City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT SHORT FORM ● FOR UNLISTED ACTIONS ONLY

Please fill out, print and submit to the appropriate agency (see instructions)

PART I: GENERAL INFORMATION

1. *Does Action Exceed Any Type I Threshold In 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?*

☐ Yes ☑ No

If yes, STOP, and complete the FULL EAS

2. *Project Name* Micro-Units Development EAS

3. *Reference Numbers*

CEQR REFERENCE NUMBER (To Be Assigned by Lead Agency) **13HPD058M**	BSA REFERENCE NUMBER (If Applicable)
ULURP REFERENCE NUMBER (If Applicable))	OTHER REFERENCE NUMBER(S) (If Applicable) (e.g. Legislative Intro, CAPA, etc)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY **NYC Dept. of Housing Preservation and Development**			NAME OF APPLICANT **Monadnock Construction, Inc.**		
NAME OF LEAD AGENCY CONTACT PERSON **Patrick Blanchfield**			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON **Alphonse Lembo**		
ADDRESS **100 Gold Street, Room 9v-3**			ADDRESS **155 3rd Street**		
CITY **New York**	STATE **NY**	ZIP **10038**	CITY **Brooklyn**	STATE **NY**	ZIP **11231**
TELEPHONE **212-863-5056**	FAX **212-863-5052**		TELEPHONE **718-875-8160**	FAX **718-802-1109**	
EMAIL ADDRESS **blanchfp@hpd.nyc.gov**			EMAIL ADDRESS **alembo@moncon.com**		

5. *Project Description*:

The proposed actions would include the following: the disposition of City-owned property to the applicant; a zoning map amendment to extend the existing C2-5 commercial overlay on the subject block west along East 27th Street to Mount Carmel Place, and approval and designation of the project site as an Urban Development Action Area Project (UDAAP). The applicant is also seeking a Mayoral Zoning Bulk Override (see #7 Required Actions or Approvals, Other City Approvals). The proposed actions would facilitate the first micro-units development in New York City. The proposed 9-story mixed-use building would include 575 gsf of local retail and 1,195 gsf of community facility space on the ground floor, and 55 residential micro-units (28,248 gsf) on the upper floors, for a total of 30,018 gsf of new development. Refer to Attachment A, "Project Description", for details.

6a. *Project Location*: *Single Site* *(for a project at a single site, complete all the information below)*

ADDRESS **335 East 27th Street, New York, NY 10016 (Project Site)**	NEIGHBORHOOD NAME **Kips Bay**	
TAX BLOCK AND LOT **Project Site: Block 933, Lot 10; Rezoning Area: Block 933, Lot 10 and a portion of Lot 25**	BOROUGH **Manhattan**	COMMUNITY DISTRICT **6**
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS **The project site and rezoning area are located on a block bounded by East 28th Street to the north, First Avenue to the east, East 27th Street to the south, and Mount Carmel Place to the west.**		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY: **R8**		ZONING SECTIONAL MAP NO: **8d**

6b. *Project Location*: *Multiple Sites* *(Provide a description of the size of the project area in both City Blocks and Lots. If the project would apply to the entire city or to areas that are so extensive that a site-specific description is not appropriate or practicable, describe the area of the project, including bounding streets, etc.)*

7. *REQUIRED ACTIONS OR APPROVALS* *(check all that apply)*

***City Planning Commission*:** YES ☑ NO ☐

- ☐ CITY MAP AMENDMENT
- ☑ ZONING MAP AMENDMENT
- ☐ ZONING TEXT AMENDMENT
- ☑ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)
- ☐ CONCESSION
- ☑ UDAAP
- ☐ REVOCABLE CONSENT
- ☐ ZONING CERTIFICATION
- ☐ ZONING AUTHORIZATION
- ☐ HOUSING PLAN & PROJECT
- ☐ SITE SELECTION — PUBLIC FACILITY
- ☐ FRANCHISE
- ☑ DISPOSITION — REAL PROPERTY

ZONING SPECIAL PERMIT, SPECIFY TYPE:

- ☐ MODIFICATION OF
- ☐ RENEWAL OF
- ☐ OTHER

***Board of Standards and Appeals*:** YES ☐ NO ☑

- ☐ SPECIAL PERMIT

EXPIRATION DATE MONTH DAY YEAR

- ☐ VARIANCE (USE)
- ☐ VARIANCE (BULK)

SPECIFY AFFECTED SECTION(S) OF THE ZONING RESOLUTION

Department of Environmental Protection: YES ☐ NO ☑ IF YES, IDENTIFY:

Other City Approvals: YES ☑ NO ☐

- ☐ LEGISLATION
- ☐ FUNDING OF CONSTRUCTION; SPECIFY:
- ☐ POLICY OR PLAN; SPECIFY:
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL *(not subject to CEQR)*
- ☐ 384(b)(4) APPROVAL
- ☑ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) *(not subject to CEQR)*
- ☐ RULEMAKING
- ☐ CONSTRUCTION OF PUBLIC FACILITIES
- ☐ FUNDING OF PROGRAMS; SPECIFY:
- ☑ PERMITS; SPECIFY: **Department of Buildings Permits**
- ☑ OTHER; EXPLAIN **Mayoral Zoning Override:** **ZR Section 23-22: Min. dwelling unit size**
  ZR Section 28-21: Density
  ZR Section 23-633: Max. Setback, Base Height, and Height

State or Federal Actions/Approvals/Funding: YES ☐ NO ☑ IF "YES," IDENTIFY:

8. *Site Description*: *Except where otherwise indicated, provide the following information with regard to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory controls.*

GRAPHICS *The following graphics must be attached and each box must be checked off before the EAS is complete.* ***Each map must clearly depict*** *the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11×17 inches in size and must be folded to 8.5 ×11 inches for submission*

- ☑ Site location map
- ☑ Zoning map
- ☑ Photographs of the project site taken within 6 months of EAS submission and keyed to the site location map
- ☑ Sanborn or other land use map
- ☑ Tax map
- ☐ For large areas or multiple sites, a GIS shape file that defines the project sites

PHYSICAL SETTING *(both developed and undeveloped areas)*

Total directly affected area (sq. ft.):	Type of Waterbody and surface area (sq. ft.):	Roads, building and other paved surfaces (sq. ft.)
4,725 sf Project Site / 15,000 sf Rezoning Area	**N/A**	**4,725 sf Project Site / 15,000 sf Rezoning Area**

Other, describe (sq. ft.): **N/A**

9. *Physical Dimensions and Scale of Project* *(if the project affects multiple sites, provide the total development below facilitated by the action)*

Size of project to be developed: **30,018 gsf (on project site)** (gross sq. ft.)

Does the proposed project involve changes in zoning on one or more sites? YES ☑ NO ☐ **Note: The project site is currently owned and under the jurisdiction of HPD. The project site would be conveyed to the applicant as part of the proposed actions.**

If 'Yes,' identify the total square feet owned or controlled by the applicant: **4,725 sf** Total square feet of non-applicant owned development: **10,175 sf**

Does the proposed project involve in-ground excavation or subsurface disturbance, including but not limited to foundation work, pilings, utility lines, or grading? YES ☑ NO ☐

If 'Yes,' indicate the estimated area and volume dimensions of subsurface disturbance (if known):

Area: **Approximately 3,932 sf** sq. ft. (width × length) Volume: **Approx. 45,218 cubic feet** cubic feet (width × length × depth)

DESCRIPTION OF PROPOSED USES *(please complete the following information as appropriate)*

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	**28,248 gsf**	**575 gsf**	**1,195 gsf**	**N/A**
Type (e.g. retail, office, school)	**55 Dwelling Units** units	**Local Retail**	**To be determined**	**N/A**

Does the proposed project increase the population of residents and/or on-site workers? YES ☑ NO ☐ Number of additional residents? **91** Number of additional workers? **6*****

Provide a brief explanation of how these numbers were determined: **1.66 residents per household* x 55 dwelling units = 91 residents****

Does the project create new open space? YES ☑ NO ☐ **Accessory 8th floor rooftop terrace: approx. 792 sf, public ground floor open space: approx. 668 sf.**

Using Table 14-1, estimate the project's projected operational solid waste generation, if applicable: **2,729 pounds per week** (pounds per week)

Using energy modeling or Table 15-1, estimate the project's projected energy use: **3.44 billion annual BTUs** (annual BTUs)

Has a No-Action scenario been defined for this project that differs from the existing condition? YES ☐ NO ☑ If 'Yes,' see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

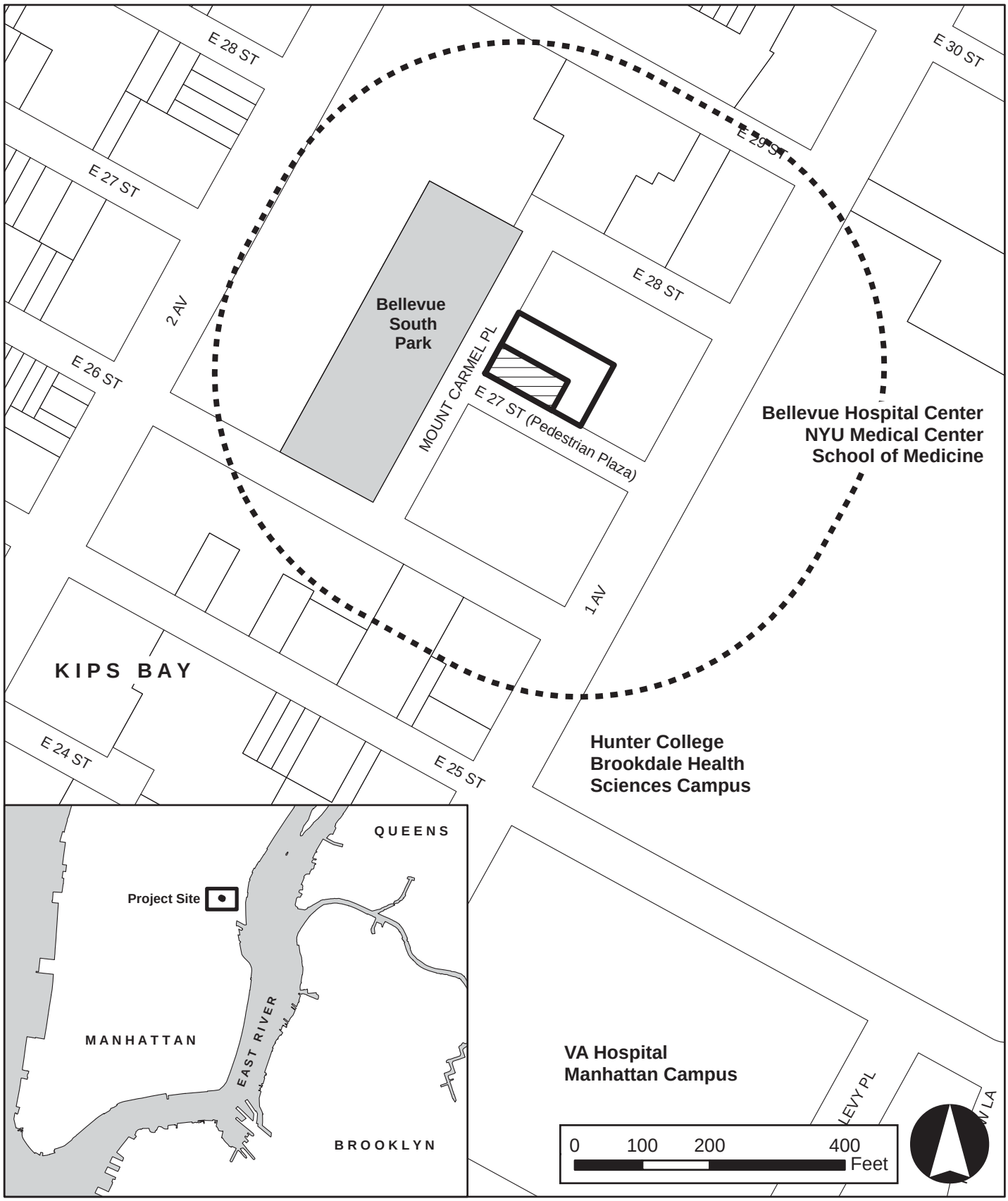
* **Source: Demographic Profile - New York City Community Districts, Manhattan Community District 6, 2010, U.S. Census 2010.**

** **Due to the small unit size it can be assumed that the average number of persons per household in the proposed building would be below the rate for Manhattan Community District 6. However, for conservative CEQR analysis purposes 91 residents are assumed.**

*** **Assumption: Retail and community facility employees: 3 per 1,000 sf (=2 retail employees/575 gsf and 4 community facility employees/1,195 gsf).**

Figure 1

Location Map



Legend

Project Site

Rezoning Area

400-Foot Radius

Figure 2

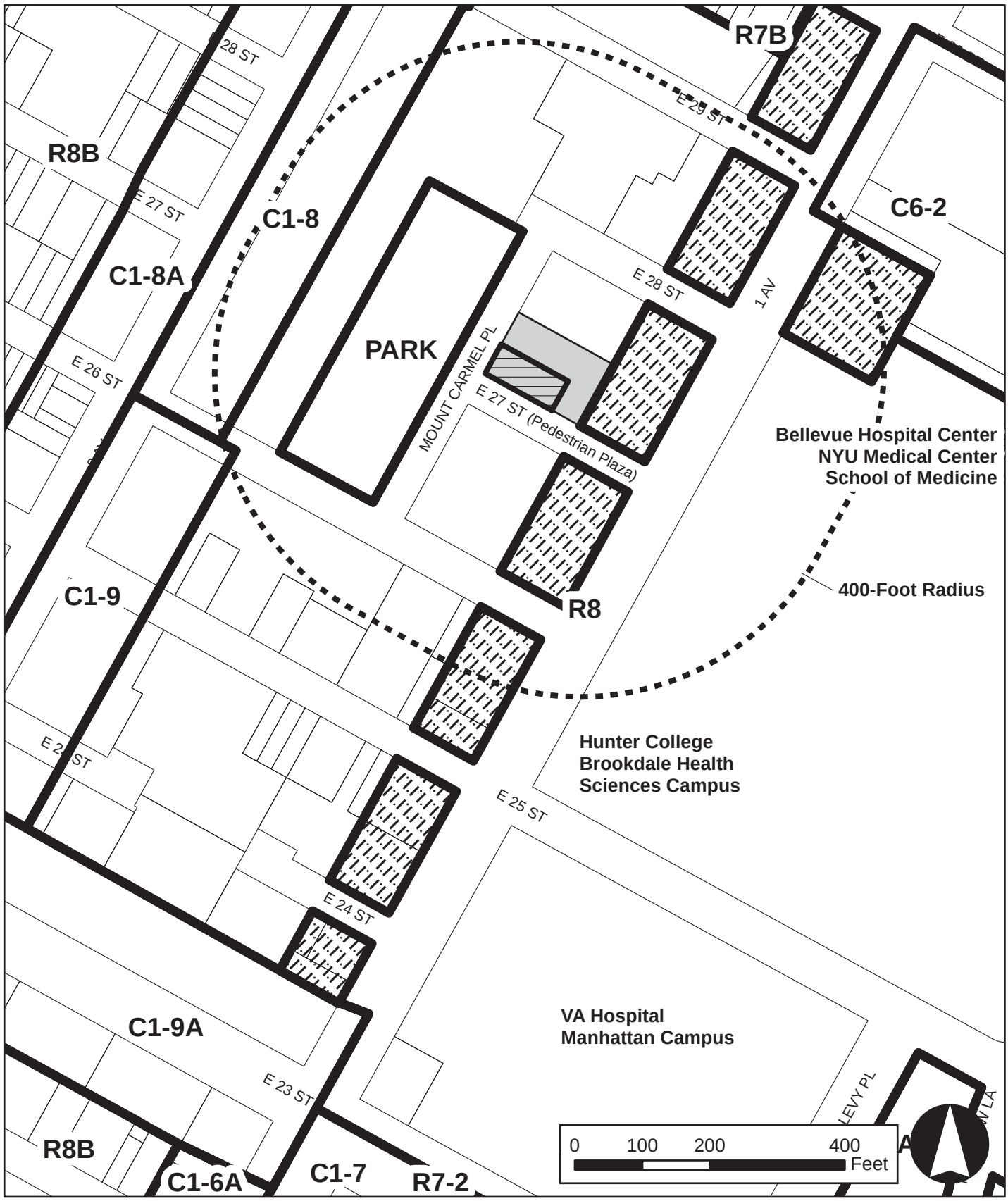
Land Use Map

Legend

- Project Site
- Rezoning Area
- 400-Foot Radius
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutional
- Open Space
- Parking Facilities
- Vacant Land
- Unknown

Figure 3

Zoning Map



Legend

Project Site | Rezoning Area | **R8** Zoning Districts | C2-5 Commerical Overlay

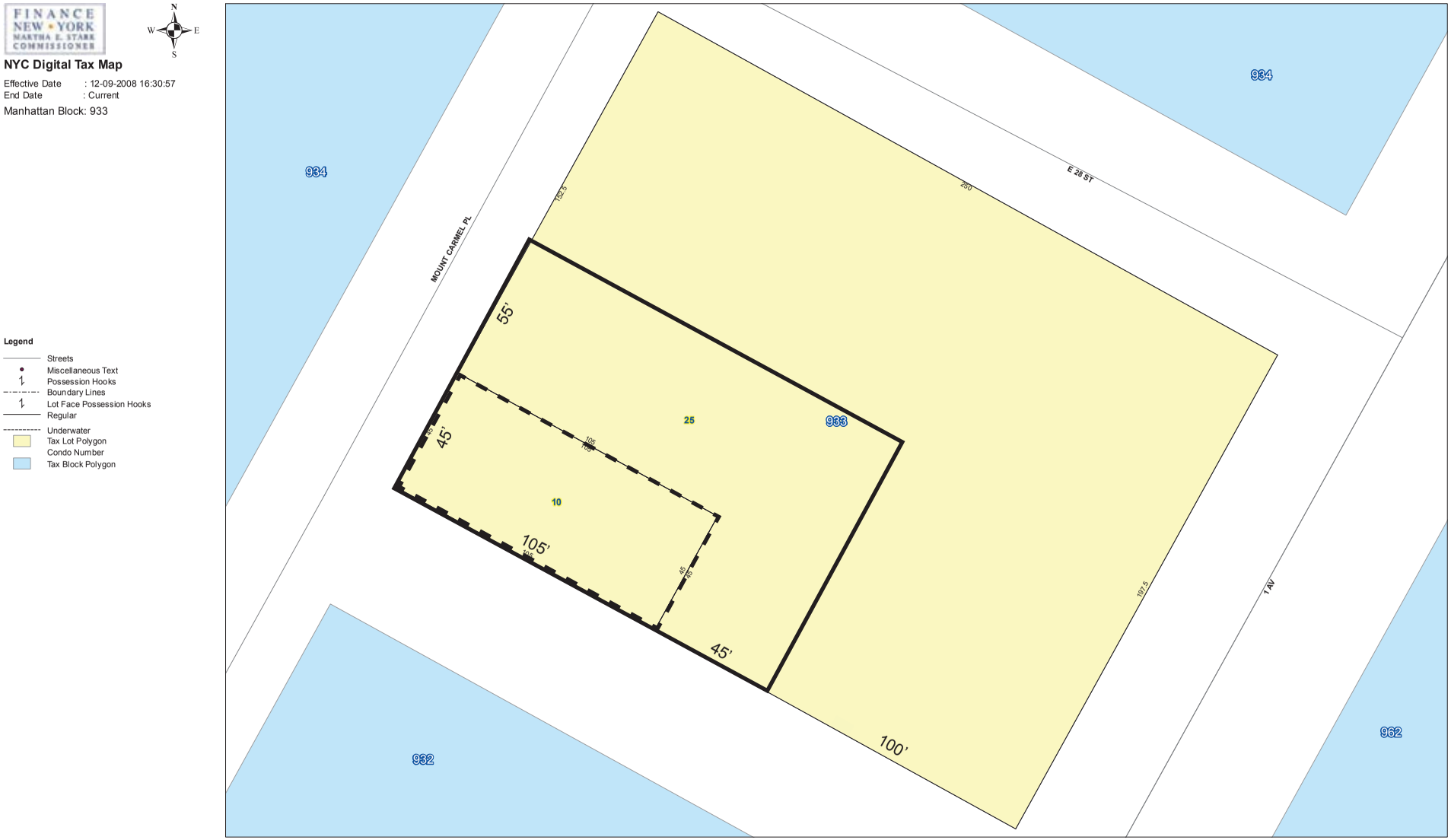
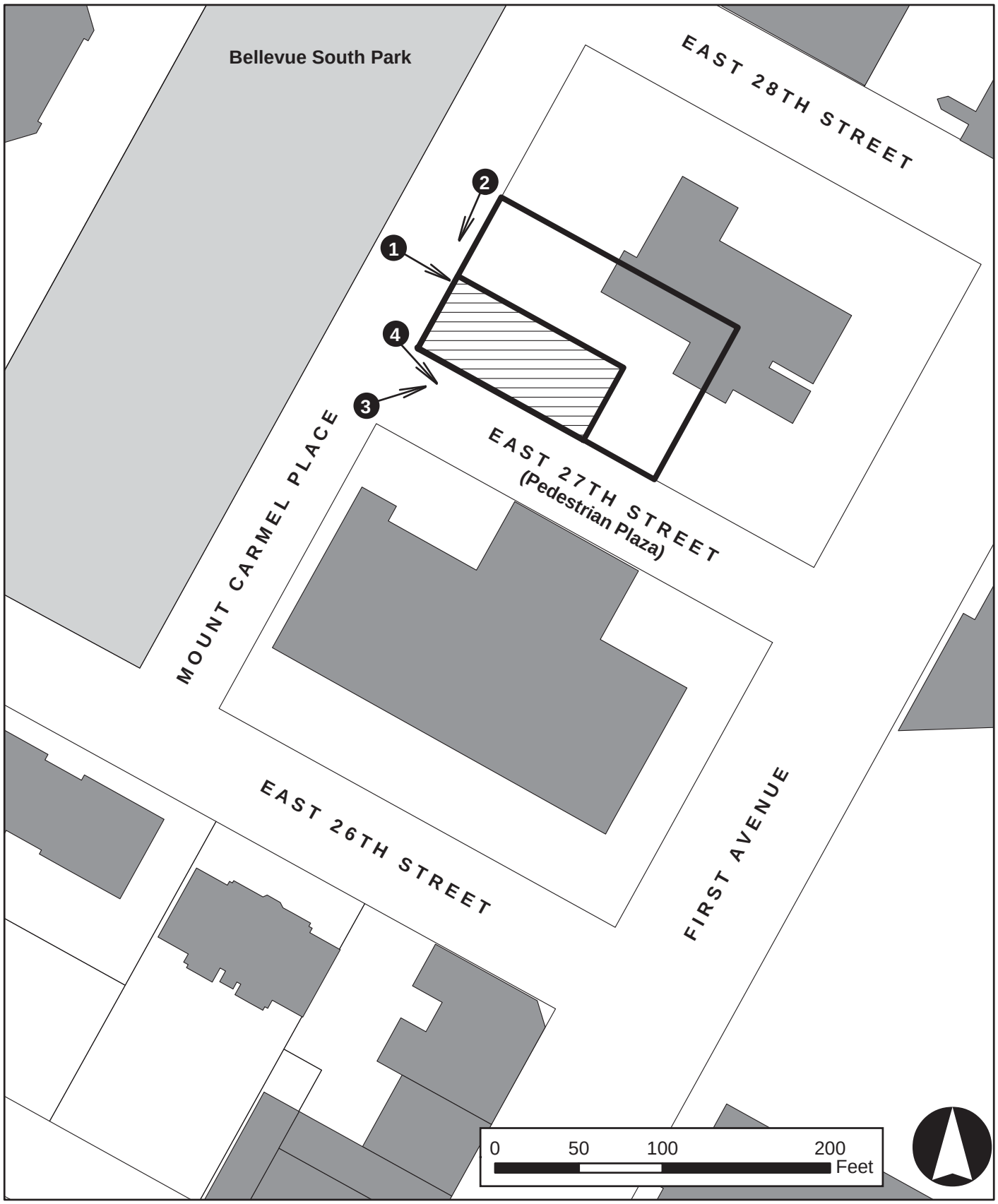

FINANCE NEW YORK
MARTHA E. STARK COMMISSIONER
NYC Digital Tax Map
Effective Date : 12-09-2008 16:30:57
End Date : Current
Manhattan Block: 933
N
W
E
S
Legend
Streets
Miscellaneous Text
Possession Hooks
Boundary Lines
Lot Face Possession Hooks
Regular
Underwater
Tax Lot Polygon
Condo Number
Tax Block Polygon
934
934
MOUNT CARMEL PL
E 28 ST
1 AV
932
962
933
25
10
55'
45'
105'
45'
100'
Legend
Proposed Rezoning Area (includes Lot 10 and a portion of Lot 25)
Project Site (Lot 10)
Feet
02.55 10 15 20

Figure 5

Key Map



Legend

Project Site

Rezoning Area

1 Refers to photo numbers in Figure 6

1 View of the Project Site looking east from Mount Carmel Place

2 Looking southeast along the Project Site's Mount Carmel Place frontage

3 Looking northeast along the Project Site's East 27th Street frontage. The East 27th Street Pedestrian Plaza is visible in the foreground of the photo.

4 Looking northwest from First Avenue towards the East 27th Street Pedestrain Plaza. The Project Site is visible in the background.

10. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (DATE THE PROJECT WOULD BE COMPLETED AND OPERATIONAL):	ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS:
The proposed building is expected to be complete and operational in early 2015.	**Approximately 12 months**

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES ✓ NO ☐ | IF MULTIPLE PHASES, HOW MANY PHASES: **N/A**

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

11. *What is the Predominant Land Use in Vicinity of Project?* *(Check all that apply)*

✓ RESIDENTIAL ☐ MANUFACTURING ✓ COMMERCIAL ✓ PARK/FOREST/OPEN SPACE ✓ OTHER, Describe: **Institutional**

PART II: TECHNICAL ANALYSES

INSTRUCTIONS: The questions in the following table refer to the thresholds for each analysis area in the respective chapter of the CEQR Technical Manual.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the '**NO**' box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the '**YES**' box.
- Often, a 'Yes' answer will result in a preliminary analysis to determine whether further analysis is needed. For each 'Yes' response, consult the relevant chapter of the CEQR Technical Manual for guidance on providing additional analyses (and attach supporting information, if needed) to determine whether detailed analysis is needed. Please note that a 'Yes' answer does not mean that an EIS must be prepared—it often only means that more information is required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant either to provide additional information to support this Short EAS Form or complete a Full EAS Form. For example, if a question is answered 'No,' an agency may request a short explanation for this response. In addition, if a large number of the questions are marked 'Yes,' the lead agency may determine that it is appropriate to require completion of the Full EAS Form.

	YES	NO
1. *LAND USE, ZONING AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use or zoning that is different from surrounding land uses and/or zoning? Is there the potential to affect an applicable public policy? If "Yes", complete a preliminary assessment and attach.	✓	
(b) Is the project a large, publicly sponsored project? If "Yes", complete a PlaNYC assessment and attach.		✓
(c) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? If "Yes", complete the Consistency Assessment Form. **Refer to Attachment C, "Land Use, Zoning and Public Policy"**		✓
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
• Generate a net increase of 200 or more residential units?		✓
• Generate a net increase of 200,000 or more square feet of commercial space?		✓
• Directly displace more than 500 residents?		✓
• Directly displace more than 100 employees?		✓
• Affect conditions in a specific industry?		✓
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Does the proposed project exceed any of the thresholds outlined in Table 6-1 of Chapter 6?		✓
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?		✓
(b) Is the proposed project within an underserved area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? If "Yes," would the proposed project generate 50 or more additional residents?		✓
If "Yes," would the proposed project generate 125 or more additional employees? **N/A**		
(c) Is the proposed project in a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? If "Yes," would the proposed project generate 300 or more additional residents?		✓
If "Yes," would the proposed project generate 750 or more additional employees? **N/A**		
(d) If the proposed project is not located in an underserved or well-served area, would the proposed project generate: 200 or more additional residents?		✓
500 additional employees?		✓

	YES	NO
5. *SHADOWS:* CEQR Technical Manual Chapter 8 — **Refer to Attachment D, "Shadows"**		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	✓	
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	✓	
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9 — **Refer to NYC LPC Letter in Appendix 2**		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for, or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; is listed or eligible for listing on the New York State or National Register of Historic Places; or is within a designated or eligible New York City, New York State, or National Register Historic District?		✓
If "Yes," list the resources and attach supporting information on whether the project would affect any of these resources. **N/A**		
7. *URBAN DESIGN*: CEQR Technical Manual Chapter 10 — **Refer to Attachment E, "Urban Design and Visual Resources"**		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	✓	
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources that is not currently allowed by existing zoning?		✓
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Is any part of the directly affected area within the Jamaica Bay Watershed? If "Yes," complete the Jamaica Bay Watershed Form.		✓
(b) Does the proposed project site or a site adjacent to the project contain natural resources as defined in section 100 of Chapter 11? If "Yes," list the resources and attach supporting information on whether the project would affect any of these resources.		✓
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12 — **Refer to Attachment B, "Supplemental Screening"**		
(a) Would the project allow commercial or residential use in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	✓	
(b) Does the project site have existing institutional controls (*e.g.* (E) designations or a Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?		✓
(c) Would the project require soil disturbance in a manufacturing zone or any development on or near a manufacturing zone or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?		✓
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	✓	
(e) Would the project result in development where underground and/or aboveground storage tanks (*e.g.* gas stations) are or were on or near the site?		✓
(f) Would the project result in renovation of interior existing space on a site with potential compromised air quality, vapor intrusion from on-site or off-site sources, asbestos, PCBs or lead-based paint?		✓
(g) Would the project result in development on or near a government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, municipal incinerators, coal gasification or gas storage sites, or railroad tracks and rights-of-way?		✓
(h) Has a Phase I Environmental Site Assessment been performed for the site? If 'Yes," were RECs identified? Briefly identify: **RECs were identified (see Attachment B, "Hazardous Materials").**	✓	
10. *INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the proposed project result in water demand of more than one million gallons per day?		✓
(b) Is the proposed project located in a combined sewer area and result in at least 1,000 residential units or 250,000 SF or more of commercial space in Manhattan or at least 400 residential units or 150,000 SF or more of commercial space in the Bronx, Brooklyn, Staten Island or Queens?		✓
(c) Is the proposed project located in a separately sewered area and result in the same or greater development than that listed in Table 13-1 of Chapter 13?		✓
(d) Would the project involve development on a site five acres or larger where the amount of impervious surface would increase?		✓
(e) Would the project involve development on a site one acre or larger where the amount of impervious surface would increase and is located within the Jamaica Bay Watershed or in certain specific drainage areas including: Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek?		✓
(f) Is the project located in an area that is partially sewered or currently unsewered?		✓
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a WWTP and/or generate contaminated stormwater in a separate storm sewer system?		✓
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?		✓
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?		✓
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?		✓

	YES	NO
1□. ***ENERGY***: *CEQR Technical Manual Chapter 15*		
(a) Would the proposed project affect the transmission or generation of energy?		✓
1□. ***TRANSPORTATION***: *CEQR Technical Manual Chapter 16*		
(a) Would the proposed project exceed any threshold identified in Table 16-1 of Chapter 16?		✓
(b) If "Yes," conduct the screening analyses, attach appropriate back up data as needed for each stage, and answer the following questions:		
(1) Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? If "Yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection?		
***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16, "Transporation," for information.*		
(2) Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour? If "Yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?		
(3) Would the proposed project result in more than 200 pedestrian trips per project peak hour? If "Yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?		
14. ***AIR QUALITY***: *CEQR Technical Manual Chapter 17* **Refer to Attachment B, "Supplemental Screening"**		
(a) *Mobile Sources:* Would the proposed project result in the conditions outlined in Section 210 of Chapter 17?		✓
(b) *Stationary Sources:* Would the proposed project result in the conditions outlined in Section 220 of Chapter 17?	✓	
If 'Yes,' would the proposed project exceed the thresholds in the Figure 17-3, Stationary Source Screen Graph? (attach graph as needed)		✓
(c) Does the proposed project involve multiple buildings on the project site?		✓
(d) Does the proposed project require Federal approvals, support, licensing, or permits subject to conformity requirements?		✓
(e) Does the proposed project site have existing institutional controls (*e.g.* E-designations or a Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?		✓
15. ***GREENHOUSE GAS EMISSIONS***: *CEQR Technical Manual Chapter 18*		
(a) Is the proposed project a city capital project, a power plant, or would fundamentally change the City's solid waste management system?		✓
(b) If "Yes," would the proposed project require a GHG emissions assessment based on the guidance in Chapter 18? **N/A**		
16. ***NOISE***: *CEQR Technical Manual Chapter 19* **Refer to Attachment F, "Noise"**		
(a) Would the proposed project generate or reroute vehicular traffic?	✓	
(b) Would the proposed project introduce new or additional receptors (see Section 124 of Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?		✓
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?		✓
(d) Does the proposed project site have existing institutional controls (*e.g.* E-designations or a Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?		✓
17. ***PUBLIC HEALTH***: *CEQR Technical Manual Chapter 20*		
(a) Would the proposed project warrant a public health assessment based upon the guidance in Chapter 20?		✓
18. ***NEIGHBORHOOD CHARACTER***: *CEQR Technical Manual Chapter 21*		
(a) Based upon the analyses conducted for the following technical areas, check yes if any of the following technical areas required a detailed analysis: Land Use, Zoning, and Public Policy, Socioeconomic Conditions, Open Space, Historic and Cultural Resources, Urban Design and Visual Resources, Shadows, Transportation, Noise	✓	
If "Yes," explain here why or why not an assessment of neighborhood character is warranted based on the guidance of in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		

As shown in the analyses to follow, the proposed actions would not have the potential to result in any significant adverse impacts in Land Use, Zoning and Public Policy (refer to Attachment C), Shadows (refer to Attachment D), Urban Design and Visual Resources (refer to Attachment E), and Noise (refer to Attachment F); nor would it result in a combination of moderate effects to the several elements that cumulatively may affect neighborhood character. Therefore, a preliminary assessment of neighborhood character is not required.

		YES	NO
19.	***CONSTRUCTION IMPACTS:*** *CEQR Technical Manual Chapter 22* Would the project's construction activities involve (check all that apply):		
	• Construction activities lasting longer than two years;		✓
	• Construction activities within a Central Business District or along an arterial or major thoroughfare;		✓
	• Require closing, narrowing, or otherwise impeding traffic, transit or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc);	✓	
	• Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out;		✓
	• The operation of several pieces of diesel equipment in a single location at peak construction;		✓
	• Closure of community facilities or disruption in its service;		✓
	• Activities within 400 feet of a historic or cultural resource; or		✓
	• Disturbance of a site containing natural resources.		✓

If any boxes are checked, explain why or why not a preliminary construction assessment is warranted based on the guidance of in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

The proposed actions would result in the construction of a mixed-use residential, local retail, and community facility building on the project site. The proposed micro-units development would be constructed in a time period of approximately 12 months, and is expected to be operational in 2015. The crane placement, construction staging and scaffolding assemblies would require the type of routine curbside lane and partial sidewalk closures typically fully addressed by a permit (and pedestrian access plan) required by the New York City Department of Transportation's Office of Construction Mitigation and Coordination (NYCDOT-OCMC) so that impacts are not expected to occur. The proposed actions are not expected to result in any significant adverse construction impacts.

20. ***APPLICANT'S CERTIFICATION***

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the

Alphonse Lembo of **Monadnock Development LLC**

APPLICANT/SPONSOR SIGNATURE NAME THE ENTITY OR OWNER

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by: ☑ APPLICANT/REPRESENTATIVE or ☐ LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

Philip A. Habib

APPLICANT'S ENVIRONMENTAL CONSULTANT

LEAD AGENCY REPRESENTATIVE NAME:

SIGNATURE:

March 4, 2013

DATE:

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

PART III: DETERMINATION OF SIGNIFICANCE (To Be Completed By Lead Agency)

INSTRUCTIONS:
In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY §6-06 (Executive Order 91 of 1977, as amended) which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant effect on the environment. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potential Significant Adverse Impact	
	YES	NO
Land Use, Zoning, and Public Policy		
Socioeconomic Conditions		
Community Facilities and Services		
Open Space		
Shadows		
Historic and Cultural Resources		
Urban Design / Visual Resources		
Natural Resources		
Hazardous Materials		
Water and Sewer Infrastructure		
Solid Waste and Sanitation Services		
Energy		
Transportation		
Air Quality		
Greenhouse Gas Emissions		
Noise		
Public Health		
Neighborhood Character		
Construction Impacts		

☐. Are there any aspects of the project relevant to the determination whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the project may have a significant impact on the environment.

☐. ***LEAD AGENCY CERTIFICATION***

TITLE _____ LEAD AGENCY _____

NAME _____ SIGNATURE _____

☐ **Check this box if the lead agency has identified one or more potentially significant adverse impacts that MAY occur.**

☐ Issue ***Conditional Negative Declaration***

A ***Conditional Negative Declaration*** (□□□) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements in 6 NYCRR 617.

☐ Issue ***Positive Declaration*** and proceed to a draft scope of work for the Environmental Impact Statement.

If the lead agency has determined that the project may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency issues a ***Positive Declaration***.

NEGATIVE DECLARATION (To Be Completed By Lead Agency)

Statement of No Significant Effect

Pursuant to 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 and 6NYCRR, Part 617, State Environmental Quality Review, the [ ] assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the [ ] has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS that finds, because the proposed project:

No other signficant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE

LEAD AGENCY

NAME

SIGNATURE

ATTACHMENT A
PROJECT DESCRIPTION

I. INTRODUCTION

This attachment provides a detailed description of the proposed actions and resultant development, including project site location, existing conditions of the project site, project purpose and need, the proposed development, and the governmental approvals required for implementation. The proposal involves an application by the New York City Department of Housing Preservation and Development (HPD) designated applicant, a partnership between Monadnock Development LLC and Actors Fund Housing Development Corporation (AFHDC), for several discretionary actions, including the following: the disposition of City-owned property to the applicant, a zoning map amendment to extend the existing C2-5 commercial overlay on the subject block west along East 27th Street to Mount Carmel Place, and approval and designation of the project site as an Urban Development Action Area Project (UDAAP). In addition, the applicant is seeking a Mayoral Zoning Bulk Override (collectively, "the proposed actions").

The proposed actions would facilitate the construction of an approximately 30,018 gross square foot[1] (gsf) 9-story mixed-use development with 55 residential micro-units[2], and ground floor local retail and community facility uses ("the micro-units development") at 335 East 27th Street (Lot 10, Block 933) in the Kips Bay neighborhood of Manhattan Community District 6. As shown in Figure A-1, the project site is approximately 4,725 sf of City-owned property at the southwestern corner of a block bounded by East 27th Street to the south, Mount Carmel Place to the west, East 28th Street to the north, and First Avenue to the east. The proposed micro-units development would replace a former parking lot on the northeast corner of Mount Carmel Place and East 27th Street with a mix of residential, local retail, and community facility uses. Of the 55 residential micro-units, 22 units would be affordable to middle income tenants and 33 units would be market rate (inclusive of one superintendent's unit).

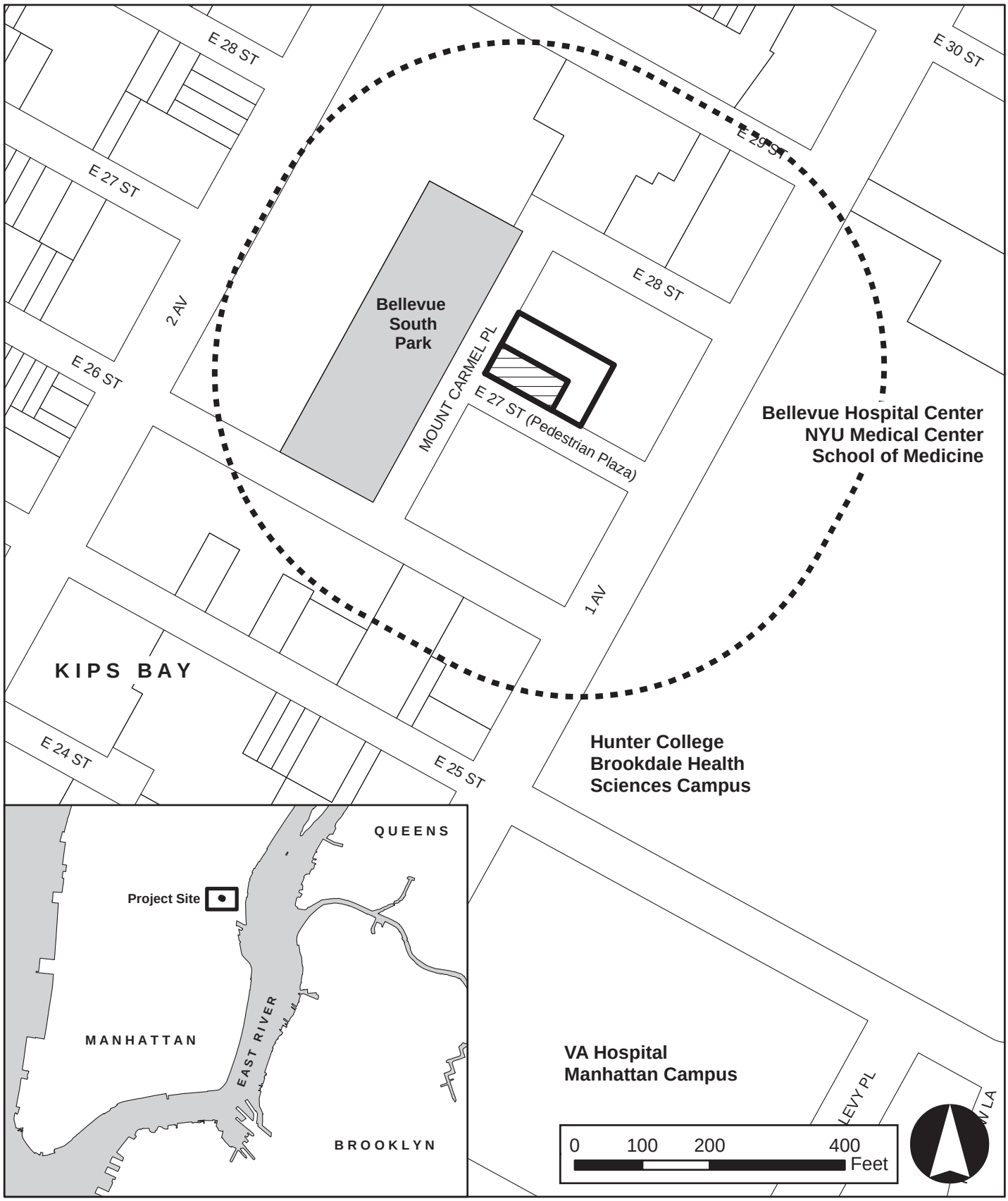
The construction of the proposed micro-units development is expected to commence at the end of 2013, and continue for approximately 12 months, with anticipated completion at the end of 2014, and building occupation in early 2015. Therefore, the analysis year used throughout this document is 2015.

The proposed rezoning area would include the project site (Lot 10), which would be conveyed to the applicant as part of the proposed actions, and a portion of Lot 25, which is City owned and not in control by the applicant (refer to Figure A-2). Lot 25 is currently owned by the New York City Housing Authority (NYCHA), and is occupied by a single 26-story multi-family residential building and accessory open space. As explained in more detail later in the document, the proposed zoning change from R8 to R8/C2-5 would allow for commercial uses up to a maximum floor area ratio (FAR) of 2.0 in the rezoning area. However, as Lot 25 is

[1] The proposed 30,018 gsf are above grade and do not include mechanical bulkhead area.
[2] The proposed residential micro-units would be smaller than the currently required minimum area of 400 sf for residential dwelling units pursuant to ZR Section 28-21.

Figure A-1

Location Map



Legend

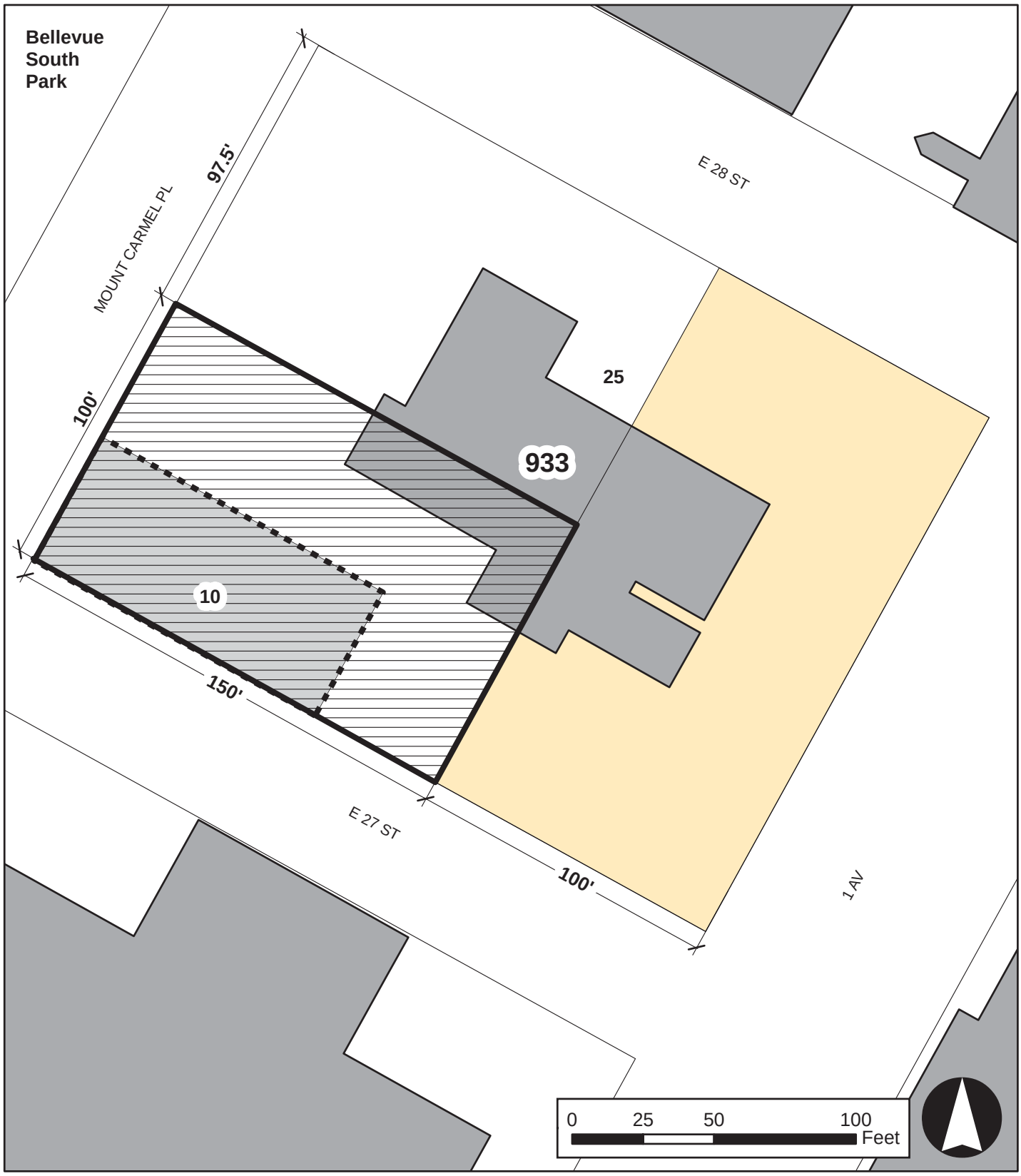
Project Site

Rezoning Area

400-Foot Radius

Figure A-2

Proposed Rezoning Area



Legend

- Project Site
- Area to be rezoned from R8 to R8/C2-5
- Existing Buildings
- Existing C2-5 Commercial Overlay along First Avenue
- **933** Block Number
- **10** Lot Number

City-owned property that is occupied by the 26-story NYCHA residential development, it would not be considered as projected or potential development site in the reasonable worst case development scenario (RWCDS). As a result, the applicant's proposal is the only known development proposal in the rezoning area and therefore represents the RWCDS.

II. EXISTING CONDITIONS

The Project Site

The project site, located at 335 East 27th Street (Lot 10 on Block 933) in the Kips Bay neighborhood, is currently City-owned and under HPD's jurisdiction. It encompasses approximately 4,725 square feet (sf) with approximately 105 feet of frontage on the north side of East 27th Street and approximately 45 feet of frontage on the east side of Mount Carmel Place (refer to the tax map in Figure 4 in the EAS Form). The project site is located within an R8 residential zoning district (refer to Figure A-3).

The project site is bounded by the east sidewalk of Mount Carmel Place to the west, East 27th Street to the south, the NYCHA property to the east and north (a playground and planted area, respectively). The portion of East 27th Street between Mount Carmel Place and First Avenue is closed to vehicular traffic, and designed as a pedestrian plaza with distinct pavement (red pavers), street trees, benches, and lights (refer to photos #3 and #4 in Figure 6 in the EAS Form). The pedestrian plaza is under the jurisdiction of the New York City Department of Parks and Recreation. Until recently, the project site was utilized as an at-grade parking lot with access from Mount Carmel Place, and is currently vacant. The project site is currently surrounded by a construction fence, and construction-related equipment and materials were observed on the project site. The project site surface is asphalt, at the same elevation as the adjacent sidewalk of Mount Carmel Place and the East 27th Street pedestrian plaza.

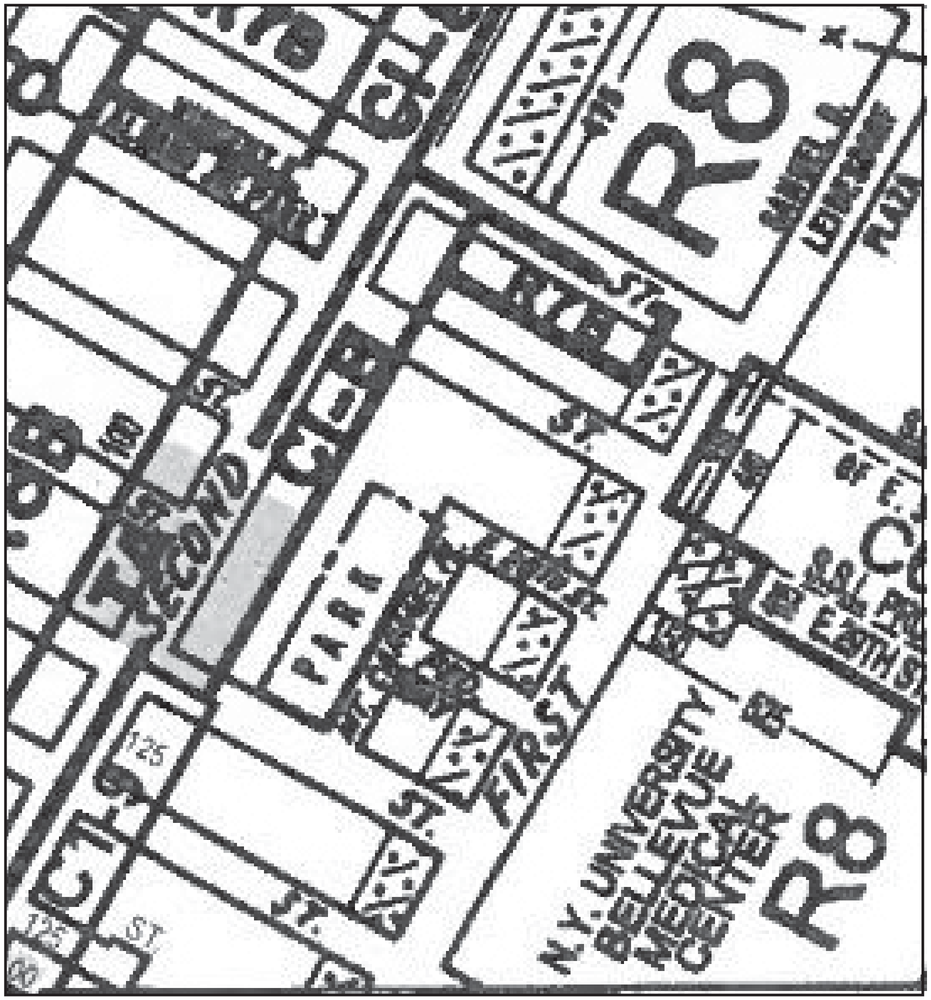
The Rezoning Area

As shown in Figure A-2, the proposed 15,000 sf rezoning area comprises the 4,725 sf project site and an approximately 10,275 sf of the southwestern portion of Lot 25. Lot 25 is currently owned by NYCHA and occupied by a single 26-story multi-family residential building with 225 dwelling units (DUs), which was built in 1970. Lot 25 is also zoned R8 and a C2-5 commercial overlay is mapped along the west side of First Avenue to a depth of 100 feet between East 27th and East 28th Streets (see Figure A-2).

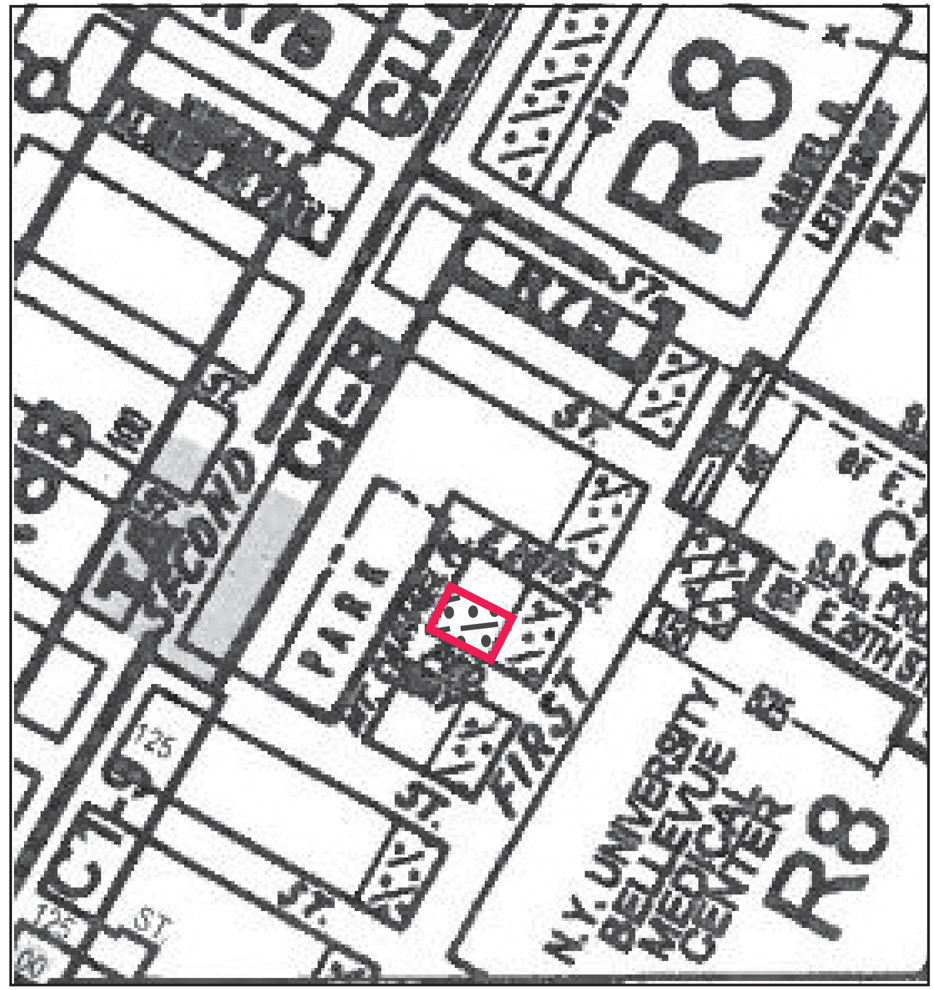
The portion of Lot 25 contained in the rezoning area includes the southwestern portion of the 26-story residential building and planted areas that mainly consist of shadow-tolerant mid-sized bushes and old trees in wood chip covered soil and old to the north of the project site, and a playground area with play equipment to the east of the project site.

The proposed rezoning area is currently zoned R8. R8 districts are high density, typically apartment house districts that allow a maximum residential FAR of 6.02 (up to 7.02 for Quality Housing on a wide street in Manhattan core). Community facilities are allowed up to an FAR

Existing R8 Zoning



Proposed R8/C2-5 Zoning



Proposed rezoning area

Proposed C2-5 Commercial Overlay

of 6.5. R8 districts allow Use Groups 1 to 4 as-of-right. In R8 zoning districts located in Manhattan south of 96th Street, there are no parking requirements.

III. BACKGROUND, PROJECT PURPOSE AND NEED

In July 2012, Mayor Bloomberg launched the *adAPT NYC* initiative, which is part of the New Housing Marketplace Plan, a multi-billion dollar initiative to finance 165,000 units of affordable housing by the close of Fiscal Year 2014. According to a press release from January 22, 2013, with every dollar invested by the City, the New Housing Marketplace Plan has leveraged $3.42 in private funding for a total commitment of more than $20 billion to fund the creation and preservation of over 140,920 affordable housing units across the five boroughs.

The City held the *adAPT NYC* competition, "a pilot program to develop a new housing model for the City's growing small-household population". According to the latest housing statistics, New York City has 1.8 million one- and two-person households, but the housing market currently only provides one million studios and one-bedroom apartments. The goal of *adAPT NYC* is to accommodate the existing demand for small-scale apartments by single and two-person households, and to create additional choices within New York City's housing market to address the City's changing demographics. The Mayor stated that it is critical to the continued growth, future competitiveness, and long-term economic success of the City to ensure that new housing correlates to how New Yorkers live today.

A request for proposals (RFP) was issued by HPD for the design, construction, and operation of the first residential micro-units development in New York City, to be located at 335 East 27th Street in the Kips Bay neighborhood of Manhattan. The aim of this competition was to develop innovative apartment types for small households that could be replicated in other locations and contexts to further expand and diversify the City's housing stock.

The applicant for the EAS, Monadnock Development LLC and AFHDC, was selected for this project. The applicant's sister company, CAPSYS Corp., manufactures exceptional large-scale fireproof steel and concrete modular residential units in its factory, located in the Brooklyn Navy Yard. These extremely versatile and entirely non-combustible modules can be used to construct buildings up to twelve stories tall. Using modular construction can reduce the project construction schedule up to 50 percent, resulting in savings on financing and an earlier return on investment. Modular construction can also save 5 to 8 percent of conventional construction costs. For this project, the applicant has teamed up with the Actors Fund Housing Development Corporation.

The proposed actions would facilitate a pilot project of the first residential micro-units development in New York City. It would enable the applicant to develop a currently underutilized City-owned property with a new 9-story predominantly residential building with ground floor local retail and community facility uses. The proposed micro-units development would add 55 residential micro-units, with 22 affordable units to middle income households increasing the affordable housing stock in the Kips Bay neighborhood as well as in Manhattan as a whole. In addition, the availability of local retail and community facility space in the Kips Bay neighborhood would be enhanced by the proposed development.

IV. DESCRIPTION OF THE PROPOSED ACTIONS

Disposition of City-Owned Property

Lot 10 on Manhattan Block 933 (the project site) is currently owned by the City and under the jurisdiction of HPD. This application proposes that HPD would convey Lot 10 to the applicant via a disposition of City-owned property (approximately 4,725 sf). Therefore, upon approval of the disposition, the applicant would be the long-term owner of the disposed property. This action requires Uniform Land Use Review Procedure (ULURP) approval.

Zoning Map Amendment

The proposed zoning map amendment would change the existing zoning on the project site (Lot 10) and on a portion of Lot 25, from R8 to R8/C2-5. Table A-1 shows the lots and areas affected by the proposed rezoning. As shown in Figure A-2, the existing C2-5 commercial overlay already extending along the west side of First Avenue between East 27th and East 28th Streets would be extended to the west along the north side of East 27th Street mapped to a depth of 100 feet to Mount Carmel Place.

Table A-1
Lots on Block 933 Affected by the Proposed Rezoning from R8 to R8/C2-5

Lot	Total Lot Area	Lot Area Affected by Rezoning
10 (Project Site)	4,725 sf	4,725 sf
25	44,650 sf	10,275 sf (portion)
Total Rezoning Area		**15,000 sf**

Source: NYC Department of Finance Tax Map, December 9, 2008.

The proposed rezoning from R8 to R8/C2-5 would allow local retail on the north side of East 27th Street up to a maximum allowable FAR of 2.0. Residential and community facility uses would continue to be allowed up to FARs of 6.02 and 6.5, respectively. This action requires Uniform Land Use Review Procedure (ULURP) approval (refer to Figure A-3).

Urban Development Action Area Project (UDAAP) Approval and Designation

The project site consists of an underutilized, currently vacant lot, which was formerly used as an at-grade parking lot. Such properties tend to impair or arrest the sound development of the surrounding community, with or without tangible blight. Incentives are needed in order to induce the correction of these substandard, unsanitary and blighting conditions. The proposed micro-units development would protect and promote health and safety and would promote sound growth and development. The project site is therefore eligible to be designated an Urban Development Action Area pursuant to Article 16 of the General Municipal Law.

Therefore, in conjunction with the disposition of City-owned property to facilitate the proposed micro-units development of affordable and market-rate housing, the applicant is seeking project approval and designation of the proposed development as an Urban Development Action Area

Project (UDAAP). The project site, for which the applicant is seeking UDAAP designation is Block 933, Lot 10. This action requires Uniform Land Use Review Procedure (ULURP) approval.

Mayoral Zoning Override

Due to the very unique nature of this project, the applicant is also seeking a Mayoral Zoning Bulk Override for the proposed development to modify requirements of ZR Sections 23-22, 28-21, and 23-633. The Mayoral zoning override would allow for the implementation of a City-led pilot program to develop compact apartments to accommodate small households. The required Mayoral zoning overrides are discussed in more detail below.

Maximum Number of Dwelling Units or Rooming Units (ZR Section 23-22)

The RFP for the project encouraged the utilization of all available FAR on the project site and required that at least 75 percent of all dwelling units would be constructed as micro-units. As micro-units are significantly smaller than typical dwelling units, the combination of these conditions requires that the maximum number of dwelling units allowed pursuant to ZR Section 23-22 be exceeded for the site's R8 zoning. More specifically, pursuant to ZR Section 23-22, the maximum number of dwelling units permitted on the 4,725 sf project site would be 38 DUs. To meet the requirements of the RFP, an override of ZR Section 23-22 is necessary to provide the 55 micro-units in the proposed development.

Size of Dwelling Units (ZR Section 28-21)

Micro-units are by definition smaller in floor area than what the current New York City Zoning Resolution allows. ZR Section 28-21 requires a minimum dwelling unit size of 400 sf for residential developments pursuant to the Quality Housing Program. An override of ZR Section 28-21 would allow the construction of dwelling units with floor area less than the current 400 square foot minimum. The size of the proposed micro-units would range from 250 to 350 gsf.

Street Wall Location, Height and Setback Regulations in Certain Districts (ZR Section 23-633)

For Quality Housing developments in R8 districts, ZR Section 23-633 requires a minimum horizontal setback distance of 15 feet for all portions of buildings that exceed the maximum base height of 80 feet. In addition, such developments are subject to a maximum building height of 105 feet. The proposed micro-units development would be constructed using modular construction, which results in a deeper floor/ceiling assembly. Modular development also would have 9 foot 10 inches floor to ceiling heights for each micro-unit, which is essential in creating a livable and habitable environment. The horizontal setback distance would be 10 feet. These two considerations necessitate an override of ZR Section 23-633, to waive the maximum base height of 80 feet, the maximum building height of 105 feet, and the minimum horizontal setback distance of 15 feet. The proposed building would have a base height of 86 feet, a maximum building height of 111 feet, and would the horizontal setback distance would be 10 feet (the bulkhead roof would be at an elevation of 126 feet and 2 inches).

The approval of all the actions described above would facilitate the redevelopment of the project site, located at 335 East 27th Street, as detailed in the following section.

IV. DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed actions would facilitate the construction of the first residential micro-units development in the City of New York. As shown in Table A-2, the applicant is proposing to construct an approximately 30,018 gsf mixed-use residential, ground floor local retail, and community facility development, which would be located on the project site.

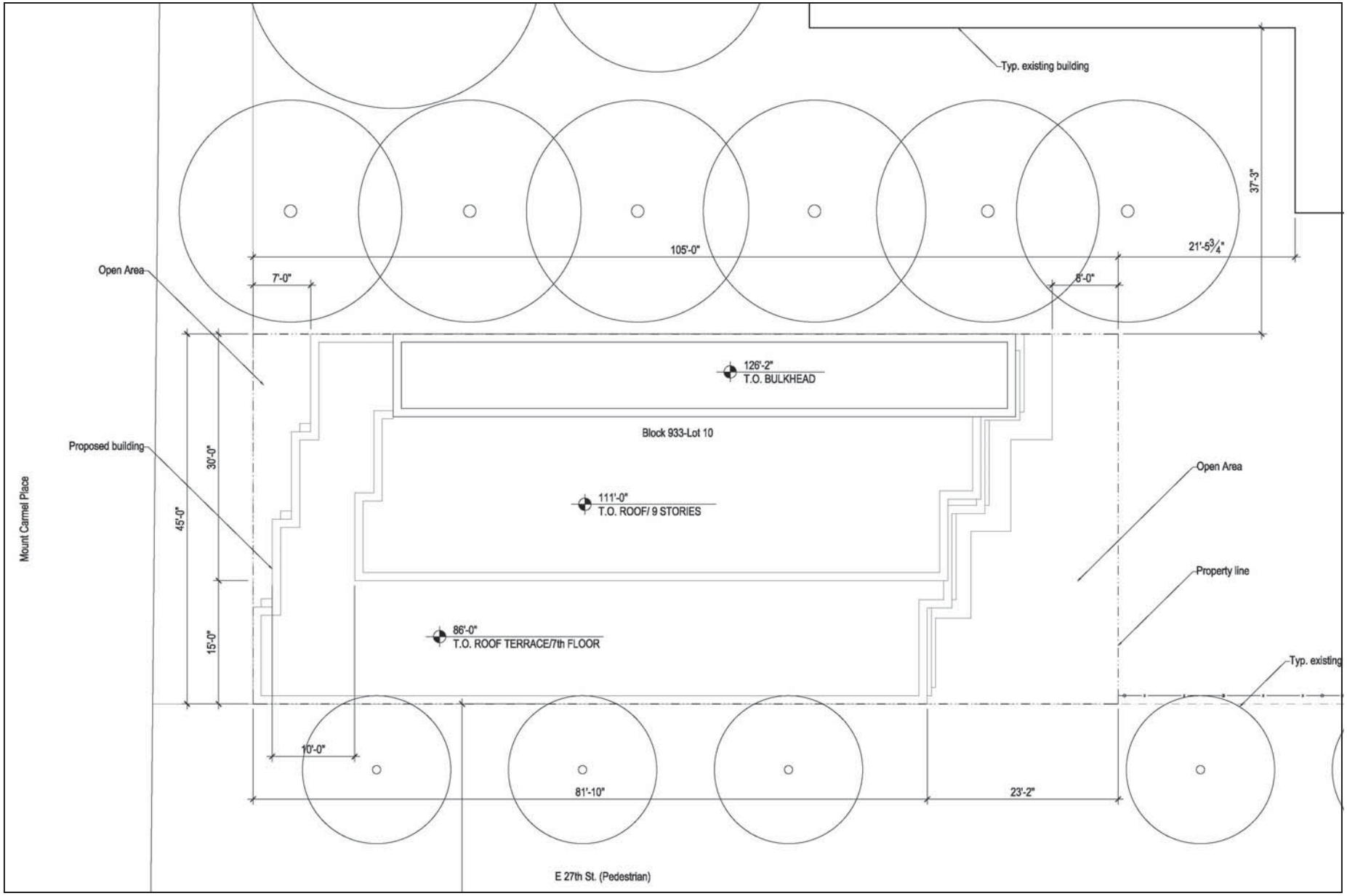
Table A-2
Summary of the Proposed Micro-Units Development by Land Use

Residential	Local Retail	Community Facility	Total Development
28,248 gsf	575 gsf	1,195 gsf	**30,018 gsf**

Source: Monadnock Construction Inc., February 14, 2013.
Note: There are no parking requirements for residential uses in Manhattan south of 96th Street.

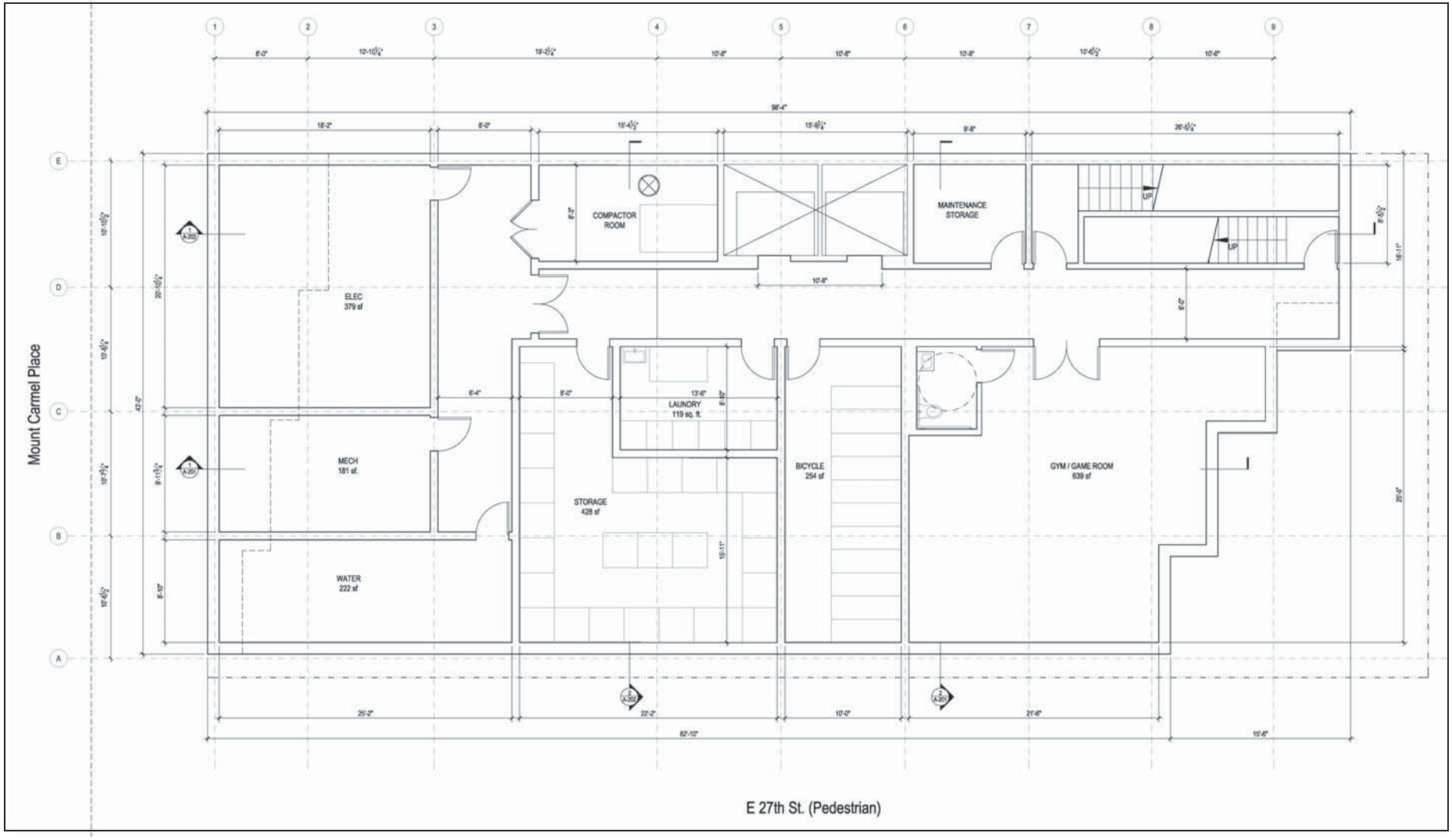
The proposed micro-units development would replace a former at-grade parking lot with a mix of residential, local retail, and community facility uses. The project site would be developed with a 9-story building, including local retail and community facility uses on the ground floor, and 55 residential micro-units on the 2nd through 9th floors. No accessory parking would be provided as part of the proposed development. The proposed site plan is shown in Figure A-4, and floor plans are provided in Figures A-5 through A-10.

As shown in Figure A-4, the proposed development would be built to the lot line in the southwestern corner of the project site. Along Mount Carmel Place, the façade would be set back further north. In the southeastern portion of the project site, public open space would be provided on the project site. As previously discussed, the project site borders Lot 25, which is a NYCHA property occupied by a 26-story multi-family residential building. As shown in Figure A-5, the cellar floor would include a gym/game room, laundry and storage facilities, as well as bike parking accessory to the uses of the proposed building. Figure A-6 shows the ground floor, which would include a local retail space and a community facility space (including foyer and office space), both of which would be accessible from East 27th Street. The residential building entrance and lobby would be located on Mount Carmel Place. A common space accessory to the residential uses of the building would be provided on the ground floor as well. As shown in Figures A-7 (second through 4th floors) and A-8 (fifth trough seventh floors), from the second through the seventh floor there would be eight micro-units per floor. The eight floor would include three micro-units, a common roof terrace, and a salon (refer to Figure A-9), while the ninth floor would include four micro-units (refer to Figure A-10). Building elevations are provided in Figures A-11 and A-12.



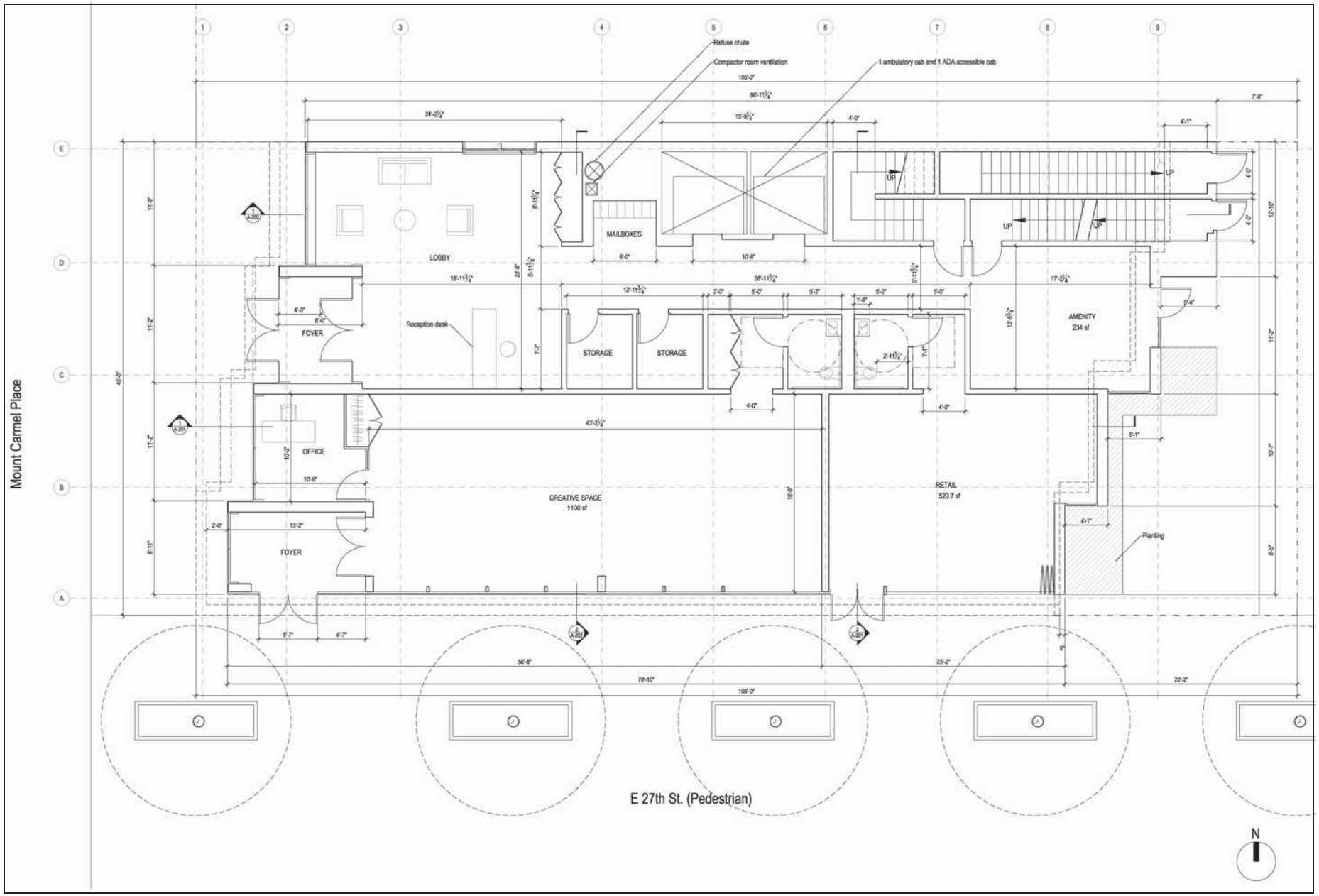
Micro-Units Development EAS

Figure A-4
Proposed Site Plan



Micro-Units Development EAS

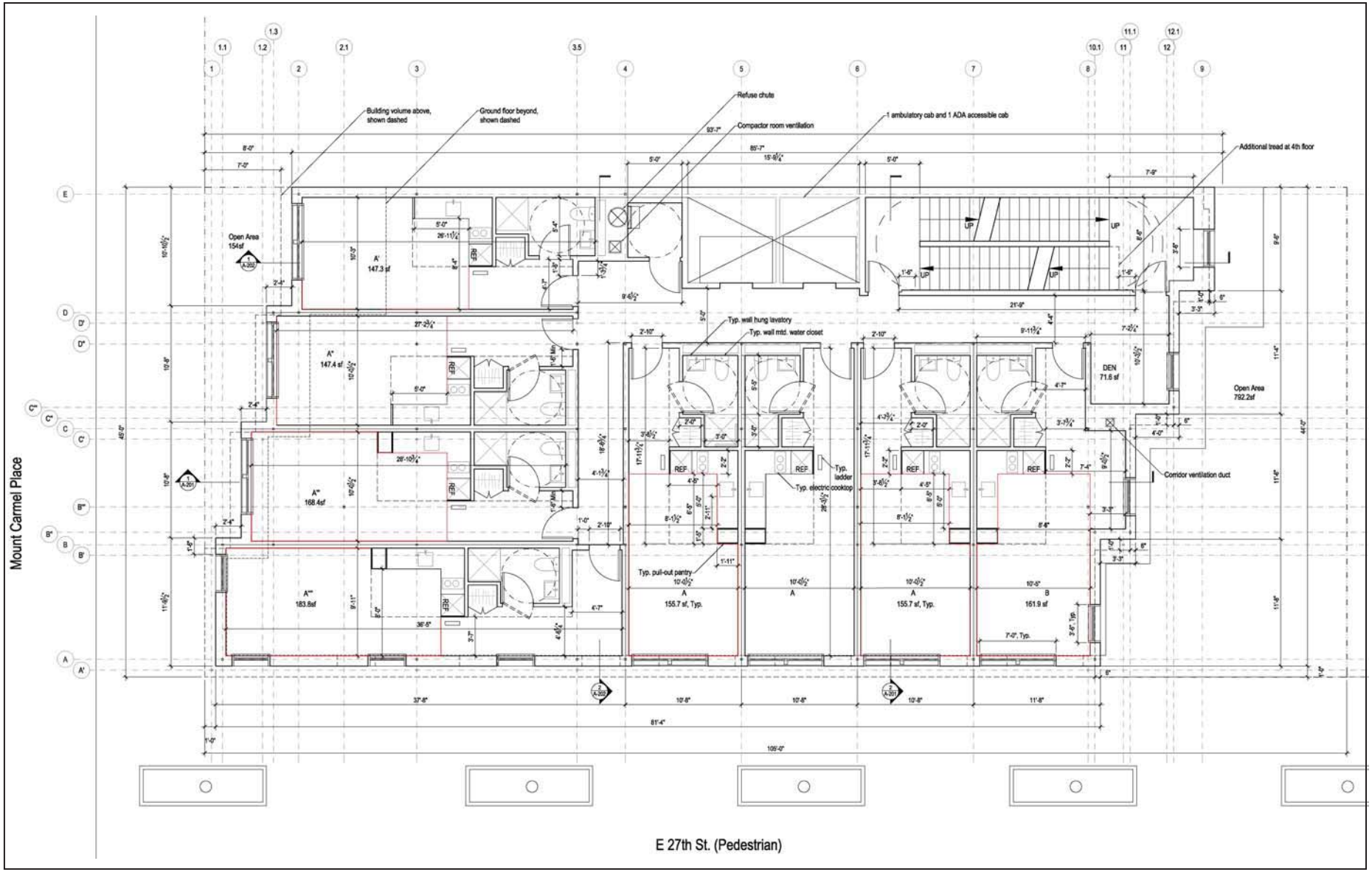
Figure A-5
Proposed Cellar Plan



Micro-Units Development EAS

Figure A-6

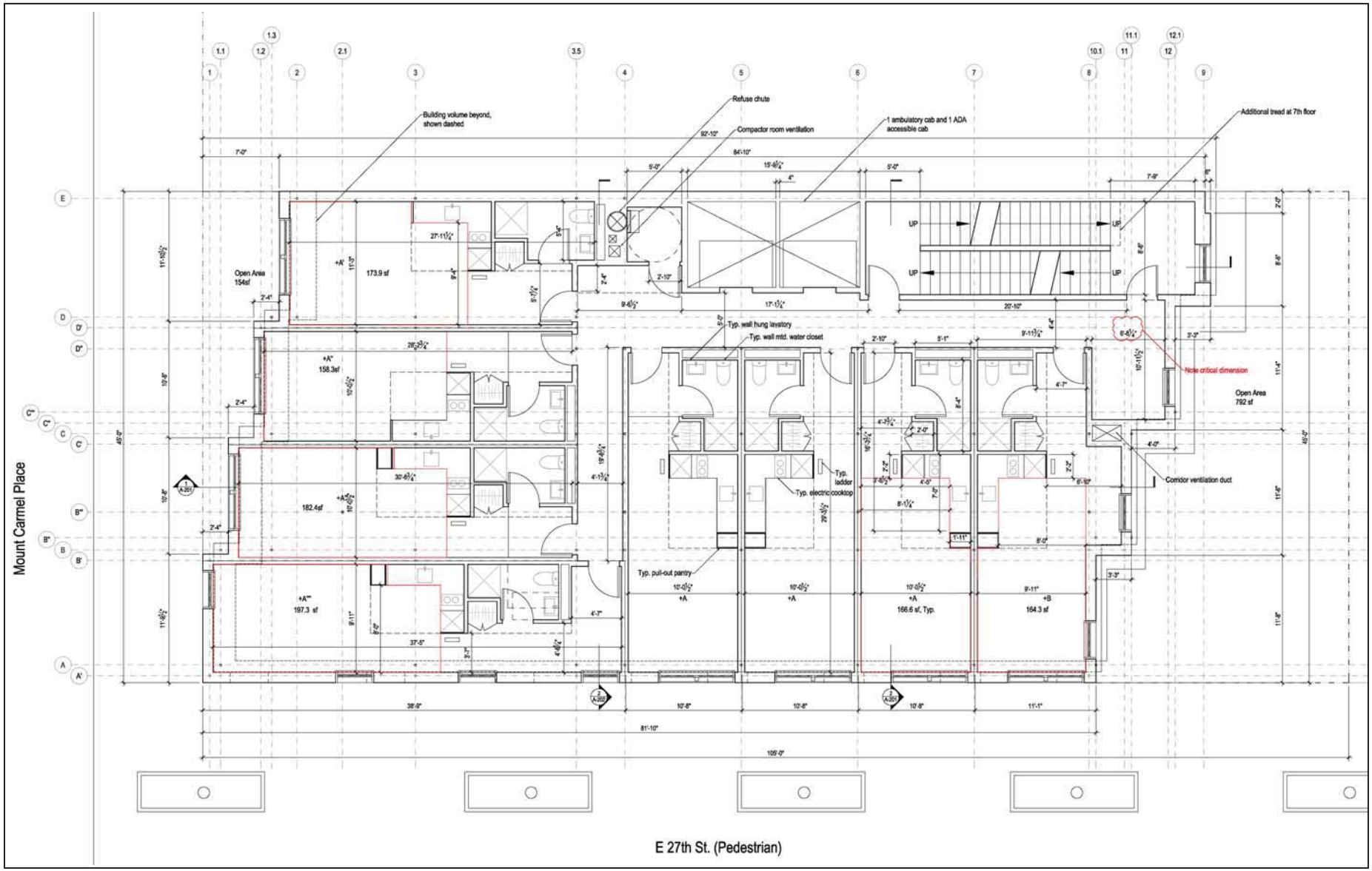
Proposed Ground Floor Plan



Micro-Units Development EAS

Figure A-7

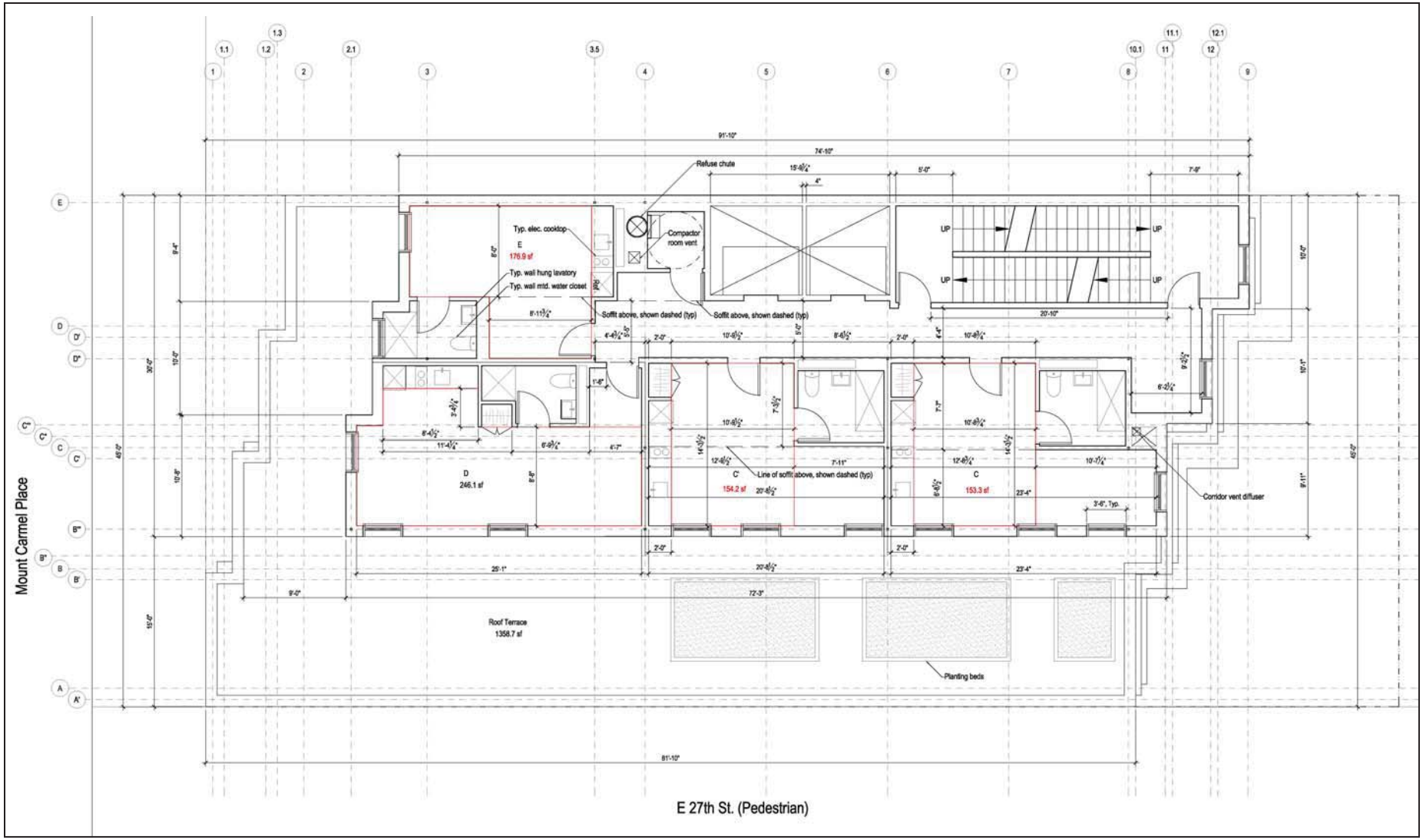
Proposed 2nd to 4th Floor Plan



Micro-Units Development EAS

Figure A-8

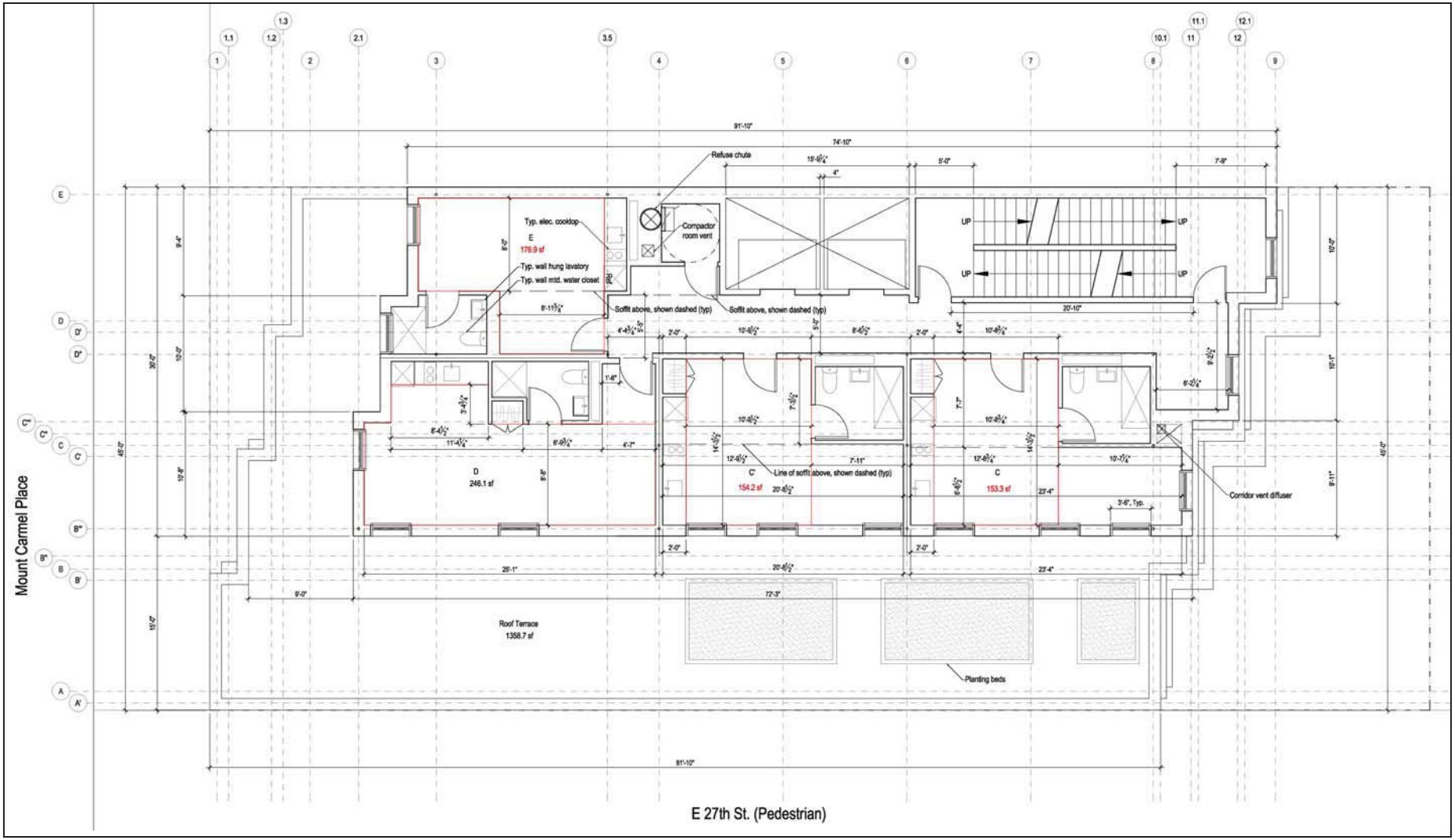
Proposed 5th to 7th Floor Plan



Micro-Units Development EAS

Figure A-9

Proposed 8th Floor Plan



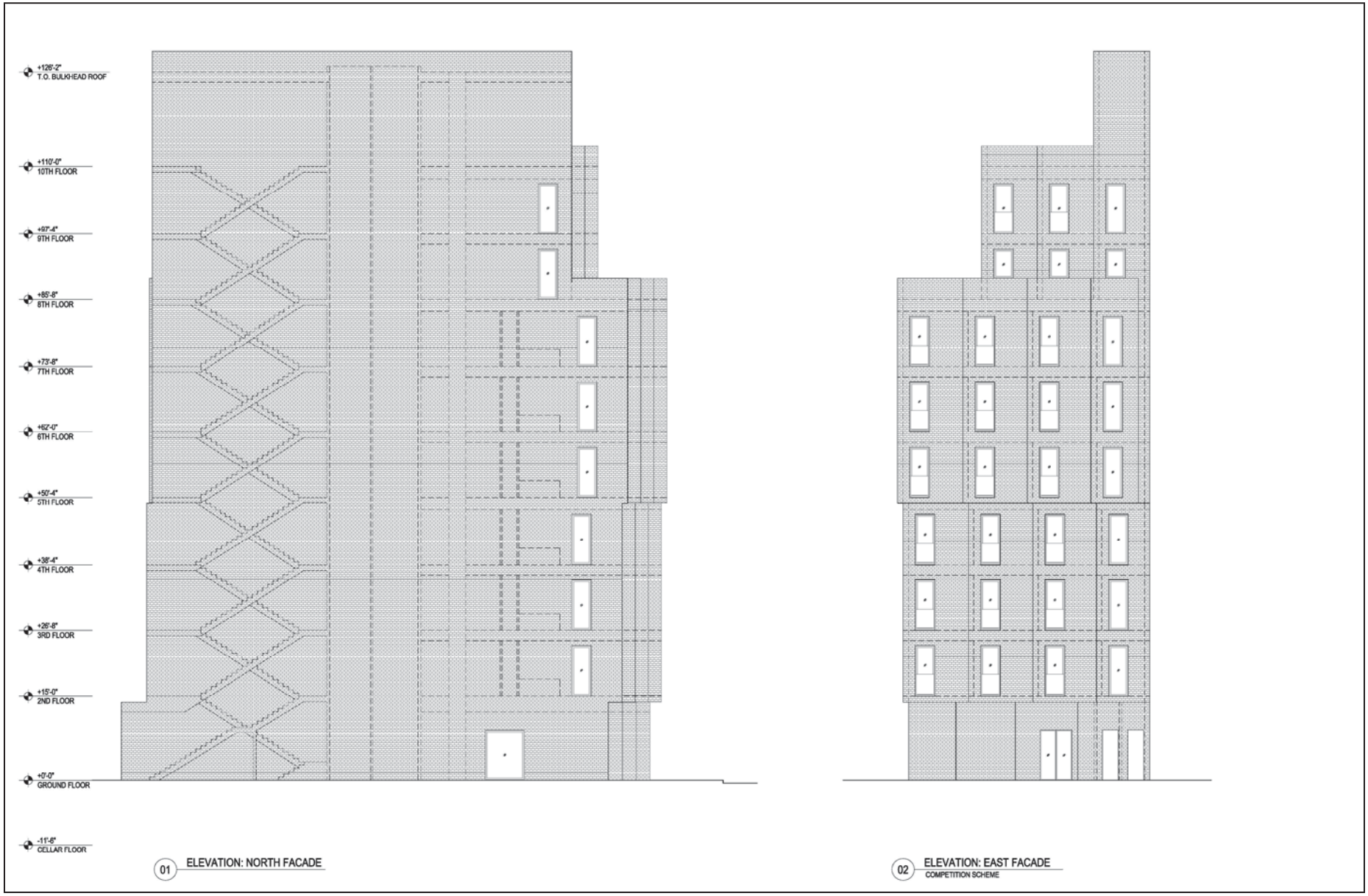
Micro-Units Development EAS

Figure A-10

Proposed 9th Floor Plan

Micro-Units Development EAS **Figure A-11**

Proposed South and West Façade (East 27th Street and Mount Carmel Place Frontages)



Micro-Units Development EAS

Figure A-12

Proposed North and East Facades

V. DEVELOPMENT SCENARIO

In order to assess the potential effects of the proposed action, a RWCDS for both future "No-Action" and "With-Action" conditions would be analyzed for an analysis year of 2015. The incremental difference between the No-Action and the With-Action scenarios serves as the basis for impact analyses.

To determine the No-Action and With-Action scenarios, standard methodologies were used following the *2012 CEQR Technical Manual*.

Build Year

The construction of the proposed 9-story building on the project site is expected to take approximately 12 months. The applicant specializes in modular construction, which results in short construction periods. Accounting for the ULURP procedure (approximately five months), construction is anticipated to start by the end of 2013. It is expected that the proposed development would be complete and operable by the end of 2014, after an approximately 12-month construction period.

As discussed in more detail below, no other projected or potential development sites were identified in the proposed rezoning area. It was therefore conservatively assumed that the analysis build year for the RWCDS associated with the proposed actions is 2015.

Future No-Action Condition

Project Site (Block 933, Lot 10)

In the 2015 future without the proposed actions, no changes would occur on the project site. Lot 10 would remain owned by and under the jurisdiction of HPD, and would retain its current R8 zoning designation. Therefore, the No-Action conditions would be identical to the existing conditions.

Remainder of Rezoning Area (Block 933, portion of Lot 25)

In addition to the applicant's property, the rezoning area also includes a portion of one other tax lot that is not controlled by the applicant. Lot 25 is currently owned by and under the jurisdiction of NYCHA. In the 2015 future without the proposed actions, no zoning or land use changes are expected to occur in that portion of Lot 25.

Future With-Action Condition

Project Site (Block 933, Lot 10)

In the future with the proposed actions, the applicant's development plan is considered a known proposal likely to occur by 2015 on the project site as a result of the proposed actions. As described above, the proposed micro-units development would include a new 9-story mixed-use residential building with ground floor local retail and community facility uses. As shown in

Table A-1, the proposed building would comprise a total of 30,018 gsf of floor area, and include approximately 55 residential micro-units (28,248 gsf of residential space), 575 gsf of ground floor local retail space, and 1,195 gsf of ground floor community facility space.

The increment between No-Action scenario, which is identical to existing conditions, and the proposed development in the With-Action scenario would be an increase of 28,248 gsf of residential floor area (55 micro-units), 575 gsf of retail space, and 1,195 gsf of community facility space.

The average household size for the residential component of the proposed development would be approximately 1.66 people per DU[3]. Utilizing this average, the proposed development would add approximately 91 new residents. In addition, the proposed development would add approximately 2 local retail employees and 4 community facility employees[4].

Remainder of Rezoning Area (Block 933, portion of Lot 25)

As Lot 25 is a City-owned property that accommodates NYCHA development, it is highly unlikely that commercial use would be introduced as a result of the proposed rezoning. Therefore, Lot 25 is not considered as a projected or potential development site for RWCDS purposes.

Proposed RWCDS

The applicant's proposed development on the project site is considered a projected development site, as it has a specific development plan and would be completed by 2015. As discussed above, no other site within the rezoning area has been identified as a projected or a potential development site. Therefore, for CEQR analysis purposes, the RWCDS for the EAS would analyze the proposed micro-units development on the project site. As shown in Table A-4, as a result of the proposed actions, 55 micro-units (28,248 gsf of residential floor area), 575 gsf of ground floor local retail, and 1,195 sf of community facility[5] would be constructed on the project site under the proposed R8/C2-5 zoning designation.

As the No-Action condition is identical with the existing condition, the incremental (net) change that would result from the proposed actions compared to the No-Action scenario would be an increase of 28,248 gsf of residential space (55 micro-units), 575 gsf of local retail space, and 1,195 gsf of community facility space. As a result, the proposed development program represents the RWCDS. The proposed RWCDS would be analyzed for density-related and site-specific impacts in the EAS.

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[3] Source: Demographic Profile - New York City Community Districts, Manhattan Community District 6, U.S. Census 2010. It should be noted that the use of this rate is conservative. Due to the small proposed unit size it can be assumed that the average number of persons per household in the proposed building would be below the rate for Manhattan Community District 6.

[4] Assumption for local retail and community facility employees: 3 employees per 1,000 sf.

[5] The proposed future community facility use has not yet been determined.

Table A-4
Reasonable Worst Case Development Scenario for the Proposed Actions

Site	Max. FAR	Max. Allowable Floor Area (zsf)	Residential (gsf)	Local Retail (gsf)	Community Facility (gsf)	No. of micro-units	Total (gsf)
Project Site[1]	R: 6.02 C: 2.0 CF: 6.5	R: 28,445 C: 9,450 CF: 30,713	28,248 gsf / (55 micro-units)	575 gsf	1,195 gsf	55	30,018 gsf
TOTAL RWCDS			**28,248 gsf**	**575 gsf**	**1,195 gsf**	**55**	**30,018 gsf**

Note: R = Residential, C = Commercial, CF = Community Facility.

[1] Block 933, Lot 10; 4,725 sf

VI. REQUIRED APPROVALS AND REVIEW PROCEDURES

The following approvals would be required to implement the proposed micro-units development:

- **Disposition of City-owned property**
- **Zoning Map Amendment**
- **Urban Development Action Area (UDAAP)**
- **Mayoral Zoning Override**
  - Maximum Number of Dwelling Units or Rooming Units (ZR Section 23-22)
  - Size of Dwelling Units (ZR Section 28-21)
  - Street Wall Location, Height and Setback Regulations in Certain Districts (ZR Section 23-633)

The proposed land disposition, zoning map amendment, and UDAAP approval and designation are discretionary public actions subject to both the Uniform Land Use Review Procedure (ULURP), as well as the City Environmental Quality Review (*CEQR*). ULURP is a process that allows public review of proposed actions at four levels: the Community Board; the Borough President; the City Planning Commission and, if applicable, the City Council. The procedure mandates time limits for each stage to ensure a maximum review period of seven months, once the application is complete. Through *CEQR*, agencies review discretionary actions for the purpose of identifying the effects that those actions may have on the environment.

ATTACHMENT C
LAND USE, ZONING, AND PUBLIC POLICY

I. INTRODUCTION

Under the *2012 CEQR Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project, and determines whether that proposed project is compatible with those conditions or may affect them. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

The proposal involves several discretionary actions, including the following: the disposition of City-owned property to the applicant, a zoning map amendment to extend the existing C2-5 commercial overlay on the subject block west along East 27th Street to Mount Carmel Place, and approval and designation of the project site as an Urban Development Action Area Project (UDAAP). In addition, the applicant is seeking a Mayoral Zoning Bulk Override (collectively, "the proposed actions"). The proposed actions would facilitate the construction of a new approximately 30,018 gsf[1] mixed-use residential, local retail, and community facility development on the project site, which is located in the Kips Bay neighborhood of Manhattan.

The area to be rezoned from R8 to R8/C2-5 comprises 15,000 sf and is located on a block generally bounded by East 27th Street to the south, Mount Carmel Place to the west, East 28th Street to the north, and First Avenue to the east. It includes the project site (Lot 10, Block 933), and a portion of Lot 25 on Block 933[2].

The proposed actions would facilitate the development of a 9-story mixed-use building on the project site (Lot 10), which is currently vacant, and which would be conveyed to the applicant as part of the proposed actions. Until recently, the project site had been used as an at-grade parking lot. The proposed micro-units development would include 55 residential micro-units (approximately 28,248 gsf of residential space) on the 2nd through 9th floors, and approximately 575 gsf of local retail space and 1,195 gsf of community facility space on the ground floor, for a total of 30,018 gsf of new development. The residential component would be developed in accordance with the Quality Housing Program. Of the 55 residential micro-units 22 would be affordable to middle income tenants and 33 would be market rate. All of the residential units would be rental units, and the building would be operated by the applicant. For residential developments in Manhattan south of 96th Street, there are no accessory parking requirements.

Under the guidelines set forth in the *2012 CEQR Technical Manual*, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. *CEQR* also requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas.

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1 The proposed 30,018 gsf are above grade and do not include mechanical bulkhead area.

2 Beyond the proposed rezoning area boundary, Lot 25 includes an existing C2-5 commercial overlay, mapped to a depth of 100 feet west of First Avenue, between East 27th and East 28th Streets.

Since the proposed actions involve a zoning map amendment, a detailed land use and zoning assessment has been conducted. The detailed assessment discusses existing and future conditions with and without the proposed actions in the 2015 analysis year for a primary study area (coterminous with the rezoning area), and a secondary, 400-foot study area surrounding the rezoning area.

As discussed in Attachment A, "Project Description", in addition to the applicant's proposal for the project site there are no other projected or potential development sites in the rezoning area. The Reasonable Worst Case Development Scenario (RWCDS) associated with the proposed rezoning is identical with the proposed micro-units development, and would add 55 residential micro-units (28,248 gsf of residential floor area), 575 gsf of local retail, and 1,195 gsf of community facility space to the project site. The analysis year for the proposed action is 2015.

II. METHODOLOGY

Existing land uses were identified by field surveys conducted in February 2013. New York City Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the study areas, and provided the basis for the zoning evaluation of the Future No-Action and Future With-Action Conditions. Research was conducted to identify relevant public policy documents, recognized by the New York City Department of City Planning (DCP) and other city agencies.

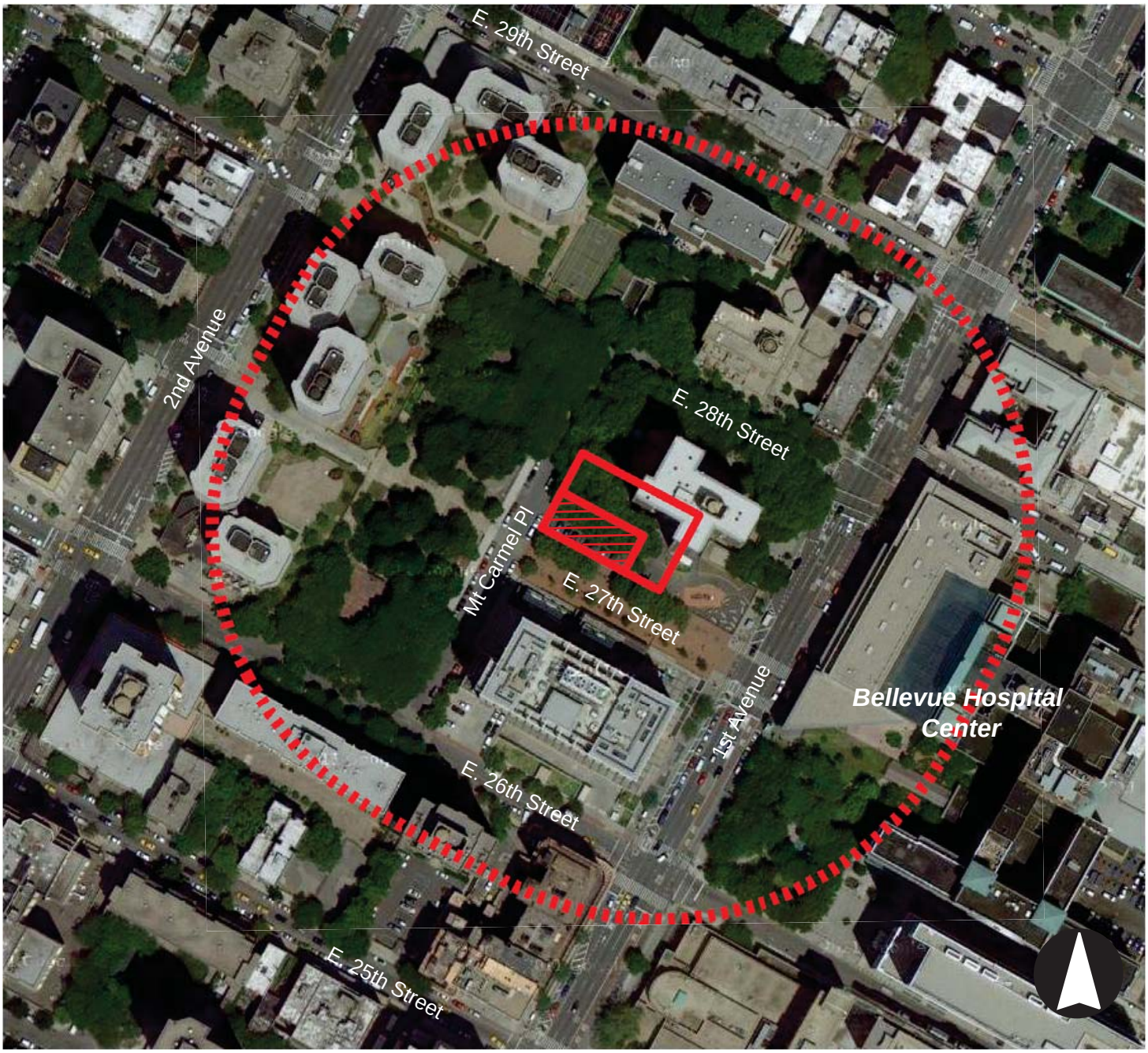
Land use, zoning, and public policy are addressed and analyzed for two geographical areas for the proposed action: (1) rezoning area (which includes the project site), and (2) a secondary study area. For the purpose of this assessment, the secondary study area extends an approximate 400-foot radius from the boundary of the rezoning area and encompasses areas that have the potential to experience indirect impacts as a result of the proposed actions. The secondary study area is roughly bounded by East 29th Street to the north, the Bellevue Hospital Center to the east, the mid-block between East 25th and East 26th Streets to the south, and Second Avenue to the west (refer to Figure C-1).

III. PRELIMINARY ASSESSMENT

Land Use and Zoning

A preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. Since the proposed actions include a zoning map change, a detailed assessment of land use and zoning is warranted and provided in Section IV below. As a detailed assessment is warranted for the proposed actions, the information that would typically be included in a preliminary assessment (e.g., physical setting, present land use, zoning information, etc.) has been incorporated into the detailed assessment in Section IV below. As discussed in the detailed assessment, the proposed actions are not expected to adversely affect land use or zoning.

Figure C-1
Land Use Study Area



Legend

Project Site

Rezoning Area

400-Foot Radius

Public Policy

An assessment of public policy should accompany an assessment of land use and zoning. According to the *2012 CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If the proposed projects could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary. As described below, the proposed actions would not alter or conflict with any existing public policies that pertain to the rezoning area and study area, and therefore, a detailed assessment of public policies is not warranted.

The rezoning area and the study area are not governed by a 197-a plan, designated in-place industrial park or Industrial Business Zone (IBZ), nor do they fall within the coastal boundary area that is governed by the City's Waterfront Revitalization Program (WRP). In addition, the proposed actions do not involve the siting of any public facilities (Fair Share). The proposed actions would pertain to and help the implementation of the Mayor's New Housing Marketplace Plan and the *adAPT NYC* Initiative. The details are provided below.

Mayor's New Housing Marketplace Plan and the *adAPT NYC Initiative*

In July 2012, Mayor Bloomberg launched the *adAPT NYC* initiative, which is part of the New Housing Marketplace Plan, a multi-billion dollar initiative to finance 165,000 units of affordable housing by the close of Fiscal Year 2014. According to a press release from January 22, 2013, with every $1 invested by the City, the New Housing Marketplace Plan has leveraged $3.42 in private funding for a total commitment of more than $20 billion to fund the creation and preservation of over 140,920 affordable housing units across the five boroughs.

In an effort to address housing concerns throughout New York City, the City launched *adAPT NYC*, a pilot program to develop a new housing model to adapt to the City's changing demographics and growing small-household population. The goal of *adAPT NYC* is to accommodate the existing demand for small-scale apartments by single and two-person households, and to create additional choices within New York City's housing market to address the City's changing demographics.

A request for proposals (RFP) was issued by HPD for the design, construction, and operation of the first residential micro-units development in New York City, to be located at 335 East 27th Street in the Kips Bay neighborhood of Manhattan. A micro-unit is an innovative apartment model, which is smaller than allowed under current regulations, and includes a kitchen and bathroom. The aim of this competition was to develop innovative apartment types for small households that could be replicated in other locations and contexts to further expand and diversify the City's housing stock. There are currently 1.8 million one- and two-person households (more than 60 percent of New York City households) and only one million studios and one-bedroom units to meet this demand.

Assessment

The proposed actions would facilitate the construction of the first residential micro-units development in New York City. It would enable the applicant to develop a currently underutilized and vacant City-owned property with a new 9-story mixed-use residential building with ground floor local retail and community facility uses. The proposed micro-units development would include 55 residential micro-units, of which 22 units would be affordable to middle income households. The proposed micro-units development would expand housing options for smaller households, a rapidly growing segment of the New York City population. The proposed micro-units development would also increase the affordable housing stock in the Kips Bay neighborhood as well as in Manhattan as a whole. In addition, the availability of local retail and community facility space in the Kips Bay neighborhood would be enhanced by the proposed development.

No significant adverse public policy impacts or inconsistencies are expected to result from the proposed actions. Therefore, the proposed actions would not require further analysis of public policy.

IV. DETAILED ASSESSMENT

Existing Conditions

Land Use

Rezoning Area

The proposed rezoning area encompasses 15,000 sf and is located in the Kips Bay area of Manhattan Community District 6. It includes the project site (Lot 10) and a portion of Lot 25, both located on Block 933. The project site (Lot 10), which fronts on Mount Carmel Place and East 27th Street, is currently vacant and enclosed by fencing. It was formerly utilized as an at-grade parking lot. Lot 25 is a property currently owned by and under the jurisdiction of the New York City Housing Authority (NYCHA). Lot 25 is currently occupied by a 26-story multi-family residential building at 463 First Avenue. The portion of Lot 25 contained in the rezoning area includes the southwestern portion of the 26-story residential building and planted areas that mainly consist of shadow-tolerant mid-sized bushes and old trees in wood chip covered soil and old to the north of the project site, and a playground area with play equipment to the east of the project site.

Study Area

Land uses in the study area are primarily residential and institutional (refer to Figure 2 in the EAS Form). Mixed-use residential buildings with ground floor commercial spaces are predominantly located along First and Second Avenues. The predominant residential building types are tall high-density multi-family elevator buildings with up to 28 floors (development located to the west of the project site, along Second Avenue between East 26th and East 29th

Streets). These residential towers typically occupy small portions of their subject properties, and create accessory open space in their surroundings.

A cluster of institutional uses, which consist of a mix of medical and educational uses, is located on the east side of First Avenue between East 25th and 29th Streets, including: the Hunter College Brookdale Health Sciences Campus (between East 25th and East 26th Streets), and the Bellevue Hospital Center/NYU Medical Center School of Medicine (between East 26th and East 29th Streets). The block to the south of the project site includes the 14-story New York Public Health Library building. On the west side of First Avenue, between East 25th and East 26th Streets are facilities related to the NYU Langone Medical Center.

Bellevue South Park is located across the street to the west of the project site across Mount Carmel Place and extends from East 26th Street in the south to East 28th Street in the north. The East 27th Street Pedestrian Plaza is located adjacent to and south of the project site, between First Avenue and Mount Carmel Place. Both these spaces are publicly accessible open space resources.

Zoning

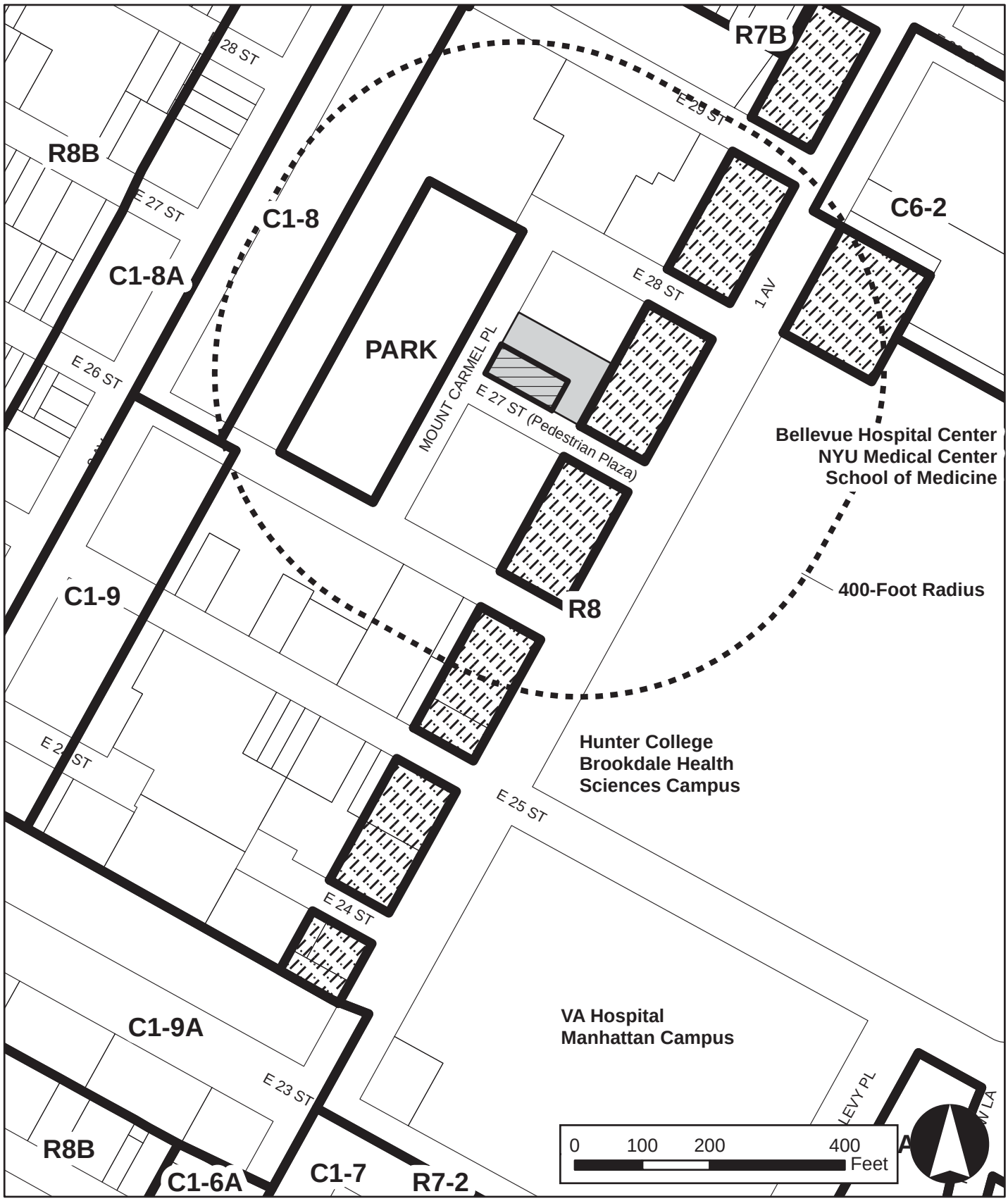
Rezoning Area (Lot 10 and a portion of Lot 25)

The rezoning area is mapped within a high-density residential R8 zoning district. R8 districts are residential zoning districts that permit residential development with FARs ranging from 0.94 to 6.02, with open space ratios ranging from 5.9 to 11.9. The optional Quality Housing regulations in R8 districts allow higher lot coverage with residential buildings set at or near the street line. Pursuant to R8 quality housing regulations, the maximum FAR is 6.02 in the Manhattan coreand the base height before setback is 60 to 80 feet with a maximum building height of 105 feet. Community facilities are allowed up to an FAR of 6.5. Typically, R8 districts produce mid-rise apartment buildings to much taller, narrower buildings that are set back from the street on large zoning lots. R8 districts allow Use Groups 1 to 4 as-of-right.

Study Area

The majority of the study area is zoned R8, except for a small area located along Second Avenue between East 26th and East 29th Streets, which is zoned C1-8. Mapped along First Avenue is an existing C2-5 commercial overlay (see Figure C-2). C2-5 commercial overlays allow a maximum commercial FAR of 2.0. C1-8 commercial districts are predominantly residential in character. They are typically mapped along major thoroughfares in medium- and higher-density areas of the City, such as Second Avenue. Typical retail uses include grocery stores, dry cleaners, drug stores, restaurants, and local clothing stores that cater to the daily needs of the immediate neighborhood. In mixed-use buildings, commercial uses are limited to one or two floors and must always be located below the residential use. The maximum commercial FAR in a C1-8 district is 2.0. Residential uses are governed by a specific residential district equivalent, which would be R9. The maximum residential FAR in a C1-8 district would range from 0.99 to 7.52.

Figure C-2
Zoning Map



Legend

Project Site | Rezoning Area | **R8** Zoning Districts | C2-5 Commerical Overlay

Future without the Proposed Actions

This section describes conditions that are expected to exist in the project's build year (2015) absent the proposed actions.

Land Use

Rezoning Area

In the 2015 future without the proposed actions, no land use changes would occur on the project site and the portion of Lot 25 contained in the rezoning area. Lot 10 would remain owned by and under the jurisdiction of HPD. The project site and the portion of Lot 25 contained in the rezoning area would retain their current R8 zoning designation, and no commercial uses would be allowed. Therefore, the No-Action conditions would be identical to the existing conditions.

Study Area

It is expected that no land use changes would occur in the study area. The study area would continue to exhibit a mix of predominantly residential and institutional uses. There are no known development projects within the study area.

Zoning

No changes to zoning would occur in the rezoning area. The existing R8 zoning would remain. In addition, there are no known zoning proposals for the study area expected by 2015.

Future with the Proposed Actions

The proposed zoning map amendment would extend an existing C2-5 commercial overlay to the west along the north side of East 27th Street to Mount Carmel Place at a depth of 100 feet, which would allow commercial uses up to an FAR of 2.0 on the project site (Lot 10) and a portion of Lot 25 on Block 933.

Land Use

Rezoning Area

With the introduction of a commercial overlay on the project site, the proposed actions would therefore alter the allowable land uses on the project site (Lot 10), and are expected to lead to positive changes for the larger study area. In the 2015 future with the proposed actions, it is anticipated that a total of 55 residential micro-units (28,248 gsf) would be developed in a 9-story mixed-use building. In addition, the proposed building would also contain 575 gsf of local retail space, and 1,195 gsf of community facility space, for a total of 30,018 gsf of new development (refer to Table C-1). Approximately 792 sf of private accessory open space would be provided on the 8th floor rooftop terrace to tenants, and a public open space of 668 sf would be provided at grade in the southeastern portion of the project site.

Table C-1
With-Action Development Program

Residential	Local Retail	Community Facility	Total Building Uses
28,248 gsf (55 micro-units)	575 gsf	1,195 gsf	30,018 gsf

The proposed rezoning from R8 to R8/C2-5 would allow the applicant to incorporate local retail use in the proposed building on the project site. The retail space would be accessible from the East 27th Street Pedestrian Plaza, and would be located in the southeastern portion of the building, which is located in proximity to First Avenue.

The proposed actions would not generate land uses in the rezoning area that would be incompatible with surrounding land uses, nor would it displace land uses in such a way as to adversely affect surrounding land uses. Therefore, the proposed development would support land use trends in the rezoning area. No significant adverse land uses impacts are expected as a result of the proposed actions.

Study Area

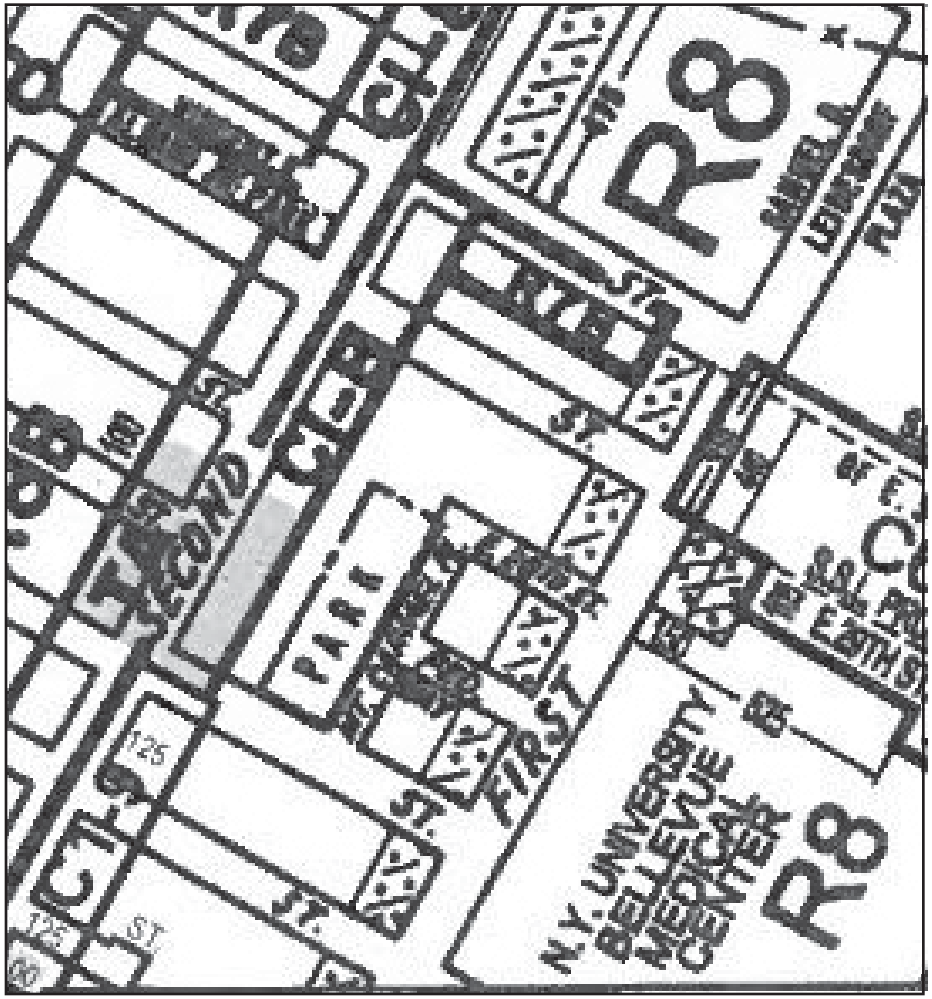
The study area would not undergo any development as a result of the proposed actions. The proposed actions would have no direct effect on land uses in the study area. As noted above, blocks immediately surrounding the rezoning area primarily support residential and institutional uses, with some mixed-use residential and commercial buildings. The proposed development is expected to be compatible with the existing uses of the surrounding area. The proposed actions are intended to develop an approximately 4,725 sf underutilized site into a productive mixed-use residential, local retail, and community facility development that would add 55 residential micro-units (28,248 gsf), 575 gsf of local retail space, and 1,195 gsf of community facility space to the neighborhood. Therefore, the proposed actions would not introduce new land uses that would be incompatible with their surroundings, and are not expected to result in significant adverse land use impacts in the study area.

Zoning

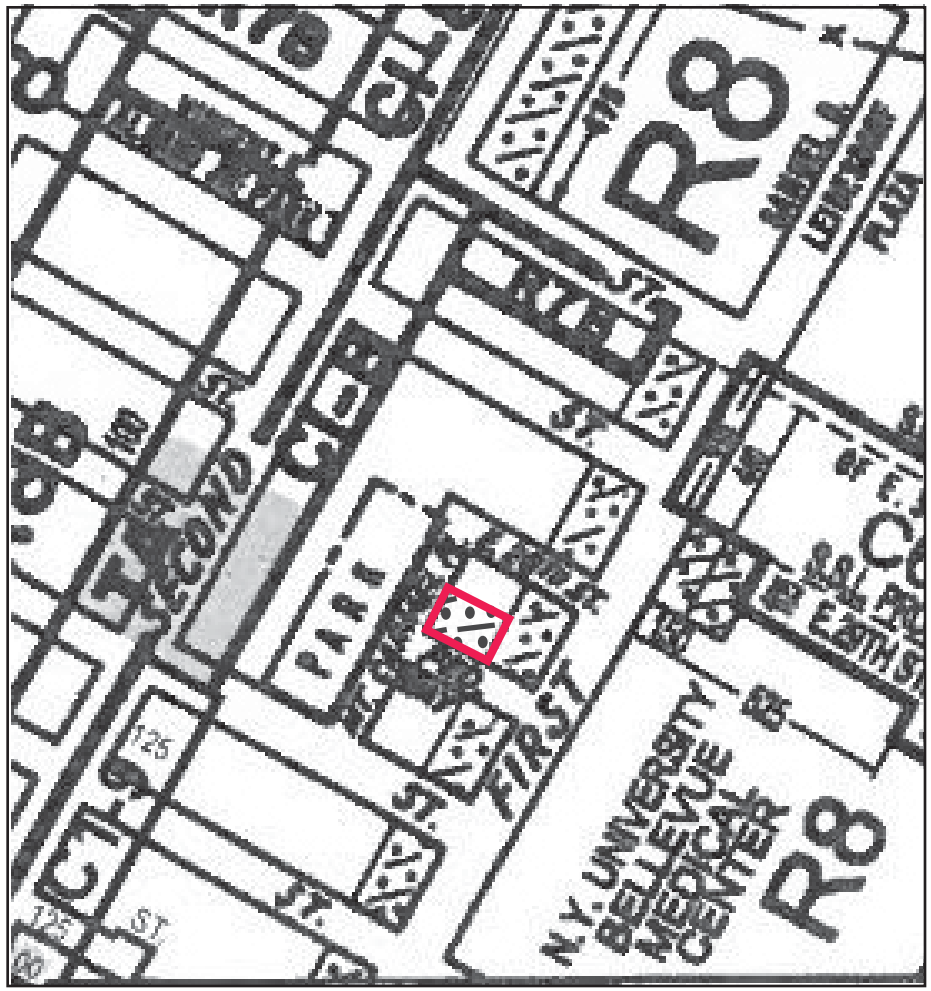
As described above, the proposed actions include a zoning map amendment that would affect portions of two lots (the project site and a portion of Lot 25) on Block 933. The proposed zoning map change would affect an area of 15,000 sf that is located on a block generally bounded by East 27th Street to the south, Mount Carmel Place to the west, East 28th Street to the north, and First Avenue to the east. Figure C-3 shows the existing and the proposed zoning.

R8 zoning districts are high density, typically apartment house districts that allow a maximum residential FAR of 6.02 (up to 7.02 for Quality Housing on a wide street outside of the Manhattan core). Community facilities are allowed up to an FAR of 6.5. R8 districts allow Use Groups 1 to 4 as-of-right. In R8 zoning districts located in Manhattan south of 96th Street, there are no parking requirements.

Existing R8 Zoning



Proposed R8/C2-5 Zoning



Proposed rezoning area

Proposed C2-5 Commercial Overlay

Figure C-3

Existing and Proposed Zoning

Table C-2 provides a comparison of the uses and bulk regulations permitted under the existing and proposed zoning districts. As indicated in Table C-2, the proposed R8/C2-5 zoning designation would allow new commercial development to a maximum permitted FAR of 2.0 in the rezoning area. In addition to the allowable use groups under R8, which would be the same under the proposed R8/C2-5 zoning, use groups 5 through 9, and 14 would be permitted as well.

As noted in Attachment A, "Project Description", the residential component of the proposed micro-units development would be developed in accordance with the Quality Housing Program. The Quality Housing Program sets certain quality standards for building safety, landscaping, recreation space and other amenities. Quality Housing buildings must have amenities relating to the planting of trees, landscaping and recreation space.

Table C-2
Comparison of Zoning Regulations: R8 with R8/C2-5

	Existing - R8	Proposed - R8/C2-5 (Quality Housing)
Maximum FAR	Residential: 0.94-6.02 Community Facility: 6.5 (No commercial)	Residential: 6.02[2] Community Facility: 6.5 Commercial: 2.0 (in overlay)
Use Groups	1-4 in Residential District	1-4 in Residential District 1-9, 14 in C2-5 Commercial Overlay
Streetwall Height	N/A	60' minimum base height 80' maximum base height[2]
Height	Sky Exposure Plane[1]	105' max. building height[2]

[1] Sky exposure plane is an imaginary inclined plane beginning above the street line at a height set forth in the district regulations and which rises over a zoning lot at a ratio of vertical distance to horizontal distance set forth in the district regulations, which a building may not penetrate.

[2] Applies to project location on narrow street within Manhattan core.

Quality Housing regulations produce high lot coverage buildings in R8 districts, with a maximum residential FAR of 6.02. Recreation space has to be accessible from the residential areas of mixed-use buildings. The minimum requirements for outdoor recreation space are 225 sf or 3.3 percent of the residential floor area. An area of approximately 792 sf would be provided on the 8th floor rooftop terrace for accessory recreational use to the residents of the building. In addition, a public open space of 668 sf will be provided at grade in the southeastern portion of the project site.

As described above, the zoning change proposed in the rezoning area, which will lead to land use changes on the project site, would be compatible with the existing zoning and uses in the study area. No land use changes are expected to occur as a result of the proposed zoning change on the remaining lot of the rezoning area (portion of Lot 25). None of the existing uses would become nonconforming as a result of the proposed action. Therefore, no significant adverse zoning impacts would occur.

Due to the very unique nature of this project, the applicant is also seeking a Mayoral Zoning Bulk Override for the proposed development to modify requirements of ZR Sections 23-22, 28-21, and 23-633. The Mayoral zoning override would allow for the implementation of a City-led pilot program to develop compact apartments to accommodate small households. The required Mayoral zoning overrides are summarized below.

Maximum Number of Dwelling Units or Rooming Units (ZR Section 23-22)

The RFP for the project encouraged the utilization of all available FAR on the project site and required that at least 75 percent of all dwelling units would be constructed as micro-units. As micro-units are significantly smaller than typical dwelling units, the combination of these conditions requires that the maximum number of dwelling units allowed pursuant to ZR Section 23-22 be exceeded for the site's R8 zoning. More specifically, pursuant to ZR Section 23-22, the maximum number of dwelling units permitted on the 4,725 sf project site would be 38 DUs. To meet the requirements of the RFP, an override of ZR Section 23-22 is necessary to provide the 55 micro-units in the proposed development.

Size of Dwelling Units (ZR Section 28-21)

Micro-units are by definition smaller in floor area than what the current New York City Zoning Resolution allows. ZR Section 28-21 requires a minimum dwelling unit size of 400 sf for residential developments pursuant to the Quality Housing Program. An override of ZR Section 28-21 would allow the construction of dwelling units with floor area less than the current 400 square foot minimum. The size of the proposed micro-units would range from 250 to 350 gsf.

Street Wall Location, Height and Setback Regulations in Certain Districts (ZR Section 23-633)

For Quality Housing developments in R8 districts, ZR Section 23-633 requires a minimum horizontal setback distance of 15 feet for all portions of buildings that exceed the maximum base height of 80 feet. In addition, such developments are subject to a maximum building height of 105 feet. The proposed micro-units development would be constructed using modular construction, which results in a deeper floor/ceiling assembly. Modular development also would have 9 foot 10 inches floor to ceiling heights for each micro-unit, which is essential in creating a livable and habitable environment. The horizontal setback distance would be 10 feet. These two considerations necessitate an override of ZR Section 23-633, to waive the maximum base height of 80 feet, the maximum building height of 105 feet, and the minimum horizontal setback distance of 15 feet. The proposed building would have a base height of 86 feet, a maximum building height of 111 feet, and would the horizontal setback distance would be 10 feet (the bulkhead roof would be at an elevation of 126 feet and 2 inches).

V. CONCLUSION

Land Use

The proposed actions, including the proposed zoning map change, would not result in a significant change of land use in the rezoning area. The land uses resulting from the proposed

actions would be consistent with existing land use patterns and trends in both the rezoning area and the surrounding area. The proposed actions would facilitate the addition of a total of approximately 30,018 gsf of new development to the project site, comprised of 28,248 gsf of residential floor area, 575 gsf of local retail space, and 1,195 gsf of community facility space. Therefore, the proposed actions would result in the provision of highly demanded new housing type but also increase of the space available for local retail and community facility neighborhood services.

The proposed rezoning to R8/C2-5 and the requested Mayoral Zoning Bulk Override would create opportunities for new residential, local retail, and community facility uses on an underutilized site in an area where a high demand for affordable housing exists. The proposed development would complement existing mixed-use residential, local retail uses, and institutional uses in the neighborhood. The proposed micro-units development would reinforce and enhance the character of the neighborhood, and be a model for future similar micro-units developments in New York City.

The development would not introduce a new or incompatible land uses to the rezoning area and the study area. Accordingly, the proposed actions would not result in significant adverse land use impacts.

Zoning

The proposed actions would facilitate the construction of a new 9-story mixed-use development on the project site. The zoning change from R8 to R8/C2-5 would introduce local retail to the project site and enhance the character of area with a new mixed-use building. None of the existing uses would become nonconforming as a result of the proposed actions. The proposed actions are not expected to result in any significant adverse impact to zoning.

Public Policy

The proposed micro-units development would be the pilot project for a new housing model implemented as a result of the *adAPT NYC* initiative under the Mayor's Housing Marketplace Plan, which is the only public policy applicable to the study area. Therefore, the proposed actions are not expected to result in any significant adverse impacts to public policies.

ATTACHMENT D
SHADOWS

I. INTRODUCTION

According to the *2012 CEQR Technical Manual*, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the incremental shadow from a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources. Sunlight-sensitive resources include publicly accessible open spaces (such as parks, playgrounds, school yards etc.), historic architectural resources if the features that make the resource significant depend on sunlight, natural resources, and greenstreets. Pursuant to the *2012 CEQR Technical Manual*, shadows on city streets and sidewalks or on other buildings are not considered significant. Private open spaces, such as front and back yards, stoops, and vacant lots, are considered non sunlight-sensitive resources under CEQR, and therefore, their assessment for shadow impacts is not required. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are also not considered significant under CEQR.

In accordance with *2012 CEQR Technical Manual* guidelines, this attachment provides a shadows assessment to determine whether the proposed actions would result in new shadows long enough to reach any sunlight-sensitive resources (except within an hour and a half of sunrise or sunset). For actions resulting in structures less than 50 feet high, a shadow assessment is generally not necessary unless the site is adjacent to a park, historic resource, or important natural feature (if the features that make the structure significant depend on sunlight).

As detailed in Attachment A, "Project Description", this proposal involves an application by the New York City Department of Housing Preservation and Development (HPD) designated applicant, a partnership between Monadnock Development LLC and Actors Fund Housing Development Corporation (AFHDC), for several discretionary actions, including the following: the disposition of City-owned property to the applicant, a zoning map amendment to extend the existing C2-5 commercial overlay on the subject block west along East 27th Street to Mount Carmel Place, and approval and designation of the project site as an Urban Development Action Area Project (UDAAP). In addition, the applicant is seeking a Mayoral Zoning Bulk Override (collectively, "the proposed actions").

The proposed actions would facilitate the construction of an approximately 30,018 gross square foot (gsf)[1] 9-story mixed-use development with 55 residential micro-units[2], and ground floor local retail and community facility uses ("the micro-units development") at 335 East 27th Street (Lot 10, Block 933) in the Kips Bay neighborhood of Manhattan Community District 6. The project site is located on a block bounded by East 27th Street to the south, Mount Carmel Place

[1] The proposed 30,018 gsf are above grade and do not include mechanical bulkhead area.
[2] The proposed residential micro-units would be smaller than the currently required minimum area of 400 sf for residential dwelling units pursuant to ZR Section 28-21.

to the west, East 28th Street to the north, and First Avenue to the east. The proposed micro-units development would replace a former parking lot on the northeast corner of Mount Carmel Place and East 27th Street with a mix of residential, local retail, and community facility uses. Of the 55 residential micro-units, 40 units would be affordable to middle income tenants and 15 units would be market rate.

The 9-story proposed building would be over 50 feet tall and therefore warrant a Tier 1 Screening Assessment. In accordance with CEQR guidelines, a shadows assessment was undertaken to determine whether the proposed building would result in new shadows long enough to reach a publicly accessible open space or sunlight-sensitive historic resource, compared to No-Action conditions.

II. PRELIMINARY SCREENING ASSESSMENT

Resources of Concern

Publicly accessible open spaces and sunlight-sensitive architectural resources to the north, east and west of the project site were identified, as shadows created by the proposed building could potentially fall on these resources. According to the *2012 CEQR Technical Manual*, public open spaces, such as parks, beaches, playgrounds, plazas, school yards, greenways, and landscaped medians with seating are considered sunlight sensitive resources. Historic resources that need to be considered in a shadows analysis must have sunlight-dependent features, such as stained glass windows, historic landscapes, design elements that are part of a recognized architectural style that depends on contrast between light and dark design features, exterior materials and color that depend on direct sunlight for visual character, or elaborate, highly carved ornamentation.

In the vicinity of the project site, there are two public open spaces and three private open spaces. No historic resources were identified in the area surrounding the project site.

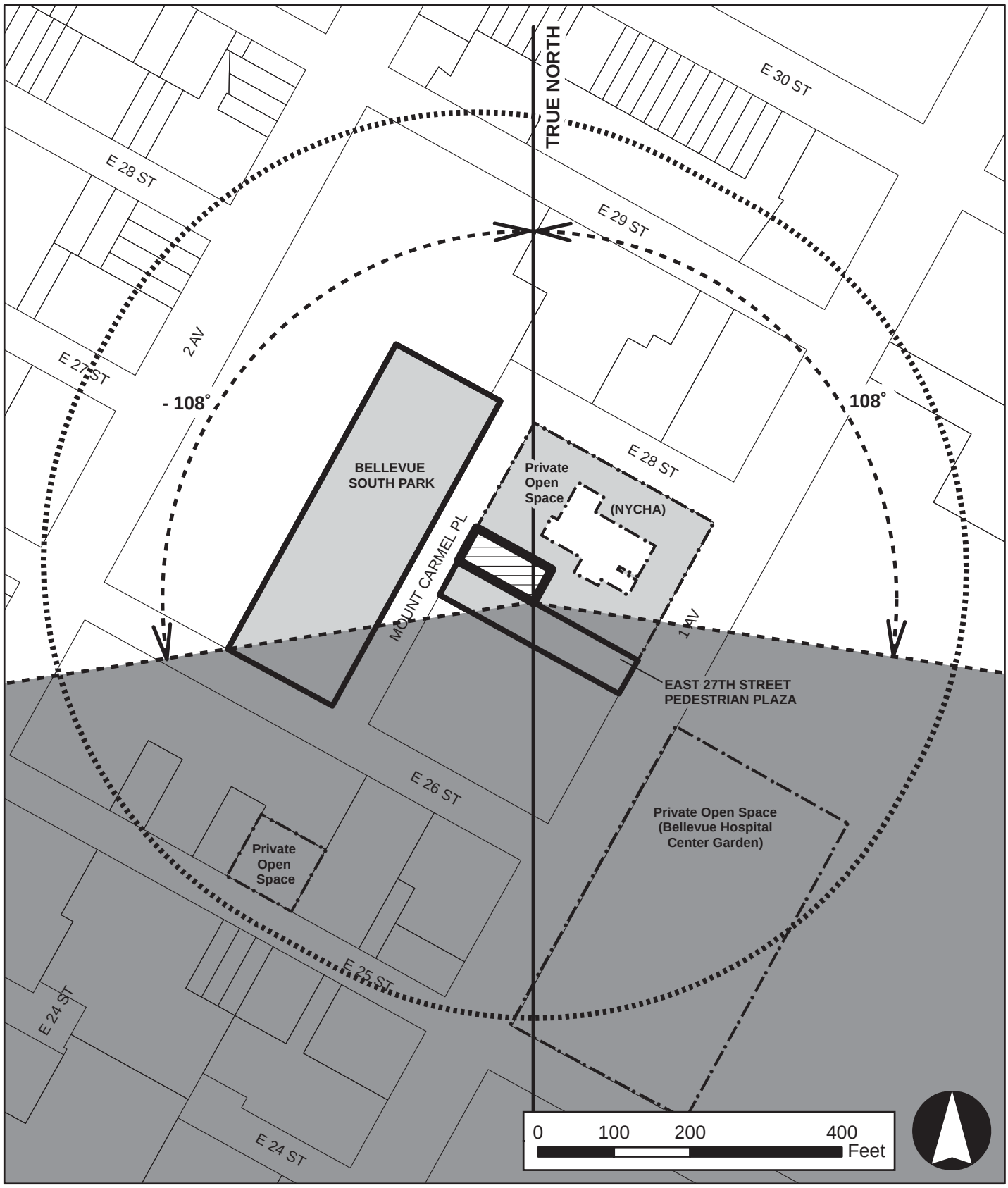
Tier 1 Screening Assessment

The *2012 CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures or additions to existing structures, which are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. The proposed development would be a 9-story structure with a total building height of 111 feet, and a bulkhead elevation of approximately 126 feet and 2 inches. For conservative analysis purposes a shadow radius was calculated for a building height of 127 feet.

According to the *2012 CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height and occurs on December 21, the winter solstice. As such, the longest shadow that could be cast by the proposed development would be approximately 546 feet in length. As shown in Figure D-1, within the 546-foot shadow radius, there are two publicly accessible open spaces located adjacent to and west of the project site, both of which are under the jurisdiction of the New York City Department of Parks and Recreation (DPR). Located across Mount Carmel Place to

Figure D-1

Tier 1 and 2 Shadow Screening Map



Legend

- Project Site
- 546-Foot Shadow Radius
- Public Open Space Resources
- Private Open Space Resources
- No-Shadow Area

the west of the project site is Bellevue South Park, and adjacent to and south of the project site is the East 27th Street Pedestrian Plaza. As both these open space resources are publicly accessible a Tier 2 Screening Assessment is warranted.

In addition, as shown in Figure D-1, there are three private open spaces also located within the 546-foot shadow radius. These three private open space resources are not considered sunlight-sensitive resources in accordance with CEQR, and therefore their assessment for shadow impacts is not required.

Adjacent to the north and east of the project site is the private accessory open space and associated grounds of the New York City Housing Authority (NYCHA) property at 344 East 28th Street, which consists of a 26-story multi-family residential building, located in the center of the property. To the north, east, and west, the building is surrounded by shadow-tolerant mid-sized bushes and old trees in wood chip covered soil. The area to the south of the building is occupied by a playground. It includes asphalt surface, play equipment with soft surface, and beach ball sculptures to climb. Across First Avenue, to the southwest of the project site, is a garden accessory to the Bellevue Hospital Center, which is surrounded by a fence and not publicly accessible. Located two blocks southwest of the project site, on East 25th Street, is another private open space that is accessory to the adjacent Henry Phipps Plaza South residential development located at 330 East 26th Street.

Tier 2 Screening Assessment

In accordance with *2012 CEQR Technical Manual* guidelines, no shadows can fall within the triangular area located to the south of the project site In New York City this area lies between -108 and 108 degrees from true north. As shown in Figure D-1, portions of both Bellevue South Park and the East 27th Street Pedestrian Plaza would be located within the triangular area south of the project site where no incremental shadows from the proposed development could be cast. However, the majority of Bellevue South Park and approximately one third of the East 27th Street Pedestrian Plaza could potentially cast in shadow by the proposed development in the future with the proposed actions. Therefore, a Tier 3 Screening Assessment is warranted for these two public open space resources.

Two of the three private open spaces are located entirely within the triangular area south of the project site where no incremental shadows from the proposed development could be cast: the private open space for Henry Phipps Plaza along the north side of East 25th Street, to the southwest of the project site, and the garden accessory to the Bellevue Hospital Center, located across First Avenue, to the east of the project site. In addition, the southeastern portion of the private open space accessory to the NYCHA building at 344 East 28th Street adjacent to the project site is also located within the no-shadows area. As previously mentioned, under CEQR private open space resources are not considered sunlight sensitive, and therefore their assessment for shadow impacts is not required. Even though the northern portion of the NYCHA property could potentially be shaded in the future with the proposed building, no further analysis is warranted as the open space is not public.

Bellevue South Park

Bellevue South Park, an approximately 1.59-acre public open space, is located across the street and west of the project site, on a block bounded by Mount Carmel Place and First Avenue to the east, East 26th Street to the south, Second Avenue to the west, and East 29th Street to the north (refer to Figure D-1)[3]. The park is named after the Bellevue Hospital complex, which is located on the east side of First Avenue between East 25th and East 28th Streets. Bellevue South Park was originally mapped in 1966, with the intent to provide a green space for the increasingly residential neighborhood. However, due to New York City's severe fiscal crisis of the mid-1970s the site was left undeveloped until the late 1970s, when the City agreed to pay for the construction of the park after Community Board 6 and residents of the neighborhood promised to cover all of the expenses needed for its maintenance. The park opened in November 1979, and the maintenance of the park was under the jurisdiction of the Better Bellevue Association (a coalition of residents and nearby institutions including the Phipps Plaza Community Center, the Parks Council, the New York City Environmental Fund, and Community Board 6) for the next seven years. Since 1986, DPR has jurisdiction over the park. The park was most recently renovated in 1997, with sponsorship of Councilman Antonio Pagan.

Improvements included the removal of a concrete wall that had surrounded the park, a significant greening of the interior that replaced concrete and asphalt with trees and plant beds, and the installation of two new playgrounds with safety surfacing. A basketball court, numerous game tables, and new benches were added as well. Designers gave the park a lively and playful atmosphere by including sculptures (refer to photo #1 in Figure D-2). The Better Bellevue Association organizes senior activities, lunchtime concerts, and children's programs in Bellevue South Park.

The park is comprised of three different topographic levels. As shown in photos #1 and #2 in Figure D-2, the lower level of the park is at the same elevation as Mount Carmel Place. The highest elevation in the park is along its western boundary line, where it borders properties occupied by several high-rise mixed-use buildings (refer to photo #3 in Figure D-2). The park access points are approximately at the same elevation as Second Avenue. In the prolongation of East 27th Street, stairs lead to the middle and lower levels of the park, which include multiple seating and playground options (refer to photos #2 and #4 in Figure D-2). The park is open to the public from 6am to 6pm.

East 27th Street Pedestrian Plaza (between First Avenue and Mount Carmel Place)

The portion of East 27th Street between First Avenue and Mount Carmel Place is closed to vehicular traffic, designed as a pedestrian plaza, and also under the jurisdiction of DPR. East 27th Street between First Avenue and Mount Carmel Place is defined by its distinct pavement, red brick pavers, which cover the surface from the curb along the block to curb (refer to photos in Figure D-3). Decorative iron fences are located at the pedestrian plaza's terminuses at Mount Carmel Place and First Avenue (refer to photos #1, #2, and #3 in Figure D-3). The plaza

[3] Manhattan Block 934, Lot 50.

1 Lower level of Bellevue South Park, looking east towards NYCHA building

2 Area of Bellevue South Park across from the Project Site

3 Looking towards western boundary of the park from lower level

4 Looking south on lower level of Bellevue South Park

1 View of East 27th St. Pedestrian Plaza looking east from Mount Carmel Pl.

2 Looking northeast from the sidewalk on Mount Carmel Pl.

3 Looking northwest along the East 27th Street Pedestrian Plaza

4 Looking east towards First Avenue/Bellevue Hospital Center from the fence of the pedestrian plaza

Pictures of East 27th Street Pedestrian Plaza (between Mount Carmel Place and First Avenue)

includes a double row of trees, seven on the north side and nine on the south side. Pedestrian lights, benches, and trash receptacles are placed between the trees.

There are no other public or private open space resources, historic resources, or natural resources with sunlight-sensitive features within a 546-foot radius.

III. ASSESSMENT OF POTENTIAL SHADOW IMPACTS

Tier 3 Screening Assessment / Detailed Shadow Analysis

According to the *2012 CEQR Technical Manual*, a Tier 3 Screening Assessment should be performed if any portion of a sunlight-sensitive resource is within the area that could be cast in incremental shadows by the proposed project. The Tier 3 Screening Assessment is used to determine if shadows resulting from a proposed project can reach a sunlight-sensitive resource. A detailed shadow analysis is warranted if the Tier 3 Screening Assessment does not rule out the possibility that project-generated shadows would reach a sunlight-sensitive resource. The detailed shadows analysis establishes a baseline condition (future No-Action condition), which in this case is identical with the existing condition. Therefore, the existing condition is compared with the future With-Action condition, which includes the proposed 9-story building on the project site.

An adverse shadow impact is considered to occur when the incremental shadow from a development falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of its vegetation or other resources. The uses and vegetation in an open space establish its sensitivity to shadows. This sensitivity is assessed for both (1) warm-weather- dependent features like wading pools and sand boxes, or vegetation that could be affected by a loss of sunlight during the growing season; and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season (defined as March to October), is often a minimum requirement for vegetation.

The shadow analysis considers the times when the proposed building would increase shadows falling on public open space (Bellevue South Park and East 27th Street Pedestrian Plaza), compared to No-Action conditions. As noted in Attachment A, "Project Description", in the future without the proposed actions, the project site would remain City-owned, no change in use would occur, and there would be no development on the project site.

As the sun travels across the southern part of the sky throughout the day, shadows move in a clockwise direction until they stretch east, because the sun sets in the west. Midday shadows are always shorter than those at other times of the day because the sun is highest in the sky at

that time. Further, because of the tilt of the earth's axis, the angle at which the sun's rays strike the earth varies throughout the year, so that during the summer, the sun is higher in the sky and shadows are shorter than during the winter. Winter shadows, although longest, move the most quickly along their paths (because of the earth's tilt) and do not affect the growing season of outdoor trees and plants.

As directed by the *2012 CEQR Technical Manual*, a shadow analysis was performed for the proposed building on the project site, utilizing Autodesk's AutoCAD and Google's Sketchup. The shadows analysis was conducted for four representative days of the year: March 21 and September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); June 21, the summer solstice and the longest day of the year; and December 21, the winter solstice and shortest day of the year. The *2012 CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset. The results of the shadow analysis are summarized in Table D-1, and discussed below.

Table D-1
Incremental Shadow Durations in Bellevue South Park and the East 27th Street Pedestrian Plaza

Resource	Analysis Date			
	Shadow Increment March 21/September 21 Timeframe window: 7:36am – 4:29pm	**Shadow Increment May 6/August 6** Timeframe window: 6:27am – 5:18pm	**Shadow Increment June 21** Timeframe window: 5:57am – 6:01pm	**Shadow Increment December 21** Timeframe window: 8:51am – 2:53pm
	Enter - Exit	**Enter - Exit**	**Enter - Exit**	**Enter - Exit**
Bellevue South Park	**7:37am – 11:06am**	**6:27am – 9:53am**	**8:48am – 9:12am**	**8:51am – 12:16pm**
Duration	3 hrs 29 mins	3 hrs 26 mins	0 hrs 24 mins	3 hrs 25 mins
East 27th St. Ped. Plaza	**8:28am – 8:53am**	**7:02am – 9:43am**	**6:48am – 10:18am**	**None**
Duration	0 hrs 25 mins	2 hrs 41 mins	3 hrs 30 mins	N/A

Note: All times are Eastern Standard Time; Daylight Savings Time was not accounted for.
Sources: Building information from nARCHITECTS and MapPLUTO (2011).

The "enter" times shown in Table D-1 represent the time that project-generated incremental shadows ("incremental shadows") first hit any part of Bellevue South Park and the East 27th Street Pedestrian Plaza, and the "exit" times represent the time that these incremental shadows would completely leave these resources completely. As the project site is located across the street to the east of Bellevue South Park and adjacent to and north of the East 27th Street Pedestrian Plaza, incremental shadows from the proposed development would affect the two open space resources only in the first half of the day/morning hours during all analysis dates. Brief discussions of incremental shadow conditions are provided below for each analysis date.

March 21/September 21

On the spring (and fall) equinoxes, as shadows grow in length, the proposed building would cast incremental shadows on both Bellevue South Park and the East 27th Street Pedestrian Plaza (see Figure D-4). The project-generated incremental shadows would enter Bellevue South Plaza at 7:37am and exit at 11:06am, for a total of 3 hours and 29 minutes in the morning. More specifically, at first the incremental shadow would be cast along the western edge of the park rear residential development and move east extending through the park. Incremental shadows would fall on the central portion of the park, first affecting upper and middle levels (see Figure D-4, shadow condition at 8:00am), later affecting the middle and lower levels (see Figure D-4, shadow condition at 8:45am and 9:30am). The incremental shadow would finally exit the park area at its eastern boundary line at Mount Carmel Place (see Figure D-4, shadow condition at 11:00am).

On the same analysis dates, the incremental shadows from the proposed building would fall on the East 27th Street Pedestrian Plaza for only 25 minutes in the early morning, entering the plaza at 8:28am and exiting the plaza at 8:53am. As shown in Figure D-4 (shadow condition at 8:45am), only a small area in the western portion of the pedestrian plaza along Mount Carmel Place would be shaded by the project-generated incremental shadows.

May 6/August 6

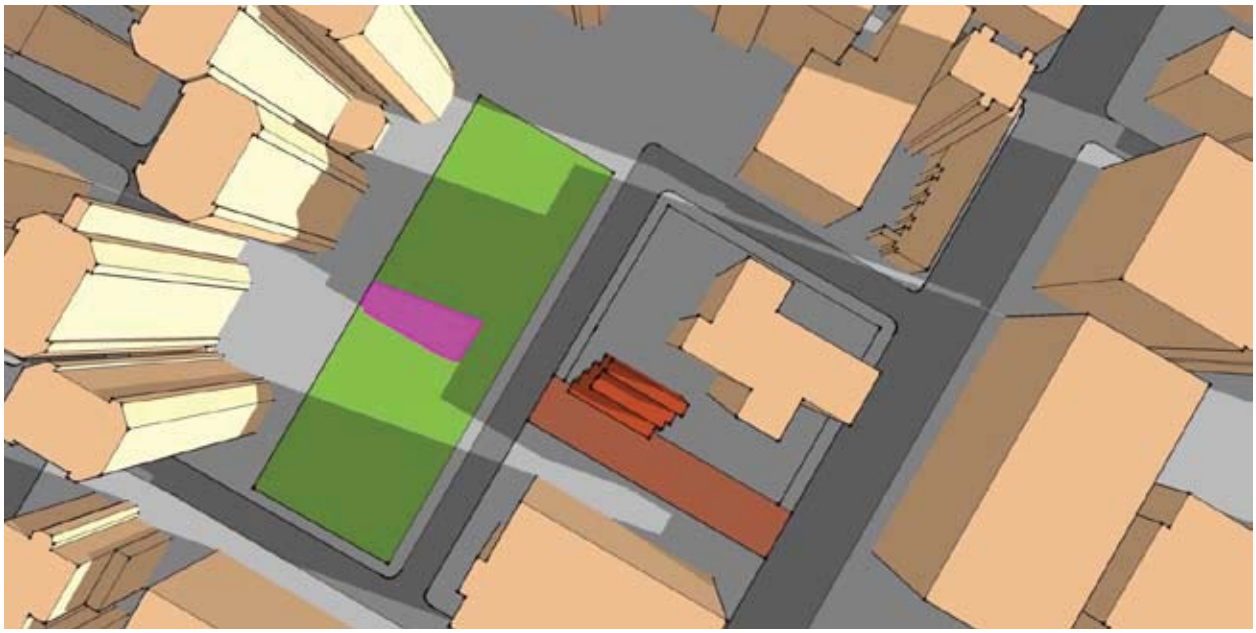
On May 6 (and August 6), which is halfway between the solstice and equinox, the proposed building would cast incremental shadows on both Bellevue South Park and the East 27th Street Pedestrian Plaza (see Figure D-5). The incremental shadows would enter Bellevue South Park at 6:27am and exit at 9:53am. As shown in Figure D-5, only a small area of the southwestern portion of the park would be shaded for 3 hours and 26 minutes in first half of the morning. At first, the incremental shadow would reach the lower and middle levels of the park (see Figure D-5, shadow condition at 7:00am), and then it would move further east towards its eastern boundary line at Mount Carmel Place (see Figure D-5, shadow conditions at 8:00am and 9:00am).

The incremental shadow would enter the East 27th Street Pedestrian Plaza at 7:02am and exit at 9:43am. The pedestrian plaza would be shaded by project-generated incremental shadows for approximately 2 hours and 41 minutes in first half of the morning. More specifically, the pedestrian plaza area in front of the western portion of the proposed building would be cast in incremental shadow (see Figure D-5, shadow conditions at 8:00am). The incremental shadow would move north over time, and only cover a small area comprising the northwestern portion of the plaza, adjacent to the proposed building, before exiting the open space resource at 9:43am (see Figure D-5, shadow conditions at 9:00am).

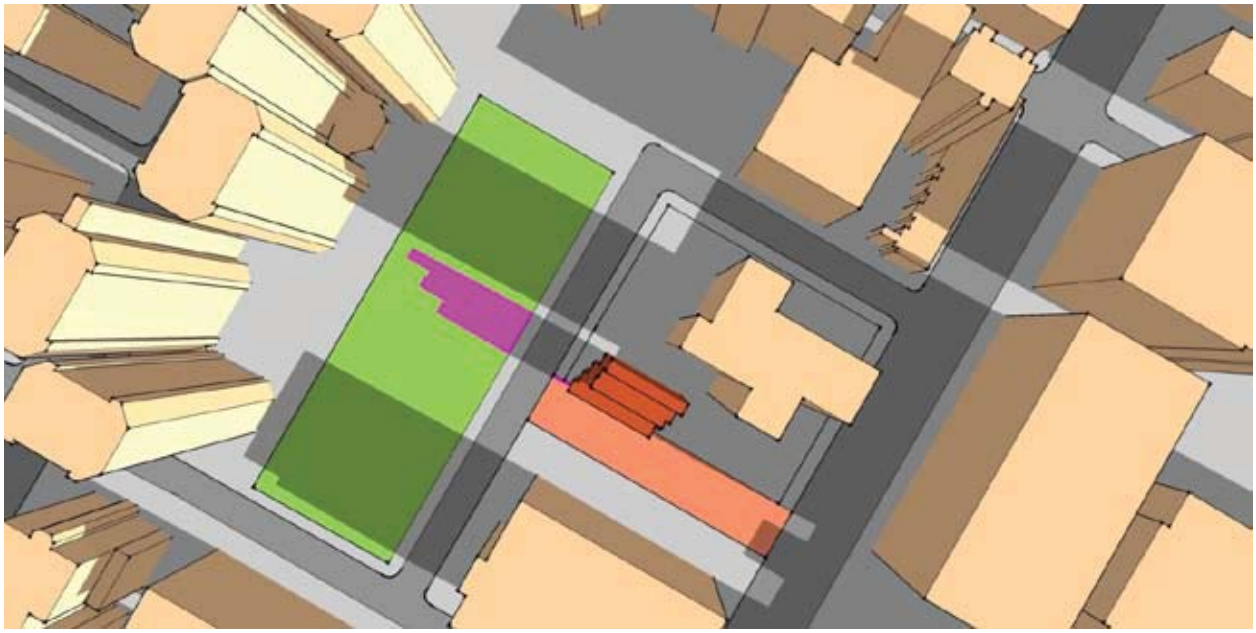
June 21

On the longest day of the year, the sun is most directly overhead and shadows are shortest in length. The proposed building would cast incremental shadows on both Bellevue South Park and the East 27th Street Pedestrian Plaza (see Figure D-6). The project-generated incremental shadows would enter Bellevue South Park at 8:48am and exit at 9:12am for a duration of 24

Extent of Project-Generated Shadow Increment, March 21 / September 21



March 21, 8:00am



March 21, 8:45am

Legend

- Proposed Building
- Project-Generated Incremental Shadow
- Bellevue South Park
- East 27th Street Pedestrian Plaza

E□tent o□Project-Generated Shadow Increment□□ arch 2□ □Septem□er 2□

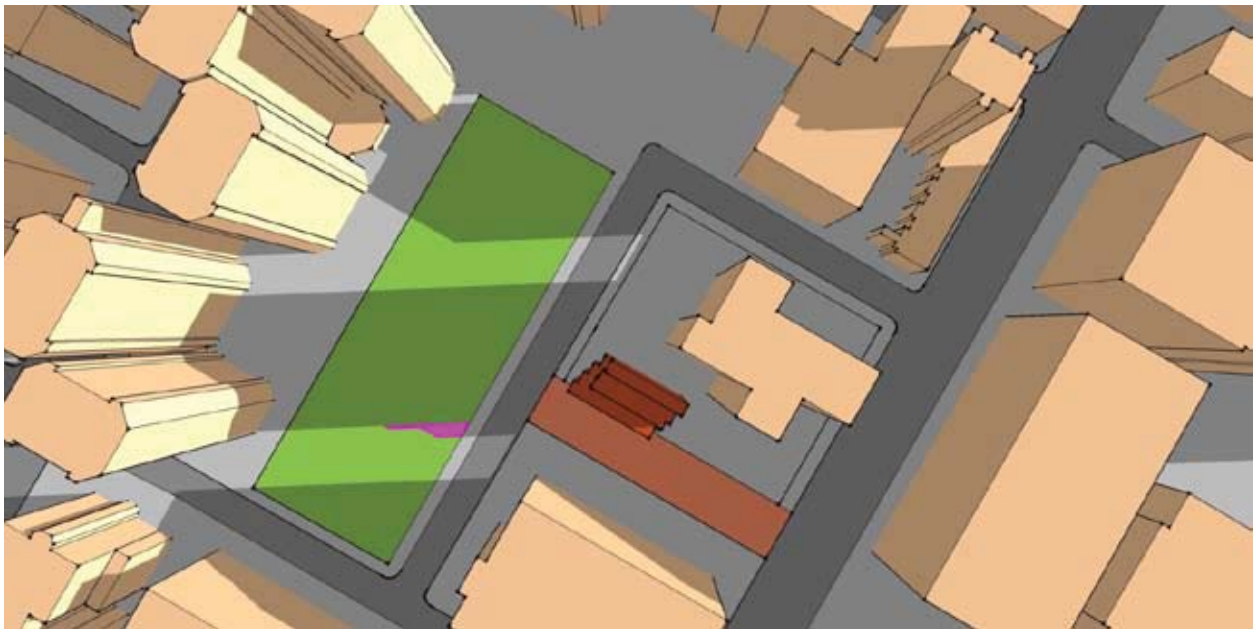
March 21, 9:30am

March 21, 11:00am

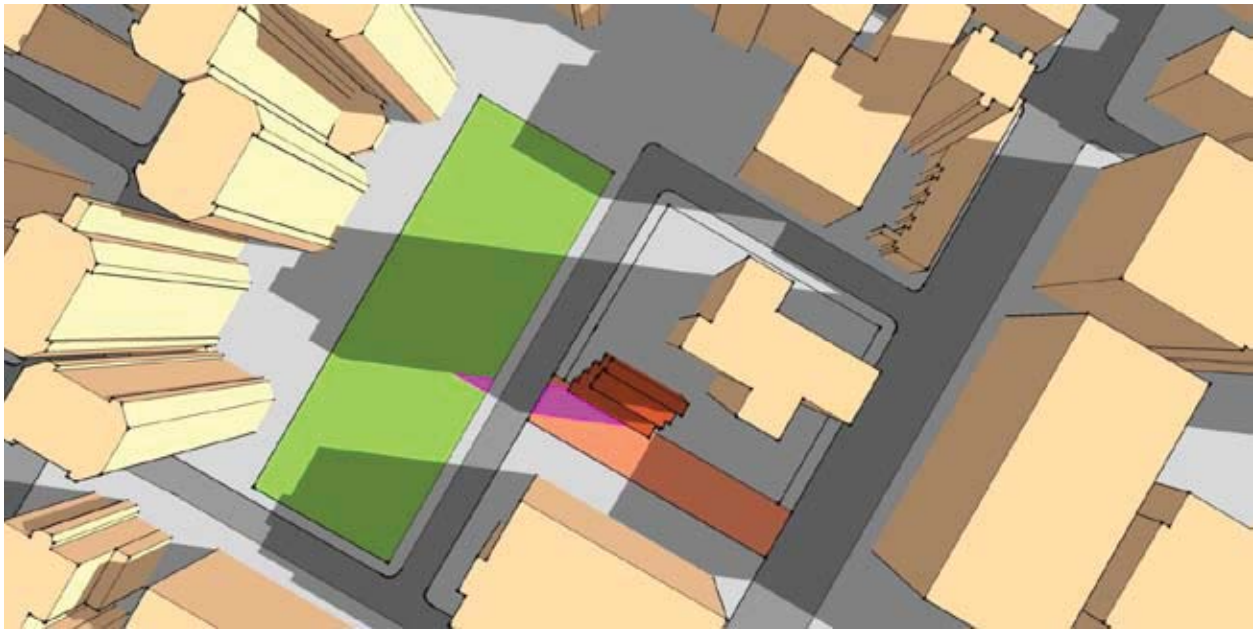
Legend

- Proposed Building
- Project-Generated Incremental Shadow
- Bellevue South Park
- East 27th Street Pedestrian Plaza

E□tent o□Project-Generated Shadow Increment□□ a□ □ □□ugust □



May 6, 7:00am



May 6, 8:00am

Legend

- Proposed Building
- Bellevue South Park
- Project-Generated Incremental Shadow
- East 27th Street Pedestrian Plaza

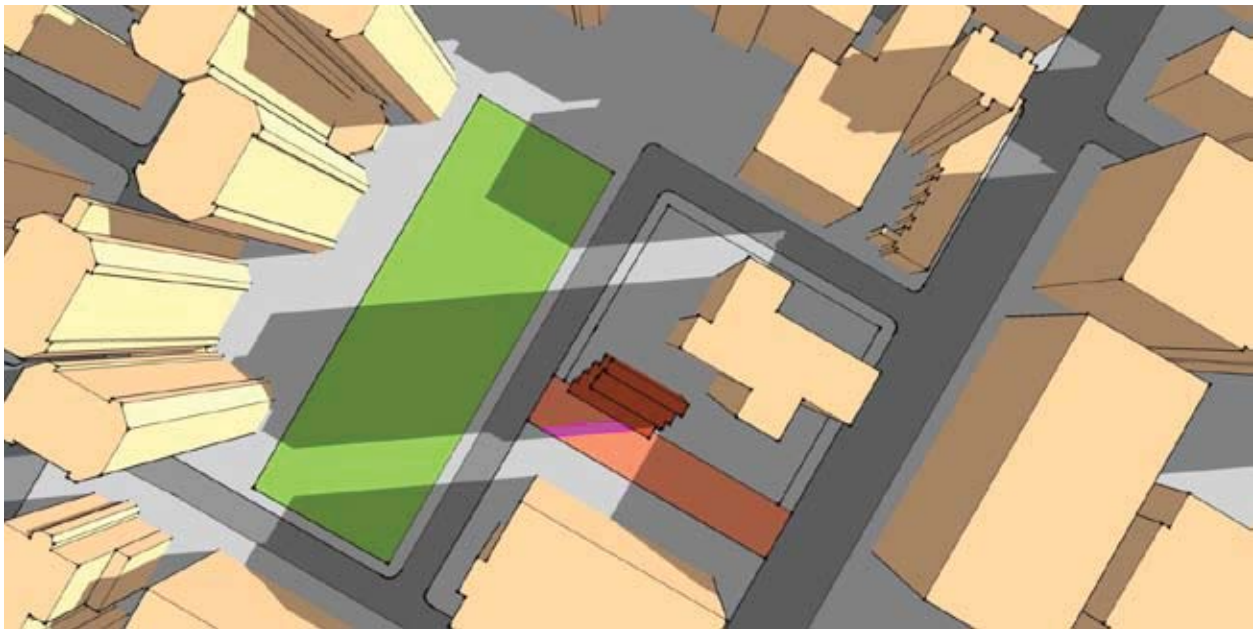
E□tent o□Project-Generated Shadow Increment□□ a□ □ □□ugust □

May 6, 9:00am

Legend

- **Proposed Building**
- **Bellevue South Park**
- **Project-Generated Incremental Shadow**
- **East 27th Street Pedestrian Plaza**

E□tent o□Project-Generated Shadow Increment□□une 2□



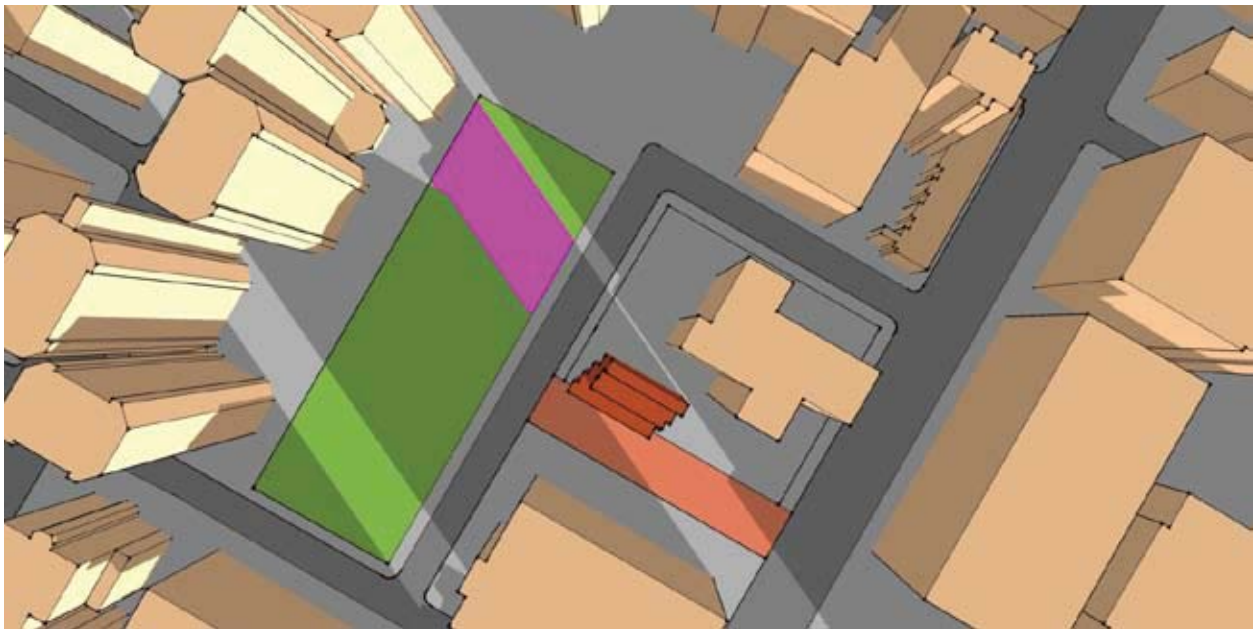
June 21, 7:30am

June 21, 9:00am

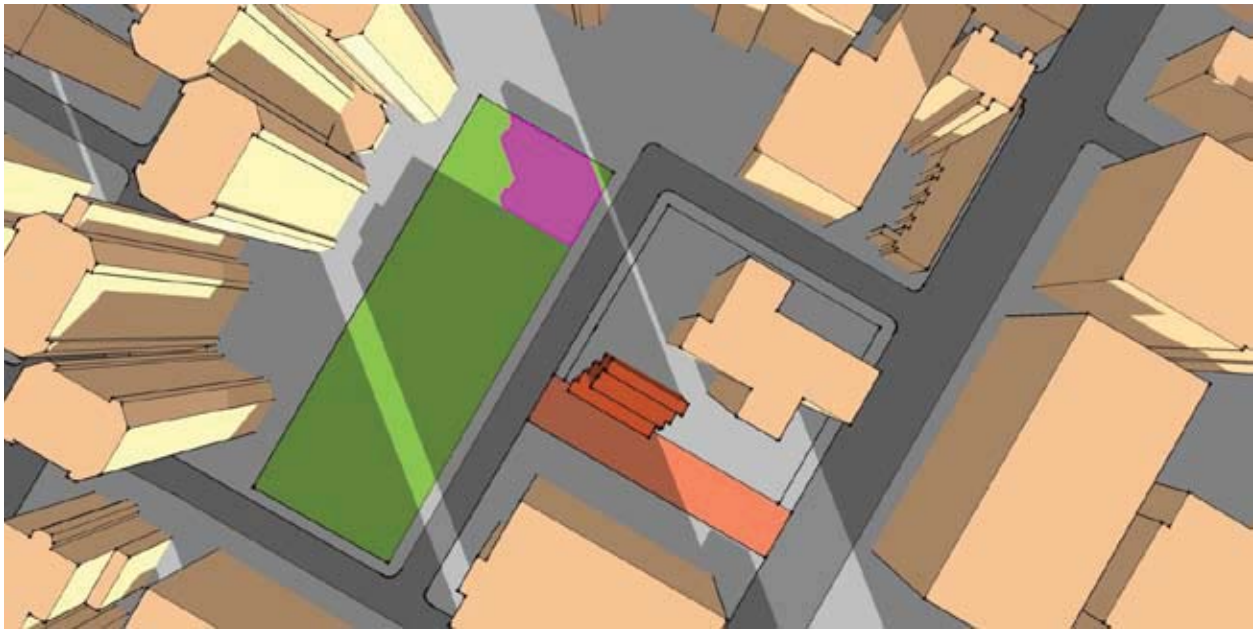
Legend

- Proposed Building
- Project-Generated Incremental Shadow
- Bellevue South Park
- East 27th Street Pedestrian Plaza

E□tent o□Project-Generated Shadow Increment□□ecem□er 2□



December 21, 9:30am

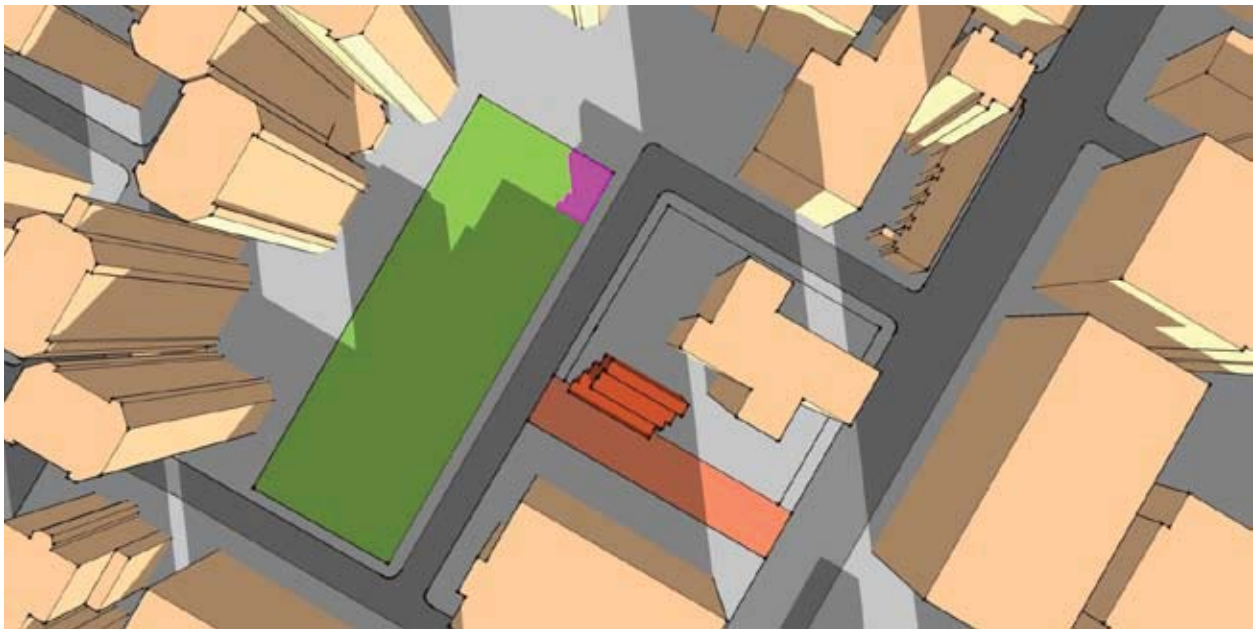


December 21, 10:30am

Legend

- Proposed Building
- Project-Generated Incremental Shadow
- Bellevue South Park
- East 27th Street Pedestrian Plaza

E□tent o□Project-Generated Shadow Increment□□ecem□er 2□



December 21, 11:30am

Legend

- Proposed Building
- Bellevue South Park
- Project-Generated Incremental Shadow
- East 27th Street Pedestrian Plaza

minutes. The incremental shadows would only affect a very small area on the lower level of the park across the street from the pedestrian plaza, at its eastern boundary line at Mount Carmel Place, and only for a short duration of 24 minutes (see Figure D-6, shadow conditions at 9:00am).

The incremental shadows would enter the East 27th Street Pedestrian Plaza at 6:48am and exit at 10:18am. A small area in the western portion of the pedestrian plaza, in front of the proposed building would be shaded by the incremental shadow for a time period of 3 hours and 26 minutes in first half of the morning (see Figure D-6, shadow conditions at 7:30am and 9:00am).

December 21

On the shortest day of the year, the shadows are the longest but move rapidly. Shadows cast by existing buildings are longer than project-generated shadows on this analysis day. No project-generated incremental shadows would be cast on the East 27th Street Pedestrian Plaza on December 21.

However, project-generated incremental shadows would be cast on all three topographic levels of the northern third of Bellevue South Park near 28th Street. The incremental shadows would move quickly and would enter the park at 8:51am and exit at 12:16pm. The northern portion of the park would be shaded by the incremental shadow for 3 hours and 25 minutes throughout the morning and briefly in the early afternoon. At first, the incremental shadow would reach all three topographic levels of the park. Refer to Figure D-2 to see Bellevue South Park. (see Figure D-7, shadow condition at 9:30am), and then it would move further northeast towards the northeastern corner of the park at Mount Carmel Place and East 28th Street (see Figure D-7, shadow conditions at 10:30am and 11:30am).

Assessment

A shadow impact occurs when the incremental shadow from a proposed project falls on a sunlight sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs.

For open spaces, the uses and features of the space indicate its sensitivity to shadows. Shadows occurring during the cold-weather months of interest generally do not affect the growing season of outdoor vegetation; however, their effects on other uses and activities should be assessed. Therefore, this sensitivity is assessed for both (1) warm-weather-dependent features like wading pools and sand boxes, or vegetation that could be affected by a loss of sunlight during the growing season; and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is often a minimum requirement. Consequently, the assessment of an open space's sensitivity to

increased shadow focuses on identifying the existing conditions of its facilities, plantings, and uses, and the sunlight requirements for each.

Overall, the proposed actions are not expected to result in significant adverse shadow impacts on Bellevue South Park and East 27th Street Pedestrian Plaza, compared to No-Action conditions. Both open space resources are currently located in the vicinity of mid- to high-rise buildings and are exposed to existing shadows cast by these buildings on a regular basis. As a result, the planted areas in Bellevue South Park include shade tolerant vegetation and trees. The East 27th Street Pedestrian Plaza includes shade tolerant street trees. The incremental shadows from the proposed 9-story building on the project site would reach only moderate portions of Bellevue South Park and very small portions of the East 27th Street Pedestrian Plaza during the analysis periods.

Bellevue South Park

Bellevue South Park would be affected by project-generated incremental shadows during all four analysis periods during the morning and early afternoon. No incremental shadows would be cast in the afternoon by the development during any analysis period. No single area of the park would be cast in incremental shadows for extended periods of time during any of the analysis periods.

The areas of Bellevue South Park that would be affected by project-generated incremental shadows would typically include larger areas over all three topographic levels of the park in the beginning of the shading period, and smaller areas on the middle and lower levels of the park, eventually close to its eastern boundary line at Mount Carmel Place at the end of the shading period. In addition, incremental shadows would be cast on areas with the size of approximately one tenth or less of the total park area at a given time. The affected areas include paved surfaces, some benches, and play equipment. However, as only moderate areas of the park would be affected at a given time, there would be plenty of other benches and alternative play equipment for use during the shading periods. As such, active and passive enjoyment of the park would not be significantly affected by the limited reduction in direct sunlight during these time periods.

With a maximum incremental shadow duration of 3 hours and 29 minutes over a small area in the center of the park (on March 21), it is expected that this open space would still obtain adequate sunlight. The anticipated day length for March 21 is 12 hours and 10 minutes[4]. According to the *2012 CEQR Technical Manual*, four to six hours a day of sunlight is accepted as a minimum requirement for vegetated areas. With the projected incremental shadow duration time, the affected park areas would still receive over seven hours of sunlight, which fulfills the CEQR minimum requirement. As a result, there would not be significant adverse shadow impacts on the park resulting from the proposed actions. Therefore, the incremental shadows cast by the proposed building on the park would not adversely affect the utilization or enjoyment of this resource.

[4] Source: www.sunrisesunset.com

East 27th Street Pedestrian Plaza

The areas of the East 27th Street Pedestrian Plaza that would be affected by project-generated incremental shadows would typically include small areas directly adjacent to and south of the proposed building as well as to the west of it along Mount Carmel Place. The remaining portion of the pedestrian plaza to the east of the proposed building would not be affected by any incremental shadows during any of the analysis dates. In addition, no project-generated incremental shadows would be cast on the pedestrian plaza on December 21.

The affected areas include paved surfaces, benches, and street trees. As the pedestrian plaza includes multiple benches, the majority of which are located in the portion of the plaza that would not be affected by project-generated incremental shadows, there are seating options during the shading periods. As such, passive enjoyment of the pedestrian plaza would not be significantly affected by the limited reduction in direct sunlight during these time periods.

With a maximum incremental shadow duration of 3 hours and 30 minutes over a small area in the center of the park (on June 21), it is expected that this open space would still obtain adequate sunlight. The anticipated day length for June 21 is 15 hours and 6 minutes[5]. According to the *2012 CEQR Technical Manual*, four to six hours a day of sunlight is accepted as a minimum requirement for vegetated areas. With the projected incremental shadow duration time, the affected plaza areas would still receive over eleven hours of sunlight, which fulfills the CEQR minimum requirement. As a result, there would not be significant adverse shadow impacts on the plaza resulting from the proposed actions. Therefore, the incremental shadows cast by the proposed building on the pedestrian plaza would not adversely affect the utilization or enjoyment of this resource.

IV. CONCLUSION

Overall, there would be no noticeable reduction in the usability of Bellevue South Park and the East 27th Street Pedestrian Plaza as a result of incremental shadows created by the proposed actions, compared to No-Action conditions. The incremental shadows from the proposed building would be limited in their extent and reach only moderate portions of Bellevue South Park during all four representative analysis periods, and very small portions of the western edge of the pedestrian plaza during the March 21, May 6, and June 21 analysis dates. However, as detailed above, the incremental shadow duration for Bellevue South Park would range from 24 minutes on June 21 to 3 hours and 29 minutes on March 21, and for the pedestrian plaza they would range from 25 minutes on March 21 to 3 hours and 30 minutes on June 21. As discussed above, it is expected that the affected public open space resources would continue to receive more than the required six hours of direct sunlight during the growing season, and the incremental shadows created by the proposed building are not expected to substantially reduce the usability of these open spaces. Therefore, no significant adverse shadows impacts are anticipated as a result the proposed actions.

[5] Ditto.

ATTACHMENT E
URBAN DESIGN AND VISUAL RESOURCES

Introduction

Together, the urban design components and visual resources of an area define the distinctive identity of a neighborhood. In an urban design assessment under *CEQR*, one considers whether and how a project may change the experience of a pedestrian in the project area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment, as experienced by pedestrians in the study area. These components include building bulk, use, and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. The concept of bulk is created by the size of a building and the way it is massed on a site. Height, length and width define a building's size; volume, shape, setbacks, lot coverage, and density define its mass.

Pursuant to the *2012 CEQR Technical Manual* a preliminary analysis of urban design and visual resources is appropriate if a proposed project would result in a building that substantially differs from the existing surrounding neighborhood structure in height, bulk, form, setbacks, size, and scale, and result in an increased built floor area beyond what would be allowed as-of-right.

This application is for several discretionary actions, including the following: the disposition of City-owned property to the applicant, a zoning map amendment to extend the existing C2-5 commercial overlay on the subject block west along East 27th Street to Mount Carmel Place, and approval and designation of the project site as an Urban Development Action Area Project (UDAAP). In addition, the applicant is seeking a Mayoral Zoning Bulk Override (collectively, "the proposed actions").

The proposed actions would result in the construction of a 9-story 30,018 gross square foot (gsf)[1] mixed-use micro-units development on the project site, which would require different height, bulk, and setback allowance than currently permitted under the site's existing R8 zoning, and could therefore have the potential to result in changes of pedestrian experiences in the study area. As a result, a preliminary urban design analysis is warranted. The following preliminary analysis follows the guidelines of the *2012 CEQR Technical Manual.*

Per criteria of Section 230 of the *2012 CEQR Technical Manual*, a wind condition analysis is not warranted for the proposed actions. The project site is located west of First Avenue in the Kips Bay neighborhood of Manhattan, and not in a high wind location, such as along the waterfront, nor is it in a location where wind conditions from the waterfront are not attenuated by existing buildings or natural features. The proposed 9-story development would be a midrise structure that is not expected to alter wind conditions in the vicinity of the development site. Therefore, no wind analysis is warranted.

[1] The proposed 30,018 gsf are above grade and do not include mechanical bulkhead area.

Study Area

As defined in the *2012 CEQR Technical Manual*, the urban design and visual resources study area consists of the area where the project may influence land use patterns and the built environment. For the purpose of this preliminary assessment, the study area consists of the area within an approximate 400-foot radius of the rezoning area. As shown in Figure E-1, the study area is roughly bounded by East 29th Street to the north, the Bellevue Hospital Center to the east, the mid-block between East 25th and East 26th Streets to the south, and Second Avenue to the west.

The following preliminary analysis is based on field visits, aerial views, photographs, and other graphic images of the project site, rezoning area, and the surrounding study area. Zoning calculations, including floor area calculations, building heights and lot coverage information are also provided for the project site. This analysis addresses each of the urban design characteristics for existing conditions and the future without and with the proposed actions for the analysis year of 2015. As detailed below, the preliminary assessment indicated that the changes to the pedestrian environment as a result of the proposed actions would not be significant and a detailed analysis is not warranted.

Preliminary Analysis

The purpose of the preliminary assessment is to determine whether any physical changes proposed by the project may raise the potential to significantly and adversely affect elements of urban design. Pursuant to the *2012 CEQR Technical Manual* guidelines, as the proposed actions might potentially result in development components that could change the experience of a pedestrian passing by the project site and immediate vicinity, a preliminary assessment is required. As described above, the proposed actions would modify the existing zoning and change various bulk, height and setback requirements to facilitate the implementation of the proposed micro-units development.

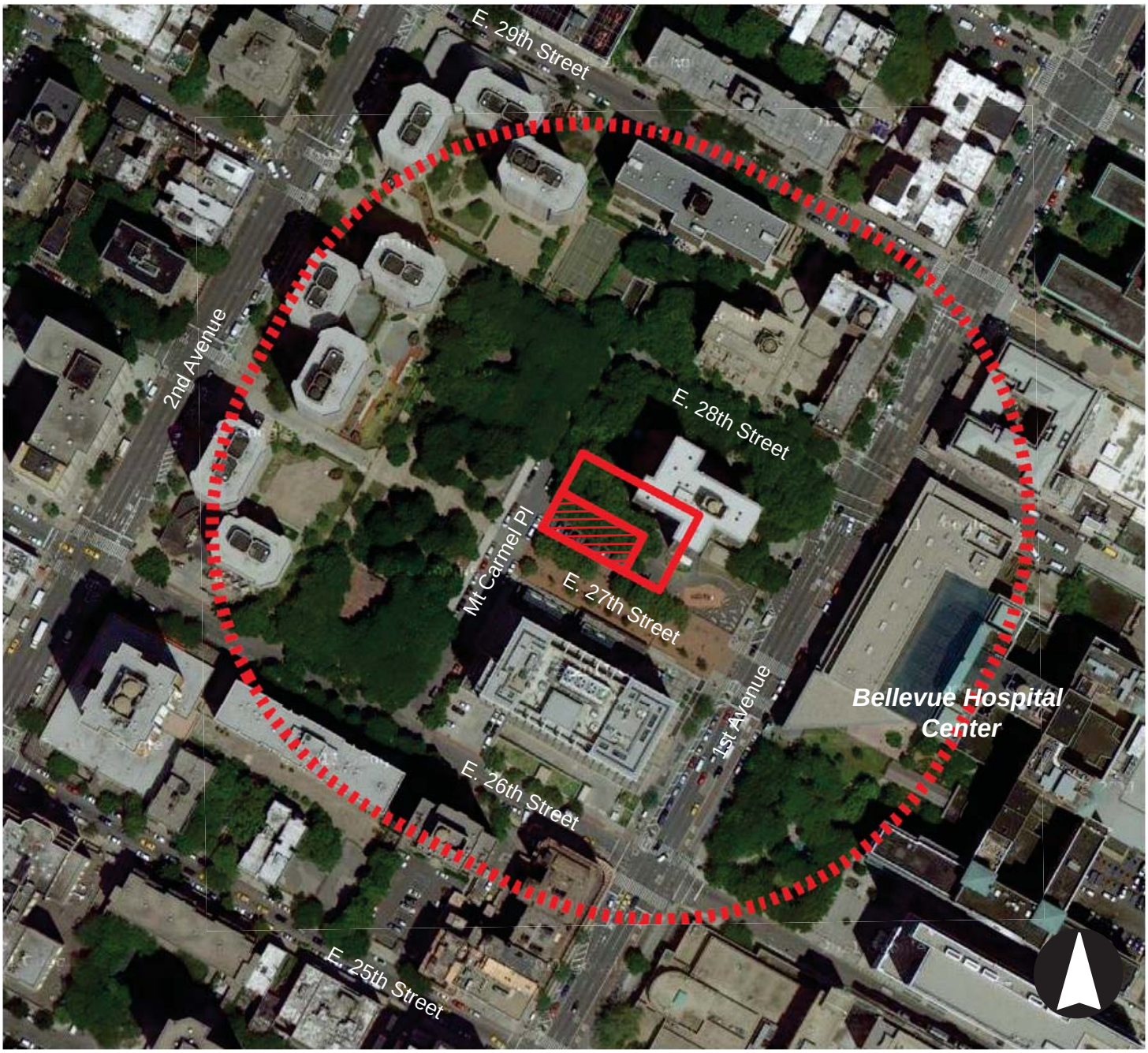
Existing Conditions

Rezoning Area

The rezoning area comprises an approximately 15,000 sf portion of the block bounded by East 27th Street to the south, Mount Carmel Place to the west, East 28th to the north, and First Avenue to the east (refer to Figure E-1). The proposed rezoning area would include the project site (Lot 10), which would be conveyed to the applicant as part of the proposed actions, and a portion of Lot 25, which is City owned and would not be disposed of to the applicant (refer to Figure A-2 in Attachment A, “Project Description”). It is entirely zoned R8.

The project site is comprised of Lot 10 on Block 933, which is a rectangular-shaped parcel that consists of approximately 4,725 sf. The project site, which is currently vacant and enclosed by construction fencing, has 45 feet of frontage along the east side of Mount Carmel Place, and 105 feet of frontage along the north side of East 27th Street. Formerly the project site had served as an at grade parking lot and as a result is entirely paved with asphalt on a flat topography that is at the same elevation as Mount Carmel Place. The project site does not include any open

Figure E-1
Urban Design Study Area



Legend

Project Site

Rezoning Area

400-Foot Radius

space useable for recreational purposes, natural or visual resources, or view corridors (refer to photos in Figures E-2 and E-3). No street trees are located along the project site's Mount Carmel Place frontage. The portion of East 27th Street between First Avenue and Mount Carmel Place is closed to vehicular traffic, designed as a pedestrian plaza, and includes a double row of street trees, seven on the north side and nine on the south side. Along East 27th Street, there are benches, pedestrian lights, and trash receptacles placed between the trees. East 27th Street between First Avenue and Mount Carmel Place is well maintained and defined by its distinct pavement, red brick pavers, which cover the surface from the curb along the block to curb. Decorative iron fences are located at the pedestrian plaza's terminuses at Mount Carmel Place and First Avenue (refer to photos in Figure E-3).

Photos illustrating the pedestrian experience along the Mount Carmel Place and East 27th Street project site frontages are provided in Figures E-2 and E-3, respectively. As shown in Figure E-2, the project site is currently vacant (refer to photo #2 in Figure E-2). The surface of the project site is at the same elevation as the surrounding sidewalk levels. As shown in photos #1, #3, and #4 in Figure E-2, the Mount Carmel Place frontage of the project site, which is 45 feet, includes a standard concrete sidewalk. The property is currently bounded by a construction fence (visible in all photos in Figures E-2 and E-3). To the northeast of the project site the 26-story NYCHA building (refer to photos #2, #3, and #4 in Figure E-2). Across East 27th Street from the project site is the 14-story New York City Public Health Library building (refer to photo #1 in Figure E-2). As shown in photo #3 in Figure E-2, street parking is permitted on both the east and west side of Mount Carmel Place.

Lot 25 is currently owned by the New York City Housing Authority (NYCHA), and is occupied by a single 26-story multi-family residential building situated at the center of the site with accessory open space at its periphery. The portion of Lot 25 contained in the rezoning area includes the southwestern portion of the 26-story residential building and planted areas that mainly consist of shadow-tolerant mid-sized bushes and old trees in wood chip covered soil and old to the north of the project site, and a playground area with play equipment to the east of the project site.

Both East 27th Street and Carmel Place are 60-foot wide streets, and therefore, pursuant to the *2012 CEQR Technical Manual* be characterized as narrow streets. Mount Carmel Place is a two-block street that carries local one-way southbound traffic, with one travel lane and parking lanes on the east and west sides of the street. As described above, East 27th Street between First Avenue and Mount Carmel Place is closed to vehicular traffic and designed as a publicly accessible pedestrian plaza and passive recreation space.

Study Area

As discussed above, the study area has been defined as the surrounding area within an approximate 400-foot radius of the rezoning area (see Figure E-1). The study area is roughly bounded by East 29th Street to the north, the Bellevue Hospital Center to the east, the mid-block between East 25th and East 26th Streets to the south, and Second Avenue to the west. The majority of the study area is located within an R8 residential zoning district, except for a small portion along Second Avenue between East 26th and East 29th Streets, which is zoned C1-8. Mapped along First Avenue is an existing C2-5 commercial overlay.

1 Looking south along Mount Carmel Pl. towards the NY Public Health Library

2 Looking east from Mount Carmel Pl. at the Project Site towards First Ave.

3 Looking north along the west sidewalk of Mount Carmel Pl. towards East 28th St. from the Project Site

4 Looking northeast to the corner of the Project Site at Mount Carmel Pl. and East 27th St.

Pictures showing the Pedestrian Perspective along the Project Site (Mount Carmel Place Frontage)

1 Looking northeast along the East 27th St. frontage of the Project Site

2 Looking east from the Project Site's East 27th St. frontage towards First Ave.

3 Looking northwest along the East 27th St. Pedestrian Plaza to the Project Site frontage

4 Looking east along the East 27th St. Pedestrian Plaza from the corner of the Project Site

Micro-Units Development EAS **Figure E-3**

Pictures showing the Pedestrian Perspective along the Project Site (East 27th Street Frontage)

The typical Manhattan street grid and block pattern does not apply to the study area, which is comprised of superblocks. As a result, the built fabric and land uses on these properties consist of high-rise high-density buildings, which differs from the typical urban fabric located further west between Second and Third Avenues, and south of East 23rd Street.

Land uses in the study area are primarily residential and institutional. Mixed-use residential buildings with ground floor commercial spaces are predominantly located along First and Second Avenues. The predominant residential building types are tall high-density multi-family elevator buildings with up to 28 floors that are setback from the street and do not create strong street walls (development located to the west of the project site, along Second Avenue between East 26th and East 29th Streets). These residential towers typically have small building footprints and occupy small portions of the property, and are surrounded by accessory open space.

A cluster of institutional uses, which are comprised of a mix of medical and educational uses, is located on the east side of First Avenue between East 25th and 29th Streets, including: the 17-story Hunter College Brookdale Health Sciences Campus (between East 25th and East 26th Streets), and the 15-story Bellevue Hospital Center/NYU Medical Center School of Medicine (between East 26th and East 29th Streets). The block to the south of the project site includes the 14-story New York Public Health Library building. On the west side of First Avenue, between East 25th and East 26th Streets is the 11-story NYU Langone Medical Center. These institutional buildings are typically built to the lot lines and form strong street walls along First Avenue.

Bellevue South Park, a major open space resource, is located across the street to the west of the project site, between East 26th and East 28th Streets. The East 27th Street Pedestrian Plaza, another open space resource, is located adjacent to the south of the project site, between First Avenue and Mount Carmel Place. Both these spaces are public open space resources under the jurisdiction of the New York City Department of Parks and Recreation (DPR).

Future without the Proposed Actions (No-Action Condition)

Rezoning Area

As discussed above, the rezoning area includes the project site (Lot 10, Block 933), which is the property that would be conveyed to the applicant as part of the proposed actions. In the 2015 future without the proposed actions, no changes would occur on the project site. Lot 10 would remain owned by and under the jurisdiction of HPD, and would retain its current R8 zoning designation. As discussed above, the rezoning area also includes a portion of one other tax lot that is not controlled by the applicant. Lot 25 is currently owned by and under the jurisdiction of NYCHA. In the 2015 future without the proposed actions, no zoning or land use changes are expected to occur in that portion of Lot 25. Therefore, the No-Action conditions would be identical to the existing conditions.

Study Area

It is expected that in the absence of the proposed actions, no major change in land use would occur in the surrounding area, nor would there be any changes in zoning. Current land use

trends and general development patterns in the area would continue to exhibit predominantly residential and institutional land use, with some local retail and commercial uses along the First and Second Avenue corridors. Within the 400-foot study area, no new developments are planned in the near future and the existing street hierarchy, block form, and streetscape of the study area are expected to remain unchanged by the analysis year of 2015. In addition, no open space resources would be created in the study area by 2015. Therefore, the overall urban design and visual character of the study area is anticipated to remain similar to existing conditions.

Future with the Proposed Actions (With Action Condition)

Rezoning Area

The proposed actions would facilitate the construction of the first residential micro-units development at 335 East 27th Street (Lot 10, Block 933) in the City of New York. As shown in Table E-1, the applicant is proposing to construct an approximately 30,018 gsf mixed-use residential, ground floor local retail, and community facility development, on a currently vacant 4,725 sf rectangular site. The proposed development would be a small-scale development that would occupy the southwest corner of the superblock bounded by East 28th Street, First Avenue, East 27th Street, and Mount Carmel Place. It would include nine stories and have frontage on Mount Carmel Place and the East 27th Street Pedestrian Plaza between First Avenue and Mount Carmel Place.

Table E-1
With-Action Development Program

Residential	Local Retail	Community Facility	Total Building Uses	FAR
28,248 gsf (55 micro-units)	**575 gsf**	**1,195 gsf**	**30,018 gsf**	**5.85***

* Based on proposed building zsf.

The proposed development would substantially alter the appearance of the project site by replacing vacant land with a mixed-use development that would use modular construction of prefabricated materials (see Figures E-4 and E-5). The project site would be developed with a 9-story building, including local retail and community facility uses on the ground floor, and 55 residential micro-units on the 2nd through 9th floors. No accessory parking would be provided as part of the proposed development. The proposed 9-story building would rise 111 feet tall and be shorter than most surrounding buildings which generally include fourteen or more stories.

As shown in Figure A-4 in Attachment A, “Project Description”, the building would be built to the lot line along East 27th Street and form a street wall of 97 feet, and be set back slightly from Mount Carmel Place with a staggered or varied street wall of 45 feet. The building’s entrances for local retail and community facility use would be located on East 27th Street, while the residential entrance would be located on Mount Carmel Place. The location of the entrances would create a lively street presence on both Mount Carmel Place and East 27th Street. Renderings showing pedestrian views of the proposed building in the future of 2015 are provided in Figure E-4 (view of the Mount Carmel Place building frontage) and Figure E-5 (view of the East 27th Street building frontage and east façade).

Source: nARCHITECTS, PLLC, February 2013

Rendering of the Proposed Building: Looking east from the west side of Mount Carmel Place

Source: nARCHITECTS, PLLC, February 2013

Rendering of the Proposed Building: Looking west from the East 27th Street Pedestrian Plaza

As shown in Table E-2, the proposed R8/C2-5 zoning would permit residential uses at a density of 6.02 FAR, while commercial uses would have a maximum allowable FAR of 2.0. The maximum lot coverage for a corner lot such as the project site is 80 percent. The maximum base height is 80 feet and the maximum building height is 105 feet. No accessory parking is required in Manhattan south of 96th Street.

Table E-2
Allowable and Proposed Zoning Parameters for the Micro-Units Development

	Base Height	Building Height	Setbacks	FAR	Lot Coverage
Existing R8 Zoning[1]	60 (min) – 80 (max)	105 feet	15 feet (min)	6.02	80% (corner lot)
Proposed micro-units Development	86 feet	111 feet	10 feet at Mount Carmel Pl./15 feet at East 27th St.	6.35	80%
Mayoral Zoning Bulk Override required[2]	ZR Section 23-633 to permit max. base height of 86 feet	ZR Section 23-633 to permit max. building height of 111 feet	ZR 23-633 to permit 10-foot setback at Mount Carmel Pl.	ZR Section 23-22	N/A

1 Quality Housing, narrow street.

2 The implementation of the proposed micro-units development would also require changes to ZR Section 28-21 to override the minimum dwelling unit size of 400 sf.

The height of the proposed 9-story building would be 111 feet tall, which would exceed the maximum permitted building height of 105 feet in an R8 zoning district under the Quality Housing Program. In addition, the proposed building would rise up to 86 feet above the street lot lines on both Mount Carmel Place and East 27th Street, which would also exceed the allowable maximum base height of 80 feet. The 8th floor of the building would be set back by 10 feet from Mount Carmel Place (non-compliant) and by 15 feet from East 27th Street (in compliance) as shown in Figures A-11 and A-12 in Attachment A, "Project Description".

In addition, the applicant is also seeking an override to modify ZR Section 23-22 to allow a maximum of 55 micro-units in the proposed development as opposed to the allowable 38 under the proposed R8/C2-5 zoning, and ZR Section 28-21 to allow a minimum residential unit size smaller than 400 sf as currently required.

The proposed actions would not change or adversely affect any of the urban design components defined in the *2012 CEQR Technical Manual*. The proposed actions would not result in changes in block form, the demapping of streets or the mapping of new streets, nor would it affect the street hierarchy. As the proposed development would be constructed within an existing block, it would not block any significant view corridors. The proposed development would be consistent with the scale of surrounding developments.

The proposed development is not anticipated to adversely affect the pedestrian experience of the public space along the project site frontages on Mount Carmel Place and East 27th Street. In contrast, the development of an underutilized and currently vacant lot adjacent to a pedestrian plaza with high quality contemporary modular architecture would significantly improve the pedestrian experience along and in the vicinity of the project site. In addition, the proposed development would include local retail and community facility uses on the ground floor, as

well as public recreational space in the eastern portion of the project site. These uses would increase the availability of these services in the Kips Bay neighborhood. Therefore, the proposed actions would not result in significant adverse impacts on urban design or visual resources in the study area, and a detailed analysis is not warranted.

Study Area

The proposed actions would not alter any street patterns, street hierarchies, or block forms in the study area. The proposed development would be consistent with the existing mix of uses in the study area. The proposed development would be constructed on an existing block in the northeast corner of Mount Carmel Place and East 27th Street. The proposed actions also would not have significant adverse impacts on building uses, bulks, or arrangements within the study area. The proposed development would complement the existing surrounding buildings and not adversely affect the surrounding area.

Conclusion

The proposed actions would positively affect urban design by facilitating the construction of a new 9-story mixed-use residential, local retail and community facility building on the currently vacant project site. The proposed building would create a street wall of 45 feet along Mount Carmel Place, and 81 feet and 10 inches along East 27th Street. As discussed above, the 8th floor of the proposed building would be set back by 10 feet from Mount Carmel Place and by 15 feet from East 27th Street. As illustrated in Figures E-4 and E-5, due to the way the ts modular units are stacked, the exceedance of the base and building height is barely noticeable from the street level. As a result, the proposed building would not adversely affect the pedestrian experience along the frontages and in the vicinity of the project site. In contrast, the high quality contemporary modular design of the proposed building would significantly improve the pedestrian experience.

Further, the proposed 9-story mixed-use building would not block any significant view corridors, views of visual resources, or limit access to any visual resources in the study area. Therefore, the proposed actions would not result in significant adverse impacts on urban design in the study area, and no significant adverse impacts on visual resources are anticipated as a result of the proposed actions. Hence, no detailed analysis of urban design and visual resources is warranted.