

**A. INTRODUCTION**

As described in Chapter 1, “Project Description,” the proposed actions would result in an approximately 1.7 million gross-square-foot<sup>1</sup> (gsf) (1.648 million zoning-square-foot) mixed-use development on 10 City-owned sites (of which nine are proposed development sites), the mapping of sections of Broome and Suffolk Streets, and the demapping of sections of Clinton and Delancey Streets, on the Lower East Side of Manhattan (see **Figure 2-1**). As set forth in Chapter 1, the reasonable worst-case development scenario (RWCDS) for the proposed actions envisions the development of 900 dwelling units (of which half would be affordable), approximately 632,300 gsf of commercial space, approximately 114,000 gsf of community facility or cultural uses, up to 500 parking spaces, and an approximately 10,000-square-foot publicly accessible open space. This chapter considers the proposed actions’ potential impacts on land use, zoning, and public land use policies.

**PRINCIPAL CONCLUSIONS**

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

*LAND USE*

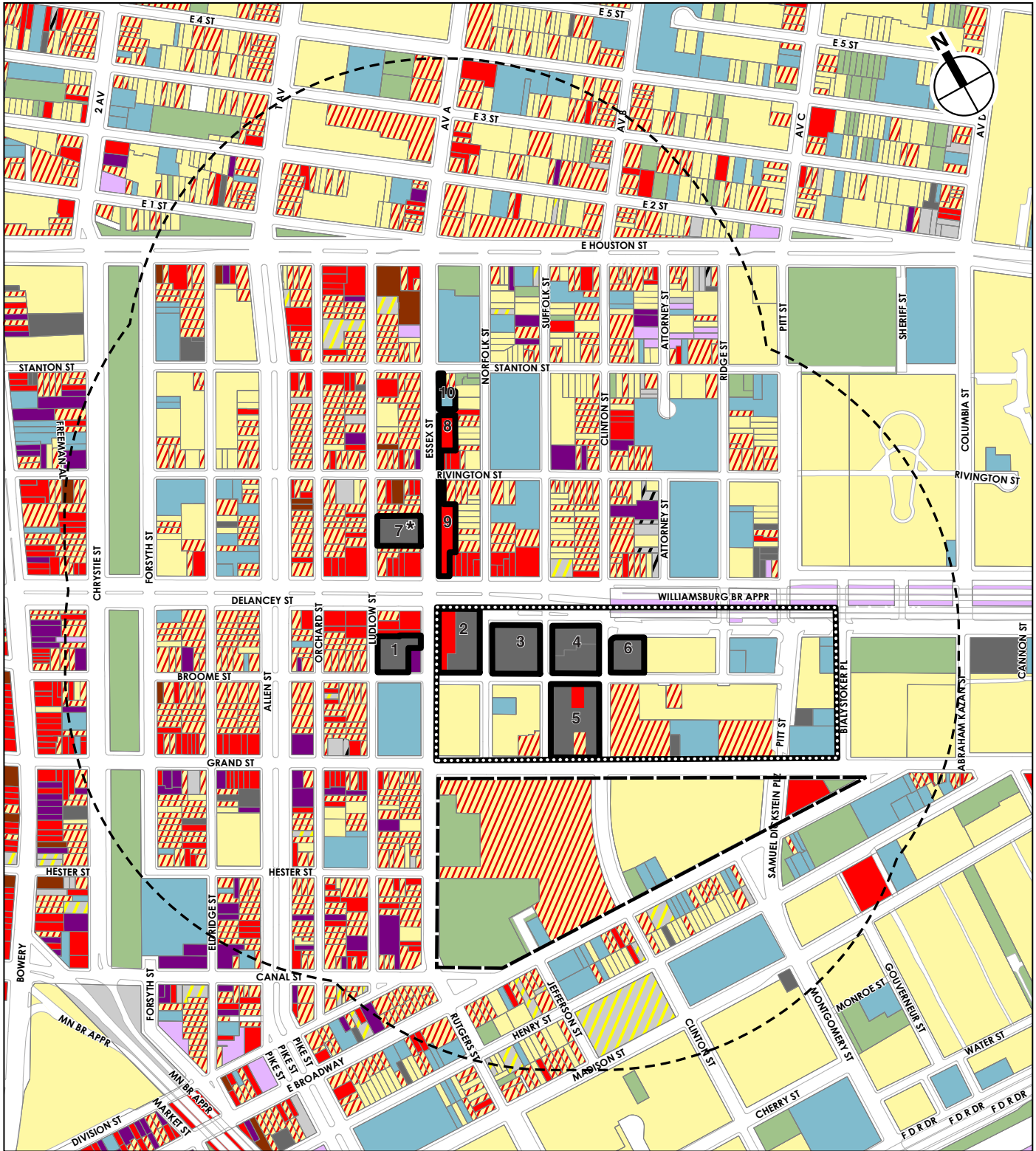
The proposed actions would have a positive effect on land use by creating an active new mixed-use development with publicly accessible open space on underutilized sites. The new housing, retail, publicly accessible open space, and community facility uses would bring activity to the proposed development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

*ZONING*

The proposed actions would include a Large Scale General Development (LSGD) special permit, which would allow the proposed development to better integrate the programming of its proposed uses, and would provide flexibility in design and massing. The proposed actions would not change the underlying zoning of the project site, except to map new C2-5 commercial overlay zones on Sites 3, 4, 5, and 6. The proposed commercial overlay zones would be compatible with existing commercial zoning in adjacent areas. The retail uses that could be introduced as a result of the zoning change would be compatible with existing retail uses and the

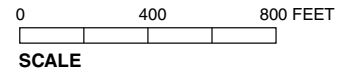
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<sup>1</sup> This number does not include below-grade parking space or space in the existing parking garage on Site 7.



- Former Seward Park Urban Renewal Area (URA)
- Former Seward Park Extension URA
- Proposed Development Sites
- Site 7 Would Not Be Redeveloped Under the Proposed Actions
- Study Area Boundary (1/4-Mile Perimeter)
- Residential
- Residential with Commercial Below
- Hotels

- Commercial and Office Buildings
- Industrial and Manufacturing
- Transportation and Utility
- Public Facilities and Institutions
- Open Space and Outdoor Recreation
- Parking Facilities
- Vacant Land
- Vacant Building
- Under Construction



mixed-use character of the study area. The zoning relief (such as height and setback waivers) being sought would facilitate a superior site plan that is responsive to the context of the project site and would complement the surrounding study area. Therefore, the proposed actions would not result in significant adverse zoning impacts.

### *PUBLIC POLICY*

The proposed actions would support and further the objectives of applicable public policies, including the Mayor’s New Housing Marketplace Plan, nearby business improvement districts, and PlaNYC 2030. The proposed actions would not result in any significant adverse public policy impacts. In addition, the proposed actions and RWCDs would be in broad accordance with Manhattan Community Board 3’s (CB3) redevelopment guidelines in terms of its mixed-use character, affordable and market housing development, commercial development, urban design plan, parking, and potential for community facility development.

## **B. METHODOLOGY**

The purpose of this chapter is to examine the effects of the proposed land use and zoning changes and determine whether they would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidelines of the *City Environmental Quality Review (CEQR) Technical Manual* (January 2012 edition) and examines the consistency of the proposed actions and RWCDs with land use patterns and development trends, zoning regulations and other applicable public policies.

According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning and public policy may be appropriate when needed to sufficiently inform other technical reviews and determine whether changes in land use could affect conditions analyzed in those technical areas. Therefore, this chapter includes a detailed analysis that involves a thorough description of existing land uses within the project site and the broader study area. Following the guidelines of the *CEQR Technical Manual*, the detailed analysis describes existing and anticipated future conditions for the 2022 analysis year to a level necessary to understand the relationship of the proposed actions and RWCDs to such conditions, assesses the nature of any changes on these conditions that would be created by the proposed actions, and identifies those changes, if any, that could be significant or adverse. The analysis of the impacts of the proposed actions in 2022 considers the full development of the RWCDs.

The study area for this analysis has been defined as being within a ¼-mile radius of the project site, where the proposed actions have the greatest potential to affect land use trends (see **Figure 2-1**). Various sources were used to comprehensively analyze the land use, zoning, and public policy characteristics of the study area, including field surveys, land use and zoning maps, and online sources from the New York City Department of City Planning (DCP), the New York City Economic Development Corporation (NYCEDC), the City of New York Department of Housing Preservation & Development (HPD), and the New York City Department of Buildings (DOB).

## **C. BACKGROUND AND DEVELOPMENT HISTORY**

The project site is located in the historically economically and ethnically diverse Lower East Side. By the turn of the 20th century, the Lower East Side was an immigrant neighborhood known for its bustling street-level commercial activity and its overcrowded tenement buildings. While the population on the Lower East Side grew through the middle of the 20th century, the housing—much of which had been built 60 years prior—remained overcrowded. In the mid-1950s through the 1970s, portions of the Lower East Side were deemed as appropriate for urban

renewal under the City's Urban Renewal Law. Development in these urban renewal areas typically took the form of multi-tower residential buildings on large superblocks along the East River from East 14th Street to as far south as the Manhattan Bridge.

Urban renewal is the legal authority granted to municipalities to redevelop entire neighborhoods through planned and coordinated actions, provided by Section 504 of Article 15 ("Urban Renewal Law") of the General Municipal Law of the State of New York. There have been approximately 150 urban renewal areas (URAs) in New York City, which are planned and administered by HPD, the agency designated to carry out the provisions of the Urban Renewal Law pursuant to Section 502(5) of the Urban Renewal Law and Section 1802(6)(e) of the City Charter.

In the project area, the area bounded by Essex Street on the west, Grand Street on the north, and East Broadway on the south was designated in 1955 as the Seward Park Urban Renewal Area (SPURA), and it was cleared for redevelopment. In 1957, the federal government provided funding for the Seward Park Co-ops, which were completed in 1962. This development included approximately 1,728 affordable non-profit cooperative housing units, a bank, health center, and local retail stores. Although the units were price-restricted for more than 30 years, the co-op board voted to go private in 2000, which allowed the tenants to sell their units at market prices.

Established in 1965 and expired in 2005, the Seward Park Extension URA (SPEURA), which is directly north of the original SPURA, is bordered by Essex Street, Grand Street, Bialystoker Place, and Delancey Street. Sites 2, 3, 4, 5, and 6 are located within the former SPEURA boundaries. In 1967, demolition began in the SPEURA to clear land for new housing and commercial buildings. However, the following original pre-1967 buildings were not demolished and remained within the SPEURA boundaries: Sages of Israel Synagogue, Bialystoker Synagogue, Beth Hamerdash Synagogue, Beth Jacob School, St. Mary's Roman Catholic Church and School, two tenement buildings, a firehouse, and Essex Street Market Building D. The first new buildings in the SPEURA were completed in 1972. These buildings, Seward Park Extension East and West, contain 360 units built by the New York City Housing Authority. Six hundred additional low-income housing units were built by St. Mary's Roman Catholic Church in the Grand Street Guild buildings. In the 1980s, the Chinatown Planning Council built 156 units at Grand and Norfolk Streets, and the United Jewish Council built 124 senior units at the Sages of Israel site at 25 Bialystoker Place. Since the establishment of SPEURA in 1965, 1,240 units of housing have been built in portions of the SPEURA; however, the sites designated as Sites 2-6 for the proposed actions were never developed under the URA plan.

There were several attempts in the 1980s and 1990s to redevelop the remaining five SPEURA sites: a proposal in 1988 by the LeFrak Organization, a 1993 proposal by Kraus Enterprises, and a 2001 proposal by a joint partnership of the LeFrak Organization and Edward J. Minskoff Equities. The 1988 LeFrak proposal included a mix of affordable and market-rate housing units. Kraus Enterprises' proposal in 1993 included residential units, park space, retail, and a movie theater. The LeFrak/Minskoff proposal in 2001 also included a mix of affordable and market-rate housing units. In 2003, HPD and NYCEDC, for discussion purposes, proposed a program of affordable and market-rate residential units and commercial uses for the SPEURA. These plans and the proposal for discussion did not move forward because of a lack of community consensus.

Despite many attempts to redevelop the five remaining sites of the 14 original blocks, they remained underutilized and currently comprise the largest group of underdeveloped City-owned sites in Manhattan south of 96th Street. The urban renewal area designation expired in 2005.

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Today, the former SPEURA comprises a mix of affordable housing, institutional, community, cultural uses, and the five remaining underdeveloped sites that are largely in use as parking lots.

With the goal of gaining broad community consensus on the development program for the five remaining underdeveloped sites, CB3 embarked on a planning process in 2008, and invited the City to be part of the discussions. Over the course of more than three years, CB3 worked to develop a set of community project guidelines, which the full board unanimously adopted in January 2011. CB3 subsequently worked with the City to understand the urban design opportunities of the project guidelines and passed a set of urban design principles in June 2011. These project guidelines and design principles discussed program development including desired use, mixed-income characteristics for the proposed housing program, civic uses, and urban design considerations related to site layout, height and density.

### *ESSEX STREET MARKET*

For more than 70 years, the Essex Street Market has been a commercial focal point in the Lower East Side neighborhood at the intersection of Delancey and Essex Streets. Originally occupying four buildings, the Essex Street Market is now located in one of the original buildings, which is on Site 9. The City built the four buildings of the Essex Street Market in 1939 to provide an indoor retail market for the pushcart vendors of the outdoor markets on the Lower East Side. The Essex Street Market was one of many indoor retail markets constructed in Manhattan, Brooklyn, and the Bronx as part of a program by Mayor Fiorello LaGuardia and the Department of Markets to reduce the congestion and unsanitary conditions associated with the City's outdoor pushcart markets. When it opened in 1940, the Essex Street Market provided 475 spaces for vendors. In the 1960s, the City divested itself of the enclosed retail markets and leased the Essex Street Market to the vendors who took over its management. In the 1980s, the City considered redevelopment proposals for the Essex Street Market buildings and, with 59 tenants remaining, leased the market to a private developer in 1988. In 1995, NYCEDC took over the management of the market, consolidating the remaining vendors from two buildings into one building at 96-124 Essex Street (located on Site 9). This is the only building that currently houses public market operations.

## **D. EXISTING CONDITIONS**

### **LAND USE**

#### *PROJECT SITE*

The project site primarily contains surface parking uses, as well as some commercial uses, and a residential building with seven occupied units. As noted above, the project site consists of ten sites (of which nine are proposed development sites) and demapped sections of Broome and Suffolk Streets that would be mapped as City streets, and sections of Clinton and Delancey Streets that would be demapped (see **Figure 2-1**). Site 7 is not a proposed development site, as it would not be redeveloped under the proposed actions and would remain in use as a municipal parking garage. In general, the proposed development sites are underutilized and in a deteriorated condition. Below, the existing land use conditions of each site are described in detail.

#### *Site 1*

Site 1 (Block 409, Lot 56) is entirely occupied by a 65-space surface public parking lot with frontages on Ludlow Street, Broome Street, and Essex Street.

*Site 2*

Site 2 (Block 352, Lots 1 and 28) occupies the entire City block bounded by Delancey Street, Norfolk Street, Broome Street, and Essex Street. Site 2 contains a one-story, 18,000-square-foot commercial building along the Essex Street frontage, which is one of the four original Essex Street Market buildings. Most of the commercial building is vacant but it does contain a liquor store and diner on Delancey Street. Built in 1940, the building shell is in an aged condition, and its eastern façade (facing the parking lot) is defaced by graffiti. The remainder of the block contains 90 parking spaces, which are used by HPD.

*Site 3*

Site 3 (Block 346, Lot 40) occupies the entire City block bounded by Delancey Street, Suffolk Street, Broome Street, and Norfolk Street. The site is entirely occupied by a surface parking lot that contains approximately 190 public parking spaces.

*Site 4*

Site 4 (Block 346, Lot 40) occupies the entire City block bounded by Delancey Street, Clinton Street, Broome Street, and Suffolk Street. The site is entirely occupied by a surface parking lot that contains approximately 100 commercial parking spaces for area businesses.

*Site 5*

Site 5 (Block 346, Lot 40) occupies the entire City block bounded by Broome Street, Clinton Street, Grand Street, and Suffolk Street. Site 5 contains three buildings: a 5-story walk-up residential building at 400 Grand Street with seven occupied units that is under the jurisdiction of HPD and also contains a ground-floor visitor center for the Lower East Side Jewish Conservancy; a three-story mostly vacant building with a ground-floor shoe repair store at 402 Grand Street; and a former fire station at 185 Broome Street that formerly housed a film prop company and is occasionally used to house furniture sales. The remainder of the lot is occupied by a 100-space public parking lot.

*Site 6*

Site 6 (Block 347, Lot 71) is a 48-space public parking lot with frontages on Delancey Street, Clinton Street, and Broome Street. Site 6 is entirely occupied by surface parking uses.

*Site 7*

Site 7 (Block 410, Lot 38) contains a 362-space public parking garage, located at 107 Essex Street. This municipal parking garage would not be redeveloped under the proposed actions.

*Site 8*

Site 8 (Block 354, Lot 1) contains a vacant, one-story commercial building located at 140 Essex Street. This vacant building was formerly part of the Essex Street Market; today it is used for the storage of garbage generated by the Essex Street Market building on Site 9.

*Site 9*

Site 9 (Block 353, Lot 44) contains the Essex Street Market, a restaurant on the Rivington Street frontage, and commercial space on the Delancey and Essex Street frontages. The site spans the east side of Essex Street from Delancey Street to Rivington Street and is one- to two-stories tall. The 23 merchants in the Essex Street Market offer a range of culinary products at various price points that include affordable dry goods and produce, baked goods, gourmet cheeses, premium cuts of meat, fresh fish, and a host of other products. The building containing the market is

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20,000 square feet, of which 9,000 square feet is leasable market space. The building is not energy efficient and has inadequate climate controls, inadequate storage for goods, and no storage for refuse, which consequently has to be stored in the vacant market building on Site 8.

### *Site 10*

Site 10 (Block 354, Lot 12) contains a one-story tall, 6,933-square-foot health care facility located at 150 Essex Street that is run by the Community Healthcare Network. This building was formerly part of the Essex Street Market.

### **STUDY AREA**

The 1/4-mile study area extends north roughly to East 4th Street, south to Madison Street, east to Sheriff Street, and west to midblock between Chrystie Street and the Bowery. The study area contains a mix of residential, commercial, community facility, and open space uses. Residential uses are located in walk-up tenements, mid-20th-century high-rise “tower-in-the-park” developments, and new mid- to high-rise apartment buildings. In recent years, the study area has experienced substantial growth and redevelopment, including new hotel, luxury condominium, high-end commercial, nightlife, restaurant, and entertainment uses. Despite the influx of new residents and uses, the study area retains substantial public housing and community facility uses. The study area is described below by distinct subdistricts.

#### *Seward Park Area (south of Delancey Street and east of Allen Street)*

The portion of the study area east of Allen Street and south of Delancey Street, and which contains Sites 2-6, is dominated by superblock residential developments and large vacant parcels. Certain portions, such as the East Broadway corridor, and between Allen Street and Essex Street, are mostly defined by tenements with ground-floor retail uses.

Superblock residential developments north of East Broadway include: the approximately 1,728-unit Seward Park Houses, a private cooperative, located on a two-block triangle bounded by Grand Street, Essex Street, and East Broadway; and the New York City Housing Authority’s (NYCHA) Seward Park Extension, a 360-unit development in two 23-story buildings: one occupies the block south of Site 2 and the other occupies the eastern end of the block that contains Site 6. South of East Broadway, there are three major NYCHA developments within and adjacent to the southern edge of the study area: Rutgers Houses contains 721 units in five 20-story buildings bounded by Madison, Rutgers, Cherry, and Pike Streets; LaGuardia Houses contains 1,092 units in nine 16-story buildings bounded by Madison, Montgomery, Cherry, and Rutgers Streets; and Vladeck Houses contains 1,510 units in 20 six-story buildings bounded by Henry, Water, Gouverneur, and Jackson Streets.

Commercial, industrial, and transportation uses in this subarea are limited in the superblock areas. There are local retail uses along East Broadway, Ludlow and Orchard Streets, Grand Street, Broome, and Hester Streets, and Essex Street, including restaurants, delis, coffee shops, drinking establishments, clothing stores, and art galleries. Zarin Fabrics & Home Furnishings, a well-known discounted designer fabrics store and warehouse, is located at 314 Grand Street between Allen and Orchard Streets. Many buildings along Ludlow and Orchard Streets also contain manufacturing uses or support operations for other uses. The southwest corner of this subarea is the easternmost section of Chinatown and contains many ethnic businesses and community facilities.

This subarea is home to many public and private institutions, such as the Henry Street Settlement, which is located at 17 program sites in the Lower East Side, including its

headquarters at 265 Henry Street and the Abrons Art Center at 466 Grand Street. Other community facilities within this subarea include the Lower East Side Tenement Museum, located at 97 and 103 Orchard Street; the Educational Alliance at 197 East Broadway, a group founded to help Jewish immigrants settle in the United States that today offers a range of programming that assists over 50,000 New Yorkers; the New York City Police Department (NYPD) 7th Precinct House and the New York City Fire Department (FDNY) Engine 15 Ladder 18 at 19-23 Pitt Street at Delancey Street; the New York Public Library (NYPL) Seward Park Branch; and the Knickerbocker Station post office. Schools in this subarea include: Seward Park High School; P.S. 134, Henrietta Szold School; and P.S. 110, Florence Nightingale School. Religious institutions and facilities are also scattered throughout the entire subarea, including within the former SPEURA boundaries and with a concentration of synagogues along East Broadway.

A defining use of this subarea is the 7,308-foot long Williamsburg Bridge, which opened in 1903. Today, the Williamsburg Bridge carries over 100,000 vehicles daily on eight lanes of roadway, in addition to the J, M, and Z lines of the New York City Subway, and pedestrians and bicyclists. Subway stations in this subarea include the Essex Street station, which carries the J, M, and Z lines, and is connected to the Delancey Street station, which carries the F line. There is an additional F line station, the East Broadway Station, at East Broadway and Rutgers Street. Bus service in the area includes the M9, M14A, M14D, M15, M15 Select Bus Service (SBS), M21, and M22 lines.

Notable open spaces in the southern portion of this subarea include the Allen Malls that extend along Allen Street between East Houston Street and East Broadway and are divided into eight sections, each containing a walkway and assigned a number one through eight (sections one through five are located in this subarea); some of the malls contain soccer fields, and benches and trees flank the full extension of the malls. Other open spaces include Seward Park, Seward Park Athletic Field (for the Seward Park High School), Luther Gulick Playground, Sol Lain Playground, and Henry M. Jackson Playground. In addition, the triangle formed by Montgomery Street, East Broadway, and Samuel Dickstein Place is a “greenstreet.” Greenstreets are a citywide program administered by the New York City Department of Parks and Recreation (DPR) to convert paved, vacant traffic islands and medians into green spaces filled with shade trees, flowering trees, shrubs, and groundcover. See Chapter 5, “Open Space,” for more detailed descriptions of open space resources.

### *East of Allen Street, North of Delancey Street, South of East Houston Street*

This portion of the study area contains a mix of residential, community facility, and commercial uses, including a growing number of entertainment and nightlife uses. The majority of buildings are tenements but there are also several high-rise residential and hotel buildings. Sites 7, 8, 9, and 10 are included in this portion of the study area.

Most of the residential buildings are four- to six-story tenements, with retail uses typically found on the street level. NYCHA housing in this portion of the study area includes: NYCHA Stanton Street, which is located on the southeast corner of Stanton and Attorney Streets, and is a three-story building with 13 apartments; Samuel Gompers Houses, which is located on the east side of Pitt Street between Stanton Street and Delancey Street, and contains 473 units in two 20-story buildings; and the largest NYCHA development in Manhattan, Bernard M. Baruch Houses, which is located just outside of the study area in the blocks bounded by the FDR Drive, East Houston, Delancey and Columbia Streets, and contains 2,194 apartments in 17 buildings that are between seven and 14 stories tall. Until the adoption of the Lower East Side/East Village



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Rezoning in 2008, there had been an area trend towards higher-density residential development that included a number of tall residential buildings such as the 15-story Blue Condominium at 100 Norfolk Street and the 23-story Ludlow at 188 Ludlow Street and East Houston Street.

Commercial uses are common throughout this subarea; the most notable commercial uses include the Orchard Street Shopping District, the Delancey Street commercial corridor, and the Essex Street Market. The Orchard Street Shopping District was historically known for discounted apparel shops, tailors, and fabric stores but is now also home to an increasing number of upscale restaurants, boutiques, art galleries, specialty shops, signature clothing shops, spas, and lounges. On Sundays, it becomes a pedestrian mall prohibited to vehicles. Delancey Street has maintained its discount commercial character, although new development has added a wider range of commercial uses. This wide thoroughfare between Allen and Clinton Streets is lined with local, regional, and national retailers; a number of optical shops are also located on Delancey Street in this subarea.

The commercial uses east of Essex Street and north of Delancey Street are typically older local retail uses and include restaurants, delis, small grocery stores, hair and nail salons, tailors and dry cleaners, and discount stores. Along Clinton Street, these local retail shops mix with an increasing number of specialty apparel shops, coffee shops, and upscale restaurants.

Along East Houston Street are two famous businesses, Katz's Delicatessen, which opened in 1888; and Russ & Daughters, which first opened on Orchard Street in 1914. These establishments are remnants of the former large Jewish population and concentration of Jewish businesses in this area.

This subarea has also proved to be a popular location for boutique hotels. The largest of these is the 21-story Hotel on Rivington at 107 Rivington Street between Ludlow and Essex Streets. A number of new, tall luxury hotels are currently under construction, including an 18-story mixed-use hotel/residential building at 180 Ludlow Street, the 16-story Allen Street Hotel at 139 Allen Street, the 24-story Hotel Indigo at 180 Orchard Street, and an 8-story Holiday Inn at 150 Delancey Street.

There are a large number of bars and small nightclubs concentrated between Clinton and Ludlow Streets north of Delancey Street, which have helped to make the Lower East Side a popular late night destination. This neighborhood is also home to many live music venues and performance spaces, including Mercury Lounge on East Houston Street and Pianos on Ludlow Street.

There are a few remaining light industrial uses scattered throughout this area, including loft spaces, wholesalers, and warehouses; a small enclave of auto repair shops is located on Attorney Street between East Houston and Stanton Streets. The 362-space Delancey and Essex Municipal Parking Garage is located just north of Delancey Street between Ludlow and Essex Streets on Site 7.

Community facilities are a common land use in this subarea, some of which occupy large tracts of land. There are a number of large public schools in this subarea, including: P.S. 20, Anna Silver School, at 166 Essex Street between East Houston and Stanton Streets; P.S. 140, Nathan Straus School, at 123 Ridge Street and Rivington Street; and P.S. 142, Amalia Castro School, occupying the entire block bounded by Rivington, Ridge, Delancey, and Attorney Streets. The Lower East Side Preparatory School and the Marta Valle School share a facility at 145 Stanton Street, occupying the entire block bounded by Stanton, Suffolk, Rivington, and Norfolk Streets. Some of these schools, including P.S. 140 and P.S. 142, have playgrounds that are open to the public after school hours.

The Clemente Soto Velez Cultural & Educational Center (CSV), founded in 1993, is a Puerto Rican/Latino cultural institution that provides affordable space for the arts. It is geared towards promoting artists and hosting performance events for the Lower East Side and the city as a whole. The 81,000-square-foot CSV Cultural Center at 107 Suffolk Street currently houses 53 visual artists and 16 performing arts groups. Other community facilities in this subarea include the Angel Orensanz Foundation for the Arts at 172 Norfolk Street, the Downtown Health Center at 150 Essex Street and the Puerto Rican Council Day Care Center at 180 Suffolk Street.

There are also a number of religious institutions in this subarea, which further reflect the diversity of the neighborhood. Our Lady of Sorrows Roman Catholic Church, including its Parish School, is located on the southwest corner of Stanton and Pitt Streets. The Congregation Chasam Sopher, the city's second oldest synagogue, is located at 8 Clinton Street just south of East Houston Street. The Stanton Street Shul, which was constructed in 1913, is located at 180 Stanton Street. Spanish-speaking churches in this subarea include the Iglesia Pentecostal Arca de Salvacion on the southwest corner of East Houston and Suffolk Streets and the Iglesia Alianza Cristiana y Misionera on Attorney Street between East Houston and Stanton Streets.

The largest public open space in this portion of the study area is Hamilton Fish Park, located at the southeast corner of East Houston Street and Pitt Street. This 4.3-acre park includes numerous amenities including an outdoor pool, playgrounds, playing courts, and a fitness center that offers a gymnasium, game room, and computer resource center. Other open spaces in this subarea include two playgrounds: ABC Playground on East Houston Street between Essex and Norfolk Streets and adjacent to P.S. 20; and the Nathan Straus Playground, adjacent to P.S. 140 along Rivington Street. (For a more complete list of open spaces in the project area, see Chapter 5, "Open Space.") There are two community gardens in this subarea: the Suffolk Street Community Garden between East Houston and Stanton Streets and the Greenthumb Poor People in Action of the Lower East Side on the southeast corner of Clinton and Stanton Streets. This subarea also includes sections six through eight of the Allen Malls. Restrooms are located on the north side of the Allen and Delancey Street intersection. Lastly, portions of East Houston and Delancey Streets are classified as greenstreets.

### *West of Allen Street and South of East Houston Street*

The western portion of the study area, located south of East Houston Street and west of Allen Street, contains a diverse mixture of residential, commercial, light industrial, community facility, and open space uses.

Residential uses in this area are typically found in four- to six-story tenements with ground floor commercial uses. There are three NYCHA developments in this area: the 17-story 149-unit Rafael Hernandez building at 189 Allen Street between East Houston and Stanton Streets; the 14-story 104-unit 45 Allen Street development on Hester Street between Eldridge Street and Allen Street; and the 189-unit Lower East Side I Infill development, comprised of five buildings between four and nine stories in height and spread over portions of three blocks along Eldridge Street between Stanton and Delancey Streets. A new 16-story residential building containing 55 condominiums was completed in May 2010, on the northeast corner of Delancey Street and Forsyth Street. The School of Visual Arts (SVA) opened a 19-story dormitory at 101 Ludlow Street (at Delancey Street) in 2010.

Commercial uses are located throughout this portion of the study area. Many of these commercial uses are characteristic of the easternmost section of Chinatown. Grand Street is a main eastern Chinatown commercial corridor, lined with restaurants, seafood and meat markets,

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and small electronics shops. Landmark Theaters' Sunshine Cinema, housed in the former Houston Hippodrome motion picture theatre at 143 East Houston Street, is a five-screen art-house cinema dedicated to first-run independent and foreign films.

There is a growing number of hotels in this area, including: East Houston Hotel at 151 East Houston Street, the GEM Hotel SoHo at 135 East Houston Street, the Windsor Hotel at 108 Forsyth Street, the Off SoHo Suites Hotel at 11 Rivington Street, and the Comfort Inn Manhattan Bridge at 61 Chrystie Street.

Light industrial uses, such as warehouses, wholesalers, distributors, and hardware stores that support Chinatown's commercial corridors are located along Chrystie and Eldridge Streets.

Community facilities in this portion of the study area include the Adult Education Complex (in the former P.S. 91 building at Forsyth and Stanton Streets), which houses the Satellite Academy, CASCADES High School, the Tenzler Center, and the Jewish Association for Services for the Aged (JASA) Weinberg Residence on Forsyth Street between Rivington and Delancey Streets. Other schools in the area include Pace High School, which is a New York City charter school at 100 Hester Street, and the Doctor Sun Yat Sen Middle School (M.S. 131), which is located in the same complex as Pace High School. The historic headquarters of University Settlement, the first settlement house in the United States (founded in 1886), is located on the corner of Rivington and Eldridge Streets and serves as a vital neighborhood anchor. Village Care of New York, a community-based, not-for-profit service organization serving older adults, persons living with HIV/AIDS and individuals in need of medical and rehabilitation services, operates a dental services facility and day treatment program at 45 Rivington Street. Dixon Place, an experimental theater, is located at 167A Chrystie Street. Other community facilities include the Comprehensive Care Management Health Services Center at 183 Chrystie Street and the Garment Industry Day Care Center at 115 Chrystie Street.

Religious institutions include Church of Grace to Fujianese NY at 133 Allen Street between Rivington and Delancey Streets, the Iglesia Adventista Delancey on the southeast corner of Delancey and Forsyth Streets, and the New York Chinese Alliance Church at 162 Eldridge Street.

Sara D. Roosevelt Park, a dominant land use in this portion of the study area, is a 7.85-acre linear park extending from Canal Street to East Houston Street between Chrystie and Forsyth Streets, and was named after the mother of President Franklin Delano Roosevelt. Portions of Stanton, Rivington, Broome, and Hester Streets were closed to create the contiguous areas of this park, which include a number of active and passive uses lined at the perimeter with benches and shade trees. Components of this open space resource include playgrounds, basketball, and handball courts, a soccer field, general open recreation areas, seating areas, walking paths, and restrooms. The park includes Hester Playground, a formerly deteriorated playground that was renovated and reopened in June 2010. The M'Finda Kalunga Garden, named in memory of an African-American burial ground that was located on nearby Chrystie Street between Rivington and Stanton Streets, is located on parkland between Rivington and Delancey Streets. Other park elements include the BRC's Golden Age Center for senior citizens, a vendors market, and the Wah-Mei Bird Garden.

### *East Village and Alphabet City (North of East Houston Street)*

The northernmost portion of the study area north of East Houston Street includes portions of the East Village and Alphabet City neighborhoods, and contains a mix of residential, commercial, institutional, and open space uses.

Residential uses typically take the form of four- to six-story tenement buildings on small lots. There are also three larger scale affordable residential developments that differ from the prevalent small-scale residential pattern. The largest of these is Village View Housing, a 1,235-unit tower-in-the-park residential development comprised of three 21-story buildings and four 16-story buildings. Located along the east side of First Avenue between East 2nd Street and East 6th Street, Village View is a Mitchell-Lama housing development.<sup>1</sup> Max Meltzer Tower, a NYCHA development at 94 East 1st Street between First Avenue and Avenue A, is a 20-story building exclusively for seniors with 229 apartments. First Houses, at 138 East 3rd Street, is the oldest public housing development in the city. Unlike the taller residential buildings of Village View and Max Meltzer, this 126-unit NYCHA development is composed of a series of eight 4- to 5-story buildings along East 3rd Street and Avenue A.

Commercial uses within this area are generally found on the ground floor of residential buildings along the major north-south streets: First Avenue, Avenue A, and Avenue B. Typical retail uses include restaurants, bars, coffee shops, delis, clothing stores, and other neighborhood retail uses.

Community facility uses within this portion of the study area include: one public school, PS 63, located at 121 East 3rd Street; FDNY Engine 28 Ladder 11, at 222 East 2nd Street; and Metropolitan Playhouse at 220 East 4th Street. Just outside of the study area, the New York City Marble Cemetery, a designated New York City landmark, is located at 52-74 East 2nd Street between First and Second Avenues, and a U.S. Post Office is located at 244 East 3rd Street.

The largest open space in this area is First Park at First Avenue and East 1st Street; this 1.4-acre park contains benches, basketball courts, play equipment with safety surfacing, swings, and a kiosk selling food with a separate seating area. Other open spaces in this subarea include small parks and playgrounds adjacent to public schools, community gardens, and Peretz Square, the small triangle formed by East Houston Street, East 1st Street, and First Avenue.

### ZONING

A variety of zoning districts are mapped in the project study area. They are presented in **Figure 2-2**, summarized in **Table 2-1**, and described below. The table identifies zoning districts by permitted uses and bulk.

#### *PROJECT SITE*

##### *Site 1 and Site 2*

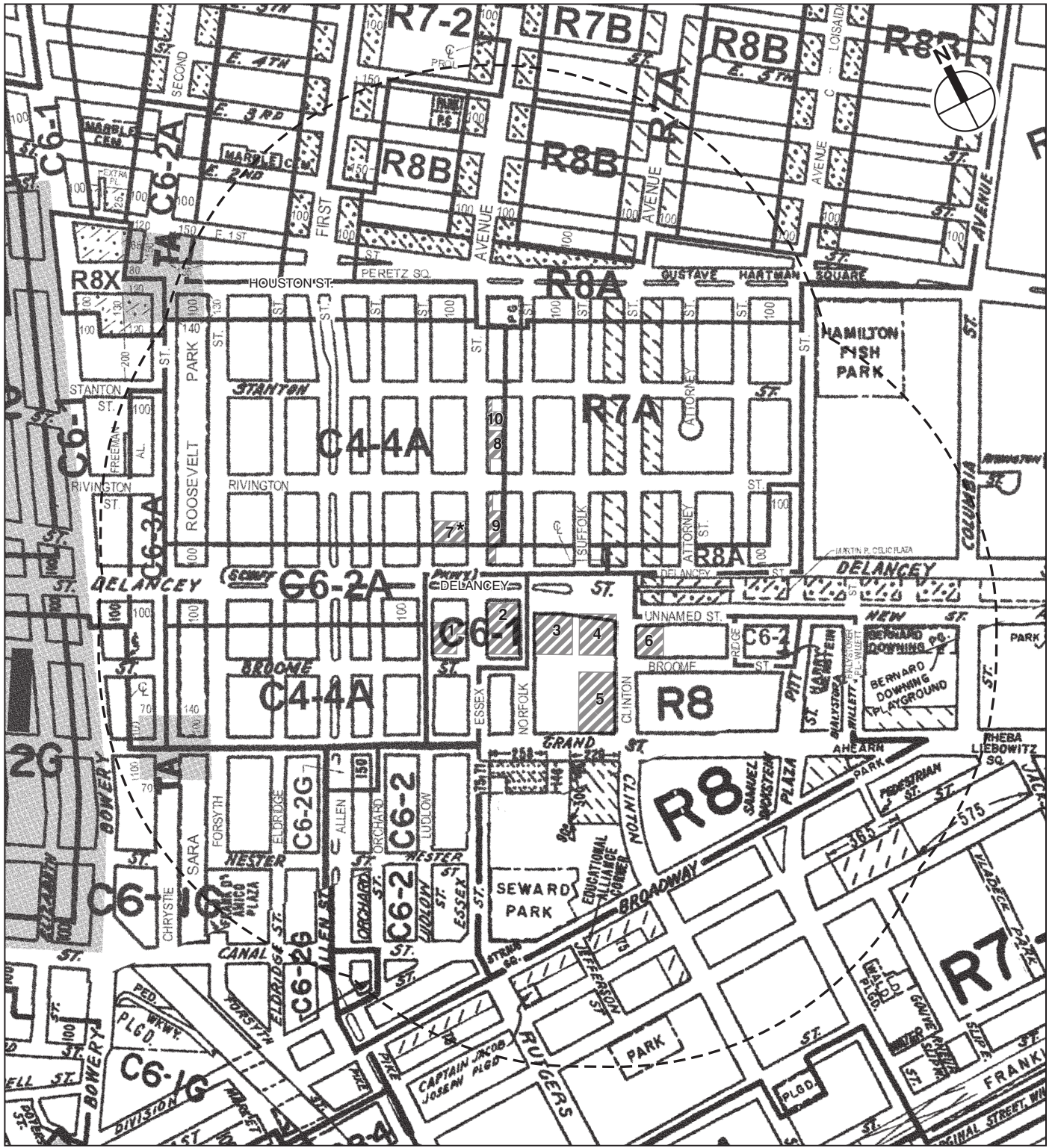
Sites 1 and 2 are located in a C6-1 zoning district that is bounded by Delancey Street, Norfolk Street, Broome Street, Essex Street, Grand Street, and Ludlow Street. C6-1 zoning districts support medium- and high-bulk commercial uses, including large retail stores and related activities, and these districts also permit residential use. C6-1 districts permit commercial uses up to 6.0 floor area ratio (FAR), residential uses up to 3.44 FAR, and community facilities up to 6.5 FAR.






##### *Sites 3-6*

Sites 3 through 6 are located in an R8 zoning district. Residential developments in R8 districts typically range in size from eight- to ten-story buildings to taller buildings set back from the street on large zoning lots. Residential use is permitted up to 6.02 FAR, and community facilities can be built up to 6.5 FAR.

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<sup>1</sup> Enacted in 1955, the Mitchell-Lama Housing Program utilizes tax abatements, low-interest mortgages, and other subsidies for developers to build housing for low- and middle-income tenants.



-  Proposed Development Sites
- \* Site 7 Would Not Be Redeveloped Under the Proposed Actions
-  Study Area Boundary (1/4-Mile Perimeter)
-  Zoning District Boundary
-  C1-5 Overlay
-  C2-5 Overlay

0 200 500 FEET  
SCALE

Table 2-1

Zoning Districts Located in the Secondary Study Area

Zoning District	Maximum FAR	Uses/Zone Type
R7A	4.0 residential or community facility	Contextual residence district, mandatory Quality Housing bulk regulations, medium-density housing, mid-rise buildings with greater lot coverage
R7B	3.0 residential or community facility	Contextual residence district, mandatory Quality Housing bulk regulations, medium-density housing, low-rise buildings with greater lot coverage
R7-2	0.87 to 3.44 <sup>2</sup> residential 6.5 community facility	General residence district, medium-density housing
R8	0.94 to 6.02 residential 6.5 community facility	General residence district, high-density housing
R8A	6.02 residential 6.5 community facility	Contextual residence district, high-density housing, compatible with existing older neighborhoods
R8B	4.0 residential or community facility	Contextual residence district, high-density housing, row house-style buildings
C1-5 overlay	2.0 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district	Local shopping and services
C2-5 overlay	2.0 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district	Local shopping and services
C4-4A	4.0 commercial, residential, community facility	Contextual commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses
C6-1	6.0 commercial <sup>3</sup> 0.87 to 3.44 residential 6.5 community facility <sup>3</sup>	General commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses
C6-1G	6.0 commercial <sup>3</sup> 0.87 to 3.44 residential 6.5 community facility <sup>3</sup>	General commercial district outside central business district, special regulations regarding conversion of non-residential space to residential use
C6-2	6.0 commercial <sup>2</sup> 0.94 to 6.02 residential 6.5 community facility <sup>2</sup>	General commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses
C6-2A	6.0 commercial 6.02 residential 6.5 community facility	Contextual commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses
C6-2G	6.0 commercial <sup>2</sup> 0.94 to 6.02 residential 6.5 community facility <sup>2</sup>	General commercial district outside central business district, special regulations regarding conversion of non-residential space to residential use
C6-3	6.0 commercial <sup>2</sup> 0.99 to 7.52 residential 10 community facility <sup>2</sup>	High-density office district, wide range of high-bulk commercial uses requiring a central location
C6-3A	6.0 commercial 7.52 residential <sup>1</sup> 7.5 community facility	Contextual high-density office district, wide range of high-bulk commercial uses requiring a central location

**Notes:**

- 1 Up to 12 FAR for inclusionary housing bonus.
- 2 Up to 20 percent increase for plaza bonus.
- 3 Up to 12 FAR with bonus.
- 4 Up to 4.0 on wide streets outside the Manhattan Core under Quality Housing Program.
- 5 Up to 7.2 FAR on wide streets outside the Manhattan Core under Quality Housing Program.

**Source:** *New York City Zoning Resolution.*

*Site 7, Site 8, Site 10*

Sites 7, 8, and 10 are located in a C4-4A zoning district that is bounded by: the midblock between East Houston Street and Stanton Street to the north; the midblock between Essex Street and Norfolk Street to the east; the midblock between Delancey Street and Rivington Street to the south; and Chrystie Street to the west. As described in greater detail below, this area was zoned C4-4A in 2008 under the East Village/Lower East Side rezoning. C4-4A districts generally produce medium-density commercial development with continuous retail frontages. C4-4A is also a contextual zoning designation, in which the height and bulk of new development must be consistent with existing neighborhood character. Height regulations require a streetwall between 40 and 65 feet high and limit maximum building heights to 80 feet. The maximum commercial and residential FAR in C4-4A districts is 4.0, which can be increased for residential uses with an Inclusionary Housing Program bonus.<sup>1</sup>

*Site 9*

Site 9, which contains the Essex Street Market, is located in two zoning districts: the northern portion is within the C4-4A district, as described above. The southern portion that fronts on Delancey Street is within a C6-2A district that generally extends along the Delancey Street corridor as far east as midblock between Suffolk Street and Clinton Street. C6-2A zoning produces medium- to high-density commercial districts with such uses as large hotels, office buildings, department stores, and entertainment facilities. C6-2A is also a contextual zoning designation, in which the height and bulk of new development must be consistent with existing neighborhood character. The maximum FAR for commercial uses is 6.02; the maximum FAR for residential uses is 6.02, which can increase through the Quality Housing Program or through the Inclusionary Housing Program.

*STUDY AREA*

Generally, the eastern half of the study area (east of Essex Street) contains residential zoning designations, while the western half of the study area (west of Essex Street) contains commercial designations (see **Figure 2-2**).

*Residential Districts*

There is an R7-2 district located south of East Broadway and bounding the eastern portion of the study area along Bialystoker Place, along the Williamsburg Bridge approach to Clinton Street, and along Pitt Street. R7-2 districts are medium-density general residential districts that typically result in mid-rise buildings with lower lot coverage and permit residential FAR of up to 3.44 and community facilities up to 6.5 FAR. Building heights are governed by sky exposure planes and are thus dependent on zoning lot dimensions as opposed to maximum building height regulations. Under the Quality Housing Program, R7 districts permit a maximum 4 FAR on wide streets and 3 FAR on narrow streets.

An R7A district is mapped over the area roughly extending north to 100 feet below East Houston Street, south to 100 feet above Delancey Street, east to Clinton Street, and west to the midblock between Norfolk Street and Essex Street. R7A districts are contextual districts that ensure new development fits the context of the existing neighborhood. This medium-density zoning designation allow residential and community facility uses up to 4.0 FAR.

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<sup>1</sup> Through the Inclusionary Housing Program, a bonus of 33 percent of floor area can be obtained for providing 20 percent as affordable housing, which can be provided on- or off-site.

## **Seward Park Mixed-Use Development Project**

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An R8 district is mapped over the area roughly bounded by Delancey Street to the north, Willett Street to the east, East Broadway to the south, and Essex Street to the west (including Sites 3, 4, 5, and 6, as described above).

There are R8A and R8B contextual districts located in the northern portion of the study area. R8B districts are located in the midblock areas of the East Village and Alphabet City, including: between First Avenue and Avenue A, north of East 1st Street and south of East 4th Street; between Avenue A and Avenue B, north of East Houston Street and south of East 4th Street; and between Avenue B and Avenue C, north of East 1st Street. There is also an R8A district mapped 100 feet north and south of East Houston Street, roughly from Chrystie Street to Avenue D. R8A districts are contextual residence districts that are typically compatible with existing older neighborhoods. This zoning designation allows residential uses up to 6.02 FAR and community facilities up to 6.5 FAR. R8B districts, with a maximum FAR of 4.0, apply modified height and setback regulations typically resulting in row house-style buildings designed to be compatible with existing low-rise buildings.

### *Commercial Overlay Districts*

Commercial overlays are mapped in residential districts along streets that serve the local retail needs of the neighborhood, and are found extensively throughout the City's lower- and medium-density areas and occasionally in higher-density districts. Typical uses include grocery stores, restaurants, and beauty parlors, catering to the immediate neighborhood. The maximum permitted bulk of residential uses in commercial overlay districts is governed by the underlying residential zoning designation.

There are C1-5 commercial overlays along Avenue A, Avenue B, Avenue D; Clinton Street between East Houston Street and Delancey Street, and between East Broadway and Madison Street; Grand Street between Pitt Street and Columbia Street; East Broadway from Pike Street to Clinton Street, and on a 365-foot wide through-block portion of the block bounded by Montgomery Street, Henry Street, Jackson Street, and Madison Street. C1-5 districts within R1 to R5 zones are permitted a maximum FAR of 1.0, and C1-5 districts within R6 to R10 zones are permitted a maximum FAR of 2.0.

There are C2-5 commercial overlays along First Avenue; Avenue A; Avenue C; the south side of Delancey Street from Clinton Street to Columbia Street; and at the southeast corner of Essex and Grand Streets. C2-5 districts within R1 to R5 zones are permitted a maximum FAR of 1.0, and C2-5 districts within R6 to R10 zones are permitted a maximum FAR of 2.0.

### *Commercial Districts*

Two areas in the study area are mapped with C4-4A zoning: one area, which contains Sites 7, 8, 10 and a portion of 9, extends north to 100 feet south of East Houston Street, south to 100 feet north of Delancey Street, east to the midblock of Essex Street and Norfolk Street, and west to Chrystie Street. C4-4A is a contextual commercial zoning designation, as described above.

There is a C6-1 zoning district, which contains Sites 1 and 2, bounded to the north by Delancey Street, to the south by Grand Street and Broome Street, to the east by Essex Street and Norfolk Street, and to the west by Ludlow Street. There is an additional C6-1 district adjacent to the western edge of the study area, along the Bowery corridor. C6-1 is a general commercial zoning designation, as described above.

A C6-1G area is mapped in the southwest corner of the study area, south of Grand Street and west of Allen Street. A C6-2G zone is mapped in the small area between Allen and Orchard Streets, up to 150 feet south of Grand Street. The FAR regulations for C6-1G and C6-2G



districts are identical to those of their respective C6-1 and C6-2 districts (as described above) but contain special provisions governing the conversion of non-residential space to residential use.

C6-2A and C6-3A districts are contextual zoning districts with maximum building heights. They permit a wide range of high-bulk commercial uses to a maximum commercial FAR of 6.0. Residential uses are also permitted up to a maximum FAR of 6.02 in C6-2A districts, and a maximum of 7.52 in C6-3A districts.

#### *Special Districts*

Small portions of the study area include Transit Land Use Special District (TA) designations. TA zones were established to govern development along the future Second Avenue subway line. In place of sidewalk obstructions that impede pedestrian circulation, the special district requires builders of developments adjoining planned subway stations to reserve space in their projects, through providing an easement, for public access to the future subway station.

There is a TA designation centered on the intersection of Chrystie Street and Grand Street; and also at the intersection of East Houston Street and Chrystie Street/Second Avenue. The designations extend 70 to 150 feet along the streets from the center of the intersection.

#### *RECENT REZONING ACTIONS*

##### *Lower East Side/East Village Rezoning*

In 2008, the City Council approved rezoning the area generally bounded by East 13th Street to the north; Avenue D to the east; East Houston Street, Delancey Street and Grand Street on the south; and the Bowery and Third Avenue on the west. Under the rezoning, approximately 111 blocks of the East Village and Lower East Side were rezoned from R7-2 and C6-1 designations to R7A, R7B, R8A, R8B, C4-4A, and C6-2A designations. In addition, a new C2-5 commercial overlay was mapped along Second Avenue between East 3rd Street and East 7th Street.

The purpose of the rezoning was to preserve the low-scale character of the East Village and Lower East Side neighborhoods while focusing new development towards specific areas considered suitable for new residential construction with incentives for affordable housing. Under the previous zoning designations, non-contextual development resulted in buildings that were inconsistent with the typical mid-rise character of these neighborhoods. The rezoning also sought to address the need for new housing and affordable housing in these neighborhoods. Overall, the rezoning sought to balance the need to preserve the area's unique neighborhood character with the need for affordable housing.

#### **PUBLIC POLICY**

##### *MAYOR'S NEW HOUSING MARKETPLACE PLAN*

The City first released *The New Housing Marketplace Plan* in 2003 and last updated it in 2010. The goal of this \$7.5 billion, ten-year plan is to create or preserve 165,000 units of affordable housing, of which more than 100,000 units have been created or preserved to date. HPD and the New York City Housing Development Corporation (HDC) are responsible for implementing the plan by focusing on four key strategies: finding new land for housing; creating incentives to develop housing for new populations; harnessing the private market to create affordable housing; and preserving government assisted affordable housing.

## **Seward Park Mixed-Use Development Project**

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### *BUSINESS IMPROVEMENT DISTRICTS*

#### *Lower East Side Business Improvement District*

The Lower East Side Business Improvement District (LES BID) was established in 1992 to revitalize the Orchard Street Shopping District while preserving its unique and diverse character. The LES BID consists of more than 400 merchants and property owners and includes the following areas: Orchard Street from East Houston to Canal Streets; Delancey Street from Allen to Clinton Streets; and Grand Street from Forsyth to Clinton Streets. The LES BID promotes local businesses, hosts events, and provides various community beautification services, including maintenance of the Orchard Street Pedestrian Mall.

#### *Chinatown Business Improvement District*

The City's newest BID is the Chinatown District Management Association, which was approved by the City Council in September 2011. The BID is bounded roughly by Broome Street to the north; White, Worth, and Madison streets to the south; Allen and Rutgers streets to the east; and Broadway to the west. The BID formed an interim board and began initial operations in January 2012. The purpose of the BID is to advocate for the area, as well as to provide sanitation, graffiti-removal, and holiday lighting services.

#### *PLANYC*

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York*. An update to PlaNYC in April 2011 built upon the goals set forth in 2007 and provided new goals and strategies. PlaNYC represents a comprehensive and integrated approach to planning for New York City's future. It includes policies to address three key challenges that the City faces over the next 20 years: (1) population growth; (2) aging infrastructure; and (3) global climate change. In the 2011 update, elements of the plan are organized into ten categories—housing and neighborhoods, parks and public space, brownfields, waterways, water supply, transportation, energy, air quality, solid waste, and climate change—with corresponding goals and initiatives for each category.

### *OTHER PLANNING FRAMEWORKS*

With the goal of gaining broad community consensus on a development program for the project site, CB3 embarked on a planning process for the sites starting in 2008, and invited the City to be part of the discussions. NYCEDC, HPD, and DCP participated in the process, providing technical support and resources to facilitate the community's discussion and analysis. Over the course of more than two years, CB3 worked to develop a set of project guidelines that CB3 unanimously adopted in January 2011. CB3 subsequently worked with the City to understand the urban design opportunities of the project and passed a set of urban design guidelines in June 2011. Together, these program guidelines and design principles express the community's desired mixed-use, mixed-income characteristics of the program for the project site and urban design preferences with respect to the site's layout, height, and density.

The community guidelines and urban design recommendations adopted by CB3 serve as a broad framework for defining key elements of the current project proposal. The guidelines call for a mixed-use and mixed-income development that is reflective of, and compatible with, adjacent communities. CB3 recommends that the design of the proposed development conform to the principles of contextual design, such that building orientation and access should support and enhance the existing pedestrian realm and integrate with the existing neighborhood.

## **E. THE FUTURE WITHOUT THE PROPOSED ACTIONS**

### **LAND USE**

#### *PROJECT SITE*

In the future without the proposed actions, existing conditions on the project site would not change. Most of the project site would continue to be largely vacant and underutilized.

However, the municipal parking garage on Site 7 will be refurbished by the New York City Department of Design and Construction (DDC) and New York City Department of Transportation (DOT) as part of the City's Design Excellence Program. The improvements will include resurfacing the parking floors, installing improved lighting on floors and in stairwells, and renovating the façade. The current façade, which consists of deteriorated concrete panels, will be replaced with a weave of steel cables that will improve the aesthetics of the site.

#### *STUDY AREA*

Independent of the proposed actions, 38 background development projects ("No Action" projects) are anticipated to be constructed within the ¼-mile study area, as well as 19 additional development projects that were projected in the 2008 East Village/Lower East Side Rezoning Final Environmental Impact Statement (FEIS). As summarized below in **Table 2-2**, and shown in **Figure 2-3**, the No Action projects indicate a growing trend towards mixed use development in the study area, including new market-rate residential, commercial, and hotel uses. Overall, by 2022, the No Action projects are expected to create 512 new residential units, over 76,000 square feet of commercial space, 693 new hotel rooms, over 150,000 square feet of community facility space, and 82 parking spaces.

### **ZONING**

#### *PROJECT SITE*

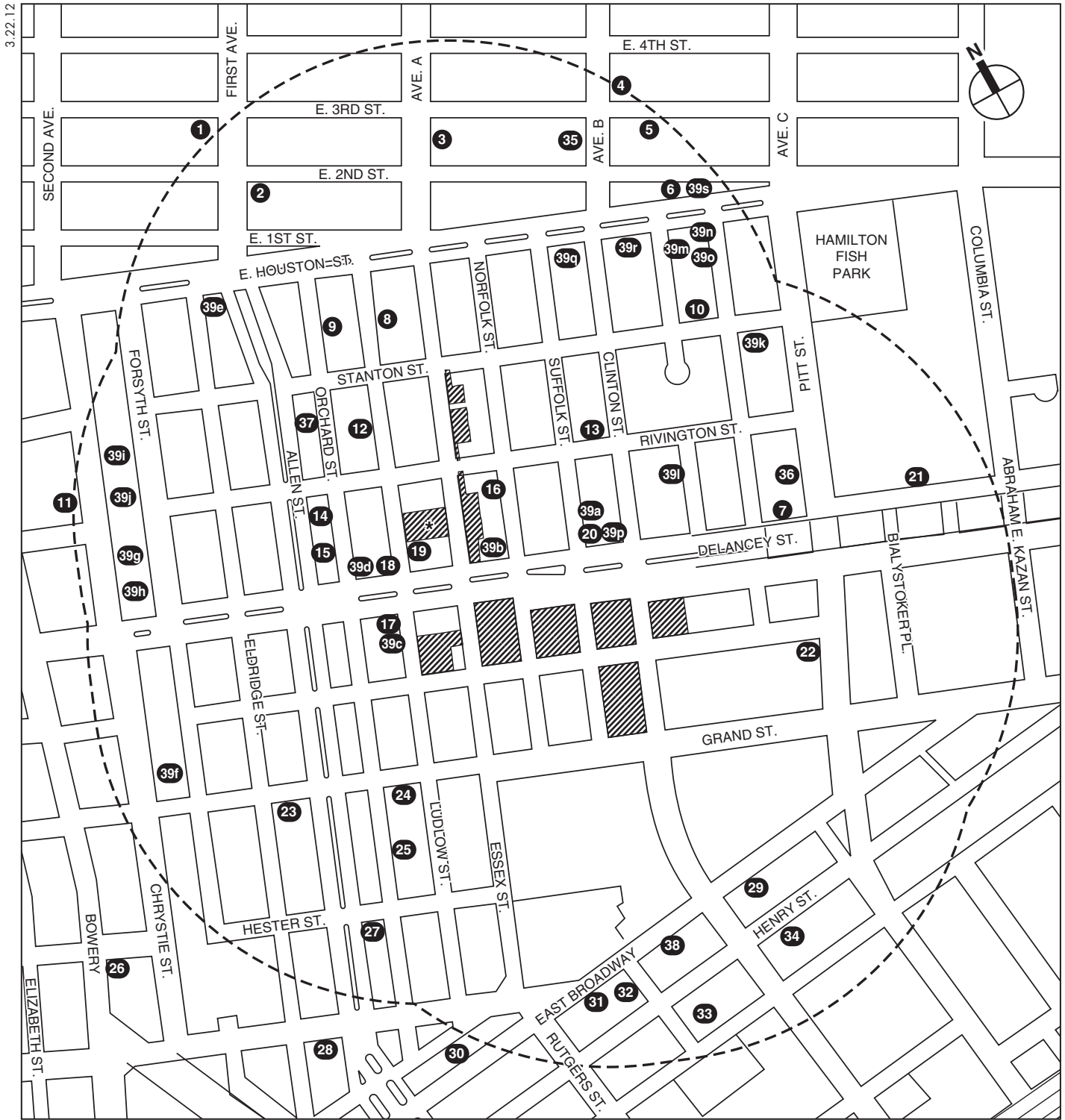
In the future without the proposed actions, existing zoning on the project site will remain in force. The project site will continue to have C4-4A, C6-2A, C6-1, and R8 zoning designations, as described above under "Existing Conditions."

#### *STUDY AREA*

In the future without the proposed actions, existing zoning in the 1/4-mile study area will remain in force. The study area will continue to have a mixture of residential, commercial, and contextual zoning designations, as described above.

### **PUBLIC POLICY**

In the future without the proposed actions, existing public policies are expected to remain in force. PlaNYC will be updated in 2015 and 2019.



Proposed Development Sites



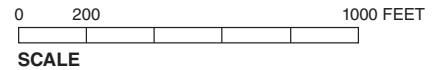
Site 7 Would Not Be Redeveloped Under the Proposed Actions



Study Area Boundary  
(1/4-Mile Perimeter)



No Action Projects (see Table 2-2)



SCALE

**Seward Park Mixed-Use Development Project**

**Table 2-2**

**Development Under Construction or Proposed Within 1/4-Mile of the Project Sites**

Map No.	Location	Description	Commercial (SF)	Comm. Fac. (SF)	Res. Units	Hotel Rooms	Parking	Build Year
1	49½ First Avenue	Addition – Residential			1			2012
2	24 First Avenue	Conversion – Residential			1			Pending <sup>1</sup>
3	28 Avenue A	Addition – Residential			15			Pending <sup>1</sup>
4	41 Avenue B	Addition – Residential			1			Pending <sup>1</sup>
5	222 East 3rd Street	Addition – Residential			9			2012
6	229 East 2nd Street	Residential		300	5			2011
7	210 Delancey Street*	Residential		8,400	69		10	2012
8	180 Ludlow Street	18 story hotel or condos						Under Construction
9	180 Orchard Street	Hotel Indigo	2,200			290	58	2013
10	196 Stanton Street*	Conversion – Dormitory			15			2012
11	191 Chrystie Street*	Conversion – Residential			11			2021
12	145 Ludlow Street	Mixed Use	3,000		10			Pending <sup>1</sup>
13	156 Rivington Street	ABC No Rio Renovation		7,000				2021
14	139 Orchard Street	Hotel				80		2012
15	119 Orchard Street	Mixed Use	8,000	500	3	40		2012
16	115 Norfolk Street	Residential			24		12	2011
17	95 Delancey Street*	Addition - Commercial	3,500					2011
18	101 Ludlow Street	Addition - Commercial	3,300					Pending <sup>1</sup>
19	100 Delancey Street	Residential			21			2011
20	150 Delancey Street*	Holiday Inn Hotel				132		2012
21	231 Delancey Street	Commercial	2,780					Pending <sup>1</sup>
22	17 Pitt Street	Accessory Maintenance Building <sup>2</sup>						2012
23	285 Grand Street	Commercial	10,000					Pending <sup>1</sup>
24	329 Grand Street	Addition - Residential			4			Pending <sup>1</sup>
25	48 Orchard Street	Conversion – Res.			1			2012
26	93 Bowery	Windham Hotel				106		2011
27	92 Hester Street	Conversion – Commercial	7,000					2012
28	86 Canal Street	Mixed Use	25,000	900	23			Under Construction
29	225 East Broadway	Residential			22			
30	136 East Broadway	Mixed Use	2,700		22			2011
31	183 East Broadway	Residential			21			Under Construction
32	14 Jefferson Street	3-story addition			5			Under Construction
33	227 Madison Street	Gouverneur Hosp. Expansion		108,000				2013
34	152 Henry Street	Buddhist temple expansion		33,000				2013
35	26 Avenue B*	Mixed Use	1,614		8			Pending <sup>1</sup>
36	61 Pitt Street*	Residential			1			Pending <sup>1</sup>
37	163 Orchard Street*	Hotel				45		2013
38	197 East Broadway	Educational Alliance		3,200				2013

**Table 2-2, cont'd**

**Development Under Construction or Proposed Within ¼-Mile of the Project Sites**

Map No.	Location	Description	Commercial (SF)	Comm. Fac. (SF)	Res. Units	Hotel Rooms	Parking	Build Year
39a-s	Multiple Locations	19 Reasonable Worst Case Development Scenario sites from the East Village/Lower East Side Rezoning			220		2	2017
	<b>TOTAL</b>		<b>76,094</b>	<b>154,300</b>	<b>512</b>	<b>693</b>	<b>82</b>	

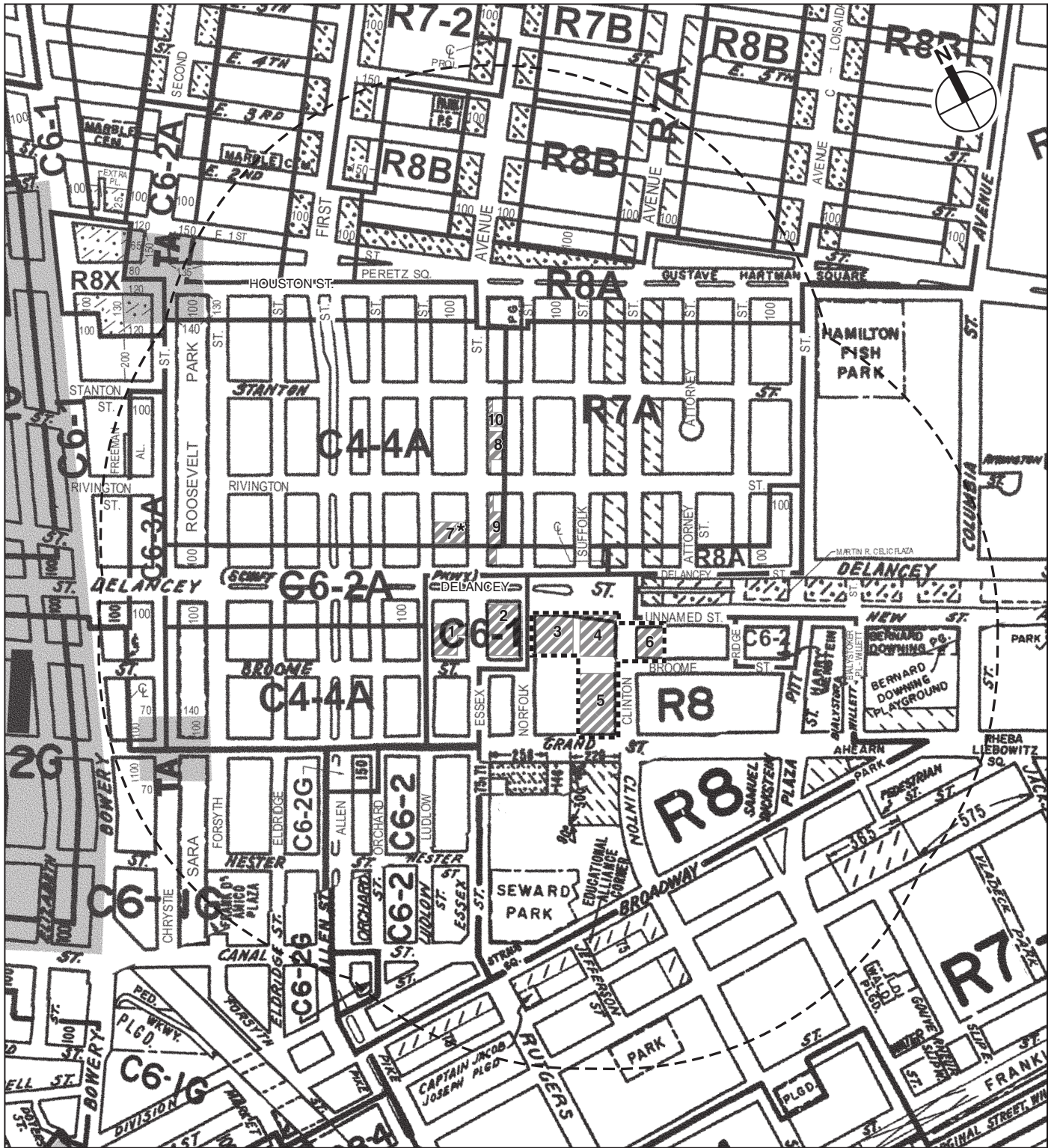
**Notes:**  
 1 "Pending": the project has been filed with the NYC Department of Buildings (DOB) but is waiting for DOB approval.  
 2 This is a 3,417-square-foot maintenance building for the Seward Park Extension residential complex.  
 \* This site is a projected development site under the RWCDs for the East Village/Lower East Side FEIS (2008) for which there is now an actual project planned or under construction.  
 See attached Figure 2-4.







## F. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

This section describes the land use, zoning, and public policy conditions that would result from the proposed actions by 2022, and evaluates the potential for the proposed actions to result in significant adverse impacts.

As set forth in Chapter 1, "Project Description," the proposed RWCDs would require multiple City approvals. The potential discretionary actions that would be required for the proposed development include:

- **Disposition:** Disposition of Sites 1 through 6 and 8 through 10 by the City of New York for the purpose of subsequent development;
- **Urban Development Action Area Project Designation (UDAAP):** Designation of Sites 1 through 6 and 8 through 10 as an Urban Development Action Area Project;
- **Acquisition:** Acquisition of a portion of Site 2 for the sole purpose of the relocated Essex Street Market;
- **Zoning Map Change:** Zoning map amendment for a C2-5 commercial overlay on Sites 3, 4, 5, and 6;
- **Special Permit:** Special permit from the New York City Planning Commission (CPC) pursuant to Section 74-743 of the Zoning Resolution (ZR) of the City of New York for an Large Scale General Development (LSGD), applicable to Sites 1-6 to allow the following in order to achieve a superior site plan:
  - Redistribution of floor area, lot coverage and dwelling units between zoning lots and across zoning district boundaries;
  - Waiver of height and setback regulations;
  - Waiver of rear yard regulations, rear yard equivalent regulations, and rear yard setback regulations;
  - Waiver of minimum base height;
  - Waiver of minimum distance between legally required windows and any wall in an inner court;
  - Waiver of outer court regulations; and
  - Waiver of planting requirements.



-  Proposed Development Sites
- \* Site 7 Would Not Be Redeveloped Under the Proposed Actions
-  Study Area Boundary (1/4-Mile Perimeter)
-  Zoning District Boundary
-  C1-5 Overlay
-  C2-5 Overlay
-  Area Proposed to be Mapped with C2-5 Overlay



## **Seward Park Mixed-Use Development Project**

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- **Special Permit:** Special permit from the CPC pursuant to ZR Section 74-744 for an LSGD, applicable to Sites 1-6, to allow the following:
  - Waiver of regulations regarding the location of residential uses relative to non-residential use;
  - Waiver of regulations regarding the location of commercial uses; and
  - Permit Use Group 10, 11A, and certain 12A uses in C2 districts.
- **Special Permits:** Four special permits from the CPC pursuant to ZR Sections 13-562 and 74-52 to allow for the development of up to four public parking garages on Sites 2 through 5;
- **Authorization:** Authorization pursuant to ZR section 74-744(c)(2) to modify signage regulations to permit C6-1 signage regulations along certain streets;
- **Zoning Text Amendment:** Zoning text amendment to ZR Sections 74-743 and 74-744 to:
  - Eliminate the planting strip requirement in the proposed sidewalk widenings;
  - Allow commercial FAR to be shifted from the C6 district to the C2 district;
  - Allow Use Group 10, 11A, and certain 12A uses in the C2 zoning district; and
  - Allow the modification of certain signage regulations.
- **Street Mapping:** Mapping of the demapped section of Suffolk Street between Grand and Delancey Streets and the demapped section of Broome Street between Norfolk and Clinton Streets as new streets through the project site; and
- **Street Mapping:** Demapping of sections of Delancey Street between Norfolk and Clinton Streets and of Clinton Street between Delancey and Grand Streets that were previously mapped to widen Delancey and Clinton Streets, thereby aligning the mapped streets with the existing built street condition.

Mayoral and Borough Board approval of the business terms with the developer or developers to be selected pursuant to a Request for Proposals (RFPs), may also be required, as applicable, pursuant to New York Charter Section 384(b)(4). In addition, NYCEDC and HPD will coordinate with the Metropolitan Transportation Authority-New York City Transit (NYCT) regarding subway easement areas. Construction financing for the residential buildings may come from a variety of private and public (local, state, and federal sources), including, but not limited to funding from HPD, the New York City Housing Development Corporation, and the United States Department of Housing and Urban Development. In addition, potential construction funding may be provided by New York State Homes & Community Renewal (HCR) and the New York State Housing Finance Agency (HFA).

As discussed in Chapter 1, “Project Description,” this Draft Generic Environmental Impact Statement (DGEIS) analyzes the impacts of a concept or overall plan rather than those of a specific project plan. While the actual development will depend on developer proposals and future market conditions, the City has developed a maximum development envelope, or RWCDS (see Table 1-2 in Chapter 1, “Project Description”).

Under the RWCDS, it is assumed that the proposed actions would result in approximately 951,000 square feet of residential development (comprising 900 dwelling units, in accordance with the UDAAP application, of which half would be affordable units); up to approximately 632,300 square feet of commercial space; approximately 114,000 square feet of community facility or cultural uses; up to 500 parking spaces; and approximately 10,000 square feet of publicly accessible open space on Site 5. The commercial space would include up to



approximately 469,300 square feet of retail uses (including a grocery store), over 29,000 square feet of public market space, an approximately 97,500-square-foot hotel, and approximately 36,300 square feet of non-specific commercial uses. Pursuant to the proposed actions, the existing Essex Street Market, which is located on Site 9, would be relocated to a new, expanded public market facility. Chapter 20, “Alternatives,” considers an alternative mixed-use program that is similar to the proposed project but retains the existing Essex Street Market in its current location on Site 9.

### **LAND USE**

#### *PROJECT SITE*

By 2022, the proposed actions would result in the full redevelopment of the project site as per the RWCDS. To facilitate the proposed actions, there would be a disposition of Sites 1 through 6 and 8 through 10 by the City of New York to a developer or developers for the purpose of subsequent development, and the designation of these sites as an UDAAP by the CPC. The existing buildings on Sites 2, 5, 8, 9, and 10 would be demolished, and the existing parking uses on all sites except Site 7 would be removed and replaced by the new development. These uses would be replaced by new mixed-use buildings of varying height and bulk. There would also be an acquisition by the City of an ownership or leasehold interest of a portion of Site 2 for the relocated Essex Street Market to ensure that the relocated market remains in the public trust. The project site also includes demapped sections of Broome and Suffolk Streets that would be mapped as City streets and sections of Clinton and Delancey Streets that would be demapped.

The design of the proposed development on Sites 1-6, including the height, bulk, and placement of buildings, would be governed by the LSGD special permit that will be sought under the proposed actions. The LSGD Section 74-74 of the Zoning Resolution is intended to permit owners of two or more zoning lots that are contiguous (or would be contiguous but for their separation by a street or street intersection) and are a minimum area (1.5 acres) to plan for the development or redevelopment of the lots on a comprehensive rather than a parcel by parcel basis. To improve the site plan and the relationship among buildings and open areas to adjacent streets, height and setback requirements may be modified and bulk may be distributed among the lots. The preliminary massing of the LSGD buildings contemplates base heights of between 60 and 85 feet (six to eight stories), with varying heights above. The upper portions of all buildings would be set back at least 10 feet from Delancey, Essex, Clinton, and Grand Streets, and 15 feet from Ludlow, Broome, Norfolk, and Suffolk Streets. The preliminary massing includes potential towers on Sites 2 and 4 of up to 285 feet and 260 feet to the roof parapets (315 and 290 feet, respectively, to the top of the mechanical bulkheads, or up to approximately 24 stories each) and building heights of up to 160 feet to the roof parapets (190 feet to the top of the mechanical bulkheads or up to approximately 14 stories) on Sites 1, 3, 5, and 6. Sites 8, 9, and 10 would be consistent with massing requirements and maximum heights allowable under existing contextual zoning and could be built up to 80 feet tall on Essex Street and up to 120 feet tall on Delancey Street. The preliminary concept for the massing incorporates elements from the building forms of the surrounding neighborhood, which vary from low-rise walk-ups to large tower-in-the-park developments. The LSGD would incorporate a connected street grid, and all new buildings would have retail and residential entrances on multiple sides to create ground-floor activity and provide necessary access. The buildings would incorporate streetwalls to activate the pedestrian realm and setback towers permitting access to light and air. The ground-level frontages would consist of retail uses, and the proposed actions would maximize street-level uses that support pedestrian activity throughout the development.

## **Seward Park Mixed-Use Development Project**

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The proposed development includes relocating the existing Essex Street Market from its current location in Site 9 to a new, larger facility in the base of the new building on Site 2. The new public market would be approximately 29,000 square feet and would accommodate 35 to 65 vendors (depending on the size of each stall). The larger space would create entrepreneurship opportunities for additional vendors and would continue to allow for a variety of vendor price points. A new facility would be an opportunity for capital investment in the market to address many of the physical limitations of the existing facility. The new market facility would have an improved internal layout, better connections with the street, and expanded common gathering areas for public seating and market events. In addition, the new facility would be energy efficient, be fully compliant with the Americans with Disabilities Act, and have improved storage capabilities, garbage handling, and climate control. When the new facility is complete and ready for occupancy, the City would give existing vendors at the time of the move the first opportunity to relocate their business to the new market facility.

The proposed development would also provide for 10,000 square feet of publicly accessible open space, which would serve as an important community amenity. The proposed development would also provide for approximately 500 parking spaces, which would serve residents as well as visitors. However, the goal of the proposed actions is to provide transit-oriented development that would primarily utilize existing public transportation services.

While the density of development on the project site would increase as a result of the proposed actions, this change would not be considered adverse, as the proposed actions would improve land use conditions by replacing underutilized and deteriorated buildings and surface parking lots with a vibrant, mixed-use development. The mixture of uses within the proposed development would be complementary to each other, as the development would provide for housing at different income levels, a range of retail uses, publicly accessible open space, and community facilities. Overall, the proposed actions would not result in any significant adverse impacts to land use on the project site.

In addition, the proposed actions would fill in the remaining sites cleared in SPEURA, the plan for which expired on its own terms in 2005. The proposed actions would replace underutilized land that detracts from the character of the neighborhood with active residential (including 450 affordable units), commercial, community facility, and publicly accessible open space uses.

### *STUDY AREA*

By 2022, the proposed actions would be expected to improve land use conditions in the study area by replacing underutilized sites with new development that would integrate with, and knit together, surrounding communities. The LSGD is being designed to complement adjacent development through its layout and massing. As described above, the urban design plan for the project would be influenced by the surrounding neighborhoods, and include a mixture of heights and building forms. The proposed development would also knit together the area by incorporating a street grid, ground-level activity, and a publicly accessible open space, which would activate the pedestrian realm. Therefore, the design of the proposed development would transform underutilized land, which detracts from nearby uses, into a pedestrian-oriented mixed-use development, which would be supportive of surrounding land uses. The building heights envisioned would not be out of character for the study area but would relate to the existing form of the neighborhood. With a maximum building height of 24-stories, the proposed development would be compatible with existing buildings in the area, such as the 23-story Seward Park Extension towers and the 20-story Seward Park Houses.

The proposed mix of uses would be consistent with, and complementary to, existing study area uses and development trends. The proposed actions respond to the community's need for new affordable housing through the provision of 450 new affordable units. As the study area contains substantial affordable housing stock, this proposed use would be compatible with existing land uses in the study area. The proposed development would be adjacent to the NYCHA-owned Seward Park Extension development, and other affordable housing developments nearby within the study area include Baruch Houses, 45 Allen Street, and Lower East Side Infill. Some of the affordable units may be set aside for senior citizen housing, which would also be compatible with existing land uses, and would help meet the growing demand for such housing in this neighborhood. The proposed development would also include 450 units of market-rate residential housing, which would be consistent with the recent market-rate housing development within the study area. The project site is adjacent to the Seward Park Houses, which voted in 2000 to end their limited equity rules and allow market-rate transactions. More recently, luxury condominiums have been built in the study area in various sites, including a 55-unit project at 38 Delancey Street, and the Ludlow, a 23-story luxury rental building at 188 Ludlow Street.

The proposed commercial uses would be supportive of existing commercial uses, as well as consistent with recent development trends. Historically, the study area has been home to a range of bustling commercial uses, from garment production to food production and eateries, to pushcart vendors. Today, the study area contains a broad mix of commercial uses, ranging from local delis and tailors, to a growing number of restaurants and drinking establishments, to larger commercial establishments, such as clothing stores, and banks. The proposed mix of local retail and destination retail stores in the RWCDS would complement the existing mix of commercial uses in the study area. The proposed Use Group 10, 11A, and certain 12A uses could include business such as department stores, bowling alleys, pool halls, and art production (see "Zoning," below). These new uses would not be expected to conflict with the existing range of uses in the study area, but would instead help to create a vibrant mixed-use destination with a broader range of uses that would draw more visitors to the study area. Additionally, the possible hotel use would be in keeping with the growing popularity and expansion of hotels in the study area. Hotels built in recent years include the Hotel Rivington at 107 Rivington Street, the East Houston Hotel at 151 East Houston Street, and the Thompson Hotel at 190 Allen Street. While specific community facility uses are not yet defined, potential uses could include important community amenities such as daycare, educational, or social service functions. These uses would be compatible with existing community facility uses in the immediate area. The proposed publicly accessible open space would complement existing and proposed residential and commercial uses, and provide much needed passive and/or active open space opportunities.

Overall, the proposed actions would not introduce any new uses to the surrounding area, as the proposed uses in the proposed development are consistent with the uses in the surrounding ¼-mile study area. This area has historically contained residential and commercial uses, and in more recent years, has seen substantial new hotel, commercial, and condominium development. The mixture of market-rate and affordable housing, and likewise the mixture of local retail and larger commercial establishments, would be compatible with existing conditions and development trends in the study area. Therefore, the proposed actions would not result in any significant adverse land use impacts in the study area.

## **ZONING**

### *PROJECT SITE*

Under the proposed actions, the underlying zoning of the project site would not change, except to map a C2-5 commercial overlay on Sites 3 through 6 (see **Figure 2-4**). The additional zoning actions that would be sought would facilitate the development in order to improve land use conditions on the project site and complement the surrounding study area. These zoning changes are necessary to fulfill the purpose and need of the proposed actions, and to create a vibrant mixed-use development that would be responsive to the needs of the local community and of the City. As discussed below, the proposed zoning changes would not result in any significant adverse impacts.

The following changes to the City Map will be proposed:

- *Mapping of the Demapped Sections of Streets:* Under the proposed actions, Suffolk Street between Grand and Delancey Streets, and the demapped section of Broome Street between Norfolk and Clinton Streets, would be mapped as streets through the project site (see **Figure 2-5**). These streets were demapped as part of SPEURA (see “Background and Development History,” above), although they continue to function as streets today.
- *Demapping of Sections of Unbuilt Streets:* Under the proposed actions, sections of Delancey Street between Norfolk and Clinton Streets and of Clinton Street between Delancey and Grand Streets would be demapped (see **Figure 2-5**). These proposed sections of streets were previously mapped to widen Delancey and Clinton Streets, but the street widening projects were later abandoned. This action would map the street widths to the current built width.

The following zoning map amendments will be proposed:

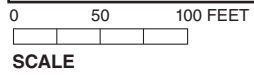
- *Zoning map amendment for a C2-5 commercial overlay:* This zoning change is required to allow the mixture of commercial uses on Sites 3 through 6 that would be required to serve local residents and the surrounding community. The proposed commercial overlay zone on Sites 3 through 6 would not significantly change the zoning of the study area, as it would be compatible with existing commercial overlay zoning along Clinton Street to the north of the project site, along Delancey Street to the east of the project site, and along Grand Street to the south of the project site. It would also be consistent with the existing commercial zoning mapped over Sites 1, 2, 7, 8, 9, and 10, and other commercial zones to the west of the project site. Further, the local retail uses that could be introduced as a result of the zoning change would be compatible with existing retail uses and the mixed-use character of the study area.

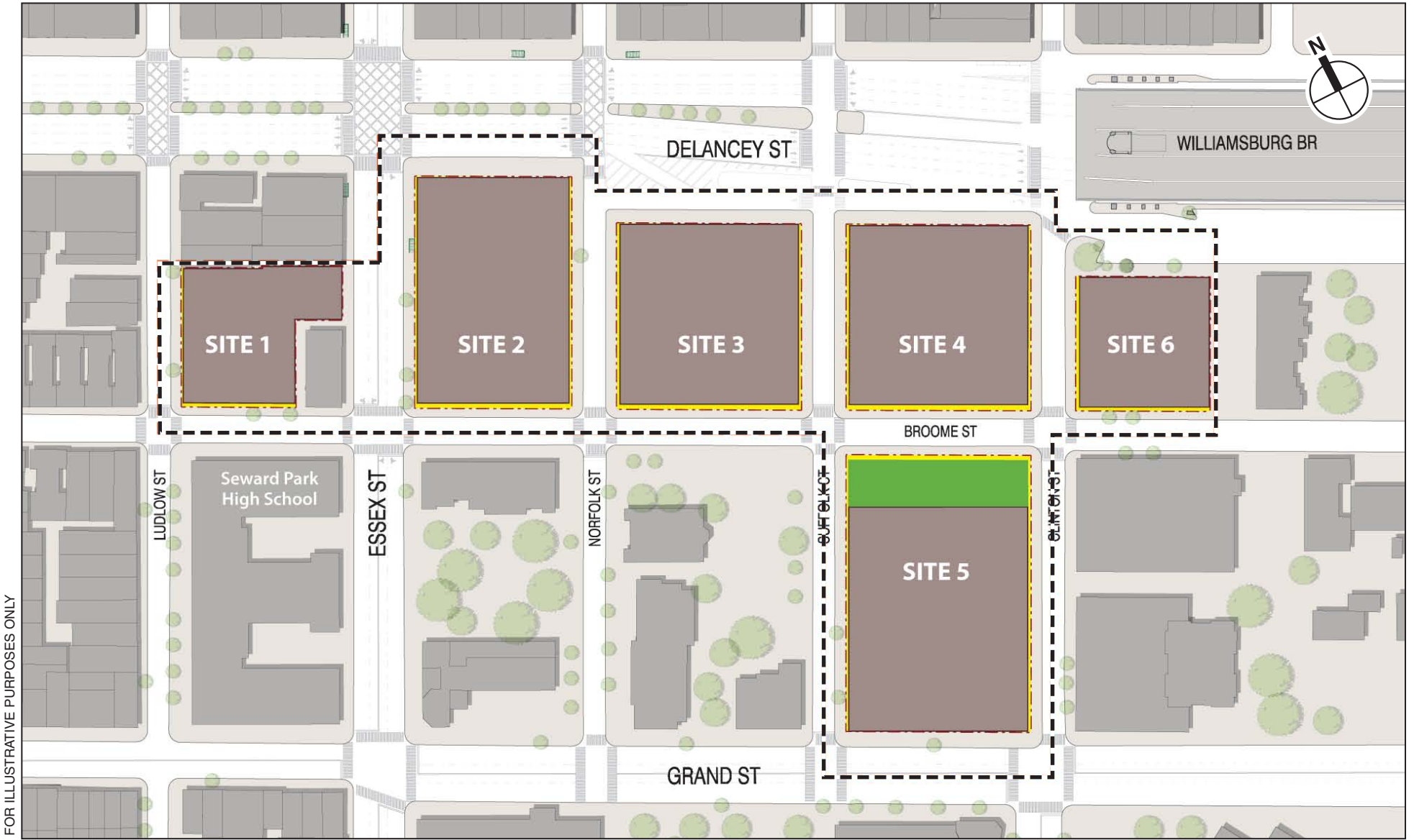
The following special permits will be proposed:

- *LSGD Special Permit:* A special permit from CPC pursuant to Section 74-743 of the ZR would be sought for an LSGD, which would be applicable to Sites 1 through 6 (see **Figure 2-6**). The LSGD special permit would allow the proposed development to achieve a superior site plan and would provide flexibility in design and massing. As a result, the new buildings would be more responsive to their location and context. The special permit would allow the following: redistribution of floor area, lot coverage and dwelling units between zoning lots and across zoning district boundaries; waiver of height and setback regulations; waiver of rear yard regulations, rear yard equivalent regulations, and rear yard setback regulations; waiver of minimum base height; waiver of minimum distance between legally required



<b>3</b>	Proposed Development Site
<b>343</b>	Block Number
<b>37</b>	Lot Number
	Streets to be Mapped
	Streets to be Demapped





- Proposed Building Footprint
- Large Scale General Development Boundary
- Proposed Publicly Accessible Open Space
- Proposed Sidewalk Widening

NOT TO SCALE

Proposed Large Scale General Development Boundary  
**Figure 2-6**

windows and any wall in an inner court; waiver of outer court regulations; and waiver of planting requirements.

The waivers and redistribution requested by this permit are necessary to facilitate the LSGD design plan for the proposed development. As analyzed in Chapter 8, “Urban Design and Visual Resources,” the LSGD plan would combine the defining characteristics of the northern and southern portions of the study area—the strong streetwalls north of Delancey Street, and the light and air provided by the “tower in the park”-style developments south of Delancey Street—using a tower on base approach to provide a transition between these two distinct areas. The requested height and setback waivers would allow an ample amount of light and air to reach streets on and adjacent to the project site, as well as the surrounding area, and would provide the tower portions of the buildings with abundant light, air and views, which would not be possible using contextual zoning bulk regulations. The LSGD plan would also establish streetwalls that would provide a meaningful relationship with the pedestrian realm, which would provide for a more interesting and lively pedestrian experience than could otherwise be achieved. The proposed waivers and redistribution requested by this permit would help facilitate a plan that reflects many years of input, debate and collaboration from a wide variety of stakeholders, including Manhattan Community Board 3. Overall, the waivers and redistribution sought under the LSGD special permit would improve land use conditions on Sites 1 through 6 by facilitating a superior design plan that is responsive to the context of the project site.

- *LSGD Special Permit:* A special permit from CPC pursuant to Section 74-744 of the ZR would be sought for an LSGD, which would be applicable to Sites 1 through 6. The LSGD special permit would allow for waivers of regulations regarding location of residential uses relative to non-residential uses and location of commercial uses, and permit a wider variety of commercial uses. The special permit would allow the following: waiver of regulations regarding the location of residential uses relative to non-residential use; waiver of regulations regarding the location of commercial uses; and permit Use Group 10, 11A, and certain 12A uses in C2 districts.

Use Group 10, 11A and 12A uses are commonly found in vibrant mixed-use areas throughout the City and are an important part of the mix of proposed uses that will help foster a dynamic neighborhood with an active street life that serves residents, workers and visitors. Most of the uses listed in Use Groups 10, 11A and 12A (except for arenas or auditoriums, skating rinks, public auction rooms, trade expositions or stadiums, which would not be allowed pursuant to the LSGD special permit), are already allowed in areas directly adjacent to the R8/C2-5 district within the proposed LSGD boundary. These uses are permitted as-of-right on Sites 1 and 2, which are zoned C6-1. These uses are also permitted in the C6-2A district that is mapped along many blocks of Delancey Street, in the C6-2, C6-1G and C6-2G districts to the southwest of the proposed LSGD, and in the C4-4A districts that cover a large area of the Lower East Side to the north and west of the proposed LSGD. Therefore, the uses that would be permitted on Sites 1 through 6 under the LSGD special permit would be consistent with other portions of the project site and the surrounding area.

There would not be any direct access between commercial uses and residential uses within the proposed buildings, and residential entrances would be completely separate from any commercial entrance, thereby avoiding potential conflicts between the two uses. While it is possible that the requested waiver would permit commercial uses to be located on floors that

## Seward Park Mixed-Use Development Project

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are higher than floors containing residential units, commercial uses would never be located directly above any residential unit. These restrictions would ensure that no adverse land use or zoning effects result from the proposed waivers sought under the LSGD special permit.

- *Authorization to modify signage regulations:* An authorization from CPC pursuant to Section 74-744(c)(2) of the ZR would be sought to modify signage regulations, in order to permit C6-1 signage regulations along certain streets. The ZR Section 74-744 special permit described above would allow uses commonly found in C6 districts, such as larger retail stores, to be located in the C2 district. Applying the C6-1 signage regulations to these uses would therefore be consistent with the amount, type and location of uses proposed within the LSGD on Sites 1 through 6.
- *Special permits for public parking facilities and for location of public parking spaces and loading berths within a LSGD:* The proposed development program would require special permits for public parking garages. CPC may allow by special permit public parking garages that would otherwise not be permitted as-of-right by the New York City Zoning Resolution, provided that applicable regulations regarding the need for spaces, sufficiency of nearby parking, effects on traffic congestion and pedestrian flow, and access to the street are met. As the receipt of a special permit is contingent upon a CPC finding of no negative impacts, the proposed special permits relating to parking would not be expected to result in any significant adverse impacts to zoning in the study areas. Although the RWCDs assumes the development of up to 500 parking spaces (in addition to those existing on Site 7) and the total number of permitted parking spaces would be limited to 500 spaces through the LSGD and related approvals, the proposed actions would include special permits that would allow for up to four parking garages that in total could contain 973 parking spaces. This larger parking envelope would allow flexibility in the siting and allocation of the 500 parking spaces.

In order to approve the special permits described above, CPC must make findings related to the resulting beneficial effects on the site plan and relationship with streets, the distribution of floor area and the location of buildings, obstructions of light and air, access to mapped streets, the effects on traffic, and the provision of public facilities. As the receipt of these special permits is contingent on a finding by the CPC related to impacts in these areas, the proposed zoning actions are not expected to result in any significant adverse impacts to land use and zoning.

The following zoning text amendments will be proposed (see **Appendix A** for the draft text amendments):

- *Retail establishments.* For the LSGD, CPC may modify the applicable district regulations to allow Use Group 10, 11A, and 12A uses, excluding arenas, stadiums, trade expositions, skating rinks, and public auction rooms, provided that such uses will not impair the character of future uses or development of the surrounding area, and the streets providing access to such uses will be adequate to handle the project-generated traffic. Typical Use Group 10 uses that would be permitted include department stores and large furniture and electronic good stores. Typical Use Group 11A uses that would be permitted include custom manufacturing uses such as art, ceramic, jewelry, book, and musical instrument production. Typical Use Group 12A uses that would be permitted include bowling alleys, pool halls, large restaurants, and historical exhibits. These uses would be consistent with the mixed-use character of the proposed development on the project site, and with the range of existing uses in the study area. This action would facilitate greater flexibility in the retail program of the proposed development, which would help to create an attractive mix of retail uses that



would serve project site residents, residents of the surrounding community, and visitors to the area. The variety of uses that would be permitted would help to enliven the project site and provide substantial economic development opportunities.

- *Waiver of planting requirements.* For the LSGD, a waiver may be granted of the planting requirements of Section 23-892 (In R6 through R10 Districts), provided that the area between the street line and the streetwalls of the building and their prolongations is to be improved as a publicly accessible widened sidewalk. This action is necessary to allow development on the project site that meets the City's programmatic and design goals and objectives. The proposed project would provide widened sidewalks and include an approximately 10,000-square foot publicly accessible open space, and would provide street trees where possible.
- *Distribution of floor area.* For an LSGD, commercial floor area normally may not be transferred from a C6 district to a C2 district. However, as this LSGD would encompass both C6 and C2 districts, the floor area will be allowed to shift between all sites in order to achieve a superior site plan. The same uses are allowed in both the C6 and the C2 districts, and the use shift would be consistent with the bulk shifts requested simultaneously. In addition, the ability to shift commercial floor area between C6 and C2 districts will be limited to LSGDs located partially in the former SPEURA and, therefore, this action would not be expected to adversely impact land use conditions on the project site, in the study area, or outside of the study area.
- *Modification of sign regulations.* For the LSGD, CPC, by authorization, may make the sign regulations of a C6-1 district applicable to those portions of the LSGD within a C2 district, and in addition, may modify the provisions of ZR Section 32-68 (Permitted Signs on Residential or Mixed Buildings) to allow signs accessory to non-residential uses above the level of the finished floor of the third story, provided such signs do not exceed a height of 40 feet above curb level. In order to grant such authorizations, CPC shall find that such modifications are consistent with the location of commercial uses permitted within the LSGD and will not adversely affect residential uses in adjoining residential districts. This action would be supportive of creating a mixed use development with a commercially viable component. The signage flexibility would help to ensure that retailers on the project site, including those in the relocated Essex Street Market, can attract customers and visitors. As this action requires a CPC finding related to its impacts, it would not be expected to result in any significant adverse zoning impacts.

As described above, the proposed actions and RWCDS would be consistent with surrounding land uses, and the proposed zoning changes would be compatible with existing zoning regulations in the area. Therefore, the proposed changes would not result in any significant adverse impacts to zoning on the development sites or in the study area.

### *STUDY AREA*

The proposed actions would not result in any zoning changes in the study area beyond the proposed development sites. Current zoning, as described above under "Existing Conditions," would remain in force.

## **PUBLIC POLICY**

### *MAYOR'S NEW MARKET HOUSING PLAN*

The proposed actions would create 450 new affordable housing units on underutilized City property. Therefore, the proposed actions would contribute to achieving the City's stated goal of creating new affordable housing units, as expressed in *The New Housing Marketplace Plan*.

### *BUSINESS IMPROVEMENT DISTRICTS*

The proposed actions would support the LES and Chinatown BIDs by providing economic development within and adjacent to the BIDs' areas of operations. The new residents, visitors, and commercial activity that would result from the proposed actions would provide a new source of customers and business opportunity for the BIDs and their members. See Chapter 3, "Socioeconomic Conditions," for a more detailed analysis of the socioeconomic impacts of the proposed actions and RWCDS. Overall, the proposed actions would not adversely impact the LES or Chinatown BIDs.

### *PLANYC*

PlaNYC's initiatives relate to several technical areas that are included in a CEQR assessment, including Open Space, Natural Resources, Infrastructure, Energy, Construction, Transportation, Greenhouse Gas Emissions, and Air Quality. Below is an assessment of the consistency of the proposed actions with PlaNYC's sustainability goals.

#### *Air Quality*

According to PlaNYC, New York City falls short in meeting federal air quality standards. PlaNYC's air quality goal is to attain compliance with federal standards for PM<sub>2.5</sub> and ozone, and also to achieve the cleanest air quality of any city in the country. To fulfill this goal, PlaNYC establishes 14 policy initiatives that aim to reduce road vehicle and other transportation emissions, reduce emissions from buildings, and to pursue natural solutions to improve air quality.

According to the *CEQR Technical Manual*, a project undergoing a CEQR review would generally be consistent with PlaNYC's air quality initiatives if it maximizes its use of one or more of the following elements: the promotion of mass transit; the use of alternative fuel vehicles; the installation of anti-idling technology; the use of retrofitted diesel trucks; the use of biodiesel in vehicles and in heating oil; the use of ultra-low sulfur diesel and retrofitted construction vehicles; the use of low sulfur heating fuels; and the planting of street trees and other vegetation.

The proposed actions would support PlaNYC's air quality goals by providing transit oriented development. The project site is located in an area well-served by existing transit services, including the F, J, M, and Z subway lines, and M9, M14A, M14D, M15, M15 SBS, M21, and M22 bus lines. The proposed actions would also result in the planting of new street trees, and the establishment of a new 10,000-square-foot publicly accessible open space. The extent to which the proposed development would utilize alternative fuel vehicles or other such construction methods has not yet been determined.

#### *Energy*

PlaNYC's primary energy goal is to provide cleaner and more reliable power for the City. PlaNYC outlines 14 energy policy initiatives that intend to improve energy planning, reduce the

City's energy consumption, expand the City's clean power supply, and modernize the electricity delivery infrastructure.

According to the *CEQR Technical Manual*, a project undergoing a CEQR review would generally be consistent with PlaNYC's energy initiatives if it maximizes its use of one or more of the following elements: exceeding the energy code; using energy efficient appliances, fixtures, and building systems; participating in peak load management systems, including smart metering; repowering and constructing power plants and dedicated transmission lines; building distributed generation power units; expanding the natural gas infrastructure; using renewable energy; using natural gas; installing solar panels; using digester gas from sewage treatment plants; using energy from solid waste; and reinforcing the energy grid.

Through an RFP process, the City would look favorably upon proposals that enhance the energy efficiency of buildings, use fewer raw materials, make the best of natural light where appropriate, improve indoor air quality, and decrease the total impact on the natural and human environment. These designs could include features aimed at reducing energy consumption such as energy-efficient building envelopes, high-efficiency HVAC systems, incinerators and generators, and window glazing to optimize daylighting and solar heat gain and reduce heat loss. Housing developments on all sites are expected to be certified under the Enterprise Green Communities Program. If a housing development can not be certified under the Enterprise Green Communities Program, because American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2007 does not apply to its construction methodology, the development would be designed and constructed to reduce construction and demolition waste and to incorporate sustainable design features that reduce energy consumption and greenhouse gas emissions in an amount equivalent to that which would be necessary to achieve certification under the Enterprise Green Communities Program. For housing developments on City-owned sites that are managed by NYCEDC and can not comply with the Enterprise Green Communities Program, because ASHRAE Standard 90.1-2007 does not apply to their construction methodology, consultation with the Mayor's Office of Environmental Coordination would be required to ensure that sustainability measures equivalent to that which would be necessary to achieve certification under the Enterprise Green Communities Program are implemented. While the sustainability measures that would be incorporated into the proposed development have not been finalized, the commitment to adhere to these standards would ensure that the proposed actions are supportive of PlaNYC's energy initiatives.

### *Water Quality*

PlaNYC's water initiatives focus on the City's water network and water quality, with an objective of opening 90 percent of the City's waterways to recreation by preserving natural areas and reducing pollution. PlaNYC's 10 water quality initiatives aim to continue implementation of infrastructure upgrades, prevent stormwater from entering the system, expand, track, and analyze new Best Management Practices (BMPs) on a broad scale. The nine water network initiatives are intended to ensure the quality of the City's drinking water, create redundancy for aqueducts, and modernize water distribution.

According to the *CEQR Technical Manual*, a project would generally be consistent with PlaNYC's water quality initiatives if it includes one or more of the following elements: expanding and improving wastewater treatment plants; building high level storm sewers; expanding the amount of green, permeable surfaces across the city; expanding the Bluebelt system; incorporating green infrastructure, low impact development, or best management practices concepts and initiatives; being consistent with the Sustainable Stormwater

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Management Plan; building systems for on-site management of stormwater runoff; incorporating planting and stormwater management within parking lots; building green roofs; protecting wetlands; using water efficient fixtures; or adopting a water conservation project.

Sites under HPD jurisdiction would achieve Enterprise Green Community Standards certification, which would ensure that the proposed development on those sites is supportive of PlaNYC's water quality objectives, such as through the use of water-conserving fixtures. The proposed actions would include new publicly accessible open space, and would incorporate on-site stormwater detention methods or other stormwater source controls. As discussed in Chapter 10, "Water and Sewer Infrastructure," a Stormwater Best Management Practice (BMP) Concept Plan has been developed showing potential onsite stormwater source controls. The plan would help to avoid exacerbation of existing stormwater discharges to the East River. Overall, the proposed actions would be supportive of PlaNYC's water quality goals.

### *Land Use*

Regarding land use, PlaNYC sets forth the goals of creating homes for approximately one million residents, while making housing more sustainable and affordable. These goals are to be achieved by 12 PlaNYC initiatives that encourage publicly-initiated rezonings, creation of new housing on public land, expanding targeted affordability programs, and exploration of additional areas of opportunity.

According to the *CEQR Technical Manual*, a project would generally be consistent with PlaNYC's land use initiatives if it includes one or more of the following elements: pursuing transit-oriented development; reclamation of underutilized waterfronts; adaptation of outdated buildings to new uses; development of underutilized areas to knit neighborhoods together; decking over rail yards, rail lines, and highways; extension of the Inclusionary Housing program in a manner consistent with such polity; preservation of existing affordable housing; or redevelopment of brownfields.

The proposed actions would support PlaNYC's land use goals by fostering transit-oriented development; developing an underutilized area in order to knit together the adjacent neighborhoods; and creation of 450 new affordable housing units.

### *Open Space*

As outlined in PlaNYC, the City has a goal of ensuring that all New Yorkers live within a ten-minute walk of a park. PlaNYC's seven open space goals approach this goal by making existing resources available to more New Yorkers, expanding hours at existing resources, and re-imagining the public realm to create or enhance public spaces in the cityscape.

According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's open space initiatives if it includes one or more of the following elements: completion of underdeveloped destination parks; providing multi-purpose fields; installation of new lighting at fields; creation or enhancement of public plazas; or planting of trees and other vegetation.

The proposed actions would support PlaNYC's open space goals by providing 10,000 square feet of new publicly accessible open space, as well as new street trees and other vegetation.

### *Natural Resources*

Effective conservation of the City's natural resources is a key objective of PlaNYC. According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's natural resources initiatives if it includes one or more of the following elements: planting street trees and

other vegetation; protection of new wetlands; creation of open space; minimizing or capturing stormwater runoff; or redevelopment of brownfields.

The proposed actions would support PlaNYC's natural resources goals by providing 10,000 square feet of new publicly accessible open space. In addition, as per the Enterprise Green Community Standards criteria, the proposed development would include new street trees and other landscaping elements where possible. In addition, as described in Chapter 10, "Water and Sewer Infrastructure," stormwater management within the project site would be implemented through the use of best management practices including on-site detention facilities (rooftop detention, underground storage tanks or tanks within the buildings) or other stormwater source controls, which would be required as a part of the site connection approval process with the New York City Department of Environmental Protection. The development and implementation of additional BMPs will be a commitment in the legally binding agreement with the developer(s) to be designated pursuant to the RFP.

### *Transportation*

PlaNYC's two transportation goals are to add transit capacity for one million more residents, visitors, and workers, and to reach a full state of good repair on the City's roads, subways, and rails. PlaNYC identifies 16 transportation initiatives, which are intended to build and expand transit infrastructure, improve transit service on existing infrastructure, promote other sustainable transportation modes, reduce congestion, achieve the state of good repair, and develop new funding sources for regional transit financing.

According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's transportation initiatives if it includes one or more of the following elements: transit-oriented development; promoting cycling and other sustainable modes of transportation; managing roads more efficiently; facilitating freight movements; increasing the capacity of mass transit; providing new commuter rail access to Manhattan; improving and expanding bus service; improving local commuter rail service; improving access to existing transit; or expanding water-based transportation services.

The proposed actions would support PlaNYC's transportation goals by fostering transit-oriented development.

### *Conclusion*

The proposed actions would be supportive of PlaNYC's policies and goals, as it would result in economic development, affordable housing, and community amenities including new publicly accessible open space, in an area well-served by existing mass transit, and would incorporate sustainable design measures (the extent to which has not yet been determined). The commitment to achieve Enterprise Green Community Standards certification or equivalent for the housing developments on all sites would ensure that the proposed development complies with PlaNYC. Overall, the proposed actions would be not result in any significant adverse public policy impacts.

### *OTHER PLANNING FRAMEWORKS*

The proposed actions and RWCDS would be in broad accordance with CB3's redevelopment guidelines in terms of its mixed-use character, affordable and market housing development, commercial development, urban design plan, parking, and potential for community facility development. While the proposed actions would result in the relocation of the Essex Street Market, the new market facility would be on a superior site on a major street to accommodate a

**Seward Park Mixed-Use Development Project**

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larger market with more goods and services. Overall, the proposed actions are supportive of the CB3 guidelines. \*