

**REVISED NEGATIVE DECLARATION\*****Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the Proposed Actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the Proposed Actions would not have a significant adverse impact on the environment.

**Reasons Supporting this Determination**

The above determination is based on information contained in this EAS, which finds the Proposed Actions sought before the City Planning Commission (CPC) would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

**Land Use, Zoning, and Public Policy**

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, VNO 350 Park Development LLC, is requesting zoning special permits pursuant to Zoning Resolution (ZR) 81-645 and 81-685 to facilitate construction of a new commercial office and retail building at 350 Park Avenue (Block 1287, Lots 27, 28, and 33; the "Development Site") in the East Midtown neighborhood of Manhattan Community District 5. In connection with the Proposed Actions, the Applicant would merge the Development Site with Block 1287, Lot 21 to form a single zoning lot (the "Project Area"). The Proposed Actions would facilitate the construction of a new, approximately 2,052,208-gross-square-foot (gsf), 1,600-foot-tall (63-story) commercial building with ground floor retail uses and a 12,500-sf public concourse. The proposed commercial office and retail building would comprise 1,569,690 gsf of office and financial trading space; 22,604 gsf of retail space (restaurant and fast food); 303,694 gsf of mechanical space; and 156,220 gsf of below-grade space (parking and mechanical space). The Proposed Project would also require ministerial certifications related to the utilization of non-complying floor area (pursuant to ZR 81-643(a) and 81-643(b)), and the transfer of floor area from two proximate landmark sites (pursuant to ZR 81-642): St. Patrick's Cathedral (Block 1286, Lot 1) and St. Bartholomew's Church (Block 1305, Lot 1) (collectively referred to as the "Contributing Sites"). The proposed commercial development facilitated by the Proposed Actions would be compatible with the existing commercial, institutional and transportation related land uses in the study area. While the Proposed Actions would increase the density of development on the Development Site relative to what could be built as of right, the Proposed Project would be consistent with prevailing land use patterns and would not affect zoning on other sites. The increased density and bulk facilitated by the actions would be comparable to existing developments in the study area. The Proposed Actions would make use of the Greater East Midtown Rezoning zoning mechanisms, furthering its stated goal of protecting and strengthening East Midtown's status as one of the world's premier business districts. The Proposed Project also would support several goals that have been established in applicable public policies, including PlaNYC: Getting Sustainability Done, and Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery. Therefore, the analysis concludes that the Proposed Project would not result in any significant adverse impacts to land use, zoning, or public policy.

**Open Space**

A detailed analysis related to indirect non-residential effects on open space is included in the EAS, as the Proposed Project would introduce more than 500 workers compared to the No Action condition. Because the Proposed Project would not introduce residents, a residential open space analysis is not warranted. Under the With-Action condition, the non-residential population would have a passive open space ratio (OSR) of 0.042 acres per 1,000 non-residents and would remain below the City guideline of 0.15 acres. The With-Action condition passive OSR represents an increase of 0.001 acres per 1,000 non-residents over the No-Action condition, or an increase of approximately 2 percent. The combined non-residential and residential passive OSR would be 0.041 acres per 1,000 nonresidents and residents, and would remain lower than the weighted average benchmark of 0.160 acres. The Proposed Project would introduce new open space to the area with a 0.29-acre public concourse featuring passive open space programming and amenities along Park Avenue; which would help improve the connectivity of open spaces in the surrounding area. Despite the increase in open space in the With-Action condition, the OSR for non-residents and combined ratios within the non-residential study area would continue to be below City guidelines for passive open space resources. However, because the existing open space resources in the study area are determined to be in "excellent" condition with varying utilization rates and that the open space acreage and OSRs under the With-Action condition would increase relative to the No-Action condition, the Proposed Project would not result in a significant adverse indirect open space impacts. In addition, the Proposed Project would not result in significant adverse direct open space impacts since the Proposed Project does not involve in any physical loss of existing open space resources or result in any adverse shadows, air quality or other environmental impacts that might affect the usefulness of open spaces in the study area.

**Shadows**

A detailed analysis related to shadows is included in this EAS, as the Proposed Project would facilitate the construction of an approximately 1,600-foot-tall building, approximately 400 feet taller than the No-Action building. Based on the tiered screening analysis, the Proposed Project could cast shadows on 27 open space resources, sixteen historic resources, and a portion of one natural resource (the East River). However, after accounting for existing structures, the shadows modelling analysis results found that only seven open space resources, seven historic resources, and one natural resource would receive incremental shadows. (Note that two of these resources include open space as well as historic resources; thus, a total of 13 resources would receive incremental shadows.) Detailed shadows analyses were conducted for these 13 resources, including, but not limited to: St. Patrick's Cathedral, Rockefeller Plaza, St. Peter's Church, and Central Park. The results of the detailed shadows analyses demonstrate that shadows from the Proposed Project would not substantially inhibit use or enjoyment of any open space or historic resource. Although the Proposed Project has the potential to eliminate sunlight received by a limited number of resources for short periods—including 590 Madison Avenue, the Lever House, the Seagram Building, Rockefeller Plaza, and St. Patrick's Cathedral—the incremental shadows would not adversely impact the public's enjoyment of these resources. Additionally, these resources would receive direct sunlight during other periods of the analysis day. For open space resources, this shading would not affect the sunlight sensitive amenities such as the seating or passive recreation elements of the resource. For historic resources, the incremental shadows would not affect the architectural components, such as the stained-glass windows, of St. Thomas Church and Parish House. The incremental shading on St. Patrick's Cathedral would be limited to the early morning hours, and the presence of direct sunlight has a limited effect on the experience of the cathedral's interior due to the presence of ambient daylight and interior lighting. Therefore, as the extent and duration of the incremental shadows would not significantly reduce direct sunlight exposure on any of the sunlight-sensitive features found within these resources, and would not significantly alter the public's use or enjoyment of these resources or threaten the viability of vegetation or other resources, the analysis concludes that the Proposed Project would not result in a significant adverse shadows impact.

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SEQRA Classification: Type I

### Historic and Cultural Resources

A detailed analysis of historic and cultural resources is included in the EAS due to the presence of historic architectural resources within the study area, including two of the existing Development Site buildings that have been determined to be eligible for listing on the State and National Register of Historic Places ("S/NR-eligible") (39 East 51st Street [Lot 27] and 350 Park Avenue [Lot 33]), as well as the Contributing Sites. The two S/NR-eligible resources on the Development Site would be demolished and redeveloped with a new commercial office and retail building under both the No- and With-Action conditions. Demolition of these resources would not constitute a significant adverse impact because demolition would occur with or without the Proposed Actions. Because the Proposed Project would be constructed within 90 feet of additional existing historic resources, in coordination with the New York City Landmarks Preservation Commission, the Applicant would prepare and implement a Construction Protection Plan (CPP) prior to the start of construction activities at the Development Site, as required by the New York City Department of Buildings' Technical Policy and Procedure Notice (TPPN) #10/88). With the preparation and implementation of a CPP, the Proposed Project would not result in any direct impacts to architectural resources in the study area. The Proposed Project also would not have adverse visual or contextual impacts on the existing historic resources in the study area; would not eliminate or screen publicly accessible views of these resources, nor introduce an incompatible visual, audible, or atmospheric element to the settings of these resources; nor would it result in significant adverse shadow impacts to such resources. Thus, the Proposed Project would not result in any indirect impacts to historic resources. Therefore, the analysis concludes that the Proposed Actions would not result in any direct or indirect impacts to any designated or eligible historic architectural resources. In addition, while the Development Site is located within an archaeological sensitive area according to the New York State Office of Parks, Recreation, and Historic Preservation, a review of archaeological sensitivity models and historic maps determined that the Development Site has no archaeological significance. Therefore, no further analysis of archaeological resources is warranted, and no significant adverse impacts would occur.

### Urban Design and Visual Resources

A detailed analysis related to urban design and visual resources is included in this EAS, as the Proposed Project has the potential to affect a pedestrian' experience of public space. The Proposed Actions would facilitate an increase in height on the Development Site relative to the No-Action condition by an increment of approximately 400 feet. However, the analysis demonstrates that while the Proposed Project would be taller, it would be located in the context of other tall towers that are characteristic of East Midtown, compatible with the urban design character of the study area, and would be consistent with the with the surrounding building form and streetscape. The Proposed Project would provide a new, Class-A office building with a 12,500-sf public concourse, which would improve the quality of urban design and the public realm at the Development Site compared with the No-Action condition. The proposed building design would respect and complement the existing character of East Midtown, providing a pedestrian amenity at the ground level of the building while still maintaining the visual effect of a street wall above it. The proposed building design includes strategic setbacks and the development of public spaces that are designed to facilitate pedestrian flow, encourage social interaction, and provide aesthetic enhancements. The public concourse is intended to act as an inviting area for pedestrians, thereby enriching the pedestrian experience. In addition, as demonstrated by the perspective renderings of the With-Action condition, the Proposed Project would not result in any significant adverse impacts on views to and from the prominent visual resources within the study area. Instead, it would help enhance views to neighboring landmarks such as St. Bartholomew's Church, the Seagram Building, and the Racquet and Tennis Club, thereby improving the overall pedestrian experience. Therefore, the analysis concludes that the Proposed Actions would not result in a significant adverse impact related to urban design and visual resources.

### Construction

A detailed analysis related construction is included in this EAS, which is warranted under CEQR due the Proposed Project's long-term (i.e., greater than two years) construction duration. Construction of the Proposed Project would occur over an approximately 82-month period. As detailed in the construction assessment, the Proposed Project would not result in significant adverse construction impacts in the key technical areas of transportation, air quality, and noise. Construction of the Proposed Project would adhere to existing applicable laws, regulations, and building codes that focus on clean fuel, dust control, vehicle idling and diesel-powered equipment. To preclude the potential for significant air quality impacts during construction of the Proposed Project, the Applicant will enter a Restrictive Declaration to be recorded against the Development Site in association with the Proposed Actions, requiring the implementation of a Project Component Related to the Environment (PCRE). Similarly, with adherence to existing construction noise regulations and the implementation of Construction Noise Mitigation Plan as required by the NYC Noise Code, significant noise impacts are not anticipated as a result of the Proposed Project. Furthermore, with the preparation and implementation of a CPP, the Proposed Actions would not result in any direct impacts to historic architectural resources in the study area. Therefore, the analysis concludes that the Proposed Actions would not result in significant adverse impacts related to construction.

### Effects on Disadvantaged Communities

An assessment of the Proposed Actions' potential effects on disadvantage communities is included in this Revised EAS. The Project Area is not located within a designated disadvantaged community according to the NYSDEC Disadvantaged Community Assessment Tool (DACAT); however, it is located within 0.5 miles from a designated DAC. The Proposed Actions would not result in significant adverse impacts in the following technical areas analyzed in this EAS: Land Use, Zoning, and Public Policy; Shadows; Historic and Cultural Resources; Urban Design and Visual Resources; Hazardous Materials; Transportation; Air Quality and Construction. As such, the Proposed Actions would not disproportionately affect any disadvantaged communities, nor would they cause or increase a disproportionate pollution burden on disadvantaged communities.

### Hazardous Materials, Air Quality, and Noise

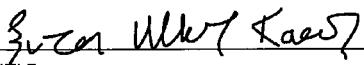
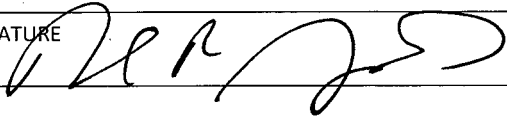
An (E) designation (E-836) related to hazardous materials, air quality, and noise would be established as part of the approval of the Proposed Actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. This (E) designation will supersede the (E) designation (E-408) for hazardous materials, air quality, and noise placed on Block 1287, Lot 33 as part of the Greater East Midtown Rezoning (CEQR No. 17DCP001M). The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the Proposed Actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

*No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Stacey Barron, AICP, at [sbarron@planning.nyc.gov](mailto:sbarron@planning.nyc.gov).*

\*Shortly before issuance of the EAS and Negative Declaration on March 14, 2025, the New York State Department of Environmental Conservation (NYSDEC) proposed a rule that provides additional considerations regarding assessment of Disadvantaged Communities. This assessment has been added to this Revised Negative Declaration.

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TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31 <sup>st</sup> Fl. New York, NY 10271   212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 6/13/2025
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 6/16/2025
SIGNATURE 	

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Determination of Significance Appendix

The Proposed Actions were determined to have the potential to result in changes to development on the following site(s):

<b>Development Site</b>	<b>Borough</b>	<b>Block and Lot</b>
Development Site	Manhattan	Block 1287, Lots 27, 28, and 33

This (E) designation (E-836) will supersede the (E) designation (E-408) for hazardous materials, air quality, and noise placed on Block 1287, Lot 33 as part of the Greater East Midtown Rezoning (CEQR No. 17DCP001M).

(E) Designation Requirements

To ensure that the Proposed Actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-836**) would be established as part of approval of the Proposed Actions on **Development Site** as described below:

<b>Development Site</b>	<b>Hazardous Materials</b>	<b>Air Quality</b>	<b>Noise</b>
Development Site	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Development Site (Block 1287 Lots 27, 28, and 33)** for hazardous materials would apply as follows:

*Task 1-Sampling Protocol*

*The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.*

*Task 2-Remediation Determination and Protocol*

*A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.*

*If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.*

*A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse*

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*impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.*

#### Air Quality

The (E) designation requirements for air quality would apply as follows:

**Development Site (Block 1287 Lots 27, 28, and 33):** *Any new commercial development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only with no venting or stacks, or an equally protective alternative (e.g. steam), to avoid any potential significant adverse air quality impacts.*

#### Noise

The (E) designation requirements for noise would apply as follows:

**Development Site (Block 1287 Lots 27, 28, and 33):** *In order to ensure an acceptable interior noise environment, future commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on the southern façade facing E 51 Street, on the western facade facing Madison Avenue within 50 feet of E 51 Street and on the eastern façade facing Park Avenue within 50 feet of E 51 Street, a minimum of 28 dBA window/wall attenuation on the remaining eastern façade facing Park Avenue and on the northern façade facing E 52 Street within 50 feet of Park Avenue, to maintain an interior noise level not greater than 50 dBA for commercial office use. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but are not limited to, air conditioning.*