS full build-out. The sidewalk analysis used the narrowest pedestrian walking paths by reducing the available sidewalk widths from obstructions created by subway stair entrances, street furniture and "shy-distances" throughout the entire length of this sidewalk segment following the *2000 Highway Capacity Manual* guidelines. This assumption reduced the effective sidewalk width to approximately 30 percent of the overall width. The combination of all these factors resulted in the potential for significant adverse sidewalk impact at this location in the future 2022 With Action condition. This potential significant adverse pedestrian impact could be fully mitigated by widening the sidewalk from its existing width of 13 feet to 13 feet and 7 inches. However, this mitigation measure is not feasible and practicable, since there are constraints that would prohibit such widening. Specifically, the presence of subway stairways abutting the proposed development site (Site 9) would preclude any widening towards the east side. Although widening the sidewalk by extending in to the roadbed is a potential mitigation measure, NYCDOT does not typically undertake such widening except for extending corners by providing bulbouts; thus, the potential significant adverse sidewalk impact would be unmitigated.

It should be further noted that the pedestrian analysis presents a RWCDS assessment of future pedestrian levels since the project's development program and design may not be fully realized as assumed in the RWCDS in the future conditions, resulting in different travel patterns at this location.

Delancey Street and Clinton Street

The north crosswalk at this intersection would deteriorate from LOS D (16.7 SFP) to LOS E (14.9 SFP) during the Saturday peak period. This significant adverse pedestrian impact could be fully mitigated by restriping the width of this crosswalk from its existing width of 16 feet to 17 feet.

Effects of Traffic Mitigations on Pedestrian Operations

As described above, intersection operations could be altered with the implementation of the recommended traffic mitigation measures. These measures would include changes to existing signal timings and lane utilizations. A review of the effects of these changes on pedestrian circulation and service levels at intersection corners and crosswalks showed that they would not alter the conclusions made for the pedestrian impact analyses, nor would they result in the potential for any additional significant adverse pedestrian impacts.

Following the issuance of the DGEIS, the New York City Department of Transportation (NYCDOT) adopted and began implementing an area-wide plan to improve pedestrian, bicycle, and vehicular safety along the Delancey Street corridor including left turn prohibitions, sidewalk expansions, corner "bump-outs" and signal timing changes to shorten pedestrian crossing distances and to provide pedestrians more green time to safely cross Delancey Street, reconfiguration of Clinton Street south of Delancey Street to allow vehicular traffic to access the Williamsburg Bridge from northbound Clinton Street, and other measures to promote pedestrian and bicycle safety, which will result in traffic pattern changes at several intersections. In addition, signal timing modifications are being proposed by NYCDOT along Allen Street to improve service along the M15 bus line. These changes to the study area's transportation network were incorporated as part of the FGEIS.

CONSTRUCTION

TRAFFIC

As existing and No Action traffic conditions at some study area intersections through which construction-related traffic is expected to travel would operate at unacceptable levels during commuter peak hours, it is possible that significant adverse traffic impacts could occur at some of these locations during construction. A detailed analysis of traffic conditions was completed for nine key intersections near the construction sites, and this analysis indicated that significant adverse traffic impacts could occur at one of these locations during construction, but at lesser magnitudes than impacts identified under the With Action condition. Where impacts during construction may occur, measures similar to the ones recommended to mitigate impacts of the proposed actions could be implemented early to alleviate congested traffic conditions.

NOISE

Construction activities would be expected to result in substantially elevated noise levels for two or more continuous years at 13 locations within the study area. Most of those locations, however, have double-glazed windows and an alternate means of ventilation. For buildings with double-glazed windows and window air conditioners, interior noise levels would be approximately 20 to 25 dBA less than exterior noise levels, and for buildings with double-glazed windows and well-sealed through-the-wall/sleeve/PTAC air conditioners interior noise levels would be approximately 25 to 30 dBA less than exterior noise levels. The typical attenuation provided by double-glazed windows and the alternate ventilation outlined above would be expected to result in interior noise levels during most of the time that are below 45 dBA $L_{10(1)}$ (the CEQR acceptable interior noise level criteria). However, although these structures have double-glazed windows and alternate ventilation, during some limited time periods construction activities may result in interior noise levels that would be above the 45 dBA $L_{10(1)}$ noise level recommended by CEQR for these uses.

A visual survey was performed to identify which locations may not currently have double-glazed windows and/or a means of alternate ventilation, or may have outdoor balconies. At these locations, typical attenuation provided by single-paned windows would range from 5 dBA for an open window condition (i.e., no alternate means of ventilation) to 20 dBA (i.e., with an alternate means of ventilation/closed-window condition). This level of attenuation would not be expected to result in interior noise levels during most of the time that are

below 45 dBA $L_{10(1)}$ (the CEQR acceptable interior noise level criteria). Construction activities would be expected to result in significant adverse noise impacts at three locations.

The refined construction analysis performed between the DGEIS and FGEIS predicted construction noise impacts at fewer windows at Seward Park High School and a shorter duration of impacts than that shown in the DGEIS. The remaining impacts at the school are a result of noise generated by construction of Sites 1, 2, and 3.

Upon selection of a developer for each of these development sites, an additional construction noise analysis shall be completed by the developer(s) of each site, taking into consideration: (1) the specific development project(s) to be constructed; (2) the anticipated construction timeline and sequencing in relation to the other project sites; (3) the proposed construction means and methodologies, and any new available technologies that exist at the time of construction to reduce construction noise; and (4) the path and source controls, which are to be implemented in conjunction with the project. The Office of the Deputy Mayor for Economic Development (ODMED), as lead agency, and HPD and/or NYCEDC will review the additional analyses.

If the additional analyses find that construction at any of the three development sites would continue to have the potential to result in significant noise impacts at Seward Park High School, the developer(s) of the site(s) with the potential to result in significant noise impacts will investigate whether additional path and source controls may be available to mitigate the potential significant impact and the extent to which the impact would be mitigated.

If the additional analysis, taking into account the detailed information on construction methodology, timing and sequencing and any available additional path and source controls, still shows the potential for significant noise impacts at Seward Park High School resulting from construction at one of the development sites, the developer of that site will explore potential receptor controls for the school facility in consultation with the New York City School Construction Authority (SCA). Potential receptor controls to be considered may include the installation of interior storm windows at locations with single-glazed windows, replacement of single-glazed windows with acoustically rated windows, improvements in the sealing of the existing windows, and/or the provision of air conditioning, so that the impacted façades of the school can maintain a maximum interior noise environment of 45dBA under closed-window conditions. These measures would have the potential to mitigate the impacts at Seward Park High School. In the event that implementing such receptor controls is not practicable, as determined by ODMED as lead agency in consultation with HPD and/or NYCEDC, the proposed actions would result in a partially mitigated impact on Seward Park High School, as set forth in this FGEIS.

For properties that may be under the jurisdiction of HPD or developed through an HPD program, additional mitigation (source and path control measures) identified in the refined and/or additional analyses would be required to be undertaken by the developer(s) through provisions in a Land Disposition Agreement to be entered into at the time of closing. The Land Disposition Agreement would also require the use of a construction monitor, which would operate under the oversight of ODMED, to ensure such measures are implemented during construction activities. In the event it is determined that receptor controls will be implemented at the school, the developer(s) would be required to fund and install the measures (in coordination with ODMED, HPD and SCA) at the affected facades of the school prior to the commencement of construction at the site(s) causing the noise impact.

For properties that may be under the jurisdiction of NYCEDC, noise control measures identified in the refined and/or additional analyses, including receptor controls if determined to be practicable, would be required to be undertaken by the developer(s) through provisions of a contract or other legally binding agreement between NYCEDC and the developer(s). The contract or other legally binding agreement would require the use of a construction monitor, which will operate under the oversight of ODMED, to ensure that such measures are implemented during construction activities.

At the two locations with the potential to experience construction noise impacts only at outdoor balconies, there would be no feasible or practicable mitigation to mitigate the construction noise impacts. Therefore these balconies would be considered to experience an unmitigated significant adverse impact at various times.

6. UNAVOIDABLE ADVERSE IMPACTS

As described above, a number of the potential impacts identified for the proposed actions could be mitigated. However, in some cases, impacts from the proposed actions would not be fully mitigated.

HISTORIC AND CULTURAL RESOURCES

Potential mitigation measures that could partially mitigate the impact of the demolition of the S/NR-eligible Essex Street Market and former fire station may include, to the extent practicable and feasible: preparation of HABS documentation of all four buildings of the Essex Street Market and the former fire station; a permanent interpretive exhibit or exhibits about the Essex Street Market and the former fire station, which could be developed and installed in the new Essex Street Market facility on Site 2 or in another appropriate location near the project site; architectural salvage if any significant exterior or interior architectural elements could be removed and incorporated into the proposed development; and design of the new buildings on Sites 2, 8, 9, and/or 10 to reference the design of the Essex Street Market, which could include incorporating references to such architectural elements of the market buildings as the strip windows and the incised lettering above the entrances. In addition, NYCEDC and HPD will continue to consult with LPC and/or OPRHP regarding the compatibility of the proposed development on Site 1 with the S/NR-listed Lower East Side District, in which it is located, and with the S/NR-eligible and NYCL-eligible Eastern Dispensary.

Submission of the preliminary design of the proposed building on Site 1 to LPC and/or OPRHP for review and comment following a developer's RFP process is proposed as a means to eliminate or partially mitigate the potential contextual and visual impact on the historic district and Eastern Dispensary from the proposed development on Site 1. If LPC and/or OPRHP determine that the preliminary design of the proposed building on Site 1 would result in a significant adverse impact on the Lower East Side Historic District and/or the Eastern Dispensary and no design changes, which are feasible and practicable given NYCEDC and HPD's goals and objectives, are identified to eliminate or fully mitigate this impact, it would constitute an unmitigable significant adverse impact on the Lower East Side Historic District and/or the Eastern Dispensary.

TRANSPORTATION

Traffic

As described above, NYCDOT adopted and began implementing an area-wide plan to improve pedestrian, bicycle, and vehicular safety along the Delancey Street corridor. Some significantly impacted intersections that were mitigated in the DGEIS would be unmitigated in the FGEIS due to these safety oriented changes, particularly along Delancey Street where vehicular traffic capacity would be reduced in order to enhance overall pedestrian, bicycle, and vehicular traffic safety in response to community needs. In addition, signal timing modifications are being proposed by NYCDOT along Allen Street to improve service along the M15 bus line. These changes to the study area's transportation network were incorporated as part of the FGEIS.

Under the proposed actions, ten intersections would experience unmitigable traffic impacts in the 2022 With Action year (but not in all peak hours). Of these ten intersections, one intersection, the intersection of East Houston Street and Allen Street, could be partially mitigated. At this intersection, traffic improvements would be able to mitigate one, but not all, of the impacted movements during the weekday AM peak hour. The nine other intersections that would remain unmitigated are the intersections of: East Houston Street and Chrystie Street/Second Avenue; Delancey Street with Allen Street, Ludlow Street, Essex Street, Norfolk Street, Suffolk Street and Clinton Street; Broome Street and Norfolk Street; and Grand Street and Clinton Street.

Pedestrians

Under the proposed action, up to two sidewalks could experience unmitigable impacts in the 2022 With-Action year (but not in all peak hours). These potential significant impacts would occur at the west sidewalk of Essex Street between Delancey and Broome Streets and the east sidewalk of Essex Street between Delancey and Rivington Streets. As previously discussed, subsequent to the issuance of the DGEIS, at NYCDOT's direction, the pedestrian trip assignment was revised to direct more pedestrian trips on Essex

Street. These changes resulted in increased project-generated pedestrian trips on Essex Street's sidewalks and crosswalks, and subsequently in potential significant adverse impacts at these sidewalk locations. In addition, the pedestrian analysis for the 2022 With Action condition was performed by incorporating the pedestrian activities generated by the project's RWCDS full build-out. In addition, the sidewalk analysis used the narrowest pedestrian walking paths by reducing the available sidewalk widths from obstructions created by subway stair entrances, street furniture and "shy-distances" (i.e., the space left between pedestrians and curbs/building façades) throughout the entire length of these sidewalk segments following the *2000 Highway Capacity Manual* guidelines. These assumptions reduced the effective widths to approximately 20 to 30 percent of the overall widths available at these two sidewalk locations. The combination of all these factors resulted in the potential for significant adverse sidewalk impacts at these locations in the future 2022 With Action condition.

For the east sidewalk of Essex Street between Delancey and Rivington Streets, the potential significant adverse pedestrian impact could be fully mitigated by widening the sidewalk from its existing width of 13 feet to 13 feet and 7 inches. The potential significant adverse pedestrian impact at the west sidewalk of Essex Street between Delancey and Broome Streets could be fully mitigated by widening the sidewalk from its existing width of 13 feet to 13 feet and 8 inches. However, these mitigation measures to widen the sidewalks by 7 and 8 inches are not feasible and practicable, since there are constraints that would prohibit such widening. Specifically, the presence of subway stairways would preclude any widening towards the property lines. Although widening the sidewalks by extending in to the roadbed is a potential mitigation measure, NYCDOT does not typically undertake such widening except for extending corners by providing bulbouts; thus, the potential significant adverse sidewalk impacts would be unmitigated.

It should also be noted that the pedestrian analysis presents a RWCDS assessment of future pedestrian levels since the project's development program and design may not be fully realized as assumed in the RWCDS in the future conditions, resulting in different travel patterns at these locations.

CONSTRUCTION

Construction activities would be expected to result at various times in significant adverse noise impacts at three locations. At the two locations with the potential to experience construction noise impacts only at outdoor balconies, there would be no feasible or practicable mitigation to mitigate the construction noise impacts. Further assessment related to construction impacts at Seward Park High School (350 Grand Street) resulting from construction at Sites 1, 2, and 3 will be conducted upon selection of a developer or developers for these Sites, and additional mitigation measures will also be considered. In the event that mitigation measures are not determined to be feasible and practicable, the impacts at Seward Park High School would be only partially mitigated.

7. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The proposed actions would be limited to the project site, which would be developed with mixed-income residential, commercial, community or cultural uses, parking, and publicly accessible open space. The proposed actions would be expected to improve land use conditions in the study area by replacing underutilized sites with new development that would integrate with, and knit together, surrounding communities. While the new uses would contribute to growth in the City and State economies, they would not be expected to induce additional notable growth outside the project site. It is anticipated that the consumer needs of the new residential and worker populations would largely be satisfied by a combination of the new retail uses that would be included as part of the proposed actions and the existing retail stores in the area. The area already contains a broad mix of commercial uses, local services, and a growing number of restaurants and drinking establishments. It is possible that development resulting from the proposed actions and other developments in the area could prompt some new retail development from those looking to capitalize on the area's increased consumer base. Induced commercial development, if it were to occur, would be limited and would likely include stores catering to the new residential and worker populations, such as food stores, restaurants, beauty salons and dry cleaners.

In addition, the proposed actions would not include the introduction or expansion of infrastructure capacity (e.g., sewers, central water supply) that would result in indirect development.

Therefore, the proposed actions would not induce significant new growth in the surrounding area.

8. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The commitments of land resources and materials are weighed against the benefits of the proposed actions. The proposed actions would transform several underutilized City-owned properties into a thriving, financially viable, mixed-use development. The proposed actions would provide affordable and market-rate housing units, commercial and retail uses, community facilities and other neighborhood amenities (e.g., parking, a new and expanded facility for the public Essex Street Market, and publicly accessible open space). The mix of uses would bring a greater level of pedestrian activity to the project site, making the neighborhood more inviting and appealing to live in and visit. In addition, the increased pedestrian activity that would result from the proposed actions would increase foot traffic and retail demand, benefitting existing retail stores in the area.

The proposed development includes relocating the existing Essex Street Market to a new, larger facility, which would create entrepreneurship opportunities for additional vendors and would allow for a variety of vendor price points. A new market facility would have an improved internal layout, better connections with the street and expanded common gathering areas for public seating and market events. In addition, the new facility would be energy efficient, be fully compliant with the Americans with Disabilities Act, and have improved storage capabilities, garbage handling, and climate control. The City would give existing vendors the first opportunity to relocate their business to the new market facility, when the facility on Site 2 is complete and ready for occupancy.

In addition, the proposed actions would replace underutilized sites with new development that would integrate with, and knit together, surrounding communities.

9. NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

This Notice of Completion for the Final Generic Environmental Impact Statement for the Seward Park Mixed-Use Development Project has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law.

10. CONTACT OFFICE

Requests for copies of this FGEIS should be forwarded to the contact office: Mayor's Office of Environmental Coordination, 100 Gold Street – 2nd Floor, New York, NY 10038, or by email to rkulikowski@cityhall.nyc.gov.

The FGEIS is also available on the New York City Mayor's Office of Environmental Coordination website:

http://www.nyc.gov/oec

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On behalf of the Deputy Mayor for
Economic Development

August 10, 2012
Date

SEWARD PARK LSGD MODIFICATION (SITES 1 & 5)

236 Broome Street, New York, NY 10002 (Site 1)
394-406 Grand Street, New York NY 10002 (Site 5)

Form LR Item 3 - Description of the Proposal

1. Introduction

This application by the New York City Department of Housing Preservation and Development ("HPD" or "Applicant") requests modifications to the Seward Park Large Scale General Development Special Permit (C 120228 ZSM) approved by the Commission on August 22, 2012 ("Seward Park LSGD Special Permit")[1]. The large scale general development established by the Seward Park LSGD Special Permit ("LSGD") includes design controls for each of the six sites, each a single zoning lot, within its boundaries. The LSGD is located in the Lower East Side section of Manhattan Community District 3.

Specifically, this application seeks to modify the design controls applicable to the LSGD sites identified as Site 1 and Site 5 (the "Site 1 Design Controls" and "Site 5 Design Controls," respectively). With regard to Site 1, the requested action would modify the controls affecting the location of a portion of the Ludlow Street frontage to facilitate the development of a mixed use building providing approximately 55 (44 market rate and 11 affordable) residential units, various commercial tenants and the Andy Warhol Museum (the "Site 1 Proposed Development"). The Site 1 Proposed Development complies with the provisions of the underlying C6-1 zoning district and the remaining Site 1 Design Controls and no special permits, authorizations or certifications would be required for its development.

With regard to Site 5, the requested action would modify the minimum base height on the Site 5 Clinton Street frontage and along the area designated as Publicly Accessible Open Space from 60 feet above mean curb level to 29 feet above mean curb level to facilitate the development of a mixed use building providing approximately 211 (107 market rate and 104 affordable) residential units and various retail tenants (the "Site 5 Proposed Development"). For the portion of the Clinton Street street wall affected by this application, the Proposed Development complies with the provisions of the underlying R8/C2-5 zoning district and the remaining Site 5 Design Controls, and no special permits, authorizations or certifications would be required for its development.

2. Background

The Seward Park LSGD Special Permit and related actions approved by the City Planning Commission on August 22, 2012 culminated an over three-year community planning process that involved a broad range of stakeholders, including city agencies, elected officials, Manhattan

[1] *See*, CPC Report Corrected C 120228ZSM dated August 22, 2012, Calendar # 9 (the "CPC LSGD Report")

Community Board 3 ("CB3") and Lower East Side residents. The approval facilitated the Seward Park Mixed-Use Development Project described in the following section.

By the mid-19th century, the Lower East Side had developed into a densely populated neighborhood characterized by four- to six-story tenement buildings. In 1955, the Mayor's Committee on Slum Clearance designated the triangular area bordered by Essex Street, Grand Street, and East Broadway, consisting of ten City blocks, as the Seward Park Urban Renewal Area ("SPURA"). The existing buildings were demolished and four large, tower-in-the-park style cooperative apartment buildings were constructed, along with a small amount of commercial retail and community facility space.

In 1965, the Board of Estimate approved the Seward Park Extension Urban Renewal Area ("SPEURA") under the New York State Urban Renewal Law and Title I of the Federal Housing Act of 1949. The SPEURA was located on 14 blocks between Delancey, Essex, Grand, and Willet Streets that consisted largely of low-scale, tenement-style residential buildings, many with ground floor commercial uses, and several community and religious institutions. There were also commercial uses in converted buildings, light manufacturing and automotive uses, vacant lots and a bus depot. The SPEURA plan proposed combining 11 of the 14 blocks into five superblocks, leaving two blocks at their original size, and shrinking the remaining block. Two of the new blocks, located along Delancey Street between Essex, Broome, and Clinton Streets (current Seward Park LSGD Sites 2, 3, and 4), were to be reserved as the access point to the Williamsburg Bridge from the proposed Lower Manhattan Expressway. The remaining blocks were proposed to be developed with 1,800 dwelling units, community facilities, and commercial uses. Although portions of Broome and Suffolk Streets were demapped as part of the original SPEURA plan, these streets were never decommissioned to create the proposed superblock, and continue to function as regular City streets. Similarly, portions of Clinton and Delancey Streets were widened on the City Map as part of the original SPEURA but the extended right-of-way was never built. Seven lots were not acquired as part of the SPEURA action and those buildings remain, including the former Essex Street Market building on Site 2.

Demolition began on the sites in 1967. The Lower Manhattan Expressway was officially canceled in 1962, before the designation of the SPEURA. Some of the sites were cleared for the expressway, before the designation of the SPEURA, with the exception of four small buildings on Delancey Street between Essex and Clinton Streets, one building on Broome Street, and three buildings on Grand Street. The buildings on Delancey Street have since been removed, but the buildings on Broome and Grand Streets remain. In 1971, a 23-story New York City Housing Authority ("NYCHA") tower was constructed on Delancey Street in the middle of the superblock between Clinton and Ridge Streets; in 1972, a 23-story NYCHA apartment tower and low-rise facilities were built on the block bordered by Broome, Grand, Essex, and Norfolk Streets; and between 1972 and 1976, three 26-story apartment towers were built on the new superblock between Clinton Street and Pitt Street - one near Grand Street and two near Pitt Street. A combined police/fire station was built on

number of religious institutions, including three synagogues and St. Mary's Catholic Church, remained within the original SPEURA boundaries.

In 1980, the Board of Estimate approved the first amendment to the SPEURA plan. The amended SPEURA plan modified the proposed uses on the blocks that comprise current Seward Park Sites 2 – 6. Sites 2, 3, and 4 were originally designated for the Lower Manhattan Expressway access sites, and Site 6 was designated for public or semi-public (institutional) use. The amended plan designated these four sites for commercial uses. The amended SPEURA plan acknowledged that these parcels would need to be rezoned in order to accomplish these goals, which would take place when a project was proposed. After the amendment, other sites within the SPEURA were developed in the 1980s, including a 26-story apartment tower on the corner of Norfolk and Grand Streets, an 11-story apartment building on Bialystoker Place, and additional smaller buildings on Pitt Street, Broome Street and Bialystoker Place (formerly Willet Street). The SPEURA plan expired on July 22, 2005, forty years after its adoption.

LSGD Site 1, one of the sites that is subject of this Application, was not in the original SPEURA. The City acquired Site 1 through a condemnation action in 1970 by the Board of Education for uses related to Seward Park High School. In 1977, it was determined that the site was not required for the high school, and it was transferred to the jurisdiction of the New York City Department of Transportation ("DOT"). It currently serves as a municipal parking lot.

In 2008, CB3 began a planning process with the goal of reaching community consensus on a development program for the undeveloped former SPEURA sites, along with all of the Essex Street Market sites and the DOT parking lot on Site 1. CB3 invited the City to be part of the process, and New York City Econominc Development Corporation ("NYCEDC"), HPD, and the Department of City Planning ("DCP") provided technical support and resources to facilitate the community's discussion and analysis. Over the course of more than two years, CB3 worked to develop a set of project guidelines that CB3 unanimously adopted in January 2011. CB3 unanimously passed a set of urban design principles in June 2011. CB3's guidelines served as a broad framework for defining key elements of the Project proposal. The guidelines call for a mixed-use and mixed-income development that is reflective of, and compatible with, adjacent communities. CB3's recommendation that the design of the proposed development should conform to the principles of contextual design so that building orientation and access should support and enhance the existing pedestrian realm and integrate with the existing neighborhood.

CB3 efforts culminated in an integrated number of land use actions, filed with the Department of City Planning in March 2012 by HPD, intended to implement a set of design guidelines which reflected CB3's principles. On August 22, 2012, the City Planning Commission approved the following actions:

C 120156 MMM — A proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President.

C 120226 ZMM — A proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District.

N 120227 ZRM — A proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area.

C 120228 ZSM — Special Permit, to modify the bulk regulations within a Large-Scale General Development.

C 120229 ZSM — Special Permit, to modify the use regulations within a Large-Scale General Development.

N 120230 ZAM — A request for the grant of an Authorization by the Commission, pursuant to Section 74-744, to modify signage regulations to allow signs accessory to non-residential uses above the level of the finished floor of the third story.

C 120231 ZSM — Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District.

C 120233 ZSM — Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District.

C 120234 ZSM	Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District.
C 120235 ZSM	Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District.
N 120236 HAM	Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market.
C 120237 PQM	Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services.
C 120245 PPM	Disposition of city-owned property (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation or a successor local development corporation.

The approved land use actions will facilitate the development of the Seward Park Mixed Use Development Project, planned as a 6.14 acre development of approximately 1.65 million square feet of residential, commercial and community facility floor area in several buildings covering a total of nine City-owned sites. The residential program includes 1,000 units, half of which would be affordable to low-, moderate- and middle-income tenants, including affordable housing for seniors. The LSGD covers six of the nine City-owned sites.

Subsequent to the approval of these land use actions, HPD and NYCEDC issued an RFP to develop the Seward Park Mixed Use Development Project. In September 2013, Delancey Street Associates LLC (a collaboration between L&M Development, BFC Partners and Taconic Partners) was selected. The designated developers have re-named the development "Essex Crossing."

None of the Seward Park Mixed Use Development Project sites are as yet under construction. Sites 1 and 5 will be the first sites to be developed, with a planned occupancy for 2017.

3. Description of the Surrounding Area

The LSGD is located in the Lower East Side of Manhattan in Community District 3. The surrounding neighborhood can be divided into two areas with distinct characteristics: (1) the "tower-in-the-park" area east of Essex Street to the south of Delancey Street, and east of Pitt Street to the north of Delancey Street, which was largely developed in the middle of the 20th century; and (2) the more mixed-use, lower-scale area to the west and north of the tower-in-the-park area, which was largely developed in the late 19th and early 20th centuries.

The area east of Essex Street and south of Delancey Street is dominated by superblock residential developments and large vacant parcels (now LSGD Sites 1-6). The superblock developments in the immediate area of the LSGD include the 1,728-unit Seward Park Houses, a private co-operative located on the two blocks bounded by Grand Street, Essex Street and East Broadway and the NYCHA Seward Park Extension, a 360-unit development that includes a 23- story building on the block just south of Site 2 and a 23-story building on the eastern side of the block containing Site 6. Three additional 26-story buildings are located to the east of the block containing Site 5. This area is zoned R8, a medium-density district that permits buildings to be developed under height factor zoning (which encourages tower-in-the-park style developments) at a residential FAR of up to 6.02 and an overall FAR of 6.5 for sites that contain community facility uses.

The area east of East Broadway and Bialystoker Place is zoned R7-2, a district that also permits buildings to be developed under height factor zoning at an overall FAR of 6.5 for sites that contain community facility uses, but limits residential FAR to 3.44. This area is also dominated by superblock residential developments, including three NYCHA developments: Rutgers Houses contains 721 units in five 20-story buildings; LaGuardia Houses contains 1,092 units in nine 16- story buildings; and Vladeck Houses contains 1,510 units in 20 six-story buildings. While the majority of the area is developed with tower-in-the-park style developments, a number of buildings that were built to the street line prior the mid-20th century are located throughout the area, especially on the blocks between Madison Street and East Broadway.

The area north of Delancey and east of Pitt Street is also characterized by tower-in-the park style developments and is zoned R7-2. Developments in this area include the Samuel Gompers Houses, a 1,473-unit development in two 20-story buildings, and the Baruch Houses, a 2,194-unit development with 17 buildings that vary between seven and 14 stories in height.

The tower-in-the-park area contains several public and private institutions, including the Henry Street Settlement on Henry Street, the Abrons Art Center on Grand Street, a library and the Educational Alliance on East Broadway, a combined police/fire station on Pitt and

Delancey Streets, and several schools throughout the area. The area also contains local retail uses along East Broadway, and Grand, Essex, and Clinton Streets including restaurants, delis, coffee shops, and clothing stores. C1-5 and C2-5 overlays are mapped along Grand, Clinton, and Delancey Streets, East Broadway, and on a portion of the block bounded by Montgomery Place and Henry, Jackson, and Madison Streets.

The area to the north and west of the LSGD portion of the Project, which contains the three Seward Park Mixed Use Development Project sites that are not included in the LSGD, *i.e.*, Sites 8 – 10, has a very different built character. This area is characterized by a mix of residential, community facility, and commercial uses, and is typified by 4- to 6-story tenement buildings with ground floor retail. The commercial uses east of Essex Street and north of Delancey Street are typically local retail uses, including restaurants, delis, hair and nail salons, tailors, and dry cleaners. Houston Street to the north is a wide street, and the building typology remains relatively low-scale. The area is home to a number of large public schools such as P.S. 20, P.S. 140, and P.S. 142, as well as a large assortment of retail stores including restaurants, bars and nightclubs, local convenience retail, and specialty apparel shops.

The surrounding area had seen a trend towards the development of higher-density taller buildings during the early 2000s, including the 15-story Blue condominium on Norfolk Street, the 23-story rental building on Ludlow Street, and the 20-story Hotel on Rivington on Rivington Street. In 2008, the Lower East Side/East Village Rezoning changed the existing R7-2 and C6-1 non-contextual districts to C4-4A and R7A contextual districts. The new districts require buildings to be built to the street line with a base height between 40 and 65 feet and a maximum overall building height of 80 feet. The C4-4A district, which is mapped on the blocks south of Delancey Street and west of Ludlow Street, as well as on the blocks north of Delancey Street and west of the midpoint between Norfolk and Essex Streets, allows residential, commercial, and community facility uses at an FAR of 4.0. The R7A district, which is mapped north of Delancey Street and east of the midpoint between Norfolk and Essex Streets, similarly allows residential and community facility uses at an FAR of 4, but commercial uses are limited to the C1-5 commercial overlay area only, which runs along Clinton Street.

As part of the Lower East Side/East Village Rezoning, the area along Delancey Street was rezoned to C6-2A and mapped as an inclusionary housing district. This zoning designation allows buildings to be developed with commercial, community facility and/or residential uses at an FAR of up to 7.2 if affordable housing is provided. The district requires buildings to be built to the street line with a base of 60 to 85 feet in height and an overall maximum height of 120 feet. The Delancey Street corridor is developed with a number of taller buildings that pre-date the rezoning, including a 16-story residential building on the corner of Forsyth Street and a 19-story dormitory on the corner of Ludlow Street.

4. Description Of The Proposed Development Sites

The six sites within the LSGD are bounded by Delancey Street to the north, Broome and Grand Streets to the south, the midblock of Clinton and Ridge Streets to the east and Ludlow Street to the west. The sites range in size from approximately 20,000 to 60,000 square feet, and together comprise approximately 228,595 square feet of lot area. Each site is considered a single zoning lot. The sites are currently underutilized and contain a mix of parking, vacant and partially vacant commercial uses, and a small residential building. The LSGD sites are split between a C6-1 district (Sites 1 and 2) and an R8/C2-5 district (Sites 3, 4, 5, 6).

Site 1 (Block 409, Lot 56) is an irregularly shaped zoning lot of approximately 21,957 square feet located on the southern portion of the block bounded by Broome, Essex, Ludlow and Delancey Streets. It has 124.37 feet of frontage on Broome Street, 58.87 feet of frontage on Essex Street, and 151.33 feet of frontage on Ludlow Street. The site is currently unimproved and used for parking. Site 1 is zoned C6-1.

Site 5 (Block 346, part of Lot 40) contains approximately 60,712 square feet of lot area and occupies the entire block bounded by Suffolk, Broome, Clinton and Grand Streets. It has 302 feet of frontage on Suffolk and Clinton Streets and 201 feet of frontage on Broome and Grand Streets. The site currently contains three buildings, all of which are in HPD jurisdiction: a 5-story, 10-unit residential building on Grand Street with five occupied units, five vacant residential units and one vacant commercial unit; a 3-story building on Grand Street with a ground-floor shoe repair store that is vacant on the upper levels; and a former fire station on Broome Street that is vacant. As part of the proposed development, these structures will all be demolished. The remainder of the site is occupied by a 90-space public parking lot, operated under a month-to-month lease with HPD.

5. Description Proposed Development

The proposed building design for LSGD Site 1 will utilize Site 1 Design Controls Envelope Option 2, which orients the tower portion of the building along Broome Street. As the proposed development will be mixed-use, it is required to comply with the Quality Housing regulations.

Site 1 will contain various retail and commercial tenants on floors 1 through 4, and approximately 55 (44 market rate and 11 affordable) residential units on floors 5 through 14. The Andy Warhol Museum and community space will be located on the northern portion of the building on floors 1 through 3.

The proposed building design complies with all of the relevant Site 1 Design Controls (see Seward Park Mixed Use Development Project Plans – Dwg. Nos. 101-103), with the exception of the previously approved "Ground Floor Notes" on Dwg. No 102. As written, those notes will not permit tapering the base of the building as proposed. This Application seeks to modify the Site 1 Design Controls to allow a tapered recess on the Ludlow Street street wall from 6 feet at the intersection of Ludlow and Broome Streets to 0 feet at 92 feet north of that intersection. Were no modification sought, the entire Ludlow Street frontage of this mixed use development would

be required to uniformly meet the street line. The modification will allow a tapered base within a defined setback zone, allowing for the tapering of the Ludlow Street frontage to depth of no more than six feet at its deepest to increase the sidewalk width.

The proposed building design for LSGD Site 5 will utilize Site 5 Design Controls Envelope Option 1, which orients the tower portion of the building along Clinton Street. As the proposed development will be mixed-use, it is required to comply with the Quality Housing regulations.

Site 5 will comprise approximately 211 dwelling units, approximately 50 percent of which will be permanently affordable. A grocery store will be located on second floor of the proposed building. The cellar level will be occupied by a home goods retail store and the upper floors will contain the housing units. At the ground floor along Clinton Street there will be a loading dock and parking garage entrance, which will provide access to 98 below-grade parking spaces.

The proposed building design complies with all of the Site 5 Design Controls (see Seward Park Mixed-Use Development Project Plans – Dwg. 503), with the exception of the minimum base height provided in Site 5 Design Control 2. Site 5 Design Control 2, as currently written, requires a 60 foot minimum base height for the entire Clinton Street frontage and along the area designated as Publicly Accessible Open Space. Approval of this application will permit the base height of the Proposed Development along Clinton Street 50 feet beyond its intersection with Grand Street and along the Publicly Accessible Open Space to be set as low as 29 feet. Allowing for a lower street wall in those locations is necessary to allow the building to set back at a lower level so that the residential tower can begin at the third floor. Were no modification sought, residential tower floors three through six would be required to be built to the streetline of Clinton Street, adding 10 feet of excessive depth to five units on each floor, and approximately 2,450 sf of inefficient and unnecessary floor area to each floor's floorplate, solely to stretch the units to meet the base's Clinton Street streetwall. While the room sizes, which currently conform to HPD guidelines, would be increased, the additional space would be located ineffectively along the public corridor, further away from natural light and ventilation. Additionally, these units would no longer align with the otherwise efficient floor plans for the residential tower, with attendant unnecessary construction cost consequences.

6. Actions Necessary to Facilitate the Project

The Applicant seeks approval of a modification to a previously approved Seward Park LSGD Special Permit (C 120338 ZSM) to update the building envelopes of Site 1 and Site 5 of the LSGD.

On Site 1, the Applicant seeks approval of a modification to Ground Floor Notes on Dwg. No. 102 (Ground Floor Plan - Zoning Lot 1) required to allow this necessary and appropriate design change to add a new note permitting that portion of the Ludlow Street street wall located within 92 feet of its intersection with Broome Street to be set back to a distance no greater than six feet from the streetline. This modification would permit the proposed tapering of the Ludlow Street frontage. Partial setback of the Ludlow Street frontage will also serve to widen the street at the

Broome/Ludlow intersection, meet the setback of the school building on the block south of the intersection and widen the views on Ludlow Street, promoting the visitor's appreciation of the existing low-rise buildings to the south and west.

On Site 5, the Applicant seeks approval of a modification to Site 5 Design Conrol 2 as it applies to the minimum base height on Clinton Street and along the area designated as Publicly Accessible Open Space. The proposed modification, limited to the upper portion of the base above 29 ft and not modifying either the street wall location or the maximum base height in any way, will have no impact on the active ground floor uses, the pedestrian experience or otherwise affect the public realm considerations that the Commission sought to establish along Clinton Street.

6. Conclusion

The requested minor modifications to the Site 1 and Site 5 Design Controls of the Seward Park LSGD Special Permit are consistent with existing and projected land uses, the area's zoning and the general public policy goals of the Seward Park Mixed Use Development Project and the Seward Park LSGD Special Permit.

Attachment 11: Applicant's Discussion of Findings - LSGD (bulk waivers)

Modification to LSGD Special Permit pursuant to ZR Section 74-743

74-743
Special provisions for bulk modification

* * *

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

1. the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

This Application proposes to alter – for the Site 1 Ludlow Street and the Site 5 Clinton Street street walls – two of the bulk waivers provided by the LSGD special permit that established massings and design controls for the six LSGD sites (*e.g.*, the "LSGD Design Controls," the "Site 1 Design Controls," and the "Site 5 Design Controls."). The LSGD Design Controls were developed to provide a better overall site plan and a better relationship among buildings and open areas both within the LSGD boundaries and within the surrounding area than would otherwise be possible pursuant to the underlying zoning. The modifications proposed in this Application, as further described below, are consistent with and enhance the original intent of the bulk waivers provided by the LSGD special permit, the design controls relevant to each site and the original ZR Sec. 74-743(b)(1) finding.

Site 1. This Application seeks to modify Dwg. No. 102 (Ground Floor Plan - Zoning Lot 1) to allow – for a portion of the Ludlow Street street wall located within 92 feet of its intersection with Broome Street – a tapered recess in the street wall to a depth not greater than six feet. The illustrative Zoning Diagrams filed with this Application illustrate how the gradual tapering will occur over the 92 feet length of the recess, starting with a depth of 6 feet at the intersection and tapering to 0 feet at a distance 92 feet to its north. In all other respects, the Site 1 mixed-use building will remain as proposed and approved: an approximately 138,700 zsf, 14-story building containing approximately 44 market rate and 11 affordable residential units, commercial and retail uses, and a major new New York City cultural destination, the Andy Warhol Museum.

The proposed tapered recess for the Site 1 Ludlow Street street wall is consistent with and enhances the original ZR Sec. 74-743(b)(1) findings because as modified the Site 1 Design Controls will better promote the unique hybrid building typology intended for the LSGD. The

intent of the modification to Site 1 Design Controls is to allow a tapered recess that will add variation within, and not reduce or eliminate, the robust street wall previously approved in the Site 1 Design Controls. The portion of the Ludlow Street street wall to be tapered will continue to read as a component of a strong building base providing continuous active groundfloor retail uses from the intersection of Broome and Ludlow north until the tapering of the base ends at the proposed Andy Warhol Museum. There will be no diminution in the building base's role in framing the street or contributing to a vibrant pedestrian experience with active street-level retail, and no change in the building's "type" characterization as the base-and-tower mixed-use building the LSGD design controls were adopted to provide. The Ludlow Street frontage will be positively affected by this modification of the Site 1 Design Controls in a manner which the current Site 1 Design Controls cannot achieve: a tapered recess will allow the base of the building to open up the sidewalk on the corner of Broome and Ludlow Streets, thus providing additional pedestrian space at the building entry and at the intersection, an important defining neighborhood corner; it will widen the public realm, promote pedestrian circulation and bring more light and air onto the street, and it will align the Ludlow Street view corridor at this prominent intersection, all of which enhance the original intent of the Site 1 Design Controls. In addition, ending the tapered recess at the Museum will also serve to differentiate the Museum streetfront, providing it with its own identity in a manner which the current Site 1 Design Controls will not allow. Pursuant to current Site 1 Design Controls, a more monolithic street wall would be required that would render the Museum just another storefront along the Site 1 Ludlow Street street wall. The variety and excitement that this recognition of diverse uses and the sense of arrival this will add when approaching the Museum are very much consistent with the intent of the original waivers establishing the LSGD design controls.

Site 5. This Application seeks to modify Dwg. No. 503 to reduce the minimum base height from 60 feet to 29 feet along that portion of Clinton Street located beyond 50 feet of its intersection with Grand Street and along the Publicly Accessible Open Space. The illustrative drawing "Site 5 Proposed Massing View" filed with this Application illustrates how that portion of the Site 5 building's base will be lower in comparison to the minimum base height required in the Site 5 Design Controls. Reducing the base height to 29 feet along a portion of Clinton Street and along the Publicly Accessible Open Space will allow floors three through six, which must be residential, to be set back so as to align with the residential tower portion of the building. Without approval of this Application, residential floors three though six would be required to use the larger, less-efficient non-residential floorplate perimeter established for the retail/commercial/community facility uses for the base below. With approval of this Application, the perimeter of floors three though six, and therefore their apartment layouts, will align with the 7th floor in the tower above. This alignment is critical to the efficient and cost-effective production of affordable housing. The intent of this modification to the Site 5 minimum base is to maintain a strong street wall presence on Clinton Street, in a manner that will also promote the production of affordable housing, which will be difficult to achieve utilizing the floorplates provided by the existing Site 5 Design Controls. The original findings state that one of the purposes to be served by high base heights would be to "allow for ideal floor-to-

floor heights for commercial uses located on the lower levels" (page 4). Because Site 5's residential uses begin on the third floor, modifying the minimum base heights to provide for ideal residential use is consistent with the original ZR Sec. 74-743(b)(2) findings.

In all other respects, the Site 5 mixed-use building will remain as proposed and approved: a 222,908 zsf, 15-story building containing approximately 211 residential units, approximately 50 percent of which will be affordable, above a retail base.

Approval of this Application will result in a better site plan than was previously approved. The partial lowering of the base height along a portion of Clinton Street is consistent with the intent of the LSGD special permit waivers to foster a site plan that would better reflect the character of the built environment to the north and west of the LSGD than the underlying zoning was capable of providing. In addition, the opportunity to significantly reduce the base height of the boundary wall of the proposed Publicly Accessible Open Space from a height of 60 feet to 29 feet will produce a more open and appropriately scaled relationship with between the building base and the Publicly Accessible Open Space than can be provided by the current Site 5 Design Controls. These benefits will accrue without diminution in the building base's role in framing the street or contributing to a vibrant pedestrian experience with active street-level retail and open space uses and will not change the building's "type" characterization as the base-and-tower mixed-use building the LSGD design controls were adopted to provide. The pedestrian experience will remain unchanged, since the reduction in the base height will have no impact on the originally approved groundfloor retail or open space programming.

Approval of this Application's request to modify the Site 1 and Site 5 Design controls as discussed above will enhance the overall intent of Seward Park LSGD to create a site plan that, when compared to what could be built pursuant to the underlying zoning, promotes better relationships among buildings and open areas to adjacent streets, surrounding development and adjacent open areas, as well as ensures that the streets and sidewalks surrounding the development will have an attractive and inviting public realm benefitting the occupants of the LSGD as well as the neighborhood and the city as a whole. It produces a better site plan than originally approved by allowing minor adjustments to a street wall (Site 1) and to a minimum base height (Site 5) design controls that serve to harmonize these sites with their surrounding buildings and open areas to an extent not possible under the current design controls.

> 2. ***the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;***

The distribution of floor area, lot area and dwelling units, and the waiver of height and setback, rear yard, rear yard equivalent, rear yard setback, window-to-wall, outer court and planting requirements within the LSGD were approved to facilitate a site plan that is sensitive to the

surrounding built context in terms of scale and would not unduly increase the bulk of buildings to the detriment of occupants in the proposed buildings or surrounding area. The proposed modifications to Site 1 and Site 5 design controls, which are limited to a specified portion of a street wall on Site 1 and a minimum base height for a specified portion of the base on Site 5, do not alter the previously approved general organization of the height and setback waivers designed to facilitate the LSGD site plans. Nor do they facilitate development on either site that would be detrimental to any occupant of the proposed buildings or surrounding area. With regard to Site 1, the approval of this Application will facilitate a tapered recess within a 92 feet by 6 feet area of Site 1, whereas the existing Site 1 Design Controls dictate that a street wall be built to the streetline. And with regard to Site 5, the approval of this Application will permit a 29 foot base height where the existing Site 5 Design Controls dictate a 60 foot base height must occur. In both cases, the necessity of maintaining robust bases with strong street walls, the defining element of the contextual building typology, has been preserved and strengthened in a manner that will allow more light and air to reach the sidewalk, neighboring properties, and in the case of Site 5, its Publicly Accessible Open Space. Neither circumstance works to the detriment of any occupants or users of buildings on the block or nearby blocks or of people using the public streets. Accordingly, the requested modifications are consistent with and enhance the original intent of the bulk waivers provided by the LSGD special permit, the design controls relevant to each site and the original ZR Sec. 74-743(b)(2) findings.

The requested modifications continue to meet the factors considered in the original ZR Sec. 74-743(b)(2) findings. Those factors were: (1) sensitivity to the surrounding built context in terms of scale, (2) not unduly increasing the bulk of buildings to the detriment of occupants in the proposed buildings or surrounding area, (3) shifting of building bulk towards the major streets while preserving the lower-scale character along the narrower streets, (4) locating the highest towers along Delancey Street, a very wide street, (5) sensitivity to impact of new building mass on adjacent buildings, (6) with specific reference to Site 5, lowering the building to reduce the impact on views from the Seward Park Cooperative Buildings to the south and the Grand Street Guild tower to the east, (7) distribution of bulk that would allow for a varied neighborhood skyline and would not overwhelm any single street or block, (8) provision of widened sidewalks, achieved by the waiver of window-to-wall and outer court regulations and (9) tower configuration and the design controls on tower size intended to allow for ample amount of light and air to reach the buildings, the surrounding neighborhood and the streets.

None of these findings are displaced, threatened or impacted by this Application. Rather, further widening the sidewalk (Site 1), and reducing the minimum base height (Site 5) while retaining a significant street wall provides an even stronger case for meeting the ZR Sec. 74-743(b)(2) findings than the current design controls can provide. Approval of the proposed modifications will not alter the general intent to promote tower configurations that allow for ample amount of light and air to reach the buildings, the surrounding neighborhood and the streets. Quite clearly, the modifications requested in this Application do not increase the bulk

of buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants or users of buildings within the LSGD or on nearby blocks or of people using the public streets.

> 3. ***where a #zoning lot# of a #large-scale general development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;***

Not Applicable.

> 4. ***considering the size of the proposed #large-scale general development#, the #streets# providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;***

As part of the modifications, there are no substantial changes to the types of uses of number of uses that will alter the impact analysis of pedestrian and vehicular traffic resulting from the development of the Seward Park Mixed Use Development Project. Therefore, the proposed modifications will not change the Commission's original findings. [see, Technical Memorandum 003 for the Seward Park Mixed-Use Development Project FGEIS, CEQR Number 11DME012M]

> 5. ***when the Commission has determined that the #large-scale general development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;***

Not applicable.

> 6. ***where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #large-scale general development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;***

Not applicable.

> 7. ***where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #large-scale general development# and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (Large-Scale General Development) with respect to better site planning;***

Not applicable.

> 8. ***where the Commission permits portions of #buildings# containing #accessory# parking spaces to be excluded from the calculation of #lot coverage# in accordance with the provisions of paragraph (a)(9) of this***

Section, the exclusion of #lot coverage# will result in a better site plan and a better relationship among #buildings# and open areas than would be possible without such exclusion and therefore will benefit the residents of the #large-scale general development#;

Not applicable.

9. *where the Commission permits a #floor area# bonus for a #public park# improvement in accordance with the provisions of paragraph (a)(11) of this Section: (i) the amount of such bonus #floor area# is appropriate in relation to the size and quality of the proposed #public park# improvement; and (ii) such bonus #floor area# will not unduly increase the #bulk# of #buildings# on the #zoning lot# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# on the #block# or nearby #blocks# or of people using the public #streets#. Grant of a #floor area# bonus for a #public park# improvement in accordance with the provisions of paragraph (a)(11) of this Section shall be conditioned upon adequate assurances for provision of the funding identified by the Commissioner of Parks and Recreation in a letter pursuant to paragraph (a)(11)(ii) of this Section as necessary for completion of the necessary infrastructure, landscape and other work for the #public park# improvement. The Commissioner of Buildings shall not issue a building permit for the #large-scale development# unless the Commissioner of Parks and Recreation shall have certified that the funding has been made or secured in a manner acceptable to such Commissioner;*

Not applicable.

10. *A declaration with regard to ownership requirements in paragraph (b) of the large-scale general development definition in Section 12-10 (DEFINITIONS) has been filed with the Commission; and*

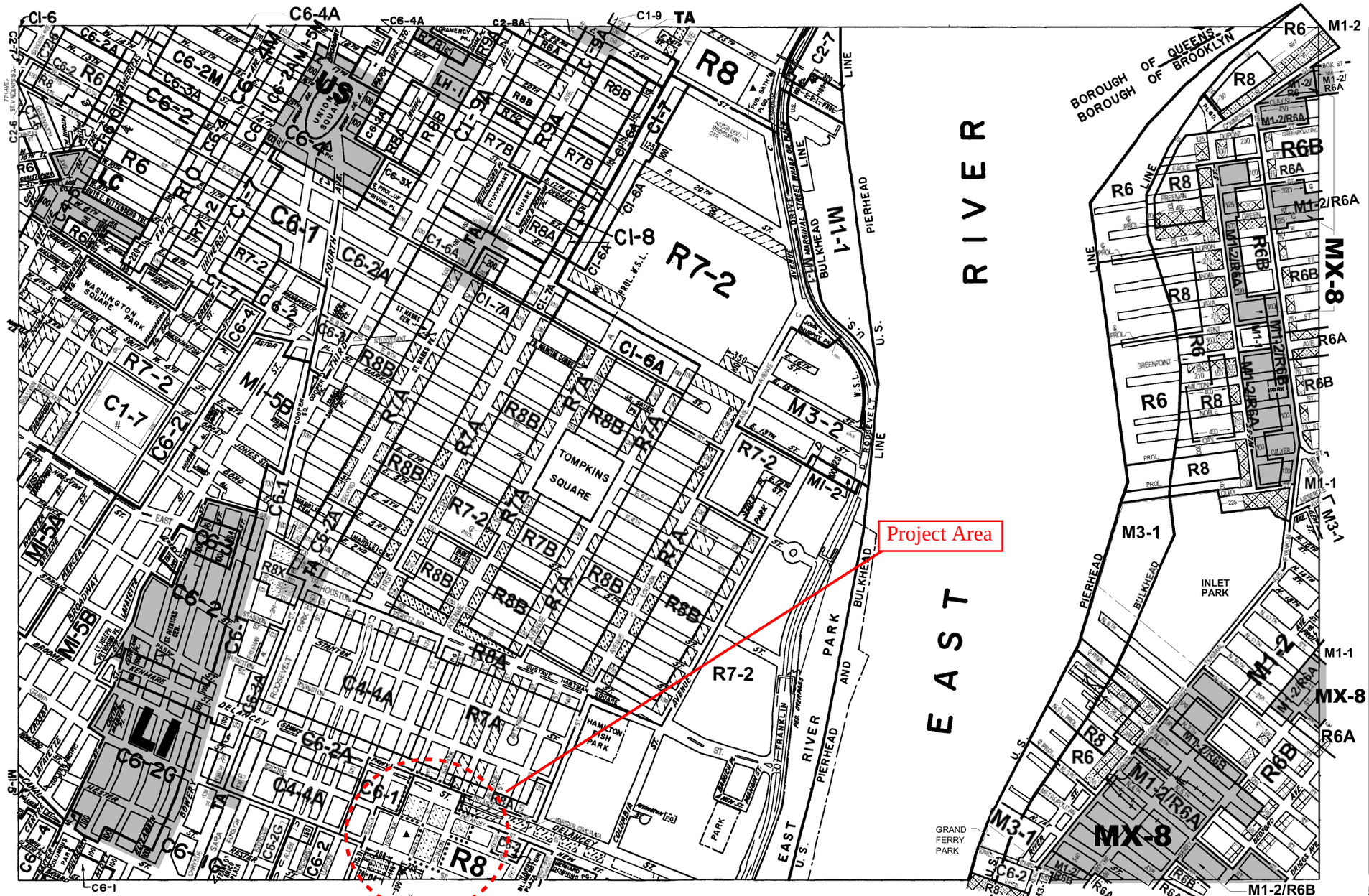
A declaration was executed subsequent to the approval of the original application.

* * *

The Commission may prescribe additional conditions and safeguards to improve the quality of the large-scale general development and minimize the adverse effects on the character of the surrounding area.

For a phased construction program of a multi-building complex, the Commission may, at a time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed large-scale general development, a phasing plan showing the distribution of bulk and open space and, in the case of a site plan providing for common open space, common open areas or common parking areas, a maintenance plan for such space or areas of surety for continued availability of such space or areas to the people they are intended to serve.

Not applicable.



NOTE: STREETS FOR THE STREET MAP CHANGE C 120077 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

10–11–2012 C 120226 ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):

▲ 6–01–2013 C 120156 MMM

MAP KEY

8b	8d	9b
12a	**12c**	13a
12b	12d	13b

N

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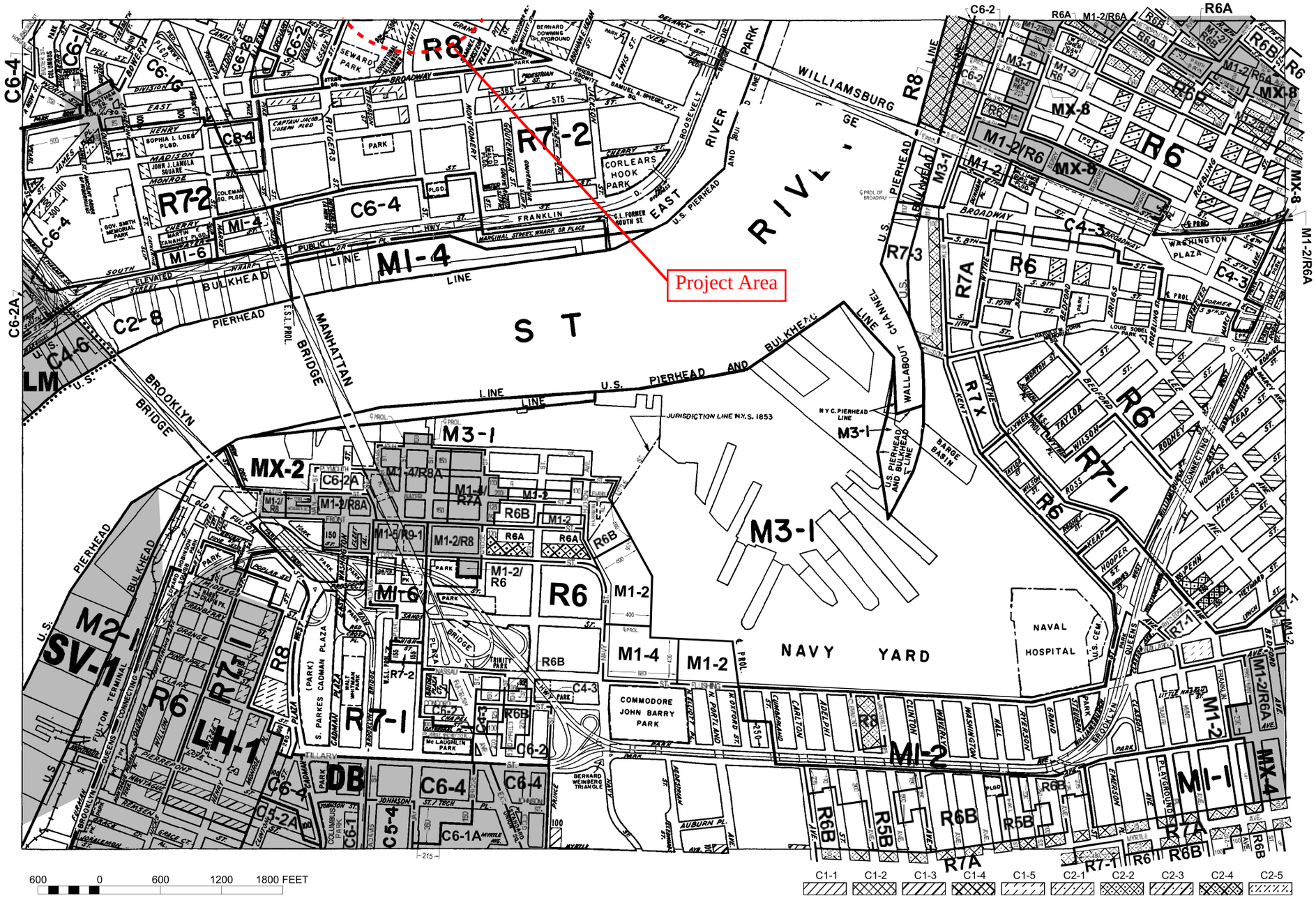
ZONING MAP **12c**

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

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R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

03–20–2013 C 130052 ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

N

MAP KEY

12a	12c	13a
12b	**12d**	13b
16a	16c	17a

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ZONING MAP **12d**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

FINANCE NEW • YORK
MARTHA E. STARK
COMMISSIONER

NYC Digital Tax Map

Effective Date : 12-09-2008 12:25:02
End Date : Current

Manhattan Block: 409

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Development Site 1/ LSGD Zoning Lot 1

Feet
024 8 1216

NYC Finance

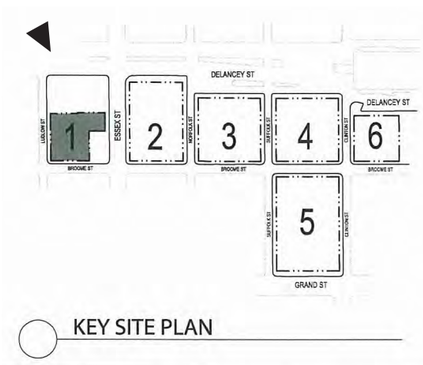
NYC Digital Tax Map

Effective Date : 04-30-2014 10:03:11
End Date : Current

Manhattan Block: 346

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Development Site 5/ LSGD Zoning Lot 5



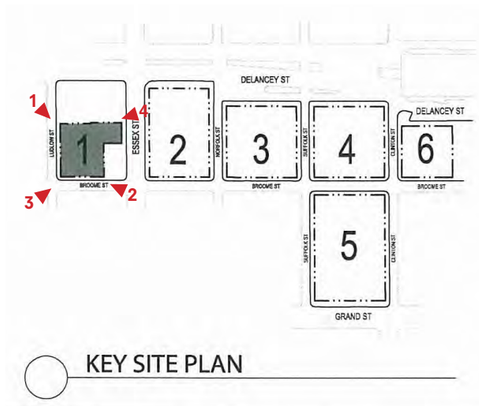
KEY SITE PLAN

1 View Southeast from Ludlow Street

2 View Northwest from corner of Broome and Essex Street

3 View Northeast from corner of Broome and Ludlow Street

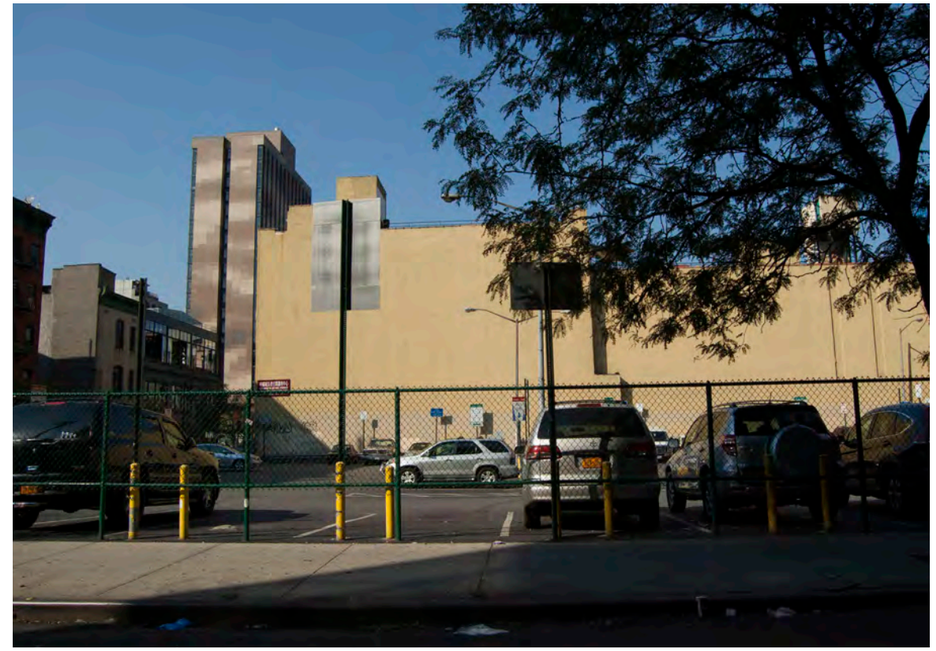
4 View Southwest from Essex Street



KEY SITE PLAN

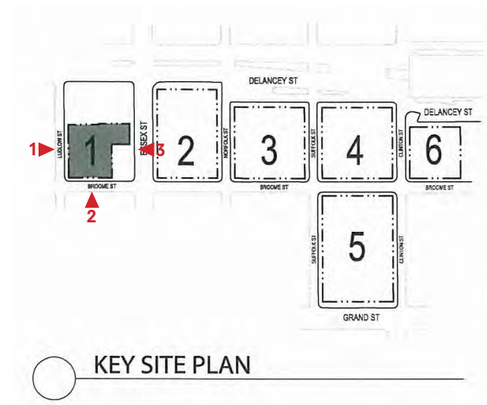
Photographs taken on March 26, 2013

1 View East from Ludlow Street



2 View North from Broome Street

3 View West from Essex Street



KEY SITE PLAN

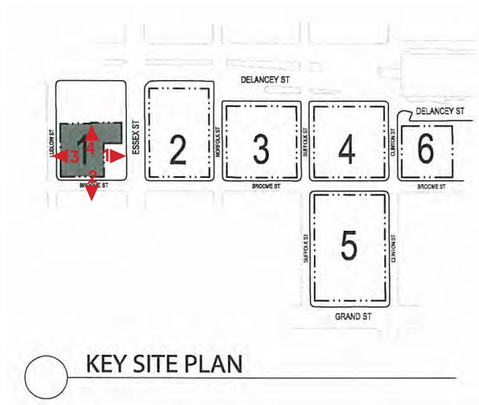
Photographs taken on August 27, 2014

1 View East onto Essex Street from site

2 View South onto Broome Street from site

3 View West onto Ludlow Street from site

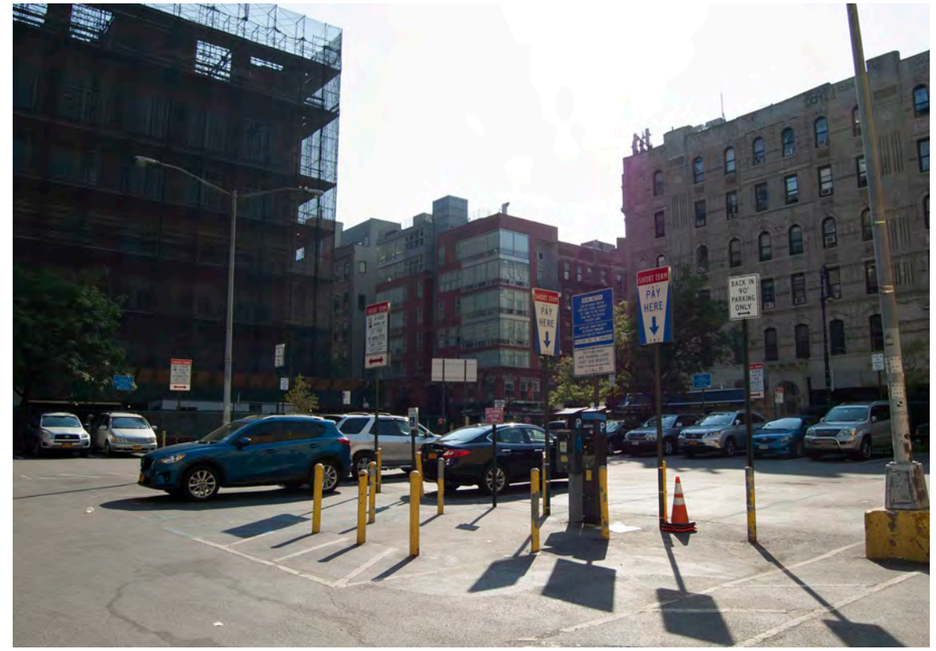
4 View North from site



KEY SITE PLAN

Photographs taken on August 27, 2014

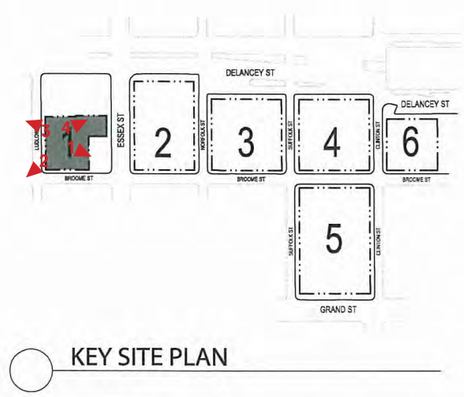
1 View Southeast from site



2 View Southwest onto corner of Broome and Ludlow Street from site

3 View Northwest onto Ludlow Street from site

4 View Northeast onto Essex Street from site

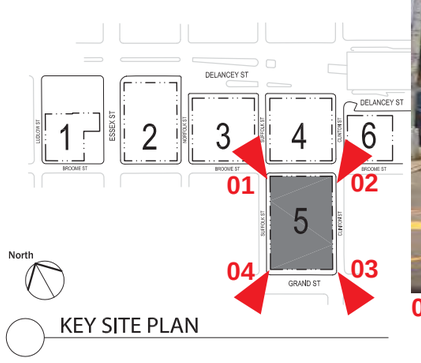


KEY SITE PLAN

Photographs taken on August 27, 2014

01 VIEW LOOKING TOWARDS SOUTHEAST,
CORNER OF BROOME STREET AND SUFFOLK STREET

02 VIEW LOOKING TOWARDS SOUTHWEST,
CORNER OF BROOME STREET AND CLINTON STREET

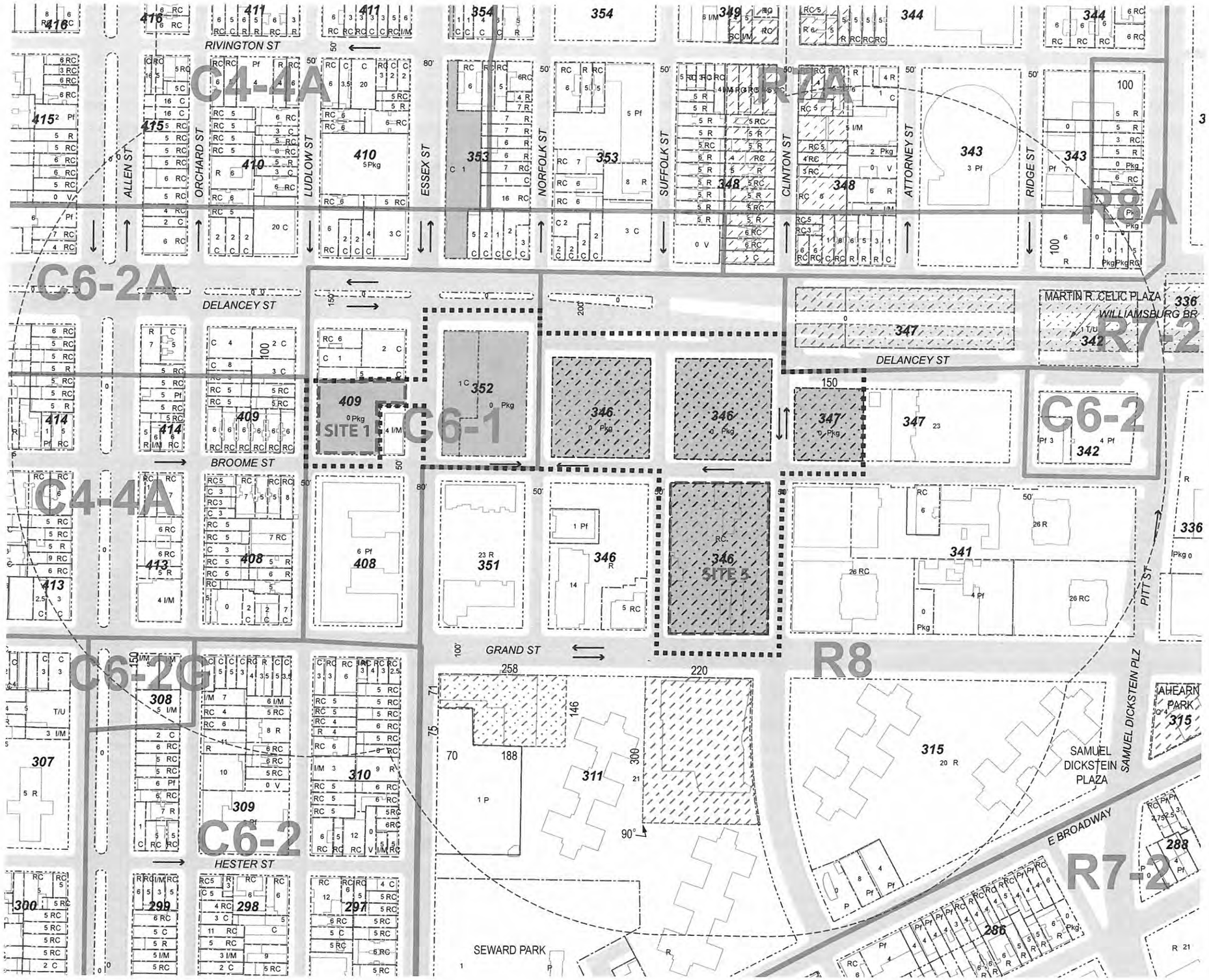


KEY SITE PLAN

04 VIEW LOOKING TOWARDS NORTHEAST,
CORNER OF GRAND STREET AND SUFFOLK STREET

03 VIEW LOOKING TOWARDS NORTHWEST,
CORNER OF GRAND STREET AND CLINTON STREET

Photographs Taken on July 3, 2014



Seward Park

Mixed-Use Development Project

LEGEND

- DEVELOPMENT SITE
- SEWARD PARK LARGE SCALE GENERAL DEVELOPMENT
- STREETS
- EXISTING BUILDING OUTLINES
- ZONING LOT LINE
- EXISTING ZONING DISTRICT BOUNDARY
- 600' RADIUS BUFFER ZONE FROM LSGD BOUNDARY AND UDAAP SITES
- DIRECTION OF TRAFFIC FLOW
- EXISTING C1-5 OVERLAY
- EXISTING C2-5 OVERLAY
- PROJECT UDAAP SITES
- 50' WIDTH OF STREET
- 6 NUMBER OF FLOORS IN BUILDING
- C BUILDING OCCUPANCY

C= Commercial and Office Buildings
R= Residential
RC= Mixed Residential/Commercial
I/M= Industrial/Manufacturing
T/U= Transportation/Utilities
Pf= Public Facility and Institutions
Pkg= Parking Facility
P= Park
V= Vacant

352 MANHATTAN TAX BLOCK NUMBER

C6 EXISTING ZONING DESIGNATION
R RESIDENTIAL DISTRICT
C COMMERCIAL DISTRICT

Data Sources:

Zoning Information: NYC GIS zoning features. source: NYC Department Of City Planning

Context Data: PLUTO landuse data, LION street database, structures. source:NYCEDC MGIS unit
(With the exception of building occupancy in blocks 346 and 347 that are based on observation.)

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New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038
212.863.6400

Legal Consultant
Bryan Cave
1290 Avenue of the Americas
New York, NY 10104
212.541.2000

No	Date	Description
1	08/27/14	Site 1 & Site 5 Minor Mod

Issued/Revised

Seal & Signature

REGISTERED ARCHITECT RICHARD J. METSKY No. 018928-1 STATE OF NEW YORK

North

SHEET SIZE 11" X 17"

Do not scale
All dimensions to be checked on site

NOT FOR CONSTRUCTION - ISSUED FOR ULURP

Drawing Title

AREA MAP

Scale	1"=200'-0"
Date	21 MARCH 2012
Project No.	2163.06
Drawing No.	

006

		SITE 1 (Zoning Lot 1)	SITE 2 (Zoning Lot 2)	SITE 3 (Zoning Lot 3)	SITE 4 (Zoning Lot 4)	SITE 5 (Zoning Lot 5)	SITE 6 (Zoning Lot 6)	LSGD Total	Comments
I. BASIC INFORMATION									
Map 12c	Blocks/ Tax Lots	Block 409/ Lot 56	Block 352/ Lots 1 and 28	Block 346/ p/o Lot 40	Block 346/ p/o Lot 40	Block 346/ p/o Lot 40	Block 347/ Lot 71		[1] Zoning Map Change to establish a C2-5 District within the existing R8 District
	Zoning District	C6-1 (R7 Equivalent)	C6-1 (R7 Equivalent)	R8/C2-5[1]	R8/C2-5[1]	R8/C2-5[1]	R8/C2-5[1]	R8/C2-5[1] & C6-1	
	Zoning Lot Area (SF)	21,996	43,140	40,776	40,627	60,568	21,344	228,451 (5.24 acres)	
II. USES									
22-10 32-10	Permitted Use Groups (UG)	UG 1 - 12	UG 1 - 12	UG 1 - 9 & 14	UG 1 - 9 & 14	UG 1 - 9 & 14	UG 1 - 9 & 14	UG 1 - 12 & 14	[2] Special Permit requested pursuant to ZR 74-744(a)(3) to allow uses.
	Proposed Use Groups (UG)	UG 2 - 12	UG 2 - 12	UG 2 – 9, 10[2], 11A[2], 12A[2] & 14	UG 2 – 9, 10[2], 11A[2], 12A[2] & 14	UG 2 – 9, 10[2], 11A[2], 12A[2] & 14	UG 2 – 9, 10[2], 11A[2], 12A[2] & 14	UG 2 – 9, 10[2], 11A[2], 12A[2] & 14	
Location of Uses									
32-421	Limitation on floors occupied by commercial uses	NA	NA	1st story only (with Res. and/or Com. Fac. uses in upper stories)	1st story only (with Res. and/or Com. Fac. uses in upper stories)	1st story only (with Res. and/or Com. Fac. uses in upper stories)	1st story only (with Res. and/or Com. Fac. uses in upper stories)		[3] Special Permit requested pursuant to ZR 74-744(b) to allow use without regard for location requirements of Section 32-42.
	Proposed	NA	NA	UG 6 - 10, 11A, 12A & 14 up to a height of 160' (max. building height)[3]	UG 6 - 10, 11A, 12A & 14 up to a height of 85' (max. base height)[3]	UG 6 - 10, 11A, 12A & 14 up to a height of 85' (max. base height)[3]	UG 6 - 10, 11A, 12A & 14 up to a height of 85' (max. base height)[3]	UG 6 - 10, 11A, 12A & 14 up to a height of 85' (max. base height)[3]	
32-422	Location of floors occupied by commercial uses	Commercial Uses only below lowest story occupied by residential use	Commercial Uses only below lowest story occupied by residential use	NA	NA	NA	NA		
	Proposed	Commercial Uses at same story or higher story of residential uses, up to a height of 85' (max. base height)[4]	Commercial Uses at same story or higher story of residential uses, up to a height of 85' (max. base height)[4]	NA	NA	NA	NA		[4] Special Permit pursuant to ZR74-744(b) to allow residential and non-residential uses to be located without regard for location requirements of Section 32-42.
III. SIGNAGE									
32-642	Permitted max. surface area of all non-illuminated signs	500 SF	500 SF	150 SF	150 SF	150 SF	150 SF		
32-643 32-644	Permitted max. surface area of all illuminated signs	500 SF	500 SF	50 SF	50 SF	50 SF	50 SF		
32-655 32-68	Permitted max. signage height above curb level	40 FT	40 FT	25 FT	25 FT	25 FT	25 FT		
	Permitted max. signage height in mixed buildings	Below third story	Below third story	Below third story	Below third story	Below third story	Below third story		
	Proposed max. surface area of all non-illuminated signs	Ludlow St. - 500 SF Broome St. – 500 SF Essex St. – 500 SF	Essex St. - 500 SF Broome St. – 500 SF Norfolk St. – 500 SF Delancey St. – 500 SF	Norfolk St - 150 SF Suffolk St. – 150 SF Broome St. – 150 SF Delancey St. - 500 SF[5]	Suffolk St - 150 SF Clinton St.- 150 SF Broome St. – 150 SF Delancey St. - 500 SF[5]	Suffolk St - 150 SF Clinton St.- 150 SF Broome St. – 150 SF Grand St.- 500 SF[5]	Clinton St. - 150 SF Broome St. – 150 SF Delancey St.- 500 SF[5]		[5] Authorization requested pursuant to ZR74-744(c)(2) to allow the sign regulations of C6-1 Districts to apply to the C2-5 District and to allow signage on the third floor and above in mixed buildings.
	Proposed max. surface area of all illuminated signs	Ludlow St. - 500 SF Broome St. – 500 SF Essex St. – 500 SF	Essex St. - 500 SF Broome St. – 500 SF Norfolk St. – 500 SF Delancey St. – 500 SF	Norfolk St - 50 SF Suffolk St. – 50 SF Broome St. – 50 SF Delancey St. - 500 SF[5]	Suffolk St - 50 SF Clinton St.- 50 SF Broome St. – 50 SF Delancey St. - 500 SF[5]	Suffolk St - 50 SF Clinton St.- 50 SF Broome St.- 50 SF Grand St.- 500 SF[5]	Clinton St. - 50 SF Broome St.- 50 SF Delancey St.- 500 SF[5]		
	Proposed max. signage height above curb level	40 FT	40 FT	Norfolk St - 25 FT Suffolk St. – 25 FT Broome St. – 25 FT Delancey St. - 40 FT[5]	Suffolk St - 25 SF Clinton St.- 25 SF Broome St. – 25 SF Delancey St. - 40 SF[5]	Suffolk St - 25 SF Clinton St.- 25 SF Broome St.- 25 SF Grand St.- 40 SF[5]	Clinton St. - 25 SF Broome St.- 25 SF Delancey St.- 40 SF[5]		
	Proposed max. signage height in mixed buildings	Essex St. - 40 FT[5]	Delancey St. - 40 FT[5] Essex St. – 40 FT[5]	Delancey St. - 40 FT[5]	Delancey St. - 40 FT[5]	Grand St. - 40 FT[5]	Delancey St. - 40 FT[5]		

Zoning Calculations continue on Sheet 002

Seward Park

Mixed-Use Development Project

Beyer Blinder Belle

Architects & Planners LLP

41 East 11 Street
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New York City Economic Development Corporation
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New York, NY 10038
212.619.5000

New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038
212.863.6400

Legal Consultant
Bryan Cave
1290 Avenue of the Americas
New York, NY 10104
212.541.2000

No	Date	Description
1	02/23/15	Site 1 & Site 5 Minor Mod

Issued/Revised

Seal & Signature

SHEET SIZE 11" X 17"

Do not scale
All dimensions to be checked on site

NOT FOR CONSTRUCTION - ISSUED FOR ULURP

Drawing Title

ZONING CALCULATIONS (1 of 4)

Scale

Date 21 MARCH 2012

Project No. 2163.06

Drawing No.

001

Zoning Calculations continued from Sheet 001

		SITE 1 (Zoning Lot 1)	SITE 2 (Zoning Lot 2)	SITE 3 (Zoning Lot 3)	SITE 4 (Zoning Lot 4)	SITE 5 (Zoning Lot 5)	SITE 6 (Zoning Lot 6)	LSGD Total	Comments
IV. FAR & FLOOR AREA									
	RESIDENTIAL:								
23-145	Max. Permitted FAR	3.44	3.44	6.02	6.02	6.02	6.02		
35-31	Max. Permitted Floor Area(SF)	75,666	148,402	245,472	244,575	364,619	128,491	1,207,225	
	COMMERCIAL:								
33-121	Max. Permitted FAR	6.00	6.00	2.00	2.00	2.00	2.00		
33-122	Max. Permitted Floor Area(SF)	131,976	258,840	81,552	81,254	121,136	42,688	717,446	
33-121	COMMUNITY FACILITY:								
35-31	Max. Permitted FAR	6.50	6.50	6.50	6.50	6.50	6.50		
24-11	Max. Permitted Floor Area(SF)	142,974	280,410	265,044	264,076	393,692	138,736	1,484,932	
	Max. Permitted Floor Area For Zoning Lot (SF)	142,974	280,410	265,044	264,076	393,692	138,736	1,484,932	
	Proposed RESIDENTIAL Floor Area (SF)	125,000 [6]	372,000 [6]	259,000 [6]	376,000 [6]	364,619	128,491	900,000**	[6] Special Permit requested pursuant to ZR74-743(a)(1) to allow the distribution of floor area without regard for zoning lot lines or district boundaries.
	Proposed COMMERCIAL Floor Area (SF)	131,976	390,000 [6]	300,000 [6]	175,000 [6]	121,136	42,688	600,000**	Note: Text amendment proposed to Section 74-743(a)(1)(ii) to allow the transfer of commercial floor area from C6 District to C2 District.
	Proposed COMMUNITY FACILITY Floor Area (SF)	142,974	300,000 [6]	265,044	264,076	393,692	138,736	600,000**	* Note: Floor areas indicated are the maximum permitted for the zoning lot.
	Maximum Proposed TOTAL Floor Area (SF)	142,974*	415,000*	300,000*	417,000*	393,692*	138,736*	1,484,932**	** Note: Floor areas indicated are the maximum allowed for the LSGD.
V. DWELLING UNITS									
23-22 35-40	Factor for Dwelling Units	680	680	740	740	740	740		
	Max. Permitted Number of Dwelling Units	111	218	332	331	494	174	1,659	
	Proposed Max Number of Dwelling Units	184 [7]	547 [7]	350 [7]	508 [7]	405	174	1,250	[7] Special Permit requested pursuant to ZR74-743(a)(1) to allow the distribution of dwelling units without regard for zoning lot lines or district boundaries. Note: Sufficient residential square footage will be set aside and reserved for residential use in order to develop 1,000 units.
VI. LOT COVERAGE									
23-145	Maximum Permitted Lot Coverage	80% (corner lot) 65% (interior or through lot)	80% (corner lot) 65% (interior or through lot)	80% (corner lot) 70% (interior or through lot)	80% (corner lot) 70% (interior or through lot)	80% (corner lot) 70% (interior or through lot)	80% (corner lot) 70% (interior or through lot)		[8] Special Permit requested pursuant to ZR74-743(a)(1) to allow the distribution of lot coverage without regard for corner lots or interior or through lots.
	Maximum Permitted Lot Coverage at Corner Lots (SF)	8,000	27,301	32,000	32,000	32,000	11,697	142,998	
	Maximum Permitted Lot Coverage at Interior and Through Lots (SF)	7,770	5,859	543	439	14,398	4,711	33,720	[9] Special Permit requested pursuant to ZR74-743(a)(1) to allow the distribution of lot coverage without regard for zoning lot lines or district boundaries.
	Maximum Permitted Total Lot Coverage (SF)	15,770 (72%)	33,160 (77%)	32,543 (80%)	32,439 (80%)	46,398 (77%)	16,408 (77%)	176,718(77%)	
	Proposed Lot Coverage at Corner Lots (SF)	9,389 (94%)[8]	12,515 (37%)	35,384 (88%)[8]	35,403 (89%)[8]	22,350 (56%)	12,746 (87%)[8]	127,787 (71%)	
	Proposed Lot Coverage at Interior and Through Lots (SF)	6,411 (54%)	3,697 (41%)	559 (72%)[8]	453 (72%)[8]	17,334 (84%)[8]	3,677 (55%)	32,130 (65%)	
	Proposed Total Lot Coverage (SF)	15,800 (72%)	16,212 (38%)	35,944 (88%)[9]	35,857 (88%)[9]	39,684 (65%)	16,424 (77%)[9]	159,918 (70%)	

Zoning Calculations continue on Sheet 003

Seward Park

Mixed-Use Development Project

Beyer Blinder Belle

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No	Date	Description
4	02/23/15	Site 1 & Site 5 Minor Mod
3	11/16/12	Revised lot coverage, Section VI
2	09/27/12	Revised note, Section V
1	08/06/12	Additional note, Section V

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REGISTERED ARCHITECT RICHARD J. METSKY No. 018928-1 STATE OF NEW YORK

SHEET SIZE 11" X 17"

Do not scale
All dimensions to be checked on site

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Drawing Title

ZONING CALCULATIONS (2 of 4)

Scale

Date 21 MARCH 2012

Project No. 2163.06

Drawing No.

002

Zoning Calculations continued from Sheet 002

		SITE 1 (Zoning Lot 1)	SITE 2 (Zoning Lot 2)	SITE 3 (Zoning Lot 3)	SITE 4 (Zoning Lot 4)	SITE 5 (Zoning Lot 5)	SITE 6 (Zoning Lot 6)	LSGD Total	Comments
VII. COURTS AND MINIMUM DISTANCE BETWEEN LEGALLY REQUIRED WINDOWS AND LOT LINES									
Inner Courts & Distance Between Windows in Inner Courts									
23-851	Required Minimum Inner Court Area and Dimensions	1,200 SF (30 FT. X 40 FT.)	1,200 SF (30 FT. X 40 FT.)	1,200 SF (30 FT. X 40 FT.)	1,200 SF (30 FT. X 40 FT.)	1,200 SF (30 FT. X 40 FT.)	1,200 SF (30 FT. X 40 FT.)		
	Proposed Minimum Inner Court Area and Dimensions	NA	NA	1,200 SF (30 FT. X 40 FT.)	1,200 SF (30 FT. X 40 FT.)	1,200 SF (30 FT. X 40 FT.)	NA		
23-863	Min. required distance between windows in inner courts	NA	NA	One-half height of opposite wall, not to exceed 60 FT.	One-half height of opposite wall, not to exceed 60 FT.	One-half height of opposite wall, not to exceed 60 FT.	NA		[10] Special Permit requested pursuant to ZR74-743(a)(2) to allow the buildings without regard for applicable court and distance between buildings regulations.
	Proposed min. distance between windows in inner courts	NA	NA	50 FT.[10]	50 FT. [10]	50 FT. [10]	NA		**See Dwgs. 307, 407 & 507**
Outer Courts & Distance Between Windows									
23-842 23-70	Required minimum width of outer court.	NA	NA	Equal to depth, not to exceed 60 FT	Equal to depth, not to exceed 60 FT	Equal to depth, not to exceed 60 FT	NA		[11] Special Permit requested pursuant to ZR74-743(a)(2) to allow the buildings without regard for applicable court and distance between buildings regulations.
	Proposed minimum width of outer court.	NA	NA	50 FT[11]	50 FT[11]	50 FT[11]	NA		**See Dwgs. 308,408,508**
VIII. PLANTING REQUIREMENTS									
23-892 28-33	Required planting areas between Street Line and Street Wall	Yes	Yes	Yes	Yes	Yes	Yes		[12] Special Permit requested pursuant to ZR74-743 (a)(10) to waive the planting requirements between the street line and street wall.
	Proposed planting areas between Street Line and Street Wall	No[12]	No[12]	No[12]	No[12]	No[12]	No[12]		Note: Text amendment proposed to Section 74-743(a)(10) to allow for the waiver of planting requirements.
IX. HEIGHT & SETBACK									
Mixed-Use Building – Quality Housing Option									
35-24 23-663 (b)	Required Min. Base Height	40 FT.	40 FT.	60 FT.	60 FT.	60 FT.	60 FT.		[13] Special Permit requested pursuant to ZR74-743(a)(2) to allow buildings without regard for applicable height and setback regulations.
	Permitted Max. Base Height	60 FT.	60 FT.	80 FT. (Narrow Street) 85 FT. (Wide Street)	80 FT. (Narrow Street) 85 FT. (Wide Street)	80 FT. (Narrow Street) 85 FT. (Wide Street)	80 FT. (Narrow Street) 85 FT. (Wide Street)		
	Required Setback from Street Wall	10 FT. (Wide Street) 15 FT. (Narrow Street)	10 FT. (Wide Street) 15 FT. (Narrow Street)	10 FT. (Wide Street) 15 FT. (Narrow Street)	10 FT. (Wide Street) 15 FT. (Narrow Street)	10 FT. (Wide Street) 15 FT. (Narrow Street)	10 FT. (Wide Street) 15 FT. (Narrow Street)		**See Dwgs. 105M, 106M, 205M, 206M,305M, 306M, 405M, 406M, 505M, 506M, 605M, 606M**
	Permitted Max. Building Height	75 FT.	75 FT.	105 FT. (Narrow Street) 120 FT. (Wide Street)	105 FT. (Narrow Street) 120 FT. (Wide Street)	105 FT. (Narrow Street) 120 FT. (Wide Street)	105 FT. (Narrow Street) 120 FT. (Wide Street)		
	Required Rear Setback	10 FT.	NA	NA	NA	NA	10 FT.		
	Proposed Min. Base Height	Ludlow St. - 60 FT. Broome St. - 60 FT. Essex St. - 25 FT. [13]	60 FT.	60 FT.	60 FT.	60 FT.	60 FT.		
	Proposed Max. Base Height	85 FT. [13]	85 FT. [13]	85 FT. [13] (all streets)	85 FT. [13] (all streets)	85 FT. [13] (all streets)	85 FT. [13] (all streets)		
	Proposed Setback from Street Wall	Essex St - 10 FT. Broome St - 15 FT. Ludlow St.- 15 FT.	Delancey St. – 10FT. Essex St. - 10 FT. Broome St. - 15 FT. Norfolk St. – 15FT.	Delancey St. - 10 FT. Broome St.- 15 FT. Norfolk St. – 15 FT. Suffolk St. – 15 FT.	Delancey St. - 10 FT. Clinton St.- 10 FT. [13] Broome St. - 15 FT. Suffolk St. – 15 FT.	Grand St. - 10 FT. Clinton St. – 10 FT. [13] Broome St. - 15 FT. Suffolk St. – 15 FT.	Delancey St. - 10 FT. Clinton St. – 10 FT. [13] Broome St. - 15 FT.		
	Proposed Max. Building Height	160 FT. [13] (190 FT. incl. bulkhead [13])	285 FT. [13] (315 FT. incl. bulkhead [13])	160 FT. [13] (190 FT. incl. bulkhead [13])	260 FT. [13] (290 FT. incl. bulkhead [13])	160 FT. [13] (190 FT. incl. bulkhead [13])	160 FT. [13] (190 FT. incl. bulkhead [13])		
	Proposed Rear Yard Setback	0 FT. [13]	NA	NA	NA	NA	0 FT. [13]		
Non-Residential Building Option									
33-431 33- 432	Permitted Street Wall Height	85 FT. or 6 Stories (whichever is less)	85 FT. or 6 Stories (whichever is less)	85 FT. or 6 Stories (whichever is less)	NA	NA	85 FT. or 6 Stories (whichever is less)		[14] Special Permit requested pursuant to ZR74-743(a)(2) to allow buildings without regard for applicable height and setback regulations.
	Min. Initial Setback Distance	15 FT. (Wide Street) 20 FT. (Narrow Street)	15 FT. (Wide Street) 20 FT. (Narrow Street)	15 FT. (Wide Street) 20 FT. (Narrow Street)	NA	NA	15 FT. (Wide Street) 20 FT. (Narrow Street)		
	Required Sky Exposure Plane	2.7 to 1 (Narrow Street) 5.6 to 1 (Wide Street)	2.7 to 1 (Narrow Street) 5.6 to 1 (Wide Street)	2.7 to 1 (Narrow Street) 5.6 to 1 (Wide Street)	NA	NA	2.7 to 1 (Narrow Street) 5.6 to 1 (Wide Street)		**See Dwgs. 105N, 106N, 205N, 206N,305N, 306N, 605N, 606N**
	Proposed Street Wall Height	85 FT. [14]	85 FT. [14]	85 FT. [14]	NA	NA	85 FT. [14]		
	Proposed initial setback	Essex St. - 10 FT. [14] Broome St.- 15 FT. [14] Ludlow St. – 15 FT. [14]	Delancey St - 10 FT. [14] Essex St. – 10FT. [14] Broome St. - 15 FT. [14] Norfolk St. – 15 FT. [14]	Delancey St. - 10 FT. [14] Broome St. - 15 FT. [14] Norfolk St. – 15 FT. [14] Suffolk St. – 15 FT. [14]	NA	NA	Delancey St. - 10 FT. [14] Clinton St. – 10 FT. [14] Broome St. - 15 FT. [14]		
	Proposed Sky Exposure Plane compliance	No [14]	No [14]	No [14]	NA	NA	No [14]		

Zoning Calculations continue on Sheet 004

Seward Park

Mixed-Use Development Project

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No	Date	Description
1	08/06/12	Additional ZR reference, Section VIII

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SHEET SIZE 11" X 17"

Do not scale
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Drawing Title

ZONING CALCULATIONS (3 of 4)

Scale

Date 21 MARCH 2012

Project No. 2163.06

Drawing No.

003

Zoning Calculations continued from Sheet 003

		SITE 1 (Zoning Lot 1)	SITE 2 (Zoning Lot 2)	SITE 3 (Zoning Lot 3)	SITE 4 (Zoning Lot 4)	SITE 5 (Zoning Lot 5)	SITE 6 (Zoning Lot 6)	LSGD Total	Comments
X. YARDS									
Mixed-Use Building – Quality Housing Option									
23-50	Required Front Yard	None	None	None	None	None	None		[15] Special Permit requested pursuant to ZR74-743(a)(2) to allow buildings without regard for applicable height and setback regulations.
35-50	Required Side Yard	None	None	None	None	None	None		
	Required Rear Yard	30 FT.	None	None	None	None	None		**See Dwgs. 105M, 106M, 605M, 606M**
	Required Rear Yard Equivalent	60 FT.	None	None	None	None	60 FT.		
	Proposed Front Yard	None	None	None	None	None	None		
	Proposed Side Yard	None	None	None	None	None	None		
	Proposed Rear Yard	0 FT.[15]	None	None	None	None	None		
	Proposed Rear Yard Equiv.	0 FT.[15]	None	None	None	None	0 FT.[15]		
Non-Residential Building Option									
33-25	Required Front Yard	None	None	None	None	None	None		[16] Special Permit requested pursuant to ZR74-743(a)(2) to allow buildings without regard for applicable height and setback regulations.
33-20	Required Side Yard	None	None	None	None	None	None		
33-26	Required Rear Yard	20 FT	None	None	None	None	None		**See Dwgs. 105N, 106N, 605N, 606N**
33-28	Required Rear Yard Equivalent	None	None	None	None	None	40FT.		
	Proposed Front Yard	None	None	None	None	None	None		
	Proposed Side Yard	None	None	None	None	None	None		
	Proposed Rear Yard	0 FT.[16]	None	None	None	None	None		
	Proposed Rear Yard Equiv.	None	None	None	None	None	0 FT.[16]		
XI. PARKING									
Accessory Parking									
13-42	Required Parking Spaces Low-Income Housing	0	0	0	0	0	0	0	
13-41	Required Parking Spaces: All Other Uses	0	0	0	0	0	0	0	
	Proposed Parking Spaces : Low-Income Housing	0	0	0	0	0	0	0	
Public Parking									
13-562 74-52	Proposed Public Parking Garage	NA	168 [17]	250 [17]	250 [17]	305 [17]	NA	500***	[17] Special Permit requested pursuant to ZR 13-562 & 74-52 to allow a public parking garage. ***Note: Public Parking Spaces indicated is the maximum allowed for the LSGD.
Bicycle Parking - *Public Parking Garage*									
36-711	Required 1 bicycle space for every 10 cars	NA	17	25	25	31	NA	97	
	Proposed Bicycle Parking Spaces	NA	17	25	24	31	NA	97	
XII. LOADING									
36-62	Required Accessory Loading Berths	3	4	4	3	3	2	19	
	Loading Berths Provided	3	4	4	3	3	2	19	

Seward Park

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No	Date	Description

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REGISTERED ARCHITECT
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STATE OF NEW YORK

SHEET SIZE 11" X 17"

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Drawing Title

ZONING CALCULATIONS
(4 of 4)

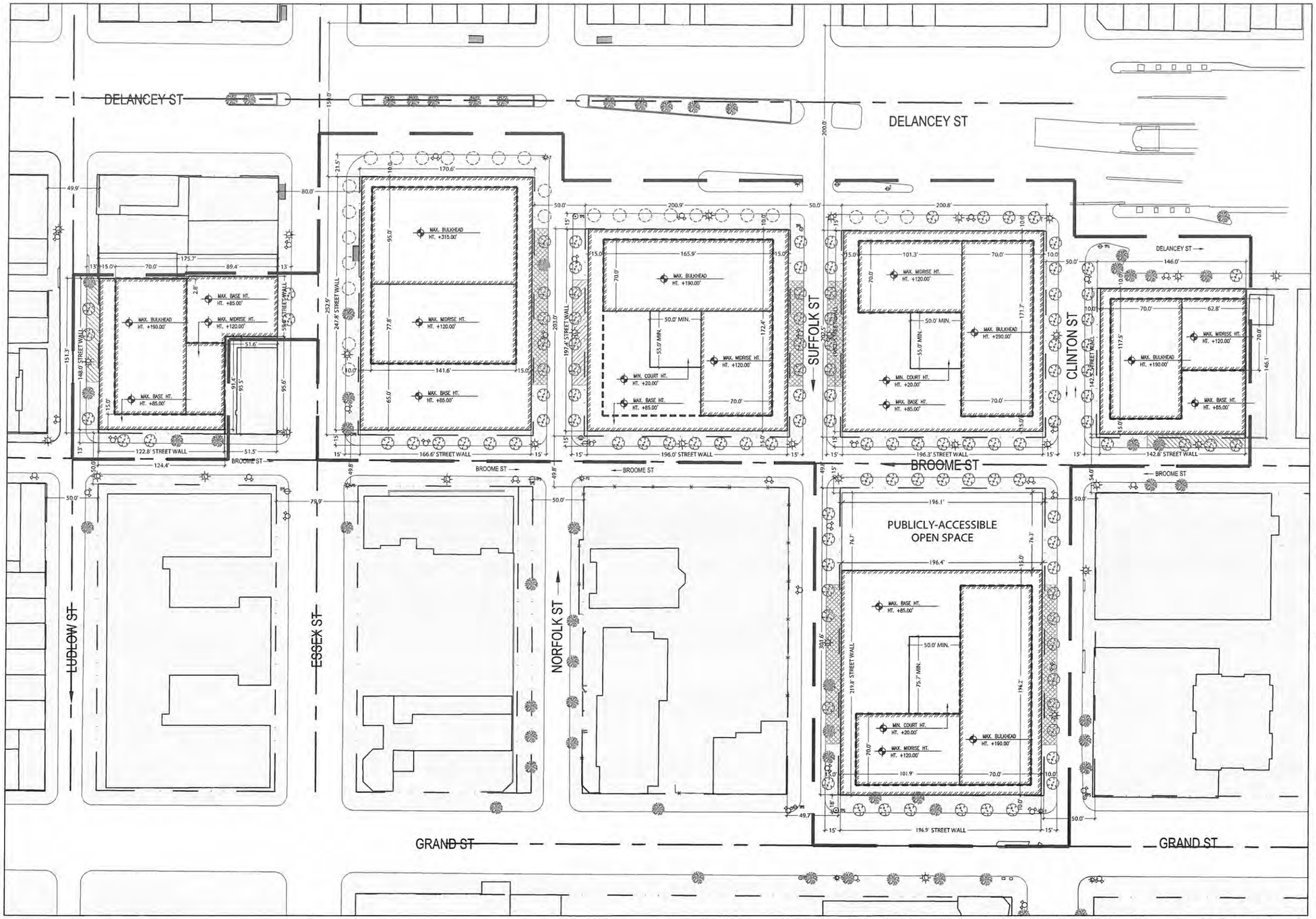
Scale

Date 21 MARCH 2012

Project No. 2163.06

Drawing No.

004



Drawing based on topographic survey prepared by Control Point Associates, Inc., dated July 8, 2011. Adjacent building outlines are shown for reference purposes only.

LEGEND

- SEWARD PARK LARGE SCALE GENERAL DEVELOPMENT BOUNDARY
- STREET CURB LINE
- TAX LOT LINE
- MAXIMUM BASE ENVELOPE AND ILLUSTRATIVE STREET WALL LINE
- MAXIMUM ENVELOPE: TOWER AND MIDRISE ZONE
- MAXIMUM ENVELOPE: OPTION 1 (SEE BUILDING ENVELOPE DIAGRAMS)
- EXISTING STREET TREE
- PROPOSED STREET TREE
- REQUIRED STREET TREES OVER EXISTING SUBTERRANEAN SPACE
- EXISTING FIRE HYDRANT
- EXISTING METAL STREET LIGHT
- TPS EXISTING TRAFFIC SIGNAL
- EXISTING TELEPHONE POLE
- EXISTING WOOD UTILITY POLE
- EXISTING WOOD POLE WITH TRAFFIC SIGNAL
- CURB CUT ZONE (PARKING) *ZONE AT STREET LEVEL WHERE GARAGE ENTRANCES ARE PERMITTED*
- CURB CUT ZONE (LOADING) *ZONE AT STREET LEVEL WHERE LOADING ENTRANCES ARE PERMITTED*
- CURB CUT ZONE (PARKING & LOADING) *ZONE AT STREET LEVEL WHERE BOTH GARAGE AND LOADING ENTRANCES ARE PERMITTED*

SITE PLAN NOTES:

1. Site Plan drawings 008, 201, 301, 401, 501 and 601 show "Envelope Option 1" and drawing 101 shows "Envelope Option 2" as established in corresponding "Building Envelope" drawings 103, 203.1, 303.1, 403.1, 503 and 603. Actual Building massing subject to design controls (as indicated on drawings 103, 203.1, 203.2, 203.3, 203.4, 303.1, 303.2, 303.3, 403.1, 403.2, 503 and 603).
2. Envelope heights are relative to the Base Plane or the Average Curb Level elevations (as indicated).
3. Proposed street tree locations (as shown in all Site Plan drawings) are illustrative and subject to change based on final approval by the Department of Parks and Recreation. Otherwise, street tree locations will comply with the requirements of ZR 26-41.
4. The exact location of any court on Sites 3, 4, or 5 is subject to change.

Seward Park

Mixed-Use Development Project

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No	Date	Description
3	02/23/15	Site 1 & Site 5 Minor Mod
2	08/27/14	Site 1 & Site 5 Minor Mod
1	11/16/12	Site 5 Footprint & Open Space

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REGISTERED ARCHITECT RICHARD J. METSKY No. 018928-1 STATE OF NEW YORK

North

SHEET SIZE 11" X 17"

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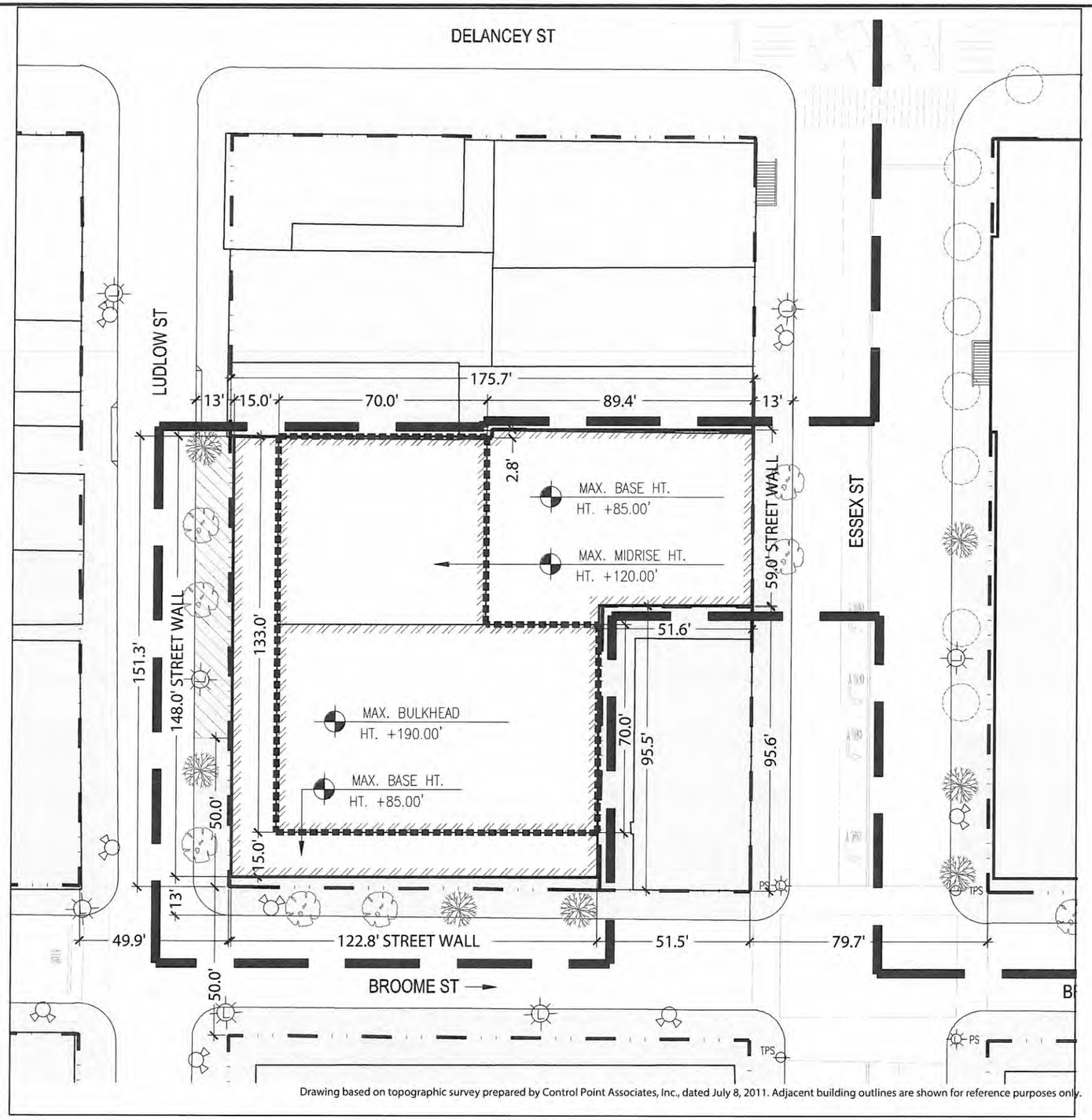
Drawing Title

PROPOSED SITE PLAN

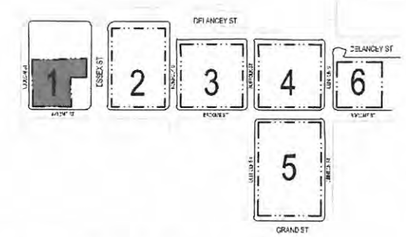
Scale	1" = 100'-0"
Date	21 MARCH 2012
Project No.	2163.06
Drawing No.	008



Drawing based on topographic survey prepared by Control Point Associates, Inc., dated July 8, 2011. Adjacent building outlines are shown for reference purposes only.

LEGEND

- SEWARD PARK LARGE SCALE GENERAL DEVELOPMENT BOUNDARY
- STREET CURB LINE
- TAX LOT LINE
- MAXIMUM BASE ENVELOPE AND ILLUSTRATIVE STREET WALL LINE
- MAXIMUM ENVELOPE: TOWER AND MIDRISE ZONE
- MAXIMUM ENVELOPE: OPTION 2 (SEE BUILDING ENVELOPE DIAGRAMS)
- EXISTING STREET TREE
- PROPOSED STREET TREE
- REQUIRED STREET TREES OVER EXISTING SUBTERRANEAN SPACE
- EXISTING FIRE HYDRANT
- EXISTING METAL STREET LIGHT
- TPS EXISTING TRAFFIC SIGNAL
- EXISTING TELEPHONE POLE
- EXISTING WOOD UTILITY POLE
- T EXISTING WOOD POLE WITH TRAFFIC SIGNAL
- CURB CUT ZONE (LOADING) *ZONE AT STREET LEVEL WHERE LOADING ENTRANCES ARE PERMITTED*



KEY SITE PLAN

Seward Park

Mixed-Use Development Project

Beyer Blinder Belle

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No	Date	Description
1	08/27/14	Site 1 Street Wall

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North

SHEET SIZE 11" X 17"

Do not scale
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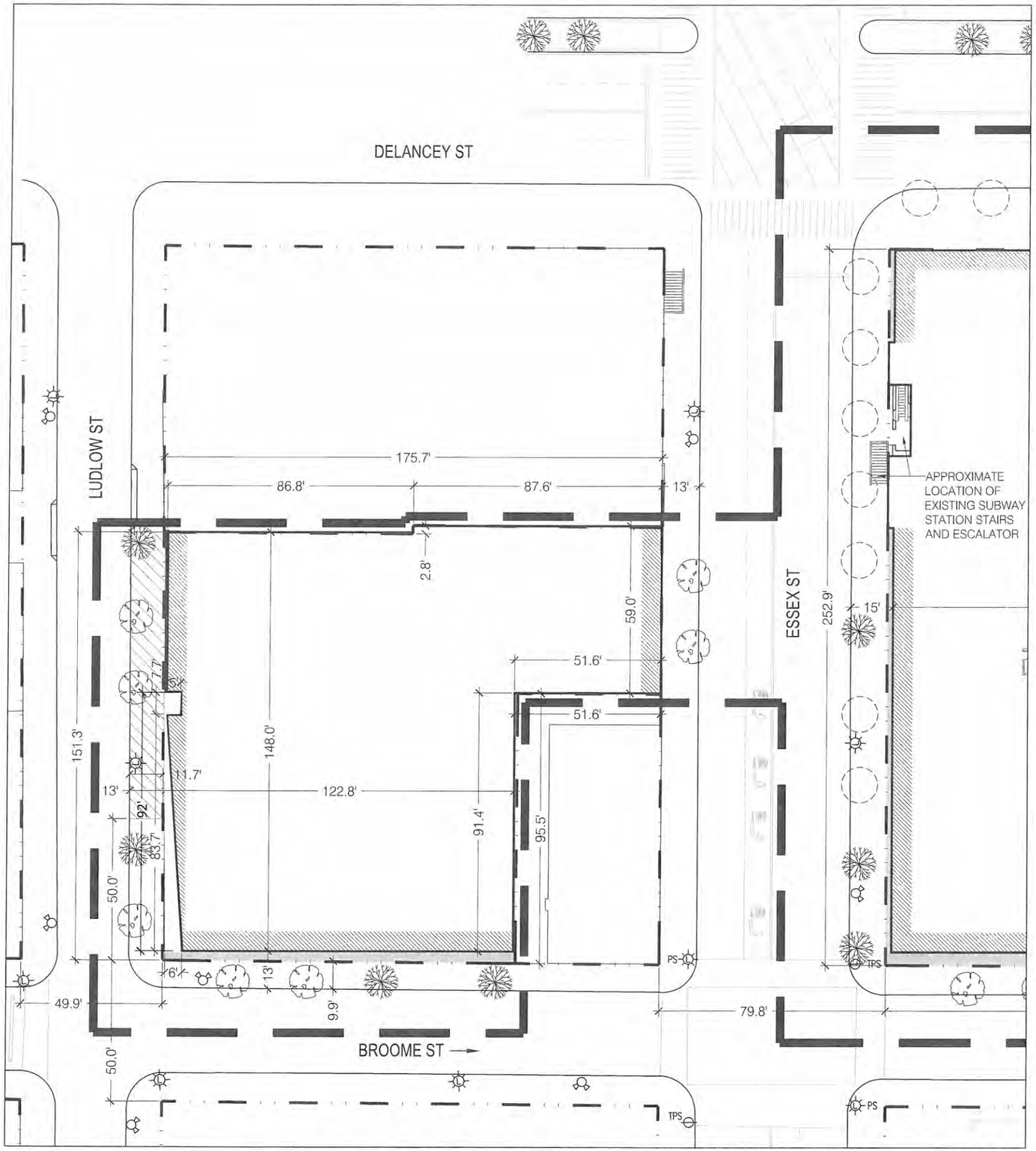
Drawing Title

PROPOSED SITE PLAN
ZONING LOT 1

Scale	1" = 40'-0"
Date	27 AUGUST, 2014
Project No.	2163.06
Drawing No.	

101



Drawing based on topographic survey prepared by Control Point Associates, Inc., dated July 8, 2011. Adjacent building outlines are shown for reference purposes only.

GROUND FLOOR NOTES:

Ground Floor Frontage

- Building facades will maintain 50% transparency at ground level at elevations ranging from 2 feet to 12 feet above curb level.
- Proposed street tree locations (as shown in all Site Plan drawings) are illustrative and subject to change based on final approval by the Department of Parks and Recreation. Otherwise, street tree locations will comply with the requirements of ZR 26-41.

Sidewalks

- Sidewalks will be provided at a minimum width of 13'.

Loading

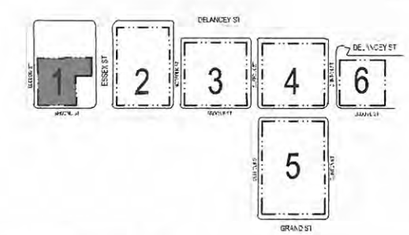
- With regard to curb cut location(s), curb cuts for required loading berths may be sited within the zone shown on the Site Plan.

Note

On Ludlow Street, within 92 feet of its intersection with Broome Street, the Street Wall may be set back no greater than 6 feet from the streetline.

LEGEND

- SEWARD PARK LARGE SCALE GENERAL DEVELOPMENT BOUNDARY
- STREET CURB LINE
- TAX LOT LINE
- ILLUSTRATIVE STREET WALL LINE
- EXISTING STREET TREE
- PROPOSED STREET TREE
- REQUIRED STREET TREE OVER EXISTING SUBTERRANEAN SPACE
- EXISTING FIRE HYDRANT
- EXISTING METAL STREET LIGHT
- TPS EXISTING TRAFFIC SIGNAL
- EXISTING TELEPHONE POLE
- EXISTING WOOD UTILITY POLE
- T EXISTING WOOD POLE WITH TRAFFIC SIGNAL
- PUBLICLY-ACCESSIBLE SIDEWALK WIDENING AREA
- GROUND FLOOR FRONTAGE ZONE
- CURB CUT ZONE (LOADING) *ZONE AT STREET LEVEL WHERE LOADING ENTRANCES ARE PERMITTED*



KEY SITE PLAN

Seward Park

Mixed-Use Development Project

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Legal Consultant
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No	Date	Description
1	08/27/14	Site 1 Street Wall

Issued/Revised

Seal & Signature

REGISTERED ARCHITECT RICHARD J. METSKY No. 018926-1 STATE OF NEW YORK

North

SHEET SIZE 11" X 17"

Do not scale
All dimensions to be checked on site

NOT FOR CONSTRUCTION - ISSUED FOR ULURP

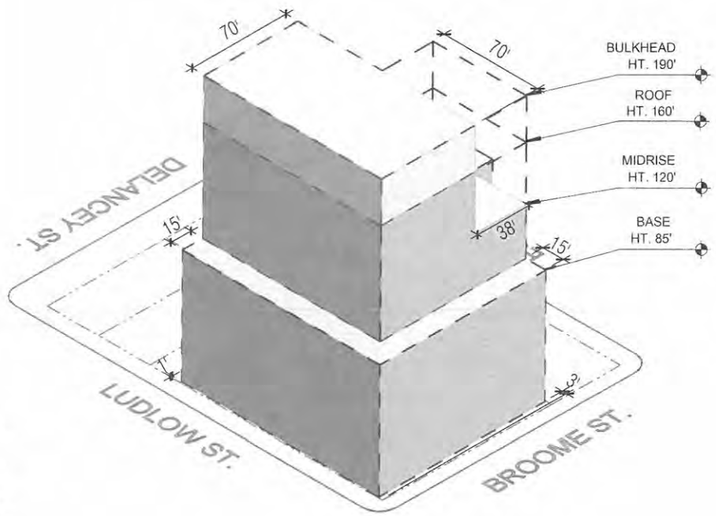
Drawing Title

GROUND FLOOR PLAN
ZONING LOT 1

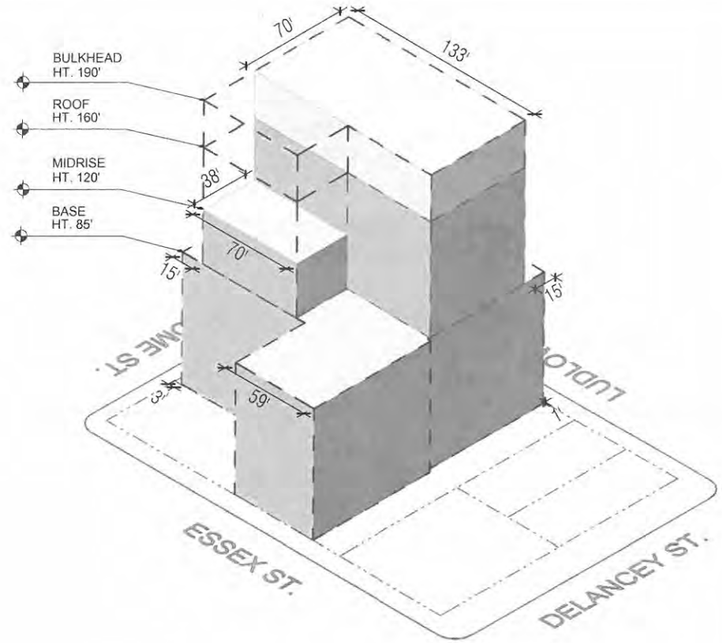
Scale	1" = 40'-0"
Date	27 AUGUST, 2014
Project No.	2163.06
Drawing No.	102

Seward Park Mixed-Use Development Project

Option 1

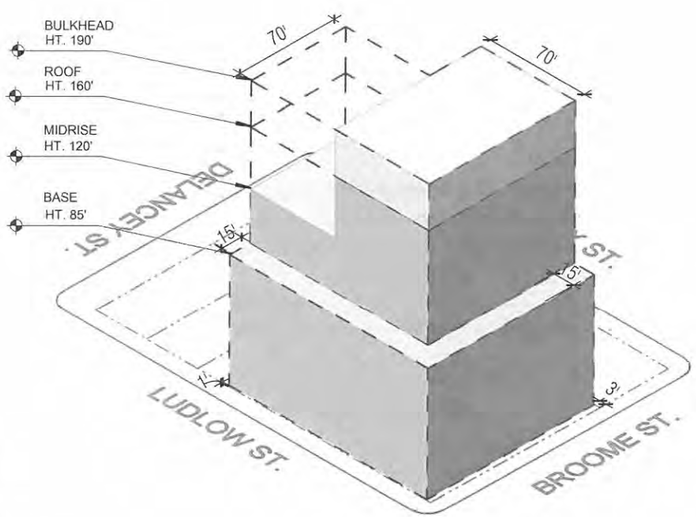


1.1 **Zoning Lot 1 (Ludlow St. Tower) SW View**
1"=80'-0"

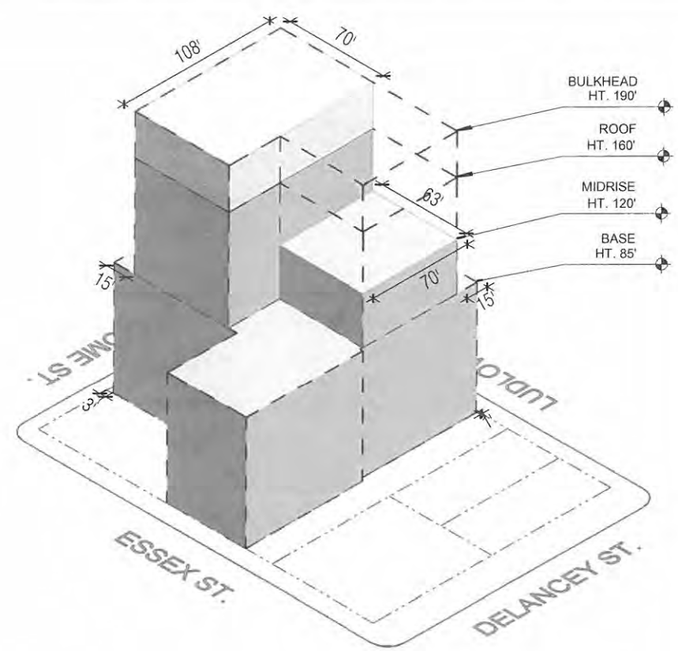


1.2 **Zoning Lot 1 (Ludlow St. Tower) NE View**
1"=80'-0"

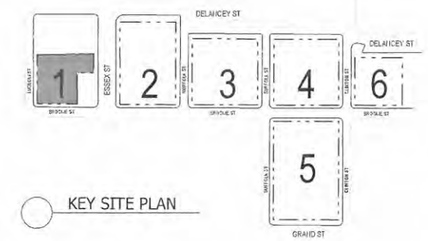
Option 2



2.2 **Zoning Lot 1 (Broome St. Tower) SW View**
1"=80'-0"



2.1 **Zoning Lot 1 (Broome St. Tower) NE View**
1"=80'-0"



KEY SITE PLAN

DESIGN CONTROLS

Bulk, Height and Setback

1. Envelope heights are relative to the Base Plane (Sheet 104M) or the Average Curb Level (Sheet 104N) elevations (as indicated).
2. The base or streetwall portion of Site 1 will have a minimum height of 60' and a maximum height of 85' on Broome and Ludlow Streets; the minimum base height on Essex Street may be below the minimum height of 60', but no lower than 25'.
3. The midrise portions of all buildings developed pursuant to the approved Large-Scale General Development will have a maximum height of 120'.
4. For Zoning Lot 1, Options 1 and 2, the envelope option volume indicates the maximum extent of the base and midrise portions of the building. The tower portion of the building may be located anywhere above the building base within the respective envelope options shown. The tower in Option 1 will be limited to a maximum length of 133' and a maximum width of 70'. The tower in Option 2 will be limited to a maximum length of 108' and a maximum width of 70'.
5. Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and accessory mechanical equipment (including enclosures), other than solar or wind energy systems, shall be permitted to exceed the maximum building (roof) heights approved in the LSGD, up to a maximum bulkhead height of 30 feet, provided that:
   i. such obstructions shall be located not less than 10 feet from the street wall of a building, except that such obstructions need not be set back more than 25 feet from a narrow street line or more than 20 feet from a wide street line. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the aggregate width of street walls of such bulkheads within 10 feet of a street wall, facing each street frontage, times their average height, in feet, does not exceed an area equal to four feet times the width, in feet, of the street wall of the building facing such frontage.
   ii. all mechanical equipment shall be screened on all sides
   iii. such obstructions and screening are contained within a volume that complies with one of the following:
      a. the product, in square feet, of the aggregate width of street walls of such obstructions facing each street frontage, times their average height, shall not exceed an area equal to eight feet times the width, in feet, of the street wall of the building facing such frontage; or
      b. the lot coverage of all such obstructions does not exceed 20 percent of the lot coverage of the building.

LEGEND:

- STREET CURB LINE
- ZONING LOT LINE
- MAXIMUM BUILDING ENVELOPE
- ENVELOPE OPTION
- BUILDING BULKHEAD ZONE

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No	Date	Description

Issued/Revised

Seal & Signature

REGISTERED ARCHITECT RICHARD J. METSKY No. 018928-1 STATE OF NEW YORK

SHEET SIZE 11" X 17"

Do not scale
All dimensions to be checked on site

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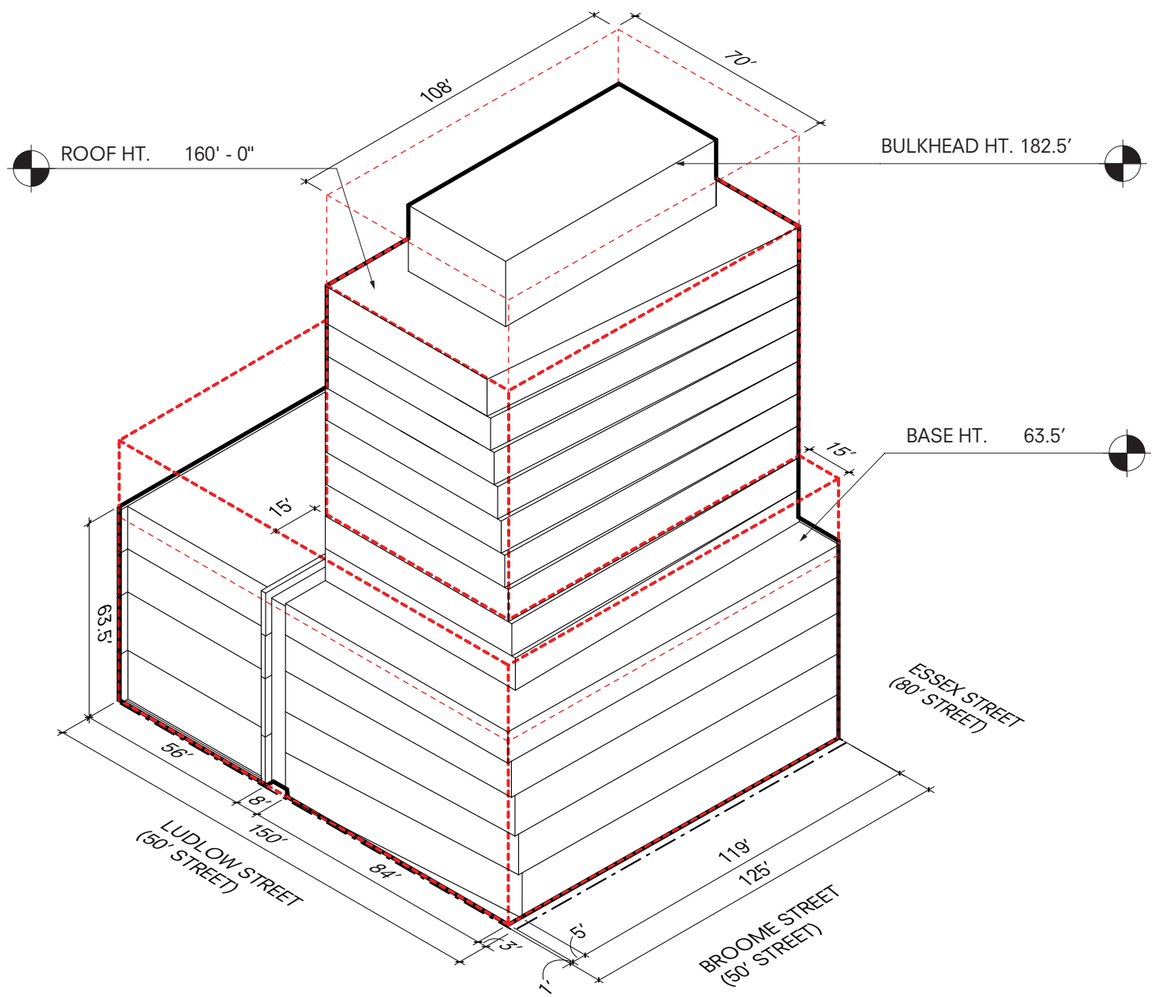
Drawing Title

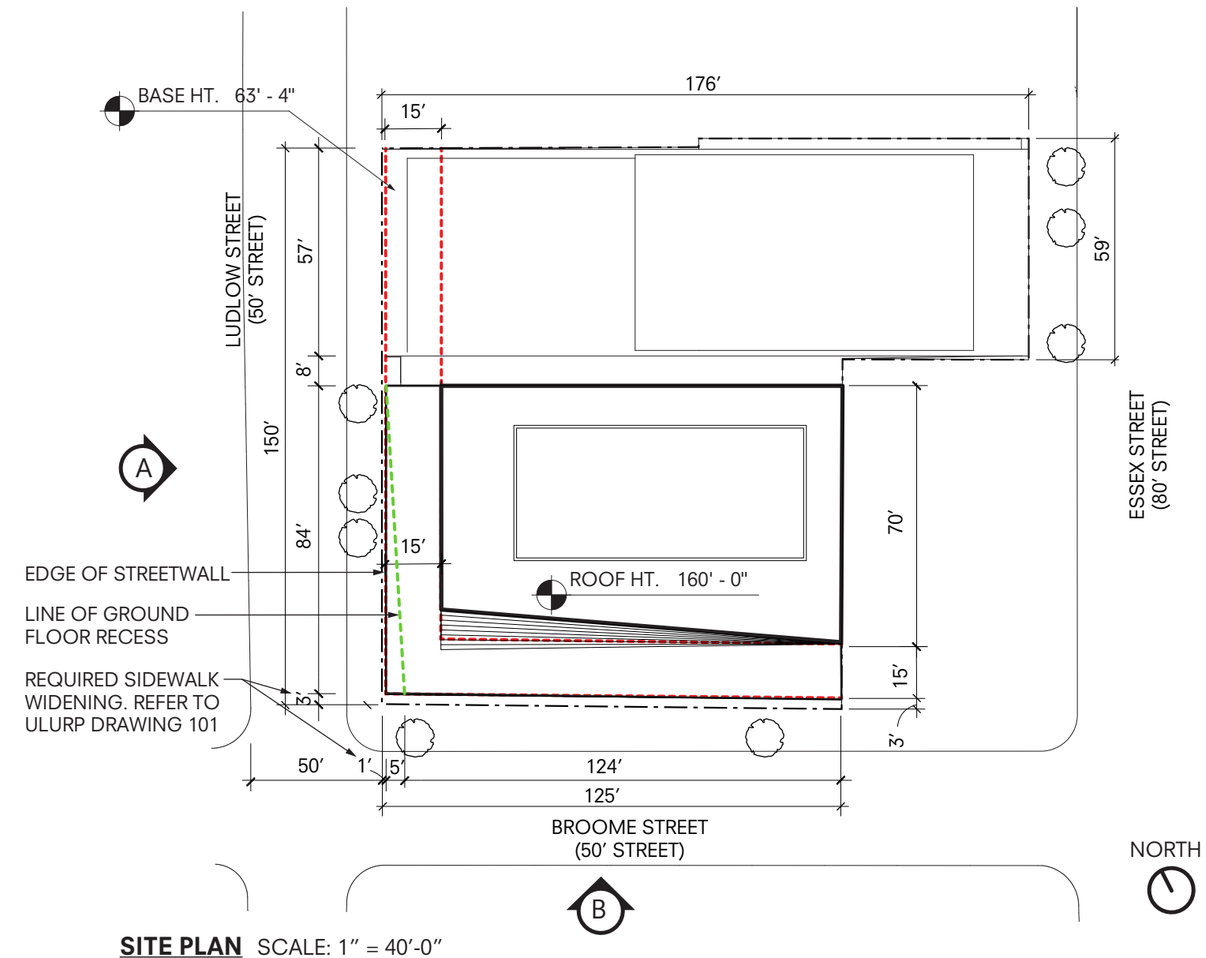
BUILDING ENVELOPE DIAGRAMS ZONING LOT 1

Scale	As indicated
Date	21 MARCH 2012
Project No.	2163.06
Drawing No.	

103



ISOMETRIC SCALE: 1" = 40'-0"

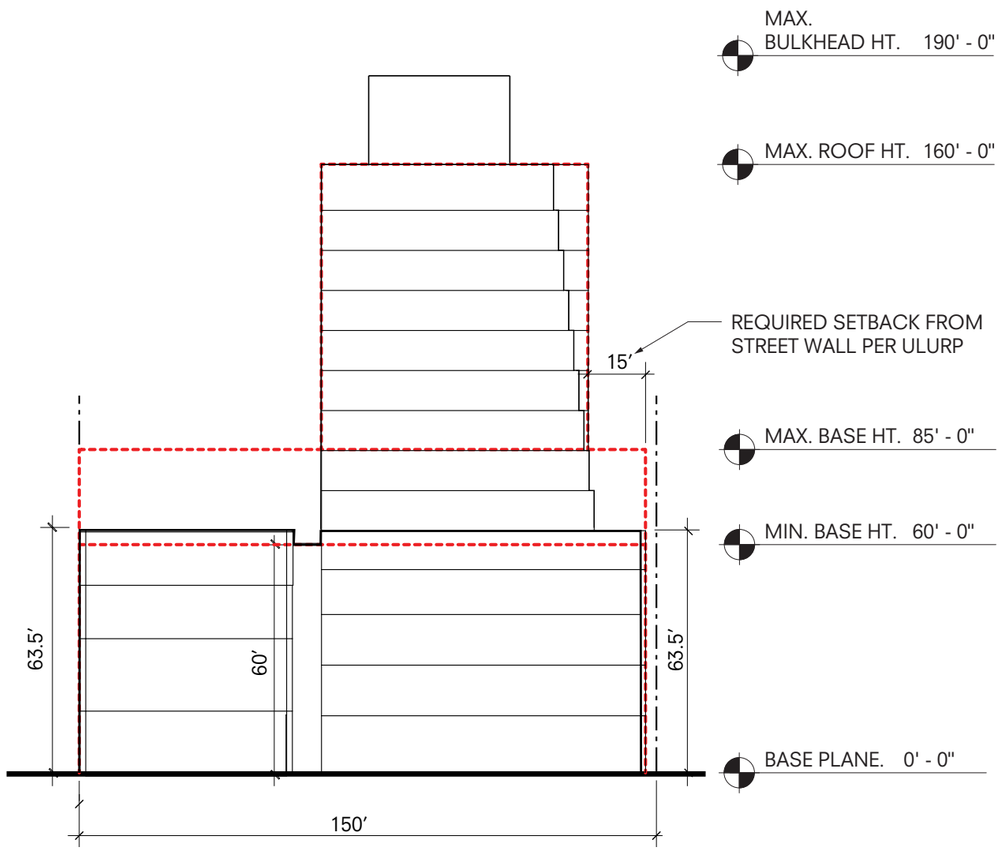


SITE PLAN SCALE: 1" = 40'-0"

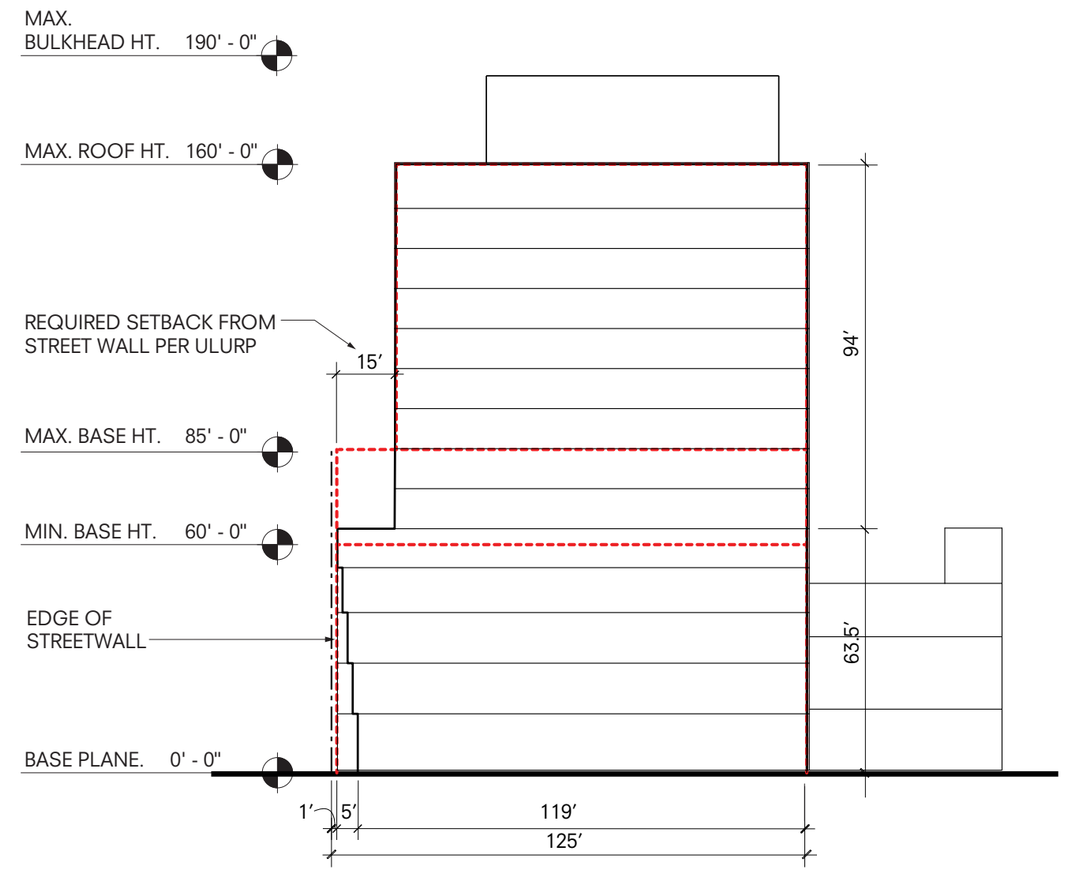
NOTE:
DRAWING FOR ILLUSTRATIVE PURPOSES. HEIGHTS AND DIMENSIONS ARE APPROXIMATE AND MAY CHANGE.

LEGEND

- STREET CURB LINE
- PROPERTY LINE
- MAX. PERMITTED BUILDING ENVELOPE PER ULURP
- PROPOSED BUILDING MASSING



(A) WEST ELEVATION SCALE: 1" = 40'-0"



(B) SOUTH ELEVATION SCALE: 1" = 40'-0"

LEGEND

- STREET CURB LINE
- PROPERTY LINE
- MAX. PERMITTED BUILDING ENVELOPE
- PROPOSED BUILDING MASSING

shop

SEWARD PARK SITE 1
New York, NY
Delancey Street Associates LLC

AERIAL 1 LOOKING EAST
(RENDERING FOR ILLUSTRATIVE PURPOSES)

August 27, 2014

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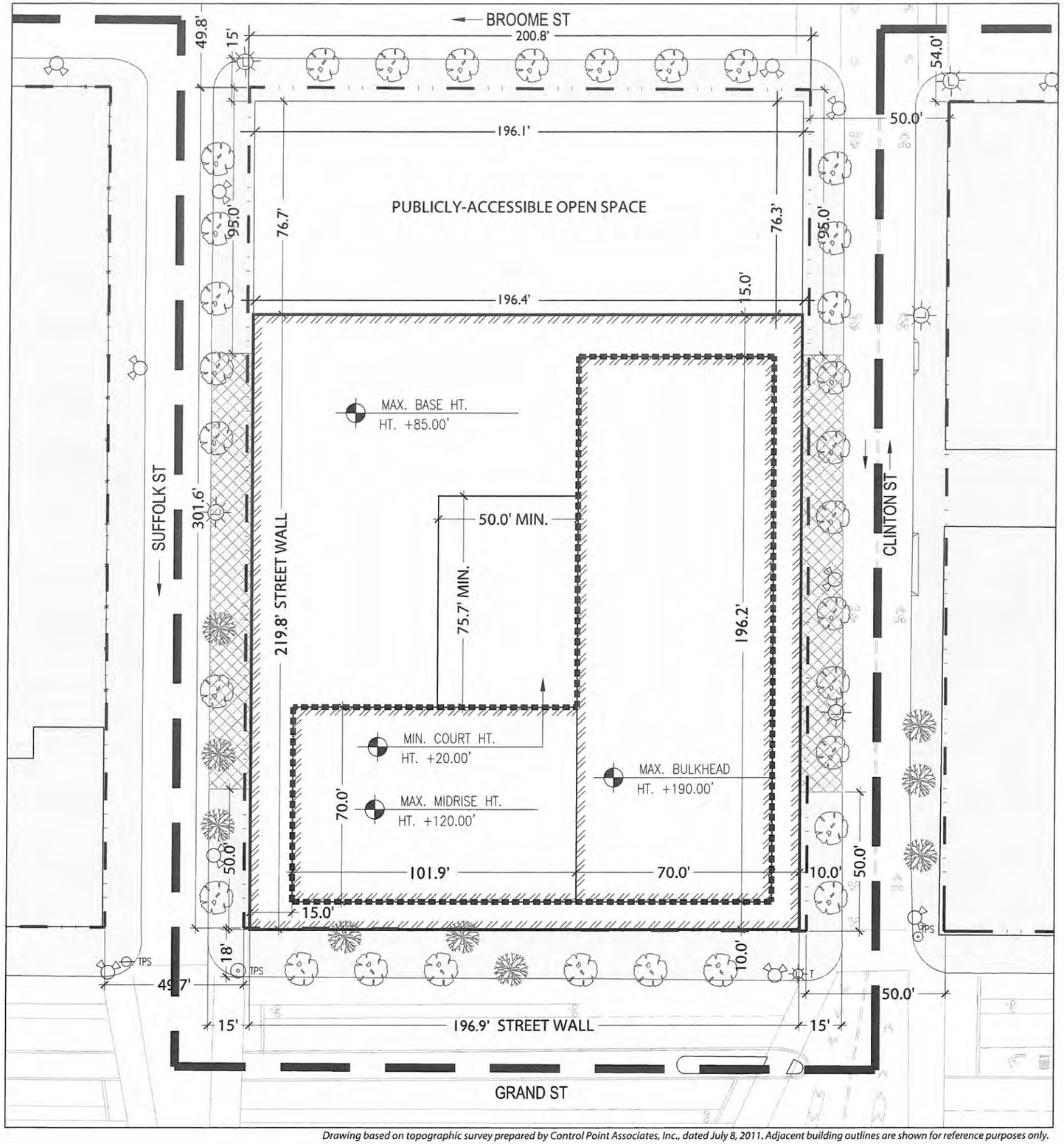
shop

SEWARD PARK SITE 1
New York, NY
Delancey Street Associates LLC

LUDLOW STREET LOOKING NORTH
(RENDERING FOR ILLUSTRATIVE PURPOSES)

August 27, 2014



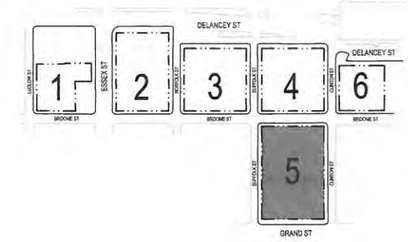
Drawing based on topographic survey prepared by Control Point Associates, Inc., dated July 8, 2011. Adjacent building outlines are shown for reference purposes only.

SITE PLAN NOTES:

1. Envelope Option 1 shown as established in corresponding "Building Envelope" drawing 503. Actual building massing subject to design controls (as indicated on drawing 503).
2. Envelope heights are relative to the Base Plane.
3. Proposed street tree locations (as shown in all Site Plan drawings) are illustrative and subject to change based on final approval by the Department of Parks and Recreation. Otherwise, street tree locations will comply with the requirements of ZR 26-41.
4. The exact location of any court is subject to change.

LEGEND

- SEWARD PARK LARGE SCALE GENERAL DEVELOPMENT BOUNDARY
- STREET CURB LINE
- TAX LOT LINE
- MAXIMUM BASE ENVELOPE AND ILLUSTRATIVE STREET WALL LINE
- MAXIMUM ENVELOPE: TOWER AND MIDRISE ZONE
- MAXIMUM ENVELOPE: OPTION 1 (SEE BUILDING ENVELOPE DIAGRAMS)
- EXISTING STREET TREE
- PROPOSED STREET TREE
- REQUIRED STREET TREES OVER EXISTING SUBTERRANEAN SPACE
- EXISTING FIRE HYDRANT
- EXISTING METAL STREET LIGHT
- TPS EXISTING TRAFFIC SIGNAL
- T EXISTING TELEPHONE POLE
- U EXISTING WOOD UTILITY POLE
- T EXISTING WOOD POLE WITH TRAFFIC SIGNAL
- CURB CUT ZONE (PARKING & LOADING) *ZONE AT STREET LEVEL WHERE BOTH GARAGE AND LOADING ENTRANCES ARE PERMITTED*



KEY SITE PLAN

Seward Park

Mixed-Use Development Project

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New York, NY 10104
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No	Date	Description
2	02/23/15	Site 1 & Site 5 Minor Mod
1	11/16/12	Site 5 Footprint & Open Space

Issued/Revised

Seal & Signature

REGISTERED ARCHITECT RICHARD J. METSKY No. 018928-1 STATE OF NEW YORK

North

SHEET SIZE 11" X 17"

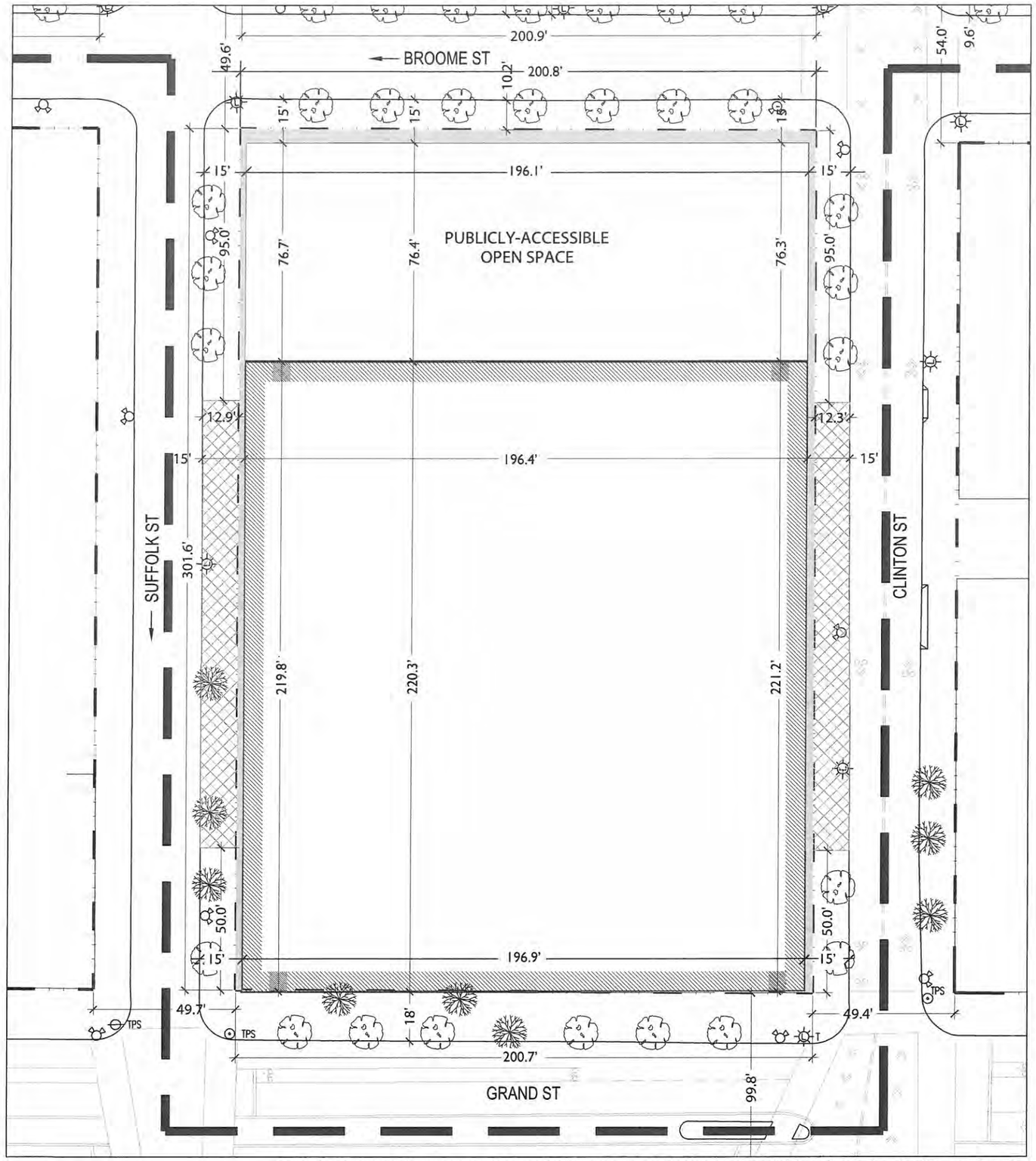
Do not scale
All dimensions to be checked on site

NOT FOR CONSTRUCTION - ISSUED FOR ULURP

Drawing Title

PROPOSED SITE PLAN
ZONING LOT 5

Scale	1" = 40'-0"
Date	21 MARCH 2012
Project No.	2163.06
Drawing No.	501



Drawing based on topographic survey prepared by Control Point Associates, Inc., dated July 8, 2011. Adjacent building outlines are shown for reference purposes only.

GROUND FLOOR NOTES:

Ground Floor Frontage

- Building facades will maintain 50% transparency at ground level at elevations ranging from 2 feet to 12 feet above curb level.
- Proposed street tree locations (as shown in all Site Plan drawings) are illustrative and subject to change based on final approval by the Department of Parks and Recreation. Otherwise, street tree locations will comply with the requirements of ZR 26-41.

Sidewalks

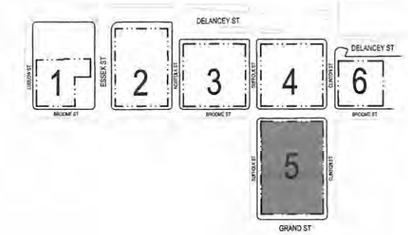
- Sidewalks will be provided at a minimum width of 15'.

Parking and Loading

- The LSGD approvals establish a maximum limit of 500 parking spaces.
- With regard to curb cut location(s), curb cuts for parking garage access and/or required loading berths may be sited within the zones shown on the Site Plan.
- At Site 5, two different parking entrance options will be approved pursuant to this special permit--one at Suffolk Street and one at Clinton Street. At such time as final parking entrance locations are submitted for review by the DOB at this site, only one of these options will be developed.

LEGEND

- SEWARD PARK LARGE SCALE GENERAL DEVELOPMENT BOUNDARY
- STREET CURB LINE
- TAX LOT LINE
- ILLUSTRATIVE STREET WALL LINE
- EXISTING STREET TREE
- PROPOSED STREET TREE
- REQUIRED STREET TREE OVER EXISTING SUBTERRANEAN SPACE
- EXISTING FIRE HYDRANT
- EXISTING METAL STREET LIGHT
- TPS EXISTING TRAFFIC SIGNAL
- EXISTING TELEPHONE POLE
- EXISTING WOOD UTILITY POLE
- T EXISTING WOOD POLE WITH TRAFFIC SIGNAL
- PUBLICLY-ACCESSIBLE SIDEWALK WIDENING AREA
- GROUND FLOOR FRONTAGE ZONE
- CURB CUT ZONE (PARKING & LOADING) *ZONE AT STREET LEVEL WHERE BOTH GARAGE AND LOADING ENTRANCES ARE PERMITTED*



KEY SITE PLAN

Seward Park

Mixed-Use Development Project

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Legal Consultant
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No	Date	Description
2	02/23/15	Site 1 & Site 5 Minor Mod
1	11/16/12	Site 5 Footprint & Open Space

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Seal & Signature

REGISTERED ARCHITECT RICHARD J. METSKY 018928-1 STATE OF NEW YORK

North

SHEET SIZE 11" X 17"

Do not scale
All dimensions to be checked on site

NOT FOR CONSTRUCTION - ISSUED FOR ULURP

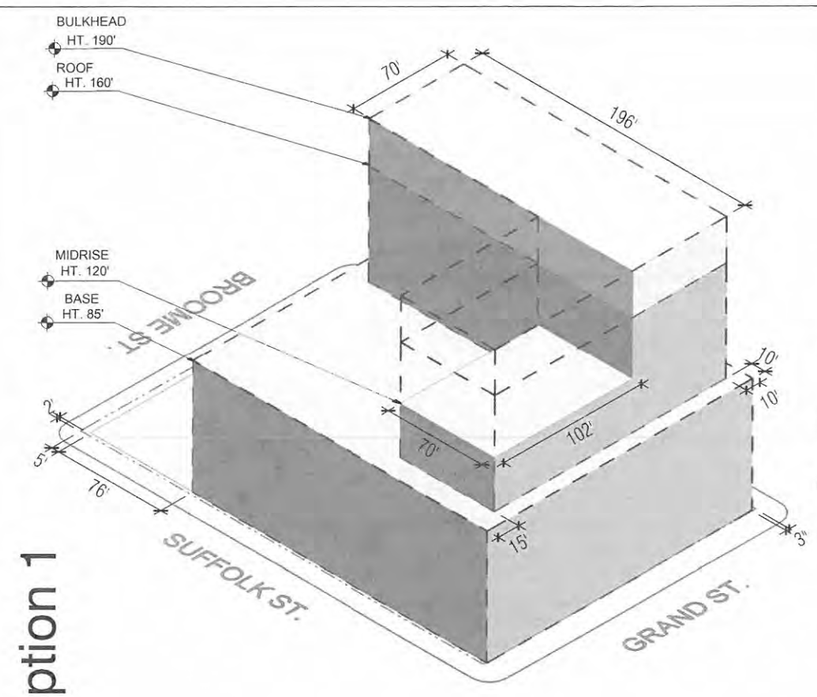
Drawing Title

GROUND FLOOR PLAN
ZONING LOT 5

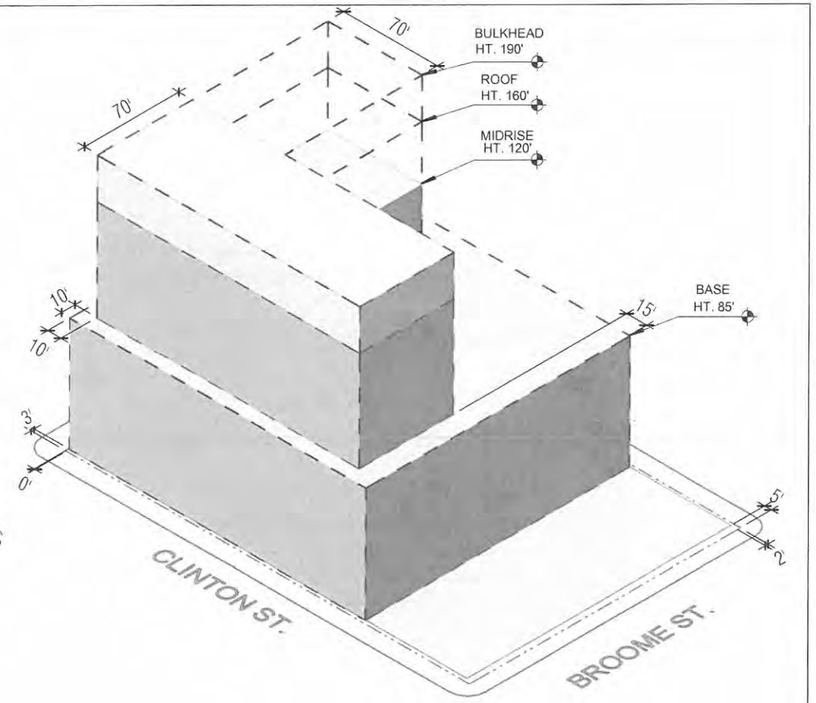
Scale	1" = 40'-0"
Date	21 MARCH 2012
Project No.	2163.06
Drawing No.	

502

Option 1

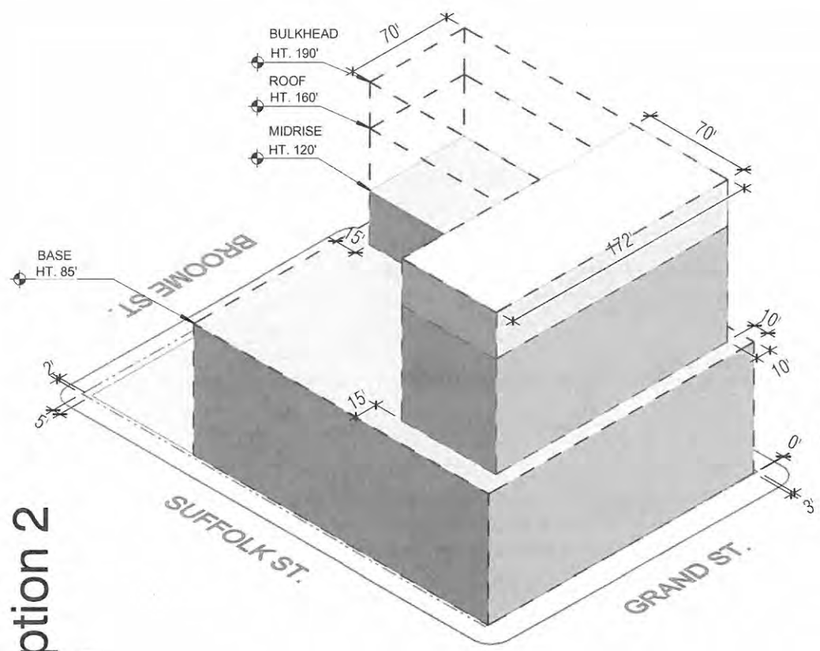


1 **Zoning Lot 5 Alternate A (Clinton St. Tower) SW View**
1"=80'-0"

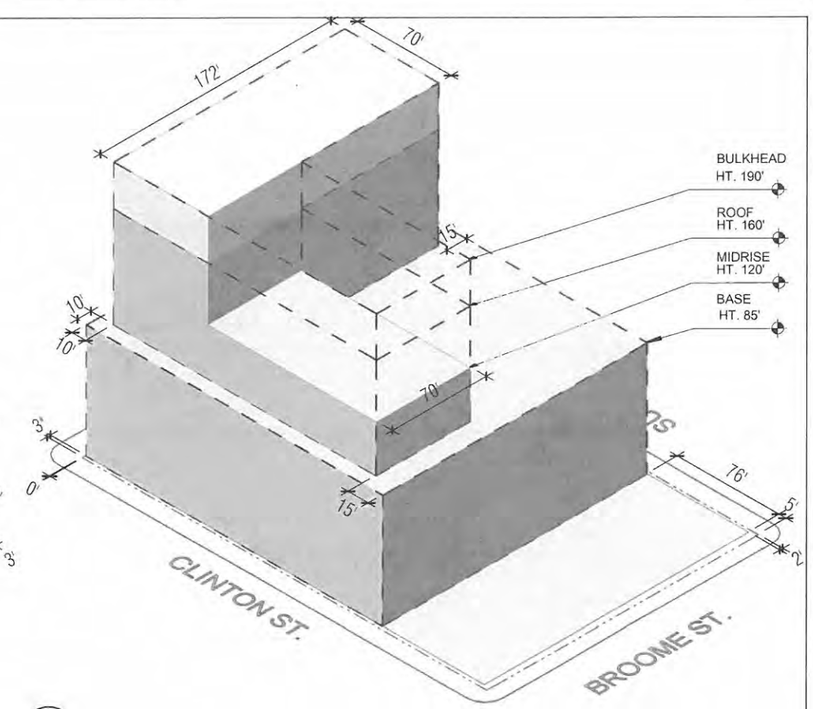


2 **Zoning Lot 5 Alternate A (Clinton St. Tower) NE View**
1"=80'-0"

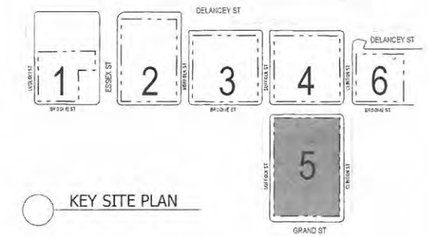
Option 2



3 **Zoning Lot 5 Alternate A (Grand St. Tower) SW View**
1"=80'-0"



4 **Zoning Lot 5 Alternate A (Grand St. Tower) NE View**
1"=80'-0"



DESIGN CONTROLS

Bulk, Height and Setback

1. Envelope heights are relative to the Base Plane (see Sheet 504M).
2. The base or streetwall portions of Site 5 will have a minimum height of 60' and a maximum height of 85', except as indicated in Note 6.
3. The midrise portions of all buildings developed pursuant to the approved Large-Scale General Development will have a maximum height of 120'.
4. For Zoning Lot 5, Options 1 and 2, the envelope option volume indicates the maximum extent of the base and midrise portions of the building. The tower portion of the building may be located anywhere above the building base within the respective envelope options shown. In both options, the tower will be limited to a maximum length of 160' and a maximum width of 70'.
5. Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and accessory mechanical equipment (including enclosures), other than solar or wind energy systems, shall be permitted to exceed the maximum building (roof) heights approved in the LSGD, up to a maximum bulkhead height of 30 feet, provided that:
   i. such obstructions shall be located not less than 10 feet from the street wall of a building, except that such obstructions need not be set back more than 25 feet from a narrow street line or more than 20 feet from a wide street line. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the aggregate width of street walls of such bulkheads within 10 feet of a street wall, facing each street frontage, times their average height, in feet, does not exceed an area equal to four feet times the width, in feet, of the street wall of the building facing such frontage.
   ii. all mechanical equipment shall be screened on all sides
   iii. such obstructions and screening are contained within a volume that complies with one of the following:
      a. the product, in square feet, of the aggregate width of street walls of such obstructions facing each street frontage, times their average height, shall not exceed an area equal to eight feet times the width, in feet, of the street wall of the building facing such frontage; or
      b. the lot coverage of all such obstructions does not exceed 20 percent of the lot coverage of the building.
6. The base height along the Publicly Accessible Open Space and on Clinton Street beyond 50 feet of its intersection with Broome Street shall have a minimum height of 29 feet.

LEGEND:

- STREET CURB LINE
- ZONING LOT LINE
- MAXIMUM BUILDING ENVELOPE
- ENVELOPE OPTION
- BUILDING BULKHEAD ZONE

Seward Park Mixed-Use Development Project

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No	Date	Description
2	08/27/14	Site 5 Min. Base Height
1	11/16/12	Site 5 Massing

Issued/Revised

Seal & Signature

REGISTERED ARCHITECT RICHARD J. METSKY No. 018928-1 STATE OF NEW YORK

SHEET SIZE 11" X 17"

Do not scale
All dimensions to be checked on site

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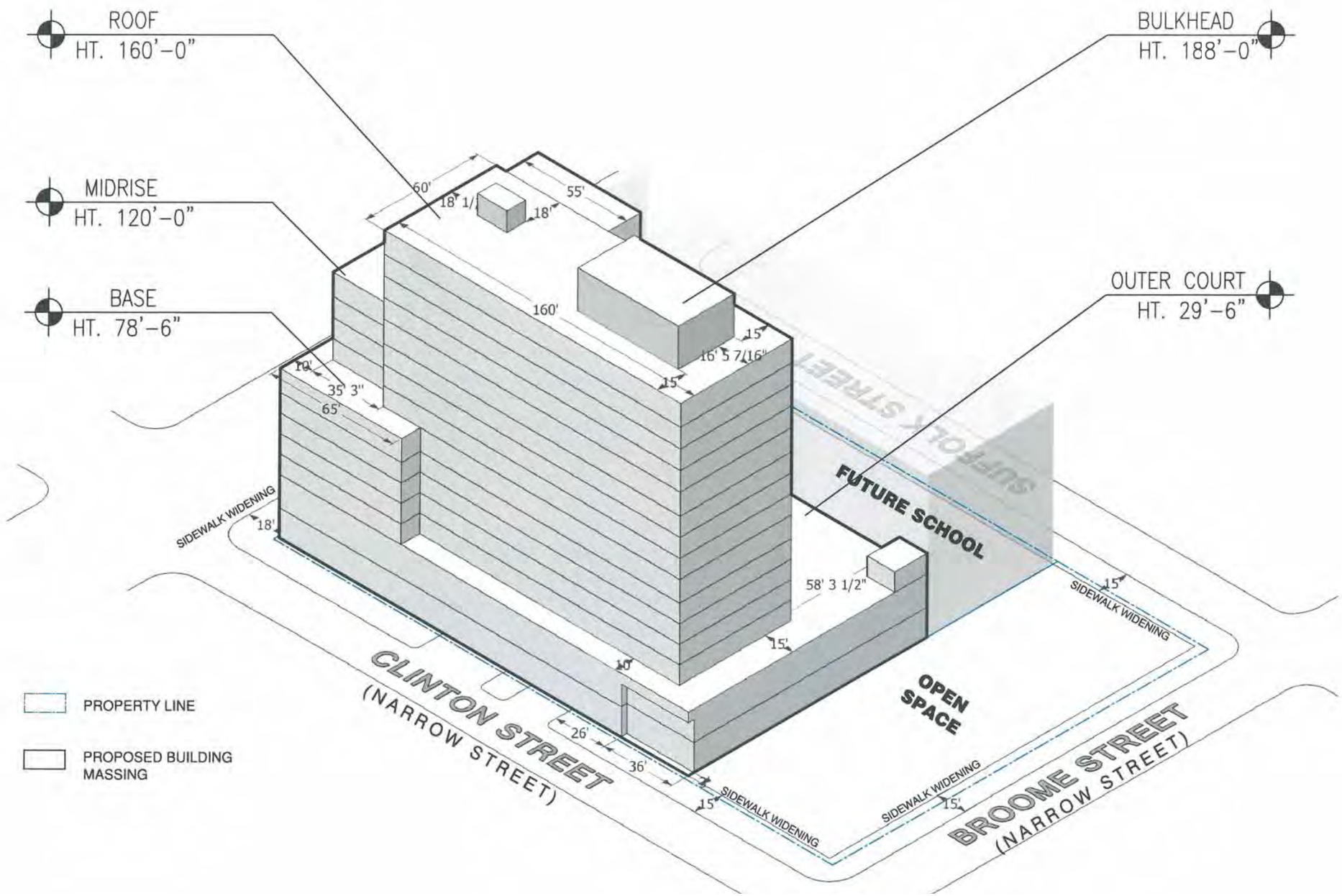
Drawing Title

BUILDING ENVELOPE DIAGRAMS ZONING LOT 5

Scale	As indicated
Date	21 MARCH 2012
Project No.	2163.06
Drawing No.	

503



SEWARD PARK SITE 5
New York, NY
Delancey Street Associates LLC

SITE 5 PROPOSED MASSING NE VIEW
(FOR ILLUSTRATIVE PURPOSES ONLY)

AUG 27, 2014
2469.00

SEWARD PARK SITE 5
New York, NY
Delancey Street Associates LLC

AERIAL VIEW FROM NORTH
(FOR ILLUSTRATIVE PURPOSES ONLY)

AUG 27, 2014
2469.00

Beyer Blinder Belle
Architects & Planners LLP

SEWARD PARK SITE 5
New York, NY
Delancey Street Associates LLC

PERSPECTIVE VIEW FROM SOUTH
(FOR ILLUSTRATIVE PURPOSES ONLY)

AUG 27, 2014
2469.00

SEWARD PARK SITE 5
New York, NY
Delancey Street Associates LLC

PERSPECTIVE VIEW FROM NORTH
(FOR ILLUSTRATIVE PURPOSES ONLY)

AUG 27, 2014
2469.00

SEWARD PARK SITE 5
New York, NY
Delancey Street Associates LLC

DETAIL OF ENTRANCE ON CLINTON STREET
(FOR ILLUSTRATIVE PURPOSES ONLY)

AUG 27, 2014
2469.00