Revised
Environmental Assessment Statement
and
Supplemental Report*

for

42 Crosby Street Special Permits

42 Crosby Street
New York, NY

Prepared by:

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434 West 20th Street
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Originally Filed January 17, 2014
REVISED June 10, 2014

***Supersedes the EAS issued on January 17, 2014.**

REVISED

EAS FORM

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

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

Part I: GENERAL INFORMATION

PROJECT NAME 42 Crosby Street - CPC Special Permits

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
14DCP086M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
140204ZSM, 140205ZSM, 140206ZSM	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			Broome Street Owner LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Robert Dobruskin			John J. Strauss, Compliance Solutions Services, LLC		
ADDRESS 22 Reade Street			ADDRESS 434 West 20th Street, Suite 8		
CITY New York	STATE NY	ZIP 10007	CITY New York	STATE NY	ZIP 10011
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 212-741-3432	EMAIL jstrauss-css@nyc.rr.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 617.4(b)(9)

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The proposed 42 Crosby Street project involves the request for three Special Permits from the City Planning Commission to facilitate the development of a seven-story and cellar mixed-use building with a below-grade accessory parking garage. See attached Project Description. (This Revised Environmental Assessment Statement, which supersedes the EAS issued for the proposed project on January 17, 2014, has been issued to reflect a modification to the description of the site conditions. The analysis, as discussed in detail in the Revised EAS dated June 10, 2014, concludes that the proposed modification would not result in any significant adverse environmental impacts for the proposed project.)

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 2	STREET ADDRESS 42 Crosby Street
TAX BLOCK(S) AND LOT(S) Block 483, Lot 35		ZIP CODE 10012
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Northwest corner of Crosby and Broome Streets		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-5B		ZONING SECTIONAL MAP NUMBER 12c

5. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION
☐ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☐ UDAAP
☐ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☒ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☒ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 74-712 (a) & (b), 13-45 & 13-451

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

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☒ LANDMARKS PRESERVATION COMMISSION APPROVAL
☒ OTHER, explain: Department of Buildings building permit

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

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

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

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 8,274
Waterbody area (sq. ft.) and type: None
Roads, buildings, and other paved surfaces (sq. ft.): 8,274
Other, describe (sq. ft.): None

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 52,395 (including cellar)
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 52,395
HEIGHT OF EACH BUILDING (ft.): 97'-2 & 5/8" (107'-2 & 5/8" is highest point of roof at elevator and stairway bulkhead)
NUMBER OF STORIES OF EACH BUILDING: 7

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO
If "yes," specify: The total square feet owned or controlled by the applicant:
The total square feet non-applicant owned area:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 8,274 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 121,365 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 8,274 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2016
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18-20
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures			Multi-family apartments	+ Multi-family apartments
No. of dwelling units			15	+ 15
No. of low- to moderate-income units			0	
Gross floor area (sq. ft.)			48,638	+ 48,638
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)			retail space	+ retail space
Gross floor area (sq. ft.)			3,757	+ 3,757
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:	vacant 814 SF vehicle service shop on vacant site	vacant 814 SF vehicle service shop on vacant site		-vacant 814 SF vehicle service shop on vacant site
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces			0	
No. of accessory spaces			10	+ 10
Operating hours			24/7	
Attended or non-attended			Non-attended	
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify number:			26	+ 26
Briefly explain how the number of residents was calculated:	Based on average household size of 1.69 persons in census tract 49 (2010 census) x maximum of 15 dwelling units			
Businesses	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type			retail space	+ retail space
No. and type of workers by business			11 retail workers	+ 11 retail workers
No. and type of non-residents who are not workers			140 daily customers	+ 140 daily customers
Briefly explain how the number of businesses was calculated:	Retail floor area is proposed.			
Students (non-resident)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify number:				
Briefly explain how the number of students was calculated:				
ZONING				
Zoning classification	M1-5B	M1-5B	M1-5B	N/A
Maximum amount of floor area that can be developed	53,781 SF	53,781 SF	53,781 SF	0
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	R, C, JLWQA; M1,C6, R7, R8	R, C, JLWQA; M1,C6, R7, R8	R, C, JLWQA; M1,C6, R7, R8	0
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and attach supporting information, if needed) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units or 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area,	☐	☐

	YES	NO
either under existing conditions or in the future with the proposed project?		
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Affects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☒
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		

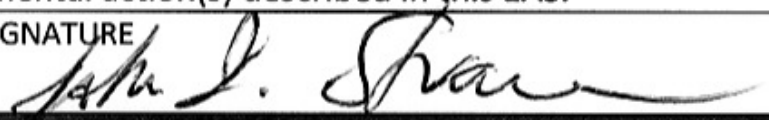
	YES	NO
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☐
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: UST(s) may be located on the site.	☒	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒

	YES	NO
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 1,484		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 6,638,446		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.***	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒

	YES	NO
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☒	☐
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. A public health assessment is not warranted for air quality, hazardous materials, or noise as described below. Air Quality - Based on a search of Building Department records and Property Shark website records and photographs, there are no industrial source air emissions of concern in the surrounding area that would adversely impact the subject property. Hazardous Materials - Due to the possible presence of USTs on the subject property resulting from the former fill station and automotive repair operations on the site, a geophysical survey will be conducted to locate any potential buried tanks. In addition, a baseline subsurface investigation will be conducted to determine if any impacts have occurred from past operations on the property, and areas of surficial staining will be cleaned up. As asbestos-containing materials may be present in the on-site structure, these materials will be properly removed prior to the start of any demolition activities and disposed of in accordance with all federal, state and local regulations. Noise: in order to avoid potentially adverse impacts to building residents from traffic noise on the surrounding streets, all exterior doors, windows, and walls would be provided with a minimum of 33 dBA of sound attenuation. Air conditioning would also be provided in all residential units as an alternate means of ventilation in order to allow a closed window condition.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See attached narrative report.		
20. *APPLICANT'S CERTIFICATION*		

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

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
John J. Strauss, Compliance Solutions Services, LLC		06/10/14

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

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

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

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

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

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

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

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY	
Deputy Director, EARD	NYC Department of City Planning	
NAME	SIGNATURE	DATE
Olga Abinader	Olga Abinader	June 10, 2014

PROJECT DESCRIPTION

42 Crosby Street Project Description

Introduction

The proposed 42 Crosby Street project involves the request for three Special Permits from the City Planning Commission (CPC), as further discussed below, to facilitate the development of a seven-story and cellar mixed-use building with a below-grade accessory parking garage.

The first special permit, pursuant to Zoning Resolution ("ZR") Section ("§ ") 74-712 (a) (the "Historic District Use Special Permit"), is to modify ZR § 42-00 and 42-14(D)(2)(b) with respect to conforming uses within an M1-5B zoning district. The proposed Use Group (UG) 2 residential use and the UG 6 retail use below the level of the second floor are not permitted under the existing M1-5B zoning of the property and therefore require the subject Special Permit.

The Historic District Use Special Permit will restrict the maximum number of residential dwelling units in the proposed building to 15, which is what the With-Action RWCDS below will analyze.

The second special permit, pursuant to § 74-712(b) (the "Historic District Bulk Special Permit"), is to modify § 43-42(a) with respect to the permitted width of a sun control device on the seventh floor, which is a permitted obstruction.

The third special permit, pursuant to ZR § 13-45 and ZR § 13-451 (the "Parking Special Permit"), is to modify ZR § 13-11(a) with respect to the permitted number of parking spaces.

The application will allow UG 2 residential use throughout the building and UG 6 retail use on the ground floor and will increase the number of permitted enclosed, accessory off-street parking spaces from two to ten. The proposed accessory parking spaces are accessory to the UG 2 residential uses.

Existing Conditions

The subject property consists of an approximately 8,274 square foot lot (Block 483, Lot 35) located at the northwest corner of Crosby and Broome Streets in the SoHo neighborhood of Manhattan. The property is roughly rectangular in shape and has approximately 114.00′ of frontage along Crosby Street to the east and 71.39′ of frontage along Broome Street to the south. The property is bordered by two other lots to the north and west. The property is located in an M1-5B zoning district and also lies within the SoHo Cast Iron Historic District.

Prior to January 2014, the property was used as a public parking lot and contained space for approximately 40 vehicles on the surface of the lot and on stacker units. All parking use of the site was terminated and the stacker units were removed on December 9, 2013. The property currently contains an approximately 814 square foot, one-story structure in the southwest corner of the lot that was previously used in connection with a motor vehicle service shop formerly located on the site. The building is currently vacant and not in use and it is anticipated that it will be removed by mid-June 2014. A demolition permit was issued by the NYC Department of Buildings (DOB) on June 5, 2014. However, demolition of the existing structure is dependent on Con Edison's removal of the existing gas service on the site which is imminent.

In preparation for the proposed development on the project site, the Applicant submitted an Asbestos Project Notification Form (ACP 7) to the NYC Department of Environmental Protection (DEP) and obtained a work permit for a licensed asbestos contractor to proceed with the required abatement work. After the abatement work was performed, an independent air monitor submitted an air monitoring report (Form ACP 15) to DEP, which allowed DEP to issue its Asbestos Project Completion Form (ACP 21) for the project. The ACP 21 Form was presented to DOB in order to obtain the demolition permit for the building.

Surface pavement has been removed in two areas of the site, measuring approximately 15' x 15', to dig two soil test pits. The test pits were dug to determine the elevations of the footings of the adjacent buildings to the north and west of the site as relevant to establishing the foundation for the proposed new building. The pits have been backfilled and compacted using on-site soil. A sidewalk fence has been installed along the sidewalks of Crosby and Broome Streets. All future subsurface disturbance on the project site will be coordinated with the NYC Office of Environmental Remediation (OER).

Properties bordering and directly across the street from the project site include the following:

- 438 Broome Street is a five-story loft building occupied by Joint Living-Work Quarters for Artists (JLWQA) with ground floor commercial space adjoining the project site to the west.

- 52 Crosby Street/504 Broadway is a through-block five-story commercial building occupied by retail uses with accessory offices, storage, and eating and drinking establishments (Bloomingdales Department Store) adjoining the project site to the north.

- 430 Broome Street is a five-story loft building occupied by JLWQA uses with ground floor commercial space across Crosby Street from the project site to the east.

- 429, 431, and 433 Broome Street consist of three 4- to 5-story loft buildings occupied by JLWQA uses with ground floor commercial space across Broome Street from the project site to the south.

The surrounding 400-foot radius area is primarily characterized by loft buildings that are generally occupied by commercial office/retail uses, JLWQA uses, or residential uses. Many of the buildings contain a mixture of these uses and many also contain a ground floor retail component.

Description of the Proposed Development

The Applicant seeks to construct a 52,395 gross square foot (gsf), seven-story and cellar mixed-use building. The building would contain ten UG 2 dwelling units, occupying approximately 48,638 gsf of floor area (includes parking and vehicle circulation areas as well as lobby, storage, and mechanical space accessory to the UG 2 residential use), and 3,757 gsf of UG 6 retail space (includes mechanical space accessory to the commercial use) on the ground floor of the structure. The Applicant is proposing to install a sun control device on the seventh floor of the building which would project 4'-6" along the entire length of south and east walls. This sun control device would be comprised entirely of glass and would support energy conservation for the building. Ten accessory parking spaces would be located in the cellar of the building accessed via a vehicle elevator and driveway access onto Crosby Street.

Purpose and Need of the Proposed Action

The Applicant is seeking a Special Permit pursuant to ZR Section 74-712 (a) (the "Historic District Use Special Permit"). The Historic District Use Special Permit allows for the development of residential and ground floor retail use on the project site which is currently underutilized.

The Applicant is also seeking a Special Permit pursuant to ZR §13-45 and ZR §13-451, in order to provide one parking space for each of the proposed residential units. The Special Permit is needed because the ten requested accessory parking spaces in the proposed development exceeds the number allowed as-of-right for the project pursuant to ZR §13-11. Based on the provisions of ZR §13-11, which limits the number of residential accessory off-street parking spaces to 20% of the residential units in a building, the project would be allowed to contain only two parking spaces as-of-right.

Additionally, the Applicant seeks a Special Permit pursuant to ZR §74-712(b) for the modification of bulk requirements in order to provide a sun control device on the seventh floor. This proposed sun control device would project 4'-6" into the required initial 20-foot setback for the south and east walls for the entire width (100%) of those walls. Pursuant to ZR §43-42(a), projecting sun control devices located on the first story above the required setback are limited to 50% of the width of the wall on which they are located. Under the plans approved by LPC, the seventh floor is designed as having entirely glass walls. Therefore, the Historic District Bulk Special Permit is needed to increase the permitted width of the sun control device in order to provide appropriate sun shade to residents of the seventh floor and to conserve energy.

The Landmarks Preservation Commission (LPC) has issued a Certificate of Appropriateness dated June 27, 2013 approving the exterior design of the building.

The existing structure on the site would be demolished in order to accommodate the proposed development.

As the proposed development would occur wholly within a historic district (the SoHo Cast Iron Historic District) that is listed on the National and State Registers of Historic Places, the proposed action would be classified as Type I pursuant to 6 NYCRR 617.4(b)(9). As such, the project description includes the following:

- Hazardous Materials: A Phase I Environmental Site Assessment (ESA) was prepared by the Applicant and submitted to the NYC Department of City Planning (DCP) and the NYC Department of Environmental Protection (DEP) for their review. The ESA identified a potential hazardous materials concern resulting from the possible presence of USTs on the subject property resulting from the former fill station and automotive repair operations on the site. A geophysical survey will be conducted to locate any potential buried tanks. In addition, a baseline subsurface investigation will be conducted to determine if any impacts have occurred from past operations on the property, and areas of surficial staining will be cleaned up. As described above, required asbestos abatement work has been performed in preparation for the demolition of the existing on-site structure in accordance with DEP regulations and the applicant has obtained an Asbestos Project Completion Form, as required by DOB for the issuance of the demolition permit.

- Air Quality: The proposed project would not result in potential stationary source air quality impacts to any other buildings in the vicinity. Exhaust emissions resulting from the building's heat and hot water generating systems would screen out on the basis of Figure 17-3 of the Air Quality chapter of the *CEQR Technical Manual*. In addition, based on a search of Building Department records and Property Shark website records and photographs, there are no industrial source emissions of concern in the surrounding area that would impact the subject property.

- Noise: Noise mitigation for the proposed project has been determined based on noise readings taken at a receptor located on the Avenue of the Americas between Broome and Watts Streets as part of the Hudson Square Rezoning EIS. The location of this receptor is considered to be comparable to that of the subject project site. The highest recorded L_{10} at the receptor location was 76.7 dBA during the morning peak traffic volume period. For a predominantly residential project such as the proposed development, an L_{10} of 70 to 80 dBA is considered to be marginally unacceptable. Based on *CEQR Technical Manual* criteria, 33 dBA of window/wall attenuation would be required as part of the project in order to avoid potentially adverse impacts to building residents from traffic noise on the surrounding streets. Therefore, all exterior doors, windows, and walls would be provided with a minimum of 33 dBA of sound attenuation. Air conditioning would also be provided in all residential units as an alternate means of ventilation in order to allow a closed window condition.

Future No-Action Scenario

In the future without the proposed action, the existing conditions on the project site would remain.

Future With-Action Scenario

The With-Action RWCDS would entail the construction of a new building on the project site that would be very similar to the proposed development described above. The Applicant would construct a 52,395 gsf, seven-story and cellar mixed-use building, which would have the same building envelope as the proposed development. However, the number of UG 2 dwelling units within the building's residential floor area of approximately 48,638 gsf of floor area (includes UG 2 parking and vehicle circulation areas as well as lobby, storage, and mechanical space accessory to the residential use), would be increased to a maximum of 15 dwelling units, reflecting a somewhat smaller average unit size. The building would contain approximately 3,757 gsf of UG 6 retail space (includes mechanical space accessory to the commercial use) on the ground floor of the structure, the same as the proposed development. Ten accessory parking spaces accessory to the UG 2 residential uses would be provided in the cellar of the building accessed via a vehicle elevator and driveway access onto Crosby Street, the same as the proposed development.

The 7th floor sun control device comprises the following elements of the building:
- Metal clad cornice/parapet assembly overhanging the glass wall by 1′-9″ and which incorporates a pocket for a retractable roller shade and provides shading on the glass wall.
- Roller shade mechanism recessed in the underside of the overhanging cornice.
- Horizontal fixed sun shade assembly consisting of a metal frame composed of 2″ x 2″ square tube with metal grille infill projecting 2′-9″ from the cornice.

The existing structure on the site would be demolished in order to accommodate the proposed development.

As the With-Action RWCDS would be classified as Type I pursuant to 6 NYCRR 617.4(b)(9), the proposed action would include the provisions related to hazardous materials and noise described under the proposed development above.

The project would be designed to comply with the bulk regulations of the M1-5B zoning of the subject property which permits a maximum FAR of 5.0 for commercial and manufacturing uses. The proposed building would have a zoning floor area of 41,350 square feet which would represent an FAR of 5.0. The proposed UG 2 residential uses and UG 6 ground floor retail uses would be permitted under the Historic District Use Special Permit, pursuant to ZR § 74-712 (a). A sun control device would be permitted for the entire width of the glass walls from which it projects, also under the Historic District Bulk Special Permit, pursuant to ZR § 74-712(b). The ten proposed parking spaces accessory to the UG 2 residential uses would be permitted under the Parking Special Permit. The project would be designed to comply with the zoning bulk regulations, with the exception of the sunshade.

The Historic District Use Special Permit is needed in order to allow for the development of residential and ground floor retail use on a lot located within a Landmarks Preservation Commission (LPC) designated Historic District that contains only minor improvements and is currently underutilized. The Parking Special Permit–is needed in order to allow 10 proposed accessory parking spaces, which exceed the number allowed as-of-right for the project, and to provide one parking space for each of the proposed residential units, which is considered necessary for a luxury residential project of the type proposed. The Historic District Bulk Special Permit is needed to increase the permitted width of the sun control device in order to provide appropriate sun shade to residents of the seventh floor and to conserve energy. The proposed project would complement and strengthen the surrounding mixed-use residential and commercial environment by developing a modern, high quality residential property with ground floor retail space on the project site.

Based on an estimated 12- to 18-month approval process (including ULURP approval of up to 215 days) and an 18- to 20-month construction period, the Build Year is assumed to be 2016.

SUPPLEMENTAL REPORT

EAS NARRATIVE ATTACHMENT

42 CROSBY STREET – SPECIAL PERMITS

ENVIRONMENTAL ASSESSMENT STATEMENT

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Full Form, the analysis areas that require further explanation include land use, zoning, and public policy, shadows, historic and cultural resources, urban design and visual resources, hazardous materials, air quality, noise, and construction as further detailed below. The section numbers below correspond to the relevant chapters of the 2014 *CEQR Technical Manual.*

4. LAND USE, ZONING, AND PUBLIC POLICY

EXISTING CONDITIONS

Land Use

Project Site

The subject property consists of an approximately 8,274 square foot lot located at the northwest corner of Crosby and Broome Streets in the SoHo neighborhood of Manhattan. The property is roughly rectangular in shape and has approximately 114.00' of frontage along Crosby Street to the east and 71.39' of frontage along Broome Street to the south. The property is bordered by two other lots to the north and west.

Prior to January 2014, the property was used as a public parking lot and contained space for approximately 40 vehicles on the surface of the lot and on stacker units. All parking use of the site was terminated and the stacker units were removed on December 9, 2013. The property contains an approximately 814 square foot, one-story structure in the southwest corner of the lot that was previously used in connection with a motor vehicle service shop formerly located on the site. The building is currently vacant and not in use and it is anticipated that it will be removed by mid-June 2014. A demolition permit was issued by the NYC Department of Buildings (DOB) on June 5, 2014. However, demolition of the existing structure is dependent on Con Edison's removal of the existing gas service on the site which is imminent.[1]

[1] In preparation for the proposed development on the project site, the Applicant submitted an Asbestos Project Notification Form (ACP 7) to the NYC Department of Environmental Protection (DEP) and obtained a work permit for a licensed asbestos contractor to proceed with the required abatement work. After the abatement work was performed, an independent air monitor submitted an air monitoring report (Form ACP 15) to DEP, which allowed DEP to issue its Asbestos Project Completion Form (ACP 21) for the project. The ACP 21 Form was presented to DOB in order to obtain the demolition permit for the building.

Surface pavement has been removed in two areas of the site, measuring approximately 15' x 15', to dig two soil test pits. The test pits were dug to determine the elevations of the footings of the adjacent buildings to the north and west of the site as relevant to establishing the foundation for the proposed new building. The pits have been backfilled and compacted using on-site soil. A sidewalk fence has been installed along the sidewalks of Crosby and Broome Streets. All future subsurface disturbance on the project site will be coordinated with the NYC Office of Environmental Remediation (OER).

Study Area

The primary study area extends approximately 400 feet in all directions from the project site. The study area is roughly bounded by Spring Street on the north, Grand Street on the south, Cleveland Place to the east, and Mercer Street to the west. In order to assess existing land use conditions for the proposed development, a parcel by parcel inventory was undertaken within the 400-foot radius study area surrounding the site. The inventory included a survey of ground floor uses and upper floors by predominant use.

The area surrounding the project site is primarily characterized by loft buildings that are either occupied by commercial uses or have been converted to JLWQA use, office space, or residential use. Many of the buildings contain a mixture of these uses and most also contain a ground floor retail component. Other scattered uses include a parking garage and a number of vacant lots.

Properties bordering and directly across the street from the project site include the following:

- 438 Broome Street is a five-story loft building occupied by Joint Living-Work Quarters for Artists (JLWQA) with ground floor commercial space adjoining the project site to the west.

- 52 Crosby Street/504 Broadway is a through block five-story commercial building occupied by retail uses with accessory offices, storage, and eating and drinking establishments (Bloomingdales Department Store) adjoining the project site to the north.

- 430 Broome Street is a five-story loft building occupied by JLWQA uses with ground floor commercial space across Crosby Street from the project site to the east.

- 429, 431, and 433 Broome Street consist of three 4- to 5-story loft buildings occupied by JLWQA uses with ground floor commercial space across Broome Street from the project site to the south.

Most of the remainder of Block 483, the block on which the project site is located, is developed with five- and six-story loft buildings in JLWQA, residential, or commercial office and related use occupancy with ground floor retail space. The block also contains a two-story commercial/retail building and two 11-story commercial office buildings with ground level retail space. Note that although the Land Use map filed with this application shows two 5-story buildings located on the project site block as manufacturing buildings, both of these structures are loft buildings that are no longer occupied by manufacturing uses. One building is currently occupied by commercial office and retail uses and the other contains a mixture of retail, office, and residential uses.

Block 482, located directly across Crosby Street to the east of the project site block, is developed with two- to twelve-story loft buildings in JLWQA, residential, or commercial office occupancy. Many buildings also contain ground floor retail space. The block also contains one small vacant lot along its Crosby Street frontage. As with Block 483 discussed above, Block 482 contains several buildings that are shown as having manufacturing occupancy on the Land Use Map. These four buildings, which range from five- to seven-stories in height, are loft buildings that are no longer occupied by manufacturing uses. These buildings are currently occupied by JLWQA, residential, office, retail, and showroom uses.

Block 484, to the west of the project site block across Broadway, is developed with four- to twelve-story loft buildings in JLWQA, residential, or commercial office occupancy. Many buildings also contain ground floor retail space. The three buildings on the block shown as having manufacturing occupancy on the Land Use map are no longer occupied by manufacturing uses but rather by JLWQA and retail uses.

Portions of four blocks are located south of the project site. Block 473 (west) immediately across Broome Street from the project site, is developed with two- to eleven-story loft buildings in JLWQA, residential, or commercial office occupancy. Many buildings also contain ground floor retail space. The three buildings on the block shown as having manufacturing occupancy on the Land Use map are no longer occupied by manufacturing uses but rather by JLWQA, office, and retail uses. Block 473 (east) between Crosby and Lafayette Streets is similarly developed with five- to seven-story loft buildings in JLWQA, residential, or commercial office occupancy, many of which also contain ground floor retail space. The three buildings on the block shown as having manufacturing occupancy on the Land Use map are no longer occupied by manufacturing uses but rather by JLWQA, utility, and retail uses. This block also contains a one-story parking garage along Broome Street and one small vacant lot along its Crosby Street frontage.

The remaining blocks south of the project site include the western edge of Block 472 along Lafayette and Broome Streets and the eastern half of Block 474 along Broadway and Broome Street. The included portion of Block 472 contains four 7-story commercial office buildings, a three-story residential structure with ground floor retail space, and a three-story community facility use. The included portion of Block 474 contains eight 5- to 13-story buildings in JLWQA, residential, or commercial office occupancy most of which also contain ground floor retail space. The building on the block shown as having manufacturing occupancy on the Land Use map is no longer occupied by manufacturing uses but rather by JLWQA and retail uses.

ZONING

Project Site

The New York City Zoning Resolution shows that the project site is located in an M1-5B light manufacturing zoning district. The M1-5B district is mapped in the SoHo/NoHo neighborhoods of lower Manhattan and allows Use Group 17D Joint Living-Work Quarters for Artists (JLWQA) in loft buildings. The M1 district is often a buffer between M2 or M3 districts and adjacent residential or commercial districts. Use Groups 4 through 14, 16, and 17 are permitted in the M1 district but the M1-5B zoning district prohibits or restricts the size and location within a building of certain of these uses including eating and drinking establishments, places of entertainment, museums, and other uses. Ground floor retail uses are also regulated and are not allowed below the level of the second story. Strict performance standards are common to all M1 districts. Light industries typically found in M1 areas include woodworking shops, auto storage and repair shops, and wholesale service and storage facilities. Retail and office uses and Use Group 4 community facilities are also permitted but residential uses are not allowed.

A maximum FAR of 5.0 is permitted for all commercial and manufacturing buildings in M1-5B zoning districts and an FAR of up to 6.50 is allowed for community facility buildings. Maximum permitted floor area is determined by multiplying the maximum permitted FAR by

the lot area. Therefore, a maximum floor area of 41,370 square feet of commercial or manufacturing space or 53,781 square feet of community facility space would be allowed as-of-right on the 8,274 square foot project site. This refers to zoning floor area, which excludes cellar and mechanical space, and is thus lower than a building's gross square footage. As a higher density M1 zone, parking is not required in the M1-5 district. Loading requirements vary with the size and type of use.

The M1 zone does not require front or side yards but if side yards are provided, they must be a minimum of eight feet in depth. A rear yard of a minimum depth of 20 feet is required for new developments within M1-5 districts but would not apply to the project site, which is predominantly located within 100 feet of the corner of Crosby and Broome Streets. For corner lots such as the project site, beyond 100 feet from the street line, the side lot line is considered to be a rear lot line and a rear yard of 20 feet would be required if such rear lot line coincides with a rear lot line of an adjacent lot. As there are no rear lot lines adjacent to the project site, no rear yard is required. The required initial setbacks for the project site are 20 feet from both Crosby and Broome Streets, which are considered to be narrow streets as they are less than 75 feet wide.

Although the M1-5 zone does not limit total building height, it requires the front wall of a building to set back 20 feet at a height of 85 feet or six stories on narrow streets. The M1-5 district also has requirements relating to sky exposure plane, which is defined as an imaginary inclined plane beginning above the street line at a height defined in the Zoning Resolution and rising over a zoning lot at a ratio of vertical distance to horizontal distance as also defined in the Resolution. Relative to the project site, a sky exposure plane of 2.7 to 1 would be required at a height of 85 feet above the street line of Crosby and Broome Streets. Alternate front setbacks and sky exposure plane requirements apply to developments in M1-5 zones if an open area is provided along the full length of the front lot line measuring at least 15 feet along Crosby and Broome Streets. In this instance, a sky exposure plane of 3.7 to 1 would be required at a height of 85 feet above the street line of Crosby and Broome Streets.

When located on the first floor above a setback (20 feet for the project site), awnings and other sun control devices shall be limited to a projection of 50% of the required setback (10 feet) and shall be limited in total to 50% of the width of the building from which they project. Sun control devices with solid surface area shall not exceed 30% of the building wall from which they project.

With respect to the provision of parking spaces in new developments or enlargements in Manhattan Community District 2 in which the project site is located, the Zoning Resolution allows accessory parking spaces for 20% of the residential units in a building and one space for every 4,000 square feet of commercial use.

Study Area

Most of the area within 400 feet of the project site shares the property's M1-5B zoning. Therefore, the zoning use and bulk provisions relevant to the project site also apply to this portion of the project study area.

The only other zoning district located within 400 feet of the site is the C6-2 district mapped over the portion of the study area east of Lafayette Street and north of Broome Street. C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Corporate

headquarters, large hotels, entertainment facilities, retail stores, and high-rise residences in mixed buildings are permitted in C6 districts. Most C6 districts are mapped in Manhattan and Downtown Brooklyn and permit Use Groups 1 through 12. The C6-2 district is generally mapped outside of central business cores and allows a commercial FAR of 6.0. The C6-2 district is equivalent to R8 districts for residential bulk regulations, allowing a residential FAR of between 0.94 and 6.02. As C6 districts are well served by mass transit, off-street parking is generally not required.

A small portion of the study area east of Lafayette Street is located within the Little Italy Special District (LI). This Special District was established to preserve and enhance the historic and commercial character of this traditional community. Special use regulations protect the retail area along Mulberry Street. Other regulations encourage residential rehabilitation and new development on a scale consistent with existing buildings, discourage the demolition of noteworthy buildings, and increase the number of street trees in the area.

The project site and most of the 400-foot radius project study area are located within the City's Food Retail Expansion to Support Health (FRESH) program boundaries. The City has established the FRESH program in response to the issues raised in neighborhoods that are underserved by grocery stores. FRESH provides zoning and financial incentives to promote the establishment and retention of neighborhood grocery stores in underserved communities throughout the five boroughs. The FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator. The project site and most of the project study area surrounding the property are eligible for various tax incentives related to grocery store development and operation.

The project site was included as a Potential Special Permit Development Site in the Broadway-Grand EAS (CEQR No. 03-DCP-042M). As relevant to the subject project site, the EAS analyzed a zoning text change to ZR §74-712 to allow the City Planning Commission to grant special permits for uses currently not permitted as-of-right on vacant or substantially vacant sites within M1-5A and M1-5B zoning districts located in historic districts designated by the Landmarks Preservation Commission. The text change applied to the SoHo - Cast Iron Historic District and the Noho Historic District. The EAS indicated that the project site, identified as Block 483, Lot 35 and 432-436 Broome Street, could be developed with approximately 40 dwelling units within a potential maximum floor area of 40,470 square feet. The Planning Commission approved the application on 11/05/03.

PUBLIC POLICY

Project Site

In addition to the Zoning Resolution discussed above, other public policies relate to the project site. The project site is located within the New York City Landmarks Preservation Commission, the New York State, and the National Register designated SoHo - Cast Iron Historic District and across Crosby Street from the SoHo - Cast Iron Historic District Extension. The property is therefore subject to New York City and New York State landmarks preservation regulations. The site is not located within the City's Coastal Zone Boundary and is therefore not subject to the provisions of the New York City Waterfront Revitalization Program. The project site is not

covered by any 197-a or other community plans, and it is not within an urban renewal area and is therefore not subject to the provisions of an urban renewal plan.

Study Area

Portions of the land use study area surrounding the project site are also subject to the requirements of public policy documents. Most of the 400-foot radius project study area is included in the SoHo Cast Iron Historic District with most of the eastern portion of study area located within the SoHo - Cast Iron Historic District Extension. Only a small corner of the northeastern portion of the study area does not lie within either of these designated historic districts. The study area is therefore generally subject to the provisions of the New York City Landmarks Law and also to New York State and Federal landmarks legislation as the SoHo - Cast Iron Historic District is listed on the New York State and National Registers. The 400-foot radius project study area is not located within the City's Coastal Zone Boundary and is therefore not subject to the City's Waterfront Revitalization Program. No other public policy documents would apply to the project study area.

THE FUTURE WITHOUT THE PROJECT

Land Use

In the absence of the proposed action, the existing conditions on the project site (a vacant site including the approximately 814 square foot, vacant one-story structure previously used as a vehicle service shop) would remain.

Zoning and Public Policy

Based on a review of the DCP website, no changes are anticipated to the zoning districts and zoning regulations or to any public policy documents relating to the project site or the surrounding study area in the near future.

THE FUTURE WITH THE PROJECT

Land Use

The With-Action RWCDS entails the construction of a 52,395 gsf, seven-story and cellar mixed-use building. Although the project proposes to include ten UG 2 dwelling units within the building's residential floor area of approximately 48,638 gsf of floor area (includes UG 2 parking and vehicle circulation areas as well as lobby, storage, and mechanical space accessory to the residential use), the RWCDS would be increased to a maximum of 15 dwelling units, reflecting a somewhat smaller average unit size. The building would contain approximately 3,757 gsf of UG 6 retail space (includes mechanical space accessory to the commercial use) on the ground floor of the structure, the same as the proposed development. Ten parking spaces accessory to the UG 2 residential uses would be provided in the cellar of the building accessed via a vehicle elevator and ground floor driveway area to Crosby Street, the same as the proposed development.

The 7th floor sun control device comprises the following elements of the building:
- Metal clad cornice/parapet assembly overhanging the glass wall by 1'-9", which incorporates a pocket for a retractable roller shade and provides shading on the glass wall.
- Roller shade mechanism recessed in the underside of the overhanging cornice.
- Horizontal fixed sun shade assembly consisting of a metal frame composed of 2" x 2" square tube with metal grille infill projecting 2'-9" from the cornice.

The existing structure on the site would be demolished in order to accommodate the proposed development.

As the proposed development would occur wholly within a historic district (the SoHo - Cast Iron Historic District) that is listed on the National and State Registers of Historic Places, the project site would be classified as Type I pursuant to 6 NYCRR 617.4(b)(9). As such, provisions related to hazardous materials, air quality, and noise are included in the project description as summarized below and further addressed in the relevant sections of this report.

- Hazardous Materials: A Phase I Environmental Site Assessment (ESA) was prepared by the Applicant and submitted to the NYC Department of City Planning (DCP) and the NYC Department of Environmental Protection (DEP) for their review. The ESA identified a potential hazardous materials concern resulting from the possible presence of underground storage tanks (USTs) on the subject property resulting from the former fill station and automotive repair operations on the site. A geophysical survey will be conducted to locate any potential buried tanks. In addition, a baseline subsurface investigation will be conducted to determine if any impacts have occurred from past operations on the property, and areas of surficial staining will be cleaned up. As described above, required asbestos abatement work has been performed in preparation for the demolition of the existing on-site structure in accordance with DEP regulations and the applicant has obtained an Asbestos Project Completion Form, as required by DOB for the issuance of the demolition permit.

- Air Quality: The proposed project would not result in potential stationary source air quality impacts to any other buildings in the vicinity. Exhaust emissions resulting from the building's heat and hot water generating systems would screen out on the basis of Figure 17-3 of the Air Quality chapter of the *CEQR Technical Manual.* In addition, based on a search of Building Department records and Property Shark website records and photographs, there are no industrial source emissions of concern in the surrounding area that would impact the subject property.

- Noise: Noise mitigation for the proposed project has been determined based on noise readings taken at a receptor located on the Avenue of the Americas between Broome and Watts Streets as part of the Hudson Square Rezoning EIS. The location of this receptor is considered to be comparable to that of the subject project site. The highest recorded L_{10} at the receptor location was 76.7 dBA during the morning peak traffic volume period. For a predominantly residential project such as the proposed development, an L_{10} of 70 to 80 dBA is considered to be marginally unacceptable. Based on *CEQR Technical Manual* criteria, 33 dBA of window/wall attenuation would be required as part of the project in order to avoid potentially adverse impacts to building residents from traffic noise on the surrounding streets. Therefore, all exterior doors, windows, and walls would be provided with a minimum of 33 dBA of sound attenuation. Air conditioning would also be provided in all residential units as an alternate means of ventilation in order to allow a closed window condition.

The proposed building would be compatible with the immediately surrounding buildings and uses. The residential and ground floor retail occupancies would be very similar to that of the adjacent buildings which contain JLWQA and retail uses. The proposed uses would also be

similar to other residential, JLWQA occupancy, and retail uses located throughout the 400-foot radius area. LPC has approved the proposed project as specified in a Certificate of Appropriateness issued on 06/27/13.

The proposed project is representative of recent development trends in the area where either new residential buildings have been constructed on parking lots or vacant parcels or existing buildings have been converted from former manufacturing or commercial use to residential or JLWQA occupancy. The proposed building would have an overall size and bulk similar to surrounding development. The proposed project would complement and strengthen the surrounding mixed-use residential and commercial environment by developing a modern, high quality residential property with ground floor retail space on the project site.

No adverse impact to land use patterns in the area is expected to arise as a result of the proposed project, and further assessment of land use is not warranted.

Zoning

The proposed action involves the request for three Special Permits from the City Planning Commission (CPC), as further discussed below, to facilitate the development of the proposed seven-story and cellar mixed-use building with a below-grade accessory parking garage.

The first special permit, pursuant to ZR § 74-712(a) (the "Historic District Use Special Permit"), is to modify ZR § 42-00 and 42-14(D)(2)(b) with respect to conforming uses within an M1-5B zoning district. The proposed UG 2 residential use and the UG 6 retail use below the level of the second floor are not permitted under the existing M1-5B zoning of the property pursuant to ZR §42-00 and §42-14D and therefore require the subject Special Permit. The Historic District Use Special Permit will restrict the maximum number of residential dwelling units in the proposed building to 15. The Historic District Use Special Permit is needed in order to allow for the development of residential and ground floor retail use on a lot located within a Landmarks Preservation Commission (LPC) designated Historic District that contains only minor improvements and is currently underutilized.

The second special permit, pursuant to § 74-712(b) (the "Historic District Bulk Special Permit"), is to modify § 43-42(a) with respect to the permitted width of a sun control device on the seventh floor, which is a permitted obstruction. The Historic District Bulk Special Permit is needed to increase the permitted width of the sun control device in order to provide appropriate sun shade to residents of the seventh floor and to conserve energy.

The third special permit, pursuant to ZR § 13-45 and ZR § 13-451 (the "Parking Special Permit"), is to modify ZR § 13-11(a) with respect to the permitted number of parking spaces. The Parking Special Permit is needed in order to allow 10 proposed accessory parking spaces, which exceed the number allowed as-of-right for the project, and to provide one parking space for each of the proposed residential units, which is considered necessary for a luxury residential project of the type proposed.

As detailed in the land use section above, the application will allow UG 2 residential use throughout the building and UG 6 retail use on the ground floor and will increase the number of permitted enclosed, accessory off-street parking spaces from two to ten. The proposed accessory parking spaces are accessory to the UG 2 residential uses.

The project would be designed to comply with the bulk regulations of the M1-5B zoning of the subject property which permits a maximum FAR of 5.0 for commercial and manufacturing uses. The proposed building would have a zoning floor area of 41,350 square feet which would represent an FAR of 5.0. The proposed UG 2 residential uses and UG 6 ground floor retail uses would be permitted under the Historic District Use Special Permit, pursuant to ZR § 74-712 (a). A sun control device would be permitted for the entire width of the glass walls from which it projects, under the Historic District Bulk Special Permit, pursuant to ZR § 74-712(b). The ten proposed parking spaces accessory to the UG 2 residential uses would be permitted under the Parking Special Permit. The project would be designed to comply with the zoning bulk regulations, with the exception of the sunshade.

The zoning provisions and findings related to each of the proposed Special Permits and the compliance of the proposed project with these provisions and findings are detailed below.

CPC Historic District Use Special Permit ZR §74-712 (a)

ZR §74-712(a) states: *Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:*

(a) In M1-5A and M1-5B Districts, on a zoning lot that, as of December 15, 2003, is vacant, is land with minor improvements or has not more that 20 percent of the lot area occupied by existing buildings, the Commission may modify use regulations to permit residential development and, below the floor level of the second story of any development, uses permitted under Section 32-15 (Use Group 6), provided that certain findings are made.

The subject site qualifies for this provision of the Zoning Resolution as the M1-5B-zoned parcel is located within an LPC designated Historic District and less than 20% of its lot area is occupied by an existing building (the 814 square foot structure occupies approximately 9.8% of the 8,274 square foot lot.)

The proposed action would conform with the conditions required and findings pursuant to ZR §74-712(a), including the following:

(1) the use modifications [must] meet the following conditions:

(i) that residential development complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;

The rear yard requirements do not apply to the project site as the subject site is a corner lot and there are no adjacent rear lot lines. Only the northern 14-foot portion of the west lot line is considered a rear lot line, and such rear lot line is adjacent to a side lot line. In an R8 district, no rear yard is required at such a rear lot line. The proposed development would comply with and exceed the minimum distance requirements from legally required windows located on an inner court to both the north and west lot lines of the property. (See plans filed with this application.)

(ii) that total floor area ratio on the zoning lot shall be limited to 5.0;

The proposed floor area ratio of the project is 5.0.

(iii) that the minimum floor area of each dwelling unit permitted by this Section shall be 1,200 square feet;

The building would contain a maximum of 15 dwelling units (although only 10 units are proposed), occupying approximately 48,638 gross square feet of floor area, resulting in an average floor area of 3,242 square feet per unit. No individual unit would contain less than 1,200 square feet of floor area.

(iv) that all signs for residential or commercial uses permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and

All signs would comply with the applicable regulations.

(v) that eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and

No eating and drinking establishments are proposed to be contained in the development.

(2) the Commission finds that such use modifications:

(i) have minimal adverse effects on the conforming uses in the surrounding area;

(ii) are compatible with the character of the surrounding area; and

(iii) for modifications that permit residential use, result in a development that is compatible with the scale of the surrounding area.

The 400-foot radius project study area surrounding the project site is primarily characterized by loft buildings that are either occupied by commercial uses or have been converted to JLWQA use, office space, or residential use. Many of the buildings contain a mixture of these uses and most also contain a ground floor retail component. Other scattered uses include a parking garage and a number of vacant lots. The proposed building would be compatible with the immediately surrounding buildings and uses in that the proposed residential and ground floor retail occupancies would be very similar to that of the adjacent buildings which contain JLWQA and retail uses. The proposed uses would also be similar to other residential, JLWQA occupancy, and retail uses located throughout the 400-foot radius area.

The buildings within the immediate vicinity of the site are generally between four- and seven-stories in height and generally cover their entire lot areas. The proposed seven-story building, which would cover the entire lot area of the site, would have an overall size and bulk that would be very similar to these surrounding structures. The proposed building would therefore be appropriate in the context of the surrounding neighborhood.

The proposed project is representative of recent development trends in the area where either new residential buildings have been constructed on parking lots or vacant parcels or existing buildings have been converted from former manufacturing or commercial use to residential or JLWQA occupancy. The proposed development would therefore have minimal adverse effects on the conforming uses in the surrounding area and would be compatible with the character and scale of the surrounding area.

The proposed development would comply with the maximum FAR and maximum height of

the front wall and setback provisions of the M1-5B zoning district.

It should be noted that LPC has approved the proposed project as specified in a Certificate of Appropriateness issued on 06/27/13 and included in the Historic and Cultural Resources Appendix of this document.

CPC Historic District Bulk Special Permit ZR §74-712 (b)

ZR §74-712(b) states: *In all districts, the Commission may modify bulk regulations, except floor area ratio regulations, for any development on a zoning lot that is vacant or is land with minor improvements, and in M1-5A and M1-5B Districts, the Commission may make such modifications for zoning lots where not more that 20 percent of the lot area is occupied by existing buildings as of December 15, 2003, provided the Commission finds that such bulk modifications* meet the conditions below.

The subject site qualifies for this provision of the Zoning Resolution as the project site is zoned M1-5B and as of December 15, 2003, less than 20% of its lot area has been occupied by an existing building (the 814 square foot structure occupies approximately 9.8% of the 8,274 square foot lot.)

The proposed action would conform with the conditions required and findings pursuant to ZR §74-712(b) including the following:

(1) shall not adversely affect structures or open space in the vicinity in terms of scale, location and access to light and air; and

As discussed in the land use section above, the proposed development would have minimal adverse effects on the other structures in the surrounding area (there are no nearby open space areas) and would be compatible with the scale of the surrounding area.

Pursuant to ZR §43-42(a), projecting sun control devices located on the first story above the required setback are limited to 50% of the width of the wall on which they are located. A sun control device on the seventh floor of the building would project 4'-6" into the required initial 20-foot setback for the south and east walls for the entire width (100%) of those walls, which would be entirely glass, in order to conserve energy. The minimal projection of the sun control device into the required setback would have no significant adverse impacts on other structures in the area relative to location and access to light and air.

(2) relate harmoniously to buildings in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The proposed development would relate harmoniously to buildings in the Historic District. LPC has approved the proposed project as specified in a Certificate of Appropriateness issued on 06/27/13 and included in the Historic and Cultural Resources Appendix of this document. Although a few small design changes have been made to the proposed project since the Certificate of Appropriateness was issued, these changes are minimal and the applicant is in the process of confirming with LPC that they are in substantial compliance with the approved drawings. One such change is an increase in the projection of the sun shade device, which projection is permitted as-of-right under the Zoning Resolution and has been found to negligibly impact the visibility of the 7th-floor penthouse.

CPC Parking Special Permit ZR §13-45 and ZR §13-451

The CPC may permit, pursuant to ZR §13-45, *accessory off-street parking facilities on-site or off-site, open or enclosed, with any capacity, where such facilities:*

(i) are proposed developments or enlargements with a capacity not otherwise allowed under the applicable regulations of Section 13-10.

The proposed action includes the provision of 10 accessory parking spaces for the residents of the building. However, based on the provisions of ZR §13-10, the project would only be allowed to contain 2 parking spaces accessory to the residential use, as parking is limited to 20% of the residential units in a building.

ZR §13-45 contains various usage and physical conditions related to parking facilities. It also includes a list of findings that the CPC must make related to vehicular entrances and exits, traffic and pedestrian flow and congestion, and streetscape conditions among others. These items are addressed in the zoning package submitted as part of this application.

As related to the proposed parking to be included in the project, pursuant to ZR §13-451,

The City Planning Commission may permit a parking facility where such parking facility serves the parking needs of a predominantly residential development or enlargement, provided that, in addition to the conditions and findings set forth in Section 13-45, the Commission shall find that either:

(a) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to:

(1) the increase in the number of dwelling units; and

(2) the number of both public and accessory off-street parking spaces, taking into account both the construction, if any, of new off-street parking facilities and the reduction, if any, in the number of such spaces in existing parking facilities. In making this determination, the Commission may take into account off-street parking facilities for which building permits have been granted, or which have obtained City Planning Commission special permits pursuant to Section 13-45; or

(b) the proposed ratio of parking spaces to dwelling units in the proposed development or enlargement does not exceed:

(1) 20 percent of the total number of dwelling units, where such units are located within Community District 1, 2, 3, 4, 5 or 6.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

The proposed project is located within Community District 2 and the proposed ratio of parking spaces to dwelling units in the proposed development would exceed 20 percent of the total number of dwelling units. Therefore, a parking analysis has been prepared to address the required findings of ZR §13-451(a). The findings and conclusions of this analysis are presented below and the complete parking analysis is included in the Parking Analysis Appendix to this document.

The parking analysis, dated November 18, 2013, indicates that there has been a 60.2% decrease in the number of NYC Department of Consumer Affairs (DCA) licensed parking spaces used by local residential parkers between 2003 and 2013 within 1,800 feet of the project site. There were also 99 "Unbuilt Spaces", defined as the difference between the number of accessory parking spaces that could have been built as-of-right and those actually built, for the 664 new residential units developed within 1,800 feet of the project site during this same period.

The Residential Growth Parking Ratio for the 2003-2013 period, calculated without the proposed spaces and residential units associated with the project, is the change in the number of DCA-licensed parking spaces used by local residential parkers (-761 spaces) plus the change in the number of non-DCA accessory residential parking spaces (0), divided by the change in the number of residential units (664). Thus, without the project, the Residential Growth Parking Ratio is -114.6%. To calculate the Residential Growth Parking Ratio for the same time period, accounting for the proposed parking spaces and residential units associated with the project, the number of proposed accessory residential spaces (10) is added to the change in the number of spaces from 2003 to 2013, producing a numerator of -751, and the number of proposed residential units (10) is added to the change in the number of residential units from 2003 to 2013, producing a denominator of 674. With the project, therefore, the Residential Growth Parking Ratio would be -111.4%.

By sorting the residential growth sites and the DCA parking change sites by distance from the proposed development, the parking analysis identified the following site, closest to the proposed development, which has Unbuilt Spaces or lost DCA-licensed spaces that, in total, is equal to or exceeds the 10 off-street parking spaces being requested:

204 LAFAYETTE STREET (251 feet from Site) = 84 lost DCA-licensed spaces

On the basis of the above analysis, it is concluded that the proposed increase in the number of permitted enclosed, accessory off-street parking spaces in the subject building from two to ten would meet the required Parking Special Permit findings pursuant to ZR § 13-451. The provision of ten parking spaces in the proposed development is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to the increase in the number of dwelling units and the number of public and accessory off-street parking spaces, taking into account both the construction of new off-street parking facilities and the reduction in the number of such spaces in existing parking facilities.

Conclusions

The requested Special Permits are required in order to develop a viable project on the subject property. The Historic District Use Special Permit requested pursuant to ZR §74-712(a) is needed in order to allow for the development of residential and ground floor retail use on the project site which is currently underutilized. The Historic District Bulk Special Permit requested pursuant to ZR §74-712(b) is needed to increase the permitted width of the sun control device in order to provide appropriate sun shade to residents of the seventh floor and to conserve energy. The Parking Special Permit requested pursuant to ZR §13-45 and ZR §13-451 is needed in order provide one parking space for each of the proposed residential units, which is considered necessary for a luxury residential project of the type proposed. The proposed action would meet all the required CPC conditions and findings as specified above.

The proposed development would not result in significant adverse zoning impacts. The proposed residential and ground floor retail uses are similar to and compatible with many similar uses developed in recent years as well as with similar JLWQA, residential, and retail uses that have a long term history in the area. The bulk and form of the proposed building would also be compatible with surrounding development and would not result in adverse impacts related to access to light and air. The provision of ten parking spaces in the proposed development is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility. The proposed action would not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties.

Potentially significant adverse impacts related to zoning are not expected to occur as a result of the proposed action, and further assessment of zoning is not warranted.

Public Policy

No adverse impacts to public policies would occur as a result of the proposed action as the proposed development would be compatible with the New York City and New York State landmarks preservation regulations applicable to the site and the immediately surrounding area (see the Historic and Cultural Resources section below). LPC has approved the proposed project and the exterior design of the building as specified in a Certificate of Appropriateness issued on 06/27/13, with minimal design changes to be confirmed as substantially in compliance with the approved plans. The replacement of the previously existing parking lot on the project site with the proposed new building would represent a significant improvement to the SoHo-Cast Iron Historic District.

No potentially significant adverse impacts related to public policy are anticipated to occur as a result of the proposed action, and further assessment of public policy is not warranted.

8. SHADOWS

A shadows assessment is required for the proposed action as the project would result in the construction of a seven-story building on a property previously used as an at-grade parking lot within the SoHo - Cast Iron Historic District and across the street from the SoHo - Cast Iron Historic District Extension. A shadows assessment is required since the surrounding Historic Districts may contain architectural resources that are sunlight-sensitive and may be adversely affected by the proposed building. There is one public open space area (Petrosino Square) within the maximum shadow radius of the project that could potentially be affected by the proposed action. Potentially sunlight-sensitive architectural resources include the following:

- Buildings containing design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements.
- Buildings distinguished by elaborate, highly carved ornamentation.
- Buildings with stained glass windows.
- Exterior materials and color that depend on direct sunlight for visual character.

- Historic landscapes, such as scenic landmarks including vegetation recognized as an historic feature of the landscape.

- Features in structures where the effect of direct sunlight is described as playing a significant role in the structure's significance as an historic landmark.

The proposed building would reach a total height of 107'-2 ⅝" to the top of the bulkhead. Based on 2014 *CEQR Technical Manual* criteria, the longest shadow that any building or structure would cast during the year (except within an hour and a half of sunrise or sunset which is not deemed to be of concern) is 4.3 times its height. Applying the 4.3 factor to the maximum building height of 107'-2 ⅝" results in a maximum shadow distance of 461.04 feet. As the small one-story structure on the project site currently casts minimal shadows on the surrounding area, new shadows from the proposed project could be cast on buildings located directly across both Crosby and Broome Streets from the project site.

New shadows cast by the proposed building are not anticipated to be of concern for the following reasons. The area immediately surrounding the project site is fully developed with buildings of between four- and seven-stories in height which already cast shadows on other buildings in the vicinity. No significant incremental shadow impacts from the proposed project would therefore be anticipated. In addition, there are no historic resources in the immediately surrounding area containing features whose significance depends on sunlight, such as those listed above, as the surrounding buildings are commercial loft structures that do not contain such features. The proposed building would not cast any significant new shadows on sunlight-sensitive architectural resources within the surrounding SoHo - Cast Iron Historic District or SoHo – Cast Iron Historic District Extension. Therefore, the project would not result in any significant adverse shadows impacts on historic resources.

Petrosino Square, a small triangular shaped park bounded by Kenmare and Lafayette Streets and Cleveland Place, is located approximately 420 feet east of the project site. This park is primarily a sitting area, with benches both inside and outside of the park, and also contains several trees and areas planted with grass and low vegetation. No new shadows would be cast by the proposed building on this park as the area between the project site and the park is fully developed with buildings of between four- and eleven-stories in height. A row of intervening four- to eleven-story buildings lies directly across Cleveland Place from the park. The eleven story building at 210 Lafayette Street lies directly across from the southern end of Peterosino Square and would block any shadows cast by the proposed development on this park. The row of buildings along Cleveland Place already cast shadows on Petrosino Square and the proposed seven-story structure on the project site would not result in any new shadows. Therefore, the project would not result in any significant adverse shadows impacts on open space resources. See the Tier 1 shadows diagram in the Shadows Appendix.

9. HISTORIC AND CULTURAL RESOURCES

EXISTING/FUTURE NO-ACTION CONDITIONS

The subject property at 42 Crosby Street is located at the northwest corner of Crosby and Broome Streets in the SoHo - Cast Iron Historic District of Manhattan. The property measures 8,274 square feet in area and is roughly rectangular in shape. The site has approximately 114.00'

of frontage along Crosby Street to the east and 71.39' of frontage along Broome Street to the south.

Prior to January 2014, the property was used as a public parking lot and contained space for approximately 40 vehicles on the surface of the lot and on stacker units. All parking use of the site was terminated and the stacker units were removed on December 9, 2013. The property contains an approximately 814 square foot, one-story structure in the southwest corner of the lot that was previously used in connection with a motor vehicle service shop formerly located on the site. The building is currently vacant and not in use and it is anticipated that it will be removed by mid-June 2014. A demolition permit was issued by the NYC Department of Buildings (DOB) on June 5, 2014. However, demolition of the existing structure is dependent on Con Edison's removal of the existing gas service on the site which is imminent.

Surface pavement has been removed in two areas of the site, measuring approximately 15' x 15', to dig two soil test pits. The test pits were dug to determine the elevations of the footings of the adjacent buildings to the north and west of the site as relevant to establishing the foundation for the proposed new building. The pits have been backfilled and compacted using on-site soil. A sidewalk fence has been installed along the sidewalks of Crosby and Broome Streets. All future subsurface disturbance on the project site will be coordinated with the NYC Office of Environmental Remediation (OER).

The project site is located along the eastern edge of the SoHo - Cast Iron Historic District and across Crosby Street from the SoHo - Cast Iron Historic District Extension to the east. The subject property is also located approximately 29 feet east of the E. V. Haughwout Building, an individually designated property at 488 Broadway/440 Broome Street within the SoHo - Cast Iron Historic District. See the Historic District/Landmarks graphic in the Historic and Cultural Resources Appendix. A brief discussion of these Districts and properties follows below.

- SoHo - Cast Iron Historic District - an LPC designated New York City Historic District that is also listed on the New York State and National Registers of Historic Places. The SoHo - Cast Iron Historic District, which was designated by LPC in 1973, is bounded by West/East Houston Street on the north, Canal and Howard Streets on the south, West Broadway to the west, and Crosby Street and Broadway to the east.

  The LPC Designation Report for the SoHo - Cast Iron Historic District states, in part, that SoHo (from "south of Houston") is a commercial district, primarily developed in the mid- to late 19th century to serve the wholesale dry goods trade. The district contains the world's largest collection of buildings with cast-iron fronts. The District also contains some of the City's most interesting extant examples of brick, stone, and mixed iron-and-masonry commercial construction of the post-Civil War period.

  The only reference to the project site in the LPC Designation Report is to note that the property at the corner of Crosby and Broome Streets (436 Broome Street) housed a 1952 gas station. The existing structure on the project site is not an individually designated historic structure or a "contributing" building to the SoHo - Cast Iron Historic District.

  The E. V. Haughwout Building at 488 Broadway/440 Broome Street, built in 1857, is the earliest example of a complete cast-iron façade in the Historic District. This building,

which has an elegant full Venetian Renaissance façade, housed one of the first major department stores in the District as well.

- SoHo - Cast Iron Historic District Extension - an LPC designated New York City Historic District. The SoHo - Cast Iron Historic District Extension, which was designated by LPC in 2010, extends both to the east and the west of the SoHo - Cast Iron Historic District. On the east, the District extends in an irregular alignment from Crosby Street and Broadway between East Houston and Canal Streets to as far east as Cleveland Place and Centre Street. On the west, the District extends in an irregular alignment from West Broadway between West Houston and Broome Streets to as far west as Thompson Street.

  The LPC Designation Report for the SoHo - Cast Iron Historic District Extension states, in part, that many of the buildings in the Extension area date from the same period of development as those in the previously-designated historic district and exhibit similar architectural characteristics. There are several cast-iron-fronted buildings within the extension as well a large number of similarly styled masonry buildings. The boundaries of the extension were drawn so as to protect cohesive streetscapes along narrow Crosby Street and Howard Street as well as a number of notable cast iron buildings on West Broadway. Like their counterparts in the designated district, many of the structures within the SoHo - Cast Iron Historic District Extension were erected in the post-Civil War era as store and loft buildings for the wholesale dry goods merchants and the manufacturing businesses that transformed the once comfortable residential neighborhood into a bustling commercial zone in the mid- and late-nineteenth century.

FUTURE WITH-ACTION CONDITIONS

The proposed action would result in the construction of a 52,395 gross square foot, 7-story and cellar mixed-use building. The building would contain a maximum of 15 dwelling units (only 10 units are proposed), occupying approximately 48,638 gross square feet of floor area, and 3,757 gross square feet of ground floor retail space. Ten accessory parking spaces would be provided in the cellar of the building accessed via a vehicle elevator and driveway access onto Crosby Street.

The existing structure on the site would be demolished in order to accommodate the proposed development. The existing structure on the project site is not an individually designated historic structure or a "contributing" building to the SoHo - Cast Iron Historic District.

As the project site is located within a designated Historic District and across the street from a second District, LPC review of the project was conducted to meet requirements under CEQR. Correspondence was sent to LPC requesting their review of the proposed project and LPC provided the following comments by letter dated 12/09/13 (see correspondence in the Historic and Cultural Resources Appendix):

> The project site is within the Soho Cast Iron HD, LPC and S/NR listed. No archeological significance. Certificate of Appropriateness 14-4031, dated 6/27/13, has been issued for this project. The C of A should be appended to the EAS.

Archaeological Resources

The project site was previously used as a surface parking lot and the proposed project would result in subsurface ground disturbance to construct the proposed building which would contain a cellar. However, LPC has determined that the subject property does not have any archeological significance, as stated above. Therefore, the proposed action would not result in any disturbance to potentially existing archaeological resources on the project site.

Historic Resources

The proposed project would result in the construction of a new seven-story structure that would cover the entire project site. As this is a significant change from the existing condition on the property and would be occurring within and across the street from designated Historic Districts, potential impacts on historic resources would be of concern. The *CEQR Technical Manual* indicates that architectural resources should be surveyed and assessed if the proposed project would result in any of the conditions noted in italics below.

- *New construction, demolition, or significant physical alteration to any building, structure, or object.*

  The proposed action would result in new construction on the project site as well as demolition of the existing structure on the property. As stated above, the existing structure on the site is an approximately 814 square foot, one-story structure in the southwest corner of the lot that was previously used in connection with a motor vehicle service shop formerly located on the site. This existing structure is not an individually designated historic structure or a contributing building to the SoHo - Cast Iron Historic District so its demolition would not result in any adverse historic impacts.

  The exterior design of the proposed building has been approved by LPC as specified in the LPC Certificate of Appropriateness dated 6/27/13. Specifically, the Certificate of Appropriateness states the following regarding the design and appearance of the proposed building:

  With regard to this proposal, the Commission found that demolishing the existing structures will not detract from the special historic and architectural character of the SoHo-Cast Iron Historic District; that the construction of a new building on this lot will restore the continuity of the street wall on both streets and re-establish a built corner at this intersection; that the plane of the street walls of the new building will align with the street walls of the adjacent historic buildings, thereby reinforcing the streetwall as a character defining feature of the streetscape; that the height and massing of the building is consistent with the height and massing of historic buildings found in this historic district; that the building, defined by a strong cornice, provides a distinctive termination to the block; that the set back massing of the one-story penthouse and mechanical bulkhead will evoke typical historic utilitarian rooftop features found on buildings in this district, and its minimal visibility will not detract from the streetscape; that the grid design of the building alludes to the grids of piers and spandrels which are typical features of the facades of the cast iron buildings within the historic district; that the bay spacing and the floor-to-ceiling heights provide a vertical expression which will harmonize with other buildings in the streetscape; that the articulation and varying planes of the windows and facade elements, including sliding

windows with inset glass railing and operable window shades and steel mesh spandrels, are evocative of the depth and articulation found on many historic cast iron buildings within this district; that the use of metal and glass recalls the evolution of these materials in this historic district and that this contemporary design, using stainless steel, is a continuation of the innovative use of these materials; that the large expanses of glazing at the storefronts are consistent with commercial ground floors at historic buildings throughout the historic district; that the presence of a garage entrance on the Crosby Street facade is consistent with the industrial character of the streetscape, and that the garage will utilize an existing curb cut; and that the proposed work will enhance the special architectural and historic character of the building and the SoHo-Cast Iron Historic District. Based on these findings, the Commission determined the work to be appropriate to the building and to the SoHo-Cast Iron Historic District and voted to approve this application.

The proposed project would improve the appearance of the property through the development of the previously existing parking lot with a new building that has been designed to complement the character of the surrounding area. Although minor design changes have been made to the proposed project since the Certificate of Appropriateness was issued, these changes are minimal and the applicant is in the process of confirming with LPC that they are in substantial compliance with the approved drawings. Therefore, the proposed action would have no significant adverse affect on the historic character of the property or the surrounding area.

- *A change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature. Visual prominence is generally the way in which a building, structure, object, or landscape feature is viewed. Visual context is the character of the surrounding built or natural environment. This may include the following: the architectural components of an area's buildings (e.g., height, scale, proportion, massing, fenestration, ground-floor configuration, style), streetscapes, skyline, landforms, vegetation, and openness to the sky.*

  The proposed action would result in the construction on the previously existing parking lot of a seven-story structure. The action would eliminate the open character of the site to be replaced by a structure that would essentially cover the entire surface area of the property as visible from the sidewalks adjacent to the site. The project would therefore result in a change in scale and visual prominence relative to the surrounding area.

  This change in scale and visual prominence would be appropriate to the surroundings as it would result in a new development that is more in character than the prior parking lot. The buildings within the immediate vicinity of the site are generally between four- and seven-stories in height and generally cover their entire lot areas.

  The proposed building would have an overall size and bulk that would be very similar to these surrounding structures. The proposed building would therefore be appropriate in the context of the surrounding neighborhood. (See LPC Certificate of Appropriateness statements above.)

- *Construction, including but not limited to, excavating vibration, subsidence, dewatering, and the possibility of falling objects.*

  LPC-approved construction procedures would be followed to protect other historic

structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration.

- *Additions to or significant removal, grading, or replanting of significant historic landscape features.*

  Not applicable to the proposed action.

- *Screening or elimination of publicly accessible views.*

  Not applicable to the proposed action.

- *Introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure if the features that make the structure significant depend on sunlight.*

  On the basis of the *CEQR Technical Manual* criteria above, the project would not result in significant shadows impacts on historic resources. As discussed in the Shadows section above, the proposed building height of 107'-2 ⅝" to the top of the bulkhead results in a maximum shadow distance of 461.04 feet. As the small one-story structure on the project site currently casts minimal shadows on the surrounding area, new shadows from the proposed project could be cast on buildings located directly across both Crosby and Broome Streets from the project site.

  New shadows cast by the proposed building are not anticipated to be of concern for the following reasons. The area immediately surrounding the project site is fully developed with buildings of between four- and seven-stories in height which already cast shadows on other buildings in the vicinity. No significant incremental shadow impacts from the proposed project would therefore be anticipated. In addition, there are no historic resources in the immediately surrounding area containing features whose significance depends on sunlight, such as stained glass windows. Therefore, the proposed project would not result in any significant adverse shadows impacts on historic resources.

Based on the above analysis, it is concluded that the proposed building would be compatible with its historic context and with the surrounding SoHo - Cast Iron Historic District and Extension. No impact to individual historic properties or to the SoHo - Cast Iron District or Extension would be expected as a result of the proposed action.

The proposed project would not result in any impacts to historic or archaeological resources.

10. URBAN DESIGN AND VISUAL RESOURCES

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements;

2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

The proposed action would result in the construction of a new building on the subject property where the proposed residential and ground floor retail uses and the number of proposed accessory parking spaces are not permitted pursuant to zoning. However, the proposed action would conform with the yard, height, and building setback requirements of the M1-5B zoning district in which the project site is located and would therefore not result in the modification of these requirements. The project would not comply with zoning bulk regulations with respect to the permitted width of a sun control device on the seventh floor, which is a permitted obstruction. Pursuant to ZR §43-42(a), projecting sun control devices located on the first story above the required setback are limited to 50% of the width of the wall on which they are located. The sun control device on the seventh floor of the building would project 4'-6" into the required initial 20-foot setback for the south and east walls for the entire width (100%) of those walls, which would be entirely glass, in order to conserve energy. The proposed sun control device would therefore require a special permit (the Historic District Bulk Special Permit) pursuant to ZR §74-712(b) which relates to the modification of bulk regulations. However, this modification is not what is typically considered to be a setback modification for the purposes of urban design because it relates to the width, rather than the projection, of a permitted obstruction in the required setback area. The 4'-6" projection is permitted as-of-right pursuant to ZR §43-42(a). This modification would negligibly impact the visibility of the 7th-floor penthouse.

In addition, the project would not result in an increase in built floor area beyond what would is allowed as-of-right on the project site. The proposed building envelope would be as-of-right pursuant to zoning. The project would be designed to comply with the bulk regulations of the M1-5B zoning of the subject property which permits a maximum FAR of 5.0 for commercial and manufacturing uses. The proposed building would have a zoning floor area of 41,350 square feet which would represent an FAR of 5.0. The project would be designed to comply with the zoning bulk regulations, with the exception of the sunshade. The sunshade modification would represent a minimal projection of the sun control device into the required setback and this modification would negligibly impact the visibility of the 7th-floor penthouse. Therefore, there would not be the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning.

The proposed action would not result in the obstruction of publicly accessible views to visual resources that are not allowed by the existing zoning of the property.

It should also be noted that LPC has approved the proposed project and the exterior design of the building as specified in a Certificate of Appropriateness issued on 06/27/13. (See Historic and Cultural Resources section above.) Although a few small design changes have been made

to the proposed project since the Certificate of Appropriateness was issued, these changes are minimal and the applicant is in the process of confirming with LPC that they are in substantial compliance with the approved drawings. One such change is an increase in the projection of the sun shade device, which projection is permitted as-of-right under the Zoning Resolution and has been found to negligibly impact the visibility of the 7th-floor penthouse.

Based on the above, an urban design assessment would not be required and the proposed action would not result in significant adverse impacts to urban design or visual resources.

12. HAZARDOUS MATERIALS

Introduction

A hazardous materials assessment is required for the proposed action per the *CEQR Technical Manual* as follows:

- Request for a discretionary approval allowing commercial or residential uses in an area currently zoned for manufacturing uses.
- Construction requiring soil disturbance in a manufacturing zone.
- Development on a vacant or underutilized site if there is a reason to suspect contamination, illegal dumping, or historic/urban fill.
- Development where underground and/or aboveground storage tanks (USTs or ASTs) are (or were) located on or near the site.

Phase I Environmental Site Assessment (ESA)

EcolSciences, Inc. has prepared a Phase I Environmental Site Assessment (ESA) dated October 31, 2012 for the property located at 42 Crosby Street and referenced as Block 483, Lot 35 in the Borough of Manhattan, City of New York, New York County, New York.

The ESA characterizes the existing environmental conditions on the subject property and assesses potential environmental concerns. The assessment was conducted in accordance with the American Society of Testing and Materials (ASTM) *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM Designation E 1527-05). Findings of the assessment are based primarily upon a site inspection conducted on October 24, 2012 and subsequent background research conducted by EcolSciences, Inc. This background research included:

- Review of available title and deed records, if available, examination of site-specific historical aerial photographs, historical fire insurance maps, if available, and review of past land use practices to characterize pre-existing conditions;
- Review of readily-available local records to document historical uses and potential environmental concerns on and in the immediate vicinity of the subject property; and

- Identification of known or suspected hazardous waste sites, permitted hazardous waste facilities, active or inactive solid waste facilities, and nearby spill sites with respect to the subject property.

Findings

The findings of EcolSciences' Phase I Environmental Site Assessment are as follows:

- *Site Description* - The 8,275 +/- square foot subject property mostly consists of a paved exposed parking lot occupied by LAZ Parking which contains 52 parking spaces and 26 hydraulic above-ground lifts. A small pay booth is also located in the parking lot portion of the property. Hardar Metal Designs occupies the 815-square foot structure located on the property and uses the tenant space for custom metal fabrication of bikes and artistic pieces. The remaining portions of the property consist of sidewalks.
- *Historical Background* - The subject property was improved with three structures used as residences and stores prior to 1894 until between 1922 and 1950 when these structures were demolished and the property was used as a parking lot. In 1955 a small structure was built and used for various commercial uses; the property was also used as a fill station at this time. In 1986 the fill station operations ceased and the property was mostly used as a parking lot, with the small structure having been converted over to an auto repair shop. These operations remained unchanged until 2006 when the auto repair shop operations ceased and Hadar Metal Designs began operations in the former repair shop building. The remaining portions of the property remained as a parking lot. Historical City Directories also indicated that a number of commercial businesses including an auto repair shop and a towing company were occupants of the site. Currently the property is occupied by LAZ Parking and Hadar Metal Designs.
- *Utilities* -The subject property is currently connected to the municipal water supply. No evidence of any potable or production wells was observed on the subject property at the time of EcolSciences' site inspection. The subject property is currently connected to the municipal sewer. No visually apparent evidence of any septic systems was observed on the subject property at the time of EcolSciences' site inspection. Consolidated Edison Company of New York (Con Ed) provides electric service to the subject property. No pole or pad-mounted transformers or emergency generation systems were observed on the subject property. The pay booth is heated by an electric heater and the metal shop is heated by a natural gas fired heater.
- *Storage Tanks* -Review of the New York Petroleum Bulk Storage UST and AST Database list indicates that the subject property is not listed for any USTs or ASTs. No indication of any former USTs or ASTs was observed during EcolSciences' inspection; however the property was formerly used as a fill station and auto repair shop which may have used USTs as part of their operations.
- *Oil and Hazardous Materials* - Oil and hazardous materials located at the subject property consisted of a few five gallon buckets of hydraulic fluids used for 26 above-ground lifts. Surficial staining indicative of typical automobile parking was observed throughout the property on the paved parking lot under the above ground lifts, around the hydraulic pump and beneath the five gallon buckets.

- *Asbestos* - Potential asbestos containing materials observed during EcolSciences' site inspection included no friable floor tile, roofing materials and possible plaster walls. It should be noted that this Phase I Environmental Assessment does not constitute a detailed asbestos survey; it is possible that asbestos materials may be present within some areas of the property (e.g. buried and in areas hidden from view), which were not apparent and/or accessible to EcolSciences' personnel during the site inspection.
- *Regulatory Assessment* - Based on a review of applicable Federal and State databases, the subject property is not identified in the database. No adverse environmental impacts to the subject property are anticipated from these listings or the surrounding sites identified in the database review. EcolSciences reviewed the New York City Building Department and Finance Department files for the subject property through the New York City computerized public access system. There was no information concerning any tanks, spills, or environmental violations on file. In addition, requests for information were filed with the New York City Health Department and Department of Environmental Protection. At the time of report preparation, EcolSciences had not received a response from these Departments. Should pertinent information become available in the future, this information will be provided as an addendum to the ESA report.

Conclusions and Recommendations

EcolSciences has performed a Phase I Environmental Site Assessment in conformance with ASTM Practice El527-05 for a portion of the property located at 42 Crosby Street and referenced as Block 483, Lot 35 in the Borough of Manhattan, City of New York, New York County, New York.

This assessment has revealed no evidence of recognized environmental conditions in connection with the property with the exception of the following:

- Past Operations - Due to the former fill station and automotive repair operations it is possible that USTs are present on the subject property. A geophysical survey should be conducted to locate any potential buried tanks.

Given the proposed acquisition and residential use, a baseline subsurface investigation should be conducted to determine if any impacts have occurred from past operations. Areas of surficial staining should be cleaned up.

Non-Scope Considerations

EcolSciences makes the following additional recommendations outside the scope of ASTM Standard Practice El527-05:

- Potential Asbestos - Testing of potential asbestos containing materials should be conducted to identify and quantify these materials, and to ensure proper handling and disposal as part of future demolition or renovations.

Conclusion

The Phase I ESA prepared by EcolSciences, Inc. concluded that no further action is recommended for the subject site relative to hazardous materials concerns with the following exceptions.

- A geophysical survey should be conducted to locate any potential buried tanks due to the former fill station and automotive repair operations on the subject property.
- A baseline subsurface investigation should be conducted to determine if any impacts have occurred from past operations on the property.
- Areas of surficial staining should be cleaned up.
- Testing of potential asbestos containing materials in the on-site structure should be conducted to identify and quantify these materials, and to ensure proper handling and disposal as part of future demolition or renovations.

NYC Department of Environmental Protection Review

The NYC Department of Environmental Protection (DEP) issued a letter to DCP dated December 19, 2013 (see Hazardous Materials Appendix) in which it included the following comments and recommendations to DCP based on its review of the Phase I ESA and the November 2013 submitted EAS.

- A Phase II Environmental Site Assessment is necessary. A Phase II Investigative Protocol/Work Plan should be submitted to DEP for review and approval. Soil and groundwater samples should be collected and analyzed by a NYS Department of Health certified laboratory for the presence of volatile and semi-volatile organic compounds, pesticides, PCBs, Target Analyte List metals, and soil vapor samples. An Investigative Health and Safety Plan (HASP) should be submitted to DEP for review and approval.
- A geophysical survey should be conducted to locate any potential Underground Storage Tanks (USTs). USTs must be properly closed/removed in accordance with applicable NYSDEC regulations.
- Any suspected ACM present in the on-site structure should be properly removed and/or managed prior to the start of the renovation/construction activities and disposed of in accordance with all federal, state, and local regulations.
- A Phase II Work Plan and HASP should be submitted to DEP for review and approval prior to the start of any fieldwork.

Asbestos Abatement

As related to the approximately 814 square foot vacant former vehicle service building located on the project site, the Applicant submitted an Asbestos Project Notification Form (ACP 7) to DEP and obtained a work permit for a licensed asbestos contractor to proceed with the required abatement work. After the abatement work was performed, an independent air monitor submitted an air monitoring report (Form ACP 15) to DEP, which allowed DEP to issue its Asbestos Project Completion Form (ACP 21) for the project. The ACP 21 Form was presented to the NYC Department of Buildings (DOB) in order to obtain a demolition permit for the building which was issued on June 5, 2014.

(E) Designation

Based on the evidence of recognized environmental conditions presented above and DEP's December 19, 2013 letter to DCP, Phase II testing of the site would be required. The applicant has stated that conducting subsurface testing at the present time would prevent the currently active parking facility from continuing operations. Therefore, an (E) designation is proposed to be placed on the property to ensure that testing for and mitigation and/or remediation of any hazardous materials contamination of the property be completed prior to, or as part of, future development of the site.

To avoid any potential impacts on Block 483, Lot 35 associated with hazardous materials, the proposed action will place an (E) designation (E-331) for hazardous materials on the property.

The text of the (E) designation is as follows:

- **Task 1: Sampling Protocol**
    - **Prior to construction, the Applicant submits to OER, for review and approval, a Phase II Investigation Protocol/Work Plan, including a description of methods and a site map with all sampling locations clearly and precisely represented.**
    - **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, the specific source of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the 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 the test results, a proposed remedial action 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 to OER that the work has been satisfactorily completed.**
    - **An OER-approved construction health and safety plan would be implemented during excavation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.**

With the placement of the (E) designation on the projected development site, no significant hazardous materials impacts would be expected as the result of the proposed action. The

Applicant is currently in the process of coordinating the required remediation efforts with OER. All future subsurface disturbance on the project site will be coordinated with the OER.

Therefore, there is no potential for the proposed action to result in significant adverse impacts related to hazardous materials.

17. AIR QUALITY

Introduction

Under *CEQR*, two potential types of air quality impacts are examined. These are mobile and stationary source impacts. Potential mobile source impacts are those which could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide (CO). Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as major industrial processes or heat and hot water boilers of major buildings in close proximity to the proposed project. Both the potential impacts of buildings surrounding the proposed project and potential impacts of the proposed project on surrounding buildings are considered in this assessment. Odors resulting from the operation of a proposed development or affecting a project are also discussed in the assessment, if relevant.

Mobile Source

Under guidelines contained in the 2014 *CEQR Technical Manual*, and in this area of New York City, projects generating fewer than 170 additional vehicular trips in any given hour are considered as highly unlikely to result in significant mobile source impacts, and do not warrant detailed mobile source air quality studies. Based on *CEQR Technical Manual* criteria, the proposed development of a maximum of 15 residential dwelling units and 3,757 square feet of retail space is expected to generate no more than 10 new vehicular trips during any peak hour, so it may be concluded that no significant mobile source impacts would be generated by the project.

No significant adverse mobile source air quality impacts would be generated by the project.

Stationary Source

A stationary source analysis is required for the proposed action as further discussed below.

A screening analysis was performed, using the methodology described in the *CEQR Technical Manual*, to determine if the heat and hot water system of the proposed building would result in potential air quality impacts to any other buildings in the surrounding area. This methodology determines the threshold of development size below which the action would not have a significant impact. The results of this analysis found that there would be no significant air quality impacts from the project's heating, ventilation, and air conditioning (HVAC) systems.

Impacts from boiler emissions associated with a development are a function of fuel type, stack height, minimum distance of the stack on the source building to the closest building of similar or greater height, and the square footage size of the source building. The *CEQR Technical Manual* Figure 17-3, Stationary Source Screen, was used for the analysis.

The closest building of similar or greater height than the proposed 7-story, 52,395 gsf building is an existing 6-story, 114-foot tall mixed-use (residential and retail) building located north of the project site along Crosby Street. The address of this building is 56 Crosby Street (Block 483, Lot 7502) and it is located approximately 146 feet from the project site at its closest point.

As shown on the Site Plan, Drawing 03 included in the Air Quality Appendix, the exhaust emissions stack on the proposed building would be located approximately 50 feet from the northern property line of the project site. Adding 50 feet to the 146-foot distance between the northerly property line of the site and the southerly property line of 56 Crosby Street results in a distance of 196 feet from the proposed stack to the existing building. However, in order to provide a conservative assessment, it is assumed that the proposed exhaust emissions stack could be located at the edge of the new building at a distance of only 146 feet from 56 Crosby Street. As shown on Figure 17-3 included in the Air Quality Appendix, and based on a separation distance of 146 feet, the plotted point is below the curve, and therefore, no stationary source impacts would be generated by the proposed building on the existing building.

Therefore, the potential for significant adverse impacts due to boiler stack emissions from the proposed project is unlikely, and a detailed analysis of stationary source impacts is not required.

Industrial Source Analysis

Table 17-1 below presents a list of all parcels identified as manufacturing uses on the Land Use map attached to this EAS. The use information on the Land Use map was obtained from the PLUTO database compiled by the NYC Department of City Planning. The following information is provided for each of the properties listed on Table 17-2:

- Block and lot
- Street address
- Use shown on the most recent NYC Department of Buildings Certificate of Occupancy (C of O) or other records if C of O information was not available
- Current use based on Property Shark website records and photographs. Storage uses are likely to be JLWQA based on cross referenced C of O data.

A review of Table 17-1 indicates that there are no active manufacturing facilities located within 400 feet of the site. In addition, the project site is not located near any medical, chemical, or research labs. Therefore, there are no industrial source or other emissions of concern in the surrounding area that would impact the subject property.

Odors

The proposed development would not generate any odors. In addition, there are no uses in the vicinity of the site that would typically generate odors that would affect the project, and no odors were detected during field visits to the area.

Conclusion

The proposed project would not create any significant adverse mobile or stationary source air quality impacts relative to the surrounding area. There are no industrial source emissions in the surrounding area that would impact the subject property. The proposed sensitive residential receptor to be developed as part of the proposed project would not experience any significant

adverse air quality impacts from existing development in the surrounding area.

Table 17-1
Current Use of Properties Shown as Manufacturing on DCP PLUTO Database Within 400-Foot Radius of 42 Crosby Street

Block/Lot	Address	Most Recent CO Use	Current Use
473/15	435 Broome Street	No CO available	Retail, Office, Storage
473/16	433 Broome Street	1982-Wholesale, Artist Studios, JLWQA	Retail, Storage
473/18	429 Broome Street	2011-Physical Culture Establishment, JLWQA	Retail, Storage
473/7505	419 Broome Street	2006-Retail, Artist Studio, JLWQA	Retail, Residential
473/42	182 Lafayette Street	2009-Office, JLWQA	Retail, Storage
473/43	180 Lafayette Street	2004-Retail, JLWQA	Retail, Residential
474/32	481 Broadway	1991-Commercial store, Offices	Retail, Storage
482/8	55 Crosby Street	2011-JLWQA	Storage
482/30	214 Lafayette Street	2010-JLWQA	Storage
482/37	416 Broome Street	2013-Showroom, Business	Retail, Storage
482/44	430 Broome Street	No CO available; records indicate floors 2 thru 5 converted to JLWQA in 2007; grd flr restaurant	Retail, Storage
483/5	498 Broadway	2010-Stores, Offices, JLWQA	Retail, Office, Other (likely JLWQA)
483/14	518 Broadway	No CO available; 1994 records show store on 1st flr	Retail, Office
484/12	521 Broadway	No CO available; 2003 approval to add 2 office floors to building	Retail, Storage
484/23	499 Broadway	2009-Retail, JLWQA	Retail, Storage
484/28	489 Broadway	1996-Retail, Restaurant, JLWQA	Retail, Residential

19. NOISE

Introduction

Two types of potential noise impacts are considered under CEQR. These are potential mobile source and stationary source noise impacts. Mobile source impacts are those which could result from a proposed project adding a substantial amount of traffic to an area. Potential stationary source noise impacts are considered when a proposed action would cause a stationary noise source to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor, if the project would include unenclosed mechanical equipment for building ventilation purposes, or if the project would introduce receptors into an area with high ambient noise levels. The 2014 *CEQR Technical Manual* requires an assessment of a proposed project's potential

effects on sensitive noise receptors, including in this instance, the effects on the interior noise levels of residential uses in the subject building.

Mobile Source

Relative to mobile source impacts, a noise analysis would only be required if a proposed project would at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) is located. Residential and JLWQA uses are located along streets providing vehicular access to the project site including Broome and Crosby Streets, and these streets would therefore be of concern relative to mobile source noise impacts. In addition, the proposed residential dwelling units in the project would be a sensitive use relative to noise impacts.

A detailed mobile source analysis is typically conducted when PCE values are at least doubled between the no-build and the action conditions during the worst case expected hour at receptors most likely to be affected by the proposed action. The subject property is located at the intersection of Crosby Street, which is moderately trafficked, and Broome Street, which is heavily trafficked. PCE values on the streets surrounding the subject property or other area roadways would not be doubled due to the addition of a maximum of 15 dwelling units and 3,757 square feet of retail space, and a detailed mobile source analysis is therefore not warranted.

No significant adverse mobile source noise impacts would be generated by the project.

Stationary Source

Potential Impacts of Proposed Project on Surrounding Development

The proposed project would not include any unenclosed mechanical equipment for building ventilation purposes, and would not include any active outdoor recreational space that could result in stationary source noise impacts to the surrounding area. All mechanical equipment would be located either inside the building or would be enclosed on the roof of the structure.

Therefore, the proposed project would not result in potential stationary source noise impacts to any other buildings in the vicinity of the project site.

Potential Impacts of Surrounding Development on the Proposed Project

The project's residential dwelling units would be considered to be a noise sensitive use which could potentially be adversely affected by existing ambient noise in the surrounding area. Existing noise level readings were taken by AKRF, Inc. on 11 separate days between May 22, 2010 and May 10, 2012 as part of the Hudson Square Rezoning EIS. Receptor Location 13 on the Avenue of the Americas between Broome and Watts Streets is considered to be comparable to that of the subject project site. Vehicular traffic was the dominant source of noise at the receptor site. (See excerpted portion of the EIS in the Noise Appendix.)

The highest recorded L_{10} at the receptor location was 76.7 dBA during the morning peak traffic volume period. Based on the City's Noise Exposure Guidelines contained in Table 19-2 of the Noise chapter of the 2014 *CEQR Technical Manual,* the maximum noise level reading of 76.7 dBA puts the site and the predominantly residential project into the Marginally Unacceptable General External Exposure category ($70 < L10 \leq 80$ dBA). As this noise level would exceed the marginally acceptable levels, a significant impact would occur unless the building design as

proposed provides a composite building attenuation that would be sufficient to reduce these levels to an acceptable interior noise level of 45 dBA.

As indicated in Table 19-3 of the Noise chapter of the *Manual,* for Marginally Unacceptable noise levels of 76 < L10 ≤78, a window wall attenuation of 33 dBA would be required as part of the project in order to avoid potentially adverse impacts to building residents from traffic noise on the surrounding streets. Therefore, all exterior doors, windows, and walls would be provided with a minimum of 33 dBA of sound attenuation. Air conditioning would also be provided in all residential units as an alternate means of ventilation in order to allow a closed window condition.

(E) Designation

To avoid any potential impacts associated with noise on Block 483, Lot 35, the proposed action will place an (E) designation (E-331) for noise on the property.

The text of the (E) designation is as follows:

> **In order to ensure an acceptable interior noise environment, future residential and commercial uses must provide a closed window condition with a minimum of 33 dBA window/wall attenuation in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**

With the implementation of the (E) designation, no significant adverse impacts related to noise would occur.

Therefore, the action would not result in any potentially significant adverse stationary or mobile source noise impacts, and further assessment is not warranted.

Conclusion

The proposed project would not create any stationary source noise impacts in the surrounding area. In addition, 33 dBA of window/wall attenuation would be provided as part of the project in order to avoid potentially adverse impacts to building residents from traffic noise on the surrounding streets. Air conditioning would also be provided in all residential dwelling units as an alternate means of ventilation in order to allow a closed window condition.

No mobile source or stationary source noise impacts would result from the proposed action.

22. CONSTRUCTION

Based on *CEQR Technical Manual* guidelines, where the duration of construction is expected to be short-term (less than two years), any impacts resulting from construction generally do not require detailed assessment. Construction of the proposed project is expected to be completed within 18-20 months. Nevertheless, a preliminary screening of construction impacts resulting from the project is recommended because the proposed action could result in construction activities that may require the closing, narrowing, or otherwise impeding of traffic, transit or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.) along

streets bordering the site (Crosby and Broome Streets). In addition, construction activities on the site would be occurring within 400 feet of historic and cultural resources, as identified in the Historic and Cultural Resources section above.

The project site is located along Crosby and Broome Streets, and during construction the sidewalks along these streets adjacent to the site may need to be closed at times in order to accommodate construction vehicles, equipment, and supplies. If sidewalk closure is necessary, Jersey barriers would be erected and a covered pedestrian walkway would be created to accommodate pedestrian traffic around the property. This closure would be considered to be a routine closure that would be addressed by a permit (and pedestrian access plan) to be issued by the NYC Department of Transportation (DOT) Office of Construction Mitigation and Coordination (OCMC) at the time of closure so that impacts are not expected to occur.

On-street parking is not permitted adjacent to the property during the hours that most construction would occur (weekdays between 8AM and 6PM) and therefore no on-street parking would be removed to accommodate construction activities. In addition, it is not anticipated that vehicle moving lanes adjacent to the site along either Crosby or Broome Streets would need to be closed during construction. An analysis of transportation impacts from construction of the project is not required as most construction traffic would take place outside of the AM and PM traffic peak hours in the vicinity of the site. In addition, the construction peak would generate fewer vehicle trips than the operational project peak and, as discussed above, the project has been determined not to produce the potential for significant adverse traffic impacts.

The *CEQR Technical Manual* indicates that construction impacts may occur to historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby resources. A construction assessment may be needed for historic and cultural resources if the project involves construction activities within 400 feet of a historic resource. LPC-approved construction procedures would be followed to protect historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration. Therefore, no adverse construction impacts would occur to any historic resources within 400 feet of the project site.

On the basis of the above analysis, the proposed action would not have any potentially significant adverse construction impacts, and further analysis would not be warranted.

APPENDIX

FIGURES & PHOTOGRAPHS

42 Crosby Street Special Permits

List of Figures and Drawings

42 Crosby Street, Manhattan

Tax Map

Legend

(#) - Lot Numbers

- Block Numbers

..... - 400 Foot Radius

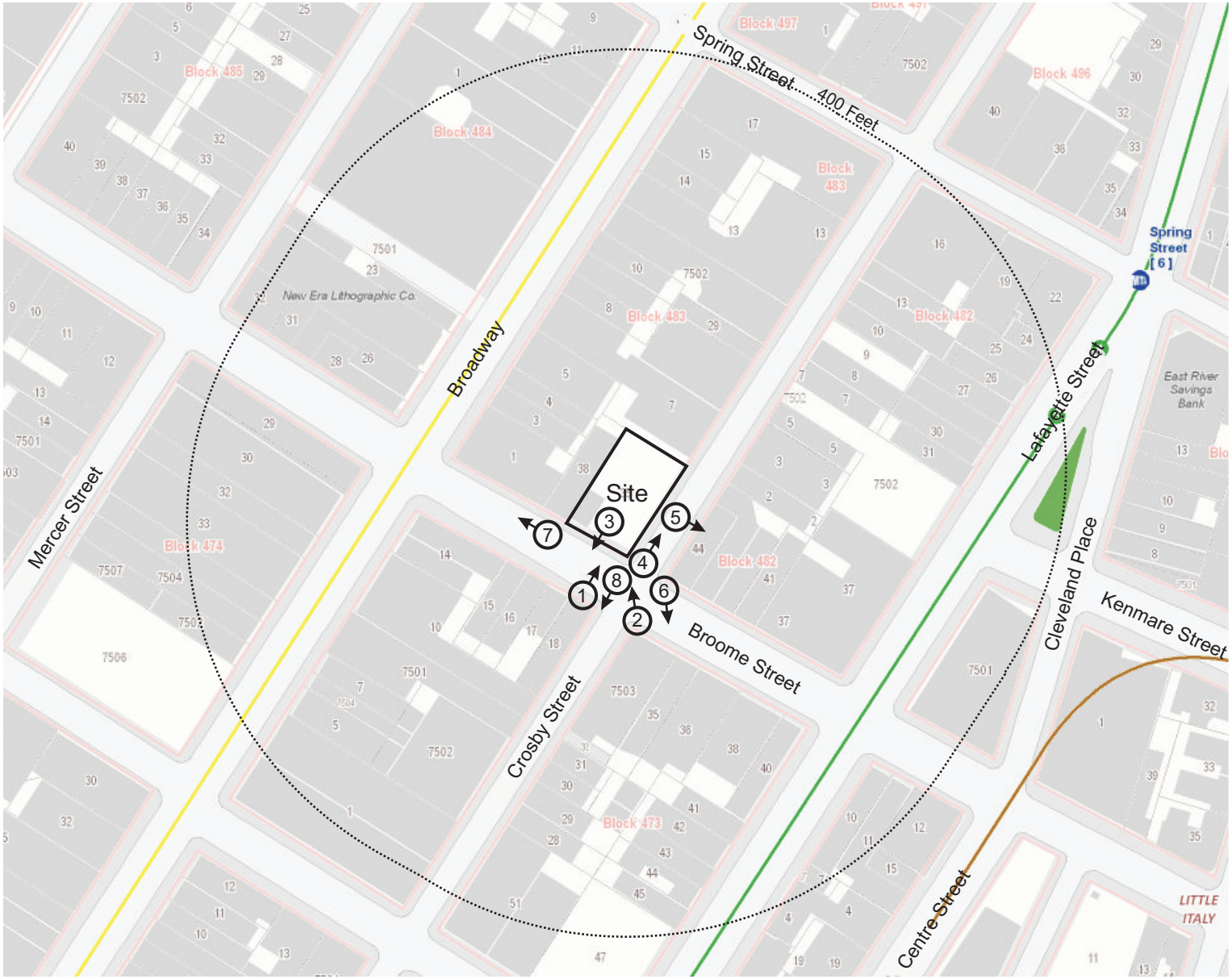
North

Scale: 1” = 100’

0 20 50 100

42 Crosby Street, Manhattan

Site Location Map



North

(#) - Photo Viewpoints


PARK
PARK
DK HARDWARE
212-925-0375
432
BROOME
BROOME ST
ONE WAY


PARK
PARK
• Bloomingdales • Canal Street Shopping
• Chinatown • Centre St. Courthouse
• Little Italy • Balthazar
1-888-WE-PARK-U
ONE WAY
ONE WAY
NO TURN ON RED
PROSPECT ST
PARK
PARK
PARK
OK HARDWARE
212-925-0315
432 BROOME


BROOME ST

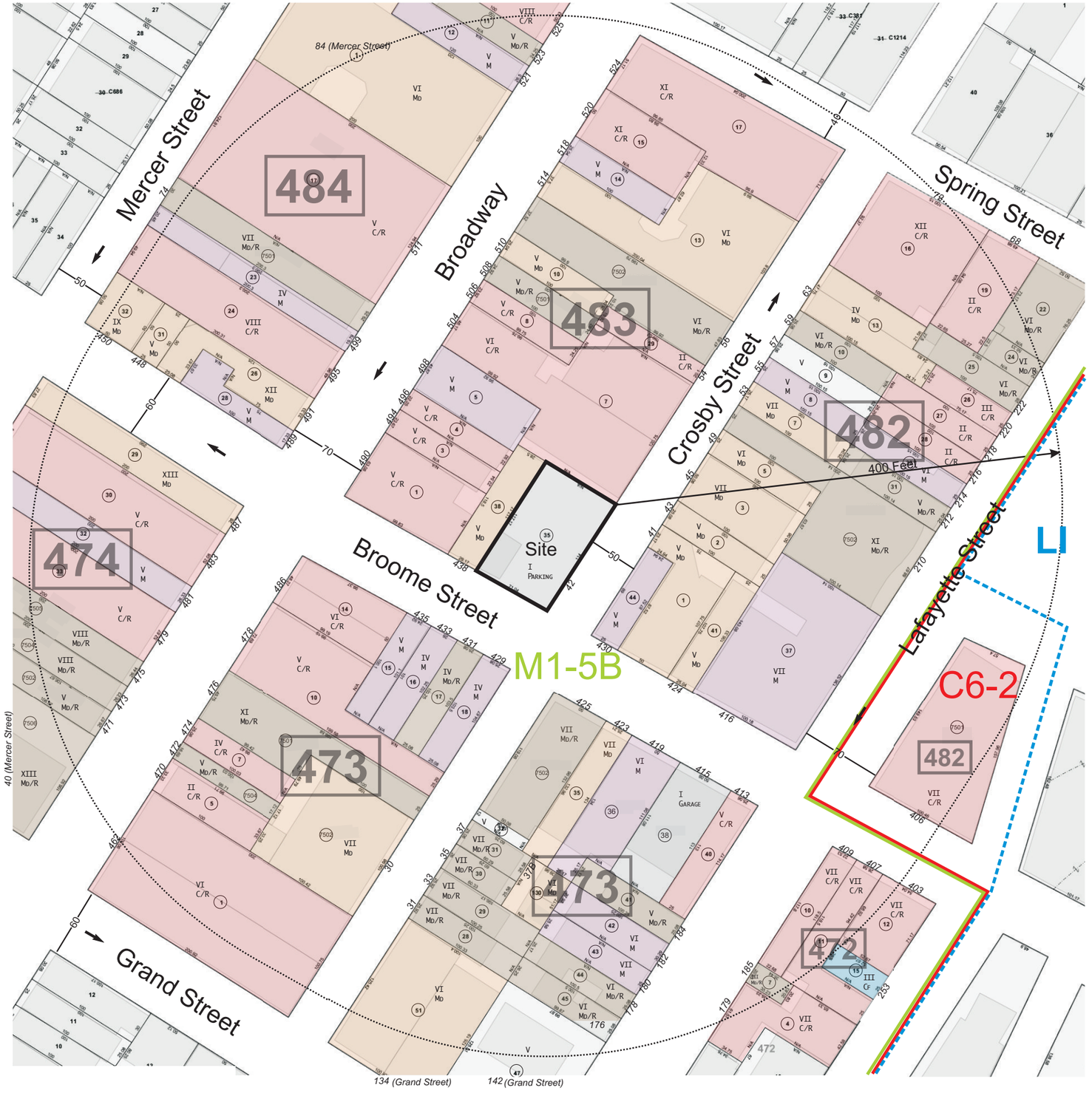

PARK
PARK
NYC
Get More NYC
NYC GO.COM
American Airlines


PARK
OK HARDWARE
212-925-0375
NO PARKING


YORK SPA

42 Crosby Street, Manhattan

Block 483, Lot 35
Zoning Map: 12c
Site - M1-5B



Land Uses

- One and Two-Family Homes
- Multiple Dwelling
- Commercial
- Mixed Use (Residential-Commercial)
- Manufacturing
- Open Space / Park Land
- Institutional / Community Facility
- Parking / Automotive

Legend

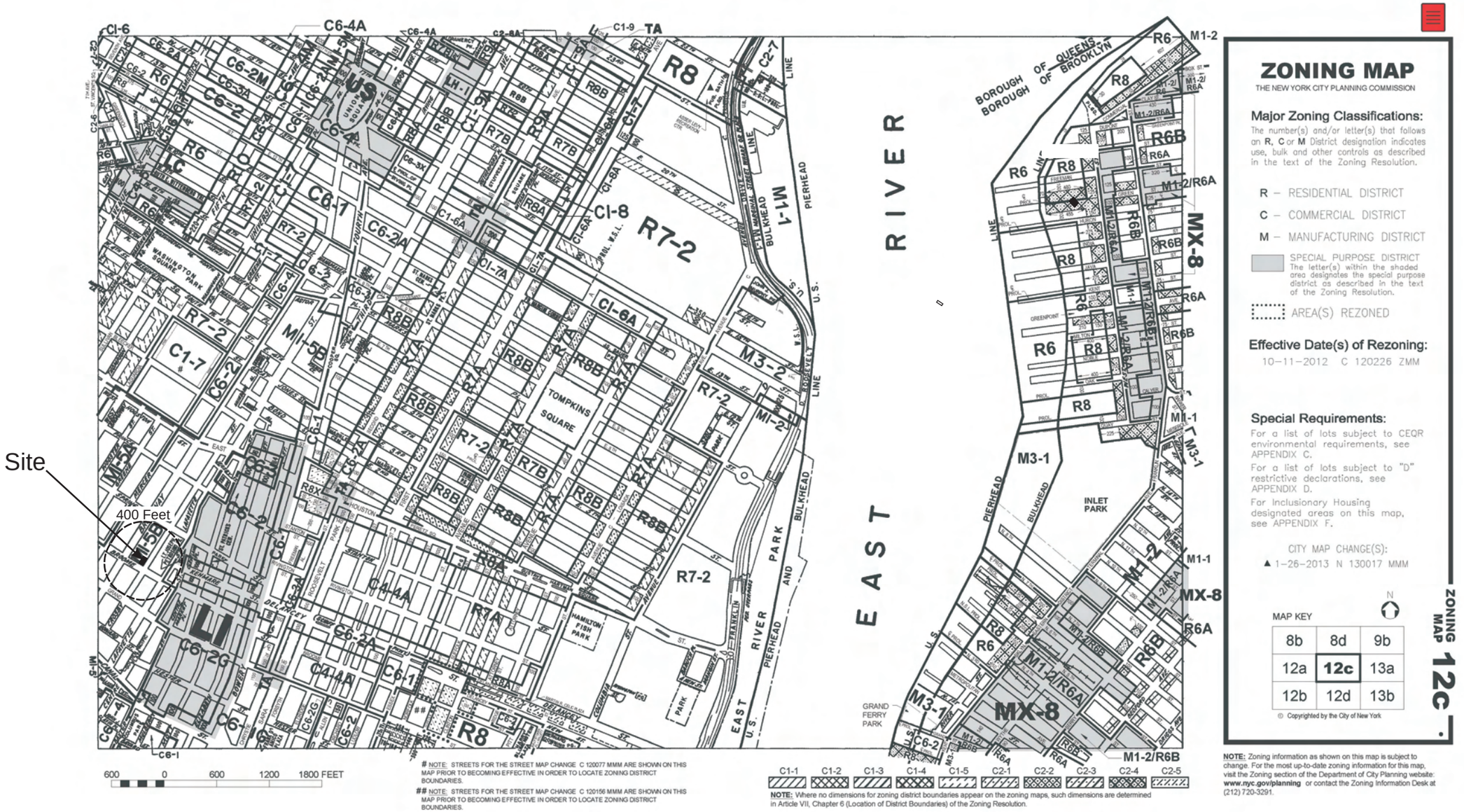
- (#) - Lot Numbers (within radius)
- ### - Block Numbers
- I, II, III - Story Height
- MD - Multiple Dwelling
- D - Dwelling
- R - Retail
- G - Garage
- C - Commercial
- I - Industrial
- M - Manufacturing
- W - Warehouse
- V - Vacant
- CF - Community Facility

North

Scale: 1” = 100’

0 20 50 100

42 Crosby Street, Manhattan



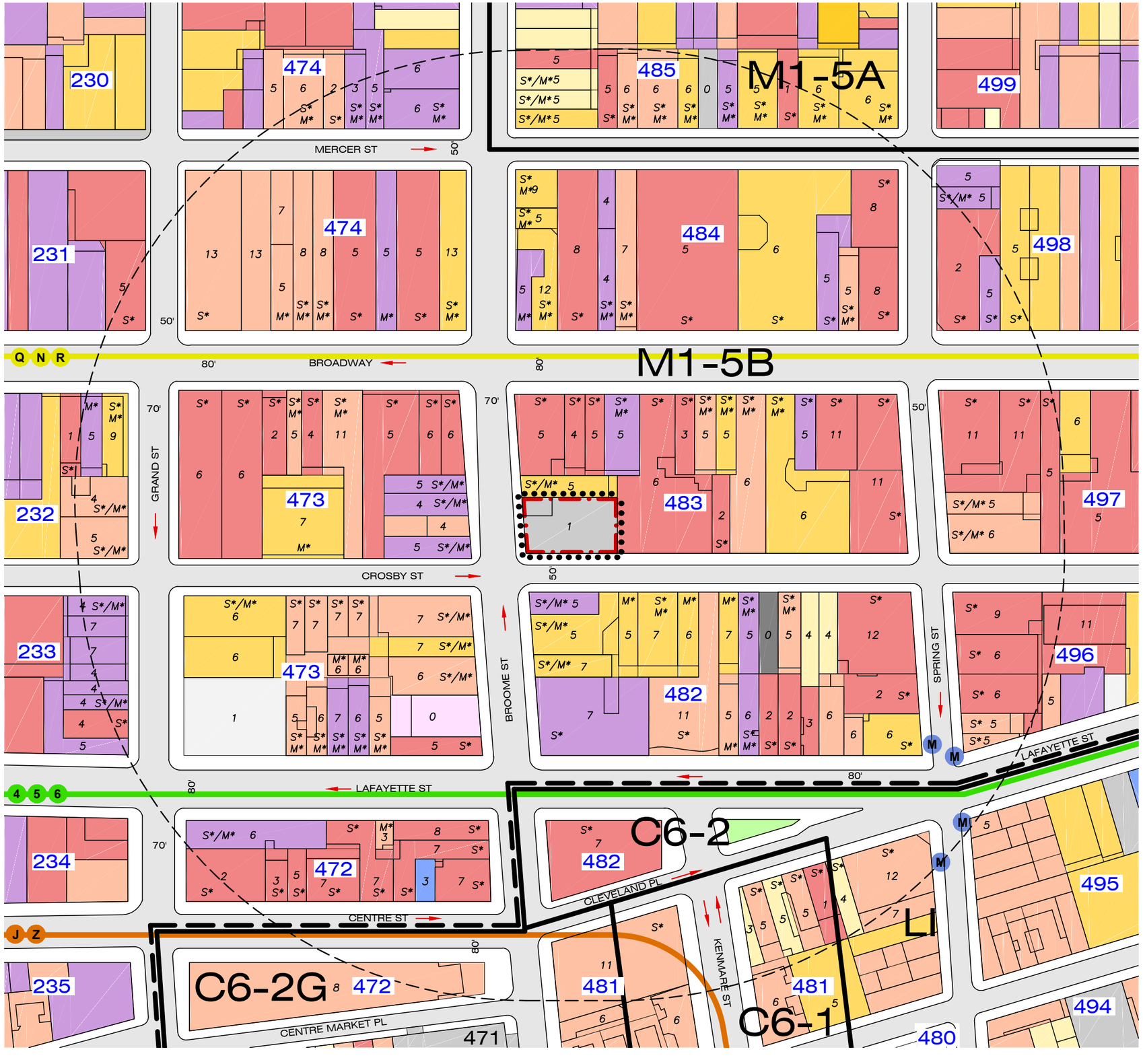
NOTE: STREETS FOR THE STREET MAP CHANGE C 120077 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

NOTE: STREETS FOR THE STREET MAP CHANGE C 120156 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

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

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

Architectural Plans



AREA MAP

42 CROSBY STREET
BOROUGH: MANHATTAN
BLOCK: 483 LOT: 35

LEGEND

PROJECT

- PROJECT AREA
- DEVELOPMENT ZONING LOT
- 600-FOOT RADIUS
- 485 TAX BLOCK NO.
- M SUBWAY ENTRANCE

ZONING

- EXISTING ZONING DISTRICT BOUNDARY
- ZONING SPECIAL DISTRICT BOUNDARY

M* JLWQA

S* GROUND FLOOR U.G. 6

LAND USE

- 1-2 FAMILY RESIDENTIAL
- MULTIFAMILY WALKUP
- MULTIFAMILY ELEVATOR
- MIXED COMMERCIAL / RESIDENTIAL
- COMMERCIAL & OFFICE
- INDUSTRIAL & MANUFACTURING
- TRANSPORTATION & UTILITY
- PUBLIC FACILTIES & INSTITUTIONS
- OPEN SPACE
- PARKING
- VACANT/NO DATA

0 50 100 200 300 Feet

N

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10/29/13
11/18/13

STATE OF NEW YORK
NORMAN R. COX
No. 016362-1
REGISTERED ARCHITECT

42 CROSBY STREET

Date: 8/26/13
Scale: NTS

AREA MAP

01

ADDRESS: 42 CROSBY STREET
BLOCK: 483 LOT: 35
ZONE: M1–5B MAP: 12C
COMMUNITY DISTRICT: 102
LANDMARK DISTRICT: SOHO CAST IRON
LOT AREA = 8,274 SF

ZONING SECTION	ITEM	REQUIRED / PERMITTED	PROPOSED	COMPLIANT
42–00	USE	USE GROUPS 4B, 4C, 5, 6A, 6B, 7, 8, 9B, 9C, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, 16, 17 OR 18, INCLUDING EACH USE LISTED SEPARATELY THEREIN, AND CERTAIN USES LISTED IN USE GROUPS 3A, 4A, 6C, 9A, 10A OR 12B ARE PERMITTED IN MANUFACTURING DISTRICTS	RESIDENTIAL U.G. 2	NO REQUIRES CPC SPECIAL PERMIT PURSUANT TO 74–712 (a)
42–14 D(2)(b)		ONLY USES LISTED IN USE GROUPS 7, 9, 11, 16, 17A,17B, 17C OR 17E SHALL BE ALLOWED BELOW THE FLOOR LEVEL OF THE SECOND STORY	COMMERCIAL U.G. 6	NO REQUIRES CPC SPECIAL PERMIT PURSUANT TO 74–712 (a)
43–12	BULK	MAX. ALLOWABLE FAR = 5.00 8,274 SF LOT AREA X 5.00 FAR = 41,370 SF	41,350 SF BUILDING AREA	YES
13–11	PARKING	MAXIMUM NUMBER OF OFF–STREET PARKING SPACES NOT TO EXCEED 20% OF NUMBER OF DWELLING UNITS 10 DU X .20 = 2 PARKING SPACES PERMITTED	10 PARKING SPACES PROPOSED	NO REQUIRES CPC SPECIAL PERMIT PURSUANT TO 13–45 & 13–451
13–241		ENTRANCE TO PARKING MINIMUM 50' FROM CORNER	ENTRANCE TO PARKING = 99'–6" FROM CORNER	YES
13–25(d)		FOR SELF–PARKING ACCESSORY OFF–STREET PARKING FACILITIES AND PUBLIC PARKING LOTS WHERE ENTERING VEHICLES ARE REQUIRED TO STOP BEFORE A MECHANICALLY–OPERATED BARRIER BEFORE ENTERING SUCH PARKING FACILITY, SUCH BARRIER SHALL BE PLACED A MINIMUM OF 20 FEET BEYOND THE STREET LINE.	MECHANICALLY OPERATED GATE IS LOCATED 23.19' FROM STREET LINE	YES
13–27(d)		THE GROSS SURFACE AREA, IN SQUARE FEET OF THE PARKING ZONE OF A SELF–PARKING ACCESSORY OFF–STREET PARKING FACILITY SHALL BE A MINIMUM OF 300 TIMES THE NUMBER OF OFF–STREET PARKING SPACES PROVIDED AND A MAXIMUM OF 350 TIMES THE NUMBER OF OFF–STREET PARKING SPACES PROVIDED. MINIMUM AREA OF PARKING ZONE: 300 SF X 10 SPACES = 3,000 SF MAXIMUM AREA OF PARKING ZONE 350 SF X 10 SPACES = 3,500 SF	PROPOSED PARKING ZONE: 3,218 SF	YES
23–861	MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES	MINIMUM DISTANCE BETWEEN LEGALLY REQUIRED WINDOW AND LOT LINE = 30'.	DISTANCE FROM LEGALLY REQUIRED WINDOWS LOCATED ON INNER COURT TO NORTH LOT LINE = 33.18' DISTANCE FROM LEGALLY REQUIRED WINDOWS LOCATED ON INNER COURT TO WEST LOT LINE = 44.70'	YES
23–851	COURTS	MINIMUM INNER COURT DIMENSIONS: 1,200 SF AREA WITH A LEAST DIMENSION OF 30'	PROPOSED INNER COURT DIMENSIONS = 33.18 X 44.7 PROPOSED INNER COURT AREA = 1,483 SF	YES
43–02 26–41	BULK	STREET TREES REQUIRED AT THE RATE OF 1 STREET TREE FOR EACH 25' OF FRONTAGE. TOTAL FRONTAGE = 185 FEET 185/25 = 7.4 TREES	7 TREES PROPOSED: 4 ON SITE, 3 OFF SITE DUE TO SITE CONSTRAINTS	YES
43–25	YARDS	NO SIDE YARDS REQUIRED.	NO SIDE YARDS PROPOSED.	YES
43–261		FOR CORNER LOTS, BEYOND 100 FEET FROM STREET LINE, SIDE LOT LINE IS CONSIDERED A 'REAR' LOT LINE. WHERE IT COINCIDES WITH A REAR LOT LINE OF AN ADJACENT LOT, A 'REAR' YARD OF 20' SHALL BE PROVIDED.	THERE ARE NO ADJACENT REAR LOT LINES. NO REAR YARD PROPOSED	YES

ZONING SECTION	ITEM	REQUIRED / PERMITTED	PROPOSED	COMPLIANT
43–42 (a)	HEIGHT & SETBACK	WHEN LOCATED ON THE FIRST STORY ABOVE A SETBACK, AWNINGS AND OTHER SUN CONTROL DEVICES SHALL BE LIMITED TO A PROJECTION OF 50% OF THE REQUIRED SETBACK AND SHALL BE LIMITED IN TOTAL TO 50% OF THE WIDTH OF THE BUILDING WALL FROM WHICH THEY PROJECT REQUIRED SETBACK = 20' ALLOWABLE PROJECTION = 20' X .5 = 10'	PROPOSED PROJECTION OF SUN CONTROL DEVICES: 4'–6"	YES
		WIDTH OF EAST WALL = 61'–11¼" ALLOWABLE WIDTH = 61'–11¼" x .5 = 30'–11⅝"	PROPOSED WIDTH AT EAST WALL: 70–11¼"	NO REQUIRES CPC SPECIAL PERMIT PURSUANT TO 74–712(B)
		WIDTH OF SOUTH WALL = 46'–5½" ALLOWABLE WIDTH = 46'–5½" x .5 = 23'–2¾"	PROPOSED WIDTH AT SOUTH WALL: 55'–5½"	NO REQUIRES CPC SPECIAL PERMIT PURSUANT TO 74–712(B)
43–42 (a)(2)	HEIGHT AND SETBACK	SUN CONTROL DEVICES WITH SOLID SURFACE AREA NOT TO EXCEED 30% OF THE BUILDING WALL FROM WHICH THEY PROJECT AREA OF BUILDING WALL = 1,556 SF 1,556 x .30 = 465 SF PERMITTED	AREA OF SUN CONTROL DEVICES = 239 SF	YES
43–43		MAXIMUM HEIGHT OF FRONT WALL: 85' OR 6 STORIES	FRONT WALL = 6 STORIES, 82'–2 5/8" HEIGHT	YES
		INITIAL SETBACK: 20' ON NARROW STREET 15' ON WIDE STREET	PROPOSED SETBACK AT 7TH FLOOR: 20' FROM EACH STREET	YES
		SKY EXPOSURE PLANE: 2.7 TO 1 ON NARROW STREET 5.6 TO 1 ON WIDE STREET		YES
44–60 36–711	BICYCLE PARKING	BICYCLE PARKING: BICYCLE PARKING REQUIREMENTS WAIVED FOR BUILDINGS CONTAINING 10 DWELLING UNITS OR LESS	PROPOSED BUILDING HAS 10 DWELLING UNITS – NO SPACES PROPOSED	YES

FLOOR AREA SUMMARY

FLOOR	RESIDENTIAL (SF)	ACCESSORY RESIDENTIAL (SF)	COMMERCIAL (SF)	COMMUNITY FACILITY (SF)	TOTAL (SF)	COMMENTS
CELLAR	0	6,685	0	0	6,685	6,685 SF NOT INCLUDED IN ZONING FLOOR AREA (ZFA)
1	2,185	1,009	3,836	0	7,030	1,009 SF ACCESSORY RESIDENTIAL GARAGE SPACE NOT INCLUDED IN ZFA
2	6,542	0	0	0	6,542	
3	6,492	0	0	0	6,492	
4	6,492	0	0	0	6,492	
5	6,492	0	0	0	6,492	
6	6,441	0	0	0	6,441	
7	2,870	0	0	0	2,870	
TOTAL	37,514	7,694	3,836	0	49,044	ZFA = 41,350 SF

AVERAGE CURB ELEVATION
CURB HEIGHT CALCULATION:

CROSBY STREET AVERAGE TC ELEVATION:
(26.92+27.22+27.32)/3 = 27.15

BROOME STREET AVERAGE TC ELEVATION:
(25.84+26.41+26.98)/3 = 26.41

AVERAGE ELEVATION:
(27.15+26.41)/2 = 26.78

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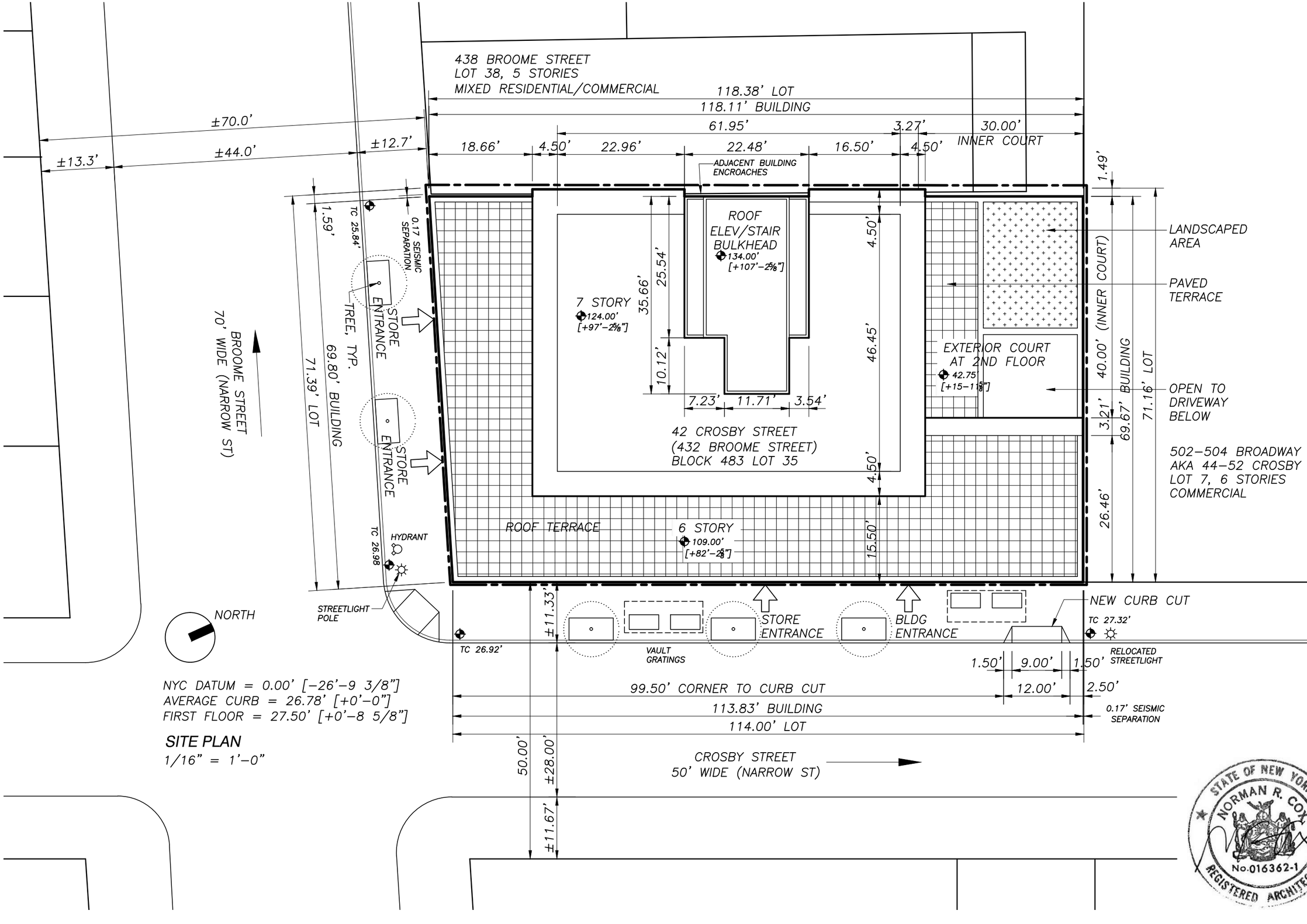
11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 3/32" = 1'–0"

ZONING ANALYSIS



NYC DATUM = 0.00' [-26'-9 3/8"]
AVERAGE CURB = 26.78' [+0'-0"]
FIRST FLOOR = 27.50' [+0'-8 5/8"]

SITE PLAN
1/16" = 1'-0"

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Scale: 1/16" = 1'-0"

SITE PLAN

03

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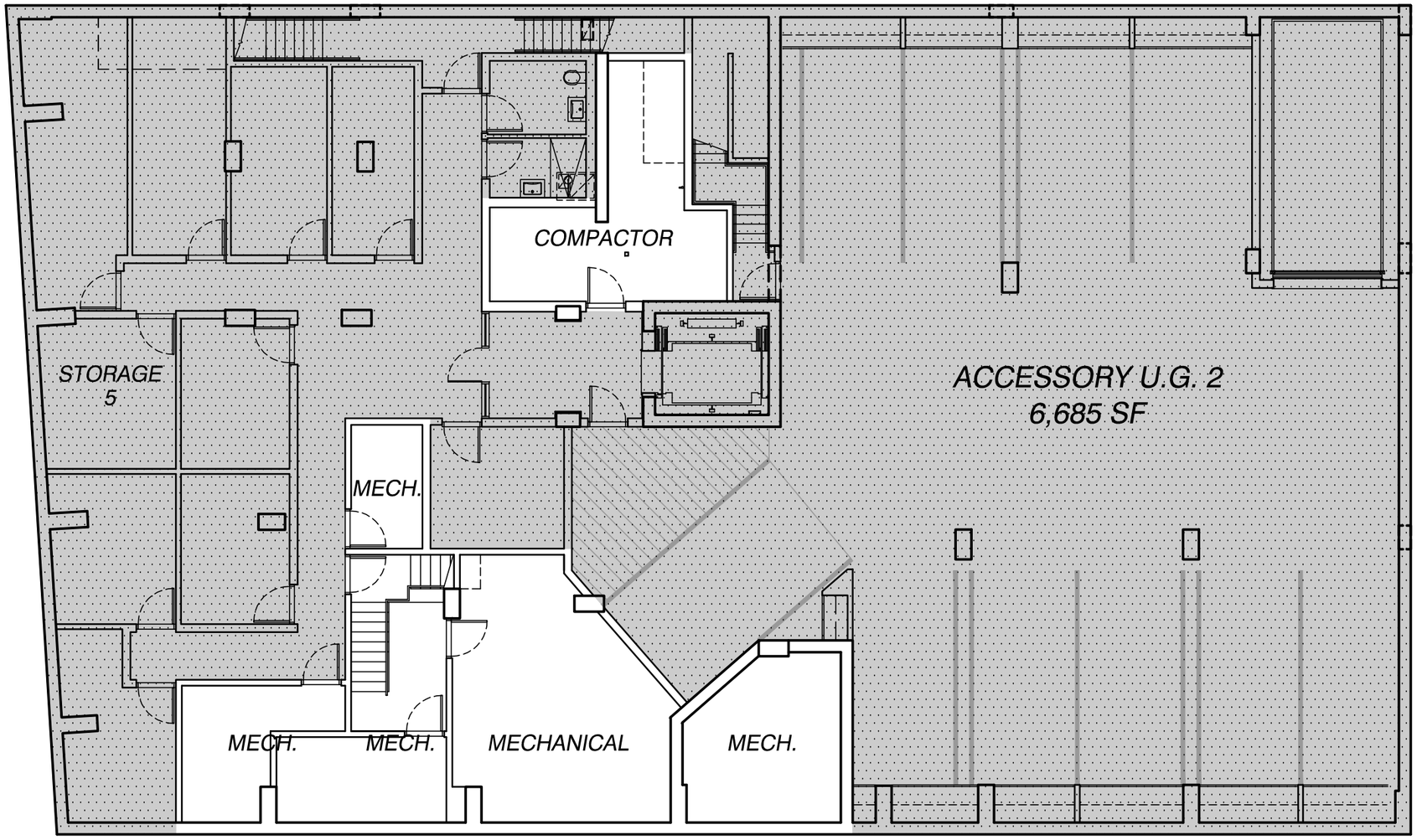
No.016362-1
REGISTERED ARCHITECT



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CELLAR PLAN

3/32" = 1'–0"

LEGEND

PROPOSED ACCESSORY U.G. 2
SUBJECT TO SPECIAL PERMIT PURSUANT TO
74–712(a)

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE
PURPOSES: SUBJECT TO CHANGE

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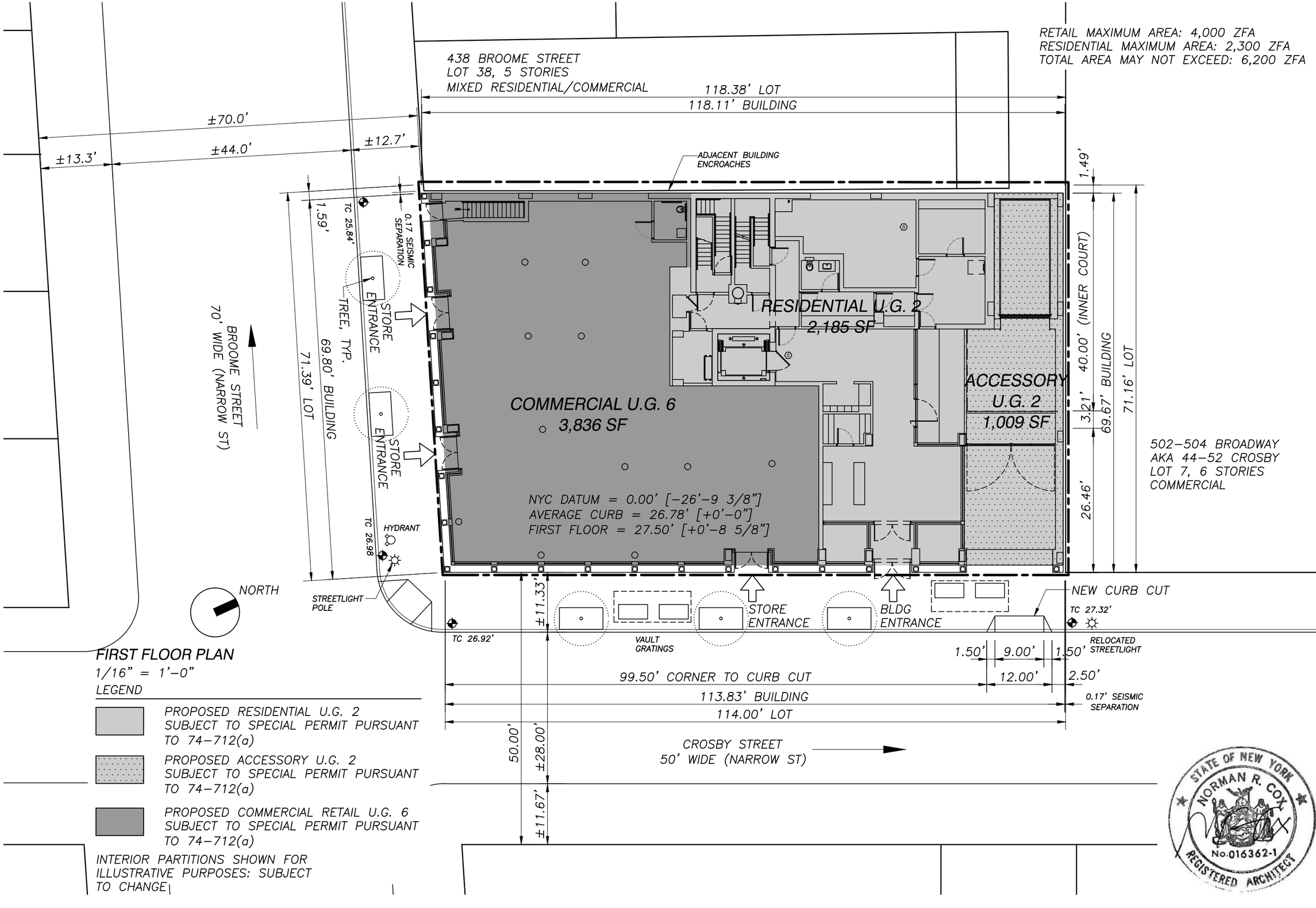
42 CROSBY STREET

Date: 8/26/13
Scale: 3/32" = 1'–0"

CELLAR PLAN

04



FIRST FLOOR PLAN

1/16" = 1'–0"

LEGEND

- PROPOSED RESIDENTIAL U.G. 2 SUBJECT TO SPECIAL PERMIT PURSUANT TO 74–712(a)
- PROPOSED ACCESSORY U.G. 2 SUBJECT TO SPECIAL PERMIT PURSUANT TO 74–712(a)
- PROPOSED COMMERCIAL RETAIL U.G. 6 SUBJECT TO SPECIAL PERMIT PURSUANT TO 74–712(a)

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES: SUBJECT TO CHANGE

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Brooklyn, NY 11231
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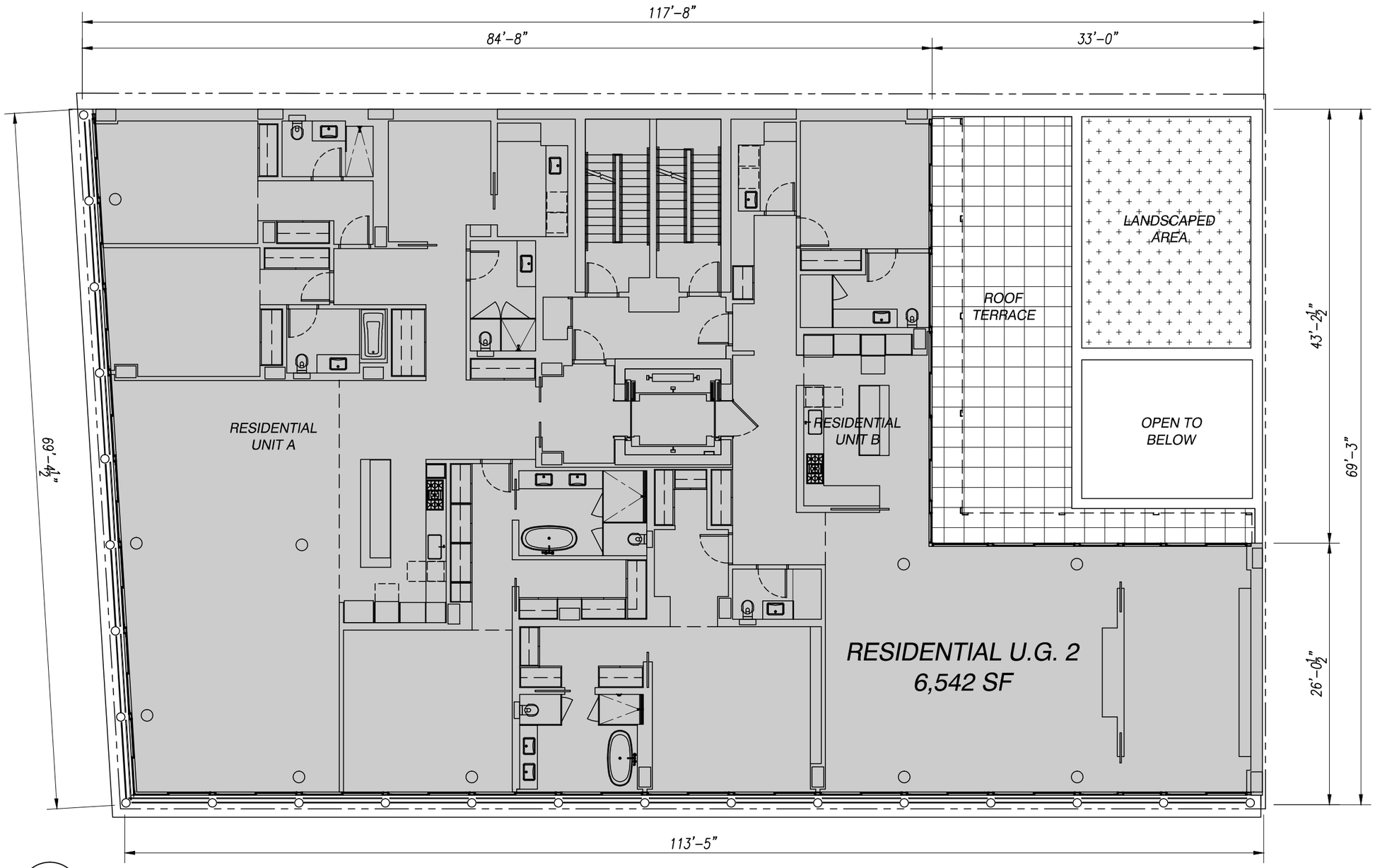
10/29/13
11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 1/16" = 1'–0"

1ST FLOOR PLAN



N

2ND FLOOR PLAN

3/32" = 1'-0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2
SUBJECT TO SPECIAL PERMIT PURSUANT TO
74-712(a)

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE
PURPOSES: SUBJECT TO CHANGE

STATE OF NEW YORK
NORMAN R. COX
No.016362-1
REGISTERED ARCHITECT

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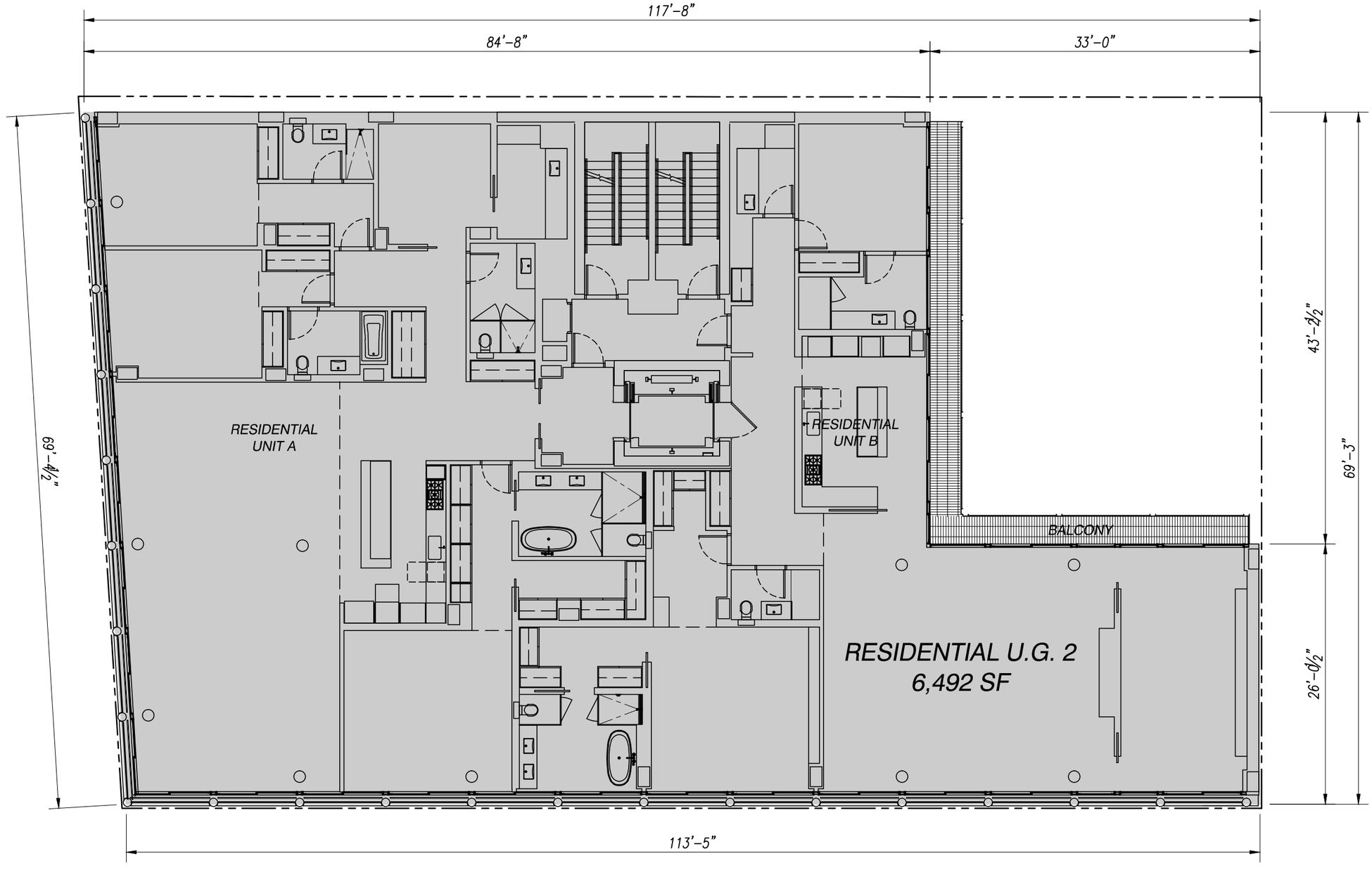
11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 1/16" = 1'-0"

2ND FLOOR
PLAN

06



N

3RD FLOOR PLAN

3/32" = 1'-0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2
SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(a)

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES: SUBJECT TO CHANGE

STATE OF NEW YORK
NORMAN R. COX
No.016362-1
REGISTERED ARCHITECT

SELLDORF ARCHITECTS
860 Broadway, 2nd Floor
New York, NY 10003
212 219 9571

Franke, Gottsegen, Cox Architects
78 Union Street
Brooklyn, NY 11231
718 596 3040

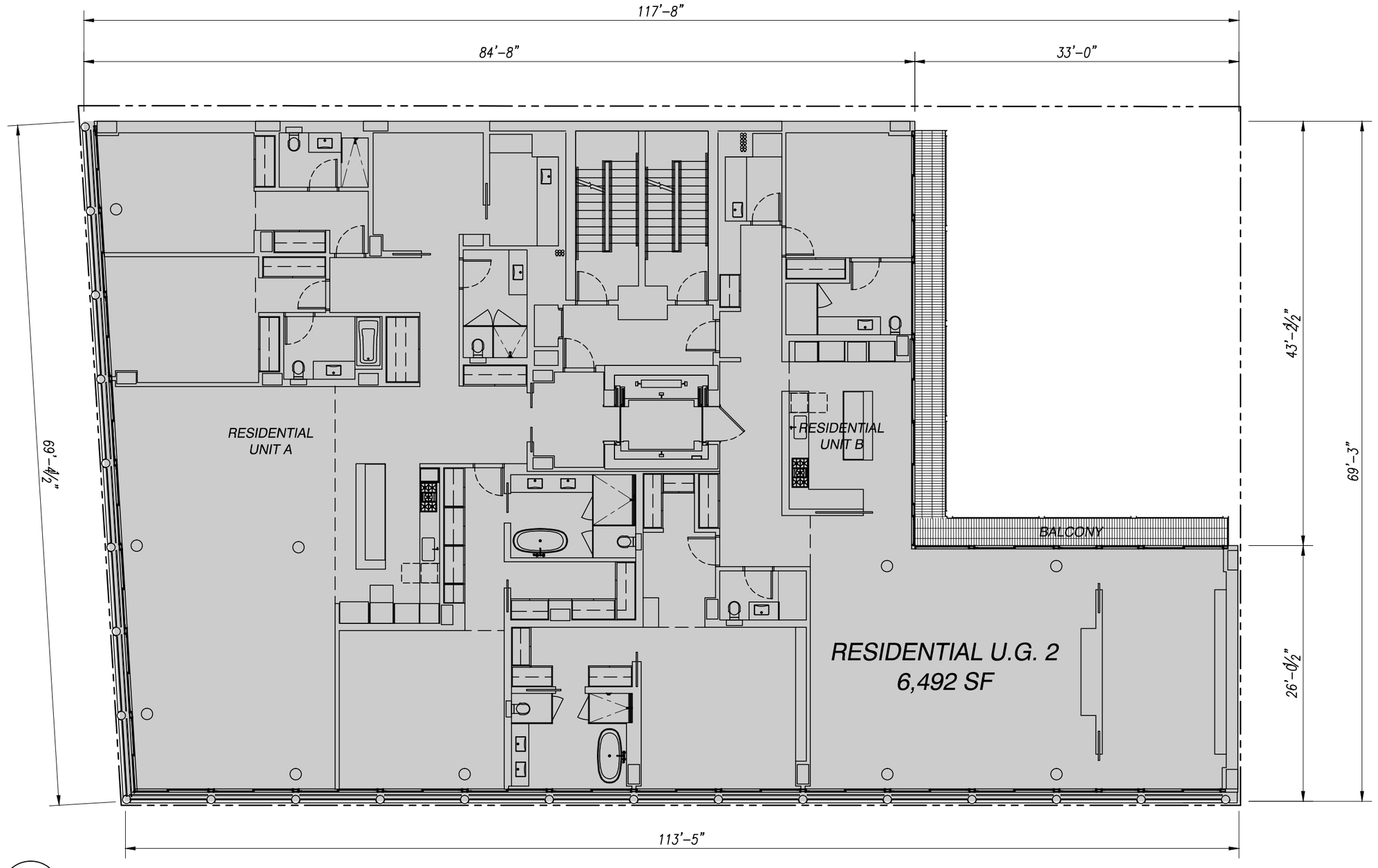
Revsion
10/29/13
11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 3/32" = 1'-0"

3RD FLOOR PLAN

07



N

4TH FLOOR PLAN

3/32" = 1'–0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2
SUBJECT TO SPECIAL PERMIT PURSUANT TO 74–712(a)

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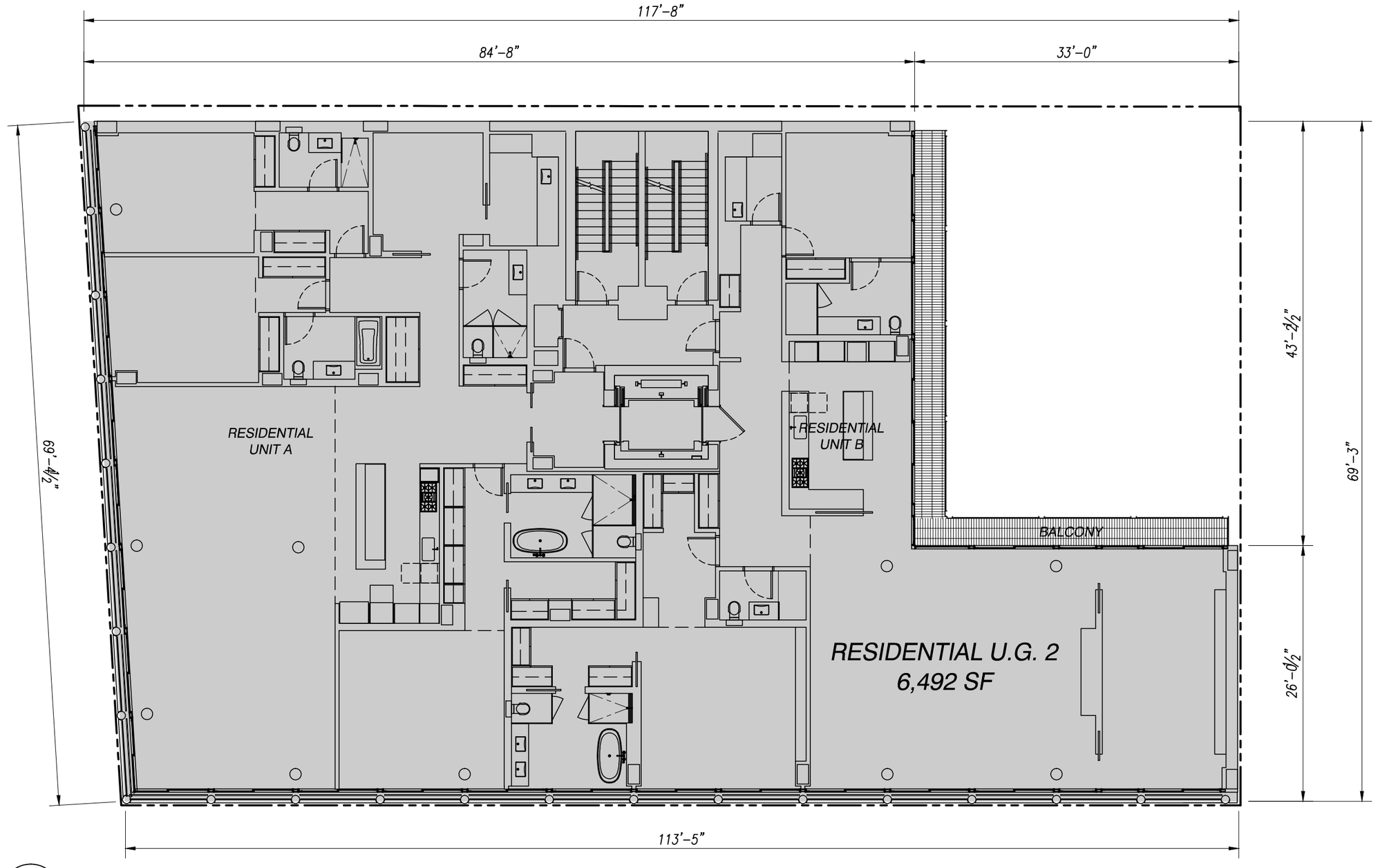
42 CROSBY STREET

Date: 8/26/13
Scale:1/16" = 1'–0"

4TH FLOOR PLAN

08



N

5TH FLOOR PLAN

3/32" = 1'-0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2
SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(a)

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES: SUBJECT TO CHANGE

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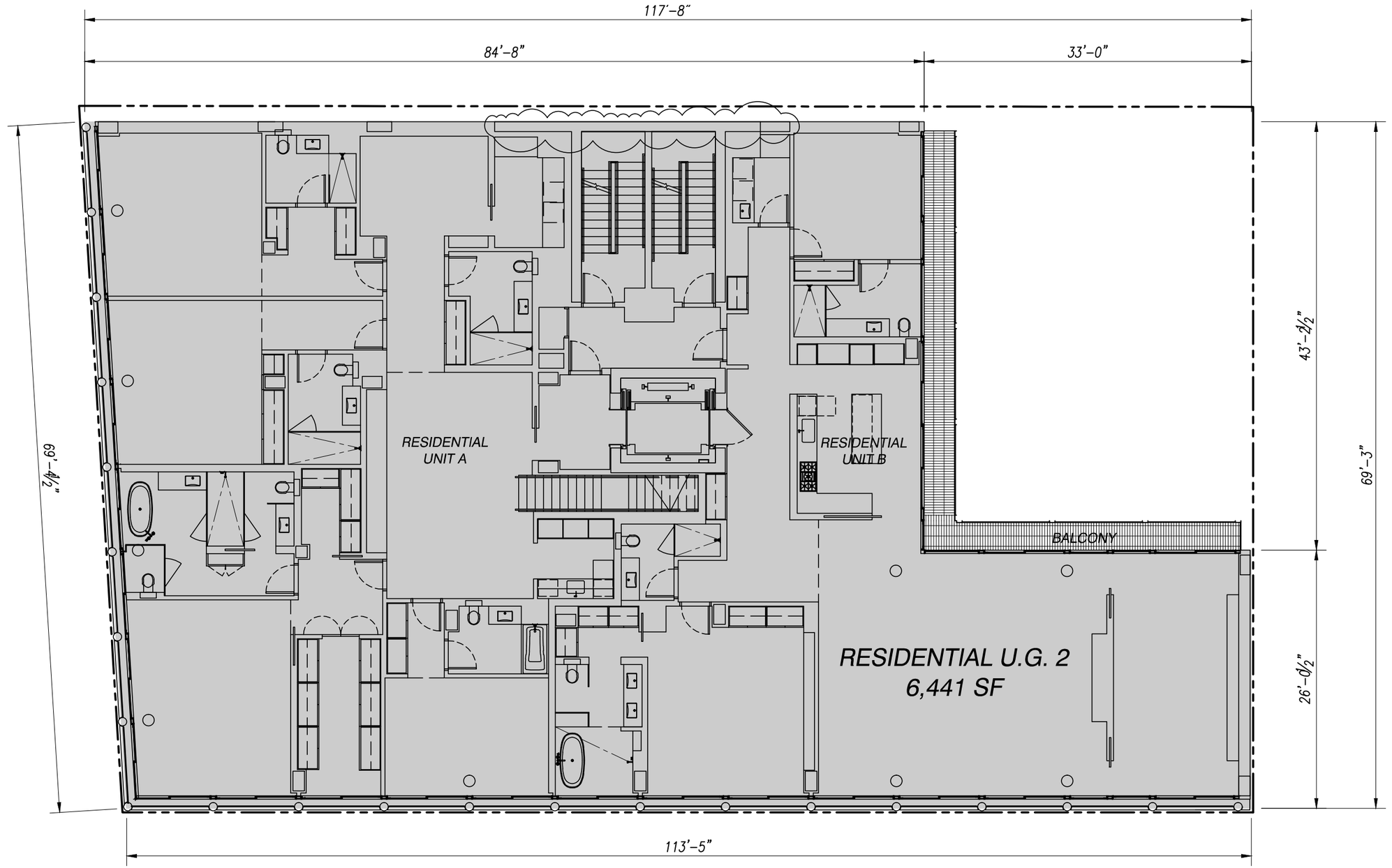
11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 3/32" = 1'-0"

5TH FLOOR PLAN

09



N

6TH FLOOR PLAN

3/32" = 1'-0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2
SUBJECT TO SPECIAL PERMIT PURSUANT TO
74-712(a)

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE
PURPOSES: SUBJECT TO CHANGE

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Brooklyn, NY 11231
718 596 3040

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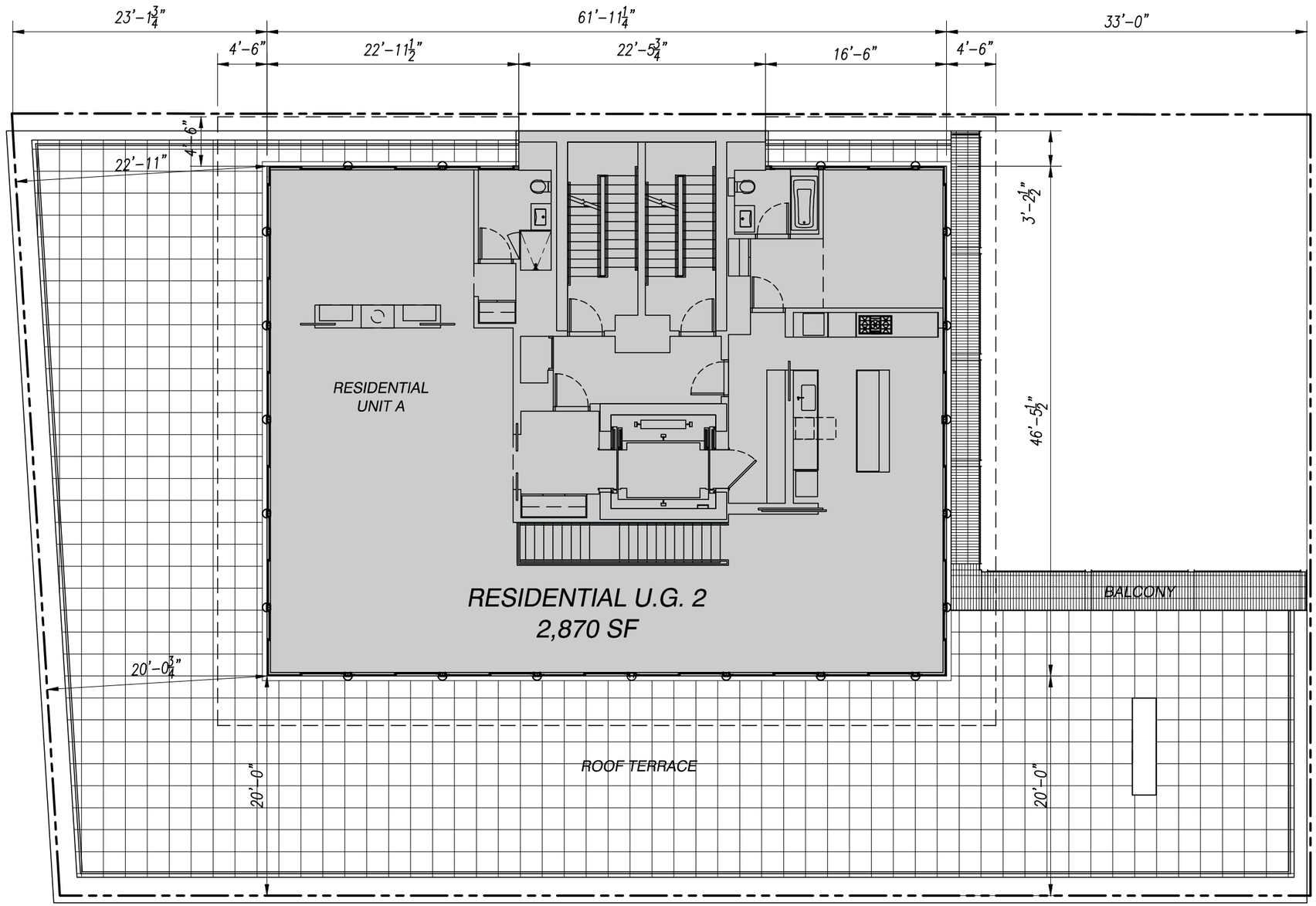
11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 3/32" = 1'-0"

6TH FLOOR PLAN



N

7TH FLOOR PLAN

3/32" = 1'-0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2
SUBJECT TO SPECIAL PERMIT PURSUANT TO
74-712(a)

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE
PURPOSES: SUBJECT TO CHANGE

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10/29/13
11/18/13

STATE OF NEW YORK
NORMAN R. COX
No.016362-1
REGISTERED ARCHITECT

42 CROSBY STREET

Date: 9/12/13
Scale: 3/32" = 1'-0"

7TH FLOOR
PLAN

438 BROOME STREET
LOT 38, 5 STORIES
MIXED RESIDENTIAL/COMMERCIAL

118.38' LOT
118.11' BUILDING

±70.0'
±44.0'
±13.3'
±12.7'

61.95'
3.27'
30.00'
INNER COURT

18.66'
4.50'
22.96'
22.48'
16.50'
4.50'
1.31'

ADJACENT BUILDING ENCROACHES

PROJECTING SUN CONTROL DEVICES LOCATED ON FIRST STORY ABOVE SETBACK LIMITED TO 50% OF THE WIDTH OF THE WALL ON WHICH THEY ARE LOCATED PER 43-42(a)

1.59'
TC 25.84'
0.17 SEISMIC SEPARATION
20.00'
INITIAL SETBACK PER 43-43
7 STORY
124.00'
[+97'-2⅝"]
35.66'
25.54'
10.12'
3.28'
ROOF ELEV/STAIR BULKHEAD
134.00'
[+107'-2⅝"]
4.50'
46.45'
4.50'
1.49'
LANDSCAPED AREA
EXTERIOR COURT AT 2ND FLOOR
42.75'
[+15-11⅝"]
OPEN TO DRIVEWAY BELOW
7.23'
11.71'
3.54'
55'-5½" PROPOSED
32'-2¾" INCREASE OF WIDTH
23'-2¾" PERMITTED
A 13
A 15
B 14
B 16
BROOME STREET
70' WIDE (NARROW ST)
69.80' BUILDING
71.39' LOT
TREE, TYP.
STORE ENTRANCE
STORE ENTRANCE
42 CROSBY STREET
(432 BROOME STREET)
BLOCK 483 LOT 35
3.21'
40.00' (INNER COURT)
69.67' BUILDING
71.16' LOT
502-504 BROADWAY
AKA 44-52 CROSBY
LOT 7, 6 STORIES
COMMERCIAL
ROOF TERRACE
30'-11⅝" PERMITTED
39'-11¾" INCREASE OF WIDTH
70'-11¼" PROPOSED
INITIAL SETBACK PER 43-43
6 STORY
109.00'
[+82'-2⅝"]
26.46'
20.00'
HYDRANT
TC 26.98'
STREETLIGHT POLE
NORTH
TC 26.92'
±11.33'
VAULT GRATINGS
STORE ENTRANCE
BLDG ENTRANCE
NEW CURB CUT
TC 27.32'
RELOCATED STREETLIGHT
1.50'
9.00'
1.50'
12.00'
2.50'
0.17' SEISMIC SEPARATION
99.50' CORNER TO CURB CUT
113.83' BUILDING
114.00' LOT
50.00'
±28.00'
±11.67'
CROSBY STREET
50' WIDE (NARROW ST)
PROJECTING SUN CONTROL DEVICES LOCATED ON FIRST STORY ABOVE SETBACK LIMITED TO 50% OF THE WIDTH OF THE WALL ON WHICH THEY ARE LOCATED PER 43-42(a)

NYC DATUM = 0.00' [-26'-9 3/8"]
AVERAGE CURB = 26.78' [+0'-0"]
FIRST FLOOR = 27.50' [+0'-8 5/8"]

SITE PLAN
1/16" = 1'-0"

LEGEND

PROPOSED INCREASE OF PERMITTED WIDTH SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(b)

STATE OF NEW YORK
NORMAN R. COX
No.016362-1
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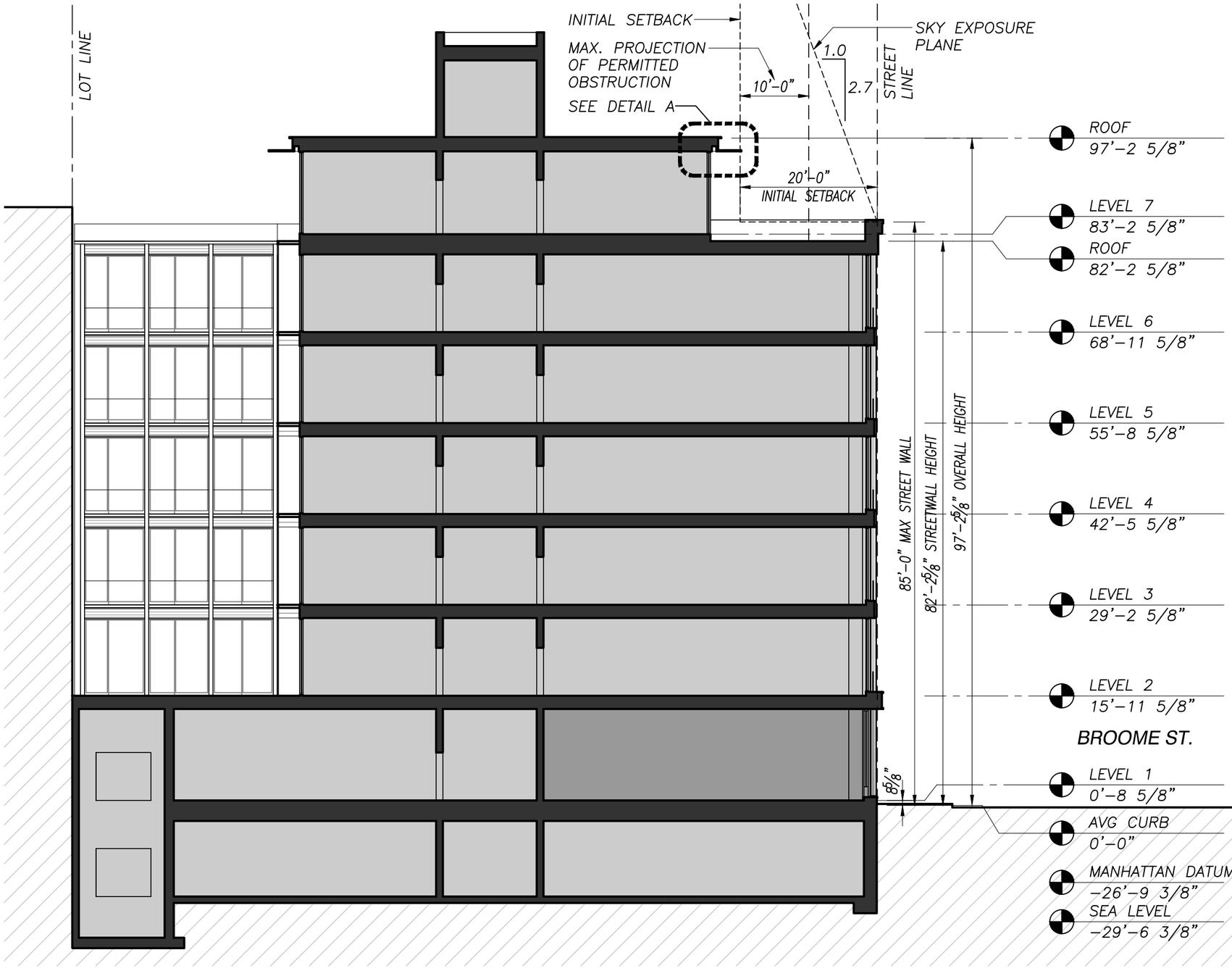
718 596 3040

Revsion
11/18/13

42 CROSBY STREET

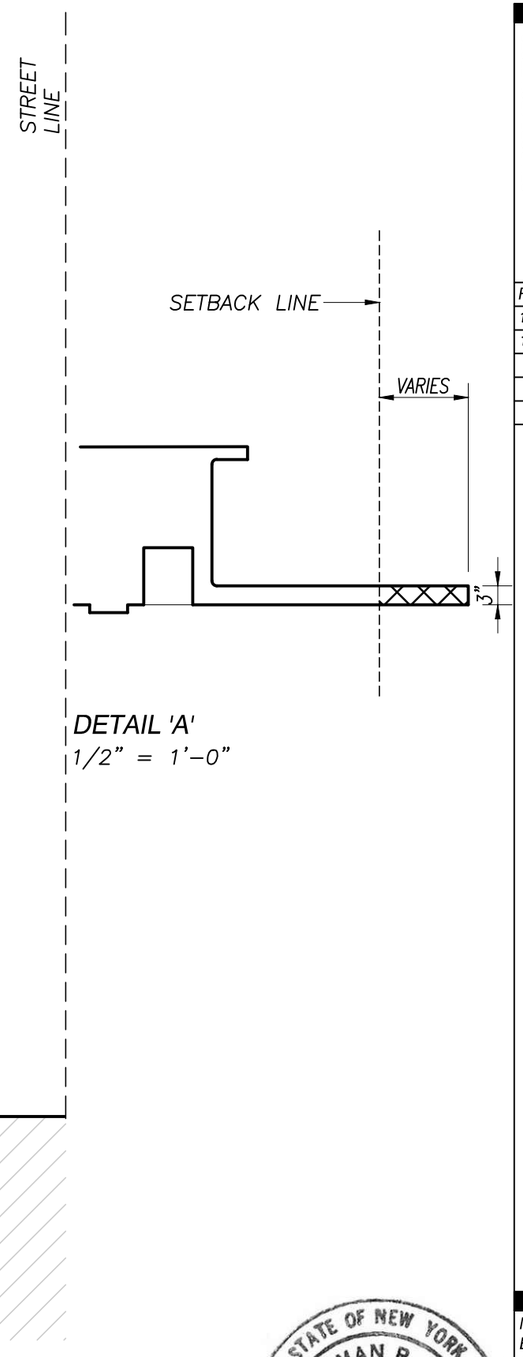
Date: 10/29/13
Scale: 1/16" = 1'-0"

WAIVER PLAN



A-A NORTH SOUTH BUILDING SECTION

1/16" = 1'-0"



DETAIL 'A'

1/2" = 1'-0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2 SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(a)

PROPOSED COMMERCIAL RETAIL U.G. 6 SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(a)

PROPOSED INCREASE OF PERMITTED WIDTH SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(b)

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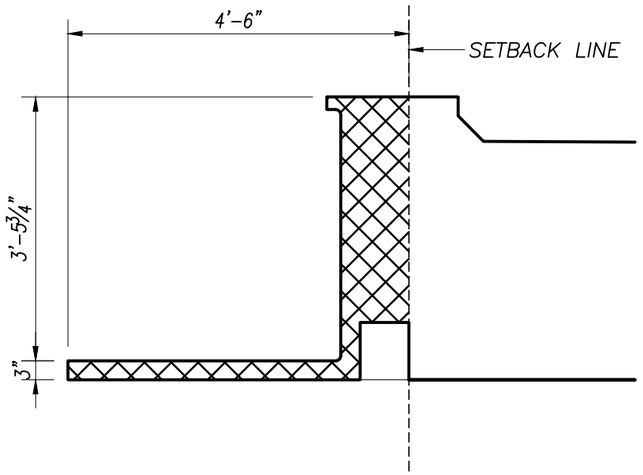
10/29/13
11/18/13

STATE OF NEW YORK NORMAN R. COX No.016362-1 REGISTERED ARCHITECT

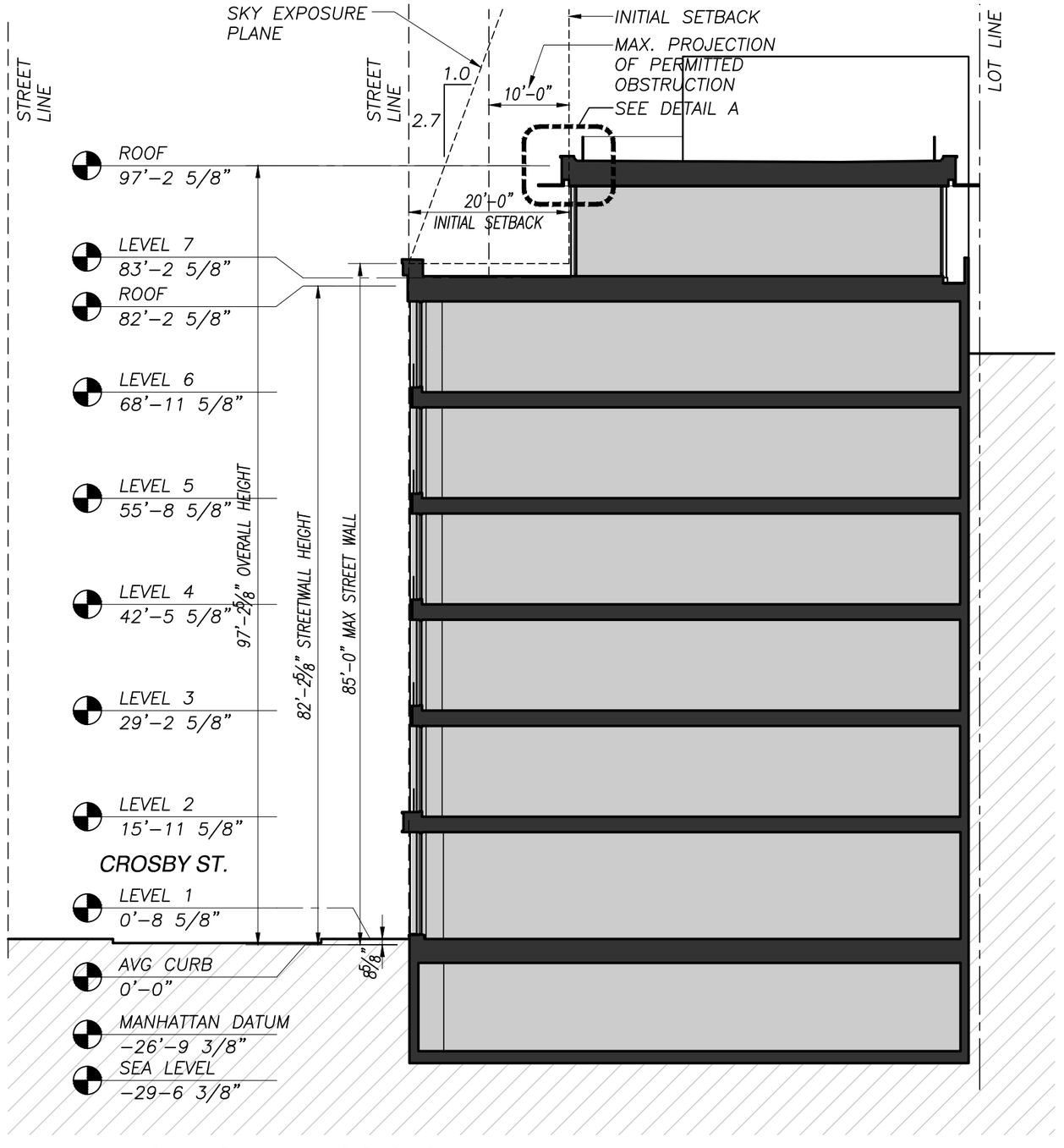
42 CROSBY STREET

Date: 8/26/13
Scale: 1/16" = 1'-0"

NORTH-SOUTH BUILDING SECTION



DETAIL 'A'
1/2" = 1'-0"



B-B EAST-WEST BUILDING SECTION
1/16" = 1'-0"

LEGEND

PROPOSED RESIDENTIAL U.G. 2 SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(a)

PROPOSED INCREASE OF PERMITTED WIDTH SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(b)

SELLDORF ARCHITECTS
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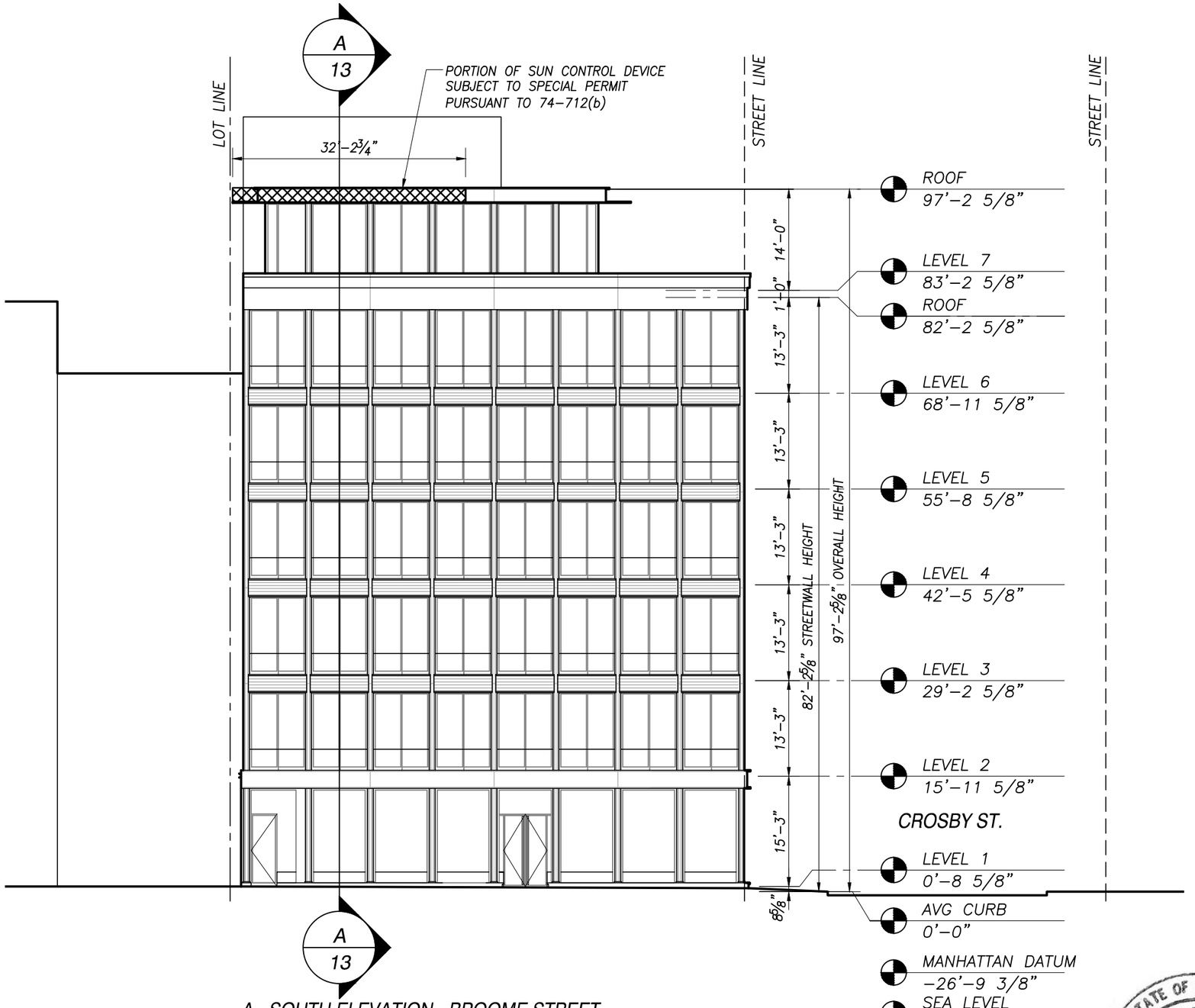
11/18/13

STATE OF NEW YORK
NORMAN R. COX
No.016362-1
REGISTERED ARCHITECT

42 CROSBY STREET

Date: 8/26/13
Scale: 1/16" = 1'-0"

EAST-WEST BUILDING SECTION



A - SOUTH ELEVATION - BROOME STREET

1/16" = 1'-0"

LEGEND

PROPOSED INCREASE OF PERMITTED WIDTH SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(a)

SELLDORF ARCHITECTS
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212 219 9571

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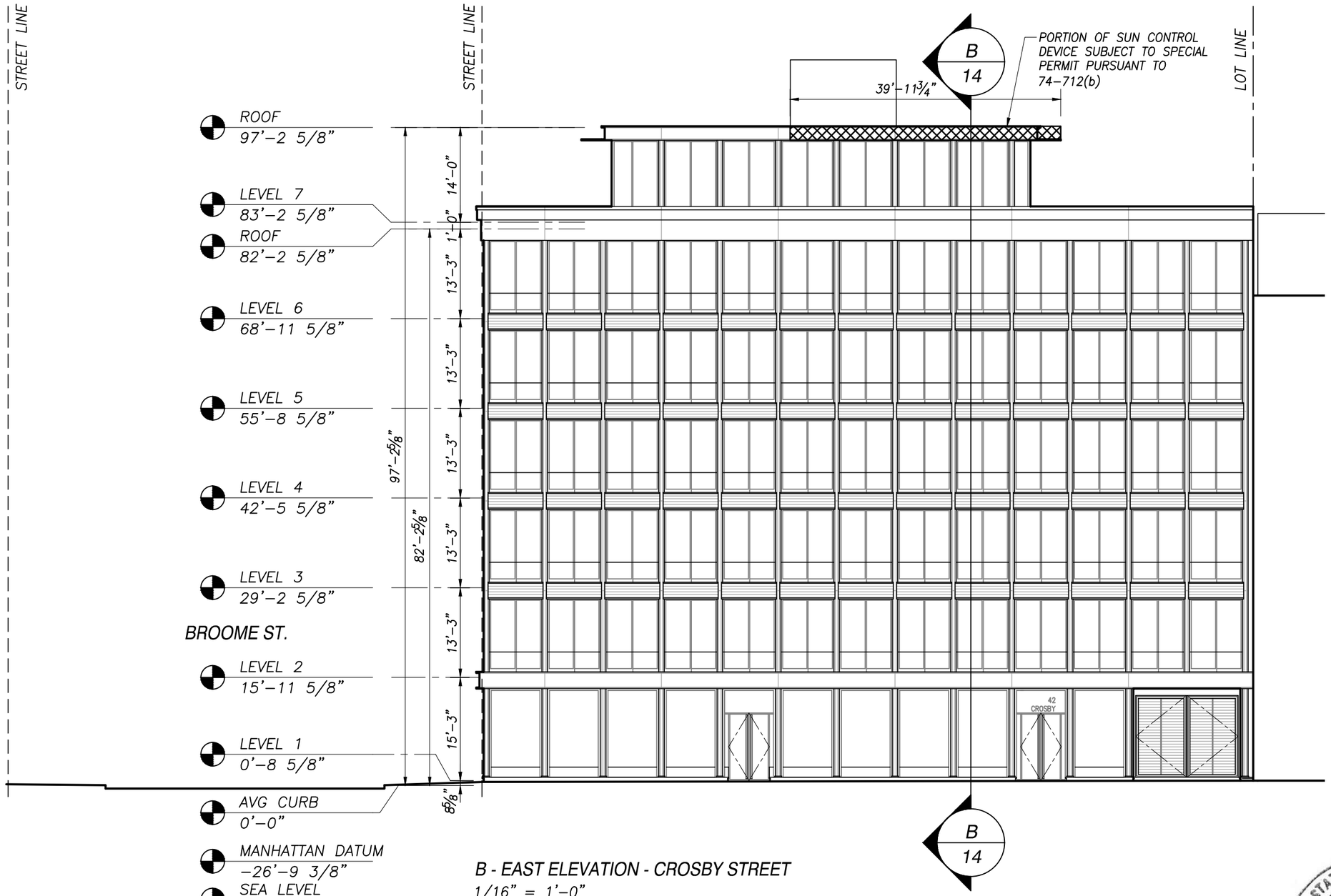
STATE OF NEW YORK
NORMAN R. COX
No.016362-1
REGISTERED ARCHITECT

42 CROSBY STREET

Date: 8/26/13
Scale: 1/16" = 1'-0"

SOUTH ELEVATION



B - EAST ELEVATION - CROSBY STREET

1/16" = 1'-0"

LEGEND

PROPOSED INCREASE OF PERMITTED WIDTH SUBJECT TO SPECIAL PERMIT PURSUANT TO 74-712(a)

SELLDORF ARCHITECTS
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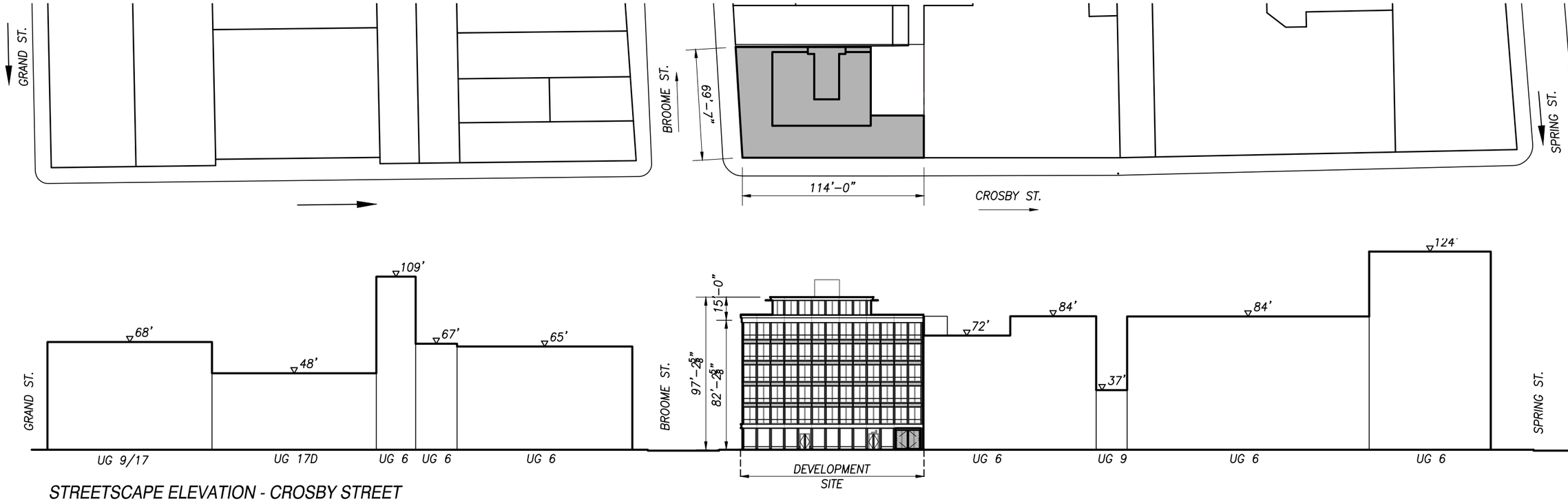
Revsion
10/29/13
11/18/13

STATE OF NEW YORK
NORMAN R. COX
No.016362-1
REGISTERED ARCHITECT

42 CROSBY STREET

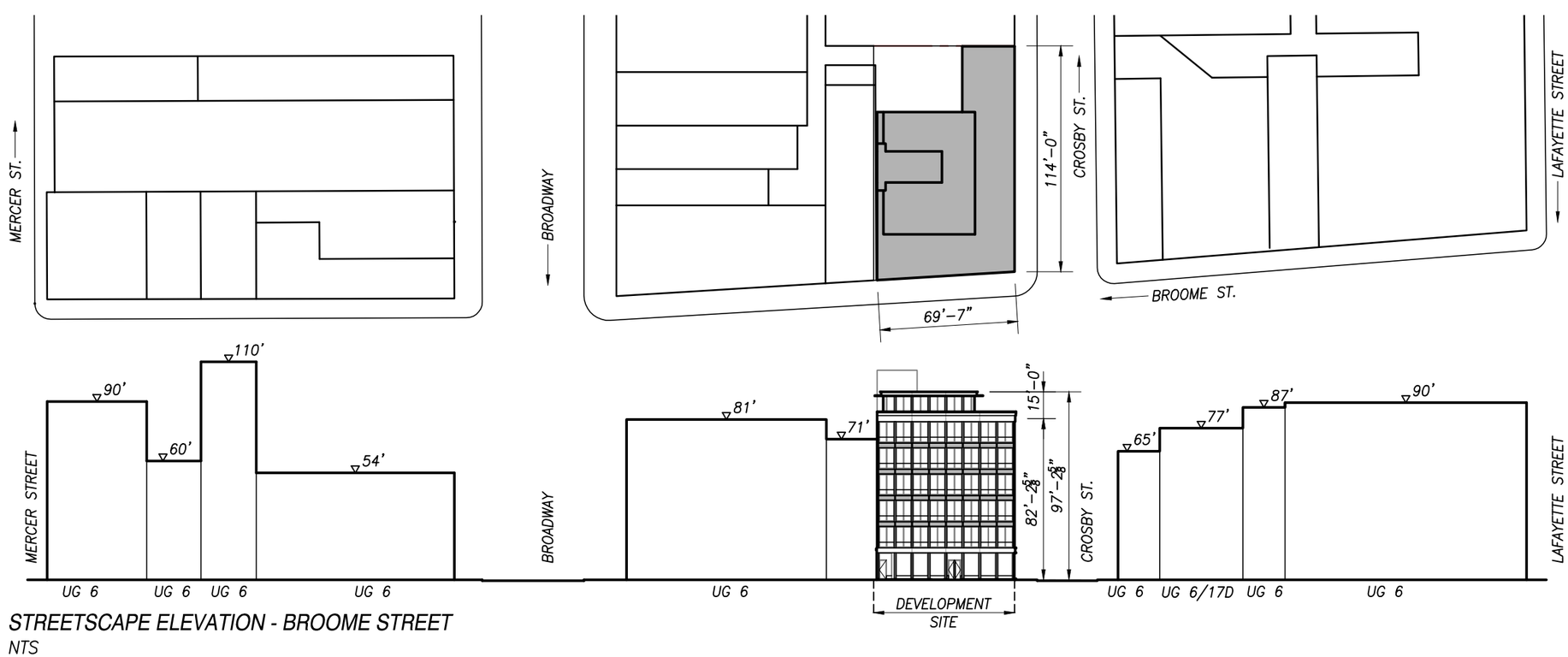
Date: 8/26/13
Scale:1/16" = 1'-0"

EAST ELEVATION



STREETSCAPE ELEVATION - CROSBY STREET

NTS



STREETSCAPE ELEVATION - BROOME STREET

NTS

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STATE OF NEW YORK
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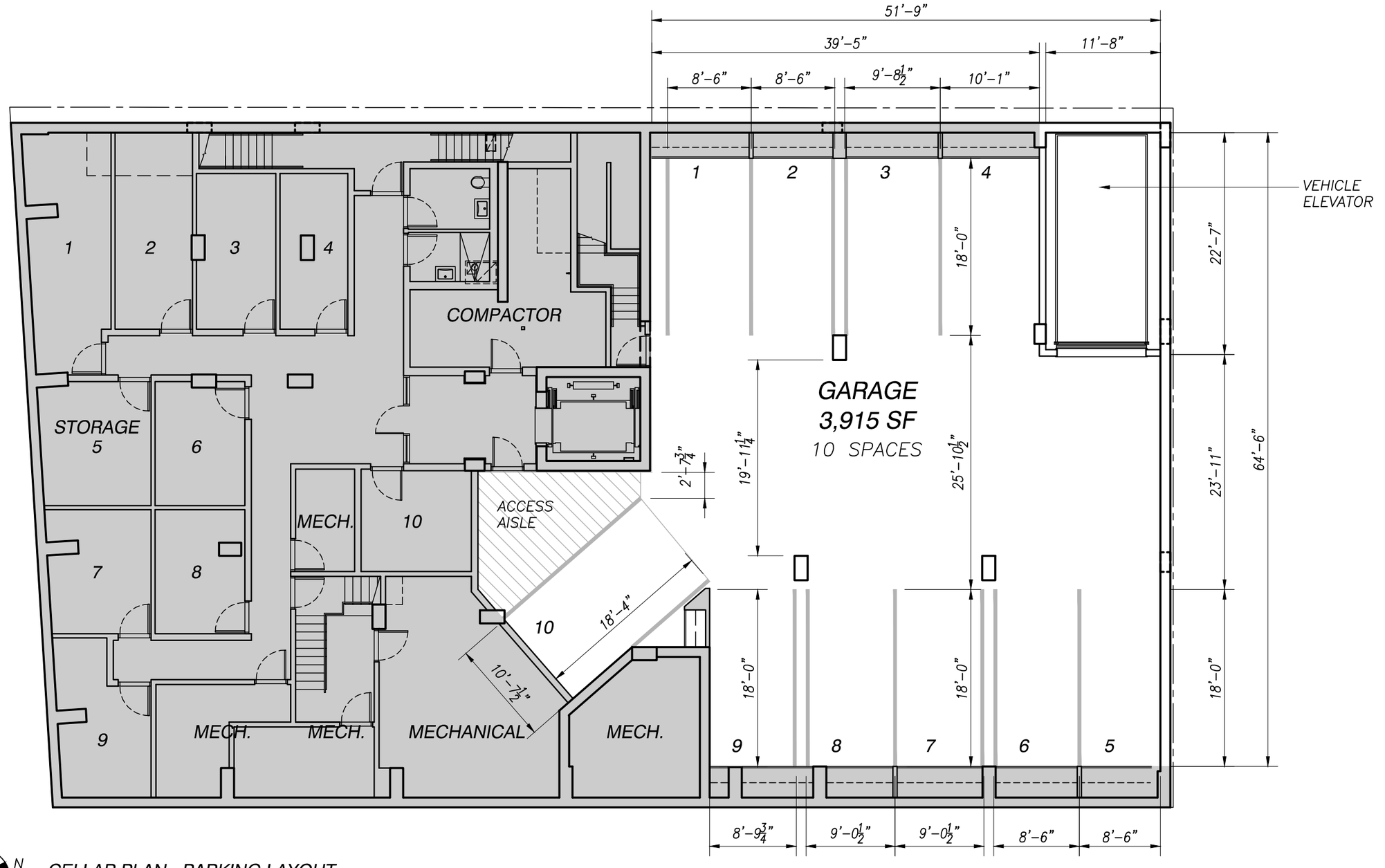
42 CROSBY STREET

Date: 8/26/13
Scale:1/16" = 1'–0"

NEIGHBORHOOD CHARACTER



N

CELLAR PLAN - PARKING LAYOUT

3/32" = 1'–0"

LEGEND

AREA NOT SUBJECT TO PROPOSED CPC SPECIAL PERMIT PURSUANT TO 13–45 & 13–451

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES: SUBJECT TO CHANGE

GARAGE PLANNING AND DESIGN STANDARDS AND GUIDELINES

GARAGE : SPECIAL PERMIT FOR PUBLIC PARKING GARAGE PURSUANT TO SECTION 13–45 AND 13–451 TO INCLUDE THE FOLLOWING: MAXIMUM OF 10 CARS ALLOWED

CURB–CUTS : CURB–CUTS ON PUBLIC STREETS MUST BE AT A DISTANCE OF AT LEAST 50 FEET FROM ANY INTERSECTING STREET LINE. VARIANT CURB–CUT LOCATIONS SHALL BE APPROVED BY NYC DEPARTMENT OF BUILDINGS, AS PER ZR 44–43.

PARKING SPACE : PARKING SPACES SHALL BE A MINIMUM OF 8'–6" X 18'–0" PER ZR 44–42.

PEDESTRIAN CIRCULATION : PEDESTRIAN ROUTES TO AND FROM GARAGE ACCESS POINTS SHALL BE PROVIDED AND BE CLEARLY POSTED. ALL VEHICULAR ENTRANCES / EXITS SHALL HAVE AUDIO / VISUAL WARNING DEVICES.

ACCESSIBILITY FOR THE DISABLED : GARAGE SHALL CONFORM TO LOCAL LAW 58 OF 1987 AND TO THE AMERICANS WITH DISABILITIES ACT OF 1991.

SELLDORF ARCHITECTS
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STATE OF NEW YORK
NORMAN R. COX
No.016362-1
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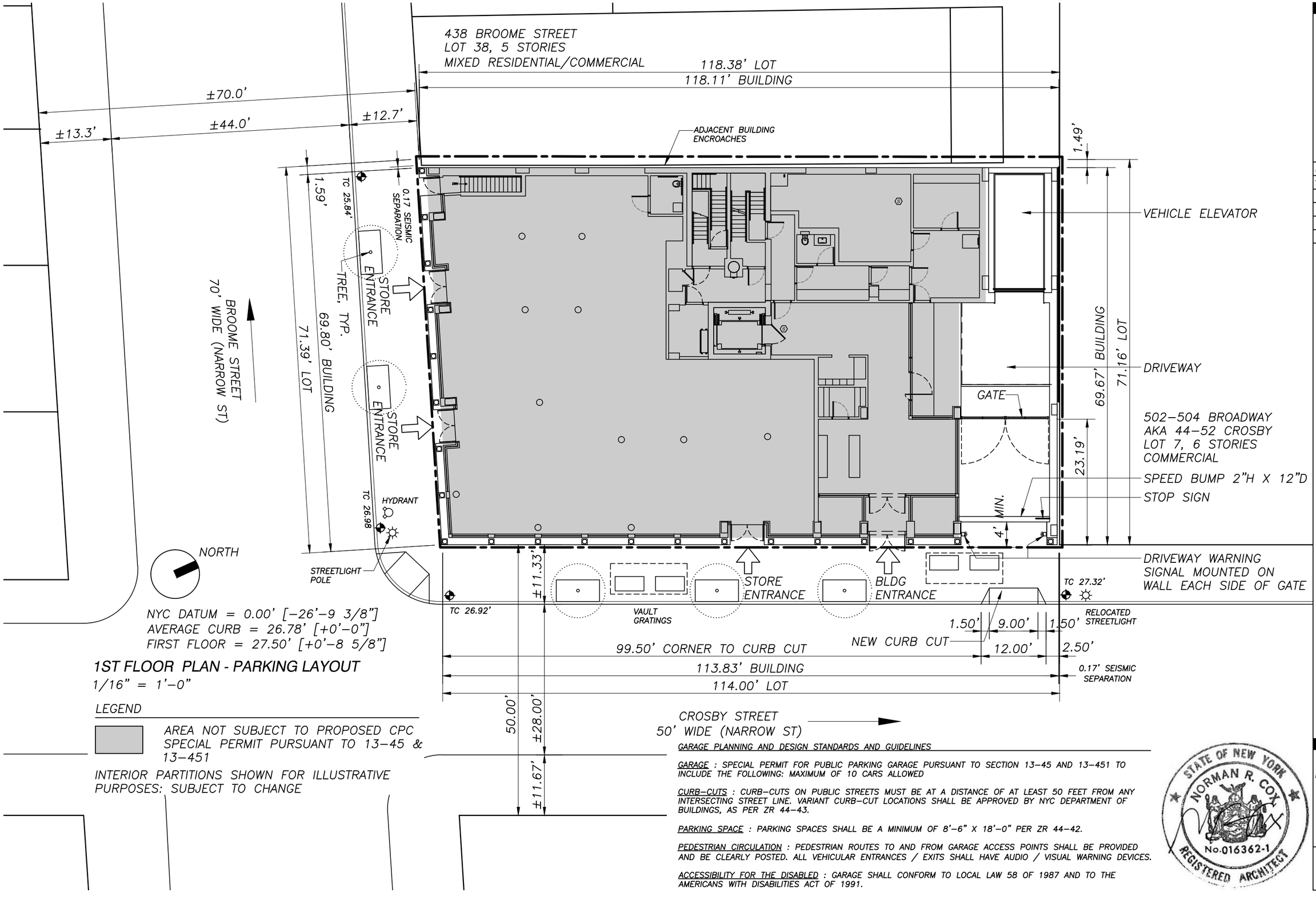
42 CROSBY STREET

Date: 8/26/13
Scale: 3/32" = 1'–0"

CELLAR PARKING PLAN



NYC DATUM = 0.00' [–26'–9 3/8"]
AVERAGE CURB = 26.78' [+0'–0"]
FIRST FLOOR = 27.50' [+0'–8 5/8"]

1ST FLOOR PLAN - PARKING LAYOUT

1/16" = 1'–0"

LEGEND

AREA NOT SUBJECT TO PROPOSED CPC SPECIAL PERMIT PURSUANT TO 13–45 & 13–451

INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES: SUBJECT TO CHANGE

GARAGE PLANNING AND DESIGN STANDARDS AND GUIDELINES

GARAGE : SPECIAL PERMIT FOR PUBLIC PARKING GARAGE PURSUANT TO SECTION 13–45 AND 13–451 TO INCLUDE THE FOLLOWING: MAXIMUM OF 10 CARS ALLOWED

CURB–CUTS : CURB–CUTS ON PUBLIC STREETS MUST BE AT A DISTANCE OF AT LEAST 50 FEET FROM ANY INTERSECTING STREET LINE. VARIANT CURB–CUT LOCATIONS SHALL BE APPROVED BY NYC DEPARTMENT OF BUILDINGS, AS PER ZR 44–43.

PARKING SPACE : PARKING SPACES SHALL BE A MINIMUM OF 8'–6" X 18'–0" PER ZR 44–42.

PEDESTRIAN CIRCULATION : PEDESTRIAN ROUTES TO AND FROM GARAGE ACCESS POINTS SHALL BE PROVIDED AND BE CLEARLY POSTED. ALL VEHICULAR ENTRANCES / EXITS SHALL HAVE AUDIO / VISUAL WARNING DEVICES.

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11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 1/16" = 1'–0"

1ST FLOOR PARKING PLAN

PARKING ANALYSIS APPENDIX

CSS *Compliance Solutions Services, LLC*

434 West 20th Street, Suite 8
New York, NY 10011
phone: 212-741-3432
fax: 646-588-1918
mobile: 917-941-2723
e-mail: jstrauss-css@nyc.rr.com

MEMORANDUM

TO: Joel Kolkmann

FROM: John Strauss

RE: 42 Crosby Street – Parking Study

DATE: December 11, 2013

cc: J. Segal, A. Curreri, I. Rasmussen, K. Keating, J. Kim, N. Cox; Stephen Johnson, Karen Johnson

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This memo will present our revised parking study in support of a Parking Special Permit pursuant to ZR Sections 13-45 and 13-451 for the proposed mixed-use residential and commercial development at 42 Crosby Street in Manhattan. It is proposed to increase the number of permitted enclosed, accessory off-street parking spaces in the subject building from two to ten.

This memo revises the original memo dated August 28, 2013 to include the following:

1. Parking data

a. Conduct field survey of the project study area (1/3 mile surrounding property) to verify whether the 29 DCA-licensed parking facilities identified by DCP and included in the August 28, 2013 memorandum exist. The survey found that these facilities do in fact exist and no additional DCA-licensed parking facilities exist within the project study area. Therefore, the map and table of parking facilities included in the August 28, 2013 memorandum and attached hereto remain unchanged.

b. For the purpose of identifying parking sites in the study area that are not licensed by DCA, conduct a survey of the entire study area, documenting the location of all parking facilities not listed in the DCA data. 18 parking facilities that are not in the DCA data were identified. According to the parking facilities data available on the City Planning website, of these 18

facilities, 11 have DCA licenses and the other 7 are not licensed by DCA. Research of the Certificates of Occupancy (COs) and job filings for those 18 properties did not indicate that there has been any change in the number of parking spaces on these properties during the 2003-2013 time frame, so they are not included on the map of parking facilities with changes in the number of parking spaces. The 18 parking facilities found in this survey are listed on a summary table and are described in a narrative included in the Appendix to this memorandum.

2. DOB data

a. Conduct a review of COs for the residential growth sites indicated in DCP's data to confirm the number of residential units and determine whether the CO was issued within 2003-2013 study time period. This review found that of the 41 sites that have a CO, there were 15 discrepancies between the DCP data and what is shown on the COs. The errors range from a one unit discrepancy, to discrepancies in the double digits, to buildings that have had their CO since prior to 2003, to buildings that are hotels and restaurants mistakenly classified as new residential units. (The COs can be provided on request.) The results of this review are summarized in a narrative included in the Appendix to this memorandum.

b. The map and table of residential developments have been revised to reflect data identified in a. above and are attached hereto.

The following items are attached to this memorandum.

1. Map of New Residential Developments (2003-2013) – This map locates the proposed development site and identifies 35 parcels where new residential units have been constructed (1 has a pending Certificate of Occupancy) between 2003 and 2013 within 1,800 feet of the project site. The map differentiates between sites where new residential development replaced an existing parking facility, sites where new residential development includes a parking facility, and sites where new residential development replaced an existing parking facility and includes a parking facility. A total of 664 new residential units were developed between 2003 and 2013 within 1,800 feet of the project site.

2. Map of Changes in Number of Parking Spaces (2003-2013) - This map locates the proposed development site and identifies 29 parcels where there has been an increase or a decrease in the number of parking spaces between 2003 and 2013 within 1,800 feet of the project site. As discussed above, all of these parcels have DCA-licensed parking facilities, as no non-DCA sites with a change in number of spaces between 2003 and 2013 were identified. A net total of 1,136 parking spaces were lost between 2003 and 2013 within 1,800 feet of the project site.

3. Table of New and Expected Future Residential Developments (2003-2013) – This table lists the 35 parcels shown on the Map of New Residential Developments (2003-2013) where new residential units have been constructed (1 has a pending Certificate of Occupancy) between 2003 and 2013 within 1,800 feet of the project site. This table includes the following information: map ID #; property address; Block/Lot; the number of residential units; the distance in feet from the proposed development site; property zoning; the number of parking spaces allowed as-of-right; the number of parking spaces built; the difference between the number of accessory parking spaces that could have been built as-of-right and those actually built ("Unbuilt Spaces"); and whether or not the residential site is within a close enough

distance from the proposed project to be considered "associated" with the proposed project in terms of neighborhood residential parking supply.

For the 664 new residential units developed between 2003 and 2013 within 1,800 feet of the project site, 133 parking spaces were allowed as-of-right, 202 parking spaces were built and there were -69 Unbuilt Spaces. None of the sites are considered "associated" with the proposed project because the DCA Change Site closest to the proposed project has a large number of lost spaces, as discussed below.

4. Table of DCA Change Sites (2003-2013) – This table lists the 29 parcels shown on the Map of Changes in Number of DCA-Licensed Parking Spaces (2003-2013) where there has been an increase or a decrease in the number of DCA-licensed parking spaces between 2003 and 2013 within 1,800 feet of the project site. This table includes the following information: map ID #; property address; Block/Lot; the lot capacity in 2003; the lot capacity in 2013; the change in lot capacity from 2003 to 2013 (where such change is negative, "Lost Spaces"); the distance in feet from the proposed development site; property zoning; the number of parking spaces used by local residential parkers in 2003; the number of parking spaces used by local residential parkers in 2013; the difference between the number of parking spaces used by local residential parkers in 2013 versus 2003; and whether or not the site is within a close enough distance from the proposed project to be considered "associated" with the proposed project in terms of neighborhood residential parking supply.

Using the percentage of 67% for local residential parking, outlined in the Manhattan Core Parking Study based on all land uses in Community Districts 2-3, of the 1,136 DCA-licensed parking spaces which were lost between 2003 and 2013 within 1,800 feet of the project site, 1,265 parking spaces were used by local residential parkers in 2003 and 504 parking spaces were used by local residential parkers in 2013, for a net decrease of 761 parking spaces used by local residential parkers over this 10 year period. One of the sites, 204 Lafayette Street, is "associated" with the proposed project because it is one of the two closest sites to the proposed project[1] and has a total of 84 Lost Spaces during the time frame, which exceeds the 10 spaces proposed.

5. Table of Parking Facilities Not Listed in the DCA Data - This table lists the 18 parking facilities that are not in the DCA data based on a survey of the entire study area and identifies these facilities by address, block, and lot.

6. Appendix – The Appendix includes a list of new residential units created between 2003 and 2013 where discrepancies were found between DCP data and DOB CO records based on our research. The Appendix also includes a list of the 18 parking facilities located during the area survey that were not listed as DCA 2003-2013 change sites in the data received from DCP. Some general descriptive information about these facilities is included as well as the results of our review of CO data as to whether there was any recorded change in these facilities between 2003 and 2013.

[1] 210 Lafayette Street, a residential growth site, is equally close to the proposed project (251 feet away) and has 10 Unbuilt Spaces in the 10-year timeframe.

Analysis Findings

The number of residential parking spaces built in the study area between 2003 and 2013 (202) is equal to 30% of the number of new residential units developed (664), which percentage exceeds the 20% permitted as-of-right. However, the analysis indicates that the change in the number of DCA-licensed parking spaces used by local residential parkers between 2003 and 2013 within 1,800 feet of the project site was -761, which is a 60.2% decrease over such time period. Therefore, the project is eligible for the Parking Special Permit.

The Residential Growth Parking Ratio for the 2003-2013 period, calculated without the proposed spaces and residential units associated with the project, is the change in the number of DCA-licensed parking spaces used by local residential parkers (-761 spaces) plus the change in the number of non-DCA accessory residential parking spaces (0), divided by the change in the number of residential units (664). Thus, without the project, the Residential Growth Parking Ratio is -114.6%. To calculate the Residential Growth Parking Ratio for the same time period, accounting for the proposed parking spaces and residential units associated with the project, the number of proposed accessory residential spaces (10) is added to the change in the number of spaces from 2003 to 2013, producing a numerator of -751, and the number of proposed residential units (10) is added to the change in the number of residential units from 2003 to 2013, producing a denominator of 674. With the project, therefore, the Residential Growth Parking Ratio would be -111.4%.

By sorting the residential growth sites and the DCA parking change sites by distance from the proposed development, we identified the following site, closest to the proposed development, which has Unbuilt Spaces or Lost Spaces that, in total, is equal to or exceeds the 10 off-street parking spaces being requested:

1. DCA Change Site #14 - 204 LAFAYETTE STREET (251 feet from Site) = 84 Lost Spaces

Conclusions

On the basis of the above analysis, it is concluded that the proposed increase in the number of permitted enclosed, accessory off-street parking spaces in the subject building from two to ten would meet the required Parking Special Permit findings pursuant to ZR § 13-451. The provision of ten parking spaces in the proposed development is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to the increase in the number of dwelling units and the number of public and accessory off-street parking spaces, taking into account both the construction of new off-street parking facilities and the reduction in the number of such spaces in existing parking facilities.

42 Crosby Street, Manhattan

New Residential Units 2003-2013

Legend

123 (1) — # of New Residential Units / Site ID #

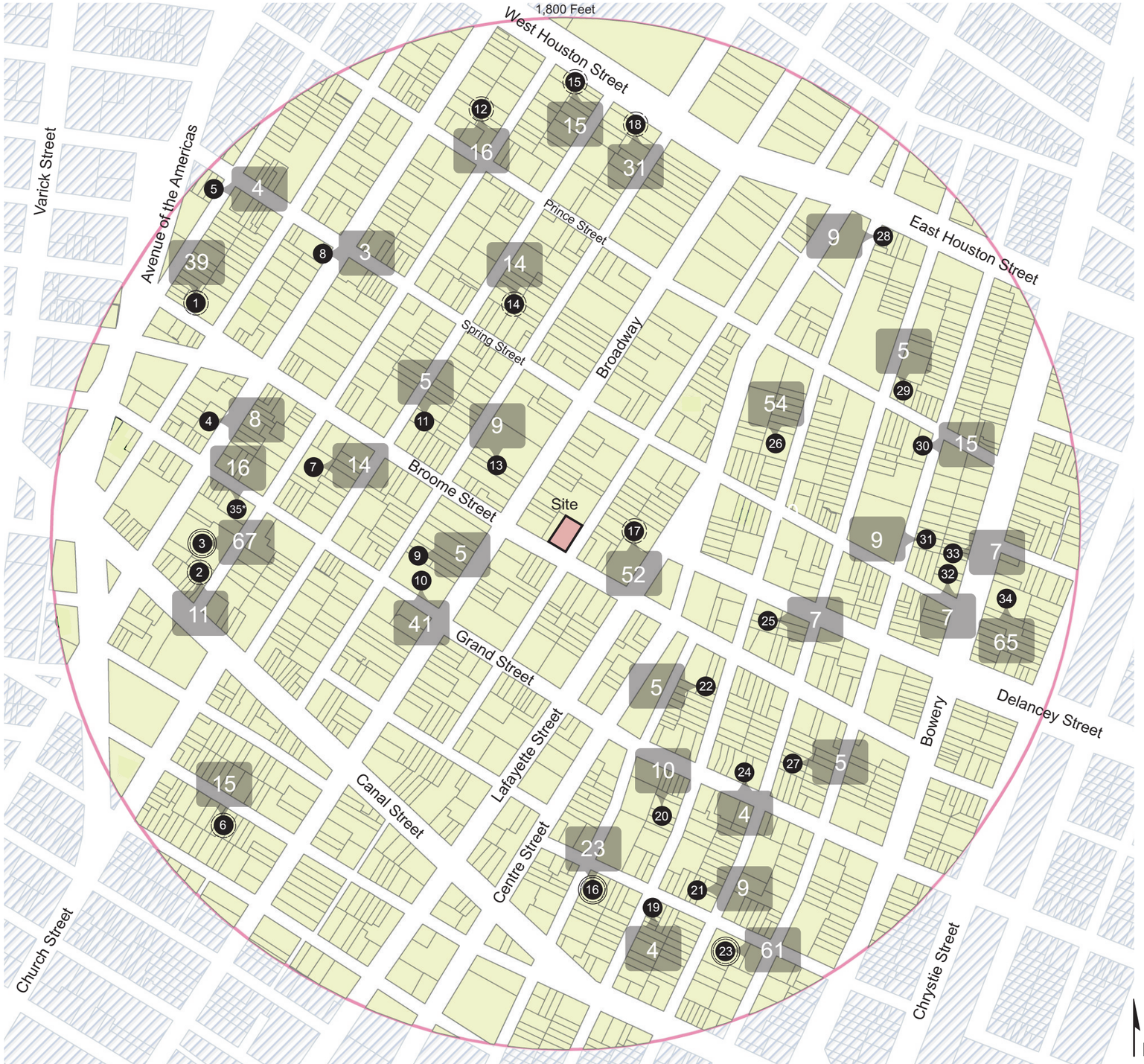
New Residential Development Replacing Parking Facility

New Residential Development Including New Parking Facility

New Residential Development Replacing Parking Facility and Including New Parking Facility

1,800 Foot Radius
(slightly more than 1/3 of a mile)

42 Crosby Street (Site)



Site	Address	Residential Units
1	55 Thompson Street	39
2	6 Wooster Street	11
3	311 West Broadway	67
4	350 West Broadway	8
5	202 Spring Street	4
6	51 Walker Street	15
7	42 Wooster Street	14
8	404 West Broadway	3
9	44 Mercer Street	5
10	40 Mercer Street	41
11	60 Greene Street	5
12	137 Wooster Street	16
13	501 Broadway	9
14	92 Greene Street	14
15	37 West Houston Street	15
16	132 Baxter Street	23
17	210 Lafayette Street	52
18	25 West Houston Street	31
19	180 Hester Street	4
20	143 Mulberry Street	10
21	181 Hester Street	9
22	175 Mulberry Street	5
23	106 Mott Street	61
24	198 Grand Street	4
25	182 Mulberry Street	7
26	227 Mulberry Street	54
27	156 Mott Street	5
28	41 East Houston Street	9
29	29 Prince Street	5
30	217 Elizabeth Street	15
31	192 Elizabeth Street	9
32	196 Bowery	7
33	202 Bowery	7
34	199 Bowery	65
*Pending C of O		
35	27 Wooster Street	16
TOTAL		**664**

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42 Crosby Street, Manhattan

Change in Parking Spaces 2003-2013

Legend

123 (Change in DCA-licensed Parking Spaces 2003-2013) — 1 (Site ID #)

1,800 Foot Radius *(slightly more than 1/3 of a mile)*

42 Crosby Street (Site)

Site	Address	Change in DCA Licensed Parking Spaces 2003-2013
1	78 Avenue of the Americas	-50
2	123-129 Baxter Street	-31
3	125 Baxter Street *(duplicate)*	-99
4	235 Bowery	-38
5	610 Broadway	-24
6	461-469 Broadway	-150
7	501 Broadway	-46
8	520 Broome Street	-188
9	370 Canal Street	-25
10	79 Crosby Street	-63
11	27-31 Grand Street	-23
12	142 Grand Street	-95
13	75 Kenmare Street	15
14	204 Lafayette Street	-84
15	109 Mercer Street	-53
16	40 Mercer Street	100
17	81 Mercer Street	21
18	106-112 Mott Street	41
19	259 Mulberry Street	-15
20	51-53 Walker Street	-62
21	83 Walker Street	-17
22	311-323 West Broadway	18
23	35 West Houston Street	-35
24	37-61 West Houston Street	-46
25	84 White Street	-59
26	3-7 Wooster Street	-25
27	11- 21 Wooster Street	-98
28	137 Wooster Street	-54
29	8 York Street	-50
TOTAL		**-1,136**

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42 Crosby Street, Manhattan
Residential Growth / Off-Street Parking Analysis

NEW RESIDENTIAL UNITS (2003-2013)

Object ID	Address	Block	Lot	Number of Units	Distance to Site (feet)	Zoning	# of Parking Spaces Allowed AOR	# of Parking Spaces Built	Unbuilt Residential Spaces	Associated (Y/N)?
1	55 THOMPSON STREET	489	41	39	1,576	M1-5B	8	0	8	N
2	6 WOOSTER STREET	228	41	11	1,330		2	0	2	N
3	311 WEST BROADWAY	228	7502	67	1,314	M1-5B	13	93	-80	N
4	350 WEST BROADWAY	476	75	8	1,351	M1-5A	2	0	2	N
5	202 SPRING STREET	490	7501	4	1,781	R7-2/C1-5	1	0	1	N
6	51 WALKER STREET	193	7509	15	1,622	C6-2A	3	0	3	N
7	42 WOOSTER STREET	475	7505	14	943	M1-5B	3	0	3	N
8	404 WEST BROADWAY	488	21	3	1,341	M1-5A	1	0	1	N
9	44 MERCER STREET	474	49	5	535	M1-5B	1	0	1	N
10	40 MERCER STREET	474	7506	41	546	M1-5B	8	0	8	N
11	60 GREENE STREET	485	7502	5	650	M1-5A	1	0	1	N
12	137 WOOSTER STREET	515	7501	16	1,567	M1-5A	3	0	3	N
13	501 BROADWAY	484	22	9	351	M1-5B	2	0	2	N
14	92 GREENE STREET	499	7505	14	845	M1-5A	3	0	3	N
15	37 WEST HOUSTON STREET	514	7505	15	1,637	M1-5A	3	0	3	N
16	123 BAXTER STREET	206	7501	23	1,294	C6-2G	5	68	-63	N
17	210 LAFAYETTE STREET	482	7502	52	251	M1-5B	10	0	10	N
18	25 WEST HOUSTON STREET	513	7503	31	1,503	M1-5A	6	0	6	N
19	180 HESTER STREET	205	7502	4	1,388	C6-2G	1	0	1	N
20	143 MULBERRY STREET	236	24	10	1,081	C6-2G	2	0	2	N
21	181 HESTER STREET	237	7502	9	1,376	C6-2G	2	0	2	N
22	175 MULBERRY STREET	471	15	5	755	C6-2G	1	0	1	N
23	106 MOTT STREET	204	7501	61	1,620	C6-2G	12	41	-29	N
24	198 GRAND STREET	471	54	4	1,080	C6-2G	1	0	1	N
25	182 MULBERRY STREET	480	7501	7	789	C6-1	1	0	1	N
26	227 MULBERRY STREET	495	33	54	829	C6-2	11	0	11	N
27	156 MOTT STREET	470	3	5	1,172	C6-2G	1	0	1	N
28	41 EAST HOUSTON STREET	509	19	9	1,571	C6-3	2	0	2	N
29	29 PRINCE STREET	508	52	5	1,329	C6-2	1	0	1	N
30	217 ELIZABETH STREET	493	7501	15	1,330	C6-2	3	0	3	N
31	192 ELIZABETH STREET	492	2	9	1,315	C6-2	2	0	2	N
32	196 BOWERY	492	37	7	1,395	C6-1	1	0	1	N
33	202 BOWERY	492	34	7	1,409	C6-1	1	0	1	N
34	199 BOWERY	425	7502	65	1,622	C6-1	13	0	13	N

NEW RESIDENTIAL UNITS (Pending CO)

Object ID	Address	Block	Lot	Number of Units	Distance to Site (feet)	Zoning	# of Parking Spaces Allowed AOR	# of Parking Spaces Built	Unbuilt Residential Spaces	Associated (Y/N)?
35	27 WOOSTER STREET	228	30	16	1,195	M1-5B	3			N
TOTAL				**664**			**133**	**202**	**-69**	

DCA CHANGE SITES (2003-2013)

Object ID	Address	Block	Lot	Capacity 2003	Capacity 2013	Change from 2003 - 2013	Distance to Site (feet)	Zoning	# Used by Local Parkers in 2003	# Used by Local Parkers in 2013	Change In # Local Parkers 2003 - 2013	Associated (Y/N)?
1	76-80 AVENUE OF THE AMERICAS	227	60	50	0	-50	1,643	M1-5B	34	0	-34	N
2	123-129 BAXTER STREET	206	7501	99	68	-31	1,294	C6-2G	66	46	-21	N
3	*125 BAXTER STREET (duplicate)*	206	7501						0	0	0	N
4	235 BOWERY	426	12	38	0	-38	1,736	C6-1	25	0	-25	N
5	610 BROADWAY	522	1	150	126	-24	1,621	M1-5B	101	84	-16	N
6	461-469 BROADWAY	231	30	150	0	-150	624	M1-5B	101	0	-101	N
7	501 BROADWAY	484	7501	46	0	-46	351	M1-5B	31	0	-31	N
8	520 BROOME STREET	489	1	188	0	-188	1,576	M1-5B	126	0	-126	N
9	370 CANAL STREET	211	29	25	0	-25	1,527	M1-5	17	0	-17	N
10	79 CROSBY STREET	496	1	63	0	-63	656	M1-5B	42	0	-42	N
11	27-31 GRAND STREET	227	50	23	0	-23	1,643	M1-5B	15	0	-15	N
12	142 GRAND STREET	473	47	95	0	-95	479	M1-5B	64	0	-64	N
13	75 KENMARE STREET	480	9	175	190	15	789	C6-1	117	127	10	N
14	204 LAFAYETTE STREET	482	7502	84	0	-84	251	M1-5B	56	0	-56	Y
15	109 MERCER STREET	499	7505	53	0	-53	845	M1-5A	36	0	-36	N
16	40 MERCER STREET	474	7506	0	100	100	546	M1-5B	0	67	67	N
17	81 MERCER STREET	485	28	0	21	21	573	M1-5A	0	14	14	N
18	106-112 MOTT STREET	204	7501	113	154	41	1,620	C6-2G	76	103	27	N
19	259 MULBERRY STREET	510	30	15	0	-15	1,142	M1-5B	10	0	-10	N
20	51-53 WALKER STREET	193	7509	62	0	-62	1,622	C6-2A	42	0	-42	N
21	83 WALKER STREET	195	12	17	0	-17	1,532	C6-2A	11	0	-11	N
22	311-323 WEST BROADWAY	228	7502	75	93	18	1,314	M1-5B	50	62	12	N
23	35 WEST HOUSTON STREET	513	7503	35	0	-35	1,503	M1-5A	23	0	-23	N
24	37-61 WEST HOUSTON STREET	514	7505	46	0	-46	1,637	M1-5A	31	0	-31	N
25	84 WHITE STREET	195	30	59	0	-59	1,645	C6-2A	40	0	-40	N
26	3-7 WOOSTER STREET	228	7501	25	0	-25	1,330	M1-5B	17	0	-17	N
27	11- 21 WOOSTER STREET	228	7502	98	0	-98	1,314	M1-5B	66	0	-66	N
28	137 WOOSTER STREET	515	7501	54	0	-54	1,567	M1-5A	36	0	-36	N
29	8 YORK STREET	212	45	50	0	-50	1,851	M1-5	34	0	-34	N
TOTAL				**1888**	**752**	**-1136**			**1265**	**504**	**-761**	

ADDITIONAL PARKING FACILITIES IN THE STUDY AREA

Object ID	Address	Block	Lot
1	152 Elizabeth Street	478	7
2	359 Broome Street	470	13
3	65 East Houston Street	508	25
4	298 Mulberry Street	521	1
5	5 Stanton Street	426	18
6	114 Mulberry Street	205	8
7	95 Baxter Street	199	9
8	204 Centre Street	207	6
9	208 Hester Street	207	8
10	391 Broome Street	471	11
11	2 Howard Street	234	1
12	413 Broadway	194	36
13	88 Walker Street	196	24
14	200 Spring Street	489	17
15	173 Spring Street	502	2
16	356 West Broadway	476	73
17	16 Thompson Street	227	15
18	146 Wooster Street	514	7
19	349 Canal Street	229	5

APPENDIX

Discrepancies between DOB research and DCP data regarding new residential units created 2003-2013

6 York Street - Is a hotel (Hilton Garden Inn). The 2010 CO reflects 0 residential units. Data from DCP had 151 residential units.

23 Grand Street - Is a restaurant (David Burke Kitchen). The 2011 CO reflects 0 residential units. Data from DCP had 1 residential unit.

31 Grand Street - Is a hotel (The St. James). The 2011 CO reflects 0 residential units. Data from DCP had 114 residential units.

2 Avenue of the Americas - Is a hotel (The Tribeca Grand). The 2000 CO reflects 0 residential units. Data from DCP had 203 residential units. (Note: No change from 2003 to 2013.)

51 Walker Street - The 2007 CO reflects 15 residential units. Data from DCP had 14 residential units.

60 Thompson Street - Is a hotel ("60 Thompson"). The 2004 CO reflects 0 residential units. Data from DCP had 100 residential units.

137 Wooster Street - The 2007 CO reflects 14 residential units. Data from DCP had 16 residential units.

210 Lafayette Street - The 2005 CO reflects 28 residential units. Data from DCP had 52 residential units.

25 West Houston Street - The 2004 CO reflects 28 residential units. Data from DCP had 31 residential units.

79 Crosby Street - Is a hotel (The Crosby Street Hotel). The 2010 CO reflects 0 residential units. Data from DCP had 86 residential units.

181 Hester Street - The 2007 CO reflects 9 residential units. Data from DCP had 8 residential units.

54 Spring Street - The 2000 CO reflects 10 residential units. DCP data also shows 10 units. However, *no new units* from 2003-2013.

227 Mulberry Street - The 2004 CO reflects 54 residential units. Data from DCP had 53 residential units.

29 Prince Street - The 2004 CO reflects 5 residential units. Data from DCP had 6 residential units.

199 Bowery - The 2007 CO reflects 65 residential units. Data from DCP had 66 residential units.

Parking facilities located during area survey that were not listed as DCA 2003-2013 change sites in the data we received from DCP

152 Elizabeth Street - is a public parking garage that does not have a DCA license. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

359 Broome Street - is a private parking lot that does not have a DCA license, adjacent to a church. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

65 East Houston Street - contains a DCA-licensed underground public parking garage. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

298 Mulberry Street - contains a DCA-licensed underground public parking garage. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

5 Stanton Street - contains a private surface parking lot that does not have a DCA license. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

114 Mulberry Street - is a DCA-licensed public surface parking lot. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

95 Baxter Street - is a DCA-licensed public surface parking lot. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

176-180 Centre Street - is a DCA-licensed public surface parking lot. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

391 Broome Street - is a DCA-licensed public surface parking lot. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

2 Howard Street - is a public parking garage that does not have a DCA license. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

413 Broadway - is a DCA-licensed public surface parking lot. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

88 Walker Street - is a DCA-licensed public surface parking lot. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

200 Spring Street - contains a private surface parking lot that does not have a DCA license. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

173 Spring Street - contains a private surface parking lot that does not have a DCA license. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

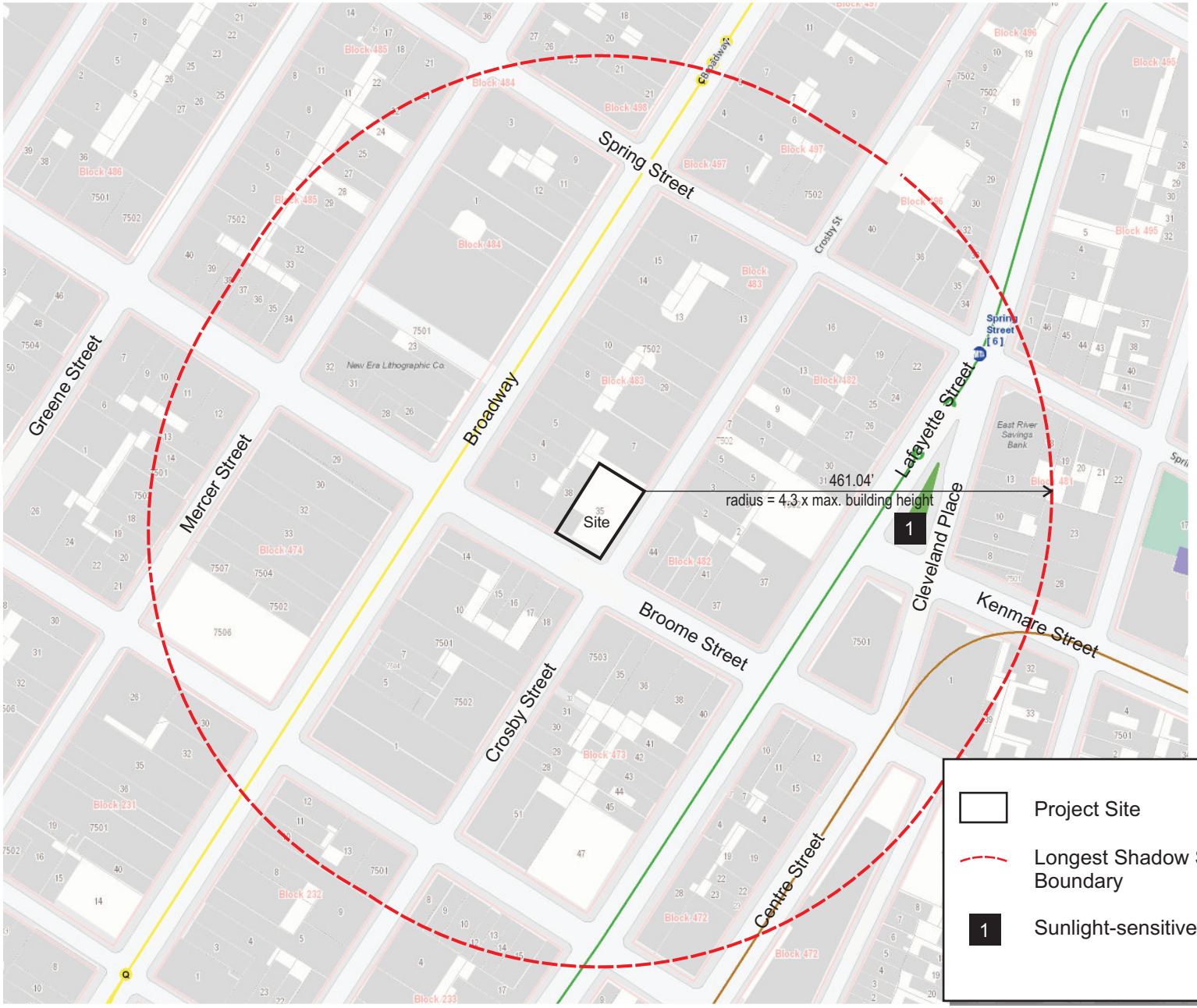
356 West Broadway - is a DCA-licensed public parking garage. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

16 Thompson Street - contains a private surface parking lot (accessory to adjacent hotel) that does not have a DCA license. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

146 Wooster Street - is a DCA-licensed public surface parking lot. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes).

349 Canal Street - is a DCA-licensed public parking garage. There is no indication the number of spaces in said facility have changed from 2003-2013 (no job filings or CO changes). (A 2007 job filing to install lifts in the garage was disapproved.)

SHADOWS
APPENDIX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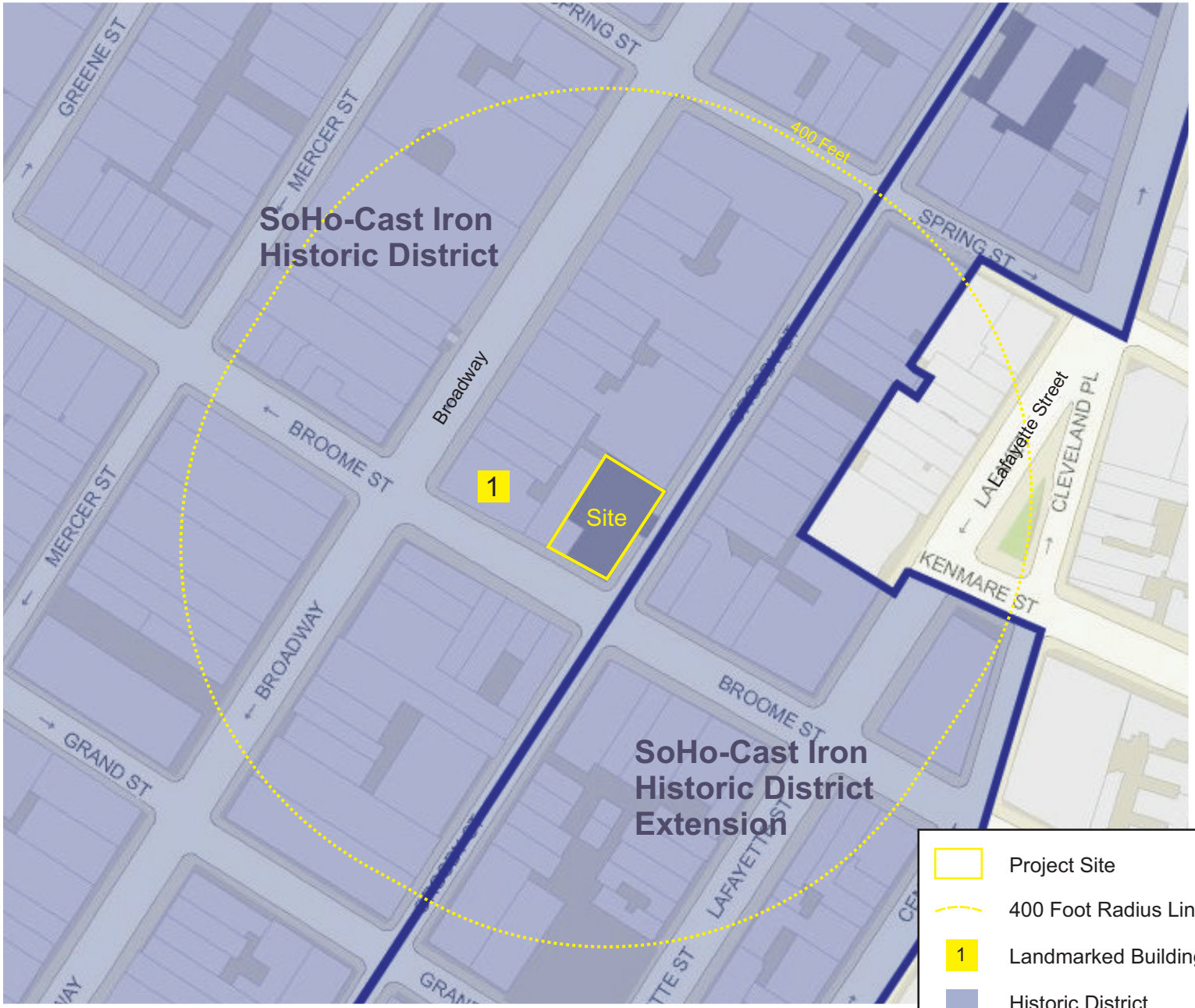
Broadway
Greene Street
Mercer Street
Crosby Street
Broome Street
Lafayette Street
Cleveland Place
Kenmare Street
Centre Street
Crosby St
Site
461.04'
radius = 4.3 x max. building height
1
Legend
Project Site
Longest Shadow Study Area Boundary
1
Sunlight-sensitive resource
North

HISTORIC AND CULTURAL RESOURCES APPENDIX


SoHo-Cast Iron
Historic District
SoHo-Cast Iron
Historic District
Extension
400 Feet
1
Site
Broadway
BROOME ST
BROADWAY
MERCER ST
GREENE ST
SPRING ST
LAFAYETTE ST
CLEVELAND PL
KENMARE ST
GRAND ST
North
Legend
Project Site
400 Foot Radius Line
1
Landmarked Building
Historic District

CSS ***Compliance Solutions Services, LLC***

434 West 20th Street, Suite 8
New York, NY 10011
phone: 212-741-3432
fax: 646-588-1918
mobile: 917-941-2723
e-mail: jstrauss-css@nyc.rr.com

June 25, 2013

Ms. Gina Santucci, Director of Environmental Review
New York City Landmarks Preservation Commission
Municipal Building
One Centre Street, 9th floor north
New York, NY 10007

Re: 42 Crosby Street, Manhattan
Block 483, Lot 35

Dear Ms. Santucci:

We are preparing an EAS for a proposed action on the above referenced property which requires the issuance of two Special Permits from the City Planning Commission. The first CPC Special Permit is required, pursuant to Section (§) 74-712 of the NYC Zoning Resolution (ZR), to allow new development on a lot located within an LPC designated Historic District that contains only minor improvements. The second CPC Special Permit is required, pursuant to ZR § 13-561, to allow accessory parking in excess of the amount allowed as-of-right. We are requesting your assistance in determining the potential sensitivity of the property.

The subject property consists of an approximately 8,274 square foot lot located at the northwest corner of Crosby and Broome Streets in the SoHo neighborhood of Manhattan. The property is roughly rectangular in shape and has approximately 114.00' of frontage along Crosby Street to the east and 71.39' of frontage along Broome Street to the south. The property is bordered by two other lots to the north (52 Crosby Street/504 Broadway) and west (438 Broome Street). The property is located in an M1-5B zoning district and lies within the SoHo Cast Iron Historic District.

The property is currently used as a public parking lot and contains space for approximately 40 vehicles on the surface of the lot and on stacker units. The property contains an approximately 814 square foot, one-story structure in the southwest corner of the lot that was previously used in connection with a motor vehicle repair shop formerly located on the site. The building is currently vacant and not in use. I am attaching a copy of a land use map indicating the location of the project site and a 400-foot radius circle around the property.

Enclosed are copies of 8 photographs of the site and surroundings prepared in compliance with LPC's "Documentation Requirements for Request for Historic Clearance". The points at which these photos were taken are indicated on the enclosed land use map.

It is proposed to develop the site with a 42,594 gross square foot, 7-story and cellar mixed-use building. The building would contain 10 dwelling units, occupying approximately 38,691 gross square feet of floor area, and 3,903 gross square feet of ground floor retail space. Ten accessory parking spaces would be provided in the cellar of the building accessed via a vehicle elevator and driveway access onto Crosby Street. The existing structure on the site would be demolished and the existing uses removed in order to accommodate the proposed development. The proposed architectural plans for the project are also enclosed for your review. Please note that drawings and renderings in the LPC presentation package dated 02/12/13 are for the previous design of the building and are included for comparison purposes only.

Please let me know if you believe that the project site and its surroundings may contain any potential historic or archaeological resource concerns that we need to consider under CEQR. If you have any questions, please call me at 212-741-3432.

Sincerely,

John J. Strauss
President

enc.

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP132M
Project:
Address: 42 CROSBY STREET, **BBL:** 1004830035
Date Received: 11/22/2013

[ ] No architectural significance

[X] No archaeological significance

[X] Designated New York City Landmark or Within Designated Historic District

[X] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments:

The project is within the Soho Cast Iron HD, LPC and S/NR listed. Certificate of Appropriateness 14-4031, dated 6/27/13, has been issued for this project. The C of A should be appended to the EAS.

Gina Santucci 12/9/2013

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 28655_FSO_GS_12092013.doc

THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007
TEL: 212 669-7700 FAX: 212 669-7780

PERMIT

CERTIFICATE OF APPROPRIATENESS

ISSUE DATE:	EXPIRATION DATE:	DOCKET #:	COFA #:
06/27/13	05/14/2019	13680[illegible]	COFA 14-4031

ADDRESS	BOROUGH:	BLOCK/LOT:
42 CROSBY STREET HISTORIC DISTRICT SOHO-CAST IRON	MANHATTAN	483 / 35

Display This Permit While Work Is In Progress

ISSUED TO:

Louis Blum
Broome Street Owner LLC
c/o Atlas Capital Group, LLC
505 5th Avenue, 28th floor
New York, NY 10017

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of May 14, 2013, following the Public Hearing of December 11, 2012 and the Public Meeting of February 12, 2013, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forth in your application completed November 15, 2012.

The proposal, as approved, consists of demolishing the parking attendant structure and car lifts, and constructing a new six-story building with a one-story penthouse, featuring an exterior grid of stainless steel round columns and stainless steel spandrels with inset mesh panels; a powder coated aluminum sliding window system, exterior gray metallic pull down shades, glass guardrails, and a stepped stainless steel cornice; above a commercial base consisting of large powder coated aluminum framed display windows and bulkheads, and recessed storefront, building, and garage entrances; at the roof, a penthouse set back from both street facades and the north lot line wall, featuring engaged round columns, a powder coated aluminum sliding window system, exterior pull down shades, and a stainless steel cornice with a projecting overhang for solar shading; a planting strip at the roof perimeter, and a brick clad bulkhead above the penthouse roof; and excavating for a below grade garge level and installing a curb cut at the Crosby Street sidewalk. The proposal, as initially presented, included a five-story building with a four-story penthouse, and different window types and material finishes. The proposal was shown in a digital presentation of photographs, renderings and drawings, dated May 14, 2013, prepared by Selldorf Architects, and submitted as components of the application and presented at the Public Hearing and Public Meeting.

In reviewing the proposal, the Commission noted that the SoHo-Cast Iron Historic District Designation Report

describes 42 Crosby, aka 432-436 Broome Street, as a parking lot and garage. The Commission further noted that the property is a corner site which currently consists of a parking lot with an attendant structure and car lifts, and that the streetscapes of Crosby Street and Broome Street are comprised of a variety of mid to late 19th century masonry and cast iron buildings, with a predominant streetwall height of five to six stories.

With regard to this proposal, the Commission found that demolishing the existing structures will not detract from the special historic and architectural character of the SoHo-Cast Iron Historic District; that the construction of a new building on this lot will restore the continuity of the street wall on both streets and re-establish a built corner at this intersection; that the plane of the street walls of the new building will align with the street walls of the adjacent historic buildings, thereby reinforcing the streetwall as a character defining feature of the streetscape; that the height and massing of the building is consistent with the height and massing of historic buildings found in this historic district; that the building, defined by a strong cornice, provides a distinctive termination to the block; that the set back massing of the one-story penthouse and mechanical bulkhead will evoke typical historic utilitarian rooftop features found on building's in this district, and its minimal visibility will not detract from the streetscape; that the grid design of the building alludes to the grids of piers and spandrels which are typical features of the facades of the cast iron buildings within the historic district; that the bay spacing and the floor-to-ceiling heights provide a vertical expression which will harmonize with other buildings in the streetscape; that the articulation and varying planes of the windows and facade elements, including sliding windows with inset glass railing and operable window shades and steel mesh spandrels, are evocative of the depth and articulation found on many historic cast iron buildings within this district; that the use of metal and glass recalls the evolution of these materials in this historic district and that this contemporary design, using stainless steel, is a continuation of the innovative use of these materials; that the large expanses of glazing at the storefronts are consistent with commercial ground floors at historic buildings throughout the historic district; that the presence of a garage entrance on the Crosby Street façade is consistent with the industrial character of the streetscape, and that the garage will utilize an existing curb cut; and that the proposed work will enhance the special architectural and historic character of the building and the SoHo-Cat Iron Historic District. Based on these findings, the Commission determined the work to be appropriate to the building and to the SoHo-Cast Iron Historic District and voted to approve this application.

The Commission notes that the applicant is applying to the City Planning Commission for a special permit (i) pursuant to Zoning Resolution section 74-712, to modify the use regulations of Zoning Resolution sections 42-10 and 42-14 to allow residential use (UG-2) throughout the building and to allow retail use (UG-6) on the ground floor and cellar, and (ii) pursuant to Zoning Resolution section 13-451, to increase the number of enclosed, accessory off-street parking spaces to ten. Any changes to the design required by the City Planning Commission must be submitted to the Landmarks Preservation Commission for review and approval prior to the issuance of the final approval letter.

PLEASE NOTE: This permit is issued contingent upon the Commission's review and approval of the final Department of Building filing set of drawings. No work can begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Please submit these drawings to the Landmarks Preservation Commission staff when they become available.

Also, as the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Buildings that the TPPN applies.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual

building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of approval. The work is limited to what is contained in the perforated documents. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Rita Wong.

Robert B. Tierney
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Annabelle Selldorf, Selldorf Architects

cc: Cory Scott Herrala, Senior Technical Advisor; Sarah Carroll, Director of Preservation

HAZARDOUS MATERIALS APPENDIX

NYC Environmental Protection

Carter H. Strickland, Jr.
Commissioner

Angela Licata
Deputy Commissioner
of Sustainability
alicata@dep.nyc.gov

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-4398
F: (718) 595-4479

December 19th, 2013

Mr. Robert Dobruskin
Director, Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, Room 4E
New York, New York 10007-1216

Re: 42 Crosby Street
Block 483 Lot 35
DEP # 14DEPTECH037M / CEQR # 14DCP086M
New York New York, 10012

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the October 2012 Phase I Environmental Site Assessment Report (Phase 1) prepared by EcolSciences Inc., and the November 2013 Environmental Assessment Statement (EAS) prepared by Compliance Solutions Services LLC., on behalf of Broome Street Owner LLC., (applicant) for the above referenced project. It is our understanding that the applicant is seeking a Special Permit from the New York City Department of City Planning (DCP) pursuant to ZR 74-712(a) to modify use regulations, as well as a Special Permit pursuant to ZR Section 13-561 concerning accessory parking. The proposed actions would facilitate a proposal to construct a mixed residential and commercial building with accessory parking. The development site, Block 483 Lot 35, is located on the northwest corner of Crosby Street and Broome Street in the SoHo neighborhood of Manhattan, Community District 2. It should be noted that the project site is developed with a vacant one-story structure in the south west corner of the property.

The October 2012 Phase I report revealed that historical on-site and surrounding area land uses consists of residential and commercial uses including residential buildings, a restaurant, an auto repair shop, parking facilities, clothing stores, a towing company, a metal design company and a gas station. Five-gallon buckets of hydraulic fluid, used for the 26 above-ground hydraulic lifts, were observed on the property, as well as several areas of surficial staining. Potential asbestos containing material (ACM) was observed in floor tiles, roofing material and plaster walls of the on-site structure. Regulatory databases such as the New York State Department of Environmental Conservation (NYSDEC) SPILLS, Leaking Underground Storage Tank (LUST), Leaking Storage Tanks (LTANKS), Resource Conservation and Recovery Act, and Generator and Petroleum Bulk Storage identified several sites in close proximity to the project site. The NYSDEC LTANKS database reported 159 sites within a 1/2-mile radius of the project site.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- DCP should inform the applicant that based on the historical on-site land uses, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils of the subject parcels. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil, groundwater, and soil vapor sampling activities should be submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil boring locations and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082, Target Analyte List metals (filtered and unfiltered for groundwater samples) and soil vapor samples by EPA Method TO-15. The soil vapor sampling should be conducted in accordance with NYSDOH's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. An Investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.

- DCP should instruct the applicant that a geophysical survey should be conducted to locate any potential Underground Storage Tanks (USTs). If found, all USTs, (including dispensers, piping, and fill-ports) must be properly closed/removed in accordance with all applicable NYSDEC Regulations.

- DCP should inform the applicant that suspected ACM may be present in the on-site structure. This material should be properly removed and/or managed prior to the start of the renovation/construction activities and disposed of in accordance with all federal, state, and local regulations.

- DCP should also instruct the applicant that the Phase II Work Plan and HASP should be submitted to DEP for review and approval prior to the start of any fieldwork.

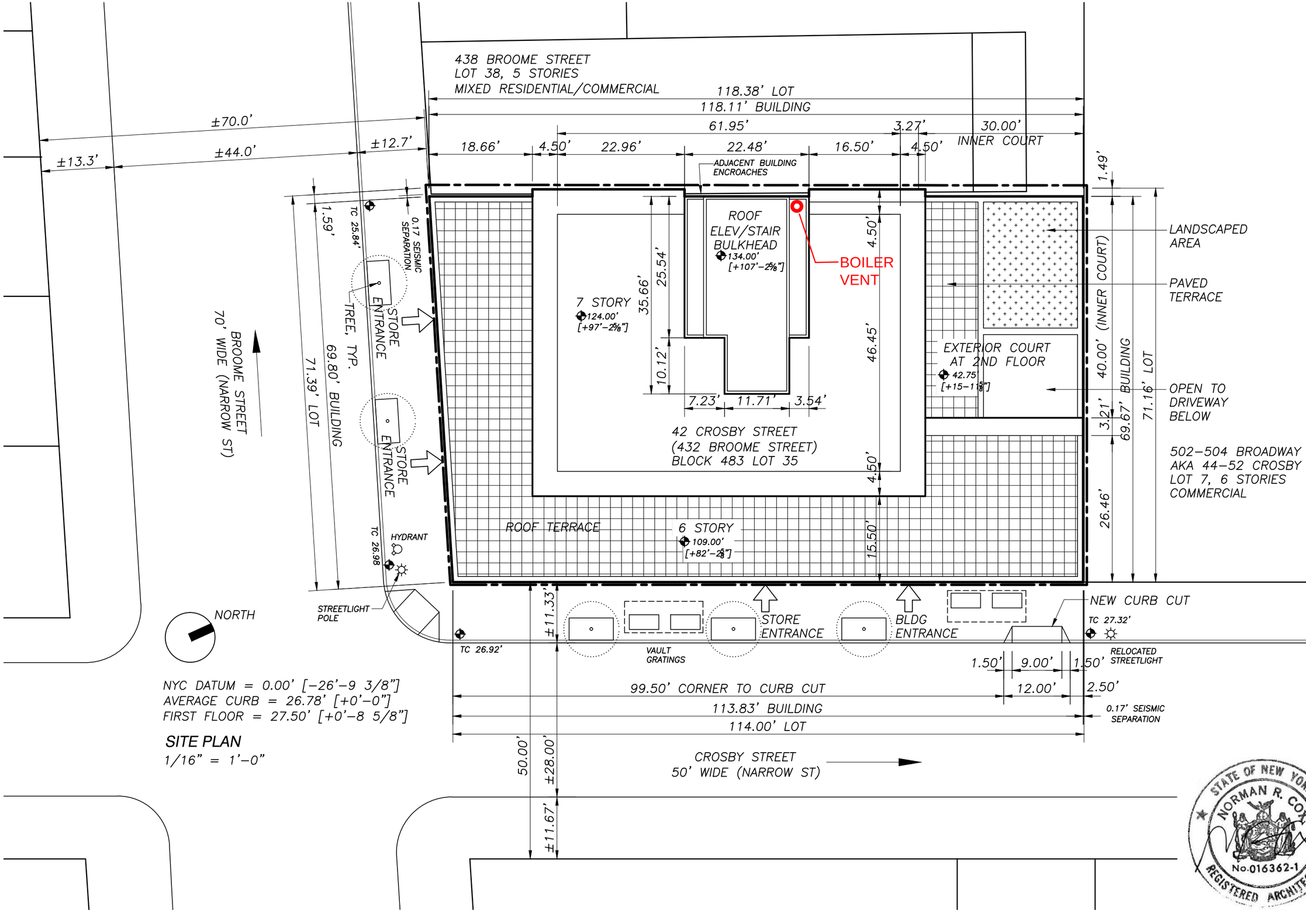
Future correspondence related to this project should include the following tracking number **14DEPTECH037M**. If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

cc: E. Mahoney; M. Winter; W. Yu; T. Estesen; M. Wimbish; File

AIR QUALITY APPENDIX



NYC DATUM = 0.00' [-26'-9 3/8"]
AVERAGE CURB = 26.78' [+0'-0"]
FIRST FLOOR = 27.50' [+0'-8 5/8"]

SITE PLAN
1/16" = 1'-0"

SELLDORF ARCHITECTS
860 Broadway, 2nd Floor
New York, NY 10003
212 219 9571

Franke, Gottsegen, Cox Architects
78 Union Street
Brooklyn, NY 11231
718 596 3040

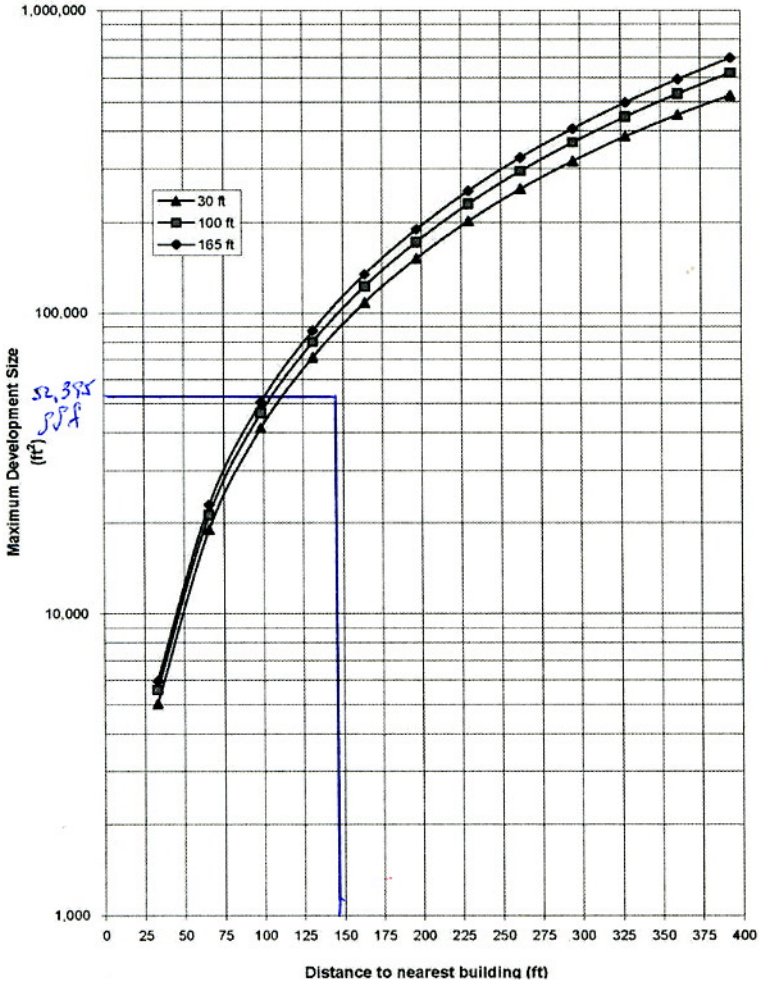
Revsion
10/29/13
11/18/13

42 CROSBY STREET

Date: 8/26/13
Scale: 1/16" = 1'-0"

SITE PLAN

Figure 17-3:
Stationary Source Screen



NOISE

E. EXISTING NOISE LEVELS

SELECTION OF NOISE RECEPTOR LOCATIONS

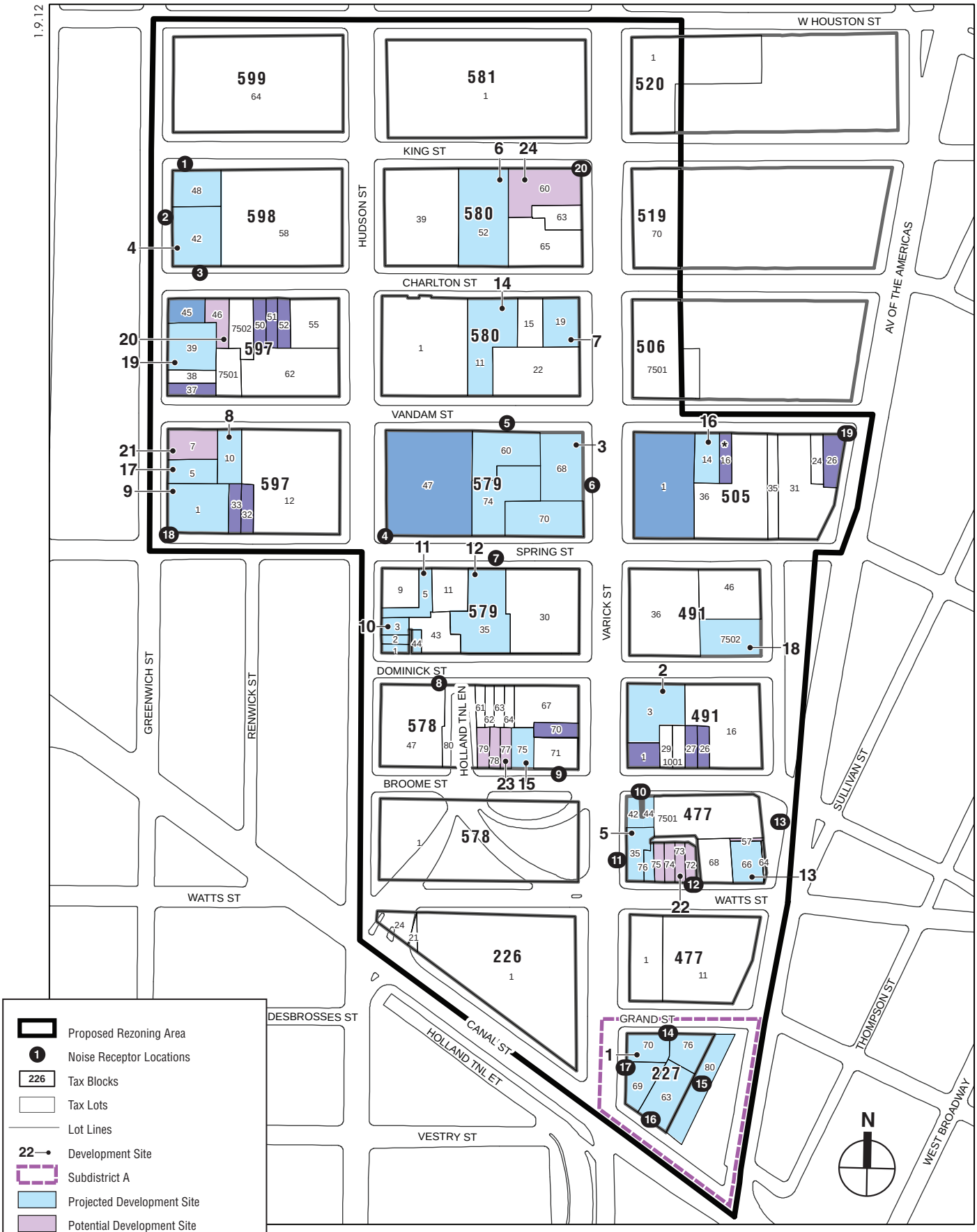
A total of 20 receptor locations within the Rezoning Area were selected for evaluation of noise attenuation requirements. These locations are detailed below and shown in **Figure 16-1.**

Noise receptor locations were selected based on the following criteria: (1) locations near projected and potential development sites; and (2) to provide comprehensive geographic coverage throughout the study area to get an accurate picture of the ambient noise environment.

- Receptor Location 1 is located on King Street between Greenwich Street and Hudson Street.
- Receptor Location 2 is located on Greenwich Street between Charlton and King Streets.
- Receptor Location 3 is located on Charlton Street between Greenwich and Hudson Streets.
- Receptor Location 4 is located on the corner of Hudson and Spring Streets.
- Receptor Location 5 is located on Vandam Street between Hudson and Varick Streets.
- Receptor Location 6 is located on Varick Street between Vandam and Spring Streets.
- Receptor Location 7 is located on Spring Street between Varick and Hudson Streets.
- Receptor Location 8 is located on Dominick Street between Hudson and Varick Streets.
- Receptor Location 9 is located on Broome Street between Hudson and Varick Streets.
- Receptor Location 10 is located on Broome Street between Avenue of the Americas and Varick Street.
- Receptor Location 11 is located on Varick Street between Watts and Broome Streets.
- Receptor Location 12 is located on Watts Street between Avenue of the Americas and Varick Street.
- Receptor Location 13 is located on Avenue of the Americas between Broome Street and Watts Street.
- Receptor Location 14 is located on Grand Street between Varick Street and Avenue of the Americas.
- Receptor Location 15 is located on Avenue of the Americas between Grand and Canal Streets.
- Receptor Location 16 is located on Canal Street between Avenue of the Americas and Varick Street.
- Receptor Location 17 is located on Varick Street between Canal and Grand Streets.
- Receptor 18 is located on the corner of Spring and Greenwich Streets.
- Receptor 19 is located on the corner of Vandam Street and Avenue of the Americas.
- Receptor 20 is located on the corner of King and Varick Streets.

NOISE MONITORING

At each receptor site, existing noise levels were determined by field measurements. Noise monitoring was performed on 11 separate days between May 22, 2010 and May 10, 2012. At all sites, 20-minute spot measurements were taken. All measurements were performed during the weekday peak periods—AM (7:30 to 9:30 AM), midday (MD) (12:00 to 2:00 PM), and PM



*NOTE: As discussed in the Foreword of the FEIS, since the issuance of the DEIS, a developer has purchased Block 505, Lot 16 (Potential Enlargement Site 4) and intends to utilize the available development rights as part of the adjacent One SoHo Square project. Therefore, an enlargement is not expected to occur there in the future.

Noise Receptor Locations

Figure 16-1

HUDSON SQUARE REZONING

(4:30 to 6:30 PM). Receptors 1 through 17 were also measured during the weekend peak period—Saturday midday (MD) (12:00 to 2:00 PM).

EQUIPMENT USED DURING NOISE MONITORING

Measurements were performed using Brüel & Kjær Sound Level Meters (SLM) Type 2260, a Brüel & Kjær SLM Type 2250, a Brüel & Kjær SLM Type 2270, Brüel & Kjær ½-inch microphones Type 4189, and Brüel & Kjær Sound Level Calibrators Type 4231. The Brüel & Kjær SLMs are Type 1 instruments according to ANSI Standard S1.4-1983 (R2006). The SLMs have a laboratory calibration date within the past one year at the time of use. The microphones were mounted at a height of approximately five feet above the ground surface on a tripod and approximately six feet or more away from any large sound-reflecting surface to avoid major interference with sound propagation. The SLMs were calibrated before and after readings with a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. The data were digitally recorded by the SLMs and displayed at the end of the measurement period in units of dBA. Measured quantities included the L_{eq}, L_1, L_{10}, L_{50}, L_{90}, and 1/3 octave band data. A windscreen was used during all sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

EXISTING NOISE LEVELS AT NOISE RECEPTOR LOCATIONS

MEASURED NOISE LEVELS

The results of the measurements of existing noise levels are summarized in **Table 16-3**. Traffic was the dominant noise source for all receptor sites. Noise levels are moderate to relatively high and reflect the level of vehicular activity present on the adjacent roadways.

Table 16-3
Existing Noise Levels (in dBA)

Receptor #	Measurement Location	Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
1	King Street between Greenwich and Hudson Streets	AM	64.0	73.7	64.9	61.7	60.0
		MD	64.2	71.2	66.5	62.5	60.9
		PM	62.6	69.8	64.7	61.3	59.2
		SMD	61.1	65.2	62.2	59.9	58.8
2	Greenwich Street between Charlton and King Streets	AM	67.6	75.6	71.0	65.1	61.5
		MD	66.9	77.3	69.0	62.1	59.4
		PM	65.2	74.5	68.1	61.7	58.6
		SMD	64.6	73.1	68.0	62.1	60.8
3	Charlton Street between Greenwich and Hudson Streets	AM	63.1	68.9	65.3	62.3	60.2
		MD	64.6	70.6	67.0	63.3	61.8
		PM	63.5	70.6	65.0	62.2	61.2
		SMD	64.2	71.7	64.5	62.7	61.9
4	Corner of Hudson and Spring Streets	AM	73.5	83.7	76.8	69.6	63.8
		MD	70.0	77.6	73.6	67.7	63.9
		PM	66.7	75.3	68.4	64.9	63.1
		SMD	67.1	74.1	69.5	65.4	63.7
5	Vandam Street between Hudson and Varick Streets	AM	65.6	71.6	67.9	64.6	62.2
		MD	65.6	71.2	67.2	64.6	62.6
		PM	64.8	71.3	66.1	63.5	61.4
		SMD	64.6	68.0	65.6	64.3	63.5
6	Varick Street between Vandam and Spring Streets	AM	70.5	78.5	74.6	66.7	60.3
		MD	71.9	79.1	75.0	70.1	65.3
		PM	68.0	75.0	70.4	66.8	63.5
		SMD	69.4	77.3	71.7	67.9	65.3

Table 16-3 (cont'd)
Existing Noise Levels (in dBA)

Receptor #	Measurement Location	Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
7	Spring Street between Varick and Hudson Streets	AM	70.5	79.2	73.5	67.5	64.1
		MD	68.0	76.3	71.0	65.9	63.0
		PM	71.1	80.8	73.0	67.6	63.8
		SMD	66.1	73.0	68.4	64.3	63.0
8	Dominick Street between Hudson and Varick Streets	AM	65.3	72.3	67.0	64.1	62.1
		MD	64.8	71.7	66.7	63.8	61.9
		PM	62.2	68.8	64.4	61.2	59.0
		SMD	62.1	67.9	63.5	61.4	60.5
9	Broome Street between Hudson and Varick Streets	AM	65.3	71.5	67.5	64.3	62.3
		MD	63.6	70.1	65.9	62.6	60.1
		PM	63.4	70.7	65.3	62.4	60.4
		SMD	64.9	71.5	67.1	63.7	62.4
10	Broome Street between Avenue of the Americas and Varick Street	AM	64.3	70.6	66.5	63.2	60.4
		MD	63.8	69.7	66.2	62.9	60.1
		PM	66.4	77.0	68.1	63.6	61.5
		SMD	66.0	73.3	68.6	64.3	62.1
11	Varick Street between Watts and Broome Streets	AM	70.4	78.5	74.0	67.1	63.6
		MD	69.2	78.4	72.2	66.2	62.0
		PM	70.8	80.0	74.3	67.6	62.8
		SMD	68.5	76.4	71.7	66.4	61.2
12	Watts Street between Avenue of the Americas and Varick Street	AM	75.7	88.3	78.1	70.1	63.8
		MD	70.3	78.7	73.8	67.3	64.1
		PM	76.0	85.1	81.1	70.3	62.9
		SMD	67.5	75.7	70.0	65.7	62.7
13	Avenue of the Americas between Broome and Watts Streets	AM	72.8	83.5	76.7	66.7	63.4
		MD	69.9	77.6	72.8	67.7	64.3
		PM	69.4	77.3	73.1	65.7	61.9
		SMD	72.0	80.0	74.5	70.9	65.4
14	Grand Street between Varick Street and Avenue of the Americas	AM	67.6	73.1	69.2	66.9	64.7
		MD	65.2	71.4	67.4	64.4	61.4
		PM	65.1	71.0	67.3	64.3	62.0
		SMD	63.1	69.8	65.2	62.2	59.6
15	Avenue of the Americas between Grand and Canal Streets	AM	70.7	76.5	73.7	69.6	64.7
		MD	69.6	76.0	72.3	68.5	65.0
		PM	70.0	79.2	72.8	67.9	64.5
		SMD	69.0	76.1	72.2	67.2	62.8
16	Canal Street between Avenue of the Americas and Varick Street	AM	74.0	82.6	78.0	70.3	65.8
		MD	72.8	81.0	76.6	69.7	65.3
		PM	70.4	79.3	73.1	68.2	64.9
		SMD	69.1	77.4	72.0	66.7	64.1
17	Varick Street between Canal and Grand Street	AM	71.5	79.7	73.8	69.2	65.0
		MD	68.2	74.4	70.6	67.0	64.0
		PM	68.7	76.7	71.7	66.8	62.5
		SMD	67.3	76.5	70.0	64.4	61.1
18	Corner of Spring and Greenwich Streets	AM	70.7	80.5	74.2	66.4	61.7
		MD	68.3	78.2	71.1	65.1	62.2
		PM	67.5	76.2	69.4	65.4	62.6
19	Corner of Vandam Street and Avenue of the Americas	AM	71.3	79.8	75.4	67.7	61.6
		MD	69.8	79.2	73.3	65.5	60.4
		PM	68.5	77.8	71.8	65.7	60.2
20	Corner of King and Varick Streets	AM	74.8	84.7	77.6	72.1	68.6
		MD	72.5	81.5	75.4	70.6	66.9
		PM	70.7	77.7	74.1	68.5	65.1

Note: Field measurements were performed by AKRF, Inc. between May 22, 2010 and May 10, 2012.

In terms of *CEQR Technical Manual* criteria, receptor sites 1, 3, 5, 8, 9, 10, and 14 are in the "marginally acceptable" category, receptor sites 2, 4, 6, 7, 11, 13, 15, 16, 17, 18, 19, and 20 are in the "marginally unacceptable" category, and receptor site 12 is in the "clearly unacceptable" category.

F. NOISE PREDICTION METHODOLOGY

GENERAL METHODOLOGY

Future noise levels were calculated using a proportional modeling technique, which was used as a screening tool to estimate changes in noise levels. The proportional modeling technique is an analysis methodology recommended for analysis purposes in the *CEQR Technical Manual*. The noise analysis examined the weekday AM, midday (MD), PM, and Saturday MD peak hours at receptor sites 1 through 17 and the weekday AM, MD, and PM peak hours at receptor sites 18-20. The selected time periods are when the proposed project would be expected to produce the maximum traffic generation (based on the traffic studies presented in Chapter 13, "Transportation") and therefore result in the maximum potential for significant adverse noise impacts. The proportional modeling used for the noise analysis is described below.

PROPORTIONAL MODELING

Proportional modeling was used to determine locations with the potential for having significant noise impacts. Proportional modeling is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis.

Using this technique, the prediction of future noise levels where traffic is the dominant noise source is based on a calculation using measured existing noise levels and predicted changes in traffic volumes to determine No-Action and With-Action noise levels. Vehicular traffic volumes are converted into Passenger Car Equivalent (PCE) values, for which one medium-duty truck (having a gross weight between 9,900 and 26,400 pounds) is assumed to generate the noise equivalent of 13 cars, and one heavy-duty truck (having a gross weight of more than 26,400 pounds) is assumed to generate the noise equivalent of 47 cars, and one bus (vehicles designed to carry more than nine passengers) is assumed to generate the noise equivalent of 18 cars. Future noise levels are calculated using the following equation:

$$F\ NL - E\ NL = 10 * \log_{10} (F\ PCE / E\ PCE)$$

where:

F NL = Future Noise Level

E NL = Existing Noise Level

F PCE = Future PCEs

E PCE = Existing PCEs

Sound levels are measured in decibels and therefore increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measured in PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCE and if the future traffic volume were increased by 50 PCE to a total of 150 PCE, the noise level would increase by 1.8 dBA. Similarly, if the future traffic were increased by 100 PCE, or doubled to a total of 200 PCE, the noise level would increase by 3.0 dBA.